

5p E/13/0132/B – Unauthorised erection of brick wall, close boarded fence and electric gates at Willow House (formerly ‘Glebe House’), Wood End, Ardeley, Herts, SG2 7AZ

Parish: ARDELEY

Ward: WALKERN

RECOMMENDATION:

That the Director of Neighbourhood Services, in consultation with the Director of Finance and Support Services, be authorised to take enforcement action under section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised works.

Period for compliance: 2 Months

Reasons why it is expedient to issue an enforcement notice:

The front boundary wall, fence and gates, by reason of their siting, length and height appear unduly prominent and out of keeping with the character and appearance of this rural road and the Wood End Conservation Area contrary to policies BH6, GBC3 and ENV1 of the East Herts Local Plan Second Review April 2007 and the requirements of the National Planning Policy Framework.

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1.0 Background:

- 1.1 The site is shown on the attached Ordnance Survey extract. It is located within the Conservation Area of Wood End, a small hamlet near Ardeley. The area is also classified as Rural Area Beyond the Green Belt and is within an Area of Archaeological Significance (an AAS).
- 1.2 In May 2013, a concern was expressed to this Council that the owners of Willow House (formerly Glebe House) had erected a new brick front boundary wall approximately 2 metres in height and adjacent to the highway.
- 1.3 A site visit was carried out and the owners were contacted and advised that, due to the height and location of the wall and future fence and gates, the development would require planning permission.
- 1.4 The owners contacted the Council in August 2013 and advised that they had been out of the country and were again leaving and would not

E/13/0132/B

return until October when an application would be submitted.

1.5 On the 7th November 2013 a retrospective application was submitted to regularise the works to the front boundary of the property. After due consideration however, the application was refused for the following reason:

1. The front boundary wall, fence and gates, by reason of their siting, length and height appear, unduly prominent and out of keeping with the character and appearance of this rural road and the Wood End Conservation Area contrary to policies BH6, GBC3 and ENV1 of the East Herts Local Plan Second Review April 2007 and the requirements of the National Planning Policy Framework.

1.6 Photographs of the site will be available at the meeting.

2.0 Planning History:

2.1 The relevant planning history is as follows:

3/13/1974/FP	Erection of brick wall and electric gates – retrospective.	Refused
3/11/0910/LC	Demolition of existing outbuilding, garage and stores.	Approved with conditions
3/11/0909/FP	Two storey side/front extension, single storey rear extension, front porch, replacement windows and erection of detached garage/store.	Approved with conditions.

3.0 Policy:

3.1 The relevant policies of the East Herts Local Plan Second Review April 2007 are:

BH6 – New Developments in Conservation Areas

GBC3 – Appropriate Development in the Rural Area Beyond the Green Belt

ENV1 – Design and Environmental Quality

3.2 The National Planning Policy Framework is also a material consideration in the determination of this matter.

4.0 Considerations:

E/13/0132/B

- 4.1 The street scene within this location of Ardeley is relatively open. Properties in the area generally have open frontages, low walls or hedges, with tall mature trees a common feature. This was the case with this site prior to the erection of the new wall and fence.
- 4.2 The wall, gates and fence in their present location result in lasting harm to the character of the village. The siting of such a solid and substantial boundary treatment in such close proximity to the road is uncharacteristic of the established character of the village. The lack of any substantial screening between the boundary and road makes the fence particularly prominent in the street scene because of its length and height.
- 4.3 Even were planting to be grown to the front of the wall and fence it would not completely screen the development as the piers and gates would still appear unduly prominent, and as such would not overcome the harm.
- 4.4 The gates, fence and wall are a prominent, incongruous and jarring feature in the street scene and unacceptable with regard to policies ENV1, BH6 and GBC3 of the Local Plan and the requirements of the National Planning Policy Framework.

5.0 Recommendation:

- 5.1 For the above reasons it is recommended that authorisation be given to issue and serve a Planning Enforcement Notice requiring the removal of the unauthorised wall gates and fence.