

# REPORT FOR INDEPENDENT INSPECTOR

22 Blackmore, Letchworth Garden City



## 1. Matter for Consideration

- 1.1 The appellant subject of this appeal sought consent for - Frontage alterations - front and side fence and hedging (retrospective).

## 2. Background

- 2.1 The subject property is Leasehold and is subject to the terms of its associated lease. The surrounding area is designated as the **Modern Character Area**.
- 2.2 No previous applications have been submitted to the Heritage Foundation.

- 2.3 The retrospective fence requires separate consent from North Herts District Council as it exceeds the height criteria set by out in the Town and County Planning (General Permitted Development) (England) Order 2015 (or as amended) Part 2, Class A. On review of the North Herts District Council's website, in March 2026, an application for the retrospective fencing had not been applied for.
- 2.4 A location plan is available in **Appendix A**.

### **3. Application**

- 3.1 In January 2025, an enforcement letter was sent to the applicant in regard to the erection of a front and side boundary fence which was installed without consent. The enforcement letter required the fence to be removed within two months. Subsequent enforcement letters were sent to the applicant in March 2025 and April 2025 requiring the fence to be removed. The fence was not removed within the timeframes outlined in the enforcement letters. In April 2025, it was noticed that a laurel hedgerow had been planted in front of the front boundary fence without consent.
- 3.2 In April 2025, a retrospective application was submitted for frontage alterations - front and side fence and hedging. The retrospective application sought to retain the 1 metre high close board fence (measured by the applicant) located on the front and side boundaries. The application also sought to retain the laurel hedge planted in front of the front boundary fence. The fence when measured on site by the Advisory Management Committee measured 1.2 metres. Therefore the height of the fence will be referred to 1.2 metres throughout the Statement of Case.
- 3.3 We received one neighbour comment in regards to the visual impact of the retrospective fence, the loss of the open frontage within Blackmore and the required work to the side fence following the fire on the frontage of the property.
- 3.4 This application was considered and refused by the Advisory Management Committee (AMC) in July 2025.
- 3.5 The application was subsequently reviewed by the Householder Applications Committee (HAC) who considered the application in September 2025 and decided to refuse retrospective consent for the works.
- 3.6 A refusal letter was sent following HAC to the applicant, which confirmed that HAC would be willing to allow the hedgerow to be retained, strictly on the condition that it is limited to 3ft in height and maintained so as not to overhang the public highway. The fence was to be removed within three months of the date of the refusal letter which was the 23<sup>rd</sup> December 2025. This action was not undertaken.

## 4. Leasehold and the Design Principles

4.1 The lease states:

*Marking of boundary in front of building line*

*8. Not without the written consent of the Corporation to erect plant or suffer to remain upon the premises in front of the building line approved by the Corporation any wall fence hedge gate posts or other obstruction but if requested by the Corporation to maintain along those parts of the boundary of the premises in front of such building line a two inch concrete coping to delineate the extent of such boundaries.*

4.2 The Design Principles for the Modern Character Area state –

### **Pg 26 – hedges, fences, gates & vehicular gates**

- *Hedges or fences to highway boundaries will be resisted in streets that were planned to have open frontages.*
- *Close boarded or woven type fences are not normally permissible on Frontages.*

## 5. Issues

5.1 Blackmore is located in the South East of Letchworth Garden City, within the Lordship Estate. The Lordship Estate was a planned estate designed in the 1970's.

5.2 Blackmore is accessed off Penn Way, with both vehicular and pedestrian access. Blackmore forms a number of cul-de-sac roads off a centralised road. No 22 Blackmore is sited at the end of one of these cul-de-sacs, terminating views along the street. The dwellings within the cul-de-sac are located on modest plots and consist of two storey dwellings, some of which have garages. These plots are open-fronted which is a key characteristic of Blackmore and the wider estate's planned design.

5.3 The retrospective application sought to retain the 1.2 metre high close boarded fence located on the front and side boundaries of the property's frontage. The retrospective application also sought to retain the laurel hedge which is planted in front of the front boundary fence.

5.4 HAC consider that the retrospective hedge is acceptable subject to conditions as outlined above.

5.5 The application is contrary to the wording of the lease and the Design Principles above in that it introduces a permanent boundary feature on a planned open frontage development. It is considered that the close boarded fence would be incongruous and would detract from the open character and appearance of the original property, the neighbouring properties and wider street scene of Blackmore.

## **6. AMC Comments (July 2025)**

- 6.1 The Committee carried out a site visit to the property.
- 6.2 The Committee raised concerns with the public footpath area to the side of the property, and felt this to be more of a security issue (people were likely to use the public footpath past the side of house as it formed a pedestrian route to Penn Way).
- 6.3 The Committee reviewed the height of the fence on site, which was confirmed to be 1.2m high.
- 6.4 The Committee discussed more sensitive boundary alternatives, for example the planting of low level shrubs.
- 6.5 The Committee members were unanimous in recommending that the HAC refuse the application.

## **7. HAC Comments (September 2025)**

- 7.1 The Committee carried out a site visit to the property
- 7.2 The Committee considered the AMC's views, and recommended that the application for fencing be refused.
- 7.3 The Committee noted that the lease states that the property should have an open frontage.
- 7.4 The Committee discussed the hedging in front of the fence and felt this should be limited to 3ft in height and not overhang the public highway.
- 7.5 The HAC agreed that the application shall be refused.

## **8. Conclusion**

- 8.1 Overall, it is our view that the application represents a clear breach of the Design Principles, which have been carefully formulated to avoid this type of boundary treatment. The application fails to preserve the character and appearance of the open-fronted development, existing property and the Modern Character Area.
- 8.2 It is therefore respectfully requested that this appeal is dismissed.

Appendix A – Location plan



Appellant