

# Appeal Decision

Site visit made 14 April 2026

**By Ruth Reed BA DipArch MA PGCertEd PPRIBA HonAIA FRIAS**

An Independent Scheme of Management Inspector  
Appointed by the Heritage Foundation Letchworth Garden City

Decision date 21 April 2026

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## Appeal Reference RR/2026/023

**22 Blackmore, Letchworth Garden City, Hertfordshire, SG6 2SY**

- The appeal is made by \_\_\_\_\_ against refusal of consent under the Scheme of Management of Letchworth Garden City Heritage Foundation for the application submitted on 23 April 2025.
- Consent for the development was refused by the Heritage and Stewardship team on 1 May 2025. It was referred to the Heritage Foundation's Advisory Management Committee on 10 July 2025 who upheld the decision. It was reviewed by the Householder Applications Committee on 19 September 2025 and the decision to refuse was upheld.
- The development is: Frontage alterations – front and side fence and hedging (retrospective)

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## Decision

1. The appeal against the refusal of an application is allowed in part.

## Preliminary matters

2. The fence to the front boundary was subject to an enforcement enquiry by North Herts District Council. After consultation with them, the appellant and \_\_\_\_\_, altered the original fence reducing its height from 1.2 metres to 0.9 metres and replaced the concrete posts with timber. Following these alterations the Planning Authority closed the case.
3. The property is leasehold and subject to covenants. Those that are relevant are:

- Not to make any alteration materially affecting the external appearance of any building walls fences or other erections on the premises or make any addition thereto without the written consent of the Corporation in accordance with plans drawings and specifications previously submitted to and approved by the Corporation (Foundation)
  - Not without the written consent of the Corporation (Foundation) to erect plant or suffer to remain upon the premises in front of the building line approved by the Corporation (Foundation) any wall fence hedge gate posts or other obstruction but if requested by the Corporation (Foundation) 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. After the site visit the appellant issued digital copies of documents that had been offered as hard copies during the site visit. These were in lieu of a Statement of Case that had not been issued within the appeal timeframe due to personal circumstances of the appellant and family. These documents also included some commentary arising from the discussions on site.
5. This decision relies on the evidence given on site including the examples seen elsewhere on the Lordship Estate and backed up in the documentation. It does not rely on any new information introduced. It is noted that the locations of the photographs of examples of similar boundary treatment that were not visited on the day are not given and it is not possible to determine if they are relevant to the Lordship Estate and the terms of the lease.
6. The Heritage Foundation subsequently issued comments on the appellant's Statement of Case. This has been taken into consideration in reaching my conclusion.

### **Main Issue**

7. The main issue in this case is the impact of the proposal on the character and appearance of the area.

### **Reasons**

8. 22 Blackmore is a detached house at the end of a short cul-de-sac. To the rear is Penn Way. A footpath links the two roads and is an access to the bus stops on Penn Way for residents in the wider Lordship Estate. It runs between 22 and 24 Blackmore.
9. There is no barrier or screen to the footpath along the side of the driveway to number 22. There is a low hedge to number

10. Google Streetview images provided by both parties show that originally the frontage of number 22 had a large conifer adjacent to the driveway on the house side and extensive shrubs to the boundary with number 21 that had been clipped at the base to form a hedge line. The image also show that shrubs close to the house had been destroyed in a fire.
11. The new fence extends from the front of the house across the frontage enclosing an area of lawn and then forms a flanking boundary feature to the driveway of number 21 rising up to the height of the 2.1 metre screen fence and gate that encloses the rear garden. There is a Portuguese Laurel hedge planted in front of the fence facing the road.
12. The Design Principles for the Modern Character Area state on page 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.
13. The appellants and their neighbour from number 21 described the fire. It destroyed the shrubs and damaged the house. The Fire Brigade reportedly suggested it was caused by a discarded cigarette in very dry conditions.
14. The appellants described anti-social behaviour that has taken place adjacent to and on their property and said that some of it was reported to the police. They felt that their safety and security was undermined by people cutting across the front of their property from the footpath to trespass at number 21. They felt that the fire was an extreme consequence of this behaviour.
15. Although the fire was an extreme event, the circumstances of antisocial behaviour that resulted in it are not unique to this property and cannot be considered special circumstances that would justify enclosing the frontage of a property on an open-plan estate.
16. The appellants expressed further concern about vehicles parking on the pavement along the frontage of their property. In particular they are concerned about vehicle doors opening over their boundary. They wish to use their front garden as amenity space for their child to play in as the rear garden is for their dogs. The proximity of open vehicle doors was seen as a threat to the safety of their child.
17. Although it is under review by Government, at the moment parking on pavements is not illegal and is not exclusive to the pavement outside this property. In itself this does not provide exceptional circumstances that would justify the fence.

18. It is the appellants' choice to use the rear garden as they wish but it is not reasonable to enclose a front garden within an open plan estate for private amenity use.
19. The choice of close boarded fencing to the frontage is contrary to the Design Principles however it is noted that elsewhere in the Estate close boarded fencing is used flanking public footpath along private boundaries.
20. Elsewhere in the Estate there are examples of shrubs and hedge on frontages and on front boundaries between properties that were seen on the site visit. Some are substantial hedges. The history of any permissions associated with these features is not known but they are sufficiently numerous to be considered a feature of the Estate.
21. Although the total enclosure of the frontage is at odds with the Design Principles the use of soft landscaping to deter trespassers is a reasonable compromise in keeping with the mature aesthetic of the Estate and I note that the Householder Applications Committee was content to see the hedge remain if it is kept to a height of 3 feet, approximately 0.9 metres.
22. Given the appellants' genuine concerns about safety and security I suggest that the fence to the frontage remains until the hedge is the same height when it should be removed. The flanking fences should not remain. As hard features as they are not in accordance with the open plan nature of the Estate. It is beyond the scope of this decision but I suggest that consideration might be given to allowing screen fencing between the footpath and the driveway to number 22, as found elsewhere on the Estate, to further deter trespassers.

## **Conclusion**

23. Having read the submissions and seen the site and its context, I conclude that the hedge on the frontage should be allowed to remain and be kept to a height of 0.9 metres. The fence along the frontage should remain as a temporary feature until the hedge has attained this height. The flanking fences are refused as they are not in keeping with the character and appearance of the Lordship Estate and the Design Principles.

*Ruth Reed*

Independent Scheme of Management Inspector