

Appeal Decision

Site visit made on 12 December 2016

by H Butcher BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 December 2016

Appeal Ref: APP/X0360/W/16/3158467

2 Trefoil Close, Wokingham, Berkshire, RG40 5YQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Tom Gould against the decision of Wokingham Borough Council.
 - The application Ref 153328, dated 18 January 2016, was refused by notice dated 15 April 2016.
 - The development proposed is the change of use of amenity land to residential use and erection of garden wall (elevation attached) with demolition of existing wall.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr Tom Gould against Wokingham Borough Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed change of use on the character and appearance of the area.

Reasons

4. The appeal property sits side on to the main highway. The rear side boundary is marked by a brick wall. This is set in from the pavement which allows for a grass verge, on which is planted two well-established trees.
 5. The appellant proposes incorporating this area of grass verge into their rear garden, thereby changing its use. The wall would be rebuilt directly abutting the pavement. The grass verge and planting here is an attractive feature which softens the otherwise hard appearance of the surrounding estate and provides visual interest. Consequently its loss would be harmful to the character and appearance of the area.
 6. The appellant proposes to keep the two birch trees. Demolition of the existing wall and excavating foundations for a new one could have an adverse effect on the roots of these trees. Nevertheless, even if they could be retained, the fact that they would be seen over the wall would not sufficiently offset the visual harm from the loss of this strip of land. Similarly I am not persuaded that any
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other planting could sufficiently mitigate this, nor would leaving a thinner strip of grass verge given that is already a relatively narrow piece of land.

7. The appellant argues that they have removed a pyracantha hedge from the grass verge without the need for planning permission. Be that as it may, even if they were to remove further planting from here (although, based on the evidence before me, I consider this would be unlikely) the spacing between the pavement and the wall would still provide an open space giving it a less cramped appearance than if the wall was to directly abut the pavement. Consequently this does not alter my findings above. Whether the proposed wall would be more attractive than a fence is immaterial as that is not what is before me.
8. The appellant refers to a fence at 39 Trefoil Close which sits up against the pavement. This is located on a side road off of the main section of Trefoil Close on which 2 Trefoil Close is located, therefore it is less prominent. Notwithstanding this, it does not justify the proposal given the harm I have found. I also note 10 Trefoil Close has fencing along a side boundary but along most of its length there is a grass verge planted with shrubs and trees. Therefore, this adds little weight to the appellant's appeal.
9. The absence of letters of objection and presence of letters in support is not a determining factor. This appeal has been determined on whether there would be unacceptable harm to the character and appearance of the surrounding area. For the reasons set out above the proposal would result in such harm. It would therefore conflict with Policies CP1 and CP3 of the Wokingham Borough Core Strategy (2010), CC03 and TB21 of the Managing Development Delivery (Local Plan) (2014), and the Borough Design Guide Supplementary Planning Document (2012). These policies, amongst other things, seek to maintain the high quality of the environment by protecting landscape features and areas of open space.
10. I have had regard to all matters raised including the appellant's concerns over the guidance they received from the Council and the overall lack of communication. I sympathise with the appellant in this respect and understand it has been a lengthy and frustrating process. However this does not alter my conclusion that the appeal should be dismissed.

Hayley Butcher

INSPECTOR