

Appeal Decision

Site visit made on 28 February, 2017

by S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 28th April, 2017

Appeal Ref: APP/X0360/W/16/3163813

40 Strand Way, Earley, Wokingham, RG6 4BU

- 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 Bicknell against the decision of Wokingham Borough Council.
 - The application Ref: 161865 dated 7 July, 2016 was refused by notice dated 31 August, 2016.
 - The development proposed is change of use from amenity land to residential.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from amenity land to residential at 40 Strand Way, Earley, Wokingham, RG6 4BU in accordance with the terms of the application, Ref: 161865 dated 7 July, 2016 and the site plan, location plan, roof/block plan at 1:500, elevations at 1:100 and fence elevation at 1:50 submitted with it, subject to the following condition:
 - 1) The development hereby permitted shall be maintained in accordance with the approved details.

Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed, but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that the revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issue

3. The main issue in this case is the effect on the character and appearance of the area.

Reasons

4. No. 40 Strand Way is a two-storey house in a modern estate. It sits on a corner of Strand Way, wrapped around by a verge/green adjoining the road and containing a number of small trees. It faces an open central green containing a children's play area.
 5. The appeal proposal is for the extension of the garden area of the house onto the verge/green area by just under a metre on the flank boundary and just over two metres to the rear. This extension has already been carried out, and is marked by a high, close-boarded fence topped with trellising.
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6. The verge/green affected by the development is narrow for amenity space but wide for a verge, and adjoins the road with no pavement. It appears to me that as a consequence its function, rather than being a place for stopping or playing, is primarily a visual one, forming part of the open and green backdrop of the area. The much larger central green appears to be the natural focus for activity.
7. From the evidence in front of me, it appears that the take up of amenity land resulting from the location of the new fence is in the form of a relatively narrow strip around the rear garden to No. 40. This small reduction in size is not likely therefore to have had any significant effect on the appearance of the remaining amenity space, and the space would as a result continue to play a role as part of the open and green setting of the area. Other high fences and hedges are visible in the area, and in this context that installed as part of the development does not appear unduly prominent. I conclude therefore that the development would not be harmful to the character or appearance of the area.
8. While the changed boundary has brought the fence closer to the trees on the verge/green it does not appear likely to me that they were originally centrally placed within it. The small, multi-stemmed trees to the west and south sides of the fence appear to have been trimmed recently on the side adjoining the fence, while the canopy of the larger, specimen tree at the south west corner of the fence over sails only a small part of that corner of the garden of No. 40. It does not appear likely therefore they will create a desire for further pruning in the near future. I conclude therefore that the effect on the character and appearance of the area created by changes in relation to these trees is minimal.
9. I note that apart from No. 40 itself and No. 42, other houses in the vicinity are generally set face-on to the green or to the highway, and that where there are rear boundaries adjoining the public realm they are generally flanked by narrow verges and/or pavements. It seems to me therefore that the particular circumstances of this case are not likely to be replicated elsewhere in the vicinity, and not therefore likely to set a precedent. In any event, each case should be decided on its own merits.
10. The proposal would not therefore conflict with the provisions of Policy CP3 of the Wokingham Borough Core Strategy 2010 in respect of design and avoiding loss of recreational facilities, nor with the Borough Design Guide Supplementary Planning Document 2012 which seeks to retain the attractiveness of the borough's environment.

Conclusion

11. For the reasons given above therefore, and taking into account all other matters raised, I conclude that the appeal should be allowed.

Conditions

12. I have had regard to the condition put forward by the Council. In the interests of clarity I have added a condition requiring the retention of the fence in accordance with the approved details.

SJ Buckingham INSPECTOR