
Appeal Decision

Site visit made on 11 February 2020 by Scott Britnell MSc FdA

Decision by Kenneth Stone BSc(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th April 2020

Appeal Ref: APP/X0360/D/19/3240884

Red Apples, Elm Lane, Earley RG6 5UG

- 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 Shakya against the decision of Wokingham Borough Council.
 - The application Ref 192026, dated 19 July 2019, was refused by notice dated 24 September 2019.
 - The development proposed is erection of garden wall with gates.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. At the time of my visit the proposal was partially erected with the brick wall and piers in place. The appellant states that the wall, not including the piers, is less than 1 metre in height, while the Council indicate that it is 1.25 metres high. For the avoidance of doubt, I have assessed the proposal as depicted on the submitted drawings.

Main Issue

4. The main issue in this matter is the effect of the proposal on the character and appearance of the surrounding area.

Reasons for the Recommendation

5. The appeal site comprises a link detached style property on the east side of Elm Lane at the junction with Durand Road. Although there is a community centre (Salvation Army) on the opposite side of Elm Lane close to the appeal site, the area is predominantly residential in nature. The proposal is for the erection of a brick wall with railings sitting between brick piers to the side and front of the property. To the front are two larger brick piers between which would be hung a pair of solid vehicle gates. A separate solid pedestrian gate is also proposed. At the time of my visit neither the railings nor the gates had been erected.

6. The appeal site is situated at a prominent location at the junction of Elm Lane and Durand Road. The other properties at this junction have planted boundaries made up of bushes/hedges, which contribute to a verdant and open character. While there are examples of walls and fences in the area, I observed that gardens are predominantly open plan or enclosed by mature hedges and other vegetation. Within this context, the proposal, due to its prominent location, length, height, form and materials would appear as an intrusive addition to the street scene and would harm the character and appearance of the area. Although the railings would provide a degree of visual permeability, they would add to the overall scale of the proposal and its intrusiveness into the streetscene. Further, the higher piers to the front of the property step up in height from the others and are also deeper, resulting in an incongruous and discordant appearance. The introduction of large solid vehicle gates and a high solid pedestrian gate would also appear incongruous in this location and would detract from the open character of the area.
7. To facilitate the proposal a number of bushes have been removed. The appellant has provided two photographs showing these. Although the photographs are dated 2012 there is no evidence submitted to suggest that they do not reflect the situation at the site immediately prior to their removal. Policy CC03 of the Wokingham Borough Development Plan Adopted Managing Development Delivery Local Plan February 2014 (MDDLDP) states that proposals should demonstrate how they have considered and achieved the provision or protection and enhancement of the Borough's Green Infrastructure Networks including the need to mitigate potential impacts of new development. Paragraph 2.12 of the MDDLDP indicates that Green Infrastructure Networks include the natural and managed green areas in urban and rural settings. In this case, there is no mitigation proposed for the loss of the green infrastructure, such as a landscape scheme to provide replacement planting. While I recognise that the previous planting may have been removed in any case, the lack of mitigation underpins the harm resulting from the harsh and hard appearance of the proposal against the more natural and verdant treatments that characterise the area.
8. In conclusion, the proposal would cause harm to the character and appearance of the streetscene and the area. There would be conflict with Policies CP1 and CP3 of the Wokingham Borough Local Development Framework Adopted Core Strategy Development Plan Document January 2010 and Section 12 of the National Planning Policy Framework. These seek, among other things, to ensure that development maintains or enhances the high quality of the environment and is of an appropriate scale of height, materials and character to the area. Further, the proposal would conflict with Policy CC03 of the MDDLDP for the reasons set out at paragraph 7, above. The proposal would also conflict with the guidance set out at Section 2 of the Wokingham Borough Council Borough Design Guide Supplementary Planning Document June 2012, which, among other things, states that development must create a sense of place that responds positively to the character of the local area in terms of urban design, architecture, landscape and public realm qualities.

Other Matters

9. I have considered the appellant's comments that his property has been used as a short cut by pedestrians and that hazardous material had been found in the bushes that were removed to facilitate the wall. While I accept that these are

important issues for the appellant, there is no evidence that they could not be remedied by alternative means. Consequently, I afford them limited weight and do not consider that they justify the unacceptable development proposed.

10. The appellant states that the Council has refused planning permission on highways safety grounds. In particular, that the proposal would block the view for drivers. However, this is not given as a reason for refusal by the Council and I note that the Highways Officer did not object to the proposal. Further, I consider that the proposal would not significantly impinge upon the view for drivers at the Elm Lane/Durand Road junction, given the presence of the railings that would permit views through the site. However, such absence of harm is a neutral factor and does not outweigh the harm that I have identified.
11. I also observed examples of boundary walls and fences within the area. However, I do not have details of these developments and consider that they are viewed in a different context. This includes the wall at Green Elms on the north of the Elm Lane/Durand Road junction, which is set back behind a grass verge and so preserves the open character of the area. Thus, I afford the presence of such boundary treatments in the area limited weight. They do not justify the unacceptable proposal, which I have assessed on its own merits.
12. I have taken account of these other matters; however, they do not outweigh the harm that would arise to the character and appearance of the area.

Conclusion and Recommendation

13. For the reasons given above, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Kenneth Stone

INSPECTOR