
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: 07 April 2020

Appeal Ref: APP/X0360/W/19/3240873

4 Merrifield Close, Earley RG6 4BN

- 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 Frank Wilson against the decision of Wokingham Borough Council.
 - The application Ref 190835, dated 23 March 2019, was refused by notice dated 25 September 2019.
 - The development is described as 'Change of use of land at side of house from amenity to residential use. A fence has been put up to encompass land at the side of the house which is within the boundaries of house deeds.'
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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. In accordance with the details submitted by the appellant on his application form and my observations, the development has been undertaken and I have therefore assessed the appeal on a retrospective basis.

Main Issue

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

Reasons for the Recommendation

5. The appeal site is located on the north side of Merrifield Close, a t-shaped cul-de-sac. The frontages of the properties within Merrifield Close and the adjoining Littington Close are predominantly open with little or no boundary treatment. This contributes to a sense of openness and results in the area having a spacious character and appearance. The development includes the erection of a fence and the change of use of land from amenity space to land used as residential garden. The Council indicate that the fence is 1.7 metres high while the drawing shows the height to be 1.78 metres. As the height of the fence is annotated on the drawing, I have assessed the development using that measurement.

6. The fence has been erected at the back edge of the pavement, leaving a thin strip of grass in-between. Due to this location, along with its height and length, the fence forms a particularly prominent and harsh form of boundary treatment. As a result, it appears as a discordant feature within the streetscene, detracting from its attractive and spacious quality and causing harm to the character and appearance of the area.
7. I observed that there is a fence of similar height directly opposite the appeal site. However, that fence does not protrude beyond the side elevation of the host property and a grass verge has been retained between the fence and pavement. As such, it does not intrude upon the streetscene in the manner that the appeal fence does. Further, I do not have the full details of the other fence before me. Consequently, I do not consider that its presence justifies the unacceptable development carried out.
8. I also noted that the property fronting Litlington Close on the south side of the junction with Merrifield Close has a similarly sized fence. That fence also sits beyond the side elevation of the host property and has left only a narrow green strip between it and the pavement. However, the north side of Merrifield Close, upon which the appeal fence sits, has a distinctly different character and context. There are three properties that sit on this side of the road fronting Merrifield Close. These are set back from the pavement and have no front boundary treatments, or very low vegetation, which contribute to a verdant and open appearance. Within this context, the appeal fence, because of its location, height and length is an intrusive and harmful addition to the streetscene. Moreover, I have no details of the other fence before me. As such, I do not consider that its presence justifies the development undertaken.
9. The Council have provided photographs from circa 2012 and 2013 which show the area of open space which has now been enclosed by the fence. Although these photographs are of some age, there is no evidence before me to suggest that they are not representative of the condition of the site prior to the works being undertaken. The loss of this open green space has resulted in a less pleasant and attractive streetscene, which adds to the harm I have identified above.
10. The appellant indicates that part of the fence was already existing and has just been replaced to match the new fencing being erected. Further, the new fence is the same height as the part of the fence which was already in existence. However, I have to determine the development before me.
11. In conclusion, the development has resulted in unacceptable harm to the character and appearance of the streetscene and area. There is conflict with Policies CP1 and CP3 of the Wokingham Borough Local Development Framework Adopted Core Strategy Document Plan Document January 2010. These state, among other things, that planning permission will be granted for development proposals that maintain or enhance the high quality of the environment and contribute to a sense of place in the buildings and spaces themselves and in the way they integrate with their surroundings (especially existing dwellings) including the use of appropriate landscaping. The development also conflicts with Section 12 of the National Planning Policy Framework which, among other things, states that planning decisions should ensure that developments add to the overall quality of the area. There is also conflict with Policy CC03 of the Wokingham Borough Development Plan

Adopted Managing Development Delivery Local Plan February 2014. This states that development proposals which would result in the loss, fragmentation or isolation of areas of green infrastructure will not be acceptable.

Other Matters

12. I do not consider that the development obscures the visibility for users of the highway. I also note that the Highways Officer considers that the fence has no impact on the public highway or highway safety. However, such absence of harm is a neutral factor and does not outweigh the harm to the character and appearance of the area that I have set out above.

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