
Appeal Decision

Site visit made on 8 July 2020

by R J Jackson BA MPhil DMS MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 20 July 2020

Appeal Ref: APP/W0340/W/20/3245698

25 Abbots Road, Burghfield Common, Reading RG7 3LE

- 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 Cosmin Radu against the decision of West Berkshire Council.
 - The application Ref 19/02792/FUL, dated 7 November 2019, was refused by notice dated 30 December 2019.
 - The development proposed is extension to existing front, side and rear boundary to the property, include open space involving a change of use to garden amenity space and erection of new fence with landscaping to form new boundary.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The copy of the application form submitted with the appeal is missing the last page which includes the declaration, signature and date. However, both the Council's decision notice and the appeal form indicate that the application was dated 7 November 2019 and I have therefore used that date in the heading.
3. At the site visit I saw an area of hardstanding immediately to the side and front of the dwelling. The Council questions the lawfulness of this, but this matter is not in front of me, so I will not make further comment on it.

Main Issue

4. The main issue is the effect on the character and appearance of the area.

Reasons

5. The appeal site lies in a residential area. The dwellings are generally set a short but noticeable distance back from the highways. There are open areas, which includes some stands of trees, around and in front of some of the dwellings. Where properties are on corners then there are often boundary fences running to the side of the dwellings.
6. The appeal site itself consists of an end of terrace property, its enclosed rear garden, where the existing fence is located immediately to the rear of the dwelling, and an open area to the side. This open area slopes up from the adjoining highway, Woodman's Lane. The change in levels is most pronounced closer to the highway, and it then gently slopes up to the existing boundary

wall/fence. I judged the overall change in level to be just over 1.0m in height from the level of the carriageway to the bottom of the existing fence.

7. The proposal is to enclose the open area so that it would be within the garden of 25 Abbots Road, by erecting a 1.8m high close boarded fence with trellis. Landscaping would be introduced on the outer side of the fence and include plants to grow up the trellis. The drawings indicate that the fence would just under 1.5m from the highway at its closest point and would extend beyond the depth of the existing garden to allow an existing tree also to be enclosed.
8. The drawings show that the base of the proposed fence would be the same level as that of the existing fence, so that the base at the outer edge adjacent to Woodman's Lane would be at least 1.0m above the existing ground level. The description of the height of the fence is not clear as to whether the 1.8m does or does not include the height of the trellis; scaling this off the drawing would indicate not.
9. The effect of the fence, including the trellis, on top of the additional height of the ground level would be harmfully intrusive into the street scene both from Abbots Road and Woodman's Lane and would significantly reduce the generally open aspect in the area. It would extend the enclosed area materially to the side of the property closer to the road, harmfully enclosing it when generally these areas are open. The provision of landscaping would not be sufficient to mitigate these harms.
10. The appellant has referred to a previous refusal of planning permission for a fence in 2003 and noted that planning policies have changed in the interim. This may be the case, but I have concluded that the proposal would be contrary to current planning policies for the reasons given below.
11. The appellant has also referred to four other fences to the sides of other properties in the area. I visited these at the site visit and there is no marked change of levels at these locations. At both 7 and 13 Bannister Road there is an extensive treed verge, which also makes a material difference.
12. The appellant has referred to a potential biodiversity benefit from the additional landscaping, but this would be very limited, and being in conjunction with a private garden could not be relied on in the longer term. I therefore give this little weight.
13. The appellant indicates that he considers open plan estates do not follow Secure by Design principles. However, this area is already well overlooked from the properties on the other side of Woodman's Lane and I give any security benefit very little weight. I also give very little weight to the benefit to the applicant of a larger enclosed garden as this would be predominantly a private benefit and does not outweigh the public harms I have identified above.
14. The Council has referred to various development plan policies including Policies ADPP1 and ADPP6 of the West Berkshire Core Strategy (2006-2026) (the Core Strategy). These policies relate to the overall spatial strategy and where development is to be located and the delivery strategy in the East Kennet Valley. They are of little materiality in a proposal such as this.
15. Taken overall, the proposal would be harmful to the character and appearance of the area. It would therefore be contrary to Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) which require high quality design

relating to the immediate area and that new development is appropriate in terms of location, scale and design. It would also be contrary to paragraph 127 of the National Planning Policy Framework which requires development to be visually attractive and sympathetic to local character.

Conclusion

16. For the reasons given above I conclude that the appeal should be dismissed.

RJ Jackson

INSPECTOR