



Appeal Decision

Site visit made on 22 September 2020 by Christian Ford BA (Hons) BTP MRTPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2020

Appeal Ref: APP/X0360/W/20/3247520

Woodclyffe Willows, Wargrave Road, Wargrave RG10 8JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 ('the Act') against a refusal to grant planning permission.
 - The appeal is made by Mr T Walsh against the decision of Wokingham Borough Council.
 - The application Ref 191474, dated 13 June 2019, was refused by notice dated 21 August 2019.
 - The development proposed is the erection of a 1.5m high acoustic timber fence.
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Decision

1. The appeal is dismissed.

Appeal Procedure

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

Main Issues

3. The main issues are;
 - i) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework ('the Framework') and any relevant development plan policies,
 - ii) the effect on the openness of the Green Belt,
 - iii) the effect on the character and appearance of the area which is within the Wargrave Conservation Area, and
 - iv) would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether it would be inappropriate development

4. The appeal site lies within the Metropolitan Green Belt. The Framework sets out that the construction of new buildings should be regarded as inappropriate development, but provides a list of exceptions. It adds that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
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5. Policy CP12 of the Council's 2010 Core Strategy (CS) specifies that planning permission will not be granted for inappropriate development within the Metropolitan Green Belt as defined in PPG2. Policy TB01 of the Council's 2014 Managing Development Delivery Local Plan document (LP) specifies that within the Green Belt, development for the purposes set out in paragraphs 89 and 90 of the Framework will only be permitted where they maintain the openness of, and do not conflict with the purposes of including land in, the Green Belt. Consequently, while the cross references to national policy are out of date, the policies are otherwise broadly consistent with the latest version of the Framework.
6. The proposal is for a 1.5m high close boarded fence extending for a length of approximately 140m, apart from a 4m stretch of woven wire stock fencing. Although the Framework does not provide its own definition of a building, the fence can be considered a building having regard to the definition provided in the Act. As it would not meet any of the listed exceptions for a new building specified in the Framework, it should be regarded as inappropriate development for the purposes of the development plan and the Framework.

Openness

7. The Framework emphasises that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
8. The fence would be set back around 1m from the west side of the A321 Wargrave Road, which is flanked by verdant trees or vegetation. However, the fence would appear as a more solid, permanent and formal form of enclosure. Given its height and extensive length, it would have a significant visual impact on the openness of the Green Belt. Paragraph 144 of the Framework states that substantial weight should be given to any harm to the Green Belt.

Character and appearance

9. The development would be located within the countryside. The majority of it would also be located within the northern end of the Wargrave Conservation Area (CA), a designated heritage asset where special attention must be paid to the desirability of preserving or enhancing its character or appearance. A 1993 Council publication outlining an expansion of the designated area explains the wooded slopes of the valley characterise the northern end of the CA.
10. The verdant trees/vegetation along the western side of Wargrave Road make an important contribution to the defined wooded character of the northern part of the CA. The proposed fence, with its domestic appearance, would fail to conform with this character. Given its extensive length, it would also be an excessive encroachment of development away from the dwelling into the countryside.
11. It is acknowledged the eastern side of Wargrave Road at this point includes more substantive domestic boundaries of brick and stone walls with close boarded timber fencing above. However, the eastern side has an altogether different character from the west because the boundaries are observed with the related dwellings forming a backdrop, whereas the proposed solid fence would contrast harshly with the verdant backdrop provided by the trees behind.

12. Wargrave Road is also a defined 'Green Route' in the development plan. One of the identified objectives of such Green Infrastructure is contributing significantly to the quality of life by creating a sense of place and wellbeing. The domestic character of the fence would undermine the existing rural and undeveloped sense of place on the western side of the Green Route.
13. In light of the above, it is concluded the proposed development would cause significant harm to the character and appearance of the area, the CA and the Green Route.
14. The Framework specifies that where a development would lead to less than substantial harm to a designated heritage asset, as would be applicable in this case, the harm should be weighed against the public benefits. The only suggested public benefit is the maintenance of the boundary with the highway but this benefit would be minimal and does not outweigh the harm to the CA.
15. It would therefore conflict with Policies CP1, CP3 and CP11 of the CS which seek to protect the character of the area and the high quality of the environment. It would also conflict with the Council's 2012 Borough Design Guide Supplementary Planning Document which specifies that boundary treatments should be designed to contribute positively to the character of the area.
16. It would conflict with Policy TB24 of the LP which seeks to conserve the character of designated heritage assets. Finally, it would conflict with Policies CCO3 and TB21 of the LP which seek to protect the Borough's Green Infrastructure networks and expects proposals to retain character that contributes to the landscape.
17. It is recognised the listed Woodclyffe Cottage lies to the east but there is no reason to come to a different view from the Council that the development would not be harmful to its setting.

Other considerations

18. Paragraph 144 of the Framework sets out that very special circumstances will not exist unless the harms resulting from the proposal are clearly outweighed by other considerations. The appellant advises that the fence is needed for; safety and security of family members, to prevent noise and disturbance from the road, maintenance of the boundary with the highway and the visual definition of the garden.
19. With regard to noise and disturbance, the size of the garden is such that some parts of it, particularly those closest to the house which are separated from the road by the existing brick wall, are already able to be used without being unduly disturbed by passing traffic. As other parts of the garden are less likely to be as intensively used due to their distance from the house, a similar degree of acoustic and visual shielding is unlikely to be as valuable. With regard to safety and security, a 1.5m high fence is unlikely to deter a tenacious burglar any more than the existing boundary vegetation. The benefits of the maintenance of the boundary with the highway and the visual definition of the garden would be minimal. Limited weight is therefore given to these considerations.
20. The appellant also emphasises the fallback of a Lawful Development Certificate for the erection of a 1m fence. However, at 1.5m high, the proposed scheme

would be 50% taller and, although the conclusions of the appellant's Landscape and Visual Impact Assessment are noted, it is considered it would have a far greater visual impact on the Green Belt and the character and appearance of the area. Limited weight is therefore also given to this consideration.

21. The appellant has drawn attention to other existing fences found along Wargrave Road and elsewhere within the local area. However, the full background to those fences has not been made clear, particularly in terms of whether they are all similarly in the Green Belt, or the CA and against which planning policies they were considered. The appeal proposal has been considered on its own merits and having regard to its particular circumstances. Limited weight is therefore given to this consideration.

Green Belt balance

22. The combined weight of the other considerations in this case is modest while, in accordance with the Framework, substantial weight is given to the harm to the Green Belt by reason of inappropriateness and the harm caused to the openness of the Green Belt. Significant weight is also given to the harm to the character and appearance of the area, the CA and the Green Route. It is therefore found the other considerations do not clearly outweigh the harm that has been identified. Consequently, the very special circumstances necessary to justify the development do not exist.
23. The proposal would conflict with Policy CP12 of the CS, Policy TB01 of the LP and the Framework which seek to prevent inappropriate development in the Green Belt.

Conclusion and Recommendation

24. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Christian Ford

PLANNING DECISION OFFICER

Inspector's Decision

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

Andrew Owen

INSPECTOR