
Appeal Decision

Site visit made on 9 March 2021

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 March 2021

Appeal Ref: APP/X0360/W/20/3263761
20 Swift Close, Wokingham RG41 3SF

- 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 Jeno Abraham-Kodmon against the decision of Wokingham Borough Council.
 - The application Ref 201976, dated 16 July 2020, was refused by notice dated 29 October 2020.
 - The development proposed is described as the change of use from amenity land to residential and relocation of the boundary fence.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from amenity land to residential and relocation of the boundary fence at 20 Swift Close, Wokingham RG41 3SF in accordance with the terms of the application, Ref 201976, dated 16 July 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan, Block Layout Plan, Proposed 20/01 B, Proposed elevations of the fencing (02 01 Final).

Procedural matter

2. The description of development differs on the appellant's application form, their appeal form and the Council's Decision Notice. I do not have any evidence that the appellant has agreed to any change in description. Furthermore, I have no details to indicate that the nature of the proposal has changed during the course of the application. However, I note that the appellant's description provided on the appeal form more accurately reflects the proposal on the plans before me. As such, I have used this description in my Appeal Decision.

Main Issue

3. The effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site forms a part of a triangular-shaped parcel of land which is currently densely planted with shrubs and trees. It is adjacent to a footpath that runs along the edge of Heron Park. The appeal site makes a modest

- positive contribution to the spacious and verdant character and appearance of this suburban area.
5. The proposal would physically enclose and incorporate some of the parcel of land into the rear garden of 20 Swift Close which backs onto Heron Park. However, a significant proportion of the parcel of land would remain beyond the new fence line. This would continue to provide a sense of spaciousness at this point and relief from the boundary wall that runs along sections of the footpath. Furthermore, the retained amenity land facilitates the existing dense and relatively deep landscaped screen, including a number of trees. This would significantly mitigate any visual impact from the proposed fence and maintain a verdant character and appearance.
 6. The Council acknowledge that the landscaping on this parcel of land is not currently protected. As such, it could be removed at any time. I also note the concerns of a third-party over the management of the 2 lime trees on the appeal site. Whilst the appellant indicates that the appeal site would be partially cleared there is little evidence that the landscaping beyond this is under threat or would be affected by modest works such as the erection of fencing. Furthermore, I have been provided with little reason to consider that the 2 lime trees are or could become unstable. Even if existing planting were completely or partially removed, the impact would be largely mitigated by other landscape features within Heron Park. Indeed, within the park it is typical to be able to view the boundary treatments and rear garden features associated with the adjacent housing.
 7. The Council have also raised concerns over security, or the perception of security, as a consequence of the proposal. However, I find that the development would lead to little difference compared to the existing arrangement even having regard to the revised boundary feature's siting.
 8. Therefore, in conclusion on the main issue I find that the proposal would not cause harm to the character and appearance of the area. As such, the proposal would not be contrary to policies CP1 and CP3 of the Wokingham Borough Local Development Framework, Adopted Core Strategy Development Plan Document, January 2010; policy CC03 of the Wokingham Borough Development Plan, Adopted Managing Development Delivery Local Plan, Enhancing the Borough's environment and character through exceptional development, February 2014; or the National Planning Policy Framework. These policies seek to achieve sustainable development through maintaining attractive places and a high-quality environment utilising good design and protecting green infrastructure.

Conditions and Conclusion

9. I have had careful regard to the suggested conditions from the Council. I have imposed the standard commencement and approved plans conditions in the interests of completeness and certainty. However, for the reasons set out above, I do not find a condition for landscape protection measures to be necessary.
10. For the reasons given above I conclude that the appeal should be allowed.

James Taylor

INSPECTOR