



Appeal Decision

Site visit made on 26 September 2023

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2023

Appeal Ref: APP/X0360/W/23/3320252

25 Newlands Close, Shinfield RG2 9LG

- 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 Mrs Badesha against the decision of Wokingham Borough Council.
 - The application Ref 230315, dated 9 February 2023, was refused by notice dated 21 March 2023.
 - The development proposed is described as the relocation of garden fence to include part of grass verge. Change of use from amenity land to residential and erection of a fence.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located within a relatively recent housing development. The character and appearance of the area is defined by close knit dwellings. Open edges and further open spaces have been designed into the wider street layouts and this is important in contrasting the buildings and hard surfaces. These features make a valuable contribution towards local distinctiveness and green infrastructure.
4. The appeal site features an open edge of landscaped amenity land, and this land is visible from parts of Newlands Close and Garrett Drive. While modest in size, this open land makes a valuable contribution to the open edges and spaces within the existing street scene by offering visual relief to the close-knit residential character of the area.
5. The proposed development would incorporate a fence line which would wrap around a considerable section of the existing amenity land. It would also project forward of the building line of both 27 Newlands Close and 60 Garrett Drive.
6. These factors would increase its visual impact and would cause a visual narrowing of the street when viewed along these sections of Newlands Close and Garrett Drive. The contrived siting and layout of the fence would also add further harm to that identified above.
7. The overall effect of the proposed development would bring a hard edge closer to the pavement and this would unacceptably depreciate openness creating a

sense of enclosure along this part of the street scene. The proposed development would also diminish the appeal site's contribution toward green infrastructure.

8. Some landscaping would be proposed as part of this development, and this would be planted next to the relocated fence. Such landscaping could soften the proposed development to some degree.
9. However, and notwithstanding whether the depth between the footway and relocated fence would be sufficient to allow for landscaping to develop; the proposed landscaping would comprise a shallow strip of vegetation and this would not compensate for the depth and sense of openness the existing layout currently makes. In addition, the landscaping would take time to establish and its long-term protection from disease, death or removal cannot be guaranteed.
10. The appellant points out that they would enjoy the land more if it was enclosed and trespass onto the amenity land currently occurs. However, I am not persuaded that this scheme would be the only way in which the trespass could be managed or that the land is prohibitively expensive to manage in its current form. The benefits of enclosing the land do not outweigh the public harm that it would cause to the character and appearance of the area.
11. My attention has been drawn to several other parts of the wider street scene as well as a site in another borough. I have considered these; however, each case must be considered on its own merits in the light of the specific circumstances and context. Overall, the examples provided highlight the importance of retaining the sense of openness. As set out above, my decision has turned on its own site-specific circumstances.
12. Consequently, the proposed development would unacceptably erode this section of important open space. The proposed development would not sympathetically respond to the existing character and appearance of the area.
13. The proposals would therefore fail to comply with the relevant provisions of Policies CP1 and CP3 of the Wokingham Borough Local Development Framework Core Strategy (2010), Policies CC03 and TB21 of the Wokingham Borough Development Plan Managing Development Delivery Local Plan (2014), the Shinfield Neighbourhood Plan (2017), the Wokingham Borough Design Guide Supplementary Planning Document (2012), South of the M4 Strategic Development Location Supplementary Planning Document (2011) and the National Planning Policy Framework.
14. These, amongst other things, require development proposals to contribute positively to the appearance of the public realm.

Conclusion

15. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

N Praine

INSPECTOR