

Appeal 6006243

Appeal details

Appeal type	Enforcement notice
Appeal procedure	Written
Appeal site	42 King Street Lane, Winnersh , Wokingham, Wokingham, RG41 5AZ
Agent contact details	Emily Temple office@etplanning.co.uk +441344508048
Enforcement notice reference	N/A

Before you start

Which local planning authority (LPA) do you want to appeal against?	Wokingham Borough Council
Have you received an enforcement notice?	Yes
Is your enforcement notice about a listed building?	No
What is the issue date on your enforcement notice?	4 Feb 2026
What is the effective date on your enforcement notice?	12 Mar 2026
What is the reference number on the enforcement notice?	N/A

Appellant's appeal

Was the appeal made in the appellant's name	No
Appellant's name	Billy Mobey
Contact details	Emily Temple ET Planning

Phone number	+441344508048
Site address	42 King Street Lane, Winnersh , Wokingham Wokingham RG41 5AZ
Is the site address your contact address?	Yes
What is the appellant's interest in the land?	Owner
Will an inspector need to access the land or property?	No
Site health and safety issues	No
Enter the description of the alleged breach	Without planning permission, the material change of use of amenity land to residential and the erection of associated fencing and posts.
Grounds of appeal	Ground (a) Ground (b) Ground (f)
Did anyone submit a retrospective planning application?	No
Did you pay the ground (a) fee?	Yes
Ground (a) fee receipt	Ground A payment Receipt.pdf (/published-document/a22e66e4-541d-4166-8606-b9ccadd4b3b8)
Facts for ground (a)	Planning permission should be granted for the development described in the Enforcement Notice. The repositioning of the fence represents a minor alteration to the boundary alignment and does not harm the character or appearance of the surrounding residential area, which is characterised by defined garden boundaries. The land enclosed remains capable of being landscaped and planted, so its wider amenity function is not materially diminished. The fence does not affect visibility splays or highway safety and provides a reasonable level of security following a recent break-in. Overall, the development is modest and does not result in material planning harm.
Ground (a) supporting documents	20260310 Grounds of appeal JSET.pdf (/published-document/d0b37365-cc5f-45d3-b0d2-fe506772949e)
Facts for ground (b)	The matters alleged in the Enforcement Notice have not occurred to the extent stated. While a boundary fence has been erected and its alignment differs slightly from the original diagonal boundary line, this has not resulted in a material change of use of the land to residential curtilage. The enclosed land remains capable of being landscaped and planted in a manner consistent with its previous amenity

function. The enclosure does not prevent planting or landscaping and therefore does not remove the land's amenity value. The use of the land has not intensified beyond that normally associated with the lawful residential use of the adjoining dwelling.

Ground (b) supporting documents	No
Facts for ground (f)	The steps required by the Enforcement Notice exceed what is necessary to remedy the alleged breach of planning control. The Notice requires removal of the fencing between points A and B and restoration of the land to its former condition. This wording lacks clarity and may prevent the reinstatement of a lawful boundary fence along the original boundary line. A more proportionate remedy would be to require the removal of the fencing located on the blue line between points A and B and the cessation of the unauthorised use, without preventing a lawful boundary fence being reinstated.
Ground (f) supporting documents	No
Preferred procedure	written
Are there other appeals linked to your development?	No
Did the appellant apply for an award of appeal costs?	No

Appellant's documents

Enforcement notice	42 King Street Lane - Enforcement Notice - Final (1).pdf (/published-document/48b9dbe9-7fa2-4c6f-aa1e-731e3050f7f1)
Enforcement notice plan	42 King Street Lane - Enforcement Notice - Final (1).pdf (/published-document/383e79c6-79bd-49d3-9446-80e8d654c138)
New supporting documents	No