



ET Planning

Planning Statement

Client:

Carole Husbands

28 Tennyson Road

Woodley, RG5 3RH

Retrospective erection of replacement fence

Holly Goulding **BSc (Hons)**

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CIL | Enforcement | Land Promotion | Planning | Sequential Tests | Viability

Contents

1. INTRODUCTION	1
2. SITE LOCATION AND DESCRIPTION	2
3. PLANNING HISTORY	2
4. DEVELOPMENT PROPOSALS	3
5. POLICY ASSESSMENT	4
6. CONCLUSION	9

1. Introduction

- 1.1 This statement is produced to support a planning application for the retrospective erection of a replacement fence at 28 Tennyson Road, Woodley, RG5 3RH.
- 1.2 This application follows from correspondence with Wokingham Borough Council, letter dated 11th November entitled 'Breach of planning control: Unauthorised Landscaping, Fencing and Wall'. This application considers the fencing aspect and comprises the first of two applications.
- 1.3 This planning statement will cover the background to the application and provide the necessary information to enable its determination by officers at the Council. It will consider the proposal in light of relevant planning policies and other material considerations. The conclusion reached is that key material considerations and the wider objectives of National and Local planning policy support the grant of permission.
- 1.4 In addition to this planning statement, the application is accompanied by the appropriate planning application forms and ownership certificate, duly signed and completed, and the following documents prepared by Hives Architects:
 - 1:2500 Site Location Plan
 - 1:200 Block Plan
 - 1:100 Fence Elevation Plans
- 1.5 The relevant application fee will be submitted by the applicant separately.

2. Site Location and Description

- 2.1 The site comprises a two storey detached dwelling at the junction between Tennyson Road and Keats Road and falls within the major development location of Wokingham as defined by the Core Strategy. The site is screened to the north by mature tree planting.
- 2.2 Tennyson Road comprises a suburban residential street consisting of a mixture of 1960s and 1970s dwellings both attached and detached of varying designs. Dwellings benefit from driveway parking and front gardens with several properties having been extended over time.

3. Planning History

- 3.1 Application Ref: 232765 for a certificate of lawfulness for the proposed erection of a single storey rear extension. Application withdrawn 15/01/2024.
- 3.2 Application Ref: 240417 for a part retrospective application for a certificate of lawfulness for the proposed single storey rear extension. Approved 24/04/2024.
- 3.3 Application Ref: 38118 for the erection of fence to enclose garden. Granted 02/09/1991.
- 3.4 Application Ref: 38118 comprised a series of conditions, of relevance to this application is condition 3 which states that:

"No screen wall or screen fence shall be moved from its approved position, particularly along any flank frontage of a corner plot, without the prior written permission of the District Planning Authority."

REASON: In the interests of visual amenity and Highway Safety."

4. Development Proposals

- 4.1 The application seeks retrospective planning permission for the erection of a 2m high boundary fence enclosing the site. The fence comprises timber closeboard fencing.
- 4.2 The site was previously enclosed by timber boundary albeit the current fencing seeks to fully enclose the land within the applicant's ownership.



Figure 1 – Image showing pre-existing fence and untidy grassed verge which has now been enclosed within the fence boundary

5. Policy Assessment

5.1 **Principle of Development:** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

5.2 Wokingham Borough Council Local Plan provides a local policy framework for the Borough against which applications are assessed. In this instance, the Development Plan consists of the following documents:

- Wokingham Borough Core Strategy (adopted January 2010)
- Wokingham Borough Managing Development Delivery Document (adopted February 2014)(MDD)

5.3 The Council has produced a Local Plan Update (LPU) (2020). As this plan has not been submitted for examination it can only be given limited weight as a material consideration.

5.4 The Borough Wide Design Guide SPD (adopted May 2012) is also a material consideration.

5.5 Following a letter received from the Enforcement Team dated 11th November 2024 and subsequent correspondence from the Council, an email dated 2nd December 2024 confirms that the land in question is within the ownership of 28 Tennyson Road and also makes reference to Condition 3 of permission ref: 1991 for the erection of fence to enclose garden, stating that:

'No screen wall or screen fence shall be moved from its approved position, particularly along any flank frontage of a corner plot, without the prior written permission of the District Planning Authority.
(239)

REASON: In the interests of visual amenity and Highway Safety.'

- 5.6 This application therefore seeks for the erection of a new fence to enclose residential land within the applicants ownership curtilage.
- 5.7 Section 55 of the Town and Country Planning Act 1990 states that "development" means the carrying out of building, engineering, mining and other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.
- 5.8 It is considered that the proposal does not constitute a material change of use of the land as the area which is now enclosed already had a C3 Use Class. Notably, the 1991 permission sought permission to enclose the garden of the property (moving the fence to its position prior to the current works). This application did **not** comprise a material change of use of land to residential despite enclosing an area not previously enclosed. It should be noted the boundary treatment does not serve to abandon the use class of land adjacent to the footpath.
- 5.9 Furthermore, it should be noted the landscaped edge of the site (up to the tree before the pavement) mirrors the relationship of the corner plot of 33 Tennyson Road opposite the site, whilst this site does not have boundary treatment the areas adjoining the footpath are no doubt part of its garden.
- 5.10 As such, the whole area within the ownership of no.28 Tennyson Road was already within a C3 Use Class.
- 5.11 Therefore it is considered that the development relates strictly to the erection of a new fence and not a material change of use. The development would therefore, be acceptable in principle as there is no loss of open space to consider.

Character and Appearance of the Area: Tennyson Road comprises a residential road within the Major Development Location of Wokingham consisting of a mixture of detached and semi-detached dwellings with gardens bound by fences.

The Borough Design Guide at paragraph R12 states that boundary treatments should contribute positively to the character of the areas and to the quality of the public realm. The Design Guide goes on to state that boundaries to the public realm should relate to the character of the area. They should be clearly delineated, robust and high quality, so that they last overtime.



Figure 2 – Boundary fencing example adjoining the pavement at 8 Keats Close 50 metres north of the application site

- 5.12 The site to its immediate west is adjoined by a large pavement area providing pedestrians with a pleasant openness when turning the corner into and out of Tennyson Road. The pre-existing grassed verge, which has since been enclosed by the new fence line. This grass area offers little value to the wider character due to its unkempt

appearance and scale resulting in an unexceptional visual appearance of the footpath.

- 5.13 Notwithstanding, the character of the area comprises boundary treatment adjacent public footpaths. Figure 2 demonstrates a similar example of boundary fencing adjoining the pavement 50 metres north of the application site where Keats Road adjoins Keats Close. The wider area comprises a variety of boundary treatments adjoining public footpaths, consequently, the fence owing to its height, length and design would not appear out of place in this location.
- 5.14 Policy CP3 of the Wokingham Borough Core Strategy states that planning permission will be granted for proposals that are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life. The policy goes on to state that planning permission will be granted for proposals that provide a functional, accessible, safe and secure scheme as well as ones which use the full potential of the site.
- 5.15 Finally, the impact of the development would have no detrimental impact owing to the fact permission 38118 already established views of fencing enclosing the site, the proposal seeks to replace fencing in the same location and where moved to the west this only comprises a 1.8m difference in siting. The replacement fence therefore accords with the Borough Design Guide and replaces a dilapidated fence with a robust and high quality boundary treatment, complying with policy CP3.

- 5.16 **Residential Amenity – Neighbouring Occupants:** The fencing due to its siting on the western boundary of the dwelling will have no impacts upon neighbouring residential amenity.
- 5.17 **Residential Amenity – Future Occupants:** The proposal increases the access to the C3 amenity space for the occupiers of 28 Tennyson Road. The increase in the size of the garden complies with the recommendations as expressed within the Borough Design Guide SPD.
- 5.18 **Trees and Landscaping:** The proposal will not detrimentally harm any existing landscaping on site and will instead allow for the better maintenance of the grassed verge previously falling outside of the fence boundary but within the applicants ownership.
- 5.19 **Transport, Parking and Highway Safety:** The application is submitted alongside a Technical Note prepared by Fastnet to discuss any impacts which the replacement fence might have on the highway. The technical note states that forward visibility is achievable for road users, standing at 21 metres which is commensurate with a speed of 18mph. This is more than adequate to cater for the traffic making the turning manoeuvre from Keats Road to Tennyson Road, which has an acute angle, making it difficult to turn more quickly.
- 5.20 The proposal retains existing parking spaces on the paved driveway and has no implications to the existing access on site.
- 5.21 As such, there is no highway safety issue arising from the development.

6. Conclusion

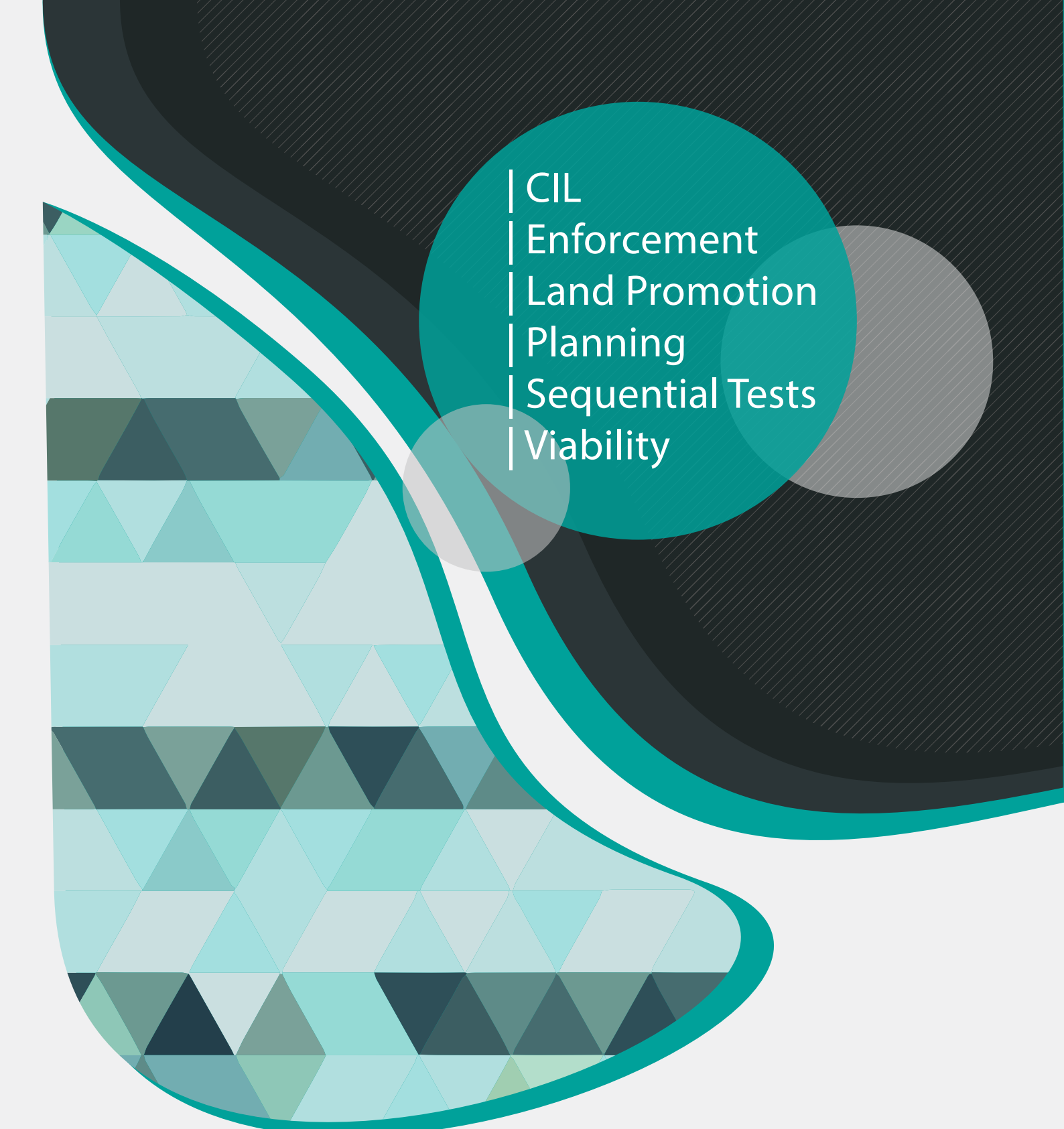
- 6.1 This statement has demonstrated that the proposed development is acceptable in principle and would have an acceptable impact to the character of the area. There would be no detrimental impact to the wider character of the area nor a highway safety issue.
- 6.2 Whilst it is considered the proposal complies with the Development It is considered the proposed development would result in a visual enhancement to the boundary treatment of the dwelling without adverse effect on the character of the area, safety of highway users or the amenity of neighbouring residents, whilst improving the amenities of occupiers of no.28 Tennyson Road
- 6.3 It is considered that the proposed scheme complies with relevant Development Plan Policies and is further supported by National Guidance. Therefore, it is respectfully requested that planning permission is granted.

Holly Goulding BSc (Hons)

Planner | ET Planning

200 Dukes Ride Crowthorne RG45 6DS

holly.goulding@etplanning.co.uk | 01344 508048



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Contact

Address

200 Dukes Ride RG45 6DS

Phone

01344 508048
01865 507265
01483 363950
01743 612043
01392 691384

Web & Mail

Email: office@etplanning.co.uk
ET Planning Ltd | 10646740

Web: www.etplanning.co.uk