

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	261112
Site Address:	9 Hurricane Way, Woodley, Wokingham, RG5 4XJ
Expiry Date:	17 July 2026
Site Visit Date:	2 June 2026
Proposal: Full application for the change of use of amenity land to residential garden, including erection of a boundary fence. (retrospective)	

PLANNING POLICY	
National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP3 – General Principles for Development CP7 – Biodiversity CP9 – Scale and Location of Development Proposals
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC09 – Development and Flood Risk
Wokingham Borough Local Plan Update (LPU)	NA
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Sustainable Design and Construction Supplementary Planning Document Woodley Design Statement

PLANNING HISTORY		
Application No.	Description	Decision & Date
	There is no relevant planning history.	

CONSULTATION RESPONSES	
Internal	
WBC Environmental Health – No objection. WBC Drainage – No objection. WBC Highways – No objection. WBC Landscape and Trees – No objection. WBC Ecology – No objection. WBC Cleaner and Greener – No comments received.	
External	

Southern Gas Networks – No objection raised.
Scotich and Southern Electricity Networks - No objection raised.
Thames Water Utilities Ltd – No comments received.

Officer Comment:

The applicant should note that there may be a gas pipe below ground level. The applicant should contact Scotia Gas Networks (SGN) to confirm.

REPRESENTATIONS

Parish/Town Council	Objection due to loss of residential amenity land.
Ward Member(s)	No comments received.
Neighbours	No comments received.

APPRAISAL

Site Description:

The application site comprises a two-storey end-terrace dwelling located within a small cul-de-sac off the northern side of Hurricane Way, Woodley. The property occupies a prominent corner position, with its principal elevation facing onto Hurricane Way and the main pedestrian access taken from the flank elevation rather than from the adjoining cul-de-sac.

Unlike the neighbouring terraced properties, the dwelling does not benefit from a private rear garden and is the only property within the terrace that is not accessed from the cul-de-sac. To the rear of the dwelling is an area of open amenity land measuring approximately 57sqm, which historically formed part of the wider communal landscaped area serving the development. This land has been enclosed and incorporated into the residential curtilage of the host dwelling.

Proposal:

This application seeks retrospective approval for the change of use of amenity land to residential garden space and the erection of a close board fence and gates.

Principle of Development:

The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

The site is located within settlement limits and as such the development should be acceptable providing that it complies with the principles stated in the Core Strategy.

Character of the Area:

The application site comprises the end-terrace property within a row of terraced dwellings situated on a small cul-de-sac off Hurricane Way. Whilst the properties are generally consistent in their scale, form and design, the host dwelling is visually distinct from the remainder of the terrace due to its rendered external finish and the location of the principal entrance on the flank elevation, rather than on the frontage as seen on the adjoining properties.

Owing to its corner position, the dwelling occupies a prominent location within the street scene, with frontage and visibility towards both the cul-de-sac and Hurricane Way. The development comprises the enclosure of former amenity land through the erection of a 1.84m high close-boarded timber fence along the southern and eastern boundaries, together with gates within the southern boundary to provide access to the enclosed garden area. The local Parish has objected to the enclosure of the amenity land. The officer assessment of the change of use is assessed below.

Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high-quality design without detriment to the amenities of adjoining land uses and occupiers.

The fencing has been erected close to the southern edge of the site with a narrow strip of grass between the fence and footpath. It is recognised that prior to the erection of the fence, the relatively small area of land comprised grass and three semi-mature trees. Two of the trees have been removed to facilitate the development.

The former amenity land was positioned directly to the rear of the host dwelling and was clearly associated with the property, with direct surveillance provided from the rear lounge window. The space was enclosed on three sides, did not provide through access to any other part of the development, and, owing to its limited size and absence of features such as seating or play equipment, offered limited opportunities for recreational or social use. Furthermore, Street View imagery indicates that the area was frequently underutilised and often appeared unkempt, with litter accumulating within its recessed position. In this context, the loss of the land as open amenity space is not considered to result in a significant loss of usable communal space or a meaningful reduction in the social function of the wider area.

The introduction of a tall close board timber fence is not out of keeping with the surrounding environment. Given that directly opposite the site on the opposite side of Hurricane Way is a continuous high level brick wall up to the edge of the footpath which form the side and rear site boundaries of nos. 34, 35, 36 and 39 Nimrod Close. Therefore, introducing fencing along the opposite side of the main road close to the site boundary is not unusual within the local environment. In fact, it is the existing gap in the otherwise wall of private garden spaces that is out of keeping with the pattern of development within the vicinity.

The height of the fence is the height of typical fencing that surrounds private residential amenity space. The close board timber fence combines concrete posts and timber panels. The concrete posts ensure the longevity of the fence.

While it is acknowledged that two semi-mature trees were removed to facilitate the development, the trees were not protected and the tree furthest from the host property has been retained. The tree extends well above the new fencing and still forms a prominent natural feature within the street scene.

Overall, whilst the development has resulted in the enclosure of a small area of former amenity land and the loss of two unprotected trees, the land was of limited communal value and appeared underutilised. The boundary treatment is typical of domestic garden enclosures and reflects features found elsewhere within the surrounding area. Given the site's prominent corner position and unique relationship with the adjoining amenity land, the incorporation of the land into the residential curtilage does not appear

incongruous within the street scene. The retained tree continues to provide a significant landscaped feature and on balance, the proposal is not considered to result in harm to the character or appearance of the area. The development is therefore considered to accord with Policy CP3 of the Core Strategy.

Neighbouring Amenity:

Overlooking:

The proposed development would enable the land to the rear of the dwelling to be used as private residential garden space ancillary to the host property. As a consequence, an area that is currently subject to limited and infrequent use would become part of the dwelling's domestic curtilage and would be used for typical residential activities such as sitting, dining, gardening, and children's play.

Whilst this would result in a more regular use of the land, it is not considered that the proposal would give rise to a harmful level of overlooking or loss of privacy to neighbouring occupiers. Any views from the proposed garden area would primarily be towards the host dwelling but would also provide oblique views of the first-floor rear-facing windows of nos. 11, 19 and 21 Hurricane Way. However, such intervisibility is characteristic of the existing relationship between the rear gardens serving the surrounding terraced properties and reflects the degree of mutual overlooking commonly experienced within this residential setting.

In addition, it is generally accepted that a degree of overlooking between neighbouring garden areas is inevitable within medium to high-density residential environments. Accordingly, the proposal is not considered to result in a detrimental loss of privacy to adjoining occupiers and is acceptable in residential amenity terms.

Noise:

As part of the application process, the Council's Environmental Health Officer was consulted. The Officer raises no objection to the proposal. The change of use to residential garden and associated boundary fencing are considered typical domestic development that would not be expected to result in unacceptable noise, disturbance, loss of light, or other environmental health impacts. No contamination, land stability or drainage concerns have been identified, and there is no evidence that the retrospective development has generated complaints or adverse impacts since its implementation.

Loss of Light & Overbearing:

Due to the nature and location of the development, there are no impacts of this nature that would arise from the development.

Highway Access and Parking Provision:

The proposal does not alter the existing parking arrangements which are acceptable to serve the development. The Highways Officer concluded: *"The boundary fence is outside of the highway boundary and does not impact on visibility. Therefore, Highways have no objection"*.

Flooding and Drainage:

The application site is in Flood Zone 1 and the Council's Drainage Officer was consulted and raised no objection to the proposal.

Landscape and Trees:

The Council's Trees and Landscape Officer was consulted and raised no objection to the proposal. The Officer notes that the dwelling currently lacks dedicated private outdoor amenity space, which is unusual in a suburban residential setting, and considers that the proposal would provide a private garden that aligns with the aims of the Borough Design Guide for residential properties.

The Officer observes that the enclosed area created by the fence provides a garden of a size broadly consistent with the guidance for private residential gardens. It is also noted that two semi-mature trees have been removed, although these trees were not protected by a Tree Preservation Order, and that an access door has been installed to connect the dwelling with the garden area.

In landscape terms, the Officer comments that whilst boundary treatments elsewhere in the area are often low, stepped back or softened by planting, there are examples of more direct boundary enclosures within the surrounding neighbourhood.

Overall, the Officer considers that the land previously appeared underutilised and poorly maintained and that its incorporation into the residential curtilage would allow it to be actively managed and enjoyed as a secure private garden. The proposal is therefore regarded as a more effective and beneficial use of the land and no landscape or arboricultural objections are raised.

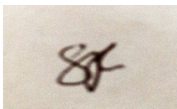
Conclusion:

For the reasons set out above and subject to conditions, the proposal is acceptable as it accords with local plan policy and guidance.

Community Infrastructure Levy (CIL): When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

The Public Sector Equality Duty (Equality Act 2010): In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION	
Conditions agreed:	Not required
Recommendation:	Approve
Date:	13 July 2026
Earliest date for decision:	16 June 2026

Recommendation agreed by: (Authorised Officer)	
Date:	15.7.26

PLANNING CONSTRAINTS/STATUS

Major Development Location

Loddon Ward

Woodley Parish