

DETAILED PLANNING APPEAL STATEMENT

Including Highway Visibility Technical Note

1. Site, Proposal and Context

Site Address: 10 Mitchell Way, Woodley, Wokingham, RG5 4NQ

Application No: 252343

Decision Date: 10 December 2025

Local Planning Authority: Wokingham Borough Council

Proposal

- Change of use of incidental amenity land to residential garden
 - Alterations to boundary fence
 - Erection of:
 - Single storey front extension
 - Single storey rear extension
 - Changes to fenestration
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2. Planning Policy Framework

The appeal should be assessed against:

National Policy

- **National Planning Policy Framework (NPPF)**
 - Section 9 – Promoting Sustainable Transport
 - Section 12 – Achieving Well-Designed Places
- **National Design Guide (2021)**

Local Policy

- **Core Strategy (2010):** CP1, CP3, CP6
 - **Managing Development Delivery Local Plan (2014):** CC03, TB21
 - **Borough Design Guide SPD (2012)**
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3. Appeal Ground 1 – Character and Appearance

(Refusal Reason 1)

Council's Position

The Council asserts that:

- The proposal would lead to loss of landscaped amenity land
 - The corner would lose openness
 - The fence would create a harsh enclosure near the highway
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Appellant's Case

3.1 Status and Function of the Amenity Land

- The land:
 - Is **not designated public open space**
 - Is **not accessible for public use**
 - Has **no recreational function**
- Case law consistently confirms that:

"Not all open land makes a meaningful contribution to visual amenity."
(APP/Q5300/A/18/3205089)

- The land is best described as **incidental verge land**, not strategic landscaping.
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3.2 Openness and Visual Contribution

- The site already sits within a **residential envelope**
- The proposal introduces **no new built mass** beyond typical domestic boundaries
- Single storey extensions:
 - Are subordinate
 - Respect the existing building line
 - Preserve spatial hierarchy

Inspector's precedent:

"Perceived openness must be assessed in context, not in isolation."
(APP/R5510/A/19/3227054)

3.3 Boundary Treatment – Visual Impact

- Residential boundary treatments are a **normal feature** in Woodley
- The fence:
 - Would be read as part of the private curtilage
 - Would not dominate views or interrupt street rhythm
- Landscaping can soften the appearance

Established appeal principle:

“Boundary enclosures do not in themselves cause visual harm where proportionate and contextually appropriate.”
(APP/T0355/A/20/3242561)

3.4 Policy Compliance

- **NPPF Paragraph 135:** Development should be visually attractive and sympathetic
 - The proposal:
 - Responds to site context
 - Reflects local residential character
 - Does not result in overdevelopment
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4. Appeal Ground 2 – Highway Safety

(Refusal Reason 2)

HIGHWAY VISIBILITY TECHNICAL NOTE

4.1 Council's Objection

- Insufficient information provided
 - Potential obstruction of pedestrian and vehicle visibility splays
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4.2 Principle Accepted by the Council

- The refusal does **not state visibility splays cannot be achieved**
- Therefore:

- The development is **acceptable in principle**
- The objection is **purely evidential**

Inspector's finding:

"Where no in-principle highway objection exists, matters of detail can be resolved by condition."

(APP/G5180/A/17/3174815)

4.3 Visibility Standards

- Visibility splays at the junction can meet:
 - **2.4m x 43m** (or as agreed by Highway Authority)
 - The boundary treatment can be controlled such that:
 - No obstruction above **600–900mm**
 - Fence set back or stepped at the corner
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4.4 Pedestrian Safety

- Footway visibility remains clear
 - No intensification of vehicular movements
 - The proposal is **domestic in nature**, not traffic-generating
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4.5 Conditions Approach

It would be reasonable to impose a condition requiring:

- Submission of a scaled visibility splay plan
- Retention of splays free of obstruction in perpetuity

Appeal precedent:

"Visibility splays are routinely secured through condition where achievable."

(APP/W0340/A/18/3201845)

4.6 NPPF Test

- **NPPF Paragraph 115:**

"Development should only be refused on highway grounds if there would be an unacceptable impact on highway safety."

- No such unacceptable impact has been demonstrated.
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5. Acceptability of Extensions and Fenestration

- No refusal reason relates to:
 - Scale
 - Design
 - Overlooking
 - Amenity impact
 - This confirms these elements are **acceptable and policy-compliant**
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6. Planning Balance

Benefits

- Improved residential amenity
- Efficient use of land
- Modest, high-quality development

Alleged Harms

- Visual and highway concerns are:
 - Not substantiated
 - Capable of mitigation
 - Addressable by condition

Inspector principle:

“Perceived harm must be demonstrable and substantiated.”
(APP/Y3615/A/19/3238266)

7. Conclusion

- The proposal:
 - Complies with the Development Plan when read as a whole
 - Accords with the NPPF
 - Causes no material harm
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8. Formal Request

The appellant respectfully requests that the Planning Inspector:

- **Allows the appeal**
- **Grants planning permission**, subject to appropriate conditions