

Planning Statement

Extension of 1.8m high fence to enclose an area of residential garden (retrospective)

At 20 Mallory Avenue, Caversham, Reading, RG46QN

1.0 Introduction

- 1.1 The application is submitted in response to an enforcement investigation by Reading Borough Council (reference PE/23/0119(758969) which concluded that planning permission was required for the 1.8m high fence adjacent to the highway. The Council disputes that the land enclosed did not form part of the residential curtilage, but originally formed part of open grassland. The applicant disputes this breach given that the land is under the ownership of the applicants and has been routinely maintained and used in connection with the residential use of the property as a single private dwellinghouse. The applicant has requested any documentation to be provided by the Council to demonstrate that this land was not used as residential garden on a number of occasions, but this has not been provided. In the event of the Council maintaining this inaccurate assessment of the enclosed land, the applicant can provide evidence from previously employed gardeners to support the lawful use since purchase.
- 1.2 Notwithstanding the use, the applicant acknowledges that there is a need for planning permission for the fence extension given that the extension is located adjacent to the highway (footway) on Caversham Park Road and exceeds 1m in height.

2.0 The proposal

- 2.1 The application seeks planning permission for the extension of the pre-existing fence to enclose the area of garden to the north of the property between the originally enclosed garden area and the footway. The submitted plans indicate the extent of this fence which was erected on 22nd July 2023. The fence does not extend towards Holyrood Close and retains the strip of land to the side of the garden, to include a triangle of open grass verge on the corner. The fenceline encloses the area of garden to the north of the property to match ALL other properties backing onto Caversham Park Road on the northern side of Mallory Avenue. The fence is consistent in height and appearance to all neighbouring properties.

2.2 Photographs of the fence and neighbouring fencelines are attached below:



Fenceline of properties on northern side of Mallory Avenue





Retained area of open space to side of fence



3.0 Planning Policy

National Policy

National Planning Policy Framework 2024

National Planning Practice Guidance 2019 onwards

Reading Borough Local Plan (2019)

CC7 (Design and the Public Realm)

CC8 (Safeguarding Amenity)

H9 (House Extensions and Ancillary Accommodation)

EN14 (Trees, Hedges and Woodland)

SPG/SPD

A Design Guide to House Extensions SPD 2021

Tree Strategy 2021

4.0 Impact on Character and appearance of the area.

4.1 Policy CC7 states “All development must be of high design quality that maintains and enhances the character and appearance of the area of Reading in which it is located. The various components of development form, including: -

-Layout: urban structure and urban grain;

-Landscape;

- Density and mix;

-Scale: height and massing; and

- Architectural detail and materials”

4.2 The Council have advised:

“No.20 Mallory Avenue is located in a suburban residential estate. The wider estate is characterised by, amongst other things, parcels of grassed informal land adjacent to footpaths and gardens and footpaths in the estate. As such, it makes a small but positive contribution to the overall character and appearance of the surrounding area. The change of use, bringing the land into a domestic garden use, has resulted in the land being more intensively used in association with No. 20 than the previous open and informal situation.

The development has resulted in an adverse impact on the character and appearance of the surrounding area”

- 4.3. The enclosed land in question, has always formed part of the applicant’s residential garden. Since purchasing the property in July 2007, the applicant has routinely maintained the area of land and used it as residential garden. Indeed, the residential garden use was identical to that as all other properties on the northern side of Mallory Avenue, adjacent to Caversham Park Road who have enclosed this land by the erection of 1.8m high fences over the years without the grant of planning permission or the threat of enforcement action being taken by the Council. The applicant has researched the planning history along with measuring fence heights of hundreds of properties across the entire estate development in Caversham Park and has established that the subject fence is consistent with many properties, all erected without planning permission.
- 4.4 The applicant considers that the key issue is the harm caused by the proposed fence in this location. The fence is consistent with that at all properties within the row of semi-detached dwellings on the northern side of Mallory Avenue as identified on the following photograph (pre- erection and post erection)



March 2009



September 2021



May 2025

- 4.5 The area of informal grassed area is retained to the side of the fenceline between the garden area and Holyrood Close and Caversham Park Road providing a soft landscaped buffer to the fence. The applicant considers the fence is entirely in keeping with the immediate area and does not result in visual harm to the area in accordance with requirements of Policy CC7 of the Reading Local Plan and the requirements of the NPPF (2024).
- 4.6 The applicant would also advise that the fence does not impede both vehicular of pedestrian visibility.

5.0 CONCLUSION

- 5.1 The applicant considers that the fence is entirely in keeping with the immediate locality and others on corner plot across the entire Caversham Park Village estate. Furthermore, the applicant considers that the Council has inconsistently applied interpretation of the harm caused by enclosure of garden land across the estate as evidenced by a research of planning history relating to properties on corner plots and those fronting highways across the Caversham Park Estate. The applicant therefore requests that officers support this application with a favourable recommendation and grant retrospective planning permission.