

Registration Date:	18th November 2025	Application No:	P/17800/003
Officer:	Nyra John	Ward:	Northborough & Lynch Hill Valley
Applicant:	Mr Hadrian Lobo	Application Type:	Householder
		8 Week:	13 Jan 2026
Agent:	n/a		
Location:	10 Ramsey Court, Slough, SL2 2PB		
Proposal:	Planning application for the change of use of land from a green verge to residential garden, erection of a 1.8 metre high timber close boarded fence on concrete gravel boards set back 1 metre from the edge of the footpath, installation of garden gate and landscaping the verge with photinia (red robin) plants.		

Recommendation: GRANT planning permission, subject to conditions.



1.0 Summary of Recommendation

1.1 Having considered the relevant policies set out below, and all other relevant material considerations, it is recommended the application be delegated to the Planning Manager for approval subject to finalising conditions.

1.2 Under the current constitution, this application is to be determined at Planning Committee, as the application has received 5 written representations against the Officer recommendation during the public consultation exercise (in accordance with the Council's Constitution, 15th May 2025 part 3.4).

2.0 Application Description

2.1 The planning application is part retrospective for the change of use of land from a green verge to residential garden, and proposed erection of a 1.8-metre high timber close boarded fence on concrete gravel boards set back 1 metre from the edge of the footpath, installation of garden gate and landscaping the verge including 6no. photinia (red robin) plants.

2.2 Part of the land to the rear of the garden was previously owned by Taylor Wimpey, and was sold to the owners of the site amongst a number of others residents at St Michael's Court and Ramsey Court (see relevant site history below of other addresses) who have removed the pre-existing hedged landscaped boundary and replaced with a timber fence that abuts the public footpath.

2.3 Figure 1 is a site photograph taken from Portland Close including a red line identifying the fence constructed as existing in 2025 and Figure 2 is an extract from Google Street view from the same location on Portland Close showing the hedged boundary as pre-existing in 2014, although it is noted that the change took place circa 2024. The site photographs demonstrate that the existing timber fence has concrete plinths.

2.4 The site itself is not in a Conservation Area and lies in Flood Zone 1 and therefore has a low risk of flooding, which is a 1 in 100 (1%) annual probability of flooding in any given year.



Figure 1: Site Photo taken 9th April 2025



Figure 2: Extract of Google Streetview, dated July 2014

3.0 **Relevant Site History**

3.1 Planning History

P/17800/000

Lawful development certificate for a proposed garage conversion into habitable room.

Withdrawn by Applicant 17/07/2019

P/17800/001

Conversion of garage into habitable room

Approved with Conditions; Informatics 23/08/2022

P/17800/002

Retrospective application for material change of use of the land from green verge to garden curtilage and erection of boundary treatment

Refused; Informatics 28/05/2025

P/06562/002

Submission of land scaping scheme and means of enclosure in compliance with conditions 3 and 4 of planning consent reference p6562/1 dated 2 July 1985 (as amended on 10th June 1986).

Approved 19/08/1986

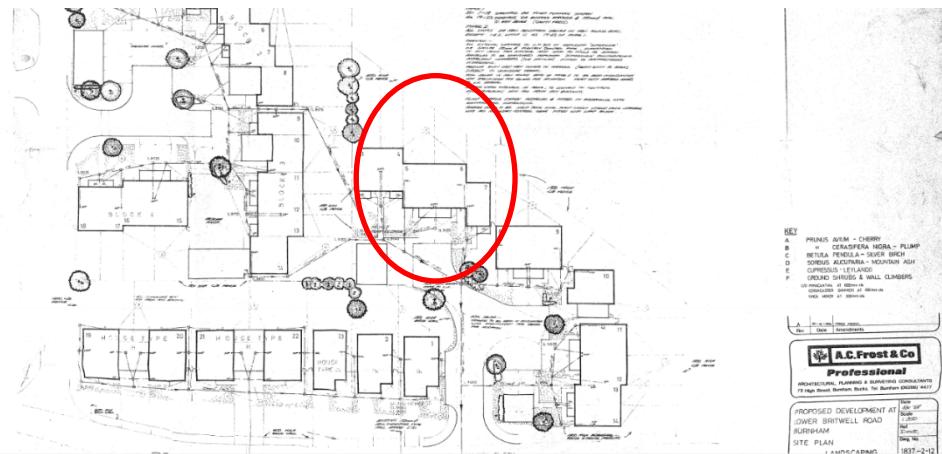


Figure 3: Extract of Landscaping Site Plan Drawing No. 1837-2-12 for application P/06562/002. The red circle identifies the location of the site, No. 10 Ramsey Court.

P/07610/003

Submission of details of landscaping as of condition 6 & 7 of p7610/1 for the erection of residential development

Approved 03-Mar-1989

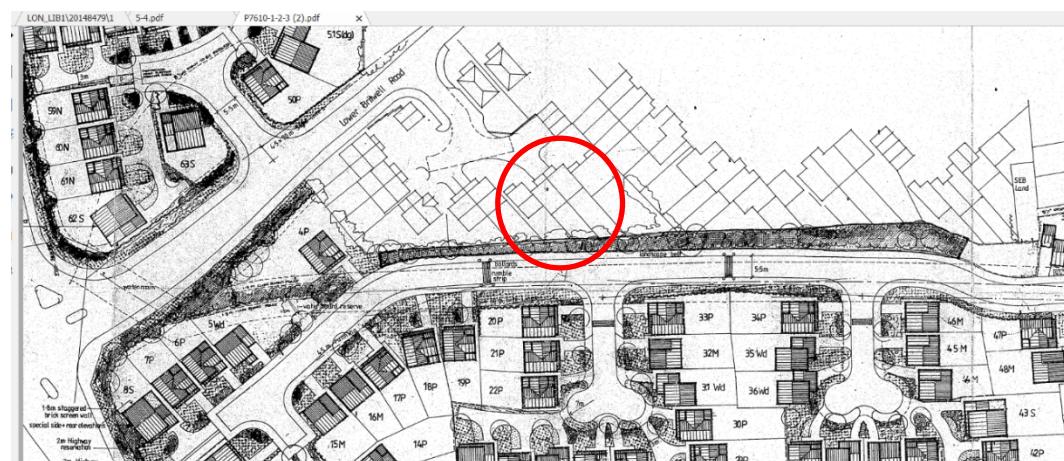


Figure 4: Extract of Planning Layout Drawings P/07610/003 dated 1989, drawing 1097/003 F. The red circle identifies the location of the site, 10 Ramsey Court.

3.2 Other properties at Ramsey Court and St Michaels Court have also submitted similar retrospective applications at the same time, which have all, but one, been refused:

Application Reference	Address	Proposal	Decision and Date
P/19116/001	6, Ramsey Court, Slough, SL2 2PB	Retrospective application for material change of use of the land from green verge to garden curtilage and erection of boundary treatment	Refused; Informatives 28-May-2025 Appeal Dismissed 24-Oct-2025
P/19032/001	7, Ramsey Court, Slough, SL2 2PB	Retrospective application for material change of use of the land from green verge to garden curtilage and erection of boundary treatment	Refused; Informatives 28-May-2025 Appeal Dismissed 24-Oct-2025

P/20796/000	8, Ramsey Court, Slough, SL2 2PB	Retrospective application for material change of use of the land from green verge to garden curtilage and erection of boundary treatment	Refused; Informatives 05-Jun-2025
P/12409/002	9, Ramsey Court, Slough, SL2 2PB	Retrospective application for material change of use of the land from green verge to garden curtilage and erection of boundary treatment	Refused; Informatives 09-Jun-2025
P/17800/002	10, Ramsey Court, Slough, SL2 2PB	Retrospective application for material change of use of the land from green verge to garden curtilage and erection of boundary treatment	Refused; Informatives 28-May-2025 Appeal Dismissed 24-Oct-2025
P/20828/000	12, St Michaels Court, Slough, SL2 2NF	Retrospective application for material change of use of the land from green verge to garden curtilage and erection of boundary treatment	Refused; Informatives 12-Jun -2025 Appeal Dismissed 24-Oct-2025
P/20810/000	14, St Michaels Court, Slough, SL2 2NF	Retrospective application for material change of use of the land from green verge to garden curtilage and erection of boundary treatment	Refused; Informatives 09-Jun-2025
P/14007/001	15, St Michaels Court, Slough, SL2 2NF	Retrospective application for material change of use of the land from green verge to garden curtilage and erection of boundary treatment	Refused; Informatives 12-Jun -2025
P/20817/000	16, St Michaels Court, Slough, SL2 2NF	Retrospective application for material change of use of the land from green verge to garden curtilage and erection of boundary treatment	Refused; Informatives 12-Jun -2025 Appeal Dismissed 24-Oct-2025
P/09288/001	20, St Michaels Court, Slough, SL2 2NF	Retrospective application for material change of use of the land from green verge to garden curtilage and erection of boundary treatment	Refused; Informatives 05-Jun-2025
P/09288/002	20, St Michaels Court, Slough, SL2 2NF	Change of use from green verge to residential garden and erection of 1.8m high timber fence set 1.5m	Approved at Planning Committee 02-Oct-2025

		back from the back edge of the footpath and landscaping the verge area.	
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Figure 5: Numbering of units at Ramsey Court (6-10) and St Michael's Court (12-20)

3.3 Enforcement History:

2024/00677/ENF

Erection of a rear garden boundary fence and encroachment of land
Opened 21-Mar-2025

4.0 Consultation

- 4.1 The application was publicised by site notices displayed on 26/11/2025 in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 4.2 Highways and Transport Officer and Designing Out Crime Officers were consulted on the application on 05/12/2025, but no responses were received.
- 4.3 8 objections were received over the consultation period. Therefore, in line with the Council's constitution, as the planning application is recommended for approval, this requires the application to be considered at Planning Committee.

Material Planning Consideration	Officer Comment
Landscaping/ Biodiversity	
The current application does not specify the required number or positioning of the proposed planting, despite this being agreed as a condition under the previous application P/09288/002. The scheme must be consistent with	The proposals demonstrate replanting including 6no. photinia (red robin) shrubs, given the length of the fencing, which are a vigorous evergreen shrub, with glossy, bright red leaves in the spring and summer months. This hedge can reach a

<p>that approval and with all future related applications by including 10 No. Red Robin bushes along the length of the extended fence.</p>	<p>mature height of 3-5 metres. This would be planted at 1m high and although this would not be mature enough to cover the fencing, over time this could grow up to 1.8m and potentially more. Officers consider this would be an improvement from the unlawful works and over time, would adequately replace the existing hedge that had been lost. A condition is recommended to ensure that this replanting is carried out within 6 months of the date of permission and shall be retained and maintained thereafter.</p>
Transport and Access	
<p>Gates proposed to the rear is unacceptable, would mean parking on Portland Close. Impact on highways safety and increased traffic as a result of the introduction of the gates and introduction of rubbish/ bins</p>	<p>The gates appear to open inwards and would not conflict with pedestrians at Portland Close, and a condition ensures the gates remain as shown opening inwards. Furthermore, there is a parking restriction on Portland Close, with single yellow line that do not allow parking at peak school times given the close proximity of Priory School and Burnham Grammar school, which restricts parking 8am – 9am and 3pm – 4pm Monday to Friday.</p>
Other	
<p>All residents of St Michael's Court and Ramsey Court who have extended their fences need to adopt the same, common approach, without which there would be an uneven and fragmented boundary. Slough Borough Council recognised the need for such consistency during the meeting held on Wednesday, 24 September 2025, when retrospective planning application P/09288/002 -> 20 St Michaels Court, Slough SL2 2NF -> was approved subject to conditions.</p>	<p>Officers have requested that the fences are set back 1m from the boundary to ensure that this is consistent along the whole extent of Portland Close, where the pre-existing green verge narrows in some places. Failure to comply would result in the matter being referred to Planning Enforcement.</p>
<p>The rear gate would allow unauthorised individuals to gain access behind the planting, increasing opportunities for criminal activity.</p>	<p>No comments have been received from the Thames Valley Police Designing Out Crime Officer. The fencing complies with the above criteria of EN5, as it is made of suitably robust materials with</p>

	<p>concrete foundations and although has removed the defensive landscaped barrier, this has increased visibility and surveillance to the road at Portland Close. There appears to be adequate locking for the access point of the gate to ensure adequate security for the occupiers of the dwelling.</p>
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4.4

2 letters of support were received:

- Change of use, fence with 1m set back, garden gate, landscaping verge with planting is acceptable.
- Transforming an underutilised verge into a managed garden space.
- Well-constructed fence and structured planting will reduce the likelihood of neglect, discourage littering, and contribute to a more orderly streetscape.
- The choice of photinia shrubs provides colour and screening, ensuring the frontage remains visually appealing in all seasons.
- This careful design reflects consideration for both residents and the wider community, offering long-term benefits without compromising access.

5.0 Planning Appraisal

Policy Background

5.1

The proposed development is considered having regard to the National Planning Policy Framework (NPPF) 2024, Core Policies 7 and 8 of the Slough Local Development Framework, Core Strategy (2006 – 2026) Development Plan Document, December 2008, Saved Policies H14, EN1, EN5, T2 and OSC8 of the Slough Local Plan 2004 and the Slough Local Development Framework, Residential Extensions Guidelines, Supplementary Planning Document, adopted January 2010.

5.2

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

5.3

The NPPF 2024 makes it clear that good design is essential, stating at paragraph 131:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates

better places in which to live and work and helps make development acceptable to communities".

5.4 Policy H14 (Amenity Space) of the Local Plan 2004 states:

The appropriate level will be determined through consideration of the following criteria:

- a) type and size of dwelling and type of household likely to occupy dwelling;*
- b) quality of proposed amenity space in terms of area, depth, orientation, privacy, attractiveness, usefulness and accessibility;*
- c) character of surrounding area in terms of size and type of amenity space for existing dwellings;*
- d) proximity to existing public open space and play facilities; and*
- e) provision and size of balconies.*

5.5

Policy OSC8 (Green Spaces) of the Local Plan 2004 states:

Development proposals which would result in the loss of green spaces will not be permitted unless the amenity value of the green space can be largely retained and enhanced through development of part of the site. Applications for any development affecting green spaces must be accompanied by detailed landscaping plans so that the visual impact of the proposed development on the amenity of the surrounding area can be fully assessed.

Supporting text of this policy on Green Spaces states:

6.28 Within the built up area of Slough, there are small areas of informal green space which may not be formally classified as public open space but do have important amenity value, particularly visual, and sometimes wildlife value. These areas may be privately or publicly owned. In some cases, the green spaces may have a limited recreational role but, by and large, they have a visual amenity value. Small areas of green space enhance residential and commercial areas alike and help to soften or 'green' the impact of the built environment for those who live, work, or travel through the Borough.

6.29 A number of green spaces have been subject to development pressures and thus it is essential to protect such areas in order to retain pockets of 'green' throughout the Borough and to avoid over-development and town cramming. Due to the small size and number of such green spaces, it is not, however, possible to indicate them on the Proposals Map.

5.6 Policy EN1 (Standard of Design) of the Local Plan 2004 states:

Development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of:

- a) scale;*
- b) height;*
- c) massing/bulk;*
- d) layout;*
- e) siting;*
- f) building form and design;*
- g) architectural style;*
- h) materials;*
- i) access points and servicing;*

- j) visual impact;
- k) relationship to nearby properties;
- l) relationship to mature trees; and
- m) relationship to water courses.

These factors will be assessed in the context of each site and their immediate surroundings. Poor designs which are not in keeping with their surroundings and schemes which result in over-development of a site will be refused.

5.7 Policy EN3 (Landscaping Requirements) of the Local Plan 2004 states:

Comprehensive landscaping schemes will be required for all new development proposals. Where there are existing mature trees, or other features such as watercourses, which make a significant contribution to the landscape, these should be retained and incorporated into the new scheme.

Landscaping should be carried out in the first planting season following the completion of the proposed development and a scheme for the subsequent maintenance and retention of the existing and proposed planting should be established. Off-site planting may be required for development proposals where there is a substantial loss of landscaping on site or where there is the opportunity to enhance existing landscaping in the vicinity of the development.

In addition, landscaping schemes must have regard to all of the following:

- a) impact upon the street scene;
- b) screening effect of the proposed landscaping;
- c) use of both hard and soft landscaping to soften the built form;
- d) variety of plant and tree species and their appropriateness for the location;
- e) the extent to which landscaping can act as a means of enclosure;
- f) improvements to visual amenity; and
- g) opportunities for creating new wildlife habitats.

In some cases, it will be more appropriate for landscaping schemes to be initiated prior to construction.

5.8 Policy EN5 (Design and Crime Prevention) of the Local Plan 2004 states:

All development schemes should be designed so as to reduce the potential for criminal activity and anti-social behaviour. Planning permission will not be granted unless all the following criteria have been adequately considered in drawing up a scheme:

- a) limited number of access points;
- b) provision of secure boundaries such as fences, walls or landscaping around private and public spaces;
- c) well lit external areas subject to maximum natural surveillance without any potential hiding areas;
- d) use of suitably robust materials; and
- e) use of defensive landscaping to deter intruders

5.9 Policy T2 of The Adopted Local Plan for Slough 2004 states:

Within all developments that attract an increase in the number of trips, the level of on-site parking provision for the private car will be restricted to a maximum level in accordance with the principles of the Integrated Transport Strategy.

Residential development will be required to provide a level of parking appropriate to its location and which will overcome road safety problems, protect the amenities of adjoining residents, and not result in an adverse visual impact upon the environment.

5.10 Core Policy 7 of the Core Strategy 2008 states:

All new development should reinforce the principles of the transport strategy as set out in the council's Local Transport Plan and Spatial Strategy, which seek to ensure that new development is sustainable and is located in the most accessible locations, thereby reducing the need to travel.

5.11 Core Policy 8 of the Core Strategy 2008 states:

All development in the Borough shall be sustainable, of a high quality design, improve the quality of the environment and address the impact of climate change. High Quality Design states that all development will:

- a) Be of a high quality design that is practical, attractive, safe, accessible and adaptable;
- b) Respect its location and surroundings;
- c) Provide appropriate public space, amenity space and landscaping as an integral part of the design; and
- d) Be in accordance with the Spatial Strategy in terms of its height, scale, massing and architectural style.

The design of all development within the existing residential areas should respect the amenities of adjoining occupiers and reflect the street scene and the local distinctiveness of the area.

The Residential Extensions Guidelines Supplementary Planning Document (RESPD 2010) provides further guidance on how to interpret the above policies and references Garden Space/ Boundary Walls at Section 11:

EX49 Walls/gates/fences/other means of enclosure shall be designed to reflect the existing character of the street and surrounding area

11.5 Under permitted development rights, any gate, fence, wall or other means of enclosure constructed or erected adjacent to a highway used by vehicular traffic must not exceed 1 metre in height. This includes situations where the end of the structure or means of enclosure abuts the highway (i.e. is perpendicular to the highway).

11.6 Any other gate, fence, wall or other means of enclosure must not exceed 2 metres in height. Otherwise planning permission will be required.

11.7 The same height restrictions apply for any alterations or improvements made to any existing gate, fence, wall or other means of enclosure.

5.12 Planning Assessment

The planning considerations for this proposal are:

- Principle of Development
- Design and impact upon character
- Impact upon on amenity of neighbouring occupiers
- Highways and access
- Designing out crime
- Landscaping and ecology

Principle of Development

5.13 The original application for the wider development of housing was approved with a close boarded fence of 1.8m height in 1986. This was superseded by a landscaping buffer approved to the development to the south, in 1989 (see Figure 4 as above). This retrospective application for the fence has encroached on land which was not part of the existing residential garden and original dwelling's curtilage.

5.14 The change of use has resulted in the loss of a public green space for private use. Although the site was owned by a private developer, its use was retained as open to the public as breathing space for the development to the south at Portland Close. The supporting text of Policy OSC8 specifically refers to informal open space having important amenity value, particularly visual and sometime wildlife, whether privately or publicly owned. Small areas of green space enhance residential and commercial areas alike and help to soften or 'green' the impact of the built environment.

5.15 Policy OSC8 (Green Spaces) of the Local Plan 2004 states development proposals which would result in the loss of green spaces will not be permitted unless the amenity value of the green space can be largely retained and enhanced through development of part of the site, with a landscaping plan so that the visual impact of the proposed development on the amenity of the surrounding area can be fully assessed. The applicant has demonstrated that the amenity value of the green space is safeguarded as it is proposed to set back the fence by 1m, ensuring it is largely retained and enhanced through this application for a material change of use of the site. A set back of 1m has been requested to ensure that if any other properties at St Michael's Close and Ramsey Court apply for similar (as they have done at 20 St Michael's Close), this would allow a consistent approach, given that this previous verge is wider towards the rear of St Michael's Court and more narrow at Ramsey Court.

5.16 The pre-existing garden was 65sqm and the new garden area will be 85sqm. Whilst it is noted that the development has resulted in an increase in private amenity space for the dwelling, the dwelling as pre-existing already accords with adopted standards (EX48 states that 50sqm is the minimum for a 2-3 bedroom dwelling) and therefore policy compliant with Policy H14 of the Local Plan.

5.17 Therefore, the development would retain some of the informal green space and have replacement planting, which would accord with Policy OSC8 and H14 of the Local Plan 2004.

Design and impact upon character

5.18 As per the policy above, the NPPF encourages new buildings to be of a high-quality design that should be compatible with their site and surroundings, as reflected in Core Policy 8 of the Core Strategy, and EN1 of the Local Plan 2004. The REGSPD 2010 makes reference to Garden Space/ Boundary Walls at EX49.

5.19 The drawings suggest that the fence has been erected 1.8m in height. The removal of the hedged boundary, which appeared to be previously over 2m in height has now changed from a soft pleasant, visually attractive green feature to hard landscaping, which has created a more austere and harsh appearance to the detriment of the wider visual amenities and character of the area.

5.20 The proposed drawings demonstrate a 1m set back from the public highway and additional landscaping planting to replace that lost (further details in the Landscaping subsection below). The part proposed development of the fenced boundary, with regards to its new positioning and siting, will now reintroduce some breathing space that has been lost as existing from the public footpath.

5.21 The repositioning of the fenced boundary with planting will now soften the impact to the street scene at Portland Close and whilst it would not revert back to the pre-existing situation, it is now acceptable with regards to design and visual amenity. Overall, given the re-introduction of the soft landscaping, this will visually improve the existing situation of local residents, visitors and passers-by.

5.22 Officers note that a similar application at 20 St Michael's Court, adjacent to the site in question has implemented a similar change with a 1m set back and planting, which has improved the visual amenity of the area (P/09288/002 Approved 2nd October 2025). The site in question is to the left of the site photo below and no. 20 St Michael's Court is central of the photo below. To the right of the image is soft landscaping to the rear of no. 18 St Michael's Court that would have also formed part the land to the rear of no. 10 Ramsey Court and no. 20 St Michael's Court, before it was removed and fencing erected. The landscaping will of course take time to mature and establish itself.



Figure 6: Site Photo looking north from Portland Close, Dated 26th November 2025

5.23 The repositioning of the fenced boundary set back 1m from the public footpath and replacement planting, is considered acceptable with regards to design and visual amenity, appearance, siting and height and broadly in accordance with Core Policy 8 of the Core Strategy 2008, policies H15 and EN1 of the Local Plan 2004 and the NPPF 2024.

Impact upon on amenity of neighbouring occupiers

5.24 Policy EN1 of the Local Plan 2004 states that development proposals must be compatible with and/or improve their surroundings in terms of relationship to nearby properties. DP6 and DP7 of the REGSPD 2010 states that extensions should not be overbearing on neighbouring properties or result in loss of outlook, overshadowing, loss of sunlight or daylight. DP8 of the REGSPD 2010 states that window positions should avoid direct overlooking of neighbouring properties including gardens. Whilst it is noted this guidance is for extensions to existing dwellings, these principles are inherent in achieving good design in relation to neighbouring dwellings.

5.25 The site levels are higher where the host dwelling is sited and drops within the rear gardens where the fence is proposed at Portland Close. However, the nearest properties at Portland Close are no. 61 Portland Close and no. 35 Portland Close, which are both over 18m from the rear elevation of the application site dwelling and is sited with a flank wall facing the development. Therefore, it is considered that there would be no harmful overlooking to the properties at Portland Close. There is also no harmful impact to the adjacent occupiers at no. 7 Ramsey Court.

5.26 It is therefore considered that the development would not result in a detrimental impact to the amenity of neighbouring occupiers and complies with Saved Policy EN1 of the Slough Local Plan 2004 and the Slough Local Development Framework, Residential Extensions Guidelines, Supplementary Planning Document, adopted January 2010, and Core Policy 8 of the Slough Core Strategy (2008).

Highways and Access

5.27 The NPPF 2024 promotes sustainable transport and states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. This is reflected in Core Policy 7 of the Core Strategy 2008 and Policy T2 of the Local Plan 2004 as detailed above.

5.28 Under permitted development rights, any gate, fence, wall or other means of enclosure constructed or erected adjacent to a highway used by vehicular traffic must not exceed 1 metre in height. This includes situations where the end of the structure or means of enclosure abuts the highway (i.e. is perpendicular to the highway). However, it is considered that given the siting of the fencing and that it does not serve any vehicular access, a 1.8m height fence would be acceptable, provided it is set back from the public footpath to allow for an adequate buffer. Condition 2 has been recommended to ensure the fence is relocated and the landscape replanting is provided to this effect.

5.29 Officers note that the fence has a gate to the rear. However, the gates have been demonstrated on the proposed plans to open inwards and would not conflict with pedestrians at Portland Close, and the approved plans condition ensures the gates remain as shown. Furthermore, there is a parking restriction on Portland Close, with single yellow lines that do not allow parking at peak school times given the close proximity of Priory School and Burnham Grammar school, which restricts parking 8am – 9am and 3pm – 4pm Monday to Friday.

5.30 Therefore, as a result of the fence/gate, there is no detrimental impact to the public footpath and highway at Portland Close and the proposal would remain in accordance with Core Policy 7 of the Core Strategy 2008, Policy T2 of the Local Plan 2004 and the NPPF 2024.

Designing Out Crime

5.31 No comments have been received from the Designing Out Crime Officer. The fencing complies with the above criteria of EN5, as it is made of suitably robust materials with concrete foundations to provide a secure boundary for the rear garden of the dwelling. Although the development has removed the defensive landscaped barrier, this has increased visibility and surveillance to the road at Portland Close and replacement planting is proposed to reintroduce defensive landscaping to deter intruders. There appears to be adequate locking for the access point of the gate to ensure adequate security for the occupiers of the dwelling.

5.32 It is considered that the proposal would not result in safety concerns and therefore would be in accordance with Policy EN5 of the Local Plan 2004.

5.33 **Landscaping and Ecology**

Policy OSC8 (Green Spaces) of the Local Plan 2004 states development proposals which would result in the loss of green spaces will not be permitted unless the amenity value of the green space can be largely retained and enhanced through development of part of the site.

Applications for any development affecting green spaces must be accompanied by detailed landscaping plans so that the visual impact of the proposed development on the amenity of the surrounding area can be fully assessed. Policy EN3 (Landscaping Requirements) of the Local Plan 2004 states that comprehensive landscaping schemes should have regard to impact upon the street scene, screening effect of the proposed landscaping, plant species, landscaping as an enclosure, improvements to visual amenity and wildlife.

5.34 Whilst the application is a full application and would therefore normally be required to provide a Biodiversity Net Gain Assessment, the application form states that the development is exempt as it is retrospective. Whilst it is true that legislation states that a Biodiversity Net Gain Assessment is not required for retrospective applications, the application form also states "the piece of land is vacant with no existing habitats or biodiversity features". Although this statement is misleading, as there still remains some grassed amenity areas, however, given the change of use part is retrospective which included the removal of the hedging, the application is exempt from providing a Biodiversity Net Gain assessment. Notwithstanding this, replacement planting is proposed.

5.35 The proposals demonstrate replanting including 6no. red robin (Photinia) shrubs which are a vigorous evergreen shrub, with glossy, bright red leaves in the spring and summer months. This hedge can reach a mature height of 3-5 metres. This would be planted at 1m high and although this would not be mature enough to cover the fencing, over time this could grow up to 1.8m and potentially more. Officers consider this would be an improvement from the existing and over time, would adequately replace the hedge that had been lost. This is also consistent with the approach taken for similar applications at Ramsey Court and St Michael's Court, which has planted the same species of plant. A condition is recommended to ensure that this replanting is carried out within 6 months of the date of permission and shall be retained and maintained thereafter.

5.36 As above, Officers consider that the proposal demonstrates through the submitted landscaping scheme adequate replanting that would be in accordance with Policies OSC8 and EN3 of the Local Plan 2004 in this regard.

6.0 RECOMMENDED CONDITIONS

CONDITONS:

1. The development hereby approved shall be implemented only in accordance with the following plans and drawings hereby approved by the Local Planning Authority:
 - (a) Site Location Plan, Dated 02/04/2025, Received 18/11/2025
 - (b) Fencing Details, Dated 12/11/2025, Received 28/11/2025
 - (c) Site Plan, Dated 14/11/2025, Received 18/11/2025

- (d) TPI FOR PURCHASE OF SITE AT THE REAR OF THE PROPERTY
- (e) Statement for Change of Use, Dated 18/11/2025

REASON To ensure that the site is developed in accordance with the submitted application and to ensure that the proposed development does not prejudice the amenity of the area and to comply with the Policies in the Development Plan.

2. Within 6 months of the date of this permission, the applicants/ owners shall complete the replacement landscaping including 6no. red robin bushes a 1no. silver birch tree, retention of the cherry tree and set back the fence 1m from the highway, in accordance with Fencing Details, Dated 12/11/2025, Received 28/11/2025. These shall be retained and maintained thereafter for the lifetime of the development.

Within a five period following the implementation of the scheme, if any of the new or retained trees or shrubs should die, are removed or become seriously damaged or diseased, then they shall be replaced in the next planting season with another of the same species and size as agreed in the landscaping tree planting scheme by the Local Planning Authority.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenities of the locality in accordance with EN1 and EN3 of the Local Plan 2004.

3. The proposed gates shall be inward opening and be retained thereafter for the lifetime of the development.

REASON: To ensure there would be no conflict with the landscaped verge in accordance with EN3 of the Local Plan 2004.

INFORMATIVE:

1. It is the view of the Local Planning Authority that the proposed development does improve the economic, social and environmental conditions of the area for the reasons given in this notice and it is in accordance with the National Planning Policy Framework.