



WOKINGHAM BOROUGH COUNCIL

Statement by Local Planning Authority

Appellant:	Mr D Phillips
Site:	Land adjacent to Pound Lane Cottage, Pound Lane, Hurst, RG10 0RS
Local Planning Authority Reference	260049
Planning Inspectorate Reference	6008845
Date	5 th June 2026
Report Author	Kieran Neumann Senior Planning Officer

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Appendices

- Appendix 1 – 260049 Officer Report
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- Appendix 3 – 243120 Pre-Application Response Letter
- Appendix 4 – Suggested Conditions

1. INTRODUCTION

- 1.1. This statement of case relates to the refusal to grant planning permission by the Local Planning Authority (LPA) for the proposed change of use of land to mixed use comprising of agriculture (keeping of goats) and storage of building materials together with the erection of 2no. storage buildings.
- 1.2. The Full Planning Application subject of this appeal was received on 8th January 2026. Planning permission was refused on the 15th April 2026 on the following grounds:
 1. The proposed storage use and associated development fails to comply with any of the exceptions for development in the countryside as outlined in Policy CP11 of the Core Strategy 2010. As a result, the development leads to the introduction of a commercial operation outside of any defined settlement boundary which is not justified and is an unacceptable form of development that results in harm to the character of the countryside, contrary to and inconsistent with paragraphs 88 and 89 of the National Planning Policy Framework and Policy CP11 and CP15 of the Core Strategy
 2. The proposed development will have a negative and detrimental impact on the landscape character & rural appearance of the area by reason of the introduction of an urbanising, commercial storage use to the Countryside. The proposals therefore fail to retain or enhance the condition, character and features of the Ashridge Farmed Clay Lowland Landscape Character Area. The proposal is contrary to the National Planning Policy Framework, Policies CP1, CP3 and CP11 of the Core Strategy 2010, Policies CC03 and TB21 of the Managing Development Delivery Local Plan 2014 the Borough Design Guide Supplementary Planning Document 2012.
 3. The application site is within an unsustainable location that would not encourage a modal shift towards sustainable modes of transport. Employees of the business would be reliant on private motor vehicles to

access the site, by reason of the countryside location outside of settlement limits, limited public transport links and poor quality of the walking/cycling environment, contrary to policies CP1, CP3, CP6 and CP11 of the Core Strategy, Policies CC01 and CC02 of the MDD Local Plan, the Borough Design Guide SPD and section 9 of the National Planning Policy Framework.

- 1.3. The Officer's delegated report (**Appendix 1**) for application 260049 sets out the case for refusing the development subject of this appeal. This statement responds to the Appellant's Statement. It is not the intention of this statement to reiterate the contents of the delegated report, and this statement should be read in conjunction with the delegated report forwarded to the Inspectorate.

2. THE SITE

- 2.1. The application site is a 2,330sqm (approx.) parcel of land sited towards the southern end of a single-track private road accessed from Pound Lane to the North (see Figure 1 below).

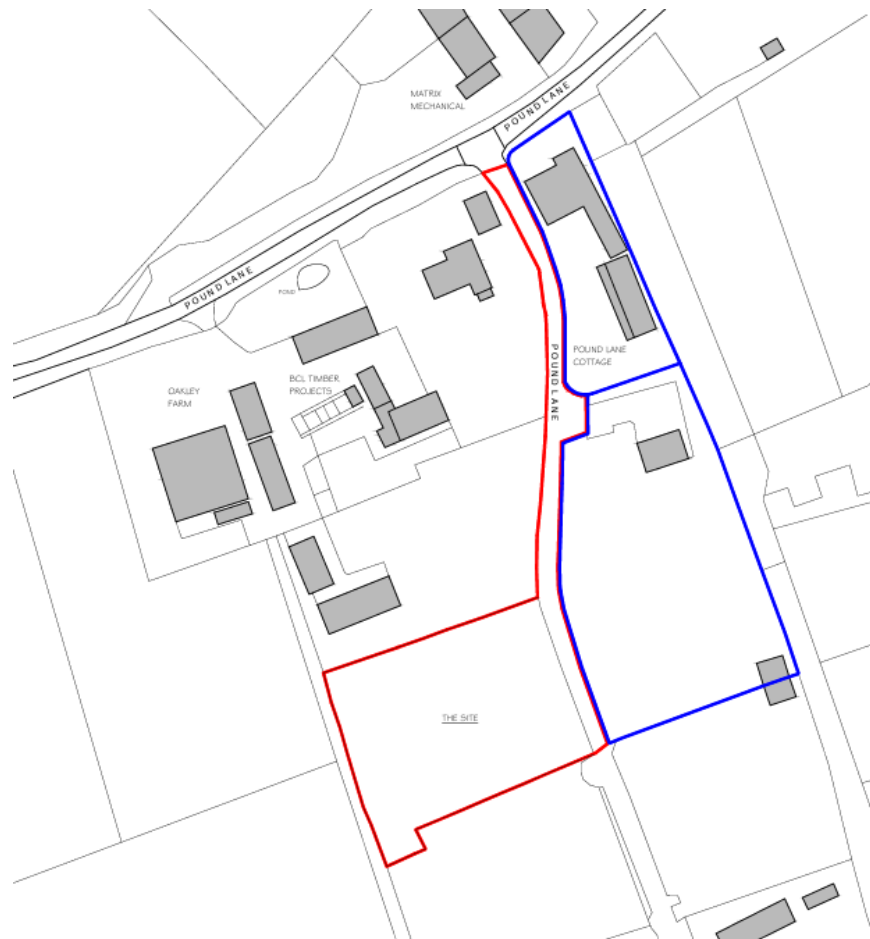


Figure 1: Excerpt of Location Plan (drawing ref: 25-P107-02)

- 2.2. The site has no planning history and according to available aerial imagery had never been developed, with the exception of two smaller buildings that have now since been demolished. Historic aerials appear to conclude that the land was used for agricultural purposes as tractor tracks are visible on historic aerials from 2004.
- 2.3. The site's immediate context is predominantly rural consisting of open fields to the west, a farmyard to the immediate north and a scatter of large, detached houses to the east/north-east. There is also a boarding accommodation business for cats and dogs located at the end of the southern access track.

- 2.4. The site is located within the designated Countryside and located wholly within the within the landscape character area (LCA) I1 known as 'Ashridge Farmed Clay Lowland'.

3. THE COUNCIL'S CASE

- 3.1. The Appellant's case is split into two main sections, despite the Council listing three reasons to refuse. It would appear that reasons 1 and 2 have been amalgamated within the Appellant's submission into one section, so in the interests of consistency this structure will be applied for the Council's response.
- 3.2. However, before doing so, it is important to clarify the nature of the discussions that were held between the Planning Agent and the Case Officer regarding the determination of the application associated with this appeal.
- 3.3. As the Appellant explains under paragraph 1.4 of their statement, a pre-application enquiry was replied to by the Council in January 2025. The Appellant fails to clarify that the nature of the Council's response was negative (see **Appendix 3**), largely reflecting the reasons for refusal that application 260049 was refused on. Whilst pre-applications are informal advice and have no material bearing on the determination of this appeal, it clearly shows that the Council's overall approach has not differed significantly since their first review of the development proposals.
- 3.4. Further to the above, it is important to note that the pre-application followed an initial Enforcement investigation into the unauthorised laying of hardstanding on site. This case remained open following the issuing of the pre-application response from the Council, and an application was invited by an Officer in late October 2025 subject to amendments to the overall layout of the proposals. Whilst email correspondence does indicate discussions were held with management regarding an invite for an application, it is important to note that, as per the Officer's email sign off, these simply constituted informal officer opinions only, given without prejudice and did not constitute any formal determination under the Town and Country Planning Act.
- 3.5. Turning to the determination of application 260049, the Council acknowledge that the Case Officer planned to recommend approval for this application.

Again, a recommendation does not constitute any formal determination under the Town and Country Planning Act, and it is relatively common for recommendations to be overturned by management with delegated decision powers. Discussions were held with management pre-recommendation to approve surrounding the appropriateness of the conditions requested by WBC Drainage, however the decision to recommend approval for the application was solely that of the Case Officer.

Principle of Development/ Visual and Landscape Character Impacts

- 3.6. To begin with, it is pertinent to clarify that the reasons for refusing this application solely relate to the building materials storage use. The agricultural use, including the structure proposed, was not objected to by the Council throughout the determination period.
- 3.7. With regards to the principle of the development, the Appellant explains that all the equipment and machinery that would be stored on the appeal site is in the applicant's ownership and there are no employees under the appellant's control (only subcontractors) that would attend the site on a regular day-to-day basis. Whilst this is acknowledged, planning permission generally runs with the land, not the applicant. In this instance, the use, if permitted, could be utilised by other businesses/individuals and be operated at a much more significant scale compared to the appellant. The Appellant lives next door, so this is largely a 'marriage of convenience' rather than a selection of an appropriate commercial site.
- 3.8. The National Planning Policy Guidance 'Use of Planning Conditions' clearly indicates that planning permission usually runs with the land and it is rarely appropriate to provide otherwise. There may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who would benefit from the permission. For example, conditions limiting benefits to a particular class of people, such as new residential accommodation in the open countryside for agricultural or forestry workers, may be justified on the grounds that an applicant has

successfully demonstrated an exceptional need. There is no exceptional need for storage uses within the open Countryside, and therefore there is no exceptional justification to warrant permitting the development subject of this appeal.

- 3.9. With regards to the first criterion of CP11, the Appellant's statement states that the owner provides building services to the wider 'rural' community, and the close proximity between the dwelling and the proposed use reduces the need for travel. The Council have already explained that the specific nature of the Appellant's use of the land is not guaranteed to be maintained in perpetuity. Furthermore, a building contractor is not reasonably classed as a sustainable rural enterprise, since the Appellant clearly concedes in paragraph 4.13 of their statement that a *"building contractor yard can operate as well within a town as it can in the countryside."* A commercial builder's contractor's yard is inherently urban/industrial in nature and would fail to maintain the rural character of its surrounding environment. The use and operation of the site would also solely rely on private motor vehicles. Such environmental harm cannot be considered sustainable in nature and fails to comply with criterion 1 of CP11.
- 3.10. Turning to criterion 2 of CP11, the development would involve the creation of approximately 600sqm of hardcore and gravel surfacing onto undeveloped grassland, accompanied by an overly domestic entrance gate and associated fencing and landscaping. Combined with the amount of storage and vehicle movements associated with the intended use, the proposed development is considered significant in scale in the context of its sparsely developed, rural surroundings. It is acknowledged that there are other commercial businesses located in buildings to the immediate north and south of the application site, but it is important to clarify that these uses primarily utilise existing/historic buildings and farmyards. They do not, like the appeal scheme, involve the expansion of development away from original buildings to the north of the appeal site.
- 3.11. The Appellant suggests that the application site, partly aided by its lack of visual prominence from Pound Lane, can be adequately mitigated through

landscaping. As outlined in the Officer Report, landscaping should primarily be used to enhance well-designed developments, not obscure poorly designed ones that are out of keeping with their surroundings.

- 3.12. With regards to criterion 3 of CP11, the proposed building storage building does technically replace a small, timber building that existed on site until approximately March 2025. However, as a result of the environmental harm listed above, the development would not result in environmental improvements. The development therefore fails to comply with this criterion.
- 3.13. Turning to the development's impact on the landscape character area (LCA) I1 known as 'Ashridge Farmed Clay Lowland' (see Appendix 5 of the Appellant's statement), the Appellant states that the context of the appeal site is not 'typical of the typology' identified in the LCA. Notwithstanding this, it does not excuse the development from attempting to adhere to the overall aims of the LCA, since it lies within its boundaries regardless of the context of its locale; the Landscape Strategy is to conserve and enhance the existing rural character. In terms of development, the aim is to conserve the sparse settlement pattern through controlling development. A builder's storage yard is inherently urban, not rural, in nature, and the expansion of development onto what was a largely undeveloped agricultural field until March 2025 cannot reasonably be seen as maintaining the sparse settlement pattern.
- 3.14. In terms of the development's compliance with CP15, the Council do acknowledge that the development itself does not conflict with its wording. However, CP15 is clear insofar that it encourages, and supports in principle, development for business, industry and warehousing in the identified Core Employment Areas, or other sites within settlement limits. The appeal site shares neither of these attributes and as the Appellant concedes, the storage use subject of this appeal could operate as well within more urbanised areas.
- 3.15. Turning to National Policy, there is express support for the rural economy within paragraphs 88 and 89 of the NPPF. The Appellant states they comply with section b) of paragraph 88 insofar that it relates to a form of rural diversification, but it is important to note that section b) is not the only relevant

requirement of paragraph 88, which does not include individual exemptions within its wording; Section a) of paragraph 88 states that planning policies and decisions should enable the **sustainable** growth and expansion of all types of business in rural areas, which the proposals clearly conflict with due to the nature of the use proposed.

- 3.16. It is acknowledged that paragraph 89 of the NPPF does state that decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. However, in these circumstances it is important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). For the reasons raised above, the proposal is not considered to be sensitive to its surroundings and causes harm to the environment.

Locational Sustainability

- 3.17. The site is located within the Countryside in an unsustainable location; the only viable form of access to the site by employees or customers of the storage business would be via private motor vehicles, as there is limited to no local pedestrian or cycle infrastructure (lack of footpaths, high road speeds, lack of street lighting) along Pound Lane or the wider locale, nor is there any nearby bus stops or train stations.
- 3.18. The Appellant states the scale and intensity of vehicle movements to and from the site would be limited, largely due to their proximity to the site and nature of the business that they would run. As outlined in paragraph 3.7 above, the use, if permitted, could be utilised by other businesses/individuals and be operated at a much more significant scale compared to the appellant.
- 3.19. It is acknowledged that the applicant lives nearby the site, however the proposed use is not for a personal permission. Planning permission runs with

the land and it is rarely appropriate to provide otherwise. There may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who would benefit from the permission. As previously explained, there are no such exceptional circumstances associated with this proposal that would warrant a personal permission.

- 3.20. The Appellant concedes in paragraph 4.26 that access to public transport modes are poor. Considering that the Appellant's personal use is not relevant to the determination of this appeal, it would appear that the Council and Appellant are aligned in their judgement regarding the site's locational sustainability.

4. CONCLUSION/PLANNING BALANCE

- 4.1. It has been identified that the development has harmful impacts; firstly, the storage use proposed is contrary to the development plan as a whole and is unacceptable in principle. It has a detrimental impact on the character of the area due to the encroachment away from original buildings and results in harm to the Countryside and the surrounding landscape character. The site is also in an unsustainable location, resulting in an over-reliance on private motor cars to access the site. As such, there are clear negative impacts of the scheme.
- 4.2. The economic benefits of such a use are recognised, however the overall weight is limited due to the scale of the proposal. Weighing against the proposal is the urbanising nature of the use in its countryside location and other areas of environmental harm identified above, including the site's reliance on private motor vehicles.
- 4.3. Therefore, based on the above, the Inspector is respectfully requested to dismiss the appeal for the reasons set out within this documentation. In the event the Inspector is minded to allow the appeal, suggested conditions are contained within **Appendix 4**.