

TOWN & COUNTRY PLANNING ACT 1990

**MR D PHILLIPS
AND
WOKINGHAM BOROUGH COUNCIL**

**APPEAL STATEMENT
ON BEHALF OF THE APPELLANTS**

An appeal under Section 78 of the Town and Country Planning Act 1990 (as amended)
by Mr D Phillips

Against Wokingham Borough Council's refusal of a full planning application for the following:

*'Change of use of land to a mixed use comprising of agriculture (keeping of goats) and storage
of building materials together with the erection of 2no. storage buildings'*

At

Pound Lane Cottage
Pound Lane
Hurst
RG10 0RS

LPA Ref. 260049

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1. INTRODUCTION

- 1.1 This statement is submitted in support of an appeal for the *'Change of use of land to a mixed use comprising of agriculture (keeping of goats) and storage of building materials together with the erection of 2no. storage buildings'* at Pound Lane Cottage, Pound Lane, Hurst, RG10 0RS.
- 1.2 The appeal is submitted following the Council's refusal of planning permission under delegated powers.
- 1.3 The application was originally submitted to Wokingham Borough Council on 8 January 2026. Despite positive discussions and correspondence with the case officer (see Appendix 3), the application was refused on 15 April 2026 under delegated powers for the following reasons:
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 (and) 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.*

1.4 In particular, the following sequence of events is drawn to the Inspector's attention:

- i) Following the submission of the pre-application enquiry in 2025, the Council wrote to the appellant (see email dated 21 October 2025 at appendix 2), inviting an application with changes relating to the re-orientation of the two uses;
- ii) A draft revised layout was provided to the Council on 28 October 2025 which the officer stated was 'more coherent';
- iii) A planning application was lodged on 8 January 2026. Following numerous changes to submitted consultant reports (i.e. drainage, BNG and swept paths), officers confirmed that they would be recommending approval (see appendix 3). This included the justification for parking numbers which the appellant confirmed would be very low key and seldom used (see appendix 4);
- iv) Draft conditions were circulated to the appellant on 27 March 2026 (appendix 3). By 2 April 2026 it appeared that all matters relating to these conditions had been agreed including drainage and the height of materials to be stored at the site. Management at this point appeared to

be fully in agreement with how matters were proceeding towards an approval;

- v) Out of the blue and completely against earlier advice, officers confirmed by email on 9 April 2026 that the officer's management were now dissatisfied with the proposal and would be refusing the application under delegated powers.

1.5 The remainder of this Statement describes the site and its surroundings, and the appellant's case against the Council. In particular, it sets out how this proposal meets the policies within the National Planning Policy Framework (2024) and the Council's Development Plan. It demonstrates that the proposed development would not be harmful to the character and appearance of the countryside, or the landscape character and rural appearance of the area. Furthermore, it will demonstrate that the proposal is appropriate in terms of its location having regard to the particular circumstances that apply in this case.

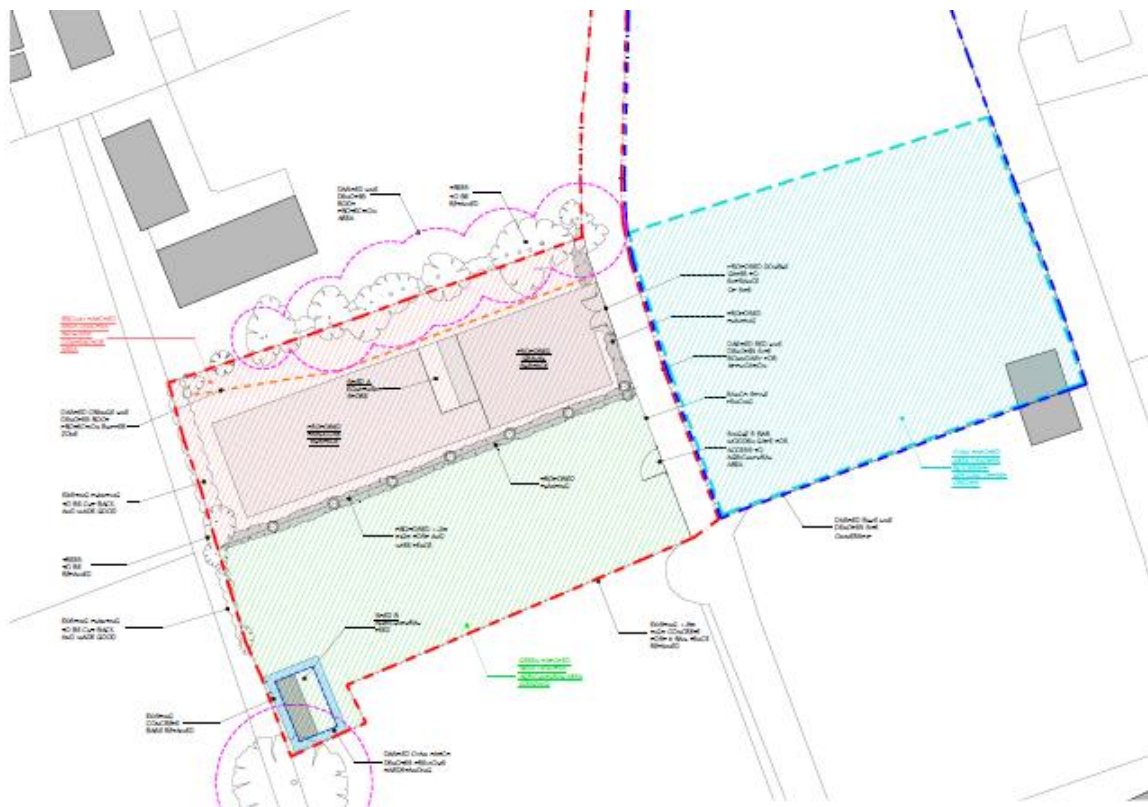
1.6 This Statement is therefore divided into the following sections:

- Site and Surroundings
- Site History
- Planning Policy Context
- The Case for the Appellant
- Summary and Conclusions

2 SITE AND SURROUNDING AREA

- 2.1 The appeal site comprises of an open parcel of land, most recently in use for keeping animals, a fact acknowledged by the LPA. To the north of the site is Oakley Farm which comprises of residential and commercial uses including office units (LPA ref: F/1999/0149) whilst to the south is a large detached two storey residential property known as 'The Warren'. The site was previously occupied by two structures with the concrete slab for one of these buildings still being in place in the south-west corner of the site (this is acknowledged in the officer report at appendix 1).
- 2.2 Whilst the application site and surrounding area is defined as 'countryside' in the Local Plan Proposals Map, the area has a mixed character and includes multiple commercial uses including on land directly adjoining the appeal site to the north at Oakley Farm and Poppy Farm, both of which contain Class E uses such as offices.

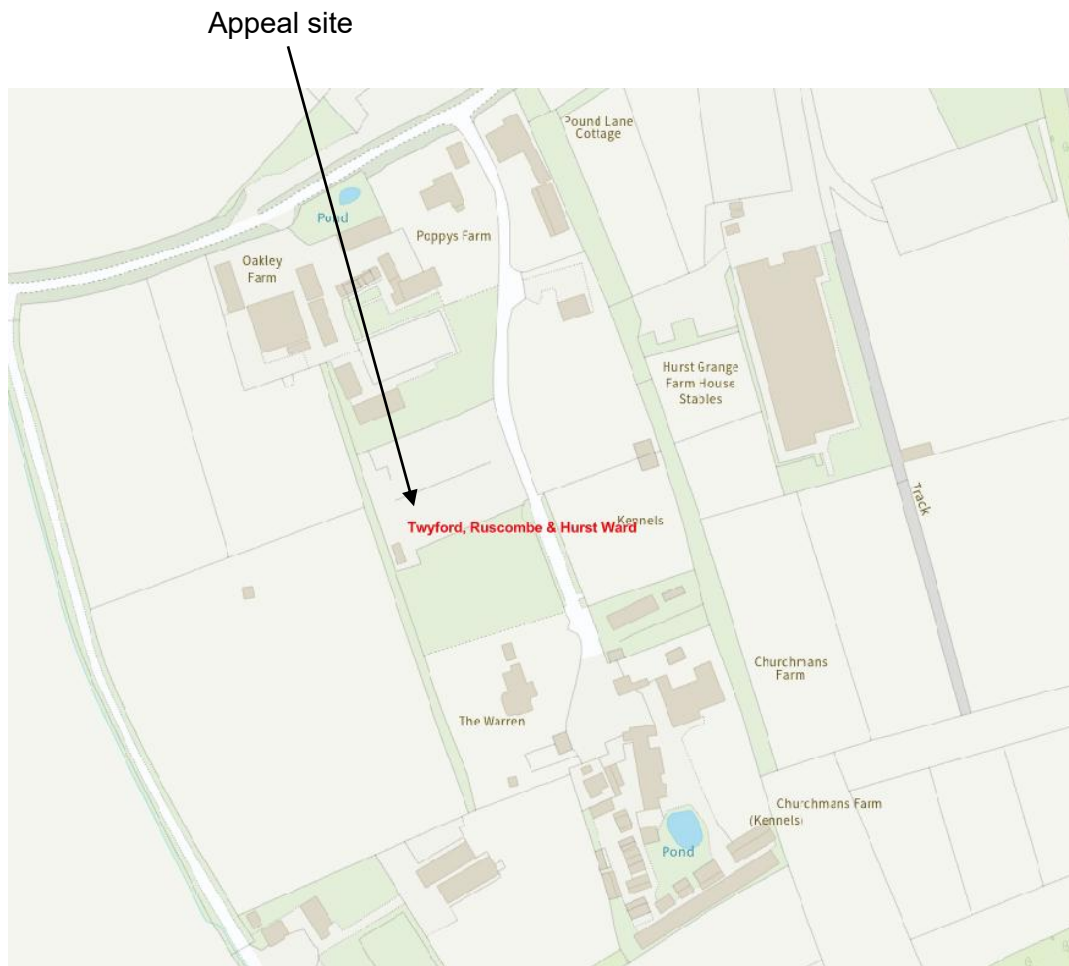
Proposed site layout



2.3 Therefore, whilst the appellant is in agreement with the Council that the site is well contained with limited external views to the public domain (see appendix 1), the appellant disagrees with the Council description of the immediate context (see page 3, appendix 1) which describes the area as being '*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*'. The area around the appeal site is therefore considered to have a mixed context and is not typical of the typology identified in the 'Ashridge Farmed Clay Lowland Landscape Character Area (see appendix 5).

2.4 There is no relevant planning history relating to the appeal site.

Site context



3 PLANNING POLICY CONTEXT

i) Government Guidance - National Planning Policy Framework (2024) (NPPF)

- 3.1 Paragraph 7 of the revised NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states that in achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective. Paragraph 10 states that *'So that sustainable development is pursued in a positive way, at the heart of the framework is a **presumption in favour of sustainable development** (paragraph 11).*
- 3.2 Paragraph 39 states that Local planning authorities should approach decisions on proposed development in a positive and creative way and that decision makers at every level should seek to approve applications for sustainable development where possible.
- 3.3 Paragraphs 88 and 89 are concerned with the rural economy. Paragraph 88 states that planning decisions should enable the following:
- a) The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;
 - b) The development and diversification of agricultural and other land-based rural businesses;
 - c) Sustainable rural tourism and leisure developments which respect the character of the countryside; and

- d) The retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
- 3.4 Paragraph 89 also states that planning 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. Development should in these circumstances be sensitive to its surroundings and avoid an unacceptable impact on local roads. The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 3.5 Chapter 12 is concerned with achieving well designed places. Paragraph 131 states that 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.

ii) The Development Plan

Wokingham Borough Core Strategy (2010) (CS)

- 3.6 Policy CP1 (Sustainable Development) requires that a number of criteria are met. These include maintaining or enhancing the high quality of the environment; providing attractive, functional, accessible, safe, secure and adaptable schemes; demonstrate how they support opportunities for reducing the need to travel particularly by the car; and contribute towards reaching zero – carbon development as soon as possible.
- 3.7 Policy CP3 (General Principles for Development) requires, amongst other matters, that new development is of an appropriate scale, mass, activity, built form, height, materials, character and design quality. Proposals should not adversely affect the amenities of neighbouring land uses.

3.8 Policy CP6 (Managing Travel Demand) is concerned with managing travel demand. It states that proposals will be granted for schemes that:

- Provide for sustainable forms of transport to allow choice;
- Are located where there is a choice of transport modes available;
- Improve existing infrastructure;
- Provide appropriate parking;
- Mitigate any adverse effects upon the highway network;
- Enhance road safety;
- Do not cause highway problems.

3.9 Policy CP9 (Scale and Location of Development Proposals) - states that the scale of development proposals must reflect the existing or proposed levels of facilities and services at or in the location together with their accessibility.

3.10 Policy CP11 (Proposals outside of Development Limits (including Countryside). The policy states that in order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development limits will not normally be permitted except where they meet certain criteria, including:

- It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside-based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside; and
- It does not lead to excessive encroachment or expansion of development away from the original buildings;
- It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvements.

- 3.11 Policy CP15 (Employment Development) confirms, amongst other things, that within development limits the redevelopment, refurbishment or minor extension of buildings in employment use will be acceptable in principle. Any proposed change of use from B1, B2 & B8 should not lead to an overall net loss of floorspace in B use within the Borough. Provision will be made for a range of sizes, types, quality and locations of premises and sites in order to meet incubator / start up, move on, expansion and investment accommodation needs and having regard to the needs of specific sectors of the business community.

Wokingham Borough Managing 'Development Delivery Document (2014) (MDD)

- 3.12 Policy CC01 states that there will be a presumption in favour of sustainable development. Planning applications that accord with policies in the Development Plan will be approved without delay unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date the Council will grant permission unless material considerations indicate otherwise.
- 3.13 Policy CC02 (Development Limits) confirms that the development limits are defined on the Policies Map.
- 3.14 Policy CC03 (Green Infrastructure, trees and landscaping). States that development proposals should protect and retain existing trees, hedges and other landscape features.
- 3.15 Policy TB21 (Landscape Character). States that proposals shall retain or enhance the condition, character and features that contribute to the landscape.

iii) Supplementary Planning Documents

Wokingham Borough Design Guide

- 3.16 NR1 – States that non-residential development should be designed to respond to and exploit key features or characteristics of the site and the local context.

- 3.17 NR2 – Non-residential development should be designed to contribute towards improving the character and quality of the area.
- 3.18 NR5 – Requires that height, bulk and massing should respond to the local context and prevailing heights in the area.
- 3.19 NR8 – The approach to materials should generally be a simple one, focussing on high quality materials and components, with the appropriate level of intricacy and detail being guided by the nature of the viewer experience.
- 3.20 NR12 – Boundary treatments should form an integral part of the design of proposals for non-residential development.
- 3.21 RD1 – New development and associated landscape should retain, incorporate and enhance features that contribute towards the landscape character and biodiversity of the area.
- 3.22 RD5 – New development in rural areas should respond to the typical forms of buildings in the village or locality.
- 3.23 RD6 - The elevations of new buildings must be well composed, well-proportioned and well detailed.
- 3.24 RD7 – New buildings should respond to the materials, details and colours that may be distinctive to a locality.

4 THE CASE FOR THE APPELLANT

- 4.1 As set out in Chapter 1 of this Statement, this appeal is submitted following the Council's refusal of planning application ref. 260049 which sought permission for the change of use of land to a mixed use comprising of agriculture (keeping of goats) and storage of building materials together with the erection of 2no. storage buildings.
- 4.2 The appeal site is intended to be split into two uses. The area hatched 'brown' on the site layout occupying the northern part of the site would house a small enclosed parcel of land for the personal use of the owner in association with his building contractor business. The remainder of the site comprising of the southern part of the land would be used to keep goats (area hatched 'green' on the site layout) maintaining a long standing use. Each use would be served by a small timber structure (i.e. Sheds A and B) and these would be used solely for associated storage purposes. The site overall has an area of 0.2Ha and is located on the western side of a private track that serves two residential properties and the former and now disused dog kennels at Churchman's Farm. The appellant resides at the adjacent Pound Lane Cottage some 50m to the north-east of the appeal site. He currently operates a small builders contractor business (i.e. there are no employees or visitors to the property apart from the occasional tradesman).
- 4.3 Planning law and the NPPF (para 2 and para 11) require development proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Paragraph 15 of the NPPF states that planning should be genuinely plan-led. Therefore, the Development Plan should be the starting point for decision making and development that conflicts with the development plan should be refused unless material considerations indicate otherwise. This chapter of the statement will demonstrate that the appeal is consistent with the provision of the Development Plan and that other material considerations also weigh in favour of granting permission, including the NPPF.

- 4.4 As stated above, the application submission was made on the basis of an indication of officer support as confirmed at appendix 2 to this statement. Whilst it is acknowledged that officers raised some concerns about the builders storage under the pre-application response letter (see appendix 6), the Inspector will note that it was the Council that approached the appellant with an alternative solution for the site (appendix 2) which was primarily based on the re-orientation of the two uses with the boundary between them now being perpendicular to the track. The obvious location for the builders storage was considered to be in the northernmost part of the site as it would directly adjoin the commercial units at the adjoining Oakley Farm business park which is comprised of small business units. The appellant clearly and reasonably took the view that the approach from the LPA would lead to a positive outcome.
- 4.5 Following submission, the Council indicated that they would support both uses. At the request of the Council, the appellant provided drainage reports (included amended versions), arboricultural reports, ecology and BNG reports and swept paths. In terms of the ecology and tree comments, this resulted in the amount of hardcore/gravel surfacing for the builders contractor area being substantially scaled back to the extent where only 56.9% of this area would be surfaced with loose stone with the remaining 43.1% being retained for the retention of existing and proposed boundary screening. A complete record of all relevant correspondence is attached to this statement at appendices 2-4. The Council have not made any mention whatsoever in their officer report of the pre-application discussions and the manner by which the discussions progressed subsequently, including the invitation to lodge a planning application.
- 4.6 Importantly, the Council did not raise any objections to the goat rearing use including the building that would be provided in association with this use (Building B). The following points are confirmed in the officer report in relation to the goat rearing use (appendix 1):
- No objections are raised in principle to the keeping of goats as a use;

- The proposed building to be used to house feed complies with CS Policy CP11;
- The feed store is '*modest in scale and replicates the footprint of the original potting shed, causing no further harm to the prevailing character of the area*';
- The gate would be a standard 5-bar wooden gate that would be in-keeping with the existing boundary treatment and would have an acceptable visual impact.

4.7 In addition, and as set out on page 2 of the officer report at appendix 1, there were no objections to the proposal from any of the Council's consultees in respect to Environmental Health, Drainage, Highways, Landscape and Trees and Biodiversity.

4.8 Each matter in dispute is addressed in order as set out within the decision notice, and as follows:

- i) The effect of the proposal on the character and appearance of the area, including on its landscape character and rural appearance (refusal reasons 1 and 2); and
- ii) Whether the proposed development is in an appropriate location, having regard to sustainability.

i) The effect of the proposal on the character and appearance of the area including on landscape character and rural appearance (refusal reasons 1 and 2)

4.9 The Council's first two refusal reasons are broadly similar but for ease of reference are split according to the issues they deal with as follows:

- i) Whether the proposal complies with Policies CP11 and CP15 of the Core Strategy and paragraphs 88 and 89 of the NPPF;
- ii) Whether there is any detrimental harm to the character and rural appearance of the area.

Whether the proposal complies with Policies CP11 and CP15 of the Core Strategy and paragraphs 88 and 89 of the NPPF?

- 4.10 As stated above and in the original Planning Statement, the application site is divided into two separate areas, each identified on the site layout plan through a different colour code. The brown hatched area comprises of the northern parcel of land with an access onto Pound Lane and is proposed to be used as a small compound area to store the owner's builder's contractor equipment and some machinery. A modestly sized timber storage shed (8.5m x 4m) is proposed to house some of the perishable/valuable tools and equipment such as small amounts of power/hand tools, timber, plaster board and adhesives/cement. The outdoor area would house modest quantities of bricks, tiles, heras fencing, scaffold poles/boards, trestles and ladders. In terms of machinery, this is likely to include a digger, cement mixer and trailer.
- 4.11 All of this equipment and machinery 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. The materials and equipment are currently stored in various locations including a friend's yard in Sonning Common, and some modest quantities at the applicant's home address at Pound Lane Cottage. Neither location is particularly convenient and in essence it means making multiple journeys to different locations to recover materials and equipment which is clearly not sustainable.
- 4.12 The proposed use would maintain and enhance an existing landscaped buffer zone on the site's northern, southern and western boundaries. New hedging would also be planted along the site frontage and in between the use and the retained use. These were all further enhanced during the course of the applications consideration, post submission to provide mature screening and enclosure.
- 4.13 As set out within the opening paragraph to Policy CP11, the objective of the policy is to 'protect the separate identity of settlements and to maintain the quality of the environment'. It is acknowledged that a building contractor yard can operate as well within a town as it can in the countryside and that a countryside location is not

always required for operation. On this occasion however, the applicant already resides adjacent to the site and therefore its use for these purposes has several important benefits including reducing the need to travel to pick up equipment from other more distant sites which are spread about. It also provides the appellant with a high degree of security from theft. The proposed usage is therefore not solely one of 'convenience' as stated by the Council on page 15 of the officer report.

4.14 Therefore, in terms of compliance with Policy CP11, this proposal meets its intentions in the following way:

- *It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside-based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside;* Response: The applicant provides as part of his business, building services to the wider rural community particularly as he lives in the adjacent Pound Lane Cottage. The close proximity of the applicant's abode to the site provides the use with improved security and a more convenient location for storage. This is a low key use that only requires a modestly sized building with very low traffic generation. The close proximity between the dwelling and proposed use reduces the need to travel and is a sustainable rural enterprise/business use.
- *It does not lead to excessive encroachment or expansion of development away from the original buildings;* Response: The proposed timber structure is located in a similar position to an earlier structure whose remains are still evident at the site in aerial photographs (see Planning Statement). The building will partially overlap its former siting and thus can be considered as being reflective of the earlier built form. The extent of hardstanding in the form of loose stone is modest, covering only 56.9% of the northern section and allowing for wide boundary planting to be retained. The conclusion is therefore that there is a modest expansion away from the existing built form but not to the extent whereby it would materially conflict with this part of the policy due to the site's location and characteristics.

- *It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvements.* Response: The proposed timber building would replace a former structure of a similar size. The new building would reflect the type of construction that is typical of such buildings in these localities with materials that are commonplace. The Council have not objected to an almost identical building to that proposed for the goat rearing use. The applicant is proposing to enhance the frontage of the lane with new planting and to retain and enhance the northern landscaped buffer zone. Established buffer planting is therefore proposed on all boundaries. In conjunction with the upgraded building, this will provide for an overall enhancement of the site. The Council have acknowledged within the officer report that the site has a well contained character and is not readily visible from the public domain.

- 4.15 In respect to Policy CP15, there is no indication that it seeks to direct employment development to the Core Employment Areas. The policy simply states that these areas will be acceptable and potentially preferable. It is not a closed list. National policy provides a wider degree of advice and is more up-to-date and reflective of the national policy position. This proposal is considered to meet paragraph 88(b) as it can be described as a form of 'rural diversification'. Paragraph 89 is also supportive as it clearly recognises that some areas are not as well served by public transport as others but that this should not necessarily prevent these developments from taking place.

Whether there is any detrimental harm to the character and rural appearance of the area?

- 4.16 The proposal is not considered to result in harm to the character and rural appearance of the area, including an increase to urbanisation. The officer report (page 9) acknowledges that the site '*lacks prominent visibility when viewed from the street (Pound Lane)*' as the site is located towards the end of a private single-tracked road and enclosed by the 'farmyard' to the immediate north as opposed to being in a prominent position within the countryside landscape. The '*farmyard*'

referred to is actually a small business park, entirely hardsurfaced and occupied by multiple commercial businesses.

- 4.17 The Council continue by stating that the physical extent of hardsurfacing is not the principal consideration and state that it is the '*nature and intensity of the use it facilitates*' including the commercial activities and the paraphernalia, again acknowledging that views are limited. In response, it is clear that the extent of hardsurfaced coverage (loose stone material) is limited and very well screened by new and existing planting. This in itself limits the extent of external storage that can be accommodated. The building is almost identical to the building considered acceptable for the goat rearing use. The appellant had already agreed to limit the height of external storage to 2.5m to ensure that the impact is minimised and this can be conditioned as already agreed with officers prior to determination.
- 4.18 In terms of the entrance gates, these comprise of a pair of timber gates linked on either side by ranch style fencing (with planting behind) to maintain the rural character of the area. They will have a maximum height of 2.35m to provide an element of security. Their overall width will be 5m. Their appearance is not considered to be overly domestic and are not considered to detract from the countryside character of the wider area. They are constructed from traditional materials and are typical of various uses and more preferable than the steel entrance gates leading into the Oakly Farm business park. The appellant fails to understand why a 'domestic' appearance would be objectionable given its context and the adjacent screening and ranch style fencing.
- 4.19 In conclusion, the proposal would not be in conflict with CS Policies CP1, CP3, CP11 and CP15 together with paragraphs 88 and 89 of the NPPF.

ii) Whether the proposed development is in an appropriate location, having regard to sustainability

- 4.20 Refusal reason 3 is concerned with whether the builder's contractors use is considered to be one that is sustainable. Page 9 of the officer report states that the proposals would result in movements of non-agricultural vehicles, equipment and

materials which would further diminish the tranquility of the countryside. Page 10 states that the provision of 3no. parking spaces would indicate that up to three vehicles and/or employees could be present at the site. It should be noted that there are no employees, only subcontractors.

- 4.21 Page 11 of the officer report states that the location of the appeal site does not provide employees or customers with any means of accessing the site other than by private vehicles and this means that the proposal is contrary to CS Policy CP6. Furthermore, the report states that the proposal is not for a 'personal permission'.
- 4.22 The fifth paragraph on page 11 (appendix 1) is interesting as it appears to have been left untouched from when presumably the report had been written with a positive recommendation and certainly contradicts the Council's views as set out within paragraph 4.21 above. Its states as follows:

'Furthermore, the limited vehicle movements associated with the two uses proposed are unlikely to have any notable impacts on the wider highway network. The application states that it is anticipated that a staff member would attend the premises no more than 2 to 4 times per week for the purpose of collecting or dropping off materials. There will be days and potentially entire weeks, when no visits occur. To ensure that the level of activity remains as described and does not intensify to the detriment of the character of the area or highway safety, this matter can be appropriately controlled by condition. A condition restricting the number, type and purpose of vehicular movements would provide the Local Planning Authority with ongoing control and ensure that the use operates within clearly defined parameters.

- 4.23 In considering whether the proposed use is unsustainable and whether its remoteness from public transport modes is material to the consideration of this appeal it is important to consider the characteristics of the use, the information provided by the appellant during the application and the reason why 3 parking bays were indicated on the amended plans.

- 4.24 As stated throughout this statement and the earlier planning application documents, this application is for a 'builders contractors storage facility'. There are no actual employees, only the occasional visits from other trades people instructed by the appellant (subcontractor) who might be working on a shared job in the local area. These jobs are as likely to be in the countryside as they are in a local town. In respect to the reference from the appellant at appendix 4 to 'staff' this should in reality have been more accurately stated as 'sub-contractors'.
- 4.25 The information provided by the appellant in their email of 19 March 2026 (appendix 4) was therefore a 'worst case scenario'. All visits by other tradespersons would be in a small commercial van, suitable for loading timber, plaster or bricks etc. Cycling/walking or travelling by public transport would not be possible or feasible as they are overwhelmingly attending the site to drop off or pick up building materials, an activity which requires use of a motor vehicle. Whether the site is within a town or the countryside is therefore irrelevant as a vehicle is always required. As stated in the email, these visits are infrequent and the 3 parking bays were only suggested to avoid vehicles parking on the adjoining track, a situation that is very unlikely to take place given the infrequency of visits. No customers visit the site as they would have no reason to do this.
- 4.26 Therefore, whilst it is accepted that access to public transport modes is poor, this factor is not considered to be relevant to the type of use being proposed. The Inspector needs to consider how the use would predominantly work. Virtually all usage would be by the appellant, Mr Daley Phillips, who operates his own building contracting business. The close proximity of the storage to his property is vital as it reduces the distance that he needs to travel to access his materials as well as providing a convenient way to monitor the site for security purposes. Therefore, whilst the application was not made with a view to the permission being 'personal' to the appellant, the appellant is open to such an appropriately worded condition as part of this appeal (i.e. linked to his personal use).
- 4.27 In conclusion, the type of use proposed is not reliant on alternative modes of transport. External visits by anyone other than the appellant are rare, and those that

do take place are always in a light commercial van. Therefore, whilst there are elements of CS Policy CP6 that this proposal is not in compliance with, such as access to sustainable forms of transport, the remaining criteria in respect to providing appropriate facilities and maintaining highway safety are met. It is also imperative to highlight the text at paragraph 89 to the NPPF which recognises that different areas will have different levels of access to public transport. In these situations, it states that developments should avoid an unacceptable impact on local roads, which is the case in regard to the proposed use. The Council do not object to the proposal on highway safety grounds and it therefore follows that this proposal meets the objectives of Government policy. Taken as a whole, there is no sound reason for rejecting this proposal on sustainability/location grounds.

iii) Planning balance and conclusion

- 4.28 The proposal is considered to meet the aims and objectives of Policy CP11 which is primarily to protect the separate identity of settlements. In regard to Policy CP15 the policy itself does not seek to preclude employment development in the Countryside which on this occasion is low key and sustainable. It also meets Paragraphs 88 and 89 of the NPPF. In respect to Policy CP6, it is acknowledged that the site has poor access to public transport. However, given that there are no visitors from members of the public and that all visits are from the occasional sub-contractor and the applicant himself who resides on an adjacent plot, the use is one that is sustainable. Access to public transport is not considered to be totally relevant given that all visits are by small commercial vehicles. The Council does not object on highway safety grounds.
- 4.29 Both buildings are well designed and reflective of the rural location. Hardstanding (loose stone) has been reduced in area to minimise coverage and there are mature tree and hedge belts retained/provided on all boundaries. The gates are not considered to be harmful to the character of the area. The proposal would not harm the character area (Ashridge Farmed Clay Lowland Landscape) as the immediate vicinity is not typical of the typology. Policies CP1 and CP3 are not contravened.

- 4.30 Taken as a whole, the proposal complies with the development plan and the more up-to-date guidance set out in the NPPF which encourages small rural business and rural diversification.

5 SUMMARY AND CONCLUSIONS

5.1 The appeal should be allowed for the following reasons:

- i) The submission followed pre-application discussions which have not been referred to in the officer report. Following these discussions, the appellant was invited to submit a planning application on the basis of re-orientating the two uses which was duly carried out. The officer and management confirmed that the proposal would be recommended for approval before refusing the application after conditions had been agreed.
- ii) The proposal would not result in harm to the character of the area and there is no conflict with CS Policies CP1, CP3, CP11 and CP15 together with paragraphs 88 and 89 of the NPPF. The builders contractors use is a low key use with a modest building that reflects the area's rural character. Hardsurfacing (loose stone) is minimal, and the appellant agrees to a height limit of 2.5m. The proposal would not harm the separate identity of adjoining settlements which is the main policy aim of CP11.
- iii) It is acknowledged that the site is not well served by public transport. However, given the nature of the use, its low traffic movements and lack of visitors, the proposal is considered to be one that is sustainable. The appellant lives on adjoining land and this would avoid the need to make multiple visits in the local area to pick up stored items. There are no highway safety issues raised. As a result, the proposal meets paragraphs 88 and 89 of the NPPF and most of Policy CP6, the exception being the accessibility paragraphs which should not carry significant weight given the nature of the use.