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## Appeal Decision

Site visit made on 6 July 2026

by **Laura Cuthbert BA(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 July 2026

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### Appeal Ref: 6009352

#### **Brookfield Farm, Old Wokingham Road, Crowthorne, Berkshire RG40 3BU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
  - The appeal is made by Mr Stuart Brooks against the decision of Wokingham Borough Council.
  - The application Ref is 260200.
  - The development proposed is Erection of up to 9 x self build dwellings.
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### Decision

1. The appeal is dismissed.

### Application for Costs

2. Whilst the appellant has not made a formal application for costs, they have asked me to consider whether there is any basis for making an award on my own initiative.
3. The appellant alleges that the Council misconstrued the proposal, failed to undertake an appropriate planning balance and relied upon unsupported reasons for refusal. However, having regard to the evidence before me, I do not consider that the Council acted unreasonably. The Council produced evidence to support its case, including in relation to the principle of development, character and appearance, flood risk and the Thames Basin Heaths SPA. Whilst the appellant disagrees with the Council's conclusions, that disagreement does not amount to unreasonable behaviour.
4. In those circumstances, I am satisfied that the Council had a respectable basis for its stance. Accordingly, I find no basis for an award of costs against the Council.

### Preliminary Matters

5. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage ('permission in principle') establishes whether a site is suitable in principle and the second stage ('technical details consent') is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
6. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.

7. In respect of residential development, an applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum number of net dwellings as part of the application. In this instance, permission in principle has been sought for the erection of a minimum of 1 dwelling and a maximum of nine dwellings at the appeal site. For the avoidance of doubt, I have determined the appeal on that basis, having regard to the requirements of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 and the PPG.
8. The Council has identified a typographical error in the first reason for refusal. Nevertheless, having regard to the decision notice and officer's report as a whole, I am satisfied that the Council's concerns regarding the sustainability of the site's location are clearly expressed. The error does not affect my understanding of the reason for refusal or my consideration of the appeal.
9. I note that adjoining land was the subject of an enforcement appeal<sup>1</sup>. That appeal was dismissed and the enforcement notice upheld in December 2024. The notice requires, amongst other things, the cessation of unauthorised uses and the restoration of the land to its lawful agricultural condition. Although the buildings and works subject to that notice appear to remain on the land, they are subject to ongoing enforcement action. Consequently, I have assessed the appeal proposal on the basis of the lawful planning status of the appeal site and surrounding land, rather than by reference to any unauthorised development or activities.
10. The Wokingham Borough Local Plan Update (2023-2040) (LPU) was submitted for examination on 28 February 2025 and once adopted, will replace the current development plan. I understand that the final hearing sessions were held at the end of June. The Council advise that the 'progression of the examination indicates that the plan is capable of being found sound'. Whilst the Plan has yet to be adopted, its advanced stage of preparation means that it can be afforded moderate weight.

## **Main Issues**

11. The main issues are whether the location, the proposed land use and the amount of development are suitable, having particular regard to:
  - Whether the proposal would provide a suitable location for housing, having regard to the accessibility to day-to-day services and facilities;
  - The effect on the character and appearance of the area, insofar as it relates to the principle of development;
  - Whether the proposal would comply with local and national planning policy which seeks to steer new development away from areas at risk of flooding; and
  - The effect of the principle of the proposal on the integrity of the Thames Basin Heaths Special Protection Area (SPA).

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<sup>1</sup> APP/X0360/C/24/3344473

## Reasons

### *Suitable Location*

12. The site is located outside any defined settlement. In accessibility terms, the appeal site occupies a relatively isolated position along Old Wokingham Road. Other than the Pinewood Centre and a nearby golf complex, there are few day-to-day services and facilities within a convenient walking distance of the site. The nearest convenience store is approximately 2.1km away, whilst the nearest school is around 1.4km from the site. Although footways are present on parts of Old Wokingham Road, they do not extend along the site frontage. The surrounding highway network is characterised by speed limits of 40mph, limited pedestrian infrastructure, an absence of street lighting and a lack of dedicated cycling facilities.
13. The nearest bus stops are approximately 850 metres from the site. This exceeds the commonly accepted walking distance to a bus stop and, in any event, the service available is limited. Furthermore, there is no continuous footway between the site and the bus stops, and parts of the route are unlit. Whilst pedestrians may be able to walk along the grass verges, this would not provide an attractive or convenient means of access, particularly during hours of darkness or inclement weather.
14. As a consequence, future occupiers would be likely to rely heavily on the private car to access employment, education, shopping and other day-to-day services. Whilst some journeys may be capable of being undertaken on foot or by bicycle, the quality of the pedestrian and cycling environment is poor and would not provide an attractive or realistic alternative to the private car for many users.
15. I acknowledge the appellant's argument that cycling, including the use of e-bikes, may provide an alternative for some journeys. However, notwithstanding this, the absence of dedicated cycling infrastructure, the character of the surrounding road network and the range and distribution of day-to-day services and facilities would mean that future occupiers would remain heavily reliant on the private car for many trips.
16. Whilst the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, it seeks to support patterns of development that minimise the need to travel and maximise opportunities for travel by sustainable modes. For the reasons set out above, future occupiers would be likely to rely heavily on the private car for many day-to-day journeys. As such, the proposal would not represent a pattern of development that adequately promotes sustainable transport choices.
17. Taking the above matters together, I find that the site would not provide realistic opportunities for travel by sustainable modes of transport. Consequently, it would be an unsuitable location for housing.
18. The appellant has submitted a comparative sustainability assessment which compares the appeal site with developments at Perrysfield Farm, Surrey<sup>2</sup>, and Nyahlands Farm, Crawley<sup>3</sup>, both of which were permitted when the relevant local planning authorities were unable to demonstrate a five-year housing land supply. The appellant contends that the appeal site is at least as sustainable as those

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<sup>2</sup> APP/M3645/W/24/3352066

<sup>3</sup> Application Ref: 2025/499

developments and should similarly be regarded as an acceptable location for housing. In particular, the appellant submits that the Perrysfield Farm appeal decision demonstrates that a degree of car dependency in a rural location does not, in itself, render a development unsustainable. The appellant has also drawn my attention to the planning permission at Nyahlands Farm; however, I have only been provided with the officer's report relating to that development.

19. I have had regard to these submissions, together with the appellant's references to other decisions and permissions, including Land adjacent to Blagrove Lane, Wokingham<sup>4</sup>, the Chaldon appeal<sup>5</sup>, the Thornhill Stables appeal<sup>6</sup> and a permission in principle at The Stables, Wards Farm<sup>7</sup>. However, I afford these examples limited weight. The evidence before me does not demonstrate that the circumstances of those cases are sufficiently comparable to those of the appeal site. Furthermore, each appeal and planning application must be determined on its own merits, having regard to its particular facts, planning circumstances and policy context.
20. In particular, the Blagrove Lane appeal involved a site which the Inspector found would provide future occupiers with a choice of transport modes and where measures could be secured to encourage the use of sustainable transport, alongside a severe five-year housing land supply shortfall. Those circumstances differ from those of the appeal site before me.
21. Consequently, the examples cited by the appellant do not alter my conclusions. I find that future occupiers of the appeal site would be heavily reliant on the private car due to the limited public transport provision and restricted opportunities to access services and facilities by sustainable modes. As such, the site would not provide realistic opportunities for travel by sustainable modes of transport and would therefore be an unsuitable location for housing.
22. Therefore, taking all the above into account, the proposal would not be in a suitable location, having regard to the accessibility of services and facilities. It would conflict with Policies CP1, CP3 and CP6 of the Core Strategy Development Plan Document (Core Strategy) (2010), Policy CC01 of the Managing Development Delivery Local Plan (MDD Local Plan) (2014), and Chapter 9 of the Framework. Taken together, these policies seek to promote sustainable patterns of development by reducing the need to travel, particularly by private car, and by locating development where occupiers have realistic opportunities to access services and facilities by sustainable modes of transport.
23. The appeal proposal would also conflict with the spatial strategy of the emerging LPU, which, as set out above, attracts moderate weight. In particular, it would not accord with the objectives of Policies SS1, SS2, SS3 and SS5, which seek to direct growth to identified sustainable locations and planned allocations.

### *Character and Appearance*

24. The appeal site comprises an undeveloped greenfield parcel of land in the countryside. It is currently vacant and contains no built form, albeit it appears to be currently used as an informal dog training and exercise area. Existing development comprising a mix of uses lies to the east and south-west, whilst mature trees and

<sup>4</sup> APP/X0360/W/24/3354667

<sup>5</sup> APP/M3645/W/24/3347815

<sup>6</sup> APP/Z3825/W/25/3361339

<sup>7</sup> Application Ref: 2025/962

- hedgerows along the eastern boundary provide a strong vegetated edge adjacent to Old Wokingham Road. Undeveloped land extends to the north. The bungalow associated with Brookfield Farm lies immediately to the southwest.
25. The appeal site lies within a semi-rural area characterised by a generally loose pattern of development along Old Wokingham Road. Whilst there is some variation in plot sizes and building types, including the presence of nearby commercial uses and the Easthampstead Mobile Home Park, the prevailing character remains one of spacious development set within a predominantly verdant setting. As such, the site makes a positive contribution to the open and semi-rural character of the area.
26. The site also lies within the Holme Green Pastoral Sandy Lowland Landscape Character Area identified in the Wokingham Borough Landscape Character Assessment (LCA) (2019). In addition, the southern part of the site falls within the Forest and Rides Valued Landscape identified in the Council's Valued Landscapes Assessment (2024). These landscape designations form part of the context within which the proposal falls to be considered.
27. Policy CP11 of the Core Strategy sets out the circumstances in which development outside defined development limits may be permitted. Amongst its aims is the protection of the countryside and the maintenance of environmental quality.
28. The appellant argues that the proposal was submitted for 'up to 9 dwellings' to provide flexibility and that a lower number of dwellings could ultimately come forward through a subsequent Technical Details Consent application. However, in determining this appeal I must consider the development for which Permission in Principle is sought. The proposal therefore falls to be assessed on the basis that up to 9 dwellings could be delivered on the site and it is not for me under a Section 78 appeal to suggest what, if any, number of dwellings would be acceptable.
29. Rather than being 'sympathetic to and harmonious with local characteristics', as alleged by the appellant, the introduction of up to 9 dwellings would result in a substantially more intensive and incongruous form of development than presently exists. Irrespective of the detailed design, layout and appearance of any future scheme, development of that scale would inevitably introduce a greater concentration of built form, domestic activity, access arrangements, parking areas, residential curtilages and associated paraphernalia onto what is presently a largely open site.
30. The proposal would introduce residential development onto the site and would erode its open and semi-rural character. In doing so, it would fail to reflect the loose grain and spaciousness that characterise the surrounding area. The resulting urbanising influence would be visually intrusive and would diminish the contribution the site presently makes to the setting of Old Wokingham Road. Whilst the site is not subject to any national landscape designation, that does not diminish the weight I attach to this harm.
31. I acknowledge the appellant's position that existing vegetation and boundary planting would provide some screening, that the development would be subordinate in scale and of an in-keeping design, and that matters of detailed design, landscaping and materials could be addressed at a later stage. I have also had regard to the indicative layout submitted with the appeal. However, under a Permission in Principle application, the indicative layout is not a fixed or approved

scheme, and I have no details before me regarding the final design, scale or layout of the proposed development.

32. In any event, such matters would not overcome the fundamental change in character arising from the introduction of up to 9 dwellings on this undeveloped site. Furthermore, no conditions could be imposed at the Permission in Principle stage to control the detailed form of development. Whilst matters of design, landscaping and appearance could be considered at the subsequent Technical Details Consent stage, they would not alter my conclusion that the scale and intensity of development that could result from the grant of Permission in Principle would cause fundamental harm to the open and semi-rural character of the area.
33. Accordingly, I find that the principle of introducing between 1 and 9 dwellings on the appeal site would harm the character and appearance of the area. It would conflict with Policies CP1, CP3, CP9 and CP11 of the Core Strategy, Policies CC01 and TB21 of the MDD Local Plan, the Borough Design Guide and the Framework, all of which seek to ensure that development respects local character, safeguards the countryside and responds appropriately to its surroundings.

### *Flooding*

34. The appeal site is affected by a number of sources of flood risk, and the proposal would introduce residential development, classified as a more vulnerable use for flood risk purposes, onto the site. The evidence before me indicates that parts of the site lie within Flood Zone 2 and are also susceptible to surface water and groundwater flooding. Whilst the extent and severity of those risks vary across the site, the Framework makes it clear that all sources of flood risk should be taken into account when considering the suitability of land for development and the application of the sequential approach. Similarly, Policy CC09 requires all sources of flood risk to be considered throughout the decision-making process and seeks to avoid inappropriate development in areas at risk of flooding.
35. The appellant contends that the extent of flood risk is limited and that the majority of the maximum number of 9 dwellings could be accommodated outside the areas identified as being at risk. Nevertheless, the Framework requires a sequential, risk-based approach to flood risk, taking account of all sources of flooding. No Sequential Test was submitted with either the application or the appeal. Whilst the appellant states that alternative sites have been reviewed using information available on the Council's website, insufficient evidence has been provided to demonstrate that there are no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. Furthermore, it is not the role of the Council to identify sites that may be sequentially preferable.
36. The appellant also suggests that flood risk concerns could be addressed through an alternative layout, or a lower number of dwellings. However, the appeal seeks Permission in Principle for up to 9 dwellings and must therefore be assessed on the basis of the maximum amount of development that could be delivered. Moreover, under a Permission in Principle application, the layout that might ultimately be proposed is not before me.
37. The PPG<sup>8</sup> states that the Sequential Test need not apply where a site-specific Flood Risk Assessment (FRA) demonstrates clearly that the proposed layout,

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<sup>8</sup> Paragraph 027 (Reference ID: 7-027-20220825)

design and mitigation measures would ensure that occupiers and users remain safe from current and future surface water flood risk for the lifetime of the development, without increasing flood risk elsewhere. However, no site-specific FRA has been submitted in this case. Consequently, I have insufficient evidence before me to conclude that the development would be safe for its lifetime, that flood risk to future occupiers would be appropriately managed, or that the proposal would not increase flood risk elsewhere.

38. Accordingly, I find that the proposal would result in an unacceptable risk from flooding. In the absence of both a Sequential Test and a site-specific FRA, it has not been demonstrated that the development would be directed to land at the lowest risk of flooding, that it would be safe for its lifetime, or that it would not increase flood risk on the site or elsewhere. Furthermore, there is insufficient evidence to demonstrate that surface water arising from the development could be managed in a sustainable manner. The proposal therefore conflicts with Chapter 14 of the Framework and Policies CC09 and CC10 of the MDD Local Plan, which seek to ensure that all sources of flood risk are appropriately assessed and that development is directed away from areas at risk of flooding.

*Thames Basin Heath Special Protection Area (SPA)*

39. The appeal site is situated within 5km of the Thames Basin Heaths SPA, which is designated for its rare example of lowland heathland habitat. It is home to three important bird species. The heaths, and the birds that nest and breed there, are particularly susceptible to disturbance from recreational activity by people and their pets. Without appropriate avoidance and mitigation measures, the proposal, which could result in between 1 and 9 additional residential units, would be likely to have a significant adverse effect upon the integrity of the Thames Basin Heaths SPA.
40. The Council confirms that the proposal would be required to provide contributions towards Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) measures to avoid and mitigate any potential adverse effects arising from the development. However, no mitigation strategy has been submitted. In particular, there is no evidence that SANG and SAMM contributions would be secured, nor is there a legal agreement or any other mechanism before me that would avoid adverse effects on the SPA.
41. The appellant accepts that the proposal would be required to make appropriate contributions towards SANG and SAMM measures and has indicated a willingness to do so. The appellant submits that guidance from me regarding the appropriate quantum of mitigation would assist in determining the level of contribution required at the subsequent Technical Details Consent stage. However, it is not the role of the Inspector to determine, negotiate or provide a steer on the level of mitigation or financial contributions necessary to address the effects of the development on the Thames Basin Heaths SPA. Rather, the onus rests with the appellant to provide sufficient evidence to demonstrate that any likely significant effects can be appropriately avoided or mitigated and, where necessary, secured through an appropriate mechanism. No such evidence has been provided.
42. Furthermore, the PPG advises that Permission in Principle must not be granted for habitats development. Where development is likely to have a significant effect on a qualifying European site in the absence of mitigation measures, the decision-maker must be satisfied, before granting Permission in Principle, that any likely significant

effects can be appropriately avoided or mitigated. In this case, no avoidance or mitigation measures have been secured. Consequently, I have no substantive basis upon which to conclude that the recreational impacts arising from the proposal would be avoided or mitigated, and it has not been demonstrated that the proposal would not adversely affect the integrity of the Thames Basin Heaths SPA. This is not a matter that can be deferred to the Technical Details Consent stage.

43. Therefore, adverse effects on the integrity of the Thames Basin Heaths SPA cannot be ruled out. In the absence of any secured mitigation mechanism, the proposal conflicts with Policy NRM6 of the South East Plan (May 2009) and Policies CP4 and CP8 of the Core Strategy. Given my conclusions on the main issues, it is neither necessary nor proportionate for me to undertake a formal Appropriate Assessment or pursue the matter further.

### **Other Matters**

44. The appellant has expressed concern that the Council's officer report was not available at the time the appeal was submitted, limiting their ability to understand the Council's reasoning, including any planning balance undertaken. Whilst I note that concern, it does not materially affect my consideration of the appeal. The officer report and the Council's appeal statement are now before me and clearly set out the Council's assessment of the proposal. In any event, I have undertaken my own assessment of the evidence and planning balance in reaching my decision.

### **Planning Balance**

45. It is agreed that the Council cannot demonstrate a five-year supply of deliverable housing sites, with the agreed position at 2.5 years. Paragraph 11 of the Framework states that where there are no relevant development plan policies, or the policies most important for determining the application are out of date, planning permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed.
46. The proposal would make a contribution towards the housing land supply, would provide up to 9 self-build dwellings, and would generate economic benefits through construction activity, as well as future occupants supporting the local economy. I also acknowledge that the Framework recognises that small sites can make an important contribution to meeting the housing requirement of an area.
47. However, I have found that the proposal would result in an unacceptable risk from flooding and would not comply with local and national planning policy which seeks to steer new development away from areas at the risk of flooding. I have also found that it has not been demonstrated that the proposal would not adversely affect the integrity of the Thames Basin Heaths SPA. Consequently, this is a situation in terms of paragraph 11 (d) (i) of the Framework, where the presumption in favour of sustainable development is not engaged because the application of the policies in the Framework that protect areas at risk of flooding and habitat sites, as set out in Footnote 7, provide strong reasons for refusing the development proposed. Therefore, the appeal scheme would not benefit from the presumption in favour of sustainable development.
48. Even if I am wrong in my conclusion that paragraph 11(d)(i) of the Framework applies, I have found that the proposal would harm the character and appearance

of the area and that the site would not be a suitable location for housing having regard to its accessibility to day-to-day services and facilities. These adverse impacts are material considerations in the planning balance required by paragraph 11(d)(ii) of the Framework, having particular regard to key policies for directing development to sustainable locations and securing well-designed places. They cannot reasonably be characterised as limited or minor, as the appellant suggests.

49. Accordingly, and in the alternative, even if the tilted balance were engaged, I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh its benefits when assessed against the policies of the Framework taken as a whole.

### **Conclusion**

50. Overall, for the reasons given above, I conclude that the proposal would conflict with the development plan as a whole. It has not been demonstrated that the proposal would provide a safe form of development in relation to flood risk or comply with national and local policies relating to flood risk. I have also found that it has not been demonstrated that the proposal would not adversely affect the integrity of the Thames Basin Heaths SPA. Furthermore, the site would not be a suitable location for housing having regard to its accessibility to services and facilities, and the proposal would harm the character and appearance of the area. Having regard to all other matters raised, the material considerations do not outweigh the conflict with the development plan. Accordingly, the appeal is dismissed.

*Laura Cuthbert*

INSPECTOR