

PLANNING REF : 252167  
PROPERTY ADDRESS : 17 Priors Gardens  
: Reading, Berkshire  
: RG7 1WS  
SUBMITTED BY : Dr Zaid Al-Daher  
DATE SUBMITTED : 13/12/2025

COMMENTS:

This is a formal objection to PLANNING APPLICATION 252167 at 11 Mayflower Meadow, which is directly adjacent to my property. I object to all three components of the proposal:

- The proposed single-storey side extension
- The large outbuilding/shed
- The change of use of the designated landscape/ecological buffer to residential curtilage

My objections are all respectfully submitted on the following planning and legal grounds:

1. Conflict with the approved layout and conditions of Reserved Matters 201337, which designate the land adjacent to Plot 40 as a landscape/ecological buffer and establish the lawful curtilage boundary. The proposal would reclassify protected buffer land as private domestic curtilage, contrary to several binding conditions.
2. Partial but significant removal of ecological buffer planting has already occurred, contrary to Conditions 12 and 13 in 201337. This has reduced the intended biodiversity, ecological connectivity, and acoustic mitigation designed for Priors Gardens in 201337. Any further development would necessitate removal of the remaining vegetation and result in the complete loss of this protected feature.
3. Impact on character, openness, and the streetscene, particularly given the sensitivity of this corner plot. The presence of an outbuilding in front of the principal elevation, and the scale of the proposed flank extension within the ecological buffer, materially alters the intended appearance of the estate. This may adversely affect the attractiveness and perceived value of nearby homes.
4. The existing outbuilding does not appear to comply with permitted development rules, as it is positioned on non-curtilage land and forward of the principal elevation which is an arrangement not permitted under Class E of the GPDO 2015. Its location within ecological buffer land further conflicts with the approved environmental design and relevant WBC policies.
5. The proposed side extension, at 9m long and over 4m high and located only 0.9m from the boundary, conflicts with local design guidance (SPD), national design principles (NPPF), and the GPDO framework.
6. The drainage strategy lacks the technical information required for proper assessment, including BRE365 infiltration tests, ground investigations, and confirmation of boundary offsets. Without this, the Council cannot reasonably determine whether the drainage arrangements are safe or acceptable, particularly given the proximity to the ecological buffer.
7. Restrictive covenants on the title expressly prohibit trade or workshop use, meaning the proposed "storage/workshop" function would remain unlawful even if planning permission were granted.

Details:

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1. Landscape Buffer & Curtilage Boundary - Conflict with Approved

## Plans (201337)

Reserved Matters approval 201337 is the legally binding detailed masterplan implementing outline permission 171737 for Taylor Wimpey's development. It defines precisely how the land behind Plots 35-40 must be treated.

For clarity, the outline permission 171737 did not establish garden boundaries, curtilage limits, buffer widths, or landscaping arrangements. These elements were fully defined, fixed, and legally established only through the subsequent Reserved Matters approval 201337. As a result, 201337 is the controlling decision for all matters relating to curtilage, landscaping, ecological buffers, and boundary treatments, and it supersedes any general assumptions that might be drawn from the outline consent.

The approved General Arrangement Plan (A097-RM-12 Rev P2) and the Land Use Plan (CB\_83\_072\_002) are both formal planning drawings that form part of the Reserved Matters approval 201337. These plans are not indicative or illustrative; they are the legally binding documents that fix the approved layout of the development, including the extent of residential curtilage, the position of boundary treatments, and the precise location and function of the landscape/ecological buffer. Under Condition 2 of 201337, the development must be carried out in accordance with these approved plans, meaning their designation of the buffer land and the curtilage boundary is authoritative and

controlling for all subsequent planning decisions affecting Plot 40.

The approved General Arrangement Plan (A097-RM-12 Rev P2) and Land Use Plan (CB\_83\_072\_002) show:

1. The land to the west and rear of Plot 40 is not residential curtilage.
2. It is explicitly designated "Landscape / Ecological Buffer (with average height 6m)".
3. A 1m post-and-wire fence forms the required curtilage boundary (although TW appears never to have installed it).
4. GPDO rights were withdrawn for numerous plots, including Plot 40.

This buffer was required and designed to provide:

- ecological connectivity
- biodiversity and habitat
- visual separation between estates
- acoustic screening and noise mitigation for Priors Gardens These functions are specifically identified in the 201337 documents and were central to the estate's approval, alongside the SANG and habitat mitigation strategy.

In addition, Condition 16 of Reserved Matters approval 201337 expressly withdraws permitted development rights under Classes A and E for Plot 40. This means that neither extensions nor outbuildings can be erected on this plot without full planning permission. The condition was imposed specifically to safeguard the residential amenities of Priors Gardens due to the sensitivity of this location and the importance of retaining the landscaped buffer area. The current proposals for both an extension and an outbuilding therefore run directly contrary to the purpose of Condition 16, which sought to prevent exactly this type of encroachment into the buffer and the resulting impact on neighbouring amenity.

By proposing to absorb this protected buffer into private curtilage, the application directly conflicts with:

- Condition 2 - Boundary treatments
- Condition 12 - Landscaping retention
- Condition 13 - Noise mitigation
- Condition 16 - Withdrawal of GPDO rights
- Core Strategy CP1, CP3

- MDD Policy TB21
- Wokingham Design Guide SPD Section 6

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## 2. Partial Removal of Buffer Vegetation - Breach of Conditions 12 & 13 and the Approved Hedgerow Management Plan

A significant portion of the ecological buffer vegetation along the western boundary of Plot 40 has already been removed, despite the application form stating that no trees or shrubs would be affected. Approximately half of the original buffer planting has been cleared, and the remainder is now threatened by the proposed development. This directly breaches Condition 12 (landscaping retention) and Condition 13 (noise mitigation planting) of Reserved Matters 201337.

The approved plans for 201337 are explicit that the buffer was to comprise vegetation to an average height of 6 metres, forming a mature ecological and visual corridor between Priors Gardens and the new development. A 1m post-and-wire fence was required to sit along the curtilage boundary to physically protect this landscaped strip; however, it appears Taylor Wimpey did not install this fence, leaving the buffer visually open but legally protected.

In addition, the supporting document "Hedgerow Management Plan" (Aug 2015), prepared by Taylor Wimpey's ecological/landscape consultants and secured under Condition 12, confirms:

- how and when the hedge was to be maintained,
- the required species mix and structure,
- and that the hedge formed part of the approved ecological mitigation strategy providing habitat connectivity, biodiversity value, visual screening, and noise attenuation for Priors Gardens.

The annotated plan clearly states:

"Hedge to be coppiced/layered 2016 (Hedgerow Management Plan Aug 2015)" This confirms that the hedge along the western boundary of Plot 40 was a formally protected feature, not general or optional planting.

This means:

- It was part of the development's approved ecological mitigation strategy under 201337.
- It could only be managed in accordance with the Hedgerow Management Plan by the Management Company or with planning oversight.
- It could not be removed, cut back, cleared, or repurposed by individual plot owners.
- Its presence was essential to the acoustic screening of Priors Gardens, as identified in the Waterman Noise Assessment secured under Condition 13.

By removing part of the buffer and by proposing a change of use that would necessitate removal of the remainder the applicant has:

- breached Conditions 12 and 13,
- undermined the estate's ecological and acoustic mitigation,
- removed linear habitat required for biodiversity and species movement,
- and compromised the planned landscape character of the estate. In these circumstances, it is difficult to see how the Council could reasonably approve a change of use or development that depends upon vegetation already removed in breach of conditions, nor can it approve development that would facilitate the loss of the remaining buffer vegetation.

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3. Shed / Outbuilding on Non-Curtilage Land - Contrary to UK Law and WBC Policy

The shed/log cabin has been erected on land that is not Plot 40's lawful residential curtilage. Under UK planning law, outbuildings are only permitted when located within the curtilage of a dwellinghouse. This principle is embedded in:

- Town and Country Planning Act 1990
- GPDO 2015 Schedule 2, Part 1, Class E

- Long-standing case law confirming incidental outbuildings cannot be erected on amenity land, buffer strips, or any non-curtilage land. Class E Prohibition Forward of Principal Elevation GPDO Class E(1)(b) states:

"Development is not permitted if the building would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse."

This applies directly to Plot 40. Even if the land were curtilage, Class E still prohibits the shed because it sits forward of the house on a public-facing corner plot.

#### Policy Conflicts

The shed conflicts with:

- Estate design intent
- Core Strategy CP1 & CP3
- MDD TB21
- Wokingham SPD 6.1.1 (prohibiting clutter and inappropriate structures on open frontages and landscape buffers)

#### Incorrect Drawings

The built structure does not match the submitted plans:

- Windows present on the west-facing side of the actual structure are omitted from the submitted elevation drawings, meaning the plans do not accurately represent the built form.

- Plot 40 was approved without any first-floor or ground-floor windows facing towards Priors Gardens, reflecting the sensitivity of this boundary and the need to protect neighbouring privacy. The height is not reported

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4. Extension Within 1m of Boundary - Legal and Policy Non-Compliance

The proposed side extension is a 9m-long, 4.2m-high structure positioned just 0.9m from my boundary.

Under the Town and Country Planning Act and GPDO 2015, any

extension: - over 4m in height,  
- within 2m of a boundary, and

- not clearly subordinate

cannot be permitted development and must satisfy local design policies.

It demonstrably fails the following:

- WBC Design Guide SPD 5.7.1 & 5.7.3 (avoid terracing, maintain spacing)
- SPD 6.1.1 (avoid overbearing mass close to boundaries)
- SPD 5.2.1 & 5.3.1 (extensions must be subordinate and not visually dominant)
- Core Strategy CP3 (protect character and amenity)
- NPPF 130(f) (avoid harm to neighbour amenity)

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5. Drainage & Soakaway - Inadequate Evidence and Non-Compliance

The drainage proposal lacks the minimum technical evidence required to assess safety or suitability. This is particularly concerning because the applicant has placed the soakaway within the ecological buffer and has produced no BRE 365 testing to justify any of the assumptions used in their calculations.

According to the Site Plan submitted with the application, the applicant states:

"A soakaway of 1 cu.m is suitable for 50 sq.m of roof area. Soakaway to be constructed min. 5m from any building."

The proposal therefore uses:

- 5 crates  $0.2m \times 0.2m \times 0.2m = 0.08m^3$  = 1.0m<sup>3</sup> soakaway volume,
- to serve a stated roof area of 46.6m<sup>2</sup>,
- based solely on a generic ratio and without any infiltration tests whatsoever.

Why this is technically invalid under BRE 365:

1. BRE 365 requires on-site infiltration testing to determine actual soil permeability, water table depth, and infiltration capacity. The applicant has provided none.

2. The "1m<sup>3</sup> per 50m<sup>2</sup> roof" ratio is not a permitted design method under BRE 365. It is an unsupported assumption and cannot be relied upon.

3. The applicant claims the soakaway will be 5 metres from any building, yet the plan does not show measured distances from:

- o boundaries,
- o fence posts,
- o neighbouring garden structures,
- o or the ecological buffer edge itself.

4. There is no evidence demonstrating that water will not discharge into:

- o the ecological buffer (protected under Conditions 12 & 13), or
- o neighbouring gardens.

The drainage strategy cannot be validated.

The "crate volume" calculation provided is insufficient for approval.

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#### 6. Land Ownership Does Not Alter Planning Designation

Although the applicant has produced a Land Registry title for the newly purchased strip, ownership does not alter planning status. The land:

1. Remains designated as Landscape/Ecological Buffer
2. Remains subject to Conditions 12, 13, 16 of 201337
3. Does not become curtilage by ownership
4. Must remain open and landscaped as per the estate's approved environmental design

Planning designation always supersedes private ownership.

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#### 7. Restrictive Covenants Prevent Workshop or Business Use

The Land Registry title (BK525030) contains restrictive covenants that apply to both the original plot and the newly acquired blue land. The Third Schedule states:

"The Property is not to be used except as a private dwellinghouse." And Clause 6 states:

"Not to carry on any trade or business on the Property "

The applicant states the shed/extension will be used as a "storage/workshop".

A workshop is not incidental to domestic use and constitutes trade/business activity.

This is therefore a direct breach of the title covenants.

Planning permission cannot override these covenants.

Even if permission were granted, the workshop use would remain unlawful.

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#### CONCLUSION & REQUEST

In summary, the proposal :

- conflicts with multiple conditions attached to Reserved Matters approval 201337,

- undermines the approved ecological buffer and associated mitigation measures,

- includes an outbuilding located on land that is not lawful residential curtilage,

- introduces significant amenity, privacy, and character impacts,

- is supported by insufficient drainage evidence to demonstrate compliance with BRE365 or WBC SuDS requirements,

- conflicts with restrictive title covenants, and

- fundamentally departs from the layout, design principles, and landscape strategy upon which the estate was originally approved.

For these reasons, I respectfully request that Wokingham Borough Council refuse the application in full.

If, notwithstanding the above concerns, the Council is minded to grant any part of the application, I would ask that stringent and enforceable conditions be attached to safeguard neighbouring amenity, protect the ecological buffer, and ensure full compliance with the approved landscape and drainage requirements.