



Appeal Decision

Site visit made on 25 March 2026

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 08 April 2026.

Appeal Ref: 6002585

Land at Lands End House, Beggars Hill Road, Twyford RG10 0UD

- 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 R Potyka against the decision of Wokingham Borough Council.
 - The application Ref is 251124.
 - The development proposed is single detached dwelling.
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Decision

1. The appeal is dismissed.

Applications for Costs

2. An application for costs was made by Wokingham Borough Council against R Potyka. This application is the subject of a separate decision.

Preliminary Matters

3. Planning Practice Guidance advises that permission in principle is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
4. 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.
5. The Council is preparing the Local Plan Update (LPU). The LPU is under examination and therefore attracts limited weight.
6. The proposed site plan shows how the proposal could be laid out. However, as the appeal does not relate to technical details, I will view this plan as illustrative only.
7. The proposed site plan shows a tree that is to be removed. At the time of my visit this tree had been removed, and I have determined the appeal on this basis. The appellant has provided a copy of the consent for its removal, and a consent that covers other tree work that has been carried out at the site.

Main Issues

8. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development; with particular regard to its effect on the character and appearance of the area including landscape character, its location and accessibility to services and facilities, and its effect on protected trees.

Reasons

Character and appearance

9. The appeal site is located alongside a modest rural lane. It is adjacent to the developed edge of Woodley, and forms part of a swathe of land that is largely undeveloped and separates Woodley from Twyford.
10. Within this area existing development is isolated and informal. The area has a tranquil character, which is enhanced by its limited development and the protected trees, which go beyond the woodland associated with the appeal site and include linear tree belts that follow the lane and extend out to the west. The woodland and linear tree belts are protected by a tree preservation order (TPO)
11. Although close to the outer edge of a substantial area of housing development, the appeal site is physically and visually separate from that area because of the woodland TPO, which includes a substantial belt of trees that grow across the site. This provides a mature landscape feature to mark the developed edge of Woodley. The appeal site relates most readily to the undeveloped land to the north of the belt of protected trees.
12. The appeal site is within the Loddon River Valley character area, as defined by the Wokingham Borough Landscape Character Assessment 2019 (LCA). The LCA notes its floodplain landscape with an absence of enclosing valleys, its enclosed wooded context which includes natural mature woodlands along riverbanks, and the urban influence of encroaching peripheral development. These are all characteristics of the appeal site and its landscape context, and are reinforced by the open landscape setting of Land's End House, which is close to the appeal site to the northeast.
13. The strong natural boundary that the woodland belt currently provides, and the way that it contains the northernmost extent of Woodley would be eroded by the proposal. Rather than continuing to provide a naturalistic boundary that is well related to the adjacent rural landscape, the erection of a dwelling would mean that this stretch of woodland would be contained, and most likely constrained, between development. Furthermore, when viewed from the north, the extent of development would be seen to creep beyond the tree belt and into an area of countryside, thus blurring what is currently a well-defined and attractive boundary that separates the urban edge of Woodley from the adjacent landscape. With reference to the LCA, the proposal would erode the area's wooded context and would result in the harmful encroachment of peripheral development.
14. Additionally, although there are a small number of isolated dwellings on the west side of Beggars Hill Road, development on the east side is limited to Land's End House, which is set well back from the road and largely obscured behind trees. Thus, the eastern side of the road appears largely undeveloped. As a result, a

dwelling at the site would appear rather isolated and at odds with the undeveloped character of this side of the road.

15. In summary, the development of the site for a single dwelling would have a harmful effect on the character and appearance of the area. It would be contrary to Policies CP1 and CP3 of the Wokingham Borough Core Strategy Development Plan Document 2010 (CS), and Policies CC02, CC03 and TB21 of the Wokingham Borough Managing Development Delivery Local Plan 2014 (MDD). Together these Policies seek to ensure that development proposals maintain or enhance the high quality of the environment, are attractive, have no detrimental impact on landscape, contribute to a sense of place in the way they integrate with their surroundings, protect landscape features, and respect the transition between the built up area and open countryside.

Location

16. The appeal site is outside a defined development boundary. Policy CP11 of the CS provides exceptions for various development types in such locations. The proposal would not accord with these, which the appellant accepts.
17. Part of the appeal site is within an existing residential garden. However, the proposal would receive no support from Policy TB06 of the MD as I have found that it would harm the character and appearance of the area.
18. The Council advises that some of the appeal site falls within the Woodley Major Development Location, and that it is adjacent to a strategic housing allocation. The strategic housing allocation has been built out, and is the development referred to above that is to the south of the existing woodland belt. For the reasons already given, although the appeal site is physically close, it is visually and spatially unrelated to this recently developed area.
19. Unlike the adjacent housing development, the only route that connects the appeal site to local services and facilities and other sustainable transport connections is Beggars Hill Road. To the south of the appeal site this becomes a path that can only be used for walking or cycling. It provides an attractive recreational route to the south, but as it is unlit it would be unreasonable to expect it to be used on a day to day basis and particularly during the winter when commuting at the beginning and end of the day is often carried out outside daylight hours. Instead, future occupants are likely to rely on a private car to meet their day to day needs.
20. In summary, the site is not suitably located for residential development. The proposal is therefore contrary to Policies CP1, CP3, CP6 and CP11 of the CS and Policy CC01 of the MDD. Together these seek to ensure that development proposals are well located so that they are accessible, reduce the need for travel and provide for sustainable forms of transport to allow choice.

Trees

21. Most of the appeal site is within a woodland TPO. A woodland TPO enables the protection of trees that merit protection as a collective unit. As well as the trees that were growing at the time the TPO was made, the designation also protects trees which are planted or grow naturally within the area thereafter. Indeed, the value of a woodland TPO as a collective unit is dependent on natural regeneration and new planting.

22. The erection of a dwelling on the site would prevent this natural regeneration by sterilising an area of land. Furthermore, there would be a desire to maintain a further area beyond the footprint of a building to use as a garden and for access. As a result, the remaining woodland would be limited to the edges of the site area, which would reduce its amenity value. Its natural appearance would be diminished as the natural growing environment of the woodland would be permanently altered as the land is maintained in a manner suited to a domestic dwelling.
23. The proposed site plans suggests that a layout would be possible that would include site access that would avoid the root protection area (RPA) of the existing trees. There is nothing before me however to show how the RPA was calculated or whether any pre-existing site conditions or other factors have been taken into account, in accordance with the advice in the British Standard¹. This is particularly important in this case, as the plans show that the ability to provide access to the site is heavily constrained by the suggested RPA for the large oak at the western end of the site. An RPA that is plotted as a circle centred on the base of the stem leaves just enough space for a driveway to be provided between the outer edge of the RPA and the edge of the site. A more detailed RPA that is based on arboricultural assessment of likely root distribution may cover a different area, with the potential for limited or no space for access to be provided that is outside the RPA.
24. In any case, building a dwelling or providing access outside the RPA of existing trees does not deal with the fact that developing the site would sterilise a significant area and thus prevent natural woodland regeneration.
25. In addition, the mature trees would remain across the site. The area that could be developed for a dwelling as indicated on the site plan is limited and would remain heavily constrained by existing trees. Consequently, it is highly likely that there would be pressure from future occupiers of the dwelling to reduce or fell individual trees and carry out other work such as the removal of deadwood or clearing of dropped limbs. The effect of this would be to further reduce the amenity value of the woodland.
26. The site area includes a veteran oak, that is recorded on the Ancient Tree Inventory². Paragraph 193 c) of the National Planning Policy Framework (Framework) states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons. Based on the limited information before me, I cannot be sure that the proposal to erect a dwelling at the site would not result in the loss or deterioration of the veteran oak as a result of the carrying out of development within its rooting area, and there are no exceptional reasons that weigh in favour of the proposal.
27. The appellant submits that the impact on the woodland TPO is a matter for the technical detail consent stage. I do accept that matters such as the footprint of the dwelling and its design, how hard standing is constructed, and how the domestic curtilage is managed are all matters that could be considered at this second stage and could be informed by the constraint posed by the protected woodland. However, for the reasons given, I find that any dwelling at the site would sterilise an area of the woodland and would reduce its amenity benefit, and there would be

¹ Trees in relation to design, demolition and construction. Recommendations BS 5837:2012

² Tree id 65808

a likely future pressure for tree work from future occupants. Furthermore, the RPA for retained trees has not been robustly assessed. These are all in principle matters that are correctly considered at this stage.

28. In summary, the development of the site for a single dwelling would have a harmful effect on the protected woodland. It would be contrary to Policies CP1, CP3 and CP11 of the CS, and Policies CC03 and TB21 of the MDD. Together these seek to ensure that development proposals maintain or enhance the quality of the environment and protect and retain existing trees.

Planning Balance and Other Matters

29. For the reasons given I have found that the development of the site for a dwelling would harm the character and appearance of the area, that the site is not suitably located with regard to its accessibility to local services and facilities, and that the erection of a dwelling would have a harmful effect on the protected woodland.
30. Paragraph 73 of the Framework recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and suggests support for small self-build sites as well as using tools such as permission in principle to bring such sites forward. In the context of the Government's objective to significantly boost the supply of homes and the extent of the Council's undersupply this is a matter that weighs in favour of the proposal. There would also be a modest economic benefit from the construction work and as future occupants make use of services and facilities in the area. These matters are however not sufficient to outweigh my findings on the main issues of the appeal.
31. The Council cannot demonstrate a 5 year supply of deliverable housing sites. An exception to Paragraph 11 d) of the Framework is provided where policies in the Framework that protect assets of particular importance provide a strong reason for refusing the proposal. Footnote 7 establishes that this includes irreplaceable habitats, which includes veteran trees. I have found that the information relating to the impact on the veteran tree is lacking. I cannot be sure therefore that the erection of a dwelling at the site would not result in the loss or deterioration of the veteran oak and there are no exceptional reasons that weigh in favour of the proposal. Paragraph 193 c) of the Framework provides a strong reason for refusing the proposal. Accordingly, Paragraph 11 d) is not engaged.
32. The appeal site is close to Land's End House, which is a grade II listed building³. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. The Council is of the view that a new dwelling is unlikely to harm the wider setting of the listed building. I am satisfied that, as a matter of principle, this is a reasonable position and the effect of the proposal on the significance of the listed building does not therefore need to be a main issue of the appeal.

³ List Entry Number 1319129

Conclusion

33. The proposal is contrary to the development plan and there are no material considerations, including the provisions of the Framework, that outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

A Tucker

INSPECTOR