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APPEAL AGAINST THE REFUSAL OF
WOKINGHAM BOROUGH COUNCIL TO GRANT
PERMISSION IN PRINCIPLE FOR THE ERECTION
OF A MINIMUM OF ONE AND A MAXIMUM OF
ONE DETACHED DWELLING ON LAND AT
LANDS END HOUSE, BEGGARS HILL ROAD,
LANDS END, TWYFORD, BERKSHIRE.

APPEAL STATEMENT

STRUCTURE

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1.0 Introduction

1.1 This Statement has been prepared to accompany an appeal against the refusal of Wokingham Borough Council to grant permission in principle for the erection of a minimum of one and a maximum of one detached dwelling on land at Lands End House, Beggars Hill Road, Lands End, Twyford, Berkshire.

1.2 The Statement is structured as follows;

- Section 2 – The Appeal Site and Surrounding Area
- Section 3 – Planning History
- Section 4 – The Appeal Proposals
- Section 5 - Planning Policy Context
- Section 6 – Planning Assessment
- Section 7 – Conclusions

2.0 The Appeal Site and Surrounding Area

- 2.1 The appeal site is located on the eastern side of Beggars Hill Road, adjacent to the northern edge of the recently completed residential development at Sandford Farm, and extends to an area of approximately 0.16 hectares. The northern third of the appeal site falls within the established residential curtilage of Lands End House with the southern two-thirds of the site comprising part of an area of woodland subject of a Tree Preservation Order (1611/2017), with that Order also including tree specimens on the eastern side of Beggars Hill Road.
- 2.2 As referenced recent residential development is located directly to the south of the site at Sandford Farm (Fir Tree Road) with additional residential development on the western side of Beggars Hill Road broadly opposite the site (The Old Pump House). More sporadic residential development is located to the north and east of the appeal site, together with open land.
- 2.3 As detailed above, the extent of the appeal site is shown outlined in red on the site location plan that accompanies the appeal documentation. For planning policy purposes, the southern two thirds of the site is located within a 'Major Development Location' (being within the defined extent of the Sandford Farm major housing development allocation) with the northern third of the appeal site falling within an area of land defined in the Development Plan as 'countryside'.

3.0 Planning History

- 3.1 As noted in the preceding section, the southern two thirds of the site forms part of the Sandford Farm strategic housing allocation, initially allocated for housing in the former Wokingham District Local Plan, but 'rolled-forward' as a housing allocation in the Managing Development Delivery Document (2014) and noted as such in Policy SAL01.
- 3.2 In respect of the Sandford Farm allocation, a hybrid planning application (110458) was submitted in August 2011 for full planning permission for the erection of 468 residential units with associated road access, parking and amenity space, a local shop, on-site open space facilities, new country parking and associated on and off-site highway works landscaping and boundary treatment, and outline planning permission for a close care community (of up to 150 units) with associated supporting facilities. Permission was granted in May 2012, with the close care community proposed on the northern section of the allocation, closest to the appeal site.
- 3.3 An application (130750) was then submitted in April 2013 for the erection of 73 residential dwellings with associated access, parking and landscaping as an alternative to the close care community approved in outline under the terms of the previous application. That application (130750) was approved in October 2014 and the residential development completed (Fir Tree Road).
- 3.4 In both the above noted approvals the southern two-thirds of the appeal site is shown as part of the application site area, consistent with the geographic extent of the housing allocation, and reflecting the extent of the 'Major Development Location' as defined in the Development Plan.

4.0 The Appeal Proposal

- 4.1 The application was submitted to Wokingham Borough Council in May 2025 and duly registered as such by the Council under reference 251124. As submitted, the application sought permission in principle for the erection of a minimum of one and a maximum of one detached dwelling and was accompanied by the following plans and documents:

- P100 Site Location Plan (1:1250)
- P101 Proposed Illustrative Site Plan (1:250)
- Covering Letter of 09/05/2025

- 4.2 Access to the proposed dwelling would likely be from the west, off Beggars Hill Road, with the illustrative site plan showing the access at the northern most point of the western site boundary (where adjacent to Beggars Hill Road). The access is shown to lead in to the site, following the northern site boundary, to a parking and turning area at the eastern end of the site, with a single dwelling (of generally rectangular plan form with an additional projection to the rear (south)) illustrative shown to the south of the access, in a clearing between existing trees/vegetation.

- 4.3 The application was refused under delegated powers in June 2025 for the following reasons:

1. *The proposal represents inappropriate development, outside the development limits within designated countryside, which is contrary to the spatial objectives of the development plan. The proposal as a whole would not fall into any of the exceptional categories, as identified by CP11 of development plan, and is unacceptable in principle. The proposed dwelling, along with car parking, hardstanding and garden fails to integrate with the surrounding countryside. There will be a detrimental visual and urbanising impact on the landscape and the character and appearance of the area in general and surrounding countryside in particular. The proposal is therefore contrary to policies CP1, CP3, CP9 and CP11 of the Core Strategy (2010), policies CC021, CC02, CC03 of the Managing Delivery Document (2014) the Borough Design Guide (2012) and the National Planning Policy Framework (2024).*
2. *The site is not sustainable in transport terms with regards to its location and access to day-to-day services and facilities. Future residents of the development would also not have access to a good standard of bus service and would not have an attractive walking or cycling routes/environments when outside the site. The proposal will therefore result in high dependence on private vehicle use and represents an unsustainable development, contrary to policies CP1, CP3 and CP6 of the Core Strategy and policy CC01 of the Managing Delivery Document, and paragraphs 110 and 115 of the National Planning Policy Framework (2024).*

3. *The proposed development would fail to protect and enhance the Loddon Valley Valued Landscape and would have a harmful impact on the open and rural character of the area and verdant landscape B1 Loddon River Valley with Open Water landscape character area. This is contrary to paragraph 187 of the National Planning Policy Framework (2024), CP1 and CP3 of the Core Strategy (2010) and CC03 and TB21 of the Managing Development Delivery Local Plan (2014).*
4. *The proposed development is located partly within a protected woodland designated under Tree Preservation Order TPO-1611-2017, classified as a 'Woodland' TPO. The proposal would result in the loss and/or deterioration of protected trees, including self-seeded saplings and understorey vegetation, through direct removal, soil compaction, and root disturbance associated with construction, access, and residential use. No arboricultural information or tree constraints plan has been submitted with the application and insufficient information has been provided with regards to the on-site veteran trees. As such, the proposal is contrary to policies CP1, CP3 and CP11 of the Core Strategy (2010) and policies CC03 and TB21 of the Managing Development Delivery Local Plan (2014), the Borough Design Guide SPD (2012), the Wokingham Borough Landscape Character Assessment (2019), and section 15 of the NPPF (2024).*

- 4.4 A copy of the Decision Notice accompanies the appeal documentation with the Officer Report attached at **Document 1**.

5.0 Planning Policy Context

The Decision-Making Framework

- 5.1 The statutory decision-making framework is set by Section 38(6) of the Planning and Compulsory Purchase Act 2004. This States:

'if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.

- 5.2 That is, where the Development Plan is material to the determination of a planning application, the decision should be made in accordance with the terms of the Development Plan unless there are material considerations that would direct otherwise.
- 5.3 This statutory framework for decision-making is reinforced by paragraph 11 of the National Planning Policy Framework (the Framework; 2024) which states that decisions should apply a presumption in favour of sustainable development and that development proposals should be approved where they accord with an up-to-date Development Plan. (Paragraph 11(c)).

Development Plan

- 5.4 The Development Plan¹ comprises a range of planning documents the most relevant of which are considered to be -

- Wokingham Borough Core Strategy DPD (2010); and
- Wokingham Managing Development Delivery Local Plan (2014)

Wokingham Borough Core Strategy DPD

- 5.5 The Wokingham Borough Core Strategy Development Plan Document was adopted by the Council in January 2010 and provides the strategic planning policy framework for development in the Borough to 2026. The most relevant policies of the Core Strategy are considered to be:

¹ Noting that a number of policies are deemed 'out-of-date' by reason of the housing land supply position (see below)

- CP1 Sustainable Development
- CP3 General Principles for Development
- CP5 Housing Mix, Density and Affordability
- CP6 Managing Travel Demand
- CP7 Biodiversity
- CP9 Scale and Location of Development Proposals
- CP11 Proposals Outside Development Limits
- CP17 Housing Delivery

Wokingham Managing Development Delivery Local Plan (2014)

5.6 The Wokingham Managing Development Delivery Local Plan was adopted in February 2014 and provides a series of detailed policies that 'sit' alongside the strategic framework provided by the Core Strategy. The most relevant policies of the document are considered to be:

- CC01 Presumption in favour of Sustainable Development
- CC02 Development Limits
- CC03 Green Infrastructure, Trees and Landscaping
- CC04 Sustainable Design and Construction
- CC07 Parking
- CC10 Sustainable Drainage
- SAL01 Allocated Housing Development Sites
- TB06 Development of Private Residential Gardens
- TB21 Landscape Character
- TB23 Biodiversity and Development
- TB24 Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

5.7 The NPPF was first published on 27 March 2012 and, with immediate effect, replaced a raft of advice and guidance contained in various Planning Policy Guidance notes (PPGs), and Planning Policy Statements (PPSs). In July 2018 a revised version of the NPPF was issued (NPPF2), followed by further revisions in February and June 2019 (NPPF3). In July 2021 a further set of revisions to the Framework were published (NPPF4), with further changes in September 2023 (NPPF5). Further revisions were published on 19th December 2023 (NPPF(6)), with the latest version (NPPF(7)) issued on 12th December 2024.

5.8 As with the original (2012) NPPF, sustainable development remains at the heart of the Framework, with three interdependent and overarching objectives – economic, social and environmental – driving the achievement of sustainable development. In order to ensure that sustainable development is pursued in a positive manner, the Framework embodies, in paragraph 11, a presumption in favour of sustainable development.

5.9 For decision-taking – in respect of applications for planning permission – the presumption in favour of sustainable development means (paragraph 11):

(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no development plan policies or the policies which are most important for determining the application are out-of-date, granting planning permission unless:

(i) the application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

5.10 Paragraph 39 advises that local planning authorities should approach decisions on development in a positive and creative way and *'work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible'*.

Delivering a Sufficient Supply of Homes

5.11 In terms of housing, paragraph 61 re-affirms that, in order to support the Government's objective of significantly boosting the supply of homes, *'it is important that a sufficient amount and variety of land can come forward where it is needed'*. Paragraph 73

recognises the value and contribution that small and medium sized sites can make to meeting housing requirements and states that, through the development plan, land to accommodate at least 10% of housing requirements should be on sites no larger than one hectare.

Promoting Sustainable Transport

- 5.12 Insofar as it relates to matters of sustainable transport, paragraph 110 advises that significant development should be focused on locations that are, or can be made, sustainable. However, the Framework recognises that *'opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'* (paragraph 110).
- 5.13 In consideration of applications for planning permission, paragraph 115 advises that it should be ensured that – (i) sustainable transport modes are prioritised taking account of the type of development and its location, (ii) safe and convenient access to the site can be achieved for all users, (iii) all transport elements of a scheme are appropriately designed, and (iv) any significant impacts of the development on the transport network, or highway safety, can be mitigated to an acceptable degree.
- 5.14 Furthermore, paragraph 116 advises that *'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.

Making Effective Use of Land

- 5.15 Paragraph 124 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. In addition, development should make efficient use of land (Paragraph 129) taking account of a range of factors, including the need for different types of housing, and the desirability of maintaining an area's prevailing character and setting.

Achieving Well-Designed Places

- 5.16 Paragraph 131 highlights that good design is a key aspect of sustainable development by creating better places in which to live and work, with paragraph 135 seeking developments that:
- will function well and add to the overall quality of the area;

- are visually attractive as a result of good architecture;
- are sympathetic to local character and history;
- establish or maintain a strong sense of place;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and
- create places that are safe, inclusive and accessible, with a high standard of amenity for existing and future users.

Meeting the challenge of climate change, flooding and coastal change

- 5.17 Paragraph 170 advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is proposed, local planning authorities (paragraph 181) should ensure that flood risk is not increased elsewhere and that, as appropriate, development should be supported by a site-specific flood risk assessment

Conserving and enhancing the natural environment

- 5.18 Paragraph 187 advises that planning policies and decisions should contribute to, and enhance, the natural and local environment by, *inter alia*, (a) protecting and enhancing valued landscapes, (b) recognising the intrinsic character and beauty of the countryside and (d) minimising impacts on and providing net gains for biodiversity.

Conserving and enhancing the historic environment

- 5.19 Paragraph 207 requires that applicants should describe the significance of any heritage assets (and their setting) that may be affected by a development proposal, with the level of detail proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance.
- 5.20 When considering the impact of a proposed development on the significance of a heritage asset (including matters of setting), paragraph 212 advises that great weight should be given to the asset's conservation. Any harm to, or loss of, significance of a designated heritage asset (including within its setting) should require clear and convincing justification (paragraph 213). Where a proposed development would lead to substantial harm to a designated heritage asset, paragraph 214 advises that consent should be refused unless it is demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefit that outweighs the harm or loss.

- 5.21 Where (paragraph 215) the harm to the significance of a heritage asset is deemed less than substantial, that harm should be weighed against the public benefits of the scheme, including (where appropriate) securing the optimum viable use.

6.0 Planning Assessment

6.1 This section of the Statement considers the principal planning issues associated with the proposed development, structure as follows

- The Decision-Making Framework and Housing Land Supply
- Permission in Principle
- Reasons for Refusal

6.2 These matters are considered in turn below.

The Decision-Making Framework and Housing Land Supply

6.3 As detailed in the preceding Section, Paragraph 11(d) of the Framework states that where there are no development plan policies or the policies which are most important for determining an application are out-of-date, planning permission should be granted for that development (subject to the caveats in 11(d)(i) and (ii)).

6.4 The footnote to paragraph 11(d) elaborates on the circumstances when Development Plan policies may be considered out of date, and includes in situations where the Council are unable to demonstrate a five-year supply of housing land. In this case, the latest Five-Year Housing Land Supply Statement was issued by the Council in August (2025) covering the five-year period from 01/04/2025 to 31/03/2030. This details a requirement for 6,909 dwellings (including a 5% buffer) amounting to an annualised requirement for 1,382 dwellings.

6.5 The Statement details that the deliverable housing supply for the Borough across the relevant five-year period is 3,453 dwellings. That represents a substantial shortfall (against the five-year requirement) of 3,456 dwellings. In other words, the Council are only able to demonstrate a **2.5-year** supply of housing land. That being the case, the 'tilted planning balance' set out in Paragraph 11(d) of the Framework is engaged.

6.6 Whilst it is acknowledged that the terms of the 'tilted planning balance' are potentially tempered where the policies of the Framework that protect areas or assets² of particular importance provide a strong reason for refusing development, that is not considered to be the case here. Indeed, the relevant requirement, as set out in Paragraph 11(d)(ii) of the

² Indeed, the Officer Report states 'it must be recognised that the proposed site is not located within any protected areas or assets of particular importance' such that the 'tilted planning balance' of Paragraph 11(d)(ii) of the Framework applies.

Framework, is to grant planning permission unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination'. That, for the reasons set out further below, is the basis on which the appeal proposals should be assessed.

Permission in Principle

- 6.7 The scope of matters to be considered in an application (or appeal) for Permission in Principle are limited to issues of 'location', 'land use' and 'amount of development'. Other matters, which go beyond the consideration of 'in principle' issues, 'should be considered at the technical details consent stage' (Paragraph: 012 Reference ID: 58-012-20180615 of Planning Practice Guidance).
- 6.8 Notwithstanding the grounds on which the application was refused by the Council, the main issue to consider is whether the site is suitable for residential development having regard to its location, the proposed land use and the amount of development. Consideration of these matters is set out in the covering letter submitted with the application (and included with the appeal documentation) and the attention of the Inspector is drawn to the matters set out therein.
- 6.9 Nevertheless, commentary is provided on each of the Council's reasons for refusal below, set within the context of the scope of matters to be considered in relation to a scheme for Permission in Principle and cross-referencing, where appropriate, to the details set out in the covering letter.

Reasons for Refusal

Reason 1

- 6.10 The first reason for refusal states:

The proposal represents inappropriate development, outside the development limits within designated countryside, which is contrary to the spatial objectives of the development plan. The proposal as a whole would not fall into any of the exceptional categories, as identified by CP11 of development plan, and is unacceptable in principle. The proposed dwelling, along with car parking, hardstanding and garden fails to integrate with the surrounding countryside. There

will be a detrimental visual and urbanising impact on the landscape and the character and appearance of the area in general and surrounding countryside in particular. The proposal is therefore contrary to policies CP1, CP3, CP9 and CP11 of the Core Strategy (2010), policies CC021, CC02, CC03 of the Managing Delivery Document (2014) the Borough Design Guide (2012) and the National Planning Policy Framework (2024).

- 6.11 As detailed previously and shown in the extract from the Proposals Map at Figure 1 below, the majority of the site (the southern two-thirds) is located within the 'Major Development Location' of Woodley as defined through Policy CP9 (Scale and Location of Development Proposals) of the adopted Core Strategy. Policy CP9 accepts, as a matter of principle, development in such areas with Woodley identified in the policy as falling within the highest category (Category 1) of sustainable areas/settlements covered by the Policy. Indeed, the sub-text to the policy states (in paragraph 4.52 that major development locations, such as Woodley, 'are those with the greatest range of facilities and service which also allow residents the greatest choice in modes to access them'. Notwithstanding the fact that Policy CP9 is out-of-date by virtue of the housing land supply position the proposals would, nevertheless, benefit from the positive framework provided by the policy.

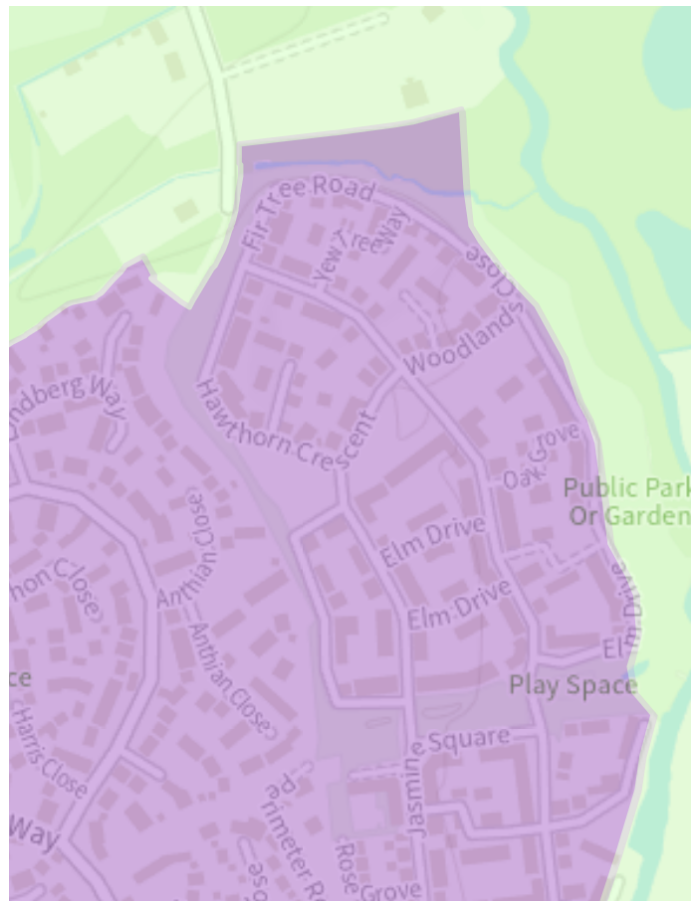


Figure 1: Extent of Major Development Location (Purple) (Source: Development Plan Proposals Map)

- 6.12 Nevertheless, it is acknowledged that the northern third of the site falls within an area defined as 'countryside' to which Policy CP11 (Proposals outside Development Limits (including countryside)) of the Core Strategy would ordinarily be applicable. In this respect, it is acknowledged that the proposals would not fall within any of the exceptions (for acceptable development in such areas) as set out in sub-paragraphs (1)-(7) such that there would be conflict with Policy CP11 of the Core Strategy. However, that policy is also out-of-date as a product of the housing land supply position.
- 6.13 Given that the noted Core Strategy policies are deemed to be 'out-of-date', the suitability of the principle of the proposed development in locational terms is, therefore, directed – in spatial terms – by whether the location is deemed sustainable having regard to the advice in the Framework. Clearly, however, in undertaking that assessment, the relationship with the Core Strategy (given that the policies therein evolved from the same principles of delivering sustainable patterns of development as espoused in the Framework) is of assistance.
- 6.14 In this regard, and as noted, the majority of the appeal site is located in the 'Major Development Location' of Woodley (Figure 1), the highest category of sustainable settlements as defined in the Core Strategy, and directly adjacent to (and again with the majority of the site within) the Sandford Farm strategic housing allocation (Figure 2) that has delivered over 500 dwellings. Clearly, if Sandford Farm were not deemed a sustainable location for new housing development it would not have been allocated for residential development through the Development Plan. To that extent, and given the close-relationship and geographic proximity with this development it follows that, in pure spatial terms (and having regard to the matters to be considered at the Permission in Principle state), the appeal site is in a locational sustainable geographic position such that (notwithstanding the conflict with Policy CP11 of the Core Strategy) the principle of the proposed development is acceptable and continues to foster sustainable patterns of development in the same way that the strategic housing allocation does. Accordingly, the principle of the development in this location is considered to be sustainable and acceptable.
- 6.15 The first reason for refusal also opines in respect of matters of detail that are considerations reserved for the Technical Details Stage. However, the point should be made that in 'land use' terms, the northern third of the site falls within the defined residential curtilage of Lands End House (such that there would be no change of use as a result of the proposals) with the southern two-thirds within a strategic housing allocation. To that extent, there are no material constraints to the proposed development in 'land use' terms. Moreover, and notwithstanding the fact that it is considered a single dwelling (the amount of

development) of an appropriate scale, layout, design and form could be integrated in to the site and the surroundings (given the context of surrounding residential development) without material or unacceptable harm to the area, these are matters rightly and properly considered at the subsequent Technical Details Stage.

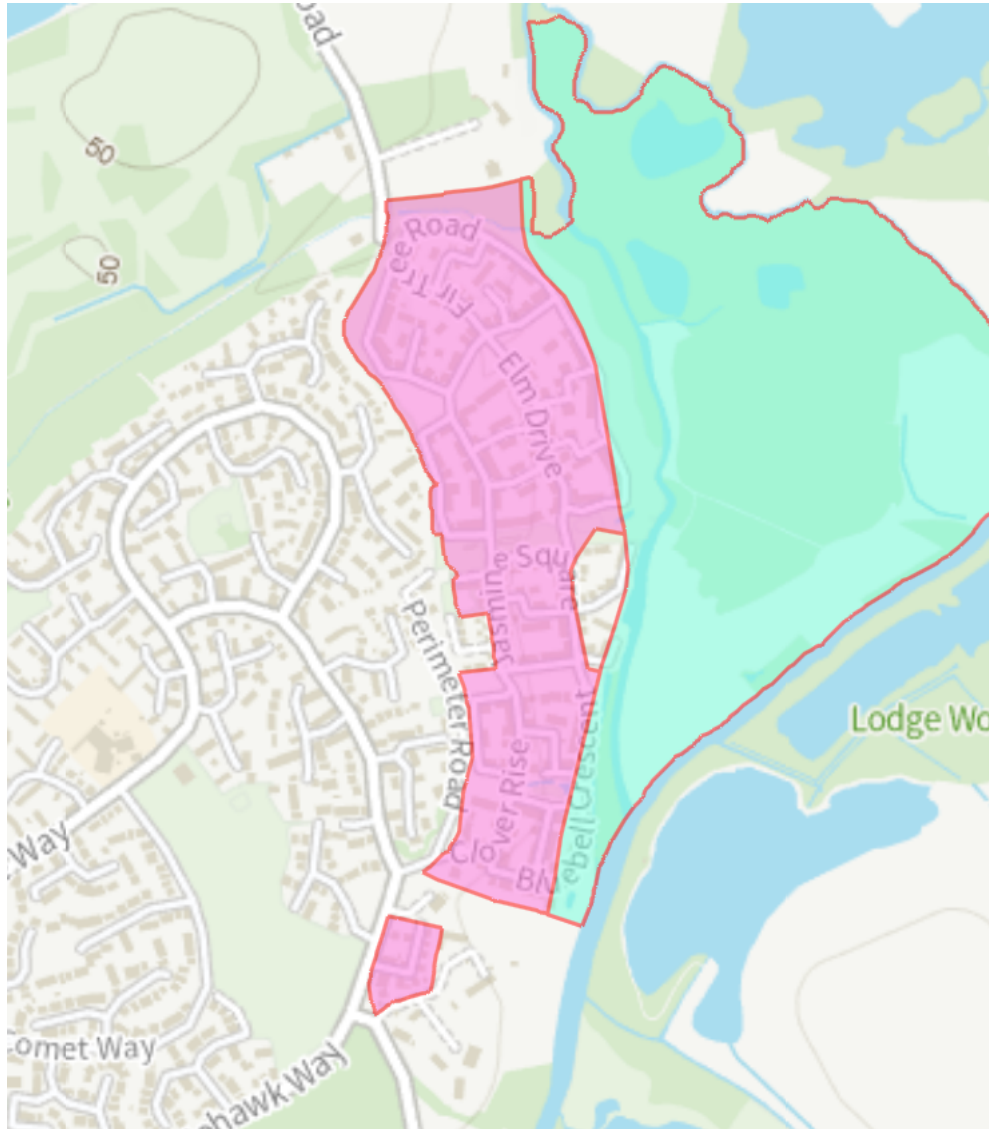


Figure 2: Sandford Farm strategic housing allocation (purple) (Source: Development Plan Proposals Map)

- 6.16 For these reasons, therefore, and having regard to the terms of first reason for refusal, the proposals are – in terms of location, land use and amount – considered to represent (as a matter of principle) an acceptable and sustainable form of development.

Reason 2

6.17 The second reason for refusal states:

The site is not sustainable in transport terms with regards to its location and access to day-to-day services and facilities. Future residents of the development would also not have access to a good standard of bus service and would not have an attractive walking or cycling routes/environments when outside the site. The proposal will therefore result in high dependence on private vehicle use and represents an unsustainable development, contrary to policies CP1, CP3 and CP6 of the Core Strategy and policy CC01 of the Managing Delivery Document, and paragraphs 110 and 115 of the National Planning Policy Framework (2024).

6.18 As noted previously, the majority of the site falls within a Major Development Location as defined in the adopted Development Plan and that, of itself, is illustrative of the fact that the site is in a geographically sustainable location suitable for the principle of the proposed development. Moreover, and as referenced in Section 3.0, the majority of the site falls within the Sandford Farm housing allocation that has delivered in excess of 500 houses directly to the south, with that allocation and delivery based on the fact that the site was deemed appropriately sustainable. It logically follows, therefore, that the same must be said of the appeal site.

6.19 Notwithstanding the above, the Chartered Institute of Highways and Transportation Document – Guidelines for Providing for Journeys on Foot indicates that people will generally walk up to 2km to access services and facilities. In addition, it is generally accepted that people will travel up to 5km by bicycle in order to access services and facilities. Within 2km of the site – to the south and west – there are a range of services and facilities across Woodley, including shops, employment areas, schools, places of worship, open space and recreation areas. In short everything one would require in order to meet day-to-day needs (with a number of options available) is located within a 2km distance of the site.

6.20 In addition, the pedestrian/cycle route from the appeal site to these services and facilities comprises (along Beggars Hill Road to the south) a direct footway/cycleway that provides safe and convenient access in to Woodley and the full range of services and facilities. To that extent the appeal site is considered to be in an appropriately sustainable location.

6.21 Furthermore, there is a bus stop at Mollison Close, a short distance to the south of where the dedicated pedestrian/cycle route along Beggars Hill Road meets Mohawk Way. This bus stop – which is only 600m from the appeal site – is served by the 'Orange 14' service operated by Reading Buses, and provides regular (half hourly services) to and from the

centre of Reading from Monday to Saturday (from 05:00 to 23:00) and hourly services on Sunday and Public Holiday between 08:00 and 23:00.

- 6.22 Accordingly, it is considered that the appeal site benefits from good, safe and convenient access by foot and cycle to services and facilities to meet day-to-day needs, with safe and convenient access to public transport (bus) links that provide regular, frequent and high-quality services to Reading.
- 6.23 The above being the case, the site is considered to be in a sustainable location, providing opportunities to access a wide range of services and facilities by non-car modes. To that extent, the proposals are considered to be consistent with related Development Plan policies and advice in the Framework, particularly paragraphs 110 and 115.

Reason 3

- 6.24 The third reason for refusal states:

The proposed development would fail to protect and enhance the Loddon Valley Valued Landscape and would have a harmful impact on the open and rural character of the area and verdant landscape B1 Loddon River Valley with Open Water landscape character area. This is contrary to paragraph 187 of the National Planning Policy Framework (2024), CP1 and CP3 of the Core Strategy (2010) and CC03 and TB21 of the Managing Development Delivery Local Plan (2014).

- 6.25 The third reason for refusal alleges that the proposals would 'fail to protect and enhance the Loddon Valley Valued Landscape'. Whilst it should be recognised that this is a matter that should rightly be considered at the Technical Details Consent stage, it should also be emphasised that the 'Loddon Valley Valued Landscape' does not appear in any Development Plan document, rather it is referenced in the emerging Local Plan and, with the related policy context subject to a number of unresolved objections. Although it follows that any policy requirements are, therefore, of limited weight, it is important to recognise that – notwithstanding the assertion in the Officer Report (**Document 1**), the majority of the site (the southern two-thirds) is actually located outside of the proposed Loddon Valley Valued Landscape as depicted in the draft Proposals Map accompanying the emerging Local Plan.
- 6.26 Notwithstanding the scope of matters to be assessed at the Permission in Principle stage, this part of Beggars Hill Road is characterised (in built terms) by loosely-knit residential development, with buildings occupying irregular (and in some cases spacious) plots, with varying degrees of soft landscaping, and including buildings set within treed/sylvan

- settings. The proposed development – with the scale of the dwelling unknown at this stage – would repeat and reinforce that pattern/character to the extent that an appropriate scheme is capable of being delivered (and rightly considered) at Technical Details Consent stage that respects the wider character of the area, and the evident balance between open countryside and built (residential) development.
- 6.27 Moreover, the Council are critical (in the Officer Report; **Document 1**) that any potential dwelling would not follow the typical arrangement of dwellings on Beggars Hill Road and result in urbanisation and domestication. There is no typical arrangement of dwellings in Beggars Hill Road, with some occupying locations well set-back from, and off-set to, Beggars Hill Road, with others more closely related to and fronting Beggars Hill Road. To that extent a dwelling in the location illustratively shown on plan P101 would not be at odds with that mixed character/pattern of development in the area. Furthermore, and although controls could be exercised at the Technical Details Consent stage, it should be recognised that the northern third of the site already has an established residential use and that to the south falls within a strategic housing allocation and defined Major Development Limits – such that it is not considered the presence of a dwelling and related activity would have any meaningfully unacceptable consequences for the character of the area in these terms.
- 6.28 Accordingly, it is considered that a single dwelling could be delivered on the site at Technical Details Consent stage in a form, layout and scale that would respect and respond appropriately to the character and appearance of the area, including the landscape qualities of the wider locality.

Reason 4

- 6.29 The fourth reason for refusal states:

The proposed development is located partly within a protected woodland designated under Tree Preservation Order TPO-1611-2017, classified as a 'Woodland' TPO. The proposal would result in the loss and/or deterioration of protected trees, including self-seeded saplings and understorey vegetation, through direct removal, soil compaction, and root disturbance associated with construction, access, and residential use. No arboricultural information or tree constraints plan has been submitted with the application and insufficient information has been provided with regards to the on-site veteran trees. As such, the proposal is contrary to policies CP1, CP3 and CP11 of the Core Strategy (2010) and policies CC03 and TB21 of the Managing Development Delivery Local Plan (2014), the Borough Design Guide SPD (2012), the Wokingham Borough Landscape Character Assessment (2019), and section 15 of the NPPF (2024).

- 6.30 The fourth reason for refusal relates solely to matters of detail that are not for consideration at the Permission in Principle stage.
- 6.31 Notwithstanding such, the illustrative details shown on plan P101 have been prepared following a full topographic survey of the site that correctly identifies/positions each of the existing trees and their related crown spread. Moreover, the plan details the extent of the Root Protection Area (RPA) of each of these trees in accordance with the appropriate British Standards (with the RPA equivalent to twelve times the stem diameter of each tree as measured at 1.5m above ground level and recorded in the topographic survey).
- 6.32 The plan (P101) demonstrates that the development could be accommodated outside the root protection area of the existing trees to be retained. The plan does indicate – albeit it is no more than indicative at this point – the removal of the Ash tree located on the frontage of the site as this is suffering *Hymeniscyphus fraxineus* (Ash Dieback) and would be replaced as per legislative requirements. However, the scheme – and the provision of the access way in particular – is not reliant on the removal of this tree and, indeed, all works associated with that access would be **outside** the root protection area of the tree so, as required, the tree could be retained notwithstanding the status as a 'dying' specimen. Indeed, the plan details a parking and access/turning arrangement, together with the siting of a dwelling, that would be location wholly outside the RPA of the existing trees, demonstrating – notwithstanding that it is a matter for the Technical Details Consent stage – that a scheme for the amount of proposed development could be appropriately delivered on the site having regard to the relationship with existing (protected) trees.
- 6.33 Accordingly, and having regard to the scope of matters to be considered in an application for Permission in Principle, there is not considered to be any foundation to the fourth reason for refusal.

7.0 Conclusions

- 7.1 This Statement has been prepared to accompany an appeal against the refusal of Wokingham Borough Council to grant permission in principle for the erection of a minimum of one and a maximum of one detached dwelling on land at Lands End House, Beggars Hill Road, Lands End, Twyford, Berkshire.
- 7.2 The Statement demonstrates that the Council are currently only able to demonstrate a 2.5-year supply of housing land and that, in accordance with the terms of the Framework, the 'tilted planning balance' (as set out in paragraph 11(d) of the Framework) is therefore engaged. This establishes that a number of Development Plan policies are deemed 'out-of-date' and sets a presumption in favour of granting planning permission unless the adverse impacts of doing so (should there be any at all) would significantly and demonstrably outweigh the benefits of the scheme.
- 7.3 In this context – and having regard to the fact that the scope of matters to be considered are limited to issues of 'location', 'land use' and 'amount of development' – the Statement demonstrates (having regard to the reasons for refusal):
- That, in locational terms, the principle of the proposed development is considered acceptable and would facilitate (and perpetuate) the delivery of sustainable patterns of development;
 - That the site is in a sustainable location, providing clear opportunities to access a wide range of services and facilities by non-car modes (for day-to-day needs), including by foot, by cycle and by bus;
 - That a single dwelling could be delivered on the site at Technical Details Consent stage in a form, layout and scale that would respect and respond appropriately to the character and appearance of the area, including the landscape qualities of the wider locality; and
 - That a single dwelling could be delivered on the site at Technical Details Consent stage in a form and layout that would appropriately respect and retain existing protected trees that contribute to the character and visual amenities of the area.
- 7.4 For these reasons, therefore, the Inspector is respectfully requested to allow the appeal and grant Permission in Principle for the proposed development.

DOCUMENT 1

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	251124
Site Address:	Land at Lands End House, Beggars Hill Road, Lands End, Twyford, RG10 0UD
Expiry Date:	16 June 2025
Site Visit Date:	4 June 2025
Proposal: Permission in principle application for the proposed erection of 1 no. detached dwelling.	

PLANNING CONSTRAINTS/STATUS

Countryside
Contaminated Land Consultation Zone
Local Authorities
Affordable Housing Thresholds
Borough Parishes
Scale and Location of Development Proposals
Great Crested Newt Consultation Zone
Site Allocations
Nuclear Consultation Zone
Tree Preservation Orders
Borough Wards
Radon Affected Area
Landfill Gas Consultation Zone
Landscape Character Assessment Area
SSSI Impact Risk Zones
Ordinary Watercourses Consultation Zone
JCEB Areas of Search for Sand and Gravel
JCEB Mineral Safeguarding Areas
Great Crested Newt Consultation Zone Minor

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP3 – General Principles for Development CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits CP17 – Housing Delivery
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping

	CC04 – Sustainable Design and Construction CC07 – Parking CC10 – Sustainable Drainage TB06 – Development of Private Residential Gardens TB07 – Internal Space Standards TB21 – Landscape Character TB23 – Biodiversity and Development TB24 – Designated Heritage Assets
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List

NO RELEVANT PLANNING HISTORY

CONSULTATION RESPONSES

Internal

WBC Environmental Health – No comments
WBC Drainage – No objection
WBC Highways – No objection
WBC Landscape and Trees – Request further information
WBC CIL – CIL liable development
WBC Cleaner and Greener – No comments
WBC Ecology Newts – No objection
WBC Ecology – No comments
WBC Built Heritage – No objection

External

Thames Water Utilities Ltd – No comments

REPRESENTATIONS

Woodley Town Council	No comments
Ward Member(s)	No comments received
Neighbours	No comments received

APPRAISAL

Proposal: The proposed development comprises the erection of 1no. detached dwelling within the grounds of the property known as Land's End House, located along Beggars Hill Road in Woodley.

Permission is being sought through the permission in principle (PiP) consent route. The permission in principle consent route separates the consideration of matters of principle for the proposed development from the technical details of the development. The scope of a permission in principle application is limited to location, land use and amount of development (stage 1). Other matters are considered at the technical details consent stage (stage 2).

An indicative site plan has been provided alongside the application. This shows a new access from Beggars Hill Road, a driveway including parking for 3no. vehicles, and

demonstrates how the dwelling would be sited amongst its surroundings. The dwelling appears to have been arranged in a way that its principal elevation faces north, as opposed to towards Beggars Hill Road.

Site Description: The application site is within the ground of Land's End House, a Grade II Listed Building, built in 1935 by Guy Morgan for Miles the aircraft manufacturer. The proposed plot is located to the southwest of the site.

Beggars Hill Road is a typical country lane, lined with mature trees and hedgerows, with minimal built development.

Directly to the west and south of the plot there are woodland Tree Protection Orders under reference TPO-1611-2017.

The stream to the south of the site is recognised by the Environment Agency as Surface Water Flood Zones. Flood zone 3 extends along the edge of the land in the ownership of Land's End House.

The site lies outside any settlement boundary and is therefore classified as within Countryside.

Assessment:

The Planning Practice Guidance ("PPG") advises that the scope of permission in principle is limited to location, land use and amount of development. Whether permission in principle should be granted bearing in mind the effects of the proposal's location, land use and amount of development on the development plan and other material considerations are required to be considered.

Principle of Development: The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

Policy CC02 of the MDD Local Plan and CP9 of the Core Strategy define development limits across the Borough including a hierarchy of major, modest and limited locations; which typically relates to access to services and the density of the area. Policy CP11 of the Core Strategy relates to proposals outside such development limits. It is a restrictive policy designed to protect the separate identity of settlements and maintain the quality of the environment.

Countryside Location

The site is located in the countryside and therefore must be assessed against policy CP11. This policy states that proposals outside of development limits will not normally be permitted except where:

- 1) 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

- 2) It does not lead to excessive encroachment or expansion of development away from the original buildings; and
- 3) It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement; or
- 4) In the case of residential extensions, does not result in inappropriate increases in the scale, form or footprint of the original building;
- 5) In the case of replacement dwellings the proposal must:
 - i) Bring about environmental improvements; or
 - ii) Not result in inappropriate increases in the scale, form or footprint of the original building.
- 6) Essential community facilities cannot be accommodated within development limits or through the re-use/replacement of an existing building;
- 7) Affordable housing on rural exception sites in line with CP9.

The proposal would not fall into any of the exception categories as set out in policy CP11, as the proposal would not contribute to a rural enterprise, it would not be for a community facility, and neither is the proposal for affordable housing. Moreover, the proposal is not for residential extensions or a replacement dwelling.

The proposal would result in expansion of residential activities on undeveloped land, which is clearly contrary to criteria 2 of CP11. Consequently, the proposal is unacceptable in principle.

Development of Private Residential Gardens

The application site is part of a residential garden and paragraph 75 of the NPPF states that 'local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area'. Policy TB06 of the MDD Local Plan (Development of Private Residential gardens) states that proposals for new residential development that includes land within the curtilage of private residential gardens will only be granted planning permission where:

- a) The proposal makes a positive contribution to the character of the area in terms of:
 - i. The relationship of the existing built form and spaces around buildings within the surrounding area;
 - ii. A layout which integrates with the surrounding area with regard to the built up coverage of each plot, building line(s), rhythm of plot frontages, parking areas, and
 - iii. Existing pattern of openings and boundary treatments on the site frontage
 - iv. Providing appropriate hard and soft landscaping, particularly at site boundaries.
 - v. Compatibility with the general building height within the surrounding area
 - vi. The materials and elevational detail are of high quality, and where appropriate distinctive and/or complementary.
- b) The application site provides a site of adequate size and dimensions to accommodate the development proposed in terms of the setting and spacing around buildings, amenity space, landscaping and space for access roads and parking

- c) The proposal includes access, which meets appropriate highway standards
- d) The proposal does not lead to unacceptable tandem development
- e) The design and layout minimises exposure of existing private boundaries to public areas and avoids the need for additional physical security measures.

A number of the above criteria would relate to considerations that would fall under the Technical Details Consent when the layout is finalised. However, the existence of policy TB06 does demonstrate that development of residential gardens can be accepted in principle. An assessment against this policy parts (a)(i)(ii) and (iii) will be undertaken within the character section of this report.

Council's 5 Year Housing Land Supply

Paragraph 78 of the NPPF requires local authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old.

As of 31 March 2024, the council can demonstrate a deliverable supply of 2,321 dwellings over the next five years. This equates to a deliverable housing land supply of 1.7 years against a LHN of 1,336 homes per annum plus a 5% buffer.

Paragraph 11 of the NPPF state that where policies which are most important for determining the application are out-of-date, 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; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Firstly, in considering i), it must be recognised that the proposed site is not located within any protected areas or assets of particular importance (as outlined above and within footnote 7 and paragraph 189 of the NPPF). Officers must therefore consider the application under ii) and determine whether there are any adverse impacts generated by the development that would significantly and demonstrably outweigh the benefits, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes.

An important underlying reason in the context of Wokingham Borough is the historic oversupply of housing against both the requirement set in the Core Strategy local plan and the scale of local housing need as calculated by the previous standard method which remains a key contributing factor to the current lack of the required deliverable housing land supply and this must be considered in the planning balance section of any report.

Having established the tilted balance is engaged, Paragraph 11d(ii) requires the proposal to be considered against the policies of the NPPF taken as a whole.

Emerging Local Plan

The Local Plan Update (LPU), the plan which will supersede the Core Strategy and MDD Local Plan, was published in October 2024 (Regulation 19 Proposed Submission Plan). It was subsequently submitted for examination on 28 February 2025. The LPU sets out the development strategy and proposed site allocations to meet housing needs to 2040.

Weight to be attributed to the emerging policy is informed by paragraph 49 of the NPPF 2024. This advises that weight can be applied according to the plan's stage of preparation, the extent to which there are unresolved objections, and the degree of consistency with the NPPF. However, due to outstanding representations as a whole, those policies relevant to the location of housing within the LPU are afforded limited weight.

Sustainability of Location

Policies CP1, CP4, CP6, CP9 and CP11 of the CS permit development where it is based on sustainable credentials in terms of access to local facilities and services and the promotion of sustainable transport. Expanding on this, paragraph 4.57 in the Core Strategy aims to prevent the proliferation of development in areas away from existing development limits as they are not generally well located for facilities and services and would lead to the increase in use of the private car.

The NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities and seeks to ensure the growth of sustainable transport in managing development and approval of planning applications. More specifically, it seeks to promote sustainable travel in decisions.

The following extract from the applicants Planning Statement refers to the locational sustainability of the site:

"In this respect, the site is directly adjacent to a recently completed strategic housing development and – in pure locational terms (and notwithstanding the fact that part of the site is deemed 'countryside' – it logically follows that the site must be 'sustainable' since, if it were not, the adjacent housing development would not have been allocated in the Local Plan and subsequently developed for residential purposes."

The LPA wholeheartedly disagree with the statement above. Firstly, the site does not wholly sit within the site allocation as brought forward through the MDD Local Plan 2014, but instead is positioned on the buffer of the allocated site, which comprises the adjacent river and protected tree corridor. Development within this part of the site was therefore likely avoided on purpose, to limit the impact of the residential development on the natural environment and to soften the visual, noise, light and other impact of the residential development on the rural environment along Beggars Hill Lane.

In any case, the application sites proximity to the nearby strategic housing development does not automatically render it a sustainable location. Section 4.4.1 of the Manual for Streets by the Department for Transport states that 'Walkable neighbourhoods are

typically characterised by having a range of facilities within 10 minutes (up to about 800 m) walking distance of residential areas which **residents may access comfortably on foot.**

Using this statement, the development would not be considered within walking distance from important services, because whilst there are services along and nearby Headley Road East to the southwest of the site, these are still a considerable distance from the proposed dwelling. Furthermore, with reference to the section in bold above, the proposal fails to overcome fundamental concerns that there is poor quality pedestrian infrastructure around the site. There is no formal footway along Beggars Hill Road and both the footpath that links Beggars Hill Road to the housing developments to the south and Beggars Hill Road are unlit and enclosed by significant tree cover. The footpath is not a recognised public right of way. As a result, occupants of the proposed application site may be discouraged from walking or cycling, particularly during darkness and poor weather, when the route would potentially be less safe.

Due to the location of this site and the limited local services available, it is unlikely that there would be alternative means of transport besides the private car. Therefore, it is concluded that the site is not sustainable in transport terms which forms an objection on highway grounds. Consequently, access to services and facilities is likely to rely more heavily on use of a private car. Hence, the proposal is contrary to Policies CP1, CP3, CP6 and CP9 of the CS and CC01 of the MDD.

The proposed site does not represent a sustainable location for the development.

Summary of Principle

The site is located outside of settlement limits in the countryside. The proposal fails to meet any of the specified exceptions for development outside of settlement. When turning to the overall aim of the policy, the additional dwelling would be inappropriately located within an existing undeveloped field, which forms part of the formal tree lined driveway and curtilage of Lands End House, creating a higher density of built form within this rural undeveloped lawn, thus having an urbanising impact and failing to maintain the quality of the environment.

The site is also located in an unsustainable and poorly accessible location, where future residents would be reliant on private motor vehicles.

Officers acknowledge the tilted balance is engaged, as per paragraph 11(d)(ii) of the NPPF. The tilted balance will be returned to at the end of this report.

Location, land use and amount of development in relation to the impact on character and appearance of the area: Policy CP3 of the Core Strategy sets out general principles for development and states that development should be of an appropriate scale, activity, mass, layout, built form, height, materials and character to the area together with a high quality of design.

Policy TB21 of the MDD states that proposals shall retain or enhance the condition, character and features that contribute to the landscape.

RD1 of the Borough Design Guide states that new development and associated

landscape should retain, incorporate and enhance features that contribute towards the landscape character.

Policy R11 requires a coherent street character, including in terms of scale, rhythm, proportion and height.

The application site forms part of an undeveloped grassland. The proposed dwelling would sit adjacent to the tree corridor to the south, which is protected by TPO-1611-2017, and this forms a large and distinct barrier between the rural character of Beggars Hill Road, and the large-scale housing development to the south.

Whilst the tree corridor would be retained as part of any future development, the proposal represents the excessive encroachment of development away from existing housing, which would blur the difference between the residential character of the planned housing estate to the south and the undeveloped rural nature of Beggars Hill Road, to the detriment of the Countryside's visual amenities and openness.

Residential development in the local area comprises a sporadic pattern of development, with the majority of dwellings on the west side of Beggars Hill Road. The proposed development would result in a significant urbanisation of the site, with the layout proposed being inconsistent with the spacious context of dwellings which defines this part of Beggars Hill Road.

Further to the above, it is highly likely that dwelling would be positioned into the plot as opposed to facing Beggars Hill Road (as indicatively indicated on the proposed site layout). This arrangement is not commonplace on this stretch of Beggars Hill Road and introduces physical built form further back into the countryside and will see greater intensification of hardstanding owing to parking, the access road etc requiring removal of hedgerow vegetation which has a positive contribution to the road. This results in an urbanisation of the countryside and the character and appearance of the surrounding area.

Despite the retention of most of the roadside vegetative boundary, the development of the front of the site would likely detract from views of the house, and the additional access would significantly impact on the rural character of the road. The setting of the proposal in terms of the subdivision of amenity space, duplication of domestic paraphernalia and intensification of use of this currently tranquil setting surrounding the house would result in an unsatisfactory relationship with the local area, contrary to with A i), ii), iii) & b) of policy TB06.

The site is located in the countryside and in Wokingham District Landscape Character Area B1 Loddon River Valley with Open Water' a landscape of moderate quality and condition with a modest capacity for change. The landscape strategy to conserve the positive characteristics of the landscape and enhance the character and condition of key elements. A Local Wildlife Site backs onto the eastern site boundary; the River Loddon (or Old River). There are Veteran trees within the site but none located in close proximity to the area proposed for the new dwelling.

The site has a large curtilage with a parkland character, containing a single dwelling known as Lands End House which is a Grade 2 listed building. Woodland is a significant

feature of the site and area, with a TPO 1611/2017 covering the western boundary adjacent to the lane and the southern boundary with SAL04. The TPO extends to the opposite side of Beggars Hill Road and thereafter links with Ancient and semi-ancient woodland close by to the west.

Key characteristics of the B1 Loddon River Valley are the undeveloped riverine character, wooded context and local tranquillity. The landscape is in a moderate condition. The key issues relating to the LCA are changes in deciduous woodland structure. Effects on tree health, demand for new residential development impacting landscape character and pressure for expansion and pressure for new roads, widening of roads and visual intrusion of roads threatening the rural character of the lanes.

In addition to this, the site lies within "Valued Landscape" as set out in The Valued Landscape Topic Paper 2020 (evidence base to the Emerging Local Plan). The site is within the River Loddon Valued Landscape. Paragraph 187a of the NPPF (Dec 2024) requires decisions to 'contribute to and enhance the natural and local environment'. The NPPF requires that this contribution and enhancement should be achieved in two ways that are relevant to the circumstances of this application:

- a) protecting and enhancing valued landscapes
- b) recognising the intrinsic character and beauty of the countryside, – including ... trees and woodland

The importance of valued landscapes in the Borough have been acknowledged by Inspectors at recent appeals, the features in these landscapes raise it above "mere countryside" and weight must be given to these landscapes. The proposal emphasises three of the key issues relating to this LCA (identified above) and fails to contribute to or enhance the valued landscape contrary to both TB21 and the NPPF.

Accordingly, the principle of an additional dwelling on this site is not considered to retain or enhance the condition, character and features that contribute to the landscape or maintain the low-density character of development in the vicinity. As such, the proposal is not considered acceptable policy TB21 and policy CP11; the latter which seeks to maintain the quality of the environment. Whilst all development would have an impact on the environment in some respect, impacts can be of varying degrees, the impact on the environment in this case is considered to be more than neutral for the reasons outlined above, and so therefore conflicts with one of the overarching aims of policy CP11.

Location, land use and amount of development in relation to impact on neighbouring amenity: Policy CP3 of the Core Strategy states that development shall be without detriment to the amenities of adjoining land users.

Given the site is already in a residential use as part of Lands End House, the continuation of this land use is acceptable in relation to neighbouring amenity, albeit the proposal would introduce a more intense residential use for neighbours compared to the existing situation. However, given the proposal is for a maximum of 1 dwelling, the amount of development and intensity of the land use is not considered to result in harm to neighbours in terms of increased noise from domestic life.

The final layout would be subject to technical detail consent where further assessment in relation to neighbouring amenity would be carried out (in terms of the positioning of the dwellings in relation to neighbouring outlook, light etc). However, the proposed dwelling appears to be sufficient distance from any neighbouring properties so they could be designed to limit impact on any neighbours in terms of overlooking, loss of light or any overbearing impact.

It is considered that the development as proposed in relation to neighbours is acceptable.

Location, land use and amount of development in relation to the highway network: Policy CP6 of the Core Strategy states that development should not lead to highway problems, along with providing for sustainable forms of transport.

Policy CC07 states that sufficient parking shall be provided as part of development proposals.

WBC Highways do not raise any concerns regarding the location and amount of development on the highway network and the proposed site is of sufficient size to provide reasonable parking for a single dwelling. Highway considerations would also be reviewed at technical details stage once the layout finalised. However, it should be noted that Beggars Hill Road has a restriction on vehicular access in the vicinity of the site.

Location, land use and amount of development in relation to the impact on the natural environment (trees and ecology): Policy CC03 of the MDD states that development shall protect existing trees and hedges and incorporate high quality landscaping.

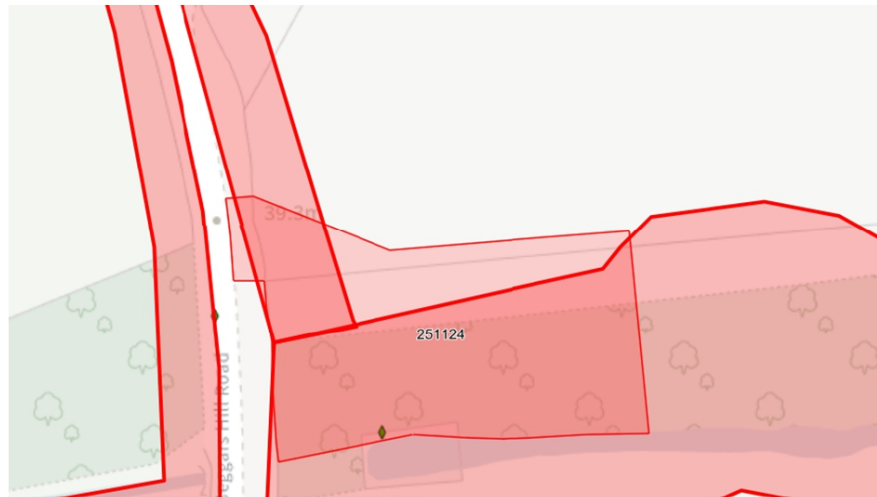
The WBC Tree Officer raised concern over potential impact of the development on protected trees, with the context of the proximate TPO trees protected by a tree protection order having been set out previously in this report.

The presence of the TPOs are material to the determination of this permission in principle because they fundamentally limit the developable area of the site and prevent any viable access. It has not been demonstrated that the development will be possible without incursion into and root protected areas or that the development can be built without the loss of protected trees. Given the trees define the site character in this rural location, this will also impact on the character of the area.

A woodland TPO protects all trees within the defined area of woodland, regardless of the size, species or age, this includes any saplings and natural regeneration. It is noted that the grassed area of the site has been managed e.g. mowed which would clear or damage any saplings in this area and would be an offence under the TPO legislation. Regardless of the current management regime, the entire area within the TPO is protected, leaving limited space to erect a dwellinghouse or provide an access.

There is one veteran Willow tree on the site and a veteran Oak tree opposite the proposed site access. It has not been demonstrated that there will be no impact on this tree. This will need to be addressed as it has an impact on the tilted balance

assessment. The National Planning Policy Framework (NPPF) and GOV.UK guidance clearly requires refusal of development that would result in loss or deterioration of ancient woodland or veteran trees, unless wholly exceptional reasons are demonstrated and suitable compensation is in place. The TPOs within the site can be seen in the image below and the veteran trees are marked in green. Due to their location and the size of the site, it is likely that the site could be developed for a single dwellinghouse without harm to these trees and it is considered that veteran trees could be dealt with at technical details stage if all other matters were acceptable.



Likewise, the WBC Ecology Newts Officer has advised that further information on Great Crested Newts would be required at technical details stage.

Location, land use and amount of development in relation to flood risk: Policy CC09 of the MDD states that all sources of flood risk, including historic flooding, must be taken into account at all stages and to the appropriate degree at all levels in the planning application process to avoid inappropriate development in areas at risk of flooding.

The application site is located in Flood Zone 1 which is the lowest risk of flooding. There is not incompatibility between the proposed location, use and amount of development and flood risk. Full drainage details including a drainage strategy report would be required at technical consent stage.

Planning Balance: The proposal is located outside of the defined settlement boundary, within the countryside. The proposal does not meet any of the exceptions for development in the countryside, as outlined in policy CP11. It also fails to comply with one of the overarching aims of policy CP11 which is to maintain the quality of the environment and has a harmful impact on the character and appearance of the area. This is because the proposal introduces a denser level of development which would fail to integrate with the layout of existing built form on this stretch of Beggars Hill Road which would be of detriment to the character and appearance of the area and wider

landscape character. Additionally the proposal would have a detrimental impact on protected trees.

Furthermore, the site is located in an unsustainable location whereby there are poor bus services, walking routes and access to facilities and amenities, thereby additional reliance would be needed on private motorcars contrary to CP6.

Whilst the above negative aspects of the application weigh against the scheme, as discussed earlier in the report, the tilted balance is engaged when determining this application owing to the Council being unable to demonstrate a 5 year housing land supply. As per paragraph 11(d)(ii), *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

This scheme would contribute to the boroughs housing stock, which holds substantial weight in the planning balance in principle, although the contribution to the overall housing land supply would be limited to one dwelling reducing the weight in this case. However, 11(d)(ii) goes on to say that particular regard has to be given to directing development to sustainable locations. As discussed above, the site is not sustainable in terms of transport modes and accessibility, owing to its location in the countryside. Accordingly, the weight attached to the benefits of the housing proposed under this scheme is thereby reduced in weight, and the drawbacks, as outlined above, in combination, are considered to significantly and demonstrably outweigh the primary benefit, which is the provision of one house. Owing to the narrow considerations as part of permission in principle applications, other benefits cannot be discussed/afforded weight at this stage.

The recommendation is therefore to refuse permission in principle.

Community Infrastructure Levy (CIL): When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

The Public Sector Equality Duty (Equality Act 2010): In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION

Conditions agreed:	N/A
Recommendation:	Refuse
Date:	16 June 2025
Earliest date for decision:	4 June 2025

Recommendation agreed by: (Authorised Officer)	<i>JMM</i>
Date:	16 June 2025