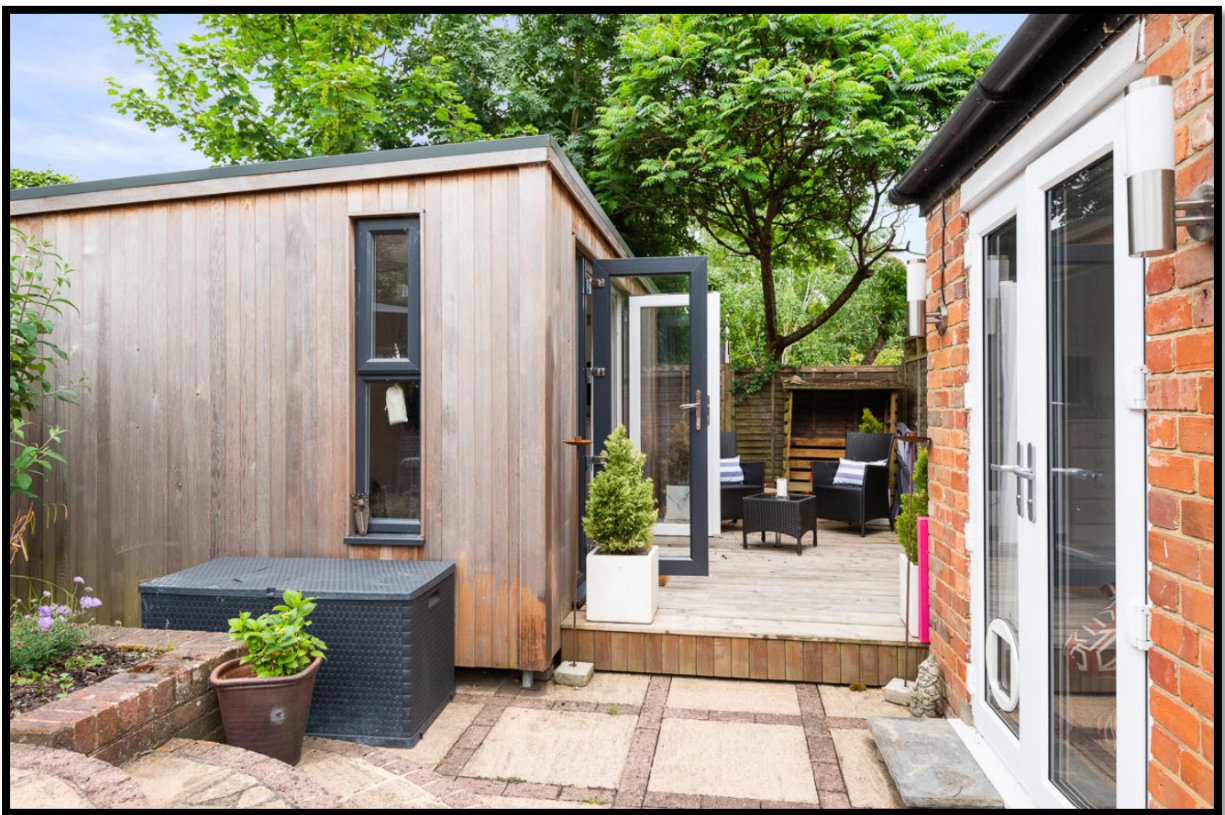


Planning Statement

Application for the variation of planning condition 1 of planning permission 201769 (to extend the time for removal by 24 months) for a garden room in the garden for use as an occasional extra room, computer room, in accordance with the terms of the application Ref: F/2015/0485, dated 27 February 2015 at Dolphin Cottage, 1A Wargrave Road, Remenham, RG9 2LT



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1.0 Introduction

This Planning Statement has been prepared to support the application to vary planning condition 1 of the most recent planning application that was submitted for the removal of the condition attached by the Planning Inspectorate on 17 July 2020 LPA reference 201769.

The Local Planning Authority granted planning permission subject to a condition that reads:

"The building hereby permitted shall be removed and the land restored to its former condition on or before ten years from the date of appeal decision APP/X0360/D/15/3129161 dated 26 October 2015.

Reason: In the interests of the amenity of the Green Belt. Relevant policy: Core Strategy policies CP12 and Managing Development Delivery Local Plan policies TB01."

The applicant is wanting to vary the condition to allow a further two years so that it reads:

*"The building hereby permitted shall be removed and the land restored to its former condition on or before **twelve years** from the date of appeal decision APP/X0360/D/15/3129161 dated 26 October 2015.*

Reason: In the interests of the amenity of the Green Belt. Relevant policy: Core Strategy policies CP12 and Managing Development Delivery Local Plan policies TB01."

This Planning Statement sets out the circumstances to justify the extension by an extra two years and reviews changes in planning policy since 2020 and also sets out the justification to allow a second extension of time.

The extra two years is to allow:

- The applicant to explore options with the Local Planning Authority for a more permanent garden room.
- A parallel formal pre application enquiry has been submitted to explore these options, direct through Wokingham Borough council's

(WBC's) pre-application planning advice page.

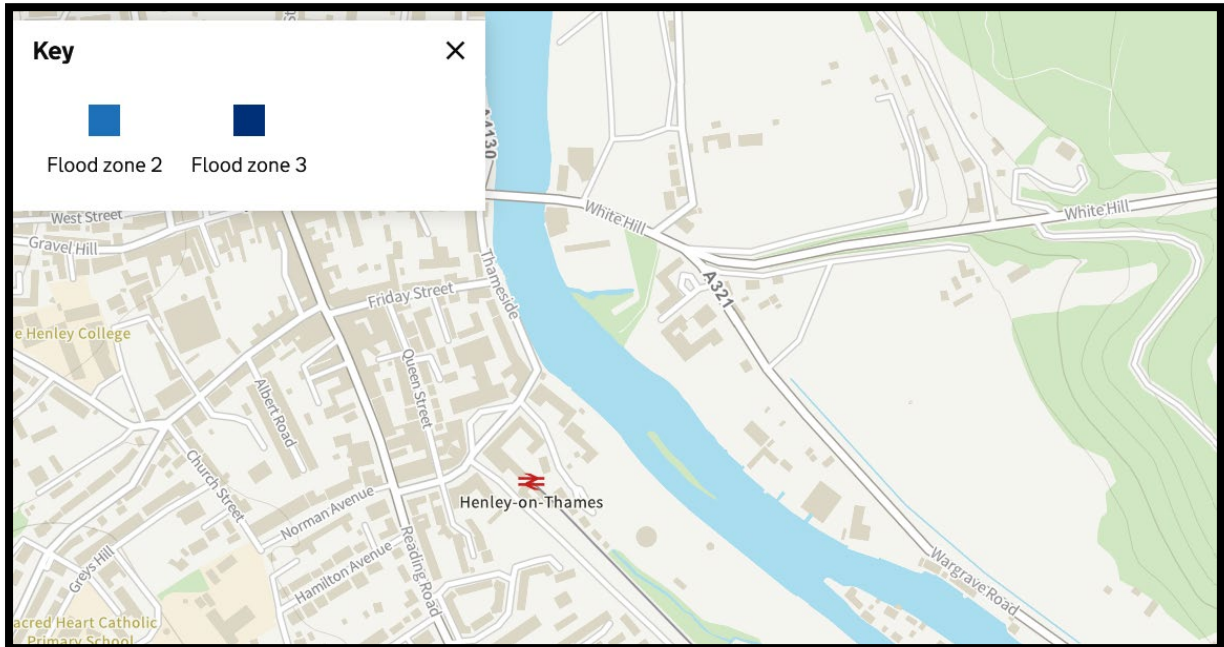
https://central.digital.wokingham.gov.uk/w/webpage/request?service=planning_pre_application_advice_request ref: PPAR/1825

- Depending on the outcome of the pre application enquiry, prepare and submit a planning application for a permanent garden room.
- Depending on the outcome of the planning application, appoint a contractor to remove the current garden room and construct the new permanent building.
- Allow the applicant to continue the use of the current garden room for home working opportunities which is now part of everyday life and as well as uses ancillary to the main dwelling.

This Planning Statement sets out how the extension of time represents a '*meanwhile use*' in the Government's Planning Policy Guidance Document: The Use of Planning Conditions which provides guidance on temporary planning permissions, that provides guidance on temporary planning permission.

The Site and its surroundings

The application site is not within a flood zone as shown on the planning flood zone maps:



The application site is within Remenham Henley Conservation Area (as shown by the shaded dotted area)

The application site is within the greenbelt.

Relevant Planning Policies

National Planning Policy Framework:

The National Planning Policy Framework (NPPF) was revised in response to the Proposed reforms to the National Planning Policy Framework and other changes to the Planning system consultation on 12 December 2024 and sets out the government's planning policies for England and how these are expected to be applied.

In respect of green belt, the NPPF states:

154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
 - i. mineral extraction;*
 - ii. engineering operations;*

- iii.local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- iv.the re-use of buildings provided that the buildings are of permanent and substantial construction;*
- v.material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- vi.development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

Local Plan Policy

The Core Strategy is a high-level document setting out our strategy for managing development until 2026. This includes policies and strategies to provide new housing, schools, roads, places to work and other services.

It was adopted by the council on 29 January 2010.

The relevant policies are:

CP11 – Proposals outside Development Limits (including countryside)

In order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development limits will not

normally be permitted except where:

- 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.

CPI2 – Green Belt

Planning permission will not be granted for inappropriate development within the Metropolitan Green Belt as defined in PPG2.

The Metropolitan Green Belt in the borough as illustrated on the key diagram comprises the land north and east of Twyford but excluding Wargrave. It also includes the land in the parish of St. Nicholas Hurst east of The Straight Mile and north of Carter's Hill.

Managing Development Delivery (MDD)

The Managing Development Delivery local plan builds on the strategy set out in our Core Strategy and sets out more detailed policies for managing development.

It was adopted by the council on 21 February 2014.

The relevant policies are:

Policy TB01: Development within the Green Belt

1. The Green Belt is defined on the Policies Map.

2. Within the Green Belt, development for the purposes set out in paragraphs 89 and 90 of the National Planning Policy Framework and as set out in point 3 below will only be permitted where they maintain the openness of, and do not conflict with the purposes of including land in, the Green Belt.

3. The alteration and/or extension of a dwelling and the construction, alteration or extension of buildings ancillary to a dwelling in the Green Belt over and above the size of the original building(s) shall be limited in scale.

Relevant Planning History

A planning application (LPA reference F/2015/0485) was submitted to Wokingham Council on the 2 March 2015 for the proposed erection of detached outbuilding in rear garden following the demolition of existing shed. (part retrospective).

This application was refused planning permission on the 27 April 2015 for the following reason:

Wokingham Borough Council, in pursuance of its powers under the above Acts and Regulations, hereby **Refuses Permission** for carrying out the above development for the reason(s) specified hereunder.

Reasons

1. Given the site's Green Belt location, the proposed development would result in disproportionate additions over and above the size of the original building. As there are no special circumstances the development is considered inappropriate and harmful to the Green Belt and is therefore contrary to NPPF Section 9 (Protecting Green Belt Land), Core Strategy policies CP11, CP12, and Managing Development Delivery Local Plan policy TB01.

The applicant appealed this decision and the Planning Inspectorate granted planning permission to erect a garden room in the garden for use as an occasional extra room, computer room, at Dolphin Cottage, 1A Wargrave Road, Remenham, RG9 2LT, in accordance with the terms of the application Ref: F/2015/0485, dated 27 February 2015, subject to the following condition:

"The building hereby permitted shall be removed and the land restored to its former condition on or before five years from the date of this decision."

The Planning Inspectorate made this decision on 26 October 2015. The Planning Inspectorate reference APP/X0360/D/15/3129161.

A planning application was then submitted for the removal of the condition attached by the Planning Inspectorate on the 17 July 2020 (LPA reference

201769). The Local Planning Authority granted planning permission for this subject to a condition that reads:

"The building hereby permitted shall be removed and the land restored to its former condition on or before ten years from the date of appeal decision APP/X0360/D/15/3129161 dated 26 October 2015.

Reason: In the interests of the amenity of the Green Belt. Relevant policy: Core Strategy policies CPI2 and Managing Development Delivery Local Plan policies TB01."

The garden room has now enjoyed ten years on the site and the applicant is aware that the building is temporary and wishes to explore options for a more permanent garden room in the place of the current garden room that is acceptable to the Local Planning Authority.

The applicant has therefore submitted a separate pre application enquiry to the local planning authority to explore options to site a permanent garden room on the site of the current garden room that is acceptable to the Local Planning Authority, via WBC's Pre-application planning advice page ref: PPAR/1825.

This Planning Statement sets out the justification and special circumstances to vary the planning condition to allow the extra two years.

The case for the variation of the planning condition

In determining the appeal, the Planning Inspectorate considered that the main issue was whether the proposal amounts to inappropriate development in the Green Belt and if so, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

The Planning Inspector attached greater weight to the fact that whilst the original building was substantially extended in the 1980's, the percentage increase in scale of the appeal property arose principally due to the exceptionally modest proportions of the original property (which the Council put at approximately 100 cubic metres). The Inspector considered that they add weight to their finding that the original dwelling at the appeal site was exceptionally small in scale. A substantial addition in percentage terms was an almost inevitable corollary of the need to bring the dwelling to a level approaching modern day living standards.

The Inspector considered the use of the word *generally* in Policy TB01 in relation to the 35% threshold, clearly introduces a degree of latitude in its application; a degree of latitude which the Inspector considered especially pertinent to the present case. Finally, the form of construction of the outbuilding with timber cladding around a lightweight structure, clearly indicate that it is not intended to be a permanent building and its useful lifespan is only likely to be a matter of a few years. Its temporary nature could be secured by the imposition of an appropriate condition.

The Inspector therefore allowed the appeal subject to a condition that the garden room is removed in five years time.

The applicant has maintained the building to a good standard and as can be seen from the photographs, the garden room has blended into the garden with the addition of decking, garden furniture and landscaping.

In the Planning Inspector's report, the Council did not identify any other harm (apart from the greenbelt) and considered in design terms and

given its discrete location, the garden room will not have a harmful impact on the character of the Remenham Henley Conservation Area.



Turning to the later planning application, that was submitted in 2020, (LPA reference 201769), the Planning Officer's assessment concluded that:

"Notwithstanding the above, the issues are considered to be the same as the Inspector previously considered and it is noted that the impact of the building is established but limited. Given this, and the fact there is no increase in the level of harm arising from the building, it is considered appropriate in this particular instance to allow the building to remain. In line with the Inspector's considerations, an additional five years would ensure the appropriateness of the building could be assessed at a later date but enable the occupier to benefit from it. As such, a variation to the condition rather than its complete removal is considered acceptable in terms of the Green Belt impact."

PPG2 as reference in Core Strategy Policy CPI2 – Green Belt has since been replaced by the National Planning Policy Framework (NPPF) that was most recently revised in December 2024.

The revision to the NPPF is considered the most salient change in relevant planning policy since the last planning application in 2020.

The most relevant paragraph of the NPPF is paragraph 154 that list the exceptions to inappropriate development within the green belt. This paragraph states:

Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
 - i. mineral extraction;*
 - ii. engineering operations;*

iii.local transport infrastructure which can demonstrate a requirement for a Green Belt location;
iv.the re-use of buildings provided that the buildings are of permanent and substantial construction;
v.material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
vi.development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Of most relevance to this proposal is paragraph 154 'c' and 'e'.

Whilst the garden room is a detached building, it does form ancillary accommodation for the main dwelling and could be considered as an extension to the building.

The Planning Inspector attached greater weight to the fact that whilst the original building was substantially extended in the 1980's, the percentage increase in scale of the appeal property arose principally due to the exceptionally modest proportions of the original property (which the Council put at approximately 100 cubic metres).

The Inspector considered that they added weight to their finding that the original dwelling at the appeal site was exceptionally small in scale. A substantial addition in percentage terms was an almost inevitable corollary of the need to bring the dwelling to a level approaching modern day living standards. Inspector considered the use of the word generally in Policy TB01 in relation to the 35% threshold, clearly introduces a degree of latitude in its application; a degree of latitude which the Inspector consider especially pertinent to the present case.

As such, it is considered that the proposal meets criterion 154 'c' of the NPPF.

In respect of paragraph 154 'e', the garden room is within an established built up area. It is located in the back garden and surrounded by walls and enclosures. This could be considered as limited infilling.

It is considered that nothing has materially changed in the relevant green belt policy since the planning inspectors report and the subsequent planning application in 2020 in respect of greenbelt.

As such, the temporary retention of the garden room would not harm greenbelt.

The Inspector did afford weight to the fact that the garden room is not considered a permanent building and considered that its temporary nature could be secured by the imposition of an appropriate condition.

The applicant is not denying that the building is temporary and concurrently to this planning application has submitting a pre application enquiry to the Local Planning Authority to explore options for a more permanent building, that would be acceptable to the Local Planning Authority, via WBC's pre-application planning advice page ref: PPAR/1825.

The 2020 planning application sought the views of the Building Conservation Officer as the application site is within the Conservation Area who responded with the following:

M E M O R A N D U M

From:	Building Conservation Officer	Service:	Community Heritage Green & Blue Infrastructure
App. No.	201769	Site Visit Made:	No
Address:	1a Wargrave Road, Remenham, Wokingham, RG9 2LT.		
Proposal	Application to vary condition No1 of planning consent 151764 APP/X0360/D/15/3129161 for the Proposed erection of detached outbuilding in rear garden following the demolition of existing shed. (part retrospective). Condition 1 refers to 1) The building hereby permitted shall be removed and the land restored to its former condition on or before five years from the date of this decision. and the variation is to remove the condition (Condition 1)		
Heritage Asset(s):	Remenham Henley Bridge Conservation Area		

Summary Of Recommendations			
No heritage comment to make with respect to the application to vary Condition 1 to the planning consent 151764 given under appeal.			
Comments On Proposal			
Date:	14/08/2020	Signed:	Keith Frost

The Building Conservation Officer did not have any comments to make on the proposal. It is therefore considered that the garden room has limited impact on conservation area.

The Planning Officer's report in the 2020 permission stated: *"an additional five years would ensure the appropriateness of the building could be assessed at a later date."*

The garden room is within a discreet location and has blended in with the surrounding gardens and now forms part of the character of the area as illustrated on the above aerial image. The current garden room cannot be seen, and it not overlooked. Surrounding cottages have had extensions/ conservatories built over the years, so the garden room is not unique as an ancillary structure in the local area.

Home working is now part of everyday life, and the current garden room provides for home working opportunities as well as other ancillary uses to support the residential dwelling.

Whilst not of permanent construction, the garden room has been maintained, and it is not in the applicant's interest to allow the building to degrade. The applicant is not aware of any complaints being received about the garden room.

As set out in the 2020 Planning Officer's report, this planning application allows a review and an assessment of the appropriateness of the building.

As such, the proposed extra two years would not harm the green belt, the conservation area nor local amenity. It is not considered that the additional two years would increase the level of harm and there is no conflict with the local plan policy.

Planning Policy Guidance Document: The Use of Planning Conditions

The Government's Planning Policy Guidance Document: The Use of Planning Conditions states:
(<https://www.gov.uk/guidance/use-of-planning-conditions>)

When can conditions be used to grant planning permission for a use for a temporary period only?

Under section 72 of the Town and Country Planning Act 1990 the local planning authority may grant planning permission for a specified temporary period only.

Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period.

A temporary planning permission may also be appropriate to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward (a 'meanwhile use').

Paragraph: 014 Reference ID: 21a-014-20140306

Revision date: 06 03 2014

As there is a parallel formal pre application enquiry for a permanent garden room that is exploring options for a proposal that is acceptable to the Local Planning Authority, the extension of time would represent a *'meanwhile use'* whilst the pre application enquiry is concluded and any subsequent planning application is submitted for a permanent replacement.

The extension of time being sought is therefore to allow the following:

- Conclude the pre application enquiry.
- Submit a planning application for a permanent building (following the outcome of the pre application enquiry)
- Assuming planning permission is granted, allow sufficient time to appoint a contractor to remove the current garden room and construct the permanent replacement.
- Allow the applicant to use the current garden room until a permanent acceptable replacement is provided.

Conclusion

It is considered that the extension of time will not impact on the green belt or local amenity and conservation.

The proposal represents a '*meanwhile use*' whilst the applicant explores options with the Local Planning Authority for a more permanent replacement garden room that is acceptable to the Council.

It also allows sufficient time for the applicant to prepare and submit a planning application for a permanent and acceptable replacement garden room. It allows the applicant the use of the current garden room for home working opportunities which is now part of everyday life and other ancillary facilities that support the dwelling house.

It allows sufficient time to appoint a contractor for the current building removal and the construction of the replacement (planning permission outcome dependant).

It is considered that this Planning Statement has set out the justification to allow an extension of time and that there is no conflict with local and national planning policy.

Finally, it is considered that the extension of time by two years is completely reasonable to allow an acceptable permanent solution to replace the current garden room and would represent a '*meanwhile use*' where a longer-term proposal is coming forward, as set out in the Government's Planning Policy Guidance Document: The Use of Planning Conditions.