

PLANNING REF : 260373
PROPERTY ADDRESS : 134
: Wargrave Road, Twyford, Berkshire
: RG109PN
SUBMITTED BY : Mr Willlliam Crocker
DATE SUBMITTED : 06/03/2026

COMMENTS:

Application Reference: 260373
Application Type: Section 73 - Removal of Conditions 1 and 2
Site: Land opposite 130-144 Wargrave Road, Twyford RG10 9PN Appeal
Reference: APP/X0360/W/23/3320780

1. Introduction

This representation objects to the application seeking removal of Condition 1 (temporary personal occupation) and Condition 2 (cessation and restoration) attached to the planning permission granted following Appeal Decision APP/X0360/W/23/3320780 dated 24 November 2023.

Those conditions were fundamental to the Inspector's decision to allow the appeal. The Inspector explicitly concluded that permanent residential development was not justified in the Green Belt and that the planning balance only favoured the proposal because it was temporary and personal.

The current application seeks to remove those safeguards and would therefore result in permanent residential use of the land.

2. Statutory Planning Framework

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The site remains within designated Green Belt. Relevant Development Plan policies protecting the Green Belt remain in force and the fundamental objectives of Green Belt policy openness and permanence remain unchanged.

3. Findings of the Planning Inspector

In allowing the appeal, the Inspector made several clear findings:

- The development constitutes inappropriate development in the Green Belt.
- The proposal results in moderate loss of openness.
- The development conflicts with a Green Belt purpose by encroaching into the countryside.

The Inspector concluded that very special circumstances did not justify permanent development. The appeal succeeded only because the permission was limited in duration and restricted to the named occupiers.

The temporary and personal nature of the consent was therefore central to the decision.

4. Paragraph 155 (Grey Belt) Argument

The applicant argues that revisions to the National Planning Policy Framework mean the site should now be regarded as 'Grey Belt' land and therefore not inappropriate development.

However, the Inspector already found that the development conflicts with a Green Belt purpose by encroaching into the countryside. It is therefore difficult to reconcile that finding with the suggestion that the land does not strongly contribute to Green Belt purposes.

The Inspector already found that the proposal encroaches into the countryside and conflicts with a Green Belt purpose. It is therefore difficult to see how the same land can now be characterised as 'Grey Belt' that does not strongly contribute to Green Belt purposes.

The planning circumstances of the site remain unchanged since the appeal decision.

5. Previously Developed Land

The application relies on the existence of an equestrian stable to argue that the site constitutes previously developed land.

However, the presence of a modest rural structure does not alter the fundamental character of the land as open countryside. The Inspector described the site as open land with modest development and concluded that the proposal would reduce openness.

The site continues to function as countryside within the Green Belt.

6. Traveller Site Need

The Inspector previously acknowledged the existence of unmet need for Traveller pitches within the Borough and gave this factor weight in the planning balance.

However, that consideration was already assessed during the appeal and was not sufficient to justify permanent residential development. The temporary permission was granted as a proportionate response while longer-term solutions could be identified through the plan-making process.

7. Section 73 Considerations

Section 73 allows conditions to be varied but it should not be used to remove the very safeguards that made development acceptable in the first place.

The temporary and personal conditions were the mechanism that made the development acceptable in planning terms. Removing them would entally alter the nature of the permission and would create permanent residential use in the Green Belt.

The temporary and personal conditions were not incidental; they were the mechanism that made the development acceptable. Removing them would grant precisely what the Inspector refused permanent residential development in the Green Belt.

8. Lack of Material Change

There has been no material change in site circumstances since the appeal decision:

- The site remains within the Green Belt.
- The physical development and its spatial impact are unchanged.
- The Inspector's findings regarding openness and encroachment remain valid.

The only change identified by the applicant is the wording of national policy. While policy changes are material considerations, they do not automatically override factual findings regarding Green Belt harm. 9. Conclusion

The Planning Inspector determined that permanent residential development on this site was unacceptable. The permission was granted only because it was temporary and personal.

Removing Conditions 1 and 2 would convert temporary harm into permanent harm and would grant precisely the form of development that the Inspector concluded was not justified.

In the absence of any material change in site circumstances, the application should therefore be refused.