

PLANNING REF : 252968
PROPERTY ADDRESS : Mayfield
: Lower Sandhurst Road, Finchampstead, Berkshire
: RG40 3TH
SUBMITTED BY : Mrs Jenny Brett-Phare
DATE SUBMITTED : 30/12/2025

COMMENTS:

I wish to formally object to the application to provide a two-bedroom dwelling with a lower ground floor gym at the above address.

The application is fundamentally flawed for a number of reasons.

- [] There are key discrepancies between the application and planning statement, and reference to a development of '5 new dwellings' on this site.
- [] A disregard to safeguard or address any impact on the very particular green corridor setting (PEA, Drainage ,Boundaries etc.)
- [] The ambiguity of how the remainder of the site outside the red line will be dealt with.
- [] It is not in keeping with the existing development on the road.
- [] Mismatched data in respect of highways and traffic concerns.
- [] The expectation of leniency by the council to engage 'tilted balance' to mitigate the adverse impact of building on the countryside- a zone which should have even more protection with government pressure for housing densification.
- [] Setting a precedent for this 'planning by stealth' approach will make future applications difficult for the council to refuse.
- [] The proposal is also clearly a stalking horse for a larger development at a later date.

The details of these concerns are set out below.

1. It is noted that the planning statement refers to "a full application for the conversion of the existing Office building to an independent dwelling with associated external alterations, together with a change of use of the adjacent land to residential curtilage"

This is entirely inconsistent with the description of development on the application form, which refers to "the change of use of existing Office building (use class E (g) (i)) to an independent dwelling with associated external alterations"

The application form makes no reference to the required change of use of the land.

This omission is on its own sufficient reason to invalidate the application.

2. Failure to properly reference the residential change of use of the land is possibly the reason why the applicant has restricted the ecological surveys to only assessing the potential for bats within the existing building whilst ignoring the potential wider impacts.

In this regard, as the application site falls within 400m -5 km of the Thames Basin Heaths Special Protection Area (TBHSPA), the planning application form is incorrect in stating that the site does not potentially affect a designated area.

As the application makes no reference to falling within the buffer zone of the TBHSPA, it makes no reference to any necessary mitigation.

Furthermore, in addition to the site's proximity to the TBHSPA, it lies within a green corridor which includes a number of waterways, former gravel pits and nature reserves and within an SSSI Impact Risk Zone. On this basis, the LPA is obliged to consult Natural England.

In this context, should the applicant have provided, as a minimum, a Preliminary Ecological Assessment (PEA) to determine the potential impact on protected species and habitats.

The existence of the pond immediately to the north of the building, would suggest the need to assess the potential for Great Crested Newts. A PEA would also determine the potential impact on other protected species such as owls and badgers.

Any necessary financial contributions towards impacts on the SPA (SANG /SAMM payments) would need to be secured by the applicant agreeing to a legal agreement unless the applicant can explain why the development might be exempt.

The local planning authority should require the applicant to review the biodiversity and geological conservation features that might be affected by this proposal. If the applicant has failed to correctly identify and submit all information required the application will be deemed to be invalid. It can only be considered valid once all information required by the local planning authority has been submitted.

The application should not be determined until all necessary assessments have been undertaken and submitted, or until the applicant has demonstrated that the application is exempt from such requirements.

3. The applicant has stated on the application form that the requirement to demonstrate a bio-diversity gain does not apply. It is unclear why the applicant believes there is no requirement to deliver any on-site gains.

The applicant should set out why BNG is not required in this instance. If the BNG requirement does apply, the application cannot be determined until the necessary information is provided and the applicant has demonstrated how the gain will be delivered.

4. It is noted that the planning statement refers to a number of historical applications relating to the site:
Application 160159 - "Householder application for proposed new access" was approved on 29/03/2016. This granted approval for a new access to the west of the existing access to the property.

The justification for the proposal was to provide access for larger vehicles to access the grounds for gardening etc., and to allow deliveries of pellets to the bio-mass boiler that served the main house.

It is questioned how such deliveries will be made if the subject planning permission is approved now that the main house is in separate ownership.

5. In relation to the site's planning history:
251080 - "Application for a Certificate of Existing Lawful Development for use of the existing building as Office Use Class E (g) (retrospective)". The Certificate was refused on the 'balance of probability' that suggested the building had not been used as an office under Class E.

However, 252293 - also sought a "Certificate of Existing Lawful Development for use of the existing building as Office Use Class E (g)(i)".

In support of this application the applicant provided further evidence regarding the use of the building as offices and in circumstances where the authority was unable to evidence otherwise, the Certificate was approved.

It is noted that the Certificate only related to the land occupied by the access drive, parking courtyard and the barn itself. It did not include any of the surrounding land within the applicant's ownership.

It is not clear following the grant of the Certificate, for what purpose the land around the building is being used. It is clear however that planning permission is required for the change of use of the land around the building to provide an appropriately sized residential curtilage (as stated above).

6. Whilst the site falls within Flood Zone 1, reference to the Environment Agency Flood Map clearly indicates that the site is at medium risk of surface water flooding and the existing building sits centrally within this area.

It is surprising that a Drainage strategy has not been submitted to demonstrate that the lower ground floor is habitable.

7. It is noted that the application includes no details of the proposed landscape or boundary treatments.

Such details are needed to justify why the frontage land is not proposed as garden amenity space, in keeping with the surrounding

area. Such details should be submitted prior to the determination of the application.

8. In relation to the land - it is understood that the owner's title extends to 1.470 acres, yet the application site extends to only part of the site (0.26 acres).

The application site itself occupies approximately 25% of the site with a relatively long drive linking the courtyard parking area to the Lower Sandhurst Road.

Why does the application site only include part of the site? such a form of development is totally out of character with the surrounding area, which comprises large dwellings in the main sited on deep plots extending between one and two acres, or more.

If the Local authority is to correctly apply its policies robustly it should at the very least require the whole of the frontage to be included within the site boundary.

As proposed, the residential curtilage is considered to be too small and out of character with the surrounding area.

Planning permission should not be granted unless the frontage land is included within the application site boundary, so as to maintain the character of the surrounding area.

Accordingly the current application should be withdrawn and resubmitted, with the red line around all of the land in the applicant's ownership.

In addition, in the event that a revised application is approved, a planning condition should be imposed to remove permitted development rights to restrict further development on the site in order to maintain the character of the area and avoid development unacceptably encroaching into the countryside.

Whilst it is appreciated that this application has to be determined on its own merits and possible future development is not a material consideration, the Council needs to understand the precedent the grant of planning approval might set.

This is not some unsubstantiated rant based on speculation, as the applicant has made it clear in the application submission that the intention of this application is to establish the principle of residential development in this location, with the intention of returning for further development on the residual land, at some future date.

I would refer you to paragraph 6.1(iii) of the applicant's planning statement (Summary & Conclusions), which references the Council's inability to demonstrate a 5-year Housing Land Supply (currently 1.7 years) and the applicant's statement that "the proposal would make a meaningful contribution to addressing this shortfall by providing five new dwellings in a sustainable location adjacent to the settlement edge with numerous other planning benefits"

Clearly, this is a 'Freudian' mistake by the applicant who has shown his cards in error!

This is an obvious attempt to establish a dwelling in the centre of the site with the intention of coming back for 3 more dwellings to the rear and one to west of the drive. Which wholly explains the peculiar shape of the application site.

If this were not the case there is no reason why the red line should not have extended around the whole of the plot, or as a minimum include all of the land between the building and the Lower Sandhurst Road.

Furthermore, the application form confirms that the existing premises employ two full-time employees and no part-time workers. However, the Highway Statement suggests that the existing building (861 ft²) could accommodate between four and eight employees, based on a space requirement of between 100 and 200 ft² each.

Using the 100 ft² per employee i.e., the building's maximum potential, the statement confirms the building could accommodate 8 staff, of whom six could be assumed to travel to work by car, generating 12 daily traffic movements. Unsurprisingly, the report confirms that the two-bedroom dwelling would generate between six and eight daily traffic movements. Less than the optimal existing use.

This is clearly an attempt to justify higher baseline traffic generation figure, which could in the future be used to justify additional residential floor space. However, adopting the applicant's own figures an additional 4 dwellings on the site would generate between 24 and 32 additional movements. Cumulatively with other approved developments in the immediate vicinity the character of Lower Sandhurst Road could change markedly.

Conclusions

Irrespective of my legitimate concerns about the applicant's intentions for this site, the application should not have been validated due to:

- * the error on the application forms regarding the description of development and
- * the lack of adequate supporting information, particularly in relation to ecology and BNG; given the site's proximity to the Special Protection Area and other local nature conservation designations (SSSI).

Whilst I would advocate the withdrawal of this application for the reasons set out above, if this course of action is not taken, the additional information must be provided prior to the determination of this application.

Even if the application were to be resubmitted or amended, and the missing information provided, I would still maintain that the proposal is inappropriate and should be refused on the basis that it is out of character with the surrounding area, which primarily

comprises dwellings occupying large plots with garden space to the front.

Whilst I accept the need to provide additional housing in the District, it is important that the development plan policies are correctly applied, and this is especially important outside of the established settlement boundaries and on sites not specifically allocated for development.

Development in the more rural parts of the Borough should be only allowed where compliant with policy, with site densification concentrated on sites within, or on the immediate edge of existing settlements. The application site falls in neither category

Infill development of the nature proposed should only be allowed where it is in keeping with the character and appearance of the surrounding area, and development by 'stealth', as so obviously proposed here (at the applicant's own admission) should be soundly resisted.

Using permitted Development Rights

It is noted that the Planning Statement references that the change of use of the building could be secured Under Class MA of the GPDO and on the basis that this is correct it is surprising the applicant did not adopt this far simpler route.

The answer is simple- by seeking full planning permission the extent of the application site could be restricted and enable other land in the client's ownership to be retained for future consideration.

The applicant's approach appears to be akin to 'planning by stealth'.

I trust that my comments will be taken into account when considering this very poorly conceived application.