

TOWN & COUNTRY PLANNING ACT 1990

**MR & MRS WESTELL
&
WOKINGHAM BOROUGH COUNCIL**

APPEAL STATEMENT ON BEHALF OF THE APPELLANT

An appeal under Section 78 of the Town and Country Planning Act 1990 (as amended)

By Mr & Mrs Westell

Against the refusal of planning permission by Wokingham Borough Council for the following full application:

'Proposed erection of 1no. detached self-build dwelling and carport with associated landscaping following demolition of the existing dwelling and outbuildings'

At

**The Old Thatch
Lower Sandhurst Road
Finchampstead
Wokingham
RG40 3TH**

**DAVIS
PLANNING LTD**

Chartered Town Planners

19 Woodlands Avenue | Wokingham | Berkshire | RG41 3HL

t – 01189 787972

e – mail@davis-planning.com

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1 INTRODUCTION

- 1.1 This statement is submitted in support of an appeal by Mr & Mrs Westell against the Council's decision to refuse planning permission for the following:

'Proposed erection of 1no. detached self-build dwelling and car port with associated landscaping following demolition of the existing dwelling and outbuildings.'

- 1.2 The appeal is made under the written representations procedure.

- 1.3 The application was submitted on 13 May 2025 and was given the LPA ref. 251135. Its submissions followed a request for pre-application advice for a replacement dwelling at the end of 2024. The Council's response dated 3 January 2025 (LPA ref. 242731 – see appendix 5) limited its comments to the 'height, scale and expansive frontage'. Officers advised that a replacement dwelling could be supported if the scale and bulk could be reduced with additional breaking up of the dwellings massing. Officers also considered that the property should be set further away from Drift Lane. No concerns were raised about the architectural appearance or the car port.

- 1.4 The full application submitted was considered to overcome the concerns highlighted by officers at the pre-app stage whilst also providing additional information in the form of consultant reports and a detailed analysis of the planning history including conclusions on the extent of the original dwellinghouse which have not been challenged by the Council.

- 1.5 The application was refused under delegated powers on 7 August 2025 for the following reason:

- 1. The proposed replacement dwelling, by virtue of its increased scale, height, and expansive unbroken frontage, along with the flattening of the natural slope to create an engineered ground level, would result in a visually dominant and overly formal form of development. This would appear incongruous and intrusive in its*

rural setting, eroding the informal and natural character of this part of Drift Lane. The proposal would therefore fail to respect the character and appearance of the countryside, contrary to Policies CP1, CP3, and CP11 of the Core Strategy (2010), Policies CC01 and CC02 of the Managing Development Delivery Local Plan (2014), Policies SS1, SS5 and DH1 of the Wokingham Borough Emerging Local Plan (2025), section 8 of the Borough Design Guide SPD, and Section 12 of the National Planning Policy Framework.

1.6 This appeal statement is divided into 6 main chapters which are as follows:

- The Appeal Site and Surroundings
- Appeal Site History
- Planning Policy Context
- The Case for the Appellant
- Summary and Conclusions

1.7 This statement will confirm that the proposal would comply with the Development Plan and National policy guidance contained within the National Planning Policy Framework 2024 (NPPF). In particular, it will be demonstrated that the appeal proposal would fully respect the rural character and appearance of the area and in particular that the height, scale and extent of frontage development is acceptable in this location given its context and the overall character of the surrounding area.

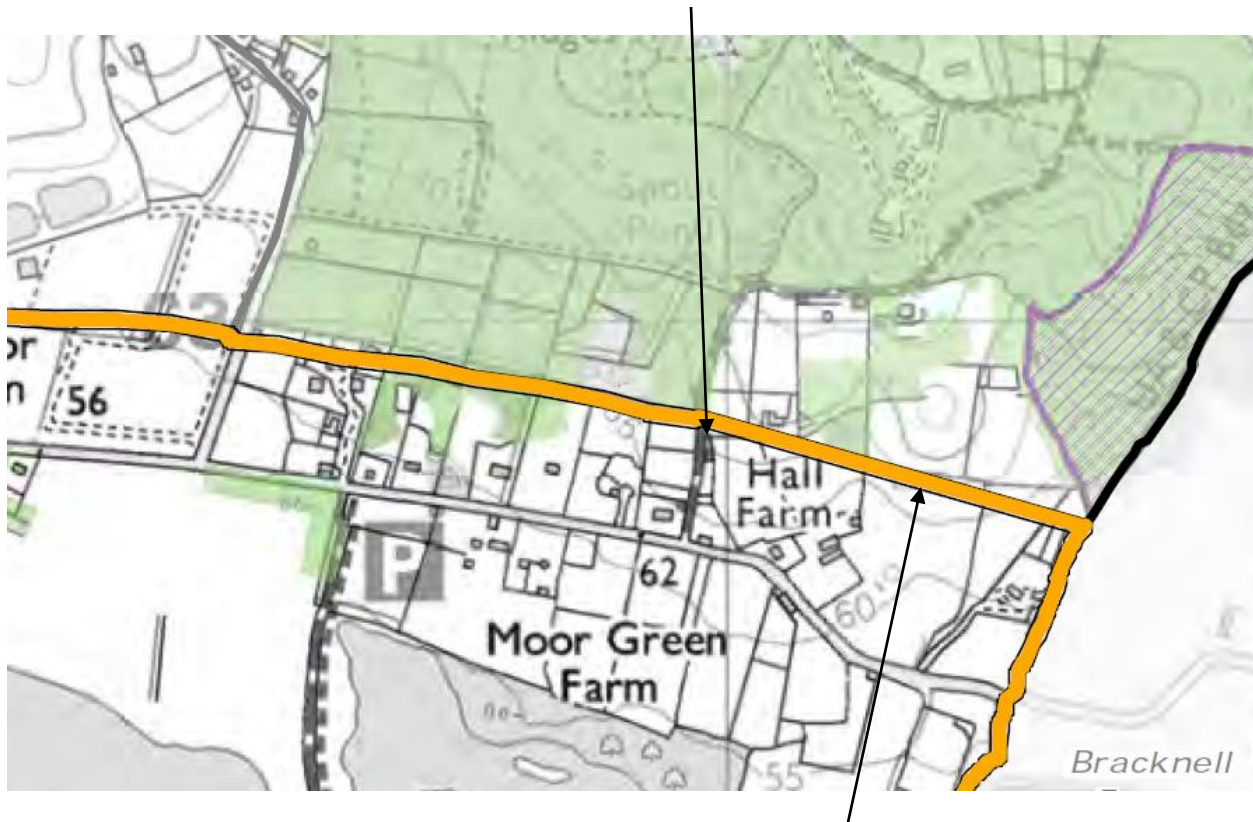
2 SITE AND SURROUNDINGS

- 2.1 The appeal site comprises of a large two storey dwelling set within a large irregularly shaped plot. It appears to have been extended on a number of occasions (see site history below and the 'Development Metrics Plan' (plan no 24-F1297 105) and this in itself has removed any historic significance that the property may once have provided. The extensions themselves are generally of a poor quality, detracting heavily from the character of the existing structure and its countryside location. There are a number of variously sized outbuildings lying to the north. The property is accessed via a 'restricted' bridleway (Drift Road) which is directly to the north of Lower Sandhurst Road.
- 2.2 The site and the surrounding area fall within land defined as 'Countryside' in the adopted Local Plan Proposals Map. The area also has the following classifications:
- Landscape Character Assessment;
 - Water Utility Consultation Zone;
 - Bat Roost Habitat;
 - Great Crested Newt Impact Risk Zone.
- 2.3 The site is not located within a conservation area and none of the buildings on the site or on adjacent land are defined as being nationally or locally listed buildings. The site falls within Flood Zone 1 and as such is not considered to be prone to flooding.
- 2.4 The site partly within falls within Landscape Character Area B2 (Blackwater River Valley with Open Water) (see appendix 3 - N.B The plan is incorrectly tilted as 'Thames Valley with Open Water ' but not the supporting text) and LCA M1 'Finchampstead Ridges Forested and Settled Sands' character areas. Both areas are considered to be 'moderate quality landscapes with moderate sensitivity and a

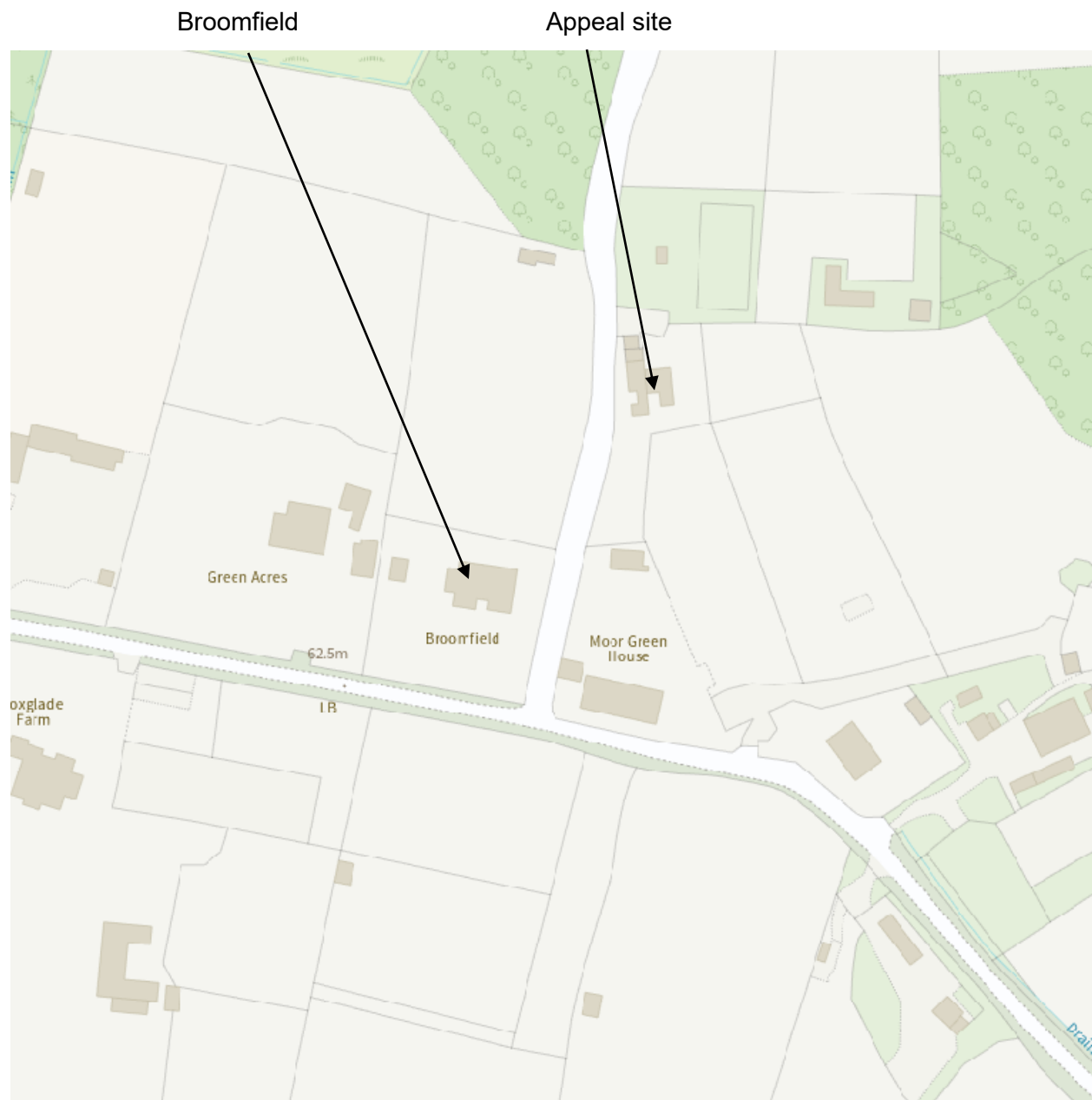
modest capacity for change' (see WBC Landscape Architect comments at appendix 6. The boundary to these two character areas lies a short distance to the north of the existing and proposed built form and therefore the proposed replacement dwelling will in effect be located in the same character area as properties sited along Lower Sandhurst Road to the south (see map extract below taken from page 93 at appendix 3):

Landscape Character Area B2: Blackwater River Valley with Open Water

Existing and proposed built form on the appeal site



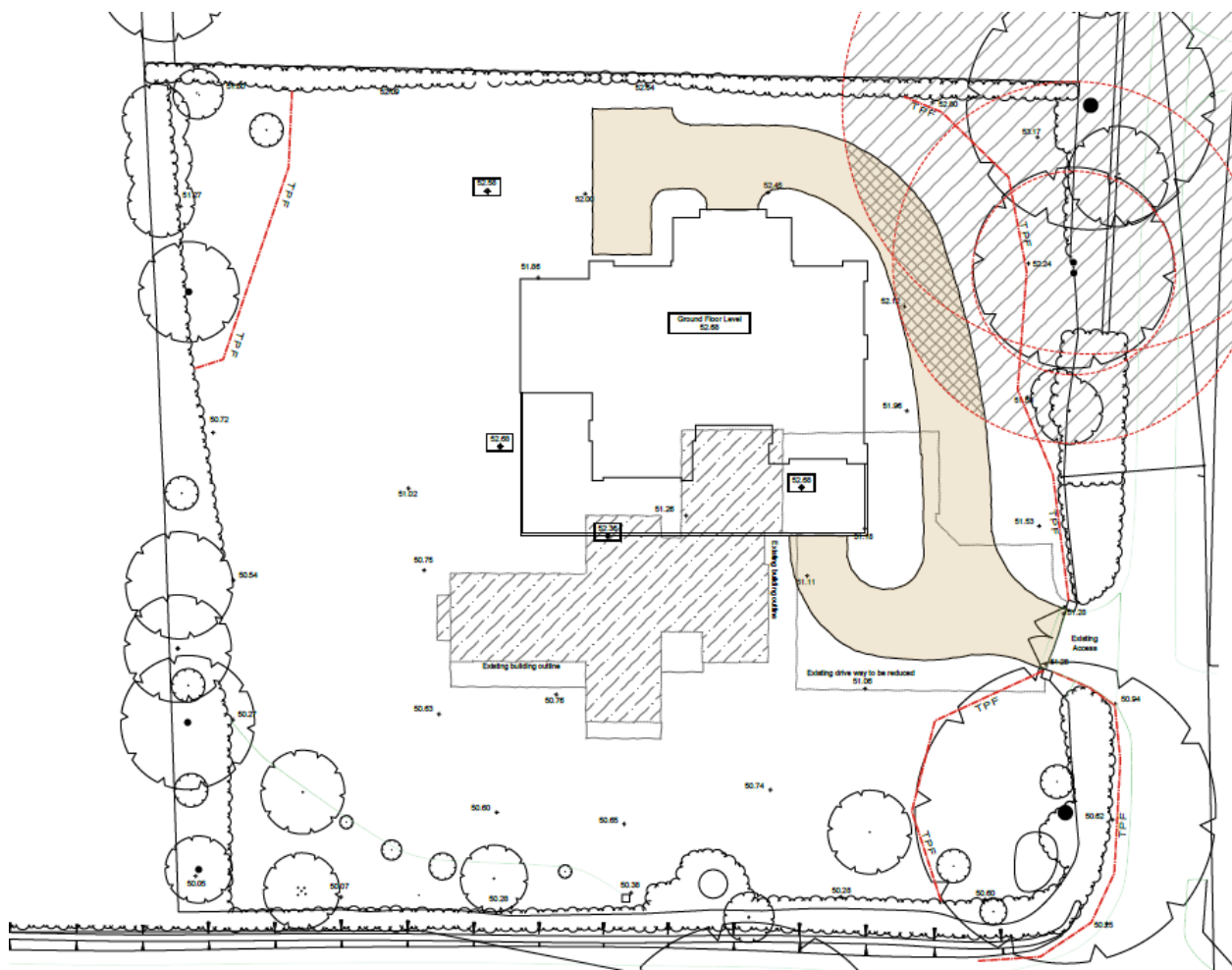
Boundary of character area

Site location plan

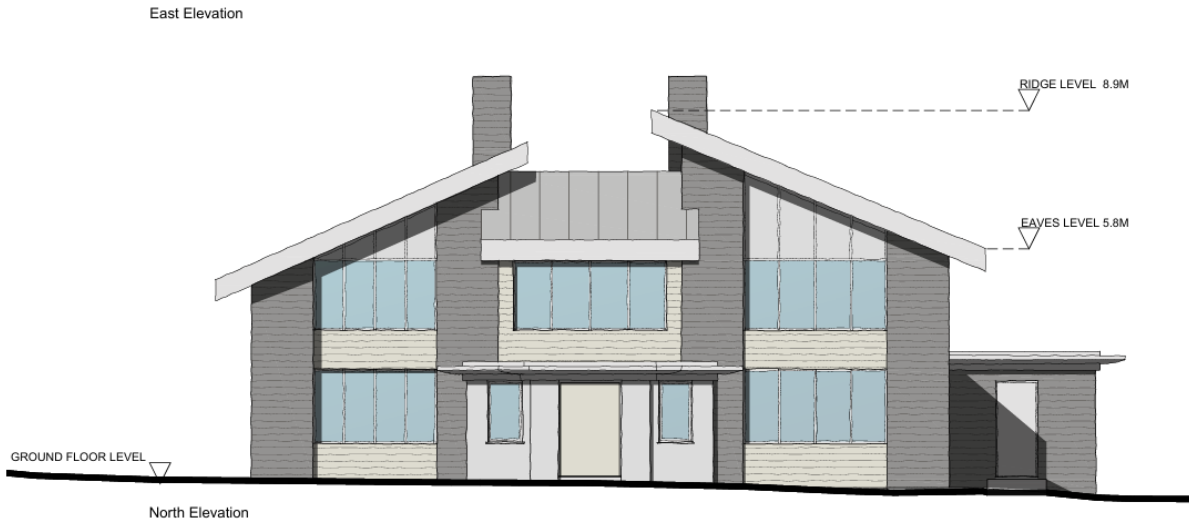
- 2.5 The surrounding area generally comprises of larger than average dwellings set within generous plots. Some of these are recently constructed properties (replacement dwellings) and this includes the contemporary style property at 'Broomfield', approved in 2018 under planning ref.173566 (see appendix 2) which is located at the junction of Drift Road and Lower Sandhurst Road and takes its access

- 55% increase in height
- 45% increase in footprint
- 268% increase in volume

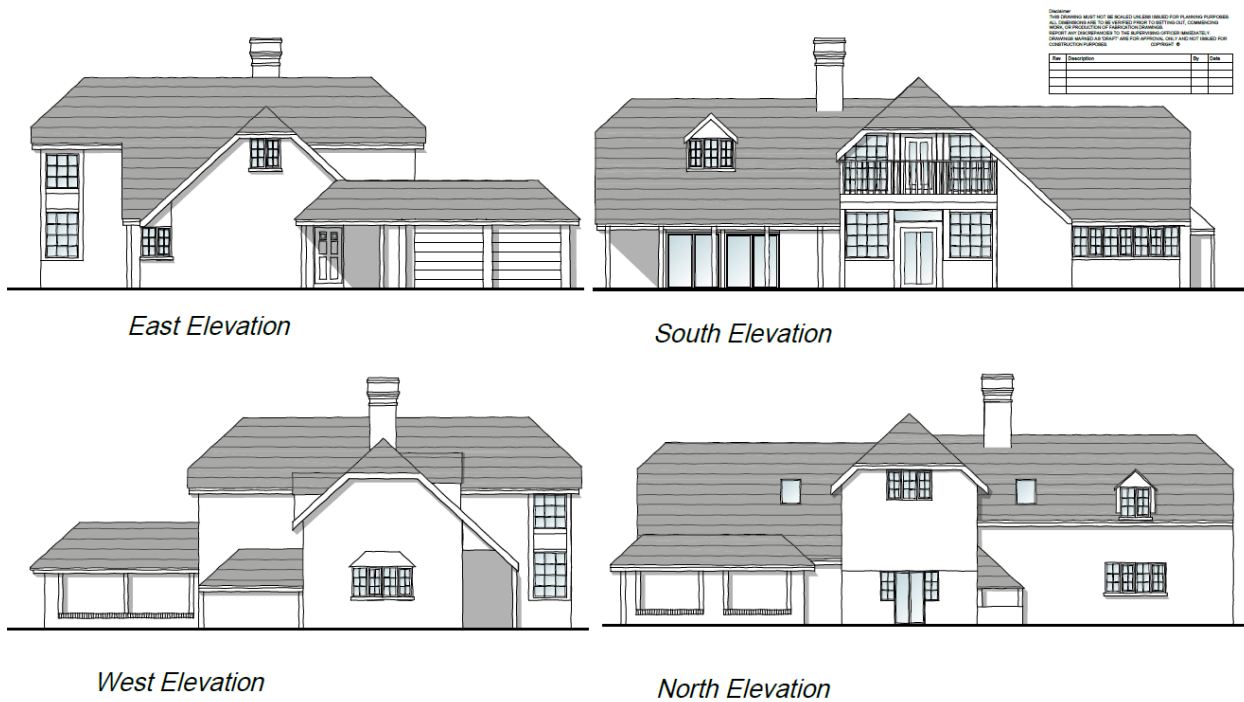
Approved plans ref.173566 (see a full set at appendix 2)



Approved front elevation to Broomfield



Elevations to Broomfield prior to redevelopment



3 PLANNING HISTORY

3.1 The planning history of the property at The Old Thatch is set out below:

- i) R/186/67 - Addition. Approved 28.09.1967.
- ii) 996/71 - Single storey extension. Approved 30.09.1971.
- iii) F/2008/0080 - Single storey rear extension, plus demolition of existing single storey rear extension. Approved 07.03.2008.

3.2 As stated in the Introduction and in accordance with central government advice, pre-application advice was sought for a replacement dwelling (LPA ref. 242731) prior to submission of the application. The Council's written response dated 3 January 2025 (see appendix 5) stated as follows:

- Whilst the architectural design of the proposed dwelling is not inherently objectionable, given the varied architectural styles in the surrounding area; the height, scale and expansive frontage of the proposed dwelling would be inappropriate in this countryside setting and would have a harmful impact on the landscape and character and appearance of the locality.
- Advises that a replacement dwelling could be acceptable if it reduces scale and bulk, breaks up the massing, and is set further back from Drift Lane. The proposed car port, with its modest size and open design, is acceptable and preserves the area's open character.
- A tree survey and Arboricultural Impact Assessment will be required in accordance with BS5837:2012. The Tree and Landscape Officer raised no objection in principle subject to the above appropriate reports and assessment.
- The proposal would meet the required standards for internal and external space.

- The proposal would be located a suitable distance away from neighbouring residential dwellings not to pose any overlooking, overbearing or loss of light concerns.
- Highways and parking – no objections in principle.
- Flooding and drainage – the full submission should be accompanied by a drainage strategy.
- Ecology – An Ecological Appraisal will be required. Advises that Biodiversity Net Gain is mandatory for major and minor planning applications unless the development meets certain exception criteria.

4 PLANNING POLICY CONTEXT

- 4.1 Relevant planning policy falls within the National Planning Policy Framework, and the Development Plan which comprises of the adopted Core Strategy and the adopted Development Management Plan. Further design guidance is provided within the non-statutory Borough Design Guide Supplementary Planning Document.

i) National Planning Policy Framework (2024)

- 4.2 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states that in achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective. Paragraph 10 states that *'So that sustainable development is pursued in a positive way, at the heart of the framework is a **presumption in favour of sustainable development** (paragraph 11).*
- 4.3 Paragraph 39 states that Local planning authorities should approach decisions on proposed development in a positive and creative way and that decision makers at every level should seek to approve applications for sustainable development where possible.
- 4.4 Chapter 12 is concerned with achieving well designed places. Paragraph 131 states that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 4.5 Paragraph 135 states that planning policies and decisions should ensure developments:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- e) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

ii) The Development Plan

Wokingham Borough Core Strategy (CS)

- 4.7 The Council have referred to Policies CP1, CP3 and CP11 in their refusal reasons.
- 4.8 Policy CP1 requires that a number of criteria are met. These include: maintaining or enhancing the high quality of the environment; providing attractive, functional, accessible, safe, secure and adaptable schemes; demonstrate how they support opportunities for reducing the need to travel particularly by the car; and contribute towards reaching zero – carbon development as soon as possible.
- 4.9 Policy CP3 requires, amongst other matters, that new development is of an appropriate scale, mass, activity, built form, height, materials, character and design

quality. Proposals should not adversely affect the amenities of neighbouring land uses. Paragraph c) requires that sites are used to their full potential.

4.10 Policy CP11 applies specifically to proposals outside of settlements and within the countryside. It states as follows:

- Proposals outside of development limits will not be permitted except where:
 1. It contributes to diverse and sustainable rural communities 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;
 3. It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvements;
 4. Not applicable.
 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

4.11 The main factors to take into account are considered to be paragraphs (2) and (5).

b) Managing Development Delivery Local Plan – February 2014 (MDDLDP)

- 4.12 The Council have referred to Policies CC01 and CC02 of the MDDLDP.
- 4.13 Policy CC01 states that there will be a presumption in favour of sustainable development. Planning applications that accord with policies in the Development Plan will be approved without delay unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date the Council will grant permission unless material considerations indicate otherwise.
- 4.14 Policy CC02 confirms that the development limits are defined on the Policies Map.

iii) Wokingham Borough Emerging Local Plan (2025) (Emerging LP)

- 4.15 The Emerging LP was submitted to the Secretary of State for examination on 28 February 2025. Given its relatively early stage of preparation, only limited weight can be attached to the policies within the plan. Notwithstanding this, the Council refer to Policies SS1, SS5 and DH1 which are summarised in brief below:
- 4.16 Policy SS1 (Sustainable Development Principles) – States that development proposals will be required to meet various sustainable development principles as appropriate to their nature. These include:
- Maintain, enhance or create a high quality and safe environment which contributes positively to the character and identity of the area;
 - Conserve and enhance the landscape character of the area.
 - Conserve and enhance the biodiversity of the area.
- 4.17 Policy SS5 (Development in the Countryside). States that the countryside, as shown on the Proposals Map, will be recognized for its intrinsic character and beauty, and the wider benefits from natural capital and ecosystems services, in accordance with national policy. Development proposals in the countryside will in general only be supported for the types of development listed, including *‘the replacement, extension*

or alteration (including sub division) of existing buildings of permanent and substantial construction, and which do not lead to disproportionate increases in scale, form or footprint beyond the original building.’ All development proposals must take a landscape led approach to development in accordance with Policy NE5: Landscape and design and, where appropriate (amongst other things):

- Contribute to the local, natural and historic environment;
- Be of a scale, nature and location within the countryside that is appropriate with regard to its use;
- Be sited and designed to minimise visual impact;

4.18 Policy DH1 (Place Making and Quality Design). States that all new development must be of high-quality design to endure over the lifetime of the development and create a strong sense of place. A development proposal will be considered of high quality design where it achieves listed design principles. These relate to context; identity (with criteria d) requiring that development ‘respects and enhances the local, natural and historic character of the area, paying particular attention to siting, layout, urban grain, rhythm, density, height, scale, bulk, massing, proportion, enclosures, materials and detailing); built form; movement; nature; public spaces; uses; homes and buildings; resources; and lifespan.

iii) Borough Design Guide SPD

- 4.19 Chapter 8 of the SPD is concerned with rural and settlement edge areas. The main points relating to this proposal are set out below:
- 4.20 RD1 – New development and associated landscape should retain, incorporate and enhance features that contribute towards the landscape character and biodiversity of the area;
- 4.21 RD6 - The elevations of new buildings must be well composed, well-proportioned and well detailed.

- 4.22 RD7 – New buildings should respond to the materials, details and colours that may be distinctive to a locality.
- 4.23 RD11 – The form, or massing of a replacement dwelling should relate well to its context and to local character. The relationship between the form of the building, the topography and landscape, will be of particular importance.

5 THE CASE FOR THE APPELLANT

- 5.1 The appeal proposal is for a replacement dwelling, following the demolition of the existing building. The development is for a self-build dwelling which will house the appellants, Mr and Mrs Westell and their young family.
- 5.2 Planning law and the NPPF (para 2 and para 11) requires development proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Paragraph 15 of the NPPF states that the planning system should be genuinely plan-led. Therefore, the Development Plan should be the starting point for decision making and development that conflicts with the development plan should be refused unless material considerations indicate otherwise. Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute towards the achievement of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay.
- 5.3 The application was refused for a single reason relating to the effect of the proposal on the character of Drift Lane and the wider countryside. The remainder of this statement therefore concentrates on this main issue.
- 5.4 With reference to the officer report at appendix 1 to this statement and the decision notice, it is apparent that the Council's case is based on the 'increased scale, height, and expansive unbroken frontage, along with the flattening of the natural slope to create an engineered ground level'. They consider that this would appear 'incongruous and intrusive in its rural setting, eroding the character of this part of Drift Lane'.
- 5.5 In reaching these conclusions, officers have sought to identify this site as somehow being unique in terms of its context which they say differs from the character of Lower Sandhurst Road and other properties along Drift Road. The officer report (appendix 1) states as follows in respect to Broomfield:

'Each application is assessed on its own merits and despite the proximity of the sites, the character of the application site is distinctly different from that of the Broomfield site, which contributed to the case officer's justification for the larger dwelling in the earlier application. Consequently, the differences in site characteristics must be carefully considered when evaluating the acceptability of the proposed increase in scale and volume. Although Broomfield is accessed via Drift Lane, the site is positioned at the junction of Drift Lane and Lower Sandhurst Road, occupying a prominent location that is clearly read within the context of Lower Sandhurst Road.....In contrast, the application site under consideration is located approximately 100 metres away from Lower Sandhurst Road adopts a distinctly more rural character'.

- 5.6 In respect to the properties that are located further along Drift Road, officers concluded the following:

'It is acknowledged that two-storey dwellings of comparable footprint and scale exist further along Drift Lane, north-east of the application site, notably at Hilton House and Red Barn House. However, in both cases, these properties are set significantly back from the lane within their respective grounds and are well-screened by mature landscaping. As a result, they have limited visual presence in the street scene, with only their gated accesses being readily visible from the public realm.'

- 5.7 Dealing firstly with the size of the proposed dwelling, this is not considered to be in any way excessive. Officers have spuriously referred within the officer report (appendix 1) to the reference in the BDG (appendix 4) recommending that a 50% volume uplift is acceptable for single storey development compared to the original dwelling in the countryside. There are two matters which need to be made in response to this statement. Firstly, the reference in the BDG is specifically to 'single storey development'. The proposal before the Inspector is for the replacement of a two storey dwelling with a new two storey property. Secondly, it is clear from other case examples including the adjoining site at 'Broomfield' that the 50% guidance was not applied for this very reason and that in respect to replacement two storey

properties they are treated very much on their merits. The 50% increase is not part of the development plan with its only reference being in an adopted SPD which is for guidance purposes only.

- 5.8 It is acknowledged that the proposed dwelling is overall larger than the existing property but the scale of the increase and the resultant alterations to ground levels are not considered to be harmful. The ridge height of the existing property is 7m (maximum) with the overall main part of the property having an overall width of 23.5m. The single storey elements either side of the main body give an overall unbroken width of 29m. Officers have not provided any figures of this particular dimension in the officer report. The two chimneys extend the overall maximum height of built form to circa 8m.
- 5.9 The proposed dwelling would have a ridge height of 8.6m and an overall width of 19.4m. The open sided car port is physically detached from the main dwelling and officers have not raised any issues in respect to this feature. The Inspector will note that the appellant made a number of changes to the design and scale of the proposed dwelling following the pre-application comments made by the Council which included reducing the ridge height by circa 0.5m and introducing side hopped roofs to reduce scale and massing as well as providing two front hipped bays to break up the front elevation specifically to overcome the criticism of having an 'expansive unbroken frontage'. A comparative set of front elevations are set out below which show the changes that were made between pre-application and submission stages.
- 5.10 In terms of overall size increase, the CIL forms confirm that the floor space increase would amount to 107.1sq.m which equates to an overall increase of 36% above that of the existing dwelling. This is not considered to be unreasonable given the context of the local area and the overall size of neighbouring properties which are generally larger than average style dwellings.
- 5.11 In terms of the positioning of the replacement dwelling, the new property will be further away from Drift Road (the existing dwelling has a tapered front elevation)

varying between no change and 4m. The site is not steeply sloping so any changes in levels would be relatively minor.

Proposed front elevation (pre-application submission)



FRONT (EAST) ELEVATION

SCALE 1:100

Proposed front elevation (current appeal)



FRONT (WEST) ELEVATION

SCALE 1:100

- 5.12 As stated above, the Council have not sort to criticise the architectural style of the proposed dwelling itself (apart from a comment about ‘formalness’) with their main criticism being that the size and height of the dwelling is not appropriate to this specific location. Having viewed the officer report for both this appeal scheme (appendix 1) and the development at Broomfield (appendix 2), it is clear that the Council’s overwhelming reason for refusing the application is for site specific reasons as they seek to distinguish this plot from all properties along the neighbouring Lower Sandhurst Road and those located further to the north along Drift Road.
- 5.13 From a landscape character perspective (which must include some analysis of existing built form), the main body of the appeal site including the current and proposed siting fall within the same character type as the properties along Lower Sandhurst Road (Blackwater River Valley with Open Water). As a result, the Council’s Landscape Architect raised ‘no objections’ to the proposals (appendix 6). The site at Broomfield is in very close proximity and clearly is of substantial size. It is acknowledged that the replacement dwelling at the appeal site would be closer to the main access (Drift Road) and therefore more prominent, but the overall scale of development is substantially below that of the new dwelling at Broomfield and its traditional design will aid its natural assimilation into the host environment.
- 5.14 Therefore, even though the appellant does not agree that the site is in a markedly different location and character to Lower Sandhurst Road (it is clear a more subtle transition) it will be clear to the Inspector that the appellant still made some significant concessions in terms of the overall scale and design of the dwelling to overcome the Council’s comments and to meet their specific concerns about height and scale. In terms of formalness and ‘unbroken frontage’ the changes introduced have also made a substantial and positive change when compared to the pre-application submission. In respect to the specific criticism of being an ‘overly formal form of development’ (see appendix 1), the Inspector’s attention is drawn to the elevations approved at Broomfield which likewise is located within designated countryside and which displays a considerably greater degree of formalness with large glazed elevations.

- 5.15 The proposed dwelling reflects the current pattern of built form on the appeal by reflecting its current siting and built coverage. It would therefore not result in an excessive encroachment or expansion of development away from the original buildings. As stated above, the increase in scale, form/footprint compared to the original building is not excessive and therefore the proposal is not in conflict with CS Policy CP11.
- 5.16 The quality of the environment would at the very least be preserved although in view of the tired nature of the property and the poor quality extensions it is maintained that the environment would be 'enhanced'. The provision of a dedicated study and a high performing and sustainable construction means that the proposal meets CS Policy CP1.
- 5.17 The appellant's case is that the scale, mass, built form, height, character and design are entirely appropriate to this location. There would be no harm to the amenities of neighbouring uses and this proposal would ensure that the site is used to its full potential, with due respect given to the site's constraints. As a result of meeting these points, the proposal is also consistent with CS Policy CP3.

6 SUMMARY AND CONCLUSIONS

6.1 The appeal proposal is for the erection of a detached self-build dwelling and car port with associated landscaping following demolition of the existing dwelling and outbuildings. The property will be a new home for Mr and Mrs Westell and their young family. It should be allowed for the following reasons:

- i) In line with Government policy the appellant undertook comprehensive pre-application discussions with the Council in 2024/2025. The appellant took the Council's comments on board and made significant changes to the height, scale, massing and design, sufficient enough to have overcome the concerns that were raised.
- ii) The appellant's case is that at best any changes in character between the properties along Lower Sandhurst Road and the appeal site are subtle. This is reflected in the fact that the built form on the appeal site and the Lower Sandhurst Road environs are all located within the same Landscape Character Area clearly indicating that there is some uniformity and similarity.
- iii) The proposed replacement dwelling is not considered to be of a size or height that would be out of keeping within this context given the existing breadth of built form and the design of the proposed front elevation which was purposefully altered following the pre-application advice to introduce new design features.
- iv) There is no conflict with the development plan. The built form reflects the existing footprint coverage and would at the very least maintain the quality of the environment. The increase in scale, form and footprint when compared to the original building is not excessive given the areas wider context which clearly comprises of large dwellings set within large plots. This proposal will maintain this character whilst making full potential of the site. The proposal therefore meets CS Policies CP1, CP3 and CP11.

- v) The Council's spurious reference to a 50% volume uplift which is taken from an SPD (not the development plan) is not relevant to this proposal as it only relates to single storey properties.
- vi) There are no other concerns in respect to this proposal in terms of trees, ecology, highways, flooding, amenity or heritage.