



WOKINGHAM BOROUGH COUNCIL

Statement by Local Planning Authority

Appellant	Mr Joseph Kay
Site	178 Bearwood Road, Barkham Wokingham, RG41 4SH
Local Planning Authority Reference	242719
PINS Reference	APP/X0360/W/25/3363174

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Appendix Four: Officer Report relating to appeal proposal (240665)

Appendix Five: Suggested conditions

Appendix Six: Introduction and Relevant Chapter of Landscape Character Assessment (2019)

Appendix Seven: Valued Landscapes Assessment (2024)

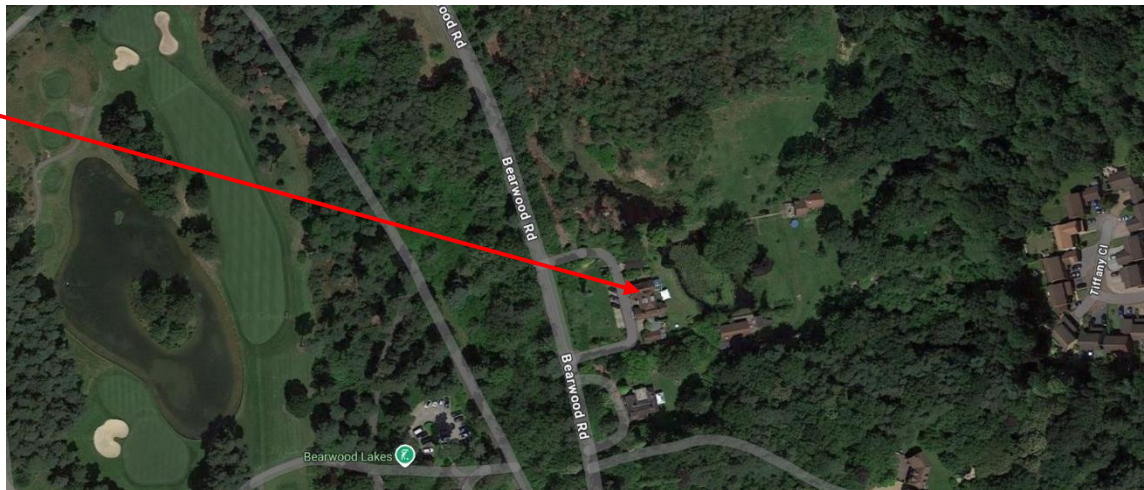
1 Introduction

- 1.1 This statement of case relates to the refusal to grant planning permission by the Local Planning Authority (LPA) for application 242719, which sought to vary conditions 2 and 8 of planning application 240665 through section 73 of the Town and Country Planning Act, to allow for an alternative siting of the dwelling approved through application 240665, which was granted permission on the 28th of June 2024.
- 1.2 A full planning application was validated by the Local Planning Authority (LPA) on 4th November 2024, with LPA reference 242719. The application was refused on 20th December 2024 with one reason for refusal. The subsequent appeal started on 14th April 2025.
- 1.3 A copy of the decision notice of application 242719 with the reason for refusal is enclosed in Appendix One and the delegated officer report is enclosed in Appendix Two. The decision notice for application 240665 is enclosed in Appendix Three, while the associated officer report forms Appendix Four. Appropriate conditions are considered in Appendix Five, should the Inspector be minded to allow the appeal.
- 1.4 The proposal is for the proposed erection of a replacement dwelling.
- 1.5 The reason for refusal is as follows:
 - The replacement dwelling by virtue of its inappropriate siting and design including the orientation would constitute encroachment of development into the Countryside and Valued Landscape, and have a detrimental impact on the rural character of the area. The associated development, such as residential garden use, hardstanding and other domestic paraphernalia, would have an urbanising effect on the site, which would be considerably harmful to the woodland landscape setting. 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).

2 The Appeal Site:

- 2.1 178 Bearwood Road is located within the countryside, along Bearwood Road, in Barkham. The dwelling as existing is relatively isolated but the site borders No.176 Bearwood Road. Certificates of lawful use (reference 231275 & 231276) have recently been granted for two dwellings on adjoining land. Despite the nearby development, the area remains characterised by its protected woodland border and minimal surrounding built form.

Appeal Site



- 2.2 The character of the area is entirely rural. With the exclusion of the few dwellings that are scattered along Bearwood Road, and other intervening uses, the wider landscape is dominated by woodland, with very little built form, a symptom of its countryside setting.
- 2.3 The site currently comprises an existing semi-detached pair of dwellings and a detached garage.

3 Relevant Planning History

3.1 The relevant planning history is stated below:

PLANNING HISTORY		
Application No.	Description	Decision & Date
242719	Application to vary conditions 2 and 8 of planning consent 240665 for the proposed erection of 1 no. four bedroom detached dwelling with associated landscaping following demolition of the existing dwelling and garage. Condition 2 refers to the approved details and condition 8 to landscaping, and the variation is to change the siting of the approved dwelling with accompanying landscape plan, plus a change to fenestration.	Refused: December 2024
240665	Full application for the proposed erection of 1 no. four bedroom detached dwelling with associated landscaping following demolition of the existing dwelling and garage.	Approved: June 2024
061138	Application for a certificate of existing lawful use for the use of an existing annexe as a separate dwelling.	Approved: July 2006

4 Provisions of the Development Plan and Other Policy Documents

4.1 The development plan for the Borough comprises the Wokingham Borough Core Strategy 2010; the Managing Development Delivery (MDD) Local Plan 2014 and supplementary planning documents. Policies and guidance of relevance are listed below and the relevant sections have been sent to the Inspectorate:

- National Planning Policy Framework (2024).
- National Planning Policy Guidance.
- Wokingham Borough Core Strategy (2010) Policies: CP1, CP3, CP4, CP5, CP6, CP7, CP9, CP11.
- Managing Development Delivery Local Plan (2014) Policies: CC01, CC02, CC03, CC04, CC06, CC07, CC09, CC10, TB05, TB07, TB21, TB22, TB23.
- Joint Mineral and Waste Plan (2023)
- Wokingham Borough Design Guide Supplementary Planning Document (2012).

4.2 The site has the following planning constraints:

- Countryside
- Contaminated Land Consultation Zone
- Green Routes and Riverside Paths
- Bat Roost Habitat Suitability
- Scale and Location of Development Proposals
- Great Crested Newt Consultation Zone
- Tree Preservation Orders
- Landscape Character Assessment Area

5 Reasons for Refusal:

- 5.1 This section of the statement will consider the reason for refusal and respond as necessary to the appellant's comments in their statement. The initial Officer Report and input from WBC Trees & Landscape is comprehensive and the LPA has nothing to add in this regard. Accordingly, the Inspector is referred to the Officer Report, the content of which is not repeated in this Statement.

Reason for Refusal 1 - The replacement dwelling by virtue of its inappropriate siting and design including the orientation would constitute encroachment of development into the Countryside and Valued Landscape, and have a detrimental impact on the rural character of the area. The associated development, such as residential garden use, hardstanding and other domestic paraphernalia, would have an urbanising effect on the site, which would be considerably harmful to the woodland landscape setting. 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).

- 5.2 The starting point for the decision-making process is the Development Plan. Section 70[2] of the Town and Country Planning Act 1990 and 38[6] of the Planning and Compulsory Purchase Act 2004 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.3 Policies CP1, CP3 & CP11 of the Core Strategy and Policies CC03 & TB21 of the MDD Local Plan are the most relevant local policies to this issue and are summarised in the officer's report. CP11 seeks to control development outside of development limits, while Policy TB21 requires proposals to retain or enhance the condition, character and features that contribute to the landscape character. Policy CP1 of the Core Strategy requires developments to maintain or enhance the high quality of the environment and Policy CP3 states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and must be of high-quality design.
- 5.4 The site is located in Wokingham Borough Landscape Character Assessment (WBLCA) - Area L1 'Bearwood Wooded Sand and Gravel Hills', a high quality landscape with moderate sensitivity and a limited capacity for change. A copy of the relevant part of the WBLCA is at Appendix 6).

- 5.5 The NPPF requires planning decisions to contribute to and enhance the natural and local environment by: (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. The proposals neither contribute to the natural or local environment, nor do they protect or enhance the valued landscape.

- 5.6 The Landscape Strategy for LCA L1 is:

‘To conserve and enhance the existing wooded and parkland character of the landscape and its biodiversity.’

‘The key aspects to be actively managed are the mixed woodland and the features associated with the historic landscape. There are also opportunities to strengthen open water, woodland and remnant heathland habitats, and manage the exotic species including the locally distinctive Rhododendron Drive, which made include replacement by non-invasive species. In terms of development, the aim is to conserve the unsettled character of the area.’

- 5.7 The site is within the Barkham and Bearwood Valued Landscape, as defined in the councils Valued Landscapes Assessment (VLA) (September 2024) and shown in Figure 1 below. The VLA is at Appendix 7.

- 5.8 The VLA builds on paragraph 187 of the NPPF (Dec 2024) at a local level and is part of the evidence base for the Local Plan Update. Ground truthing, particularly of the detailed boundaries of the valued landscapes has been undertaken; and the review of the public consultation has been carried out.

- 5.9 A valued landscape does not have to be designated or even mapped for it to be valued. A valued landscape has merely to demonstrate attributes that take it above the ordinary. Mr Justice Ouseley addresses this argument (Stroud V SoSCLG). It is also dealt with more explicitly in the Aylesbury Road, Wendover Decision (dated 9th October 2017), which states (See VLA for detailed references to Inspector decisions):

‘... The small site itself may not exhibit any of the demonstrable physical features but as long as it forms an integral part of a wider ‘valued landscape’ I consider that it would deserve protection under the auspices of paragraph 109 of the Framework. To require the small site itself to demonstrate the physical features in order to qualify as a valued landscape seems to me to be a formulaic, literal approach to the interpretation of the question and an approach which could lead to anomalies. It could lead to individual parcels of land being examined for physical characteristics deterministic of value.’

The Wendover appeal decision also gave valuable guidance on how to address the issue of the character, quality and extent of a given 'landscape' in the context of plan making:

'Further I do not accept that the Stroud case is authority for the proposition that one must only look to the site itself in seeking to identify demonstrable physical characteristics. In examining matters Mr Justice Ouseley confirmed that the Inspector was entitled to come to certain judgments about the factors and evidence in relation to matters outside the confines of the site itself. When assessing what constitutes a valued landscape, I consider it more important to examine the bigger picture in terms of the value of the site and its surroundings. That is not to borrow the features of the adjoining land but to assess the site in situ as an integral part of the surrounding land rather than divorcing it from its surroundings and then to conduct an examination of its value'.

The need to identify the area is supported in the same paragraph of the Wendover appeal, where the Inspector said:

'In coming to a view as to whether or not a site falls to be classed as a valued landscape within the terms of the Framework, it seems to me that one first has to consider the extent of the land which makes up the landscape under consideration before examining whether or not there are features which make it valued'

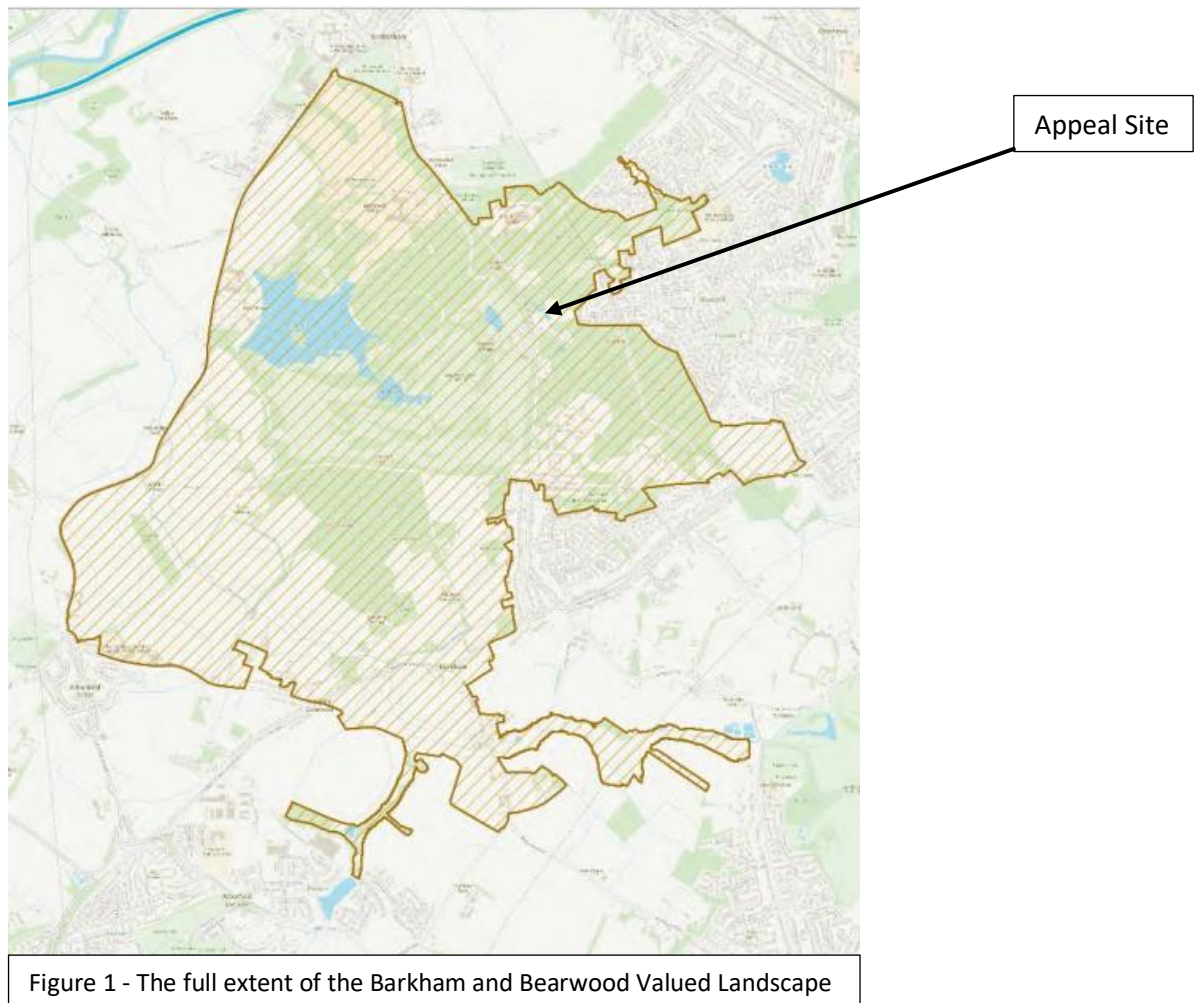
5.10 Previous appeals within the Borough have shown that Inspectors have found landscapes to be Valued Landscapes for the purposes of the Framework. These include the appeals of Pineridge and New Acres, Barkham Manor, Twin Oaks and Fairview Farm. In all four cases, the Inspector found the landscape to be Valued Landscape for the purposes of the NPPF.

5.11 The Valued Landscape Attributes of the L1 LCA include:

'Elevated wooded hills, varied topography which forms an intricate range of landscape spaces and backdrops. Large expanses of mature mixed woodland which are designated as BAP priority habitats and LWS and provide important ecological habitats and a sense of place. Stands of Scots pine and beech woodlands on the hilltops provide characteristic landmark features.'

'The distinctive mosaic of interconnecting mixed woodland interspersed with small scale pastoral fields in the south of the area which provide scenic qualities and visual diversity. ***Parkland landscape*** associated with the historic estate at Bearwood Park designated as a Registered Park and Garden which provides a cultural record of the past and layers of history within the landscape. ***Medieval landscape features*** which survive on the boundary of later historic estates. ***Recreational value*** particularly in The Coombes through the presence of

byways, footpaths and bridleways which allow enjoyment of the landscape. **Peaceful secluded character** with naturalistic qualities and experience of dark skies.’



- 5.12 At paragraph 3.45 of the appellants statement, the qualities and values of the WLCA are acknowledged, however, the appellant concludes that these do not apply to appeal site itself. This notion above derives from the appellants landscape statement, which at paragraphs 4.11 to 4.13, discusses how the existing dwelling and its private garden differ in character to the open countryside and woodland appearance of the L1 Character Area.

5.13 The LPA fundamentally disagree with the argument put forward above. Whilst there are distinct differences between the managed residential nature of the application site and the wider landscape along Bearwood Road, this does not exclude its contribution to the Bearwood Wooded Sand and Gravel Hills landscape. It remains an open, low-key site, with minimal built form, commensurate with the wider landscape character. Furthermore, the sparse but protected woodland to the north of the dwelling, which is shown in the submitted plans to form part of the appeal site, provides a transitional area to the denser woodland beyond, which is clearly synonymous with the valued attributes of the L1 LCA. Accordingly, the idea that the qualities of the landscape character of L1 do not apply to the appeal site is fundamentally flawed.

5.14 Paragraphs 3.49 to 3.55 of the appellants statement are more specifically concerned with the landscaping alterations proposed as part of the appeal scheme. Mainly, the appellant refers to the benefit of the proposed removal of the rhododendron that is extensive throughout the site. As stated within the Officer Report, it is acknowledged that there would be some limited woodland improvements through the revised landscape plan, however, the improvements are minor when considered in light of the significant objections regarding the impact on the Valued Landscape and Landscape Character.

5.15 Paragraph 3.55 of the appellants statement includes the following extract from the landscape statement:

“Whilst the concerns of the LPA are appreciated (i.e vicinity to the tree’d edge of the site), this location does strike a better balance between arranging built form relative to the road corridor of Bearwood Road, as well as enhancing the wider openness of the site, and the countryside situated outside of the site. We are reminded by GLVIA version 3, that the benefits to the other dimensions of the landscape resource, are to be considered. This has a beneficial effect which the LPA appear to have not considered”.

5.16 It is not considered that any part of this extract is correct. Firstly, the revised siting of the dwelling, being further north from the approved position, would be at odds with the built form along Bearwood Road, where properties are located centrally within their plots. Incidentally, it is unclear how this could possibly enhance the wider openness of the site, as the relocation would spread a large expanse of built form away from the existing development, towards the woodland edge of the site.

5.17 Paragraphs 3.59 and 3.60 of the appellants statement appear to accuse the council of taking a restrictive and overly cautious approach to the development, stating “The LPA is clearly assuming that no built form can be introduced” (when discussing the Countryside and Valued Landscape designation). It is quite clear that the LPA does not restrict all development within these designations, however, each application must be assessed on its own merits. The revised siting of the dwelling is considered to be harmful for the reasons stated throughout.

5.18 Paragraph 3.61 of the appellants statement includes the following comment:

“there are no views of the dwelling in the new location to indicate it would be in a more prominent siting or be exposed to new view points which would undermine the unsettled character of the wider landscape.”

An important consideration for development in the countryside is that harm is not limited to what can be seen from the public domain. Whilst the proposed dwelling would not necessarily have an imposing visual impact from views along Bearwood Road, owing to the vegetative boundary adjacent to the highway, this is not sufficient justification to state that the proposed erection of a large replacement dwelling, considerably distant from the footprint of the existing, would not undermine the unsettled character of the wider landscape. In this regard, paragraph 187(b) of the NPPF is also a relevant consideration. This emphasises the importance of recognising the **intrinsic** character and beauty of the countryside, which is thought to link to the concept that absence of visibility does mean absence of harm, especially in rural context.

5.19 It remains clear that the revised siting of the dwelling, resulting in the significant increase in built form and residential paraphernalia considerably distant from the existing development on site, would result in excessive encroachment in the countryside, harming the established landscape characteristics of LCA L1 and the attributes of the Valued Landscape. The proposal would clearly harm the sensitive landscape and character of the area, and 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 Conclusion

- 6.1 For the reasons detailed throughout this statement and the associated Officer Report, it is considered that the dwelling is harmfully located within the plot, unnecessarily encroaching into an open woodland area, significantly distant from the position of the existing property. The proposal would fail to safeguard the unsettled character of the wider landscape and would be contrary to the attributes and qualities of the valued landscape.
- 6.2 In accordance with the above, the proposal is clearly in conflict with 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).
- 6.3 The LPA therefore respectfully requests that this appeal is dismissed. However, if the Inspector is minded to allow the appeal, the inclusion of appropriate conditions is suggested in Appendix 5.