

Date: 22 July 2024

Wokingham Borough Council
Shute End
Wokingham
Berkshire
RG40 1BN

Dear Sir/Madam,

Woodlands Farmhouse, Bath Road, Knowl Hill, RG10 9UP. Retrospective planning application for fencing and proposed installation of gate.

Introduction

This planning statement is produced to support a retrospective planning application for our client. The description of development for this planning application is for: *'retrospective planning permission for the erection of a boundary fence and proposed installation of a timber close boarded gate'* (hereafter referred to as 'the Development') at Land at Woodlands Farmhouse, Bath Road, Knowl Hill, RG10 9UP (hereafter referred to as 'the Site').

This planning cover letter will cover the background to the application and provide the necessary information to enable its determination by officers at the Council. It will consider the proposal in light of relevant planning policies and other material considerations. The conclusion reached is that key material considerations and the wider objectives of National and Local planning policy support the grant of permission.

In addition to this planning cover letter, the application is accompanied by the appropriate planning application forms and ownership certificate, duly signed and completed, and supporting technical documents.

Site Location and Description

The fence works relate to Woodlands Farmhouse comprising of a detached 3 bedroom house. The wider site comprises Waterloo Cottage a detached 3 bedroom house, Cooks Hill Cottage a detached 3 bedroom cottage, Waterloo Cottage a detached 2 bedroom cottage, Ynys Cottage a timber chalet, a cricket pitch, a range of farm buildings extending to approximately 10,000 sq ft (929 sq m) and farmland in all approximately 51.12 acres (20.69 ha).

The site is accessed from Kiln Lane, Reading, it is bound by the A4 to the south, The Bird in Hand Public House is located to the east and grassland and wooded areas to the north and west.

Planning History

There have been a number of planning applications on the wider site, it appears that there is older planning history for the site, particularly Ynys Cottage, however these records are too old to be displayed on the Council's website, the application most relevant to this site has been highlighted below:

Reference	Description	Date
192749	Application for prior approval submission for proposed change of use of agricultural building to a dwelling house.	Withdrawn 23/12/2019
200403	Prior approval submission for proposed change of use of agricultural building to a dwelling house.	Withdrawn 27/03/2020
201480	Prior approval submission for the proposed change of use of an agricultural Nissen building and land	Prior Approval Refused

	within its curtilage to a dwelling (use class C3) (Schedule 2 Part 3 Class Q of the Town and Country Planning (general permitted development) (England) Order 2015)-Woodlands Farm	11/08/2020 Appeal dismissed 26/01/2021
212559	Application for a certificate of lawfulness for the proposed erection of a single storey side extension, erection of 2no. two storey rear extensions, insertion of 3no. roof lights, plus changes to fenestration. Also proposed new entrance gate. Woodlands Farmhouse	Approved 20/08/2021
212557	Application for a certificate of lawfulness for the proposed single storey front extension to form porch, single storey side extension, single storey rear extension, part garage conversion to create habitable accommodation, plus the insertion of 11no. roof lights and changes to fenestration. Cooks Hill Cottage	Approved 20/08/2021
212538	Application for a certificate of lawfulness for the proposed erection of a single storey side extension to form a porch following demolition of existing porch, erection of a two-storey rear extension and a single	Approved 20/08/2021

	storey side extension following alteration (including part demolition) of existing dwellinghouse, the insertion of 3 no. roof lights plus changes to fenestration. Waterloo Cottage	
213368	Application for works to protected tree(S) TPO 1639/2018, AREA 1 T1, Horse Chestnut	Tree Consent 17/03/202 2

The Development

This application seeks consent to retain the works undertaken, this Planning Statement sets out the applicant's case for planning permission to be granted. The application follows discussions with the Local Planning Authority's Enforcement Officer.

The application seeks part retrospective planning permission to erect a timber closed boarded timber access gate (between existing brick piers); retain a 2.1m timber fence. **It is acknowledged that a replacement fence has been erected replacing a previous post and rail chainlink fence however, this is within the confines of Permitted Development Rights and is therefore not being applied for.**

It is important to note that the Site cannot be seen visually from the public highway or public footpath.

Policy Assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The National Planning Policy Framework and Planning Practice Guidance must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

The development plan for this area comprises of:

- Core Strategy (CS) (adopted in January 2010)
- Managing Development Delivery (MDD) (adopted in February 2014)
- Joint minerals and waste plan

The following policies within the development plan are considered to be of relevance:

Core Strategy

- Policy CP1 – Sustainable development
- Policy CP3 – General Principles for development
- Policy CP12 - Green Belt

Managing Development Delivery

- Policy CC03: Green Infrastructure, Trees and Landscaping
- Policy TB01: Development within the Green Belt

National Planning Policy Framework (December 2023)

The planning system aims to achieve sustainable development by providing homes, commercial developments, and supporting infrastructure sustainably. Sustainable development is defined as meeting present needs without compromising future generations' ability to meet their own needs.

Achieving sustainable development involves three interdependent objectives, as outlined in paragraph 8:

1. **Economic Objective:** Building a strong, responsive, and competitive economy by ensuring sufficient land and infrastructure are available to support growth, innovation, and productivity.
2. **Social Objective:** Supporting strong, vibrant, and healthy communities by providing a range of homes and fostering well-designed, safe places with accessible services and open spaces to meet current and future needs.
3. **Environmental Objective:** Protecting and enhancing the natural, built, and historic environment, improving biodiversity, using resources prudently, minimising waste and pollution, and mitigating climate change by moving to a low carbon economy.

These objectives are to be delivered through the preparation and implementation of plans and policies, tailored to reflect local circumstances, character, needs, and opportunities. Central to the planning framework is a presumption in favour of sustainable development, guiding development towards sustainable solutions while considering local contexts.

Green Belt

As the application site is located within the Green Belt, national and local planning policies are relevant to the proposal.

Paragraph 152 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the NPPF notes that when considering any planning application local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

Policy CP12 – Green Belt of the Wokingham Core Strategy requires that ‘planning permission will not be granted for inappropriate development within the Metropolitan Green Belt’.

As the application site is located within the Green Belt, national and local planning policies are relevant to the proposal.

Paragraph 152 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the NPPF notes that when considering any planning application local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

Paragraph 154 provides exceptions to the construction of new buildings in the green belt, and notably allows for 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.

It should be noted that for planning purposes boundary treatment is regarded as a building owing to its permanence and attachment to the ground. It is not disputed by the LPA and applicant that previous fences existed on site and as such, their replacement would be considered an alteration of a building. Provided this is not disproportionate to the original building this would be appropriate in the Green Belt. Notably the erection of the gate which is subservient to the brick piers could be considered a proportionate extension.

Alternatively, the boundary treatment could be considered a replacement building and the test would be whether it is materially larger particularly where it is 2.1m and viewed in the context of the lawful boundary treatment.

Given the location of the fence adjacent to the front and rear elevations it is not considered that the new fence has a greater impact on the openness of the Green Belt. The fence is considered to be necessary for privacy and security reasons and this is considered to be sufficient to demonstrate very

special circumstances, the fence is therefore considered to be acceptable in terms of its impact on the Green Belt.

Should the development be considered inappropriate development within the Green Belt it should be noted it is considered that VSC exist, namely:

- The fence is considered to be necessary for privacy and security reasons for the occupiers of the dwellings;
- Should the application be refused planning permission and the boundary treatment removed the application site has Permitted Development Rights to erect boundary treatment up to 2m (and 1m for the gate and fence adjacent to the road).

In short, the fact that 2m fencing could be erected, where not adjacent to a highway on site means that, the assessment should consider the difference in height between what could be erected utilising Permitted Development Rights. It is emphasised this is not a consideration of a 'fallback position' as it is acknowledged PD rights do not apply to existing unlawful development but a consideration of expediency (i.e the outcome of what would happen if permission were refused and the existing development were removed). In the context of the development where only the 1m PD right would apply it is acknowledged this difference would be greater however, it should be noted it would be entirely possible to site 2m high boundary treatment further into the site providing the same visual impact (where it becomes a private drive or provide an intervening feature) to the green belt. Particularly in light of the character of the area featuring high timber boundary treatment and no public views this consideration of expediency would alone be considered to constitute VSC.

The proposed fencing is not considered to be harmful to the character of the Green Belt, this is particularly pertinent given that there was an existing fence in place and therefore the new fence does not have a significant impact over the previous. In addition, Woodlands Farm is not in a visually

prominent location to the public and remains well screened via the existing fencing.

Design and Impact on Character

Policy CP1 (Sustainable development) of the Core Strategy requires development proposes maintain or enhance the high quality of the environment.

Policy CP3 (General Principles for development) of the Core Strategy notes that proposals will be granted where they are of an appropriate scale, mass, layout, height and materials and character of the area together with a high quality of design without detriment to the amenities of adjoining land users.

The Borough Design Guide Supplementary Planning Document (SPD) also supports good design in the borough. Principle R12 requires that boundary treatments should be designed to contribute positively to the character of the areas and to the quality of the public realm.

In relation to the Core Strategy policies and Borough Design Guide SPD, the height of the fencing is considered to be in keeping with other boundary treatments in the earlier, examples of which can be seen in the documents submitted by the architect which includes comparable examples in the surrounding area. The proposal is for minor scale development, in terms of the design of the fences and gate it is considered that the fencing has minimal external visual impact. The fence should be viewed against the backdrop of the surrounding area. There is no public footpath through the Site which is not visible due to its presence at the rear of the track and therefore there will be no impact upon views from the public.

There is mature landscaping to the east of the fence which would have a limited impact upon openness of the Green Belt.

It is therefore considered that the fencing is appropriate and considered to accord with policies CP1, CP3 of the Core Strategy, the Borough Design Guide SPD and the NPPF.

Planning Balance

The benefits of the proposal are that they will enable the applicant to provide security to his premises, regardless this is not considered to impact upon the openness of the Green Belt. However, should the development not be considered appropriate it is considered that very special circumstances have been demonstrated which would outweigh any harm to the Green Belt.

Conclusion

The Planning Statement outlines the proposal's background, evaluates relevant planning policies, and concludes that the proposal aligns with national and local planning objectives, supporting the grant of permission.

The NPPF indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal represents minor development that is appropriate in the Green Belt and which complies with the development plan. It is not considered that the proposal would have a significant detrimental impact upon the character or openness of the Green Belt. There are no material considerations to outweigh the policy presumption in favour of the grant of planning permission.

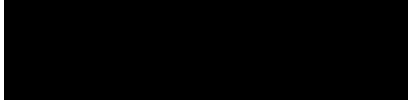
Having regard to the planning assessment above, it is considered that the fence can be justified and would be policy compliant, and that subsequently the proposal should be considered acceptable. The Local Planning Authority is therefore requested to grant planning permission.

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