

PLANNING
STATEMENT

Site Address:

Kingsbridge Poultry Farm
Lambs Lane
Reading RG7 1JE

Prepared for: Duncan Reynolds

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Introduction

EASTING: 471185

NORTHING: 164808

CURRENT USE: Sui generis (agricultural)

AUTHORITY: Wokingham Borough Council

This statement supports a full planning application for the demolition of two agricultural buildings and the erection of one dwelling.

DESCRIPTION OF SITE

The site is located south of Lambs Lane approximately 1.5km south of Spencers Wood and west of Swallowfield and comprises an area of agricultural land on which two agricultural buildings—a former poultry shed, and a former cow shed—are situated. Walkers Rise to the east is a 1.5-storey dwelling. To the north is Loddon Lower Farm. Established trees and planting form the eastern and northern boundaries.



RELEVANT PLANNING HISTORY

The site benefits from an extant permission for the conversion of the poultry shed to one dwelling under 210301. The application was made under Class Q and is extant until 26th February 2024. A condition was attached to that permission requiring the demolition of the neighbouring cow shed, the demolition itself having been approved under application reference 210165.



Proposal

_____ This application proposes the demolition of two agricultural buildings and the erection of one dwelling.

The supporting drawings show a single-storey rectangular dwelling, oriented east-west and sited within the footprint of the existing redundant poultry shed. The building would have a pitched roof.



Elevation A



Elevation B



Elevation C



Elevation D

The building is proposed to have walls constructed of log. The building will have a red/brown clay tile roof and a limited number of openings consisting of timber windows and doors.

The footprint of the building would be 158.4 m².

Access to the site would be via the existing access point off Lambs Lane.



Policy

Section 70(2) of The Town and Country Planning Act 1990 requires that, in dealing with an application for planning permission, ***“the authority shall have regard to the provisions of the development plan, so far as material to the application...and, any other material considerations.”***

Additionally, section 38(6) of The Planning and Compulsory Purchase Act 2004 states ***“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.”***

DEVELOPMENT PLAN

The relevant development plan comprises:

- Core Strategy – adopted January 2010
- Managing Development Delivery DPD – adopted February 2014

Core Strategy

CP1 – Sustainable development

Planning permission will be granted for development proposals that:

- 1) Maintain or enhance the high quality of the environment;
- 2) Minimise the emission of pollutants into the wider environment;
- 3) Limit any adverse effects on water quality (including ground water);
- 4) Ensure the provision of adequate drainage;
- 5) Minimise the consumption and use of resources and provide for recycling;
- 6) Incorporate facilities for recycling of water and waste to help reduce per capita water consumption;
- 7) Avoid areas of best and most versatile agricultural land;
- 8) Avoid areas where pollution (including noise) may impact upon the amenity of future occupiers;
- 9) Avoid increasing (and where possible reduce) risks of or from all forms of flooding (including from groundwater);
- 10) Provide attractive, functional, accessible, safe, secure and adaptable schemes;
- 11) Demonstrate how they support opportunities for reducing the need to travel, particularly by private car in line with CP6; and
- 12) Contribute towards the goal of reaching zero-carbon developments as soon as possible by:
 - a) Including appropriate on-site renewable energy features; and
 - b) Minimising energy and water consumption by measures including the use of appropriate layout and orientation, building form, design and construction, and design to take account of microclimate so as to minimise carbon dioxide emissions through giving careful consideration to how all aspects of development form.

CP3 - General Principles for development

Planning permission will be granted for proposals that:

- a) Are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life;
- b) Provide a functional, accessible, safe, secure and adaptable scheme;
- c) Have no detrimental impact upon important ecological, heritage, landscape (including river valleys) or geological features or water courses.
- d) Maintain or enhance the ability of the site to support fauna and flora including protected species;
- e) Use the full potential of the site and contribute to the support for suitable complementary facilities and uses;
- f) Contribute to a sense of place in the buildings and spaces themselves and in the way they integrate with their surroundings (especially existing dwellings) including the use of appropriate landscaping;
- g) Provide for a framework of open space in secure community use achieving at least 4.65 ha/1,000 population provision together with recreational/sporting facilities in addition to private amenity space;
- h) Contribute towards the provision of an appropriate sustainable network of community facilities;
- i) Do not lead to a net loss of dwellings and other residential accommodation or land; and
- j) Do not lead to a loss of community or recreational facilities/land or infrastructure unless suitable alternative provision is available.

Development proposals will be required to demonstrate how they have responded to the above criteria through the submission of Design and Access Statements, clear and informative plans, elevations and streetscenes and where required Masterplans, Development Briefs, Concept Statements and Design Codes.

CP11 - Proposals outside Development Limits (including countryside)

In order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development limits will not normally be permitted except where:

- 1) It contributes to diverse and sustainable rural enterprises 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; and
- 3) It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement; or
- 4) In the case of residential extensions, does not result in inappropriate increases in the scale, form or footprint of the original building;
- 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.
- 6) Essential community facilities cannot be accommodated within development limits or through the re-use/replacement of an existing building
- 7) Affordable housing on rural exception sites in line with CP9.

Managing Development Delivery DPD

Policy TB04: Development in vicinity of Atomic Weapons Establishment (AWE), Burghfield

1. Development will only be permitted where the applicant demonstrates that the increase in the number of people living, working, shopping and/or visiting the proposal (including at different times of the day) can be safely accommodated having regard to the needs of "Blue light" services and the emergency off-site plan for the Atomic Weapons Establishment site at Burghfield.
2. The applicant will need to provide this information where the proposal exceeds the scale of development detailed below for the consultation zone as defined on the Policies Map.

Consultation Zone (Distance from AWE Burghfield)	Scale of development
Inner (0 - 1.5 km) <i>This corresponds with the Detailed Emergency Planning Zone (DEPZ) for the site</i>	All residential or non-residential applications where one or more additional person may live, work, shop and/or visit (all applications except house extensions, shop fronts, advertisements, Listed Building, Conservation Area consent, prior notifications and telecommunications).
Middle (1.5 – 3 km)	All residential or non-residential applications where 50 or more additional people may live, work, shop and/or visit.
Outer (3 - 5 km)	All residential or non-residential applications where 500 or more additional people may live, work, shop and/or visit.

NATIONAL PLANNING POLICY FRAMEWORK

11. Plans and decisions should apply a presumption in favour of sustainable development.

For **decision-taking** this means:

- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

84. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- (c) the development would re-use redundant or disused buildings and enhance its immediate setting;

111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.



Evaluation

PRINCIPLE OF DEVELOPMENT

Location

The site is located within the open countryside. Policy CP11 of the CS seeks to protect the separate identity of settlements and maintain the quality of the borough's environment through restricting development outside of development limits. CP11 sets out the exceptions to inappropriate development in the countryside including development ***"within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement."*** The proposal is for a replacement building; it would have a smaller built footprint and volume than the existing development reducing built form in the open countryside which would amount to an environmental benefit.

Impact on the Character of the Area

Policy CP1 of the Core Strategy states that planning permission will be granted for development proposals that ***"maintain or enhance the high quality of the environment"***. Policy CP3 of the Core Strategy states that planning permission will be granted for development that is ***"of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area, together with a high quality of design, without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life."*** R1, R2, R7, R9 and R10 of the Borough Design Guide are also applicable in terms of achieving a development that relates to and is compatible with the character of the site and the area.

The proposal would involve the demolition of the existing agricultural buildings and the erection of a new dwelling which reflects the appearance of the existing building. The general pattern of development in the surrounding area is defined by mainly open countryside, with scattered detached dwellings with spacious plots. There is no predominant building line among properties, which reflects the dispersed, intermittent and historic pattern outside settlement boundaries. The new dwelling would fit within this dispersed character, and with no proposed increase in footprint, the scale of the dwelling is commensurate with the scale of nearby properties. Overall, the proposal would not have a harmful impact on the character of the area.

Public Safety

Local authorities are responsible for developing off-site emergency planning procedures to protect residents in the event of an accident involving the escape of radiation from the AWE at Burghfield. The Radiation (Emergency Preparedness and Public Information) Regulations (REPPiR) were updated in 2019 and gave the responsibility for defining the DEPZ to the lead Local Authority, which in this case is

West Berkshire District Council. Emergency planning was previously undertaken by defining a zone based on a 'reasonably foreseeable accident' and a dose contour of 5 mSv.

The updated REPPiR amended the way in which the DEPZ was determined, changing the limiting dose contour and requiring considerations of other factors including a range of weather conditions. The 7.5 mSv dose in adverse weather results in a contour some 3160 m from the centre of the Burghfield AWE site. The size of the DEPZ has therefore significantly increased from that which was defined under the previous REPPiR in 2001. Furthermore, the revised DEPZ has not been defined as a circle as in the past. Instead, it is a larger and irregularly shaped area that takes account of the settlement pattern and the roads connecting them. Consequently, the whole of Spencers Wood has been included within the DEPZ, even though much of the village lies beyond 3160 m from the AWE.

The greatest danger from dispersion of any radiation plume following an incident is through inhalation. If any evacuation was required, it would be concentrated on the area closest to the AWE and priority would be given to care homes, schools and vulnerable people. However, sheltering, by staying indoors with windows and doors closed, is the most effective form of mitigation. This is what residents in most of the area within the DEPZ would be asked to do in the event of an emergency. The danger posed would be short-lived. Based on the type of accident for which any emergency planning is prepared, sheltering would typically be required for a few hours and not for more than 2 days.

A development of one dwelling is likely to accommodate approximately 2.4 residents. The risk of accident at the AWE is extremely small and sheltering for a relatively short period of time is likely to be the most effective course of action to protect most of these residents. The need for evacuation from the appeal site is likely to be remote. Nevertheless, there is a very small risk that a medical or other personal emergency could occur that would put additional pressure on the emergency services. This would take place in an already expanded DEPZ in which more residents would be subject to mitigation measures and might require additional support from the emergency services.

Policy TB04 of the MDDLDP sets out how development in the vicinity of the AWE will be assessed. At the time the policy was adopted the DEPZ was the inner zone of up to 1.5km where development was required to demonstrate that any increase in the number of residents could be safely accommodated, having regard to the needs of 'blue light' services. The requirements for sites that were further away were significantly less onerous as they only applied to developments with 50 (middle zone) or 500 (outer zone) more residents.

The amendment to the DEPZ effectively renders the policy out-of-date. However, the supporting text acknowledges that the zones may change during the plan period. The implications of the enlargement of the zones therefore needs to be addressed as part of any development proposal and the principles set out in Policy TB04 remain relevant to this case.

Given the size of the proposal, its distance from the AWE, the effectiveness of sheltering in the event of an incident and the general reduction in movement of people during any period of sheltering, any additional demand on the blue light services would be minimal.

Whilst it cannot be concluded for certain that the additional residents associated with the proposal could be accommodated safely having regard to the needs of the 'blue light' services, any conflict with Policy TB04 of the MDDLDP would be notional.

Fallback Position

It is established in case law that a fallback position is capable of being a material consideration when considering alternative proposals for development of the same site. For a fallback position to be a relevant consideration, the basic principle is that it must be a real prospect. It does not have to be probable or likely, as a possibility would suffice (*Mansell vs Tonbridge and Malling Borough Council* [2017]). For the prospect to be real, there must be a greater than theoretical possibility that the development might take place.

The site benefits from an extant permission for the conversion of the poultry shed to one dwelling under 210301. That permission is extant until 26th February 2024. Additionally, policy CP11 of the CS defines development which would be contained within suitably located buildings which are appropriate for conversion as acceptable. As such, there is a route to the grant of permission under the conversion of the existing building notwithstanding the extant permission.

New builds are much more energy efficient than older properties. This is primarily because there are limitations on the improvements that can be achieved in the energy performance of refurbished buildings, and they cannot match those achieved by well-designed new builds with good thermal properties. Consequently, lifetime emissions of CO₂ in new build development are often substantially lower than they would be for a conversion. In addition, building new dwellings enables the design to meet the needs of modern living in a way that a conversion project is much less able to do – consequently the provision of good daylighting, thermal comfort and living space lends itself to better health and wellbeing for occupants. The applicant intends to construct the dwelling utilising Structural Insulated Panels (SIPs) with further information appended to this statement on their energy efficient at Appendix 1. The proposal is more aligned with Policy CP1 of the CS in terms of achieving sustainable development.

Additionally, the conflict with the spatial strategy's aims of protecting the character of the landscape would clearly be more apparent with the fallback than with this proposal. An application (213146) for the demolition of the building and its replacement with a new dwelling with an increased floorspace and ridge height was previously refused. In the officer's view, the increase in the scale of the proposal would have been contributed to an ***"unacceptable level of harm to the openness and character of the countryside."*** When compared with the fallback position, this proposal offers a reduction in footprint, whilst not being materially greater in volume or ridge height.

Tilted Balance

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Wokingham Borough Council are unable to demonstrate a five-year supply of deliverable housing sites. In accordance with the Framework, the policies which are most important for determining the application are therefore out of date. Consequently, paragraph 11(d) of the NPPF is engaged, meaning that permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Planning Balance

There are no policies in the Framework that protect areas or assets of particular importance that would provide a clear reason for refusing the development.

The identified policy conflicts are central to the consideration of whether the proposals would conflict with the development plan as a whole. Other than failing to secure a deliverable housing land supply, the relevant policies of the development plan are generally consistent with the NPPF.

A degree of harm would arise from the location of the development within the DEPZ. Given the size of the proposal, its distance from the AWE, the effectiveness of sheltering in the event of an incident and the general reduction in movement of people during any period of sheltering, any additional demand on the blue light services would be minimal and should attract limited weight.

An extant permission exists for the conversion of the existing agricultural building to one dwelling. There is no substantive reason to doubt that the extant scheme would be fully implemented. As such, the extant permission represents a realistic fallback position.

Implementation of the above-mentioned scheme would result in a dwelling in the same location as that proposed. The harms resulting from the implementation of the extant permission, particularly relating to sustainability of location, would therefore be of a similar level to that of the application scheme. Significant weight must therefore be attributed to the fallback position.

Turning to the benefits, the decision maker is required to consider whether the development proposed would amount to sustainable development as set out in paragraph 7 of the Framework, with particular reference to its economic, social and environmental credentials.

With respect to the economic benefits of the development proposed, there would be benefits during the construction phase and the additional spending by the future occupiers in the local services and facilities. These economic benefits arising from one dwelling are limited and thus attract limited weight.

Paragraph 69 of the NPPF acknowledges that smaller sites can play an important role in contributing to housing provision due to the small-scale nature of the development proposed. As the Council currently cannot demonstrate a five-year housing land supply, the addition of the proposed dwelling would make a contribution, albeit modest, to the shortfall and boost the overall provision attracting moderate weight.

With regards to the environmental benefits, the development proposed would not affect any surrounding land or involve the noteworthy loss of any agricultural land. Additionally, it would reduce the built form when compared to the existing buildings and would increase and preserve the openness of the open countryside. Moderate weight should be given to these environmental benefits.

Turning to part (i) of paragraph 11(d) of the NPPF, there are no areas or assets of particular importance that provide a clear reason for refusing the development. In respect of part (ii) of paragraph 11(d) when the above considerations are taken together, and weighed in the balance, the impacts would not **significantly** and demonstrably outweigh the benefits. The development would be in an otherwise suitable location to boost housing supply in Wokingham. Therefore, the presumption in favour of the development applies in relation to the circumstances of this case.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, although there is some notional conflict with the development plan, the presumption in favour of the development

constitutes a material consideration of significant weight that justifies a determination other than in accordance with the development plan.

Paragraph 38 of the NPPF states:

38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

This statement presents a compelling case for the granting of planning permission. It would deliver clear benefits which are not significantly outweighed by harm arising out of any conflict with the development plan.

In line with paragraph 38, it is necessary for the decision maker to view the application which represents sustainable development from a positive starting point and seek to approve it, thus delivering identified social, economic and environmental benefits for the area.

ECOLOGY

A Preliminary Roost Assessment has been undertaken and is provided with this application. It has concluded:

"The buildings could be fully inspected and was assessed as having negligible bat roosting potential. There are no gaps in the roof or walls of either of the buildings and no other features were found, internally or externally."



Conclusion

Paragraph 38 of the NPPF states:

38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

This statement has demonstrated that the proposal is compliant with the development plan when read as a whole. Planning law dictates that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Given the council's land supply position, the identified benefits, and the lack of any significant and demonstrable harm, planning permission should be granted.