

TOWN & COUNTRY PLANNING ACT 1990

MR & MRS MANNING

PLANNING AND HERITAGE STATEMENT

**LINDEN HOUSE
BATH ROAD
KILN GREEN
BERKSHIRE
RG10 9SE**

**Erection of two storey detached dwellinghouse following demolition
of existing garage and carport (self-build)**

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1. INTRODUCTION

1.1 This statement is submitted in support of a planning application by Mr & Mrs Manning for the erection of a detached dwellinghouse following the demolition of the existing garage/carport block. The property will be a self-build dwelling for the owners.

1.2 This planning statement is divided into the following sections:

- Site and Surrounding Area
- Planning History
- Planning Policy Context
- The Application Proposal (including Heritage Statement)
- Summary and Conclusions

1.3 The application submission is accompanied by the following:

- Arboricultural Method Statement – GHA Trees
- Phase 1 Biodiversity Survey – Aluco Ecology

1.4 This statement will examine all relevant planning policies both local and national and will demonstrate that the application proposal is both sustainable and in full compliance with policy guidance. It will be demonstrated that the proposed dwelling forms a more defensible boundary to the village and the open Green Belt beyond. In this regard and in the absence of a definition within either the Development Plan or the NPPF, the proposal would amount to 'limited infilling in a village' meeting indent (e) of paragraph 154 of the NPPF.

1.5 Reference will be made in particular to the fact that the Council does not have a 4-year supply of housing. The most recent published figure contained within the

Wokingham Borough Five Year Housing Land Supply Statement of 31 March 2023 (published 26 January 2024) is that on 31 March 2023, the Council could only demonstrate a 3.2 year housing land supply.

- 1.6 Finally, the proposal would provide for a new self-build development. The Council's Topic Paper: 'Self-build and custom housebuilding' identifies a minimum borough need for 128 plots, although it is accepted that this figure is likely to be higher.

2 SITE AND SURROUNDING AREA

- 2.1 The application site lies on the northern side of Bath Road. The site currently forms part of a much larger plot which contains the main dwelling (Linden House) which is a traditional two-storey dwelling and several large outbuildings including the large triple bay structure proposed for demolition. The property sits at the western end of a run of residential dwellings which collectively comprise of the village of 'Kiln Green'.
- 2.2 The site is located outside of a recognised settlement/urban area and within land defined as Metropolitan Green Belt (see below). The site is located within Flood Zone 1 and therefore not affected by flooding. The cottages to the east of Linden House (The Old Cottage and Little Cottage) are Grade II listed buildings.

Application site

Existing triple bay structure proposed for demolition



3 PLANNING HISTORY

- 3.1 The planning history of the site is set out below. All of these applications relate to the existing property:

161117 – Proposed erection of a replacement detached garage, following demolition and removal of existing garage. Approved 14.06.2016.

F/2000/2467 – Two storey rear extension to dwelling plus hipped roof to replace existing side flat roof. 21.11.2000.

98//68090/F - Two storey rear extension to dwelling and hipped roof to replace existing side flat roof extension. Approved 19.10.1998.

07981 – Garage. Approved 08.06.1978.

4 PLANNING POLICY CONTEXT

- 4.1 Relevant planning policy guidance falls within the National Planning Policy Framework and the Development Plan which comprises of the Core Strategy and the Managing Delivery Development Local Plan.

i) National Planning Policy Framework (2023)

- 4.2 The NPPF sets out the Government's planning policies and how these should be applied. It confirms that applications should be determined in accordance with the development plan unless material considerations indicate otherwise (paragraph 2). The NPPF must be taken into account in the preparation of the development plan and is a material consideration in planning decisions. Paragraph 224 of the NPPF confirms that the policies in the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.
- 4.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to achieve sustainable development. There are three overarching objectives to sustainable development which are interdependent and need to be pursued in mutually supportive ways: economic, social and environmental objectives. The environmental objective includes the need to make efficient use of land and to improve biodiversity. So that sustainable development is pursued in a positive way, at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development (paragraph 10).
- 4.4 Paragraph 11(d) of the NPPF states that "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’.
- 4.5 Paragraph 38 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.
- 4.6 Paragraph 70 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. To promote the development of a good mix of sites, local planning authorities should support the development of windfall sites through their policies and decisions.
- 4.7 Chapter 11 is concerned with making effective use of land. Paragraph 123 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.8 Paragraph 142 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence.
- 4.9 Paragraph 143 confirms that Green Belt serves five purposes:
- To check the unrestricted sprawl of large built-up areas
 - To prevent neighbouring towns merging into one another
 - To assist in safeguarding the countryside from encroachment
 - To preserve the setting and special character of historic towns; and

- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 4.10 Paragraph 152 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 4.11 Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 4.12 Paragraph 154 confirms that new buildings should be regarded as being inappropriate in the Green Belt unless the buildings fall within certain criteria (i.e. exceptions). This includes under indent (e) the following exceptions: 'limited infilling in villages'. The NPPF does not define 'limited infilling in villages'.
- 4.13 Chapter 16 of the NPPF is concerned with conserving and enhancing the historic environment. Paragraph 195 confirms that these assets are an 'irreplaceable resource' and should be conserved in a manner appropriate to their significance.
- 4.14 Paragraph 196 states that in determining applications, LPA's should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
- 4.15 Paragraph 205 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset,

the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

- 4.16 Paragraph 207 of the Framework confirms that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

ii) The Development Plan

Core Strategy (2010)

- 4.17 Policy CP3 states that planning permission will be granted for proposals that:

- Are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high-quality design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life;
- Provide a functional, accessible, safe, secure and adaptable scheme;
- Have no detrimental impact upon important ecological, heritage, landscape or geological or water courses.

- 4.18 Policy CP11 Is concerned with proposals for development on sites located outside of the Development Limit (including Countryside). The policy sets a series of criteria which new developments are required to meet including the following:

- It does not lead to excessive encroachment or expansion of development away from the original buildings;
- It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvements;

- 4.19 Policy CP12 (Green Belt) states that permission will not be granted for inappropriate development within the Green Belt.

Managing Development Delivery Local Plan (2014)

- 4.20 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.
- 4.21 Policy CC03 is concerned with Green Infrastructure, trees and landscaping. It states that development proposals should protect and retain existing trees, hedges and other landscape features.
- 4.22 Policy TB01 states that proposals for development will only be permitted where they maintain the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. Paragraph 3.4 confirms that 'limited' means a cumulative increase of generally no more than a 35% increase in volume over and above the original dwelling.
- 4.23 Policy TB24 states that the Borough Council will conserve and seek the enhancement of designated heritage assets and their settings.

5 THE APPLICATION PROPOSAL (INCLUDING HERITAGE STATEMENT)

- 5.1 The application proposal is to erect a two storey dwelling (self build) following the demolition of the existing triple bay covered parking structure.
- 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 This chapter of the statement assesses the proposal against the following considerations:
- Whether the proposals amount to 'inappropriate' development in the Green Belt?
 - The impact on the setting of the designated heritage assets (Heritage Statement).
 - Amenity of existing and future occupants.
 - Impact on trees and ecology.
 - Highways and parking.
 - Planning balance and conclusions.

i) Whether the proposals amount to 'inappropriate' development in the Green Belt?

- 5.4 Paragraph 154 of the NPPF sets out categories of development which are not inappropriate development in the Green Belt. This includes at (e) limited infilling in villages.
- 5.5 The terms 'village', 'limited' and 'infilling' are not defined in the NPPF. The considerations are therefore whether the proposal:
- Would be in a village
 - Would represent infilling, and if so
 - Would that infilling be limited.
- 5.6 The proposal is within the village of Kiln Green which comprises of residential dwellings which due to their number, density and generally close spacing, have a built-up character and appearance. The village is accessed directly from the A4 (Bath Road).
- 5.7 The proposal therefore represents infilling within the existing village envelope. It has a frontage onto Bath Road and is directly adjacent to Linden House and the properties stretching eastwards along Bath Road. The proposal is clearly a form of infill, filling the gap between the development to the east (Linden House) and the open Green Belt which lies beyond the property's western boundary.
- 5.8 The proposal is for 1no. dwelling and is clearly 'limited' for the purposes of the NPPF. The proposal is therefore not 'inappropriate' development as it is in accordance with paragraph 154(e) of the NPPF.
- 5.9 Having established that the development is not inappropriate under paragraph 154(e) - unlike sub-paragraphs b) and g) of para 154 and para 155, there is no need to consider whether the proposal would conflict with the purposes of including land in the Green Belt or its effect on openness. As established by Lee Valley Regional Park Authority R (on the application of) v Epping Forest District Council & Anor (Rev

1) [2016] EWCA Civ 404 where development is found to be not inappropriate when applying paragraph 154 of the Framework, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land within it.

5.10 The proposed development is therefore not inappropriate development in the Green Belt. There are therefore no policies in the Framework that provide a clear reason for refusing the development and permission should therefore be granted in accordance with paragraph 11(d) of the NPPF.

5.11 Additional benefit to Green Belt openness is provided through the removal of the existing garage structure. The existing and proposed volume figures are set out below:

Existing garage and car port – 80.8cu.m

Proposed dwelling – 885cu.m

Increase = 804.2cu.m

ii) Impact on the setting of designated heritage assets (Heritage Statement)

5.12 The NPPF states that a Heritage Impact Statement should be appropriate to the asset's significance and enable an assessment of any heritage assets and how the proposed development may affect it.

5.13 The closest Listed Buildings are The Old Cottage and Little Cottage which lie to the east of the host dwelling, Linden House. Their significance and heritage value relates to their architectural and aesthetic contribution to the road frontage and the village as a whole.

5.14 The entry describes them as follows:

WARGRAVE BATH ROAD SU 87 NW (north side) Kiln Green 3/22 The Old Cottage and Little Cottage II 2 cottages. Early C17 altered C19 extended C20. Part timber framed rendered and painted, part painted

brick, old tile gabled roof, chimney on ridge to left with offset head. One and a half storeys. Entrance front: 2 gables, one to left with 3-light C19 casement, one to right with 5-light angular bay with small panes; on ground floor projecting C20 pent porch almost the whole width with 2 C20 entrance doors and casement windows. C20 extension at rear.

- 5.15 Given the sites' distance and intervening built form comprising of Linden House, the significance of the proposal on both of these listed buildings is unlikely to be materially affected. There is therefore no requirement to consider any public benefits arising from the development.
- 5.16 The proposal is considered to be consistent with the aims and objections of CS Policies CP1, CP3 and CP11, MDDL Policy TB26 and the BDG SPD.
- 5.17 Should the Council determine that there is 'less than substantial harm' the following would be sufficient to demonstrate public benefits which outweigh the 'less than substantial harm' to their setting:
- Provision of an infill plot in a Council area where there is no 4 or 5 year housing land supply;
 - Efficient use of previously-developed/brownfield land;
 - Provision of a self-build plot.

Location of the two closest designated assets

Application site

The Old Cottage and Little Cottage



iii) Amenity of existing and future occupants

- 5.18 The proposed dwelling will sit to the side of the host dwelling. As there are no dwellings to the rear there will not be any direct overlooking of any neighbouring dwellings.
- 5.19 The proposed dwelling meets the nationally described standard for a 4-bedroom dwelling. The proposed garden exceeds a depth of 11m. The proposal will therefore provide for a high standard of amenity for existing and proposed occupants and is in accordance with CS Policy CP3 and paragraph 135 of the NPPF.

iv) Impact on trees and ecology

- 5.20 The Tree Report confirms that the proposed development can proceed without harming trees of amenity value. The Ecology Report confirm that no protected

species would be affected by the proposals. The proposal therefore meets CS Policies CP1 and CP3 and MDDL Policies CC01, CC03 and TB21.

v) Highways and parking

- 5.21 The proposal would re-use the existing entrance arrangements serving Linden House to the east. Linden House would retain 3no. existing spaces whilst the proposed new dwelling would provide for 4no. spaces. The number of spaces provided meets the adopted guidelines.

vi) Planning balance and conclusions

- 5.22 The proposal is not an inappropriate form of development in the Green Belt as it comprises of infill development. When assessed against the three objectives to sustainable development, the proposals would provide for the following significant benefits:
- 5.23 Economic objective: The redevelopment of the site to provide for a new dwelling will provide benefits to local businesses in the immediate vicinity. In addition, the development would provide initial short-term employment in the construction industry followed by longer term benefits in terms of additional support for a variety of local business including pubs, restaurants, shops, local trades and private leisure and recreational establishments. None of the land (including historically) is in use as agricultural land.
- 5.24 Social objective: The application would make a contribution to the local housing stock. Noting the Government's objective of significantly boosting the supply of homes, this contribution would be towards the Borough's substantial shortfall in housing land supply and this factor should be afforded positive weight. The occupants of the property would contribute towards the local community and the proposal would play a positive social role.
- 5.25 Importantly, the proposals are for a 'self-build' unit for which there is an identified shortfall within the borough.

- 5.26 Environmental objective: The site will make effective use of a site which can be regarded as being 'brownfield land/previously developed land'. In accordance with Chapter 11 of the NPPF, this category of land should be used in the first instance.

6 SUMMARY AND CONCLUSIONS

6.1 The application for planning permission should be supported for the following reasons:

- i) The proposal is for 'limited infilling in a village' thereby meeting indent (e) of paragraph 154 of the NPPF. As such there is no requirement to consider the impact on openness. The proposal is therefore by definition an 'appropriate' form of development in the Green Belt thereby meeting the NPPF.
- ii) The Council cannot demonstrate a 4 year housing land supply and therefore the provision of an additional dwelling carries significant weight in the planning balance.
- iii) The proposal is for a self-build dwelling for which there is a borough wide shortfall in provision.
- iv) The application proposal would not materially harm the setting of the two listed buildings located to the east beyond Linden House. There is therefore no requirement to consider any public benefits. The proposal therefore meets MDDL Policy TB26 and chapter 16 of the NPPF. Should the Council consider that there is 'less than substantial harm', the proposed benefits will clearly outweigh the limited harm.
- v) The proposal will have an acceptable relationship with the neighbouring property, Linden House, with neither property affecting the other in terms of amenity. The proposed garden depth and dwelling size exceeds Council and national standards. The proposal meets CS Policy CP3 and paragraph 135 of the NPPF.
- vi) The proposed dwelling will be provided with a policy compliant level of parking.

vii) The Arboricultural Assessment and Method Statement confirms that the proposals do not raise any arboricultural issues. The Biodiversity Report confirms that there are no protected species affected by the development.