
Appeal Decision

Hearing held on 4 July 2017

Site visit made on 4 July 2017

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 August 2017

Appeal Ref: APP/X0360/W/17/3171523

The Old Pump House, Bath Road, Kiln Green RG10 9UT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Niaz & Olivia Faruki against the decision of Wokingham Borough Council.
 - The application Ref 160251, dated 29 January 2016, was refused by notice dated 17 September 2016.
 - The development proposed is the preservation and restoration of WWII Prisoner of War site through the development of a self-build family dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. There is no dispute that the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (NPPF) and development plan policy. The objection on the basis of the nearby badger sett has now been resolved. Consequently the main issues are:
 - The benefits of the proposal to preserve and restore World War II remains;
 - The effect of the proposal on the purposes and openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the area;
 - Whether the proposal would form a sustainable pattern of development;
 - The effect of the proposal on the setting of the Grade II listed building Castlemans; and
 - As the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons

World War II remains

3. The proposal is to preserve and restore the remains of a waste water and sewage treatment plant (WWSTP) built for a World War Two (WWII) military

base and later prisoner of war camp together with enabling development of a bespoke single storey house constructed within and between the remains. The site lies within the countryside and Metropolitan Green Belt to the south east of several substantial properties which line the southern side of the A4 Bath Road. These include the Grade II listed building Castlemans.

4. In 1942 during WWII Castlemans was taken over by the United States military and as part of this a number of hutments or Nissen huts were built nearby as accommodation for service personnel. There is no evidence that these were sited within the existing grounds of Castlemans House, and they were probably located just to the west where two houses, Linden Place and Copper Beeches, are now. Subsequently the accommodation was used to house Italian prisoners of war after which the accommodation buildings were dismantled or sold off. The WWSTP was decommissioned but left in place and its remains are now the only physical reminder of the WWII activity in the area.
5. Whilst surviving WWII remains are relatively common no comparable examples of military camp WWSTP have been identified. There is local interest in the military use of the site and both memories and records of the Italian prisoners of war who contributed to the war effort locally. As a result the Council agree that the WWSTP is a non-designated heritage asset of some local interest which warrants at the very least an accurate record being made before the remains are lost and preferably their physical retention.
6. The five brick built structures forming the WWSTP have deteriorated over the last 70 years but no active demolition appears to have taken place. The appellants have undertaken much commendable research and from this and a careful study of the remains it is possible to understand the broad function of each structure. The best preserved is a small pumphouse, still roofed and used for storage. A few metres away lie four other related structures. The most prominent is the initial rectangular settlement tank nearly 3 m high from which solids were tapped off to a large square ground level sludge bed to one side. Liquids were tapped off to an adjacent circular trickling filtration plant, still substantially intact, after which it passed for final treatment to ground level sand bed filters. Much brickwork remains, albeit in a deteriorated state, together with metalwork valve controls and sluice openings from which it is possible to piece together the workings of the plant.
7. The proposal is to preserve and restore these remains by including them within a bespoke, individually designed single storey dwelling. The old pumphouse would be retained as a biomass pellet store, the rectangular settlement tank left unchanged, the circular filtration plant converted into a living room and the sludge and sand beds turned into external courtyard and reed bed features. The new build elements of the dwelling would comprise an entrance hall and bedroom section between the pumphouse and settlement tank, a curved kitchen/dining room section adjacent to the filtration plant and a glazed walkway linking the two sections alongside the courtyard.
8. Considerable thought has gone into drawing up proposals that seek to integrate and interpret the remains within a modern family dwelling with, for example, the new elements reflecting the design of military camp buildings to celebrate the WWII activity on the site. The scheme is well intentioned, would be unique and its low profile would fit into its rural setting to some extent. However, the

- proposals would seriously compromise the integrity and understanding of the WWSTP which it is intended to preserve and restore.
9. The remains of the WWSTP are relatively small scale and only have a limited volume. Whilst the circular filtration plant and pumphouse would be reused for the dwelling, the latter as a detached storage building, a disproportionately large amount of new building would be required for living accommodation. This would fundamentally change the character of the site from brick built remains in an open grassland setting to an essentially residential building which would dominate and obscure the remains and their interrelationship. The new entrance hall/bedroom section would separate the pumphouse from the other structures, views of the filtration plant would be lost due to the close proximity of the kitchen/dining room and the functional link between the settlement tank and sludge bed would be obscured by the intervening glazed walkway.
 10. The insertion of a living room within the circular filtration plant structure would be a particularly damaging intervention. This would obscure the high level entry pipe, sloping floor, drainage channels and low level exit holes which are fundamental to understanding its operation. The interior utilitarian brickwork would be obscured and intrusive window and door openings would be made in the originally unbroken circular brickwork. Overall the intervention would seriously compromise the understanding and appreciation of the filtration plant.
 11. The functional character of the site would also be lost by the introduction of a residential use which would become more established over time. Whilst the intention is to keep the surrounding landscape informal with any domestic appearance kept to a minimum this is unlikely to survive residential use in the medium term. Adjacent car parking and inevitable signs of occupation such as wheelie bins, garden furniture and other domestic paraphernalia would obscure and detract from the WWSTP origins of the site and are only likely to increase over time with pressure to introduce the more usual lawns, flower beds, shrubs and so on. Further interventions and adjustments to the WWII remains are also likely over time, eroding their significance.
 12. For these reasons the proposal would not serve to preserve and restore the WWII remains, rather they would be compromised and their appreciation and understanding reduced. Less costly and intrusive options such as repointing and capping walls could be explored. The development would not therefore represent the optimal viable use of a heritage asset or be appropriate enabling development to secure the future of a heritage asset. In addition, because the design of the scheme would fail to achieve its stated objective it cannot be regarded as innovative or of exceptional quality, and due to the amount of new building proposed it would not comprise the re-use of a redundant or disused building. None of the special circumstances listed in paragraph 55 of the NPPF which are claimed by the appellant in support of the proposal for a new dwelling in the countryside therefore apply in this case.
 13. On the contrary, the proposal would conflict with the NPPF core planning principle to conserve heritage assets in a manner appropriate to their significance and Policy CP3 of the Wokingham Core Strategy 2010 (WCS) which seeks to avoid a detrimental impact upon heritage features.

Purposes and openness of the Green Belt

14. The proposal would involve the introduction of a new residential dwelling into the Green Belt. This would involve new buildings, a lengthy access drive and the creation of a new residential curtilage in a rural area. Although the new buildings would mostly lie between the existing WWSTP structures these various aspects of the scheme would represent further development in the countryside. The proposal would therefore conflict with one of the five purposes of the Green Belt listed in paragraph 80 of the NPPF which is to assist in safeguarding the countryside from encroachment.
15. Openness is an essential characteristic of the Green Belt and can essentially be regarded as the presence or otherwise of built form. In this case the Council calculate the combined footprint of the existing pumphouse, settlement tank and circular filtration plant to be about 87 m² and the additional single storey buildings proposed to have a footprint of about 188 m². As such, there would be a significant increase of about 200% in the amount of built development on the site with a corresponding reduction in openness. Measured in terms of volume the increase would be even greater due to the greater height of the circular filtration plant structure but this is difficult to assess accurately.
16. The proposal would therefore harm the Green Belt by conflicting with one of its purposes and by reducing its openness in conflict with Policy TB01 of the Wokingham Managing Development Delivery Local Plan 2014 (WMDDLDP).

Character and appearance

17. The appeal site currently comprises the WWSTP remains in an open grassland setting with the extensive grounds of Castleman House on one side and those of Linden Place on the other. Neither grounds have curtilage buildings nearby despite having lawful residential garden use and substantial future buildings in them are unlikely. The site lies behind the large residential properties which line the southern side of Bath Road which could be regarded as semi-rural in character. However, the site also lies adjacent to open countryside to the south east, albeit a golf course with artificially modelled ground, and is inter-visible with a wide area of countryside to the south.
18. The proposal would introduce an additional dwelling into the area with new built development and a marked change in the character of the site from rough grassland to a residential use with car parking and other signs of domestic occupation. Although not visible from nearby public viewpoints this would consolidate the existing residential development nearby and erode the pleasant rural character of the neighbourhood. However, the site is relatively discreet with some screening along the boundaries, the new dwelling would have a low profile design and built with suitable materials would to some extent blend into its setting. The proposal would therefore harm the character and appearance of the area in conflict with Policy CP11 of the WCS which seeks to protect the countryside but as a result of these mitigating factors the extent of that harm would be relatively limited.

Sustainable pattern of development

19. The site lies well outside the nearest recognised settlements of Wargrave and Twyford with their wide range of services and facilities. The nearest facilities would be a public house about 750 m away and a petrol station with small shop

about 950 m away. The nearest primary school would be about 1850 m away. The A4 Bath Road has footways and street lighting but is busy with fast moving traffic and the distances involved would therefore make walking and cycling to these facilities relatively unattractive. There are bus stops about three minutes walk away with services to Maidenhead but they are relatively infrequent. It is therefore likely that future occupiers of the dwelling would in practice rely to a large extent on use of the private car.

20. The proposal would not therefore form a sustainable pattern of development and this is a further factor which weighs against the scheme. The proposal would conflict with Policies CP1 and CP6 of the WCS and Policy CC02 of the WMDDL which seek to reduce the need to travel, particularly by private car, and resist development outside defined settlement limits.

Effect on the Grade II listed building Castlemans

21. There is no dispute that the proposal falls within the setting of the Grade II listed building Castlemans, a mid-18th century three storey country house with 19th and 20th century additions on the site of an earlier building. Historically the property was associated with a surrounding agricultural estate but this was sold off about 1900 leaving the property with extensive grounds which extend to the south east of the house alongside the appeal site. The important garden front of the building faces across these grounds and was designed to take in wide views over the surrounding countryside. An early 20th century ha-ha feature runs along the common boundary with the appeal site, presumably to facilitate these views, but a line of substantial evergreen and deciduous trees has also become established since that time which largely, but not completely due to some gaps, screens the appeal site from the house.
22. Despite the tree screen it is just possible to see the existing WWII remains from the principal windows of the house but at a distance of about 120 m their impact on the overall view over the countryside is negligible and they do not detract from it. The new buildings would be low profile, only single storey with unobtrusive wooden cladding and low pitch shingle roofs, and being located on the far side of the remains would not result in any material additional impact on the views from the house over and above the current situation. Whilst the access to the proposal would run alongside the common boundary, vehicle and other movements associated with a single dwelling would not cause significant noise and disturbance.
23. For these reasons, notwithstanding the historic connection of the appeal site with Castlemans as part of its estate, the proposal would preserve the setting of the Grade II listed building. The significance and appreciation of the building as an 18th century country house with wide views across the surrounding countryside would not be adversely affected in any way. The proposal would therefore comply with the statutory protection of listed buildings and their setting and also Policy TB24 of the WMDDL which seeks to conserve the setting of designated heritage assets.

Harm balanced with other considerations

24. The proposal would be inappropriate development in the Green Belt which is contrary to Policy CP12 of the WCS and by definition harmful. It would also conflict with one of the purposes of the Green Belt as an encroachment into the countryside and adversely affect its openness. The NPPF prescribes that

substantial weight should be given to any harm to the Green Belt, and in addition as explained above the proposal would cause some limited harm to the character and appearance of the area and would not form a sustainable pattern of development.

25. The principal argument in support of the proposal that it would preserve and restore the WWII remains on the site, a non-designated heritage asset, is not accepted for the reasons set out above. In terms of other considerations, the proposal would provide an additional house with social and economic benefits for the area but at worst the housing land supply position in the Borough is 4.74 years¹ and therefore not so short of the five year requirement to be a significant factor in favour of the scheme. The site arguably meets the definition of previously developed land and the dwelling would be self-built to high environmental standards but this would not be particularly exceptional. The proposal would preserve the setting of Castlemans as a listed building and the effects on the nearby badger sett could be successfully mitigated but these are not positive benefits of the scheme.
26. Consequently, in this case, the other considerations raised by the appellant do not clearly outweigh the harm to the Green Belt and the other harm that has been identified. This is the relevant test for permission set out in paragraph 88 of the NPPF. Therefore, very special circumstances do not exist to justify the proposal and it cannot be considered sustainable development in accordance with the policies of the NPPF taken as a whole.

Conclusion

27. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR

¹ The appellant's figure at the hearing, the Council's figure was 5.27 years.

APPEARANCES

FOR THE APPELLANT:

Douglas Bond MRTPI	Principal, Woolf Bond Planning
Mellis Haward ARIBA, ARB	Director, Archio Architects
Niaz Faruki	Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Mark Croucher MSP	Senior Planner, Wokingham Borough Council
Giles Stephens MCHE AIHBC	Urban Design & Conservation Officer, Wokingham Borough Council

INTERESTED PARTIES:

Maureen Hunt	Local resident, Linden Place
Stephen Barnard	Local resident, Castleman House
Ian Cooper	Local resident, Castlemans Cottage

DOCUMENTS SUBMITTED AT THE HEARING

Letter from Berkshire Archaeological Society

Letter from St Johns Convent

High Court Case [2017] EWHC 1456 (Admin)

Aerial photograph showing distance from Castleman House