



Appeal Decision

Site Visit made on 24 March 2021

by Rory MacLeod BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th May 2021

Appeal Ref: APP/X0360/W/20/3260833

Holme Park Sports Ground Pavilion, Sonning Lane, Sonning, RG4 6ST

- 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 Holme Park Sports & Leisure Ltd against the decision of Wokingham Borough Council.
 - The application Ref 201409, dated 9 June 2020, was refused by notice dated 6 August 2020.
 - The development proposed is erection of detached bungalow following demolition of existing sports club changing facilities, club bar and external store.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (a) whether this is an appropriate location for the proposed bungalow having regard to local and national planning policies,
 - (b) the effect of the development on the character and appearance of the area,
 - (c) the impact on trees near to the proposed bungalow and on the landscape character and
 - (d) whether the proposal generates a requirement for affordable housing.

Reasons

Location

3. The appeal site comprises a mainly open tract of land to the southern edge of a sports field with a belt of trees, subject to a Tree Preservation Order, on its eastern side adjacent to Sonning Lane. It is occupied by a dilapidated single storey former pavilion (encompassed by security fencing) and by an overgrown corrugated shed. Apart from these two buildings the site comprises open land without a hard surfaced area for parking or connecting to a highway. The site's southern boundary abuts the curtilage to Lime Tree House, a large detached dwelling. There are other dwellings to the south of this on the western side of Sonning Lane beyond the junction with Holme Park Farm Lane. To the eastern side of Sonning Lane are open fields screened by a hedgerow. Access to the site is via an unlit driveway from Holme Park Farm Lane; this serves the sports field and to the far side of this a day nursery and rugby football club buildings, both of which have large car parks.

4. The site is outside the borough's designated built-up areas and therefore in the countryside for planning policy purposes. Policy CP11 of the Wokingham Borough Core Strategy (2010) (WBCS) sets out seven exceptions in which proposals outside development limits may be permitted. Whilst the proposed bungalow would overlap the siting of the pavilion, it would have a substantially greater floor area and volume and so would not satisfy exception (2) in relation to its excessive encroachment or expansion away from the original building. Exception (3) requires replacement buildings to bring about environmental improvements; the proposal would remove unsightly buildings but would involve construction of a much larger building with associated hard surfaces on an otherwise open and undeveloped countryside site. Policy CP3 of the WBCS sets out development principles and requires proposals to be of an appropriate scale of activity and mass without detriment to matters including open space.
5. Paragraph 79 of the National Planning Policy Framework (the Framework) states that planning decisions should avoid the development of isolated homes in the countryside unless one or more listed exceptions apply. The bungalow would not be isolated in that it would not be far from other dwellings or from some other services. But it would involve development beyond the present last dwelling at the edge of a row of dwellings into a mainly open area. As the proposal would involve redevelopment and not reuse of the existing building and would not be for a rural worker or of exceptional design quality, it would not satisfy any of the exceptions listed in Paragraph 79.
6. The site would not therefore be an appropriate location for the proposed bungalow. The construction of a dwelling significantly larger than the pavilion to be demolished on a predominantly open site within the countryside would be contrary to Policies CP3 and CP11 and to Paragraph 79 of the Framework.
7. The appellant has referred to the extensive planning history at the site including an extant permission for the erection of a medical consultation and treatment clinic (including sports and physiotherapy) with the same footprint as the proposed bungalow. The proposal is not in effect simply a change of use; the clinic has not been built. The bungalow's parking and bin areas would be substantially smaller than those for the proposed clinic but would relate to an inappropriate residential use of the land.
8. The appellant alleges that the extant permission would have a worse effect on the area than the current appeal proposal and forms a fallback position that helps to justify the development now proposed. The clinic building would be comparable to the bungalow in its siting and massing but there would be a much larger car park which would have a greater impact on the site's open nature than the residential car park proposed.
9. There is a theoretical possibility that the extant permission, or a similar sport related medical facility, could be built on the site but the long planning history of unimplemented permissions and the appellant's own marketing evidence indicates a probability that such a clinic will not be built. I therefore attach only limited weight to this possibility. But even if the clinic were to be built, its permission follows recognition in previous planning decisions that such a facility would be a valuable community benefit in an appropriate location in relation to the site's proximity to multiple sports facilities. It would not be a worse option. The alleged fallback does not provide a justification for the proposed residential development of the site.

Character and appearance

10. The bungalow's siting would overlap with that of the pavilion but would be closer to the boundary with the sports field. The building would be substantially larger than the pavilion and would be a conspicuous feature when viewed across the open spaces of the sports fields. The proposal would appear as an isolated development and its residential use would be incongruous in the site's open context. The building's proximity to the sports field boundary would limit the scope for screening landscape measure to mitigate its impact on this open setting.
11. The bungalow would be close to Lime Tree House, but that dwelling clearly fronts Sonning Lane, and is largely screened from the sports field by trees and shrubs. Other dwellings to the south, also front Sonning Lane. The proposed bungalow would be largely screened from Sonning Lane and would take its setting from the track serving the sports field and adjacent establishments.
12. The proposal would introduce a substantial inappropriate residential building into an open setting that would be harmful to the character of the area. It would thereby conflict with Policies CP3 and CP11 which require proposals to be appropriate in scale, layout and character. There would also be conflict with Paragraph 127 of the Framework which requires planning decisions to ensure that developments function well, and add to the overall quality of the area.
13. The appellant points out that the permission for a sports clinic at the site with associated parking would also have had an impact on the site's open character. But this community use has previously been considered acceptable in this context and does not justify an inappropriate residential use. The large car park alongside would be similar in character to the parking areas serving the day nursery and rugby club buildings on the far side of the sports field.

Trees and landscape character

14. As the building would be similarly sited to the approved sports clinic building, it would not be any closer to the belt of trees adjacent to Sonning Lane. There would be adequate separation between the building and the trees to ensure their protection during building operations. The gardens around the bungalow would allow sufficient space for protected trees not to be threatened by ordinary domestic recreational pressures arising from the site's residential use.
15. A landscaping scheme has been approved for the clinic building involving substantial planting mainly to the boundaries to the site. The Council has recently considered this scheme to be acceptable in the parkland style setting of the building. The same or a similar landscape scheme could be applied to the current proposal in the event that its impact on the character of the area had been considered acceptable. Indeed, as the parking area would be considerably smaller, there would be scope for additional planting for the bungalow.
16. The proposal would have an acceptable impact on protected and unprotected trees at the site and it would be possible through use of an appropriately worded planning condition to secure an acceptable landscape scheme. The proposal would not therefore conflict with those parts of Policy CP3 and Policies CC03 and TB21 of the MDD Local Plan that seek the retention and protection of important trees and incorporation of appropriate measures to enhance the landscape character.

Affordable housing

17. Paragraph 63 of the Framework states, "*Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas*". The proposal for a single bungalow is substantially below the threshold for a major development and is not on a rural site designated for housing. As such a contribution towards affordable housing would not ordinarily be warranted.
18. Core Strategy Policy CP5 states that, "*all residential proposals of at least 5 dwellings (net) or covering a net site area of at least 0.16 hectare will provide up to 50% of the net additional units proposed as affordable dwellings, where viable*". As the site area exceeds 0.16 hectare, the Council consider a contribution is required.
19. The Core Strategy pre-dates the Framework and Policy CP5 is not consistent with it. But the Core Strategy remains part of the development plan and the Council has referred to a continued acute affordable housing need. The appellant has indicated willingness to provide "*a reasonable affordable housing contribution*" but has not suggested a figure or provided viability data on what the scheme could reasonably afford. In the absence of data to indicate that an affordable housing contribution is unviable or unreasonable in relation to national and local policy considerations, a contribution is required. But there is no planning obligation or other mechanism before me to enable such a contribution to be secured. The proposal would thereby be contrary to Policy CP5 and Policy TB05 of the MDD which promote the inclusion of affordable housing as part of an overall appropriate housing mix.

Other Matters

20. The proposal would have the benefit of providing one dwelling to meet the general need for additional homes. However, the Council can demonstrate a five year housing land supply, so this benefit attracts only very limited weight in the light of other policy conflicts with the Framework.
21. I have noted the appellant's reference to reported encouragement for the proposal from the Sonning Parish Council, but the scheme has to be assessed on its planning merits in relation to relevant planning policies. I have also noted the representations from the Parish Council and from other interested parties and have addressed the points raised.

Conclusion

22. The site would not be an appropriate location for the proposed bungalow in relation to local and national planning policies and the development would be detrimental to the character and appearance of the area. For the reasons given above I conclude that the appeal should be dismissed.

Rory MacLeod

INSPECTOR