
Appeal Decision

Site visit made on 20 July 2022

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 September 2022

Appeal Ref: APP/X0360/W/21/3286979

The Fairways, Wokingham Family Golf, Finchampstead Road, Wokingham, RG40 3HG

- 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 and Mrs A & H Williams against the decision of Wokingham Borough Council.
 - The application Ref 211134, dated 30 March 2021, was refused by notice dated 21 May 2021.
 - The development proposed is demolition of existing single storey dwellinghouse and erection of a re-sited replacement part single storey/part two storey dwellinghouse with associated parking and amenity space provision and extensive new landscaping and biodiversity enhancements.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing single storey dwellinghouse and erection of a re-sited replacement part single storey/part two storey dwellinghouse with associated parking and amenity space provision and extensive new landscaping and biodiversity enhancements at The Fairways, Wokingham Family Golf, Wokingham RG40 3HG in accordance with the terms of the application, Ref 211134, dated 30 March 2021, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are the effect of the proposal on the integrity of the open countryside and the character and appearance of the area.

Reasons

3. The appeal site is located within the grounds of Wokingham Family Golf, a golf leisure facility. The facility forms part of an area designated as open countryside, which provides an important green gap between Wokingham and Finchampstead. The site's wider setting is strongly influenced by the golf course, which has an open but verdant character created by structured landscape features, such as tree belts. The site is positioned next to the buildings associated with the golf facilities operation. Together, these buildings, the appellants' existing house, along with two other nearby residential properties, form a cluster of development within the facility thus within the countryside.
4. The two other residential properties are located a moderate distance from the appeal site and golf facility buildings. They occupy large plots mostly screened by boundary trees and fencing, which separates them from the public realm

and commercial use of the golf facility. Even though both properties can be seen from parts of the golf facility through and above the existing boundary treatments, their presence does not harm the integrity of the open setting.

5. There are two distinct parts to the appeal site. In the east, adjacent to the golf facility buildings and car park, is the appellant's existing house. It has no formal curtilage and is in a prominent position, seen from the car park by visitors to the golf facility. Notwithstanding this, the house itself is understated given its modest one storey scale and is partially screened by metal fencing depicting the boundary of the car park. However, its dark timber walls and red roof do not fully reflect the materials used in the golf facility buildings. It also appeared to me to be in a relatively poor condition.
6. The remaining, larger part of the site to the west is an open parcel of land. Within the wider context it is relatively small and is largely surrounded by trees, which makes it feel less open than the wider golf course setting. Positioned adjacent to the appellant's existing house and the boundary of one of the other residential properties, its contribution to the openness of the wider setting is limited. There is currently a single storage shed located in one corner.
7. Policy CP11 of the Wokingham Borough Local Development Framework Adopted Core Strategy (2010) (Core Strategy) sets out where proposals outside of development limits will be permitted. Criterion 5 relates to replacement dwellings and states that they must either (i) bring about environmental improvements or (ii) not result in inappropriate increases in the scale, form, or footprint of the original building.
8. The replacement dwelling would be sited between 20 and 24 metres from the existing house on the western part of the site. Although further from the golf facility buildings, within the wider context this distance is not excessive. It would maintain a relationship with other buildings within the cluster and would still be closer to the golf facility buildings than the other two residential properties. While the Borough Design Guide SPD (2012) (Design Guide) advises at paragraph 8.5.3 that, generally, replacement dwellings will be expected to be sited in the same location as the original building, it also recognises that there may be circumstances where it is preferable to site them in another location and provides examples of this.
9. The proposed location would allow the dwelling to have a much more comfortable and appropriate relationship with the golf facility buildings. Also, despite having less of an active frontage, the increased distance between the golf facility buildings and replacement dwelling would better define the public and private spaces associated with these uses. Furthermore, the resulting separation would be more in keeping with the existing pattern of development. Accordingly, the proposal would conform to the terms of the Design Guide.
10. Given this part of the site is currently open the proposal would affect its undeveloped character. However, the proposed plot is relatively generous and the resulting space around the replacement dwelling would limit the harm to the character of the site. In addition, the replacement dwelling would only be seen from within the golf course and these views would be limited due to the existing trees and the additional planting proposed. Views of the dwelling from the car park would be comparable to views of the other residential properties from similar points within the golf facility. Given this, the effect of any minor

encroachment into the open countryside resulting from the proposal would be limited and would not result in any harm to its character or integrity.

11. Notwithstanding the percentage increase in the curtilage of the replacement dwelling, the existing trees and new planting proposed would ensure the scale of development would appear moderate and well related to the existing structure of landscape. The resulting plot, although smaller than the plots of the other two residential properties within the cluster, would be more in keeping and any spreading of residential paraphernalia would be contained within the landscaped boundary of the site.
12. The replacement dwelling is larger than the existing house, although not disproportionately large. The increase in size is amplified by the modest size of the existing dwelling and, while the increase in scale is not insignificant, it doesn't automatically follow that it would be inappropriate or that its impact would be greater. Although it would be taller than the golf course buildings it would be shorter than the other two residential properties. The increase in volume would accord with the 50% increase identified to be appropriate at figure 8.19 of the Design Guide.
13. Also, in accordance with the Design Guide, the proposal would relate well to its context because the 2-storey height would be minimised by the flat roof design and the proposed timber cladding would allow it to integrate well with its surroundings. Its materials would also be in keeping with the materials used in the golf facility buildings and its flat roofed form would reflect the contemporary form of the new clubhouse. Given its design and position, surrounded by existing and proposed trees, it would not be prominent, nor would it become a dominant feature that would harm the openness of the wider setting. It may be that the large amount of glazing could result in light spill. However, this would be limited by the existing and proposed landscaping which would screen most of the site.
14. For the reasons set out above, I conclude that the proposal would not result in inappropriate increases in the scale, form, or footprint of the original building and thus would accord with criterion 5(ii) of policy CP11 of the Core Strategy, thereby complying with the policy as a whole.
15. Accordingly, I find the proposal would neither harm the integrity of the open countryside nor the character and appearance of the area. As such it would accord with the aims of policies CP1, CP3 and CP11 of the Core Strategy that seek, amongst other things, to deliver developments of a high-quality design that are appropriate to and integrate with their surroundings and maintain the high quality of the environment. It would also accord with paragraph 174 of the National Planning Policy Framework, which supports decisions that contribute to and enhance the natural and local environment by, amongst other things, recognising the intrinsic character and beauty of the countryside.

Other Matters

16. The proposal would also bring about environmental improvements in line with criterion 5(i) of policy CP11 of the Core Strategy. It would have a high thermal performing envelope constructed from a sustainable timber frame, which would achieve a minimum U-value of 0.16. It would also incorporate triple glazing. In addition, air source heat pumps and solar PV panels would be utilised to provide any required space heating. Given the poor condition of the existing

house, even if the heat pumps and PV panels were not proposed, the proposals efficient fabric would deliver an environmental improvement. Although the Council may consider these measures anecdotal and would prefer the existing house to be retrofitted, it appeared to me that any retrofit would likely involve a substantial rebuild. In any case there is no policy requirement for a single dwelling to secure a reduction in carbon emissions. This factor therefore weighs in favour of the proposal.

17. The proposal would also deliver a significant amount of new high-quality landscaping. This would be a consequence of granting permission and unlikely to come forward in the absence of the proposal. The integrity of the historic landscape features in the east of the site, where most of the new planting is proposed, have already been affected by the expansion of the golf facility buildings and changes associated with the original clubhouse becoming a dwelling. Therefore, any harm to the existing structure of landscape would be limited. While the Council consider these benefits to carry little weight, the improvements would nevertheless weigh in favour of the development and meet the requirement of criterion 5(i) of policy CP11 of the Core Strategy.
18. The Council considers that the proposal would not comply with criterion 1 of policy CP11 of the Core Strategy because it would be an open market dwelling with no ties to the golf facility. Even if I were to agree that criterion 1 applied to replacement dwellings, the existing house does not have any restrictions on its occupancy. Therefore, as a direct replacement, there would be no harm resulting from the development in this regard.
19. A number of appeal decisions¹ and an officer's report regarding an application at Riverwood Bungalow have been referred to by the Council. It appears from the evidence before me, however, that the context and circumstances of these schemes are quite different from the appeal proposal. Even the decision relating to land at the former Woodcray Manor Golf Course involves a significantly different scale of development. As such, I can attach only very limited weight to the Inspectors' findings. In any event, I have judged the proposal on the basis of evidence and my own observations and concluded it to neither harm the integrity of the open countryside nor the character and appearance of the area.
20. I note the Council's comments regarding unauthorised development and the fragmentary nature of previous development at the golf facility. I also understand that there may be concern that storage facilities and maintenance activities that have previously taken place on the appeal site could be displaced to other parts of the golf facility. When I visited the site there was only a single storage shed that would require relocation. While I have determined this appeal on the basis of the proposal for a replacement dwelling, taking account of the purpose of the shed it is likely that if relocated it would be positioned reasonably close to the golf facility buildings. Given this, and its moderate scale, any harm resulting from its relocation would likely be limited.
21. Concerns are also raised regarding access to local facilities and services and a reliance on the private car. However, given the proposal is for a replacement dwelling, the effects would be neutral and thus do not weigh against the development.

¹ APP/X0360/A/04/1150159; APP/X0360/W/21/3270871; App/X0360/W/20/3255314; APP/X0360/C/20/3263904; APP/X0360/W/16/31584672

22. There is a dispute regarding whether recently introduced permitted development rights could result in the existing house being extended upwards to create an additional floor of accommodation. However, given that I am allowing the appeal on the main issues set out above, I have not pursued this matter further.
23. It has been suggested that demolition of the existing house cannot be secured in the absence of a S106 Planning Obligations Agreement. However, a planning condition is also an appropriate mechanism for securing this. There is no substantive evidence before me to justify demolition of the existing house prior to development commencing. Therefore, to allow the proprietor to remain on site during the construction process, it would be reasonable to require demolition within a month of first occupation of the replacement dwelling. This would still protect the integrity of the open countryside.

Conditions

24. In imposing conditions, I have had regard to the approach in the National Planning Policy Framework and the Planning Practice Guidance. I have, accordingly, modified the wording or form of certain conditions without altering their fundamental aims.
25. In addition to the statutory time limit condition, a condition specifying the plans that are approved and that the development shall be undertaken in accordance with them is required in the interests of certainty.
26. To protect the character and appearance of the area, a condition is necessary to clarify the external materials used in the construction of the building as well as full details of the hard and soft landscaping, including its establishment and maintenance. For the same reason as well as to ensure adequate living conditions for neighbouring and future occupants, a condition is required to clarify the details of boundary treatments. These can be included with the details of the hard and soft landscaping, so I have therefore combined these requirements into a single condition.
27. National Planning Practice Guidance makes it clear that pre-commencement conditions should only be used where there is a clear justification and where their requirements are so fundamental to the development permitted that it would otherwise be necessary to refuse the whole permission. I do not consider the landscaping details fall into this category. As such, it would be sufficient for these matters to be agreed, including timescale for implementation, before the development proceeds beyond a certain point. I have therefore amended the Council's suggested condition accordingly.
28. To ensure biodiversity improvements are delivered it is necessary to clarify the details of these and the bird and bat boxes to be provided. Taking account of the ecology officer's comments and the evidence before me, there is no justification for these details to be provided within a month of this decision and it would be unreasonable to require this. I have therefore also added these requirements to the landscaping condition.
29. While the hard and soft landscaping condition will ensure the environmental improvements are delivered, a condition is necessary to ensure that the proposed energy efficiency measures are also delivered. I have added a requirement for specific details relating to the performance of the windows,

sedum roof and timber frame to be included in the external materials condition. I have also imposed conditions to clarify the details of the solar PV array and air source heat pumps and ensure they are provided prior to first occupation.

30. To ensure adequate on-site parking provision, a condition is required to ensure that from occupation the development provides an appropriate level of on plot car parking and that these facilities are permanently retained for such use. A condition is also necessary to ensure the provision of cycle parking facilities from occupation and their retention in order to encourage sustainable modes of transport. I have amended the Council's suggested condition to require details of the storage facilities for bicycles as there is no plan before me setting these details out.
31. To protect the integrity of the open countryside, a condition is necessary to ensure demolition of the existing house within a month of first occupation of the replacement dwelling. As noted above, I have amended the Council's suggested condition. Also, for this reason, a condition is required to remove permitted development rights relating to alterations, extensions, and outbuildings. I have removed reference to the specific use classes as these could be subject to change in the future.

Conclusion

32. For the foregoing reasons, having considered the development plan as a whole along with all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

Hannah Guest

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Nos 20082-L001; 20082-SU001; 12076-C-SU01; 20082-PP0010-A; 20082-PP0030-A; 20082-PP0031-A; 20082-PP0032-A; 20082-PE0010-A; 20082-PV0010A.
- 3) Prior to any above ground works details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, including specifications of the tripled glazed windows, sedum roof, and insulated timber panel frame and external insulation to achieve a minimum U value for the walls of 0.16 shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples, completed prior to the first occupation of the dwelling hereby permitted and retained thereafter.
- 4) Within one month of the first occupation of the dwelling hereby permitted, the existing dwelling shown on the approved plans shall be demolished.
- 5) Prior to any above ground works details of both hard and soft landscaping as set out in the Landscape Statement ISSUE 1681 / R / 1 dated 26th January 2021 by Portus and Whitton and biodiversity enhancement measures shall be submitted to and approved in writing by the local planning authority. These details shall include:
 - a full planting schedule and plan noting species, sizes and number or density;
 - the position, design, materials and type of boundary treatments; and
 - a specification of the bird or bat box, tile, or brick.

The landscaping and biodiversity enhancement works shall be carried out in accordance with the approved details before any part of the development is first occupied or in accordance with an implementation programme agreed with the local planning authority. If, within a period of 5 years from the date of planting, any tree or plant (or any tree or plant planted in replacement of them) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of similar size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree or plant. The approved hard and soft landscaping and biodiversity enhancement measures must thereafter be managed and maintained in accordance with the approved scheme.

- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings, enlargements or alterations permitted shall be carried out other than those expressly authorised by this permission.

- 7) Prior to the first occupation of the dwelling hereby permitted, the car parking spaces shown on drawing 20082-PP0010-A shall be laid out on site in accordance with the approved details and retained thereafter, available at all times for the parking of vehicles.
- 8) Prior to the first occupation of the dwelling hereby permitted, details of storage facilities for bicycles shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, prior to the first occupation of the first dwelling hereby permitted and retained thereafter.
- 9) Prior to any above ground works details of the proposed solar PV array, including the number of solar panels, the total area of the proposed solar array and the specification of each panel, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, completed prior to the first occupation of the dwelling hereby permitted and retained thereafter.
- 10) Prior to any above ground works details of the proposed air source heat pump(s), including size, location, and specification, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, completed prior to the first occupation of the dwelling hereby permitted and retained thereafter.