



Appeal Decision

Site visit made on 4 October 2022

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 November 2022

Appeal Ref: APP/X0360/W/21/3287275

Fairlands, Church Road, Farley Hill RG7 1TU

- 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 Ruben Reed against the decision of Wokingham Borough Council.
 - The application Ref 210864, dated 12 March 2021, was refused by notice dated 19 May 2021.
 - The development is change of use of land to ancillary residential with laying of hardstanding for ancillary open storage and parking of vehicles (use class C3).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form confirms the development was completed prior to submission and that the Council have assessed the scheme retrospectively. I have therefore considered the appeal scheme in the same way.

Main Issue

3. The main issue of this appeal is whether the location of development is appropriate, having regard to local planning policies and the character and appearance of the area.

Reasons

4. Forming part of a larger landholding, the appeal site is located away from the dwelling known as Fairlands, behind a stable block, garage, static caravan and an area laid out for the former caravan site¹.
5. Given the site's location outside any development limits, Policy CP11 of the Wokingham Borough Council Local Development Framework Adopted Core Strategy Development Plan Document (2010) (the Core Strategy) is relevant. This policy seeks to protect the separate identity of settlements in the borough and maintain the quality of the environment. Proposals outside development limits will not normally be permitted, with some exceptions. The sole exception applicable to the appeal scheme requires the development to ensure "it does not lead to excessive encroachment or expansion of development away from the original buildings." As no definitions for what constitutes 'excessive

¹ Temporary planning permission for change of use of land for the stationing of caravans for residential purposes for 4no gypsy pitches. Granted at appeal in October 2014 for a period of 4 years.

encroachment' or the 'original buildings' are provided within the policy, decision-makers are required to make a judgement on these terms.

6. At the time of my visit several parked cars, a trailer, portakabin and various building materials were stored on the site. Although not 'overcrowded', as no restrictions on the extent of the parking or storage areas are included in the appeal scheme, the entirety of the site could be used. Whilst not visible from the highway, the portakabin was visible over the close boarded boundary fence from the public footpath which runs across and along the boundary of the adjoining paddock. Set against the backdrop of the tall hedgerow behind, it would also be visible from the rear of neighbouring properties. As such, even if existing landscape features have been retained and the appeal scheme lies within the established boundaries of the landholding, it results in an expansion of development which encroaches on the countryside. In the context of the areas of hardstanding in the wider landholding the appeal site comprises a relatively small site. However, it is of sufficient size to accommodate a significant amount of storage and therefore is excessive.
7. There are two residential structures on the wider landholding; the large dwelling known as Fairlands located near Church Road and a static caravan sited adjacent to the stable block. Neither dwelling is positioned adjacent to the appeal site nor has a visual relationship with it due to the existing structures and boundary features separating them. Regardless of which structure constitutes the original building, the appeal scheme expands development away from it. As a result, the requirements of an exception to Policy CP11 are not met.
8. The appeal site lies within the high-quality Landscape Character Area of Farley Hill Wooded Sand and Gravel Hills², an area with a distinctly rural character with small hills and knolls, and a network of hedgerows. As I have found that the appeal scheme expands development and encroaches on the countryside, it has a detrimental effect on the character and appearance of the landscape.
9. I therefore conclude the appeal site is not an appropriate location for development and would cause unacceptable harm to the character and appearance of the area. As a result, it conflicts with policies CP1 and CP3 of the Core Strategy and Policy TB21 of the Wokingham Borough Development Plan Adopted Managing Development Delivery Local Plan (2014) (the Local Plan). These policies, amongst other provisions, require development to maintain or enhance the features of the environment that contribute to the rural character.
10. I also find conflict with paragraph 8 and Chapter 15 of the National Planning Policy Framework (the Framework), which seek to protect or enhance the natural environment.

Other Matters

11. The site is located within 5km of the Thames Basin Heath Special Protection Area (TBHSPA), a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017. Although not an issue raised by the Council, it is incumbent upon me as the competent authority to consider whether the proposed development would be likely to have a significant effect on the integrity of the TBHSPA. As I have found that the

² As defined by the Wokingham Borough Landscape Character Assessment (2019).

development is unacceptable for other reasons, it is not necessary for me to further consider the implications on the TBHSPA.

12. Even if I were to conclude that the development does not harm the living conditions of occupiers of neighbouring properties, this is a neutral factor and does not weigh in favour of the development.

Conclusion

13. The appeal scheme would conflict with the development plan as a whole and there are no material circumstances in this case which suggest a decision should be made other than in accordance with the development plan. Therefore, the appeal is dismissed.

Juliet Rogers

INSPECTOR