



Appeal Decision

Hearing held on 15 April 2025

Site visit made on 15 April 2025

by N Praise BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 May 2025.

Appeal Ref: APP/X0360/W/24/3356397

Bluebell Farm, Commonfield Lane, Barkham, Wokingham RG40 4PR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Sid Nunns against the decision of Wokingham Borough Council.
 - The application Ref is 240788.
 - The development proposed is described as a change of use of the land for stationing of 9no. mobile homes for permanent residential use for people over the age of 55 years.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's description of the development, on its decision notice, differs from the description contained on the application for planning permission form. I have used the Council's description in the banner heading above as it accurately describes the development. This description is also used on the appellant's planning appeal form and the main parties confirmed their agreement with this description at the Hearing.
3. Prior to the Hearing, and after seeking the views of the main parties, I accepted some minor alterations to the proposed plans. These included a reduction in the size of the appeal site, a change in the siting and location of proposed Units 6 and 7, and changes to parking associated with these units. The proposed amendments do not involve a substantial difference or a fundamental change to the original application and the appeal has been determined on the basis of these changes.
4. The Council's fourth reason for refusal related to the lack of adequate provision for affordable housing. However, the Council has confirmed that following a viability assessment report from its own independent assessor, the provision of an affordable housing contribution would not be viable. Consequently, I will not consider affordable housing provision as part of this decision.
5. The Council has an emerging Local Plan which has recently been submitted to the Secretary of State for examination. However, at the time of writing this decision there is no timescale of the examination, and the emerging Local Plan may be subject to change. At the Hearing it was agreed, between the main parties, that the emerging Local Plan is a material consideration, but any considerations carry limited weight. I have therefore determined the appeal on this basis.

6. The National Planning Policy Framework (“the Framework”) was updated in December 2024. The main parties were given an opportunity to comment on this and the revised version has been referred to in this decision.

Main Issues

7. The main issues are the effect of the proposed development on:

- The quality of the environment including trees;
- The Thames Basin Heaths Special Protection Area (“SPA”); and
- Sustainable transport choices.

Reasons

Quality of the Environment

8. The appeal site sits within a semi-rural area which is defined by mature landscaping lining this part of Commonfield Lane. Behind the landscaping, the immediate area is defined by woodlands, open fields, and sporadic development which includes dwellings and mobile homes as well as a more intensive development which forms part of the Arborfield Garrison Strategic Development Location (“the SDL”).
9. Hazebrouck Meadow is also located close by, and this greenspace features meadow grasslands, woodland, and an access path. In addition, a dense woodland adjoins the appeal site, and this is known as Longmoor Bog, a Site of Special Scientific Interest.
10. The appeal site itself, apart from the access, is surrounded by a timber fence with some mature trees to the frontage. A tarmac drive bisects a grassed area to the frontage opening to a forecourt area in front of the existing bungalow style dwelling. The dwelling sits to the middle of the site and is accompanied by a significant amount of hardstanding. Single storey ancillary buildings and chattels also feature within the appeal site including ancillary mobile homes. The existing trees within the site are visually attractive and contribute toward the quality of the local environment.
11. It is proposed to clear the site and remove much of the existing hardstanding. This would be replaced by a new driveway with parking areas, refuse store, and cycle parking to serve the siting of nine static mobile homes for permanent residential use for occupants over the age of 55 years. Each mobile home would also have its own garden area.
12. The existing site is identified as Previously Developed Land (“PDL”), and the boundary fence would also be retained limiting some views from public vantage points. The proposed removal of significant levels of hardstanding across the site and the clearance of the site would be of benefit to the quality of the environment. However, any benefit from this removal would be tempered by the introduction of the proposed driveway, which would extend across the site, the proposed parking areas, and the refuse and cycle stores as proposed.
13. Additionally, it would be reasonable to assume that future occupiers would introduce residential paraphernalia across the site such as external seating for passive recreation and either seek to secure external storage or store chattels on

the land. While they would come and go, parked vehicles would also be present within the appeal site.

14. It was put to me that the level of activity and overall residential paraphernalia for the proposed mobile homes would be similar to the existing situation. However, limited evidence has been provided to show that nine separate mobile homes, each with their own residential paraphernalia and individually distinct levels of activity would not cause a visual intensification at the appeal site when compared to the existing situation.
15. I acknowledge that the mobile homes are single storey and the boundary fence would limit some parts of the proposed development's impact from public vantage points. However, it has not been robustly shown that the quality of the environment is dependent on public views only. Even if I am wrong on this point, significant parts of the development would be visible from adjoining land both above the fence and through the access.
16. The proposed development is not supported by an Arboricultural Impact Assessment ("AIA"). Without an AIA it is difficult to consider any potential impacts of the proposed development upon existing trees. Typically, an AIA identifies which trees might need removal, which can be retained, and the potential conflicts between the development and the trees.
17. The Statement of Common Ground addendum ("SoCGa") shows 'at least' one mature oak tree which would be felled¹. This tree is set further within the site than the boundary trees and as such its loss, while visually harmful, would be tempered by its position slightly within the site and its proximity to a more prominent tree to the front boundary next to the access. This other more prominent tree, while not protected by a preservation order, is substantial in size, sits in a prominent location and makes a valuable contribution to the quality of the environment.
18. While it was confirmed at the Hearing that the access is not proposed to be changed, a proposed refuse store would be cited close to this tree. In the absence of an AIA, I cannot be certain that any impact from the proposed development would not threaten this visually attractive tree and the positive contribution it makes to the quality of the environment. Its loss would be visually harmful and replacement landscaping while of some mitigation, would be likely to take some time to mature before it would make a comparable contribution to the quality of the environment.
19. I have considered imposing a 'prior to commencement' condition to agree the impacts upon trees and any tree protection. Additionally, I have also reflected on agreeing the location of the refuse store should this building threaten the tree. However, I do not fully know the impacts of the proposed development on the tree's health and longevity or if mitigation is required.
20. These matters in combination are considerable and require substantiated arboricultural evidence before planning permission can be granted. There is uncertainty regarding the extent of any direct and indirect impacts upon trees and these factors in combination go to the heart of this main issue. For these reasons, these matters would need to be known before planning permission is granted and a condition or conditions would not be suitable in this case.

¹ Paragraph 3 of the SoCGa.

21. An earlier application was refused and the impact on trees was not included as a reason for refusal in this case². The Council stated at the Hearing that this was an error and a reason for refusal should have been included on the previous application. In addition, the previous refusal is different as it was predicated on the retention of all trees, however, in the appeal before me, 'at least one' tree would be felled.
22. I note the perceived inconsistency in approach between the applications, but in this case there are differences between the schemes. I have considered the appeal before me on its own merits and for the reasons set in this decision. As indicated above, the absence of robust arboricultural evidence weighs against the development proposal.
23. In conclusion on this main issue, I accept that the site is PDL, and it would be cleared of a considerable amount of hardstanding, buildings, and chattels. It also sits near to existing mobile home developments and the SDL. In addition, supplementary landscaping would also be proposed, which could be agreed by condition. However, the loss of a tree and uncertainty in regard to another important tree in combination with the introduction of nine mobile homes, an access running through the spine of the appeal site and the associated parking areas, stores and residential paraphernalia would, as a matter of fact and degree, have a harmful impact on the quality of the environment when compared to the existing situation.
24. The proposal would therefore be contrary to the relevant provisions of Policies CP1, CP3 and CP11 of the Wokingham Borough Local Development Framework Adopted Core Strategy Development Plan Document 2010 ("the Core Strategy") and Policies CC03 and TB21 of the Wokingham Borough Development Plan Adopted Managing Development Delivery Local Plan 2014 ("the Local Plan"). These, amongst other things, look to maintain or enhance the high quality of the environment including landscape features.
25. I have considered the wording of Policies SS3 and SS5 of the emerging Local Plan as well as the provision for Gypsy, Roma, and Traveller ("GRT") pitches elsewhere on Commonfield Lane. However, this emerging document has yet to be examined, with several concerns raised in response to the Regulation 19 consultation; it may also be subject to modifications following examination. Additionally, GRT sites are subject to different policy assessments to that of the current appeal before me. The emerging Local Plan therefore carries limited weight in the determination of this appeal and does not alter my overall findings.
26. I have found harm to the quality of the environment as set out above. Having considered the content of the emerging Local Plan, it does not lead me to a different conclusion on this main issue.

Thames Basin Heaths Special Protection Area ("SPA")

27. The site lies within the zone of influence of the SPA, which is noted as an internationally important habitat for rare bird species. Increased recreational pressure arising from additional residents in the zone of influence could potentially have a likely significant effect on the habitat either alone or in combination with

² Wokingham Borough Council Ref: 231330.

other projects, as some of the rare bird species it supports nest on the ground and could be disturbed by walkers or their dogs.

28. The evidence before me indicates that the proposed development would result in an adverse effect upon the integrity of the SPA. In these circumstances, permission could only be granted if, after undertaking an Appropriate Assessment ("AA"), it was found that adequate mitigation would occur so as to avoid the adverse effect.
29. To counter such adverse impacts, measures to limit recreational pressure through a combination of providing suitable alternative natural greenspace and managing and monitoring access to the SPA have been devised. The development could, through obligations contained in a legal agreement, provide financial contributions towards these avoidance and mitigation measures. However, no such legal agreement is before me and as such no means of avoidance or mitigation has been secured in relation to the appeal scheme.
30. Nonetheless, the appellant has proposed that these measures could be secured via a 'Grampian' condition. This condition would prevent development taking place until full details of the measures that will be secured to avoid and mitigate the impact of the development upon the SPA, have been approved by the Council.
31. However, such an approach is specifically addressed in the Planning Practice Guidance (PPG)³. This sets out that a negatively worded condition is unlikely to be appropriate in the majority of cases. That said, it does note that in exceptional circumstances such a condition may be appropriate where there is clear evidence that the delivery of that development would otherwise be at serious risk, such as particularly complex development schemes.
32. The PPG therefore sets a stringent test as to when a Grampian condition may be appropriate. The circumstances of the current appeal relate to nine units of proposed accommodation. This level of development or broadly comparable quantum could apply to other similar residential proposals in the borough and would not be exceptional.
33. In addition, the application and appeal timescales do not appear to be out of the ordinary. While there were land ownership issues and uncertainty about signatories to the legal agreement, these are not atypical circumstances or ones which lead to serious risk. There is also no evidence before me to suggest that this would be a particularly complex development scheme. Taking all these factors together, they do not demonstrate that the appeal scheme represents an exceptional situation that allows me to impose a Grampian condition.
34. In addition, it is my absolute responsibility under regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 to undertake the AA. If I were to impose a Grampian condition, this approach would, in effect, result in a permission being created but would then pass the responsibility of undertaking the AA onto another competent authority. I do not consider this to be a sound approach.

³ Paragraph: 010 Reference ID: 21a-010-20190723.

35. Tying all these considerations together, appropriate measures have not been sufficiently secured at this stage to provide me with the very high level of certainty required to rule out adverse impacts on the integrity of the SPA.
36. It has not, therefore been shown that the development would not have an adverse effect on the SPA. Accordingly, it would not comply with the relevant provisions of saved Policy NRM6 of the South East Plan 2009 or Policies CP7 and CP8 of the Core Strategy. These, amongst other things, require development proposals to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.

Sustainable Transport Choices

37. The appeal site is located near to a public bridleway and Hazebrouck Meadows greenspace; these both offer opportunities for walking and cycling as well as options for health and wellbeing. The Meadows and the SDL would be easily accessible from the appeal site across Commonfield Lane via a pedestrian crossing.
38. A table is set out within the Council's Statement of Case and this shows the shortest one-way route distances to facilities and services which would broadly serve the day-to-day needs of the residents of the proposed development. In relation to the existing and consented facilities, their locations and the distances, the content of this table was not disputed at the Hearing by the appellant.
39. The National Design Guide 2021 and the Manual for Streets 2007 ("MfS") states that 'walkable' distances to local facilities are generally considered to be no more than a 10-minute walk (800m radius). Apart from Hazebrouck Meadows, the rest of the services and facilities, both existing and consented, are more than 800m from the appeal site. These 'walkable' distances also align with the Institution of Highways and Transportation Guidelines for Providing for Journeys on Foot 2000 preferred maximum in relation to Town Centre uses.
40. However, these are general distances and preferred maximums, the MfS indicates that the walking distance is not an upper limit with walking offering the greatest potential to replace short car trips, particularly those under 2 km. However, the doctor's surgery, employment facilities, and train station fall beyond 2km, but I note that employment opportunities will exist which have been consented as part of the SDL and these have been implemented⁴.
41. The cycle and walking routes are unpaved and unlit in parts and this would suppress their attractiveness. However, I noted from my site visit that the unpaved sections are well drained, stable, and firm underfoot without significant elevational changes or trip hazards. In addition, some lighting does extend into hours of darkness but nonetheless are turned off in the early evening.
42. Cycle parking would be proposed as part of the development and cycling opportunities exist via the public bridleway, the nearby path routes and along the roads. I note the condition of the walking and cycling environments as set out by the Council, however, the residents of the SDL would also make these journeys and as indicated above, the short journey from the appeal site to the SDL would be

⁴ Paragraph 73 of the Statement of Common Ground.

acceptable as a walking and cycling environment. In addition, the consented facilities are expected to start opening within a relatively short timeframe.

43. While a good bus service is offered, the Chartered Institution of Highways and Transportation Planning for Walking 2015 document ("PfW") and the Wokingham Bus Service Improvement Plan 2024 ("BSIP") set a 400m distance to bus stops as a cut-off point. The nearest bus stops on Biggs Lane would exceed these distances. In addition, one of these stops does not benefit from a shelter reducing its attractiveness in inclement weather. However, as indicated above it would not exceed the MfS limit.
44. Drawing all these considerations together, most of the services and facilities would exceed the limits in many of the documents highlighted above. However, these documents, in the main, indicate they are general walking distances and preferred maximums. The MfS sets a higher figure of up to 2 km which offers the greatest potential to replace short car trips, however, I also appreciate the PfW and BSIP set a more stringent limit of 400m to the nearest bus stops and the attractiveness of the bus stops is reduced due to the absence of a shelter. The train station is also situated beyond all the limits set out above.
45. While there are some concerns about accessibility to services and facilities by transport modes other than the private car, paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. In this case and having regard to the facts on the ground, while there are some shortcomings, genuine opportunities, in this case, to walk and cycle would be available. These would offer future occupiers a choice of transport modes which would reduce the need to travel, particularly by private car.
46. In conclusion, the proposed development would benefit from sustainable transport choices. It would therefore accord with the relevant provisions of Policies CP1, CP2 and CP6 of the Core Strategy all of which, amongst other things, seek to provide for sustainable forms of transport to allow choice.

Planning Balance

Benefits

47. There would be several clear benefits which would arise if the appeal were allowed. This would include the efficient use of land to deliver residential units on a windfall PDL site. These units would also be tailored to provide specialist housing for older people in the form of age-restricted general market housing. The PPG⁵ states that the need to provide housing for older people is critical and people are living longer lives with the proportion of older people in the population increasing. The proposal would contribute toward a mix of housing, and this includes addressing the requirements of an ageing population. This would offer older people a better choice of accommodation to suit their changing needs which can help them live independently for longer.
48. The PPG recognises that age-restricted general market housing is generally for people aged 55 and over⁶. The proposed development would therefore capture anyone over this minimum age. In addition, there is also no robust evidence before me to suggest development in the SDL would meet this need. For these reasons

⁵ Paragraph: 001 Reference ID: 63-001-20190626.

⁶ Paragraph: 010 Reference ID: 63-010-20190626.

including the current undersupply of land for homes in the Borough⁷, I am not convinced, from the evidence before me, that the requirement for over 55 accommodation would be met by existing plan led development.

49. The Framework⁸ seeks to significantly boost the supply of homes and given the increase of units, which could be realised quickly, in the context of a considerable undersupply of land, I place substantial positive weight on the proposed housing.
50. The proposed development would also deliver 'downstream' benefits by providing opportunity for older people to downsize. However, it has not been robustly shown that future occupiers would all come from larger, under occupied homes or from within the borough. However, the provision of single storey accommodation would be of benefit for some older people looking to downsize to this accommodation. There would also be economic benefits associated with the construction phase and future occupiers. However, the scale of the development means that these benefits would all be moderate in weight.
51. Cumulatively drawing all the benefits together, carries substantial weight in this appeal.

Harms

52. The Council have confirmed that it is unable to demonstrate a five-year land supply for housing. The provisions of paragraph 11d) of the Framework are therefore relevant to the appeal. However, the application of policies in the Framework insofar as they protect habitat sites provide a strong reason for refusing the development proposed. This is reiterated by paragraph 195 of the Framework and as such, the proposal would not benefit from the presumption in favour of sustainable development set out in the Framework.
53. I have also found the proposal would conflict with policies that look to provide development which maintains the quality of the environment. This impact would be considerable and long lasting. This harm carries significant weight.
54. Cumulatively drawing the harms together, the in-combination impacts upon the quality of the environment and the need to protect habitat sites carries very substantial weight in this appeal.

Conclusion

55. Accordingly, the very substantial weight attached to the harm I have identified would not be outweighed by the benefits to tip the planning balance in the appeal scheme's favour. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

N Praine

INSPECTOR

⁷ 1.7 years.

⁸ Paragraph 61.

ANNEX A: APPEARANCES

FOR THE APPELLANT:

Will Hossack BSc MSc - Principal Planner – Agent.

FOR THE LOCAL PLANNING AUTHORITY:

Kieran Neumann B.A. (Hons) MSc – Senior Planning Officer.

Sarah Castle BA(Hons) PGDip MRTPI – Planning Enforcement Team Leader.

Brigitte Crafer BA (Hons) Dip LA CMLI Chartered Landscape Architect and PG Cert in Urban Design (2006) - Tree and Landscape Specialist.

Gordon Wallace Adam BA MA FCIHT MILT – Principal Highway Development Officer.

Duncan Fisher Degree in Forest Management - Green Infrastructure Team Manager and Ecology Specialist.

INTERESTED PARTIES (denoting those persons who took part in the hearing and whose names were recorded):

Ian Williams – Local Resident.