



**WOKINGHAM
BOROUGH COUNCIL**

TOWN AND COUNTRY PLANNING ACTS

**TOWN AND COUNTRY
PLANNING (ENGLAND) 1990**

Mr Douglas Bond
Woolf Bond Planning
The Mitfords
Basingstoke Road
Three Mile Cross,
Reading, Ber
RG7 1AT

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

Application Number: 230074
Applicant Name: Ms Penelope Clayden and
Site Address: Land adjacent to School Road and Orchard Road,
Hurst, Reading
Proposal: Land adjacent to School Road and Orchard Road,
Hurst, Reading Proposal: Outline planning
application for the proposed erection of 23 dwellings
with associated access and 15 carparking spaces
for the local Primary school. Access only to be
considered(with Appearance, Landscaping, Layout
and Scale to be reserved) (amended description)
REVISED PLANS.
Date of Decision: 21 February 2024

Wokingham Borough Council in pursuance of its powers under the above Acts and Regulations hereby **refuses permission** for carrying out the above development as stated in the application and the accompanying plans submitted to the Council for the reason(s) specified hereunder.

Reasons

1. The proposal represents unacceptable unplanned development outside of development limits, within the countryside and contrary to the spatial objectives of the development plan and to policies CP1, CP3, CP6, CP9, CP11 and CP17 of the Core Strategy, Policies CC01, CC02 and CC03 of the MDD Local Plan, the Borough Design Guide SPD and sections 2, 4, 9 and 15 of the NPPF.

2. The application site is within an unsustainable location that would result in future residents relying on private motor vehicles for

day-to-day needs and would not encourage a modal shift towards sustainable modes of transport, by reason of the countryside location outside of settlement limits, the limited facilities within Hurst that would be within a safe and convenient walking

distance, quality of the walking/cycling & environment and limited public transport links. The proposal is contrary to policies CP1, CP2, CP3, CP6 and CP11 of the Core Strategy, policies CC01 and CC02 of the MDD Local Plan, the Borough Design Guide SPD and section 8 & 9 of the NPPF.

3. The proposed development will have a negative and detrimental impact on the landscape and character & appearance of the area by reason of the loss of an open green field in the countryside which an important rural characteristic to the setting of the village of Hurst, contrary to policies CP1, CP3 and CP11 of the Core Strategy, Policies CC01, CC02, CC03 and TB21 of the MDD Local Plan, the Borough Design Guide SPD, the Wokingham Borough Landscape Character Assessment and section 15 of the NPPF.

4. In the absence of a completed Legal Agreement, the proposed development fails to make adequate provision for affordable housing, contrary to policy CP5 of the Core Strategy and section 6 of the NPPF.

5. In the absence of a completed legal agreement, the proposed development fails to secure opportunities for training, apprenticeships and other vocational initiatives to develop local employability skills contrary to MDD policy Local Plan TB12.

6. In the absence of a completed Legal Agreement, the proposed development fails to make adequate contributions to civic and open spaces, allotments, sport and recreational facilities, contrary to MDD Local Plan policy TB08, Core Strategy policy CP4 and Sections 4 and 8 of the NPPF.

7. In the absence of a completed Legal Agreement, the development fails to secure a schedule off-site highway works to improve pedestrian & sustainable travel infrastructure and the management/adoption of internal estate roads, car park and open spaces, contrary to Core Strategy policy CP1, CP3, CP4 and CP6 and MDD Local Plan policy CC03 and TB08 and sections 4, 8, 9 and 12 of the NPPF.

8. In the absence of a completed legal agreement, the proposed development fails to demonstrate and secure that there would be no biodiversity net loss as a result of the proposal by either on-site mitigation or off-site compensation, contrary to Core Strategy policy CP3 and CP7, MDD Local Plan Policy TB23 and section 15 of the NPPF.

Informatives

1. If you intend to submit an appeal to be considered as a Public Inquiry you must notify the Local Planning Authority (planning.appeals@wokingham.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before you submit the appeal.

2. This decision is in respect of the drawings and plans numbered and titled Location Plan ref: 113, Parameter Plan Rev C ref: 115.C and Site Access drawing ref: ITB18301-GA Rev C received by the Local Planning Authority.

3. The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, discussions and amended plans took place in trying to find a solution, but an acceptable solution was not possible.

Signed

MHead

Marcia Head

Head of Development Management - Place & Growth

Date: 21 February 2024

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW



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Other statutory legislation: This decision notice relates to the above stated acts and regulations only and does not constitute approval under any other legislation.

The Town & Country Planning (Development Management Procedure) Order: This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) and in the requirement to work with the applicant in a positive and proactive manner.

Officer Report: An officer report explaining the decision will be available to view online.

Purchase notices: If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council which will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

Appeals to the Secretary of State: If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990). This must be within the timeframes set out below. Please note an extension of time for lodging an appeal is unlikely to be granted except in special circumstances.

12 weeks from the decision date above in the case of a refusal of a 'householder' application:
Being the refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house; or,
Being the refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.

12 weeks from the decision date above in the case of a refusal of a 'minor commercial' application:
Being the refusal of an application for development of an existing building or part of a building currently in use for purposes in Use Classes A1, A2, A3, A4 and A5

where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.

6 months from the decision date above in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building/conservation area consent application.

6 months from the decision date above in the case of any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government. The Inspectorate has an online appeals service with information and guidance about the process. You can submit [full application appeals](#) and [householder application appeals](#) with the new appeals service. [Other application types](#) should be submitted on the current appeal service. Alternatively, you can obtain a form from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, 0303 444 5000 or through the [Inspectorate's website](#). Please note all documents will be published online by the Planning Inspectorate and therefore you should not include personal information you do not wish to be displayed in this way. This includes personal information of third parties.

In the event of a grant of planning permission, please note the following:

Community Infrastructure Levy (CIL): When planning permission is granted for a development that is CIL the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing 'Form 2', the assumption of liability notice, is a statutory requirement for the liable party(ies) to be completed for all CIL liable applications. Advice on how the Regulations may impact you and how you can properly discharge the relevant legal requirements including paying any relevant CIL charge that may be due is available on our [Community Infrastructure Levy advice \(wokingham.gov.uk\)](http://wokingham.gov.uk) website pages.

Discharge of Conditions: This consent may contain conditions that require further approval by submission of an application for approval of details reserved by condition and the appropriate fee. Application forms can be obtained for this purpose by visiting the [Planning Portal](#).

Street Naming and Numbering for new dwellings: If this notice relates to approval of new dwellings, please ensure that you contact the Council at least 16 weeks before the commencement on site to arrange for an address and post code to be allocated. Details can be obtained from streetnamingandnumbering@wokingham.gov.uk. Failure to contact the street naming and numbering department at least 16 weeks before commencement on site will result in the addressing and post code for the development being delayed.

Access to privately owned land: The applicant is reminded that this permission does not give right of entry to land not in the ownership of the applicant. Permission must be sought from any other landowner(s) if access is required.

Gas Mains and Services: Building over a gas main or service that is located within your site could cause damage to pipework or potential gas leaks within buildings. You should check for information relating to services within your site at [Home - LineSearchBeforeUdig \(lsbud.co.uk\)](http://Home-LineSearchBeforeUdig.lsbud.co.uk) and contact the Plant Protection Team at SGN on 0800 912 1722 or plantlocation@sgn.co.uk.

Building Regulations: The development subject to this permission may also require Building Regulation approval to ensure it is built to national safety, design, and environmental standards. The Council's Local Authority Building Control (LABC) service offers a full range of plan approval, inspection, and associated services through an ISO9001 nationally accredited team of qualified building surveyors. These surveyors work closely with the Council's planning department to ensure the appropriate construction of your build. To find out more visit the Council's [Building Control website](#) or call 0300 790 0580 to speak to a member of the team.

Fire Regulations: In accordance with the Berkshire Act 1986, when Building Regulation applications are submitted for building(s) or extensions, the Local Authority will reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show the following:

- i) That there will be adequate means of access for the fire brigade to the building(s) or the extended building(s); and,
- ii) That the building(s) or extension(s) will not render inadequate any existing means of access for the fire brigade to a neighbouring building.