



## **WOKINGHAM BOROUGH COUNCIL**

A Meeting of the **PLANNING COMMITTEE** will be held in the Council Chamber - Civic Offices, Shute End, Wokingham RG40 1BN on **WEDNESDAY 8 DECEMBER 2021 AT 7.00 PM**

A handwritten signature in black ink, appearing to read 'Susan Parsonage', written in a cursive style.

Susan Parsonage  
Chief Executive  
Published on 30 November 2021

Note: Although non-Committee Members and members of the public are entitled to attend the meeting in person, space is very limited due to the ongoing Coronavirus pandemic. You can however participate in this meeting virtually, in line with the Council's Constitution. If you wish to participate either in person or virtually via Microsoft Teams, please contact Democratic Services. The meeting can also be watched live using the following link:

<https://youtu.be/tGYxfS4JCjs>

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# WOKINGHAM BOROUGH COUNCIL

## Our Vision

*A great place to live, learn, work and grow and a great place to do business*

### Enriching Lives

- Champion outstanding education and enable our children and young people to achieve their full potential, regardless of their background.
- Support our residents to lead happy, healthy lives and provide access to good leisure facilities to complement an active lifestyle.
- Engage and involve our communities through arts and culture and create a sense of identity which people feel part of.
- Support growth in our local economy and help to build business.

### Safe, Strong, Communities

- Protect and safeguard our children, young and vulnerable people.
- Offer quality care and support, at the right time, to prevent the need for long term care.
- Nurture communities and help them to thrive.
- Ensure our borough and communities remain safe for all.

### A Clean and Green Borough

- Do all we can to become carbon neutral and sustainable for the future.
- Protect our borough, keep it clean and enhance our green areas.
- Reduce our waste, improve biodiversity and increase recycling.
- Connect our parks and open spaces with green cycleways.

### Right Homes, Right Places

- Offer quality, affordable, sustainable homes fit for the future.
- Build our fair share of housing with the right infrastructure to support and enable our borough to grow.
- Protect our unique places and preserve our natural environment.
- Help with your housing needs and support people to live independently in their own homes.

### Keeping the Borough Moving

- Maintain and improve our roads, footpaths and cycleways.
- Tackle traffic congestion, minimise delays and disruptions.
- Enable safe and sustainable travel around the borough with good transport infrastructure.
- Promote healthy alternative travel options and support our partners to offer affordable, accessible public transport with good network links.

### Changing the Way We Work for You

- Be relentlessly customer focussed.
- Work with our partners to provide efficient, effective, joined up services which are focussed around you.
- Communicate better with you, owning issues, updating on progress and responding appropriately as well as promoting what is happening in our Borough.
- Drive innovative digital ways of working that will connect our communities, businesses and customers to our services in a way that suits their needs.

## MEMBERSHIP OF THE PLANNING COMMITTEE

### Councillors

Chris Bowring (Chairman)	Angus Ross (Vice-Chairman)	Sam Akhtar
Stephen Conway	Gary Cowan	Carl Doran
Pauline Jorgensen	Rebecca Margetts	Andrew Mickleburgh
Rachelle Shepherd-DuBey	Bill Soane	

ITEM NO.	WARD	SUBJECT	PAGE NO.
54.		<b>APOLOGIES</b> To receive any apologies for absence.	
55.		<b>MINUTES OF PREVIOUS MEETING</b> To confirm the Minutes of the Meeting held on 10 November 2021	5 - 8
56.		<b>DECLARATION OF INTEREST</b> To receive any declaration of interest	
57.		<b>APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS</b> To consider any recommendations to defer applications from the schedule and to note any applications that may have been withdrawn.	
58.	Emmbrook	<b>APPLICATION NO.212509 - 160 READING ROAD, WOKINGHAM, RG41 1LH</b> Recommendation: Conditional approval	9 - 42
59.	Hawkedon	<b>APPLICATION NO.211686 - LAND OFF MELDRETH WAY, LOWER EARLEY</b> Recommendation: Refusal	43 - 118
60.	Emmbrook	<b>APPLICATION NO.211777 - TOUTLEY EAST, LAND ADJACENT TOUTLEY DEPOT, WEST OF TWYFORD ROAD</b> Recommendation: Conditional approval subject to legal agreement	119 - 158
61.	Wescott	<b>APPLICATION NO.203544 - LAND TO THE WEST OF ST ANNES DRIVE AND SOUTH OF LONDON ROAD</b> Recommendation: Conditional approval subject to legal agreement	159 - 242
62.	Swallowfield	<b>APPLICATION NO.211975 - NUTBEAN FARM, NUTBEAN LANE, SWALLOWFIELD</b> Recommendation: Conditional approval	243 - 268

**Any other items which the Chairman decides are urgent**

A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading.

**GLOSSARY OF TERMS**

The following abbreviations were used in the above Index and in reports.

<b>C/A</b>	Conditional Approval (grant planning permission)
<b>CIL</b>	Community Infrastructure Levy
<b>R</b>	Refuse (planning permission)
<b>LB</b>	(application for) Listed Building Consent
<b>S106</b>	Section 106 legal agreement between Council and applicant in accordance with the Town and Country Planning Act 1990
<b>F</b>	(application for) Full Planning Permission
<b>MU</b>	Members' Update circulated at the meeting
<b>RM</b>	Reserved Matters not approved when Outline Permission previously granted
<b>VAR</b>	Variation of a condition/conditions attached to a previous approval
<b>PS</b>	Performance Statistic Code for the Planning Application
<b>Category</b>	

**CONTACT OFFICER**

**Callum Wernham**

Democratic & Electoral Services Specialist

**Email**

democratic.services@wokingham.gov.uk

**Postal Address**

Civic Offices, Shute End, Wokingham, RG40 1BN

**MINUTES OF A MEETING OF THE  
PLANNING COMMITTEE  
HELD ON 10 NOVEMBER 2021 FROM 7.00 PM TO 7.34 PM**

**Committee Members Present**

Councillors: Chris Bowring (Chairman), Angus Ross (Vice-Chairman), Stephen Conway, Pauline Jorgensen, Rebecca Margetts, Rachelle Shepherd-DuBey and Bill Soane

**Officers Present**

Chris Easton, Head of Transport, Drainage, and Compliance  
Lyndsay Jennings, Senior Solicitor  
Justin Turvey, Operational Manager - Development Management  
Callum Wernham, Democratic & Electoral Services Specialist

**Case Officers Present**

Tariq Bailey-Biggs  
Mark Croucher

**48. APOLOGIES**

Apologies for absence were submitted from Councillors Sam Akhtar, Gary Cowan, Carl Doran, and Andrew Mickleburgh.

**49. MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of the Committee held on 13 October 2021 were confirmed as a correct record and signed by the Chairman.

**50. DECLARATION OF INTEREST**

There were no declarations of interest.

**51. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS**

No applications were recommended for deferral, or withdrawn.

**52. APPLICATION NO.212780 - 24 MATTHEWSGREEN ROAD, WOKINGHAM, EMMBROOK**

**Proposal:** Householder application for the proposed erection of a balcony to the rear of the property.

**Applicant:** Mr Graham Ebers

The Committee received and reviewed a report about this application, set out in agenda pages 17 to 30.

The Committee were advised that there were no updates within the Supplementary Planning Agenda.

John Gallagher, neighbour, spoke in objection to the application. John felt that the photo used within the presentation was misleading as the picture was taken with an arm outside of the window rather than from the window. John added that the proposed balcony would create an overlooking issue into his dining room which was not the case at the moment. John had requested that an officer visit his home to look at the issue from his property, however this had not occurred and he felt that officers did not understand the full extent of the issue. John stated that an amendment to the plans to include a 1.8m obscure glass

wall showed that officers had also felt that the application would create an overlooking issue. John added that the wall would drop to 1.2m high, which was waist height and therefore would not prevent overlooking. John asked that either the application be deferred until such time that an officer visit his property, or the entire width of the balcony include a 1.8m high obscure glass wall.

Stephen Conway commented that the case officer had stated his judgement that the obscure glazed panel would stop the overlooking issue. Tariq Bailey-Biggs stated that by virtue of the screening the applicant would not be able to see into the neighbour's garden without walking to the corner of the balcony and deliberately looking over. Tariq added that the rear neighbouring garden could currently be seen from the applicant's window.

Chris Bowring queried whether overlooking could occur from the balcony with normal expected use. Tariq Bailey-Biggs confirmed that the applicant would have to look over the balcony in order to see the neighbouring garden.

Rachelle Shepherd-DuBey commented that the balcony could be extended to 1.8m height across the width of the balcony to increase privacy for the neighbouring dwelling.

John Gallagher commented that the overlooking issue was that his dining room could be overlooked by virtue of the proposed balcony, which was not an issue currently.

Pauline Jorgensen queried whether the lower portion of the neighbouring dining room could be seen from the proposed balcony. Tariq Bailey-Biggs commented that only the higher portion of the neighbouring dining room could be seen unless the applicant went to the far corner of the balcony.

Stephen Conway was of the opinion that overlooking of the neighbouring dining room would be difficult unless a conscious effort to do so was made by the applicant. Stephen added that the 1.8m obscure glazed side panels would address this problem as best it could.

**RESOLVED** That application number 212780 be approved, subject to conditions and informatives as set out in agenda pages 18 and 19.

**53. APPLICATION NO.212963 - 5 SYCAMORE CLOSE, WOODLEY, SOUTH LAKE**

**Proposal:** Householder application for the proposed erection of a single storey front extension to form porch (part retrospective).

**Applicant:** Mr Tarun Singh

The Committee received and reviewed a report about this application, set out in agenda pages 31 to 46.

The Committee were advised that there were no updates within the Supplementary Planning Agenda.

Carol Jewell, Woodley Town Council, spoke in objection to the application. Carol stated that Woodley Town Council opposed the design of the porch as the pillars were out of keeping with the character of the street scene and out of keeping with neighbouring properties. Carol added that page 55 of the Borough Design Guide stated that alterations and extensions to properties should be well designed, respond positively to the original

building, contribute positively to the local character, and relate well to neighbouring properties whilst maintaining or enhancing the existing street scene and local character. Carol added that page 57 of the Borough Design Guide stated that the overriding consideration should be the impact on the street scene and local character. Carol stated that the residential design checklist asked whether proposals contributed positively and appropriately towards the local character and whether they related well to their context. Carol stated that South Lake was a designated site of urban landscape value which classified it as an important and ecological resource which was well used for informal recreational activities. Carol added that the applicant's property was adjacent to the lake footpath, and in view of that particular care should be taken with regards to this application.

Shashikanth Hallibyl, architect, spoke in support of the application. Shashikanth stated that the applicant wanted to emphasise the entrance to the dwelling, which was missing in the existing property. Shashikanth added that the proposal crossed more than four square meters, but under six square meters, and was outside of the conservation area. Shashikanth added that there were a considerable amount of variations of porches and property frontages within the area, and they had taken a variety of photos and had settled on the current design.

Tarun Singh, applicant, spoke in support of the application. Tarun stated that the porch and the pillars were a very small impact on the overall size of the property, as the property was quite wide. Tarun added that the property was outside of the conservation area, but instead next to it.

Jenny Cheng, Ward Member, submitted a statement in objection to the application, and in her absence this was read out by Angus Ross. Jenny stated that Sycamore Close had a different character dependent on which section you were looking at, with clusters of houses having markedly differing characters. Jenny added that any Grecian style pillars that could be found on Hazel Drive were a long way from what was visible within Sycamore Close. Jenny stated that there were no porches on the applicant's side of the road, and as such the proposed porch would be forward of the building line. Jenny added that part of the application was retrospective, and the white pillars which would support the proposed porch were already in place and stood out vividly against the landscape of the four houses of number 5, 6, 7, and 8 which were all brown and black with no porches. Jenny was of the opinion that the white pillars would be an eyesore for residents within this section of Sycamore Close, as well as for visitors and pedestrians walking around South Lake. Jenny asked that the Committee refuse this application.

Stephen Conway commented that Carol Jewell was very knowledgeable and had pointed out some tensions between the Borough Design Guide and the proposals. Stephen stated that the Committee would have to identify demonstrable harm in order to refuse this application, and he had not heard such evidence as of yet.

Pauline Jorgensen queried whether the picture on agenda page 45 depicted the final design. Mark Croucher, case officer, stated that the picture on agenda page 45 was illustrative, and the final design would be in line with the approved plans should the Committee approve the application.

**RESOLVED** That application number 212963 be approved, subject to conditions and informatives as set out in agenda pages 31 to 32.

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# Agenda Item 58.

Application Number	Expiry Date	Parish	Ward
212509	10/12/2021	Wokingham Town	Emmbrook

<b>Applicant</b>	G Lupton
<b>Site Address</b>	160 Reading Road Wokingham RG41 1LH
<b>Proposal</b>	Full application for the proposed erection of a 2no.storey plus loft level dwelling with an integrated garage to include 2No roof lights following the demolition of existing bungalow including alterations to the vehicular/pedestrian entrance
<b>Type</b>	Full
<b>Officer</b>	Baldeep Pulahi
<b>Reason for determination by committee</b>	Initially listed by Councillor Imogen Shepherd-DuBey due to concerns about the scale and height of the replacement dwelling and returning to Committee following deferral for a site visit.

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 8 December 2021
<b>REPORT PREPARED BY</b>	Assistant Director – Place

## SUMMARY

The application was presented to the Planning Committee on 13 October 2021 with a recommendation for conditional approval. It was deferred to allow a site visit to be undertaken to consider the proposed development's relationship with neighbouring properties and the overall street scene. Revised plans have also been submitted to address these issues and therefore the Committee is asked to consider this revised scheme submitted with this agenda item. The committee report from October's committee meeting is attached as an appendix to this report.

## PLANNING STATUS

- Major Development Location
- Contaminated Land Consultation Zone
- Bat Roost Habitat Suitability
- Tree Preservation Order – 1261/2008 (Updated in 2018 ref:1642/2018)
- Flood Zone 1
- SSSI Impact Risk Zones
- Green Route and Riverside Path- Green Route
- Thames Basin Heaths SPA – 7km Mitigation Zone

## RECOMMENDATION

**That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following conditions and informative:**

### Conditions

#### 1. Timescale

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).*

2. Approved Details

This permission is in respect of the submitted application plans and drawings received by the local planning authority and numbered as follows:

Tree Protection Plan received on 22/07/2021

21001-S11-BD-ZZ-DR-A-0001-P04 Site Location Plan

21001-S11-BD-ZZ-DR-A-003-P04 Landscape Plans

21001-S11-BD-ZZ-DR-A-004-P01 Site Plan received on 20/09/2021

21001-S11-BD-ZZ-DR-A-0110-P05 Existing Plans

21001-S11-BD-ZZ-DR-A-0120-P05 Existing Elevations

21001-S11-BD-ZZ-DR-A-0130-P05 Existing Sections

21001-S11-BD-ZZ-DR-A-0310-P05 Proposed Plans

21001-S11-BD-ZZ-DR-A-0320-P05 Proposed Elevations

21001-S11-BD-ZZ-DR-A-0321-P02 Proposed Elevations in Context

21001-S11-BD-ZZ-DR-A-0330-P05 Proposed Sections received on 04/11/2021

21001-311-BD-ZZ-DR-A-0002-P05 Block Plan received on 25/11/2021

*Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved*

3. Materials

Before the development hereby permitted is commenced, samples and details of the materials to be used in the construction of the external surfaces of the building/s shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so approved details.

*Reason: To ensure that the external appearance of the building is satisfactory.*

*Relevant policy: Core Strategy policies CP1 and CP3.*

4. Drainage

Before the development hereby permitted is commenced details of the surface water drainage system have been submitted to and approved in writing by the local planning authority. Details are to include:

- a) Calculations indicating the existing runoff rate from the site.
- b) BRE 365 test results demonstrating whether infiltration is achievable or not.
- c) Use of SuDS following the SuDS hierarchy, preferably infiltration.
- d) Full calculations demonstrating the performance of soakaways or capacity of attenuation features to cater for 1 in 100 year flood event with a 40% allowance for climate change and runoff controlled at Greenfield rates, or preferably better.
- e) Calculations demonstrating that there will be no flooding of pipes for events up to and including the 1 in 100 year flood event with a 40% allowance for climate change.
- f) If connection to an existing surface water sewer is proposed, we need to understand why other methods of the SuDS hierarchy cannot be

implemented and see confirmation from the utilities supplier that their system has got capacity and the connection is acceptable.

- g) A demonstration of how surface water runoff is going to be catered for, given that parts of the development site already suffer from surface water flooding.
- h) A description of how the proposed development will deal with surface water overland flows.
- i) Groundwater monitoring confirming seasonal high groundwater levels.
- j) A drainage strategy plan indicating the location and sizing of SuDS features, with the base of any SuDS features located at least 1m above the seasonal high water table level.
- k) Details demonstrating how any SuDS for this development would be managed throughout the lifespan of the development and who will be responsible for maintenance.

The approved scheme shall be implemented prior to the first occupation of the development and shall be maintained in the approved form for as long as the development remains on the site.

*Reason: This is to prevent increased flood risk from surface water runoff. Relevant policy: NPPF (2019) Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.*

#### 5. Boundary walls and fences

Before the development hereby permitted is commenced details of all boundary treatment(s) shall first be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

*Reason: In the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21 .*

#### 6. Protection of Trees

- a) No development or other operations shall take place except in complete accordance with the submitted Arboricultural Report:BS5837:2021 Arbtech 2 July 2021 and Tree Protection Plan dated 22<sup>nd</sup> July 2021.
- b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.
- c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.
- d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

*Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21*

7. Parking and Turning

No part of the development hereby permitted shall be occupied until the vehicle parking and turning space has been provided in accordance with the approved plans. The vehicle parking and turning space shall be retained and maintained in accordance with the approved details and the parking space shall remain available for the parking of vehicles at all times and the turning space shall not be used for any other purpose other than vehicle turning.

*Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road safety and convenience and providing a functional, accessible and safe development and in the interests of amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.*

8. Access surfacing

No building shall be occupied until the vehicular access has been surfaced with a permeable and bonded material across the entire width of the access for a distance of 10 metres measured from the carriageway edge.

*Reason: To avoid spillage of loose material onto the highway, in the interests of road safety. Relevant policy: Core Strategy policy CP6.*

9. Obscure Glazing and 1.7m opening

The first floor windows in the side elevation of the development hereby permitted shall be fitted with obscured glass and shall be permanently so-retained. The window shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level of the room in which the window is installed and shall be permanently so-retained.

*Reason: To safeguard the residential amenities of neighbouring properties. Relevant policy: Core Strategy policy CP3*

10. Biodiversity Enhancements

Prior to the occupation of the development, details of biodiversity enhancements, to include bird and bat boxes, tiles or bricks on and around the new buildings shall be submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved.

*Reason: To incorporate biodiversity in and around developments in accordance with paragraph 179 of the NPPF.*

11. Restriction of permitted development rights – Windows

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 additional windows or similar

openings shall be constructed in the first floor level or above in the east and west elevations of the dwellinghouse hereby permitted except for any which may be shown on the approved drawing(s).

*Reason: To safeguard the residential amenities of neighbouring properties.  
Relevant policy: Core Strategy policy CP3*

### **Informatives**

#### 1. Within Curtilage

Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning permission does not authorise you to gain access or carry out any works on, over or under your neighbour's land or property without first obtaining their consent, and does not obviate the need for compliance with the requirements of the Party Wall etc. Act 1996.

#### 2. Pre Commencement Conditions

Where this permission requires further details to be submitted for approval, the information must formally be submitted to the Council for consideration with the relevant fee. Once details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear, please contact the case officer to discuss.

#### 3. Changes to the approved plans

The applicant is reminded that should there be any change from the approved drawings during the build of the development this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.

#### 4. Bats

Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

#### 5. CIL

The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see the Council's website.

#### 6. During the application stages, the Council has highlighted the importance of the applicant having the correct planning permission(s) in place before any demolition

or construction works start on site. This specifically refers to serious implications for the applicant in respect of potential Community Infrastructure Levy (CIL) payments that may be due if the development does not have the correct planning permission.

7. Demolition Notice

The applicant is reminded that a Demolition Notice may be required to be served on the Council in accordance with current Building Regulations and it is recommended that the Building Control Section be contacted for further advice.

8. Discussion

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

<b>PLANNING HISTORY</b>		
<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
TP 1155	Bungalow	Conditionally Approved 12/04/1956
25/40	Single storey extension	Approved 24/03/1986

<b>CONSULTATION RESPONSES</b>	
WBC Environmental Health	No objections
WBC Drainage	No objections subject to conditions
WBC Highways	No objections subject to conditions
WBC Landscape and Trees	No objections
WBC Cleaner and Greener	No comments received
Natural England	No objections
Thames Water	No comments received

<b>REPRESENTATIONS</b>	
Wokingham Town Council	<ul style="list-style-type: none"> <li>No comments received following the submission of Revised Plans received on 04/11/2021</li> </ul>
Ward Members	<u>Comments received from Councillor Imogen Shepherd-DuBey on the Revised Plans received on 04/11/2021:</u> <ul style="list-style-type: none"> <li>Overall height of the dwelling needs to be addressed</li> </ul>
Neighbours	<u>3 neighbour objections received on the Revised Plans received on 04/11/2021:</u> <ul style="list-style-type: none"> <li>Object to application</li> <li>Abuse of process- In light of all the errors and inconsistencies, the dishonest and/or incompetent nature of the application, and the continual changes which have been made, should not the application be withdrawn or refused on these grounds alone</li> <li>Height - at 8.4m, the proposal is still too high. The average height of the immediately adjacent houses is 6.95m, so the new house</li> </ul>

	<p>would still be nearly 1.5m higher.</p> <ul style="list-style-type: none"> <li>• Footprint- There is a considerable increase in footprint over the existing bungalow, and this will exacerbate existing drainage . The mass/bulk of the new house will be very large and will have an overbearing and overshadowing impact on the neighbours.</li> <li>• Flooding/Drainage issues</li> </ul>
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<b>PLANNING POLICY</b>		
National Policy	<b>NPPF</b>	National Planning Policy Framework
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP3</b>	General Principles for Development
	<b>CP5</b>	Housing mix, density and affordability
	<b>CP6</b>	Managing Travel Demand
	<b>CP7</b>	Biodiversity
	<b>CP8</b>	Thames Basin Heaths Special Protection Area
	<b>CP9</b>	Scale and Location of Development Proposals
Adopted Managing Development Delivery Local Plan 2014	<b>CC01</b>	Presumption in Favour of Sustainable Development
	<b>CC02</b>	Development Limits
	<b>CC03</b>	Green Infrastructure, Trees and Landscaping
	<b>CC04</b>	Sustainable Design and Construction
	<b>CC06</b>	Noise
	<b>CC07</b>	Parking
	<b>CC09</b>	Development and Flood Risk (from all sources)
	<b>CC10</b>	Sustainable Drainage
	<b>TB07</b>	Internal Space standards
	<b>TB21</b>	Landscape Character
	<b>TB23</b>	Biodiversity and Development
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide – Section 4
		DCLG – National Internal Space Standards

<b>PLANNING ASSESSMENT</b>
<p><b>Preamble</b></p> <p>1. This application was considered by Committee on Wednesday 13<sup>th</sup> October 2021, and it was resolved to defer the determination of the application pending a site visit on 3<sup>rd</sup> December 2021. This was due to the concerns raised by Councillors on the</p>

impact of the proposed dwelling on the street scene and neighbouring properties. Broadly, the unresolved issues centred on the height/number of storeys of the dwelling, overlooking from the loft rooflights and drainage implications.

2. In the meantime, revised plans were received on 04/11/2021 with the following amendments to the development:
  - Height of the proposed dwelling reduced from 9.5m to 8.4m
  - Bedroom 5 removed from the loft level with only storage retained.
  - Rooflights on side elevation at loft level removed.
3. Wokingham Town Council, Ward Councillors and neighbours were reconsulted on these plans. The consultation period ended on 14/11/2021. Three neighbour objections have been received.

### **Character of the Area**

4. The original scheme presented to the Planning Committee on 13<sup>th</sup> October 2021 was considered acceptable by the planning officer and so the proposed changes are in response to member and resident concerns. As they involve a reduction in the building height and number of rooflights, they are acceptable on character grounds.
5. Height  
The height of the proposed dwelling has been reduced from 9.5 to 8.4m (reduction of 1.1m) and would now be 1.8m higher than no.158 Reading Road and 0.90m higher than no.162 Reading Road. The reduction in the height is welcomed and is considered to be acceptable within the wider streetscene and would not have a detrimental overbearing impact upon the neighbouring properties given the dwelling will be set in from the mutual boundaries with the neighbouring properties (in compliance with the Borough Design Guidelines).

Within the submission of revised plans, a Street Elevation Plan has been provided (21001-S11-0321-P02 Proposed Elevations in Context) which shows the existing and proposed dwelling within the streetscene. The previous Street Elevation Plan was considered to be inaccurate due to the imprecise dimensions of the neighbouring properties. This has been corrected with accurate height dimensions indicated on the neighbouring properties and does include other dwellings within the streetscene with comparative heights. Based on this it is considered the proposed dwelling will not be out of character along this section of Reading Road.

### **Neighbouring Amenities**

6. Loft Level  
The revised plans indicate 'Bedroom 5', and hallway has been omitted from the plans. The loft level will be for storage only and no objections are raised by the planning officer on this aspect.
7. Rooflights  
The previous plans included rooflights on the side elevations of the loft level, it was considered due to the sill height of the rooflights at 1.5m there would not be significant overlooking towards the neighbouring properties that would reasonably warrant a reason for refusal. Following the submission of the revised plans such

rooflights have now been eliminated and this is considered to resolve the overlooking concerns raised by neighbours and members. Two front and rear facing rooflights remain, but these do not pose any concern given their direction of outlook and the non-habitable nature of the roof space. Condition 11 has been introduced to restrict the insertion of additional first floor windows on the east and west elevations to protect the amenities of the neighbouring properties.

### **Flooding and Drainage**

8. There were several questions about surface flooding impacts from members at the Planning Committee on 13<sup>th</sup> October 2021. The Council's Drainage Engineer has provided some further clarification on the proposed development and its impact upon existing infiltration and surface water flows.
9. The existing dwelling is in an area that experiences surface water flooding for the low, medium and high risk flood events. The high risk correlates to a 1 in 30 year risk of surface flooding on the Environment Agency's mapping. Figure 3.2 of *S11.Architecture Flood Risk Assessment, for project 20-001 dated 01/09/2021*, indicates that the footprint of the building is increasing.
10. An increase in the footprint of a dwelling increases the hardstanding area and as such increases runoff. The Council's Drainage Engineer has made amendments to Condition 4, this is to ensure all matters regarding surface water runoff is covered. Subject to Condition 4 there is no objection in respect of drainage or flooding.

### **Environmental Health**

11. The development site is within 95m of a former brick yard (circa 1872) and within 100m of an active petrol station, however the proposed land use is no more sensitive than of the existing. As there is only a very low risk of contamination; the Council's Environmental Health Officer states a contaminated land assessment is not required in this case.
12. No further objections are raised by the Council's Environmental Health Officer on air pollution, noise or contaminated land grounds.

### **Conclusion**

13. The amendments are considered to be acceptable on grounds of design and neighbour amenity. Overall, the proposal accords with the character of the wider streetscene and there are acceptable outcomes in regard to highways, drainage, landscape and trees. Therefore, it is recommended that the application is approved subject to conditions.

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# Agenda Item 47.

Application Number	Expiry Date	Parish	Ward
212509	25/10/2021	Wokingham Town	Emmbrook

<b>Applicant</b>	G Lupton
<b>Site Address</b>	160 Reading Road Wokingham RG41 1LH
<b>Proposal</b>	Full application for the proposed erection of a 2no.storey plus loft level dwelling with an integrated garage to include 12No roof lights following the demolition of existing bungalow including alterations to the vehicular/pedestrian entrance.
<b>Type</b>	Full
<b>Officer</b>	Baldeep Pulahi
<b>Reason for determination by committee</b>	Listed by Councillor Imogen Shepherd-DuBey due to concerns about the scale and height of the replacement dwelling

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 13 October 2021
<b>REPORT PREPARED BY</b>	Assistant Director – Place

<b>SUMMARY</b>
<p>This application seeks planning permission for the erection of a new dwelling following the demolition of the existing dwelling including changes to the vehicular entrance. Objections were received from three residents, the ward member and Wokingham Parish Council, raising the primary concerns of excessive height/number of storeys, overlooking and the siting of the garage forward of the dwelling.</p> <p>The site is located within a sustainable location and the streetscene itself is varied with a mixture of dwelling styles. The proposal results in an increase scale and bulk but when considering the height, footprint and design of the development, it accords with the existing character of the area.</p> <p>There is no in principle objection to the proposal and the internal consultees are supportive of the scheme. It is acceptable, subject to pre commencement conditions for details of materials (Condition 3), drainage (Condition 4) and boundary treatments (Condition 5).</p>

<b>PLANNING STATUS</b>
<ul style="list-style-type: none"> <li>• Major Development Location</li> <li>• Contaminated Land Consultation Zone</li> <li>• Bat Roost Habitat Suitability</li> <li>• Tree Preservation Order – 1261/2008 (Updated in 2018 ref:1642/2018) – to adjoining property</li> <li>• Flood Zone 1</li> <li>• Groundwater Consultation Zone 2</li> <li>• Nitrate Vulnerable Zones (Surface water: Emm Brook)</li> <li>• Risk of Surface Flooding (1 in 30 year)</li> <li>• SSSI Impact Risk Zone</li> <li>• Green Route</li> <li>• Thames Basin Heaths SPA – 7km Mitigation Zone</li> <li>• Burghfield AWE 12km Zone</li> <li>• Heathrow Aerodrome Wind Turbine Consultation Zone</li> </ul>

- Adjoins Classified and Adopted Highway

## RECOMMENDATION

**That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following conditions and informatives:**

### **Conditions**

1. Timescale

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).*

2. Approved Details

This permission is in respect of the submitted application plans and drawings received by the local planning authority and numbered as follows:

21001S11BDZZDRA0110P04 Existing Plans, 21001S11BDZZDRA0120P04 Existing Elevations, 21001S11BDZZDRA0130P04 Existing Sections and Tree Protection Plan received on 22/07/2021 and

21001-S11-BD-ZZ-DR-A-0001-P04 Site Location Plan, 21001-S11-BD-ZZ-DR-A-002-P04 Block Plan, 21001-S11-BD-ZZ-DR-A-003-P04 Landscape Plans, 21001-S11-BD-ZZ-DR-A-004-P01 Site Plan, 21001-S11-BD-ZZ-DR-A-0320-P04 Proposed Elevations, 21001-S11-BD-ZZ-DR-A-0310-P04 Proposed Plans, 21001-S11-BD-ZZ-DR-A-0330-P04 Proposed Sections, 21001-S11-BD-ZZ-DR-A-0330-P04 Proposed Sections, 21001-S11-BD-ZZ-DR-A-0341-P04 Architects Visuals Sheet 1, 21001-S11-BD-ZZ-DR-A-0342-P04 Architects Visuals Sheet 2 and 21001-S11-BD-ZZ-DR-A-0343-P04 Architects Visuals Sheet 3 received on 16/09/2021

*Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved*

3. Materials

Before the development hereby permitted is commenced, details of the materials to be used in the construction of the external surfaces of the building/s shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so approved details.

*Reason: To ensure that the external appearance of the building is satisfactory.  
Relevant policy: Core Strategy policies CP1 and CP3.*

4. Drainage

Before the development hereby permitted is commenced details of the surface water drainage system have been submitted to and approved in writing by the local planning authority. Details are to include:

- a) A description of how surface water runoff will be collected and dealt with using SuDS techniques including a strategy plan indicating the location and

sizing of SuDS features (with the base of any SuDS features located at least 1m above the seasonal high-water table level), what volumes are to be stored where with related drawings/sketch, calculations and justifications that the chosen method is possible;

Or Identification of the destination of discharge (in accordance with Building Regulation Part H hierarchy) with appropriate justification for the selection with related drawings/sketch and approval for the specific discharge amount and why SuDS techniques are not achievable

- b) A surface water drainage layout showing all proposed pipe connections.
- c) How the proposed development would reduce the impact of potential flooding.
- d) Existing drainage, land drains/watercourses, pipes and their capacities and discharge points if there are such/relevant.

If an infiltration drainage system is chosen as the method for disposal of surface water (ie soakaway), the following additional requirements should be fulfilled:

- a) BRE 365 test results demonstrating whether infiltration is achievable
- b) Full calculations demonstrating the performance of soakaways.
- c) Groundwater data confirming seasonal high groundwater levels in the area.

The approved scheme shall be implemented prior to the first occupation of the development and shall be maintained in the approved form for as long as the development remains on the site.

*Reason: This is to prevent increased flood risk from surface water run-off. Relevant policy: NPPF (2019) Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.*

#### 5. Boundary walls and fences

Before the development hereby permitted is commenced details of all boundary treatment(s) shall first be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

*Reason: In the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21 .*

#### 6. Protection of Trees

- a) No development or other operations shall take place except in complete accordance with the submitted Arboricultural Report:BS5837:2021 Arbtech 2 July 2021 and Tree Protection Plan dated 22<sup>nd</sup> July 2021.
- b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.
- c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of

liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.

- d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

*Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21*

7. Parking and Turning

No part of the development hereby permitted shall be occupied until the vehicle parking and turning space has been provided in accordance with the approved plans. The vehicle parking and turning space shall be retained and maintained in accordance with the approved details and the parking space shall remain available for the parking of vehicles at all times and the turning space shall not be used for any other purpose other than vehicle turning.

*Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road safety and convenience and providing a functional, accessible and safe development and in the interests of amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.*

8. Access surfacing

No building shall be occupied until the vehicular access has been surfaced with a permeable and bonded material across the entire width of the access for a distance of 10 metres measured from the carriageway edge.

*Reason: To avoid spillage of loose material onto the highway, in the interests of road safety. Relevant policy: Core Strategy policy CP6.*

9. Obscure Glazing and 1.7m opening

The first floor windows in the side elevation of the development hereby permitted shall be fitted with obscured glass and shall be permanently so-retained. The window shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level of the room in which the window is installed and shall be permanently so-retained.

*Reason: To safeguard the residential amenities of neighbouring properties. Relevant policy: Core Strategy policy CP3*

10. Biodiversity Enhancements

Prior to the occupation of the development, details of biodiversity enhancements, to include bird and bat boxes, tiles or bricks on and around the new buildings shall be submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved.

Reason: To incorporate biodiversity in and around developments in accordance with paragraph 179 of the NPPF.

### ***Informatives***

1. Within Curtilage

Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning permission does not authorise you to gain access or carry out any works on, over or under your neighbour's land or property without first obtaining their consent, and does not obviate the need for compliance with the requirements of the Party Wall etc. Act 1996.

2. Pre Commencement Conditions

Where this permission requires further details to be submitted for approval, the information must formally be submitted to the Council for consideration with the relevant fee. Once details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear, please contact the case officer to discuss.

3. Changes to the approved plans

The applicant is reminded that should there be any change from the approved drawings during the build of the development this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.

4. Bats

Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

5. CIL

The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see the Council's website.

During the application stages, the Council has highlighted the importance of the applicant having the correct planning permission(s) in place before any demolition or construction works start on site. This specifically refers to serious implications for the applicant in respect of potential Community Infrastructure Levy (CIL) payments that may be due if the development does not have the correct planning permission.

6. Demolition Notice

The applicant is reminded that a Demolition Notice may be required to be served on the Council in accordance with current Building Regulations and it is recommended that the Building Control Section be contacted for further advice.

7. Discussion

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

<b>PLANNING HISTORY</b>		
<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
TP 1155	Bungalow	Conditionally Approved 12/04/1956
25140	Single storey extension	Approved 24/03/1986

<b>CONSULTATION RESPONSES</b>	
WBC Environmental Health	No comments received
WBC Drainage	No objections subject to conditions
WBC Highways	No objections subject to conditions
WBC Landscape and Trees	No objections
WBC Cleaner and Greener	No comments received
Natural England	No objections
Thames Water	No comments received

<b>REPRESENTATIONS</b>	
Wokingham Town Council	<ul style="list-style-type: none"> <li>• Object to the proposal</li> <li>• Size and massing – this is a 3 storey building and its height is not in keeping with other properties nearby</li> <li>• The garage design is very large and not in keeping with neighbouring garages</li> <li>• Due to the size and height, there will be overlooking of neighbours.</li> <li>• There was misrepresentation of how the residents viewed this application by the developer.</li> </ul> <p><i>Officers comments: The dwelling is viewed as a two-storey dwelling and is acceptable. The front garage has been removed and revised plans have been submitted to this effect. Neighbour amenity concerns are addressed at paragraph 20.</i></p>
Ward Members	<p><u>Comments received from Councillor Shepherd-DuBey listed below:</u></p> <ul style="list-style-type: none"> <li>• There are no other 3 storey houses in this location only two storey ones and it appears to be very large compared to the neighbouring houses.</li> <li>• There is also some concern about the garage located at the front of the house.</li> <li>• Listing for Committee in the event of an approval (maintained for the revised proposal)</li> </ul>
Neighbours	Objections have been received from 3 neighbouring properties as listed

	<p><u>below:</u></p> <ul style="list-style-type: none"> <li>• Overdevelopment</li> <li>• Design - Out of character of the area</li> <li>• Drainage issues</li> <li>• Overlooking and overbearing issues to adjacent properties</li> <li>• Loss of light and privacy to adjacent properties</li> <li>• Inaccuracies on the submitted plans and D&amp; A Statement</li> <li>• The layout does not appear to match the current footprint.</li> <li>• The existing dwelling is not a two storey dwelling.</li> </ul> <p><i>Officers comments: The main body of the Report addresses these concerns.</i></p>
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<p><b>APPLICANTS POINTS</b></p> <ul style="list-style-type: none"> <li>• The proposal will introduce a new dwelling to accommodate the needs for a large family. The proposed design offers a significant improvement on the quality of architecture for the street and fits suitably into the local vernacular.</li> </ul>
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<b>PLANNING POLICY</b>		
National Policy	<b>NPPF</b>	National Planning Policy Framework
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP3</b>	General Principles for Development
	<b>CP5</b>	Housing mix, density and affordability
	<b>CP6</b>	Managing Travel Demand
	<b>CP7</b>	Biodiversity
	<b>CP8</b>	Thames Basin Heaths Special Protection Area
	<b>CP9</b>	Scale and Location of Development Proposals
Adopted Managing Development Delivery Local Plan 2014	<b>CC01</b>	Presumption in Favour of Sustainable Development
	<b>CC02</b>	Development Limits
	<b>CC03</b>	Green Infrastructure, Trees and Landscaping
	<b>CC04</b>	Sustainable Design and Construction
	<b>CC06</b>	Noise
	<b>CC07</b>	Parking
	<b>CC09</b>	Development and Flood Risk (from all sources)
	<b>CC10</b>	Sustainable Drainage
	<b>TB07</b>	Internal Space standards
	<b>TB21</b>	Landscape Character
	<b>TB23</b>	Biodiversity and Development
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide – Section 4

## PLANNING ISSUES

### Description of Development

1. The proposal is for the erection of a two storey dwelling plus loft level with an integrated garage following demolition of the existing dwelling.
2. The proposed new dwelling would have dimensions of approximately 16m (depth) x 11.6m (width) and would include no.5 bedrooms, living room, kitchen and dining area. The proposed dwelling would have a maximum ridge height of 9.5m and the front and rear gable would have a height of 9.1m.
3. Following discussions with officer, revised plans have been submitted, which include:
  - The removal of the stand-alone garage from the front garden of the property – replaced with an incorporated garage within the front elevation
  - The removal of the three dormers at the rear of the proposed dwellinghouse and their replacement with velux windows.
4. These plans were reconsulted to neighbours, Wokingham Town Council and Ward Councillors on 21/09/2021. To date, no further comments have been received as a result of the reconsultation.

### Principle of Development

5. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan (MDD) Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.
6. The site is located within a Major Development Location of Wokingham and as such the development would be acceptable subject to the assessment of the impact of the development on the character of the area, existing street scene, and the amenity of the neighbouring occupiers and upon highway safety.

### Character of the Area

7. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and must be of high-quality design.
8. The site is located along Reading Road (southern side) which is a designated Green Route and is characterised by many mature and veteran Oak trees. The majority of dwellings located on Reading Road are detached properties located on large plots and set back from the street.
9. The proposed dwelling would be set back from the site boundary and would have acceptable separation distances from its site boundaries and would comply with the requirements of Borough Design Guide in that a minimum of 1 metre gap from both side boundaries would be maintained. In doing so, the detached nature of this part of the road is maintained. The proposal would be consistent with the existing

building line along this side of Reading Road and there is no perception of dominance in the streetscene. When compared with the original dwelling, there is a noticeable increase in the scale and bulk of the development but when considering the height, footprint and design of the development, it accords with the existing character of the area.

#### Height

10. R9 of the Borough Design Guide SPD note that height, bulk and massing should respond to the local context and the prevailing heights in the area. Objections have been raised on the height of the proposed dwelling and that the proposed roof structure it has been designed to accommodate a full-height 3<sup>rd</sup> storey. It is considered the proposed dwelling represents a two storey dwelling with accommodation within the loft level and not a full height 3<sup>rd</sup> storey because the loft would be read as being contained within the roof rather than as a third storey. The proposed dwelling would have maximum ridge height of 9.5m and would be approximately 2.5m higher than the adjoining properties at no.'s 158 and 162 Reading Road. As the proposed dwelling would be set in from the mutual boundaries with the neighbouring properties the height would not be inappropriate in this location, nor would it be inconsistent with the prevailing height of other two storey developments in the area. Therefore, the proposal would not result in detrimental harm to the character and appearance of the wider streetscene.

#### Footprint

11. Objections have been raised that the conservatory should not be considered part of the existing building footprint as it gives the impression that the existing bungalow footprint is larger than it is. The conservatory has been on site in excess of 4 years and thus is a lawful addition to the existing dwellinghouse and is included within the existing footprint.
12. Given this, there will be an increase of 40m<sup>2</sup> from the existing footprint - 141m<sup>2</sup> to the proposed footprint of 181m<sup>2</sup>. It is considered this increase in footprint would not be to the extent which results in inappropriate development on the site, particularly given the size and depth of the site and the compliance with the relevant guidelines with respect to front, side and rear setbacks. Even if the conservatory was not included the footprint calculations, the development is considered to be appropriate for the area.

#### Design

13. Objections have been raised that the overall level and patterns of proposed glazing, both with these roof lights and with other elements such as small round window features, results in a contrived appearance and an over-dominance of glazing.
14. The proposed dwelling will be of contemporary design with a flat roof to the rear and front and rear gables, with a front gable feature with modern detailing. There is no specific architectural vernacular along Reading Road and comprises of a mixed character within the streetscene with varying styles of dwelling. Therefore, the design of the proposed dwelling would not have a detrimental impact on character grounds.
15. The submitted application indicate the proposed dwelling will be constructed of a range of materials including brick, stone, render and timber. There is no objection

and full details of the materials and colours are to be secured via a planning condition 3.

### **Housing Amenity**

#### Internal Amenity Space

16. Policy TB07 of the MDD and Policy R17 of the Borough Design Guides requires adequate internal space to ensure the layout and size achieves good internal amenity.

17. For a two storey dwelling the minimum standard for no.5 bedroom 8-person sharing is a gross internal floor area of 134sqm<sup>2</sup>. The proposed dwelling will have a gross internal floor area of 329 sqm<sup>2</sup> which exceeds this and thus is acceptable.

18. In terms of bedroom sizes, the Technical Housing Standards requires that a dwelling with more than one bedroom should have a main bedroom (double), which is to have a minimum area of 11.5sqm. Secondary of single bedrooms should have a minimum area of 7.5sqm and living spaces should have a minimum area of 27sqm. There should also be provision for storage. The proposed bedrooms satisfy the above requirements. The living spaces would also comply with the requirements and storage is provided.

#### External Amenity Space

19. R16 of the SPD requires a minimum depth of 11m for rear gardens and a 1m setback from the site boundary to allow access thereto. The proposal will comply with this requirement and no objection are raised.

### **Neighbour Amenity**

20. Policy CP3 of the Core Strategy aims to protect neighbouring amenity.

#### Overlooking

21. R15 of the Borough Design Guide requires retention of reasonable levels of visual privacy to habitable rooms, with separation of 10m to the street and 22m to the rear, increasing to 15m and 30m respectively within the loft. R23 of the Borough Design Guide SPD notes that the side walls must not contain windows, especially at first floor level.

22. The proposed dwelling will maintain the separation distances of 15m to the street and at least 30m to the rear, which comply with the recommendations within the Borough Design Guide. Thus, it is considered that the separation is acceptable to ensure that the proposal would not cause unacceptable impacts upon the residential amenity of properties across the road and to the rear.

23. The proposed dwelling will include first floor windows on the side elevation towards the neighbouring property at no.162 Reading Road. These windows would serve the en-suite bathroom and a secondary window to Bedroom 1, the submitted plans indicate these windows are to be obscure glazed. The obscure glazing is secured via condition 9 to protect the amenity of the occupiers at no. 162 Reading Road. The obscured window to Bedroom 1 is a secondary window and so the internal amenity of the bedroom would not be adversely affected.

24. The proposed dwelling does not include first floor windows on the side elevation towards the neighbouring property at 158 Reading Road, therefore no overlooking impact is envisaged towards the occupiers of this neighbouring property.
25. The proposed dwelling will include roof lights on the side elevations of the proposed dwelling at the loft level, however these would serve the storage areas (as indicated on the submitted plans) and an overlooking impact upon the occupiers of both neighbouring properties would not occur.
26. Objections have been raised the proposal will result in an unacceptable level of overlooking of adjacent properties, in particular at the back from the third storey roof dormers and the small round window. Following the submission of revised plans, the roof dormers at the rear of the property have been removed and have been replaced with two roof lights.
27. The sill height of the rooflights at the loft level are 1.5m, this would reduce the outlook further. Overall, there would not be significant overlooking towards both neighbouring properties that reasonably warrants a reason for refusal.

#### Sunlight and Daylight

28. R18 of the Borough Design Guide aims to protect sunlight and daylight to existing properties, with no material impact on levels of daylight in the habitable rooms of the adjoining properties.
29. A degree of overshadowing is expected towards no.158 Reading Road but because there is no significant departure from the established front and rear building lines, it would be towards the garage situated at the front of the property and only during the afternoon period. There is a bedroom within this garage, the window which serves this bedroom is on the opposite side away from the proposed dwelling therefore this habitable room would not be affected by a loss of light.
30. In regard no. 162 Reading Road, there will be some overshadowing to the side elevation and front parking area. As the first floor rear setback of the proposed dwelling is in alignment and it complies with the 1.0m side setback requirement, there is also no unreasonable impact to the south facing rear elevation or the side facing windows of No. 162. There is a ground floor hallway window and first floor window to the side elevation, but the hallway is a non habitable space and both areas have access to sunlight to the front elevation.

#### Overbearing and Sense of Enclosure

31. R16 of the Borough Design Guide requires separation distances of 1.0 metre to the side boundaries and 11 metres from rear boundaries.
32. The proposed dwelling would maintain the minimum 1m separation distance to the side boundaries and the separation distance to the rear boundary.
33. The two storey element of the proposed dwelling would not protrude forward of the existing two storey building lines of neighbouring property and given the 1m separation distance from the side boundaries it is considered the proposal would not result in an overbearing impact towards the rear elevations of no's 158 and 162 Reading Road.

## **Highways Access and Parking Provision**

### Access

34. The access to the site will not be changed however the existing highway boundary wall will be rebuilt, and slightly widened to remove the blind-spot when exiting the site to make access and visibility safer. No objections have been raised by the Council's Highways Officer on this aspect. Full details of the front boundary wall treatment are to be secured via condition 5.

### Car Parking

35. The proposal will have parking for three vehicles, two spaces are shown on the front driveway (although additional spaces are possible on proposed hardstanding) and one space within the proposed garage, this is acceptable to the Council's Highways Officer.

### Cycle Parking

36. The Council's Highways Officer is satisfied secure and covered cycle storage can be provided within the proposed garage without affecting car parking and no condition is necessary.

## **Flood Risk and Drainage**

37. Section 10 of the NPPF, Policy CP1 of the Core Strategy and Policies CC09 and CC10 of the MDD requires flooding protection, sustainable drainage methods and the minimisation of surface water flow.

38. Objections have been raised that the proposal would have implications on drainage in the area. The site is located within Flood Zone 1, but it is also sited in an area that is subject to surface flooding. The Council's Drainage Officer has reviewed the submitted documents including the Flood Risk Assessment and Flood Map Planning and concludes that the proposal will result in an increase in surface water run-off. However, because the proposal involves a replacement dwelling, there are no in-principle objections to the principle of the development. No drainage details have been provided and such details are to be secured via Condition 4. This will include details on the Surface Water Drainage Strategy and reference to SuDS to ensure that there is no net increase in offsite runoff.

## **Landscape and Trees**

39. Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character.

40. The site is located on Reading Road which is a Green Route. There are existing trees at the front of the site and an Oak tree in the neighbouring garden to the west labelled as T17 in the Tree Survey is a protected by TPO1261/2008. The root protection area of this tree extends into the site and very outer edge of its root protection area (RPA) conflicts with the location of a brick pier. T12 Yew is within the site and its stem is very close to the location of the same brick pier. Despite this mitigation is possible with the use of mini piles to build the brick piers and no excavation will be necessary other than for the piles which will be hand dug as much as possible of the 600mm of topsoil/subsoil. As this tree is would be adequately protected during construction no objections are raised by the Council's Landscape Officer on the proposal.

41. There are several trees in the rear garden including 8.no 'B' quality, as many of the trees in the rear garden should be retained as possible including all the 'B' quality. The development will require the removal of one Tree labelled T13 on the Tree Protection Plan, the Council's Landscape Officer is satisfied with the details provided on this plan. Compliance with the Method Statement and Tree Protection Plan are required by Condition 6.

### **Ecology**

42. Policy TB23 of the MDD required the incorporation of new biodiversity features, buffers between habitats and species of importance and integration with the wider greener infrastructure network.

43. The Preliminary Roost Assessment and Bat Emergence Survey confirmed a likely absence of bat roosts in the building. Due to the absence of bats, it is highly unlikely that the proposed development would have a negative impact upon bats and no objections are raised on ecological grounds. In accordance with Paragraph 179 of the NPPF (2021), which states opportunities to incorporate biodiversity in and around developments should be encouraged, details of this are to be secured via Condition 11.

### **Waste Storage**

44. Provision for bin storage can be accommodated appropriately at the front of the property and because of the adequate setback from the street, it is achieved without detriment to the character of the area. No condition is necessary.

### **Thames Basin Heath SPA**

45. Policy CP8 of the Core Strategy states that where development is likely to have an effect on the Thames Basin Heaths Special Protection Area (TBH SPA), it is required to demonstrate that adequate measures to avoid and mitigate any potential adverse effects are delivered.

46. The site is located within 7km of the TBH SPA but does not involve a net increase in dwellings on a site such that no adverse concerns are expected, and no objection is raised.

### **Community Infrastructure Levy**

47. The application is liable for CIL payments because it involves additional floor area in excess of 100m<sup>2</sup>. It is payable at £365/m<sup>2</sup> index linked. However, the applicant has submitted a Self-Build Exemption, and this is subject to a separate liability notice.

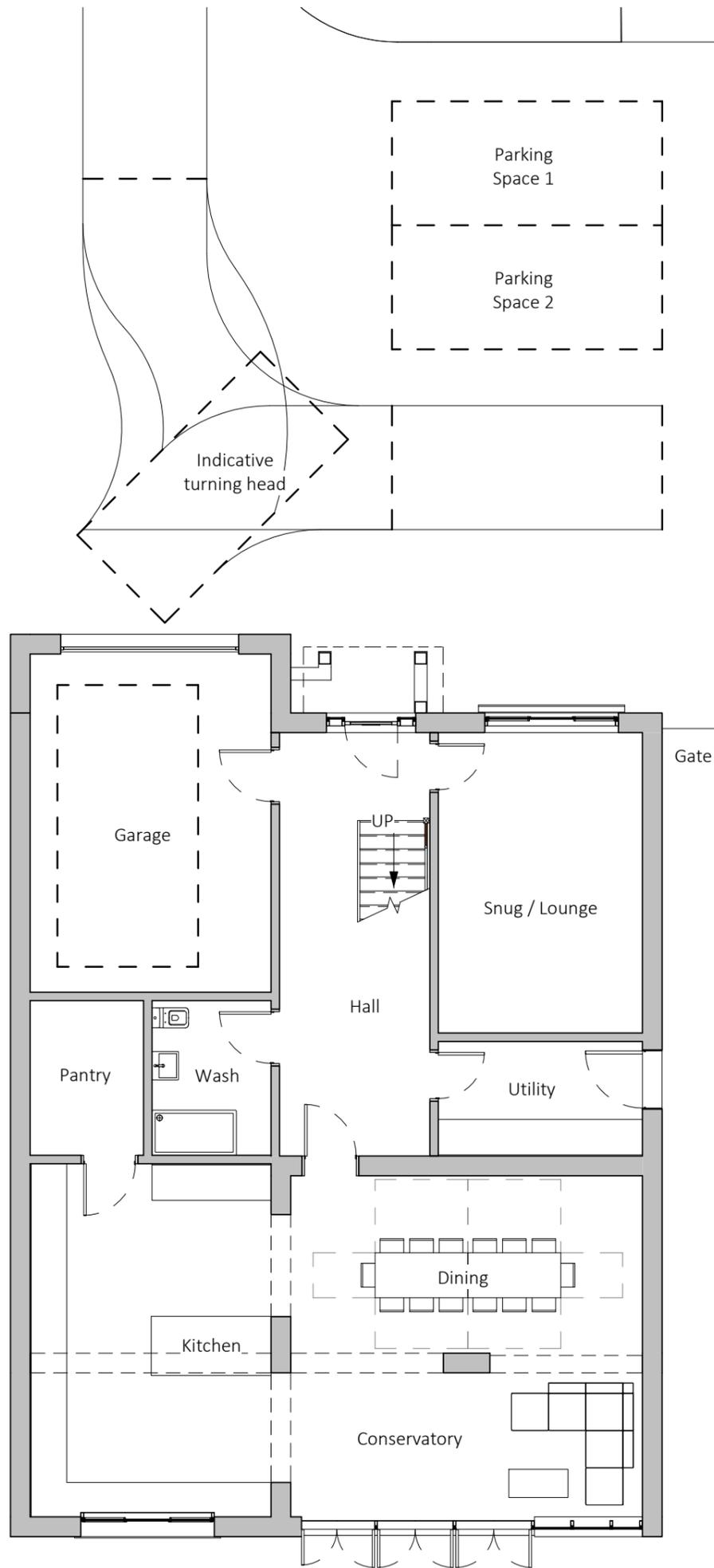
### **The Public Sector Equality Duty (Equality Act 2010)**

48. In determining this application, the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development. Further, there is level access to the ground floor where there is a separate snug (capable for use as a bedroom) and bathroom. This ensures that there is good accessibility for wheelchair users.

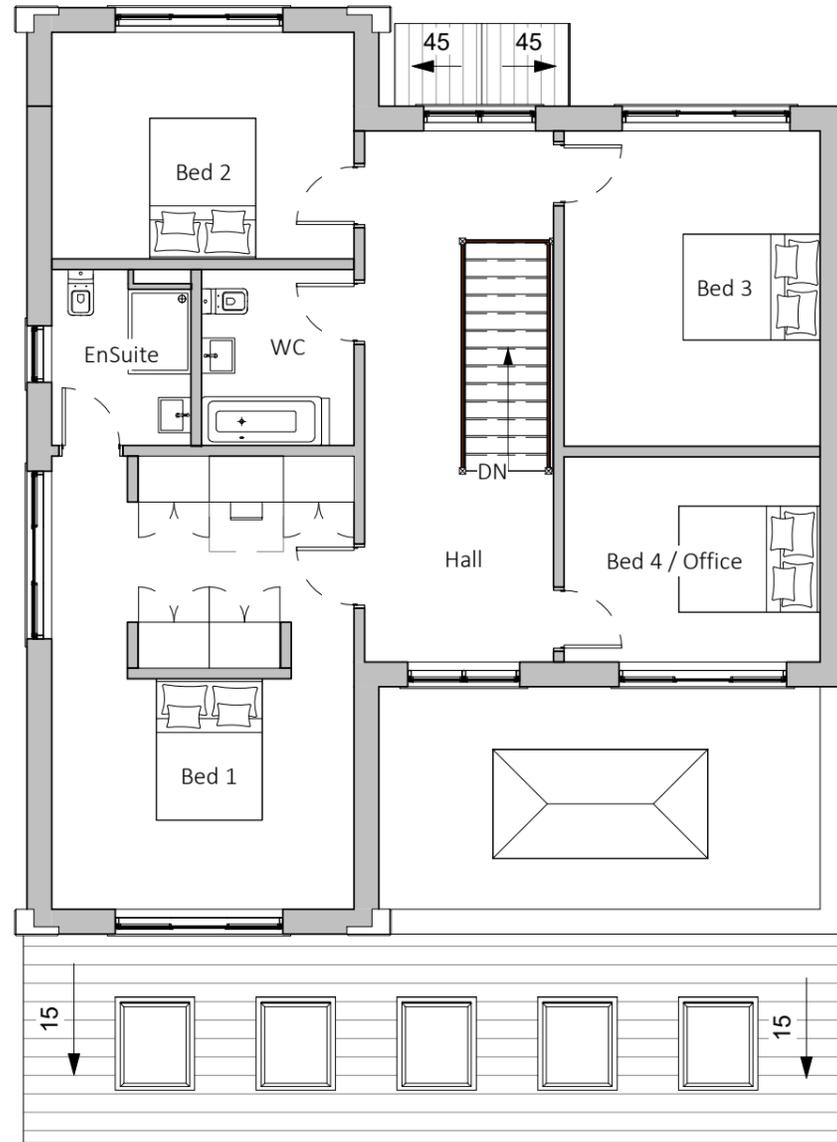
**CONCLUSION**

49. The amendments which includes the removal of the garage to the front accords with the character of the streetscene where many of the garages are set back and do not protrude excessively from the front building line. The removal of the 3no. dormers has reduced the additional bulk to the rear of the proposed dwelling, and the addition of velux windows in the roof are considered to be acceptable on grounds of design and neighbour amenity. Overall, the proposal accords with the character of the wider streetscene and there are acceptable outcomes in regard to highways, drainage, landscape and trees. Therefore, it is recommended that the application is approved subject to conditions.

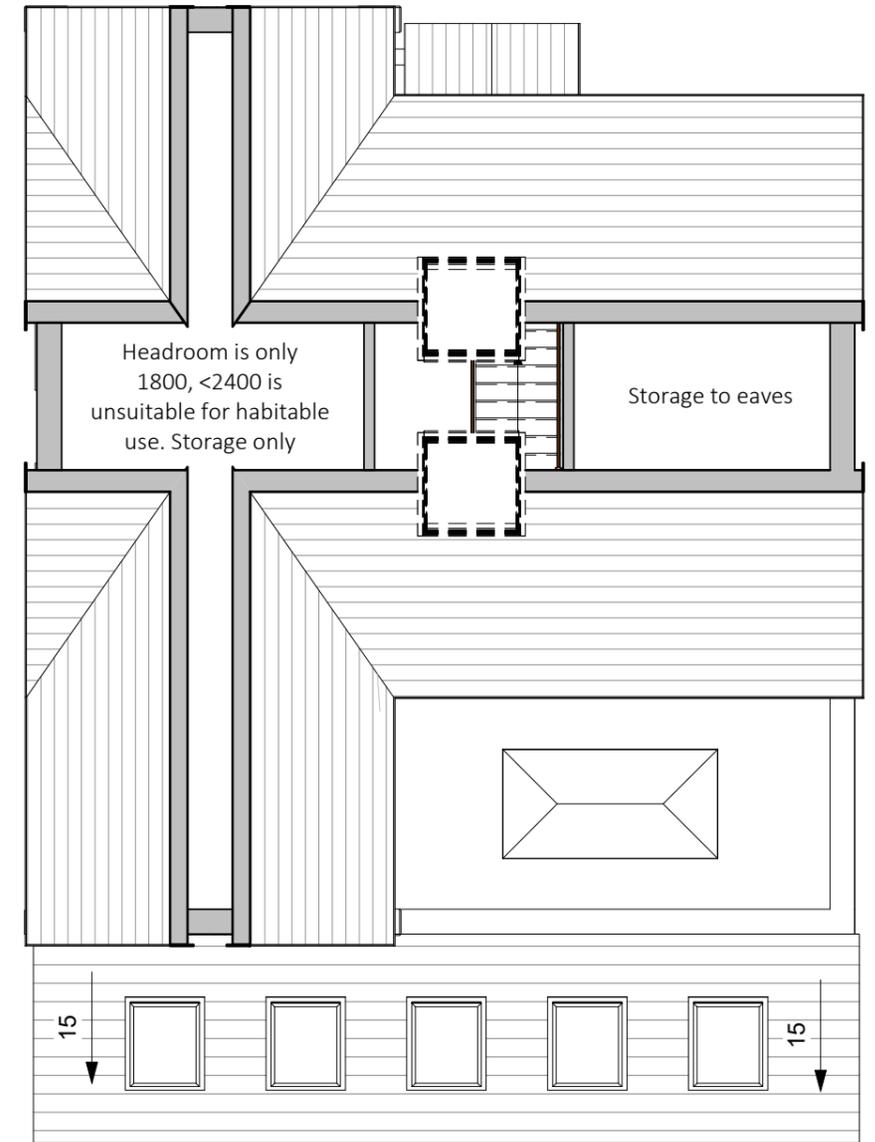
33



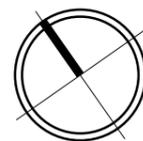
Ground Floor  
1:100



First Floor  
1:100



Second Floor  
1:100



Client: Gordon & Chris Date: May 2021 Scale: 1:100 @ A3  
 Project: 160 Reading Road Drawn: PLH Checked: PLH  
 Title: Proposed Plans Status: Planning  
 Dwg. No: 21001 - S11 BD - ZZ - DR - A - 0310 - POS

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Proposed Principal Elevation  
1:100

Infill feature,  
obscure material

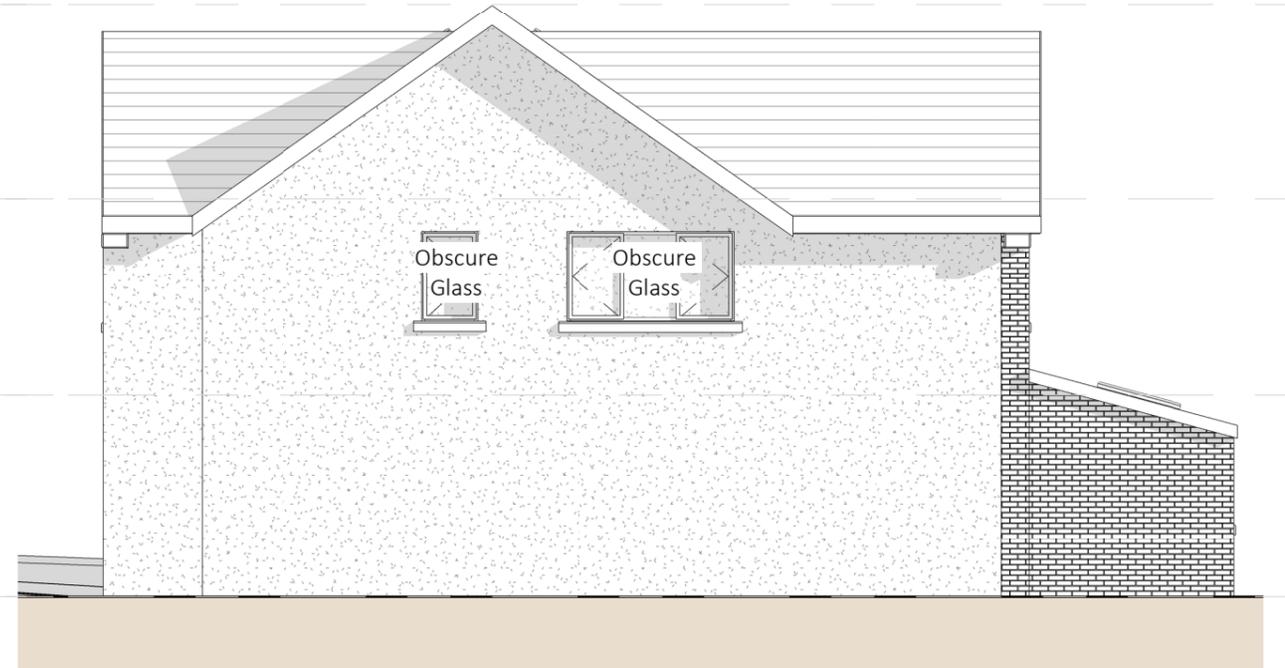


Proposed Rear Elevation  
1:100

35



Proposed East Elevation  
1:100



Proposed West Elevation  
1:100



Client:	Gordon & Chris	Date:	May 2021	Scale:	1:100 @ A3
Project:	160 Reading Road	Drawn:	PLH	Checked:	PLH
Title:	Proposed Elevations	Status:	Planning		
Dwg. No:	21001 - S11	BD - ZZ - DR - A - 0320 - POS			

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Number 158

Number 160

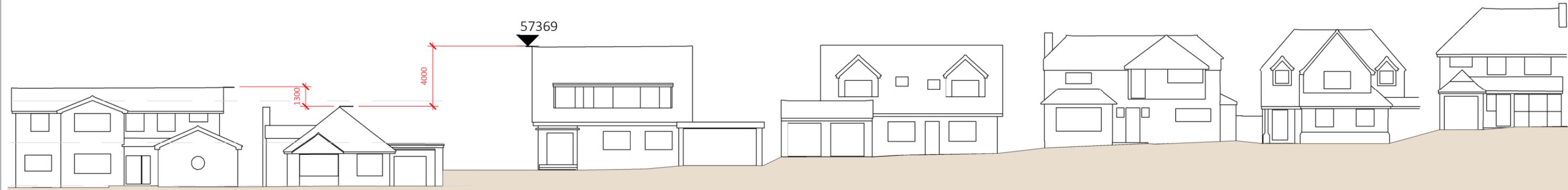
Number 162

Number 164

Number 166

Number 168

Number 170



Levels from Ground Survey 7532 - 01 April 2021

Existing Principal Elevation  
1 : 250

37

Number 158

Number 160

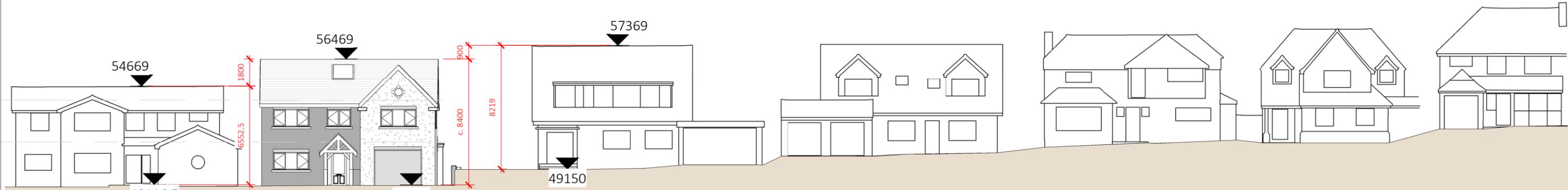
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Number 164

Number 166

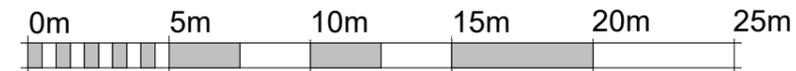
Number 168

Number 170



Levels from Ground Survey 7532 - 01 April 2021

Proposed Principal Elevation  
1 : 250

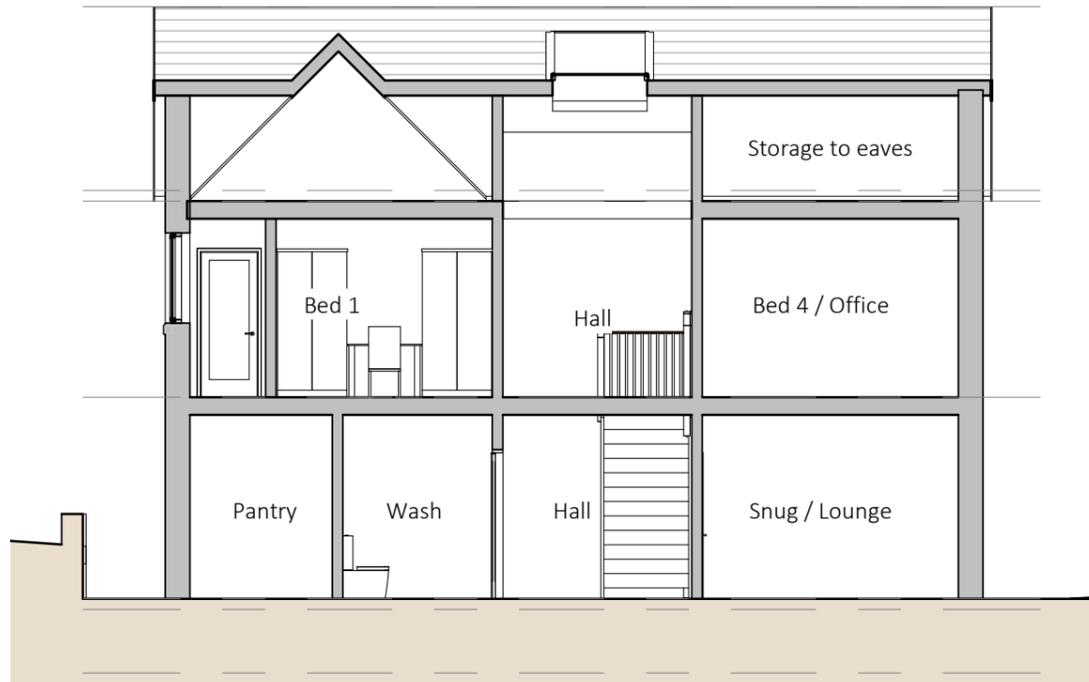


Client: Gordon & Chris Date: Oct 2021 Scale: 1 : 250 @ A3  
 Project: 160 Reading Road Drawn: PLH Checked: PLH  
 Title: Proposed Elevations in Context Status: Planning  
 Dwg. No: 21001 - S11 BD - ZZ - DR - A - 0321 - P02

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Section A  
1:100

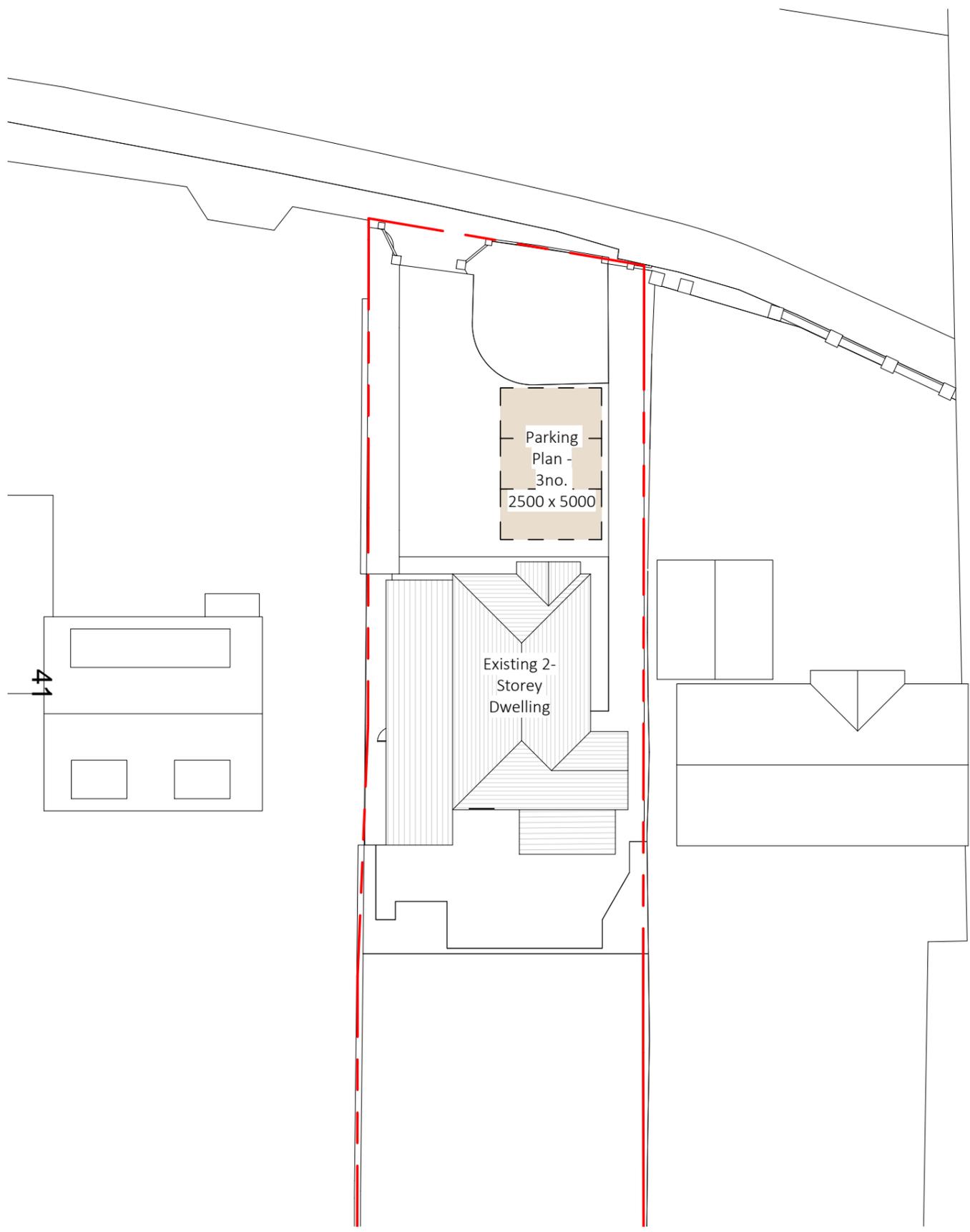


Section B  
1:100

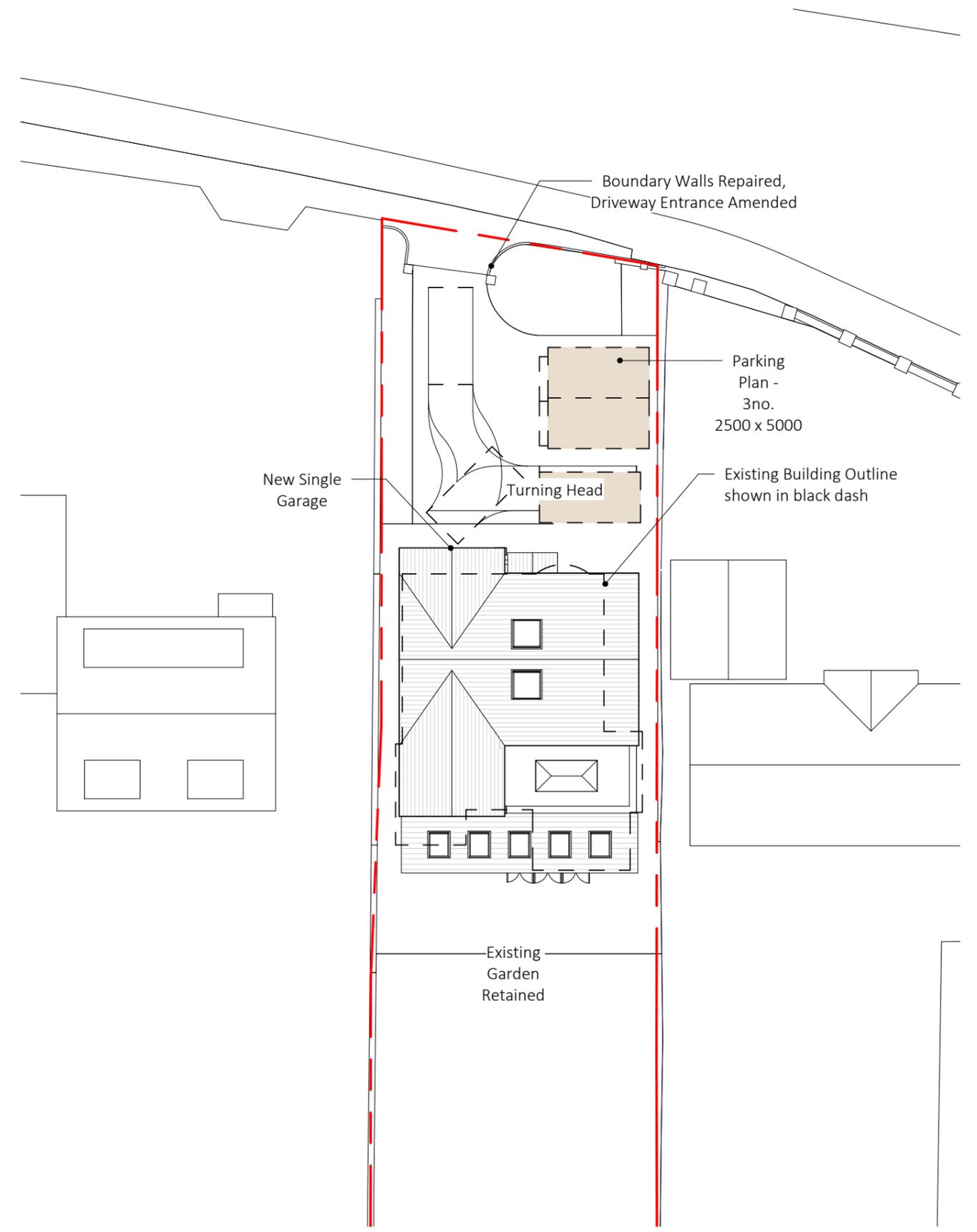


Client:	Gordon & Chris	Date:	May 2021	Scale:	1:100 @ A3	<p><b>S11.Architecture</b> creating homes you love e / hello@s11-architecture.co.uk t / 07989 937 588 w / S11-Architecture.co.uk</p>	<p>© S11 Architecture - Disclaimer This drawing is copyright of S11-Architecture and shall not be reproduced nor used for any other purpose without the written permission of the Architect. It is the contractor's responsibility to ensure full compliance with the Building Regulations and to check and verify all dimensions on site.</p>
Project:	160 Reading Road	Drawn:	PLH	Checked:	PLH		
Title:	Proposed Sections	Status:	Planning				
Dwg. No:	21001 - S11	BD - ZZ - DR - A - 0330 - P05					

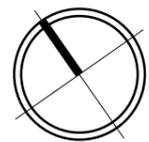
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Existing Block Plan  
1:250



Proposed Block Plan  
1:250



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Project:	160 Reading Road	Drawn:	PLH	Checked:	PLH		
Title:	Block Plans	Status:	Planning				
Dwg. No:	21001 - S11	BD - ZZ - DR - A - 0002 - POS					

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# Agenda Item 59.

Application Number	Expiry Date	Parish	Ward
211686	15/12/2021	Earley	Hawkedon;

<b>Applicant</b>	Lower Earley Properties Ltd
<b>Site Address</b>	Land off Meldreth Way, Lower Earley, Reading, RG6 4HA
<b>Proposal</b>	Full application for the proposed erection of a food store (Use Class E), 43 no. dwellings (Use Class C3) and associated access, servicing, parking and landscaping.
<b>Type</b>	Full
<b>Officer</b>	Senjuti Manna
<b>Reason for determination by committee</b>	Listed for Planning Committee determination at the request of the Assistant Director – Place.

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 8 December 2021
<b>REPORT PREPARED BY</b>	Assistant Director – Place

SUMMARY
<p>This application relates to a 2.3ha parcel of land located west of the roundabout between B3270 Lower Earley Way and Meldreth Way. It is proposed to construct a foodstore (Lidl) of 2,009 sq.m of footprint on the eastern side of the site and 43 residential units on the western side along with associated accesses, parking and landscaping. Residential units will comprise of a mix of 2, 3 and 4 bed houses and 1 and 2 bed flats – 40% of which will be affordable.</p> <p>The site is located outside of the settlement limits of Lower Earley within designated countryside and is not allocated for development in the current Development Plan. It was designated as ‘open space’ in the original masterplan and is restricted by a planning condition to be used for the purpose of recreation and amenity open space only. There is no evidence that the site has not been used for the lawful purpose for more than 10 years. The site structurally forms part of the Swallows Meadow open space and contributes to the verdant character of the Lower Earley Way between Winnersh Triangle and Danehill Industrial Estate. Western part of the site appears to include Priority Habitat and the applicant has not refuted this.</p> <p>As the proposal is located within designated countryside, Core Strategy policy CP11 applies. The proposed scheme does not fall into any of the exceptional categories, as identified in the texts of CP11 and is unacceptable in principle. Additionally, the proposal will result in encroachment into and urbanisation of countryside; fragmentation of existing areas of green infrastructure; loss of existing trees and hedgerows; and will have a negative impact on the ecology of the area contrary to policies CP1, CP3, CP7, and CP11 of the Core Strategy, policies CC03, TB21 and TB23 of MDD Local Plan and core planning principles of the NPPF.</p> <p>The proposed layout is unsympathetic to the existing grain of development and the proposed foodstore will be in conflict with the building typologies of the surrounding residential estates. The site is an edge of settlement plot and the proposal does not respond to its transitional character. By virtue of its quantum of development the proposal will have a detrimental impact on the visual character of the area that will fail to maintain the quality of environment.</p>

The proposal would introduce intensive activities in connection with the retail use that will have a detrimental impact on the acoustic amenity of existing dwellings at Witcham Close. Due to its limited separation distance from the rear amenity space of existing dwellings, the new access to the residential area will result in perceived loss of privacy. The proposed layout would fail to provide acceptable level of private amenity spaces for the future occupiers. There is also likely to be an undue loss of visual and acoustic privacy between the public open spaces and several habitable rooms. Overall, the proposal will not result in a high-quality development.

The proposal has failed to demonstrate acceptable road safety impacts and concerns relating to upgradation requirements to public transport infrastructures have not been addressed. Moreover, the proposal will have negative impacts on Loddon Valley valued landscape.

The most up-to-date Five Year Housing Land Supply Statement demonstrates the Council has a five year housing land supply and as such, paragraph 11d of the NPPF will not engage in this instance. Whilst the proposal includes economic benefits in the form of retail and construction job creations and provision of 17 affordable houses, it would result in unacceptable harm to the quality of environment; will have negative impact on the landscape structure including the Loddon Valley Valued Landscape; and will result in fragmentation of the green corridor along B3270 Lower Earley Way. The proposal will result in biodiversity net loss that will have harmful impact on local badger, bat and bird species population due to loss of habitat. There are no material considerations which are considered to outweigh this harm. Consequently, the proposal is recommended for a refusal.

The application is presented to the committee at the request of the Assistant Director - Place.

#### **PLANNING CONSTRAINTS AND STATUS**

- Designated Countryside
- Contaminated Land Consultation Zone
- Minerals Site Consultation Area
- Replacement Mineral Local Plan
- Landfill Gas Consultation Zone
- Tree Preservation Orders - 1763/2020 (Area TPO covering the entire site)
- Landscape Character Assessment Area A2: Loddon River Valley
- Loddon Valley Valued Landscape
- Listed in the MAGIC Map as Priority Habitat – Deciduous Woodlands
- Natural Habitat Network
- Bat Roost Habitat Suitability
- Swallows Meadow Public Open Space
- Local Plan Update Submitted Sites – for C3 residential by Reading University and for Local Green Space by Earley Town Council
- SSSI Impact Risk Zones
- Thames Basin Heaths SPA Mitigation 7km Zones
- Ordinary Watercourses Consultation Zone
- Ordinary Watercourse

## RECOMMENDATION

**That the committee REFUSE PLANNING PERMISSION for the following reasons:**

### **Reasons and informatives:**

#### **Reasons:**

##### **1. Impact on Character of the Area**

By virtue of introducing mixed residential and retail developments of unsympathetic design, layout, density and quantum of development including extensive hardstanding within hitherto undeveloped Greenfield open land, the proposal would result in a layout that would be alien to the established grain of development; would have excessive encroachment of countryside and expansion of development including detrimental high intensity urbanising impact on the verdant character and visual appearance of the area. By virtue of its introduction of residential and retail blocks that will be taller than the existing houses within the surrounding estates, the proposal would disrupt the transition from built-up areas of Lower Earley into open countryside to the south, negatively impacting the openness of the area outside of development limits. The proposal will not enhance or maintain the quality of environment contrary to policies CP1, CP3 and CP11 of the Core Strategy; CC03 and TB21 of the MDD Local Plan; core planning principles of the NPPF including Section 15 and recommendations contained within the Borough Design Guide.

##### **2. Impact on Trees and Landscape including Landscape Visual Impact:**

By virtue of the loss of amenity greenspace and the removal of a substantial number of existing hedgerows and TPO trees, the proposal would result in the fragmentation of existing areas of green infrastructure detrimentally impacting landscape character of the area, both in terms of the landscape resources and visual intrusion. By virtue of introducing high density suburban development, the proposal will have a detrimental impact on the visual quality of Loddon Valley Valued Landscape. The proposed landscape layout plan will not result in high quality urban environment of appropriate functionality and visual amenity contrary to Core Strategy policy CP3, Local Plan Policies CC03 and TB21, recommendations contained in the Borough Design Guide SPD and section 15 of the NPPF.

##### **3. Impact on Neighbouring Residential Amenity:**

By virtue of the introduction of intensive activities that will take place continuously throughout the day, the proposed retail store will have a detrimental impact on the acoustic amenity of the existing dwellings at 3, 4, 6 and 7 Witcham Close. By virtue of limited separation distance, the proposed residential access from Chatteris Way will have negative impact on the acoustic amenity of the rear garden of 11 Witcham Close resulting in overall perceived loss in acoustic privacy for the existing dwellings contrary to Core Strategy policies CP1 and CP3, policy CC06 of MDD Local Plan and recommendations contained in the Borough Design Guide SPD.

#### 4. External Amenity of Future Users:

By virtue of its inadequate garden depths and presence of TPO trees on the northern boundary of proposed plots 25 – 28, lack of any private amenity space for all flats and reliance upon public open space that will be open to people living anywhere in the wider neighbourhood, the proposal would fail to provide acceptable level of private amenity spaces for the future occupiers. There is also likely to be an undue loss of visual and acoustic privacy between the public open spaces and ground floor habitable rooms of all flats as well as acoustic amenity of proposed plot 10. This is contrary to Policies CP1 and CP3 (a), (b), (e) and (f) of the Core Strategy 2010 and R16 of the Borough Design Guide Supplementary Planning Document 2012.

#### 5. Internal Amenity of Future Users:

The proposal has not demonstrated adequate natural light would be available to all habitable rooms for the proposed flats. Moreover, most of the ground floor flats will have to keep the only source of natural light and ventilation into habitable rooms closed to protect privacy and prevent noise disturbance. It is considered that the internal amenity of the proposed flats will be compromised, and the proposal will not result in a high-quality development contrary to MDD Local Plan policy TB07, the Borough Design Guide SPD and the NPPF.

#### 6. Impact on Highway Safety and Road Network:

By virtue of the lack of information relating to Stage 1 Road Safety Audit; the traffic impact assessment of strategic junctions; the assessment of formal crossing on Meldreth Way; and upgrades requirements to public transport infrastructures the proposal has not demonstrated that it will not result in highway safety issues including safe and efficient movement of traffic on the surrounding network contrary to policies CP1, CP6 and CP10 of the Core Strategy, CC08 of the MDD Local Plan, recommendations contained in the Borough Design Guide and core planning principles of the NPPF.

#### 7. Impact on Ecology:

In the absence of a habitat biodiversity impact assessment calculator showing otherwise, the proposal is considered to result in a net loss for biodiversity. Moreover, the proposal will result in loss of habitat that will have harmful impact on local badger, bat and bird species population contrary to Core Strategy policy CP7, MDD Local Plan policy TB23, paragraphs 174 and 180 of the NPPF and recommendations contained in the Borough Design Guide SPD.

#### 8. Lack of Affordable Housing Provision

In the absence of any measures to secure the affordable housing, the proposal is considered to be in contrary to policies CP1 and CP5 of the Core Strategy 2010, Policy TB05 and Appendix 12 of the Managing Development Delivery Local Plan 2014 and the Affordable Housing Supplementary Planning Document 2013.

## 9. Lack of Employment Skills Plan

In the absence of any measures to secure the Employment Skills Plan, the proposal is considered to be in contrary to policy TB12 of the Wokingham Council's MDD Local Plan.

### **Informative:**

1. This decision is in respect of the drawings and plans numbered: 092008-JAN-(01B; 02B; 03B; 04B; 05B; 06A; GIP; SS01; SS02; PER01; PER02); 092008-LIDL-(P1; E1); 092008-B1-(P1A; P2; P3; E1); 092008-HTJ-(P1; P2; E1; E2; E3; E4; E5); 092008-HTK-(P1; P2; E1; E2); 092008-HTL-(P1; E1); 092008-HTM-(P1; P2; P3; E1; E2; E3; E4); 092008-HTN-(P1; E1); 092008-(CS01; CS02); Design and Access Statement by DHA Architecture; Planning and Retail Statement by Lichfields; Landscape and Visual Impact Assessment by Aspect Landscape Planning; Arboricultural Impact Assessment by Aspect Arboriculture; Ecological Appraisal by Aspect Ecology; Air Quality Constraints Assessment by Apex Acoustics Apex Air; Noise Assessment Report by Auricl; Preliminary Risk Assessment Report by RSK Environment Limited; Highway Summary Position Statement by Evoke; and Flood Risk Assessment by Parmarbrook.
2. Reasons for refusal 8 and 9 could be addressed by submission of a suitable S106 legal agreement.
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, pre-application advice was sought and advice was given regarding the proposal being unacceptable. Discussion took place in trying to find a solution, but no solution was possible.

### **PLANNING HISTORY**

#### **HISTORY OF LOWER EARLEY**

The site forms part of Lower Earley which was master planned as a comprehensive new town development to provide additional housing and associated infrastructure. The original permission for Lower Earley township was granted in 1977 under the planning reference **01945**, conditions attached to which are material considerations for the current application.

As noted by several scholars (Healey et al 1982; Short et al 1986)<sup>1</sup>, Lower Earley was the first truly large-scale application of the 'Planning Agreement' approach that was one of the three mechanisms identified by the central government to deliver housing through public private partnership in 1972.

As identified by the researchers as well as the planning history of Lower Earley development reveals, after lengthy negotiations between the Council and developers

<sup>1</sup> HEALEY, P., DAVIS, J., WOOD, M. and ELSON, M. J. (1982) Wokingham: The Implementation of Strategic Planning Policy in a Growth Area in the South East, Oxford: School of Town Planning, Oxford Polytechnic.

SHORT, J. R., FLEMING, S. and WITT, S. (1986) Housebuilding, Planning and Community Action, London: Routledge & Kegan Paul.

including University of Reading (one of the landowners), planning permission was granted in 1977 for a development of approximately 6,500 homes. Concurrently, a Planning Agreement under section 52 of the Town and Country Planning Act 1971 was signed between the Council and the developers including University of Reading which stipulated 8% of the houses' selling price would be given to the Council to fund road and other infrastructure; land for open spaces was to be conveyed for free; and there were guaranteed options to purchase school sites. In many ways, the approach to housing delivery under Planning Agreement mechanisms can be considered as a predecessor to the contemporary CIL and Planning Obligations that accompany large scale developments. Overall, Lower Earley development represents an important stage in the evolution of the more ambitious approach to housing delivery in late 1970s and the original S52 planning agreement goes to the heart of this development.

## **HISTORY OF THE SITE**

The site is a Greenfield and there is no planning history directly relating to this site. However, from the historic plans of the Lower Earley development, it appears that the site was designated as 'open space' in the original masterplan and is restricted by a planning condition to be used for the purpose of recreation and amenity open space only. This also has been secured in the first schedule of the historic Planning Agreement (section 52) which includes all conditions of the outline approval for Lower Earley development.

In paragraphs 5.1 – 5.4 of the Planning and Retail Statement submitted to support the current application it is argued by the applicant that two planning conditions of the original approval (01945) are relevant for the current application (conditions 11 and 12) and that these conditions have been breached for more than 10 years. Consequently, the Planning and Retail Statement argued, these conditions are not applicable. It is to be noted that no Certificate of Lawfulness is available to confirm this claim.

The outline permission 01945 included 3 separate development schemes – a) a peripheral road; b) use of land for open space purposes; and c) outline application for residential and commercial developments. The current application site was included in the development referred to in paragraph b) of the description and included 3 conditions (no. 11, 12 and 13) that required that the open space shall be reinstated, seeded and landscaped (condition 11); to be used for the purpose of recreation and amenity open space only (condition 12) and the development should begin no later than 5 years from the date of the original permission (condition 13). No evidence is provided by the applicant to show that the site was not landscaped in accordance with approved details, nor it has been demonstrated that the site was not used for amenity purposes for more than 10 years. As such, there is no evidence of the breach of planning conditions, as claimed by the applicant, and all relevant conditions of the original permission carry significant weight for the purpose of determination of the current application.

In addition to the attached conditions, the permission relied upon s.52 legal agreement to secure various obligations relating to the development. Clause 8 of the original Planning Agreement stated that the Landowners (as defined in that agreement) covenanted to convey to the Council (being Wokingham District Council at the time) all the land that was marked on the plans to the agreement as being Free Open Space (again, as defined in the original agreement). This would either be within six weeks of receiving written notice from the council that they required the land to be transferred to them (clause 8(1)), or in any event, completion of any transfer must happen within 10 years of the completion of the s.52 Agreement (clause 8(1)(b)). Additionally, clause 8(1) provided that the conveyances would need to contain covenants by the Council to restrict the use of the

Free Open Space to only open space, recreational uses, allotment uses, and ancillary uses and buildings.

However, it seems that the conveyance of the current application site pursuant to the obligations in the s.52 Agreement never took place, although it appears that members of the public have, up until recently, been accessing the site and it had been thought to form part of the wider existing open space known as Swallows Meadow.

In November 2020, pre-application request was received from the current applicants for a proposal consisting of a retail unit (Use Class E), 46 residential units (Use Class C3) and associated access, servicing, parking, landscaping and associated works on the Site. A detailed response was provided on 21 December 2020 pointing out multiple issues with the proposed development including conflict with Development Plan policies. The officer response letter concluded that, *“the proposal in its current form is unacceptable in principle, would have detrimental impact on character of the area and would have potential environmental health impact including noise disturbance. The proposed scheme would not receive officer support should a full planning application is submitted in future”*.

Additionally, on 18.11.2020 the Council received complaints from residents living near the site about mass clearing of trees and vegetation from the site. Following investigation by council officers, it was considered expedient to serve an area TPO (1763/2020) over the entire site to protect the remaining trees from future pressure of development.

#### **LEGAL POSITION REGARDING HISTORIC S.52 AGREEMENT**

It is first necessary to address the legal position in relation to enforceability by the Council of the historic S.52 Agreement and the apparent breach. The legal position relating the interaction of time limits under the Limitation Act 1980 and planning obligations is not clear cut and can only be determined by the court. The potentially relevant section of the 1980 Act (Section 8) states that set time limits for enforcement action against the breach is 12 years from the date by which the legal agreement should have been complied with. In this instance, this time limit has already been crossed.

However, Section 36 of 1980 Act states that the time limits do not apply to any claim for an injunction, except in so far as these time limits may be applied by the court by analogy. There is no precedent court judgement available to clearly indicate how the courts can determine application of these provisions to planning obligations.

Following a detailed discussion with the Council’s legal department, it was considered that although the S.52 Agreement is a relevant consideration for the determination of the subject planning application, currently it would not be prudent to place material weight on the enforceability of the S.52 Agreement for the purposes of determining the application on its own. Notwithstanding, the non-conformity to the historic S.52 agreement represents a breach of planning control and Council is pursuing separate legal opinions to explore further possible actions.

#### **SUMMARY INFORMATION**

<b>For Commercial</b>	
Site Area	0.9 ha
Previous land use(s) and floorspace(s)	Open Space
Proposed floorspace of each use	1,913 sq. m of Retail (Use Class E)
Change in floorspace (+/-)	+ 1,913 sq. m
Number of jobs created/lost	+ 40

Existing parking spaces	0
Proposed parking spaces	115
<b>For Residential</b>	
Site Area	1.4 ha
Existing units	0
Proposed units	43
Existing density – dwellings/hectare	0
Proposed density - dwellings/hectare	34 dph
Number of affordable units proposed	17
Previous land use	Open Space
Proposed Public Open Space	4,500 sq. m
Existing parking spaces	0
Proposed parking spaces	84

<b>CONSULTATION RESPONSES</b>	
Berks, Bucks and Oxon Wildlife Trust	No comments received
Crime Prevention Design Officer	No comments received
National Grid	No comments received
Natural England	Whilst the development includes an area of priority habitat, Natural England has no comments to make.
Royal Berkshire Fire and Rescue	No objections subject to changes to window design for some of the flats
Southern Gas Networks	No objections
SEE Power Distribution	No objections
Thames Water	No objections to foul water discharge. However, existing water network infrastructure does not have the capacity to accommodate the needs of the current proposal. Unless the developer agrees to upgrade the existing network the application cannot be supported. This can be secured as a condition/ planning obligation.
NHS Wokingham Clinical Commissioning Group	No adverse comments to make (from Chalfront Surgery)
The Environment Agency	No comments or objections
WBC Biodiversity and Ecology	Objected to the proposal and recommended refusal.
WBC Economic Prosperity and Place (Community Infrastructure)	No objections subject to securing policy compliant affordable housing contributions and Employment Skills Plan obligations
WBC Drainage	No objections subject to conditions
WBC Education (School Place Planning)	No comments received
WBC Environmental Health	No objections subject to conditions
WBC Highways	Objected to the proposal and recommended refusal.
WBC Tree & Landscape	Objected to the proposal and recommended refusal.
WBC Cleaner & Greener (Waste Services)	No comments received
WBC Property Services	No comments received

## REPRESENTATIONS

### **Town/Parish Council:**

Earley Town Council objected to the proposal on following grounds and stated that revised plans have failed to address any of the concerns:

#### **Principle of Development:**

- Wokingham Borough Council can demonstrate 5 years housing land supply and there is no evidence that 'tilted balance' will engage in this instance.
- The site is a Greenfield located outside of settlement boundaries and the proposal would be contrary to Development Plan policies CP11 and CC02. The site is not a Brownfield land and as such the proposal will not comply with para 117 of the NPPF (2019).

#### **Character of the Area:**

- The proposals fail to maintain or enhance the high quality of the environment.
- The proposals are of an inappropriate scale of activity, mass, lay out, built form and character to the area, to the detriment to the amenities of adjoining land users, including open space.
- The proposals result in the intrusion of a dense urban character into the countryside, with no graduation in response to the landscape character of the surrounding areas.
- There is a loss of local amenity arising from the loss of the current continuous green wooded corridor along Lower Earley Way.
- Existing open space and landscaping along most of Lower Earley Way creates a strong visual green corridor that is an essential part of the wider character, landscape setting and amenity of Lower Earley as a whole. The green corridor is essential to the character of Lower Earley as a transition between built up and green areas and provides an environmental buffer to the M4 motorway to the south. The proposal will result in reduction of this corridor detrimentally weakening its current character and visual function.
- The proposed food store will introduce a highly visible commercial use in a prominent location, comprising a building, with significant hard paved areas to the frontage of this part of Lower Earley Way.
- The opening up of views from the nearby roads would be considered essential for attracting customers, as indicated in the Design and Access Statement, that would detrimentally impact the visual character of the area.

#### **Neighbour impact:**

- The proposal will have negative impact on the residential amenity of neighbouring properties. The acoustic report fails to identify the impact of the noise from delivery vehicles and plant on the properties behind the store.
- The lighting report fails to give any indication of the qualitative impact of service lighting on adjacent properties, addressing only the operational needs of the lighting.

#### **Landscape and Ecology:**

- The proposals do not enhance the ability of the site to support fauna and flora; and do not integrate with the surrounding open space.

- The proposed development would fail to enhance the landscape, by not protecting or enhancing the green infrastructure.
- The proposals fail to promote accessibility, linkages and permeability between and within existing landscape corridors resulting in unacceptable fragmentation and isolation of areas of green infrastructure.
- It would also fail to ensure that the proposed development would be ecologically permeable through the protection of existing, and the provision of new, continuous wildlife corridors.
- The proposed development demonstrates a failure to enhance the natural environment and improve access to the countryside contrary to NPPF 2019 Paragraphs 8(c) and 118.
- The lighting report fails to identify the implications of additional external lighting on bats and other species.

#### **Retail:**

- The retail element of the proposals is not well connected to the existing centres and is well beyond the edge of centre of the nearest retail area, contrary to NPPF Paragraph 87, indeed seems more targeted at passing trade than to serve the immediate community.
- The retail study report makes assumptions derived from pre-pandemic retail spending patterns that may no longer apply due to people switching to online purchasing, and this does not appear to have been addressed in the Planning and Retail Statement.

#### **Highways:**

- There is a failure to demonstrate that adequate and safe access to the proposed development, in particular the Chatteris Way junction, which has been designed without regard to best practice, which would normally result in such an access being straight for at least 10m from the bell-mouth channel, and within 10 degrees either side of perpendicular. Consequently, there will be traffic safety issues when larger vehicles enter/ leave the site.
- The design of the access into the food store fails to address the potential for fast moving vehicles exiting the Lower Earley Way roundabout giving rise to potential road safety issues.

#### **Local Members:**

Objections were received from **Cllr David Hare** on following grounds:

- The argued benefits from this development do not outweigh the serious loss of green space and scrubland that the proposal would necessitate resulting in loss of carbon sink.
- The loss of this area and the existing continuous green corridor along Lower Earley Way would be very detrimental to the flora, fauna and biodiversity of Earley.
- The proposed development would not maintain the quality of the environment outside of development limits and will be contrary to policies.
- Both Wokingham Borough and Earley Town Council declared Climate Emergency and are committed to reducing carbon footprint to be net carbon zero by 2030. The proposal will result in significant increase in vehicle emission that will be contrary to the efforts to tackle climate emergency.

- Much of the existing vegetation on the site were cleared prior to carrying out site survey. As such, the extended survey dated February 2021 does not represent the valid measure of flora and fauna on the site.
- The area is ecologically beneficial as a whole since it has not been disturbed by human activities. Its loss will result in loss of habitats that cannot be replaced by manmade features.
- The site has been submitted by Earley Town Council as Local Green Space in the Local Plan Update call for sites and if granted, the site will have to be protected for the ecological services that the site provides to its neighbours.
- Additionally, neighbours access the site regularly, potentially establishing public right of way.
- The access to the supermarket will cause highway safety concerns.
- Due to the design of the parking area, it appears that there will always be significant problems and disagreement between the rights of pedestrians, cars or commercial vehicles.
- The retail development would cause critical reduction of business for existing outlets in the area.
- The Statement of Community Involvement is strongly against the applicants' own case where it is shown that 82% respondents did not want improved retail choices and 79% did not want new homes.
- The revised plans did not address all objections raised at the initial stage.

### **Neighbours:**

Public consultation was carried out between 14 May 2021 and 18 June 2021. Following initial comments from officers raising several concerns with the proposal, an amended scheme was submitted by the applicant and public consultation was carried out on the revised scheme between 01 October 2021 and 22 October 2021. A total of 415 representations were received from occupants of 270 properties on the Council's website both supporting and objecting to the proposed development. All representations are summarised below.

**SUPPORT:** 57 support letters were received from the occupants of following addresses:

No house number (Allendale Road, RG6 7PD, Alsdermanwilly Close, RG41 2AQ, Barnsdale Road, RG2 7JG, Calver Close, RG41 5QT, Croft Road, RG2 9EY, Cutbush Lane East, RG2 9AA, Drome Path, Winnersh, RG41 5HB, Fibstock Close, RG6 4JX, Hazel Crescent, RG2 7ND, Harsey gardens, GU17 0ET, Hilmanton, RG6 4HJ, Ilfracombe Way, RG6 3AQ, Maiden Place, RG6 3HE, Mildenhall Close, RG7 1GB, Mlonde Road, RG5 3NJ, Oatlands Road, RG2 9DN, Strand Way, RG6 4EA, Trusthorpe, RG6 3BA); 54 Armstrong Way, RG5 4NW; 6 Ashley Close, RG6 5QY; 18 Barbel Close, RG6 1AQ; 25 Bridport Close, RG6 3DG; 38 Bridport Close, RG6 3DG; 69 Budes Road, RG40 1PL; 32 Carshalton Way, RG6 4EP; Unit 1 Cutbush Court, Danehill, RG6 4UW9; 38 Duffet Drive, RG41 5RZ; 70 Gloucester Avenue, RG2 9GA; 14 Harlton Close, RG6 4JH; 41 Hawkedon Way, RG6 3AP; 17 Jay Close, RG6 4HE; 6 Kendal Avenue, RG2 9AR; 9 Knossington Close, RG6 4EU; 73 Lingwood, RG12 7PZ; 125 Maiden Place, RG6 3HE; 61 Mays Close, RG6 1JY; 5 Mildenhall Close, RG7 1GB; 32 Orts Road, RG1 3JN; 33 Radstock Lane, RG6 5RX; 458 Reading Road, RG41 5ET; 502 Reading Road, RG41 5EX; 5 Reeves Way, RG41 2PS; 32 RG6 5UX; 45 Ryhill Way, RG6 4AZ; 32 Silverdale Road, RG6 7LS; 195 Silverdale Road, RG6 7NY; 9 Southwold Close, RG6 3UB; 5 Tamarisk Avenue, RG2 8JB; 22 The Crescent, RG6 7NN; 75 The Delph, RG6 3AW; 28 The Drive, RG6 1EG; 11 Toseland Way, RG6 7YA9;

34 Trelleck Road, RG1 6EN; 28 Vermont Woods, RG40 4PF; 3Whitton Close, RG6 3UQ; 93 Wilderness Road, RG6 5RG; 9 Wispington Close, RG6 3BN.

These representations supported the proposal on following grounds:

- The proposal will result in additional retail options and local employment.
- The site can be considered as part of a Brownfield industrial estate and its redevelopment is compliant with policy.

(Officer's note: The site is a Greenfield located within designated countryside and forms part of an existing amenity open space called the Swallows meadows).

- The proposal would add value to the surrounding area.
- People are coming to Reading to work at various new developments such as Shinfield Studios, British Museum, Science Park at University of Reading etc. The proposal would provide much needed housing for these people.
- There is not enough food store choice.

Additionally, a PR company, hired by the applicants, ran a campaign with residents of Lower Earley to publicise the proposal. A total of 410 leaflets, signed by a total of 636 individuals, were sent to the Council by the PR company to demonstrate support. These leaflets asked residents to show support only for the Lidl food store for the following reasons:

- A Lidl food store will provide quality and affordable produce in the local area.
- An instore bakery will supply a selection of fresh breads and pastries.

(Officer's note: The proposal is for the erection of a food store (use class E) and there is no surety that it will be owned by one particular food chain for perpetuity. Moreover, the retail unit can be changed to any other use under Class E such as day care, gymnasium or restaurant without requiring an application for planning permission).

- 40 new jobs for local people.

(Officer's note: Number of jobs created can be significantly lower if the building is used for other purposes under Class E).

- New electric vehicle charging points for Lower Earley.

(Officer's note: It is not clear from the submitted information if the new charging points will be available only for the customers of the food store or they will be for all residents of the area to use).

- New pedestrian and cycle links to the site.

(Officer's note: The site was accessible to all residents by foot until recently).

**OBJECTIONS:** 358 objection letters were received from occupants of 213 properties with the following addresses:

No house number, (3 each from Bassett Close and Chatteris Way, RG6 4JL; 1 each from Adwell Drive, RG6 4JY; Bradmore Way, RG6 4DS;, RG6 4JA; Chesterment Way, RG6 4HW; 1 from Conygree Close, RG6 4XE; Doddington Close, RG6 4BJ; Elford Close, RG6

4EG; Elm Lane, RG6 5UE; Faygate Way, RG6 4DA; Finstock Close, RG6 4JX; Fleetham Gardens, RG6 4BY; Harlton Close, RG6 4JH; Knossington Close, RG6 4EU; Littington Close, RG6 4BL; Measham Way, RG6 4ES; Merrifield Close, RG6 4BN; Mill Lane, RG6 7JE; Notton Way, RG6 4AJ; Pasture Close, RG6 4UY; Sibson, RG6 3DU; Silverdale Road, RG6 7LT; Simmonds Crescent; Springdale, RG6 5PR; St Martins Close, RG6 4BS; Strand Way, RG6 4BU); 24 Askew Drive, RG7 1HG; 1 Bassett Close, RG6 4JL; 2 Bassett Close, RG6 4JL; 3 Bassett Close, RG6 4JL; 4 Bassett Close, RG6 4JL; 6 Bassett Close, RG6 4JL; 9 Bassett Close, RG6 4JL; 10 Bassett Close, RG6 4JL; 24 Bath Road, RG1 6NS; 2 Beaconsfield Way, RG6 5UX; 66 Beaconsfield Way, RG6 5UX; 27 Beauchief Close, RG6 4HY; 28 Beauchief Close, RG6 4HY; 149 Beech Lane, RG6 5QE; 12 Binbrook Close, RG6 3BW; 8 Bottisham Close, RG6 4ED; 9 Bottisham Close, RG6 4ED; 15 Bourne Close, RG6 4BH; 38 Bradmore Way, RG6 4DS; 11 Burniston Close, RG6 3XE; 11 Burwell Close, RG6 4BB; 4 Cannock Way, RG6 4EF; 37 Cannock Way, RG6 4EF; 78 Cannock Way, RG6 4EF; 9 Caraway Road, RG6 5XR; 22 Carshalton Way, RG6 4EP; 1 Catcliffe Way, RG6 4HX; 2 Chatteris Way, RG6 4JA; 4 Chatteris Way, RG6 4JA; 14 Chatteris Way, RG6 4JA; 18 Chatteris Way, RG6 4JA; 23 Chatteris Way, RG6 4JA; 30 Chatteris Way, RG6 4JA; 75 Chilcombe Way, RG6 3DB; 2 Chittering Close, RG6 4BE; 8 Chittering Close, RG6 4BE; 8 Clevedon Drive, RG6 5XE; 5 Conygree Close, RG6 4XE; 7 Conygree Close, RG6 4XE; 15 Conygree Close, RG6 4XE; 16 Conygree Close, RG6 4XE; 47 Conygree Close, RG6 4XE; 10 Culford Close, RG6 3AS; 6 Cutbush Close, RG6 4XA; 28 Cutbush Close, RG6 4XA; Oaklands Cutbush Lane, RG6 4UU; The Acorns Cutbush Lane, RG6 4UU; Planters Lodge Cutbush Lane, RG6 4UU; Holly Cottage Cutbush Lane, RG6 4UU; The Willows Cutbush Lane, RG6 4UU; 1 Dennose Close, RG6 5YP; 17 Doddington Close, RG6 4BJ; 27 Doddington Close, RG6 4BJ; 34 Doddington Close, RG6 4BJ; 50 Durand Road, RG6 5YS; 32 Easby Way, RG6 3XA; 6 Easington Drive, RG6 3XN; 51 Eastern Avenue, RG1 5SQ; 3 Ebborn Square, RG6 4JT; 14 Ebborn Square, RG6 4JT; 94 Elm Road, RG6 5TR; 55 Falstaff Avenue, RG6 5TG; 11 Felixstowe Close, RG6 3UF; 22 Finbeck Way, RG6 4AH; 30a Finch Road, RG6 7JU; 33 Finch Road, RG6 7JX; 3 Finstock Close, RG6 4JX; 5 Finstock Close, RG6 4JX; 105 Fleetham Gardens, RG6 4BZ; 143 Fleetham Gardens, RG6 4BZ; 1 Fordham Way, RG6 4BD; 7 Fordham Way, RG6 4BD; 19 Fordham Way, RG6 4BD; 43 Fordham Way, RG6 4BD; 31 Gabriels Square, RG6 3WN; 67 Gabriels Square, RG6 3WN; Hawthorns Gipsy Lane, RG6 3HG; 13 Glendevon Road, RG5 4PJ; 18 Goldthorpe Gardens, RG6 4AR; 10 Gregory Close, RG6 4JJ; 21 Gregory Close, RG6 4JJ; 29 Gregory Close, RG6 4JJ; 4 Hambledon Close, RG6 3TD; 17 Hambledon Close, RG6 3TD; 5 Harrow Way, RG41 5GJ; 40 Huntingdon Close, RG6 3AB; 4 Irvine Way, RG6 4JW; 6 Irvine Way, RG6 4JW; 9 Irvine Way, RG6 4JW; 47 Jay Close, RG6 4HE; 50 Kenton Road, RG6 7LG; 30 Ledran Close, RG6 4JF; 1 Lidstone Close, RG6 4JZ; 2 Lidstone Close, RG6 4JZ; 3 Lidstone Close, RG6 4JZ; 16 Lidstone Close, RG6 4JZ; 17 Lidstone Close, RG6 4JZ; 20 Lidstone Close, RG6 4JZ; 12 Lind Close, RG6 5QX; 2 Littington Close, RG6 4BL; 7 Littington Close, RG6 4BL; 9 Littington Close, RG6 4BL; 11 Littington Close, RG6 4BL; 6 Maiden Place, RG6 3HA; 2 Merrifield Close, RG6 4BN; 8 Merrifield Close, RG6 4BN; 10 Merrifield Close, RG6 4BN; 22 Merrifield Close, RG6 4BN; 89 Mill Lane, RG6 7JF; 16 Moorhen Drive, RG6 4NZ; 4 No street name, RG6 4JW; 26 Notton Way, RG6 4AJ; 10 Paddick Drive, RG6 4HF; 12 Paddick Drive, RG6 4HF; 51 Paddick Drive, RG6 4HF; 73 Paddick Drive, RG6 4HH; 133 Paddick Drive, RG6 4HH; 6 Pasture Close, RG6 4UY; 8 Pasture Close, RG6 4UY; 22 Pasture Close, RG6 4UY; 23 Pasture Close, RG6 4UY; 24 Pasture Close, RG6 4UY; 25 Pasture Close, RG6 4UY; 5 Pavenham Close, RG6 4DX; 9 Porter Close, RG6 4JB; 14 Porter Close, RG6 4JB; 15 Porter Close, RG6 4JB; 20 Rainworth Close, RG6 4DP; 2 Red House Close, RG6 4XB; 24 Red House Close, RG6 4XB; 50 Redhatch Drive, RG6 5QR; 82 Redhatch Drive, RG6 5QR; 16 Regent Close, RG6 4EZ; 20 Regent Close, RG6 4EZ; 6 Rhodes Close, RG6 7XJ; 2 Rose Mews, RG5 4FN; 25 Ryhill Way, RG6 4AZ; 1 Selsey Way, RG6 4DL; 16 Sevenoaks Road, RG6 7NT; 191 Shinfield Road, RG2 7DS; 271 Shinfield Road, RG2 9BE; 74

Silverdale Road, RG6 7LT; 80 Silverdale Road, RG6 7LT; 98 Silverdale Road, RG6 7LU; 264 Silverdale Road, RG6 7NU; 49 Skelmerdale Way, RG6 7YB; 8 Somerton Gardens, RG6 5XG; 6 St Martins Close, RG6 4BS; 9 St Martins Close, RG6 4BS; 3 Strand Way, RG6 4BU; 9 Strand Way, RG6 4BU; 18 Strand Way, RG6 4BU; 26 Strand Way, RG6 4BU; 46 Strand Way, RG6 4BU; 28 Sturbridge Close, RG6 4EE; 32 Sturbridge Close, RG6 4EE; 9 Thanington Way, RG6 5QF; 1 The Ridgeway, RG5 3QD; 4 Tickhill Close, RG6 4AP; Tiptrees Tiptree Close RG6 4HS; 5 Waring Close, RG6 4JE; 55 Waring Close, RG6 4JE; 78 Western Avenue, RG5 3BH; 5 Westminster Way, RG6 4BX; 45 Westminster Way, RG6 4BX; 25 Wickham Road, RG6 3TE; 30 Wickham Road, RG6 3TE; 31 Wickham Road, RG6 3TE; 6 Wimblington Drive, RG6 4JG; 38 Windsor Crescent, RG40 1GN; 1 Witcham Close, RG6 4HA; 3 Witcham Close, RG6 4HA; 4 Witcham Close, RG6 4HA; 6 Witcham Close, RG6 4HA; 10 Witcham Close, RG6 4HA; 12 Witcham Close, RG6 4HA; 14 Witcham Close, RG6 4HA; 15 Witcham Close, RG6 4HA; 10 Woodbine Close, RG6 4BA; 9 Yoreham Close, RG6 3TB and 1 address withheld.

These representations objected to the proposal on following grounds:

**Policy Position:**

- The site is unsuitable for the proposed development. It is located outside of settlement boundary, and it is not allocated for development in the Local Plan.
- Lower Earley is the largest housing estate that was master planned in 1980s. The original master plan allowed green spaces around residential areas to provide buffer from noise and air pollution. The proposal will result in the loss of the buffer that will be contrary to the original master plan.
- The proposal is contrary to Wokingham Development Plan policy CP11 which states that proposals outside development limits will not normally be permitted.
- The proposal is contrary to policy CC03 part 3 of Wokingham MDD Local Plan which states that development resulting in loss, fragmentation or isolation of areas of green infrastructure will not be acceptable.
- The proposal would be contrary to paragraphs 92 and 98 of the NPPF that require developments to guard against loss of valued facilities and protect and enhance public rights of way.

(Officer's note: At present there are no established Public Rights of Way over the application site).

**Character of the area:**

- The proposal will destroy the environment and will have negative impact on the character of the area.
- The proposed residential development represents cramped overdevelopment of the site.
- Lower Earley is already densely developed. All new proposals should be directed towards Brownfield sites and not on Greenfield lands such the application site.
- The proposal will impact the green setting of Lower Earley Way resulting in loss of its verdant character.
- Lower Earley is a high-density residential area, and the site is one of the few green amenity spaces left. The proposal will result in its loss and negatively impact the biodiversity of the area.

- The proposed block of flats is out of character since all neighbouring properties and two storey houses.
- The immediately neighbouring area of the application site is primarily residential. The supermarket will appear out of character since all neighbouring properties are two storey houses.
- The proposed development is not in keeping with the wider layout of Lower Earley.

### **Trees & Landscape:**

- At present the site forms a vital part of the Green Corridor that runs between Shinfield Road and Wokingham Road. Earley, including Lower Earley, has very limited green space in comparison with its builtup area and there is not much connectivity between these areas. This green corridor provides a decent length of green route with meadow, woodland, open space and a little scrub, and constitutes a large biodiversity of flora and fauna.
- The proposal requires removal of 47 trees and scrubland. This will impact the landscape visual amenity of the area.

### **Highways:**

- The proposal will result in highway safety concerns.
- The proposed food store access from Meldreth Way will add pressure to the already clogging and accident-prone roundabout. Highway safety of this junction is a major concern.
- The proposed accesses are not suitable for HGVs in terms of design. HGVs and delivery vans arriving and leaving the site will cause further highway safety concerns.
- The location of the food store will not encourage sustainable transport choices such as walking and cycling.
- Lower Earley Way is not an attractive route to walk or cycle due to traffic noise, air pollution and fast-moving traffic along the main carriageway. The proposal does not offer anything to improve the situation.
- There are other electric vehicle charging points available within wider Lower Earley area. As such, the developers' claims about additional charging points as a benefit is not fully valid.

### **Environmental Health:**

- The traffic generated by the proposed development will cause noise and air pollution.
- Value of open green spaces has increased after the pandemic. Its destruction will have a negative impact on mental and physical health of neighbouring residents.
- Residential units are proposed closer to M4 compared to the existing estates that will expose future occupants to noise and air pollution from the Motorway.
- The site in its current condition provides environmental service by acting as a noise barrier. The proposal will result in its loss.
- The proposal will have harmful impact on the health and well-being of vulnerable & elderly residents who live in care homes within the immediate neighbourhood. Noise generated by additional traffic and shoppers late in the evening will be detrimental to the mental physical health of the care home residents.

### **Availability of Food Stores:**

- There are 2 hypermarkets (Lower Earley ASDA & Winnersh Sainsbury's) along with other local markets/ food stores such as local Sainsbury's; local Cooperative; Marks & Spencer's food hall and Lidl Whitley are available within reasonable distance. A new food store is not needed as there is enough choices available.
- According to the Statement of Community Involvement submitted by the applicants, 82% of respondents did not support improved retail choices in the area. So, there is a clear lack of interest for the food store.

### **Biodiversity & Ecology:**

- The proposal will have a negative impact on biodiversity and ecology by fragmenting the narrow green corridor between existing housing estate and M4.
- Pre-application site preparation has caused clearing of large area of woodland.
- The proposal will result in additional loss of trees and scrubland over and above those already removed in November 2020. This will impact the protected species that use the site as part of their movement corridor.

### **Infrastructure:**

- The proposal will add pressure on already struggling infrastructure including school places, drainage, GP surgery etc.
- Loddon River is 200m from the site. Several minor channels criss-cross the site. The proposal would result in their loss, causing significant flooding concerns with increased risk of flooding the neighbouring area.
- The claims about local job creation have not been supported with evidence. Also, there is no mechanism to secure local employment.

### **Public engagement:**

- The PR company employed by the developers only forwards the positive comments to the Council. This is unprofessional and unethical. It is not possible to establish the % of support received by the PR company since they do not report objections.
- The developer is mis-representing the responses received from the local residents. There is overwhelming opposition to the proposal – this is evident from discussions on various forums.
- The leaflet campaign carried out by the developers' PR company focuses only on the benefits of the supermarket. It does not talk about housing and additional infrastructure. Also, there is no option to voice objection and anyone opposing the proposal do not have an opportunity to let their concerns heard.
- Developers' feedback leaflet is biased since it only asked for positive feedback. Responses received through this campaign should carry no weight.
- Many people supporting the application do not live in this area and as such these comments should carry very limited weight.

**Other issues:**

- The proposal will result in likely increase in crime rate.

(Officer's note: There is no evidence provided to substantiate this claim).

- This is an affluent area, and a budget supermarket is not needed here.

(Officer's note: This is not a material consideration in planning).

- The proposal will result in devaluation of residential property prices for neighbouring dwellings.

(Officer's note: Property prices are not material consideration in planning).

- The proposal is contrary to Lidl's policies who are trying to establish themselves as environment friendly establishment. Lidl should withdraw this application.
- All objections received following re-consultation stated that the amendments failed to address the original concerns and that all original objections were still valid.

(Officer's note: These comments have been given due consideration in determining the application. Assessment of the scheme including both positive and negative aspects along with complete planning balance exercise is included in the appraisal section below.)

**APPLICANTS POINTS**

- It is a government priority to boost the supply of new homes. The Council's 5 years housing land supply shows substantial reduction between 2019 and 2020 positions. The proposal will result in additional homes that will help in improving the Council's 5yhl's position.
- The Council's planning policies relating to settlement boundaries are out of date and the conflict with these policies should be afforded lesser weight.
- The site being adjacent to major development location is sustainable in terms of facilities and services available within the immediate area.
- Weight should also be afforded to the provision of an essential community facility, i.e., the proposed foodstore.

(Officer's note: The applicant has not demonstrated that there is no foodstore available within acceptable distance and as such, the provision of foodstore cannot be considered an essential facility).

- The sequential assessment submitted with the application shows there are no suitable alternative sites available for the store.
- The proposed development will not have an impact on existing, committed or planned investment or the vitality and viability of centres.
- The proposed foodstore will not impact the proposed Local Centre at the South of M4 SDL.
- The proposal makes efficient use of land by providing a higher residential density. It will be a high-quality development in terms of design and circulation.
- 40% of the new dwellings will be affordable.

- The proposal will not result in any highway safety issues. Additional pedestrian and cycle access is provided at the southeast corner linking directly to the shared cycle / footway along B3270 Lower Earley Way which will improve connectivity through the site.
- The site does not include any qualitative landscape designation. Any features of note within the site would be retained, where possible, and integrated within the site wide Green Infrastructure proposals.
- The Phase 1 habitat survey has established that the site comprises habitats that are not important ecological features. Nevertheless, the proposals largely retain boundary vegetation and new habitat creation has been proposed to offset losses, in conjunction with the landscape proposals.
- The Environment Agency's updated Flood Map for Surface Water indicates that the foodstore and associated car parking are located in a 'low risk' area for surface water flooding. The residential area is located in the 'lower to medium' risk of surface water flooding. Appropriate drainage scheme will be proposed to minimise flooding risks.
- There are a number of economic and sustainability benefits arising from the proposal including creation of 40 jobs, provision of new homes with 17 affordable units, provision of convenience floorspace in the area, attracting capital investment within the Borough, supporting direct and indirect job creation through construction, incorporating measures to ensure the proposal delivers a minimum 10% reduction in carbon emissions through renewable energy or low carbon technology, and the provision of new multifunctional open space and improving permeability of the site.

<b>PLANNING POLICY</b>		
National Planning Policy Framework 2021 (NPPF)	Section 2	Achieving Sustainable Development
	Section 5	Delivering a Sufficient Supply of Homes
	Section 6	Building a Strong, Competitive Economy
	Section 7	Ensuring the Vitality of Town Centres
	Section 8	Promoting Healthy and Safe Communities
	Section 9	Promoting Sustainable Transport
	Section 11	Making Effective Use of Land
	Section 12	Achieving Well-Designed Places
	Section 14	Meeting the Challenge of Climate Change, Flooding and Coastal Change
	Section 15	Conserving and Enhancing the Natural Environment
Wokingham Adopted Core Strategy Development Plan Document 2010	CP1	Sustainable Development
	CP3	General Principles for Development
	CP4	Infrastructure Requirements
	CP5	Housing mix, density and affordability
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP8	Thames Basin Heaths Special Protection Area
	CP9	Scale and Location of Development Proposals
	CP10	Improvements to the Strategic Transport Network
	CP11	Proposals outside development limits (including countryside)
	CP13	Town Centres and Shopping
CP17	Housing Delivery	
	CC01	Presumption in Favour of Sustainable Development

Wokingham Adopted Managing Development Delivery Local Plan 2014	CC02	Development Limits
	CC03	Green Infrastructure, Trees and Landscaping
	CC04	Sustainable Design and Construction
	CC05	Renewable energy and decentralised energy networks
	CC06	Noise
	CC07	Parking
	CC08	Safeguarding Alignments of the Strategic Transport Network & Road Infrastructure
	CC09	Development and Flood Risk (from all sources)
	CC10	Sustainable Drainage
	TB05	Housing Mix
	TB07	Internal Space standards
	TB08	Open Space, Sport and Recreational Facilities Standards
	TB12	Employment Skills Plan
	TB15	Major Town, and Small Town/District Centre Development
	TB16	Development for Town Centre Uses
	TB20	Service Arrangements and Deliveries for Employment and Retail Use
	TB21	Landscape Character
TB23	Biodiversity and Development	
Supplementary Planning Documents (SPD)		Borough Design Guide CIL Guidance Affordable Housing Sustainable Design and Construction
		DCLG – National Internal Space Standards

## PLANNING ISSUES

### Site Description

1. The site is a flat piece of land measuring 2.3 hectares located to the north of Lower Earley Way and to the west of its junction with Meldreth Way. Whilst adjacent to the settlement boundary of Lower Earley, the site lies within designated Countryside and is occupied by a group of protected trees (ref: TPO-1763-2020). The Multi-Agency Geographic Information for the Countryside (MAGIC) Map shows the western section of the site includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006 including grassland, scrub mosaic, and deciduous broadleaved woodland. Whilst privately owned, the site structurally forms part of an existing amenity open space known as Swallows Meadow that acts as a natural visual and acoustic buffer between the existing residential developments in Witcham Close, Chatteris Way and Bassett Close and B3270 Lower Earley Way, which is a major peripheral road with speed limit of 50 mph, and to some extent the M4 that lies approximately 15m south of B3270.
2. There is an existing gated access from Meldreth Way and the site was also linked to the amenity open space of Bassett Close from where, until recently, residential neighbours accessed the site for recreational purposes. The site has a distinct sylvan character owing to the presence of trees and hedging along the boundaries on all

sides, although extensive vegetation and scrub has already been cleared from the site as part of pre-planning preparations. Whilst remnant of trees was noted during officers' site visits, the actual number of felled trees could not be confirmed. The TPO was served in December 2020 after the clearing of trees took place to protect the remaining of the trees which offer great amenity value and contribute positively to the character of the area.

### **Description of Development:**

3. The proposal includes a mixed development of retail and residential units along with two new vehicular accesses, associated parking, services and landscaping on land off Meldreth Way. More specifically, the proposal involves:
  - A single storey food store/ retail unit of approximately 2,009 sq. m footprint on the eastern 0.9 hectares of the site near the roundabout between Lower Earley Way and Meldreth Way.
  - Provision of a new vehicular access from Meldreth Way for the retail unit.
  - 43 dwelling units on the western 1.4 hectares of the site, consisting of:
    - A mix of eight x 1-bed and seven x 2-bed flats within a block
    - 10 no. detached and 18 no. semi-detached houses.
  - 40% of the new homes are proposed to be Affordable units (17 units).
  - Provision of a new access from Chatteris Way for the residential section of the site.
  - Pedestrian link between the residential development and retail store.
  - Retention of existing peripheral vegetation.
  - 4,500 sq.m of public open space.
  - Associated site works including parking and landscaping and a pedestrian link between the proposed residential development and existing public open space at Bassett Close.

### **Principle of Development:**

4. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan (MDD) Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

- **Housing Land Supply:**

5. The National Planning Policy Framework 2021 (NPPF) advocates a presumption in favour of sustainable development. For planning decision making it means,

*“(c) approving development proposals that accord with an up-to-date development plan without delay; or*

*(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole” (paragraph 11 of the NPPF).*

6. Footnote 8 then goes on to explain the meaning of out-of-date policies: “*This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years*”.
7. The Council’s latest 5 years housing land supply statement shows the Council can demonstrate a policy compliant supply of land. On 31st March 2020, the Council has a housing land supply of 5.23 years against the Local Housing Need (LHN) of 789 dwellings plus 5% buffer and as such, the tilted balance of Paragraph 11 of the NPPF is not engaged in this instance.
8. In paragraphs 1.9 and 7.9 of the Planning and Retail Statement, the applicant argues that between 31 March 2019 and 31 March 2020, there was a significant reduction in the Council’s housing land supply (from 6.39 years in 2019 to 5.23 years in 2020). The applicant also points out that the planned garden village at Grazeley is no longer achievable due to the changes to the emergency planning arrangements around the Atomic Weapon Establishment in Burghfield. For these reasons the applicant considers that the Council’s 5 years housing land supply is in a very marginal position and that additional housing will improve the situation.
9. The Council disagrees with this assessment. Notwithstanding the difference between 2019 and 2020 figures, the Council can still demonstrate a policy compliant 5 years land supply with 5% buffer. The Council does not believe there is any dispute over the 5yhl position. Moreover, in two recent appeal decisions for large housing proposals within designated countryside (APP/X0360/W/19/3235572 Land East of Finchampstead Road and APP/X0360/W/19/3238048 Land north of Nine Mile Ride), the Inspectors have found that there have been short term impacts of Covid-19 pandemic on housing land supply, which can be attributed to the noticeable change between 2019 and 2020 positions. However, as the Inspectors have ascertained, these impacts are likely to be time limited and housing land supply is a prediction over 5 years. In these decisions, Inspectors have concluded that the Council could demonstrate policy compliant supply of land for housing. Grazeley garden village was never considered as part of the 2019 and 2020 HLS calculations and as such, it does not have any material impact on the available land for housing.
10. Wokingham Borough Council has a planned approach to the delivery of housing within the Borough using 4 major Strategic Development Location (SDL) sites which is successfully delivering the Council’s future housing in addition to infill development within the settlement boundaries. The most up-to-date Five Year Housing Land Supply Statement demonstrates the Council has a five year housing land supply. As a result, the presumption in favour of sustainable development (or the tilted balance), as advocated by paragraph 11d of the NPPF is not automatically engaged in this instance.

- **Weight to be given to the Development Plan Policies:**

11. The Wokingham Borough Development Plan consists of Core Strategy 2010, MDD Local Plan 2014 and other Supplementary Planning Documents which cover up to 2026. The plan is neither silent nor absent and has a body of policies to determine the current application.
12. In paragraphs 7.14 – 7.21 of the Planning and Retail Statement, the applicant has argued that the Council's Development Plan policies CP9, CP11, CP17 and CC02 are out of date and as such the conflict with Development Plan should be given limited weight. The applicant has quoted Appeal Decisions and Court Judgements to justify this claim. The Council disputes this claim.
13. The basket of policies relevant to the current application have been applied consistently and they have been found up to date and consistent with the NPPF in their intent in multiple recent appeals for similar housing developments outside of settlement limits. Particularly in the decision notice of appeal APP/X0360/W/20/3253095 (Land adjacent to Park Farm, Copse Barn Hill Lane, Carters Hill, Arborfield RG2 9JJ), the Inspector has clearly stated that, "*The appellant has made submissions that Policies CC02, CP9 and CP11 should be viewed out of date and my attention has been drawn to a number of appeal decisions in this regard. I note from the evidence that the Council are able to demonstrate a five-year housing land supply and this is not contested by the appellants. On this basis, it would appear that the Council is meeting the aims of the Framework to boost the supply of housing, with the policies in the Core Strategy and the MDD achieving their desired aims. I consider that, having regard to Paragraph 213 of the Framework, the evidence before me shows that the Council's strategy for the delivery of new residential development, of which the use of development limits is a component, is consistent with the Framework. Conflicts with Policies CP9, CP11 and CC02 on the basis of the proposal being outside development limits should therefore be given significant weight*" (paragraph 17, decision date 8 February 2021). This is consistent with other appeal decisions such as: APP/X0360/W/18/3194044 Land at Lodge Road, Hurst, Wokingham RG10 0SG; APP/X0360/W/18/3205487 Land to the rear of No. 6 Johnson Drive, Finchampstead, RG40 3NW; APP/X0360/W/19/3235572 Land East of Finchampstead Road9; APP/X0360/W/19/3238048 Land north of Nine Mile Ride; and APP/X0360/W/19/3240232 Land to rear of Diana Close, Spencers Wood RG7 1HP.
14. The NPPF seeks to significantly boost housing supply. As noted previously and evidenced by the current 5 years housing land supply statement, the Council's strategy is delivering more homes than the minimum required and is significantly contributing to boosting the supply of housing in the area. As the NPPF advocates a plan-led approach, there is therefore nothing to indicate that the overall spatial strategy as set out in the Wokingham Development Plan is out-of-date. Neither is there any reason to suggest that the Policies CP9, CP11 and CP17 of the Core Strategy, Policy CC02 of the Local Plan should be considered out-of-date. On this basis, the presumption in favour of sustainable development (or the tilted balance), as advocated by paragraph 11d of the NPPF is not engaged in this instance and any conflict with the development plan should be given significant weight.

- **Compliance with the Development Plan**

15. The starting point for decision making is the development plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This has been reaffirmed by a recent Court of Appeal ruling where Sir Keith Lindblom said that, *“If the proposal is plainly in conflict with the policies in the plan, granting planning permission for it might be seen as undermining the credibility of the plan, inimical to the 'plan-led' system itself, and contrary therefore to the basic policy of the NPPF”* (paragraph 56, *Gladman Developments Limited v Secretary of State for Housing, Communities and Local Government & Others* [2020] EWHC 518 (Admin)).
16. The application site is a Greenfield land that falls within designated countryside outside of settlement boundary and is not allocated for development in the current Development Plan. The principle of the current development being outside of the designated development limits is contrary to the policies and strategic aims of the development plan. The site has never been allocated or considered suitable for development: it is an undeveloped greenfield site in the countryside. A priority of the development plan is to limit development within the countryside. This is, inter alia, to promote sustainability, maintain the quality of the environment, protect the separate identity of settlements and provide certainty regarding how the borough will be developed. It is also well-explained in the Borough Design Guide at pages 6 -7.
17. Maintaining and protecting the natural environment and the character of the borough is a key objective of both the Core Strategy and the MDD Local Plan. The NPPF sets out that development should recognise the intrinsic character and beauty of the countryside. A new ad-hoc housing estate and a retail store on a greenfield site within the countryside would be clearly contrary to these objectives. This issue is addressed in greater detail throughout this report.
18. The location of the development results in in-principle conflicts with policies CC02 of the MDD Local Plan and CP9, CP11 and CP17 of the Core Strategy. There is an in-principle conflict with policy CC02 of the MDD Local Plan and CP9 of the Core Strategy because the site is outside of established development limits. Both policies refer to directing development within the defined settlement limits. Moreover, there is a conflict with policy CP11 which states that developments within designated countryside will not normally be permitted unless the proposal meets one of the seven exceptions noted within the policy text.
19. The proposal is for 43 residential units and a retail unit (supermarket/food store) that would not fall within any of the specified exceptions since the site cannot be considered a rural exception site due to its location adjoining a major settlement boundary and whilst a food store may be considered a community facility, this is a town centre use that does not essentially require countryside land and as such, the proposed development of a retail unit will be contrary to policy CP11. Moreover, the proposal would result in hitherto undeveloped Greenfield land being used permanently for commercial and residential purposes with associated hardstanding, parking, and residential paraphernalia, thus introducing built form into the open space in the countryside. As such it would result in excessive encroachment and expansion of development within countryside and will be contrary to part 2 of CP11. None of the

other parts are considered applicable to the application and on this basis, the proposal does not comply with policy CP11 of the Core Strategy.

20. In their cover letter submitted as a response to the original consultee comments, the applicant has stated that, *“the application site, being located adjacent to a Major Development Location, would have only limited harm to the overarching strategy established in the development plan and that whilst the site is currently designated as countryside, development would not compromise the physical or perceived separation of Earley with other settlements”* (page 3). It is to be noted that the intent of policy CP11 is to *“protect the separate identity of settlements and maintain the quality of the environment”*. This is consistent with the requirements of the NPPF which states that policies and decisions should contribute to and enhance the natural and local environment. Whilst it is acknowledged that the proposal would not result in coalescence of two different settlements, it will nonetheless result in harm to the quality of environment, even if the harm is considered moderate. As such, the proposal would not ‘maintain’ or ‘enhance’ the character and appearance of the area. Consequently, the proposal is clearly contrary to the spatial strategy and its underlying aims and objectives.
21. In addition to being contrary to the intent of the current development plan, the proposal would not be sympathetic to the original master plan of Lower Earley. As noted in the planning history section above, the original lawful use of the land was open space, and the landowner has not demonstrated any other use of the site. Whilst there is a breach in the original legal agreement relating to the landownership, this has not resulted in the change of lawful use of the land. The land has never been allocated for development – it was quite clearly proposed to remain as open space in the original master plan, a land use that has been recognised and respected in all subsequent development plans. Indeed, the land has been offered protection in the form of ‘countryside’ designation in the current development plan even when it adjoins a major development location.

- **Open Space and Green Infrastructure:**

22. The existing lawful use of the application site is amenity open space, and the applicant has not provided any evidence to show that the site has not been used for this purpose for last 10 years. A breach of the s.52 legal agreement relating to landownership itself does not confirm change of use. Consequently, for the purpose of the current application the site is considered an amenity open space, albeit privately owned. Additionally, the site was classified as amenity greenspace in the Open Spaces Assessment (2012). The proposal would result in the complete loss of the open space.
23. In paragraphs 1.9 and 5.1 – 5.4, the applicant has argued that the Open Spaces Assessment has erroneously identified the site to be owned by the Council and that there has been breach in the original legal agreement relating to the landownership. Consequently, the applicant argues, the site is not publicly accessible and is not used for the purpose of recreation and amenity.
24. Whilst it is acknowledged that the site has always remained in private ownership, that does not mean that there is a breach in the original planning condition and that the site is not an amenity greenspace. The site was allocated for open space purposes in the original master plan, and it remained publicly accessible open space until December 2020 when the current landowner secured the site by erecting boundary fencing, thus

preventing public access. The original condition is a material consideration and the lawful use of the site, for the purpose of the current application, is considered to be amenity open space.

25. Policy CC03 of MDD Local Plan is a cross-cutting policy that would apply to most, if not all types of developments. Policy CC03 – “Green Infrastructure, Trees and Landscaping” states that:

*“2. Development proposals should demonstrate how they have considered and achieved the following criteria within scheme proposals:*

- a) Provide new or protect and enhance the Borough’s Green Infrastructure networks, including the need to mitigate potential impacts of new development*
- b) Promote accessibility, linkages and permeability between and within existing green corridors including public rights of way such as footpaths, cycleways and bridleways*
- c) Promote the integration of the scheme with any adjoining public open space or countryside*
- d) Protect and retain existing trees, hedges and other landscape features*
- e) Incorporate high quality, ideally, native planting and landscaping as an integral part of the scheme.*

*3. Development proposals which would result in the loss, fragmentation or isolation of areas of green infrastructure will not be acceptable”.*

26. The site performs an important function as part of a wider green corridor running along the route of Lower Earley Way (B3270), comprising an extensive linear strip of trees and hedgerows which form a natural buffer between existing residential and the main road (B3270). The site also forms wider linkages with other areas of greenspace along Lower Earley Way, notably Pearman’s Copse Local Nature Reserve and Red House Close Public Open Space. The development proposal would result in the fragmentation or loss of existing areas of green infrastructure and existing trees and hedgerows in this area, contrary to criteria (3) of Policy CC03 in the MDD.

27. MDD Local Plan policy TB08 states that proposals for development that could lead to the loss of open space will need to be consistent with the NPPF. Paragraph 99 of the NPPF 2021 states that:

*“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use”.*

28. The Planning and Retail statement includes an assessment of open spaces within wider Lower Earley area to claim that there is ample public open space provision within the Lower Earley area and there are no policy constraints regarding the application site’s use for other purposes. However, this assessment does not justify the loss of

open space in terms of per capita requirement and if this land is surplus to requirements as required by paragraph 99a of the NPPF. Additionally, the use of the site for any purposes other than recreation and open space is restricted by the condition 12 of original permission and current development plan limits development on the site by designating it as 'countryside'.

29. Appendix 1 of the Planning and Retail Statement includes table A1.1 which presents a 'traffic light' assessment of the application site as well as other amenity spaces within this area. The application site has been marked amber for maintenance (previously overgrown), and red for lack of play equipment, presence of walkways, presence of lighting and public accessibility.
30. The assessment suggests the site is not valuable as a greenspace because is it unused and not managed. The Council disagrees with this assessment. The idea that well designed housing in a manicured landscaped setting should be used as a remedy for lack of agricultural/ natural management is contrary to the recommendations contained in Wokingham Borough Landscape Character Assessment (2019) which states in its 'landscape guidelines': Encourage appropriate management of grassland by grazing. In addition to the land maintenance, the table attributes adjoining Swallows Meadow 'presence of walkway' in green since, "*No walkways but grass was well trodden and informal walkways were clearly visible*" and public accessibility is marked in green as well.
31. The current application site was publicly assessable until recently and had displayed features similar to Swallows Meadow in terms of walkways, as confirmed by Google Earth image from April 2020 (figure 1 below). Informal walkways are clearly visible, providing evidence of public access and regular use, and this is also clearly evidenced by the numerous comments received from local residents on this point. As such, the methodology used to reach the conclusions in the open space assessment is inconsistent.



**Figure 1:** Informal walkways within the site (source: Google Earth, image date April 2020)

32. The site is 2.3 ha in area, all of which currently falls within open space category. The proposal includes provision of 4,574 sq. m of multifunctional open space. This would be approximately 20% of the original open space resulting in total loss of approximately 1.9 ha of greenspace. Even if it is considered that the manicured landscape, as proposed as a replacement, is of better quality compared to the existing, it would not be equivalent or better in terms of quantity contrary to part b) of paragraph 99 of the NPPF.
33. Finally, the proposed development is not for any alternative sports and recreational provision and the proposal is clearly contrary to paragraph 99c of the NPPF. It is considered that the proposed development is contrary to both the NPPF as well as to policies CC03 and TB08 by extension and is unacceptable in principle.
34. Although not for consideration as part of this planning application, it is noted that an application has been made to record a public right of way over the site. Any application for Public Right of Way is made and determined outside of the planning application process.

- **Sustainability:**

35. Policies CP1, CP4, CP6, CP9 and CP11 of the Core Strategy permit development where it is based on sustainable credentials in terms of access to local facilities and services and the promotion of sustainable transport. Expanding on this, paragraph 4.57 in the Core Strategy aims to prevent the proliferation of development in areas away from existing development limits as they are not generally well located for facilities and services and would lead to the increase in use of the private car.
36. Paragraph 79 of the NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities and Paragraphs 104, 105, 110 and 112 seek to ensure the growth of sustainable transport in managing development and approval of planning applications. More specifically, paragraph 110 of the NPPF seeks to promote sustainable travel in decisions with consideration of:
  - a) *The opportunities for sustainable transport modes that have been taken up depending on the nature and location of the site to reduce the need for major transport infrastructure;*
  - b) *Safe and suitable access to the site that are achieved for all users;*
  - c) *The design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
  - d) *Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*
37. This is reinforced in Paragraph 124, which refers to the “*availability and capacity of infrastructure and services...and the scope to promote sustainable travel modes that limit future car use*”.
38. In this instance, the site is located outside settlement limits within designated countryside but adjacent to major development location of Lower Earley which is considered a sustainable location in terms of availability of infrastructure and local facilities. There is a bus stop on Chatteris Way, within 100m from the proposed access

to the residential area. The major supermarket ASDA is located within 1.1km of the site and other facilities such as schools, medical practices and recreational facilities are available within walking distances.

39. A Transport Assessment (TA) has been submitted to support the application which includes walking distances and journey time from the proposed residential access point at Chatteris Way to key services and amenities. This show that most of the services and amenities will be within acceptable walking and/ or cycling distances. WBC Highways officers have reviewed the TA and whilst Highways have not raised any objection to the proposal on sustainability grounds, they have pointed out that the issues relating to the feasibility of upgrading the existing bus stops have not been resolved. On this basis, the Highways have objected to the proposal. This is further elaborated later in the report.

- **Retail Development:**

40. In addition to the residential units, the proposal includes a large food store of approximately 2,175 sq. m of footprint. A food store is classified as E use in the Use Classes Order (as amended 1 September 2020). This is a main town centre use as defined in Annex 2: Glossary in the NPPF.
41. Core Strategy Policy CP13 provides a hierarchy of town and local centres and states that the roles of all existing and new retail centres will be protected and maintained. The policy also states, amongst other things, that development will be permitted where it supports the vitality and viability of town centres and that new retail centres that will not impact upon existing retail centres may be designated through the Local Development Framework. The current application site is 'outside the defined Wokingham major town centre or the small town/district centres or local centres' and has not been allocated for development in the current development plan. Consequently, the site is not considered appropriate for town centre and retail development and the proposal is contrary to the development plan.
42. MDD Local Plan policy TB16 requires that district Centres in Arborfield Garrison, Lower Earley, Shinfield Road (N of M4), Twyford, Winnersh and Woodley should complement Wokingham Town Centre by providing for main and bulk convenience food shopping. It is also a requirement of TB16 for proposals for retail uses including extensions of 500 sq. m (gross) or above outside the primary shopping areas to satisfy sequential test and retail impact test. Similarly, paragraph 90 of the NPPF is clear that the provision of additional retail floorspace should be supported by an impact assessment and specific requirements, in particular criteria (b), to ensure development proposals do not have any significant adverse impact on town centre viability and vitality, including local consumer choice and trade in town centre and wider retail catchment.
43. The current application is supported with a sequential test and retail impact test as required by policy TB16. The assessment covers an approximately 1.5-mile radius (2.4km) from the site, which covers Maiden Place Local Centre, Lower Earley District Centre, Silverdale Road Local Centre, Shinfield Road Local Centre and Winnersh District Centre. In addition, the assessment has also considered the planned retail provision within the South of the M4 Strategic Development Location (SDL).
44. The Lower Earley District Centre provides the majority of retail options within the area, and it is expected that most of the future retail expansion is accommodated in and

around this district centre. A large plot of 1.31Ha area in Chalfront Way and adjacent to the District Centre has been allocated for a mixed residential and retail use in the current MDD Local Plan. Whilst this site would have been more appropriate for the retail development, that site does not appear to be deliverable in short term.

45. In addition to this, a retail unit is proposed as part of South of M4 SDL proposal. In paragraph 6.50, the applicant stated that this allocated site is south of M4 and hence, it was not considered to fall within the Lower Earley catchment. This assessment is contested. There is a vehicular link between the application site and the proposed SDL centre via Lower Earley Way and Black Boy Roundabout which is an approximately 8 minutes journey. As such, for the purpose of defining the catchment, the M4 is not considered a barrier that would stop shoppers from one area to another. Moreover, paragraph 4.65 of Core Strategy states that it may be appropriate for some of the 2,000 sq. m likely convenience needs for Earley to be provided within the SDL proposed under policy CP19 (South of M4 SDL). As such, it is clear that the appropriate retail facilities, as included in policy CP19.3 had already considered part of Earley and Lower Earley in the catchment and this has not been recognised in the retail sequential test.
46. In addition to the sequential test, the planning and retail statement also provides a retail impact assessment of the proposal to demonstrate the existing town centre's vitality will not be impacted by the proposed scheme. The assessment relies upon the understanding that the proposed retail unit will be operated by Lidl. It is to be noted that planning permission is sought for the use only and there is no mechanism to ensure that the store will be operated by one particular supermarket chain in the future.
47. The retail impact assessment expects that the main impact of the proposal would be on Lower Earley District Centre which will face approximately 6% trade diversion to the proposed store from the town centre. It is also stated that most of the trade diversion from the District Centre will be focused on the Asda store. Asda store appears to be trading significantly (44%) above benchmark turnover levels according to the retail assessment report. Consequently, the applicant argues, the reduction to 39% will not have any significant impact on the viability and vitality of Lower Earley Town centre.
48. One of the key aspects of town centre development is linked trips to ensure vitality of the centre. Lower Earley Town Centre offers linked trips to other town centre outlets and to other areas such as Loddon Valley Leisure Centre, Lower Earley Library, Lower Earley Community Centre and Trinity Church. The diversion of trade from the town centre retailers is likely to impact on other more specialist shops and services but also will result in additional trips. The retail impact assessment is silent on these issues.
49. Most importantly, a superstore is not an essential rural business or a community service that cannot be accommodated within development limits or would require countryside land for its operation. Consequently, the proposal is not considered to comply with policy CP11 and is unacceptable in principle.

- **Emerging Local Plan:**

50. The Local Plan Update is at a relatively early stage of preparation. Public consultation of the Draft Local Plan under Regulation 18 is currently taking place. The Draft Local Plan sets out the proposed spatial strategy for development within the borough to 2036, including proposed site allocations and draft development management policies.

51. The application site has been promoted by the University of Reading, who are understood to be the previous owners, for residential development. The application site has also been nominated as part of a wider promotion by Earley Town Council and the Earley Environmental Group for consideration as a Local Green Space designation. In the current Regulation 18 public consultation, the site is proposed as part of Lower Earley Meadows Local Green Space Allocation.
52. The Local Plan Update is currently under public consultation and attracts very limited weight in determination of the current application.

- **Conclusion**

53. By virtue of introducing mixed residential and retail developments on hitherto undeveloped Greenfield land within designated Countryside, the proposal would result in excessive encroachment of countryside and expansion of development contrary to policy CP11 of the Core Strategy. By virtue of the loss of amenity greenspace the proposal would result in the fragmentation of existing areas of green infrastructure, and loss of existing trees and hedgerows would have a detrimental impact on the quality of environment contrary to Policy CP1 and CP3 of the Core Strategy, CC03 and TB08 of the MDD Local Plan, and paragraph 99 of the NPPF. The retail development has not considered all available alternative sites as well as linked trips that are essential for the vitality of town centre contrary to policies CP13 of the Core Strategy and TB16 of the MDD Local Plan. The proposal does not comply with both Wokingham Development Plan policies as well as key planning principle of the NPPF and is unacceptable in principle.

#### **Character of the Area:**

54. The application site is on undeveloped Greenfield land within designated countryside and the relevant policies in the development plan and the NPPF refer to the requirement to maintain and/or enhance the quality environment. Whilst some of the Local Plan policies are worded differently the meaning and intent is the same.
55. Policy CP1 of Wokingham Core Strategy states that developments should maintain or enhance the high quality of the environment. Policy CP3 states proposals will be granted where they 'are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area'. Section R10 of the Borough Design Guide states the assessment of an appropriate density must be design-led as well as considering the number of units per hectare, to ensure that development relates well to local character, including the space around and gaps between the dwellings.
56. The site is Greenfield land with no previous agricultural history and was allocated for open space and recreational purposes in the original master plan. According to Natural England, the western half of the site includes priority habitat of deciduous broadleaved woodland and the site falls within habitat network enhancement zone.
57. The proposed scheme includes two distinctive uses within two sections of the site – residential use in the western half and retail use in the east. Whilst a pedestrian link is proposed between these two sections, an amenity green space clearly separates the two uses. Also, the visual and spatial characters of the two proposed areas are significantly different. Consequently, different parts of the proposal will have different impacts as well as a cumulative impact on the character of the area.

## **Residential Development:**

- **Density:**

58. The site is located outside of the settlement boundary of Lower Earley and within designated Countryside. Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan require an appropriate dwelling density for all residential proposals. Moreover, page 39 of the Borough Design Guide SPD provides specific guidance relating to design of proposals in these areas.

*“Development proposals at the edge of a settlement or large areas of open space must generally aim to soften the edge and to create a transition between built up areas and the countryside or such open space. In these locations landmark buildings are unlikely to be appropriate”.*

59. The transition between built-up areas and open countryside is generally design-led as well as considering the number of units per hectare (i.e., residential density), to ensure that development relates well to local character. Design parameters include the height, bulk and massing of buildings, the space around and gaps between them and the space required for parking.
60. The existing densities in the neighbouring areas vary from 21 dwellings per hectare (dph) in Witcham Close to 25.5 dph in Bassett Close – both part of the original Lower Earley development. The current scheme proposes 43 units across approximately 1.2 hectare area that would result in a significantly higher density of 34.4 dph compared to the surrounding residential developments. This level of density would not be reflective of the edge of settlement transitional character of the site and is unacceptable. The increased level of residential density manifests in harm to the character of the area, which is further discussed below.
61. MDD Local Plan policy CC02 requires development proposals on edge of settlement to be less dense compared to the surrounding built-up area in order to provide appropriate transition between settlement boundaries and open countryside. The proposed density being higher than the neighbouring residential development would fail to provide appropriate transitional character and would be harmful to the general character of the area. A lower density of development would have allowed for greater areas of planting so that the houses tie in more sympathetically to the natural surroundings. An example of this is set out in the Borough Design Guide where ex-woodland areas have sparser densities so that mature trees are included on plots, rather than being limited to the margins of the site. As such, the proposal does not conform to the pattern of development of the area in terms of density and does not provide adequate space for the required infrastructure and retain and protect trees to suit its countryside/ edge of settlement location. This will be elaborated further later in this report.

- **Design, Layout, Form and Scale:**

62. In terms of building design and height, the surrounding residential estates of Bassett Close, Witcham Close and Chatteris Way include two storey dwellings of varying types (detached, semi-detached and terraced properties). Whilst there is a mix of unit types, all existing properties, nonetheless, are houses and the prevailing heights of the

buildings vary between 7 – 7.5m. On contrary, the proposal includes dwellings of ridge heights between 8.8m and 9m that will be significantly higher than the prevailing building heights of the neighbouring area. Moreover, the large block of flats near the southwest corner will be 11m in height and 20.7m at the widest point. Whilst the width of this building is comparable to the existing terraced properties within the neighbourhood, the overall footprint, bulk, mass, and height will be clearly at odds with the modest residential designs of the surrounding residential estates and will be out of keeping with the character of the area.

63. In addition to the excessive height, bulk, mass, and footprint, the apartment building will be away from the existing settlement boundary and closer to the main arterial road and open countryside. The building will also be closer to the woodlands at adjoining Swallows Meadow. The visual impact of this building is graphically illustrated in Perspective View 02 which indicates the potential effect on views from adjoining woodlands within the public open space. The apartment block would not only be prominent in the views from the west, but also will occupy 75% of the site's width at this point. Consequently, the building will appear as an unrelenting and dominating built form that will fail to promote good residential design without additional material changes and attractive small scale domestic features to break down the monolithic appearance.
64. It is to be noted that the development within Lower Earley is introvert in character with little or no frontage development along the Lower Earley Way. By introducing significantly higher mass, bulk and height closer to the main arterial road, the proposed block of flats would not only be contrary to the transitional character of the wider area but will also be highly visible from the public footpath along B3270 due to general reduction of vegetation screening as part of the proposed development. The apartment block along with other dwellings would appear as intrusive features and would fail to soften the hard edge of urban areas to the north and within settlement limits contrary to recommendations contained in the Borough Design Guide. Furthermore, since all new dwellings will be significantly higher than the existing dwellings the development will be conspicuous from public vantage points in Lower Earley Way, Meldreth Way, Chatteris Way, Bassett Close and from private gardens of surrounding properties and will disrupt the views towards open countryside to the south from existing residential estates.
65. In terms of layout, the proposal is designed in a cul-de-sac formation similar to the surrounding estates. However, unlike the fluid layout of existing estates that was developed around a central open space, the application layout has resulted in the site being compartmentalised between tight blocks of development and green areas, particularly near the southeast corner. The layout treats the dwellings as isolated objects sited in the landscape and not as a part of larger fabric of viable open spaces. Two main amenity areas are physically separated by the main driveway and other than a footpath requiring two road crossings, there is no structural or pedestrian link between the amenity spaces. The amenity areas appear after-the-fact cosmetic treatment and not as an integral part of the whole site planning.
66. This layout along with the significantly higher residential density and significantly taller buildings would result in a tight grain of development with limited scope for any significant planting in the front and rear gardens. There are green areas enveloping the housing segment, but these are pushed to the margins of the site. Consequently,

the proposal appears as new housing estate dropped onto the middle of the site rather than assimilating into the landscape.

67. Most of the dwellings will have very small front gardens and also hard surfacing would dominate the front of some of the houses (Plots 3 – 7, 9 – 10, 14 – 18, 23, and the apartment block). This will be in contrast with the general spacious and open character of the surrounding estates. Whilst some landscaping is possible in the residential part of the site, this would be limited due to lack of space.
68. Overall, the proposed residential development would have a detrimental impact on the character and appearance of the area by reason of the development of greenfield site in the countryside and the creation of a tightly laid out development. This objection is set out further in the landscape section of this report.

### **Retail Development:**

69. The proposed retail unit will be a single block of 2009 sq. m footprint and 7.10m of height. This will be a 'box development', typical of a large-scale retail unit with associated car parking and will have little relationship with surrounding residential estate typologies. The neighbouring residential estates of Witcham Close and Chatteris Way form a separate typology of peri-urban fabric with finer grain. The existing residential gardens will occupy the northern boundary of the store and gardens of proposed units will be located to the west. The roundabout between Lower Earley Way and Meldreth Way will touch the site at the southeast corner.
70. Section S2 of the Borough Design Guide requires that, "*It is important that new developments should be well integrated into their surroundings to ... create or reinforce a positive local identity or 'local distinctiveness'*".
71. The existing residential estates branch from primary residential streets and are characterised as informal suburban in section 3B of the Borough Design Guide SPD. The sense of homogeneity that links the residential developments within Lower Earley is clearly perceivable and represent the residential typology of 1980s. In this immediate context, the proposed Lidl store, by virtue of its excessive footprint, bulk, and mass would appear starkly out of keeping. Moreover, the scale of the building is such that it would be seen from further away, particularly from B3270 Lower Earley Way while travelling in both directions. The building will also be visible from Meldreth Way as well as residential gardens of surrounding properties. The visual impact would be exacerbated by extensive hardstanding to the front, that would be required for the associated parking provision. Proposed manicured landscape near the southeast corner would do little to mitigate for the overall bulk, mass and hardstanding and there is not much space available for additional landscaping.
72. Moreover, by virtue of its bulk and height, the retail store will be tantamount to a 'landmark' building. The site is an edge of settlement plot within designated countryside and section R9 of the Borough Design Guide states that edge of settlement locations are inappropriate for landmark buildings since these will fail to respect the transitional character of the area. The proposed retail store would not only be contrary to this recommendation but also would appear alien within the streetscene of Lower Earley Way which does not have any physical development along the stretch between Danehill Way industrial estate to the west and Winnersh Garden Centre to the east. The retail unit along with residential dwellings will be highly visible, particularly in winter

months when the deciduous trees will shed leaves reducing foliage screening and will appear an island of highly urbanised area surrounded by verdant open countryside on south and east and established woodlands to the west. This will not only negatively impact the sylvan character of the area but also will result in fragmentation of the existing green 'corridor' along Lower Earley Way negatively impacting the visual amenity.

73. Paragraphs 4.2 and 4.3 of Core Strategy state that, "*the community values the high quality of the environment within the borough*" and "*Proposals that enhance the quality of the environment of the borough could include those that improve the openness of the areas outside of development limits defined under Policy CP9*". The current proposal would result in loss of existing open greenspace and will introduce high density residential as well as significantly large retail unit within designated countryside resulting in loss of openness of areas outside of development limits that will negatively impact the high quality of environment.

- **Conclusion:**

74. Policy CP3 requires optimisation of site capacity through a design-led approach whilst "*without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life*". By virtue of its introduction of unsympathetic design, layout, density and quantum of development including extensive hardstanding within hitherto undeveloped Greenfield open land, the proposal would be alien to the established grain of development that would have a detrimental high intensity urbanising impact on the verdant landscape and the character and visual appearance of the area. By virtue of its introduction of residential and retail blocks that will be taller than the existing houses within the surrounding estates, the proposal would disrupt the transition from built-up areas of Lower Earley into open countryside to the south, negatively impacting the openness of the area outside of development limits. The proposal will not enhance or maintain the quality of environment contrary to policies CP1, CP3 and CP11 of the Core Strategy; CC03 and TB21 of the MDD Local Plan; core planning principles of the NPPF including Section 15 and recommendations contained within the Borough Design Guide.

### **Landscape and Trees including Landscape Visual Character:**

75. The site is located within the countryside and forms part of a larger open undeveloped landscape buffer to the settlement edge of Earley along Lower Earley Way. This wider strategic landscape feature contains a mix of open informal and formal green spaces with considerable blocks of tree planting contributing to the wider landscape structure. The site itself contains some diverse unimproved grassland with a mix of broadleaved deciduous woodland and scrub some of which was cleared at the end of 2020. A proportion of the buffer planting on the site boundary adjacent to Meldreth Way and Lower Earley Way is outside the red line boundary on highway land, and along with significant areas within the site, these areas of tree planting have now been protected by an area TPO (1763/2020).
76. A Design and Access Statement (DAS) dated April 2021 has been produced by DHA Architecture which provides details of the proposed scheme, and context and design principles. Additionally, a Landscape and Visual Impact Assessment (LVIA) was undertaken to support the application. The site is located within designated countryside and forms parts of a wider landscape structure. Neither the DAS nor the findings within

the LVIA demonstrate how the scheme has been developed to reflect the wider character.

77. Wokingham Borough Landscape Character Assessment (WBLCA), November 2019, identifies a number of different landscape character areas (LCA's) across the Borough and provides key information regarding each of the LCA's. The site falls within landscape character area A2: Loddon River Valley. This area occupies the flat alluvial floodplain of the River Loddon and its tributaries the Broadwater and the Blackwater. The landscape is characterised as an agricultural landscape of irregular fields, with large scale arable fields on better drained areas and small-scale wet meadows on frequently flooded land adjacent to the river. A2 is a largely peaceful area, disturbance comes from major roads which cross the floodplain including the M4, and adjacent developments in Earley, Winnersh, the expanding settlement of Shinfield and new Science and Innovation Park.
78. The WBLCA provides a number of valuable landscape attributes for LCA A2, many of which relate to the more rural part of the river valley; however, several do relate to this site and the adjacent landscape beyond the settlement boundary. These are:
- *The naturalness of the meandering course of the River Loddon and wide floodplain landscape which provide a strong sense of place.*
  - *The wooded backdrop of mature broadleaved woodland copses and natural riparian corridors including ancient woodland which provides scenic quality and a sense of place, as well as framing views across, into and out of the area.*
79. The edge of Lower Earley generally corresponds to the edge of the floodplain with the landscape buffer to the settlement reflecting the wooded valued landscape attribute of LCA A2. The B3270 passes through this space and the character of the road is heavily influenced by the vegetation within the river valley by providing a tree lined route which is visually and physically separated from the settlement edge. This is a particularly important and defining characteristic of the local area and the site.
- **Landscape & Visual Impact Assessment (LVIA):**
80. As the site is located outside the settlement boundary within the countryside, Policy TB21 requires that proposals must demonstrate how they have addressed the requirements of the Council's Landscape Character Assessment, including the landscape quality; landscape strategy; landscape sensitivity and key issues, and this is required to be addressed through undertaking a LVIA which is also expected to help inform and develop site design.
81. The application is accompanied by a Landscape and Visual Impact Assessment dated May 2021 by Aspect Landscape Planning. The assessment over emphasises the effects of the existing urban character and transport corridors on the setting and character of the site. The site is very well enclosed by the existing vegetation with no built development within the red line and therefore contributes to the Loddon River Valley landscape character area rather than the existing settlement boundary which is not visible from the B3270 through the site. The M4 corridor does form an intrusive element in part, however the motorway close to the site is at grade and not on embankment, therefore there are longer views over the motorway creating a visual connection to the woodlands and trees beyond the M4 in the Loddon River Valley.

82. The LVIA states that this landscape is not a valued landscape with reference to the definitions within the NPPF, however WBC have produced a Valued Landscape Topic Paper (January 2020) to support the emerging Local Plan which identifies the Loddon Valley as a valued landscape. The introduction for the Loddon Valley Valued Landscape, describes the following:

*“Although bisected by the A329(M) and two railway crossings, it represents a significant green and blue infrastructure corridor running diagonally across the southern half of the borough. It is valued for its character and appearance, biodiversity, history, perceptual qualities, recreational value and associations”.*

83. The application site falls on the edge of the area identified as the Loddon Valley Valued Landscape and contributes to the setting of the river valley with the open undeveloped landscape buffer to the settlement edge of Lower Earley forming a transition zone to the more rural character beyond. It is therefore considered the site’s value and contribution to the wider landscape is **moderate** and not low as stated in the LVIA.
84. It is important to note that a significant groups or areas of vegetation within the site will need to be removed to accommodate the residential development and the food store. Of note the following areas of trees will need to be removed: a large proportion of the existing boundary vegetation adjacent to the roundabout, highway trees either side of the entrance to the food store, and the majority of vegetation within the site up to the red line boundary, all of which are protected by a TPO. Therefore, the retention of existing boundary vegetation that is being discussed within the LVIA is mainly all outside the red line boundary, and therefore outside the control of the applicant.
85. The LVIA lists a number of landscape proposals that will be incorporated into the scheme to help mitigate for the loss of existing vegetation and proposed built development, however it is not clear how these aspirations can be achieved as proposed development extends across the majority of the site and often up to the site boundary leaving little or no space for the strategic or structural landscape planting apart from in the areas identified as open space.
86. As part of the section on the assessment of effects, the LVIA states that a landscape-led approach to design development has been undertaken (para 5.7), however it is not clear how this has been carried forward through the design process as the proposal does not offer a coherent landscape structure. Instead, landscape appears almost as an afterthought where open spaces have been pushed to the boundaries and the landscape proposal does not read as a visually and spatially connected public environment.
87. The effects of the development on landscape character, both locally and in the wider landscape setting will be out of character with the open undeveloped landscape buffer to the settlement edge of Earley and transition zone to the setting of the river valley which this site contributes to in a positive way. The LVIA considers the character of the site as urban fringe – this assessment is contested. As noted before, due to its open character and presence of significant number of existing vegetation, the site contributes to the Loddon River Valley landscape character area rather than the existing settlement boundary. The inclusion of the landscape proposals associated with the development as set out in the LVIA will not provide appropriate mitigation for the development as there is insufficient space to mitigate impacts let alone enhance the character as suggested.

88. A visual assessment of the effects of the development has also been undertaken. Views selected are from public viewpoints directly adjacent to the site. Medium and long-distance views were assessed (views 9 & 10) but due to the intervening vegetation from the south in the Loddon Valley these are considered not to be affected by the proposals, which is accepted. The other viewpoints demonstrate the site is currently well screened by substantial boundary vegetation and there are very limited views into the site. The trees and scrub within the site and on the highway land outside the red line boundary provide a layering effect so that during the summer months there are very limited or no views into the site from outside the site boundary. As previously discussed, the proposals require extensive areas of vegetation removal and therefore this will have a significant impact on the views especially in relation to viewpoints 3, 6 and 7 where two entrances into the site will be created requiring the removal of large groups of trees. The removal of boundary vegetation adjacent to the roundabout will allow direct and open views to the food store and associated car parking.
89. The assessment for viewpoint 6 states that the landscape proposals will establish an attractive landscape entrance to the scheme, however the Landscape Strategy Plan (attached to the LVIA) indicates no such proposal, with direct and open views to the food store. Two small trees at the end of the parking spaces, as shown on the extract below (figure 2), are not adequate to create an 'attractive entrance', and no replacement planting is shown on highway land. Moreover, it is also proposed to extend the existing public footpath and cycleway to the front of the site requiring further clearing of vegetation from highway verge. Overall, the proposal will not enhance the viewpoint 6.



**Figure 2:** Proposed landscape near the main entrance (source: submitted drawing numbered 7354.LSP.3.0E by aspect landscape planning)

90. The combination of the loss of vegetation, and views of the proposed development will have a higher magnitude of change than is currently assessed. Views from the adjacent residential areas (view 2, 4 & 5) will also be affected by the proposed development due to loss of vegetation within the site in combination with the location of the proposed dwellings and food store. One example is from viewpoint 2, where currently the view into the site from Bassett Close is of the woodland block surveyed

as G16, this is a mix of tree species up to 15m in height of young to semi-mature trees and are protected by a TPO. The proposals require a significant proportion of this tree group within the site to be removed up to site boundary, thereby removing any effective screening of the proposed development which the LVIA appears to rely on as being intact. From inside the site the flank wall of 9 Bassett Close is hardly visible due to the extent and density of G16 as shown in the photo below (figure 3).



**Figure 3:** View from inside the site looking towards 9 Bassett Close (source: officer site visit photo)

91. The removal of this group and the location of the apartment block 3m of the site boundary will have a **medium** magnitude of change in relation to this viewpoint rather than low magnitude of change as identified in the LVIA leading, to a **moderate / high** significance of effects on the change of view from this location.
92. In paragraph 6.9 of the LVIA it is stated that, *“Overall, the Site is considered to be visually well contained. The Proposals have been developed in such a way to retain the majority of the existing boundary vegetation to maintain the enclosure of the Site and therefore limit the majority of views into and over the Site to no more than minor glimpsed views”*. The Council contests this assessment.
93. As stated previously, the majority of boundary vegetation to be retained is outside the red line boundary and therefore not in control of the applicant, with the majority of the remaining vegetation within the site to be removed and shown on the Tree Protection Plan. The removal of areas of existing screening and boundary vegetation will significantly open up views into the site from various locations which will be more than just the ‘glimpsed views’ as quoted above and in viewpoint locations 3, 6 & 7 there will be direct and open views of the development.
94. Vegetative screening of whatever type cannot be relied on in the longer term as the impact of age, catastrophic weather, disease or malicious removal will gradually reduce the effectiveness of this type of screen. Moreover, the planting can itself appear intrusive and would negatively impact the character and appearance of the sylvan landscape. In any case a recent appeal decision is clear that unacceptable development cannot be made acceptable by screening. As the inspector noted,

*...the argument that the development could be screened is not a good one in principle; it could be repeated too often to the overall detriment of the local landscape. (APP/X0360/C/16/3142135 para 55).*

95. As such, the solutions offered in the LVIA would not be acceptable due to insufficient space within the layout for replacement and additional structural planting and the proposal would appear as a dominant feature that will erode the open and verdant character of Lower Earley Way, the wider landscape buffer to the edge of Lower Earley and the landscape transition zone on the edge of Loddon Valley Valued Landscape. This is contrary to Core Strategy policy CP3 and Local Plan Policies CC03 and TB21.

- **Landscape Design:**

96. Key issues identified with the proposed landscape design are:

- Location of parking for both the food store car park and residential scheme abutting the site boundary, thereby not allowing any space for a buffer between the off-site vegetation to be retained and the development, and for additional mitigation planting to strengthen the off-site tree belts.
- Distinct lack of street tree planting (or the space for street trees) although it is clearly indicated in the DAS that the structural landscaping within the street scene is a design principle.
- Lack of meaningful front gardens does not offer opportunities for landscaping to be incorporated to soften the building hard edges.
- Gardens of plots 25 – 28 backing onto the limited boundary vegetation to be retained. Due to the limited length of gardens, it is likely that there will be pressure to remove any vegetation retained on this boundary especially as the existing vegetation encroaches into approximately one third of the garden depth, thereby decreasing the viability of the garden.
- Whilst green-blue infrastructure is mentioned in the DAS, it is not clear how that translates into the landscape design. It appears from the Proposed Drainage Layout sheets that the SuDS will be mainly a piped solution from permeable and impervious surfaces into underground surface water attenuation tanks. A proposal of this magnitude should propose an integrated and multi-functional approach to ecosystem services and SuDS for both amenity and biodiversity, in accordance with the CIRIA guidance and the Wokingham SuDS Strategy (January 2017). Both guidance documents advocate that a SuDS train should start within the development parcels themselves with on plot or very locally based treatments (site control), such as rain gardens, filter strips or swales for example which then lead to regional control features. At the very least the exiting open drainage channel should be retained as open, rather culverted, and enhanced to create integrated green-blue infrastructure within the site. These solutions have not been considered in the proposed landscape design.

97. In terms of landscape useability, the proposal will result in a large amount of anti-space which is an important spatial typology within the contemporary urban design practice. Anti-space or 'lost space' is an unused land which is usually neglected by end users for various reasons. One key element of such anti-space within the proposed

development is the open space proposed between the retail unit and residential area. This space will not benefit from any passive surveillance since nearest residential property at plot 10 will not have any side windows. Moreover, this space is located at the rear of the retail unit near the delivery bays. Consequently, not many shoppers will be near this area and visual link from the front of the site will be broken by the presence of the building itself. Finally, being close to the service bay and the mechanical plan room, this space will be exposed to constant noise disturbance and will not be an attractive outdoor space for regular use. The landscape buffer area surrounding the retail unit will not be used for any purposes. Overall, the proposed landscape in the eastern section of the proposal would gradually decline due to lack of use and result in 'lost space'.

98. By virtue of its requirement of the removal of a substantial number of TPO trees, the proposed development will have a detrimental impact on landscape character of the area, both in terms of the landscape resource and visual intrusion. By virtue of introducing high density suburban development, the proposal will have a detrimental impact on the visual quality of Loddon Valley Valued Landscape. The proposed landscape layout plan will not result in high quality urban environment of appropriate functionality and visual amenity contrary to Core Strategy policy CP3, Local Plan Policies CC03 and TB21, recommendations contained in the Borough Design Guide SPD and section 15 of the NPPF.

#### **Neighbouring Amenities:**

- **Overlooking:**

Between existing dwellings and proposed dwellings:

99. The Borough Design Guide SPD states that distance is the most common way to avoid potential overlooking or visual impact. Page 47 of the SPD includes guidelines for separation distances to maintain privacy and limit sense of enclosure. All new developments are expected to comply with these requirements. Figure 4 below shows the Council's minimum privacy and amenity distances guidelines. The SPD also specifies that character and context will also be relevant to the approach in any specific case.

Separation distances to maintain privacy and limit sense of enclosure		
No. Storeys	Type of separation	Min. distance (metres)
1 to 2 storeys (height measured to eaves)	flank to boundary	1
	front to front elevation	10
	back to back elevation*	22
	back to flank	12
Over 2 storeys (height measured to eaves)	flank to boundary	2
	front to front elevation	15
	back to back elevation (houses to houses)*	26
	back to back elevation (flats to houses)*	30
	back to back elevation (upper floor living room on a house above gd. fl.)*	30
	back to back elevation (flats to flats)*	30
	back to flank	15

**Figure 4:** Borough Design Guide recommended separation distances

100. Proposed dwellings at plots 1 – 5, 25 – 28 and the apartment block will share boundaries with existing properties at Witcham Close, Chatteris Way and Bassett Close. Plots 1 – 5 will back onto the gardens of 7 – 10 Witcham Close all of which are 2 storey dwellings. Most of the existing dwellings include single storey conservatory extensions to the rear which will be less than 20m from the rear walls of the new dwellings. However, the two storey habitable windows of the existing dwellings will have more than 22m separation from the two storey rear walls of the proposed units in line with the BDG recommendations and as such, no overlooking impact is considered. However, from the significantly higher roof height of the proposed units it is considered that any future proposal for creation of habitable units in the roofspace will have to be assessed for overlooking impact. For this reason, a condition restricting permitted development rights under classes B and C of Schedule 2 Part 1 of the GPDO 2015 would have been included should the application be recommended for approval. Issues such as this reinforce the concerns relating to density and overdevelopment of the site expressed above.
101. Plots 25 – 28 will share the boundary with no. 7 Chatteris Way which does not have any habitable windows facing the application site and as such will not have any direct overlooking impact. Whilst the private rear amenity space of no. 7 Chatteris Way will be approximately 17m from the first floor habitable window of plot 25, due to the relative angular siting and presence of boundary vegetation, habitable windows of plot 25 will not have an overlooking impact detrimental to the extent warranting refusal.
102. The apartment block will be sited side by side to no. 9 Bassett Close. Both these units do not have any habitable windows facing each other and consequently no overlooking would occur.

Between the New Units:

103. Whilst the proposal is considered to have an acceptable relationship with existing residential units in terms of overlooking, the second floor dormer of the apartment block

will be located only 12.4m from the front habitable windows of plot 23. This will be significantly less than the recommended 15m separation since the dormer will be more than 2 storey high. Plot 23 will rely on habitable windows to the front for light and outlook, particularly, bedroom 2 that is not served by any other window. Due to the close proximity with the proposed apartment block, the privacy of this room will be severely impacted resulting in poor quality of internal amenity. All other separation distances between the proposed units are considered acceptable.

#### Between Retail Unit and Residential

104. The retail unit will not have any overlooking impact since it is not proposed to have any windows on northern and western elevations facing the residential dwellings.

- **Loss of Light:**

105. Whilst the proposal will introduce significant bulk, mass and building height, due to acceptable separation distances between the existing dwellings and the proposed scheme, no loss of light impact is considered to arise from the proposed buildings. Notwithstanding, the current scheme proposes additional landscaping including large tree planting along the northern boundary with existing houses. Due to their relative orientation, these trees will overshadow the rear gardens of 3, 4, 6 and 7 Witcham Close as well as the rear gardens of 7 Chatteris Way and 9 Bassett Close significantly impacting their residential amenity.

- **Overbearing and Sense of Enclosure:**

106. Whilst the proposed residential units will be significantly higher than the existing properties, due to acceptable separation distances, no overbearing impact is anticipated.

107. The Lidl store will be located 10m from the boundaries with 4, 6 and 7 Witcham Close and will stretch over 68m along this boundary. With its unrelenting mass, bulk and height the store will block the outlooks and be overbearing to the front and rear gardens of these properties. Additional landscaping along the boundary would contribute to additional sense of enclosure for these neighbouring properties and would exacerbate the overbearing impact.

- **Noise Disturbance:**

108. Paragraph 185 of the NPPF aims to minimise potential adverse impacts resulting from noise from new development. Similarly, Policy CP3 of the Core Strategy aims to protect neighbouring amenity, Policy CC06 and Appendix 1 of the MDD Local Plan requires that development protect noise sensitive receptors from noise impact and Policy TB20 (1)(a) also notes that service arrangements and deliveries should not have a harmful impact on the amenity of adjoining land uses in terms of noise, fumes and disturbance. Particularly, paragraphs 3.92 – 3.96 of MDD Local Plan refers to the following:

*Service arrangements, including night time deliveries and collections, can have a detrimental impact on the amenity of adjoining uses and on the highway network, including highway safety and congestion. Whilst the Council recognises the need for deliveries to employment and retail uses it will seek to restrict*

*movements which could cause a detrimental impact on the amenity of adjoining uses, including residential. This will be through the use of planning conditions.*

*In the case of new or extended development, the Council will require the access for delivery vehicles to minimise any impact of noise. This may be by providing an access which enables vehicles to turn and leave the site without having to reverse onto a public highway or through limiting times and days when deliveries can be made.*

109. The proposed delivery bay will be located near the northwest corner of the Lidl store, within approximately 25m of the nearest existing residential property (7 Witcham Close); 32m of proposed plots 9 – 10; 34.5m of existing property at 6 Witcham Close and 42m of proposed plots 5 – 6. HGV movements will be via Meldreth Way through the front 110m into the service bay.
110. The main sources of noise would be from HGVs entering and leaving the site, manoeuvring near the delivery bay and delivery and loading and unloading activities. This would also include refrigeration equipment, braking, engines, reversing warnings, doors opening and closing, metal cages, roller doors within the building and voices of staff and delivery drivers.
111. A noise assessment report has been submitted which used a distance of 30m from the delivery area to the nearest existing residential properties. This is significantly more than the actual distance of 25m. Additionally, the timing of the assessment is not clear. The WBC Environment Health Officer has recommended restricting the hours of delivery to daytime only to protect acoustic amenity of neighbouring residential properties. However, the bellmouth of the proposed access to Meldreth Way restricts the turning of HGVs without encroaching upon the central lane divider. For this reason, the WBC Highways officers have recommended hours of delivery is restricted to out of peak periods. It is not clear if the hours of operation, as required to safeguard neighbouring acoustic amenity will be satisfactory from highway safety grounds.
112. The noise assessment report also considers noise from plant and machinery (e.g., air-conditioning /refrigeration) and predicts that the noise generated will be below the prevailing background at noise sensitive properties. Whilst this is acceptable, the WBC Environmental Health officer recommended a condition to ensure that this will be the case and that plant noise will not be audible.
113. In addition to delivery and plant, there will be other sources of noise – primarily arising from the vehicular movements, pedestrian movement and overall intensification of development within the site. The retail unit will be located within 10m of existing houses in Witcham Close with access from Meldreth Way less than 20m from the rear garden of no. 3 and parking spaces within 5m from the existing house's flank wall. The neighbouring property benefits from a habitable single storey rear extension and private patio area that would be exposed to noise from constant comings and goings of vehicles including large delivery trucks as well as shoppers constantly using the retail unit from morning till late in the evening. Parking associated with the retail use will take place close to the garden fence resulting in additional noise.
114. The new dwelling at plot 10 will be less than 5m from the main public open space behind the retail unit which is a multifunctional greenspace and is expected to be used throughout the day. There is no fence separating the dwelling from this public space.

Similarly, the public open space to the southwest will be located adjacent to the apartment block. This space includes children’s play areas and public footpath and cycle path. This area will be used throughout the day causing noise disturbance to the apartment block – particularly in summer months when the play areas will be used until late in the evening and people may sleep with their windows ajar.

115. The residential access from Chatteris Way will be 13m from the rear conservatory of 11 Witcham Close. Being the only access point into the residential area, this junction will be in constant use, resulting in loss of acoustic amenity of 11 Witcham Close.
116. The noise assessment report is silent on these sources of disturbance. Page 46 of the Borough Design Guide SPD states that, “*perceived privacy is determined more by the degree to which one hears one’s neighbours than by overlooking*”. By virtue of the introduction of intensive activities that will take place continuously throughout the day, the proposed retail store will have a detrimental impact on the acoustic amenity of the existing dwellings at 3, 4, 6 and 7 Witcham Close. By virtue of limited separation distance, the proposed residential access from Chatteris Way will have negative impact on the acoustic amenity of the rear garden of 11 Witcham Close. By virtue of no separation between public and private spaces, the public open spaces will have negative impact on the acoustic amenity of proposed plot 10 as well as on ground floor flats of the apartment block resulting in overall perceived loss in privacy contrary to Core Strategy policies CP1 and CP3, policy CC06 of MDD Local Plan and recommendations contained in the Borough Design Guide SPD.

**External Amenity Space for future occupiers:**

117. The Borough Design Guide specifies a minimum depth of 11 metres for rear gardens of individual houses and a 1 metre set-back from the site boundary to allow access thereto. For flats, section R16 of the Borough Design Guide SPD stipulates that each unit should have amenity space and be able to accommodate 2–4 chairs and a small table. The proposal includes gardens for plots 1 – 28 which are designed as houses. Table 1 below shows the depths and widths of these gardens.

Plot no.	Garden depth (m)	Garden width (m)	Plot no.	Garden depth (m)	Garden width (m)
1	11.0	14.4	15	10.7	6.6
2	12.2	9.3	16	11.4	7.0
3	12.2	9.3	17	11.7	5.8
4	12.0	11.3	18	11.7	8.3
5	13.1	8.9	19	11.3	9.0
6	15.0	5.8	20	11.3	7.5
7	10.7	7.3	21	11.3	7.5
8	12.5	10.2	22	11.2	8.8
9	11.2	5.4	23	11.1	8.2
10	11.5	5.3	24	12.6	6.5
11	9.1	15.8	25	11.2	5.6
12	12.0	6.9	26	11.2	5.6
13	11.0	6.6	27	10.7	7.4
14	10.9	6.7	28	12.2	8.4

**Table 1:** Depths and widths of proposed gardens for each house

118. As demonstrated in the above table, not all dwellings will have policy compliant garden depth. Moreover, usable depth of gardens of plots 25 – 28 will be reduced by the existing boundary vegetation that is protected by TPO 1763/2020. The lack of appropriate garden depth highlights the issues with inappropriate residential density and overdevelopment of the site.
119. None of the flats in the apartment block is provided with private external amenity contrary to the recommendations of Borough Design Guide. Instead, a communal open space area is provided at ground floor level at the rear of the proposed block, which includes lawn, play area and landscaping. However, this communal amenity area is open to public including people living in the wider neighbourhood, as demonstrated by the proposed footway linking this open space to the amenity areas of Bassett Close. As such, it is likely to present an unfavourable relationship in terms of lack of adequate privacy. The bedroom occupants in the ground and first floor units with windows facing the amenity area are likely to keep blinds or curtains closed to protect against loss of privacy, thereby reducing the internal amenity of these rooms.
120. Overall, the proposal fails to provide adequate private outdoor amenity spaces for all proposed units contrary to recommendations contained in the Borough Design Guide SPD.

#### **Internal Amenity including Internal Space Standards:**

121. Policy TB07 of the MDD Local Plan and R17 of the Borough Design Guide SPD require adequate internal space to ensure the layout and size achieves good internal amenity. Additionally, the Technical housing standards – nationally described space standard, require minimum floor areas for various housing types.
122. There are also requirements in relation to bedroom sizes and widths. The main bedroom (double occupancy) should have a minimum area of 11.5 sq.m and secondary bedrooms (single occupancy) should have a minimum area of 7.5 sq.m. The Borough Design Guide also specifies a minimum of 23-31 sq.m for living spaces depending upon the occupancy.
123. Paragraphs 130 and 134 of the NPPF seeks to promote development that has good architecture and layout with a high standard of amenity for existing and future users and Paragraphs 154 and 157 of the NPPF state that new development should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. R18 of the SPD requires sufficient sunlight and daylight to new properties, with dwellings afforded a reasonable dual outlook and southern aspect. In this respect, the road network and siting and orientation should be designed so that development takes full advantage of access to sunlight and outlooks.
124. The current proposal is for a mix of houses and flats ranging from 1b 2p apartments to 4b 5p houses. An internal floorspace calculator is provided for each unit which shows that all proposed dwellings will provide policy compliant internal floor areas. This is considered acceptable.
125. In addition to adequate floor spaces, all habitable spaces should have provision of adequate natural light and ventilation. Habitable rooms mean any room used or intended to be used for sleeping or living which are not solely used for cooking

purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms.

126. A daylight assessment report is submitted with the application which has shown that adequate natural light will be provided for the habitable rooms of the proposed houses. This is acceptable. However, no daylight analysis is provided for the proposed flats. An assessment of provision of natural light for the proposed flats is included below:

<b>Flat</b>	<b>Availability of natural light to habitable rooms</b>
<b>2BF1 (ground floor)</b>	Main living area and Bedroom 2 will be served by windows on two sides and are acceptable. Bedroom 1 will be served by 1 window facing the public footpath with 1.5m separation. The future occupants of this bedroom are likely to keep this window closed and blinds/ curtains drawn to protect against noise and loss of privacy. It is not clear that adequate natural light would be provided.
<b>1BF4 (GF)</b>	The kitchen dining area is a long narrow space and includes one window on the southern side and facing the public footpath with 2.8m separation. The small window has to serve a very large area. Bedroom 1 is served by one window on the southern side facing the public footpath. The future occupants of this bedroom are likely to keep this window closed and blinds/ curtains drawn to protect against noise and loss of privacy. It is not clear that adequate natural light would be provided.
<b>1BF5 (GF)</b>	Main living area will be served by windows on 2 sides, which is acceptable. Bedroom 1 has an angular shape and is served by one window with direct overlook onto the public open space. The future occupants of this bedroom are likely to keep this window closed and blinds/ curtains drawn to protect against noise and loss of privacy. Moreover, due to the angular shape of the room, it is not clear that adequate natural light would be provided.
<b>1BF2, 1BF3 (GF)</b>	Main living areas will be served by at least 2 windows, which is acceptable. Bedroom 1 will be served by a window on the eastern side. Whilst this window will have outlook over the front parking court, this is considered acceptable in this instance since this will be a residents' parking area.
<b>1BF1 (GF)</b>	Main living area will have dual aspect windows which is acceptable. Bedroom 1 is served by one window with direct overlook onto the public open space. The future occupants of this bedroom are likely to keep this window closed and blinds/ curtains drawn to protect against noise and loss of privacy. It is not clear that adequate natural light would be provided.
<b>2BA1 (FF)</b>	Main living area and Bedroom 2 will be served by windows on two sides and are acceptable. Bedroom 1 will be served by 1 window facing the public areas. However, being a first floor flat, this room will not experience loss of privacy and the window is acceptable in this instance.
<b>1BA2 (FF)</b>	Bedroom 1 is served by one window. This is acceptable. The kitchen dining area is a long narrow space and includes one window on the shorter side. The small window has to serve a very large area. It is not clear that adequate natural light would be provided.
<b>2BA2 (FF)</b>	Main living area will be served by windows on 2 sides, which is acceptable. Bedrooms 1 and 2 are served by one window each with

	direct overlook onto the public open space. However, these units will be located at first floor and loss of visual privacy will not be an issue. Whilst noise from the public open space will continue to be an issue, in terms of availability of natural lights, there is no objections.
<b>2BF2 (FF)</b>	All habitable rooms will have adequate access to natural light.
<b>2BA4 (SF)</b>	Main living area is large L shaped space with one window on southern side and one dormer window. Both bedrooms will be served by 1 dormer window each. This is acceptable.
<b>1BA3 (SF)</b>	Bedroom 1 is served by one dormer window. This is acceptable. The kitchen dining area is a long narrow space and includes one window on the shorter side. The small window has to serve a very large area. It is not clear that adequate natural light would be provided.
<b>2BA3 (SF)</b>	Bedrooms a & 2 will be served by one dormer window each. This is acceptable. The kitchen dining area is a long narrow space and includes one window on the shorter side. The small window has to serve a very large area. It is not clear that adequate natural light would be provided.

**Table 2:** Availability of natural light for each flat

127. Overall, it is not clear that adequate natural light would be available to all habitable rooms for the flats. Moreover, most of the ground floor flats will have to keep the only source of natural light and ventilation into habitable rooms closed to protect privacy and prevent noise disturbance. It is considered that the internal amenity of the proposed flats will be compromised, and the proposal will not result in a high-quality development contrary to MDD Local Plan policy TB07, the Borough Design Guide SPD and the NPPF.

### Highways Access and Movement:

- **General:**

128. The application red line plan includes a section of highway land in the southeast corner at the junction between Lower Earley Way and Meldreth Way. This land appears to be adopted by the Highway Development Control (DC). This area contains Highway's features such as Flagpole, Landscaping and existing shared footway/cycleway. The proposal's red line plan appears to be in conflict with the WBC adopted highway. Whilst landownership is not material consideration in planning, in this instance since the subject area includes significant development features such as a pedestrian and cycle link, the ownership matter needed to be addressed prior to the determination of the application were the application to be considered acceptable on all other grounds.

129. The application also indicates the proposed main access on Meldreth Way will be outside the red line area. The access arrangement including details of adoption, maintenance and method of accurately defining and marking the position of the highway boundary are matters of S278 legal agreement considerations and should be discussed and agreed upon with the Highway DC should planning permission be granted.

- **Access:**

#### Residential Access

130. The access to the residential element of the scheme is proposed in the form of a priority T-junction on Chatteris Way, which is an adopted road. The proposed access junction requires dropped kerbs with tactile surface crossing to facilitate pedestrians walking at the frontage of the proposed site. The proposed residential access incorporates acceptable pedestrian crossing. Additionally, the swept path assessment (SPA) has been undertaken for an 11.3m refuse vehicle which indicates the proposed access junction can accommodate refuse vehicle manoeuvres. As such, there is no objection to the design of proposed residential access.

#### Retail Access

131. The access to the retail element of the scheme is in the form of a priority T-junction on Meldreth Way, which is an adopted road. The proposed access junction requires dropped kerbs with tactile surface crossing to facilitate pedestrians walking at the frontage of the proposed site. This has been provided. The swept path assessment (SPA) has been undertaken for 16.5m articulated HGV as shown on the plan R-19-0038-008/A. The SPA indicates that while egressing, the 16.5m HGV slightly encroached the centreline of the approach lane on the opposite side. This issue has been discussed with the applicant, and it is agreed between the applicant and the Highway's Authority that to avoid any road safety issue, a planning condition will be applied to restrict foodstore deliveries outside of peak hours should planning consent be granted. However, as noted before, there is a conflict between hours of delivery as required to safeguard residential amenity of existing properties and highway safety.

#### Road Safety Audit (RSA)

132. It should be noted that the agreement on the designs of the access junctions are subject to the agreement of stage 1 and stage 2 Road Safety Audits (RSAs). The requirement of the RSA 1 in support of the preliminary design was confirmed to the applicant at the time of the Pre-Application stage. However, this has not yet been submitted. The submission of the RSA 1, along with the designer's response in support of the preliminary design, is the fundamental requirement.
133. The purpose of a Road Safety Audit is to ensure that all road safety issues have been considered during the design process. This is done by checking design proposals against safety standards and for other potential hazards from the perspective of all road users, including pedestrians, drivers, cyclists and the mobility impaired.
134. Road Safety Audit also provides an opportunity where any element of a scheme's design is not deemed to be an accepted relaxation or (step) below the minimum standard and instead departs considerably from the standards which the applicant requires to discuss with Highway DC to assess the potential road safety issues.
135. In the absence of a Road Safety Audit, the Highway DC is not in a position to sanction any full planning application in the interest of road safety.

## Accessibility & Connectivity

136. To enhance the accessibility and connectivity of the proposed site, Highway DC requested to extend the shared pedestrian/cycleway facility on the Lower Early Way / Meldreth Way junction up to the site entrance. The applicant has agreed to this requirement. The proposed site plan shows a 3m wide shared footway/cycleway that connects with the proposed retail access and continues up to the existing footway on the western side of Meldreth Way. Whilst this is acceptable, it will have to be secured by a legal agreement should permission be granted.
137. To enhance public transport accessibility of the site, it was advised that the feasibility of upgrading the existing bus stops to include raised kerbs, shelters, timetable cases, lighting, highway bus stop markings, and real-time information are to be checked with the WBC Public Transport Section. This information has yet not been provided to Highway DC, and an informed decision on this matter could not be made.
138. The Highway DC raised a concern that the proposal of a new retail store would increase the crossing demand on Meldreth Way, and considering 625 two-way traffic movements in 2026 predicted worst-case scenario; the pedestrian would find it very difficult to find gaps from the traffic to cross the road via uncontrolled crossing/dropped kerbs, therefore consideration needs to be given to upgrading existing uncontrolled crossing /dropped kerbs, and feasibility of providing controlled crossing on Meldreth Way needs to be assessed. The applicant's transport consultant investigated the requirement of the controlled crossing on Meldreth Way, however, concluded that the controlled crossing between proposed access and roundabout is not appropriate due to the following reasons;
- WBC recently implemented uncontrolled crossing on Meldreth Way, and there have been no recorded accidents involving pedestrians or cyclists (or indeed any modes) on this arm of the roundabout since the shared path/crossing were implemented.
  - A controlled crossing at this location would require a staggered arrangement as set out in LTN 2/95 (para 2.1.3 and 5.2.3) which would require significant additional works on the approach to the roundabout, including potential road widening to accommodate a lengthened island to allow for a stagger controlled crossing.
139. The applicant's transport consultant's concerns were shared with the WBC Traffic Management section, and the officer didn't support a formal crossing facility on highways safety and traffic management grounds immediately at the south of the access. The officer concluded that the likely use of a formal crossing is limited to those using the development site and does not serve the wider community. Furthermore, the crossing position is too close to the roundabout and traffic queues will adversely impact the safety of vehicles entering from Lower Earley Way, and the crossing will likely affect the performance of the Meldreth Way junction with Lower Earley Way at peak times. However, the traffic management officer requested that the formal crossing requirement needs to be assessed at the west side of the access on Meldreth Way at approximately 25m south of the junction.
140. The Highway DC shared WBC Traffic Management concerns with the applicant's transport consultant; however, this issue has not been dealt with further. Therefore, the Highway DC considers this issue has been unresolved, and as no Stage 1 RSA

has been submitted to validate these concerns, an informed decision on this matter could not be made.

- **Parking:**

141. The car parking has been proposed in accordance with the WBC's Adopted Managing Development Delivery Local Plan and Parking Demand Calculator.

Residential Parking

142. For the residential element of the site, parking has been proposed based on the habitable room. The applicant has proposed 15 flats (8 No. 1-bedroom flats and 7 No. 2-bedroom flats) and 28 houses (14 No. 2-bedroom houses, 8 No. 3-bedroom houses and 6 No. 4-bedroom houses).
143. In accordance with the WBC's Adopted Managing Development Delivery Local Plan and Parking Demand Calculator, the applicant is required to provide 15 allocated parking and 6 unallocated parking for 15 flats and 56 allocated and 7 unallocated parking for 28 houses. Therefore, the applicant is required to provide 71 allocated parking and 13 unallocated parking, including visitors parking, for the proposed residential scheme. The applicant has proposed a total of 84 car parking spaces, including 13 visitor/unallocated spaces, which is in line with the WBC's Adopted Managing Development Delivery Local Plan and Parking Demand Calculator as shown on the planning layout 092008-Jan-02. All allocated spaces are proposed near each dwelling and visitors' spaces are provided primarily along the periphery of the main access road. This is considered acceptable.
144. In accordance with the WBC's Adopted Managing Development Delivery Local Plan, the applicant is required to provide 1 cycle parking per flat for flats up to 3 bedrooms, 1 cycle parking per house for the house up to 3 bedrooms, 2 cycle parking for the house up to 5 bedrooms and 3 cycle parking for the house up to 6 bedrooms. The applicant has proposed secured cycle stores with each unit which is in line with the WBC's Adopted Managing Development Delivery Local Plan.

Retail Parking

145. The gross floor area (GFA) of the foodstore is 1913 sq.m. In accordance with the WBC's Adopted Managing Development Delivery Local Plan, the applicant is required to provide 1 car parking space per 20 sq.m. of the proposed GFA. Based on this, the foodstore would require 95 car parking spaces. The applicant has provided a total of 115 car parking spaces, including 6 disabled parking spaces, 9 parent and child and 11 EV parking spaces (of which 1 is disabled parking). This level of parking complies with the WBC standard.
146. In accordance with the WBC's Adopted Managing Development Delivery Local Plan, the applicant is required to provide 1 cycle parking space per 125sqm of the proposed GFA of the foodstore. The applicant has proposed 14 short-stay and 6 long-stay (staff parking) secured, sheltered parking in the form of Sheffield stands, and 6 motorcycle parking spaces also have been proposed, which is acceptable.

## Parking Management Plan

147. The proposed scheme includes a footpath link between residential and retail elements of the proposed site. The applicant has submitted a Car Parking Management Plan (CPMP) and stated that the management company would monitor parking within the residential development, and if required, the implementation of further parking restrictions (such as a resident permit system) will be explored. This can be secured using a condition should permission be granted.
148. It should be noted that if the management of the site would be in hand of a private company, the proposed site may not be adopted. If this is the case, then a Section 106 Agreement will be required to indemnify the Council against future applications for adoption under the Private Streets and Works Act.

- **Traffic Impact Assessment**

149. The junctions which required detailed traffic impact assessment have been identified via Wokingham Strategic Transport Model 4 (WSTM4). The following junctions have been identified for the detailed traffic impact assessment.

1. Residential Access onto Chatteris Way
2. Food Store Access onto Meldreth Way
3. Chatteris Way / Meldreth Way junction
4. B3270 Lower Earley Way / Meldreth Way junction
5. B3270 / Rushey Way junction
6. B3270 / Beeston Way and B3270 / Cutbush Lane junctions

150. The WBC Highways Officers commented that residential access to Chatteris Way, food store access to Meldreth Way and the junction between B3270 Lower Earley and Meldreth Way will be able to operate within capacity with the development traffic in place. For the junction between Chatteris Way and Meldreth Way, whilst the proposal is likely to increase the queue to an additional 1 vehicle, it is not considered a significant increase warranting a refusal on its own.

151. The traffic impact assessment/traffic modelling for B3270/Rushey Way, B3270/Beeston Way and B3270/Cutbush Lane have not been provided yet, and this information is outstanding. Therefore, the Highway DC is not in a position to provide final comments on the traffic impact of the proposal in the absence of two identified junctions.

- **Conclusion:**

152. By virtue of the lack of information relating to Stage 1 Road Safety Audit; the traffic impact assessment of strategic junctions; the assessment of formal crossing on Meldreth Way; and upgrades require to public transport infrastructures the proposal has not demonstrated that it will not result in highway safety issues including safe and efficient movement of traffic on the surrounding network contrary to policies CP1, CP6 and CP10 of the Core Strategy, CC08 of MDD Local Plan, recommendations contained in the Borough Design Guide and core planning principles of the NPPF.

## **Flooding and Drainage:**

153. The proposed development will be located in Flood Zone 1 and as such, there is no objections to the proposal on Flooding and Drainage grounds. A Flood Risk Assessment (FRA) has been submitted with the application which contains detail information regarding the site historical records, geological survey, topography, and green field run-off rates which has been calculated and presented in appendix F.
154. The WBC Flooding and Drainage officers have reviewed the submitted information and raised no objection to the proposal. However, since some parts of the drainage justifications such as calculations regarding the design and details are still missing and other are under negotiations with Thames Water, a pre-commencement drainage condition has been suggested should the application be recommended for approval.

## **Environmental Health:**

- **Land Contamination:**

155. A preliminary risk assessment (RSK Ref: 1921650 R01 (01) Dated May 2021) has been submitted. No contamination was identified but as the site is adjacent to an area of filled ground recommendations were made regarding further ground gas investigation. A letter dated 10th May 2021 (RSK Ref 1921650 L01(00)) has been submitted which indicates that the first round of six gas sampling has taken place but there is no decision yet as to whether gas protection measures will be required. As appropriate gas protection is a Building Regulations matter, there is no objection on this ground.

- **Air Quality:**

156. An Air Quality Assessment has been submitted with the application (Ref 8713.2 Revision B Dated 22 June 2021). The report concluded that potential air quality impacts during construction phase will not be significant and can be mitigated by a suitably worded Construction Environmental Management Plan condition.
157. Traffic generated by the proposed development is predicted to have a negligible impact on annual mean NO<sub>2</sub> and PM10 concentrations. However, the report does not provide information on potential air quality impacts on the future occupants of the development, particularly as a result of traffic exhaust emissions associated with the B3270 Lower Earley Way. This information will have to be secured using a pre-commencement condition should the application be recommended for an approval.

## **Ecology:**

- **Ecological Surveys:**

158. The site has been subject to a habitat mapping walkover in February 2021 by Aspect Ecology surveyors and also by ECOSA ecologists in September 2019 (an ECOSA draft report being included within the Ecological Appraisal). The February visit is outside the optimum survey season for assessing grassland diversity and the September visit appears to have taken place soon after the grassland had been mown. For these

limitations it is considered that the quality (in distinctiveness or condition) of the grassland on site could be underestimated in both these reports.

159. There is a clear difference in habitat composition between the two walkover surveys and this could be indicative of a pre-application attempt to lower the ecological value of habitats present on site. The description of the scrub present on site mentioned in the ECOSA survey indicates that there was a medium distinctiveness habitat in good condition across approximately half the site. The WBC Ecology officer recommend that this should be considered as the baseline site condition rather than the depleted transition state that has recently been created.
160. A number of protected species surveys have been undertaken by ECOSA. It is agreed that sufficient survey effort has been undertaken to be able to conclude that it is likely that great crested newts, reptile species, otter, water vole, and dormouse are absent from the site.

#### Badgers:

161. Whilst badger setts and activity are known in the vicinity, there is unlikely to be a currently active badger sett on site. However, that does not eliminate potential risk on badgers by the proposed development. The habitat on site is contiguous to a greenspace known to contain an active badger clan. Consequently, it is likely that this site is an important foraging area for that clan. The development proposal will lead to loss of badger foraging habitat and will likely force more frequent crossing of Lower Earley Way by badgers with an increase in risk of mortality.
162. The Aspect Ecology survey for signs of badger was undertaken in February 2021 – at a time of year when activity levels are lower and also after the removal of a significant proportion of scrub which created a lot of woody material covering the ground on site. The assessment of the foraging value of the site for badgers by Aspect Ecology has not adequately considered these limitations.
163. The data search undertaken as part of the original desktop survey will not have picked up the most recent records of badgers locally. These are indicative that badgers are present and currently do have a need to cross Lower Earley Way adjacent to this site.
164. Badger foraging habitat is not protected by legislation. However, the Council's Ecology officer considers that the proposed development will have a detrimental impact on the local badger population in that (in the absence of a habitat biodiversity impact assessment calculator showing otherwise) there will be a reduction in foraging habitat area and quality locally which will force the local badger clan to range more widely and cross the local roads more frequently, increasing the risk of road mortality.

#### Bats:

165. ECOSA have conducted walked transect and static detector surveys. The walked transects show that bats are present throughout the seasons in the highly suitable habitat for bat foraging and commuting. Both the scrub and grassland habitats had bat activity.
166. The initial ECOSA assessment was that the site had high suitability for supporting foraging and commuting bats (paragraph 3.6.1, page 11 of the ECOSA report). The

WBC Ecology officer recommended the use of the Ecobats tool to provide local context to the reduced static detector survey effort. This has not been complied with and a weak justification was given for deviating from the bat survey guidelines in terms of activity surveys.

167. In addition to the poorly justified reduction of survey effort, the detector failure and cold and wet weather conditions during redeployment suggests that the static detector results are at high risk of inaccurately capturing the importance of the site for foraging and commuting bats. The static detector records have recorded rarer species in Wokingham Borough – Serotine and Nathusius' Pipistrelle – and it is relevant to consider the activity levels on the site in comparison to the same species elsewhere locally rather than in comparison to the more common species recorded at the same time.
168. Notwithstanding the limitations of the survey work, the site has been shown to be being used for commuting and foraging by at least six species of bat. The proposed development will have a detrimental impact on the local bat population in that (in the absence of a habitat biodiversity impact assessment calculator showing otherwise) there will be a reduction in foraging habitat area and quality locally.

#### Birds:

169. Neither ECOSA nor Aspect Ecology conducted any bird focussed surveys on site. As a response to the WBC Ecology officer's initial comments, Aspect Ecology claimed an absence of red listed and/or species of principal importance bird species on site. This assessment is contested.
170. The ECOSA report considered the habitat present to be suitable for supporting species such as Dunnock and Bullfinch and overwintering species such as Redwing, Song Thrush and Fieldfare – i.e., more species with different needs to House Sparrow and Starling that the Aspect Ecology response considers.
171. WBC Ecology officer recommends precautionary principle is followed and consider the presence of these species as likely, in the absence of sufficient survey effort showing absence. The proposed development will likely cause a net loss in quantity and quality of habitat to support these red listed species. This will not be adequately compensated through the provision of bird boxes and the landscaping proposals within greenspace.

#### • **Biodiversity Net Gain**

172. The The Aspect Ecology Appraisal did not include a biodiversity impact assessment calculator. This was requested by the WBC Ecology officer in the initial consultation response dated 13/07/2021. A response from Aspect Ecology was received on 23/09/2021 (response dated 17/09/2021) which only provided additional comments on why BNG calculations are not required for this application.
173. Whilst BNG is yet to become mandatory for all TCPA developments (likely to become a law in 2023), it is a very reasonable approach for the local planning authority to request a calculator is used to assess the value of the proposed changes in habitat. This would allow consideration against the NPPF and also MDD local plan policy TB23. Policy TB23 sets out:

“...  
...”

2. *Planning permission for development proposals will only be granted where they comply with policy CP7 – Biodiversity of the Core Strategy and also demonstrate how they:*

a) *Provide opportunities, including through design, layout and landscaping to incorporate new biodiversity features or enhance existing*

“...  
...”

*In way of further explanation, paragraph 3.116 of the MDD sets out that ecological surveys and reports should include:*

“...  
...”

iv. *how the development will deliver an overall gain for biodiversity*

“...  
...”

174. The request for a biodiversity impact assessment calculator to be submitted as an objective measure of the value of the habitat change is in line with what is set out as reasonable in MDD policy TB23.
175. There is common ground in that Aspect Ecology have recognised that there will be a net loss of habitat for badger, bat and bird species. However, Aspect Ecology assert that this will not result in a significant impact on the local conservation status of these species but provide no detailed argument to support this position. Officers disagree with this assessment. The development would result in a net loss in area and quality of scrub habitat as well as grassland habitat that are likely to support bird species of conservation concern and is used by protected species for foraging. The culverting of the remaining part of ordinary watercourse at surface will cause a loss of a distinct habitat type from the site. This reduction in habitat diversity within the site – particularly the removal of wet habitat – reduces the potential for the site to support species that require a variety of habitats through their life stages.
176. Moreover, the development would result in the further fragmentation of green spaces running alongside Lower Early Way. This will cause deterioration in ecological function in neighbouring sites. The enhancement measures, as suggested in the Ecological Appraisal report will not result in habitat and faunal enhancements. This is because the proposal does not include adequate space for meaningful landscape and ecological enhancement features.
177. In the absence of a habitat biodiversity impact assessment calculator showing otherwise, the proposal is considered to result in a net loss for biodiversity. Moreover, the proposal will result in loss of habitat that will have harmful impact on local badger, bat and bird species population contrary to Core Strategy policy CP7, MDD Local Plan policy TB23, paragraphs 174 and 180 of the NPPF and recommendations contained in the Borough Design Guide SPD.

### **Community Infrastructure Levy (CIL), Special Protection Area (SPA) & Affordable Housing:**

#### Community Infrastructure Levy

178. The proposal is for the construction of out of centre retail and 43 residential units. Both these developments would be CIL liable. The CIL charge for new residential

development is set at £365 (index linked) per square metre for any net increase in residential floor space. CIL charge for new out of centre retail development is set at £50 (index linked) per square metre for any net increase in retail floor space.

#### Special Protection Area:

179. The site falls outside of TBH SPA 5km zone but within 7km zone. Policy CP8 states that where there is net increase of 50 dwellings within 5km – 7km of the SPA, contributions to access management measures and monitoring in line with the Delivery Framework will be required. Since the proposal is for 43 dwellings, this threshold is not reached and hence no contribution is sought.

#### Affordable Housing:

180. Policy CP5 of the Core Strategy, Policy TB05 of the MDD Local Plan and the Affordable Housing SPD specify that affordable housing is required when the proposal is for 5+ dwellings or residential developments on a site area of more than 0.16 hectares. The proposal exceeds these thresholds and as such, a minimum of 40% of the dwellings are to be made affordable. With a net increase of 43 dwellings, there is a requirement for 17.2 affordable units.
181. WBC Affordable Housing officer requested for 18 onsite affordable homes in this location, with a 70:30 social rent:shared ownership tenure split in line with the Council's adopted policy. This equates to 13 units for social rent and 5 units for shared ownership.
182. The applicant has agreed to provide 17 affordable units and remaining 0.2 unit in the form of commuted sum. This would have to be secured by a section 106 agreement prior to determination of the application. Since the application has been recommended for a refusal for various other reasons, no legal agreement is sought to secure the affordable housing contributions. In the absence of any measures to secure the affordable housing, the proposal is considered to be in contrary to policies CP1 and CP5 of the Core Strategy 2010, Policy TB05 and Appendix 12 of the Managing Development Delivery Local Plan 2014 and the Affordable Housing Supplementary Planning Document 2013.

#### **Employment Skills:**

183. Policy TB12 of the Wokingham Borough Council MDD, requires planning applications for all major development (both commercial and residential) in Wokingham Borough to submit an employment skills plan (ESP) with a supporting method statement. ESPs are worked out using the Construction Industry Training Board (CITB) benchmarks which are based on the value of construction.
184. The value of the construction for the current planning application has been calculated as £9,782,805. This is calculated by multiplying the interior floor space of 9,544.2m<sup>2</sup> by £1025, which is the cost of construction per square metre as set out by Building Cost Information Service of RICS.
185. For this project value, the employment skills plan should provide:

Community Skills Support E.g. work experience or CSCS training courses	7
Apprenticeship starts	4
Jobs created	3

186. If the applicant elects to pay the ES Contribution, this can be provided in lieu. The monetary contribution is calculated based on the cost to WBC supporting the employment outcomes of the plan. The cost to WBC oversee and support each employment target is £3,750. As such, a total of £26,250 (£3,750 x 7) would be required in lieu of an ESP on this application. This forms part of planning obligations that are to be secured using s106 legal agreement prior to making a decision.

187. Since the application is recommended for refusal for various other reasons, no legal agreement is sought to secure the ESP. In the absence of any measures to secure the Employment Skills Plan, the proposal is considered to be in contrary to policy TB12 of the Wokingham Council's MDD Local Plan.

### **The Public Sector Equality Duty:**

188. In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. A number of comments received from neighbours made references to children using the site for recreational purposes. Aside from this, there is no indication or evidence that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

189. Policy CP2 of the Core Strategy also seeks to ensure that new development contributes to the provision of sustainable and inclusive communities, including for aged persons, children and the disabled. 10–20% of all dwellings should be to Lifetime Homes standards in accordance with Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan. In this case, this is between 5 and 9 units. Although the Lifetime Homes standard has been replaced by the new national technical housing standards, the need to design and build accessible and adaptable accommodation remains integral to future planning.

190. In the current proposal, 39 units are proposed to be Accessible and Adaptable Dwellings (Category M4(2)) and 3 units to be Wheelchair Users Dwellings (M4(3)). Whilst the retail unit does not include an accessible entrance, this can be secured using condition. On that basis, there is no immediate indication or evidence that persons with protected characteristics as identified by the Act will be adversely affected.

### **PLANNING BALANCE**

191. The most up-to-date Five Year Housing Land Supply Statement demonstrates the Council has a five year housing land supply. On 31 March 2020 and published on 14 January 2021, the deliverable land supply was 5.23 years against the housing need of 789 additional homes per annum plus a 5% buffer. The Council does not understand there to be any dispute on this aspect. The council's housing land supply position was

recently considered during a Public Inquiry for the site known as Land North of Nine Mile Ride and the Inspector concluded that a 5 year housing land supply can be demonstrated, even when factoring in the worst case scenario of Covid-19.

192. Overall, it is clear that the Development Plan and spatial strategy therein is facilitating housing development in accordance with the NPPF requirements to boost housing land supply. The development plan has not expired and covers the period up to 2026. The plan is neither silent nor absent and has a body of policies to determine the application. Consequently, the basket of the most important policies is up to date and the application should be determined against the normal planning balance, as set out in section 38(6) of the Planning and Compulsory Purchase Act 2004. Planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

### **Benefits:**

193. As with all housing and retail development, the proposal would bring some benefits. The Applicant sets out three specific benefits in their Planning Statement.

- **Sustainable Location**

194. The site is adjacent to a major development location which is accessible by public transport. In that sense it is potentially sustainable location and significant weight should be given to this aspect of the proposal.

195. However, there are issues relating to the Road Safety Audit and upgradation of the existing public transport system. These are key issues that go to the heart of the proposal and unless these have been resolved, only limited weight can be afforded to the sustainable location aspect of the proposal.

- **Market Housing:**

196. The proposal involves construction of 43 new dwelling – 60% of which will be market housing. The construction of 43 dwellings would bring about economic output in terms of direct and indirect job creation. The proposal will also include planning obligations in the form of CIL. However, the council has an appreciable 5 year housing land supply. The Housing Delivery Test and the developable pipeline supply of new homes shows that housing targets for the borough are being met and exceeded.

197. In one of the latest appeal decisions in the borough (Land North of Nine Mile Ride), the Inspector gave the provision of 118 new houses limited weight in the planning balance, partly due to the housing delivery occurring in Wokingham. As such, there is no reason why a smaller quantum of development proposed in the current application should be given Moderate weight.

- **Affordable Housing:**

198. The proposal would result in 17 affordable units. Policy CP5 recognise a need for affordable housing in the borough. Recent appeal decisions (Nine Mile Ride and 6 Johnsons Drive) have given this benefit Significant to Moderate weight.

199. The 5 year housing land supply position confirms future pipeline of additional affordable homes through a combination of delivery through sites with planning permission, allocation and council approved schemes. As such, there is no deficiency of the supply of affordable housing and the provision of affordable housing will attract moderate to significant weight.

- **Retail Development:**

200. The proposed retail unit will result in 40 additional jobs and will bring capital investment into the area. It will also respond to the further convenience floorspace within the area. However, the economic output will primarily rely on trade diversion from the Lower Earley District Centre. As such, the retail unit will not generate significant amount of additional revenue. In terms of additional floorspace, provision has already been considered within the South of M4 SDL Retail Centre. It is to be noted that 20% of the retail unit will be for comparison goods and there is an oversupply of this within the Borough.

201. Additionally, whilst the proposal currently includes a Lidl store, there is no mechanism to ensure that the unit will be operated by the particular operator in future. It is also possible to change the use of the building to other Class E uses such as a day care, restaurant or gymnasium without requiring planning permission. As such, economic benefit arising from the retail development can only be given moderate weight.

- **Other**

202. The applicant's Planning and Retail Statement claims there will be environmental benefits from multifunctional open space that will improve permeability by incorporating pedestrian and cycle links. It is to be noted that the site was accessible until recently and the existing use of the site is amenity open space which has not been breached. Also, there is evidence that the pre-application site preparation has resulted in loss of biodiversity and no biodiversity net gain calculations have been provided. There are no proven environmental, ecological or landscape benefits arising from the proposal. On the contrary, there would be significant environmental harm.

**Harm:**

- **Principle of Development**

203. The application site is located on an undeveloped greenfield site outside of settlement limits and in the countryside. The location of the proposed development would conflict with the spatial strategy and policies of the development plan. It has never been allocated or considered for any development.

204. Paragraph 12 of the NPPF states that development contrary to the plan '*should not usually be granted*'. The Applicant also identifies that the location of the development is contrary to at least 4 policies in the development plan. This should be given significant weight.

205. The location of the site outside of settlement boundaries has been raised by many of the local resident's representations and the development would undermine the planned system, particularly when significant housing has been delivered within the borough and a number of retail choices are available within the local area.

- **Impact on Character of the Area**

206. The proposal would result in unacceptable residential and retail development within the designated countryside that will have a detrimental and urbanising impact on the landscape and the character and appearance of the area by reason of the design; scale; layout and quantum of development proposed. The proposed layout will not result in a high-quality residential environment and the retail unit would be alien to the existing development typology of the surrounding area. This is given significant weight in the planning balance.

- **Impact on Trees and Landscape**

207. The proposal would have negative impact on the landscape structure including the Loddon Valley Valued Landscape and will result in fragmentation of the green corridor along B3270 Lower Earley Way. This is given moderate weight in the planning balance.

- **Impact on Ecology**

208. The proposal will result in biodiversity net loss that will have harmful impact on local badger, bat and bird species population due to loss of habitat. No net gain calculations have been provided to show ecological benefits of the scheme. This is given significant weight in the planning balance.

- **Amenity**

209. The proposal layout would fail to provide satisfactory amenity space for the future residents, both external and internal. The layout fails to meet the minimum requirements set out the Borough Design Guide SPD. This is given moderate weight.

- **Neighbouring Amenity:**

210. The proposed layout would result in noise disturbance and perceived loss of acoustic privacy for existing residential gardens of neighbouring properties. This is given moderate weight.

- **Highways**

211. The proposal has not demonstrated that it will not result in highway safety issues including safe and efficient movement of traffic on the surrounding network. Whilst the site is potentially sustainable, without further information on upgrades relating to the existing bus stop, the sustainability of the scheme could not be confirmed. Highway safety issues are given significant weight.

## **CONCLUSION:**

212. There are significant policy conflicts from the onset due to the speculative nature of the application to develop an unallocated greenfield site in the countryside; outside of settlement limits; which is within a valued landscape; in an area which provides ecological services; at a time when there is no un-met housing need; and the development plan is up to date.

213. There are multiple negative impacts of the proposed development that would not be outweighed by the benefits associated with the provision of market housing, retail development and provision of affordable housing. There are no other material considerations which are considered to outweigh this harm. Overall, the proposal is contrary to development plan of Wokingham Borough and the underlying spatial strategy. Consequently, the application is recommended for refusal.

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House type	Description	Qty
<b>Private (60%)</b>		
1BA2	1 Bed (2P) Apartment - M4(2)	2
1BA3	1 Bed (2P) Apartment - M4(2)	1
2BA1	2 Bed (4P) Apartment - M4(2)	2
2BA2	2 Bed (3P) Apartment - M4(2)	1
2BA3	2 Bed (4P) Apartment - M4(2)	1
2BA4	2 Bed (4P) Apartment - M4(2)	1
J	2 Bed (4P) House - M4(2)	9
K	3 Bed (5P) House - M4(2)	2
L	3 Bed (5P) House - M4(2)	2
N	3 Bed (5P) House - M4(2)	1
M	4 Bed (5P) House - M4(2)	3
<b>Private Total</b>		<b>25</b>
<b>Shared Ownership (12%)</b>		
1BF4	1 Bed (2P) Apartment - M4(2)	1
2BF1	2 Bed (4P) Apartment - M4(2)	1
J	2 Bed (4P) House - M4(2)	1
L	3 Bed (5P) House - M4(2)	1
M	4 Bed (5P) House - M4(2)	1
<b>Shared Ownership Total</b>		<b>5</b>
<b>Rented (28%)</b>		
1BF1	1 Bed (2P) Apartment - M4(2)	1
1BF2	1 Bed (2P) Apartment - M4(3)	1
1BF3	1 Bed (2P) Apartment - M4(3)	1
1BF5	1 Bed (2P) Apartment - M4(3)	1
2BF2	2 Bed (4P) Apartment	1
J	2 Bed (4P) House - M4(2)	4
K	3 Bed (5P) House - M4(2)	1
L	3 Bed (5P) House - M4(2)	1
M	4 Bed (5P) House - M4(2)	2
<b>Rented Total</b>		<b>13</b>
<b>Overall Total</b>		<b>43</b>

092008-JAN-AP05-43 UNITS-14.09.21-SB-PW



dha architecture ltd

Brooklands Farm Business Park  
 Bottle Lane  
 Binfield  
 Berkshire  
 RG42 5QX

t. 0118 934 9666  
 e. surname@dhaarchitecture.co.uk  
 w. www.dhaarchitecture.co.uk

## land off meldreth way, lower earley

B 15.09.21 JeH Revised to incorporate Local Authority comments.  
 A 07.04.21 JeH Application boundary updated.  
 rev date by details

Presentation Planning Layout

reference 092008-JAN-01

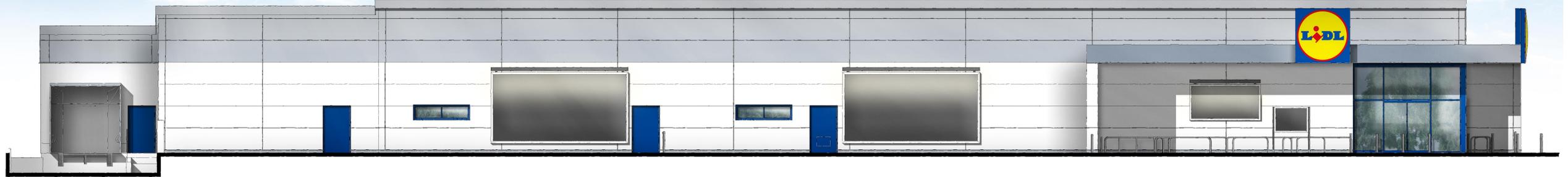
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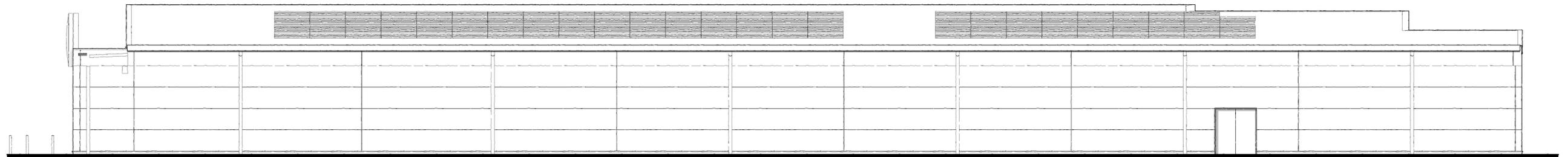
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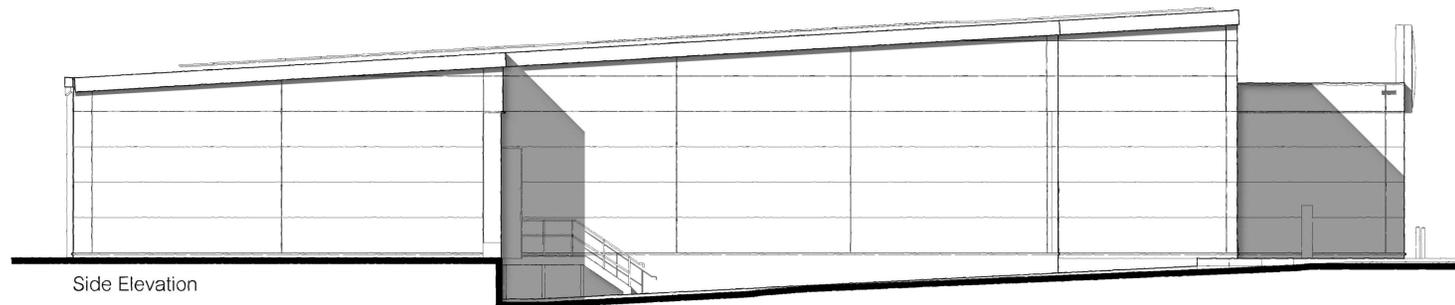
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

lidl - elevations

107



dha architecture ltd

Brooklands Farm Business Park  
 Bottle Lane  
 Binfield  
 Berkshire  
 RG42 5QX

t. 0118 934 9666  
 e. [surname@dhaarchitecture.co.uk](mailto:surname@dhaarchitecture.co.uk)  
 w. [www.dhaarchitecture.co.uk](http://www.dhaarchitecture.co.uk)

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Lidl Store  
 Proposed Elevations

23.04.2021 created  
 1:100 @ A1 scaling  
 SB/KA contact

reference 092008-LIDL-E1

revision

rev date by details

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perspective view 02



dha architecture ltd  
Brooklands Farm Business Park  
Bottle Lane  
Binfield  
Berkshire  
RG42 5QX  
t. 0118 934 9666  
e. [surname@dhaarchitecture.co.uk](mailto:surname@dhaarchitecture.co.uk)  
w. [www.dhaarchitecture.co.uk](http://www.dhaarchitecture.co.uk)

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rev	date	by	details	reference	092008-JAN-PER02	revision
				Perspective View 02		
				03.03.2021	created	
				NTS @ A3E	scaling	
				TP/SWB	contact	

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perspective view 01



dha architecture ltd

Brooklands Farm Business Park  
Bottle Lane  
Binfield  
Berkshire  
RG42 5QX

t. 0118 934 9666  
e. [surname@dhaarchitecture.co.uk](mailto:surname@dhaarchitecture.co.uk)  
w. [www.dhaarchitecture.co.uk](http://www.dhaarchitecture.co.uk)

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rev date by details

Perspective View 01

reference 092008-JAN-PER01

03.03.2021 created  
NTS @ A3E scaling  
TP/SWB contact  
revision

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street scene 01



Block 1  
Plot 29-43

House Type L  
Plot 23



House Type L  
Plot 23

House Type M  
Plot 22

House Type J  
Plot 21

House Type J  
Plot 20

House Type M  
Plot 19

House Type L  
Plot 18

House Type L  
Plot 7

House Type K  
Plot 8

House Type J  
Plot 9

House Type J  
Plot 10



LIDL Food Store

land off meldreth way, lower earley

Street Scene 01

23.04.2021 created  
 1:100 @ A0 scaling  
 SWB/HJ/TP contact

rev date by details

reference: 092008-JAN-SS01 revision



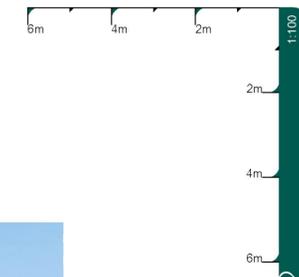
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Brooklands Farm Business Park  
 Bottle Lane  
 Binfield  
 Berkshire  
 RG42 5QX  
 t. 0118 934 9666  
 e. [surname@dhaarchitecture.co.uk](mailto:surname@dhaarchitecture.co.uk)  
 w. [www.dhaarchitecture.co.uk](http://www.dhaarchitecture.co.uk)

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115



House Type N  
Plot 1

House Type M  
Plot 2

House Type M  
Plot 3

House Type M  
Plot 4

House Type J  
Plot 5

House Type J  
Plot 6

House Type L  
Plot 7

street scene 02



dha architecture ltd  
 Brooklands Farm Business Park  
 Bottle Lane  
 Banfield  
 Berkshire  
 RG42 5QX  
 t. 0118 934 9666  
 e. surname@dhaarchitecture.co.uk  
 w. www.dhaarchitecture.co.uk

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Street Scene 02  
 03.03.2021 (revised)  
 1:100 @ A3EXT scoping  
 SWB/HJ/contact

rev date by details

092008-JAN-SS02

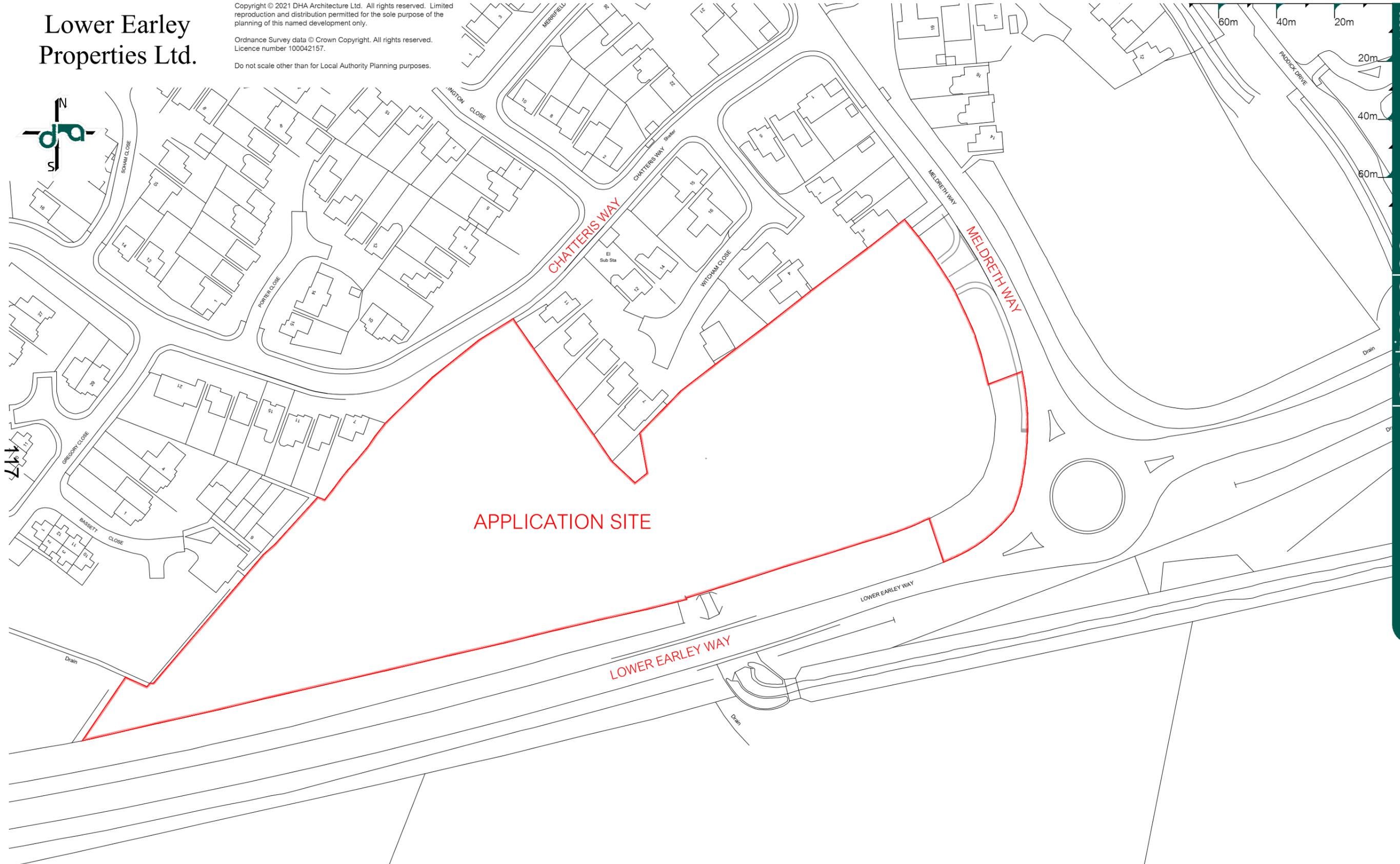
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1:1250  
location plan



dha architecture ltd

Brooklands Farm Business Park  
Bottle Lane  
Binfield  
Berkshire  
RG42 5QX

t. 0118 934 9666  
e. [surname@dhaarchitecture.co.uk](mailto:surname@dhaarchitecture.co.uk)  
w. [www.dhaarchitecture.co.uk](http://www.dhaarchitecture.co.uk)

## land off meldreth way, lower earley

A 07.04.21 JeH Application boundary updated.  
rev date by details

Location Plan

reference 092008-JAN-06

03.03.2021 created  
1:1250 @ A3 scaling  
SB/CC contact

A revision

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# Agenda Item 60.

Application Number	Expiry Date	Parish	Ward
211777	10/02/2022	Wokingham Town	Emmbrook;

<b>Applicant</b>	Wokingham Borough Council		
<b>Site Address</b>	Toutley East, land adjacent to Toutley Depot, West of Twyford Road Wokingham RG41 1XA		
<b>Proposal</b>	Outline application for up to 130 residential units and a 70 bed care home (all matters reserved except access to the site).		
<b>Type</b>	Outline		
<b>Officer</b>	Stefan Fludger		
<b>Reason for determination by committee</b>	Major application Applicant is Wokingham Borough Council		
<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 8th December 2021		
<b>REPORT PREPARED BY</b>	Assistant Director – Place		

## SUMMARY

This is an outline planning application for the provision of up to 120 residential units and a 70 bed aged care home. The indicative scheme also includes a noise bund and barrier, landscaping and an emergency access through the neighbouring Toutley depot. 35% of the dwellings proposed would be affordable housing. It should be noted all matters are reserved except for access, therefore detailed layout and design will be considered under subsequent reserved matters applications. Only the principle of development is being considered at this stage.

The application site consists of an open field, within settlement limits and the North Wokingham SDL. The site is allocated for employment development under the current Local Plan. However, the site is no longer considered appropriate for employment due to its location, its setting adjacent to residential development and the school constructed as part of the Matthewsgreen development. As such it is allocated under the emerging Local Plan for residential development and the proposed residential use is acceptable in principle. The location of the scheme next to the Matthewsgreen development which contains shops, a primary school, community building and access to bus services means that the site is considered sustainable and would provide residents with access to good local facilities. The development would provide a high-quality modern housing scheme together with landscaped public open space, while retaining the existing hedgerows.

The scheme is considered acceptable at outline stage, subject to the conditions recommended.

## PLANNING STATUS

- Major development location
- North Wokingham SDL
- Site allocation – Toutley Industrial Estate extension
- Core Employment Area
- WBC owned land
- Wind turbine safeguarding zone
- Farnborough Aerodrome consultation zone
- Sand and gravel extraction
- Special Protection Area – 7 km

- Groundwater protection zone
- Landfill consultation zone
- Minerals consultation zone
- Nuclear consultation zone
- Contaminated land consultation zone
- Green Route Enhancement Area
- Flood Zones 2 and 3
- TPO Trees.
- Archaeological Sites.

## RECOMMENDATION

**That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following:**

### **A. Completion of an agreement to**

- Affordable Housing Provision – Minimum 35% on site provision with a tenure split of 70:30 social rented to shared ownership dwellings
- Strategic Access Management and Maintenance (SAMM) Contribution for the Thames Basin Heaths SPA;
- Open Space delivery and maintenance thereafter, including a contribution towards maintenance of the sound bund and barrier if adopted by the Council.
- Allotments onsite delivery or offsite contribution, depending on method of delivery.
- Local Bus service contribution;
- My Journey Travel Plan contribution;
- Highways inspection fees.
- Highway commuted sums.
- Legal agreement monitoring contribution;
- Employment Skills plan or contribution;
- Upgrading of cycle / footpath to the southern development, Primary School and Local Centre
- Costs of the Traffic Regulation Order along Twyford Road;
- Children’s play area maintenance sum – waiting for Green Infrastructure.
- Highways bond
- Provision of 10% biodiversity net gain in line with DEFRA metric calculator, on-site provision, in accordance with landscaping and ecology details. If on-site provision not possible, off-site provision to be secured.
- Provision of compensation for three Skylark territories to be provided for a minimum period of 30 years.

- Highway maintenance.
- Highway agreements.

**B. Conditions and informatives:**

*To follow*

<b>PLANNING HISTORY</b>		
<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
F/2003/8635	Proposed change of use of land to Quad bike track and erection of 5 temporary units, 3 for storage, 1 for Office/Reception, 1 for Cafeteria.	Withdrawn – 19/05/2021
172876	Full application for the proposed continued operation of a concrete batching plant with ancillary development, sale of concrete products and skip hire service whilst retaining the existing waste transfer station and depot uses.	Refused – 10/01/2018
193206	Full planning application for the demolition of all existing structures at Toutley Depot to permit the phased construction of a replacement depot including works buildings, storage, a new office accommodation block, ancillary drainage, landscaping, security fencing, surface parking and associated works.	Approved – 13/02/2020
210359	Screening Opinion application for an Environmental Impact Assessment for the proposed development of the site comprising around 130 dwellings and a 70 bed dementia care home, plus creation of new access.	Replied – 13/05/2021 (Not EIA Development)

<b>SUMMARY INFORMATION</b>	
<b>For Residential</b>	
Site Area	8.1ha
Existing units	0
Proposed units	Up to 130
Existing density – dwellings/hectare	0
Proposed density - dwellings/hectare	16
Number of affordable units proposed	35%
Previous land use	Agricultural
Proposed Public Open Space	3.57 ha

## CONSULTATION RESPONSES

Crime Prevention Design Officer	Considers there to be a lack of surveillance and there to be exposed elevations. (detail will be picked up at Reserved Matters stage)
National Grid	No comments received
Royal Berkshire Fire and Rescue	There are excessive distances for fire vehicles to reverse.
Southern Gas Networks	Refer to standing advice.
SEE Power Distribution	Refer to standing advice.
Thames Water	No objection, subject to condition.
NHS Wokingham Clinical Commissioning Group	No response received.
Environment Agency	Awaiting response however as all matters reserved (e.g. layout), it is considered that in principle approval can be provided.
South East Water	No response received.
WBC Biodiversity	No objection, subject to conditions.
WBC Economic Prosperity and Place (Community Infrastructure)	Support the provision of a care home as opposed to extra care. Recommend a higher proportion of 3 bed houses and a reduction in the number of 2 bed flats. The location will lead to greater demand for houses than flats.
WBC Drainage	No objection.
WBC Education (School Place Planning)	The Toutley East development will fully mitigate education requirements through CIL payments. Currently there is sufficient local capacity for any additional children likely to be generated by the development in Key Stages one and two (primary school age) and while current projections indicate there will be insufficient capacity for children and young people in Key Stages 3 to 5 (aged 11 to 18) over the next decade, CIL payments will mitigate the impact of this development.
WBC Environmental Health	No objection, subject to conditions.
WBC Highways	No objections, subject to conditions.
WBC Tree & Landscape	Request additional information.
WBC Cleaner & Greener (Waste Services)	No response received.
WBC Property Services	No comments received
WBC Public Rights of Way	Request provision for east-west route across the site in line with Public Rights of Way Improvement Plan.
WBC Planning Policy	No Objection.
WBC Affordable Housing	A minimum of 35% affordable housing is required. This should be provided on-site, with a 70:30 rent: shared ownership split. 45.5 units are required, split as follows:

- 20% 1 bedroom flats

- 15% 2 bedroom flats
- 30% 2 bedroom houses
- 20% 3 bed houses
- 15% 4 bed houses

## REPRESENTATIONS

### Town/Parish Council:

- The proposal is within the flood plain.
- There is only one access point, the junction is unsafe.
- There is no pedestrian footpath along Twyford Road or pedestrian crossing.
- There may be health implications for residents of housing and care home due to noise of being surrounded by main roads with heavy traffic and joining onto an industrial site.

*Officer Note: The applicant's flood modelling demonstrates that the actual extent of flooding on site would be significantly less than that shown on Environment Agency flood mapping. Therefore, all built parts of the development would be within flood zone 1. There will be a secondary emergency access in place following the occupation of the 100<sup>th</sup> dwelling/care home bedroom. The scheme now includes a pedestrian crossing and improvement/extension of the footpath along the eastern side of Twyford Road. The council's Highways Officer has no objection to an access onto Twyford Road – see paragraphs 58-63. The Environmental Health officer has no objections to the scheme in terms of noise and the adjacent industrial use, this is addressed in paragraphs 69-76.*

### Local Members:

*Cllr Rachel Bishop-Firth:*

- The scheme will result in an increase in social housing and expansion of dementia accommodation on a site which is fundamentally unsuitable for housing.
- The site is at risk of flooding and this may affect the entranceway onto Twyford Road.
- The access is dangerous, especially due to the speed of traffic on Twyford Road.
- The site is not sustainable, there is a significant distance to the nearest bus stop. Cycle paths are not direct to Wokingham town centre.
- How will care home staff and visitors get home if they don't drive?
- How will residents access the SANG?
- The site is noisy and polluted by virtue of being adjacent the motorway.
- Undue pressure will be placed on outdoor space/SANG because of offices being converted to flats in the adjacent industrial estate.

*Officer Note: Regarding flooding, Highway and pollution/environmental health Issues, see above officer note for Town Council comments. The proposal requires a financial contribution towards local bus services and improvements in access to the south of the site,*

across the Matthewsgreen development. The Old Forest Meadows open space will be accessed across the bridge and through the Matthewsgreen development. A crossing is provided for access to the SANG to the east of Twyford Road. Offices being converted to flats in the Toutley depot is not related to this scheme, which will provide ample open space.

*Cllr Imogen Shepherd-Dubey*

- This application causes significant concern in terms of road safety. The single exit onto the Twyford Road is just before the brow of the bridge and vehicles coming over the bridge would not be able to see vehicles turning right out of the exit until the last minute. This is effectively a 60Mph road at this point.
- There are no pavements or cycling provisions along the Twyford Road at this point, making it difficult to access the site other than by car. The nearest bus stop is quite some distance away, outside of the Dog & Duck on Matthewsgreen Road. There is no provision for pedestrians crossing this busy road to get to the SANG on the other side of Twyford Road.
- There is a mention of an 'emergency access' but no explanation of how easy that would be to open if the main exit from the site became unavailable. The emergency exit needs to be available at all times.
- The entrance road is likely to flood. The care home will be subject to noise and pollution.

*Officer Note: Regarding flooding and Highway issues, see above officer note for Town Council comments. Details of how the emergency access will function will be required by condition.*

**Neighbours:** 36 objections received. 0 comments in support received.

*Objections:*

- There is no footway from Twyford Road and no safe route for cyclists.

*Officer Note: a footway will be installed on the eastern side of Twyford Road, along with a pedestrian crossing. A safe route for cyclists will be provided over the bridge on the southern side of the development.*

- The junction will be dangerous. Changing the speed limit will not change this and Twyford Road is fast and busy. The proposed visibility splays are a departure from the norm. Drivers will not expect people to be turning out of the junction at this point. There would be poor visibility. Children will need to cross the road. Other traffic calming measures will be required, such as speed bumps and/or cameras.
- The traffic surveys were carried out in June 2020 when the traffic was likely to be lower than normal and a site visit was carried out in February 2021 when the conditions were described as 'light'. There is a pedestrian refuge in the plans to cross the main road, this is dangerous.
- There are poor public transport links. There will be an increase in the number of car journeys. There would be no alternative but to travel to the care home by car.
- The care home will lead to commercial vehicle movements.

- All dwellings should have electric vehicle parking provision.
- The proposal is on the preferred route of the NDR.

*Officer Note: The Highway's Officer has no objection to this scheme or to the traffic surveys, subject to the provision of the agreed wider access. A pedestrian and cycle link will be provided to the south and a contribution will be provided for bus service improvements. An electric vehicle parking strategy will be required by condition. This site was a potential option for the location of the Northern Distributor Road, but it was not selected.*

- There are drainage problems in this area. The proposal could lead to increased flood problems.

*Officer Note: The applicant's flood modelling demonstrates that the actual extent of flooding on site would be significantly less than that shown on Environment Agency flood mapping. Therefore, all built parts of the development would be located outside of the flood zone.*

- The area has already been subject to significant development and needs to be protected from continued construction activity. Is there demand for the homes proposed?
- There will be a loss of green space.
- The existing infrastructure will not support further development. There are congestion, noise and pollution issues.
- Noise from ambulances and sirens to the care home will bother residents.
- Land such as this should be used for leisure purposes.
- The proposal will cause construction noise, which will be on top of the construction noise already experienced by local residents as a result of the existing buildings works.

*Officer Note: This site is within settlement limits and is already allocated for development. Given the residential and school development associated with the SDL to south, it is considered that residential use is appropriate. The site forms part of the SDL and ample open space would be provided. The Environmental Health officer has no objections to the scheme in terms of noise, the adjacent industrial use or pollution of the site. Working hours and construction noise will be controlled by condition. Ample open space is provided.*

- The site hosts valued wildlife.
- The total number of dwellings should be reduced with more tree planting to assist air quality.

*Officer Note: The development will be required to provide a 10% biodiversity net gain and conditions will require appropriate wildlife mitigation. The proposal includes ample open space and will require the submission of detailed landscaping at reserved matters stage.*

- The affordable housing must be predominantly social housing and not affordable rent or shared ownership.
- The Covid 19 pandemic has changed living and working habits. There are a large number of flats proposed with little outside space which will no longer be wanted.

- The proposal should include affordable homes and homes for young people to get on the housing ladder.

*Officer Note: The indicative scheme provides more two bedroom homes that required and less three bedroom homes. However, it is noted that this is an indicative scheme and the deviation is not particularly significant. Affordable housing will be provided in line with policy.*

- The document on energy has typo's and appears to have been carried over from another development. The development should include air source heating and battery storage and orientations should be as to make the most of the available insolation. Other electric devices should be considered.
- There will be a loss of views from residents of Potter crescent over the existing field.

*Officer Note: The Energy Statement is sufficient to inform the scheme, the proposal will provide a 10% carbon reduction. Loss of views by neighbours are not a material planning consideration.*

#### *Emmbrook Residents Association:*

- The road traffic noise assessments were carried out at the peak of the summer holiday season and therefore traffic and noise would be at a minimum. This will have had an impact on the noise modelling. Holiday periods should be avoided.
- The footway on the eastern side of Twyford Road is narrow and poor quality. It is not acceptable to serve the new footway as shown on the plans.
- In the discussion of vehicle sight lines the Transport Assessment raises the possibility of extending the existing 40mph limit on the southern section of the Twyford Road northwards to beyond the development's access. As the development will introduce vehicle movements turning at the site entrance as well pedestrian activity in this area this reduction should, without question, be introduced.

*Officer Note: The Highway's Officer has no objection to this scheme or to the traffic surveys, subject to the provision of the agreed wider access. An improved footway will be provided.*

- The majority of the dwellings are 2.5 storeys high, which would be higher than the heights at which noise was measured in the survey. Therefore the upper floors haven't been adequately assessed. The care home building will be higher than the proposed noise bund.
- The front façade of seven of the dwellings in the north western section of the site will experience noise levels between 60dB and 65dB which means that opening a window in any of these facades would result in the noise level in the internal space being significantly higher than the 35dB deemed to be acceptable.
- The external living spaces of six of the dwellings also exceed the 55dB limit, with the limit being exceeded in a part of the external space of a further 10 dwellings.
- The ground level external spaces of the terraced properties facing the Twyford Road would all exceed the 55dB limit. The first floor external spaces achieve the 55dB limit only by having their open ends blocked in with 1.8 high acoustic barriers, reducing them to windowless enclosed yards.

- The western façade of the care home is in a 55+dB zone as is the majority of the northern façade, with the remainder of northern façade and the whole of the eastern one subjected to 60+dB. As daytime modelling figures are for ground floor level, the question is how much higher are the figures for the first and second floor levels, where it is likely that there will be day rooms as well as bedrooms.
- All of the properties in the northern and western sections and those facing the Twyford Road have facades that would experience noise levels from 55+dB to 70+dB. Similarly, the care home would be surrounded by excessive noise, with the northern and eastern facades most affected. As mentioned above, the windows in the roofs of the 2.5 storey dwellings and the third storey of the care home will in all probability be subjected to higher levels of noise.

*Officer Note: The lower levels of traffic due to Covid 19 have been taken into account in the acoustic survey. In accordance with guidance provided by the Institute of Acoustics (Joint Guidance on the Impact of Covid 19 on the practicality and reliability of baseline sound level surveying and the provision of sound and noise impact assessments) previous noise data has been used from a survey carried out by Hydrock in 2019. Noise modelling has also been used using traffic flow data derived from the Wokingham Strategic Transport Model. According to paragraph 4.3.3 WSP predictions from the modelling fall within 2dB of the measured noise levels of the 2019 Hydrock survey which is considered to be within acceptable tolerances. The noise levels on site are discussed in paragraphs 73-76. The Environmental Health Officer has acknowledged that a detailed scheme will be required by condition to prevent harmful noise impacts on residents.*

#### *Wokingham Society:*

- The site is allocated for an industrial use.
- North Wokingham would be completely infilled. There have been more dwellings approved than the 1500 envisaged to the north of Wokingham. This application offers no planning gain but adds more development. Other options should be explored.

*Officer Note: The development is acceptable in principle and this is discussed in paragraphs 4-14.*

- There is no need to build this close to the motorway. It will be very noisy, including for the dementia care home.

*Officer Note: See Officer note above for Emmbrook Residents Association.*

- There appears to be no outside amenity space for the dementia care home residents. A footpath is required on the western side of Twyford Road.

*Officer Note: The scheme is indicative and outside space can be provided at reserved matters stage. In any case, courtyards are provided. This however are considered poor quality.*

- The North Wokingham SDL does not include any public art. Art should be included in this scheme.

*Officer Note: It is noted that this issue can be resolved at reserved matters stage.*

*Shinfield Parish Council:*

- The care home should not be adjacent the motorway, it will be too noisy.
- Pollution would likely exceed relevant limits.

<b>APPLICANTS POINTS</b>
<ul style="list-style-type: none"> <li>• The application site is within the settlement boundary as part of the North Wokingham SDL. Development is acceptable in principle.</li> <li>• The site is no longer required to provide employment land and will provide much needed housing in the borough.</li> <li>• The housing will include specialist elderly accommodation to meet the needs of an ageing population.</li> <li>• The proposal will include a high proportion of affordable housing – with an aspiration to exceed policy standards. Overall, the delivery of housing in a variety of types, tenures and sizes is a significant benefit of the development.</li> <li>• The proposal will enhance the biodiversity performance of the site and increase the number of trees compared to the existing agricultural land. The scheme also commits to delivering a highly sustainable development that will push to exceed policy standards in regards to energy efficiency and carbon consumption.</li> </ul>

<b>PLANNING POLICY</b>		
National Policy	<b>NPPF</b>	National Planning Policy Framework
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP2</b>	Inclusive Communities
	<b>CP3</b>	General Principles for Development
	<b>CP4</b>	Infrastructure Requirements
	<b>CP5</b>	Housing mix, density and affordability
	<b>CP6</b>	Managing Travel Demand
	<b>CP7</b>	Biodiversity
	<b>CP8</b>	Thames Basin Heaths Special Protection Area
	<b>CP9</b>	Scale and Location of Development Proposals
	<b>CP10</b>	Improvements to the Strategic Transport Network
	<b>CP15</b>	Employment Development
	<b>CP20</b>	North Wokingham Strategic Development Location
Adopted Managing Development Delivery Local Plan 2014	<b>CC01</b>	Presumption in Favour of Sustainable Development
	<b>CC02</b>	Development Limits
	<b>CC03</b>	Green Infrastructure, Trees and Landscaping
	<b>CC04</b>	Sustainable Design and Construction

	<b>CC05</b>	Renewable energy and decentralised energy networks
	<b>CC06</b>	Noise
	<b>CC07</b>	Parking
	<b>CC08</b>	Safeguarding alignments of the Strategic Transport Network & Road Infrastructure
	<b>CC09</b>	Development and Flood Risk (from all sources)
	<b>CC10</b>	Sustainable Drainage
	<b>TB05</b>	Housing Mix
	<b>TB06</b>	Development of private residential gardens
	<b>TB07</b>	Internal Space standards
	<b>TB11</b>	Core Employment Areas
	<b>TB12</b>	Employment Skills Plan
	<b>TB21</b>	Landscape Character
	<b>TB23</b>	Biodiversity and Development
	<b>TB24</b>	Designated Heritage Assets
	<b>SAL07</b>	Sites within Development Limits allocated for employment/commercial development.
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide – Section 4
		DCLG – National Internal Space Standards

## PLANNING ISSUES

### Description of Development:

- The application site comprises an undeveloped field, located immediately to the south of the A329(M) in North Wokingham. The site is bounded to the north by the A329(M), to the south by a watercourse, to the west by Toutley Depot and to the east by an area of wooded vegetation along the A321 Twyford Road.
- Outline planning permission is sought for the erection of up to 130 dwellings and a 70 bed care home. All matters are reserved apart from access. The detailed design for the site would come forward as part of future reserved matters applications. The role of the outline scheme therefore, is to establish the key principles for bringing forward development on the site within the parameters sought, but not to agree the final or detailed elements, aside from access to the site.
- The following parameters are proposed to be secured via the outline application:
  - Up to 130 new residential dwellings (exact number of dwellings will be determined as part of the detailed reserved matters applications).
  - An aged care home to provide up to 70 bed spaces.

- Access from Twyford Road and construction of a new internal road.

### **Principle of Development:**

4. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan (MDD) Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.
5. The Wokingham Borough Core Strategy establishes the spatial vision for the Borough for the period 2006-2026, including a requirement to provide at least 13,487 new dwellings, with associated infrastructure (Core Strategy policy CP17 *Housing Delivery*). The majority of this new residential development is to be in four Strategic Development Locations (SDLs). The site lies within the North Wokingham Strategic Development Location. CP20 of the Core Strategy anticipates the delivery of around 1500 dwellings in the form of a planned urban extension.
6. As well as being within the SDL, the site is also within settlement limits. The principle of development in this location is therefore already established. However, the site is allocated under the adopted Core Strategy and Managing Development Delivery (MDD) local plans for employment (Policy SAL07 and CP20) and forms part of the wider Toutley Industrial Estate Core Employment Area (Policy CP15, Policy TB11). Therefore, with the site being located within a Major Development Location, where development is generally acceptable, the principal issue guiding the acceptability of the proposal is the impact on the availability of land for employment.
7. Policy CP15 states that *“any proposed changes of use from B1, B2 or B8 should not lead to an overall net loss of floorspace in B Use within the borough”*. In particular, the supporting text to this policy, at paragraph 4.71 supports the re-use of existing employment sites for other uses in locations where there is a demand for other uses and/or lack of demand for business uses without a net loss in employment floor space. The site is allocated under the current local plan for employment space, in association with Toutley Depot. With this in mind, it is clear that the proposed development of the site as housing and a care home would lead to a loss of land designated for employment. The majority of the site is not currently used for employment space and therefore the impact would be a loss of opportunity rather than actual floorspace, the proposal is contrary to the adopted allocation. Consideration therefore needs to be given as to whether material circumstances exist which outweigh a decision in line with the development plan.
8. The applicant has provided information seeking to justify the loss of the employment opportunity. This includes reference to the Council’s Employment Land Needs (ELN) Study (January 2020). The ELN Study states (in paragraph 5.90) that *‘demand for industrial space at Toutley Industrial Estate is minimal with the majority coming from automobile-related companies servicing the local markets’*. Given the ELN Study found that industrial demand at Toutley Industrial Estate was limited, the adopted allocation to extend the Core Employment Area is no longer considered by the Council’s Planning Policy Officer to represent the best use of the land.

9. This above view is expressed in emerging policy where the re-allocation of the land for residential is proposed through Local Plan Update. This is at an early stage of preparation and therefore has only limited weight in the decision-making process. This being said, policy SS6 (North Wokingham Strategic Development Location) proposes to allocated the site for 100 dwellings. The current scheme proposes 130 dwellings and a 70 bed care home. Therefore provided that the dwellings can be accommodated on site, the principle of residential development is consistent with emerging policy. It is also consistent with section 11 of the NPPF, which requires the efficient use of land (paragraph 124). It is considered that the development is acceptable in principle. Moreover, given the residential and school development associated with the SDL to south, it is considered employment uses are no longer the most appropriate neighbour in this instance.
10. A small part of the existing depot would be lost to accommodate the noise bund, however this was excluded from the developed area under application 193206 for redevelopment of the depot site. That scheme was designed with the potential for future development of the current site in mind. A change of use would only occur if that permission was implemented. As such it is not considered that the small loss of employment land would make this scheme unacceptable in principle. The current operation of the depot site has also been considered should the depot redevelopment not come forward and it has been found that the operation of the depot would not be significantly impacted by this proposal.

*Care Home:*

11. Paragraphs 59 and 61 of the NPPF recognise that planning decisions should consider the size, type and tenure of housing needed for different groups in the community (including older people).
12. Policy CP2a (Inclusive Communities) of the Core Strategy 2010 supports proposals that address the requirements of an ageing population, particularly in terms of housing, health and well-being. The policy ensures that new development contributes to the provision of sustainable and inclusive communities to meet long-term needs.
13. TB09 of the MDD Local Plan relates to residential accommodation for vulnerable groups. It indicates that the Council will support proposals which provide for the following types of accommodation to provide for people's needs over a lifetime:
  - a) Extra care homes.
  - b) Dementia extra care units.
  - c) Enhanced sheltered schemes.
  - d) Proposals that allow the elderly and those with disabilities to remain in their own homes or purpose-built accommodation.
14. This application proposes an aged care home, as opposed to extra care. Extra care housing differs from a traditional care home in the fact that it allows people to live more independently, without being part of a residential institution. However, the Council's Planning Policy favours this type of aged care. It is noted that the Economic Prosperity and Place team have identified that there is currently a greater need for a traditional care home facility, as opposed to an extra care scheme. With this in mind, it is considered that the proposed care home is acceptable in this instance, as opposed to providing additional extra care facilities. The scheme is therefore considered

acceptable in this regard, even though it deviates from the preferred schemes as outlined in policy TB09.

### **Character of the Area:**

15. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and must be of high quality design. R1 of the Borough Design Guide SPD requires that development contribute positively towards and be compatible with the historic or underlying character and quality of the local area. R2 states that development should respond to context, including incorporating existing features, taking advantage of landform and orientation, relating to neighbours and minimising amenity, ecological and drainage impacts. As the application is an outline proposal with all matters reserved, issues such as layout, design, noise bund and landscaping are not included within this application for determination at this time. However the applicant has provided an illustrative masterplan and the Design and Access Statement.

### *Layout - General:*

16. The proposed scheme forms a cul-de-sac, with one access plus an emergency access into the neighbouring Toutley industrial estate. As has been stated, the site is bounded on the southern side by Ashridge Stream, on the western side by Toutley Industrial Estate, on the northern side by the A329M and on the eastern side by Twyford Road. The A329M is at generally at grade with the site in terms of levels and therefore noise mitigation is required. This and the large landscape buffer to the south lends the site a degree of visual separation from neighbouring developments and in this context, the cul-de-sac is acceptable. It should be noted that the proposals, although one application, are likely to be constructed by two different operators, that is the care home and residential elements. As such, it is considered appropriate to phase the scheme into these two different operations, which is reflected in conditions where this is considered appropriate to do so.
17. Generally there is no objection to the proposed layout and contemporary design proposed. The indicative scheme generally maintains appropriate separation distances between dwellings, in accordance with the recommendations of the Borough Design Guide. However, there are some areas where such distances are not maintained and the relationship between houses could prove problematic. The applicant has been advised regarding these concerns and this detail will need to be addressed as part of the reserved matters submissions. The dwellings shown below have separate buildings (studios or work spaces) at the end of the gardens which is considered especially appropriate following the pandemic.



18. However the buildings which form the bookends to at either end of the row of terraces will need to be considered in more detail as part of the reserved matters. The current indicative scheme is not likely to be considered acceptable due to impacts on the amenity of occupiers of the dwellings (see neighbouring amenity and external amenity space sections later in this report) however it is also considered that the appearance of the buildings clustered together would be potentially out of character and excessively urban in appearance for this area on the outskirts of Wokingham.
19. The courtyards for the care home need further detailed consideration, as they are also likely to be excessively small and overshadowed, meaning that they would not be inviting places to use (see external amenity section of this report). However again this detail will be picked up at reserved matters. It should be noted these design issues do not impact the acceptability of the principle of the development.



20. Finally, some of the houses are arranged in a back to back formation:



While there is no objection to this in principle and adequate separation distances are maintained from other dwellings, officers have concerns over the useability of these spaces. Again this is explored in more detail in the relevant section of this report.

*Trees and landscapes:*

21. TB21 indicates that development proposals should demonstrate how they have addressed the key characteristics of the Wokingham Borough Landscape Character Assessment. The Council's Trees and Landscapes Officer considers that the details submitted with this application do not amount to a full Landscape and Visual Impact Assessment and the requirements of TB21 has not been met.

22. The site falls into landscape character area J1 – Wokingham-Winnersh Settled and Farmed Clay. It is characterised by arable farmland on shelving landforms. The key characteristics of this area include an agricultural landscape which is greatly influenced by urban development and a sloping landform with subtle valleys. Hedgerows have been lost. There is an overriding sense of urbanity due to the presence of the A329m, M4 and development to the south and west and the rural landscape is fragmented. The topography of the site falls from north to south.
23. It is noted that the site consists of a parcel of land which demonstrates a number of the key characteristics of character area J1. It is surrounded by hedgerows/tree belts and is heavily influenced by the presence of the adjacent motorway and housing developments. It is noted that the indicative proposal would be well contained within the existing landscape features and the proposed landscaping would tie in well with the landscaping associated with the new development to the south. Views of the site are partially constricted by the motorway to the north and the industrial estate to the west. Perhaps the most prominent views of the site would be from the east (should the vegetative screening be lost), the south – from the elevated new estate at Matthewsgreen and from the A329 itself. While the Trees and Landscape Officer's comments are taken into consideration, it is considered that the proposal sits within a discrete parcel of land which would be read against the existing developments which surround the site. Good landscape buffers have been maintained between the hedgerows and stream, which are distinctive of the landscape. For this reason, it is considered that the proposal does address the key characteristics of the landscape character assessment and no additional impact assessment is required.
24. The Trees and Landscapes Officer has also indicated that it would be helpful at this stage to see a landscape strategy and vignettes based on the illustrative masterplan to show how the open space would relate to housing layout and how parking would be dealt with. While this is taken into consideration, it is considered that this can be adequately dealt with at reserved matters stage and/or by condition. This also applies to details pertaining to home zone/shared street principles and how this forms an integral part of the green infrastructure.
25. CIRIA guidance and the Wokingham SuDS Strategy (January 2017) advocate that a SuDS train should start within the development parcels themselves with on plot or very locally based treatments (site control), such as rain gardens, filter strips or swales for example which then lead to regional control features. The Design and Access Statement indicates that bio-retention basins, rain gardens and swales combined with rainwater harvesting and would be incorporated into the public realm. However, this is not shown on the indicative masterplan, which simply shows detention basins of approximately 1m deep, which are fed by a piped gravity system. The Council's Trees and Landscapes Officer is of the view that it has not been demonstrated where the locally based treatments could be incorporated into the scheme and that the landscape buffer is not large enough on the south eastern side. The detention basins will not form part of the useable landscaped areas. While this view is acknowledged, it is considered that these issues could be addressed at reserved matters stage. The landscape buffer is adequate and allows for some useable space between the dwellings and Ashridge Stream.
26. An Arboricultural Report has been submitted with the application. The majority of vegetation on and adjacent to the site boundaries can be effectively retained and

protected as part of the proposed development including the 3 TPO trees growing on the southern boundary adjacent to the existing stream. A small number of tree removals will need to take place to allow access into the site, provide necessary sightlines and access into the western part of the site. The Council's Trees and Landscapes Officer has no concerns regarding the extent of the proposed development as shown on the Illustrative Masterplan in relation to the existing trees and vegetation to be retained.

*Scale:*

27. It is again noted that the scheme is indicative. However, the indicative plans need to be assessed and commented upon at this stage to help provide clear guidance for the reserved matters. The proposals would consist largely of semi-detached and terraced housing at two storeys in height. However, there would also be a three-storey apartment block to the south of the site and other apartment blocks. The care home would be on raised ground to the north of the site and would also be up to three storeys in height. The height in itself may not be an issue but will need consideration against the visual impact locally. The single apartment block on the site is not considered excessive, but will serve to provide a good overall mix of dwelling types. Additionally, it will be set at the least elevated part of the site. The scheme largely reflects the scale of adjacent new estates. The indicative plans have a density of 16 dwellings per hectare, plus the 70 bed care home. With care home beds in mind the density would be 24 dwellings/bed per hectare.

*Design and Appearance:*

28. Although this is a reserved matter, again comment on the proposed indicative design is helpful guide for the reserved matters. A variety of housing typologies are proposed within the site including terraces, semi-detached and detached houses and apartment buildings. The scheme would be somewhat contemporary in appearance which would add an additional layer of character and identity to the local area. There is no objection to this in principle so long as it can be demonstrated that the appearance would be acceptable and generally in keeping with the prevailing character of the area. As has been mentioned, there are some concerns relating to the design of the dwellings in terms of their potential for lack of privacy and overbearing impact on one another. This extends to the potential appearance of the apartments at the end of the rows of terraces, which could appear cramped in appearance as a whole. This being said, the details submitted show a development constructed with a variety of different complementary external materials such as brick, cladding and render. Buildings are arranged in different densities in different areas, with a variety of appearances. Key to good design outcome will be assessing the detail as part of the subsequent reserved matters.
29. The range of housing types and styles will ensure that there is diversity in the built form and a range of housing for future occupants. The diversity in terms of the style of the dwellings is achieved through the detailing such as heights, materials/design and roof form. This will help to provide a clear and legible neighbourhood.
30. Overall, this is an outline proposal and it is considered that an appropriate and in keeping scheme could be achieved at reserved matters stage. The proposal is therefore considered acceptable in this regard.

## **Residential Amenities:**

### *Neighbouring Amenity:*

31. Core Strategy Policy CP3 requires that new development should be of a high quality of design, it should not cause detriment to the amenities of adjoining land users. Separation standards for new residential developments are set out in section 4.7 of the Borough Design Guide.
32. As has been discussed, there are concerns relating to the terraced properties which are flanked by apartments. It is not clear from the submitted details how the outlook from both the terraced properties and flats will be protected. The gardens of the terraced houses may be significantly overlooked and may suffer an overbearing impact. This also applies to windows and habitable rooms which are likely to be present in the houses and the flats. It is not clear how flats could be accommodated in these blocks without overlooking one another, the adjacent properties or the gardens. It appears that appropriate separation distances are not maintained. This being said, the proposal is at outline stage and appropriate separation distances would be maintained between the blocks themselves and all other units – including between the care home and the closest units. It is considered that there is adequate space on the site to address these issues at reserved matters stage. The proposal is therefore considered acceptable in this regard but it is important to flag these issues to the applicant at this stage.

### *Internal Amenity:*

33. All of the dwellings are designed to meet or exceed the minimum size standards set out in the National Space Standards. As this application is in outline, this has not been demonstrated on a plan. However the Local Planning Authority sees no reason that this cannot be achieved on the site.

### *External Amenity:*

34. The Borough Design Guide indicates that all dwellings should have access to some form of amenity space, preferably in the form of private or communal garden space. However, it does also acknowledge that in practice, upper floor flats rarely have access to gardens and therefore it is important to provide balconies, upper level terraces or wintergardens. Also easy access to communal amenity areas is important.
35. The houses all have access to gardens of adequate length. However, it is not considered that a number of them would provide high quality amenity space. The terraces with apartments at the end of them have gardens which would be overshadowed, potentially overlooked and would likely suffer from overbearing impacts. This is unlikely to be considered acceptable. The back to back housing may also likely suffer this problem, but for opposite reasons, the gardens would unlikely be particularly private, leading to residents having low quality and overlooked amenity space. The potential boundary treatments have not been made clear and should they be insufficient, residents may attempt to remedy this with poor quality design solutions such as fences. A condition is recommended which removes permitted development rights of the properties. This is to ensure that any future proposals to extend the properties, including into the garden spaces, can be assessed through the submission

of a planning application. This will help to restrict unacceptable encroachment into these important garden spaces which might otherwise benefit from permitted development rights.

36. The outside amenity space available to the occupants of the flats is not clear, although the details submitted with the application make reference to balconies. It is considered that there is sufficient scope for this to be designed into the proposal at reserved matters stage. One important consideration is the access of public amenity space to the dwellings. This is especially evidenced by the pandemic. The public open space provided by the neighbouring existing developments and local SANG's means that residents will have good access to communal public spaces. An important aspect of this proposal is the pedestrian / cycle bridge to the south which links this site to the public open space, local shops and school on the Matthewsgreen development. Details of which will be agreed by condition.

**Dwelling Mix, Affordable Housing and Standard of Accommodation**

37. MDD policy TB05 (Housing Mix) requires that residential development should provide an appropriate density and mix of accommodation reflecting the character of the area. It is considered that the development would provide a good mix and balance of dwelling types, tenures and sizes. While this is indicative at this stage, the scheme proposes:

<b>Number of Bedrooms</b>	<b>Number of units</b>	<b>Percentage</b>
1 bed	17	13
2 bed	62	48
3 bed	29	22
4 bed	22	17

The Berkshire (including South Bucks) Strategic Housing Market Assessment (2016) identified the following housing mix requirements in Wokingham:

- 7.2% One bedroom
- 27.1% two bedrooms
- 43.5% three bedrooms
- 22.2% four bedrooms

38. The indicative scheme provides more two bedrooms homes that required and less three bedroom homes. However, it is noted that this is an indicative scheme and the deviation is not particularly significant. Taking into account the housing team's advice, it is still considered that the site will be able to accommodate a range of dwellings and the scheme will be acceptable in this regard and officers are also mindful that needs change over time. The mix will be agreed as part of the reserved matters.

*Affordable Housing:*

39. MDD policy TB05 (Housing Mix) requires that residential development should provide an appropriate density and mix of accommodation reflecting the character of the area. Core Strategy Policies and the Infrastructure and Contributions SPD indicate that

development within the SDLs should secure 35% affordable housing. This equates to 45.5 units here. The Housing officer have recommended the provision of onsite affordable homes in this location, with a 70% - 30% housing tenure split, broken down as follows:

- 20% 1 bedroom flats
- 15% 2 bedroom flats
- 30% 2 bedroom houses
- 20% 3 bed houses
- 15% 4 bed houses

40. The exact mix of market dwellings would be determined at the reserved matters stage paying due regard to relevant policies concerning housing mix and need. All of the dwellings will be required to meet or exceed the minimum size standards set out in the National Space Standards.

#### **Open space and green infrastructure:**

41. Policy TB08 of the MDD DPD lays out the required standards for development in terms of Public Open Space (POS) provision. The submitted proposals would be policy compliant with regards to the provision of the typologies of open space required by Policy TB08. It is noted that part of the open space consists of detention basins. The Trees and Landscapes Officer has indicated that this should not be considered open space and that this would not be useable. The Green Infrastructure Officer has not raised such an objection, however they have indicated that this space would only be useable when it is not flooded under extreme flood events. The Council's Drainage Officer has confirmed that this is the case and, as the ponds are only 1m in depth, it is considered that they could reasonably form part of the open space. In any case, the proposal is currently at outline stage and this can be reasonably secured and the site also benefits from open space directly to the south which can be used by residents in times of flooding.

42. The Green Infrastructure Officer has indicated that there is a requirement for 0.4ha of allotments within the site. The applicant has agreed that this can be provided and this can be secured by condition to ensure that it is included at reserved matters stage. Should it not be possible to include this within the site, then a contribution should be provided for offsite provision. The proposed play area is close to the road and site access and does not form an integral part of any of the open space within the site. The location is therefore not considered suitable, however this can (and will need to be) considered at reserved matters stage. As the proposal is in the SDL, a contribution towards their ongoing maintenance will also be required. It should also be noted that there will be a larger Neighbourhood Area of Play provided adjacent to the north of the school.

## Ecology:

43. Paragraphs 170 and 175 of the National Planning Policy Framework recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Opportunities to incorporate biodiversity in and around developments should be encouraged. CP7 of the Core Strategy and TB23 of the MDD Local Plan relate to ecology, biodiversity and development. CP7 states:

*Sites designated as of importance for nature conservation at an international or national level will be conserved and enhanced and inappropriate development will be resisted. The degree of protection given will be appropriate to the status of the site in terms of its international or national importance. Development:*

*A) Which may harm county designated sites (Local Wildlife Sites in Berkshire), whether directly or indirectly, or*

*B) Which may harm habitats or, species of principle importance in England for nature conservation, veteran trees or features of the landscape that are of major importance for wild flora and fauna (including wildlife and river corridors), whether directly or indirectly, or*

*C) That compromises the implementation of the national, regional, county and local biodiversity action plans will be only permitted if it has been clearly demonstrated that the need for the proposal outweighs the need to safeguard the nature conservation importance, that no alternative site that would result in less or no harm is available which will meet the need, and:*

- i) Mitigation measures can be put in place to prevent damaging impacts;*
- ii) Appropriate compensation measures to offset the scale and kind of losses are provided.*

44. TB23 states:

*Sites of national or international importance are shown and sites of local importance are defined on the Policies Map.*

*Planning permission for development proposals will only be granted where they comply with policy CP7 – Biodiversity of the Core Strategy and also demonstrate how they:*

- a) Provide opportunities, including through design, layout and landscaping to incorporate new biodiversity features or enhance existing*
- b) Provide appropriate buffer zones between development proposals and designated sites as well as habitats and species of principle importance for nature conservation*
- c) Ensure that all existing and new developments are ecologically permeable through the protection of existing and the provision of new continuous wildlife corridors, which shall be integrated and linked to the wider green infrastructure network.*

This application is supported by an Ecological Impact Assessment (WSP, ref: 70069935, May 2021) with accompanying ecological survey reports supplied in the appendices and a Baseline Biodiversity Net Gain Technical Note (WSP, ref: not given, March 2021).

*Bats:*

45. Surveys to consider the potential presence of a bat roost in a tree along the line of the watercourse on the southern border of the application site noted continual foraging and commuting activity for extended periods along the watercourse. It is clear that this is an important feature for bats locally. The Council's Ecologist considers it important that the final layout provides sufficient buffer to the watercourse to allow this key commuting corridor to be retained. They have raised concerns that the indicative layout does not provide appropriate buffer between the development and the watercourse however they are of the view that a more appropriate buffer could be incorporated at reserved matters stage, then the development should be acceptable. It is considered that an appropriate solution could be found at reserved matters stage.
46. The Ecological Impact Assessment has recommended that artificial lighting will require mitigation to protect key dark corridors for light sensitive biodiversity. The Council's Ecologist has recommended that the detail for external lighting mitigation is secured by condition based on the British Standard 42020:2013 model wording. This is acceptable.

*Badgers:*

47. The Ecological Impact Assessment includes target notes of potential badger foraging on site. The Council's Ecologist considered it reasonable to conclude that the surveys have not found evidence of a badger sett within the zone of influence of the site. The Council's Ecologist is of the view that the potential impact on badgers in terms of loss of foraging habitat could be resolved within the soft landscaping detail of the green space provided. It can therefore be a matter resolved in reserved matters and conditions discharge.
48. It is also possible for the potential for harm to badgers during construction to be adequately mitigated. The Council's Ecologist proposes that badger mitigation (based on up-to-date survey effort) is an item to be covered within a condition requiring a Construction Environmental Management Plan (CEMP).

*Other protected Species:*

49. The Council's Ecologist is of the view that it is reasonable that a Dormouse survey has not been undertaken for this site and no further need for mitigation or compensation measures is required.
50. The Council's Ecologist is satisfied that the site is unlikely to support an Otter holt or resting up place for this species although the watercourses on site may provide foraging and commuting habitat within an extended territory. It is therefore appropriate to seek security of mitigation measures for the species during construction through the CEMP condition and external lighting mitigation during the operational stage of the development through a lighting for light sensitive species condition.
51. A breeding bird survey has not been undertaken despite it being a grassland field and Skylarks (a species of principal importance) being recorded locally several times according to the desktop survey. The justification given is that the site value for

breeding birds could be adequately considered without recourse to further survey. As the long-term impact on ground nesting birds is not considered to be adequately considered, the local planning authority intends to take a precautionary approach in terms of ground nesting bird species of principal importance. A field the size of the application site could reasonably contain three Skylark territories. These are unlikely to be retained within the development proposal whatever the layout due to habitat fragmentation and increased anthropogenic disturbance. The Council's Ecologist recommends that a species-specific compensation and enhancement condition is applied to directly secure compensation measures for loss of Skylark habitat and maintain local favourable conservation status.

52. The assessment also notes the presence of Black Redstarts has been recorded within close proximity of the application site. This is a Schedule 1 bird species on the Wildlife and Countryside Act 1981 (as amended). It is vital that the CEMP consider mitigation measures for this species that may be necessary during construction. This species is also a high priority for seeking long-term habitat provision and enhancement. The ecologist also recommends that habitat enhancement is secured. The CEMP must also cover mitigation measures for Great Crested Newts, and slow worms (the latter of which have been found on the site). The Council's Ecologist is of the view that, provided a 10% habitat biodiversity net gain is delivered by the development proposal, it is likely that the favourable conservation status of the slow worm will be maintained.

*Biodiversity Net Gain:*

53. The Council's Ecologist at present is not convinced that the proposal would provide for a biodiversity net gain and are concerned that the baseline figures given in the submitted technical note may not be reflective of the site. The indicative layout also falls within the riparian zone, which could lead to harm. However, this could be addressed and resolved at reserved matters stage.
54. As this is an outline application, it is necessary to consider biodiversity net gain in an iterative way at the point of further detail as to layout and landscaping. Whilst this should follow the mitigation hierarchy and seek as much of a net gain on-site in the first instance, the Council's Ecologist is of the view that the local planning authority can be confident that the applicant can provide an off-site compensation/enhancement measure such to provide an overall 10% minimum biodiversity net gain, if required. This can be ensured by condition. A condition can also be used to secure species specific enhancements at reserved matters stage.

**Special Protection Area:**

55. The Thames Basin Heaths Special Protection Area (SPA) was designated under European Directive due to its importance for heathland bird species. Core Strategy policy CP8 establishes that new residential development within a 7km zone of influence is likely to contribute to a significant impact upon the integrity of the SPA. The site lies between 5 and 7km of the SPA boundary and thus under Core Strategy Policy CP8, there is an expectation that development which is likely to have a significant effect on the Thames Basin Heaths Special Protection Area will be required to demonstrate that adequate measures to avoid and mitigate any potential adverse effects are delivered.
56. In accordance with Core Strategy policy CP20, mitigation in the form of Suitable

Alternative Natural Greenspace (SANG) is being provided. An appropriate assessment has been undertaken. The applicant (Wokingham Borough Council) has constructed 7ha of open space in association with the North Wokingham Distributor Road construction adjacent Old Forest Road. It is envisaged that this will provide the SANG capacity to accommodate the new dwellings, to which Natural England have no objection. It is noted that this space does not have a car park and is therefore slightly sub-standard. It is considered that this can be overcome by overproviding SANG capacity at this location however is well served by footpaths and easily access via the new Northern Distributor Road and proposed footbridge. On this basis, the requirement is 8ha per 1000 people. Including the requirements for the care home, this amounts to a requirement for 3.056 ha of SANG, which falls well below the amount of capacity available. The public open space is already constructed and does not need qualitative improvements, however it will need to be open for public use prior to the occupation of any of the dwellings.

*Water:*

57. Insufficient information has been submitted for Thames Water to determine that there is adequate wastewater infrastructure to deal with the needs of the scheme. However this is normal at this early stage and they have recommended a condition to deal with this and to ensure that adequate infrastructure is in place prior to occupation of the dwellings.

**Access and Movement:**

*Transport, Highways and Parking*

58. The NPPF seeks to encourage sustainable means of transport and a move away from the reliance of the private motor car. Core Strategy policies CP1, CP4, CP6 and CP10 broadly echo these principles and indicate that new residential development should mitigate any adverse effects on the existing highway network.
59. The application is accompanied by a Transport Assessment (TA) which assesses the impact of development, both in terms of the traffic generated by the development itself and in the context of the cumulative impact of additional residential development within the neighbouring SDL. The submitted TA has been reviewed and the Council's Highways Officer is satisfied that the surrounding road network would be able to acceptably accommodate the travel demands of the site. The access has been widened throughout the course of this application to address Highway Officer concerns. A pedestrian crossing and footpath would also be installed on and to the eastern side of Twyford Road.

*Public Transport & Travel Planning*

60. In order to encourage use of non-car modes, a contribution is being sought towards implementation of the North Wokingham Bus Strategy as well as to the Council's 'My Journey' initiative, both of which would be secured through the associated S106 agreement. Such contributions are necessary to help encourage the use of alternative modes of transport other than by private car. The nearest bus stops will be located on Queens Road (which will be delivered as part of the Matthews Green development) to the south of the site accessed by the proposed pedestrian and cycle footbridge. It

should also be noted that the proposals include a new footpath of the western side of Twyford Road to the roundabout.

### *Parking and Cycle Parking*

61. In line with Core Strategy Policy CP6 and MDD DPD Policy CC07, and the Council's standards, as currently set out in MDDL Appendix 2, the reserved matters will need to demonstrate that the development will incorporate parking and cycle parking in line with the Council's standards. Notwithstanding that this is an application for outline planning permission, details have been submitted which indicate that the illustrative layout could accommodate the parking requirements of the illustrative housing mix and care home in line with policy. This will need to be further demonstrated and detailed at the reserved matters stage to reflect the final proposed mix.

### *Illustrative Layout*

62. The only vehicular access into the development would be from an existing gated access on Twyford Road. The proposals show adequate sight lines can be provided and the Highway officer has not raised issues or objection in respect to the safety on the access. In addition, there will be an emergency access to the west via Toutley Depot, which can be secured by condition. Details for these have been reviewed as part of the application and considered acceptable.
63. The proposed illustrative layout is considered acceptable in highways terms, both for vehicles, but also for pedestrians and cyclists alike. The development will also provide for improved permeability within and from/to site including a pedestrian/cycle bridge to Matthewsgreen development as well as providing wider links to the rest of the Borough and to bus services. The design of this bridge can be secured by condition. A further condition can provide details of all walking/cycling routes connecting the site with the North Wokingham SDL and the wider area.

### **Flooding and Drainage:**

64. The south of the application site falls into flood zones 2 and 3, this is associated with the Ashridge Stream which borders the site. Policy CC09 of the MDD Local Plan indicates that all sources of flood risk should be taken into consideration and that inappropriate development in areas at risk of flooding should be avoided. Development proposals in flood zones 2 or 3 should take into account the vulnerability of the proposed development. In exceptional circumstances, new development in areas of flood risk will be supported where it can be demonstrated that:

*i. The development provides wider sustainability benefits for the community that outweigh the flood risk.*

*ii. The development would not increase flood risk in any form elsewhere...*

*iii. The development would incorporate flood resilient and resistant measures...*

65. Policy CC10 discusses sustainable drainage and surface water. It states that:

All development proposals must ensure surface water arising from the proposed development including taking into account climate change is managed in a sustainable manner. This must be demonstrated through:

- a) A Flood Risk Assessment, or
- b) Through a Surface Water Drainage Strategy.

All development proposals must

a) *Reproduce greenfield runoff characteristics and return run-off rates and volumes back to the original greenfield levels, for greenfield sites and for brownfield sites both run-off rates and volumes be reduced to as near greenfield as practicably possible.*

b) *Incorporate Sustainable Drainage Systems (SuDS), where practicable, which must be of an appropriate design to meet the long term needs of the development and which achieve wider social and environmental benefits*

c) *Provide clear details of proposed SuDS including the adoption arrangements and how they will be maintained to the satisfaction of the Council [as the Lead Local Flood Authority (LLFA)]* d) *Not cause adverse impacts to the public sewerage network serving the development where discharging surface water to a public sewer.*

66. The NPPF indicates that development should be located sequentially and that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas which are at lower risk of flooding. It is noted that there would not be any development located within the areas shown to flood within the submitted models apart from the footbridge over the stream, which would link the scheme with the developments to the south. As advised details of the bridge structure are conditioned. While the dwellings are not within the flood zones, some supporting infrastructure is. Therefore the sequential test still applies. This being said, the amount of built infrastructure within the actual flood zones is minimal and as long as this can be constructed in a way which does not increase flood risk elsewhere, it is considered that the sequential test has been passed. Again this consideration will need to be taken as part of the detailed design stage.
67. The proposal is at outline stage. However, a flood risk assessment has been submitted. The scheme involves the use of SuDS features, in the form of attenuation ponds, which discharge into Ashridge Stream. While this is likely to be subject to change at reserved matters stage, the flood risk assessment successfully demonstrates that there would not be an increase in surface water runoff. It is therefore considered that an acceptable scheme to deal with surface water can be secured by condition and can be provided at reserved matters stage.
68. A number of comments have been received from neighbours and members regarding the potential for the entrance road to flood. The applicant's modelling demonstrates that this would not occur. Although it is noted that the Environment Agency have not yet finalised their response to this scheme, however as this is an outline scheme, it is considered any issues can be overcome at reserved matters stage.

#### **Environmental Health:**

69. Core Strategy Policy CP3 requires that new development should be of a high quality of design that does not cause significant detriment to the amenities of adjoining land users and their quality of life.

*Contamination:*

70. A generic quantitative contamination risk has been submitted with the application. Ground investigations have found no significant contamination on the site. Ground gas monitoring has also taken place and the report concludes that the majority of the site is at very low risk. Further monitoring is required adjacent to the boundary with Toutley Depot, where some gas protection measures will be required to comply with building regulations. The Environmental Health Officer has recommended a condition to deal with any un-expected contamination.

*Air Quality:*

71. An Air Quality assessment has been submitted with the application. The report predicts that the concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> on the site will meet the air quality objectives in 2026, the year when the development is due to be built so future residents will not be exposed to poor air quality. It is noted that this air quality has been raised in the representations and these comments have been considered as part of the assessment. Importantly the Environmental health officer agrees with this recommendation.
72. The report suggests mitigation measures to minimise levels of fugitive dust during the construction phase which should be included in a Construction Environmental Management Plan (CEMP) or similar document to be submitted for approval before work commences on the site. This can be secured by condition.

*Noise:*

73. The site is located adjacent to the A329(M) which runs along the northern boundary of the site, is close to the A321 Twyford Road to the east and Toutley depot lies to the west. The site is subject to high levels of road traffic noise and there may be some noise arising from the depot. The current proposal is to provide a stand-off zone of 50m between future sensitive receptors and the A329(M), the A321 and Toutley Depot. A 5 metre high noise barrier, consisting of a 3m bund and two metre fence is proposed along the northern and western boundaries. A noise impact assessment has been submitted with this application.
74. The assessment takes into account the proposed acoustic screening mentioned above and considers the screening provided by the location and orientation of buildings on the site. Properties to the west of the site will require 2.5m fences around the perimeter boundaries of each plot and the terraced properties along the A321 Twyford Road will have outside living areas that will not be fully screened on the ground floor.
75. Even with mitigation in place there will be some external living areas where the upper guideline value may be exceeded. It is noted that this issue has been highlighted in the representations received. For example in the NW of the site levels will be up to 58dB and the ground floor living areas for the terraced properties along the A321 will range from 51 – 59dB. The report points out that this is an outline application and therefore there is some flexibility in the proposed scheme layout and additional acoustic design features could therefore be implemented. The Environmental Health Officer has recommended that a pre-commencement condition is imposed requiring submission of details of how external living areas will be protected from noise and to ensure, as far

as is reasonably practical to achieve an acceptable level of noise for the external living areas.

76. The noise assessment considers internal noise following recommendations made in BS8233 and WHO guidance. Triple glazing and ventilation will be required in the most exposed parts of the site, however this will rely on closed windows and alternative ventilation. The report suggests that an overheating assessment and noise mitigation design should be considered further at the reserved matters stage. As the proposed scheme is in outline, these are detail matters which will need to be addressed and considered as part of subsequent submissions.

### **Archaeology:**

77. The application site is in an area of high archaeological potential. Policy TB25 of the MDD Local Plan relates to Archaeology. It states:

*Where development is likely to affect an area of high archaeological potential or an area which is likely to contain archaeological remains, the presumption is that appropriate measures shall be taken to protect remains by preservation in situ. Where this is not practical, applicants shall provide for excavation, recording and archiving of the remains.*

78. An archaeological desk based assessment has been submitted with this planning application and this notes that there is potential for archaeological deposits from multiple periods of low, medium and high significance to be present on site.
79. This potential has been evaluated based on the known archaeological deposits from the vicinity, as recorded in the Berkshire Archaeology HER. In particular, finds from field-walking in this area, and discoveries made as part of archaeological evaluation in advance of development of land (known as Matthewsgreen Farm) immediately south west of the proposed site, have shown the potential of prehistoric, Roman, and (early) medieval archaeology of some significance to be preserved below ground in this landscape. The proposed development would have a number of negative impacts on the potential buried archaeological assets, truncating or destroying them completely, resulting in substantial harm to the assets' significance.
80. Berkshire Archaeology have agreed that, given this application is at outline stage, a scheme of Archaeological works by condition, with at least the archaeological evaluation phase to take place prior to any reserved matters applications would be satisfactory.

### **Sustainable Design/Construction:**

81. Core Strategy Policy CP1 requires development to contribute towards the goal of achieving zero carbon development by including on-site renewable energy features and minimising energy and water consumption. This is amplified by MDDL policies CC04: Sustainable design and construction and CC05: Renewable energy and decentralised energy networks and the Sustainable Design and Construction Supplementary Planning Document (May 2010). As the proposal is for residential development of over 1000sqm, Policy CC05 also advises that planning permission will

only be granted for such proposals that deliver a minimum 10% reduction in carbon emissions through renewable energy or low carbon technology.

82. An energy statement has been submitted in support of the application, which sets out the various renewable and low energy technology measures proposed to be used in the design of the development in order to reduce energy demand on site, and as such, reduce CO2 emissions. The potential measures identified include photovoltaics (PV) solar panels, air source heat pumps and an improvement in building fabric efficiency.
83. The submitted sustainability report sets out various potential measures which could be used to achieve a reduction in CO2 emissions in accordance with policy CC05. However, as the submitted layout is indicative, a condition can be used to ensure the submission for approval of an updated sustainability and energy efficiency report which demonstrates that the revised layout would comply with Policy CC05.

#### **Employment Skills:**

84. Policy TB12 of the Wokingham Borough Council MDD, requires planning applications for all major development (both commercial and residential) in Wokingham Borough to submit an employment skills plan (ESP) with a supporting method statement. However, in this instance, the applicant has elected to pay a contribution in lieu of the provision of an Employment Skills Plan and as such, this would be secured within the S106 agreement.

## **CONCLUSION**

### **The Public Sector Equality Duty (Equality Act 2010)**

*In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.*



**NOTES:**

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**KEY**

- Red line boundary
- Blue line boundary

Including Proposed Toutley Depot boundary  
Planning Application No: 193206 to West of the site.  
(as amended to enable bund creation)  
Please note existing Depot site shown and therefore bund creation in location shown would require depot site to be developed in accordance with 193206. Please see further commentary in supporting documentation.

Please refer to Topographical Survey:  
Dwg no:122/4140/1  
Author: Clifton Surveys Ltd

**ACGARCHITECTS.CO.UK**  
Ayre Chamberlain Gaunt  
Belvedere House  
Basing View  
Basingstoke  
Hampshire, RG21 4HG

+44 (0)20 3909 5750  
mail@acgarchitects.co.uk



**PROJECT**  
Toutley East  
Wokingham

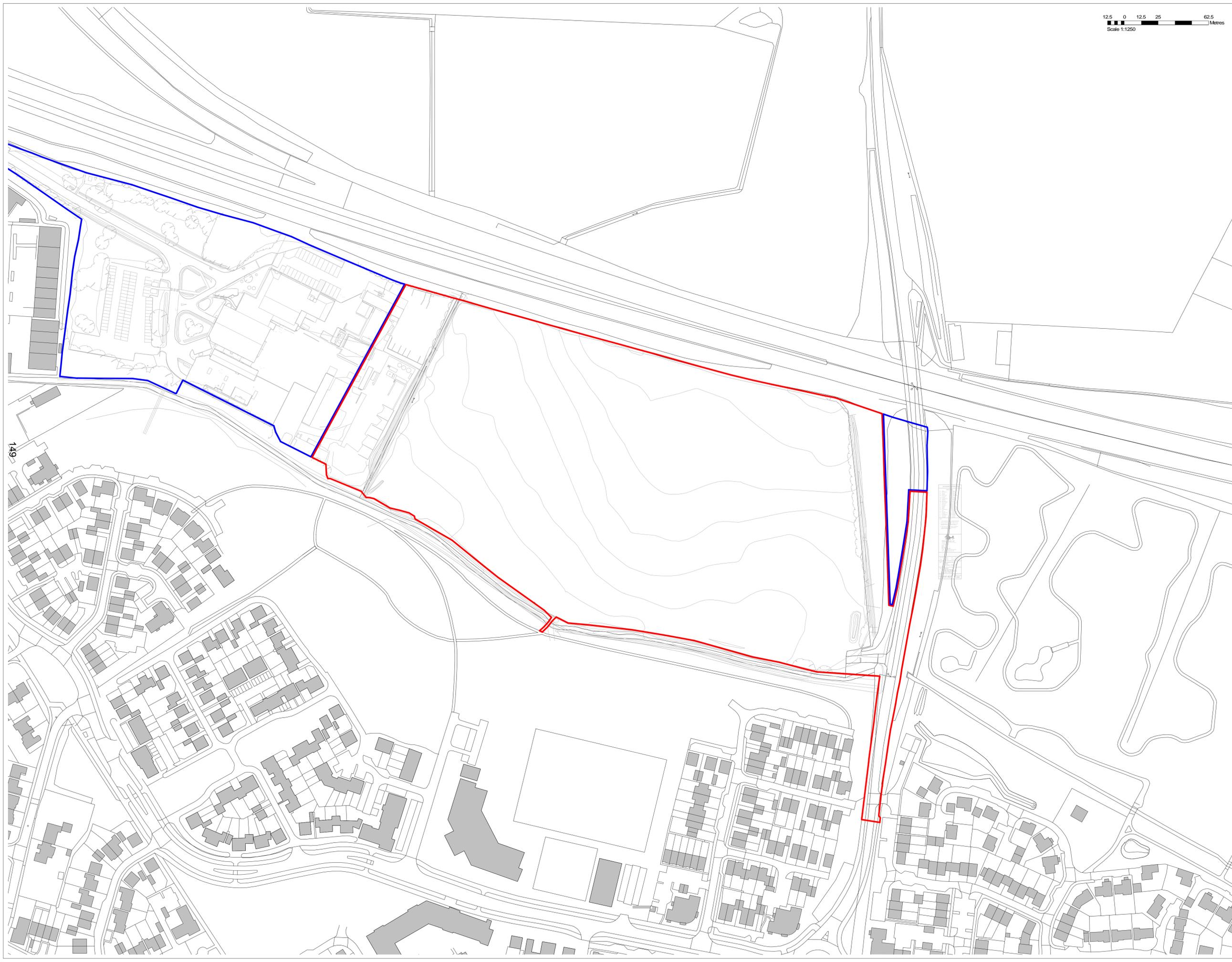
**DRAWING TITLE**  
SiteLocationPlan

REV.	DATE	DESCRIPTION
P1	23/04/21	Update to Red line and include proposed access. Outline Planning. (PCA)
P2	21/05/21	Update following Client Comments & Pre-app Response. Issue for Outline Planning (PCA)

**DRWN BY** ME    **CHKD BY** RG    **APPD. BY** DA

**DRAWING NO.**  
project code - originator - volume - level - type - role - number  
**351-ACG-00-XX-DR-A-011000**

STAGE	SUITABILITY
RIBA stage	code    description
2	D5    SUITABLE FOR PLANNING



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PLANNING REF : 211777  
PROPERTY ADDRESS : Town Hall Market Place  
: Wokingham  
: RG40 1AS  
SUBMITTED BY : The Wokingham Town Council P&T Committee  
DATE SUBMITTED : 07/07/2021

COMMENTS:

The Committee have several concerns and object on the following:

Concerns that this is a large development on a flood plain.

Safety concerns on the proposed road junction and that there is only one access point.

The lack of pedestrian footpath along road.

The lack of pedestrian crossing.

The health implications of resident of housing and care home due to noise of being surrounded by main roads with heavy traffic and joining onto an industrial site.

CP1 ? Sustainable development

9) flooding

CP2 Inclusive communities

CP3 General Principles for development

a) mass

b) functional, accessible, safe, secure

c) ecological, heritage, landscape, geological

CP6 Managing Travel Demand

f) Enhance road safety

g) highway or environmental problems.

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## The Conservation of Habitats and Species Regulations 2017

### Screening Assessment and Appropriate Assessment

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In the light of the “Sweetman Judgement” (People Over Wind and Sweetman v Coillte Teoranta, April 2018), the comments below comprise an Appropriate Assessment which includes advice on necessary avoidance and mitigation measures.

#### Summary

Wokingham Borough Council (WBC), in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA), along with any larger developments comprising over 50 new dwellings within the wider 5km to 7km zone are likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects, if carried out in the absence of appropriate mitigation. An Appropriate Assessment has been carried out which includes regard to mitigation requirements.

This site is located approximately 6.4km from the boundary of the SPA. The proposals are for 130 new dwellings, plus a 70 bed care home and are therefore likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

As set out in WBC’s Infrastructure Delivery Contributions Supplementary Planning Document (SPD), the strategy to mitigate impacts upon the SPA is for relevant developments to: 1) provide (or make financial contributions towards the provision of) Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA; and 2) make financial contributions towards Strategic Access Management and Monitoring (SAMM) measures.

In this instance, as part of its works to form the northern distributor road, WBC (the Applicant) has provided a 7ha extension to the Old Forest Meadows SANG (to the west of Old Forest Road) through the conversion of previous agricultural fields. Planning permission for these works was granted under planning application 190198; with detailed landscaping approved pursuant to the planning conditions under submission reference 193104. The SANG extension has now been completed and is open to the public.

The development would also make a contribution towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis. The payment would be made pre-occupation of the dwellings.

Subject to these provisions, the proposals would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, policy CP8 of the Core Strategy, and the NPPF.

In normal circumstances the applicant must agree to enter into a S106/s111 agreement to secure these provisions. In this instance however WBC is both landowner and LPA so cannot covenant with itself to comply with such planning obligations. WBC however are committed to the appropriate mitigation and, as the Competent Authority, will put in place an alternative and accountable method for ensuring the SAMM contribution at the relevant time.

#### 1. The Conservation of Habitats and Species Regulations (2017)

1.1 In accordance with The Conservation of Habitats and Species Regulations (2017) Regulation 63 a competent authority (in this case Wokingham Borough Council (WBC)), before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

- a. is likely to have a significant effect on a European site...(either alone or in combination with other plans or projects), and
- b. is not directly connected with or necessary to the management of that site

must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.

1.2 A person applying for any such consent, permission or other authorisation must provide such information as WBC may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.

1.3 WBC must for the purposes of the assessment consult Natural England (NE) and have regard to any representations made by that body. It must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate. In the light of the conclusions of the assessment, and subject to Regulation 64 (Considerations of overriding public interest), WBC may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site.

1.4 In considering whether a plan or project will adversely affect the integrity of the site, WBC must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which it proposes that the consent, permission or other authorisation should be given.

## **2. Stage 1 Screening for Likely Significant Effects**

2.1 This proposal is a 'plan or project' which is not directly connected with or necessary to the management of a European Site. The Thames Basin Heaths Special Protection Area (SPA) is a European designated site which affects the borough, and WBC must ensure that development does not result in an adverse impact on the SPA. The potential adverse effects on the integrity of the SPA include recreational activities from inside the SPA and air pollution from inside and outside the SPA.

2.2 At this stage WBC cannot rule out 'likely significance effects' on the SPA (alone or in combination with other plans or projects) because the proposal could undermine the Conservation Objectives of these sites. This is because the proposal is located 6.4 km from the SPA and:

- represents a net increase of 130 dwellings within 5 – 7km of the Thames Basin Heaths Special Protection Area (SPA) which will lead to an increase in local population and a potential increase in recreational activity on the SPA

2.3 As the 'likely significance effects' cannot be ruled out at this stage an Appropriate Assessment must be undertaken.

## **3. Stage 2 Appropriate Assessment**

3.1 Based on the information provided, WBC must decide whether or not an adverse effect on site integrity (alone or in combination with other plans or projects) can be ruled out. Mitigation may be able to be provided so that the proposal is altered to avoid or reduce impacts.

3.2 The following policies and guidance set out WBC's approach to relevant avoidance and mitigation measures which have been agreed with Natural England. For the majority of housing developments this will comprise the provision of (or contribution towards) Suitable Alternative Natural Greenspace (SANG) and a contribution towards the Strategic Access Management and Monitoring (SAMM) Project. The financial contributions towards SANG are generally secured either

through an obligation in a s106 agreement that requires WBC to allocate an appropriate amount of the development CIL receipt towards the provision of SANG, or through an obligation in an agreement under s111 of the Local Government Act, that requires the developer to make an appropriate financial contribution towards the provision of SANG (to be used in the event that the developer successfully seeks CIL relief). S106 obligations are also used to secure an appropriate financial contribution to the SAMM project.

3.3 For SDL development within 5-7km of the SPA, SANG is normally required at a minimum of 1.73-2.16 ha per 1,000 residents, constructed and delivered to Natural England's quality and quantity standards; together with a contribution towards SPA access management and monitoring.

### **Policies and Guidance**

3.4 For this proposal the following guidance and policies apply:

- South East Plan (May 2009) Policy NRM6 (Thames Basin Heaths Special Protection Area) <http://webarchive.nationalarchives.gov.uk/20100528160926/http://www.gos.gov.uk/gose/planning/regionalPlanning/815640/>
- Wokingham Borough Core Strategy (2010) Policy CP8 (Thames Basin Heaths Special Protection Area) sets out the approach WBC will take in order to protect the TBH SPA <http://www.wokingham.gov.uk/planning/planningpolicy/local-plan-and-planning-policies/>
- Wokingham Borough Core Strategy (2010) Policy CP7 (Biodiversity) sets out the approach WBC will take in order to protect national and international nature conservation sites <http://www.wokingham.gov.uk/planning/planningpolicy/local-plan-and-planning-policies/>
- Wokingham Borough Managing Development Delivery Local Plan (2014) Policy TB23 (Biodiversity and Development) <http://www.wokingham.gov.uk/planning/planning-policy/local-plan-andplanning-policies/>
- Infrastructure Delivery and Contributions SPD (2011) <http://www.wokingham.gov.uk/EasySiteWeb/GatewayLink.aspx?allid=193415>

3.5 The project as proposed would not adversely impact on the integrity of the SPA if avoidance and mitigation measures are provided as stipulated by these policies and guidance.

### **SPA Avoidance and Mitigation Measures**

#### **3.6 The provision of Suitable Alternative Natural Greenspace (SANG) and its ongoing maintenance in perpetuity.**

3.6.1 In accordance with the development plan, the proposed development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG).

3.6.2 In this instance, as part of its works to form the northern distributor road, the Council (in this case also the Applicant) has provided a 7ha extension to the Old Forest Meadows SANG (to the west of Old Forest Road) through the conversion of previous agricultural fields. Planning permission for these works was granted under planning application 190198; with detailed landscaping approved pursuant to the planning conditions under submission reference 193104.

3.6.3 This SANG is in addition to the existing 2.59ha of SANG already in that location and would far exceed the 3.056 Ha that would otherwise be expected under paragraph 4.49 of the Core Strategy (8ha per 1,000 population - calculated at a rate of 2.4 persons per household plus the 70 care home beds – 312+70=382).

3.6.4 The SANG extension has now been completed and is open to the public.

3.6.5 The SANG has been constructed and delivered to Natural England's quality and quantity standards and WBC, as owners of the site, have assumed responsibility for its ongoing maintenance. The SANG is already open to the public such that, in this regard, the Habitats Regulations will have already been satisfied in accordance with South East Plan Policy NRM6 (iii) and Core Strategy Policy CP8.

### **3.7 Strategic Access Management and Monitoring (SAMM) Contribution**

3.7.1 The proposed development will also make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it.

3.7.2 The level of contributions will be calculated on a per bedroom basis; as set out in the table below. Payment will be made prior to occupation of the dwellings. The final level of contribution will be calculated when the dwelling mix is fixed through the Reserved Matters planning applications.

No. of bedrooms	SAMM Contribution 5-7km
1	£101.69
2	£132.93
3	£174.52
4	£230.03

3.7.3 In normal circumstances the applicant must agree to enter into a S106 agreement to secure these provisions. In this instance however WBC is both landowner and LPA so cannot covenant with itself to comply with the planning obligations. WBC however are committed to the appropriate mitigation and, as the Competent Authority, will put in place an alternative and accountable method for ensuring timely payment.

### **3.8 Air Pollution Impact Pathway**

3.8.1 Information provided with the application indicate that the proposals would have a negligible impact in terms of changes in traffic flows locally; with the greatest increase in flows likely to occur on the Twyford Road, which would see an increase of 29 two-way vehicle movements during the AM peak hour, equating to a net impact of just 1.9% against the Without Development scenario. The change in pollutant concentrations attributable to traffic emissions associated with the operation phase of the Proposed Development (i.e. impacts on local air quality) are therefore considered negligible (themselves not warranting the need for mitigation).

3.8.2 Given the location and distance of the TBHSPA designation from the site, only a limited proportion of the traffic generated would be anticipated to travel in the direction of the designation (south/south east). It is reasonable to assume that the majority of this traffic would be headed for Wokingham town centre, with only a small proportion travelling on towards destinations or routes in closer proximity to the SPA (e.g. Sandhurst, Camberley or Farnborough).

3.8.3 In view of the size and scale of the proposed development along with the distance and separation from the SPA components, and modelled traffic information it is considered that the traffic levels emanating from the development will trail off to a de minimis level well before any component of the TBHSPA and accordingly, likely significant effects on the SPA in respect of air pollution as a result of the proposed development, either alone or in combination with other schemes, can be suitably

ruled out. WBC came to a similar conclusion when undertaking an Appropriate Assessment with respect to the recent planning application at Ashridge Farm – 153 dwellings, planning reference 201515.

3.8.4 Accordingly, it is not considered that the development will result in changes to air quality that would adversely affect the integrity of the SPA, either alone, or in- combination with other plans or projects and no further assessment is required.

#### **4. Conclusion**

4.1 An Appropriate Assessment has been carried out for this development in accordance with the Habitats Regulations 2017 (as amended). Without any appropriate avoidance and mitigation measures the Appropriate Assessment concludes that the development is likely to have a significant effect upon the integrity of the SPA with the result that WBC would be required to refuse a planning application.

4.2 In this instance however the applicant has already provided a 7 Ha SANG extension and will make a financial contribution towards the costs of SPA avoidance and mitigation measures. The application will therefore be in accordance with the SPA mitigation requirements as set out in the relevant policies.

4.3 WBC is satisfied that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2017), permission may therefore be granted.

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# Agenda Item 61.

Application Number	Expiry Date	Parish	Ward
203544	EXT 15 December 2021	Wokingham Town	Wescott;

<b>Applicant</b>	Beaulieu Homes
<b>Site Address</b>	Land to the West of St Annes Drive and South of London Road Wokingham RG40 1PB
<b>Proposal</b>	Full application for the proposed erection of 54 units (including 19 affordable homes) with associated access road from St Anne's Drive, landscaping and open space.
<b>Type</b>	Full
<b>Officer</b>	Joanna Carter
<b>Reason for determination by committee</b>	Major application

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 8 December 2021
<b>REPORT PREPARED BY</b>	Assistant Director – Place & Growth

SUMMARY
<p>The proposal seeks full planning permission for 54 dwellings (including 19 affordable homes). The application site comprises approximately 3.3 hectares used for equine-related uses and it comprises a stable block, storage units and manège area. The site is located directly to the east of the Montague Park development which formed phase one of the South Wokingham Strategic Development Location. This comprises Buckhurst Meadows SANG, neighbourhood centre (local shops and community centre), play areas, primary school and allotments and is nearing completion. To the north, the site is bounded by A329 London Road and North Wokingham SDL (Keepatch Gardens). The site does form part of the South Wokingham SDL, although it is not allocated for housing. As such, in policy terms, it lies within the countryside, within the settlement gap between Wokingham and Bracknell. To the east there is a small number of dwellings and an office building, as well as a hotel, surrounded by woodland. To the south the site abuts ancient woodland and St Anne's SANG, which forms part of South Wokingham SDL development south of the railway.</p> <p>The application was originally submitted in December 2020 (reference 182882). This was refused and was appealed to the Planning Inspectorate in February 2021, however, it was subsequently withdrawn in April 2021. Since then, the Council and the applicant (Beaulieu Homes) have negotiated amendments to the scheme. The resulting revisions to the scheme were put to public consultation in June and August 2021.</p> <p>Some of the main comments received in response to the consultation exercise referred to the fact that the site was outside settlement boundary and not allocated for housing in the current Local Plan. The public consultation on the revised Local Plan Update commenced in November 2021. The application site was put forward in the call for sites and has been considered in the Housing and Economic Land Availability Assessment (HELAA) 2020 as suitable for residential development for up to 81 dwellings in the original</p>

Draft Local Plan. Subsequently, due to changes relating to deliverability of Grazeley Garden Village, an update to the Draft Local Plan was prepared. As part of that Local Plan Update, it has been agreed in July 2021 by the Council's executive that the site be allocated for housing in the proposed Local Plan Update, in line with the revised HELAA 2021, for 54 dwellings reflective of the quantum proposed by this application as negotiated by officers. Notwithstanding the above, the Local Plan Update, expected to be adopted by the end of 2023, is at a fairly early stage and, at the time of writing, has limited weight in the decision-making process.

While proposals are not in accordance with the adopted settlement boundary and countryside policies, the site is located within the SDL where the principle of development is generally accepted. Importantly, the site is landlocked by the SDL development to the north, west and south, and by protected woodland and St Anne's Manor hotel to the east, meaning that development is unlikely to result in urban sprawl beyond this site into the wider countryside should it be permitted. It is noted that the site is proposed for allocation within the Local Plan Update, and the NPPF advises that refusing the application on grounds of prematurity would not be justified. In this instance it is considered that the proposed development is not so substantial in itself, nor would it contribute to a cumulative effect, that would undermine the plan-making process.

Moreover the NPPF is clear that where development does not result in significant harm and is sustainable, it should be supported. The location of the development is considered to be sustainable and would allow easy and safe access to facilities within walking distances to the primary school, retail and community uses, including the new community centre and local shops, allotments and a public house. There are bus stops located adjacent the site along A329 London Road. The location is no different to the Keeppatch Gardens development to the north. Reviewing the development surrounding the site, it is considered that the proposals could easily be accommodated without resulting in any significant harmful impacts to the wider area. The proposals are considered to be well aligned with the underlying objectives of the policies concerning out of settlement proposals in the countryside.

The development would provide 35% (19 units) of on-site affordable housing, open space and play area, in addition to creating and improving pedestrian and cycle links and providing SANG improvements, which would benefit a wider population rather than being limited to the future occupiers of the application site.

The proposal is broadly in accordance with adopted policies and guidance and includes a significantly higher number of electric vehicle charging points than currently required, and would achieve at least double reduction in carbon emissions than presently required.

Given its location, surrounded by the SDL, it is important to read the development as such, and the overarching vision of the SDL is to provide a co-ordinated approach to the delivery of infrastructure and services ensuring that developments are of a high quality and are sustainable.

The proposals are considered to strike an appropriate balance between the provision of a sustainable housing scheme while respecting the surrounding character and appearance of the area, notwithstanding the proposed removal of some trees. The

proposed development would be set within an attractive landscaped setting, offering a low-density village edge character. The site would also help successfully link in and integrate with the South and North Wokingham SDLs, providing benefits which are considered to outweigh the policy conflict. The proposals would also not extend development beyond St Anne's Drive, which effectively forms the eastern extent of the SDL. It would therefore not result in the proliferation of development away from development limits into open countryside and nor would it compromise the separate identity of settlements.

The development proposals for this site are therefore considered to be sustainable and representing a suitable windfall development site that would offer various benefits to help meet the needs of the community, enhance the SDL and provide a scheme which exceeds current sustainability standards in terms of electric vehicle charging and reduction in carbon emissions. The application given its scale, would not result in harmful impacts to the highway network and would deliver high quality development in accordance with the Council's overall spatial strategy and there are no other material planning considerations of significant weight that would dictate that the application should be refused in line with the NPPF. Officers are therefore recommending the application for approval, subject to the conditions listed and completion of S106 agreement incorporating heads of terms listed in the final paragraphs of this report.

#### **PLANNING STATUS**

- South Wokingham Strategic Development Location (CP17, CP21)
- Countryside (CP11)
- Ancient Woodland – south of application site, near St Anne's Manor (CC03)
- Thames Basin Heath Special Protection Area – 5 km Linear Mitigation Zone (CP8, SAL05)
- Public Open Space – Buckhurst Meadows SANG west of the application site
- Green Route – London Road (CC03)
- Potentially Contaminated Land consultation zone – north-east section of the application site
- Bat Roost Habitat Suitability (CP3, CP7, TB23)
- Ordinary Watercourse – Emmbrook tributary (CP3)
- Emm Brook Nitrate Vulnerable Zone
- Flood Zone 1 (CP1, CC09)
- Tree Preservation Order 1359/2010 (CP3)
- Landscape Character Assessment Area – Holme Green Pastoral Sandy Lowland (CP3, TB21)
- Grade 3 agricultural land (CP3)
- Local Plan Update allocated site – Land at St Anne's Drive (5WK04)

## RECOMMENDATION

**That the Planning Committee authorise the GRANT OF PLANNING PERMISSION subject to the following:**

**A. Completion of a S106 legal agreement inclusive of the following Heads of Terms:**

- i) Affordable Housing provision (on-site)
- ii) Public Open Space provision (on-site) and mechanism of payment of maintenance sum into private management company
- iii) Play Area provision (on-site) and mechanism of payment of maintenance sum into private management company
- iv) Highway adoption s38/278 agreement and commuted sums
- v) Adoptable standard of private roads
- vi) Southern Distributor Road (SDR) contribution
- vii) Easthampstead Rd Junction contribution
- viii) Pedestrian/cycle strategy contribution – Buckhurst Meadow footpath widening and surface upgrading works / contribution
- ix) My Journey Travel Plan contribution
- x) Bus Transport contribution
- xi) Off-site highway works contribution to facilitate delivery of SDR
- xii) Formal Sports Facilities contribution
- xiii) Suitable Alternative Natural Greenspace payments (SANG) – contribution toward Wokingham Borough Council's and Bracknell Forest Councils SANGs
- xiv) Strategic Access Management and Maintenance (SAMM) Contribution for the Thames Basin Heaths SPA
- xv) Bracknell Forest Council Monitoring Fee
- xvi) Sports Hub contribution
- xvii) Allotment contribution
- xviii) Biodiversity Net Gain off-site provision (if gain not secured)
- xix) Flood modelling contribution associated with highways work
- xx) Employment skills contribution
- xxi) S106 Monitoring Contribution

- B. Conditions and informatives as below (subject to any additions and updates agreed with the Assistant Director – Place and Growth between the date of the resolution and the issue of the decision):**

### **Conditions and Reasons**

#### **Timescale for Development**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: In pursuance of s91 & s92 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).*

#### **Approved Drawings**

2. This permission is in respect of the submitted application plans and drawings as listed in the table below. The development hereby permitted shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

<b>Drawing Title</b>	<b>Drawing Number</b>	<b>Revision</b>
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[INSERT] (To follow)

*Reason: for the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.*

#### **Archaeology**

3. Prior to commencement of development and any demolition works commencing on site, a programme of archaeological work, which shall include a Written Scheme of Investigation, shall be submitted to and approved in writing by the Local Planning Authority. No works, including demolition, shall take place other than in accordance with the Written Scheme of Investigation.

*Reason: The site lies in an area of archaeological potential. The potential impacts on the buried archaeological heritage can be mitigated by a programme of archaeological work so as to record and advance understanding of any heritage assets in accordance with Section 16 of the National Planning Policy Framework and Managing Development Delivery Local Plan policy TB25.*

#### **Noise Impact**

4. Prior to commencement of development hereby permitted, a noise impact assessment (hereinafter referred to as Noise Impact Assessment) for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The Noise Impact Assessment shall include a scheme of mitigation (hereinafter referred to as Noise Mitigation Scheme) as required which

shall demonstrate how appropriate internal and external noise levels, reflecting noise limits set out in BS8233:2014, will be achieved. The Noise Mitigation Scheme shall ensure that all noise implications, specifically including noise implications of the A329 London Road and A329(M), are appropriately mitigated. The Noise Mitigation Scheme shall be implemented in full prior to first occupation of the development hereby permitted and the mitigation measures contained therein shall be maintained for the duration of the development.

*Reason: To protect future residents from unacceptable noise levels, in accordance with Section 15 of the National Planning Policy Framework, Core Strategy policies CP1 and CP3, Managing Development Delivery Local Plan policy CC06 and the South Wokingham SDL SPD.*

### **Air Quality**

5. No development shall commence until an assessment of air quality (hereinafter referred to as Air Quality Assessment) has been submitted to and approved in writing by the Local Planning Authority. The Air Quality Assessment shall demonstrate any likely changes in air quality exposure to air pollutants as a result of the proposed development and the exposure of receptors to the existing air pollution. The assessment is to compare the air quality following completion of the development with that expected at the time without the development. The assessment will need to include:
- a) assessment of the existing air quality in the study area (existing baseline);
  - b) prediction of the future air quality without the development in place (future baseline);
  - c) prediction of the future air quality with the development in place (with development); and
  - d) details of mitigation as required.

*Reason: To protect residents from air pollutants, in accordance with Section 15 of the National Planning Policy Framework, Core Strategy policies CP1 and CP3, and Managing Development Delivery Local Plan policy CC06.*

### **Contaminated Land**

6. No development other than that required to be carried out as part of an approved scheme of remediation shall take place until conditions a) – d) (below) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition d) has been complied with in relation to that contamination.
- a) **Site Characterisation**

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of

the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- i. a survey of the extent, scale and nature of contamination;
- ii. an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters, and
  - ecological systems.
- iii. an appraisal of remedial options, and proposal of the preferred option(s).

b) Submission of Remediation Scheme

A detailed remediation scheme (hereinafter referred to as Remediation Scheme) to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Implementation of Approved Remediation Scheme

The approved Remediation Scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition b), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition c).

*Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Strategy policy CP1.*

### **Construction Environmental Management Plan (CEMP)**

7. Prior to commencement of development hereby permitted, a Construction Environmental Management Plan (CEMP) in respect of that phase shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out otherwise than in accordance with the approved CEMP. The CEMP shall include the following matters:
- i) a construction travel protocol or Green Travel Plan for the construction phase including details of parking and turning for vehicles of site personnel, operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials;
  - iv) programme of works, including measures for traffic management and operating hours;
  - v) piling techniques;
  - vi) provision of boundary hoarding and lighting;
  - vii) protection of important trees, hedgerows and other natural features;
  - viii) relevant ecological mitigation measures during construction phase for protected species (bats, birds, reptiles, amphibians);
  - ix) control measures to prevent the spread of invasive non-native plant species;
  - x) control of rats and other vermin particularly during site clearance;
  - xi) protection of the aquatic environment in terms of water quantity and quality;
  - xii) details of proposed means of dust suppression and noise mitigation;
  - xiii) details of measures to prevent mud from vehicles leaving the site during construction;
  - xiv) details of any site construction office, compound and ancillary facility buildings. These facilities shall be sited away from woodland areas;
  - xv) lighting on site during construction;
  - xvi) measures to ensure no on-site fires during construction;
  - xvii) monitoring and review mechanisms;
  - xviii) implementation of the CEMP through an environmental management system;
  - xix) details of the haul routes to be used to access the development;

- xx) details of temporary surface water management measures to be provided during the construction phase;
- xxi) details of the excavation of materials and the sub-surface construction methodology; and
- xxii) appointment of a Construction Liaison Officer.

*Reason: In the interests of the amenity of the area, protecting ecology and the landscape, avoiding pollution, increased flood risk and construction-related congestion during construction, in accordance with Core Strategy policies CP1, CP3, CP6 and CP7; and Managing Development Delivery Local Plan policies CC03, CC06, CC07, CC10, TB21, TB23 and TB24. Details are required prior to commencement to ensure that measures are in place upon commencement to avoid harm.*

### **Construction Vehicles**

- 8. No development shall commence until provision has been made to accommodate all site operatives, visitors and construction vehicles loading, off-loading, parking and turning within the site during the construction period, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The provision shall be maintained as so-approved and used for no other purposes until completion of the development or otherwise as provided for in the approved details

*Reason: To prevent queuing and parking off site, in the interests of highway safety and convenience, in accordance with Core Strategy policy CP6.*

### **Earth mounding and contouring**

- 9. Prior to commencement of development, details of earthworks shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The Earthworks shall be carried out in accordance with the approved details and permanently so-retained.

*Reason: In the interests of the amenity and landscape character of the area, in accordance with Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB2.*

### **Levels**

- 10. Prior to commencement of development hereby permitted, a measured survey of the site and a plan prepared to scale of not less than 1:500 showing details of existing and proposed finished ground levels (in relation to a fixed datum point) and finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with details hereby approved before first occupation of the buildings.

*Reason: To ensure a satisfactory form of development relative to surrounding buildings and landscape, in accordance with Core Strategy policies CP1, CP3 and CP21, Managing Development Delivery Local Plan policy TB21, and South Wokingham SDL SPD.*

## **Materials**

11. Prior to commencement of development hereby permitted, samples and details of the materials to be used in the construction of the external surfaces of the buildings shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

*Reason: to ensure a high-quality development, appropriate to the location in accordance with Core Strategy policies CP1, CP3, CP21 and the South Wokingham SDL SPD.*

## **Boundary Treatment**

12. Prior to commencement of development hereby permitted, details of all boundary treatments and other means of enclosure, which shall include provision of ecological permeability measures appropriate for protected species and species of principal importance, shall first be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

*Reason: In the interests of amenity and highway safety, in accordance with Core Strategy policies CP1, CP3 and CP6 and Managing Development Delivery Local Plan policy TB23.*

## **Lighting Strategy**

13. Prior to commencement of development hereby permitted, a lighting strategy for shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- i) Include location, height, type and direction of light sources and intensity of illumination for all external lighting strategies including details of lighting for all highways, cycleways, footpaths, public areas and any non-residential buildings;
- ii) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access such key areas; and
- iii) Show how and where external lighting will be installed through the provision of appropriate lighting contour plans and technical specification so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using such key areas.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting of key areas be installed without the prior consent from the Local Planning Authority.

*Reason: To avoid detriment to wildlife or residential amenity, in accordance with Section 15 of the National Planning Policy Framework, Core Strategy policies CP1, CP3, CP7 and CP21; and Managing Development Delivery Local Plan policies TB21 and TB23.*

## Landscaping

14.

- a) Prior to commencement of development hereby permitted, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate:
  - i) Scheme drawings;
  - ii) proposed levels and contours;
  - iii) all boundary treatments and other means of enclosure, such as gates or bollards and vehicle restraint systems, which shall include consideration of ecological permeability;
  - iv) car parking layouts, other vehicle and pedestrian access and circulation areas;
  - v) hard surfacing materials including samples;
  - vi) minor artefacts and structure (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc) including specifications for the product and its installation.
  - vii) detailed design of SuDS features in accordance with the SuDS Strategy, demonstrating how they will be integrated into the wider landscape, with attenuation basins having a natural shape and shallow profile (not requiring lifesaving equipment and fence barriers), allowing them to fulfil amenity, ecological and drainage functions;
  - viii) soft landscaping details including planting plan, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants (noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable);
  - ix) a Landscape Specification document covering soft landscaping (including site preparation, cultivation, plant handling and other operations associated with plant and grass establishment) and hard landscaping including all construction works such as paths, bridges and retaining walls;
  - x) specification for tree rooting systems and use of structural soils under paving or where rooting volumes are limited;
  - xi) a biodiversity net gain assessment showing how the development provides a minimum 10% net gain as per DEFRA metric first agreed in writing by the Local Planning Authority;
- b) Prior to commencement of development hereby permitted details of quality control measures, including supervision of landscape contract(s) by a suitably qualified landscape specialist and annual landscape audits for the five-year period from completion of the landscaping for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details including submission of the annual Landscape Audit shall be submitted to the Local Planning Authority for information prior to the next planting season and

replacement planting undertaken in accordance with the landscape audit and c) below.

- c) All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the Local Planning Authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.

*Reason: In the interests of visual amenity, ecology and to ensure biodiversity enhancement, in accordance with Core Strategy policies CP1, CP3, CP7 and CP21; Managing Development Delivery Local Plan policies CC03, TB21 and TB23; South Wokingham SDL SPD and paragraph 174 of the NPPF. Details are required prior to commencement to ensure that landscaping and biodiversity enhancement can be satisfactorily integrated in the development.*

### **Landscape and Ecological Management Plan**

15. Prior to commencement of development hereby permitted, a Landscape and Ecological Management Plan including:
- i) long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, other than privately owned, domestic gardens; and
  - ii) a biodiversity net gain assessment showing how the development provides a minimum 10% net gain as per DEFRA metric first agreed in writing by the Local Planning Authority

shall be submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall be carried out as approved.

*Reason: To ensure that provision is made to allow satisfactory maintenance of the landscaping hereby approved and to secure a biodiversity enhancement, in accordance with Core Strategy policies CP1, CP3, CP7 and CP21; and Managing Development Delivery Local Plan policies CC03, TB21 and TB23; South Wokingham SDL SPD and paragraph 174 of the National Planning Policy Framework. Details are required prior to commencement to ensure that they can be assessed in conjunction with the landscaping proposals.*

### **Tree Protection**

16. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the Local Planning Authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

*Reason: To secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of amenity*

*value to the area, in accordance with Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03, TB21 and TB23, and the South Wokingham SDL SPD.*

17. No development or other operation shall commence until an Arboricultural Method Statement and Scheme of Works which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site in accordance with BS5837: 2012 has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the details as so-approved (hereinafter referred to as the Approved Scheme).
- a) No operations in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) shall commence until the tree protection works required by the Approved Scheme are in place on site.
  - b) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.
  - c) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

*Reason: to secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the Local Planning Authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21. Details are required prior to commencement to ensure that measures are in place when work starts.*

### **Species Enhancement Measures**

18. Prior to commencement of development hereby permitted, a detailed strategy for species biodiversity enhancements to the site shall be provided to the local authority for its approval. The strategy shall be prepared by a suitably qualified ecologist and the minimum quantum of provision shall be that set out in section 5.2 of the submitted Ecological Assessment Update (Ethos Environmental Planning, July 2021). Once approved the strategy shall be implemented in full unless otherwise agreed by in writing by the Local Planning Authority.

*Reason: To ensure that the proposal is in accordance with Section 41 NERC Act re. UK Biodiversity Action Plan Priority Species (Species of Principal Importance), and complies with Planning Policies for Wildlife, including Core Strategy policy CP7 and Section 15 of the National Planning Policy Framework, which requires consideration of the potential biodiversity gains that can be secured within developments.*

### **Footpath Upgrade**

19. Prior to commencement of development hereby permitted, details of works relating to upgrading a footpath within Buckhurst Meadow SANG, that provides a connection between development hereby permitted and William Heelas Way, in accordance with drawing no [INSERT], shall be submitted to and approved in writing by the Local Planning Authority. The upgrading works shall comprise a flexible, bonded aggregate surface, details of which shall be first submitted to and approved in writing by the Local Planning Authority. The upgrading works shall be delivered in accordance with the approved details prior to first occupation of development hereby permitted.

*Reason: To ensure provision is made for sustainable travel in accordance with Core Strategy policies CP1, CP3, CP6 and CP21; and the South Wokingham SDL SPD.*

### **SANG Connections**

20. Prior to commencement of development hereby permitted, details of 4no. direct connections between the development hereby permitted, in accordance with approved drawing [INSERT], and Buckhurst Meadow SANG, which have regard to levels and the need to minimise negative effects on the landscape and ecological importance of trees and hedgerows, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be provided in accordance with the approved details prior to first occupation of development hereby permitted.

*Reason: To ensure provision is made for sustainable travel in accordance with Core Strategy policies CP1, CP3, CP6 and CP21; and the South Wokingham SDL SPD.*

### **Surface Water Drainage**

21. No development shall take place until updated and full details of the sustainable drainage system (SuDS) for the site have been submitted to and approved in writing by the LPA. The details shall be in accordance with the Flood Risk Assessment (Revision 3 – 15 September 2021) and Flood Risk Assessment Addendum – SUDS update September 2021, unless otherwise agreed in writing by the Local Planning Authority. These details shall include:

- i) drainage calculations, details of the layout, position and size of attenuation basins, and principles for locally based treatments such as rain gardens, filter strips and swales
- ii) details of proposed SuDS features in accordance with the CIRIA guidance and the Wokingham SuDS Strategy (January 2017);
- iii) demonstration that the SuDS details are in line with the ecological enhancement recommendations and biodiversity net gain provision pursuant to conditions 14-15 of this permission.

The SuDS shall be provided before first occupation of the development hereby approved in accordance with the approved details and retained thereafter.

*Reason: To prevent increased flood risk from surface water run-off, protect water quality and maintain favourable conservation status of the site for protected species and species of principal importance, in accordance with Section 14 of the National Planning Policy Framework, Core Strategy policies CP1, CP7 and CP21, Managing*

### **Drainage (Maintenance)**

22. No dwelling within the development hereby permitted shall be occupied until a SuDS Management and Maintenance Plan for the lifetime of the development has been submitted to and approved in writing by Local Planning Authority. The plan should include details of:
- i) arrangements to secure the operation of the scheme throughout its lifetime, including adoption by a Private Management Company, WBC or a Statutory Undertaker;
  - ii) maintenance access;
  - iii) a method statement for safe and sustainable removal and disposal of waste from drainage system, detailing frequency, materials to be used and standard of work; and
  - iv) a GIS shape file for the drainage system serving the site.

The approved SuDS Maintenance and Management Plan shall be implemented in full in accordance with the details hereby approved.

*Reason: To prevent increased flood risk from surface water run-off in accordance with Section 14 of the National Planning Policy Framework, Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.*

### **Drainage (Exceedance Flow Routes)**

23. Prior to commencement of development hereby permitted, a plan for flows above the 1 in 100+40% climate change event (hereinafter referred to as an Exceedance Flow Routing plan) shall be submitted to and approved in writing by the Local Planning Authority. The Exceedance Flow Routing plan:
- i) shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space;
  - ii) will demonstrate how flow routes avoid passing through gardens and other areas in private ownership;
  - iii) shall be accompanied by an exceedance map with arrows showing the direction of surface water in an event above 1 in 100+40% climate change or blockage;

The development shall be carried out in accordance with the details hereby approved before the first occupation of the development hereby permitted.

*Reason: To prevent increased flood risk from surface water run-off, in accordance with Section 14 of the National Planning Policy Framework, Core Strategy policy CP1, and Managing Development Delivery Local Plan policies CC09 and CC10. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.*

### **Foul water**

24. No development shall be occupied until confirmation has been provided from the Thames Water that their system has got capacity and the connection is acceptable.

*Reason: Network reinforcement works may be required to accommodate the proposed development. Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.*

### **Waste Storage**

25. Prior to commencement of development hereby permitted, details of the proposed waste and recycling management arrangements for the development have been submitted to and approved in writing by the Local Planning Authority.

No dwelling shall be occupied until refuse and recycling storage facilities to serve it have been provided in accordance with the approved details. These facilities shall be permanently retained thereafter and used for no purpose other than the temporary storage of refuse and recyclable materials.

*Reason: To ensure that adequate provision is made for the storage of refuse and recyclables without detriment to visual amenity in accordance with Core Strategy policies CP1 and CP3, Managing Development Delivery Local Plan policy CC04 and the Sustainable Design and Construction SPD.*

### **Highway Construction details**

26. Prior to commencement of development hereby permitted, full details of the construction of roads, cycleways and footways, including levels, widths, visibility splays construction materials, depths of construction, surface water drainage and lighting shall be submitted to and approved in writing by the Local Planning Authority. The roads, cycleways and footways shall be constructed in accordance with the approved details to road base level before the development occupied and the final wearing course will be provided within 3 months of occupation, unless other minor variations are agreed in writing by the Local Planning Authority.

*Reason: To ensure that roads, cycleways and footpaths are constructed to prioritise use by sustainable modes, to a standard that would be suitable for adoption as publicly maintainable highway and incorporate ecological permeability measures in the interests of providing a functional, accessible, safe and high-quality development that supports biodiversity, in accordance with Core Strategy policies CP1, CP3, CP6, CP7 and Appendix 7; MDD LP policy TB23; South Wokingham SDL and Infrastructure Delivery and Contributions SPDs.*

### **Electric Vehicle Charging**

27. Prior to commencement of development hereby permitted, details of Electric Vehicle Charging points in accordance with the approved drawing 2767.32A shall be submitted to and approved in writing by the Local Planning Authority. The Electric Vehicle Charging points shall be implemented in accordance with such details as may be approved before occupation of the development hereby permitted, and shall be permanently retained in the approved form for the charging of electric vehicles and used for no other purpose.

*Reason: To ensure that secure electric vehicle charging facilities are provided so as*

*to encourage the use of sustainable modes of travel, in accordance with Section 9 of the National Planning Policy Framework, Core Strategy policies CP1, CP3 CP6 and CP21; Managing Development Delivery Local Plan policy CC07, and Appendix E of the WBC Living Streets: Highways Design Guide (2019).*

### **Cycle Parking**

28. Prior to commencement of development hereby permitted, details of secure and covered bicycle storage/parking facilities for the occupants of and visitors to the development shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage/parking shall be implemented in accordance with such details as may be approved before occupation of the unit it intends to serve within the development hereby permitted, and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.

*Reason: To ensure provision of infrastructure to support sustainable modes of travel, in accordance with Core Strategy policies CP1, CP3 and CP6; Managing Development Delivery Local Plan policy CC07 and Appendix 2; and South Wokingham SDL SPD.*

### **Visibility Splays for Private Driveways**

29. The dwelling/building shall not be occupied until visibility splays of 2.0 metres by 2.0 metres, have been provided at the intersection of the driveway and the adjacent footway. (Dimensions to be measured along the edge of the drive and the back of the footway from their point of intersection). The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres

*Reason: In the interests of highway safety and convenience, in accordance with Core Strategy policies CP3 and CP6.*

### **Walking and Cycling Strategy**

30. Prior to commencement of development hereby permitted, details of internal pedestrian and cycle infrastructure and connections from the development to Wokingham Town Centre and to Buckhurst Meadow SANG shall be submitted for approval by the Local Planning Authority. These details shall demonstrate how these routes will be upgraded. The measures shall be implemented in accordance with the approved details prior to occupation of the first dwelling.

*Reason: In the interests of sustainable travel, convenience and highway safety, in accordance with Core Strategy Policies CP1 and CP6.*

### **Parking and Turning Space**

31. No dwellings hereby permitted shall be occupied until vehicle parking and turning space has been provided in accordance with drawing 2767.32A. The vehicle parking and turning space so-approved shall be retained in accordance with the approved details and the parking space shall remain available for the parking of vehicles at all times and the turning space shall not be used for any purpose other than vehicle turning.

*Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road safety and convenience and providing a functional, accessible and safe development and in the interests of amenity, in accordance with Core Strategy policies CP3, CP6 and CP21, Managing Development Delivery Local Plan policies CC07, TB21 and Appendix 2; South Wokingham SDL SPD and Borough Design Guide SPD.*

### **Parking Management**

32. Prior to first occupation of development hereby permitted, a Parking Management Strategy for the management of the on-site parking shall be submitted to and approved in writing by the Local Planning Authority. The management of the parking within the site shall be in accordance with the approved details thereafter.

*Reason: to ensure adequate parking provision in the interests of highway safety and convenience, in accordance with Core Strategy policies CP1, CP6 and CP21; Managing Development Delivery Local Plan policies CC07, TB20 and Appendix 2; South Wokingham SDL SPD and the Borough Design Guide SPD.*

### **Emergency Water Supply**

33. Prior to first occupation of development hereby permitted, fire hydrants, or other suitable emergency water supplies, shall be provided in accordance with a scheme including details of their location, specification and a programme for their provision which has first been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure that adequate infrastructure is provided to ensure that measures for firefighting can be incorporated into the development, in accordance with Core Strategy Policy CP4.*

### **Low and Zero Carbon Technologies**

34. Prior to commencement of development hereby permitted, a scheme:
- i) Delivering at least a 20% reduction in carbon emissions through renewable energy and/or low carbon technology; and
  - ii) Demonstrating how the water consumption targets of 105 litres or less per person per day for new dwellings will be met and how the development is water resilient (including the provision of water vats),

shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development

*Reason: In the interests of promoting sustainable forms of development in accordance with the National Planning Policy Framework, Core Strategy Policy CP1, Managing Development Delivery Local Plan policies CC04 and CC05, Sustainable Design and Construction SPD, South Wokingham SDL SPD.*

### **Hours of operation**

35. No work relating to the development hereby permitted, including works of ground clearance or preparation prior to commencement of construction operations shall take place other than:
- i) between the hours of 08:00 to 18:00 Monday to Friday; and
  - ii) 08:00-13:00 on Saturday; and
  - iii) at no time on Sundays or Bank or National Holidays; except for
  - iv) individual operations which cannot reasonably be undertaken within the construction working hours defined above and have been notified to the Local Planning Authority (including details of the nature extent and timetable for the works) at least two weeks in advance and agreed in writing (by exchange of letter).

Where works are agreed by the LPA under iv) above, key stakeholders including residential properties within an identified zone that has first been submitted to and approved in writing by the Local Planning Authority, ward members and town/parish councils shall be given written notice at least one week in advance of the works taking place. The notification shall include details of the nature, extent and timetable for the works and telephone number that the party responsible the works can be contacted on for the duration of the works.

*Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period, in accordance with Core Strategy policies CP1 and CP3, and Managing Development Delivery Local Plan policy CC06, whilst providing flexibility where works outside the usual hours are unavoidable or would not result in unacceptable disruption in the surrounding area.*

### **Restriction of Permitted Development Rights**

36. Notwithstanding the provisions of Classes A, B, C, D, E, F and G of Part 1 of the Second Schedule 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, enlargement or alterations permitted shall be carried out without the express permission in writing of the Local Planning Authority.

*Reason: To safeguard the character of the area, Countryside and neighbouring amenities, in accordance with Core Strategy policies CP1, CP3 and CP11, and Managing Development Delivery Local Plan policy TB21.*

37. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no external lighting shall be installed on the site or affixed to any buildings on the site except within rear gardens and front door lamps or in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

*Reason: To safeguard amenity and highway safety, in accordance with Core Strategy policies CP1, CP3 and CP6.*

38. 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), any garages or carports approved pursuant to reserved matters shall be constructed in accordance with the approved details and kept available for the parking of vehicles ancillary to the residential use of the site at all times. Carports shall not be enclosed beyond any enclosure shown on the approved drawings without the prior written approval of the Local Planning Authority. Garages and carports shall not be used for any business use nor as habitable space.

*Reason: To ensure provision of adequate parking and reduce the likelihood of unplanned roadside parking, in accordance with Core Strategy Policies CP1 and CP6, and Managing Development Delivery Local Plan Policy CC07 and Appendix 2.*

39. 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 gates or barriers shall be erected on any shared vehicular access.

*Reason: To assist in the integration of the development into the character and community of the area and in the interests of highway safety, in accordance with Core Strategy policies CP1, CP3 and CP6; South Wokingham SDL SPD and Wokingham Borough Design Guide SPD.*

## **Informatives:**

### **Reason for recommendation**

- 1) The development accords with the policies contained within the development plan and there are no material considerations that warrant a different decision being taken.

### **Relevant policies**

- 2) You are advised, in compliance with The Town and Country Planning [Development Management Procedure] [England] Order 2010 that the following policies and/or proposals in the development plan are relevant to this decision:
  - National Planning Policy Framework
  - South East Area Plan saved policy NRM6
    - Southeast Plan Policy NRM6 Thames Basin Heaths Special Protection Area
  - Wokingham Borough Core Strategy Development Plan Document (2010)
    - CP1 Sustainable Development
    - CP2 Inclusive Communities
    - CP3 General Principles for Development
    - CP4 Infrastructure Requirements
    - CP5 Housing mix, density and affordability
    - CP6 Managing Travel Demand
    - CP7 Biodiversity
    - CP8 Thames Basin Heaths Special Protection Area

- CP9 Scale and Location of Development Proposals
- CP10 Improvements to the Strategic Transport Network
- CP11 Proposals outside development limits (including countryside)
- CP17 Housing delivery
- CP21 South Wokingham SDL
- Adopted Managing Development Delivery Local Plan (2014)
  - CC01 Presumption in Favour of Sustainable Development
  - CC02 Development Limits
  - CC03 Green Infrastructure, Trees and Landscaping
  - CC04 Sustainable Design and Construction
  - CC05 Renewable energy and decentralised energy networks
  - CC06 Noise
  - CC07 Parking
  - CC09 Development and Flood Risk (from all sources)
  - CC10 Sustainable Drainage
  - TB05 Housing Mix
  - TB07 Internal Space standards
  - TB12 Employment Skills Plan
  - TB21 Landscape Character
  - TB23 Biodiversity and Development
  - TB24 Designated Heritage Assets
  - TB25 Archaeology
- Borough Design Guide Supplementary Planning Document (2012)
- South Wokingham Strategic Development Location Supplementary Planning Document (2011)
- Infrastructure Delivery and Contributions Supplementary Planning Document (2011)
- Affordable Housing Supplementary Planning Document (2011)
- Sustainable Design and Construction Supplementary Planning Document (2010)
- DCLG – Nationally Described Space Standards
- Living Streets: a Highways Guide for Developers in Wokingham (2019)
- Wokingham SuDS Strategy (January 2017)

### **Community Infrastructure Levy (CIL) & S106**

- 3) The development hereby permitted is liable to pay the Community Infrastructure Levy. As an affordable housing development a claim for relief can be made. This is a matter for the developer. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see - <http://www.wokingham.gov.uk/planning/developers/cil/cil-processes/>.
- 4) This permission should be read in conjunction with the legal agreement under Section 106 of the Town and Country Planning Act (yet to be finalised) the contents of which relate to this development.

### **Commencement of development**

- 5) The applicant is advised that, for the purpose of interpreting planning conditions of this planning permission, "*commencement of development*" shall not be interpreted as including any activities which are strictly limited to site preparation, enabling or other ground works, provided the scope of these works is first defined and agreed in writing by the Local Planning Authority in relation to a specific planning condition.

### **Public engagement**

- 6) The CEMP pursuant to condition 7 of this permission shall include provisions for engagement with local residents throughout the construction phase including a communications plan and appointment of a complaints liaison officer.

### **Highways**

- 7) The Corporate Head of Environment at the Council Offices, Shute End, Wokingham should be contacted for the approval of the access construction details before any work is carried out within the highway. This planning permission does NOT authorise the construction of such an access
- 8) If it is the developer's intention to request the Council, as Local Highway Authority, to adopt the proposed access roads etc. as highway maintainable at public expense, then full engineering details must be agreed with the Corporate Head of Environment at the Council Offices, Shute End, Wokingham. The developer is strongly advised not to commence development until such details have been approved in writing and a legal agreement is made with the Council under S38 of the Highways Act 1980.
- 9) Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be coordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Wokingham.
- 10) Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with Wokingham Borough Council's Street Works Team, (telephone 01189 746302). This must take place at least three months in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are coordinated to take place wherever possible at the same time.
- 11) Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on adjacent highways. For further information contact the Local Highway Authority on tel: 0118 9746000.

## **Waste**

- 12) The provision for refuse storage to comply with condition 6 shall have regard to the advice on the council's website at <https://www.wokingham.gov.uk/rubbish-and-recycling/collections/waste-information-for-developers/>.

## **Ecology**

- 13) This permission does not convey or imply any approval or consent required for protected species under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), or the Protection of Badgers Act 1992. The applicant is advised to contact Natural England with regard to any protected species that may be found on the site.
- 14) Any gully pots required as part of the detailed SuDS proposals to comply with condition 24 shall be designed for ecological permeability and to prevent entrapment of wildlife.

## **Play Space Design Guide**

- 15) Details of play areas to comply with condition 14 should have reference to the council's Play Space Design Guide at <https://www.wokingham.gov.uk/planning-policy/planning-policy-information/supplementary-planning-guidance-and-documents/>

## **Drainage**

- 16) The Sustainable Drainage details to comply with conditions 14 and 21 shall have regard to The Wokingham SuDS Strategy (2017)

### **C. Alternative recommendation:**

**That the Planning Committee authorise the Head of Development Management to refuse planning permission in the event of a S106 legal agreement, required to secure the necessary infrastructure impact mitigation and affordable housing, not being completed within six months of the date of the committee resolution (unless longer period is agreed by the chairman of the Planning Committee and confirmed in writing by the Local Planning Authority) for the following reasons:**

- 1) In the absence of a planning obligation to secure necessary contributions and on-site and off-site works, the Local Planning Authority is unable to satisfy itself that the proposal includes adequate mitigation measures to prevent the proposed development from having an adverse effect on infrastructure and services. As such, the proposal is contrary to the National Planning Policy Framework, Policies CP1, CP2, CP3, CP4, CP5, CP6, CP7, CP8, CP10, CP11, CP14, CP21 and Appendix 7 of the Core Strategy, Policies CC01, CC02, CC08, TB08, TB12, TB21, TB23 of the Managing Development Delivery Local Plan, South Wokingham Strategic Development Location

Supplementary Planning Document and Infrastructure Delivery and Contributions Supplementary Planning Document.

- 2) In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority (LPA), the LPA is unable to satisfy itself that the proposals include adequate mitigation measures to prevent the proposed development from having an adverse effect on the integrity of the Thames Basin Heaths SPA, in line with the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Article 6(3) of Directive 92/43/EEC. The proposal would be contrary to Policy NRM6 of the South East Plan, Policies CP8 and CP4 of the Core Strategy.
- 3) In the absence of a planning obligation to secure the provision of affordable housing and its transfer to a registered provider, the Local Planning Authority is unable to satisfy itself that the proposal includes adequate provision of affordable housing. As such, the proposal conflicts with Policies CP2 and CP5 of the Core Strategy, Policy TB05 of the Managing Development Delivery Local Plan South Wokingham Strategic Development Location Supplementary Planning Document. Infrastructure Delivery and Contributions Supplementary Planning Document and Affordable Housing Supplementary Planning Document

<b>RELEVANT PLANNING HISTORY</b>		
<b>Application Number</b>	<b>Proposal</b>	<b>Decision &amp; Date</b>
F/2007/1613	Proposed erection of replacement stable block	Approved. 15 August 2007
182882	Full planning application for the development of 74 units (including 26 affordable homes) with associated access road from St Anne's Drive, Landscaping, SANG and open space.	Refused. 9 January 2020. Appeal APP/X0360/W/20/32549 49 withdrawn

<b>SUMMARY INFORMATION</b>	
Site Area	Approximately 3.33 hectare
Proposed units	54
Proposed density - dwellings/hectare	16
Number of affordable units proposed	19
Previous land use	Equestrian/agricultural
Proposed Public Open Space	Approximately 0.3 hectare
Proposed parking spaces	115

<b>CONSULTATION RESPONSES</b>	
Berkshire Archaeology	No objection subject to condition
Bracknell Forest Council	No objection
Natural England	Updated response awaited, however Natural England agreed in principle to the approach proposed
Thames Water	No objection subject to condition
WBC Biodiversity	No objection subject to conditions and S106
WBC Economic Prosperity and Place (Affordable Housing)	No objection subject to conditions and S106
WBC Economic Prosperity and Place (Community Infrastructure)	No objection subject to S106
WBC Drainage	No objection subject to conditions
WBC Education (School Place Planning)	No objection
WBC Environmental Health	Submission of further information requested is secured as a pre-commencement condition
WBC Green Infrastructure	No objection subject to conditions and S106
WBC Growth & Delivery (Policy)	No objection
WBC Highways	No objection subject to conditions and S106
WBC Heritage & Conservation	No objection
WBC Tree & Landscape	No objection subject to conditions
WBC Cleaner & Greener (Waste Services)	No objection subject to conditions
WBC Public Rights of Way	No objection

## **REPRESENTATIONS**

### **Wokingham Town Council**

Support the provision of affordable housing, but object for the following reasons:

- Removal of trees, including TPO (*Officer note: the loss of trees will be subject to mitigation measures which will see additional new trees being planted within the site. In recognition that the newly planted trees will require time to mature, their number will exceed the number of trees lost. The area of public open space in the northern section of the site and open space sections along the perimeter of the site will offer opportunities for additional tree planting. The proposal is also required to secure a 10% Biodiversity Net Gain. Paragraphs 21, 72 and conditions 14 and 15 refer.*)
- Impact on bats and slowworms (*Officer note: WBC Ecology officer is satisfied with the proposed ecological protection measures, including those concerning the protection of bats and reptiles. Paragraph 71 and conditions 7, 12 to 15 and 18 refer.*)
- The development sits outside of the core development plan (*Officer note: it is considered that the proposed location is sustainable. The fact that the site is not allocated for housing does not mean it is not suitable for residential development. The site lies with an area designated as Strategic Development Location and is*

*considered to be in a sustainable location close to local facilities and bus stops. Paragraphs 11 and 15 refer.)*

- *There needs to be more than one road access to the site (Officer note: the proposed quantum of development does not warrant a second access. WBC Highways officer is satisfied with the proposal being served by a single access. Paragraph 79 refers.)*
- *No cycle path provision (Officer note: given scale and layout of site, a designated cycle is not considered appropriate, the proposal would provide upgrades to a footpath running through Buckhurst Meadows SANG, which cyclists would be able to use. The site would also offer cycle access onto the shared footway/cycleway at the junction of St. Anne's Drive with A329 London Road. Paragraph 84 and conditions 19, 20 and 30 refer.)*
- *No local shops or amenities (Officer note: the site is considered to be well served by local shops and facilities; Montague Park facilities are located a short walk away. Paragraph 82 refers.)*
- *No SANG (Officer note: the constraints of the site mean that it would not be able to incorporate SANG. Instead, the required SANG capacity would be met at Keephatch Gardens SANG and Bracknell Forest Council SANG. This was found acceptable by Wokingham Borough Council and Bracknell Forest Council and the principle of this approach was supported by Natural England. The development will also provide funding to improve the existing SANGs Paragraph 66 refers.)*
- *CP3 General Principles for development a) mass b) functional, accessible, safe, secure c) ecological, heritage, landscape, geological d) fauna and flora (Officer note: these aspects of Policy CP3 Core Strategy have been considered in the assessment of the proposal as set out in various paragraphs of the report below.)*
- *CP6 Managing Travel Demand d) adverse effects on transport network (Officer note: the impact on the transport network has been considered by WBC Highways officer and is considered acceptable. Paragraphs 77, 78, 81 and 82 refer.)*
- *CP11 Proposals outside Development Limits (including countryside) 6) community facilities (Officer note: the site is considered to be well served by local shops and facilities. Paragraph 82 refers.)*
- *CP21 South Wokingham Strategic Development Location 4) Measures to maintain separation from Binfield, Bracknell, Crowthorne, Pine wood (Crowthorne) and Finchampstead North. 5) Measures to protect and enhance pedestrian (including using mobility aids) access to the countryside from Wokingham town Centre (Officer note: the site is well contained with appropriate buffer and is not considered to lead to coalescence of Wokingham and Bracknell. Paragraphs 10 and 20 refer. The proposal would provide upgrades to the footpath running across Buckhurst Meadows SANG enhancing access to it. It would also enhance safe and attractive footway network linking SDL developments and SANGs. Paragraph 82 and conditions 19, 20 and 30 refer.)*

## Ward members & adjoining ward members

Councillor Gregor Murray:

- This is an only marginally revised resubmission of a previously rejected planning application. The revisions do not address the concerns and challenges previously given for refusing the previous planning application. (*Officer note: the scheme has been assessed in full, with consideration being given to the impacts would create and benefits it would provide. It is considered to deliver high quality development in accordance with the Council's overall spatial strategy and policies, there are no other material planning considerations of significant weight that would dictate that the application should be refused as set out in the following report.*)
- The layout of London Road, only recently revised, does not allow for safe access in and out of the proposed development. Based on the current layout, vehicles wanting to turn right onto London Road will only be able to do so either by performing a dangerous U-turn on either Oak Avenue or on London Road, or the development will require a fifth set of traffic lights in the space of 400yards. This is one of the busiest roads, and sections of road in Wokingham Borough, so this development will significantly impact on road usage and road safety. (*Officer note: WBC Highways officer considered the proposed access and considered these to be acceptable in principle, subject to further detailed design. Paragraph 89 refers.*)
- Nature and conservation. While there is a SANG adjacent to this proposed development, there are also more than 1,200 other newly built homes. Natural green space in this part of Wokingham is already in short supply, and the development would only serve to reduce this further. Neighbouring green space is owned by Hilton St Anne's Manor and therefore is not accessible for residents. (*Officer note: the application site is in private ownership and in use as paddocks and for other equestrian uses. There are no public footpaths running across the site and there is no public access onto the site. The proposal would create new pedestrian links across the site connecting Buckhurst Meadows SANG with A329 London Road crossing and links into Bracknell and Keephatch Gardens SANGs. Ecological impacts have also been considered and found to be acceptable. Paragraph 84 and conditions 19, 20 and 30 refer.*)
- This development will further reduce mature tree numbers which is in direct conflict with our Climate Emergency. (*Officer note: the loss of trees will be subject to mitigation measures which will see additional new trees being planted within the site. In recognition that the newly planted trees will require time to mature, their number will exceed the number of trees lost. The area of public open space in the northern section of the site and open space sections along the perimeter of the site will offer opportunities for additional tree planting. The proposal is also required to secure a 10% Biodiversity Net Gain. Paragraphs 21, 72 and conditions 14 and 15 refer.*)
- There is not adequate provision of alternative energy generation, ev charging or other measures, supportive of our climate emergency, within the application. (*Officer note: following the consultation feedback and officer negotiations, the*

*proposal would provide sustainability benefits in the form of electric vehicle charging points and carbon emissions-saving strategy significantly above the policy requirements. Sustainable energy measures are covered by condition. Paragraphs 95, 109 and conditions 27 and 34 refer.)*

Councillor Maria Gee:

- Welcome provision of affordable housing on site.
- Bus routes are satisfactory.
- Lack of community engagement, failure to submit Statement of Community Involvement. (*Officer note: Statement of Community Involvement was included in the revised Planning Statement. Note the level of consultation is not something officers can control.*)
- Lack of SANG, it is unacceptable to use Montague Park SANG to mitigate impact of this development, offsite SANG will not mitigate the impact of this development. (*Officer note: the constraints of the site mean that it would not be able to incorporate SANG. Instead, the required SANG capacity would be met at Keephatch Gardens SANG and Bracknell Forest Council SANG. This is an acceptable solution and has been agreed by Wokingham Borough Council and Bracknell Forest Council and the principle of this approach was supported by Natural England. Paragraph 66 refers.*)
- The proposal is not sustainable from a transport perspective. Distances included within Design and Access Statement are inaccurate and should be investigated independently. (*Officer note: the proposal is located within South Wokingham SDL, which has been assessed as sustainable location. The site is served by public transport (bus route) and is well served by nearby facilities. The location is no different to Keephatch Gardens development opposite. Its sustainability from transport perspective has been further considered at paragraphs 82, 84, 85 and 87 of this report.*)
- It will increase motor vehicle traffic onto already busy London Road, which will not help with the Climate Emergency declared. (*Officer note: the Transport Assessment, including traffic generation, has been considered by WBC Highways officer and is considered acceptable. Paragraph 90 refers. The proposal would provide electric vehicle charging points well above Council's standards. Paragraph 95 and condition 27 refer.*)
- The cycle route along London Road does not reach as far as the access point to the development, cycle access onto London Road is unsuitable due to lack of segregated cycle path, there is no provision for cycle infrastructure. (*Officer note: the proposal would provide upgrades to a footpath running through Buckhurst Meadows SANG, which cyclists would be able to use. The site would also offer cycle access onto the shared footway/cycleway at the junction of St. Anne's Drive with A329 London Road, where the existing shared footway/cycleway currently terminates. Paragraph 84 and conditions 19, 20 and 30 refer.*)

- There would be only one entrance/exit. (*Officer note: the proposed quantum of development does not warrant a second access. WBC Highways officer is satisfied with the proposal being served by a single access. Paragraph 79 refers.*)
- Access to facilities would be via London Rd or through Buckhurst Meadows SANG, which was not designed for this purpose. (*Officer note: the proposal would upgrade an existing footpath running through Buckhurst Meadows SANG to provide all-weather surface and a wider link, thus enhancing diverse use and functionality of this connection. Paragraph 84 and conditions 19, 20 and 30 refer.*)
- No right turn into St Anne's drive and no safe access. (*Officer note: WBC Highways officer considered the proposed access and considered these to be acceptable in principle, subject to further detailed design. Paragraph 89 refers.*)
- Increased pollution. (*Officer note: the air quality assessment would be secured prior to development commencing. Paragraph 107 and condition 5 refer.*)
- Added pressure on local medical facilities. (*Officer note: Not a material consideration. For reference, medical facilities are provided and controlled by the local Clinical Commissioning Group and not the Council.*)
- Adverse impact on ecology, the ecology report fails to consider trees as habitat suitable for bat roosting, there are great crested newts and slow worms on site. (*Officer note: following the consultation feedback, a further ecological survey was carried out. WBC Ecology officer considered the updated information and raised no objection to the proposal, subject to appropriate ecological mitigation and enhancement measures. Paragraphs 70 to 72 and conditions 7, 12 to 15 and 18 refer.*)
- TPO trees removal and replacement with immature trees will not help with Climate Emergency declared and will impact visual amenity, there are no details of landscape mitigation, unacceptable to cut through hedges. (*Officer note: the loss of trees and section of hedge is regrettable and will be subject to mitigation measures, including additional new trees being planted within the site. In recognition that the newly planted trees will require time to mature, their number will exceed the number of trees lost. The area of public open space in the northern section of the site and open space sections along the perimeter of the site will offer opportunities for additional tree planting. The proposal is also required to secure a 10% Biodiversity Net Gain. Paragraphs 21, 72 and conditions 14 and 15 refer.*)
- Erodes separation gap between Wokingham and Bracknell. (*Officer note: the site is well contained with appropriate buffer and is not considered to lead to coalescence of Wokingham and Bracknell. Paragraphs 10 and 20 refer.*)
- Development is outside development areas and is isolated (*Officer note: the site lies with an area designated as Strategic Development Location and is considered in a sustainable location and is served well by transport links and local facilities. Paragraphs 11, 15 and 82 refer.*)

Councillor Peter Dennis:

- Removal of many trees, including those subject to TPO. (*Officer note: the loss of trees and section of hedge will be subject to mitigation measures, including additional new trees being planted within the site. In recognition that the newly planted trees will require time to mature, their number is will exceed the number of trees lost. The area of public open space in the northern section of the site and open space sections along the perimeter of the site will offer opportunities for additional tree planting. The proposal is also required to secure a 10% Biodiversity Net Gain. Paragraphs 21, 72 and conditions 14 and 15 refer.*)
- Site access is not appropriate. (*Officer note: WBC Highways officer considered the proposed access and considered these to be acceptable in principle, subject to further detailed design. Paragraph 89 refers.*)
- Will reduce the green border gap between Wokingham and Bracknell, leaving A329 as a border. (*Officer note: the site is well contained with appropriate buffer and is not considered to lead to coalescence of Wokingham and Bracknell. Paragraphs 10 and 20 refer.*)
- Impact on visual amenity of the area as entering Wokingham due to removal of trees. (*Officer note: the tree removal along A329 London Road would be in a limited section and it is not considered to lead to unacceptable impact on the visual amenity of this area. Paragraph 21 refers.*)
- Impact on slow worms and bats. (*Officer note: WBC Ecology officer is satisfied with the proposed ecological protection measures, including those concerning the protection of bats and reptiles. Paragraph 71 and conditions 7, 12 to 15 and 18 refer.*)
- No need for additional housing. (*Officer note: paragraph 16 refers.*)
- Not allocated site. Should be returned to flowering meadow. (*Officer note: The site is not currently allocated within the Local Plan but is allocated for housing in the Local Plan Update. Notwithstanding this, due to its locations within the Strategic Development Location of South Wokingham, it is considered to be a suitable and sustainable site. Paragraphs 11 and 15 refer. The site is in private ownership and presently in equestrian use.*)
- Cannot use Montague Park SANG as this has already been allocated. (*Officer note: the proposal does not seek to mitigate its impacts on Thames Basin Heaths Special Protection Area through Montague Park SANG. Instead, the required SANG capacity would be met at Keephatch Gardens SANG and Bracknell Forest Council SANG. This is an acceptable approach and has been agreed with Wokingham Borough Council and Bracknell Forest Council and the principle of this approach was supported by Natural England. Paragraph 66 refers.*)

## Wokingham Society

- No public consultation carried out; no Statement of Community Involvement included. (*Officer note: Statement of Community Involvement was included in the revised Planning Statement. Note the level of consultation is not something officers can control.*)
- Not allocated site. (*Officer note: The site is not currently allocated but is allocated for housing in the Local Plan Update. Notwithstanding this, due to its locations within the Strategic Development Location of South Wokingham, it is considered to be a suitable and sustainable site. Paragraphs 11 and 15 refer.*)
- No infrastructure contributions to benefit local community. (*Officer note: infrastructure contributions would be secured through conditions, CIL contributions and S106 agreement. Paragraph 119 refers.*)
- Not connected with the rest of SDL, the only link is through Buckhurst Meadows SANG, lack of direct access to local communities and facilities. (*Officer note: the site lies with an area designated as Strategic Development Location and is therefore sustainable. The site is served well by transport links and local facilities. Upgrades to the connections are being made through the SANG to allow for easier access to local facilities. Paragraphs 11, 15 and 82 refer.*)

## Neighbours

Following the initial consultation in January 2021, 86 individual objections have been received. Following consultation on the revised scheme (June 2021 and August 2021), further 26 and 14 objections have been received in respect of each consultation. There was a letter of support received.

### Summary of planning issues raised in support of the proposal

Provision of safe links between SANG offers better and safer exercise routes.

### Summary of planning issues raised in objection to the proposal

- Pressure on existing and future infrastructure and facilities. No new schools or doctors. Does not provide shops or facilities. (*Officer comment: The proposals would be subject to CIL payments with regards to mitigation of any identified additional impacts upon local services. Health provision is provided and controlled by the local Clinical Commissioning Group not the Council. Other identified infrastructure contributions would be secured through conditions and S106 agreement. There is identified capacity in local schools. Paragraph 119 refers.*)
- Additional traffic on London Road, increased congestion. Transport Assessment is inaccurate. No right turn into St Anne's drive, so traffic needs to go around Coppid Beech roundabout, adding to congestion (*Officer note: the Transport Assessment, including traffic generation, has been considered by WBC Highways officer and is considered acceptable. Paragraph 90 refers.*)

- Loss of natural areas to walk around. Lack of fully enclosed green space for dogs to run free. Insufficient green space will remain in Wokingham. Impact on green space available to residents as area near to St Anne's Manor is privately owned (*Officer note: the application site is in private ownership and in use as paddocks and for other equestrian uses. There are no public footpaths running across the site and there is no public access onto the site. The proposal would create new pedestrian links across the site connecting Buckhurst Meadows SANG with A329 London Road crossing and links into Bracknell and Keephatch Gardens SANGs. Paragraph 84 and conditions 19, 20 and 30 refer.*)
- Will enclose SANG on both sides (rather than just one) resulting in a destruction of ambience of SANG/turning it into urban park. (*Officer note: Buckhurst Meadow SANG is already enclosed by mature hedgerow, which separates it from the application site. The proposal would introduce links into the SANG through four proposed connections, however, the hedgerow separating both sites would be largely retained. Paragraph 84 and conditions 14, 15, 19, 20 and 30 refer.*)
- Impact on endangered and protected species, impact on passage of wildlife (*Officer note: WBC Ecology officer is satisfied with the proposed ecological protection measures, including those concerning the protection of bats and reptiles. Paragraph 71 and conditions 7, 12 to 15 and 18 refer.*)
- Tree removal impact on noise pollution, air quality and climate change (*Officer note: the loss of trees will be subject to mitigation measures which will see additional new trees being planted within the site. In recognition that the newly planted trees will require time to mature, their number will exceed the number of trees lost. The area of public open space in the northern section of the site and open space sections along the perimeter of the site will offer opportunities for additional tree planting. The proposal is also required to secure a 10% Biodiversity Net Gain. Paragraphs 21, 72 and conditions 14 and 15 refer.*)
- Building towards district boundary, erosion of separate identities of Bracknell and Wokingham, failure to maintain green gap between Wokingham and Bracknell (*Officer note: the site is well contained with appropriate buffer and is not considered to lead to coalescence of Wokingham and Bracknell. Paragraphs 10 and 20 refer.*)
- WBC can meet the housing land supply. More development proposed south of railway. Too many houses. (*Officer note: paragraph 16 refers.*)
- Loss of rural feel, rural intactness, harm to visual amenities of local area. Development dilutes Wokingham's character of a small town (*Officer note: the tree removal along A329 London Road would be in a limited section and it is not considered to lead to unacceptable impact on the visual amenity of this area. Paragraph 21 refers. The site is allocated for housing in the Local Plan Update. Notwithstanding this, due to its location within the Strategic Development Location of South Wokingham, it is considered to be a suitable for development. Paragraphs 11 and 15 refer.*)

- Unsafe access on/off A329 London Road. Road layout does not address original concerns. Developers did not address issues identified in the road safety audit. (*Officer note: WBC Highways officer considered the proposed access and considered these to be acceptable in principle, subject to further detailed design. Paragraph 89 refers.*)
- Contradicts Council's intention to maintain settlement separation (*Officer note: the site is well contained with appropriate buffer and is not considered to lead to coalescence of Wokingham and Bracknell. Paragraphs 10 and 20 refer.*)
- Off-site mitigation at Bracknell Forest SANG and Stokes Farm SANG not suitable as residents would more likely use Buckhurst which is busy enough. Extensive pedestrian access to and negative environmental impact on Buckhurst Meadows SANG. Additional impact from exercisers and families on SANG. (*Officer note: the constraints of the site mean that it would not be able to incorporate SANG. Instead, the required SANG capacity would be met at Keephatch Gardens SANG and Bracknell Forest Council SANG. This was found acceptable by Wokingham Borough Council and Bracknell Forest Council and the principle of this approach was supported by Natural England. No objection was raised in relation to the impact on Buckhurst Meadow SANG by WBC Green Infrastructure officer or Natural England. Paragraph 66 refers.*)
- Offers no cycling facilities to allow alternative ways of transport. No provision for cyclists at London Rd junction. (*Officer note: the proposal would provide upgrades to a footpath running through Buckhurst Meadows SANG, which cyclists would be able to use. The site would also offer cycle access onto the shared footway/cycleway at the junction of St. Anne's Drive with A329 London Road. Paragraph 84 and conditions 19, 20 and 30 refer.*)
- No local shops or amenities (*Officer note: the site is considered to be well served by local shops and facilities. Paragraph 82 refers. Additional infrastructure contributions would be secured through conditions and S106 agreement. Paragraph 119 refers.*)
- Increase in traffic on South Wokingham Distributor Road. No compensation to infrastructure provision unlike other sites which contributed to distributor road provision. Lack of vehicular connection with SWDR to take pressure off London Rd (*Officer note: paragraphs 77 and 78 refer.*)
- Too remote from town centre to walk into, so future residents will use car. Isolated development without access to local communities and facilities (*Officer note: the site lies within an area designated as Strategic Development Location and is therefore sustainable. The site is served well by transport links and local facilities. Paragraphs 11, 15 and 82 refer.*)
- Outdated ecological assessment. No invertebrate targeted survey despite noting presence of stag beetles in bat survey. Loss of wildlife sanctuary (*Officer note: following the consultation feedback, a further ecological survey was carried out. WBC Ecology officer considered the updated information and raised no objection*

*to the proposal, subject to appropriate ecological mitigation and enhancement measures. Paragraphs 70 to 72 and conditions 7, 12 to 15 and 18 refer.)*

- *Contrary to local plan update. (Officer note: the site is allocated for housing in the Local Plan Update.)*
- *Outdated AIA and tree surveys (Officer note: condition 17 refers.)*
- *Most direct route between Keephatch Gardens and Montague Park will be through William Heelas Way. No new links that aren't already in place – A329 crossings already there. Should convert the land for walking and cycling instead (Officer note: the proposal would upgrade an existing footpath running through Buckhurst Meadows SANG to provide all-weather surface and a wider link, thus enhancing diverse use and functionality of this connection, providing safe and attractive route for pedestrians, cyclists and users of mobility aids. Paragraph 84 and conditions 19, 20 and 30 refer.)*
- *Insufficient parking (Officer note: paragraph 93 refers.)*
- *Lack of play area. Should build play areas instead, especially as there are no play areas near Bean Oak Drive. (Officer note: paragraph 61 refers.)*
- *Insufficient open space provision for landscape to mitigate impact on landscape (Officer note: paragraph 61 refers.)*
- *In proximity of houses to trees will result in overshadowed gardens and habitable rooms. Substandard garden lengths (Officer note: subsequent to consultation exercise and as a result of officer negotiations, all gardens achieve minimum 11m in depth. Paragraph 47 refers.)*
- *At least 6 double storey units will overlook Buckhurst Lodge (loss of privacy) (Officer note: Buckhurst Lodge is sited approximately 25m from the nearest proposed dwelling, thus in excess of the recommended separation distance. Paragraph 51 refers.)*
- *Cramped proposal, too many houses in scheme (Officer note: paragraph 36 refers.)*
- *The development would create an eyesore (Officer note: following the officer negotiations, the applicant introduced changes to the design of the scheme. Paragraph 34 refers.)*
- *Does not show how it will mitigate noise resulting from more traffic (Officer note:*
- *Will set precedent for future applications around St Anne's Manor (Officer note: each proposal will be required to be considered on its own merits)*
- *Houses are not in keeping with other 5 and 6 bed houses on St Anne's drive. Insufficient number of 2 bed homes as starter homes for workers. Houses will be either too big (and so unaffordable) or too small and therefore a waste of land and finite resources (Officer note: the proposed housing mix is considered appropriate in this location and the proposed scheme has been revised to meet that Nationally Described Space Standards. Paragraphs 39 and 46 refer)*

- Same reasons apply as with rejected application (*Officer note: the scheme has been assessed in full, with consideration being given to the impacts would create and benefits it would provide. It is considered to deliver high quality development in accordance with the Council's overall spatial strategy and there are no other material planning considerations of significant weight that would dictate that the application should be refused as set out in the following report.*)

#### Other issues

- Misleading or illegal placement of bat sensors shown on bat survey map
- No public consultation held & failure to include Statement of Community Involvement expected for a major application
- Inaccuracies within DAS
- Impact of views from dwellings on London Road across paddocks and woodland
- Other non-material planning issues were raised.

<b>PLANNING POLICY</b>		
National Policy	<b>NPPF</b>	National Planning Policy Framework
South East Area Plan saved policy	<b>NRM6</b>	Southeast Plan Policy NRM6 <i>Thames Basin Heaths Special Protection Area</i>
Adopted Core Strategy (2010)	<b>CP1</b>	Sustainable Development
	<b>CP2</b>	Inclusive Communities
	<b>CP3</b>	General Principles for Development
	<b>CP4</b>	Infrastructure Requirements
	<b>CP5</b>	Housing mix, density and affordability
	<b>CP6</b>	Managing Travel Demand
	<b>CP7</b>	Biodiversity
	<b>CP8</b>	Thames Basin Heaths Special Protection Area
	<b>CP9</b>	Scale and Location of Development Proposals
	<b>CP10</b>	Improvements to the Strategic Transport Network
	<b>CP11</b>	Proposals outside development limits (including countryside)
Managing Development Delivery Local Plan (2014)	<b>CP17</b>	Housing delivery
	<b>CP21</b>	South Wokingham Strategic Development Location
	<b>CC01</b>	Presumption in Favour of Sustainable Development
	<b>CC02</b>	Development Limits
	<b>CC03</b>	Green Infrastructure, Trees and Landscaping

	<b>CC04</b>	Sustainable Design and Construction
	<b>CC05</b>	Renewable energy and decentralised energy networks
	<b>CC06</b>	Noise
	<b>CC07</b>	Parking
	<b>CC09</b>	Development and Flood Risk (from all sources)
	<b>CC10</b>	Sustainable Drainage
	<b>TB05</b>	Housing Mix
	<b>TB07</b>	Internal Space standards
	<b>TB12</b>	Employment Skills Plan
	<b>TB21</b>	Landscape Character
	<b>TB23</b>	Biodiversity and Development
	<b>TB24</b>	Designated Heritage Assets
	<b>TB25</b>	Archaeology
Supplementary Planning Documents (SPD)		Borough Design Guide (2012)
		South Wokingham Strategic Development Location Supplementary Planning Document (2011)
		Infrastructure Delivery and Contributions Supplementary Planning Document (2011)
		Affordable Housing Supplementary Planning Document (2011)
		Sustainable Design and Construction Supplementary Planning Document (2010)
Other		DCLG – Nationally Described Space Standards
		Living Streets: a Highways Guide for Developers in Wokingham (2019)
		Wokingham SuDS Strategy (January 2017)

<b>PLANNING ISSUES</b>
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**Description of Development:**

1. The application site relates to land known as Greenacres, located west of St Anne's Drive and south of A329 London Road, approximately 2m from Wokingham Town Centre and just to the south-west of A329 London Road junction with A329(M). The site is of triangular/funnel shape with its northern boundary extending approximately 160m in length and the site tapering towards southern boundary at approximately 40m in length. The site comprises grassland area used as paddocks to the north, which transitions into more developed area in the centre characterised by equestrian facilities

and associated buildings, and exercise area to the south. The northern section of the site is dissected by an ordinary watercourse, which runs north-east from A329 London Road to Buckhurst Meadow SANG located to the east. The application site is enclosed to the west and north by mature trees and understorey shrubs which line these boundaries. The southern boundary is formed by woodland, which wraps around towards the eastern boundary. The latter is largely formed by residential development in its centre and mature trees further north, toward the site access. The site is located adjacent to the North and South Wokingham Strategic Development Locations (SDL). Keephatch Gardens is sited to the north of the application site, on the opposite site of the A329 London Road, and forms part of the North Wokingham SDL; while Montague Park in the South Wokingham SDL, which this site relates more directly to, is located to the west. The western boundary of the site is formed with Buckhurst Meadows – Suitable Alternative Natural Greenspace (SANG).

2. Keephatch Gardens site comprises residential development of 300 dwellings, a BMX track and a public house, and takes form of a linear development running north – south-east parallel to A329(M). It also provides a SANG (Keephatch Meadows) located further north across A329(M). Montague Park site comprises residential development of 636 dwellings, neighbourhood centre including shops and community centre, play areas and primary school. It is separated from the application site by Buckhurst Meadows SANG. Both developments area nearing completion. To the east of the site there is a cluster of two detached dwellings (Greenacres and Edgewood) adjacent to the application site. To the east of the northern section of the site and just south of the A329 London Road, there is another dwelling (Buckhurst Lodge) sited opposite the proposed site access junction. Further east, towards the A329M there is an office building at Buckhurst Court and St Anne’s Manor Hilton Hotel. Fig.1 below shows the relationship between the application site, North and South Wokingham Strategic Development Locations and administrative boundary of Bracknell Forest.

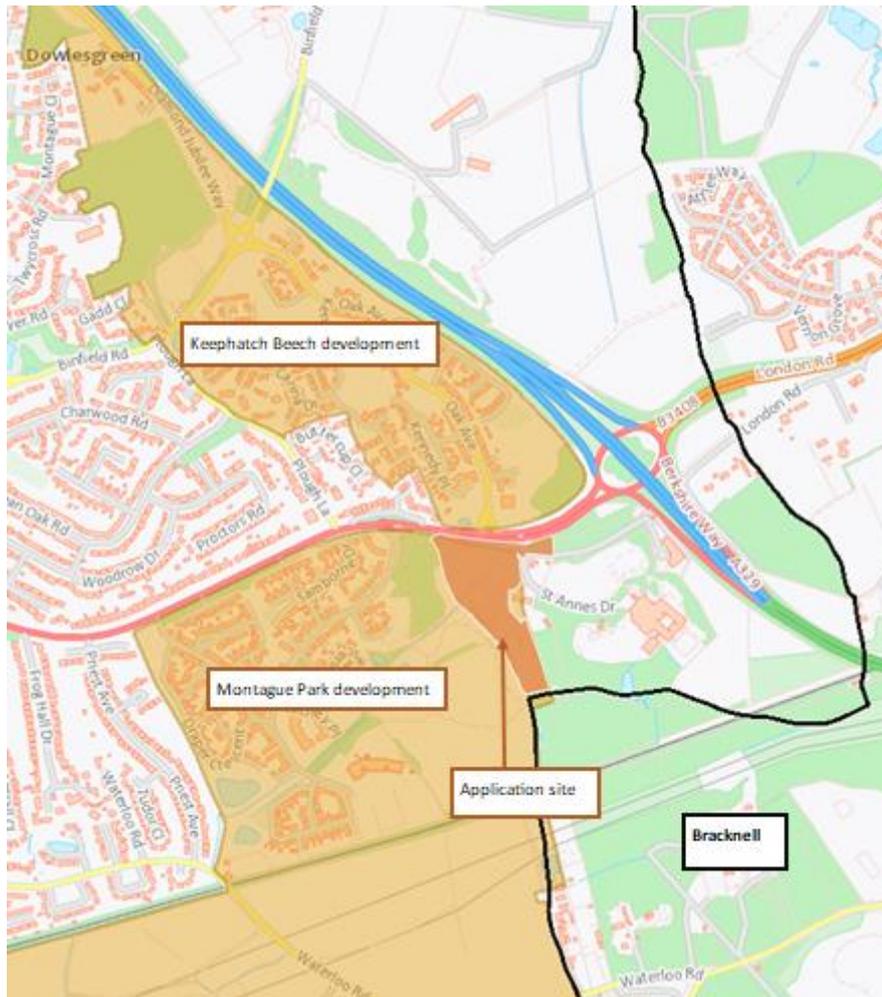


Fig. 1: Location of application site in relation to SDLs and Bracknell Forest Council area

### Principle of Development:

3. The National Planning Policy Framework establishes an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan (MDD LP) Policy CC01 *Presumption in Favour of Sustainable Development* states that planning applications that accord with the Policies in the Development Plan for Wokingham Borough will be approved without delay unless material considerations indicate otherwise.
4. The Wokingham Borough Core Strategy establishes the spatial vision for the Borough for the period 2006-2026, including a requirement to provide at least 13,487 new dwellings, with associated infrastructure (Core Strategy Policy CP17 *Housing Delivery*). Most of this new residential development is to be provided in four Strategic Development Locations (SDLs), of which South Wokingham is one. Core Strategy Policy CP21 *South Wokingham SDL* anticipates a comprehensively planned, phased urban extension of around 2,500 dwellings and associated infrastructure on 85 hectares of land within the South Wokingham SDL.
5. The approach of a comprehensively planned, phased urban extension is consistent with Core Strategy Policy CP9 *Scale and Location of Development Proposals* which identifies Wokingham as a Major Development Location – one which offers a good range of facilities and services, accessible by a choice of modes and capable of

accommodating major development. This approach is also consistent with paragraph 73 of the NPPF which advises that

*'The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities'.*

6. The Core Strategy requirements are amplified by the South Wokingham SDL Supplementary Planning Document (the South Wokingham SDL SPD) and the Infrastructure Delivery and Contributions Supplementary Planning Document (the Infrastructure SPD). In line with these SPDs, MDD LP Policy CC02 *Development Limits* establishes the extent of the settlement of Wokingham, including the built-up area of the SDL. The land within the SDL boundary but outside development limits remains designated Countryside (Core Strategy Policy CP11 *Proposals outside development limits (including countryside)*); South Wokingham SDL SPD allocates some of those areas as potential green open space locations or Suitable Alternative Natural Greenspace (SANG).
7. The application site currently lies within designated Countryside. Core Strategy Policy CP11 *Proposals outside development limits (including countryside)* states that proposals outside of development limits, including within Countryside, will not be permitted unless one of the exceptions applies. Whilst the proposal does not fulfil requirements for any of these exceptions to apply, it is relevant to consider the underlying policy objectives. The aim of this Policy is to deliver sustainable major development in a way which protects the separate identity of settlements and maintains the quality of the environment. The application site is situated in the north-eastern part of the South Wokingham SDL and is adjacent to new developments at Montague Park and Keephatch Gardens. The site functionally relates to, and could successfully link and integrate with, the delivered and planned major development. It would not only be able to utilise the existing and planned infrastructure, but would also contribute to its provision and enhancement (paragraph 119 refers). The site is well contained with clearly defined boundaries formed by A329 London Road to the north, Buckhurst Meadows SANG to the west (which will remain in perpetuity), St Anne's Drive, existing residential buildings and woodland to the east; and future St Anne's SANG (application reference 190900) to the south, which sits within the administrative boundary of Bracknell Forest Council.
8. The area between Binfield/Bracknell and Wokingham is also identified as a 'strategic gap' in Policy LP19 of the Pre-Submission Bracknell Forest Local Plan (March 2021), which ensures development proposals do not lead to the coalescence of settlements. Notwithstanding, paragraph 10.68 of Bracknell Forest's Local Plan acknowledges that this does not necessarily prevent all development, provided development proposals can demonstrate that the landscape character has not been compromised.
9. Bracknell Forest Local Plan Policy LP 38 also states that:

*"Within strategic gaps and wedges defined on the Policies Map, development will be supported where it can be demonstrated that it*

*would not adversely affect the function of the gap or wedge, and not unacceptably reduce the physical and visual separation of settlements (or distinct parts of a settlement) either within or adjoin the borough.”*

10. The southern edge of the development proposal adjoins the administrative boundary of Bracknell Forest. Notwithstanding, the site is relatively well self-contained due to the existing development to the west and being visually contained by an area of ancient woodland and St Anne’s SANG (and to some extent the main railway line) to the south maintaining visual and physical separation from the settlements of Wokingham and Bracknell. Further, the retention of a natural buffer from the new residential development and the area of ancient woodland, as set out in the proposed Landscape Design Strategy would also help to ensure physical and visual separation. Therefore it is considered that the development proposal would not lead to the physical or perceived coalescence of the settlements of Binfield/Bracknell and Wokingham.
11. Core Strategy Policy CP21 sets out a clear policy statement that, as part of the new development in the South Wokingham SDL, measures need to be taken to maintain separation from Binfield/Bracknell. Whilst the site is located within the extent of South Wokingham SDL, it is currently not allocated for residential development. The preferred spatial framework contained within the South Wokingham SDL SPD (Figure 3.1) identifies the application site as a potential green open space location. However, this is an indicative plan and it was intended to provide for flexibility to agree the exact development areas in the future. This situation is recently evidenced through the planning application approvals to the south of the railway line within South Wokingham, for example application for Phase 2a (reference 190914). Therefore, the South Wokingham SDL SPD should not be interpreted to “entrench” this application site designation as non-residential.
12. This is further supported in MDD LP Policies: recognising that master planning of the SDL was yet to take place at the time Core Strategy, MDD LP and South Wokingham SDL SPD were adopted, MDD LP Policies CC02 and SAL05 allow flexibility for alternative layouts, where they are accompanied by a deliverable SDL-wide masterplan and Infrastructure Delivery Plan (IDP). The SDL-wide masterplan and IDP are currently being finalised and the applicant agreed to pay their fair share of contributions required to secure the delivery of South Wokingham SDL infrastructure (paragraph 119 refers).
13. It needs to be noted that the current proposal is a re-submission of a previously refused scheme (application 182882), which proposed approximately 40% more units when compared with the current proposal. Whilst the previous scheme was considered to be contrary to the intention of Core Strategy Policy CP11: *Proposals outside development limits (including countryside)*, it was refused for reasons relating to design matters and not the principle of development within this location. It should also be noted that the NPPF is clear that where a development does not result in significant harm and is sustainable, it should be supported. As is highlighted in the report, the location of the development is considered to be sustainable, being well served by public transport and would allow easy and safe access to facilities within walking distances. Importantly the

location is no worse than the Keephatch Gardens development located to the north of London Road.

#### Emerging development plan

14. The Local Plan Update is at a relatively early stage of preparation. Public consultation on the Draft Local Plan was conducted between 3 February and 3 April 2020. The Draft Local Plan sets out the proposed spatial strategy for development within the borough to 2036, including proposed site allocations and draft development management policies.
15. The site of 'Land at St Annes Drive' was a new site promoted for development (up to 81 dwellings) in response to the Draft Local Plan consultation. Since the Draft Plan was agreed for consultation, there have been a number of changes in circumstances. In light of the circumstances regarding the deliverability of Grazeley Garden Town, further work is ongoing to consider alternative options for managing growth in the borough. The current Draft Plan proposes this site be allocated for residential development and the site was agreed to be included by the Council's Executive in November. Whilst the future programme for the Local Plan Update is yet to be confirmed, a further consultation is currently taking place (November 2021). At the time of writing, the Draft Plan has limited weight in the decision-making process.

#### Housing land supply

16. The NPPF (paragraph 73) requires Local Planning Authorities to maintain a supply of specific, deliverable sites sufficient to provide a minimum of five years' worth of housing. The Council's latest published Five-Year Housing Land Supply Statement demonstrates that as of 31 March 2020, the Council was able to demonstrate in excess of five years supply of deliverable housing. This has been challenged and found robust through multiple planning appeals. Planning policies are therefore considered up-to-date for the purpose of decision-making, and the titled balance under paragraph 11 of the NPPF is not engaged.

#### **Character of the Area:**

17. Core Strategy Policies CP1 *Sustainable Development* and CP3 *General Principles for Development* set out the requirement for the development to achieve high quality of design that respects its context and maintains or enhances the quality of the environment. This includes the way development integrates with its surroundings and the use of appropriate landscaping.
18. MDD LP Policy TB21 *Landscape Character*, amplified by the Borough Design Guide SPD and South Wokingham SDL SPD require proposals to demonstrate how they have addressed the requirements of the Council's Landscape Character Assessment and respond positively to the local landscape context, retaining or enhancing features that contribute to the landscape including topography, natural features – hedgerows, trees, watercourses etc. - heritage assets, settlement patterns and the network of

routes. MDD LP Policy CC03 *Green Infrastructure, Trees and Landscaping* requires that new development should protect and enhance green infrastructure networks, promoting connectivity between different parts of the network and integrating with adjacent open space.

19. The Council's Landscape Character Assessment identifies the area to the South of Wokingham as N1 *Holme Green Pastoral Sandy Lowland*. It is a gently undulating, agricultural landscape, peaceful and sparsely settled, strongly influenced by the Emm Brook and its tributaries. It is a landscape of moderate quality and condition, and the strategy is to enhance the existing character.
20. The application site comprises grassland area used as paddocks to the north, the centre of the site is characterised by equestrian buildings and facilities, whilst the southern section of the site accommodates an exercise area. Immediately to the west, the site adjoins Buckhurst Meadows SANG from which it is separate by a line of mature hedgerow which extends along the entire western boundary of the site. The northern boundary of the site is formed by shrubs and trees, some of which are protected, and A329 London Road. Views into the site are currently possible from A329 London Road with a small cluster of dwellings and stable buildings being visible. However, these are seen in the context of open land surrounding them. It is recognised that the proposal would lead to a loss of an open field which, when viewed in the context of the adjoining SANG, presents itself as an extension to it, as identified in the Officer Report to the previously refused application. To the north A329 is abutted by North Wokingham SDL development of Keephatch Gardens (nearly complete) and future Coppid Beech Park & Ride (currently under construction), which fill in the gap between the edge of Wokingham Town and A329(M). The Officer Report to the previous application considered that the refused proposal would result in a loss of an open field and thus impacting on the perception of leaving Wokingham. However, it is considered that the Keephatch Gardens development, which is now largely complete, influences this perception and extends further the urban character of this area. In terms of physical distance between settlements, the dwellings on the southern end of Oak Avenue (part of Keephatch Gardens development) lie approximately 390m from the dwellings along London Road in Bracknell, near Merrydale Day Nursery, with Park & Ride facility (under construction) and A329(M) between. The distance between the proposed dwellings which would be closest to existing dwellings in Bracknell (i.e. near Merrydale Day Nursery) would be approximately 390m as well, with Greenacres, Edgewood and Buckhurst Lodge dwellings, Buckhurst Court offices, St. Anne's Manor Hotel and A329(M) in between. Therefore, the separation distance and character of the intervening land would provide equivalent if not better separation than has already been achieved on the opposite side of A329(M) London Road. This is considered appropriate to maintain the settlement separation in this instance.
21. It should also be noted that Keephatch Gardens development was delivered on a site which had not been allocated for residential development in the Core Strategy. The Keephatch Gardens area was indicated as a potential green open space location in the Preferred Spatial Framework Plan within the North Wokingham SDL SPD. Together with the Preferred Spatial Framework Plan contained within South

Wokingham SDL SPD, the masterplan envisaged a linear corridor of open green space. A part of this corridor has been approved for residential development of Keephatch Gardens (on the opposite site of A329 London Road), which successfully achieved mitigation of its impact on the landscape character of the area through reinforcing landscape buffer north of A329 London Road and additional tree planting in that area. Whilst it is accepted that the proposal would lead to a loss of open fields and introduce residential development in this area, it would also retain the majority of the vegetation along A329 London Road and would provide a buffer in the northern section through the provision of green open space, thereby reflecting and continuing the Keephatch Gardens approach on the opposite site of A329 London Road. The landscape character of this area, including the designation of A329 London Road as a Green Route) would be improved by additional tree planting proposed within the northern open space location and along A329 London Road, details of which would be secured via planning condition. The additional tree planting will also need to take into account mitigation required in respect of approximately 20 protected trees, which are proposed to be removed in the north-east corner of the application site to create site access. The total number of trees proposed to be removed, as set out in the Arboricultural Impact Assessment, would be 32, however three of those are already dead or damaged, and seven trees would require removal in any event for reasons of sound arboriculture management, and majority of the trees which are proposed to be removed are of low quality and value and are not considered to contribute to the overall landscape character of the area. The proposal has been considered by the Council's Trees and Landscape Officer. While it is recognised that the removal of the TPO trees at the site entrance is regrettable and will have a detrimental impact on the character and amenity of the Green Route in this area, this will be limited to a small, localised area and will be partially mitigated by additional tree planting within the site as shown on the Landscape Masterplan Strategy, details of which would be secured by condition 14.

22. The layout of the proposal, in particular the northern section of the site, has been significantly amended to achieve a better relationship with A329 and residential development to the north, in the context of which the proposal also needs to be seen and considered. The revised scheme introduces more substantial open space area to its frontage to enable further mitigation and to ensure it better integrates with the surrounding landscape.
23. Whilst residential development in this location differs from what was anticipated in the South Wokingham SDL SPD Preferred Spatial Framework, it is not considered that the proposal would undermine the separation between the settlements of Wokingham and Bracknell.

## Layout and Design

### Layout

24. Core Strategy Policies CP1 *Sustainable Development* and CP3 *General Principles for Development* require high quality design that respects its context. This requirement is amplified by MDD LP Policies CC03 *Green Infrastructure, Trees and Landscaping* and TB21 *Landscape Character* and South Wokingham SDL SPD which require development proposals to protect and enhance the Borough's Green Infrastructure (including designated Green Routes such as London Road), retaining existing trees, hedges and other landscape features and incorporating high quality – ideally native – planting as an integral part of any scheme, within the context of the Council's Landscape Character Assessment. The Government has also recently released a National Design Guide: *Planning practice guidance for beautiful, enduring and successful places in October 2019*.
25. The proposed layout of the scheme has been guided predominantly by the existing landscape features, such as mature vegetation along the boundaries, the extent and location of existing protected trees and a ditch running across the site, as well as proximity to A329 London Road and Buckhurst Meadows SANG.
26. Following officer comments made on the originally submitted layout, the proposed layout has been amended to address them. The changes mainly relate to the northern section of the section of the site which includes one apartment block, which has been amended to achieve a well-defined frontage with high quality of design and contemporary character. The positioning and orientation of the apartment block would provide good level of surveillance of public open space to the north, which includes a play area. The Layout of this area as amended would deliver improved legibility through development and enhance site's connectivity with pedestrian and cycle links across SDLs and towards town centre. The number of units has been reduced to provide higher quality amenity space for future occupiers and reduce pressure on the boundary trees and hedgerows. The parking layout has been revised across the site to ensure more convenient and better integrated parking locations. The amended layout is considered to be much improved over the original proposal as it would provide a multi-functional corridor of open space linking to Buckhurst Meadows SANG.
27. The Design and Access Statement establishes the hierarchy of streets and principles for their design, which broadly reflect the design principles contained within South Wokingham SDL SPD. The "secondary streets", which give access to and through the neighbourhood, would provide emphasis on pedestrian and cycle movement through a provision of a minimum of 2m wide footway; they would also offer parking in designated bays and tree planting along the carriageway. In addition to some areas being designed as private driveways, a good proportion "tertiary streets" is ensured throughout the development. These would comprise shared surfaces which give equal priority to slow moving vehicles, cycles and pedestrians, and would include less formal landscaping as identified within Landscape Masterplan Strategy. The submission of a detailed landscaping scheme would be secured by a condition 14.

28. Dwellings are shown to be oriented so that they would address and provide frontages to the streets, generally facing out towards the boundaries of the site, which is considered appropriate, particularly where there are existing hedgerows/tree buffer around its perimeter. Providing a suitable buffer between the built form and the boundaries allows space for the provision of an attractive soft edge to the development which is considered appropriate in this location.
29. The proposed layout is also considered to link well with the wider SDLs. The layout provides for a number of connected streets and paths running through and around the site. Presently, the application site is privately owned land and there are currently no public footpaths through the site. The proposal would create new links with footpaths running through Buckhurst Meadows SANG, which would enhance connectivity and permeability opportunities within South Wokingham SDL and with other neighbourhoods, including North Wokingham SDL.
30. Whilst the site is not currently allocated for housing provision, the proposals are nonetheless considered to be compatible with and complimentary to the SDL, and would integrate successfully with the overall South Wokingham SDL vision and masterplan. The proposals are therefore not considered to undermine the strategic objectives of the SDL, nor impact upon the wider area, but rather would serve to be compatible with them and offer benefits to the wider community.

#### Scale

31. The proposal would almost exclusively comprise dwellings of two storeys in height (with associated single storey garages or car ports) and one apartment block combining two- and three-storey sections. The apartment block would be located in the north-east corner of the site with a generous set-back from A329 London Road and it would sit parallel to it. The land is also lower than London Road to the north. The apartments block in this location would perform an important role in terms of developing the right scale and sense of enclosure, providing a landmark structure as well as act as a highlighting the relative importance of this area in terms of its communal function. The apartment block has been reduced in scale and redesigned to address officer concerns in regard to its appearance in this important location. It is considered that the current, revised proposal relates well to the surrounding area, including Montague Park and Keephatch Gardens developments.

#### Design and Appearance

32. A limited variety of housing typologies is proposed, which include one apartment block and detached, semi-detached and terraced properties.
33. The northern section of the site would read as a gateway with a balanced provision of open space to the north and along the ditch and attractive, more contemporary approach to the architectural styles. Elevations of larger built forms would show symmetry and vertical repetition; the use of elongated windows or bays and integrated balconies would add visual interest. The approach in respect of the southern area is to comprise simple architecture and traditional detailing, which incorporates forms and detailing consistent with the local vernacular. The proposal would see a quieter

transition further south with more detached dwellings, informal layout and generally more intimate feel, commensurate with the proximity to ancient woodland beyond southern boundary of the site. Visual interest would be provided to the elevations through brick detailing around windows, and hanging tiles in the gable elevations of some dwellings. Chimneys and bay windows would add further interest to the proposed dwellings. It is considered the overall approach to the design and external finishes would be compatible and complementary with the character and appearance of the surrounding area and would provide a successful and well-designed scheme. Samples of the proposed materials would be required to be submitted for approval through condition 11.

34. Notwithstanding the limited variety of house typologies, the range of house types would ensure that there is diversity in the built form and a range of housing for future occupants. The diversity in terms of the style of the dwellings is achieved through the detailing such as heights, materials/design and roof form. This will help to provide a clear and legible neighbourhood. Overall the proposed design, scale and appearance is considered to represent high quality development and will integrate and be compatible with the character of the surrounding area.

## **Housing Density, Mix and Tenure**

### Density

35. Core Strategy policy CP5 *Housing mix, density and affordability* requires a mix and balance of densities, dwelling types, tenures and sizes. Core Strategy (Appendix 7) and South Wokingham SDL SPD anticipate an average density of 30–35 dwellings per hectare (dph) within the South Wokingham SDL but with significant variation across different character areas: a relatively low density of 25-30 dph on the “rural interface”, in particular on the southern edge of the development; 30-40 dph in “general residential” areas; and 40-45 dph in “urban residential” areas, such as around the neighbourhood centres and along the SWDR.
36. The application would achieve density of 16 dph, which is significantly lower than the lowest (“rural interface”) density anticipated by the South Wokingham SDL SPD. However, the site is constrained being long and narrow with mature trees and hedgerows located on the boundaries. In this instance the layout of the site is considered to be more important than density and officers have negotiated a scheme which is appropriate for the location and site. A higher density and more flats in this location would not be considered appropriate or acceptable.

### Housing Mix

37. Core Strategy Policy CP5 *Housing mix, density and affordability* and MDD LP Policy TB05 *Housing Mix*, reinforced by South Wokingham SDL SPD seek to provide a mix and balance of dwelling types and sizes, with a predominance of houses with private gardens, having regard to both the underlying character of the area and the current and projected needs of households.

38. The most up-to-date information on market housing mix, which formed part of Council's evidence base for the emerging Local Plan Update, is in the Local Housing Needs Assessment (2020). Its recommendations and the proposed housing mix are presented in the Table 1 below:

	1 Bed	2 Bed	3 Bed	4+ Bed
All dwellings LHNA (%)	10%	10%	45%	35%
Proposed (quantum)	6	9	19	20
Proposed (%)	11%	17%	35%	37%

Table 1: Housing mix provision in comparison with market assessment

39. The majority of the proposed dwellings would have three or four bedrooms, which is in keeping with the "rural interface" character of areas located on the edge of settlement, where lower density of residential development is expected. The slightly greater than recommended number of 2 bedroom properties reflects the requirement for the affordable housing provision (paragraph 42 refers). It is considered that the proposed mix offers a good balance in this location.

#### Affordable Housing

40. Core Strategy policy CP5 *Housing mix, density and affordability*, South Wokingham SDL SPD and the Infrastructure and Contributions SPD, requires residential development to provide a mix of tenures, including a proportion of affordable housing. The proportion depends on the size of the development, location and whether the land was previously developed: for developments of five or more dwellings (net) or on sites of 0.16 hectares or larger within SDLs the requirement is for 35% affordable homes.
41. The proposal is required to provide 35% of affordable homes. The scheme proposed that 19 out of 54 dwellings proposed are affordable, which equates to just over 35%. This meets policy requirements.
42. MDD LP Policy TB05 *Housing Mix* requires an appropriate mix of affordable dwelling types and sizes, assessed on a site-by-site basis and reflecting the Council's Housing Strategy and Affordable Housing SPD. The MDD LP and Affordable Housing SPD suggest a guide mix, to be considered in conjunction with the latest information from the Housing Register. The guide mix and proposed mix are set out in Table 2 below:

	1 Bed	2 Bed flat	2 Bed house	3 Bed	4+ Bed
Guide mix (%)	20%	15%	30%	20%	15%
Proposed (quantum)	6	3	6	4	0
Proposed (%)	31%	16%	31%	21%	0%

Table 2: Affordable Housing mix provision in comparison with local need assessment

43. The scheme proposes a mix of affordable housing in line with Affordable Housing SPD with the exception of 2-bedroom flat being over- and 2-bedroom houses being below the recommended proportion. Each of the proposed flats would benefit from good-size balconies, therefore, the lack of access to amenity space, which may be one of the factors why flats are perceived as less attractive, would be mitigated. Combined with the layout of the site which was amended to ensure that the apartment block overlooks (and offers direct access to) public open space to the north, it is considered that the variation from the guide is acceptable. It should also be noted that the development is located adjacent to a large area of open space on the adjacent SANG and close to schools and local facilities at Montague Park.
44. The Affordable Housing SPD also provides guidance on the tenure of on-site affordable housing to be assessed on a site-by-site basis, but generally recommends that 70% of the affordable housing is social rented and 30% is shared ownership. The scheme would meet this recommendation with 30% of the affordable housing being offered for shared ownership and 70% being offered as social rent. The above details would be secured through a S106 agreement. The Council's Housing Team have considered the proposal and advised they are supportive of it.

### **Residential Amenity**

45. MDD LP Policy TB07 *Internal space standards* and Borough Design Guide SPD establish that the size and layout of new homes should be suitable to serve the amenity requirements of future occupiers, although the standards set out in them have now been superseded by the DCLG Technical housing standards – nationally described space standard (March 2015).
46. The scheme has been revised to ensure that these standards are met, which is demonstrated in the NDSS document submitted with this application. All proposed dwellings would achieve higher standards than those prescribed by NDSS in relation to gross internal area, built in storage and bedroom floor area.
47. Borough Design Guide SPD establishes that that dwellings should have access to some form of amenity space, preferably in the form of a private or communal garden. It also recognises that flats often will have limited access to gardens, therefore other forms of private outdoor space should be provided to residents of flats, such as balconies – these should be positioned and designed to provide some degree of privacy and benefit from sunlight where possible. Where private gardens are proposed, they should be useable and be broadly rectangular, receive sunlight of some of the day, be capable of accommodating a range of activities and have secure access for cycle storage. Borough Design Guide SPD recommends that gardens are 11m deep. The proposal meets the above requirements with all gardens achieving or exceeding the 11m depth.
48. The proposal has been revised to respond to the greater need to have good access to quality outdoor space that transpired during pandemic. Each of the proposed flats would have at least one large balcony to accommodate a table and chairs, which will

offer private amenity space to residents; units located at ground level have a designated area of defensible space to protect the occupiers' amenities. Balconies are now provided in an integrated form (rather than as bolt-on structures), which offers better degree of privacy. Whilst some balconies are orientated northwards, this is dictated by the site layout and the need for the open space to be subject to good surveyance levels and for LLAP to be overlooked. This also means that apartment blocks offer direct access onto the public open space area, thus further increasing the access of residents of flats to high quality outdoor space provision.

49. Condition 36 is recommended which removes permitted development rights of the properties. This is to ensure that any future proposals to extend the properties, including into the garden spaces, can be assessed through the submission of a planning application. This will help to restrict unacceptable encroachment into these important garden spaces which might otherwise benefit from permitted development rights.

### **Neighbouring Amenity**

50. In addition to the overarching requirement for good design, Core Strategy Policy CP3 *General Principles for Development* establishes that development should not harm the amenity of adjacent sites. The Borough Design Guide SPD establishes that buildings should be designed to provide reasonable levels of privacy in habitable rooms and appropriate levels of daylight and sunlight to new and existing properties. It also recommends acceptable separation distances to achieve appropriate levels of privacy, avoid unacceptable loss of light or overshadowing and overbearing impacts. These are 10m front-to-front across the street, 22m back-to-back and 12m back-to-flank. Where higher buildings are proposed, the recommended separation distances are also recommended to be greater: up to 26 metres back-to-back and 15 metres back-to-flank is desirable between houses with three or more storeys.
51. The proposal in its current, revised form meets the recommended separation distances with regard to the relationship between the proposed dwellings. The dwelling proposed on plot 07 has its flank elevation located approximately 10m away from the front/flank corner of the existing property "Greenacres". Whilst there is no specific recommended separation distance for this scenario, the only first floor window in the flank elevation of the proposed dwelling would serve a stairwell; there would be no first floor windows to habitable rooms proposed. Therefore, it is considered that the proposal would not result in unacceptable impacts on neighbouring amenity of future or existing occupiers of the area.

### **Heritage**

52. The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a statutory duty to have special regard to the desirability of preserving listed buildings or their setting. Consistent with this, Core Strategy Policy CP3 *General Principles for Development* and MDD LP Policy TB24 *Designated Heritage Assets* establish that development should not have a detrimental impact on important heritage features or

their setting and should conserve and, where possible, enhance their important character and special architectural or historic interest.

53. The nearby Heritage Assets include St. Anne's Manor Hilton Hotel (formerly Buckhurst House) which was built in the second half of the 19th century on the site of an earlier large farmhouse and farm buildings known as Buckhurst. Buckhurst House is located about 150m east of the site and is characterised by brick elevations with stone dressings, pitched roofs with decorative ridge tiles, mullion and transom windows with drip moulds, stringcourse, prominent chimney stacks with clustered shafts and compressed arch over the main entrance.
54. It is considered that the proposal would not have significant adverse impact on the nearby heritage assets or their setting due the site being well screened and the distance from these.

### **Archaeology**

55. Core Strategy Policy CP3 *General Principles for Development* establishes that development should not have a detrimental impact upon heritage assets. This is amplified by MDD LP Policy TB25 *Archaeology* which requires developments in areas of high archaeological potential to provide an assessment of the impact of the development upon archaeological remains and to secure preservation in situ or - where this is not practical - excavation, recording and archiving of remains.
56. The applicant has provided an archaeological desk-based assessment (TVAS, 2018) with previously refused application (182882), which notes prehistoric flintwork, Roman pottery, and medieval and post-medieval evidence from the near vicinity of the development site. Evaluations for the South Wokingham Distributor Road, at Buckhurst Farm, at Keephatch Gardens, and at Amen Corner, all within 750 m of the proposed development site, have shown the presence of archaeological remains of numerous periods. As a result, we would assess the potential for finding archaeological remains at the site to be relatively high.
57. The site itself, as is noted in the archaeological desk-based assessment, is previously undeveloped, and so any archaeological remains present are likely to be well-preserved. The proposed development will cause a number of harmful impacts to any remains: the development will impact a relatively large area (the site boundary includes c. 3 ha), with the stripping of top- and subsoils, the digging of foundations and service trenches, and landscaping and attenuation pond digging all likely to destroy or truncate archaeological horizons underlying the site.
58. In view of the archaeological potential of the site and the scale and likely impacts of the works, the proposal is therefore considered to have an archaeological implication. Therefore, further archaeological works would be required to ensure that archaeological impacts can be appropriately mitigated and are secured through condition 3.

## Public Open Space

59. Core Strategy Policy CP3 *General Principles for Development* establishes an overall requirement for 4.65 ha/1,000 population of open space (POS) within new development. This is amplified by MDD LP Policy TB08 *Open Space, sport and recreational facilities standards for residential development* which sets out the requirements for different types of open space. The CIL Regulation 123 List anticipated delivery of amenity open space and play areas within the SDLs together with land for other types of green infrastructure.
60. In line with the comprehensive master planning approach required by the Core Strategy and SPDs, the opens space requirements for this site have been considered together with what has already been delivered in Montague Park.
61. Consistent with the requirements of Core Strategy (Appendix 7) and South Wokingham SDL SPD, much of the open space provision is to be provided in a multi-functional corridor in the northern section of the site, near the course of the small ditch which forms an Emm Brook tributary, providing for recreation as well as flood water attenuation and biodiversity. The multi-functional open space corridor would extend along the A329 London Road, providing additional buffer between residential development and carriageway) and into Buckhurst Meadow SANG. It would comprise SUDS basin which would be designed in a way that is sympathetic to the space that is used by public. The corridor would also comprise a Local Landscape Area of Play (LLAP) integrated within the wider amenity space area. There would be further amenity space area to the south of the application site which would have a dual function of providing buffer to the woodland adjoining the site to the south. The proposed Natural/Semi-Natural Greenspace typology would be provided within the area of Keephatch Meadows SANG (paragraph 66 refers).
62. The scheme does not propose allotments on-site. Provision of land for allotments would normally be a requirement for development in the SDL and the Council would lay these out. However, in this instance, given the constraints of the site, an off-site contribution is considered more appropriate. This would be secured through a S106 agreement. Moreover, the proximity of allotments within Montague Park (within 700m radius) means that residents could use these plots if available. This approach has been accepted elsewhere and is therefore acceptable in principle and supported by the Council's Green Infrastructure officer as it would help ensure that a more attractive allotment provision is secured as part of a larger allotment site. Smaller areas of allotments are not considered to be the most appropriate provision.
63. The proposal is required to provide overall just over 0.3 hectare of public open space on site in a form of various typologies, to include parks and gardens, amenity greenspace and area of play. Landscape Open Space Strategy shows that the proposal would meet Open Space policy requirements. The detailed landscape design, which would include details of equipment for the proposed play area and which would reflect principles of open space strategy, would be secured through the requirements of condition 14 and S106 agreement. It is proposed the open space would be transferred to a management company.

64. MDD LP Policy TB08 *Open Space, sport and recreational facilities standards for residential development* requires a provision of 1.66 hectare of outdoor sport facilities per 1,000 population. The Council acquired land adjoining South Wokingham SDL at Gray's Farm with the intention of delivering a sport hub to provide outdoor sports capacity for the SDLs. As such the principle of off-site outdoor sport facilities provision is accepted. This would be secured through a S106 agreement.

### **Thames Basin Heaths Special Protection Area (TBH SPA)**

65. The Thames Basin Heaths Special Protection Area was designated under European Directive due to its importance for heathland bird species. Southeast Plan Policy NRM6 *Thames Basin Heaths Special Protection Area* and Core Strategy Policy CP8 *Thames Basin Heaths Special Protection Area* establish that – alone or in combination - new residential development within a 7km zone of influence is likely to contribute to a significant impact upon the integrity of the Special Protection Area and is, therefore, required to provide avoidance and mitigation measures in the form of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Monitoring and Management (SAMM).
66. The application site lies approximately 3.5km from the boundary of TBH SPA. This development does not propose any SANG on-site given the size of the site and its constrained nature. Instead, it is proposed to use the spare capacity off-site, within the existing SANGs. The applicant proposes to consume capacity for 42 dwellings available within the existing Keephatch Meadows SANG, which has been created to serve SDL development and where capacity remains for 42 dwellings. In order to do so, the applicant would pay a contribution to secure improvement works to Keephatch Meadows SANG to ensure that the SANG is operational to its full capacity. The SPA measures required in respect of the remaining 12 dwellings (out of 54 dwellings proposed by the scheme) would be provided through a contribution paid to Bracknell Forest Council in respect of capacity available at Piglittle Field SANG or an alternative SANG capable of serving the 12 dwellings. The payment of contribution towards Keephatch Meadows SANG and SAMM contributions would be secured through a S106 agreement. Payment of SANG contributions towards Bracknell SANG would be required to be made upon completion of the S106 agreement. This approach is considered acceptable in principle by Wokingham, Bracknell and Natural England.
67. Although Natural England has not yet finalised its response to the scheme, further information it requested (agreements from Wokingham Council and Bracknell Forest Council, along with details of SAMM payments) has been obtained and forwarded to them. Notwithstanding, the proposed approach to TBH SPA avoidance and mitigation measures has been agreed by Natural England in principle.

### **Ecology**

68. Core Strategy Policies CP3 *General Principles for Development* and CP7 *Biodiversity* establish that proposals should not have a detrimental impact on ecological features. Species and habitats of conservation value should be protected and the ability of a site

to support fauna and flora, including protected species, should be maintained and enhanced. Where the need for development outweighs the need to safeguard nature conservation importance and there are no less harmful alternatives available harm should be mitigated or compensated for. In addition, MDD LP Policy TB23 *Biodiversity and Development* requires proposals to enhance and incorporate new biodiversity features, provide appropriate buffer zones between development and designated sites as well as habitats and species of principle importance for nature conservation and ensure ecological permeability. These principles are reiterated in Core Strategy (Appendix 7) and South Wokingham SDL SPD.

#### Ancient Woodland, Ecological Permeability and Enhancements

69. The application site lies nearby an area of ancient woodland (Big Wood) which is located to the south of the site. The buffer between the development and the woodland is considered sufficient and measures proposed to avoid creation of new desire lines through woodland are considered suitable. These, along with details of ecological permeability in boundary treatment, would be secured through conditions 15 and 12 respectively. The Ecological Assessment Update (July 2021) makes recommendations for species-specific enhancements. A detailed strategy for species biodiversity enhancements, reflecting provision contained in this document, would be secured by condition 18.

#### Great Crested Newts

70. There is also a pond located in close proximity to the application site and further information was requested from the applicant in relation to presence of Great Crested Newts. It has been confirmed that the pond was dry during all visits to survey it, therefore it is reasonable to conclude that it is unlikely to be harbouring a population of this protected species.

#### Bats and Reptiles

71. The Update Ecological Assessment (October 2020) was submitted which concluded that the buildings to be demolished were unlikely to contain bat roost. Further information was requested in relation to the potential of trees and hedgerow to be used by bats for roosting. This identified a few of trees as having low bat roost potential. Therefore, mitigation measures for bats during construction will need to be ensured. Details of these, along with reptile mitigation strategy during the period of construction, would be secured by condition 7. In order to balance the sometimes conflicting aims of providing a safe environment for occupants and minimising the impact on wildlife, especially bats, condition 13 requires approval of an overarching lighting strategy.

#### Biodiversity Net Gain (BNG)

72. The application is supported by a Biodiversity Net Gain Assessment V1 (Ethos Environmental Planning, July 2021), calculated using DEFRA's Biodiversity Metric 2.0

calculation. This provides an assessment of the net change in the biodiversity value of the site as a consequence of the proposals, taking into consideration habitat type, area, distinctiveness and condition, ecological connectivity and strategic significance. It is an iterative process and the calculation would need to be refined based on the detailed landscaping. The calculations included in the assessment, which has been considered by WBC Ecology Officer, indicate that the required 10% BNG is achievable on-site. Recognising that these calculations will need to be updated during the detailed landscape design stage, the reappraisal of BNG based on detailed landscaping would be required under condition 15 and an off-site provision secured through S106 agreement as a contingency in the event of a shortfall. It should be noted that the Council's Ecology officer has not raised objection to the scheme subject to appropriate mitigation measures being included in the scheme.

### **Access and Movement:**

73. Core Strategy Policies CP1 *Sustainable Development* and CP6 *Managing Travel Demand* require consideration of the travel impacts of development, emphasising the importance of reducing the need to travel, particularly by private car. Supported by Core Strategy Policy CP10 *Improvements to the Strategic Transport Network* and MDD LP Policy CC08 *Safeguarding alignments of the Strategic Transport Network & Road Infrastructure* they require development to make provision for a choice of sustainable forms of transport including improvements to existing transport infrastructure including road, rail, public transport and facilities for pedestrians and cyclists, including those with reduced mobility. The South Wokingham SPD, Section 4, part 5 in particular, provides more detailed guidance on the Access and Movement Framework for the SDL.

#### Sustainability of Location

74. Core Strategy Policy CP6 b) directs development to locations which minimise the distance people need to travel and where there are choices of mode of transport available (or will be by the time of development).

75. Core Strategy policy CP9 *Scale and Location of Development Proposals* identifies the application site as Countryside, within Strategic Development Location of South Wokingham. The site lies just outside the defined boundary of Major Development Location of Wokingham, which, out of all settlements within Wokingham Borough, offers the greatest range of facilities and services and the greatest choice of modes of transport to access them. The opportunities for easy access to the town centre were an important factor in designating the South Wokingham SDL as an extension to the existing settlement of Wokingham. As set out in the remainder of this report, the application site location offers good access to Wokingham Town Centre and Bracknell, and local facilities such as schools and local shops, and is considered to be sited within a sustainable location.

### The Strategic Transport Network

76. Core Strategy Policy CP10 *Improvements to the Strategic Transport Network* identifies improvements required to ameliorate existing environmental and safety problems and to support new development. These include improvements on the A321 Finchampstead Road corridor and a cross reference to Core Strategy Policy CP21 *South Wokingham Strategic Development Location* which requires improvements to transport capacity along the A321 Finchampstead Road and A329 London Road corridors, including a new connection between Coppid Beech Roundabout and Finchampstead Road (the South Wokingham Distributor Road (SWDR)) (MDD LP policy CC08 *Safeguarding alignments of the Strategic Transport Network & Road Infrastructure* also refers). These policies also require delivery of measures to improve access by non-car modes.
77. The improvements to A329 London Road, which provides access to the site, have already been carried out and the nearest section of the SWDR has already been delivered and is open as William Heelas Way running through Montague Park. The next section of the SWDR, comprising a bridge over railway, is under construction and will provide a connection between William Heelas Way and Waterloo Road. Whilst the delivery of the remaining sections of the SWDR will be carried out by the Council and funded through CIL, off-site junction mitigation is required at the junction of the SWDR with Molly Millars Lane; this would be secured through IDP and S106 agreement.
78. Whilst the application site does not take access off the SWDR, given that St Anne's Drive connects to A329 London Road, the new transport corridor of SWDR forms part of the essential infrastructure required to support comprehensive development in the South Wokingham SDL in which this site sits. The Concept Rationale for South Wokingham SDL, which forms part of the Cores Strategy (Appendix 7), sets out the three important functions of the SWDR: to achieve traffic dispersal to relieve pressure on town centre, to form a transport corridor offering sustainable modes of travel and to become a key public street of Wokingham, offering civic quality and opportunities for commercial and community activity. Due to its location within South Wokingham SDL, the application would make an appropriate contributions towards the SWDR and towards the cost of land acquisition related to works at the junction with Molly Millars Lane. These would be secured through a S106 agreement.

### Site Access

79. This is a full application with details of site access provided. The application proposes to create a new 6m wide priority access junction off the western side of St Anne's Drive. The proposed access would also accommodate a pedestrian and cycle access through the provision of a 2m wide route connecting the application site with the foot/cycleway along A329 London Road. The proposed access from St Anne's Drive, as well as the junction with A329 London Road, have been considered by WBC Highways Officer and are considered acceptable in principle. These would be subject to a detailed design and further safety audits as part of the highway agreement process.

### Transport Network

80. Core Strategy Policies CP1 *Sustainable Development* and CP3 *General Principles for Development* require schemes to be functional, accessible, safe, secure and adaptable and to ensure high quality design. The Core Strategy Policy CP6 *Managing Travel Demand* expects development to provide sustainable forms of transport to allow choice, improve existing infrastructure network and be in a location which offers choices in the mode of transport, which minimise the distance people need to travel. South Wokingham SDL SPD requires that the proposal creates attractive, walkable residential areas, which should promote easy and efficient movement balanced with high levels of residential amenity and attractive environment. This should be achieved through a hierarchy of streets and routes which respond to different travel needs.
81. The application site is located off A329 London Road which becomes A329(M) at Coppid Beech roundabout, which in turn provides a link to M4 at Junction 10 approximately 4km away. Opposite the application site, on the northern side of A329 London Road, there is a Coppid Beech Park & Ride facility currently under construction and the start of the North Wokingham Distributor Road which provides a link to Reading Road and Lower Earley Way. The site is located approximately 2km from Wokingham Town Centre and approximately 4km from Bracknell Town Centre. There are bus stops located next to and opposite the junction of St Anne's Drive with A329 London Road. These bus stops offer links to Reading, Bracknell and Wokingham, including Bracknell and Wokingham railway stations. There is also a cycleway along London Road connecting Wokingham town centre with Bracknell.
82. The proposal would strengthen the movement network through provision of pedestrian and cycle links between the application site and Keeppatch Gardens (North Wokingham SDL) development to the north, London Road, as well as between the application site and Montague Park (South Wokingham SDL) development to the west. This is of particular importance given the choice of travel modes created by the proposal, including an attractive, safe and convenient route into the neighbourhood centre (including local shops and facilities), primary school, play areas and allotments at Montague Park through Buckhurst Meadows SANG; the new link would upgrade the existing footpath to incorporate all-weather resin bound permeable surface which would be suitable for visitors to SANG, mobility aid users, prams and cycles.

### Pedestrian and Cycle Network

83. Core Strategy Policy CP1 *Sustainable Development* requires that developments demonstrate how they support opportunities for reducing the need to travel by car. Core Strategy Policies CP6 *Managing Travel Demand* requires that proposals enhance facilities for pedestrians and cyclists, including provision for those with reduced mobility and other users. Core Strategy Policy CP10 *Improvements to the Strategic Transport Network* require improvements to pedestrian and cycle networks to improve access to services and facilities and increase use of cycling. Core Strategy Policy CP21 *South Wokingham Strategic Development Location* requires measures to protect and enhance pedestrian (including mobility aids) access to the countryside from

Wokingham Town Centre and MDD LP Policy CC03 *Green Infrastructure, Trees and Landscaping* requires that proposals promote accessibility, linkages and permeability between and within existing green corridors, and that they promote the integration of the scheme with any adjoining public open space or countryside. South Wokingham SDL SPD requires that the scheme is designed in a way to offer direct, easy and safe access to neighbourhood centre with priority given to pedestrians first, then to cyclists.

84. The submitted Connectivity, Pedestrian Movement & Desire Lines, Design and Access Statement and Landscape Masterplan Strategy documents set out how the pedestrian and cycle network is extended and enhanced by the proposal. The proposal seeks to deliver a number of improvements to the network within the South Wokingham SDL, as well providing linkages between South and North Wokingham SDLs, which will provide benefits to the residents of the wider area. These proposals include a good provision of new links between the application site and Buckhurst Meadows SANG to enhance access to public open space. They would also include a provision of an all-weather resin-bound path which could be used by pedestrians and cyclists, which would extend the network to provide alternative, safe and attractive access from Keephatch Gardens SDL development (and the wider residential area north of A329 London Road) to Montague Park neighbourhood centre, school and play areas. It would also offer an alternative route from Montague Park development (and the future South Wokingham SDL parcels located south of the railway) to SANGs located east of A329 (Keephatch Meadows, Piglittle Farm) and to Keephatch Gardens development which includes BMX track and public house. It is also important to note that this is not intended as a designated cycleway and as such Local Transport Note on Cycle infrastructure design (LTN –120) does not apply, although the principles of this guidance note are considered in its provision.
85. The proposal would also contribute towards My Journey – a borough-wide travel plan which promotes active and sustainable travel options to the motor car, including walking, cycling and using public transport. This would be in a form of financial contribution and would be secured through S106 agreement.

### Public Transport

86. Core Strategy Policy CP6 *Managing Travel Demand* and South Wokingham SDL SPD require that proposals provide for sustainable forms of transport to allow choice. Core Strategy Policy CP10 *Improvements to the Strategic Transport Network* seeks improvements to the quality and frequency of public transport services.
87. The application site benefits from bus stops located next to and opposite the junction of St Anne's Drive with A329 London Road, within 400m walking distance from dwellings proposed by the scheme. These bus stops offer links to Reading, Bracknell and Wokingham, including Bracknell and Wokingham railway stations, with a good frequency of service. The proposal would also secure a contribution towards a new bus service being delivered through Strategic Development Locations, which would be included in a S106 agreement.

### Traffic Generation and Highway Safety

88. Core Strategy Policy CP6 *Managing Travel Demand* requires that the proposals should enhance road safety, should not cause highway or traffic related environmental problems and, where adverse effects upon the local and strategic transport network arise from development, these should be mitigated.
89. The application is accompanied by Transport Assessment, which provides details for the proposed access from St Anne's Drive and changes to the junction of St Anne's Drive with A329 London Road. Whilst considered acceptable in principle, these junctions/accesses would be subject to detailed design and further safety audits as part of highway agreement process which would be secured through a S106 agreement.
90. The accompanying Transport Assessment included the trip rates generation assessment comparative to WBC's strategic highways model. This has been reviewed by the Council's Highways Officer and is acceptable.

### Car and Cycle Parking

91. Core Strategy Policy CP6 *Managing Travel Demand* and MDD LP Policy CC07 *Parking* require appropriate vehicle parking, in line with the Council's standards set out at Appendix 2 of the MDD LP. South Wokingham SDL SPD requires that vehicle and cycle parking is well planned and designed to ensure that it does not have a detrimental impact on the amenity and character of the SDL. Residential parking should be on-plot and parking courts should be avoided, except for apartments. On-street parking is permissible, however parking spaces should be divided by street trees.
92. The proposed car and cycle parking is set out in Car Parking Space Designation drawing 2767.32 Rev A accompanying this application. The parking allocation summary is set out in Table 3 below.

<b>Allocated Parking</b>	<b>Garages and Car Ports</b>	<b>Unallocated/Visitor</b>
94	33	21

*Table 3: Car parking allocation summary*

93. This proposed parking provision accords with WBC's parking standards and would equate to a parking provision ratio per dwelling of 2.7. Cycle parking is provided for each of the houses in a form of a shed located in rear gardens, with direct access ensured. Cycle parking for apartments would be offered in a communal cycle store, which would meet the requirements in terms of size, number of cycle spaces that it can accommodate and manoeuvrability. Details of cycle parking would be secured by condition 28 and car parking provision would be secured under condition 31.

## Electric Vehicle Charging

94. The levels and type of electric vehicle charging required is set out in the Living Streets: a Highways Guide for Developers in Wokingham (2019) (“the Guide”). The Guide anticipates a combination of passive and active electric vehicle charging and it varies depending on the type of parking space (whether it is on- or off-plot). The table below sets out the requirement and the provision proposed by the scheme.

	<b>Active required</b>	<b>Active proposed</b>	<b>Passive required</b>	<b>Passive proposed</b>
On-plot	5%	36 (100%)	35%	0
Off-plot	5%	7 (19%)	25%	12 (31%)

Table 4: EVC provision

95. The level of the proposed electric vehicle charging far exceeds the levels set out in the Guide and includes a provision for futureproofing. Condition 27 requires details of the Electric Vehicle Charging strategy to be submitted for the Council’s approval in connection with futureproofing the development to align with the increase in electric vehicle ownership.

## **Flooding and Drainage**

96. The NPPF and National Planning Practice Guidance establish a framework for assessing the probability of flooding and the suitability of land for different uses, depending on their level of vulnerability. Consistent with this, Core Strategy Policy CP1 *Sustainable Development* and MDD LP Policy CC09 *Development and Flood Risk (from all sources)* require a sequential approach which directs development away from areas at highest risk of flooding (from any source). Furthermore, development should incorporate Sustainable Drainage Systems (SuDS) to provide adequate drainage, avoid increasing - and where possible reduce - the risk of flooding, on the site and elsewhere, and limit adverse effects on water quality (including ground water). Flood modelling and drainage systems should be designed to accommodate a 1 in 100 year flood event plus and allowance for climate change: 40% surface water (pluvial) flooding and 70% for fluvial flooding.
97. The application site is located entirely in Flood Zone 1, which has where the probability of flooding is low (less than 0.1% annual probability/1 in 1,000) and all forms of development, including the proposed ‘more vulnerable’ residential use are appropriate. Thus, the application would meet the sequential test.
98. MDD LP Policy CC10 *Sustainable Drainage* requires surface water to be managed in a sustainable manner, maintaining greenfield run-off rates and volumes, taking into account climate change.
99. The Flood Risk Assessment and Drainage Strategy, September 2021 (FRA) stated that infiltration into the ground was not feasible. Therefore, the scheme proposes that

discharge into the existing ditch as the main method of surface water disposal. The proposal would attenuate all surface water runoff in SuDS features, such as permeable paving, detention basin and cellular storage tanks. The FRA Addendum (September 2021) expands the list of SuDS features to include rain garden. Details of SuDS features would be secured by conditions 14 and 21. The drainage system is proposed to be designed to accommodate the 1% annual probability rainfall event runoff with a 40% allowance for climate change. In the event of exceedance, it is anticipated that surface water will drain to the lowest part of the site (ditch) without impacting on the site. Exceedance flow routes and future management and maintenance of SuDS features would be secured by conditions 23 and 22 respectively. In summary, there are no concerns with respect to flooding or drainage from the development.

## **Environmental Health**

### Noise and Construction

100. Core Strategy Policy CP1 *Sustainable Development* seeks to avoid development in areas where noise may impact on the amenity of future occupants and MDD LP Policy CC06 *Noise* reinforces this, requiring proposals to demonstrate how noise impacts on sensitive receptors (both existing and proposed) have been addressed.
101. The A329 London Road runs along the northern boundary of the application site and the northern part of the site is approximately 250m from the junction with the A329(M). The application site is likely to be affected by traffic noise, therefore, a noise impact assessment, incorporating noise mitigation scheme if required, and has been requested by WBC Environmental Health officer. It is considered acceptable to secure submission of noise impact assessment prior to commencement of the development, should it be permitted. This would be secured by condition 4. It should be noted that construction impacts will be temporary in nature and can generally be mitigated by conditions such as the Construction Environmental Management Plan.
102. Construction traffic is unlikely to generate any significant increase in noise levels on the local road network. Noise and vibration from operations on site has the potential to have an adverse impact on sensitive receptors in the vicinity of the site but the impacts are capable of mitigation; condition 7 would secure appropriate mitigation measures and condition 35 would limit the hours of construction to protect existing residents from noise and other nuisances generated by construction activities.
103. The construction activities during permitted hours are likely to give rise to dust generation, vibration, noise, smoke and light nuisance. There are existing residential properties adjacent east of the site that may be adversely affected by such nuisances. In order to protect existing residents from such nuisances condition 7 would secure details of Construction and Environment Management Plan.

### Contamination

104. Core Strategy policy CP1 *Sustainable Development* requires development to minimise the emission of pollutants, limit any adverse effects on water quality (including ground water) and avoid areas where pollution may impact upon the amenity of future.
105. In order determine the risk of contamination, a full investigation and risk assessment would be conditioned to be submitted before development commences (condition 6 refers). In the event that any contamination is found, a remediation strategy would be required - setting out mitigation measures, testing and verification - to make the site suitable for use.

### Air Quality

106. Core Strategy Policy CP1 *Sustainable Development* establishes that development should minimise the emission of pollutants into the wider environment.
107. The application site is not located in an area of existing poor air quality but it is located approximately 200m west of the A329M which was historically part of the M4 AQMA declared in 2001 for exceedances of annual mean NO<sub>2</sub>. Having regard to the nature of the proposals an Air Quality Impact Assessment (AQIA) would need to be undertaken as the number residential dwellings and car parking provision exceed the Stage 1 Criteria outlined in the EPUK 2017 *Guidance on Land-Use Planning & Development Control: Planning For Air Quality*. This would be secured by condition 5.

## **Sustainable Design and Construction**

### Carbon emissions

108. Core Strategy Policy CP1 *Sustainable Development*, amplified by MDD LP Policy CC05 *Renewable energy and decentralised energy networks*, requires development to contribute towards the goal of zero-carbon development by minimising energy consumption and incorporating on-site renewable energy features: at least a 10% reduction in carbon emissions should be achieved through renewable energy or low carbon technology.
109. The applicant committed to achieve 20% reduction in carbon emissions would be delivered by very high fabric standards (e.g. triple glazing and minimal heat loss from walls, ceilings and roofs). This significantly exceeds the policy requirement and would be secured by condition 34.

### Water consumption

110. The Environment Agency has identified the Thames region as an area of Water Stress and Core Strategy Policy CP1 *Sustainable Development* requires development to reduce water consumption.
111. Details of how water resilience will be achieved and how new dwellings would be designed to meet water consumption targets of 105 litres of less per person per day will be secured by condition 34.

112. This is considered at para 114 above, which sets out that the proposal would provide significantly higher proportion of active electric vehicle charging points than required in Manual for Streets Guidance. Therefore, the scheme would offer significant sustainability benefits over and above policy requirements.

### **Employment Skills Plan**

113. MDD LP Policy TB12 *Employment Skills Plan* indicates that proposals for major development should be accompanied by an Employment and Skills Plan (ESP) to show how the proposal accords opportunities for training, apprenticeship or other vocational initiatives to develop local employability skills required by developers, contractors or end users of the proposal.

114. The proposed scheme is required to provide five opportunities for community skills support, two apprenticeships and five jobs created. As an alternative, the applicant may choose to pay Employment Skills Contribution (ESC) in lieu of delivering ESP which would be used to meet costs of the Council overseeing and supporting each of employment target. The requirement to deliver ESP or pay ESC in lieu would be secured through S106 agreement.

### **Infrastructure Impact Mitigation**

115. In accordance with Core Strategy policy CP4 *Infrastructure Requirements* infrastructure, services, community and other facilities should be improved to meet the requirements of new development, taking into account cumulative impact. Specific requirements for the South Wokingham SDL are set out in Core Strategy policy CP21 *South Wokingham Strategic Development Location*, Core Strategy Appendix 7 and the Infrastructure Delivery and Contributions SPD.

116. In April 2015 the Council adopted a Community Infrastructure Levy (CIL) charging schedule, allowing it to collect a contribution towards infrastructure delivery for each new market house built: £320/m<sup>2</sup> (index linked) for residential development within the South Wokingham SDL. This rate is lower than for development outside the SDLs, reflecting the amount of on-site infrastructure that is expected to be delivered in conjunction with a large-scale strategic development.

117. The Council's Infrastructure Funding Statement and Capital Programme set out the infrastructure that CIL is expected to cover (to be delivered by the Council according to its priorities and overall funding availability). In addition, development-specific mitigation not covered by CIL can still be secured through a combination of direct delivery (on or off-site) and financial contributions, secured by condition or S106 legal agreement, depending on the circumstances.

118. Planning policy and guidance also establish that there should be a comprehensive approach to the planning and the delivery of infrastructure for the SDL, with each development making a proportionate contribution towards the infrastructure required for the SDL as a whole. Accordingly, each application must be accompanied by an Infrastructure Delivery Plan (IDP) listing the necessary infrastructure, each developers'

proportionate share and how it is to be secured. The first phase of the SDL - up to 650 dwellings, north of the railway at Montague Park – secured its proportionate share of the SDL infrastructure (26%). Using the Core Strategy, Infrastructure SPD and now historic CIL Regulation 123 list as a basis, the consortium, Charles Church and the Council are jointly preparing a comprehensive Infrastructure Delivery Plan (IDP) for the remainder of the SDL. The applicant would be expected to pay their fair share of contributions towards infrastructure mitigation which would be secured through S106 agreement or conditions (depending on circumstances) or other appropriate mechanisms agreed through collaboration with consortium, Charles Church and the Council. The need for mitigation and how it would be secured has been assessed throughout this appraisal. This demonstrates that the infrastructure requirements for the SDL would be met.

119. The infrastructure and impact mitigation to be secured through the S106 (rather than by condition or through CIL contributions) is included in the list of S106 Heads of Terms set out below:

- i) Affordable Housing provision (on-site)
- ii) Public Open Space provision (on-site) and mechanism of payment of maintenance sum into private management company
- iii) Play Area provision (on-site) and mechanism of payment of maintenance sum into private management company
- iv) Highway adoption s38/278 agreement and commuted sums
- v) Adoptable standard of private roads
- vi) Southern Distributor Road (SDR) contribution
- vii) Easthampstead Rd Junction contribution
- viii) Pedestrian/cycle strategy contribution – Buckhurst Meadow footpath widening and surface upgrading works / contribution
- ix) My Journey Travel Plan contribution
- x) Bus Transport contribution
- xi) Off-site highway works contribution to facilitate delivery of SDR
- xii) Formal Sports Facilities contribution
- xiii) Suitable Alternative Natural Greenspace payments (SANG) – contribution toward Wokingham Borough Council's and Bracknell Forest Councils SANGs
- xiv) Strategic Access Management and Maintenance (SAMM) Contribution for the Thames Basin Heaths SPA
- xv) Bracknell Forest Council Monitoring Fee
- xvi) Sports Hub contribution
- xvii) Allotment contribution
- xviii) Biodiversity Net Gain off-site provision (if gain not secured)
- xix) Flood modelling contribution associated with highways work
- xx) Employment skills contribution
- xxi) S106 Monitoring Contribution

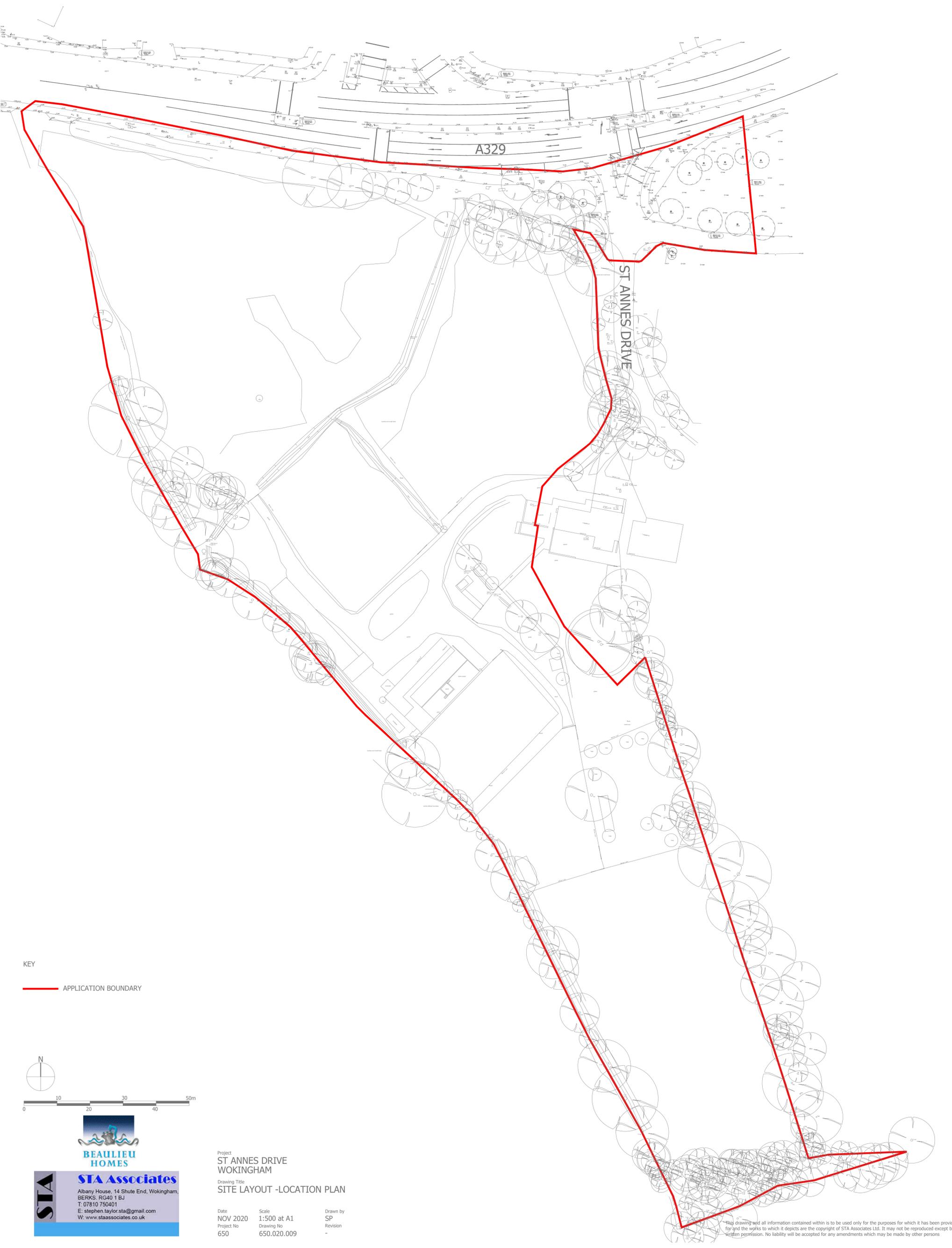
## **CONCLUSION**

Whilst the site is located within designated countryside and does not satisfy any of the exceptions set out in Core Strategy Policy CP11, the development proposal is within the general extent of the major development of South Wokingham SDL and would be consistent with the overarching aims of the policy, given the site is relatively self-contained and well related to the existing SDL. The NPPF is clear that where a development does not result in significant harm and is sustainable, it should be supported. The location of the development is considered to be sustainable. Despite the southern edge adjoining the administrative boundary of Bracknell Forest, the proposed development would not lead to the physical or perceived coalescence of settlements due to its relationship with existing/planned development and being visually contained by an area of ancient woodland and SANG. On balance, the development proposal would therefore not compromise the separation of settlements and is considered to be on only limited conflict with the overarching strategy established in the development plan. For the reasons outlined in this report, the proposal is considered to be a sustainable and suitable development site that would offer economic, social and environmental benefits and deliver on Wokingham's development aspirations for the area. The application would deliver high quality development in accordance with the Council's overall spatial strategy and would enhance connections between Council's Strategic developments of North and South Wokingham SDLs. Although the site is not located within the settlement boundary, it is sited within the boundary of Strategic Development Location, where the principle of development is generally considered acceptable and the benefits of the scheme are considered to outweigh the limited conflict with the development plan. As such, there are not considered to be any resulting harmful impacts arising from the proposals which would warrant the refusal of planning permission. There are no other material planning considerations of significant weight that would dictate that the application should be refused. Officers therefore recommend the application for approval, subject to the conditions listed and subject to completion of S106 agreement.

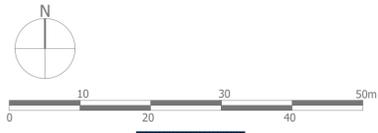
### **The Public Sector Equality Duty (Equality Act 2010)**

*In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.*

Encs: Site Location Plan, Site Layout Plan, Appropriate Assessment, Street Elevations



KEY  
 — APPLICATION BOUNDARY



**BEAULIEU HOMES**

**STA Associates**  
 Albany House, 14 Shute End, Wokingham,  
 BERKS. RG40 1 BJ  
 T: 07810 750401  
 E: stephen.taylor.sta@gmail.com  
 W: www.staassociates.co.uk

Project  
**ST ANNES DRIVE  
 WOKINGHAM**

Drawing Title  
**SITE LAYOUT -LOCATION PLAN**

Date	Scale	Drawn by
NOV 2020	1:500 at A1	SP
Project No	Drawing No	Revision
650	650.020.009	-

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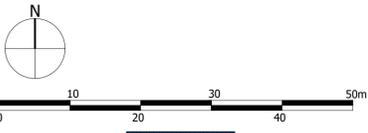
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HOUSING MIX		
REF	BEDS	TOTAL No.
Type 89	3BH	8
Type 92	3BH	1
Type 106	3BH	4
Type 109	3BH	1
Type 109C	3BH	1
Type 125	4BH	4
Type 126	4BH	4
Type 127C	4BH	1
Type 138	4BH	3
Type 139	4BH	2
Type 140	4BH	2
Type 141	4BH	2
Type 155	4BH	2
<b>TOTAL</b>		<b>35</b>
AFFORDABLE MIX		
1BF	1B 2P	6
2BF	2B 4P	2
2BF	2B 4P	1
2BH (83)	2B 4P	6
3BH (87)	3B 5P	4
<b>TOTAL</b>		<b>19</b>
<b>GRAND TOTAL</b>		<b>54</b>

- KEY**
- SITE APPLICATION BOUNDARY
  - ↔ PROVISION FOR PEDESTRIAN LINK TO ADJACENT LAND.
  - AFFORDABLE UNIT

- A - Affordable housing area re-designed 12.04.2021
- B - Layout updated following highways comments 15.04.2021
- C - Affordable area revised with apartment block and parking court updated. Units amended on plots 28 and 41. Additional pedestrian links indicated 11.05.2021
- D - Amendments to layout following tracking information received. Parking space locations revised. Apartment block updated. Plots 28 and 41 revised. Rear garden access gates reviewed. Pedestrian route to south east boundary removed. 19.05.2021
- E - Sub Station repositioned. Plots 26 and 27 repositioned and gardens revised. Affordable Parking arrangement revised. Plots 4 and 5 replaced with single Type 141 unit. Plot numbers and accommodation schedule updated. 03.06.2021
- F - Updated to match revisions to layout, Issued for approval 10.06.2021
- G - Parking arrangements revised to indicate 11 visitor and 10 un-allocated spaces. Cycle store repositioned, Bin collection points (BCP) noted, Plot 11 parking space increased to 3m wide, Hard standing increased adjacent to Parking Space 12 to ease manoeuvring. 21.07.2021
- H - Additional paths added to front of plots 36 and 37. Rear garden fence revised to plot 4 27.07.2021



**BEAULIEU HOMES**

**STA Associates**  
 Albany House, 14 Shute End, Wokingham,  
 BERKS. RG40 1 BJ  
 T: 07810 750401  
 E: stephen.taylor.sta@gmail.com  
 W: www.staassociates.co.uk

Project  
**ST ANNES DRIVE  
 WOKINGHAM**

Drawing Title  
**SITE LAYOUT**

Date: **AUG 2020**      Scale: **1:500 at A1**      Drawn by: **SP**  
 Project No: **650**      Drawing No: **650.020.003**      Revision: **H**

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HT 140 PLOT 01      HT 89 PLOT 02      HT 89 PLOT 03      HT 141 PLOT 04      HT 127 PLOT 27      HT 125 PLOT 28      HT 106 PLOT 29      HT 106 PLOT 30      HT 125 PLOT 31      HT 109 PLOT 32

STREET ELEVATION A



HT 109C PLOT 40      HT 126 PLOT 39      HT 106 PLOT 38      HT 127 PLOT 27      2B PLOT 25      2B PLOT 26      3B PLOT 08

STREET ELEVATION B



HT 126 PLOT 49      HT 125 PLOT 50      HT 125 PLOT 51      HT 139 PLOT 52      HT 155 PLOT 53

STREET ELEVATION C



HT 155 PLOT 53      HT 155 PLOT 54

STREET ELEVATION D



HT 139 PLOT 43

STREET ELEVATION E

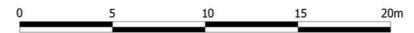


KEY PLAN



3B PLOT 08      2B PLOT 09      2B PLOT 10      3B PLOT 11      2BX3 PLOTS 12-14      1BX6 PLOTS 15-20

STREET ELEVATION F



**BEAULIEU HOMES**  
**STA Associates**  
 Albany House, 14 Shute End, Wokingham, BERKS. RG40 1 BJ  
 T: 07810 750401  
 E: stephen.taylor@sta@gmail.com  
 W: www.staassociates.co.uk

A - Affordable housing area re-designed 12.04.2021  
 B - Updated to match revisions to layout, Issued for approval 10.06.2021  
 C - Plots 25 & 26 updated 27.07.2021  
 Project: ST ANNES DRIVE WOKINGHAM  
 Drawing Title: STREET ELEVATIONS  
 Date: NOV 2020 Scale: 1:200 at A1  
 Project No: 650 Drawing No: 650.020.010  
 Drawn by: SP  
 Revision: C

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<b>Site Address</b>	Land To The West Of St Annes Drive And South Of London Road Wokingham RG40 1PB
<b>Application Number</b>	203544

## **The Conservation of Habitats and Species Regulations (2017) (as amended)**

### **Screening Assessment and Appropriate Assessment**

In the light of the “Sweetman Judgement” (People Over Wind and Sweetman v Coillte Teoranta, April 2018), the comments below comprise an Appropriate Assessment which includes advice on necessary avoidance and mitigation measures which is consistent with the advice provided to the Planning Inspectorate on such matters.

#### **Summary of Response**

Wokingham Borough Council (WBC), in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has been carried out which includes regard to mitigation requirements. During the planning application process the WBC was satisfied that the air quality pathway of likely significant effects can be screened out and needs no further consideration alone or in-combination. Therefore, this Appropriate Assessment is based on recreational pathway of likely significant effects only.

This site is located approximately **3.5 km** (measured from the access road to the application site) from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

The strategy proposed by this scheme is to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures.

The applicant proposes to consume capacity for 42 dwellings available within the existing Keephatch Meadows SANG (also referenced as Stokes Farm SANG) that was approved and secured in planning permission O/2014/2435. Keephatch Meadows SANG is open to the public and managed by Wokingham Borough Council.

New SANG criteria guidance was issued by Natural England in August 2021 (*Guidelines for Creation of Suitable Alternative Natural Greenspace (SANG) - August 2021*), post the opening of the Keephatch Meadows SANG. In order to have the certainty that this existing public open space meets the current standards and that the notional capacity does not require discounting for any criteria shortfall, Keephatch Meadows SANG has been reviewed by Wokingham Borough Council officers and a set of required works to meet the standard has been identified. Funding for these works by the developer is agreed and secured through S106 planning obligation and therefore the competent authority can have confidence that this SANG capacity will be available prior to first occupation of this development.

WBC's Keephatch Meadows SANG has capacity available in respect of 42 dwellings. The avoidance and mitigation measures in respect of the remaining 12 dwellings (out of 54 dwellings proposed by the scheme) would be provided through a contribution, calculated on a per-bedroom basis, paid to Bracknell Forest Council (BFC) in respect of capacity available at Piglittle Field SANG or an alternative SANG capable of serving the 12 dwellings. WBC considered options available to BFC and is satisfied that the capacity for 12 dwellings can be accommodated by BFC and that they have a mechanism for not double counting capacity within their SANGs.

In this instance, the proposed development would result in a net increase of 6 no. 1 bedroom dwellings, 9 no. 2 bedroom dwellings, 19 no. 3 bedroom dwellings, 20 no. 4 bedroom dwellings within 5km of the SPA which results in a total SANG contribution of **£81,498** in respect of capacity sought from BFC, BFC monitoring fee of **£480** and **£42,800** in respect of set works to Keephatch Meadows SANG.

The proposed development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. Taking account of the per bedroom contributions, this results in a total SAMM contribution of **£45,100**.

The total SPA related financial contribution for this proposal is **£169,878**. The applicant **must agree** to enter into a S106 Legal Agreement to make this contribution:

- Prior to first occupation of the development – SAMM contribution and SANG works contribution; and
- Upon completion of the S106 Legal Agreement – in respect of the SANG contribution and monitoring fee to be paid to BFC.

Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Policy CP8 of the Core Strategy and the NPPF.

## **1. The Conservation of Habitats and Species Regulations (2017) (as amended)**

In accordance with The Conservation of Habitats and Species Regulations (2017) (as amended), Regulation 63, a competent authority (in this case WBC), before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which:

- a. is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), and
- b. is not directly connected with or necessary to the management of that site.

must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.

A person applying for any such consent, permission or other authorisation must provide such information as WBC may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.

WBC must for the purposes of the assessment consult Natural England (NE) and have regard to any representations made by that body. It must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate. In the light of the conclusions of the assessment, and subject to Regulation 64 (Considerations of overriding public interest), WBC may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the National Site Network site.

In considering whether a plan or project will adversely affect the integrity of the site, WBC must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which it proposes that the consent, permission or other authorisation should be given.

## **2. Stage 1 Screening for Likely Significant Effects**

WBC accepts that this proposal is a 'plan or project' which is not directly connected with or necessary to the management of a National Site Network site. The Thames Basin Heaths Special Protection Area (SPA) is a European designated site which affects the borough, and WBC must ensure that development does not result in an adverse impact on the SPA. The potential adverse effects on the integrity of the SPA include recreational activities from inside the SPA and air pollution from inside and outside the SPA.

At this stage WBC cannot rule out 'likely significance effects' on the SPA (alone or in combination with other plans or projects) because the proposal could undermine the Conservation Objectives of these sites. This is because the proposal lies within **5 km** of the SPA and represents a net increase in dwellings within 400m - 5km of the Thames Basin Heaths Special Protection Area (SPA) which will lead to an increase in local population and a potential increase in recreational activity on the SPA. As the 'likely significance effects' cannot be ruled out at this stage an Appropriate Assessment must be undertaken.

## **3. Stage 2 Appropriate Assessment**

Based on the information proposed by the applicant, WBC must decide whether or not an adverse effect on site integrity (alone or in combination with other plans or projects) can be ruled out. Mitigation may be able to be provided so that the proposal is altered to avoid or reduce impacts.

The following policies and guidance set out WBC's approach to relevant avoidance and mitigation measures which have been agreed with Natural England. For the majority of housing developments this will comprise the provision of (or contribution towards) Suitable Alternative Natural Greenspace (SANG) and a contribution towards the Strategic Access Management and Monitoring (SAMM) Project. The financial contributions towards SANG would be either through an obligation in a S106 Legal Agreement that requires WBC to allocate an appropriate amount of the development CIL receipt towards the provision of SANG, or through an obligation in an agreement under S111 of the Local Government Act, that requires the developer to make an appropriate financial contribution towards the provision of SANG (to be used in the event that the developer successfully seeks CIL relief). Developers will be required to secure an appropriate financial contribution to the SAMM project through an obligation in a S106 Legal Agreement.

For SDL development (and occasionally some other larger non-SDL developments) within 5km of the SPA, SANG is required at a minimum of 8 ha per 1,000 new residents, constructed and delivered to Natural England's quality and quantity standards and a contribution towards pan SPA access management and monitoring (as advised by the Thames Basin Heaths Joint Strategic Partnership Board).

### **a. Policies and Guidance**

For this proposal the following guidance and policies apply:

- South East Plan (May 2009) Policy NRM6 (Thames Basin Heaths Special Protection Area) <http://webarchive.nationalarchives.gov.uk/20100528160926/http://www.gos.gov.uk/gose/planning/regionalPlanning/815640/>
- Wokingham Borough Core Strategy (2010) Policy CP8 (Thames Basin Heaths Special Protection Area) sets out the approach WBC will take in order to protect the TBH SPA <https://www.wokingham.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=268860>
- Wokingham Borough Core Strategy (2010) Policy CP7 (Biodiversity) sets out the approach WBC will take in order to protect national and international nature conservation sites <https://www.wokingham.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=268860>

- Wokingham Borough Managing Development Delivery Local Plan (2014) Policy TB23 (Biodiversity and Development)  
<https://www.wokingham.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=269993>
- Infrastructure Delivery and Contributions SPD (2011)  
<http://www.wokingham.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=193415>

The project as proposed would not adversely impact on the integrity of the SPA if avoidance and mitigation measures are provided as stipulated by these policies and guidance.

## **b. SPA Avoidance and Mitigation Measures**

### **i) The provision of Suitable Alternative Natural Greenspace (SANG) and its ongoing maintenance in perpetuity.**

In accordance with the development plan, the proposed development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG).

As this development is located within a SDL, SANG would have to be provided at a minimum of 8 ha per 1,000 new residents for any dwellings within 5km of the TBH SPA. This development does not propose any SANG on-site given the size of the site and its constrained nature. Instead, it is proposed to use the spare capacity off-site, within the existing SANGs. This approach is considered acceptable in principle by the officers and Natural England.

The proposal site is located approximately 1 km from the existing Keephatch Meadows SANG, which was created to provide SANG land for North Wokingham SDL Development to mitigate the impact of residential development within Strategic Development Location. Officers confirmed that capacity exists within Keephatch Meadows SANG in respect of 42 dwellings out of the 54 dwellings proposed. The Keephatch Meadows SANG has a car park and is of a size such that the catchment area for this SANG includes the proposal site. The works to Keephatch Meadows SANG as identified will ensure that the existing notional capacity does not require discounting for any criteria shortfall and as such will ensure that the required SANG capacity will be available. An occupation restriction will be included in the Section 106 Legal Agreement in order to ensure that these contributions have been made prior to first occupation of the development.

The developer is seeking capacity for the remaining 12 dwellings through consumption of capacity of BFC-controlled SANG. This agreement is subject to separate discussions between the developer and BFC. This approach will require an appropriate contribution from the developer towards: SANG enhancements, in perpetuity maintenance, administration and education and facilitation, in accordance the Bracknell Forest Thames Basin Heaths Special Protection Supplementary Planning Document (TBHSPD) (2018) to be paid the BFC upon the completion of the S106 Legal Agreement (in respect of the BFC-controlled SANG capacity), therefore ensuring that the required SANG capacity is available prior to first occupation of the development.

This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and Core Strategy Policy CP8.

The development will result in a net increase of **54 no dwellings** with the following dwelling mix: **6 no. 1 bedroom dwellings, 9 no. 2 bedroom dwellings, 19 no. 3 bedroom dwellings, 20 no. 4 bedroom dwellings.**

The level of SANG contribution in relation to **Piglittle Field SANG** (or an alternative SANG capable of serving the site) depends on the dwelling mix of the 12 no. dwellings and is proposed as set out below:

No. of bedrooms	SANG Contribution 5km	Aggregate SANG Contribution
1 bedroom	£4,568.00	£0
2 bedrooms	£5,412.00	£0
3 bedrooms	£6,408.00	6 x £6,408.00 = £38,448.00
4 bedrooms	£7,175.00	6 x £7,175.00 = £43,050.00
5 bedrooms	£8,324.00	£0
Total SANG Contribution		<b>£81,498.00</b>

This part of the SANG contribution is required to be paid to BFC prior to completion of the S106 Agreement. A further monitoring and fee of **£480** is also payable to BFC prior to completion of the S106 Agreement. On receipt of the above BFC will issue confirmation that the SANG capacity has been provided and that the contribution has been applied to the relevant areas. BFC will be able to confirm any spending of the contribution on request as it closely monitors all SANG (and other S106) contributions to ensure all relating terms and conditions are complied with for transparency and audit purposes.

The payment of contributions required to ensure that the notional capacity at Keephatch Meadows SANG does not require discounting for any criteria shortfall will be secured through S106 obligation. The payment of the Keephatch Meadows SANG works sum equates to **£42,800** and is required to be paid to WBC prior to first occupation of the development.

#### ii. Strategic Access Management and Monitoring (SAMM) Contribution

The proposed development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it.

From 1<sup>st</sup> April 2021 SAMM contributions have been updated across the 11 Local Authorities affected by the Thames Basin Heaths Special Protection Area. Following engagement with Natural England, the Joint Strategic Partnership Board agreed this change is necessary to ensure sufficient income is raised to cover the costs of the SAMM project in perpetuity. Without this change the SAMM project would be at risk of being unable to deliver the objectives of the SAMM project, and therefore secure positive outcomes for the SPA

The level of contributions is calculated on a per bedroom basis. The application for this development is for **6 no. 1 bedroom dwellings, 9 no. 2 bedroom dwellings, 19 no. 3 bedroom dwellings, 20 no. 4 bedroom dwellings.**

The level of SAMM contribution in relation to both SANGs depends on the dwelling mix of the 54 no. dwellings and is proposed as set out below:

No. of bedrooms	SAMM Contribution 5km	Aggregate SAMM Contribution
1 bedroom	£464.00	6 x £464.00 = £2,784.00
2 bedrooms	£646.00	9 x £646.00 = £5,814.00
3 bedrooms	£858.00	19 x £858.00 = £16,302.00
4 bedrooms	£1,010.00	20 x £1,010.00 = £20,200.00
5+ bedrooms	£1,153.00	£0
Total SAMM Contribution		<b>£45,100.00</b>

Prior to the permission being granted the applicant must enter into a Section 106 Agreement based upon the above measures with the aggregate SAMM contribution payable to WBC.

#### **4. Conclusion**

An Appropriate Assessment has been carried out for this development in accordance with the Conservation of Habitats and Species Regulations (2017) (as amended). Without any appropriate avoidance and mitigation measures the Appropriate Assessment concludes that the development is likely to have a significant effect upon the integrity of the SPA with the result that WBC would be required to refuse a planning application.

Provided that the applicant is prepared to make a financial contribution (see above) towards the costs of SPA avoidance and mitigation measures, the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

WBC is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 63(5) of the Conservation of Habitats and Species Regulations (2017) (as amended), and permission may be granted.

If the applicant does not agree with the above mitigation and does not enter into a Section 106 Agreement to secure the measures, then the application must be refused using the following reason for refusal.

#### **5. Example Reason for Refusal**

In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority (LPA), the LPA is unable to satisfy itself that the proposals include adequate mitigation measures to prevent the proposed development from having an adverse effect on the integrity of the Thames Basin Heaths SPA, in line with the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations (2017) (as amended) and Article 6(3) of Directive 92/43/EEC. The proposal would be contrary to Policy NRM6 of the South East Plan, Policies CP8 and CP4 of the Core Strategy.

<b>Date:</b>	29 November 2021	<b>Signed:</b>	<i>Joanna Carter</i>
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PLANNING REF : 203544  
PROPERTY ADDRESS : Westerlea  
: 62 William Heelas Way, Wokingham, Berkshire  
: RG40 1GL  
SUBMITTED BY : Councillor Gregor Murray  
DATE SUBMITTED : 26/01/2021

COMMENTS:

I object to this application for five reasons.

1st) the is an only marginally revised resubmission of a previously rejected planning application. The revisions do not address the concerns and challenges previously given for refusing the previous plannin g application.

2nd) the layout of London Road, only recently revised, does not allow for safe assess in and out of the proposed development. Based on the current layout, vehicles wanting to turn right onto London road will only be able to do so either by performing a dangerous Uturn on

either Oak Avenue or on London Road, or the development will require a fifth set of traffic lights in the space of 400yards. This is one of the busiest roads, and sections of road in Wokingham Borough, so this development will significantly impact on road usage and road safety. 3) nature and conservation. While there is a SANG adjacent to this proposed development, there are also more than 1,200 other newly built homes. Natural green space in this part of Wokingham is alre ady in short supply, and the development would only serve to reduce this further. Neighbouring green space is owned by Hilton St Anne&65533;s Manor and therefore is not accessible for residents.

4) this development will further reduce mature tree num bers which is in direct conflict with our Climate Emergency.

5) there is not adequate provision of alternative energy generation, ev charging or other measures, supportive of our climate emergency, within the application.

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PLANNING REF : 203544  
PROPERTY ADDRESS : c/o Shute End  
: Wokingham, Berks  
: RG40 1BN  
SUBMITTED BY : Cllr Maria Gee  
DATE SUBMITTED : 13/07/2021

COMMENTS:

As before, I welcome the provision of affordable housing in the development, however the proposal does not address many of the previous reasons for refusal of PA182882 and the existing problems with PA203544, particularly settlement separation (contrary to CP21), insufficient SANG onsite and therefore lack of mitigation for the Thames Basin Special Protection Area for the increase in population (contrary to CP8 and CP21). There are also proposals contrary to CP1, CP6, and CP7. For these reasons, I object strongly to the proposal. I have not been contacted as ward councillor as part of the process of community involvement. As far as I am aware no part of the community has been contacted for their views on this development.

The proposal is not sustainable from a transport perspective (contrary to CP1, CP6). The walking distance to the railway station is more than 2 miles, not 1.5 miles as stated in the DAS. The cycle route along London Road does not reach as far as the access point to the development. The bus routes are, however, satisfactory. However, overall, this development will increase motor vehicle traffic onto an already busy London Road; this will not help the council's declarations in relation to the climate emergency.

The development is outside the areas defined in the WBC core development plan. It is also isolated from all other development and has only one entrance/exit. Access to local facilities such as the school and local shops would therefore mean using London Road or, for pedestrians, using the adjacent SANG (which is not designed for this purpose). The access to the SWDR would therefore be along an already crowded London Road and, when returning to the development from the SWDR, would involve two right turns. There is no provision for cycling infrastructure.

There is access to the London Road only. The speed limit on this stretch of road is 40mph, is not safe for many cars exiting in the rush hour, and not at all suitable for cyclists exiting on to a road with no segregated cycle path. There is no safe access for a right turn onto London Road, unless a new set of traffic lights is installed, adding to the several sets that already exist in that location and adding to stationary, idling traffic, increasing pollution. This is contrary to CP1 and CP3, no safe access.

The distances to local amenities in the DAS appear to be as the crow flies, rather than walking, as far as I can establish, given no suitable current access across the existing SANG. The distance to Montague Floreat from the front of the estate is 1.0km according to google maps, not 500m; the distance to Jennetts Park School is 2.6km, not 1.4km, by the quickest existing routes (google maps). Similarly, Merrydale Nursery, by a safe walking route appears to be 1.1km, not 500m. Tesco on Finchampstead Road can be reached via a number of routes, the shortest one being 3.3km, not 2.6km (or, depending on which page you read, 3.1km) as stated. Burma Hills surgery is at least 2.2km away, not 1.6km. The development will add to the pressure on local medical facilities, already oversubscribed. Access to the closest GP practice is more than 1.5 miles walking or driving. It is unlikely that those who are unwell or infirm will walk that far so this adds more pressure onto the roads. I would like these differences in stated distances investigated independently.

The proposal will have adverse effects on local ecology (contrary to CP7). Many trees with TPOs are being removed. These are mature trees and replacing

them with immature trees will not help our commitment to a climate emergency. Removal of the trees also adversely affects visual amenity. There are bats, slow worms and great crested newts on site, all are protected species. I am baffled by the conclusions that, since there are no roosting bats in the buildings on site, that no further surveys are necessary; common and soprano pipistrelle, noctule, and Leislars bat, all found in the earlier Ethos report, roost in trees.

Proposing that using the Montague Park SANG as part mitigation for building on green space is not acceptable and contrary to CP8 and CP21, because there are already housing allocations against the existing SANG. Cutting down trees and hedgerows to gain access to the existing SANG is simply ridiculous (arboricultural assessment). I cannot find 4.93 (referred to in 2.25 of the LVIA, which is supposed to demonstrate mitigation). The offsite SANG will not mitigate the effect on the The Thames Basin Heaths Special Protection Area (SPA) as a result of adding new residents in this development.

The application states that the development does not maintain the separation between Wokingham and BracknellBinfield. In fact, the area is a green barrier between the two towns and the development erodes the green space between the communities of BracknellBinfield and Wokingham and is contrary to CP21.

Maria Gee Wescott Borough Councillor

PLANNING REF : 203544  
PROPERTY ADDRESS : 11 Locksley Gardens  
: Winnersh, Berkshire  
: RG415NZ  
SUBMITTED BY : Cllr Peter Dennis  
DATE SUBMITTED : 05/02/2021

COMMENTS:

As the Wokingham Town Councillor for this area I strongly object to this application on the following ground:

o the removal of so many trees, including ones protected by Tree Preservation Orders. One egregious proposed tree removal is for a footpath to the SANG provided for the Montague Park Development

o the road access is not appropriate for this area the speed limit is 40 mpg. When including the traffic lights the amount of traffic coming out of this estate will lead to frustration all around. 55 properties will increase the amount of traffic to 110 cars.

o this is on the border between BracknellBinfield and Wokingham. This immediate green space leaves this border as demonstratable, otherwise the border will simply become the A329(M).

o the Coppid Beach Roundabout could be considered a gateway into Wokingham, a historic town. The present trees present a pleasing aspect when entering the town borders. Removing them will lead to the loss of this visual amenity.

o the ecological report shows that there are slow worms at the south end of the site. The slow worms are a protected species which mean that their environment needs to be protected. Additionally mention is made of many active bats.

o simply put these extra houses are simply not needed with the completion of Keephatch, the Montague Park development and the corresponding building of 2500 on the proposed SWDR.

o this land is not part of the Wokingham Borough Core Plan (fails CP21) see page 120.

o the presumptive use of the SANG associated for Montague park is simply wrong. That SANG has already been allocated to development and simply assuming that path ways could be cut into the existing woodland is absurd.

There is an opportunity to provide a quality green space by returning the grass area back to a flowering meadow as opposed to unnecessary building.

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PLANNING REF : 203544  
PROPERTY ADDRESS : Town Hall Market Place  
: Wokingham  
: RG40 1AS  
SUBMITTED BY : The Wokingham Town Council P&T Committee  
DATE SUBMITTED : 07/07/2021

COMMENTS:

The Committee cannot see any changes that would change their previous comments and objections. These still stand and are set out below.

The Committee welcome the provision of affordable housing.

There are concerns regarding the following and the following objections.

Removal of trees including TPO?s

Impact on wildlife, specifically bats and slow worms which are an endangered species.

The development is outside of the core development plan.

There needs to be more than one road access to the site.

No Cycle path provision

No local shops or amenities

No SANG.

CP3 General Principles for development a) mass b) functional, accessible, safe, secure c) ecological, heritage, landscape, geological d) fauna and flora

CP6 Managing Travel Demand d)adverse effects on transport network

CP11 Proposals outside Development Limits (including countryside) 6) community facilities

CP2 1 South Wokingham Strategic Development Location 4) Measures to maintain separation from Binfield, Bracknell, Crowthorne, Pine wood (Crowthorne) and Finchampstead North. 5) Measures to protect and enhance pedestrian (including using mobility aids) access to the countryside from Wokingham town Centre.

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# Agenda Item 62.

Application Number	Expiry Date	Parish	Ward
211975	10/12/2021	Swallowfield	Swallowfield

<b>Applicant</b>	Mr Jem Dance
<b>Site Address</b>	Nutbean Farm, Nutbean Lane, Swallowfield
<b>Proposal</b>	Full application for the proposed change of use of land from agricultural to equestrian plus erection of 2 no. stable buildings with associated hardstanding, the creation of a manège and extended vehicular access (part retrospective).
<b>Type</b>	Full
<b>Officer</b>	Natalie Jarman
<b>Reason for determination by committee</b>	Major application as the site area is greater than one hectare.

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 8 December 2021
<b>REPORT PREPARED BY</b>	Assistant Director – Place

<b>SUMMARY</b>
<p>The application proposes the erection of two new stable buildings with four stables, a tack / feed room and hay / straw store with associated hardstanding, change of use of land from agricultural to equestrian and the creation of a manège. Permission is also sought to extend the vehicular access at the site; this element of the proposal is retrospective.</p> <p>Stables and equestrian uses are acceptable in principle in countryside locations. The horses belong to the applicant and their family and there would be no commercial aspect to the proposal.</p> <p>There would be no detrimental impact to the character and appearance of the area and the development is in keeping with the rural location. The proposal is satisfactory in all other aspects including impact on trees, highway safety, ecology, residential amenity and flooding and drainage.</p> <p>The application is recommended for approval subject to conditions.</p>

<b>PLANNING STATUS</b>
<ul style="list-style-type: none"> <li>• Countryside</li> <li>• Landscape Character Assessment Area</li> <li>• SSSI Impact Risk Zones</li> <li>• Thames Basin Heaths SPA Mitigation Zones (5km)</li> <li>• Contaminated Land Consultation Zone</li> <li>• Affordable Housing Thresholds</li> <li>• Bat Roost Habitat Suitability</li> <li>• Minerals Site Consultation Area</li> <li>• Immediately to the west of the application site</li> <li>• Tree Preservation Orders (1310-2009)</li> <li>• Nutbean Farmhouse (Grade II listed)</li> <li>• Major Nuclear Site: AWE: 12km consultation zone</li> </ul>

## RECOMMENDATION

**That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following:**

### **A. Conditions and informatives:**

#### *Conditions:*

#### Approved Drawings

1. This permission is in respect of the submitted application plans and drawings titled

BS 5837:2012 Tree Survey and Arboricultural Method Statement prepared by Urban Tree Experts Ref: PB/5837-20/11.08 dated 7 September 2020 received by the Local planning authority on 25<sup>th</sup> November 2021.

Drainage Plan (RAC/8787/5/B) and Supporting Statement and Policy Appraisal (Including Design Statement) prepared by Reading Agricultural Consultants dated June 2021 (Updated November 2021). received by the Local planning authority on 24<sup>th</sup> November 2021.

Wider Site Plan (RAC/8787/2/C) received by the Local planning authority on 12<sup>th</sup> October 2021.

Track Cross Section (RAC/8787/7)  
Cellweb Section – Tree Root Protection c/w Gravel Surface (GS-CW-G-150) received by the Local planning authority on 29<sup>th</sup> September 2021.

Menege Elevations, Floor Plan and Hedge?Fence Cross Section (RAC/8787/4/C)  
Stable Elevations and Floor Plan (RAC/8787/3/C)  
Site Plan and Sections (RAC/8787/6)  
received by the Local planning authority on 24<sup>th</sup> September 2021.

Location Plan (RAC/8787/1/B)  
received by the Local planning authority on 8<sup>th</sup> June 2021.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

*Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.*

### Programme of Archaeological Works

2. Prior to the commencement of the erection of the 2 no. stable buildings including associated hardstanding and the creation of a manège and track a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, has been submitted and approved by the local planning authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

*Reason: The site lies within an area of archaeological potential. The condition will ensure that any archaeological remains within the site are adequately investigated and recorded in order to advance our understanding of the significance of any buried remains to be lost and in the interest of protecting the archaeological heritage of the Borough.*

### External materials and finishes for stable buildings

3. Notwithstanding the details submitted, the external materials and finishes for the hereby permitted stable buildings are to be submitted to and approved in writing by the local planning authority prior to the occupation of the stables. The stables are then to be built in accordance with the external materials and finishes as approved.

*Reason: In the interests of visual amenity and to safeguard the setting of heritage asset. Relevant policy: National Planning Policy Framework Section 16 (Conserving and Enhancing the Historic Environment) and Managing Development Delivery Local Plan policy TB24.*

### Stable use

4. The stables and associated paddocks hereby approved shall only be used by the occupiers of Nutbean Farmhouse and their dependants for personal / leisure use only in connection with the applicant's own livestock, and at no time shall the stables and/or land be used for commercial purposes including livery, tuition and shall not be used for any competitions or events; or segregated, sold, leased, rented or used separately from Nutbean Farmhouse or by any other persons.

*Reason: To ensure that there is sufficient on-site accommodation to care for and maintain the stables and horses. To ensure there is no impact on highway safety by reason of increased traffic.*

### Manure storage

5. Prior to use of the stables commencing, details of the manure storage and waste management shall be submitted to and approved in writing by Local Planning Authority. Such details shall include the location of the manure storage area and details of its removal from site. The development shall be implemented and operated in accordance with the details thereby agreed.

*Reason: To ensure no detrimental smells, odours or other environment health impacts occur as a result of the development.*

### External Lighting

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 external lighting shall be installed on the site or affixed to any buildings on the site.

*Reason: In the interests of amenity. Relevant policy: NPPF Section 15 (Conserving and Enhancing the Natural Environment), Core Strategy policies CP1, CP3 and CP11 and Managing Development Delivery Local Plan policy TB21.*

### Drainage

7. The development hereby permitted shall not be used until the drainage system has been installed in accordance with Drainage Plan (RAC/8787/5 rev B) received by the local planning authority on the 24<sup>th</sup> November 2021 and shall thereafter be maintained for the lifetime of the development

*Reason: This is to prevent increased flood risk from surface water run-off. Relevant policy: NPPF Section 10 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.*

### Protection of trees

8. a) Within 3 months of the date of this planning permission and no development or other operation shall commence on site until an Arboricultural Method Statement and Scheme of Works which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site in accordance with BS5837: 2012 has been submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in complete accordance with the details as so-approved (hereinafter referred to as the Approved Scheme).
- b) No new operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.
- c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.

- d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

*Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.*

*Informatives:*

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant in terms of:

- amended plans being submitted by the applicant to overcome concerns relating to the scale of development;

The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

<b>PLANNING HISTORY Including Nutbean Farmhouse</b>		
Application No.	Description	Decision & Date
210284	Full application for the proposed change of use of land from agricultural to equestrian plus erection of 2no stable buildings with associated hardstanding and creation of a manège.	Withdrawn 13/05/2021
202714	Application for Listed Building consent for the proposed single storey side extension to dwelling with glazed infill, plus the erection of basement with 1no. rooflight.	Approved 21/12/20
202713	Householder application for the proposed single storey side extension to dwelling with glazed infill, plus the erection of basement with 1no. rooflight.	Approved 21/12/2020
190061	Application for the submission of details to comply with the following condition of planning consent 182838 dated 28/11/2018: 3. Materials.	Approved 06/02/19
182838	Householder application for the proposed erection of an ancillary outbuilding following demolition of existing shed.	Approved 28/11/18

182630	Listed Building application for the erection of ancillary building following the demolition of an existing shed.	Withdrawn 16/10/2018
181205	Householder application for the proposed erection of an ancillary outbuilding following demolition of existing barns and shed.	Refused 27/06/2018
180206	Listed building consent for the proposed erection of an ancillary outbuilding following demolition of existing barns and shed.	Withdrawn 28/05/2018
170801	Listed Building consent for the proposed erection of a new dormer to front elevation to dwelling.	Approved 26/06/2018
152415	Listed building application for a single storey side extension with basement.	Approved 24/12/2015
152414	Householder application for a single storey side extension with basement.	Approved 24/12/2015
LB/2009/0898	Listed building application for a proposed loft conversion with dormer window plus external alterations to doors and windows and internal alterations.	Refused 24/07/2018
F/2009/0115	Proposed conversion of existing loft space to additional living accommodation.	Refused 18/03/2009
LB/2009/0116	Listed building application for external alterations to porch, doors and windows and internal alterations.	Refused 18/03/2009
LB/2008/1344	Proposed demolition of outbuildings within the curtilage of a listed building. 1) Concrete Garage, 2) Wooden Shed including 2 lean to's attached to it. All in unrepairable condition.	Approved 29/08/2018
LB/2007/2783	Listed Building Application for the removal of ground floor stairwell window to rear elevation, and replacement of remaining windows to rear elevation plus internal alterations.	Approved 17/01/2007
F/2006/9322	Proposed insertion of front dormer in roof space, plus replacement window in rear dormer to dwelling and internal alterations.	Refused 09/02/2007
LB/2006/9327	Listed building application for internal alterations, insertion of new rear window into dormer and new front dormer extension into roof space to create room.	Refused 09/02/2007

30557	Change of use from chicken house to joinery workshop.	Refused 09/06/1988
09738	Siting of caravan	Approved 14/12/1978
08301	Siting of a temporary caravan	Approved 11/05/1978
07789	Siting of Caravan	Refused 04/01/1978
07044	Swimming Pool	Approved 29/09/1977

### SUMMARY INFORMATION

Site Area: 2.37ha  
Previous land use(s): Agricultural and driveway  
Proposed land use (s): Equestrian and driveway  
Proposed floorspace of stable: 97 sqm  
Proposed size of manège: 1200 sqm  
Proposed parking spaces: N/A

### CONSULTATION RESPONSES

WBC Drainage	Recommend approval with no conditions.
WBC Ecology	No comments received.
WBC Environmental Health	Recommend approval with no conditions.
WBC Highways	Recommend approval with conditions.
WBC Heritage & Conservation	No Objection
WBC Growth and Delivery	No comment
WBC Tree & Landscape	No comments received
Berkshire Archaeology	See report.
Natural England	No objection, refer to standing advice.

### REPRESENTATIONS

**Parish Council:** Swallowfield Parish Council: No objection subject to a condition which limits the use of the proposed development to non-commercial.

**Local Members:** No comments received

**Neighbours:** No comments received

<b>APPLICANTS POINTS</b>
<ul style="list-style-type: none"> <li>• The proposed development would be for personal use of the applicant and his family and is non-commercial.</li> <li>• Application revised following the withdrawal of earlier application.</li> <li>• Land use in the area is generally arable, interspersed with occasional equestrian holdings.</li> <li>• The applicant and his family own four ponies (two of which have laminitis and have reduced grazing regime), and two miniature Shetland ponies competing in dressage and show jumping events and one child is a member of British Dressage using a 20m by 60m manège (standard size for advanced competitions).</li> <li>• All of the horses were stabled at a local livery yard (Riseley Gorse Farm, Riseley) prior to the Covid-19 pandemic. Some of the horses are now grazed on land at the property.</li> <li>• Following purchase of land applicant wishes to keep all of their horses at the property.</li> <li>• Hay store is required because if hay is stored outside it deteriorates rapidly, is less palatable and may contain toxins which could cause disease.</li> <li>• Manège would be surfaced with a sand material over a suitable free draining subbase.</li> <li>• The proposals are related to equine facilities for sporting and recreational use.</li> <li>• Consideration to the Equine Business Guide in the design of the proposed stables.</li> <li>• The orientation of the proposals has been determined by the prevailing wind direction and other factors.</li> <li>• Grouped with existing buildings.</li> <li>• No external lighting.</li> <li>• Planning Statement includes a Grassland Management Plan</li> </ul>

<b>PLANNING POLICY</b>		
National Policy	<b>NPPF</b>	National Planning Policy Framework
	<b>NPPG</b>	National Planning Policy Guidance
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP3</b>	General Principles for Development
	<b>CP4</b>	Infrastructure Requirements
	<b>CP6</b>	Managing Travel Demand
	<b>CP7</b>	Biodiversity
	<b>CP8</b>	Thames Basin Heaths Special Protection Area
	<b>CP9</b>	Scale and Location of Development Proposals
	<b>CP11</b>	Proposals outside development limits (including countryside)
Adopted Managing Development Delivery Local Plan 2014	<b>CC01</b>	Presumption in Favour of Sustainable Development
	<b>CC02</b>	Development Limits
	<b>CC03</b>	Green Infrastructure, Trees and Landscaping
	<b>CC04</b>	Sustainable Design and Construction

	<b>CC05</b>	Renewable energy and decentralised energy networks
	<b>CC06</b>	Noise
	<b>CC07</b>	Parking
	<b>CC08</b>	Safeguarding alignments of the Strategic Transport Network & Road Infrastructure
	<b>CC09</b>	Development and Flood Risk (from all sources)
	<b>CC10</b>	Sustainable Drainage
	<b>TB20</b>	Service Arrangements and Deliveries for Employment and Retail Use
	<b>TB21</b>	Landscape Character
	<b>TB23</b>	Biodiversity and Development
	<b>TB24</b>	Designated Heritage Assets
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide
		CIL Guidance + 123 List
		Sustainable Design and Construction Supplementary Planning Document
		Swallowfield Village Design Statement

<b>PLANNING ISSUES</b>
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**Site and Surroundings:**

1. The application site is a sloping 2.37 hectares (5.86 acres) site. 2.3 hectares is agricultural land.
2. Land to the west of the application site is in the control of the applicant and comprises of Nutbean Farmhouse, which is a grade II listed building. To the south of the farmhouse is a vehicular access (which forms part of the application site), an outbuilding and pond. There is one additional stable with adjoining, existing pony paddock within the applicant's ownership to the north of Nutbean Farmhouse. This does not form part of the application site.
3. To the north and west of the property is Farley Hall Equestrian Centre and to the east is a woodland. To the south is Nutbean Lane.

**Description of Development:**

4. The application consists of four elements: change of use of land from agriculture to equestrian, erection of stable buildings, construction of a manège and retrospective permission is sought for the construction of a vehicular access.

5. *Change of land from agricultural to equestrian:* It is proposed to change the use of 2.3 hectares (5.68 acres) of agricultural land to equestrian use with 2 hectares (4.9 acres) used for the grazing of horses.
6. *Erection of stable buildings:* The proposed stable buildings would be located to the south of Nutbean Farmhouse and to the east of the pond, which is located adjacent to Nutbean Lane. This part of the application is the most level part of the application site.
7. The proposed stables would be located within two buildings, with a passageway between leading to an area of concrete hard standing, measuring 155 square metres. The stable building to the north would be L-shaped measuring 7.6 metres by 14.05 metres by 3.85 metres and contain two stables, a hay / straw store and tack / feed room. The second proposed stable building to the south would be rectangular, measuring 3.85 metres by 7.6 metres and is proposed to contain two stables. Both buildings would have a 1.55-metre-wide canopy. The proposed height of the stable buildings is 3.42 metres with timber panelling and a tiled roof. The proposed stables plus the existing would bring the total number of stables to five.
8. *Installation of a manège:* The proposals include the installation of an all-weather surface manège for the exercising of horses. The proposed manège would be located to the south-east of the proposed stable buildings and to the east of the hedgerow which runs parallel with Nutbean Lane. The proposed manège is 20 metres wide by 60 metres. An access track would run from the hardstanding area to the manège and is approximately 3.4 metres wide and 45 metres in length. Details of the gravel track have been provided.
9. *Construction of a vehicular access:* Retrospective planning permission is sought to extend the vehicular access that provides access to the outbuilding to provide access to the proposed stables and manège. The vehicular access is approximately 27 metres long and 4 metres wide. The vehicular access is constructed from gravel.

#### **Principle of Development:**

10. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan (MDD) Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.
11. The application site is within the countryside and the principle of stables, manège and an equestrian use is appropriate development in this area and complies with policy CP11 of the Core Strategy. The proposal will result in rural based recreational activity that will promote the enjoyment of the countryside.
12. The proposed extended vehicular access relates to the extension of the existing driveway and provides a link to the proposed stables and manège.
13. Grazing needs: Paragraph 1.2 of DEFRA's Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids (dated December 2017) states: The area of pasture required per horse will depend on the type of grass, ground conditions, time of year, type of horse and degree of pasture management employed. As a general rule, each

horse requires approximately 0.5 – 1.0 hectares (or 1.25 to 2.5 acres) of grazing of a suitable quality if no supplementary feeding is being provided.

14. The site will have 2 hectares of paddocks and a manège where the horses can be exercised to serve the four stables.
15. As shown on the Location Plan and Wider Site Plan, outside of the application site but within the control of the applicant is a further stable and paddock (approximately 0.13 acres (0.05 hectares).
16. The size of the stable building and the number of stalls (5) including existing and proposed stables across the entire site is commensurate with the size of the associated paddocks and the number of horses that could be kept on the land. The applicant has four ponies and two miniature Shetland ponies. The proposed hay store would provide supplementary feed. Approximately 350 metres to the east of the entrance to Nutbean Farmhouse is a public right of way.
17. Staffing Needs: The industry-recognised Equine Business Guide (2019), produced by Agro Business Consultants in association with Warwickshire College, contains an acknowledged method for specifying the amount of man hours required for horses. The horse uses (breeding, show jumping, dressage etc.) can change after the stables have been built. For four dressage horses the EBG sets out Standard Man Days as 960 hours per annum per horse so 3840 hours. There is a 25% reduction for between 2-5 horses (960 hours) resulting in 2880 hours. The EBG sets out a labour unit of one person to work 2225 hours per year. This equates to 1.3 people (2880 divided by 2225). The fifth stable is outside of the application site and is already in situ. It should also be noted that condition 5 is recommended to ensure the stables are for the personal / leisure use by the occupiers of Nutbean Farmhouse only. This is to guarantee there is residential presence on the site to care for the horses, the occupants would provide some standard man hour equivalent and ensuring there is a full-time residential presence on site associated with stables negates any future requirement for grooms' accommodation or a separate dwelling on welfare grounds. Furthermore, a commercial use could have a highway impact which would need to be assessed.
18. The site is classed as grade 3 agricultural land and the proposed equestrian use is compatible.
19. Overall, the principle of a stable, manège and equestrian use in the countryside is acceptable and the stable is commensurate with the associated area for the paddocks.

#### **Impact on the character and appearance of the landscape:**

20. The application site is located within the designated countryside, the River Blackwater Valued Landscape and L2 Farley Hill Wooded Sand and Gravel Hills Landscape Character Area (LCA), a high-quality landscape of moderate sensitivity and limited capacity for change. The site also forms part of the backdrop for the A2 Loddon Loddon River Valley Landscape, a high-quality landscape with high sensitivity and the lowest capacity for change.

21. The landscape strategy in the WBLCA (2019) is to: 'to conserve and enhance the existing wooded and secluded character'. The key aspects to be conserved are 'the views, intimate pattern of pastures, tranquillity and dark skies, woodland and arable farmland and rural settlement pattern linked by narrow lanes.' The strategy advises that 'Marginal farmland and paddocks should also be enhanced'. In terms of development, the aim is to 'conserve the sparse settlement pattern and maintain the low density of development ...'.
22. The stables and manège will be located in a suitable location at the edge of an existing field. The building will not be prominent from the public realm and is screened by the boundary hedge. As stated above, the size of the building is commensurate with the area for the paddocks. The stables will be in keeping with the countryside character and appearance of the area.
23. The change of use of the land to an equestrian use will be in keeping with the character and appearance of the area. Farley Hill Equestrian Centre is located to the north-west, therefore neighbouring fields are used as paddocks and there are also ménages close by. Whilst the existing use of the land is agriculture, there are equestrian uses in the area. The proposed paddocks would result in negligible visual change to appearance of the surrounding land.
24. During the course of the application the proposals have been revised and further information has been provided including a topographic survey. The proposed manège and stables are located behind a boundary hedge. The revised proposals have been reviewed by the Council's Landscape and Tree Officer and the position of the manège closer the field boundary and hedgerow are now considered acceptable provided that a robust boundary treatment at a reasonable height as in other parts of the lane, to ensure the development is well-screened. The manège would be visible from the southern end so a landscape condition is recommended.

**Trees:**

25. Access to the proposed stables and manège would be via a recently constructed vehicle grade road, the retrospective element of the proposal. The extended arm of the access road extends into the root protection area of an Ash tree T17, which is part of a group of mature trees some of which are protected by TPO1310/2009. A tree survey has been submitted but this does not refer to the latest proposals. Accordingly, a tree protection condition is recommended. Permission is sought retrospectively for the road and damage could have been sustained in the carrying out of the works. Details of the road construction have been provided and these are considered to be acceptable.

**Residential Amenities:**

26. There are no nearby neighbouring residential dwellings that would be impacted by the development. The nearest residential property is Wheelers Farm Cottage, approximately 160 metres from the proposed development. Planning permission (LPA ref: F/2009/1309 and F/2009/0740) was granted in 2009 for change of use of land from agricultural to equestrian use.

27. Stables can result in smells and odours from animal waste and therefore condition 6 is recommended to ensure that manure is sustainably managed and stored. The Environmental Health Team has considered the application and raises no objection.

**Access and Movement:**

28. Nutbean Lane is a country lane. Access will be via the existing entrance to Nutbean Farm, which is to a good standard. An extended access track forms part of the proposals to provide vehicular access into the application site, and this is also considered to be acceptable.

29. The Council's Highway Engineer has advised:

*"The proposed stables and menage are stated to be for personal use only. Traffic impact and parking has been assessed on this basis. Highways therefore have no objection in principle subject to a condition which prevents any commercial operation (i.e., livery or tuition), competitions or events. The concrete hardstanding would be used for washing down, grooming, and shoeing horses etc."*

30. Accordingly, as set out above, permission is recommended on the basis that it is for personal use only by the occupants of Nutbean Farm.

31. No formal car parking is proposed and there are multiple areas for informal parking at Nutbean Farmhouse. As the horses are owned by applicant and their family, the use would not generate significant additional vehicle trips or parking requirements.

32. The proposal will have an acceptable impact on highway safety.

**Flooding and Drainage:**

33. The site is in Flood Zone 1 where the risk of flooding is low.

34. There will be new impermeable area constructed on the site, which will increase the surface water run-off from the development, which will be managed via soakaway method.

35. The application is supported by a drainage plan which provides details of the soakaway system and design calculation results. The Council's Drainage Engineer has considered the application and raises no objection.

**Ecology:**

36. There is a pond adjacent to the proposed development.

37. There are no specific ecological designations and no comments have been received from the Council's Ecology Officer.

### **Special Protection Area (SPA):**

38. The application site lies within 5km of the Special Protection Area, however, given the nature of the proposed development is not considered to have any adverse impacts on the Thames Basin Heath SPA.

### **Heritage and Conservation:**

39. Nutbean Farm(house) is a Grade II status listed building. Listed buildings are classed as designated heritage assets as set out in the NPPF. The Council's Conservation Officer has been consulted on the application and considered the proposals in respect of the impact of the proposals on the setting of the listed former farmhouse. The proposals are concluded to not be harmful to the setting of that designated heritage asset. Any grant of planning permission should be subject to a condition requiring the submission of details of the external finishes to the proposed new building to ensure that the stable buildings sit well in the context of the listed building.

### **Archaeology:**

40. The proposed development work is likely to have an archaeological implication. The application site lies in a landscape shown to have seen relatively dense later prehistoric and Roman settlement. The proposed development according to historic mapping is situated in previously undeveloped land, likely farmland for some centuries. As a result, there is therefore a likelihood that if any remains are present, they will survive in good condition, only likely to have been damaged by ploughing. This site therefore has a moderate to high potential for archaeological remains. The proposed development will likely have harmful impacts on any archaeology present: any stripping of soil for the stables, manège, and hard-standing, and the digging of foundations and service trenches, will likely destroy or damage any buried remains present. Therefore, in accordance with the National Planning Policy Framework (NPPF), any impacts need to be evaluated against the archaeological potential of the site and mitigated. Accordingly, it is recommended that planning permission be granted subject to the submission of a scheme of archaeological works.

### **Nuclear Consultation Zone:**

41. The site lies within the 12km consultation zone for Burghfield AWE. The proposed development within this zone is considered acceptable in principle.

### **The Public Sector Equality Duty (Equality Act 2010)**

42. In determining this application, the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.

## **CONCLUSION**

43. The proposed equestrian development is appropriate for this countryside location and there will be no detrimental impact to the character and appearance of the area, subject to a restriction on use for personal / leisure personal use based on the quantity of horses. The stables will be located away from neighbouring properties and will not impact the amenity of nearby residents. The stables are for the applicant's horses and there would be no detrimental impact on highway safety. There would be no other detrimental impacts with regard to trees, ecology and flooding and drainage.

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259

55.5m

Nutbean Lane

Existing pony paddock

Existing stable

Dwelling

Nutbean Farm

Extent of extended vehicular access (green)

Proposed stable buildings

Ancillary building

Concrete hardstanding

Pond

Boundary of parcel proposed for change of use from agricultural to equestrian

20m x 60m Manège



C	Manège and stables reduced in size.	12/10/21
Rev.	Comment	Date

Drawing title  
WIDER SITE PLAN

Contract  
NUTBEAN FARM  
NUTBEAN LANE  
SWALLOWFIELD  
RG7 1XL

Reading Agricultural Consultants Ltd  
Gate House  
Beechwood Court  
Long Toll  
Woodcote  
RG8 0RR  
01491 684233



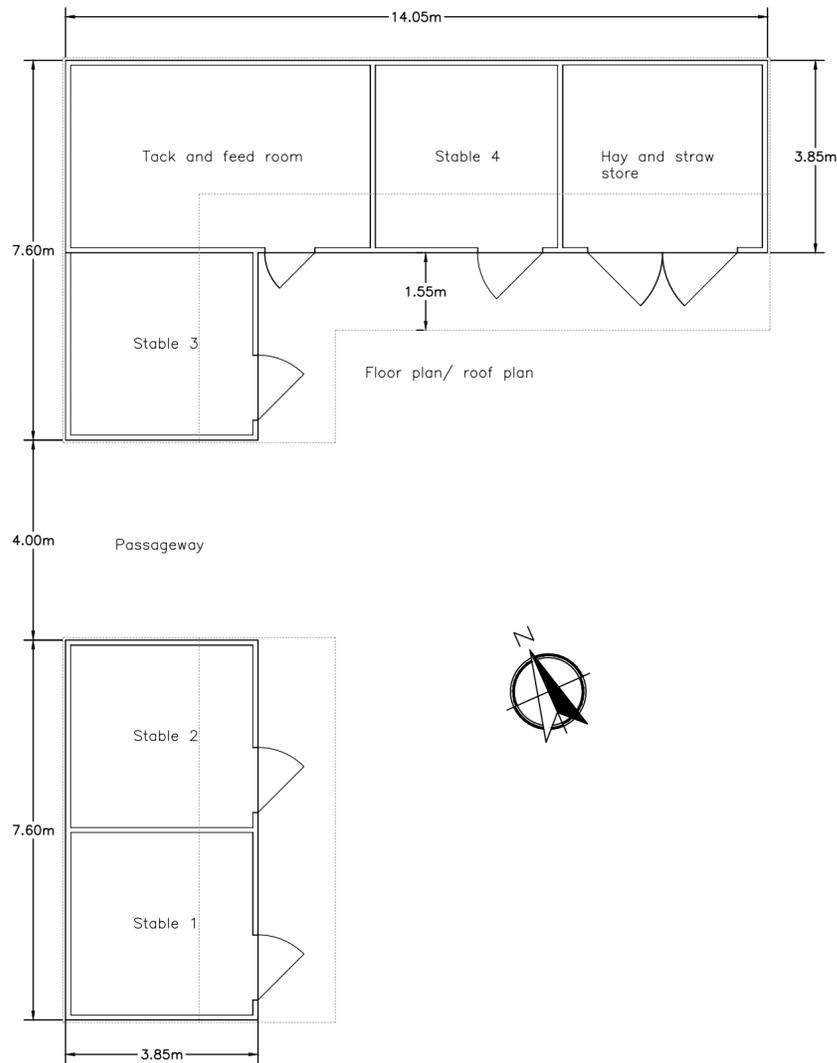
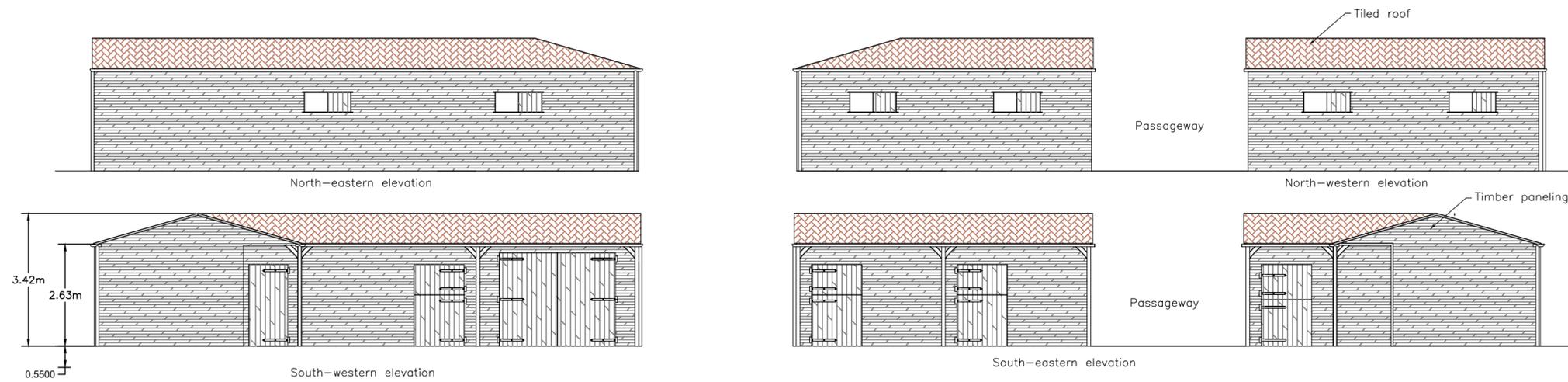
Ref. RAC/8787/2	Rev. C
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Drawn by AL	Checked by
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Scales 1:500@A2	Date June 2020
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Total stables floor area = 91m<sup>2</sup>  
 Total stable volume = 298m<sup>3</sup>

C	Number of stables reduced.	24/9/21
B	Number of stables reduced.	3/6/21
Rev.	Comment	Date

Drawing title  
 STABLE ELEVATIONS AND FLOOR PLAN

Contract  
 NUTBEAN FARM  
 NUTBEAN LANE  
 SWALLOWFIELD  
 RG7 1XL

Reading Agricultural Consultants Ltd  
 Gate House  
 Beechwood Court  
 Long Toll  
 Woodcote  
 RG8 ORR  
 01491 684233

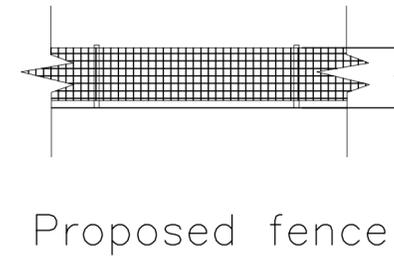
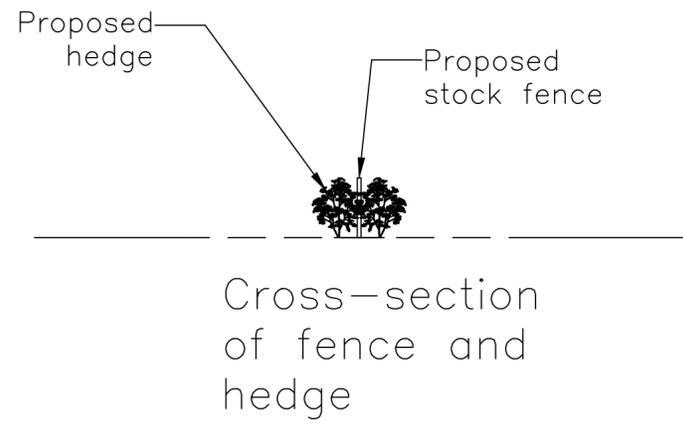


Ref. RAC/8787/3	Rev. C
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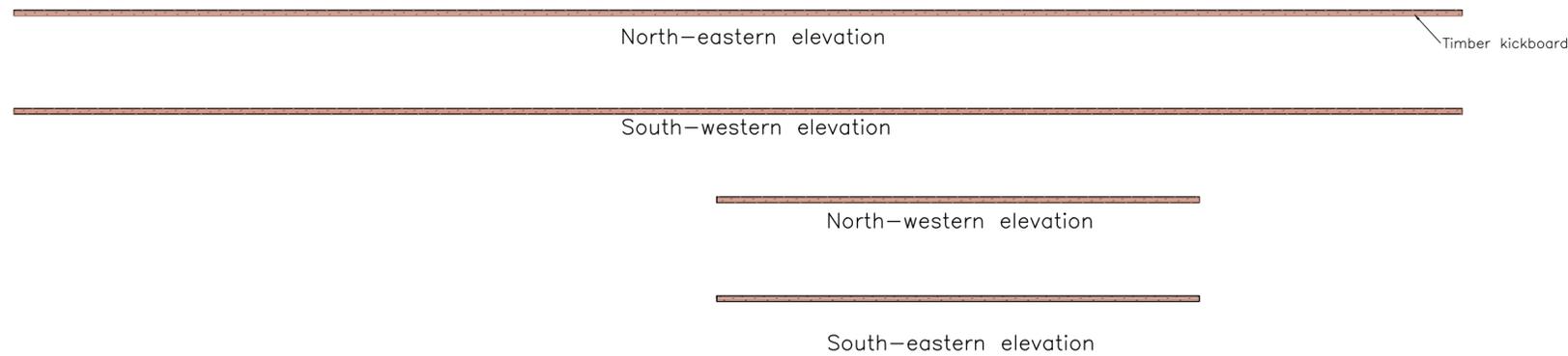
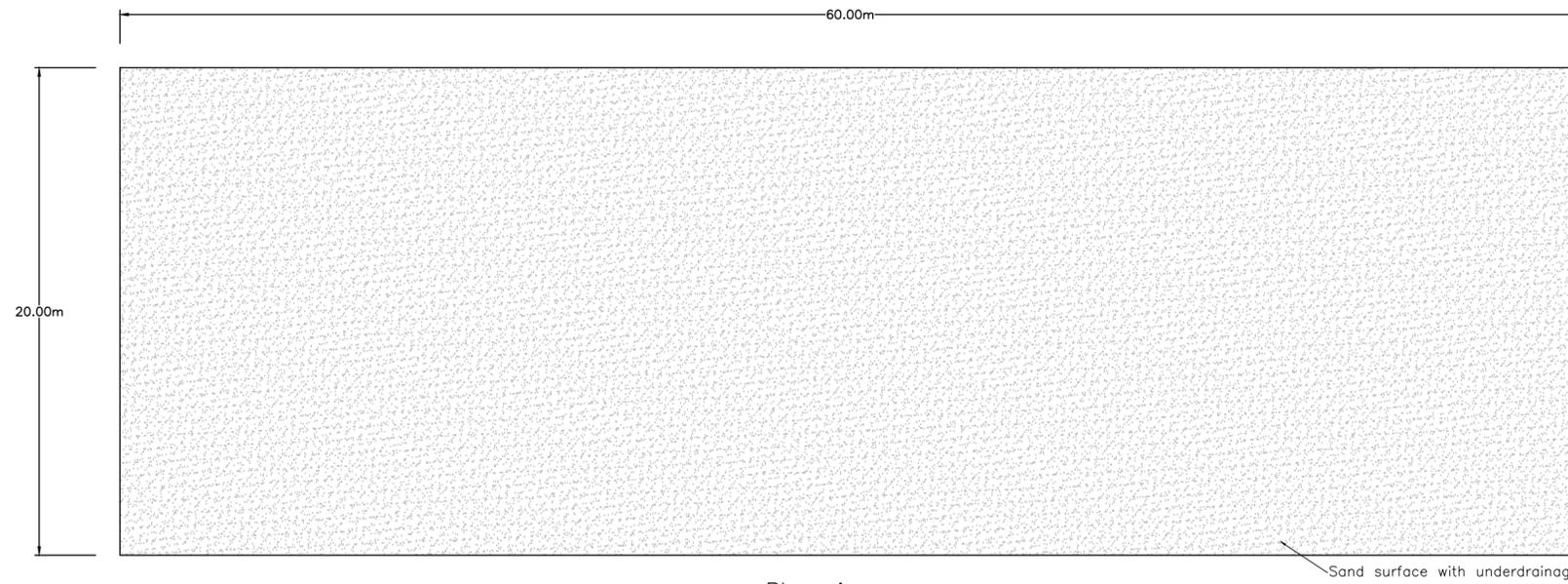
Drawn by AL	Checked by
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Scales 1:100@A2	Date June 2020
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Scale 1:100



Scale 1:200

C	Bund removed and fence amended	24/9/21
B	Manege width reduced	03/6/21
Rev.	Comment	Date

Drawing title  
 MANEGE ELEVATIONS, FLOOR PLAN AND HEDGE?FENCE CROSS-SECTION

Contract  
 NUTBEAN FARM  
 NUTBEAN LANE  
 SWALLOWFIELD  
 RG7 1XL

Reading Agricultural Consultants Ltd  
 Gate House  
 Beechwood Court  
 Long Toll  
 Woodcote  
 RG8 ORR  
 01491 684233

www.reading-ag.com



Ref. RAC/8787/4	Rev. C
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Drawn by AL	Checked by
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Scales Various@A2	Date June 2020
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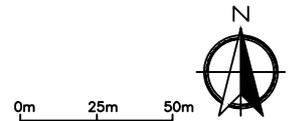
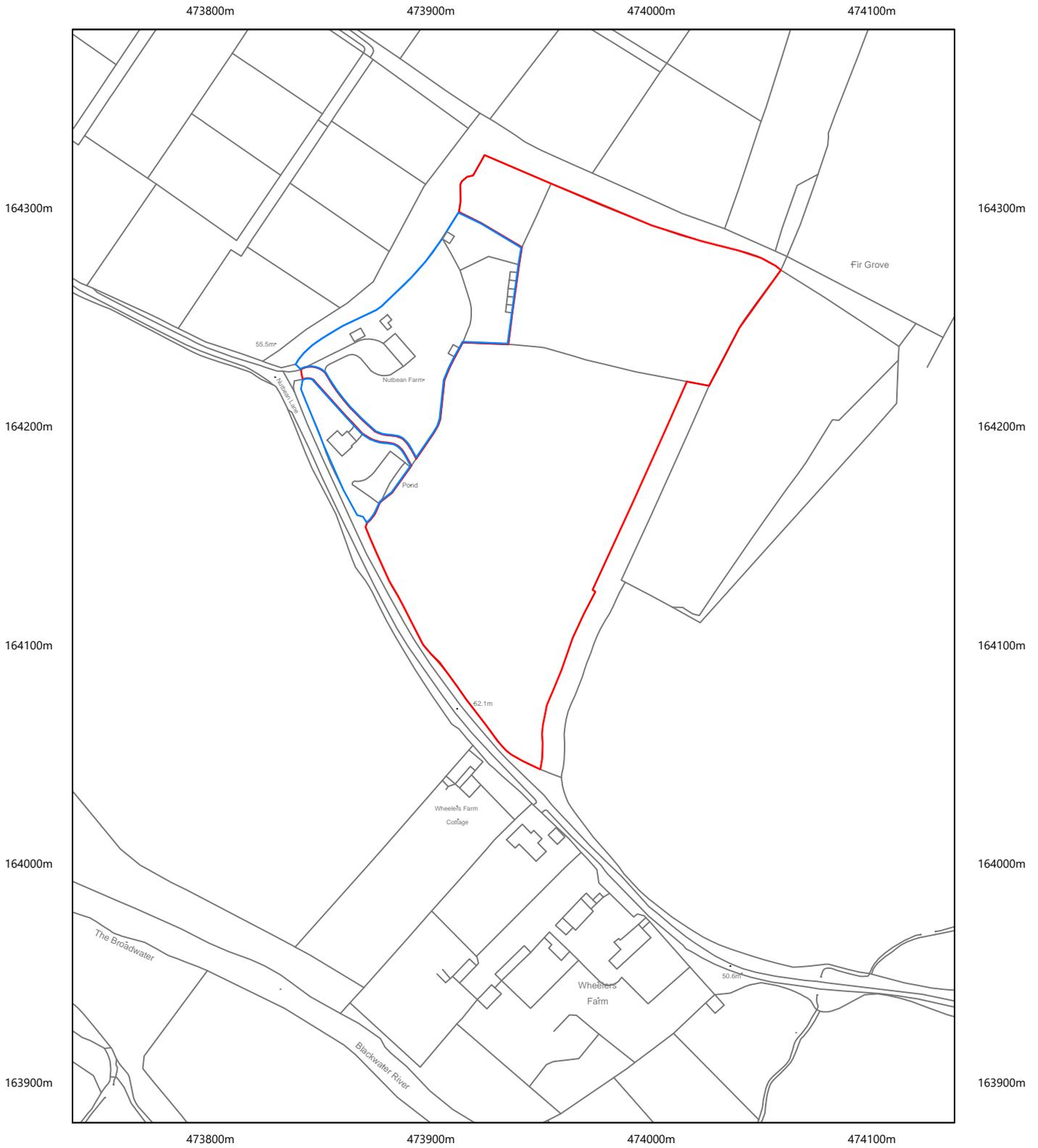
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PLANNING REF : 211975  
PROPERTY ADDRESS : Parish Office  
: Swallowfield Street, Swallowfield, Reading  
: RG7 1QX  
SUBMITTED BY : Swallowfield Parish Council  
DATE SUBMITTED : 15/07/2021

COMMENTS:

Swallowfield Parish Council does not object to this application but would ask that a condition is place on approval which limits its use to non commercial.

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Drawing title LOCATION PLAN	Ref. RAC/8787/1	Rev. B				Reading Agricultural Consultants Ltd Gate House Beechwood Court Long Toll Woodcote RG8 ORR 01491 684233 www.readingagricultural.co.uk
Contract NUTBEAN FARM NUTBEAN LANE SWALLOWFIELD RG7 1XL	Drawn by AL	Checked by <b>267</b>				
	Scales 1:2,500@A4	Date June 2020	B	Red line amended to show vehicular access	3/6/21	
			Rev.	Comment	Date	



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