

Agenda Item 48.

Application Number	Expiry Date	Parish	Ward
192884	30 November 2020	Shinfield	Shinfield South;

Applicant	Cooper Estates Strategic Land Limited
Site Address	Land Rear Of Stanbury House, Basingstoke Road, Spencers Wood, RG7 1AJ
Proposal	Full application for the proposed change of use of agricultural land to recreational use (D2 Use class) (to provide a Suitable Alternative Natural Green Space) with associated access, car park, footpaths and landscaping works.
Type	Full
PS Category	6
Officer	Graham Vaughan
Reason for determination by committee	Major application

FOR CONSIDERATION BY	Planning Committee on Wednesday, 16 December 2020
REPORT PREPARED BY	Assistant Director – Place

SUMMARY
<p>This is an application for the change of use of the land from agricultural to a recreational use located behind Stanbury House, Basingstoke Road, Spencers Wood. This is the fourth application on the site for this type of development following the approval of F/2011/2106, 161920 and 190747. Whilst the proposal is for the formation of recreational space, it is envisaged that the scheme would become a Suitable Alternative Natural Greenspace (SANG) in the future. This would be linked to the provision of a housing development adjacent to the site in order to provide mitigation against the impact upon the Thames Basin Heaths Special Protection Area. However it is important to stress that the scheme is not reliant on the separate housing development i.e. it should be considered on its own merits.</p> <p>Whilst the site would likely be used as a SANG in the future, planning permission is required for the change of use of the land and not the formation of a SANG itself. A SANG can only be formed if it provides direct mitigation for impacts upon the Thames Basin Heaths SPA.</p> <p>The proposal would include 9.7 hectares of open space with a circular pathway providing a walkable route around the site. Provision for a link to an existing public footpath is also provided. It is considered that the scheme would have an acceptable impact on the character of the area, neighbouring amenity, highway safety, ecology and drainage and is accordingly recommended for approval.</p>

PLANNING STATUS
Contaminated Land Consultation Zone Local Authorities Green Routes and Riverside Paths Affordable Housing Thresholds Bat Roost Habitat Suitability Borough Parishes Scale and Location of Development Proposals

GC Newt Consultation Zone
 Ground Water Zones
 Site Allocations
 Minerals Site Consultation Area
 Nuclear Consultation Zone
 Public Open Space
 Replacement Mineral Local Plan
 Tree Preservation Orders
 Borough Wards
 Landscape Character Assessment Area
 Local Plan Update Submitted Sites
 SSSI Impact Risk Zones
 Thames Basin Heaths SPA Mitigation Zones
 PRow Within WB Consultation Zone
 Green Routes and Riverside Paths Consultation Zone
 Ordinary Watercourses Consultation Zone
 Ordinary Watercourse

RECOMMENDATION

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

A. Completion of a legal agreement to secure ownership of the land for recreational use as a SANG; its maintenance in perpetuity by the Local Authority; and, a commuted sum towards maintenance.

B. Conditions and informatives:

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 numbered '19-01 Rev C', '19-02', '1083/SP1', '4956-SK-003 Rev B', '5867/ASPD3.0/SANG/HWD Rev B Sheet 1' and '5867/ASPD3.0/SANG/HWD Rev B Sheet 2' received by the local planning authority on 1 November 2019. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with 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.

3. Prior to the commencement of any development, including any site preparation works, the applicant will secure a programme of archaeological investigation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The programme of archaeological work shall be implemented in accordance with the approved details.

Reason: The site is identified as being of archaeological potential. Investigation is required to allow preservation and recording of any archaeological features or artefacts before disturbance by the development. Relevant policy: National Planning Policy

Framework Section 16 (Conserving and Enhancing the Historic Environment) and Managing Development Delivery Local Plan policy TB25.

4. No development shall take place until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the NPPF.

5. The use of the site for recreational purposes shall not commence until the access has been constructed in accordance with details including visibility splays, to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience Relevant Policy: Core Strategy Policy CP6.

6. Access Surfacing - The use of the site for recreational purposes shall not commence 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.

7. Parking and Turning - The use hereby permitted shall not commence until the vehicle parking and turning space has been provided in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority. The vehicle parking shall not be used for any other purpose other than parking in connection with the use of the site for recreational purposes and the turning space shall not be used for any purpose other than turning.

Reason: To ensure a satisfactory form of development and to avoid any adverse impact on the public highway in the interests of highway safety and convenience. Relevant Policies: Core Strategy policy CP6 and MDD Local Plan policy CC02

8. Cycle parking - The use hereby permitted shall not commence until secure parking for bicycles has been provided in accordance with the approved details and drawings.

Reason: To ensure bicycle parking facilities are provided and to encourage the use of sustainable modes of transport. Relevant policy: Core Strategy policy CP6.

9. Gates Restriction - Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that

order, no gates shall be erected across the road or car park accept in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience and visual amenity Relevant policies: Core Strategy policies CP1, CP3 and CP6

10. Footpath Link - The use of the site for recreational purposes shall not commence until a footpath link has been provided between the footpath network within the site and Shinfield Byway 25, Woodcock Lane in accordance with details which have first been written and approved in writing by the Local Planning Authority. The link shall be retained for as long as the approved development remains on the site.

Reason: In the interests of an integrated public rights of way network. Relevant Policies: Core Strategy policies CP6 and CP11

11. Passing Place - The use of the site for recreational purposes shall not commence until details of a passing place located on the access road that will enable a tractor and a car to pass safely have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience. Relevant policies: Core Strategy policies CP1, CP3 and CP6

12. Pedestrian Works - No development shall commence until off-site works comprising a pedestrian crossing, traffic island, footway and bollards and all other associated works as shown on drawing number '4956 SK 003 Rev B' have been provided on Basingstoke Road in accordance with final scheme drawings to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of Highway Safety. Relevant policy: Core Strategy policy CP6.

13. Protection of trees - a) No development or other operation shall commence on site until a scheme which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent the site in accordance with BS5837: 2012 has been submitted to and approved in writing by the local planning authority (the Approved Scheme); the tree protection measures approved shall be implemented in complete accordance with the Approved Scheme for the duration of the development (including, unless otherwise provided by the Approved Scheme) demolition, all site preparation work, 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. The scheme will need to include a detailed tree protection plan and the location of the proposed footpaths through the areas of woodland to be accurately plotted to avoid removal of any trees within the woodland. The footpaths will need to be of a no-dig construction where located in the RPA's of any trees.

b) No development (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 local planning authority has been provided (by way of a written notice) with a period of no less than 7 working days to inspect the implementation of the measures identified in the Approved Scheme 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 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.

14. Landscaping - Prior to the commencement of the development, 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, proposed finished floor levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and minor artefacts and structure (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc). Soft landscaping details shall include 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. 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. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

15. Landscape environmental management plan - Prior to the commencement of the development a landscape environmental management plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority. The plan shall also include detailed descriptions and maps of habitats and species populations on the site, short and long term ecological objectives including measures to restore and enhance hedgerows, ditches, ponds and grassland habitats The landscape management plan shall be carried out as approved and maintained for the lifetime of the development.

Reason: In order to ensure that provision is made to allow satisfactory maintenance of the landscaping hereby approved and to enhance the ecological value of the site.

Relevant policy: Core Strategy policy CP3 and CP7, Managing Development Delivery Local Plan policies CC03 and TB21 and the NPPF.

16. Prior to the commencement of development, a detailed veteran and aged tree mitigation strategy will need to be submitted to and approved in writing by the local planning authority. The strategy shall include details of all the tree works that are required to maintain the trees ecological value. The management plans should cover a period of 10 years from the commencement of development. The mitigation strategy shall be implemented in accordance with the approved plan unless otherwise approved in writing by the local planning authority

Reason: There are likely to be veteran, near veteran or notable trees within the SANG that would require protection. Relevant policy: Policy CC03 of the MDD Local Plan.

17. Retention of shrubs and Trees - 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. Relevant policies: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

18. Notwithstanding the car parking surfacing details as set out in plan '5867/ASPD3.0/SANG/HWD Rev B', the car park surfacing shall be constructed with a 'no-dig' format and be of a permeable surface.

Reason: To ensure the root protection area of large off site trees is not harmed. Relevant policy: Policy CC03 of the MDD Local Plan.

19. Height Barrier - Notwithstanding the approved details, prior to the development being brought in to use details the secure height barrier shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being brought in to use and shall be retained and maintained in perpetuity thereafter.

Reason: To ensure security of the site and maintain parking for users. Relevant policy: Core Strategy policy CP6.

20. Drainage Scheme - Prior to first use of the site for recreational purposes, the drainage scheme as outlined in the document named 'Technical note' (ref: 45041/001/TN001 dated 24 September 2019) and outlined on plan numbered 45041/2001/002 Rev P0 shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority. The excavation of the drains shall be overseen by a suitably qualified Tree Consultant to ensure best practice in accordance with BS5837:2012.

Reason: To prevent increased risk of surface water run-off elsewhere. Relevant policy: CC10 of the MDD Local Plan.

Informatives

1. The applicant's attention is drawn to the fact that this permission does not authorise the physical construction of the proposed off site highway works and site access connections to the public highway. A separate legal agreement made with the Council under S278 of the Highways Act 1980 is required. No work within or affecting the public highway shall commence until the agreement has been completed and the Council, as Local Highway Authority, has approved all construction and installation details together with a programme of works.

2. The Head of Highways at the Council Offices, Shute End, Wokingham [0118 9746000] should be contacted for the approval of the access construction details before any work is carried out within the highway (including verges and footways). This planning permission does NOT authorise the construction of such an access or works.

3. Any works/ events carried out by or on behalf of the developer affecting either a public highway or a prospectively maintainable highway (as defined under s.87 New Roads and Street Works Act 1991 (NRSWA)), shall be co-ordinated and licensed as required under

NRSWA and the Traffic Management Act 2004 in order to minimise disruption to both pedestrian and vehicular users of the highway.

4. Any such works or events, and particularly those involving the connection of any utility to the site must be co-ordinated by the developer in liaison with the Borough's Street Works team (0118 974 6302). This must take place AT LEAST three months in advance of the intended works to ensure effective co-ordination with other works so as to minimise disruption.

5. Approval of this application for the use of land as recreational space does not necessarily mean that it will be acceptable for specific schemes to rely on the facility for the avoidance and mitigation of SPA impacts as a SANG. For instance the Council's spatial strategy requires that SANG to mitigate the impact of residential development with the Strategic Development Locations is provided within them as part of a comprehensive scheme and associated infrastructure.

6. 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 Highway Authority on tel.: 0118 9746000.

7. The applicant is advised that Berkshire Archaeology must be notified when the approved Written Scheme of Investigation has been fully implemented.

8. The applicant is advised that Approval in Principle will be required in connection with the proposed Culvert shown on the landscaping scheme. Full engineering details must be provided to the Council's structures team prior to the construction of the culvert.

9. Where possible, the applicant is advised to ensure any signage related to the use of the SANG follows the design and style of other SANG signage in the Borough.

10. This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated [INSERT], the obligations in which relate to this development.

PLANNING HISTORY		
Application Number	Proposal	Decision
F/2011/2106	Change of use from agricultural land to provide Suitable Alternative Natural Greenspace (SANG) and associated access, car park, footpaths and landscape works	Approved – 31/10/2013
161293	Conditions application for the submission of details to comply with the following conditions of planning consent F/2011/2106 (112605) dated 31/10/2013: 3. Boundary Treatments 4. Hard and Soft Landscaping 5. Landscape and Habitat Management Plan 6. Details of Tree Protection Fencing 13. Surface Water Drainage Scheme 15. Archaeological Work –	Conditions Discharged - 9/9/2016
161920	Proposed change of use of agricultural land to provide Suitable Alternative Natural	Approved – 23/02/2017

	Greenspace (SANG) and associated access, car park, footpaths and landscaping works.	
O/2014/2101	Outline application for the development of up to 57 new dwellings to include new access from Basingstoke Road and provision of suitable Alternative Natural Greenspace (SANG) to be considered.	Appeal against non-determination Allowed 20/7/2016 Appeal decision quashed on 20/07/2017 Re-determination allowed 18/09/2018
190747	Full planning application for change of use of agricultural land to provide Suitable Alternative Natural Greenspace (SANG) and associated access, car park, footpaths and landscaping works (Renewal of planning permission 161920)	Approved – 14 October 2019
192883	Outline application with some matters reserved for the proposed development of up to 120 dwellings. (Access to be considered.)	Pending

SUMMARY INFORMATION	
Site Area	9.7 hectares
Previous land use	Agriculture
Proposed use	Use class D2 (Assembly and leisure).
Public open space proposed	9.7 hectares
Existing parking spaces	0
Proposed parking spaces	13 (1 disabled space)

SUMMARY INFORMATION (for application 190747)	
Site Area	12 hectares
Previous land use	Agriculture
Proposed use	Use class D2 (Assembly and leisure).
Public open space proposed	12 hectares
Existing parking spaces	0
Proposed parking spaces	12

CONSULTATION RESPONSES	
Berkshire Archaeology	No objection subject to condition
Ramblers Association	No comments received
Natural England	No comments received
Open Spaces Society	No comments received
Berks, Bucks & Oxon Wildlife Trust	No comments received
WBC Drainage	No objection
WBC Ecology	No objection subject to conditions
WBC Environmental Health	No comments received
WBC Growth & Delivery (Planning Policy)	No comments received
WBC Green Infrastructure	No comments received
WBC Highways	No objection subject to conditions
WBC Tree & Landscape	No objection subject to conditions
WBC Public Rights of Way	No objection subject to condition

WBC Sports Development (Places and Neighbourhoods) No comments received

REPRESENTATIONS

Town/Parish Council: Comment that there should be linkages to other public rights of way in the area, signage should be consistent with other SANGs, the car park should be at the entrance to the development and the loss of area for the SANG compared to previous applications should be compensated by funding for different projects (Officer note: the link to an existing public right of way would be secured through a condition; an informative can be attached regarding signage; no highway issues are raised with regard to the location of the car park; the difference in size of the SANG compared to previous applications is not a material consideration i.e. the scheme should be considered on its own merits).

Local Members: No comments received

Neighbours: Four letters of objection received with regard to:

- Impact of additional housing on traffic (officer note: this matter would be considered through application 192883)
- Reduction in size of SANG compared to previous (office note: applications should be considered on their own merit)
- The land should be left as is and already provides habitats for wildlife (officer note: a SANG has already been approved on this site and, in implementing one, habitats for wildlife would remain)
- Refer to comments made on application 192883 (officer note: this is not a material consideration)

APPLICANTS POINTS

- Although smaller in size than previous, this is essentially a renewal of a SANG permission that was approved in 2011, 2016 and 2019
- The proposal will not harm the ecological features of the site and the site will connect to existing rights of way – Shinfield Byway 25, Woodcock Lane.
- The proposal would accord with National and Local Policy, including Natural England guidance.

PLANNING POLICY		
National Policy	NPPF	National Planning Policy Framework
Adopted Core Strategy DPD 2010	CP1	Sustainable Development
	CP2	Inclusive Communities
	CP3	General Principles for Development
	CP4	Infrastructure Requirements
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP8	Thames Basin Heaths Special Protection Area
	CP9	Scale and Location of Development Proposals
	CP11	Proposals outside development limits (including countryside)

Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
	CC02	Development Limits
	CC03	Green Infrastructure, Trees and Landscaping
	CC06	Noise
	CC07	Parking
	CC09	Development and Flood Risk (from all sources)
	CC10	Sustainable Drainage
	TB21	Landscape Character
	TB23	Biodiversity and Development
	TB25	Archaeology
	SAL05	Delivery of avoidance measures for Thames Basin Heaths Special Protection Area
Supplementary Documents (SPD)	Planning	BDG Borough Design Guide

PLANNING ISSUES

Description of Development:

1. The proposal is for the change of use of the land from agriculture to a recreational use (use class D2 (officer note: the application was submitted prior to the changes made to the Use Classes Order and therefore the regulations applicable at the time are relevant)). It is noted that the intention of the applicant is to use the site as an area of Suitable Alternative Natural Greenspace (SANG) and indeed to use it to mitigate the proposed development of 120 dwellings adjacent to the site. Nonetheless, in planning terms, the use of the site as a SANG does not require permission and indeed can only be considered as a SANG if it directly mitigates residential use impact upon a Special Protection Area. As such, the application should consider the impact and acceptability (in planning terms) of the change of use of land for recreation use.
2. Having said this, it is noted that the proposal is very similar to previous applications on the site including 190747, which is extant, and permissions 161920 and F/2011/2106. Whilst the description of these included the provision of creating a SANG, Members attention is drawn to an appeal decision, APP/X0360/W/19/3235895 (Land south of Reading Road and Arborfield Road, east of Chestnut Crescent, west of the River Loddon, Shinfield) in which the Inspector clearly notes that whether or not the site ultimately becomes a SANG is not a matter to be determined. Nonetheless, the previous permissions are a material consideration in that they demonstrate what has been acceptable in the past (including one that could be implemented now).
3. The current application proposes the creation of 9.7 hectares of land for public recreational use. In anticipation that it would be used as a SANG, the applicant has provided a walking route showing two 'circular' routes, one larger than the other. Hedgerow, tree and wildflower planting are proposed as well as the formation of a pond. Access would be provided from Basingstoke Road leading to a small scale car park to the south east of the site.

4. For the purposes of clarity, it is considered relevant to provide information on the extant permission for the site, reference 190747. This application (considered by the Planning Committee June 2019), granted permission for a 12 hectare site which provided a similar, albeit larger, walking route to that which is currently proposed. The applicant is now seeking a different sized site due to the submission of a separate planning application, reference 192883, which is for 120 dwellings adjacent to the site (as outline with access to be considered). The proposal for a larger quantum of housing on the site (than what was approved by application O/2014/2101) is therefore resulting in a decrease in the amount of land available to be provided for recreational use. As such, in comparison to the extant permission, this application represents a decrease of 19%. Nonetheless, if the site were to become a SANG in the future, 9.7 hectares would provide a capacity of 505 dwellings i.e. far exceeding the proposed 120 dwellings adjacent to the site. In this sense then, there is no planning issue arising from the fact a 'smaller' site is proposed. Indeed this aspect is not a material consideration; the application should be considered on its own merits.
5. Notwithstanding the above, it is noted that the applicant wishes to provide the site as a SANG in the future. In order for this to work, the site would need to be secured in perpetuity. To achieve this it is proposed that the freehold of the land would be transferred to the Council together with a commuted sum for future maintenance which would be secured by S106 agreement. The applicant reasonably expects to benefit from providing the proposed facility and, while it is not a planning matter, it is necessary to understand the mechanism for this and for allocation of capacity within the SANG. It is proposed that, following the transfer of the freehold of the land to the Council, the Council would lease the site back to the applicant for use as a SANG. The lease would secure public access for the intended use and also access for maintenance.
6. When a third party developer wishes to rely on the SANG to avoid residential development having an impact upon the Special Protection Area they would negotiate a price directly with the applicant and exercise their option to acquire SANG capacity simultaneously to completing the S106 agreement. Thus, the Council would be in a position to monitor the residual capacity of the SANG but would avoid the need to be involved in the negotiation between the applicant and third party developers. For confirmation, this is the approach that was agreed in previous applications.

Principle of Development:

7. 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.
8. Policy CC02 of the MDD sets out the development limits for each settlement as defined on the policies map and therefore replaces the proposals map adopted through the Core Strategy, as per the requirement of policy CP9. Policy CP9 sets out that development proposals located within development limits will be acceptable in principle, having regard to the service provisions associated with the

major, modest and limited categories. The proposal is outside settlement limits and therefore subject to the limitations of policy CP11 of the Core Strategy.

9. The proposal has already been found to be acceptable in principle on the basis that the proposed use of the land, for informal recreation, would contribute to recreation in and enjoyment of the countryside which falls in accordance with Core Strategy policy CP11 which sets out the limited circumstances whereby development in the countryside might be acceptable. The development proposals are also supported by the NPPF which recognises that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities (paragraph 96).
10. The site has been designated under MDD Local Plan Policy SAL05 as a site for the “delivery of avoidance measures for the Thames Basin Heath Special Protection Area”. As per this policy, “there is a presumption against the development of this site for uses other than SANG unless the applicant can demonstrate that sufficient alternative avoidance measures for all relevant submitted and/or approved plans and projects within the Borough taking account of Natural England’s advice on SANGs”. Given this designation, the proposed development is therefore acceptable in principle as, subject to an appropriate assessment, potentially be a SANG in the future.

Suitability of Site:

11. As noted above, the site has been subject to similar applications in the past including an extant permission. It is also safeguarded through the Development Plan for use as a SANG. The provision of land for recreational use, and indeed for use as a SANG, is considered beneficial to creating a network of green spaces across the Borough. This promotes healthy and sustainable living and is in line with the Council’s spatial strategy. As such, the use of the land for this purpose is considered acceptable.
12. The scheme would provide two main footpaths around the site which would also link to an existing public footpath outside of site. The walks would be through different habitats and provide connectivity with the option for longer walks if necessary. Whilst specific details of footpath construction type and the provision of ancillary structures such as bins and signage would be agreed though a condition, it is considered the proposed layout of the site would be acceptable and in accordance with policy CC03 of the MDD Local Plan.
13. Whilst it is not for this permission to designate the site as a SANG, it is noted that the layout, length of walk, parking provision and access would be suitable for a SANG in terms of Natural England guidelines. Furthermore, in the event the site would be used as a SANG, this would help improve capacity in this part of the Borough in terms of providing alternative, more convenient sites for informal recreation to relieve pressure on sites within the Thames Basin Heaths Special Protection Area. Thus, the proposal – when used as mitigation for this purpose - would contribute towards conserving sites of international nature conservation importance (European Sites), as required by Core Strategy Policies CP7 and CP8.

Character of the Area:

14. Core Strategy Policies CP1 and CP3, require new development to maintain or enhance the high quality of the environment. TB21 of the MDD Local Plan indicates

that proposals should respect the landscape character of the area, retain or enhance existing landscape features such as trees and woodland and providing for appropriate landscaping. Landscaping should consist of locally native species.

15. The Council's Landscape Character Assessment identifies the area in which the site is located as J3 - Spencers Wood Settled and Farmed Clay. The landscape is characterised by pasture and arable fields of a variety of sizes including some small irregular fields, indicative of early enclosure, located around settlements. An intact hedgerow network with hedgerow oaks, woodland blocks and copses including some ancient woodland provide a wooded setting. The most sensitive aspects of the landscape are the ancient woodland copses, pasture enclosed within historic field boundaries and the sense of elevation and views provided across the adjacent lowland landscapes.
16. The application site is consistent with this character, comprising three fields, separated from each other and their wider surroundings by boundary hedgerows and blocks of woodland. There are also some stand-alone trees in the fields.
17. With the exception of the loss of small areas of vegetation to accommodate the proposed footpaths, all existing woodland, trees and hedgerows would be retained and supplemented with new woodland planting. It has been demonstrated that the access road, car park and footpaths will be constructed without harm to retained vegetation subject to a 'no-dig' format which could be controlled by condition.
18. The proposal would provide two circular pathways, one larger than the other which would be appropriate for the site of the site and the level of infrastructure required. Additional planting would occur along the boundary with the proposed housing scheme to the east and the car park would still be well filtered from views by existing vegetation. A shared surface access is proposed, which is appropriate given the low level of traffic anticipated and would have a less intrusive, more rural character than a kerbed junction with a separate carriageway and footpath.
19. Basingstoke Road is a Green Route (MDD Local Plan policy CC03), in recognition of the positive contribution made by the trees and other vegetation that line the road (including trees between North Lodge and South Lodge, which are protected under area TPO21/1970). It would be necessary to cut back overhanging vegetation to achieve the 2.4 metre by 120 metre visibility splays but not to the extent that it would have a significant impact upon the verdant character of the road.
20. The 120 metre visibility splay to the south would extend almost as far as the Library and School House, a grade II listed building. The visibility splay would be over the existing highway verge and it is proposed to install timber bollards (best suited to the semi-rural character of the area and used elsewhere in the area) to prevent incidental parking on the verge obstructing visibility. With the tree protection fencing, boundary treatments and proposed landscaping scheme the impact upon the character of the area would be acceptable.

Residential Amenities:

21. Core Strategy policy CP3 sets out that new development should not result in a scale of activity that would be detrimental to the amenities of adjoining landowners. The nearest dwellings would be to the North of the site at Wellington Court, to the

south at Highlands Cottage and fronting Basingstoke Road. Additionally, Outline permission has been granted for the construction of an access and 57 dwellings on the land immediately to the rear of Stanbury House and to the east of the application site.

22. The use of the land for informal recreation would not give rise to undue disturbance and the main impact of the development on neighbouring properties would be from vehicles using the access road. This would be south of Stanbury House in broadly the same location as the existing driveway. Therefore, Stanbury House itself, the 57 new dwellings and to the south of the access, Glenamoy House would be most affected.
23. The access would be orientated to run parallel to the boundary with Glenamoy House, adjacent to the private rear gardens of this property and Stanbury House but bringing it closer to the garden of Glenamoy House than is currently the case. The northern flank of Glenamoy House is a minimum of two metres from the boundary and there would be a minimum of approximately four metres separation from the access road. Stanbury House would also be a minimum of four metres from the access road at its closest point.
24. Stanbury House has an ample sized garden being up to 50 metres in width but the Garden at Glenamoy House is much narrower - approximately 16 metres in width. The neighbouring property is a two-storey house with an L-shaped footprint. The rear wing runs parallel to the boundary with the application site, a minimum of two metres from the boundary, and would shelter the private amenity space immediately to the rear of the dwelling from the access. There are a number of ground-floor windows and one first-floor window (which appears to serve a bedroom) in the northern, flank elevation.
25. The submitted Transport Statement indicates that trips would generally be between 07:00 and 21:00 and highest during the late morning and afternoon. The maximum number of hourly trips would be 21 movements (arrival and departures combined) between 15:00-16:00 hours on a Sunday afternoon but this would be significantly higher than elsewhere in the week, with the next highest being six movements between 15:00-16:00 on a Saturday. The Highways Officer does not raise objection to these findings.
26. Basingstoke Road is a busy road but the garden areas to the west of the properties have a relatively peaceful character. Occupants of Glenamoy House would be aware of passing vehicles particular when using their garden at peak times such as Sunday afternoon but the level of disturbance would not be unusual in a settlement and be no greater than for many houses on corner plots. As such, the impact would not be as severe as to warrant the refusal of this planning application. The formal layout of the 57 new houses which benefit from outline planning permission may also face, or be close to this access road. The same argument applies to these properties and it is not considered that the proposal would cause sufficient disturbance as to warrant refusal of this application.

Access and Movement:

27. Core Strategy Policies CP1 and CP6 require new development in to be in accessible locations, provide access by a range of modes with emphasis on sustainable travel, provide appropriate parking, and mitigate any road safety or other highway related problems.
28. The applicant's transport statement demonstrates that the proposal would not have a significant impact in terms of traffic generation and the Highways Officer agrees with this assessment. Access to the site is proposed to be to the south of Stanbury House in approximately the same location as the existing driveway, opposite The Square. The existing garage would be demolished and access to the dwelling and to the retained agricultural field behind it would be provided off the access road. It should be noted that this agricultural field now benefits for outline permission for 57 dwellings which includes an access from Basingstoke Road in the same location.
29. The proposed parking provision of 13 car parking spaces (including one disabled bay) is considered appropriate given the parking demand anticipated. Indeed the Highways Officer does not raise concern in this respect. The Highways Officer has requested that a drop kerb be provided at the entrance to the site and that a passing place be provided on the 4.8 metre access road to accommodate passing vehicles should a tractor use the access road. The drop kerb can be secured alongside the details of the access which will be secured by condition. A further condition is recommended to secure a passing-place on the access road.
30. Notwithstanding the requirement of the Thames Basin Heaths Delivery plan, to provide for car borne access, development plan policy requires new development to provide choice and facilitate access by sustainable forms of transport, including by foot and cycle (Core Strategy Policies CP1 and CP6). The catchment area for the site includes residential development on the eastern side of Basingstoke Road and the proposal includes provision of a pedestrian refuge on Basingstoke Road, to the north of the junction with the Square. A short section of footpath would be provided from this crossing point leading into the site access.
31. The NPPF (paragraph 98) promotes improvements to the Public Rights of Way network including formation of new links. Shinfield Byway 25, Woodcock Lane lies to the west of the site, running north-south, parallel to the A33. The application provides an opportunity to integrate the footpaths within the proposed site into the wider Public Right of Way network. It is proposed that a footpath link to Woodcock Lane would be provided as part of the development and this would be secured by condition. As such, this is considered a benefit of the scheme.

Flooding and Drainage:

32. Core Strategy Policies CC09 and CC10 and NPPF require the flooding and drainage implications to be assessed. The site lies within Flood Zone 1, where the risk of flooding is low. The site area is more than one hectare and the application was accompanied by a Flood Risk Assessment. The majority of the site would remain permeable, the exception being the access road, which is proposed to drain to a retention pond adjacent the access road. The submitted Technical Note indicates the provision of permeable pavements in the car park and a filter drain located to the south of the access and a detention basin with the capacity of 150 m³. Discharge from the development will be limited as indicated on the drainage

strategy drawing. The Drainage Officer is therefore satisfied that the development will not lead to an increased risk of flooding in the area.

Archaeology:

33. The site is designated as an Area of Archaeological Potential. The applicant has accordingly submitted a Written Scheme of Investigation in support of this planning application. Berkshire Archaeology has indicated that they are satisfied with the scheme and programme contained within this document but require further details which can be agreed via condition.

Ecology

34. An Ecological Appraisal has been submitted which states that the site comprises two fields of semi-improved grassland bounded by tree lines, woodland and a hedgerow with associated drainage ditches. A single pond is present in the north of the site, although this was dry at the time of survey and a number of mature trees are present throughout the site. It concludes that the scheme would not adversely impact on any protected habitats. The Ecology Officer has considered this survey and agrees with the recommendations noting that it would result in the creation of new priority habitats. As such, no objection is raised subject to conditions; firstly a construction environmental management plan and, secondly an ecological management plan to be agreed. This element has been combined with a landscape environmental management plan but subject to this the scheme accords with policy CP7 and TB23.

35. For clarity, whilst the site is within 5km of the Thames Basin Heaths Special Protection Area, an appropriate assessment is not required for this application as there is no housing proposed. If a scheme that proposed housing and required the site to act as a SANG for mitigation purposes were to be submitted e.g. application 192883, then that application would require an appropriate assessment.

Safety Hazard Area:

36. The site is located just over 3km from the Atomic Weapons Establishment (AWE) at Burghfield. Whilst it is within the consultation zone of this, the requirements of policy TB04 of the MDD Local Plan state that the size of development proposed would not normally trigger a consultation requirement (to the Office for Nuclear Regulation (ONR) or the Council's Emergency Planner. However, following replacement regulations for emergency preparedness and public information for radiation which were introduced in May 2019, West Berkshire Council (who are the lead authority for the matters relating to AWE Burghfield) revised the consultation zones around the site. Under this legislation, local authorities are responsible for setting Detailed Emergency Planning Zones (DEPZ) for sites where there could be a radiation emergency with off-site consequences and preparing detailed plans for responding to such an emergency, within the DEPZ area. Off-site plans are put in place to minimise and mitigate the health consequences of any significant radiological release that might occur as a result of a radiation emergency at the nuclear site. For clarity, this was agreed during the course of the application but ultimately updated information in terms of maps etc. was delayed due to the Coronavirus outbreak.

37. The Detailed Emergency Planning Zone was enlarged to ensure that it would be in line with the new regulations and the redefined zone results in the application site being included in the DEPZ as well as a significant proportion of Spencers

Wood. As such, there is an increase in the number of people that would be need to be evacuated (which would be the responsibility of the Council) in the event of an emergency. Indeed the wording of policy TB04 notes that people visiting a site should be taken into consideration. Nonetheless, the scheme would be for recreational use and it is considered that those living close by i.e. already within the DEPZ, would use it. As such, the proposed scheme would be unlikely to lead to an increase in the number people actually living/working in the area. Furthermore, it is a material consideration that there is an extant permission for a similar scheme which could be implemented, regardless of the changes to the regulations. For confirmation, the Council's Emergency Planner has been consulted and does not raise objection to the scheme. As such, conflict with policy TB04 does not arise.

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.

CONCLUSION

The proposal does not conflict with any Development Plan policy and is recommended for approval subject to the recommended conditions and the completion of the S106 Agreement to secure the SANG and its maintenance in perpetuity.

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