

Agenda Item 5.

Application Number	Expiry Date	Parish	Ward
203539	14/05/2021	Barkham/Wokingham Town	Barkham; and Evendons

Applicant	Mr and Mrs Pike
Site Address	Land off Bearwood Road, Bearwood Road, Wokingham, RG41 4SP
Proposal	Full planning application for the change of use of 14.77ha from existing private woodland to informal recreational land and associated infrastructure including pedestrian and vehicle access, car parking and footpath network and landscaping.
Type	Full
Officer	Stefan Fludger
Reason for determination by committee	Listed by Councillor Adrian Mather in the event the application is recommended for refusal. Major application.

FOR CONSIDERATION BY	Planning Committee on Wednesday, 09 June 2021
REPORT PREPARED BY	Assistant Director – Place

SUMMARY
<p>The proposal is for the change of use of 14.77ha of existing private woodland to informal recreational land. This would include the provision of a new car park with 18 spaces, a new access off Bearwood Road, surfaced footpaths, gates and street furniture, habitat restoration, removal of invasive species and landscaping.</p> <p>The scheme is acceptable in principle, promoting recreation in the Countryside. It would not result in harm to the character of the area and the level of works required to facilitate the change of use of the land are minimal considering the size of the site. It is not considered that the scheme would result in harm to Ancient Woodland and there would be significant removal of invasive species, secured by a long term plan. Wokingham Footpath 1 would be re-surfaced and this is a benefit of the scheme.</p> <p>The application documents refer to use of the land as Suitable Alternative Natural Greenspace (SANG). This is not a land use in Planning terms and this is not an application for SANG. The land will not be associated with any new housing developments and therefore will not be mitigating the impact of any development on the Thames Basin Heaths SPA.</p>

PLANNING STATUS
Countryside Protected Species Consultation Zones Ancient Woodlands Overhead cables 15m buffer Contaminated Land Consultation Zone Heathrow Aerodrome Consultation Zone Bat Roost Habitat Suitability Minerals Site Consultation Area Public Open Space Replacement Mineral Local Plan Tree Preservation Orders

Local Plan Update Submitted Sites
PRoW
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones – 7KM
PRoW Within WB Consultation Zone
Green Routes and Riverside Paths Consultation Zone
Ordinary Watercourses Consultation Zone

RECOMMENDATION

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

A. Completion of a legal agreement to secure:

- 1. The implementation of the works which are on land outside the applicant's control.**
- 2. Long term landscape and ecological management plan relating to the site, the forest and invasive species.**

If the Agreement is not completed within 3 months of the date of this resolution, Planning Permission will be refused unless the Operational Manager for Development Management in consultation with the Chairman of the Planning Committee agree to a later date.

B. Conditions and informatives:

Conditions:

1. 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. Not including the exact location of the proposed footpath, which is not approved, this permission is in respect of the submitted application plans and drawings numbered 6768.PSCP.03 REV E, 6768.ES.01 REV C, 6768/ASP.HWD REV B, 6768/SK001/WS and 6768.ASP2, received by the Local Planning Authority on 17/12/2020 and revised plan numbered 6768.PS.02 REV F, received by the Local Planning Authority on 20/04/2021. 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. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors,
- ii) loading and unloading of plant and materials,
- iii) storage of plant and materials used in constructing the development,
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- v) wheel washing facilities,
- vi) measures to control the emission of dust and dirt during construction,
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

*Reason: In the interests of highway safety & convenience and neighbour amenities.
Relevant policy: Core Strategy policies CP3 & CP6.*

4. Prior to commencement of development, the following details shall be submitted to and approved in writing by the local planning authority
- a) The materials to be used in the surfacing of the car park and a plan at a scale of 1:50 showing the design of the car park.
 - b) All public furniture including litter bins, information stands.
 - c) Materials to be used in pedestrian footpaths.
 - d) Rumble strip detail.
 - e) Wayfinding signage details.
 - f) Pedestrian bench details.
 - g) Details of the pond, including a cross section.
 - h) Detail and location of debris dam.
 - i) Full details of the proposed pedestrian bridges, including materials to be used in construction.

Reason: In the interests of the character of the area and the proper functioning of the area of open space.

5. Following the removal of Rhododendron within the '10 metre offset' as shown on plan numbered 6768.PS.02 REV F, but prior to the implementation of the proposed footpath, full details of the location of the proposed footpath will be submitted to and approved in writing by the LPA. The alignment/location of the footpath shall be designed as to have minimal harmful impact on trees and protected species as informed by the tree and biodiversity surveys as required by conditions 6 and 8. The footpath shall be implemented in the location approved.

Reason: The current scheme allows for flexibility in terms of the precise location of the footpath. Detail is needed following the clearance of Rhododendron as to the precise location of the footpath in the interests of the character of the area.

6. (a) Following the removal of Rhododendron within the '10 metre offset' as shown on plan numbered 6768.PS.02 REV F but prior to the implementation of the proposed footpath, 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 will be 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 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. (a) Following the removal of Rhododendron within the '10 metre offset' as shown on plan numbered 6768.PS.02 REV F, but prior to the implementation of the proposed footpath, 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 contours, means of enclosure, 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.

(b) Notwithstanding part (a), all soft landscape works for the car park area shall be carried out in accordance with the Proposed SANG Car Park Detail Plan (6768.PSCP.03 rev E).

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 (and TB06 for garden development)

8. Following the removal of Rhododendron within the '10 metre offset' as shown on plan numbered 6768.PS.02 REV F, but prior to the implementation of the proposed footpath, updated surveys for protected species shall be carried out and the results used to provide recommendations, as per the mitigation hierarchy, to the location of the route of the path.

Reason: To secure protection for protected species which may be present.

9. Works are to be carried out in full accordance with the mitigation strategy given in paragraphs 4.5 to 4.16 inclusive of the submitted Outline Landscape and Ecology Management Plan (EPR, ref: 1908-1H, December 2020) unless otherwise agreed in writing by the council (not including the employment of a ranger – which does not need to be carried out).

Reason: To ensure that bats, a protected and priority species (as per the NPPF), and other protected species, are not adversely affected by the proposals.

10. The open space shall not be used until the vehicle parking spaces have been provided in accordance with the approved plans. The vehicle parking spaces shall be permanently maintained and remain available for the parking of vehicles at all times.

Reason: To ensure adequate on-site parking provision in the interests of highway safety, convenience and amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

11. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

12. Prior to the first use of the development hereby permitted details of secure bicycle storage for visitors to the open space 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 development hereby permitted, and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.

Reason: In order to ensure that secure bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

13. Prior to the first use of the open space, the vehicular access shall have been formed and provided with visibility splays shown on the approved drawing number

6768.PSCP.03 REV E. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height and maintained clear of any obstruction exceeding 0.6 metres in height at all times.

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

14. No other development of the site as hereby approved shall take place until the access has been constructed in accordance with the approved plans.

Reason: To ensure adequate access into the site for vehicles, plant and deliveries associated with the development in the interests of highway safety and convenience. Relevant policy: Core Strategy policies CP3 & CP6.

15. Prior to the first use of the open space, the vehicular access shall be surfaced with a permeable and bonded material across the entire width of the access for a distance of 30 metres measured from the carriageway edge and shall include the disabled parking spaces

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

16. Prior to first use of the open space details of height barrier and location need to be submitted in writing and approved by LPA and delivered to the approved details.

Reason: To ensure that vehicles do not obstruct the highway whilst waiting for gates or barriers to be opened or closed, in the interests of road safety. Relevant policy: Core Strategy policies CP3 & CP6.

PLANNING HISTORY		
Application Number	Proposal	Decision
F/2007/0292	Application for the proposed change of use of land for the storage of vehicles awaiting recycling.	Allowed at appeal – 09/07/2008
F/2007/0293	Application for the proposed retention of a replacement building, an additional building and two mobile buildings.	Allowed at appeal – 09/07/2008
CLE/2009/0382	Application for a certificate of lawfulness for the existing use of the land for wet waste operations including collection, disposal and loo hire.	Refused – 14/04/2009
192419	Full application for change of use from existing private woodland to informal recreation including the provision of access off Bearwood Road, car park and associated works.	Refused – 28/01/2020

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SUMMARY INFORMATION	
For Commercial	
Site Area	14.77 ha
Previous land use	Woodland
Proposed floorspace of each use	N/A
Change in floorspace (+/-)	N/A
Number of jobs created/lost	N/A
Existing parking spaces	0
Proposed parking spaces	18

CONSULTATION RESPONSES	
Natural England	No objection.
Berks, Bucks and Oxon Wildlife Trust	No comments received
Woodland Trust	Objection due to potential damage, deterioration and potential loss of ancient woodland.
Forestry Commission	Refer to policy and standing advice.
Health and Safety Executive	No objection.
Crime Prevention Design Officer	No comments received
National Grid	No comments received
Royal Berkshire Fire and Rescue	No comments received
Southern Gas Networks	No comments received
SEE Power Distribution	No comments received
Thames Water	No comments received
NHS Wokingham Clinical Commissioning Group	No comments received
WBC Biodiversity	No objection subject to conditions.
WBC Planning Policy	No objection.
WBC Drainage	No objection.
WBC Education (School Place Planning)	No comments received
WBC Environmental Health	No objection.
WBC Highways	No comments received
WBC Heritage & Conservation	No comments received
WBC Tree & Landscape	No comments received
WBC Cleaner & Greener (Waste Services)	No comments received
WBC Property Services	No comments received
WBC Public Rights of Way	Request further information prior to determination.
WBC Green Infrastructure	No objection, subject to conditions.

REPRESENTATIONS

Town/Parish Council:

Barkham Parish Council: Object to this application for the following reasons:

- There is insufficient information as to who will own and manage the proposed land if it is permitted. There is no funding identified.

- The Parish Council is unaware of any planned development in the area which would justify SANG to offset this. The application is premature in relation to the Local Plan Update.
- There are aspects of the site that currently make it unsuitable for consideration as SANG. This includes excessive noise from nearby A1 metal recycling operation. An abatement notice has been served which has not been complied with. The land may be polluted.
- The proposal involves the conversion of natural woodland to an artificial environment to mitigate the impact of development on the Thames Basin Heaths SPA.
- Many consultation responses in relation to this application suggest that the area should be opened up to cyclists, horses and quad bikes. The Parish Council questions if these are appropriate and they would result in an area where people can currently walk safely being converted into an area where they would have to compete with these faster options.
- At a time when Wokingham Borough Council are seeking to plant more trees, it must be possible to provide SANG facilities elsewhere that will not entail the felling of trees.
- At the very least, no approval should be given and no work undertaken until the issues of noise and ground contamination have been resolved.
- It is not appropriate for the applicant to downgrade the status of the land as Ancient Woodland. There are no wholly exceptional reasons for harm to the ancient woodland.
- There would be harm to wildlife.
- There is no long term business plan submitted.
- Ground contamination has not been sufficiently addressed.
- There is known archaeology in the area.
- The Greenway may be affected by this scheme.

Officer Note: This application does not relate to the provision of SANG. In planning terms SANG is not a use of land therefore the description of the application must reflect the use of the site as informal recreational space. The land would become SANG at the point that it is utilised in relation to new housing developments. Therefore, any comments in relation to the suitability of the land for use as SANG are not relevant to this planning application.

Wokingham Town Council:

Support this application however have the following concerns:

- The internal fencing will have a detrimental effect on wildlife movement within the area.
- The car park should not be included. It does not include disabled parking. There is a road safety issue on access to the highway to and from the car park.
- There should be no alterations to current bridleways.

Local Members:

Cllr Paul Fishwick:

The Planning Statement says that the application demonstrates that the site is sustainably located. However, from the Sindlesham side the footway ends at St Catherines Lodge and then there is a 50mph road to walk along. This route is also poor for cyclists due to the lack of infrastructure and high speed limit. Therefore, residents from this area will not be encouraged to use a sustainable and active travel mode but to access the site will be given only the choice of the car as there is no public transport provision. This goes against the Councils own core Strategies.

Officer Note: The site is not well connected to Sindlesham by footpath. However there is a pavement which extends along Bearwood Road to highways Avenue from the Barkham direction. A significant number of people will access the site from other entrances from Woosehill. The Highways Officer has not raised objection to this scheme.

Cllr Sarah Kerr:

The design is very much aimed at new people coming to enjoy this woodland and I would like to see further consideration of the community that currently enjoy it. There is some concern that dogs may be able to escape into neighbouring gardens. The footpath is higher than neighbouring gardens and this would therefore potentially lead to loss of privacy. The site is not sustainably located. There is no pedestrian access to the car park and residents from Sindlesham cannot access the site by foot. This will lead to more car journeys, appropriate infrastructure is needed. The speed limit on Bearwood Road should be reduced.

The footpath starts and ends at the car park and this is not designed with the local community in mind. There is only cycle parking at the car park, rather than at any other entrance. Why aren't bicycles to be allowed? Will the Council's Greenway be compromised?

Highland Avenue and Limmerhill provide 2 access points to the proposed SANG. Both of these routes are unadopted highways. It is important that consideration is given to ensure these routes are maintained to a standard that allows public access. The kissing gates need to be of appropriate width to allow mobility scooters through.

Officer Note: See above note In relation to Cllr Paul Fishwick comments. It is not clear that dogs could escape into neighbouring gardens. The land is already used for walking of dogs in any case. The Council's Highways Officer has not recommended a reduction in the speed limit on Bearwood Road. The applicant has not recommended that bicycles are permitted in the open space. Bicycles, the Green Way and the width of the kissing gates are discussed in the relevant sections of this report.

Neighbours: A total of 105 comments have been received, including 45 comments in support, 28 objections and 32 more general comments.

Support:

- The proposal would prevent the land being used for new houses and would keep the land open for public access, instead of being closed off (the land is private). The importance of the land has been recognised in the local plan update.
- There has already been detriment to the woodland as a result of increased footfall due to lockdown. Provision of footpaths will help prevent further harm and will make the land more accessible to more people.
- Rubbish and garden waste needs removing from the site for safety reasons and in case of introduction of invasive species.
- Will there be any removal of invasive species from the neighbouring WBC woodland? Removal of invasive species will be positive without any cost to the tax payer. The shortcut links shown on the wayfinding plan should be surfaced to the same standard as other paths.
- Trees should be replaced where felled and veteran trees avoided.
- There are a number of things shown on the wrong location on the plans.
- The current situation has shown how important local green space is to people's wellbeing. The space would be family friendly.
- We should secure as many open spaces in Wokingham as possible.
- The provision of a car park will be beneficial and will prevent nuisance parking.
- The proposal would protect the existing BMX area.
- This application secures the long term maintenance and use of the land for biodiversity net gain.
- Issues with the previous application have been overcome.
- Other SANG areas have prospered while keeping their natural beauty and wildlife. There will be better access for surrounding residents.

Comment:

- The area has been used for horse riding for a long time. It provides a safe route off of busy Bearwood/Barkham Roads. There are less places to ride horses due to lots of new housing development. Horses should be allowed into this space along with cyclists and dog walkers. Horses have not been destructive and should be allowed. A bridleway is required.

Officer Note: It is recognised that the proposed does not make provision for horses. However, While it would be beneficial to provide access for horse riders, it is not considered that the lack of appropriate provision would substantiate a reason to refuse this application. It is not unusual for formalised country parks or areas of public open space to not cater for horse riders and due to the narrowness of the footpaths, there is likely to be some conflict between horse riders and pedestrians.

- Cyclists and horse riders use the space which protects them from aggressive drivers. Horse riding is important to support mental health.
- The wood should be left as it is, however a long term management plan may be appropriate and could protect wildlife.
- The site is not suitable to be used as SANG, which should be free from intrusions. The fencing at the scrapyards could be improved, in the winter it is significantly visible. The scrapyards create significant noise pollution. The stream which runs through the site is subject to chemical pollution.
- The 20 metre wide strip for the footpath encroaches into neighbouring private land.

Officer Note: Permission – if granted would not extend to works outside of the application site (apart from that secured by legal agreement). The width of the Rhododendron to be removed is sufficient even though it would be narrower than 20 metres in places because of being close to the edge of the site.

- The removal of trees may lead to surface water runoff into neighbouring gardens.

Officer Note: The Council's Flood Risk and Drainage Officer has not objected on this basis.

- The footpath is elevated adjacent Kent Close and Riding Way and therefore would provide views into neighbouring properties.

Officer Note: Please see 'overlooking' section of this report.

- Fencing around the edge of the site is not clear.
- Wildlife should not be hindered by fencing.
- Neighbours have entrances into the woodland from their gardens and this could be lost.

Officer Note: The fencing is shown on the plans. The Council's Ecologist has not objected on the basis of the provision of fencing. This area of land is private and the right in Planning terms to access it directly from adjacent gardens is not established. These accesses appear to have accumulated over time and there is no Planning reason to insist that they are retained. The landowner could restrict access to any part of the land at any time.

- There is an error in the wayfinding plan – Limmerhill Road is shown as Dorset Way.

Officer Note: This error is noted but it does not prevent the determination of this application.

- The outline landscape document states that barbeques would be allowed.

Officer note: There is no planning reason to prevent barbeques.

- Bicycles will be blocked by kissing gates. Limmerhill Road and Highlands Avenue are unadopted roads. This also applies to people with mobility scooters etc.

Officer Note: Please see relevant sections of this report.

- There is no acoustics report which deals with noise from the adjacent scrap yard. The scrap yard has been served with a noise abatement notice. There is concern that removal of Rhododendron will cause increased noise disturbance.
- The woodland should be left to thrive on its own. There is constant noise and pollution from the neighbouring scrap yard. Removal of Rhododendron may remove noise barriers and increase disturbance to local residents.

Officer Note: This is discussed in the relevant section of this report. The noise from the scrapyards is not considered to harmfully affect the function of the open space. The Council's Environmental Health Officer has not objected to the removal of Rhododendron.

- There is no way for pedestrians or cyclists (off-road) to visit the site from Sindlesham or Winnersh as there is no pavement to the site. This is not a sustainable location.

- The vehicle access is close to a bend in Bearwood Road. There is no pedestrian access off the road and there are highway safety issues. This does not support access on foot.

Officer Note: The site is not well connected to Sindlesham by footpath. However there is a pavement which extends along Bearwood Road to highways Avenue from the Barkham direction. A significant number of people will access the site from other entrances from Woosehill. The Highways Officer has not raised objection to this scheme.

- The removal of Rhododendron may have a negative impact on protected species.

Officer note: Please see 'ecology' section of this report. The Council's Ecologist considers the approach regarding Ecology to be appropriate.

- How will the BMX area be accessed?

Officer Note: This is not clear however this lies on private land and this is not determinative.

- There should be better access for the fire brigade and other emergency services.

Officer Note: It is noted that there is vehicular access provided. The level of access would be similar to that available at present.

- The footpath is higher than neighbouring gardens and this would therefore potentially lead to loss of privacy.

Officer Note: Please see 'overlooking' section of this report.

- The scheme is un-necessary.

Object

- This proposal is fundamentally the same as the previous application.
- The proposal is likely to have detrimental impacts on existing wildlife. The woods are home to a number of animals. The development is not required or necessary as this land is freely accessed – why is it marked as private on the application? The removal of trees will destroy habitat. The increase in the number of dogs on the land would harm wildlife.
- This area has been open for walkers for many years. Formalising it will destroy the character of the area. There are a number of comments in support. Do people know that this is already an established walking area?
- Limmerhill field has recently been closed to residents and this has led to more deer in neighbouring gardens and fatalities in the road. This will be made worse by the change of use of the site. The fencing surrounding the site will limit wildlife movement.
- The owners of this land have a lack of regard for flora, fauna and neighbours, This application is not submitted in the interest of the community. Ecology should be prioritised without formalising the space. The neighbouring scrapyards pollute the area.
- The land has been open for all to access for 30 years.

Officer note: Please see 'ecology' section of this report. The Council's Ecologist considers the approach regarding Ecology to be appropriate. The land is private and access to the

public has historically been allowed by the land owner(s). This could be withdrawn at any time.

- There are no details included as to how litter and fly tipping will be prevented. The pandemic has already led to increased use and littering.
- It is a breach of the equalities act to approve this scheme. Cyclists are vast majority male and horse riders are vast majority female. As a predominantly female group, horse riders must have 'protected characteristics'. Many horse riders are over 35 and therefore are defined as 'hard to reach' in terms of promoting physical activity. Equal access to horse riders and cyclists needs to be ensured.
- The proposal would not be properly accessible to cyclists – including those who commute to Reading.

Officer Note: There is no evidence provided that 'most horse riders are female and most cyclists are male'. Access for cyclists is discussed in the relevant section of this report.

- The car park is unnecessary.
- Wokingham already has a number of country parks and this one is not needed.

Officer Note: Need is not a material consideration in the determination of this application. The car park has been provided to provide an increased level of access.

- There would be harm to the Ancient Woodland.

Officer Note: Potential harm to the ancient woodland is considered in the relevant section of this report.

- A secondary fence adjacent the garden fences edging the site is not required.
- The proposal will facilitate private housing.

Officer Note: See main body of report in relation to access by horse riders and cyclists. The change of use of the land must be assessed on its own merits and it is not brought forward in relation to any housing scheme. There is no objection to the provision of an extra fence alongside the existing garden fences.

Friends of Foxhill:

Support the proposal. The scheme Preserves public access to a widely used open space. The path is more accessible to wider range of people including disabled. Many of the paths follow established informal routes. The car park now includes disabled bays.

There are a number of positive aspects in terms of wildlife conservation, including the restoration of the pond, and removal of invasive species.

However, there are incorrect road names listed on the plans. Are barbeques to be allowed on site? The fire brigade need to be able to gain access. The fencing does not go all the way around the site. No fencing is necessary. The 10 metres strip either side of the footpath goes into some neighbour's gardens. There will be inadequate space for screening. There are alternative paths available that wouldn't require tree removal. Would trees which have been removed be replaced? There is no mention of ancient and veteran trees. Would other protected species be protected? There are concerns relating noise from the scrap yard.

Officer Note: There is no objection to the provision of an extra fence alongside the existing garden fences. The fire brigade would have a similar level of access to the present site. See above notes in relation to other points.

A number of comments are made regarding Natural England SANG requirements and the suitability of the site as SANG. SANG is not a land use in Planning terms and this application is to be assessed as an area of informal public open space. Should the applicant seek to utilise the land as SANG, then this assessment of suitability would occur at the time of an application for housing.

There are a number of comments from other organisations below:

Loddon Valley Ramblers:

No objection subject to:

- The full preservation of the current route of Wokingham Within Footpath 1 and a condition being imposed to improve its surface and signposting through the site of the application; and
- The creation of the SANG having no impact on (and preferably helping to facilitate) the creation of the proposed Arborfield Cross to Wokingham Greenway.

Wokingham Access and Bridleways Officer – British Horse Society:

- The footpath network in the local parishes is extensive and allows walkers to enjoy many circular routes. However, the bridleway network in these parishes is disjointed with horse riders and cyclists having to use busy roads to link bridleways together and create circular rides. Wokingham Borough has plans for 13,000 new homes to be built by 2026, the increased traffic this will bring will make riding a bicycle or a horse on the roads more undesirable. Increasing the number of bridleways is essential to help provide these vulnerable road users a safer alternative.
- A survey of horse owners and business in Wokingham Borough was carried out in 2014. 100% of respondents agreed that increased development in and around Wokingham including the Arborfield development will dramatically increase traffic in the area making it more dangerous for riding on the roads. 2% of riders will continue riding on the roads even if the traffic is significantly heavier. 12% think they will stay at their yard but probably stop hacking out. 86% will consider moving out of Wokingham Borough to find livery in a quieter area. 100% of Equestrian Business owners agree that without more Bridleways to provide safer off road riding, it is likely that horse owners will choose to find livery out of the area. 92% agree that without new Bridleways their business opportunity within the Borough will be reduced. 60% of businesses expect to have to reduce their staff numbers. 50% of livery yards anticipate closure. 55% of the livery businesses who returned forms are within a 10 minute walk of a development. 13% of non livery businesses anticipate closure or having to move out of the Borough.
- It is concluded that without investment in bridleways, horse owners and businesses are likely to leave the area, costing the borough economically.
- A number of pathways in the woodland have been used in excess of 20 years and therefore people have the legal right to use them.
- The historic use of Foxhill has been for by walkers, cyclists and horse riders. To disregard the historic use is poor. Bridleways have been included in SANG before.

- The proposal is contrary to policy as it will not protect existing bridleways. The Green Route is proposed in this area.
- To exclude use by horse riders and cyclists goes against this and the Government's objectives to combat obesity and promote health and well being.
- Bridleways are important as they allow use by all non motorised users. Although it is usual SANG policy to exclude horse riders from SANG areas, this is discrimination as horses pose no threat to the wildlife, in particular ground nesting birds. Horse manure (unlike dog droppings) is fully biodegradable and poses no health concerns.
- Horse riders are disproportionately women and girls and therefore restrictions will disproportionately affect them.
- Exclusion of horse riders completely will be very inconvenient for riders who currently rely on this woodland for exercising their horses. The stables along the edge of Foxhill each has a gate or slip rail access directly into the woodland. Their use of this woodland is increased during rush hour when riding along Bearwood Road is very undesirable, also during the Winter time when the light is lost so early. These riders are able to ride here in the half light and when use of the roads is unsafe even with lights and reflective clothing.
- A suggestion is made for a bridleway route around the outside of the open space.

Officer Note: While the concerns of a number of horse riders are acknowledged, it is not considered that the lack of provision for horses would substantiate a reason to refuse this application. Horses may also lead to some conflict with other footpath users. Use of this site for horse riders has been informal and allowed by the landowner in the past. Please see relevant section of this report.

APPLICANTS POINTS
<ul style="list-style-type: none"> • The applicant has engaged with Wokingham Borough Council (WBC) Officers when designing this scheme. • This submission addresses the previous reasons for refusal of the refused similar scheme. • The application demonstrates that the Site is sustainably located and that a high-quality development will be delivered, experienced and enjoyed. The development accords with the relevant policies contained within the Development Plan for the Borough and is also consistent with national planning policies set out in the National Planning Policy Framework (NPPF).

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
	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
	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
	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
	TB21	Landscape Character
	TB23	Biodiversity and Development
Supplementary Planning Documents (SPD)	BDG	Borough Design Guide – Section 4
		DCLG – National Internal Space Standards

PLANNING ISSUES

Description of Development:

1. The application site consists of a large area of Woodland, interspersed by footpaths and open space. An electricity pylon crosses the site from north to south. To the west lies a breakers/scrapyard. To the east lies Woosehill, a 1980's housing estate with good pedestrian access to the site. An area of woodland owned by the Council lies to the east, just outside the application site and this is traversed by a public footpath. The site is private but has been left open to public access for a significant period of time, this has led to a good network of footpaths and some neighbouring properties have created access points into the woodland.
2. The application seeks the change of use of the site to informal recreational space, with the stated aim of becoming Suitable Alternative Natural Greenspace (SANG). In planning terms SANG is not a use of land therefore the description of the application must reflect the use of the site as informal recreational space. The land would become SANG at the point that it is utilised in relation to new housing developments.
3. Two applications have recently been received for a Definitive Map Modification Order to be made to recognise a number of footpaths and bridleways over this land.

4. It should be noted that this is the second submission of this application (previous ref: 192419). The previous scheme was found to be unacceptable for reasons relating to the impacts of the scheme on the character of the area, protected trees, ancient woodland, potential impacts on protected species, obstruction of a public right of way, lack of disabled parking and lack of disabled access provision.

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. 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.
7. The proposal is in the Countryside and is therefore subject to Core Strategy Policy CP11. This policy states that proposals that contribute and/or promote recreation in, and enjoyment of, the Countryside are generally acceptable in principle subject to the impact on the rural character of the area and that that it does not lead to excessive encroachment or expansion of development away from original buildings. Paragraph 96 of the NPPF considers 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.
8. The use of the land as recreational space would not conflict with CP11. There are no 'original buildings' as referred to in CP11, however, the provision of a car park, footpaths, fencing and furniture would result in additional built form and encroachment into the Countryside. However, it is not considered that the encroachment is excessive, as the provisions are reasonably required to serve the space and the car park is of an acceptable size. Additionally, this scheme formally allows the public onto what is currently private land, providing significant community benefit and weighing in it's favour. It is therefore considered that the scheme is acceptable in principle.

Character of the Area:

9. Section 15 of the NPPF indicates that Planning policies and decisions should contribute to and enhance the natural and local environment by:

...

- b) *Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*

...

10. 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. Policy CC03 of the MDD Local Plan requires development proposals to 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.

11. The policy also states that development proposals which would result in the loss, fragmentation or isolation of areas of green infrastructure will not be acceptable.

12. The Wokingham District Landscape Character Assessment indicates the site is located within Landscape Character Area L1: Bearwood Wooded Sands and Gravels. Of the particular key landscape characteristics listed within the document, the following relate to this site:

- Undulating upland hills comprising London Clay overlain by sands and gravels of the Bagshot Beds and Head Gravel.
- Heavily wooded 'forested' character comprising large blocks of distinctive coniferous planting interconnected with swathes of mixed and deciduous woodlands.
- Very sparsely settled with small stretches of roadside ribbon development, some new executive style houses and isolated farm buildings.
- Woodland defines and screens the western boundary of the town of Wokingham and creates a wooded backdrop to views from the surrounding landscape.
- Recreational use including golf courses, horse riding establishments and network of public footpaths.
- Few roads creating a relatively secretive landscape.

13. The application site is consistent with the Wokingham District Landscape Character Assessment, being largely wooded with mixed deciduous woodland and being the backdrop to the western side of Wokingham. Rhododendron has also significantly colonised the area. The proposal would consist of the following operational development:

- Construction of a car park with 18 parking spaces (including 3x disabled spaces).
- Provision of a surfaced circular walking route.
- Provision of timber post and rail fences.
- Provision of two foot bridges.

- Provision of dog waste bins, litter bins, benches, wayfinding posts, information boards and gates.
14. The previous planning application on this site was similar in scope to the current proposal. However, the impact on trees on the site was much more significant. It included the clearance of native species to produce 'wildflower areas' and the creation of glades produced by tree removal.
 15. The site is heavily wooded and all trees are protected by a Tree Preservation Order. In line with the District Landscape Character Assessment, the importance of the trees to the character of the area is high and therefore any negative impact on the trees would be significantly harmful. Therefore, it is essential that the Local Planning Authority is able to understand how the trees would be impacted by the proposal. This is in line with the requirements of policies CP3, CC03 and TB21.
 16. Under the previous proposal, no details were submitted which allowed the Local Planning Authority to assess how the trees would be impacted. It is understood that the full impact on trees cannot be revealed until thick areas of Rhododendron, which has colonised and forms inaccessible dense thickets, has been removed. The scheme involves only modest removal of trees around the car parking area. Any other works to trees will be informed by surveys after the removal of Rhododendron within a 20m wide band on either side of the proposed location of the footpath. To facilitate the retention of trees, the applicant has stated that the precise location of the footpath is indicative and could be situated anywhere inside the 20m buffer of removed Rhododendron (which is shown on plan numbered 6768.PS.02.REV F). This will enable the footpath to be situated in order to avoid trees of significance. There is no objection to this approach, however it will be necessary to apply a condition which requires the submission of details relating to the exact location of the footpath when this has been determined and prior to its implementation.
 17. The car park is proposed to be in the same location as under the previous application. Issues were previously raised with regards the car park being too close to Bearwood Road, which is a Green Route. The tree lined character of this road is therefore specifically protected by policy CC03. There will be some tree removal in the location of the proposed car park and to create an access off Bearwood Road, however these will be replaced with new native tree planting around the car park as shown on the Proposed Car Park Detail Plan. It has also been agreed the Rhododendrons along Bearwood Road to the front of the proposed car park will be retained, but managed, as this is a significant characteristic of Bearwood Road in this area and will provide visual screening of the car park from the road. It is proposed to clear the rhododendrons for the car park and in the immediate vicinity to create an open wildflower area at the start of the trail. Given the above and the lack of objection from the Trees and Landscapes Officer, it is now considered that the location of the car park is acceptable, subject to the retention and management of Rhododendron along Bearwood Road and the implementation of the landscaping scheme.
 18. It is considered that the proposed benches and other furniture is modest and would not harmfully impact the character of the area. The site will be delineated by a timber post and rail fence. This would divide up the existing woodland and due to its extent would have some impact on the character of the area. However, it is unlikely to be significantly harmful and full details can be required by condition.

19. On balance, the proposal would retain the majority of trees on site, while successfully removing and managing significant amount of Rhododendron and other invasive species and opening up the area to more visitors. While this would have an impact on the character of the area itself, some Rhododendron would be retained along Bearwood Road and this would protect the character of the Green Route. In any case, the removal and management of the Rhododendron would have corresponding benefits and following this, a condition will ensure that a minimal number of trees are removed in order to facilitate the footpaths.

Ancient Woodland:

20. Part of the woods at Foxhill fall into Natural England’s provisional Ancient Woodland Inventory. Natural England and the Forestry Commission define ancient woodland “as an irreplaceable habitat [which] is important for its: wildlife (which include rare and threatened species); soils; recreational value; cultural, historical and landscape value [which] has been wooded continuously since at least 1600AD.” It includes:
- “Ancient semi-natural woodland mainly made up of trees and shrubs native to the site, usually arising from natural regeneration
 - Plantations on ancient woodland sites – replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi”
21. Paragraph 175 of the NPPF states that *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists...*
22. The supporting text of Policy CP7 of the Core Strategy states that the need for a development that affects Local Wildlife Sites, habitats or, species of principal importance in England for nature conservation, ancient woodland, veteran trees or features of the landscape that are of major importance for wild flora and fauna will be deemed to outweigh the need to safeguard the nature conservation interest where the development has clear social or economic benefits of regional or national importance. TB23 of the MDD Local Plan lists Ancient Woodlands as sites of Local Importance.
23. The submitted Outline Landscape and Ecology Management Plan (EPR, ref: 1908-1H, December 2020) attempts to make the case that none of this site is ancient woodland. The Council’s Ecologist is not convinced by the details put forward by the applicant that it does not include parts of ancient woodland and therefore this is not accepted. The Council’s trees and landscapes Officer has neither agreed or disagreed with this view, however they indicate that as there are to be very few tree removals from this area, this is not relevant. The Woodland Trust object to this proposal. They consider that, while access to Ancient Woodland by the public is important, this must be balanced against the harms which may occur. Natural England’s standing advice recognises the potential for ancient woods to be affected by direct and indirect impacts associated with new development, with the following potentially relevant in this case:
- damaging or destroying all or part of them (including their soils, ground flora or fungi)
 - damaging roots and understorey (all the vegetation under the taller trees)
 - damaging or compacting soil around the tree roots
 - changing the water table or drainage of woodland or individual trees
 - increasing disturbance to wildlife from additional traffic and visitors
 - increasing light pollution
 - increasing damaging activities like fly-tipping and the impact of domestic pets

- changing the landscape character of the area”

24. The Woodland Trust has objected to this application on the basis of potential for damage, deterioration and loss of this ancient woodland. They point out that potential harm to Ancient Woodland relates not just to trees, but also to roots, ground flora, understorey, compaction of soils, changes in water table, disturbance to wildlife, light pollution, fly tipping and pets, changes to the character of the area. Their specific concerns with regard this application relate to:
- Potential for direct loss of ancient woodland habitat and soil from the installation of recreational infrastructure, including new paths, benches, sculptures/displays and informal play areas.
 - Intensification of the recreational activity of humans and their pets can result in disturbance to breeding birds, vegetation damage, trampling, litter, use of motor vehicles, vandalism and fire damage.
 - Additional pollution in the form of noise and light and dust pollution, during both construction and operational phases.
 - With increased human activity, it is more likely that the trees within the ancient woodland will need to be more extensively managed to avoid issues related to health and safety. For example, where trees and branches overhang public footpaths and other areas, whole trees or some of their deadwood features will likely need to be removed to ensure public safety. This is particularly relevant to any ancient or veteran trees present within the ancient woodland. Deadwood is an essential part of a woodland ecosystem, which many species rely on, and so the increased need to manage public safety will effectively sanitise the woodland and denigrate its ecological value.
 - Adverse hydrological impacts can occur where the introduction of hard-standing, such as footpaths, can affect the quality and quantity of surface and ground water. This can result in changes to the stable hydrological and nutrient condition of the woodland.
 - Any ancient and veteran trees within the woodland must be identified and afforded appropriate protection in the form of a root protection area/buffer zone.
25. The above view has been countered by the Council’s Ecologist. They believe that the proposed management option of continuous cover forestry is sympathetic to the ancient woodland status and, if an irregular forestry approach is taken, allows for discretion as to tree stocking rates and the size classes used to favour an ecological and climate change focus. The proposed management of the existing woodland in this application is different to the previous application and the current proposal would not result in a net loss of ancient woodland. Further to this, the introduction of a hoggin surface path through the wood, following the indicative route, would not be to the detriment of the ancient woodland. It may well prove a benefit in the long run – providing a suitable hard surface that can take the pedestrian footfall and providing a more desirable alternative than the use of other paths during periods when there is a high poaching risk. The circular walk has been designed to formalise existing desire lines in places so the path will not reduce the ground flora cover in these areas.
26. The Council’s Trees and Landscapes Officer has not objected to this proposal. They have indicated that the trees in the area of the site covered by Ancient Woodland would be relatively unaffected by the scheme. Additionally, no objection has been received from Natural England.

27. Considering the above, a balanced view needs to be taken. It is noted that the land is already extensively used for recreational purposes and this is evidenced by the ongoing applications for 2 modification orders which may demonstrate significant access and additional rights of way over the site. In any case, it is common knowledge that this area is well accessed by the public. What cannot be quantified at this point is exactly what the increase in footfall will be if the site becomes formalised recreational space (if any). The policy in relation to loss or deterioration of Ancient Woodland is worded strongly. The NPPF states that this should be 'wholly exceptional'. The supporting text of CP7 states that proposals affecting Ancient Woodland will be deemed to outweigh the need to safeguard the nature conservation interest where the development has clear social or economic benefits of 'regional or national importance'.
28. It cannot be said that the provision of formalised recreational space at Foxhill is of regional or national importance. However, the land is currently private and could be closed to the public at any point. It appears less likely that the owners would be less inclined to do so should they have formally laid the area out as recreational space. There is strong support from the local community for this land to be kept open for access by the public. In this way, the provision of a formalised recreational space, which is also more accessible to people does provide a notable local benefit. It appears likely that the provision of hard surfacing will result in some damage to ground flora, however as has been noted by the Council's Ecologist, this is largely along existing desire lines and therefore this will be minimised – harm is likely occurring already. The footpaths are also likely to incentivise walkers to remain on the hard surfacing and therefore lessen adverse impacts of trampling and poaching (which was seen extensively on the Officer's site visit). It is considered that the implementation of benches and other furniture would be minimal in terms of its effect on the woodland as they are modest in scale and quantity. It is noted that the areas designated as Ancient Woodland do not include the car park area and therefore the more significant tree removal in this location, while facilitating the use of the woodland for recreational purposes, would not lead to direct damage.
29. For the above reasons, it is considered that the most influential impact on the health of the woodland is likely to be an increase in footfall. For the reasons discussed, it is considered that the provision of footpaths will have a minimal impact on the ancient woodland as a whole and largely run along existing desire lines. They will likely encourage people to remain along these paths, rather than finding alternative routes across the land as is the case currently. The Council's Ecologist has raised no objection with regards to breeding birds, litter, vandalism or fire damage. Natural England have not objected to the proposal. The Council's Trees and Landscapes Officer has not objected in terms of the potential impact on trees.
30. It is not considered that there would be a significant increase in noise or dust pollution as a result of greater pedestrian access and the impact of creating the paths and installing furniture would be minimal. There is likely to be some removal of dead trees in relation to safety issues. However, the amount of hard surfacing proposed is minimal within the areas of ancient woodland and it is not considered that it would significantly impact the water table or surface water runoff. Ancient and veteran trees would not be significantly impacted because, as has been discussed, it is not considered that there would be a significant increase in footfall off the pathways. The location of the paths is being informed by further arboricultural surveys. The removal of Rhododendron and other invasive species may have an immediate impact on the ancient woodland

through disturbance, however it will have a long term beneficial impact where these species are having a harmful detrimental impact on the woodland and its ecology.

31. For the above reasons, it is not considered that the proposal would lead to the loss of deterioration of the Ancient woodland and therefore it is considered that the scheme is in line with policy and is acceptable. Additionally, the removal of invasive species will lead to a positive impact on the Ancient woodland and the site would be opened up to more visitors.

Residential Amenities:

32. New development should not result in a scale of activity that would be detrimental to the amenities of adjoining landowners (Core Strategy Policy CP3).
33. The nearest dwellings to the proposal are those within Woosehill (Ruskin Way, Tiffany Close, Riding Way, Kent Close, Dorset Way, Limmerhill and Chaucer Way). There are also neighbours at the scrapyards on Highland Avenue (the applicant), Silver Birches (Highland Avenue), Gleniffer Farm and numbers 148, 174 and 176 Bearwood Road. The land is already largely accessible to the public, despite being privately owned. It is not considered that the increase in the use of the land as public open/recreational space would be significantly harmful to neighbouring dwellings in terms of loss of light or overbearing impacts. While there would be more people accessing the land, any overlooking impacts would not be such that they couldn't be screened by an ordinary garden fence. A number of objections have been received in relation to the provision of the footpath along the northern boundary and it has been stated that because the land is raised in this location, there would be overlooking impacts on neighbouring properties. It is noted that this footpath is in the same location as the existing footpath. It is not considered that the impact would be significantly harmful compared to the existing situation and this is therefore acceptable.
34. In terms of noise, the dwellings to be most affected would be those close to the proposed new car park, namely numbers 148, 174 and 176 Bearwood Road. These would still be some distance from the proposal and the Environmental Health Officer has raised no objection to the location of the car park. It is therefore not considered that the proposal would be harmful from a noise standpoint.

Access and Movement:

Highway Safety:

35. Core Strategy Policies CP1 and CP6 require new development 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.
36. The Council's Highways Officer has indicated that it is unlikely that traffic from this proposed development would have an adverse impact on the highway network. They have also indicated that the access being wide enough for two cars is positive. However a condition would be required to ensure the provision of a height barrier. The hard surfacing of the access road is considered positive. There are less parking spaces proposed than under the previous application (18 instead of 25). The officer previously indicated (under the last application) that the number of parking spaces required for recreational space would be 1 space per 20 square metres. This is not realistic and therefore 18 spaces is acceptable. There is also sufficient disabled parking.

37. The visibility splays should have been based on the posted speed limits. Normally the visibility splay distances are calculated from actual speed surveys, however due to the pandemic none were carried out. The Highways Officer considers this acceptable. More stringent standards have been used which are therefore acceptable. Cycle parking and motor cycle parking will need to be provided and shown on a plan to ensure there is secure parking for any cyclist who may visit the space.
38. For the above reasons, the proposal is considered acceptable in terms of parking and impacts on Highway safety.

Flooding and Drainage:

39. Policy CC09 of the MDD Local plan relates to Development and Flood Risk. It indicates that:

All sources of flood risk, including historic flooding, must be taken into account at all stages and to the appropriate degree at all levels in the planning application process to avoid inappropriate development in areas at risk of flooding.

CC10 relates to Sustainable Drainage. It states:

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) A Surface Water Drainage Strategy.*

40. The site is currently a greenfield site and will largely remain so, except for the car park to the North West corner of the site, as well as footpaths. The car park would be gravel.
41. The existing watercourses and drains would be maintained with timber bridges and foot bridges constructed. The Officer has raised no objection to the proposal on this basis. Due to the minimal level of development proposed which would cause an increase in the level of runoff and the provisions outlined in the submitted Flood Risk Assessment, the proposal is acceptable in this regard.

Ecology:

42. Section 15 of the NPPF indicates that Planning policies and decisions should contribute to and enhance the natural and local environment by:

...

- d) Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*

Policies CP7 of the Core Strategy and TB23 of the MDD Local Plan relate to Biodiversity and development. TB23 states that 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.*

Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System (this document has not been revoked by the National Planning Policy Framework) states that:

“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.”

- 43. The previous planning application was refused due to a lack of sufficient information being submitted in relation to the potential impacts of the proposal on protected species. The applicant has now suggested a plan which results in the removal of the Rhododendron in a 20m wide strip surrounding the proposed footpath and clearance of the car park area, along with various conservation measures, including the implementation of bat boxes prior to removal of trees. After this, follow up surveys would be carried out in order to determine the potential presence of protected species. The footpath would also then be laid in such a location as to avoid any trees which may host bats and any potential badger setts.
- 44. The Council’s Ecologist has confirmed that at this stage, sufficient protected species surveys have been undertaken to be able to determine the application and the proposed mitigation strategy for loss of trees with bat roost potential is sufficient to be confident that favourable conservation status is maintained. However, an update to the surveys may be required to inform the final route of the path which is chosen. This is in part because it will be possible to inspect trees more thoroughly, but it also relates to the fact that bats and badgers are mobile species that might well be discovered using different locations in the time between determination and implementation. The agreed approach would allow the exact location of the footpath to be finalised later and therefore avoid potential harm.
- 45. A number of neighbour comments have indicated that the proposal will affect wildlife and ecology by virtue of an increased number of visitors and an increase in the amount of fencing on site. The Councils Ecologist has raised no concerns with regards these aspects of the proposal.
- 46. The management of the site over the long term has been detailed in the submitted outline Landscape and Ecological Management Plan (LEMP). The plan includes the management of the woodland over time as continuous forestry cover. The Council’s Ecologist considers that this will deliver a biodiversity net gain, along with the removal

of invasive species. Paragraph 170 (d) of the NPPF indicates that proposals *should minimise impacts on and provide net gains for biodiversity including by establishing coherent ecological networks that are more resilient to current and future pressures*. It is considered that the biodiversity net gain provided by the management of the forest and invasive species is required in order to make this application acceptable. However, they are too general at this stage in order to secure appropriate management over the long term (circa 30 years) and it will need to be periodically reviewed by the Local Planning Authority.

47. For the above reasons, it is considered that the proposal is acceptable in terms of its impact on ecology and protected species. In fact, the scheme will lead to a biodiversity net gain and therefore this weighs significantly in its favour.

Public Rights of Way

48. MDD Local Plan Policy CC03 relates to Public Rights of Way. This indicates that Development proposals should demonstrate how they have considered and achieved the following criteria within scheme proposals:

...

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*

...

Development proposals which would result in the loss, fragmentation or isolation of areas of green infrastructure will not be acceptable (green infrastructure includes public rights of way).

...

Proposals should be consistent with the Borough's Public Rights of Way Improvement Plan.

49. CP4 of the MDD Local Plan states that Planning permission will not be granted unless appropriate arrangements for the improvement or provision of infrastructure, services, community and other facilities required for the development taking account of the cumulative impact of schemes are agreed. Arrangements for provision or improvement to the required standard will be secured by planning obligations or condition if appropriate. Infrastructure includes public rights of way enhancements.
50. Wokingham Footpath 1 runs to the south of this proposed development, and forms part of the network of paths identified for the proposed SANG. The Council's Public Rights of Way Officer has requested that this foot path is surfaced along with the circular route being provided. The Officer has argued that this creation of a higher standard of surface and the subsequent deviation from the line of the footpath would have a detrimental impact on Footpath 1 by reducing the footpath to a lower standard of path, and would effectively deter users from continuing on the definitive line of the path. Parts of Footpath

1 are also included within the submitted wayfinding strategy. The proposed works are likely to increase the use of this site by residents who will be approaching from Limmerhill Road, which will increase the pressure and intensiveness of use along Wokingham Footpath 1. This increased use is likely to have a detrimental impact on the natural path surface as a result. The officer recommends that the entirety of Footpath 1 is surfaced to address the hierarchy of path issues mentioned above, and to accommodate the increased traffic along the path that the proposal is likely to generate, as highlighted below. If not, details will need to be provided which show how the footpath interacts with the new surface. The applicant has agreed to carry this out. As parts of the footpath are outside the control of the applicant and on land owned by WBC, this will need to be secured by Planning obligation.

51. With regards gates and barriers, the public rights of way officer has noted that these do comply with British Standard 5709:2018. This will ensure that they are suitable for use for all users, in particular for those with buggies and wheelchairs. Previous barriers (shown under the last application) along footpath 1 have been removed.
52. The PROW officer has indicated that the proposed kissing gates would be more appropriate if changed to the 'large' version, as opposed to the 'medium' version as shown on the current plans, which would be more suitable for people with powered mobility vehicles. It is noted that the gates are at least 1.5m in width. The previous application was refused partly for the width of the gates being less than 1.5 metres, which was recommended to be acceptable by the Green infrastructure Officer. Given that the gates are in accordance with the standard, it would not be reasonable to request a wider gate and those that are recommended are acceptable.
53. The Council has an aspiration to create part of the Greenway Route B through the Fox Hill area. This application does present an opportunity to adjust the line of the Greenway to run through the centre of the site, to create a route for pedestrians, cyclists and horse riders. The Public Rights of Way officer has indicated that this should be provided. The Public Right of Way Officer has referred to a number of policies to support this recommendation, however the only one which refers specifically to the formation of such a Greenway is Core Strategy appendix 7, which relates to the Arborfield Garrison. It states that *Greenways for cyclists and pedestrians running north-south and linking sites of historic interest and recreational value as well as Wokingham, Finchampstead North, Barkham Hill and Shinfield should be provided*. This is only in the appendix and it is not considered that this would hold sufficient weight to require this to be provided within this site. It is not considered that the brief assertion in the appendix of the Core Strategy holds sufficient weight to justify the inclusion of such a condition and this would render it unreasonable.
54. The proposal will lead to positive impacts in terms of opening up the site to a wider range of people who may have mobility issues. This is a benefit of the scheme and weighs in its favour.

Function as Public Space:

55. CP2 of the Core Strategy indicates the following:

To ensure that new development contributes to the provision of sustainable and inclusive communities (including the provision of community facilities) to meet long term needs, planning permission will be granted for proposals that address the requirements of:

- a) *An ageing population, particularly in terms of housing, health and wellbeing;*
- b) *Children, young people and families, including the co-ordination of services to meet their needs;*
- c) *People with special needs, including those with a physical, sensory or learning disability or problems accessing services;*
- ...

CP3 indicates that development proposals should provide for a functional, accessible, safe, secure and adaptable scheme.

Policy CC03 is also relevant.

- 56. The previous planning application included reasons for refusal relating to a lack of adequate disabled access. Under the current application, details of kissing gates have been included, which are now of sufficient width to allow for disabled access. Additionally, the paths are now surfaced which allows for greater mobility. The internal route within the space has been significantly improved since the last application. It is no longer as convoluted and makes use of existing paths.
- 57. A number of horse riders have comments on this application, noting that they currently ride horses across the site and that roads have become progressively busier – making this a more desirable place to ride. A number of objections have been received on the basis that the proposal does not make adequate provision for horse riders. While it would be beneficial to provide access for horse riders, it is not considered that the lack of appropriate provision would substantiate a reason to refuse this application. It is not unusual for formalised country parks or areas of public open space to not cater for horse riders and due to the narrowness of the footpaths, there is likely to be some conflict between horse riders and pedestrians. It is noted that cyclists would likely need to leave their bike at the cycle stand and then enter the space separately. While this would prevent cyclists going through the site, this is not considered sufficient reason to refuse this application and there would also likely be conflict with pedestrians.
- 58. The Environmental Health Officer has raised no objection to the provision of open space adjacent the adjacent scrapyards, which is known to cause noise issues. The Council's Green Infrastructure Officer has recommended that measures are utilised to reduce the amount of noise in the open space. It is not considered that the existing level of noise will significantly affect the use of the land as open space. In any case, any sound barriers or other methods to reduce noise from the scrapyards would likely have a harmful impact on the character of the Countryside/area. This application cannot be used to mitigate an existing noise problem from the scrapyards.
- 59. For the above reasons, the proposal is considered acceptable as a functional piece of public open space and the benefit of opening up the space to those with mobility issues weighs in its favour and makes this a positive scheme.

Habitats Regulations Assessment:

60. As this application does not result in a net gain in dwellings, it does not require an appropriate assessment regarding recreational pressure on the Thames Basin Heaths. The scheme is therefore acceptable in this regard.

SANG:

61. The details submitted with this application often refer to the open space as SANG. It is re-iterated that the land would not become a SANG until it is being used to mitigate impacts on the SPA. Therefore, any reservations which the Local Authority has over the potential function of the land as a SANG cannot constitute reasons for refusal. However, due to the clear intention of the land to be used as SANG, it is worth commenting on these aspects.
62. Natural England have not objected to the proposal and as has been discussed, in principle the use of the land for accessible green space is acceptable. However, were the land to be used specifically for SANG it would need to meet the criteria as set out in the Natural England guidance. Appendix 2 of the Guidance sets out the site quality checklist; the wording is described as precise and states that if the requirement is referred to as 'must' then it is essential and is an absolute requirement. These are listed below and are addressed in turn.

The 'must haves' are as follows:

- (a) For all sites larger than 4ha there must be adequate parking for visitors, unless the site is intended for local use, i.e. within easy walking distance (400m) of the developments linked to it. The amount of car parking space should be determined by the anticipated use of the site and reflect the visitor catchment of both the SANGS and the SPA.
- As an area of public open space, this is likely to be largely used by local people from adjacent Woosehill. As a SANG however, it is likely that people would travel from new developments, which are not in the immediate vicinity. Therefore a carpark is required. Natural England have not objected to the car park proposed in this application.
- (b) It should be possible to complete a circular walk of 2.3-2.5km around the SANGS.
- There is no concern in this regard.
- (c) Car parks must be easily and safely accessible by car and should be clearly sign posted.
- There is no concern in this regard.
- (d) The accessibility of the site must include access points appropriate for the particular visitor use the SANG is intended to cater for.
- (e) The SANGS must have a safe route of access on foot from the nearest car park and/or footpaths.

- There is no concern in this regard.
- (f) All SANGS with car parks must have a circular walk which starts and finishes at the car park.
- There is no concern in this regard.
- (g) SANGS must be designed so that they are perceived to be safe by users; they must not have tree and scrub cover along parts of the walking routes.
- Concern has been raised by the Green Infrastructure Officer under the previous application regarding the density of the woodland and the perception of safety because of the density of trees on the site.
- (h) Paths must be easily used and well maintained but most should remain unsurfaced to avoid the site becoming urban in feel.
- While paths would be surfaced in this instance, it is not considered that this will result in an urban feel to the woodland, which is relatively dense and the surfaced footpaths are similar to other SANG in the Borough.
- (i) SANGS must be perceived as semi-natural spaces with little intrusion of artificial structures, except in the immediate vicinity of car parks. Visually-sensitive way markers and some benches are acceptable.
- The route is quite close to adjacent houses in parts, however this is considered acceptable.
- (j) All SANGS larger than 12ha must aim to provide a variety of habitats for users to experience.
- The proposal would largely incorporate woodland. However, as this is not an agricultural site and consists of ancient woodland, it is not considered that it would be appropriate to begin changing the nature of the site and therefore this is acceptable. The site would be pleasant to experience as it is.
- (k) Access within the SANGS must be largely unrestricted with plenty of space provided where it is possible for dogs to exercise freely and safely off lead.
- There is no concern regarding this.
- (l) SANGS must be free from unpleasant intrusions (e.g. sewage treatment works smells etc.).
- The Environmental Health Officer has not objected to the scheme in relation to noise from the adjacent scrap yard. The Green infrastructure officer has recommended measures to restrict noise from the adjacent scrapyards but as has been discussed it is considered that the proposal is acceptable without these. As has been discussed, this is not considered harmful from the standpoint of using this land as public recreational space.
- (m) SANGS should be clearly sign-posted or advertised in some way

- Details have not been submitted regarding this.
 - (n) SANGS should have leaflets and/or websites advertising their location to potential users. It would be desirable for leaflets to be distributed to new homes in the area and be made available at entrance points and car parks.
 - Details have not been submitted regarding this.
63. The Council is not convinced that there is currently a low level of use of the land, which could affect the capacity of any SANG. The Natural England Guidelines accept that if there is a low level of use, then mitigation capacity can be determined as per the normal standards. Evidence of greater than low level use will need to be discounted from the mitigation capacity. Natural England Guidelines indicate that SANG needs to be managed in perpetuity. It is not clear what mechanism the applicant would seek to ensure this at this time.

PLANNING BALANCE AND CONCLUSION

64. The proposal would lead to the creation of an area of informal recreational land in an existing woodland. A number of issues have been raised by local residents, largely regarding the lack of need for formalisation of the woodland, access issues for horses and cycles and impacts on ecology and neighbouring amenity. A number of other comments have been received in support of the application. The proposal would not harm the character of the area, neighbouring amenity or highway safety. It would not lead to increased risk of flooding and would formally open up an area to a wider range of people, for example by providing formalised and surfaced paths for people with mobility issues. A number of different responses have been received regarding potential impacts on the Ancient Woodland. It is not considered that the scheme would result in harm by virtue of the negligible impacts on trees (which are also protected by TPO) and this is supported by the Council's own officers. A legal agreement will be used to secure a biodiversity net gain on the site, including the significant removal and management of invasive species.
65. On balance, it is considered that the scheme would result in a positive impact on the site, especially regarding the provision of open space for local people and the removal of invasive species and it is therefore recommended for approval.

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.

The relevant protected characteristics in this case are age and disability. Specific issues have been discussed relating to accessibility of the site to people with mobility issues – which may relate to either protected characteristic. The proposed footpaths are considered to improve access for people with mobility issues as they will create a firmer and more reliable surface upon which to walk and on which to wheel mobility vehicles. It is noted that the proposed kissing gates are 1.5 metres wide and the Councils Public Rights of Way Officer has indicated that this will not cater for all powered mobility vehicles. However, the gates do accord with the British Standard and would accommodate the

majority of peoples with disability save for some powered vehicles. The Council has had due regard to this and it is considered that this accommodates the majority of users with these protected characteristics and would not result in discrimination. Equality would be advanced between those with the protected characteristics and those who do not. Additionally, good relations would be fostered by providing this broad range of access.

It is noted that residents' comments have raised the opinion that the majority of horse riders are female, and the majority of cyclists are male. By excluding cyclists and horse riders from the site, this results in discrimination against both females and males – being the dominant groups within each sport. This is unsubstantiated and nothing has been forwarded to suggest that this is based in fact. It is therefore not considered that this results in discrimination to or fails to advance equality between males and females in the context of them being protected characteristics.

Aside from the above, 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