

Agenda Item 10.

Application Number	Expiry Date	Parish	Ward
230283	16/06/2023	Wokingham Without	Wokingham Without;

Applicant	Palatine Homes
Site Address	Oak Apples, Oaklands Lane, Crowthorne, RG45 6JX
Proposal	Full application for the proposed erection of 6 no. dwellings with associated landscaping, parking and means of access following the demolition of the existing dwelling.
Type	Full
Officer	Marcus Watts
Reason for determination by committee	Listed by Councillor Helliard-Symons for the following reasons: <ul style="list-style-type: none"> - Impact of the proposal on the amenity of Oaklands Lane. - Impact of additional vehicles on highway safety, particularly for pedestrians accessing Hatch Ride Primary School.

FOR CONSIDERATION BY	Planning Committee on Wednesday, 14 June 2023
REPORT PREPARED BY	Assistant Director – Place and Growth

RECOMMENDATION	<p>APPROVAL subject to s106 agreement securing SANG and SAMM mitigation, a woodland management plan, affordable housing contribution and management of the private road.</p> <p>OR</p> <p>ii) Refuse full planning permission if the legal agreement is not completed within three months of the date of this resolution (unless officers on behalf of the Assistant Director – Place and Growth agree to a later date for completion of the legal agreement)</p> <p>The S106 to include the following heads of terms:</p> <p>Thames Basin Heaths SPA SANG and SAMM Mitigation</p> <p>Woodland Management Plan</p> <p>Affordable Housing Contribution</p> <p>Management of the Private Road</p>
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SUMMARY

The application is for the erection of 6 detached dwellings with associated landscaping, parking and means of access, following the demolition of the existing dwelling, on the site known as 'Oak Apples' off Oaklands Lane in Crowthorne. This application follows a series of applications relating to the site, with most relevant being planning permission granted in 2022 for the erection of 4 detached dwellings.

Several objections to the current application have been received, however the site is within settlement, in a sustainable location and of an appropriate scale for the site with an acceptable impact on the character of the area. The scheme proposes a more appropriate housing mix compared to the extant permission with noted improvements relating to the proposed design.

No adverse impact has been identified in relation to highway safety, flooding and drainage, nor the adjacent Byway or the proximity of the proposed dwellings to the surrounding TPO protected woodland.

RELEVANT PLANNING HISTORY

Application No.	Proposal	Decision
180/1959	Dwelling house and garage	Conditionally Approved – 14/12/1959
163533	Nine dwellings with access (on adjoining site to the south)	Conditionally Approved – 08/11/2017
190101 W/19/3231789	Full application for the proposed erection of 9 no dwellings, associated access and landscaping following demolition of existing dwelling.	Refused – 05/03/2019 Dismissed at Appeal – 16/08/2019
200740	Full application for the proposed erection of a detached 6 no. bedroom dwelling and triple garage with first floor games room, plus reconstruction of existing outbuilding, following demolition of existing dwelling and garage.	Refused – 20/05/2020
202420	Full application for the proposed erection of a detached 6 no. bedroom dwelling and triple garage with first floor games room, plus reconstruction of existing outbuilding, following demolition of existing dwelling and garage.	Conditionally Approved – 20/11/2020
220358	Full application for the proposed erection of 4No dwellings with associated landscaping and means of access following the demolition of the existing dwelling.	Conditionally Approved – 19/05/2022
222648	Application to vary condition 2 of planning consent 220358 for the proposed erection of 4No dwellings with associated landscaping and means of access following the demolition of the existing dwelling. Condition 2 refers to approved details and the variation is to allow alterations and additions to the dwellings, realignment of the internal road access and driveways, and removal of an on street car parking area.	Conditionally Approved – 28/10/2022

DEVELOPMENT INFORMATION	
Proposed units	+5 dwellings (1 existing)
Proposed density - dwellings/hectare	6 dwellings/0.63 hectares
Number of affordable units proposed	0
Previous land use	Residential with adjoining woodland
Existing parking spaces	4
Proposed parking spaces	20 (including 6 garage spaces)
CONSTRAINTS	Modest Development Location Woodland Tree Preservation Order 1369/2010 (all trees on the site) Tree Preservation Order 368/1998 (Oak tree in south eastern corner) Thames Basin Heaths - Special Protection Area – 5km Berkshire Habitat – Lowland Mixed Deciduous Woodland Bat Consultation Zone Adjoins known Slow Worm Site Byway 29 I (Oaklands Lane) Non-classified/private road (Oaklands Lane) Risk of flooding from surface water (concentrated along eastern boundary) Nitrate vulnerable zone (groundwater)

CONSULTATION RESPONSES	
WBC Landscape and Trees	No objection subject to conditions & s106
WBC Highways	No objection subject to conditions
WBC Ecology	Awaiting final comments
WBC Drainage	No objection subject to condition
WBC Economic Prosperity & Place (Community Infrastructure)	No objection subject to affordable housing contribution secured via s106
WBC Public Rights of Way	No objection
Natural England	No objection subject to securing SANG and SAMM mitigation
Thames Water	No comment

REPRESENTATIONS

Town/Parish Council: Wokingham Without Parish Council welcomes the proposal for smaller houses which responds to local demand. Concerns remain relating to impact of increased vehicles traffic with associated highway safety risks, particularly at pick-up and drop off times for Hatch Ride Primary School, potential threat to mature trees due to overshadowing of gardens and securing the proposed biodiversity net gain. Request details to be included in a Construction Management Plan and a review of the TPO if necessary.

Local Members: This application has been listed to committee by Councillor Helliars-Symons for the following reasons:

- Impact of the proposal on the amenity of Oaklands Lane.

- Impact of additional vehicles on highway safety, particularly for pedestrians accessing Hatch Ride Primary School.

Neighbours: 19 comments received objecting to the proposal on the following grounds:

Overdevelopment/Not in accordance with local planning policy:

- WBC have a 5 year housing land supply, therefore local policy is in date and paragraph 14 of the NPPF should not apply. *Officer's Comment: The Council can currently only demonstrate a 3.95 years housing land supply.*
- Site is not part of the local development plan.
- Further residential development is not necessary due to the overdevelopment of the area as a whole.
- The scale of applications has increased considerably from a replacement dwelling to 6 dwellings.

Highway Safety:

- Close proximity to Hatch Ride Primary School – increased risk of harm to school children.
- Increased risk of harm to all users of the byway (Oaklands Lane).
- Inadequate access lane for vehicles (particularly in the dark).
- Increased traffic within the area, contributing to congestion and pollution.
- Double yellow lines were previously considered by the Council on the corner of Oaklands Lane and Hinton Drive.
- Access to the site should be via Oak Apples Drive to the rear of the site. *Officer's Comment: This was previously deemed as unacceptable under application ref 190101 due to the volume of protected tree removal which would be required to facilitate this.*
- Oaklands Lane has been closed to through traffic by bollards to the west of the site, redevelopment would reintroduce traffic to the lane.

Loss of Wildlife Habitat:

- Biodiversity offsetting (off site provision) would not fully compensate for the loss of habitat within the site, it is not an appropriate solution.
- Habitat has already been lost through the removal of protected trees and ground clearance, development would result in further harm to flora and fauna.
- Incorporating parts of the woodland into residential gardens will result in a lack of sufficient protection/enhancement.
- Lack of faith that recommended mitigation measures would be carried out.
- Slow worms have been observed on the lane.

Loss of Woodland:

- Development would require the loss of further trees.
- Recommended woodland maintenance is not practical due to the site being subdivided into plots.
- No plans for continued management following occupation of the dwellings. *Officer's Comment: A woodland management plan has been submitted and will be secured by the s106 agreement, the trees will remain protected under the Tree Preservation Order.*
- Potential risk of trees being felled following occupation due to the close proximity to the proposed dwellings, blocking light received by the dwellings and taking up garden space. There could be nothing stopping future removal. *Officer's Comment: The trees will remain protected under the Tree Preservation Order.*

- Dwellings, particularly plots 1 and 3, would be built too close to the existing trees and impact on tree roots, resulting in further loss.
- Trees have been illegally removed or harmed by a previous land owner. *Officer's Comment: There has been a recent serious of Tree Works applications relating to the site which granted consent for removal under the Town and Country Planning Act 1990 (as amended).*

Flooding and Drainage:

- Increased risk of flooding to existing properties bordering the site due to tree removal, especially in gardens.
- Increased risk of flooding within the area due to climate change.
- Development would put further strain on the sewerage system which currently overflows following heavy rainfall.

Insufficient parking provision: Particularly for visitors and deliveries, concern that parking would overspill onto neighbouring streets or the byway (Oaklands Lane).

Noise and disturbance to neighbouring properties during construction: The submitted Construction Management Plan does not acknowledge the proximity of Hatch Ride Primary School. *Officer's Comment: This may be referring to the submitted Construction Environmental Management Plan which relates to ecological matters only. A Construction Method Statement is a recommended pre-commencement condition.*

Impact on Character of the Byway: Oaklands Lane has a rural character.

Impact on Neighbouring Amenities: Loss of privacy and overshadowing to properties backing onto the site, visual impact (overbearing) and noise generated by future occupants.

Unaffordable Development. *Officer's Comment: The application is subject to a legal agreement securing a commuted sum in lieu of onsite affordable housing. This is an accepted approach within the Council's Affordable Housing SPD and is set out in the 'Affordable Housing' section of this report.*

PLANNING POLICY

National Planning Policy Framework

National Design Guide

National Planning Practice Guidance

Core Strategy (CS)

CP1 – Sustainable Development

CP3 – General Principles for Development

CP4 – Infrastructure Requirements

CP5 – Housing Mix, Density and Affordability

CP6 – Managing Travel Demand

CP7 – Biodiversity

CP8 – Thames Basin Heaths Special Protection Area

CP9 – Scale and Location of Development Proposals

CP17 – Housing Delivery

MDD Local Plan (MDD)

CC01 – Presumption in Favour of Sustainable Development

CC02 – Development Limits

CC03 – Green Infrastructure, Trees and Landscaping

CC04 – Sustainable Design and Construction

CC06 – Noise

CC07 – Parking

CC09 – Development and Flood Risk

CC10 – Sustainable Drainage

TB05 – Housing Mix

TB06 – Development of Private Residential Gardens

TB07 – Internal Space Standards

TB21 – Landscape Character

TB23 – Biodiversity and Development

Other

Borough Design Guide Supplementary Planning Document

CIL Guidance + 123 List

Affordable Housing Supplementary Planning Document

Sustainable Design and Construction Supplementary Planning Document

Crowthorne Village Design Statement

PLANNING ISSUES

Description of Development

1. This application is for the proposed erection of 6no. detached dwellings with associated landscaping, parking and means of access following the demolition of the existing dwelling.
2. The site benefits from an extant permission for 4no. detached dwellings (refs 220358; 222648) which were of a larger size and scale providing 5 bedrooms each. This proposal involves a very similar layout and design to what has previously been approved, with the proposed access unchanged, however the size and scale of the dwellings has been reduced to 4 bedrooms each to allow the erection of two additional dwellings.
3. The 0.64 hectare site is located to the southern side of Oaklands Lane, which is a private road and byway that has recently been resurfaced with traffic restrictions introduced at the western end preventing through traffic. The site comprises a single derelict residential dwelling set within a plot that was originally surrounded and occupied by mature trees and extensive undergrowth. All trees within the site are protected by a woodland Tree Preservation Order (TPO), No.1369/2010, recently tree works have lawfully been carried out under tree works consent with the site now having a more open appearance.
4. To the north of the site is Hatch Ride Primary School and its playing fields. The west, east and south of the site is suburban in character and appearance, with nine dwellings recently constructed on the site adjoining to the south as part of planning consent ref 163533.

Principle of Development

5. Planning law states that applications for planning permission must have regard to Section 36 (6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the Local Development Plan unless material considerations indicate otherwise. In this case, the development plans consist of the Core Strategy 2010 and Managing Development Delivery Local Plan 2014. The requirements of Section 36(6) is also contained within Policy CC01 – Presumption in Favour of Sustainable Development. The National Planning Policy Framework (NPPF) must also be considered as it constitutes guidance which the Local Planning Authority must pay regard to. The NPPF does not change the statutory status of the development plan as the starting point for decision making, however, is a material consideration in any subsequent determination.
6. The site is located within settlement limits, as designated by Core Strategy policy CP9, and as such the development should be acceptable providing that it complies with the principles stated in the Core Strategy. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high quality design without detriment to the amenities of adjoining land uses and occupiers.

7. The principle of residential development on the site was established under the original approval for four dwellings. Therefore, the assessment required for this application focuses on whether two additional units on site would be unacceptable in this location.

Housing Land Supply

8. It has been raised in objections to the application that the site is not allocated for housing in the Local Development Plan and therefore no further permission should be granted. Notwithstanding the weight given to the extant permission for the site, circumstances have recently changed since the previous approval with the Council currently only able to demonstrate that it has 3.95 years' worth of deliverable sites, rather than a five-year supply as required by the NPPF. Subsequently, the Local Development Plan is considered out-of-date in accordance with paragraph 11 of the NPPF.
9. Paragraph 11 states that where policies which are most important for determining the application are out-of-date, permission should be granted unless:
 - i. the application or policies in the Framework that protect assets of particular importance provides a clear reason for refusing the development; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
10. Firstly, in considering i), it must be recognised that the proposed development is located within settlement limits and not within any protected areas or assets of particular importance (as outlined in footnote 7 of paragraph 11). Therefore, this application must be considered under ii) to determine whether there are any adverse impacts generated by the development that would significantly and demonstrably outweigh the benefits. This is referred to as the 'tilted balance', as harm and benefits are not weighed equally, but tilted against any adverse impacts.
11. The tilted balance required by paragraph 11(d) of the NPPF will be given in the 'Planning Balance and Conclusion' section of the report.

Sustainability

12. Policies CP1, CP6 and CP9 of the Core Strategy permit development where it is based on sustainable credentials in terms of access to local facilities and services and the promotion of sustainable transport.
13. The site is within settlement limits within a modest development location and is acceptable in terms of the principles stated in the Core Strategy. It is 1.4km from Crowthorne High Street, 2.1km from Crowthorne Railway Station and 800m from the nearest bus stop which serves Bracknell and Camberley at 30-minute intervals throughout the day. On this basis, the site is within a sustainable location for further residential development and there are no sustainability concerns with the proposal, particularly when no issues were raised with the approval of nine dwellings on the adjoining site to the south and the principle of developing this site has already been established.

14. In short, the principle of erecting two additional dwellings on the site is acceptable subject to other material planning considerations which are set out below.

Design and Character of the Area

Density and Built Form

15. Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan require an appropriate dwelling density and R10 of the Borough Design Guide SPD seeks to ensure that the development achieves an appropriate density in relation to local character.
16. The density of the site is 6 detached dwellings within 0.63 hectares of land, which is lower than the density of the development to the south (13 detached and semi-detached dwellings within 0.63 hectares) and the wider established neighbourhood which is in excess of 20 dwelling per hectare. Therefore, the proposed density is appropriate in relation to local character. The lower density is largely a consequence of the trees on the site and its woodland setting. Tree retention is now to the satisfaction of the Council's Landscape and Trees Officer, as discussed in the 'Landscaping and Trees' section of the report.
17. In terms of its bulk and scale, the footprint of each dwelling varies slightly with an average of 132.7m². The cumulative footprint of the development is approximately 795.8m², which is only slightly larger than the cumulative footprint for the extant permission (715m²) despite the introduction of two additional units. Together with the reduction in size, the height of each dwelling has been reduced to a consistent ridgeline of 9 metres from ground level compared to 9.6 metres.
18. Overall, the bulk and scale of the dwellings is more comparable with existing detached dwellings in the surrounding area and this is an improvement from the extant permission. The density of the proposed development remains acceptable despite the introduction of two additional units. Therefore, the proposal is not viewed as an overdevelopment of the site.

Design and Siting

19. The design principles of the scheme remain largely unchanged from the extant permission, each dwelling has a hipped roof with front gable projections which is consistent with the local vernacular. While the street scene is consistent there is variety in materials with differing brick detailing, particularly using quoins, porch designs as well as examples of dormer windows at the front and bay windows. The variety in design promotes the attractiveness of the scheme, while the consistent scale and roof forms ensures that the scheme ties in together. A materials schedule has been submitted which clarifies the detailing and there is no objection to this arrangement.
20. While the previous scheme for four dwellings was considered to have an acceptable impact on the character of the area, due to the reduction in scale of the dwellings it is considered that the proposed layout is more characteristic with the surrounding area. This is particularly evident with the rhythm of the street scene with consistent space in between the dwellings, while with the previous scheme the dwellings were much wider and subsequently there was a shorter separation distance between each other. The size of each plot is also more in keeping with the surrounding streets.

21. The proposed cul-de-sac arrangement is unchanged from the extant permission, although the primary arrangement for streets in the area is linear there are several cul-de-sacs within the surrounding neighbourhood including Oak Apples Drive immediately to the south of the site. The dwellings are orientated to the street and provide good surveillance and activation of the street in compliance with R6 of the Borough Design Guide SPD.
22. The proposed siting of the dwellings ensures that the built form does not conflict with the trees on and adjacent to the boundaries of the site, as well as facilitating the creation of two woodland areas at the north-eastern and south-eastern boundaries which do not form part of the residential plots. The incorporation of front gardens in the proposed layout, with additional tree planting and an appropriate balance with parking provision, sufficiently softens the street scene and ensures that it is not dominated by hardstanding associated with car usage.
23. Because of the TPO designation of the site and each dwelling benefiting from habitable accommodation in the loft space, it is prudent to remove permitted development rights for Class A extensions, Class B roof extensions, Class E outbuilding and Class F hardstanding. Further, to avoid any sense of a gated development, the installation of gates under permitted development is also removed. This is consistent with the conditions attached to the extant permission.

Landscape and Trees

24. Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character. Section 3.5(a) of the Crowthorne Village Design Statement requires regard to important landscape features, including woodland.
25. The site is within the settlement boundary of Crowthorne, however it is well treed with a woodland TPO (1369/2010) covering the whole site. Oaklands Lane consists of a single track private road designated as a byway which extends past the site on the northern boundary. On either side of the byway is a significant amount of vegetation including large trees giving the impression to users that the lane is not passing through a built-up area. The character of the settlement in this area is highly wooded due to the significant number of trees retained within gardens, the adjacent school site and areas of incidental amenity land.
26. A previous application for nine dwellings (ref 190101) involved the wholesale removal of a large number of trees, approximately 90% of all trees on site, which was deemed unacceptable and formed a reason for refusal. Following this there has been the removal of 11 trees as well as ground clearance in accordance with a series of Tree Works applications. The extant planning permission for the site did not propose the removal of any additional trees than had been approved under the Tree Works applications and the retention and enhancement of trees was secured via conditions.
27. Under this proposal, the overall footprint of each dwelling extends further into each plot as the gardens are narrower which subsequently reduces the size of open areas of garden. Upon submission of the application, the Landscape and Trees Officer raised concerns regarding the relationship of the reconfigured site and how these would

impact on the TPO trees especially in relation to shading and overshadowing from the trees for several of the gardens. This was also raised in public objections to the scheme, with concern that the trees would impact on living conditions for future occupiers and lead to their removal.

28. Following discussion with the applicant and an accompanied site visit to look at the trees in question, the Officer is now satisfied that the trees would not cause adverse overshadowing of the garden spaces due to their form and relative high canopies. Subsequently they are satisfied that the trees to be retained should not have a significant impact on the future enjoyment of the rear gardens. There will still be the issue of seasonal nuisance such as leaf drop in the autumn and shedding of twigs in high winds, however this will need to be a consideration for future occupiers to accept when living close to trees. Regardless, as all trees including any new planting are protected by the TPO, it would be a criminal offence to fell or carry out any unauthorised tree works, and any proposed works would have to be submitted to the Council under a Tree Works application.
29. Following the accompanied site visit, a revised Arboricultural Impact Assessment, Method Statement and Tree Protection Plan (ACD Environmental, Rev. B, 10/05/2023) has been submitted which now includes the removal of two dead trees at the site's entrance and a small tree in declining health in the rear garden of Plot 1. These documents also include details of other proposed tree works and how trees will be protected during and after the development. The Landscape and Trees Officer has reviewed these documents and raised no objections.
30. To compensate for the required tree works, additional tree planting adjacent to the eastern boundary of the site in the rear gardens of plots 1 & 2 has been proposed in a revised soft landscape proposals drawing (PRI24098-11A) which has been accepted by the Trees and Landscape Officer. A Woodland Management Plan (ACD Environmental, 06/01/2023) has also been submitted which will cover the areas of woodland outside the plot gardens. The aim of this document is to secure the long-term retention of the woodland maintain the visual amenity provided by the woodland and to enhance the biodiversity. The Woodland Management Plan forms part of the s106 agreement which provides a degree of certainty to its continued maintenance and management.
31. Following negotiations with the applicant, sufficient information has now been received relating to the retention of all significant trees on site, additional tree planting and the protection and management of all trees during and after the development. Therefore, the proposed development will sufficiently retain the woodland character of the area and the Council's Landscape and Trees Officer has raised no objection subject to conditions.

Development of a Residential Garden

32. Policy TB06 of the MDD Local Plan seeks to avoid inappropriate development of residential gardens where there is harm to the local area. Permission would only be granted where there is a positive contribution to the built form and surrounding spaces, integration with the layout of the surrounding area, appropriate hard and soft landscaping, amenity space, building separation and compatibility with the general building height. R22 of the Borough Design Guide SPD also notes that backland development must not harm the existing character of the local area, relate positively to

the existing layout and urban form, maintain the quality of environment for existing residents and create a satisfactory living environment.

33. There are no objections to the proposed development in terms of Policy TB06 with sufficient conformity with the building form, height, layout, orientation, setbacks, building lines, materials and design of the dwellings in the surrounding area. Indeed, this proposal marks an improvement in terms of building form and height with the scale of the dwellings reduced and more in keeping with neighbouring development.
34. In terms of plot size, neighbour amenity, parking provision, boundary treatments, soft and hard landscaping, amenity space and access, the proposal is largely unchanged from the extant permission with exception of the plot sizes which have been reduced to accommodate two additional units. Additionally, further tree planting on the boundaries of the site to mitigate the loss of trees in declining health has also been secured through the proposed soft landscape proposals.
35. More broadly, the proposed scheme retains a satisfactory outcome in terms of the character of the area by balancing the landscape setting and site biodiversity. This is reinforced in R22 of the Borough Design Guide, which states that backland development “must not harm the character of the area, for instance if existing trees on the plots contribute to a characteristic ‘green backdrop’.
36. Overall, the proposed development has an acceptable design including some attributes which are more positive than the extant permission for four dwellings on the site. The proposed density and built form would have an acceptable impact on the character of the area while the scheme as a whole would not have a detrimental impact on the woodland character of the site and surrounding area. The proposal is therefore acceptable in this regard.

Dwelling Mix

37. Policy CP5 of the Core Strategy requires an appropriate mix of dwelling types, tenures and sizes so that the housing needs of the community are met. Policy TB05 of the MDD Local Plan requires an appropriate housing mix which reflects a balance between the underlying character of the area and both the current and projected needs of households. The Berkshire (including South Bucks) Strategic Housing Market Assessment (February 2016) identified future housing need for the Wokingham Borough with 66% of all dwellings to be 3+ bedrooms.
38. The proposed scheme constitutes a more efficient use of the site due to proposing the erection of 6no. 4 bedroom dwellings, rather than 4no. 5 bedroom dwellings as approved under the extant permission. This mix is also fundamentally more appropriate in an area predominated by family sized three and four bedroom dwellings.
39. While the inclusion of smaller dwellings would be appropriate to complement the mix of the site and the surrounding area, the proposed development is of a small scale and constitutes an improvement from the previous scheme in this respect. The proposal is therefore acceptable in this regard.

Housing Amenity

40. Each dwelling has a proposed gross internal area of between 210.6m² and 223.1m² which would exceed National Space Standards requirements for a 4 bed 8 person dwelling. Each bedroom exceeds the national standards for a double (11.5sqm) and ample storage and living space is proposed. Additionally, as per the extant permission, the proposed fenestration would allow sufficient daylight into all habitable rooms. Therefore, the level of internal amenity as proposed is compliant with policy TB07 of the MDD Local Plan and is acceptable.
41. Due to the reduction in plot sizes under this current proposal, the size of the garden space serving each dwelling has been reduced in width. However, each plot has retained ample garden space with a minimum depth of 22m on plot 1 and upwards of 26 metres on plots 4-6. This exceeds the requirement for a minimum depth of 11m set out in R16 of the Borough Design Guide SPD, which states that gardens should be capable of accommodating play, clothes drying and storage.
42. While the relationship of the dwellings with the woodland would restrict the amount of open space each plot enjoys, particularly for plots 1 and 3, the trees mostly have high canopies meaning that the majority of garden space would be usable. Additionally, as discussed above, due to their form the trees would not adversely restrict the level of sunlight received by the gardens. Therefore, the level of external amenity as proposed is acceptable.

Neighbouring Amenity

43. Within the development, there would be more than a 21m separation across the proposed access drive which significantly exceeds the recommended minimum front to front distance of 10m set out in R15 of the Borough Design Guide SPD. Due to the increased flank to flank separation distances between the plots there are no concerns relating to potential loss of light or overbearing impact.
44. First floor side windows serve non-habitable rooms and is therefore acceptable, subject to these being conditioned as obscure glazed and permitted development rights being removed to prevent additional windows being installed on side elevations. Therefore, any potential concerns relating to loss of light, overbearing or overlooking impact has been sufficiently addressed and the proposal is compliant with Core Strategy policy CP3 in this respect.
45. Regarding properties neighbouring the site, the additional development of the site would retain sufficient back-to-back separation distances with existing development on Hinton Drive and Pensford Close. Plots 1 and 2 would have a minimum back-to-back separation distance of approximately 43.5m with 6-10 Hinton Drive while plot 3 has a separation of approximately 48m with 17 Pensford Close, and plots 4-6 have a minimum separation of approximately 43.5m with 14-6 Pensford Close at first floor level.
46. In each case, the rear-rear separation from neighbouring properties is well in excess of the minimum of 26m as set out in R15 of the Borough Design Guide SPD. Moreover, the TPO protected trees on the southern, eastern and western boundaries would add a level of screening, providing further mitigation in this respect. There are therefore no

concerns in relation to loss of light, overshadowing or overbearing impact on properties neighbouring the site and the proposal is compliant with Core Strategy Policy CP3 in this respect.

47. Concern has been raised about noise pollution following the development. However, given the lower density of the site and more than adequate setbacks there are no objections to the scheme on these grounds.
48. Overall, the proposed erection of an additional two units on the site would not introduce any adverse impacts on the amenities of neighbouring properties as well as within the development itself. The proposal therefore complies with Core Strategy Policy CP3 and is acceptable in this respect.

Highway Access and Parking Provision

49. Each plot has a minimum of three off-street car parking spaces, with all except plot 1 benefiting from additional garage accommodation and plots 3 and 6 able to accommodate four spaces comfortably. Concern has been raised about the potential for parking to overspill onto the byway or neighbouring streets, particularly for visitors and deliveries, however the proposed car parking provision complies with the Council's standards (of at least three spaces) and the Highways Officer has raised no concerns. Each dwelling also benefits from an EV charging point and this is conditioned.
50. Following initial concern raised by the Highways Officer regarding the lack of cycle parking provision, a revised site plan was submitted showing a shed for each dwelling at the rear which can accommodate secure storage for bicycles. This is compliant with policy CC07 of the MDD Local Plan and secured by condition.
51. As per the extant permission, the proposal seeks to utilise the existing access onto Oaklands Lane. It is to be widened to allow for a turning point for a refuse vehicle, while within the site a 5m wide access road and turning head will be constructed. Following the submission of further information relating to the access the Highways Officer has raised no objection to this arrangement or the visibility splays for vehicles entering and exiting the site. The access road will remain private and the s106 agreement will include details of the management company and the level of money set aside for maintenance.
52. In terms of additional trip movements to and from the site as a result of the two additional units, the Highways Officer has advised that two extra dwellings would likely mean one extra movement each half hour in peak periods. This is a very small increase in movement compared to what had already been agreed as an acceptable impact on the local highway impact, and therefore the Officer raises no objections on Highway Safety grounds.
53. The use of the Byway for residential access was not objected to by either WBC Highways or WBC Public Rights of Way in the extant permission and this remains the case for this proposal. The proposal does not conflict with recent improvements to the byway, namely the recent resurfacing and bollards to the east to prevent through traffic, and the inclusion of a turning head within the site prevents further conflict.
54. A number of objections refer to concerns about increased traffic and the safety risks this poses to pupils accessing Hatch Ride Primary School opposite. However, when

noting the low levels of traffic associated with the proposed development, the very small increase associated with the two additional units, the recently implemented Traffic Regulation Order which prevents through traffic on Oaklands Lane, the limited time associated with the pick up and drop off period, and that this is a secondary access serving the school, the level of conflict is viewed as low and not consequential to any perceived impact.

55. To prevent disruption during the construction period, a full Construction Method Statement and Management Plan will need to be agreed with the Council and this forms a pre-commencement condition. This will allow a more thorough review of on-site management practices, including how it will manage movements through Oaklands Lane, protect the TPO trees and co-exist with the school opposite. There would be opposition to deliveries being undertaken during peak periods including school drop off and pick up. A condition to ensure that vehicles associated with the construction works park or block the Byway is also recommended.
56. For the above reasons, the proposal is in accordance with the National Planning Policy Framework, policy CP6 of the Core Strategy and policy CC07 of the MDD Local Plan and is acceptable in this respect.

Ecology

57. Policy CP7 of the Core Strategy states that sites designated as of importance for nature conservation are to be conserved and enhanced and inappropriate development will be resisted. Policy TB23 of the MDD Local Plan requires the incorporation of new biodiversity features, buffers between habitats and species of importance and integration with the wider green infrastructure network.
58. Paragraph 174 of the NPPF states that development should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity or geological value and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
59. The site is within and surrounded by land where bat roosts have previously been found and because of its extensive tree and shrub coverage, offers a good example of habitat for wildlife.
60. The Council's Ecology Officer did not object to the extant permission. The applicant has submitted several ecological surveys and reports including an Ecological Assessment Report to support this application which includes additional details on the impact of the two additional units proposed.
61. At the time of writing, Officers are still awaiting final comments from the Council's Ecologist and this will be updated in the Supplementary Agenda prior to the Committee meeting.

Flooding and Drainage

62. Policy CC09 of the MDD Local Plan requires consideration of flood risk from historic flooding and policy CC10 requires sustainable drainage methods and the minimisation of surface water flow. Paragraph 167 of the NPPF states that when determining any

planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

63. The site is located within Flood Zone 1 and the proposal represents no additional flood risk or vulnerability from rivers. However, Environment Agency data indicates that the eastern edge of the site is prone to surface water flooding and this is reaffirmed in comments from neighbours.
64. The applicant has submitted an Addendum Drainage Statement (BEAL Consulting Engineers Ltd, 14/12/2022) to accompany the Drainage Strategy submitted for the 4 houses scheme (LANMOR Consulting, January 2022, Rev. B). The Council's Drainage Officer has reviewed both documents and confirmed that the submitted details has been updated to consider additional potential from six dwellings compared to four. They have also highlighted that the site will now include permeable paving as part of the on-side SuDS hierarchy, which is an improvement from the extant permission.
65. The Drainage Officer has raised no concerns about the proposed drainage system for the site, including in terms of wastewater capacity. To ensure that the drainage system can accommodate the increased risk of surface water flooding associated with climate change, they have requested a specific exceedance flow routing plan to be submitted prior to the commencement of the development. This forms a recommended condition and would allow a final review from the Officer before the development can commence.
66. Subject to the recommended condition, the proposal complies with the NPPF and MDD Local Plan Policies CC09 and CC10 and is acceptable in this respect.

Waste Storage

67. Policy CC04 of the MDD Local Plan requires adequate internal and external storage for the segregation of waste, recycling, green waste and composting and an appropriate area for ease of collection.
68. Following initial feedback from the Council's Highways Officer, a revised site plan was submitted which includes a communal bin collection point positioned in a soft landscaping area fronting plots 5 & 6. This is for ease of collection, with refuse vehicles able to enter the site from Oaklands Lane and use the turning head, while there is ample storage for bins within the garages or to the side of each dwelling. The proposal is therefore compliant with policy CC04 and is acceptable in this regard.

Contamination

69. The application involves the demolition of an abandoned property which was recently damaged by fire. The Council's Environmental Health noted for the extant permission that the developer should be aware of the potential for sources of contamination relating to that building, such as asbestos or storage of heating oil or chemical storage. This is conditioned as per the extant permission.

Other Matters

Community Infrastructure Levy

70. The application is liable for CIL payments because it involves a net increase of additional floor area in excess of 100m². It is payable at £365/m² index linked.

Affordable Housing

71. Policy CP5 of the Core Strategy, Policy TB05 of the MDD Local Plan and the Affordable Housing SPD specify an affordable housing rate of 40% for any development involving five dwellings or more on land with a total area of 0.16 hectares or more.
72. As per the extant permission, the applicant has agreed to contribute to the delivery of affordable housing through a commuted sum. Based on the Viability Study undertaken by Level Ltd, the Council's approach to calculating commuted sums for affordable housing is based on the difference in the residual development value of a scheme without on-site affordable housing and the same scheme with on-site affordable housing provision. The commuted sum sought in-lieu of 2 units is calculated at £175,452.64 and this forms part of the s106 agreement.

Thames Basin Heaths Special Protection Area

73. Policy CP8 of the Core Strategy states that where development is likely to have an effect on the Thames Basin Heaths Special Protection Area (TBH SPA), it is required to demonstrate that adequate measures to avoid and mitigate any potential adverse effects are delivered.
74. In this case the application includes a net increase of five dwellings on a site that is within 1km of the SPA. In line with Policy CP8, mitigation measures in the form of a Suitable Alternative Natural Greenspace (SANG) contribution and Strategic Access Management and Monitoring (SAMM) Contribution form part of the s106 agreement.

Planning Balance and Conclusion

75. Paragraph 8 of the NPPF sets out that achieving sustainable development means that development should satisfy three overarching objectives in relation to economic, social and environmental benefits.
76. In terms of economic benefits, there would be direct and indirect job creation during the construction period however given the scale of the development it is limited and temporary in its extent. The development would add six dwellings (net increase of five) to existing supply within settlement and in a sustainable location. With the introduction of two additional dwellings compared to the extant permission and associated taxes, duty and Community Infrastructure Levy this holds moderate weight in the tilted balance.
77. In terms of social benefits, the provision of six family sized dwellings, with a more appropriate housing mix compared to the extant permission, is of particular relevance. The proposal is also policy compliant in its contribution towards affordable housing, although this is an off-site gain. This holds moderate weight in the titled balance.

78. In terms of environmental benefits, there would be biodiversity enhancements on-site through mitigation measures and off-site through contributes to the Thames Basin Heath Special Protection Area. There has been removal of trees in recent years but is important to note that as per the extant permission the vast majority of trees on site are to be retained, with only dead or failing trees to be directly removed while the provision of a woodland management plan and continued TPO protection would ensure long-term protection. On balance, this attracts minor weight however subject to the relevant conditions and legal obligations, and when compared to the extant permission, the proposal represents a satisfactory outcome for the site.
79. The principle of residential development on the site has already been accepted. When assessing the provision of two additional dwellings on the site, and applying weight to the economic, social and environmental benefits of the scheme, no adverse harm has been identified which would significant and adversely outweigh the identified benefits as required by Paragraph 11 of the NPPF. Therefore, the proposal represents an acceptable outcome for the site and is recommended for approval, subject to conditions and legal obligations under the s106 agreement.

The Public Sector Equality Duty (Equality Act 2010)

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

APPENDIX 1 - Conditions / informatives

APPROVAL subject to the following 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, drawings and documents numbered P/22/08/200, P22/08/S/210, P22/08/S/220, P22/08/S/230, P22/08/S/240, P22/08/S/250, P22/08/S/260, 555:055, 576:001, 576:002, 576:003, 576:004 and titled ‘External Materials Schedule’ and ‘Addendum Drainage Statement for Oak Apples, Crowthorne’ received by the local planning authority on 7 February 2023, numbered 22.94-002, P/22/08/S/201:A and P22/08/S/202:A received on 17 March 2023 and numbered PRI24097-11A and PRI24098-03A received on 4 May 2023. 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. Construction Management Plan – *Prior to the commencement of development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The plan should detail items such as:*
 - a) the parking of vehicles of site operatives and visitors,*
 - b) loading and unloading of plant and materials,*
 - c) construction working times and equipment/material delivery times*
 - d) phasing of construction*
 - e) storage of plant and materials used in constructing the development,*
 - f) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,*
 - g) wheel washing facilities,*
 - h) measures to control the emission of dust and dirt during construction,*
 - i) phasing of construction, lorry routing and potential numbers*
 - j) types of piling rig and earth moving machinery to be utilized*
 - k) any temporary lighting*
 - l) a scheme for recycling/disposing of waste resulting from demolition and construction works*
 - m) burning on site policy*
 - n) site manager contact details to allow for 24 hour community contact*
 - o) any other measures proposed to mitigate the impact of construction operations*

The plan shall be implemented in full and retained until the development has been constructed. Any deviation from this Statement shall be first agreed in writing with the local planning authority.

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

4. Exceedance flow routing plan – Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100+40% climate change event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure satisfactory drainage of the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality. Relevant policy: NPPF Section 14, Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.

5. Boundary treatments – Prior to the commencement of development hereby permitted, details of all boundary treatment(s) shall first be submitted to and approved in writing by the local planning authority. The details shall:
- a) Avoid boundaries formalised by walls or close boarded fencing,
 - b) Reduce the possibility of any damage to trees during works,
 - c) Ensure permeability on boundary treatments to minimize fragmentation and allow free movement of wildlife throughout the site,
 - d) Include new native planting, including flowering plants.

The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of amenity, protection of trees and wildlife. Relevant policy: NPPF Section 15, Core Strategy policies CP1, CP3, CP6 and CP7 and Managing Development Delivery Policies TB21 and TB23.

6. Landscape details - Prior to the commencement of the development, hereby approved, details of hard landscaping 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 will need to be implemented in accordance with the Landscape Proposals drawing (PRI24098-11A) and accompanying Soft Landscape Specification dated January 2023 (PRI24098 Spec).

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.

7. *EV Charging Strategy* – *Prior to commencement of development, details for an Electric Vehicle Charging Strategy serving the development shall be submitted for approval in writing by the Local Planning Authority. This strategy should include details relating to on-site infrastructure, installation of charging points and future proofing of the site unless otherwise agreed in writing by the Local Planning Authority.*

Reason: In order to ensure that secure electric vehicle charging facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy Core Strategy policies CP1, CP3 & CP6.

8. *Protection of trees* – *a) No development or other operations shall take place except in complete accordance with Arboricultural Impact Assessment and Method Statement (PRI24098aia-amsB) and associated Tree Protection Plan (PRI24098-03A) by ACD Environmental dated 5th May 2023 (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.

9. *Access before development* – *No building shall be occupied until the access has been constructed in accordance with the approved plans.*

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

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

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

11. Cycle parking to be provided – No building shall be occupied until secure and covered parking for cycles has been provided in accordance with the approved drawing(s)/details. The cycle parking/ storage shall be permanently so-retained for the parking of bicycles and used for no other purpose.

Reason: In order to ensure that secure weather-proof 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.

12. Contamination details - In the event that contamination or hazardous materials such as asbestos is found at any time when carrying out the development hereby approved, it must be reported in writing immediately to the local planning authority. Any subsequent investigation/ remedial/protective works deemed necessary by the local planning authority shall be carried out to agreed timescales and approved by the local planning authority in writing.

Reason: To ensure any contamination on the site is remedied to protect the existing/proposed occupants of the application site and adjacent land. Relevant policy: NPPF Section 15 and Core Strategy policies CP1 and CP3.

13. Oaklands Lane byway - All construction traffic must be kept at all times within the curtilage of the property and must not be parked along the byway. Any damage to the surface of the byway caused by construction traffic must be repaired as soon as possible by the developer, to the satisfaction of the Council.

Any extra surfacing required along the byway for the turning circle at the main entrance is to be installed by and at the expense of the developer, following prior approval of the technical surfacing plans by the Green Infrastructure Team.

Reason: To ensure continued maintenance of an existing pedestrian Public Right of Way. Relevant policy: Core Strategy policies CP1, CP3 and CP6.

14. Construction working hours - 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: In the interests of the amenities of neighbouring occupiers. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

15. Restriction of permitted development rights (householder extensions) – *Notwithstanding the provisions of Class A, B, E and F of Part 1 of the Second Schedule the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no outbuildings, enlargement, extensions or alterations permitted shall be carried out without the express permission in writing of the local planning authority.*

Reason: To safeguard the character of the area, neighbouring amenities and protected trees. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

16. Restriction of permitted development rights (windows) – *Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional windows or similar openings shall be constructed in the first floor level or above in the side facing (flank) elevations of the dwellings hereby permitted except for any which may be shown on the approved drawing(s).*

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

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

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

18. Restriction of permitted development rights (gates) - *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification), no gates or barriers shall be erected on the shared vehicular access hereby permitted.*

Reason: To assist in the integration of the development into character and community of the area. Relevant policy: Core Strategy policies CP1 & CP3, and Borough Design Guide Supplementary Planning Document.

19. Restriction of permitted development rights (garages) – *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification), all garage accommodation on the site identified on the approved plans shall be kept available for the parking of vehicles ancillary to the*

residential use of the site at all times. It shall not be used for any business nor as habitable space.

Reason: To ensure that adequate parking space is available on the site, so as to reduce the likelihood of roadside parking, in the interests of highway safety and convenience. Relevant policy: Core Strategy Policy CP6 and Managing Development Delivery Local Plan policy CC07.

Informatives

1. **Section 106 agreement** – This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated 19 May 2022 relating to obligations for and mitigation for the Thames Basin Heaths SPA, off site biodiversity net gain, affordable housing contributions, management of the private road and management of the woodland all of which relate to this development.
2. **Community Infrastructure Levy** - The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see - <http://www.wokingham.gov.uk/planning/developers/cil/cil-processes/>
3. **Pre-commencement details** – Where this permission requires further details to be submitted for approval, the information must formally be submitted to the Council for consideration with the relevant fee. Once details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear please contact the case officer to discuss.
4. **Demolition Notice** – The applicant is reminded that a Demolition Notice may be required to be served on the Council in accordance with current Building Regulations and it is recommended that the Building Control Section be contacted for further advice.
5. **Changes to the approved drawings** – The applicant is reminded that should there be any change from the approved drawings during the build of the development this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.
6. **Protected species** – This permission does not convey or imply any approval or consent required under the Wildlife and Countryside Act 1981 for protected species. The applicant is advised to contact Natural England with regard to any protected species that may be found on the site.
7. **Discussion** – The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and

proactive discussions with the applicant in terms of submitting revised plans to address planning issues related to trees, landscape and highway safety.

The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

APPENDIX 2 - Parish Council Comments

PLANNING REF : 230283
PROPERTY ADDRESS : The Lodge
: Pinewood Leisure Centre, Old Wokingham Road, Crowthorne, Wokingham, RG40 3AQ
SUBMITTED BY : Wokingham Without Parish Council
DATE SUBMITTED : 28/02/2023

COMMENTS:

Without prejudice to our other concerns, Wokingham Without Parish Council (WWPC) welcomes the proposal for smaller houses which responds to local demand. WWPC remains concerned about the impact of

increased vehicle traffic, with associated risks to pedestrians in the vicinity of Hatch Ride School, particularly at pick-up and drop-off times. WWPC is concerned that the development may place mature trees under threat, due to overshadowing of one or more gardens. WWPC requests that WBC looks carefully at the proposed biodiversity gain, since the new private land associated with additional dwellings may make it difficult to achieve and control.

WWPC requests that, in the event of approval of this application, the following issues are dealt with by condition:

1. Approved Construction management plan including:

- a). Parking of all contractors' vehicles on site (not Oaklands Lane).
- b). Deliveries to be avoided outside school drop-off, pick-up times.
- c). Adequate provision for washing construction vehicles and street cleaning.

2. During the construction period, regular liaison with local stakeholders, school and parish council to deal with issues speedily.

Additionally, the Council recommends that the remaining mature trees on the site continue to be protected by TPO, with a new review if necessary.