



ET Planning

Planning Statement

Client:

Maverick Properties Ltd

Sulby Croft

Heathlands Road, Wokingham, RG40 3AR

Permission in Principle for the development of up to 5 dwellinghouses

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1. Introduction

- 1.1 This statement is produced to support a planning application for Permission in Principle (PiP) for the erection of up to no.5 dwelling houses at Sulby Croft, Heathlands Road, Wokingham, UK.
- 1.2 This planning statement will cover the background to the application and provide the necessary information to enable its determination by officers at the Council. It will consider the proposal in light of relevant planning policies and other material considerations. The conclusion reached is that key material considerations and the wider objectives of National and Local planning policy support the grant of permission.
- 1.3 In addition to this planning statement, the application is accompanied by the appropriate planning application forms and ownership certificate, duly signed and completed, and the following documents prepared by Colony Architects:
 - 1:1250 Site Location Plan
 - 1:500 Indicative Site Plan
 - Indicative Elevations
 - 1:100 Proposed Elevations (with extended dwelling)
 - 1:200 Proposed Elevations (with current dwelling)
 - Indicative Photos and CGI
 - Bat Emergence Survey
- 1.4 The relevant application fee will be submitted by the applicant separately.

2. Site Location and Description

- 2.1 The application site comprises a two storey dwellinghouse orientated towards the east along Heathlands Road.
- 2.2 The dwelling is set within a large plot and features a tennis court and residential paraphernalia. The application site is considered to be previously developed land.
- 2.3 To the north of the site is a detached dwellinghouse and enclosing the rear and south of the site is an undeveloped field owned by the applicant.
- 2.4 Heathlands Road comprises a mix of residential and commercial uses with high density residential development found at Heathlands Court opposite the site.
- 2.5 To the north of the site are garages which have recently been approved for residential development and further north is the junction between Heathlands Road and Hatch Ride (dwelling on the junction has received approval to redevelop the land for 3 dwellings).
- 2.6 The site is not located within a defined Settlement Boundary and is therefore within the countryside. The site is within 800m from the boundary of Crowthorne (to the east) and circa. 1800m from the South Wokingham SDL. The site is not in an isolated location.
- 2.7 The site is within 5km of the Thames Basin Heat SPA. The applicant is willing to enter into a planning obligation to secure the relevant SANG and SAMM mitigation.

3. Planning History

- 3.1 **Application Ref 242348** 'Householder application for the proposed modification of the existing roof form and erection of a first-floor front extension, a two-storey front extension, a single-storey side and rear extension and a two- storey rear extension with balcony, plus changes to fenestration including the addition of 2no. Juliet balconies, and a two-storey, side residential annexe extension' **Approved 25/01/2025**
- 3.2 **Application Ref 971195** 'Proposed First Floor Rear Extension to Dwelling' **Approved 30/01/1997**

4. Development Proposals

- 4.1 The proposed development comprises an application for up to 5 dwellings. The exact quantum and number of dwellings has not yet been determined, and a technical matters application may seek to reduce the number of dwellings.
- 4.2 Whilst not a matter for this application it is anticipated the site would utilise the same access as the existing dwelling. It is acknowledged a number of TPOs enclose the site however, it is anticipated that at Technical Details stage that 'no dig' construction methods could be secured.
- 4.3 Each dwelling would be provided with its own private amenity space and parking provision.

5. Policy Assessment

- 5.1 **Principle of Development:** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 5.2 Section 70(2) of the Act requires the determination of PiPs to have regard to the provisions of the development plan and any other material consideration.
- 5.3 In the context of a PiP application, whilst such applications are to be determined in accordance with the Development Plan, policies related to technical matters do not represent valid considerations for the purposes of a Stage 1 application. Technical matters will be considered as part of any future Stage 2 application.
- 5.4 In this instance the development plan comprises:
 - Wokingham Borough Local Development Framework Adopted Core Strategy ('CS') (adopted 29/01/2010) and;
 - Wokingham Borough Development Plan Adopted Managing Development Delivery Local Plan ('MDD') (adopted 21/02/2014).
- 5.5 The application is for housing within the countryside and therefore policy CP1, CP9, CP11 of the Core strategy and CC01 and CC02 of the Managing Development Delivery are relevant to this application.
- 5.6 The National Planning Policy Framework (NPPF) is a relevant material consideration of **significant weighting**.
- 5.7 Notwithstanding, the above it should be noted that policy **CC01 – Presumption in Favour of Sustainable Development** (of the MDD) states that:

"Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a. Any adverse impacts of planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework (NPPF) taken as a whole; or*
- b. Specific policies in the National Planning Policy Framework indicate that development should be restricted".*

5.8 In the case of the above it should be noted that Policies CP9 and CP11 were created to deliver a housing target of 13,230 dwellings (CP17) between 2006 – 2026. This figure no longer represents the Local Housing Need of the LPA being more than 5 years old (as per paragraphs 34, 78 and 232 of the NPPF) and the increase in the Standard Method. As such, the settlement boundaries and policies that influence the delivery of development within and outside them can no longer be considered to be in date.

5.9 As such, Policy CC01 would apply to the determination of this submission however, if the development is considered to comply with Policy CP11, the development would accord with the development plan as a whole and CC01 would not be required to be considered.

5.10 **Location of Development:** It is accepted that the site is situated outside of a defined settlement boundary. **Policy CP11: Proposals outside Development Limits (including countryside)** states that in order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development

limits will “not normally” be permitted, unless development meets an exception as outlined by the criterion in the policy. While it is acknowledged development does not meet any of the outlined exceptional circumstances, it should be considered that it does protect the separate identity of settlements and maintain the quality of the environment.

- 5.11 The application site comprises 1 dwelling house and associated garden and therefore would meet the definition of Previously Developed Land (‘PDL’) as per the NPPF.
- 5.12 For clarification the definition of PDL in the NPPF is defined as: Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land. As the land currently has a lawful dwellinghouse on it, it therefore can be assumed to be PDL by definition.
- 5.13 As PDL the proposal does not seek to develop land where there is an absence of built form nor activity, as such it is not considered the proposal would erode the separate identity of settlements (particularly with development being sited to the north and south of the site) nor the high quality of the environment.
- 5.14 Whilst the impact to the environment is more a consideration for Technical Matters, it should be noted that the site does not feature any landscape features of note and would not be located in an area of the countryside where glimpses of residential development is incongruous. As such, the quality of the environment would be maintained.
- 5.15 Permission has also been granted to extend the existing dwelling, which would span across the full width of the site. This would be fully visible from the main road and site access, this further demonstrates

that the site does not provide any meaningful contribution to the quality of the environment. The proposal for redevelopment could secure a design which mitigates the appearance of built form. The indicative drawings detail a layout that would appear lesser than the approved extension.

- 5.16 Therefore, for the reasons given above it should be considered that the development proposal is in compliance with CP11 and therefore does fully comply with the development plan.
- 5.17 **Impacts to Thames Basin Heath:** the application site is sited within 5km of the Thames Basin Heath SPA, a protected European site.
- 5.18 As such, an appropriate assessment is required by the decision maker to ascertain if the proposal would have a significant impact to the habitat site.
- 5.19 The LPA in carrying out Appropriate Assessments across the borough considers the provision of Suitable Alternative Green Space (SANG) and subsequent Strategic Access Management and Monitoring (SAMM) measures to provide adequate mitigation for residential development within the 5km zone of the SPA.
- 5.20 The applicant is willing to enter into a legal agreement to provide the relevant SANG should the LPA wish to grant planning permission should the LPA deem this necessary for this submission.
- 5.21 However, it should be noted that a PiP, as per S336 of the Act, is not an application for 'planning permission'. S70(2ZZB) confirms that an application for technical details is the component comprising a planning permission. As such, until the details are confirmed it is not possible for development to commence and the harm to the SPA would not be realised.

- 5.22 As such, as the LPA has identified appropriate mitigation options for development in the 5km zone, it is considered that an application for technical details (where size and quantum are to be confirmed) would be the more appropriate time to secure a legal agreement. This would uphold the precautionary principle for the SPA would be maintained.
- 5.23 **Planning Balance:** It is considered the proposed development would comply with the Development Plan in principle, however for the sake of completeness relevant material considerations and a planning balance has been undertaken below.
- 5.24 As previously alluded to, it should be noted that CP17 of the Core Strategy seeks to deliver 13,260 dwellings and this provision does not include any sites in the countryside. Specifically, the policy currently seeks to deliver 623 dwellings per annum.
- 5.25 The targets set within CP17 were created with the intention of achieving development with the settlement boundaries of the LPA defined by CP9 and development outside of limits by CP11.
- 5.26 The Local Plan therefore seeks to deliver a lesser need with when compared to the current standard method calculation of 1,334 dwellings per annum. Therefore, the spatial strategy (the settlement boundaries designed to guide development in terms of scale and distribution, and the area of countryside which CP11 applies to) is out of date. Therefore, should the LPA consider any non-compliance with CP11 to exist this should only be afforded **limited weight against the development.**
- 5.27 Notwithstanding, the outdatedness of the Spatial Strategy for the above reasons, when using the new standard method figure the LPA is also to demonstrate a housing land supply of **1.7 years.**

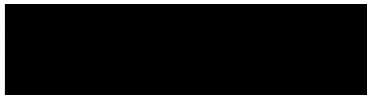
- 5.28 As the council are currently unable to demonstrate a five-year housing land supply position the presumption in favour of sustainable development (the tilted balance) as per paragraph 11.d of the NPPF (and CC01). The application site is not in an area restricted by footnote 7 of the NPPF. In relation to the relevant paragraphs highlighted by footnote 9, the site is not in an isolated location and details of affordable housing and design would be matters for the technical details stage.
- 5.29 In relation to paragraphs 110 and 115 it should be noted that the NPPF acknowledges development in rural locations to have differing opportunities for sustainable transport modes. In this case it should be noted that Wokingham Without is classed as an 'urban' ward and has lower parking standards to reflect this. Notwithstanding the above, cycle storage can be secured at technical details stage for the development. Within the vicinity there are a number of rural enterprises that provide facilities and services including groceries. As such, it is considered the proposed development would comply with paragraphs 110 and 115.
- 5.30 As such, subject to the benefits of the scheme outweighing the adverse impacts of the development the proposal would benefit from paragraph 11.d and CC01 – it is considered this would attract **significant weight in favour of the development**.
- 5.31 In terms of the proposal specific benefits of the scheme it is considered the provision of 5 dwellings would attract **substantial weight** in favour of the development in the context of the LPAs shortfall of supply. It is considered this weighting would not be tempered by the potential delivery of a lesser quantum of units as part of the Technical Matters stage owing to the extent of the shortfall.

- 5.32 Paragraph 124 of the NPPF states that decisions should promote an effective use of land in meeting the need for homes and other uses and goes on to state that strategic policies should make as much use of previously developed land as possible. Likewise, paragraph 125.d seeks to promote and support the development of 'under-utilised' land especially where it helps to meet identified needs for housing. As such, the re-use of previously development land and optimisation to deliver dwellings across the site should attract **significant weight in favour of the development.**
- 5.33 The development is considered to make an important contribution towards meeting the housing requirements in the area. As per paragraph 73 of the NPPF seeks for LPAs to support the development of windfall sites through decisions acknowledging they can be built out relatively quickly. In the context of the LPAs housing needs seeking to be largely accommodated in a Local Plan Update that will not be adopted in the short term, it is considered that the ability of a small site to be completed quickly should attract **moderate weight in favour of development.**
- 5.34 The proposed development would have economic benefits in terms of temporary construction jobs however, the LPA will also receive monies for contribution to the Community Infrastructure Levy and Council Tax receipts in the long term. However, being a development of 5 dwellings and subject to the quantum of development being less than five at the technical details stage, this could only attract **limited weight in favour of development** at most.
- 5.35 In summary, the adverse impacts of the scheme do not outweigh the benefits of the development. Therefore, it is considered the 'presumption in favour of development' applies however, it should be noted the benefits are ubiquitous and it is considered that the

application (subject to legal agreement) could be approved without the 'tilted balance'.

6. Conclusion

- 6.1 This statement has demonstrated that the proposed development is acceptable in principle and makes an efficient use of land, contributing to the Borough's housing supply.
- 6.2 It is emphasised that being a PiP that the technical details allows for the LPA to secure a high quality development and other landscaping enhancements to the site at a later stage (providing further benefits).
- 6.3 There are no material considerations to indicate that the adverse impacts outweigh the benefits of the scheme in principle.
- 6.4 It is considered that the proposed scheme complies with relevant Development Plan Policies and is further supported by National Guidance. Therefore, it is respectfully requested that planning permission is granted.

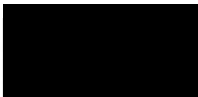


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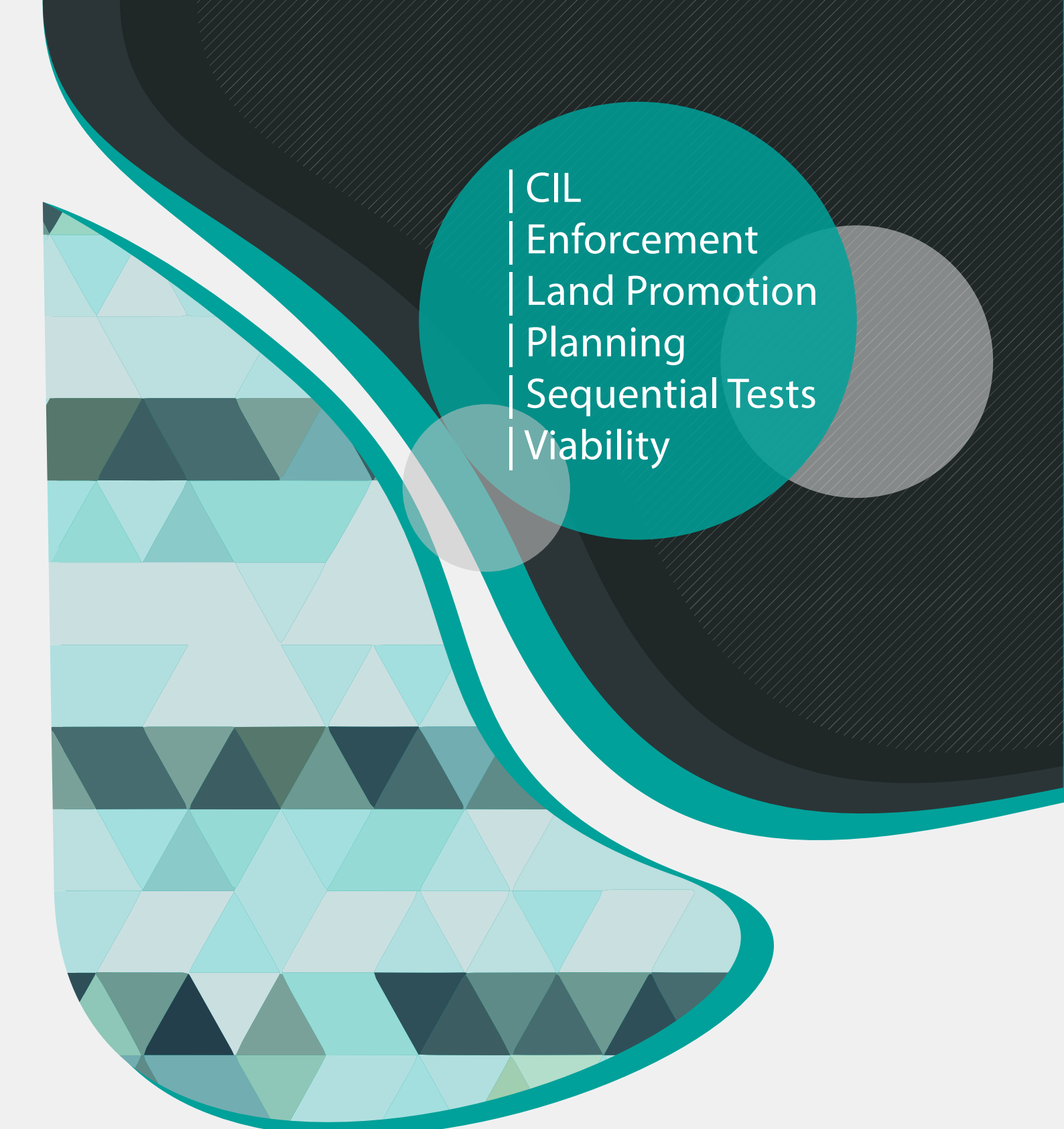


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