

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	252204
Site Address:	Land To West Of Park Lane, Charvil, RG10 9TS
Expiry Date:	6 March 2026
Site Visit Date:	1 December 2025
Proposal: Application to modify planning obligation within the Section 106 Legal Agreement dated 05/05/2025 in relation to planning permission 232704. The proposed modifications concern clarifying each signatory's responsibility with respect to reptile translocation as well as the provision of supplemental text with respect to affordable housing.	

1. Site Description

The application site is located within the designated countryside of Charvil, falling on the edge of settlement, 'sandwiched' in between Canberra Lake Way approved under APP/X0360/W/15/3130829 and 'The Homestead' Light Industrial Estate. The site benefits from outline planning permission under reference 232704, and an open reserved matters submission is currently under consideration.

The site at current is host to a temporary builder's yard and mixed grassland/ scrub. South-west of the site, away from the proposed development is the Sandpit Copse (ancient woodland), with a wooded belt west of the site. The site varies in topography and is downward sloping from east to west, with a maximum AOD of 45.95 metres at the western perimeter of the site down to a minimum AOD of 35.56 metres on the eastern perimeter of the site.

The site contains multiple material deposits, hardstanding and the storage of materials, however, notwithstanding this, the site is considered to be entirely a greenfield site, bar the road access gates originally approved under application 152026 (temporarily increased in scale to permit construction access) which is proposed to be enhanced for the purposes of this submission.

2. Consultation

No public consultation is required to be carried out for this type of application given that it does not materially change the original planning permission (232704). Notwithstanding, external and internal consultation was undertaken for the purposes of transparency in line with the *Greenfields* judgement, with a draft agreement published for a reasonable period of seven days to permit public comment. Considering the variation only amends 2no. obligations to make them more legible and transparent, no objections were raised on material grounds by four no. commentators and a response provided by Charvil Parish Council.

3. Appraisal

Outline planning permission 232704 was granted on 12/05/2025 for the following development: *“Outline application for the proposed erection of up to 75 dwellings with only access to be considered via Park Lane. Appearance, Landscaping, Layout and Scale to be matters reserved.”* This application was tied to an S106 agreement dated 12/05/2025.

Within that S106 agreement, an obligation was put forward which secures translocation of on-site reptiles including a contribution for the use of the Council owned Eldridge Park SANG and to secure the provision of affordable housing, or contribution in lieu via a cascade mechanism.

The current application has been submitted to formally modify, under S106A (3) of the Town and Country Planning Act (1990), those obligations relating to Reptile Translocation and Affordable Housing. Neither amendment significantly amends the obligations purpose, triggers or end results, rather provides points of clarity with respect to each parties responsibility during and pre-translocation including the provision of an access license. This variation also seeks to vary wording within the affordable housing schedule to provide an opportunity for an ‘other registered provider’ to purchase affordable units, maximising the opportunity for on-site delivery.

The applicant has entered into a Deed of Variation with the Council to formally vary the S106, substituting this wording, which is acceptable to the Council.

It should be noted that the proposed modification would not conflict with the conditions placed on the original permission.

It is therefore considered that this application be recommended for approval in line with the completed Deed of Variation dated 04.03.2026.

Case Officer: Benjamin Hindle
Date: 04.03.2026

Recommendation Agreed by: *MC*

Date: 06.03.2026

PLANNING CONSTRAINTS/STATUS

- Countryside
- Contaminated Land Consultation Zone
- Bat Roost Habitat Suitability
- Tree Preservation Order
- Local Plan Update – Submitted Site
- SSSI Impact Risk Zone
- Ordinary watercourse
- Amber risk zone – Great Crested Newts