

Section two

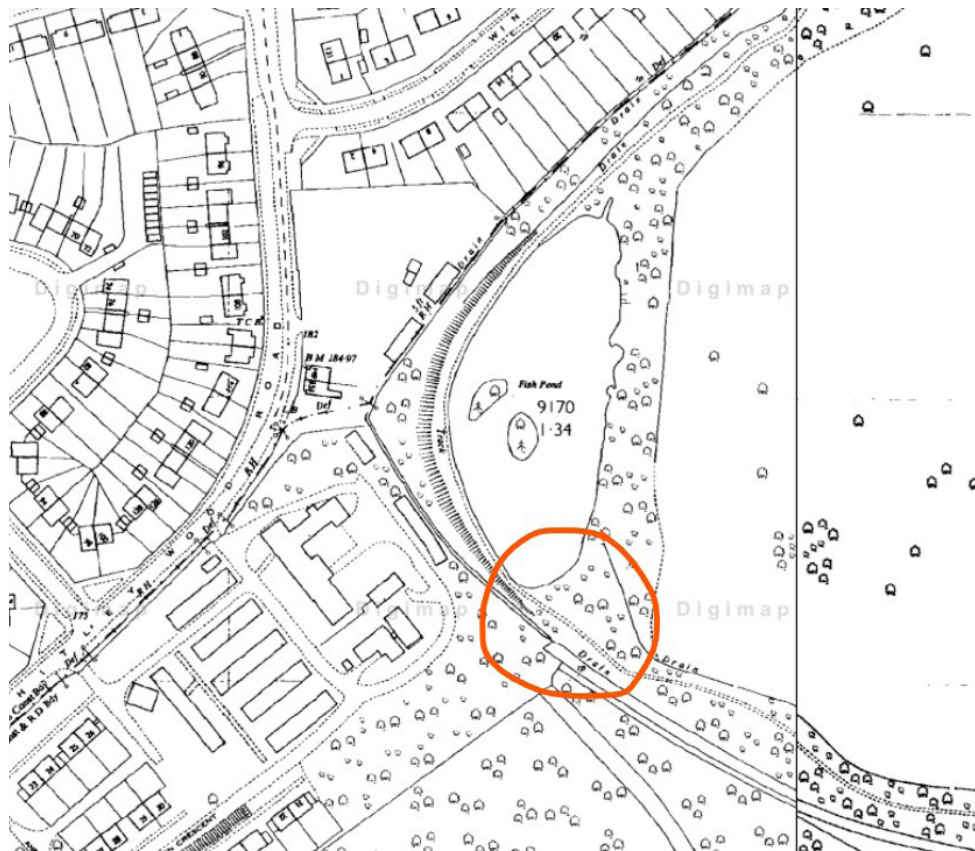
Planning History & Policy

Planning Maps

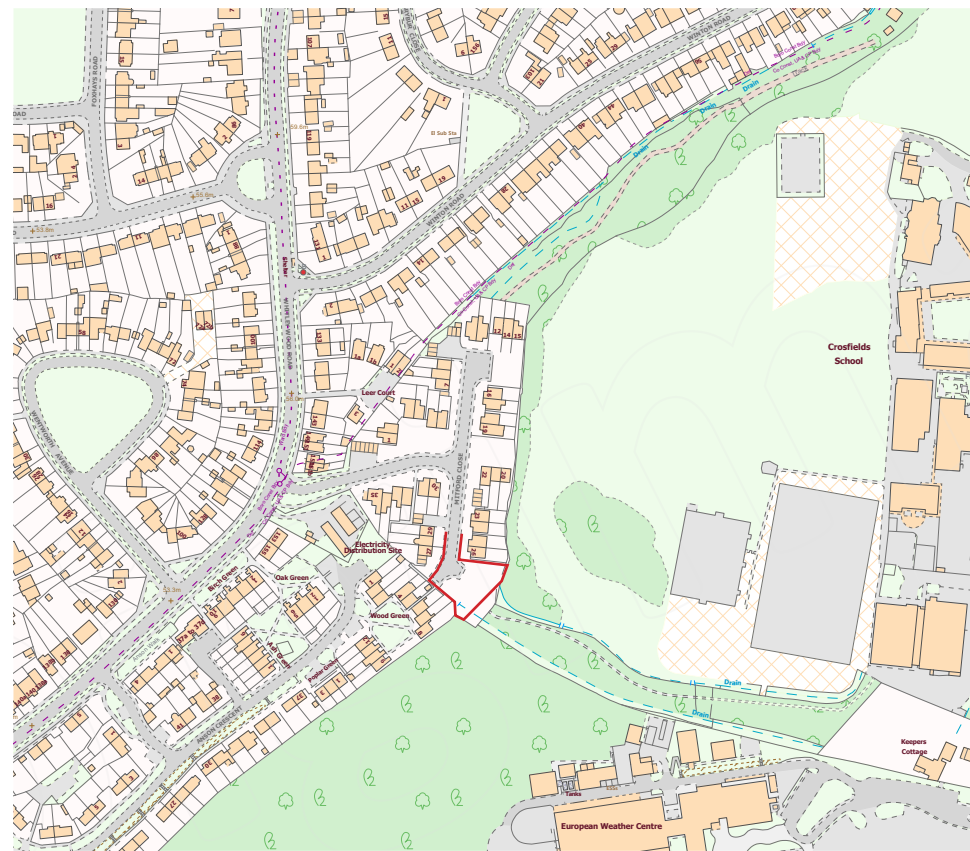
Planning Constraints

The following planning constraints have been identified in relation to the site:

- Contaminated Land Consultation Zone
- Affordable Housing Thresholds
- Bat Roost Habitat Suitability
- Scale and Location of Development Proposals – Shinfield (Major Development Location)
- Great Crested Newt Consultation Zone
- Local Wildlife Site - Shinfield Park, Nore's Hill
- Nuclear Consultation Zone – Outer Zone
- Public Open Space
- Tree Preservation Orders - TPO-0097-1976 (area-wide)
- Landscape Character Assessment Area
- SSSI Impact Risk Zones
- Thames Basin Heaths SPA Mitigation Zones – 7km Linear Mitigation Zone
- Ordinary Watercourses Consultation Zone
- Historic Flooding Points Consultation Zone
- Local Wildlife Sites Con



Historic Map - Fish Pond site (1960)



DigiMap - Built vs nature



DigiMap - Zoomed in area

Planning Policy

Wokingham Borough Council

The proposed designs followed the following main Planning Policy at National Planning Policy Framework (NPPF) and the Local Planning Authority (LPA).

Core Strategy 2010 & National Planning Policy Framework (2024):
The site is located within the settlement limits of Shinfield and as such the principle of development should be acceptable according to Policy CP9 providing that it complies with the principles stated in the Core Strategy.

The principle of the proposed development within the settlement boundary of Shinfield is supported in principle by Policy CP9. Notwithstanding the above, the development would represent sustainable development in terms of the principle of development.

Character of the Area:

Paragraph 68 follows on from this stating that houses and streets should establish an appropriate relationship with the pattern, sizes and proportions of existing houses in the local area. Policy CP1(1) only supports development that maintains or enhances the high quality of the environment, with policy CP3 supporting development of an appropriate mass, layout, built form, height and character to the area CP3(a) and which makes a positive contribution to the sense of place contributes to the buildings and spaces themselves and in the way they integrate with their surroundings CP3(f).

The Borough Design Guide Supplementary Planning Document provides further guidance for developers with general guidance that development should respond positively to its site and local context (G1) and respond positively to the local character of the area (G2).

The proposals involve the erection of 4no. 3-bedroom dwellings. This density is in line with the pattern of the immediate urban context, and followis carefully the alignment of massing and height with its neighbours.

The proposed road design and layout would result in a decrease of hard surfacing to the front of the dwellings.

The principle of new dwellings on Mitford Close is accepted. (see Pre-application feedback, page 28-29). The density design and layout of the development proposed would link visiaully and tectonically with the patterns of the area.

Residential Amenity:

Policy TB07 of the MDD and R17 of the SPD require adequate internal space to ensure the layout and size achieves good internal amenity.

All of the dwellings meet the minimum GIAs and living kitchen and dining space for 3no. bedroom dwellings. All double bedrooms proposed meet the minimum 12sqm requirement.

R16 of the Borough Design Guide SPD requires a minimum depth of 11m for rear gardens and a 1m setback from the site boundary to allow access thereto. It should receive direct sunlight and be capable of accommodating play, clothes drying and storage.

The size of the proposed rear gardens have been revised and have been increased. The area of the rear gardens will be:

- House 1 - 70 m²
- House 2 - 100.44 m²
- House 3 - 74.65 m²
- House 4 - 58.93 m²

The proposed rear gardens will incorporate earthworks and stepped terraces, creating clearly defined areas for recreational use. This arrangement offers an improvement over the situation at No. 26 Mitford Close, where garden use is constrained by dense tree cover and pronounced site gradients. The scheme provides above-average amenity space, featuring a clear and functional rectangular garden layout. In the context of backland development, this exceeds national benchmarks for three-bedroom homes, which typically range between 50–60 m².

Neighbouring Amenity:

Overlooking:
Figure 4.25 of the Borough Desing Guide (BDG) outlines the minimum separation distance required for residential development to maintain privacy and limit sense of enclosure.

All proposed windows have been located to avoid direct overlooking. Only windows to the side will be frosted. These are: House 1 - H1G.02; House 2 - H2G.02; House 3 - H3F.05 & H3F.06; House 4 - H4F.04 & H4F.03. These will be windows to the bathrooms, serving as ventilation. Plase see page 38 from this D&A, the front to back distance between the elevations of the dwellings would only be above 20 metres. The rear fenestration would only overlook woodland.

Highway Access and Parking Provision:

Mitford Close is an adopted unclassified cul-de-sac with a turning head at the end of the close. The council's highway engineer has advised that Traffic from this proposed development would not have an adverse impact on the wider highway network.

Full details, including a local Parking survey ghas been included in the ' Mitford Close_Transport Statement.

Landscaping, Trees and Ecology:

Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, promote linkages between public open space, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character. R14 of the Borough Design Guide SPD requires well-designed hard and soft landscaping that complements housing.
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.

The proposed removal of trees to be read in conjunction with:
- The Arboricultural Impact Assessment (by Andrew Day);
- BNG Report (by aLyne Ecology Ltd.);
- PEA & GLTA Report (by aLyne Ecology Report Ltd.)
- Bat Report (by PAD Ecology).
- Drawing 100_02 (Site Location Plan, Removed Vegetation by Laura Nica Studio).

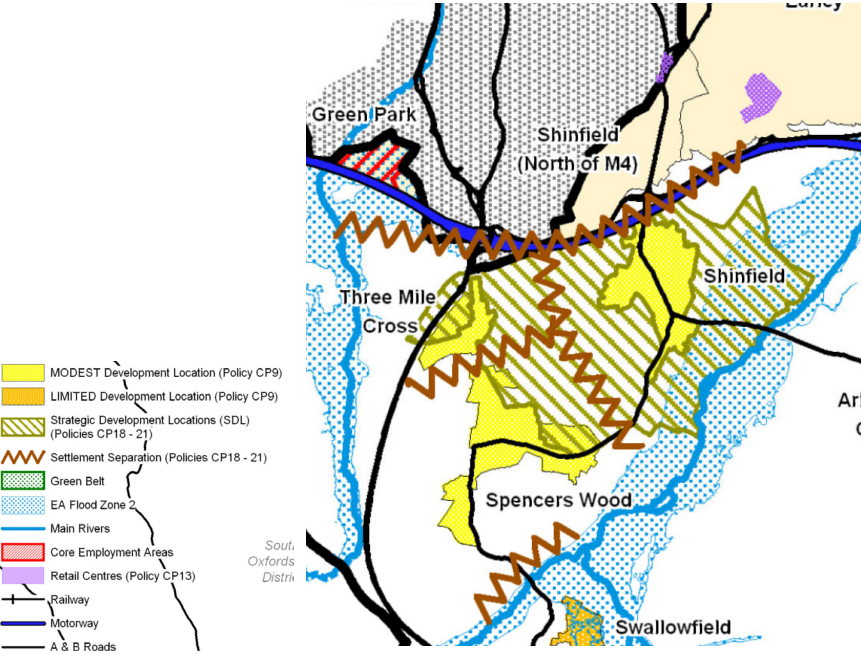
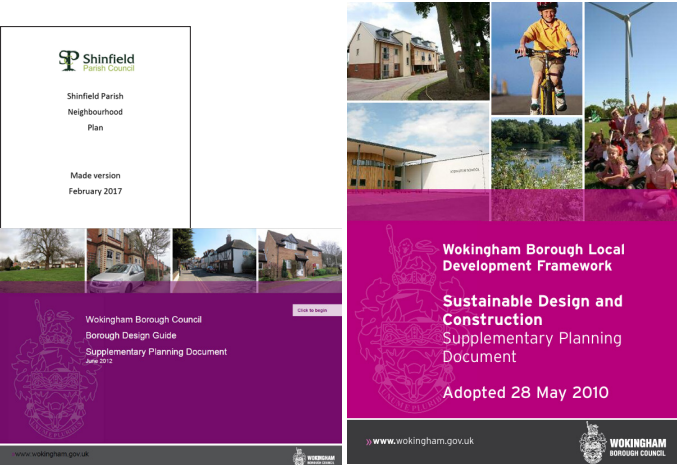
The main justification for removing this vegetation and trees include:

Trees proposed for removal are not protected, as they post-date the Tree Preservation Order issued in the 1976s.

No trees identified for removal were found to host protected species, such as bats.

Several specimens are either dead, in poor health, or have developed in unsuitable conditions, compromising their sustainability on site.

A number of these trees obstruct ongoing maintenance of the existing dry ditch.

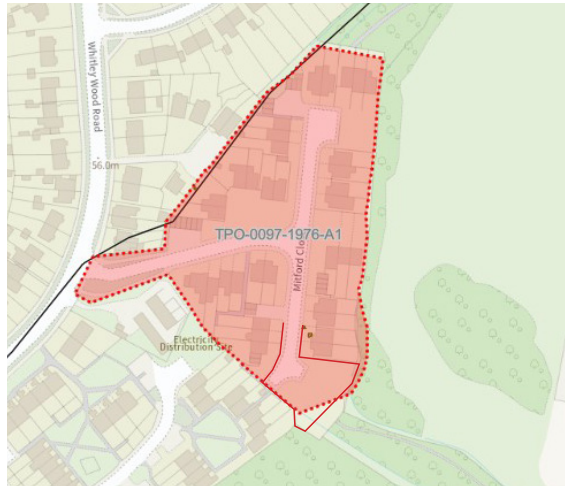


Tree Preservation Order

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This site is subject to Tree Preservations Orders, dating from around 1971. However, the precise trees and thier numbers is incomplete. Please see extract of the TPO - while the entire area marked in "A1" is subject to this (zone A1 represents a historical map, when the site was a fish pond). Key areas have been highlighted in yellow.

Please see page 17 for the precise trees proposed to be removed or pruned.



Tree Preservation Order (TPO) map

TREE PRESERVATION ORDER
TOWN AND COUNTRY PLANNING ACT 1971

THE DISTRICT COUNCIL OF WOKINGHAM in this Order called "the authority" in pursuance of the powers conferred in that behalf by Sections 60 (amended) of the Town and Country Planning Act 1971 and subject to the provisions of the Forestry Act, 1967, hereby make the following Order :-

1. In this Order:-

"the Act" means the Town and Country Planning Act, 1971.

"owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more and a mortgage in possession; and

"the Secretary of State" means the Secretary of State for the Environment.

2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions if any, imposed on such consent, cut down, top, lop, uproot, wilfully damage, or wilfully destroy or cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto x which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

* Include only where Order contains a direction under Section 61 of the Act.

x Map to be a scale of not less than 25 inches to one mile, except in the case of large woodlands when the scale shall be 6 inches to one mile.

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3. An application for consent made to the authority + under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4. (1) Where an application for consent is made to the authority / under this Order, the authority may grant such consent either unconditionally or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof) as the authority may think fit, or may refuse consent.

Provided that where the application relates to any woodland, specified in the First Schedule to this Order the authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

5. Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied:

(a) that the refusal or condition is in the interests of good forestry; or

+ When Tree Preservation Order is made by a District Council on behalf of a County Council an application for consent should be made to the District Council. See also note at foot of page 3.

// When Tree Preservation Order is made by a District Council on behalf of a County Council an application for consent should be made to the District Council. See also note at foot of page 3.

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(b) in the case of trees other than trees comprised in woodlands, that the trees have an outstanding or special amenity value.

6. (1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless:

(a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or

(b) the authority with the approval of the Secretary of State dispense with replanting.

the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given, and the part is felled the owner shall subject to the provisions of this Order and Section 175 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to:

(a) species;

(b) number of trees per acre;

(c) the erection and maintenance of fencing necessary for protection of the replanting;

(d) the preparation of ground, draining, removal of brushwood, lop and top; and

(e) protective measures against fire.

NOTE: If it is desired to fell any of the trees included in this Order whether included as trees, groups of trees or woodlands and the trees are trees for felling of which a licence is required under the Forestry Act 1967, application must be made not to the authority for consent under this Order but to the Conservator of Forests for a licence under that Act (Section 15(5)).

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7. On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by a river authority, a drainage board, the Conservators of the River Thames or the Lee Conservancy Catchment Board restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of the river authority, drainage board, the Conservators of the River Thames or the Lee Conservancy Catchment Board, under those byelaws and the condition or direction shall have effect accordingly.

8. The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purpose of this Order, shall apply in relation thereto.

9. Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage.

Provided that no compensation shall be payable in respect of loss or damage suffered by reason or such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10. In assessing compensation payable under the last preceding Article account shall be taken of:-

(a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under Section 60 of the Act or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and

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(b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11. (1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by delivering the claim at the offices of the authority addressed to the District Secretary thereof or by sending it by prepaid post so addressed.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of Section 179 of the Act.

13. (1) The provisions of Section 61 of the Act shall apply to this Order and the Order shall take effect on [] +

(2) This Order shall apply to any tree specified in the First Schedule hereto, which is to be planted as mentioned therein, as from the time when that tree is planted.] +

NOTE: Any person contravening the provisions of this Order is guilty of an offence under Section 102 of the Act and liable on summary conviction to a fine not exceeding £50; and if in the case of a continuing offence the contravention is continued after conviction he is guilty of a further offence thereunder and liable on summary conviction to an additional fine not exceeding £2 for every day on which the contravention is so continued. If a tree is wilfully cut down or destroyed, or if topping or lopping is carried out in such a way as to be likely to destroy the tree the fine is £250 or twice the value of the tree whichever is the greater. If a tree other than the one which is part of a woodland is removed or destroyed in contravention of the Order it is the duty of the owner of the land, unless on his application the local authority dispense with the requirement, to plant another tree of appropriate size and species, at the same place as soon as he reasonably can.

+ This provision is not to be included unless it appears to the authority that the Order should take effect immediately.

+ This provision may be included in relation to trees to be planted pursuant to a condition imposed under Section 59 of the Act.

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14. This Order may be cited as the District Council of Wokingham (Parish of Shinfield) Tree Preservation Order No 97 of 1976

FIRST SCHEDULE
TREES SPECIFIED INDIVIDUALLY*
(encircled in black on the map)

No. on Map	Description	Situation
	NONE	

TREES SPECIFIED BY REFERENCE TO AN AREA*
(within a dotted black line on the map) and coloured red

No. on Map	Description	Situation
A1	The several trees of whatever species standing in the area numbered A1 on the map, to the east of Whitley Wood Road, Shinfield, to the south of Winton Road, Shinfield, to the west of Crossfields school, Shinfield and within Land Parcel No. 9170,	

* The word "NONE" must be entered where necessary

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GROUPS OF TREES*
(within a broken black line on the map)

No. on Map	Description	Situation
	NONE	

WOODLANDS*
(within a continuous black line on the map)

No. on Map	Description	Situation
	NONE	

* The word "NONE" must be entered where necessary

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SECOND SCHEDULE

This Order shall not apply so as to require the consent of the authority to:

(1) the cutting down of any tree on land which is subject to a forestry dedication covenant where:

(a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;

(b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.

(2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme.

* (3) the cutting down, topping or lopping of a tree exempted from the provisions of this Order by Section 60(6) of the Act namely a tree which is dying or dead or has become dangerous, or the cutting down, topping or lopping of which is in compliance with obligations imposed by or under an Act of Parliament or so far as may be necessary for the prevention or abatement of a nuisance.

(4) the cutting down, topping or lopping of a tree

(a) in pursuance of the power conferred on the Post Office by virtue of Section 5 of the Telegraph (Construction) Act 1908;

* Section 62(1) of the Act requires, unless on application of the owner the local authority dispense with the requirement, that any tree removed or destroyed under Section 60(6) of the Act, shall be replaced by another tree of appropriate size and species. In order to enable the planning authority to come to a decision, on whether or not to dispense with the requirement, notice of the proposed action should be given to the local planning authority which except in the case of emergency shall be of not less than five days.

See amended note on page 14A

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(b) by or at the request of

(i) a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping, or lopping is for the purpose of securing safety in the operation of the undertaking;

(ii) an electricity board within the meaning of the Electricity Act 1947, where such tree obstructs the construction by the board of any main transmission line or other electric line within the meaning respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882 or interferes or would interfere with the maintenance or working of any such line;

(iii) a river authority established under the Water Resources Act 1963 or a drainage board constituted or treated as having been constituted under the Land Drainage Act 1930, the Conservators of the River Thames, or the Lee Conservancy Catchment Board, where the tree interferes or would interfere with the exercise of any of the functions of such a river authority, drainage board, Conservators of the River Thames, or Lee Conservancy Catchment Board in relation to the maintenance improvement or construction of water courses or of drainage works; or

(iv) the Secretary of State for Defence, the Secretary of State for Trade and Industry or the Board of Trade where in the opinion of such Secretary of State or Board the tree obstructs the approach of aircraft to, or their departure from any aerodrome or hinders the safe and efficient use of aviation or defence technical installations;

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Tree Preservation Order

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(c) where immediately required for the purpose of carrying out development authorised by the planning permission granted on an application made under Part III of the Act, or deemed to have been so granted for any of the purpose of that Part;

(d) which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden;

(Where the trees are within the area administered by the Conservators of the River Thames).

(e) in pursuance of the powers conferred on the Conservators of the River Thames by virtue of Section 105 of the Thames Conservancy Act 1932.]

THIRD SCHEDULE

Provisions of Part III of the Act as adapted and modified to apply to this Order.

33. (1) Without prejudice to the following provisions, as to the revocation or modification of consents, as to the Order, including any direction as to replanting given by the authority on the granting of such consent, shall (except in so far as the consent otherwise provides), ensure for the benefit of the land and of all persons for the time being interested therein.

35. Reference of applications to the Secretary of State - (1) The Secretary of State may give directions to the authority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority.

(2) A direction under this section may relate either to a particular application or to applications of a class specified in the direction.

(3) Any application in respect of which a direction under this section has effect shall be referred to the Secretary of State accordingly.

(4) Where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the Order shall apply as they apply to an application which falls to be determined by the authority.

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(5) Before determining an application referred to him under this section the Secretary of State shall, if either the applicant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(6) The decision of the Secretary of State on any application referred to him under this section shall be final.

36. Appeals against decisions - (1) where an application is made to the authority for consent under the Order and that consent is refused by that authority, or is granted by them subject to conditions, or where any certificate or direction is given by the authority, the applicant, if he is aggrieved by their decision on the application, or by any such certificate, or the person directed if he is aggrieved by the direction, may by notice under this section appeal to the Secretary of State.

(2) A notice under this section shall be served in writing within twenty-eight days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Secretary of State may allow.

(4) Where an appeal is brought under this section from a decision, certificate or direction of the authority, the Secretary of State, subject to the following provisions of this section, may allow or dismiss the appeal, or may reverse or vary any part of the decision of the authority, whether the appeal relates to that part thereof or not, or may cancel any certificate or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance.

(5) Before determining an appeal under this section, the Secretary of State shall, if either the appellant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(7) The decision of the Secretary of State on any appeal under this section shall be final.

When Tree Preservation Order is made by a District Council on behalf of a County Council an application for consent should be made to the District Council. See also note at foot of page 3.

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37. Appeal in default of decision - where an application for consent under the Order is made to the authority, then unless within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority, the authority either:-

(a) give notice to the applicant of their decision on the application; or

(b) give notice to him that the application has been referred to the Secretary of State in accordance with directions given under Section 35 of the Act.

the provisions of the last preceding section shall apply in relation to the application as if the consent to which it relates had been refused by the authority, and as if notification of their decision had been received by the applicant at the end of the said period of two months, or at the end of the said extended period, as the case may be.

45. Power to revoke or modify the consent under the order - (1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the authority may by Order revoke or modify the consent to such extent as they consider expedient.

(2) Subject to the provisions of Sections 46 and 61 of the Act an Order under this section shall not take effect unless it is confirmed by the Secretary of State and the Secretary of State may confirm any such Order submitted to him either without modification or subject to such modifications as he considers expedient.

(3) Where an authority submit an Order to the Secretary of State for his confirmation under this section, the authority shall furnish the Secretary of State with a statement of their reason for making the Order and shall serve notice together with a copy of the aforesaid statement on the owner and on the occupier of the land affected, and on any other person who in their opinion will be affected by the Order, and if within the period of twenty-eight days from the service thereof any person on whom the notice is served so requires, the Secretary of State, before confirming the Order, shall afford to that person, and to the authority, an opportunity of appearing before, and being heard by a person appointed by the Secretary of State for the purpose.

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(4) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed.

Provided that the revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

(5) Where a notice has been served in accordance with the provisions of subsection (3) of this section, no operations or further operations as the case may be, in pursuance of the consent granted shall be carried out pending the decision of the Secretary of State under subsection (2) of this section.

46. Unopposed revocation or modification of consent - (1) The following provisions shall have effect where the local planning authority have made an Order (hereinafter called "such Order") under section 45 above revoking or modifying any consent granted on an application made under a tree preservation order but have not submitted such Order to the Secretary of State for confirmation by him and the owner and the occupier of the land and all persons who in the authority's opinion will be affected by such Order have notified the authority in writing that they do not object to such Order.

(2) The authority shall advertise the fact that such Order has been made and the advertisement shall specify (a) the period (not less than twenty-eight days from the date on which the advertisement first appears) within which persons affected by such Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose and (b) the period (not less than 14 days from the expiration of the period referred to in paragraph (a) above) at the expiration of which, if no such notice is given to the Secretary of State, such Order may take effect by virtue of this section and without being confirmed by the Secretary of State.

(3) The authority shall also serve notices to the same effect on the persons mentioned in subsection (1) above.

(4) The authority shall send a copy of any advertisement published under subsection (2) above to the Secretary of State, not more than three days after the publication.

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(5) If within the period referred to in subsection (2) (a) above no person claiming to be affected by such Order has given notice to the Secretary of State as aforesaid and the Secretary of State has not directed that such Order be submitted to him for confirmation, such Order shall at the expiration of the period referred to in subsection (2) (b) of this section, take effect by virtue of this section and without being confirmed by the Secretary of State as required by section 10 (4) of the Act.

(6) This section does not apply to such Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under Part III, Part IV, or Part V of the Act.

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NOTE OF AMENDED WORDING

PARAGRAPH 13

"NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding £400 or twice the sum which appears to the court to be the value of the tree, whichever is the greater, or on indictment to a fine. The penalty for any other contravention of this Order is a fine not exceeding £200 on summary conviction and, in the case of a continuing offence when the contravention is continued after conviction, a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree other than one to which an Order applies as part of a woodland is removed, uprooted or destroyed in contravention of an Order or is removed, uprooted or destroyed or dies at a time when its cutting down or uprooting is authorised only by section 60(6) of the Town and Country Planning Act 1971 relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirement, to plant another tree of appropriate size and species at the same place as soon as he reasonably can. Except in emergency, not less than 5 days previous notice of the removal, etc., should be given to the authority to enable the latter to decide whether or not to dispense with the requirement."

* **SECOND SCHEDULE** - Following words to be substituted for paragraphs (2), (3) and words "(4) the cutting down, topping or lopping of a tree."

"(2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme or other grant scheme under section 4 of the Forestry Act 1967 (a) except a scheme which applies to a forestry dedication covenant:

(3) the cutting down, uprooting, topping or lopping of a tree".

'Foregoing alterations made in compliance with the Town and Country Planning (Tree Preservation Order) (Amendment) and (Trees in Conservation Areas) (Exempted Cases) Regulations 1975' which came into operation on 12th March 1975.

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Map referred to in the District Council of Wokingham (Parish of Shinfield) Tree Preservation Order No. 97 of 1976.

GIVEN under the Common Seal of the

DISTRICT COUNCIL OF WOKINGHAM

the 12th day of March in the year nineteen hundred and seventy-six

DISTRICT SECRETARY

THE DISTRICT COUNCIL OF WOKINGHAM in exercise of the powers conferred upon them in that behalf hereby confirm the foregoing Order.

IN WITNESS whereof the Official Seal of the DISTRICT COUNCIL OF WOKINGHAM was hereunto affixed on the 3rd day of June 1976.

Chairman

District Secretary

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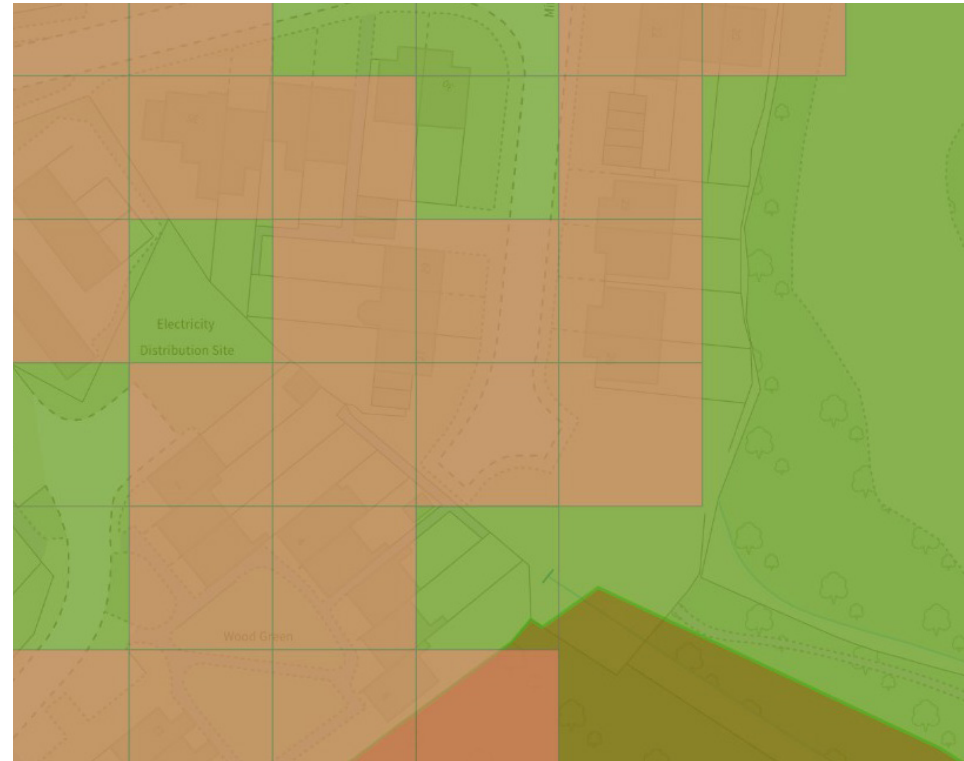
TPO 97 / 1976

Ecology Maps

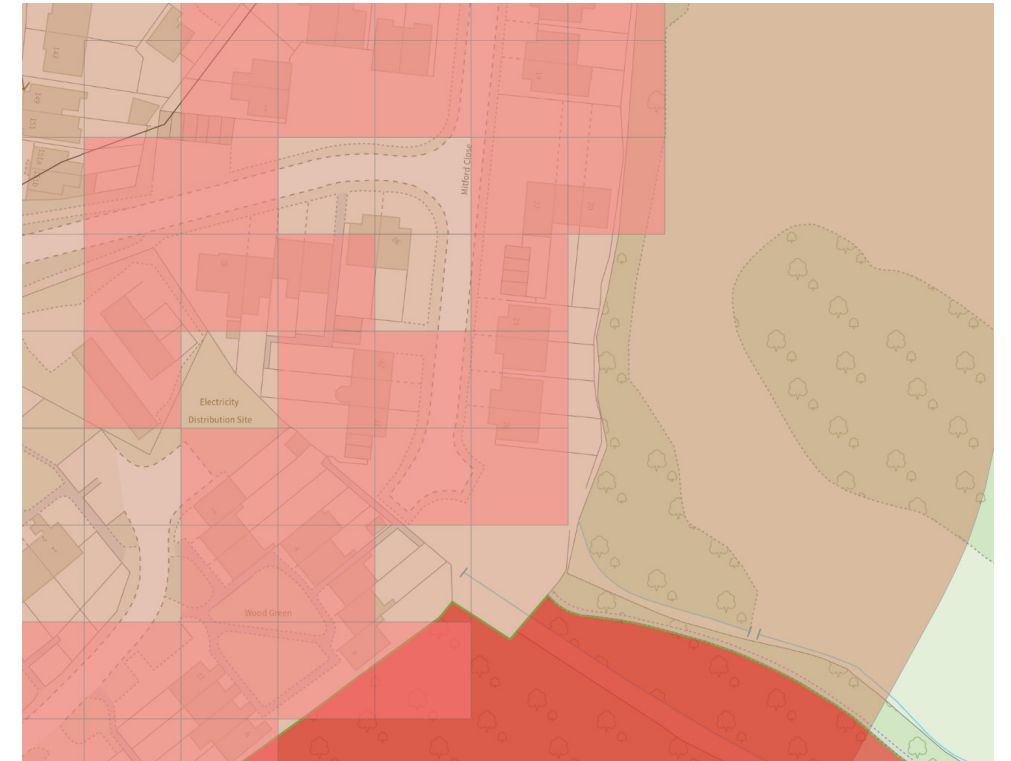
These maps show the site's locations within:

- an "improved grassland" area (only bordering a woodland to the south);
- a site with Bat Roost Habitat probability;

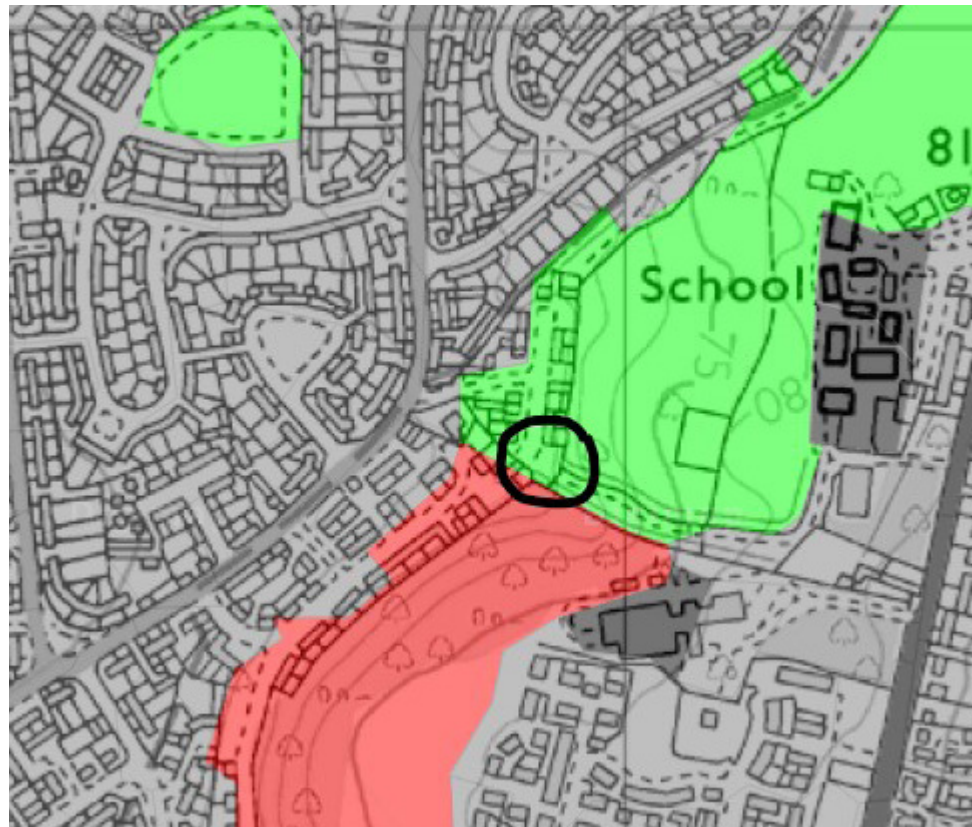
These are to be read in conjunction with the Pre-Application feedback and comments (pages 29-32 from this D&A); the Arboricultural Impact Assessment (by Andrew Day); the BNG Report (by aLyne Ecology Ltd.); the PEA and GLTA Report (by aLyne Ecology Ltd) and the Bat Report (by PAD Ecology).



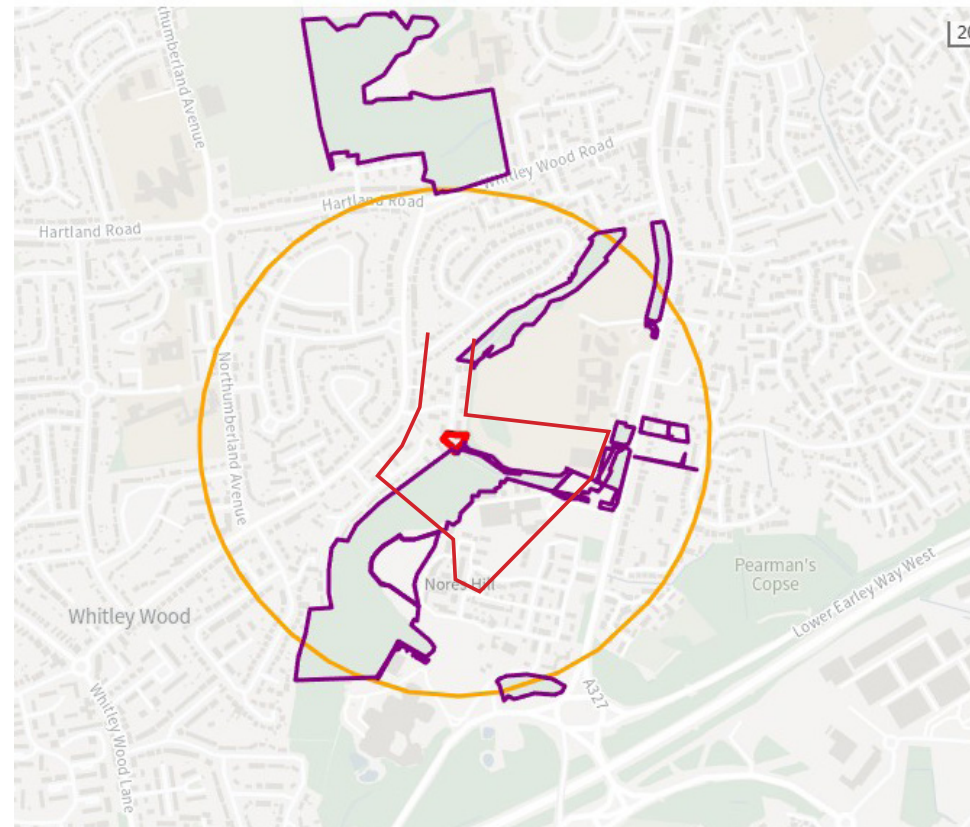
Wokingham - Ecology & Environment.
Site - Bat Roost Habitat Suitability Model (medium pink). Local Wildlife Sites (red). Potentially Contaminated Land Zones (brown).



Wokingham - Ecology & Environment.
Site - Bat Roost Habitat Suitability Model (medium pink). Local Wildlife Sites (red). Potentially Contaminated Land Zones (brown).



Environmental Map
(green - "improved grassland" ; red - Broadleaved woodland)



Priority Habitat Site. (Near Deciduous Woodland).



Wokingham - Ground Maintenance Boundaries. Site - 'unattributed'.

Biodiversity Net Gain Statement

Summary of aLyne Ecology Report

In England, developers are required to achieve a minimum of 10% Biodiversity Net Gain (BNG) for most new developments. This means that developments must result in a measurable increase in biodiversity, leaving the environment in a better state than it was before development. The requirement is mandated by the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021).

Please see the 'Mitford Close, Reading_BNG Design Stage Report (prepared by Alyne Ecology Ltd). They undertook a Biodiversity Net Gain (BNG) Assessment, based on the Statutory Biodiversity Metric (DEFRA, 2024). This included the area within the Planning Application Boundary (hereafter referred to as 'on-site'). The baseline biodiversity units for on-site habitats have been based on the Preliminary Ecological Appraisal (PEA) carried out by aLyne Ecology Ltd in 2025.

The BNG assessment was carried out by a certified senior Ecologist who also carried out Preliminary surveys for Bat roosting. As these required further assessment and due to summer being a busy season for bat surveys it took longer to complete further assessments surveys. However, no activity has been carried out on the site since the date of assessment that could alter the score and therefore BNG scores on the date of this application would be the same as was on the earlier date

Biodiversity Net Gain Assessment

Please see a summary. Please note these assessment has been done for the pre-application information. Upon conditional approval, the client will supply an updated report.

Habitats

- On-site, the loss of other woodland broadleaved, bramble scrub and modified grassland and the creation of unvegetated garden, vegetated garden and developed land; sealed surface will result in a biodiversity net loss of -93.25% (- 0.61 units).
- Therefore, a biodiversity net gain for broad habitats and compliance with trading rules (i.e., habitats proposed should be like-for-like or better) cannot not achieved.

Watercourses

- On-site, the loss of ditches will result in a biodiversity net loss of -100% (-0.02 units).
- Therefore, a biodiversity net gain for watercourses and compliance with trading rules (i.e., habitats proposed should be like-for-like or better) cannot be achieved.

The site does not contain irreplaceable habitats (i.e., ancient woodland and veteran trees) and there are no Priority Habitats on site.

Recommendations and Conclusions

Mitigation Hierarchy

- The off-site adjacent deciduous woodland and woodpasture-parkland Priority Habitat should be retained and protected both during construction and following completion of development.
- A Construction and Environmental Management Plan (CEMP) should be prepared, detailing how off-site Priority Habitats will be protected during construction operations.
- An Ecological Clerk of Works (ECoW) should be present on site during any site clearance activities, which are likely to involve the removal of any vegetation. Any stag beetles, or hedgehogs found, should be moved away into adjacent habitats unharmed.
- Trees and scrub should be retained and protected, where possible.
- The removal of the discarded materials piles should be carried out carefully by hand, to ensure that any reptiles, which may be present, can escape unharmed.
- Any removal of vegetation should be undertaken outside of the bird breeding season (March to August inclusive) to avoid destruction/disturbance of nesting birds.
- A sensitive lighting plan should be adopted, to ensure that outside lighting does not adversely affect adjacent habitats and wildlife, particularly bats when foraging and commuting.
- A fingertip search of the any vegetation, as well as the removal of the discarded materials piles within the site should be carried out by a great crested newt licenced ecologist prior to works taking place. If any great crested newts are found, all works must cease immediately, and a European Protected Species Licence (EPSL) should be obtained from Natural England.
- A Precautionary Method Statement for hazel dormice should be produced to enable clearance of the bramble scrub be undertaken under a precautionary approach which should include (but not limited to): A pre-works inspection of the bramble scrub by a licensed ECoW, details of toolbox talks and a method statement for vegetation clearance.

Further Ecological Enhancements

- The further ecological enhancements for the site recommended in aLyne Ecology's Preliminary Ecological Appraisal & Ground Level Tree Assessment report (aLyne Ecology, 2025) should be implemented, where possible.

BNG Assessment

- In order to achieve biodiversity net gain, off-site compensation will be required via the purchase of off-site units or credits for both area and linear habitat types. The LPA or an off-site provider should be contacted to discuss opportunities for off-site units and/or biodiversity tariffs.

The pre-developemnt biodiversity value of onsite habitation is: 0.65.

Table 3. Baseline Biodiversity Units

Site Habitat Baseline	Area (ha)	Habitat Distinctiveness	Habitat Condition	Strategic Significance	Suggested Action to Address Habitat Losses	Baseline Biodiversity Units	Area Retained	Area Enhanced	Baseline Units Retained	Baseline Units Enhanced	Area Lost	Units Lost
Modified Grassland	0.0329	Low	Poor	Medium	Same distinctiveness or better habitat required	0.07	0	0	0	0	0.03	0.07
Other Woodland; Broadleaved	0.0188	Medium	Poor	Medium	Same broad habitat or a higher distinctiveness habitat required	0.08	0	0	0	0	0.02	0.08
Bramble Scrub	0.019	Medium	N/A	Medium	Same broad habitat or a higher distinctiveness habitat required	0.08	0	0	0	0	0.02	0.08
Developed Land; Sealed Surface	0.038	Very low	N/A	Low	Compensation Not Required	0.00	0	0	0	0	0.03	0.0
Individual Trees (Urban Trees)	0.0448	Medium	Moderate	Medium	Same broad habitat or a higher distinctiveness habitat required	0.39	0	0	0	0	0.04	0.39
Individual Trees (Urban Trees)	0.0041	Medium	Poor	Medium	Same broad habitat or a higher distinctiveness habitat required	0.02	0	0	0	0	0.00	0.02
Total Habitat Baseline Units	0.15 ha					0.65	0	0	0	0	0.15	0.65

The client/ developer is committed to provide a 10% increase in BNG as per the regulations. This will be achived through a combination of on-site developemnt and off-site (primarily) buying units.

The plans and reports will be submitted to the Local Authority for approval before commencing any build works.

Planning History

Wokingham Borough Council

In the immediate context (on Mitford Close), there are many examples of Household applications for the extension or conversion of garage to habitable spaces. Furthermore, there are a few applications for works to Protected Trees.

- 1

Reference: 212564
No 35 Mitford Close
Householder application for the proposed erection of a two storey side extension to form an annex following the demolition of existing garage and carport, the addition of a dropped kerb and permeable paving on frontage for parking, plus the erection of a new fence to the front elevation.
Status: Approved 12.10.2021
- 2

Reference: 191704
No 25 Mitford Close
Application for works to Protected Trees(S)TPO 97/1976, AREA 1 T1, Ash - Fell T2, Ash - Fell
Status: Approved 12.07.2019
- 3

Reference: L202148
No 28 Mitford Close
Application for a certificate of lawfulness for the proposed erection of a single storey rear extension.
Status: Approved
- 4

Reference: CLP/2005/4016
No 27 Mitford Close
Application for a certificate of proposed lawful development for the erection of a conservatory.
Status: Approved
- 5

Reference: F/1997/66683
Whole Area (14.6 ha)
Proposed Erection Of Climbing Frame And Landscaping (Retrospective)
Status: Approved
- 6

Reference: F/1998/66950
Whole Area (15.5 ha)
Proposed Erection Of Sports Hall
Status: Approved
- 7

Reference: F/2001/3847
Whole Area (14.73 ha)
Proposed erection of new classrooms and staff accommodation at school plus relocation of tennis courts.
Status: Approved
- 8

Reference: L101875
Whole Area (2.91 ha)
Application for variation to condition 2 of planning consent F/2010/1867 to carry out development in accordance with revised plans 10-0148-04B and 10-0148-01E. (Amended design and external cladding)
Status: Approved

- 9

Reference: CIR/2004/2351
Boundary
Circular 18/84 for the erection of a security fence.
Status: Approved
- 10

Reference: O/2001/5053
XX (17.54 ha)
Outline application for proposed residential development to a maximum of 310 dwellings with retained and new open space plus community centre and security fence to European Centre for Medium Range Weather Forecasts.
Status: Approved
- 11

Reference: F/2004/3674
Training College Meteorological Office Shinfield Park, Shinfield Road Shinfield Reading RG2 9AU (17.04 ha)
Proposed erection of 310 residential units and bat barn together with associated car parking, new access roads, open space and landscaping. (Duplicate application with F/2004/3675).
Status: Approved

