

Appendix G



Appeal Decision

Inquiry held on 30 January – 2 February and 6 February 2024

Site visits made on 29 January and 2 February 2024

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 March 2024

Appeal Ref: APP/X0360/W/23/3331651

Land off Watmore Lane/Maidensfield, Winnersh, Berkshire Easting 478940 and Northing 170753

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Taylor Wimpey Strategic Land (Taylor Wimpey UK Ltd) against the decision of Wokingham Borough Council.
 - The application Ref 230208, dated 18 January 2023, was refused by notice dated 11 August 2023.
 - The development proposed is described as 'Residential development for up to 234 units, with all matters reserved except access from Maidensfield'.
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Decision

1. The appeal is allowed, and outline planning permission is granted for a residential development of up to 234 homes with all matters reserved except for an access from Maidensfield, at Land off Watmore Lane/Maidensfield, Winnersh, Berkshire Easting 478940 and Northing 170753, in accordance with the terms of the application, Ref: 230208, dated 18 January 2023, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The planning application was submitted in outline with all matters of detail reserved for future consideration save for an access into the site from Maidensfield. I have assessed the proposal on this basis and treated the drawings, other than the Maidensfield access drawing, as simply being an illustration of how the proposal could ultimately be configured.
3. A revised version of the National Planning Policy Framework (the 'Framework') has recently been published. The parties were able to address the amendments in their submissions and again at the event. A screening direction issued on the 10 November 2023 confirmed the proposal is not Environmental Impact Assessment development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Main Issues

4. A planning obligation pursuant to s106 of the Town and Country Planning Act 1990, in the form of a legal agreement between the Council and appellant, was submitted after the inquiry closed. It is common ground¹ between the

¹ Core Document (CD) 16.1 – Planning Statement of Common Ground

appellant and Council that the s106 Agreement would secure adequate provision for an employment skills plan, affordable housing and several items of infrastructure, the details and necessity of which I discuss later. As there is common ground on these points, I have not considered them as main issues. Accordingly, the main issues in this appeal are:

- Whether the appeal site is an appropriate location for the proposed development with reference to 1) the spatial strategy for housing in the development plan; 2) permeability and integration with pedestrian and cycle routes; and 3); the accessibility of services and facilities.
- The effect of the proposed development on the landscape character and visual amenity of the countryside; and
- The effect of the proposed development on the character and appearance of the area, with particular reference to 1) the settlement pattern and townscape; 2) the legibility of any local street hierarchy and 3) the usability and sense of place of Maidensfield.

Reasons

The appropriateness of the location with reference to the spatial strategy

5. To manage the growth identified in Policy CP17 of the Core Strategy² (CS) in a sustainable way, the Council, through the CS, seeks to guide development to locations where there would be balanced communities, commensurate levels of infrastructure and appropriate access to services and facilities.
6. To this end, a settlement hierarchy was developed following a sustainability appraisal. This hierarchy forms the basis of Policy CP9 of the CS, which identifies three development categories – major, modest and limited. Major Development Locations (MDLs) have the greatest range of facilities and services with the highest choice in transport modes to access them. Major development is therefore supported within MDLs with the level of growth anticipated in modest and limited development locations being reflective and proportionate to where they are in the hierarchy.
7. Winnersh is identified in Policy CP9 as an MDL. The appeal scheme would be a major development next to this MDL, which by definition has a high level of services and facilities relative to other settlements in the borough. Thus, in some respect, the scale of development proposed would not be out of kilter with the settlement hierarchy in Policy CP9. However, Policy CP9 states that development proposals *within* development limits will be acceptable. It provides no support for development adjacent to an MDL. It does not directly state that development outside the settlement limits would not be supported, but this is not uncommon in a positively worded policy.
8. Accordingly, the corollary is clear, in that development outside the limits of Winnersh would be at odds with Policy CP9. This is entirely logical as the settlement limits focus development within the more accessible built-up areas and those allocated for development as Strategic Development Locations (SDLs). Indeed, a porous settlement limit would undermine the Council's spatial strategy. Thus, the appeal scheme would be at odds with Policy CP9 of

² Wokingham Borough Core Strategy (Adopted 29 January 2010)

the CS because it would amount to a large body of homes outside the settlement limits of Winnersh.

9. Policy CP11 of the CS has a different objective to Policy CP9 in that it seeks to protect the separate identities of settlements and maintain the quality of the environment. The latter includes the landscape and countryside. The policy states that a proposal outside development limits will not normally be permitted unless it would be one of the types of development listed, such as a barn conversion or replacement dwelling. Essential community facilities are also permitted outside settlement limits by Policy CP11, which helps explain why the SEN school adjoining the appeal site was granted. The appeal scheme would be outside the settlement boundary of Winnersh and would not be any of the types of development listed in Policy CP11. Consequently, the proposal should 'not normally be permitted' when applying this policy.
10. The reference to schemes not 'normally' being permitted seems to be a deliberate insertion aimed at providing some flexibility. This may, perhaps, be in circumstances where a scheme does not quite align with all the criteria in the policy but would nevertheless maintain the quality of the environment. However, this flexibility should not extend to the appeal scheme because it would be a significant breach of the settlement limit of Winnersh and would not, for reasons I go into, maintain the quality of the environment.
11. Policy CC02 of the Local Plan³ (LP) postdates the CS and updates the settlement limits to include SDLs and address inconsistencies. It states, in less flexible terms than Policy CP11, that development on the edge of a settlement will only be granted where it is within the revised development limits. The appeal scheme would not adhere to this requirement, which is straight forward and unnuanced. Thus, the proposal would be at odds with Policy CC02 because it would be outside the settlement limit of Winnersh.
12. In conclusion, the proposal would be at odds with Policies CP9 and CP11 of the CS and Policy CC02 of the LP. In this respect, the appeal site would not be a suitable location for the appeal scheme when applying the spatial strategy in the development plan, which is a carefully drafted and considered statement of policy informed and shaped by public participation. Instead, the proposal would undermine the objectives of the strategy. This would be harmful given the public interest in having a genuinely plan led system that provides consistency and direction.

Integration with pedestrian and cycle routes and permeability

13. The proposed access into the site would include 2m wide pavements which would be an extension of those in Maidensfield. The pavements in the area are lit, overlooked and form a contiguous network. As a result, future pedestrians could enter or exit the appeal site and travel around existing streets safely. In addition, the Council's concerns regarding the usability of Maidensfield, Watmore Lane and Danywern Drive for cycling were resolved during the process of the Inquiry⁴. Accordingly, the appeal scheme would integrate satisfactorily with existing pedestrian and cycle routes.

³ Wokingham Borough Adopted Managing Development Delivery Local Plan Document (adopted 21 February 2014)

⁴ CD9.6 - Cycle Infrastructure Design Local Transport Note 1/20. If traffic flows are above 5,000 vehicles a day, then few people would be prepared to cycle on-street. The flows in Maidensfield, Watmore Lane and Danywern Drive would remain well below this level.

14. In respect of permeability, the appellant submits there is no technical highways reason to prevent up to 234 homes being served from Maidensfield. I have no reason to dispute this as Mr Adams ultimately agreed this point when giving evidence. Moreover, the appeal scheme would adhere to the Council's guidance⁵ on this matter. Accordingly, a second access is not justified on account of highway safety or capacity. Furthermore, Maidensfield would be the main desire line to most facilities as demonstrated by Mr Thomas' analysis⁶.
15. However, a second access to the south would reduce the walking distance to the nearest convenience shop, a sports and social club, a dental practice and, crucially, a frequent bus service on Reading Road. Wheatfield Primary School would also be closer making the round trip for an escorting adult shorter and more likely to occur. Given the mixed picture regarding the site's accessibility to services and facilities, it is necessary for journey lengths to be reduced as far as possible, especially for those residents furthest into the site.
16. A second access would also lessen the extent to which the appeal scheme would be experienced as an insular enclave of housing on the edge of Winnersh. This is because visitors and residents would be able to pass through the development, giving it the feel of an integrated parcel of townscape. Future residents would also have a choice of routes out of the estate, with the interest and variety that would entail. In this respect, a circular walk would be possible taking in Watmore Lane. A second access would also facilitate a clear desire line south towards Reading Road and on to Wokingham. The National Design Guide explains that ease of movement, including direct links and connections, are important components of a well-designed place.
17. Accordingly, a second access to the south of the site is necessary to achieve good urban design and enhanced accessibility. Indeed, guidance in Manual for Streets (MfS)⁷ explains that a development with poor links to the surrounding area can create an enclave. Internal permeability within the scheme would be a necessary extension of such good practice, but it would not mitigate for the limitations of a single entrance, even when accounting for the general lack of permeability in Winnersh due to main roads and the railway line.
18. During the Council's assessment of the application discussions took place with the appellant regarding the provision of a second access to the south. Such an access was considered technically possible. And there is nothing to suggest it would result in harm to highway safety, congestion or living conditions. Officer's originally intended to recommend the proposal for approval on the proviso of a second access being delivered⁸.
19. Accordingly, a condition was drafted which, if imposed, would prevent the second half of the scheme coming forward until a second access was implemented. Both the Council and appellant agreed that a 'Grampian'⁹ type condition along these lines could be imposed if it was considered necessary and reasonable¹⁰. As set out above, there are factors relating to urban design and accessibility that direct towards the necessity of a second access.

⁵ CD12.1 – Living Streets, which states that up to 500 homes can be served off at carriageway that is 5.5m wide, which is the width of Maidensfield

⁶ Table 6.5 of his Proof of Evidence

⁷ CD9.3, Paragraph 4.2.5

⁸ CD5.2 – Officer's draft report

⁹ A condition prohibiting development in full or in part from proceeding until a specified action has occurred.

¹⁰ Indeed, legal advice was given to that effect in a letter dated 30 June 2023

20. The Planning Practice Guide (PPG)¹¹ explains that a Grampian condition should not be used where there are 'no prospects at all' of the action in question being performed within the time-limit imposed by the permission. In this instance, the appeal site and land to the south (Winnersh Farm) are currently allocated for development in the emerging local plan as a single scheme. As a result, there is a clear inference that the sites should be connected. Indeed, several tested development options included an access into the appeal site¹². In addition, the Council recently submitted a planning application for residential development which included an access through to the appeal site. This application was withdrawn, but substantive evidence is not before me to demonstrate this was due to concerns raised by the Local Planning Authority. An extract of the report to the Council's Executive Meeting¹³ provides no further detail on why the Winnersh Farm application was withdrawn.
21. Indeed, Cllr Bray's evidence was helpful in providing context to the decision to withdraw the application. It was on account of a Strategic Asset Review whereby the Council is evaluating its land holdings to ascertain how its sites should be used. Cllr Bray, who is the Deputy Leader of the Council, explained during the Inquiry that the Winnersh Farm site is likely to be developed in the future and might be used for a care home or key workers housing. She also outlined the Council's financial pressures which may also be a factor in deciding whether to realise the value of Winnersh Farm as an asset. When asked to put a timescale on this, Cllr Bray confirmed that the strategic review could be concluded within 18 months to 3 years. If it is the former, and there is nothing of substance to demonstrate that would be unachievable, then an access could be delivered in the necessary timeframe¹⁴. This could be as part of a development proposal promoted by the Council or as a separate discrete project. As a result, the evidence before me suggests there is a prospect of a second access to the south. Put another way, there is nothing of substance to suggest there is 'no prospect at all'.
22. In summary, there is a clear need to improve the permeability of the appeal scheme through a second entrance. This would enhance access to services and facilities and achieve the necessary urban design quality. There is a prospect that such an access can be provided within three years. With a second access the proposal would be as permeable as it can be when accounting for surrounding physical constraints. As a result, the proposal would be functional, accessible, safe and adaptable and therefore a conflict with Policies CP1 and CP3 of the CS in respect of this main issue would not occur.

The accessibility of services and facilities

23. The appeal site is located on the edge of a suburban area on the periphery of Winnersh. It is severed from many facilities by the railway line and busy roads. This means there are few routes between the appeal site and local facilities and that these often require the use of crossing facilities. The analysis in the Transport Assessment supplied by the appellant confirms that the only facilities within an 800m walking distance of the centre of the appeal site are the SEN School, the workshops in Grovelands Avenue and Wheatfield Primary School.

¹¹ Paragraph: 009 Reference ID:21a-009-20140306

¹² Inquiry Document 4 (ID4) p14

¹³ CD9.14

¹⁴ Of three years

The first two destinations are unlikely to be well used by residents of the appeal scheme given their modest scale or targeted function.

24. This is important because MfS states that walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes/800m walking distance of residential areas. This is a realistic distance when considering convenience, inclement weather, when accounting for young children, those with mobility issues and the distance and time taken to undertake a whole journey, including the return leg. Accordingly, the appeal scheme would not be part of a walkable neighbourhood, and this would notably curtail opportunities to inclusively promote walking. The impact of this needs to be considered in the context of the large number of homes being proposed.
25. That said, MfS also indicates that 800m is not an upper limit and states, with reference to PPG13¹⁵, that walking offers the greatest potential to replace short car trips under 2,000m. However, PPG13 is no longer extant and therefore this statement should be given limited weight. In any event, there is little substantive evidence before me suggesting most people would walk 2,000m. In fact, when giving his evidence Mr Thomas referred to the National Travel Survey (NTS) which indicates that 80% of walking journeys are under 1,600m/one mile. His analysis of accessibility by walking revolved around this figure as an aspirational upper limit. When applying this threshold, several additional facilities would fall into a reasonable walking distance. This includes, Winnersh Local Centre, The Forest School, local shops including a supermarket, a dental practice, pharmacy, rail station and bus stops.
26. However, there is a potential pitfall in deriving an upper walking distance from the NTS because it is unclear how the 80% figure is broken down. In other words, how many of the 80% of walking journeys were close to one mile. It could be that most walking trips captured within the 80% were not. At the least, there is likely to be a sliding scale. To establish this, it would have been useful to see a further breakdown of walking trips by distance¹⁶. This evidence is not, however, before me.
27. I share the view of Mr Thomas that many future residents might be prepared to walk up to a mile if they are fit enough to do so. They may even walk further, including into Wokingham on occasion. However, that is not the relevant policy test. The Framework explains that significant development, such as that proposed, should offer a genuine choice of transport modes. The National Model Design Code (NMDC) indicates that a genuine choice is one that is easy, comfortable and attractive. The guidance in the NMDC needs to be read alongside the National Design Guide (NDG), which defines 'walkable' as no more than 800m. I take this to be an indication of what would be easy, comfortable and attractive. A mile's walk would be twice that, and is not, therefore, a good measure of a genuine transport mode.
28. Although not referred to in national planning policy, the appellant has also referred to guidance prepared by the Chartered Institution for Highways and Transportation (CIHT)¹⁷. This includes helpful advice as to a desirable (400m), acceptable (800m) and preferred maximum (1,200m) walking distances. However, this does little to assist the appellant's case as there are no retail or

¹⁵ Planning Policy Guidance Note 13

¹⁶ For example, 0-400m, 400-800m, 800-1200m and 1200-1600m

¹⁷ Providing Journeys on Foot

leisure facilities within these walking distances¹⁸. This is significant because Table 6.1 of the TA indicates that around 26% of trips will be for leisure and 19% for shopping, which are the two largest categories. That said, a second access would bring a shop within the 1,200m preferred maximum.

29. The CIHT guidance indicates that residents may be prepared to walk up to 2,000m if commuting to work. This is logical as people may be willing to walk further if they intend to spend longer at the destination. The TA explains that commuting could account for 18% of trips. There are some employment opportunities within 2,000m radius of the appeal site, but major employment hubs such as Winnersh Retail Park and Winnersh Triangle are beyond this preferred maximum walking distance.
30. Regarding access to education, which could account for around 13% of trips, the primary school would be within a comfortable walk. Data from the NTS indicates that the proportion of secondary school children walking 1,600m to 3,200m is around 37%. Therefore, some children will be prepared to walk to Emmbrook School, but it would not be easy or comfortable to do so twice a day. Most would likely rely on a bus, but they would have to walk around 1,000m before reaching the nearest bus stop with a service to the school.
31. In respect of cycling, up to 8,000m (5 miles/30 minutes) is a reasonable radius against which to test the range of facilities within cycling distance of the appeal site¹⁹. Accordingly, the whole of Winnersh and Wokingham is brought within the range of this mode of transport, including rail stations and town centres. Many of the roads around the appeal site appeared to be reasonably flat suburban streets conducive to cycling. Indeed, Danywern Drive and Watmore Lane are promoted²⁰ through My Journey as quiet cycling routes suitable for this mode of transport all year round. Watmore Lane provides a link to Reading Road, which includes a dedicated cycle route, albeit with sections within the carriageway, to both Wokingham and the Winnersh Triangle. Further cycle routes spur off Reading Road and this contributes towards a network. A second access would provide a quick direct route to Reading Road.
32. Consequently, there would be genuine opportunities for residents to travel by bicycle, although this would be notably tempered by an inherent limitation that many residents would not have the fitness, confidence or proficiency to cycle. Furthermore, cyclists may be understandably nervous of cycling along Reading Road due to the volume of traffic. This is demonstrated by relevant guidance²¹. Moreover, I have not been provided with substantive evidence to suggest cycling is a frequently used mode of transport in the local area and some residents may simply not have a bicycle. A voucher may assist, but it would need to be more than the £150 suggested in the draft Travel Plan if a family were to be supported to purchase bikes. As Mr Ormondroyd put it in closing, cycling would be a small part of the 'sustainable transport pie'.
33. There are bus stops in Reading Road and Robin Hood Lane that, in combination, provide a quick and reasonably comprehensive service linking Winnersh with local facilities and larger centres such as Wokingham. The service is better at Reading Road than Robin Hood Lane and a second access

¹⁸ As categorised in Table 6.5 of Mr Thomas' proof

¹⁹ See Paragraph 6.3.11 of the TA, which is undisputed by the Council.

²⁰ ID2

²¹ Local transport Note 1/20, which suggest that cycling becomes more comfortable when traffic flows are below 2,500 per day and speeds are no more than 20mph. Neither applies to Reading Road.

would reduce the walking distance to here from 1,300m to about 1,000m. Although more positive, the distance to bus stops even with a second access into the site would still be longer than the aspirational target walking distance of up to 400m for a high frequency service²². Having to walk longer would likely suppress the use of buses as a genuine transport mode.

34. Accessibility to public transport also needs to factor in the rail station. This is around a 1,000m walk from the centre of the site and provides a comprehensive service. The Council and appellant agree that this is an acceptable walking distance because the return trip would be undertaken sometime later and after a rest. This may explain why Census data indicates that around 19% of residents in Maidensfield travel to work by public transport.
35. In summary, the Framework establishes a movement hierarchy by stating that developments should give priority to pedestrian and cycle movement and then, so far as possible, facilitate access to public transport. This makes perfect sense as personal active travel is the most affordable, resilient and low impact mode of transport. The appeal scheme would not be within a walkable neighbourhood despite the works that would take place to improve pedestrian connectivity²³, and this is a significant limitation to this mode being a genuine transport option. Alternatively, there would be genuine opportunities to cycle, but there would be inherent limitations with the uptake of this mode. As such, most residents of the appeal scheme would not be predisposed to regularly engage in active travel with the benefits this accrues, including to their health. This is an important point against the scheme.
36. That said, the impact would be moderately offset by the availability of some facilities within longer walking distances, which could be accessed occasionally on foot. These longer walks would, on the whole, be along level, lit pavements. Although traffic flows and noise may suppress the attractiveness of some of the routes, such as Reading Road. A second access would also assist in reducing walking journeys to some services, including a convenience store, high frequency bus stop and primary school. The picture regarding public transport is mixed, with bus stops being poorly related to the appeal site but the rail station being accessible. Provision would also be made for ultra-low emission vehicles, but it would likely take a long time before they are universally used due to the cost. The Travel Plan (the My Journey scheme) would also provide some limited assistance in promoting sustainable travel.
37. In conclusion, given the size of the scheme, its location outside a walkable neighbourhood could result in significant harm. However, the impact would be moderately offset by the factors outlined above. It is also important to note that the appeal scheme would be located at Winnersh, which is an MDL, and therefore car journeys to many services would be shorter than elsewhere in the Borough. This sequential point is of some relevance when identifying sites for housing. Overall, siting up to 234 homes at the appeal site would result in a moderate level of social and environmental harm linked to additional car use, including reliance on fossil fuels and undermining the health benefits from active travel. As a result, there would be a conflict with Policies CP1 and CP6 of the CS, which seek to manage the demand and need to travel, by locating development where there will be sustainable travel choices.

²² See CD12.2 and CD12.3

²³ Listed at Paragraph 5.4.1 of the Framework Travel Plan

The landscape character and visual amenity of the countryside

38. The landscape for the purpose of my assessment includes the appeal site and its local context. This includes built features such as the settlement edge of Winnersh, the M4 and the A329(M), including their embankments and roadside fencing. It also incorporates natural or undeveloped features such as a section of the Emm Brook, a pocket of ancient woodland adjoining the appeal site, Winnersh Marsh/Blackberry Gardens and areas of open land between Winnersh and Wokingham, including Old Forest Meadows and allotments.
39. This landscape is identified in the Wokingham Borough Landscape Character Assessment (LCA) as being within Area J1: Wokingham-Winnersh Settled and Farmed Clay. The LCA identifies several key characteristics for Area J1. In particular, the extensive post war growth of Wokingham and Winnersh is identified as a dominate feature, with only small areas of arable fields and recognisable countryside left. The extensive urbanising influence in Area J1 is compounded by abrupt and poorly designed rural-urban interfaces, the presence of major transport corridors²⁴ and recent large-scale development as part of the North Wokingham SDL. The overall landscape condition is therefore understandably identified as often being in 'poor' condition due to fragmentation and lack of distinctiveness.
40. That said, Area J1 does include some valuable landscape attributes. The LCA identifies the Emm Brook, its floodplain and the buffer provided by the undeveloped agricultural fields between Wokingham and Winnersh as such. The appeal site is one of these fields. It also adjoins the Emm Brook, providing an undeveloped setting to this landscape feature. This enhances the water course's sense of ruralness. The Emm Brook, the pocket of ancient woodland alongside and the presence of mature specimen trees within the appeal site, including several Oaks, enhance the condition, sensitivity, and biodiversity value of the landscape above that typically found in Area J1.
41. In this respect, the localised landscape to the southeast of Winnersh between the settlement and the M4 is unrepresentative of the generally more urban character found elsewhere in Area J1. Moreover, the agricultural use of the appeal site is now a relatively rare feature in the landscape character area, and this elevates its landscape value. Indeed, countryside such as the appeal site is defined in the development plan as green infrastructure.
42. In addition, it is still possible to discern aspects of the historic field scape as the boundaries of the appeal site are those established over one hundred years ago when several smaller fields were amalgamated. This, taken with a section of Watmore Lane, which retains a sense of the rural thoroughfare it once was, hint at the landscape's deeply rural origins, as evidenced on ordnance survey maps from the late nineteenth century. This enhances the intactness and condition of the landscape and provides some limit cultural value.
43. Nevertheless, the boundary hedge around the appeal site is fragmented, and the field is mainly poor semi-improved grassland of limited biodiversity interest. Moreover, the localised landscape to the southeast of Winnersh is fragmented by motorways such that it is separated from the countryside northeast of the A329(M). It is therefore viewed as a remnant of countryside broadly enclosed by existing urbanising influences including modern housing

²⁴ Motorways, the rail line and the north Wokingham relief road

estates with properties built close to the field edge, a mobile home park and a strident school building. In addition, the motorways are extremely apparent due to the noise and very conspicuous passage of traffic. As a result, the localised landscape is fragmented and lacks tranquillity.

44. The urban influence also effects the scenic value of the landscape. There is currently a pleasant view from Maidensfield over the gently undulating appeal site down towards the ancient woodland around the Emm Brook. However, the unescapable presence of the motorway, SEN school and adjoining housing means the scenic value is not elevated beyond the ordinary. The same can be said of the other main view of the appeal site from the M4 slip road. Other than the allotments, Old Forest meadow and Winnersh Marsh, there is little public access to the localised landscape for recreation. Moreover, the spatial contribution to the sense of separation between Winnersh and Wokingham is moderate given the physical barrier provided by the M4 corridor.
45. Thus, when having regard to the foregoing characteristics and attributes, the landscape (the site and its context) has a value that is higher than the norm for Area J1. Nevertheless, the Council and appellant agree that the appeal site is not a 'valued landscape' or located within one. This is a sound conclusion when the positive and negative landscape attributes are considered in the round. That said, I lean more toward the Council's categorisation of the landscape as being of ordinary moderate value rather than the appellant suggestion that it is of low value. This is because it contains valuable landscape attributes, such as the Emm Brook and a historic field. It is also untypical, in a positive way, of the urban character that otherwise dominates Area J1.
46. The appeal scheme would be an urbanising incursion into the countryside that would breach a well-established and logical settlement boundary. The agricultural character of the appeal site would also dramatically change, as an open field would become a housing estate. Moreover, the appeal scheme would be a comparatively large body of homes with an inevitable suburban character. This would be due to the extent of developable area that the housing would need to be accommodated within due to constraints such as noise contours, important trees and areas at risk of flooding.
47. Given the comparative rarity of agricultural land in Area J1, the loss would be more keenly felt, especially as the countryside buffer largely provided by the appeal site between the motorway and the edge of Winnersh would, in all practical sense, be largely extinguished. The remaining countryside between Winnersh, as enlarged by the appeal scheme, and the motorways would be a fragmented remnant. Accordingly, the appeal scheme would not adhere to the landscape strategy in the LCA for Area J1, which is to maintain the landscape character by conserving the openness of the fields next to transport corridors.
48. In respect of the latter, the indicative layout demonstrates that a large open space could be provided between the Emm Brook and the new houses. This would provide an open semi natural setting to this landscape feature. However, the open space would include suburban features such as play equipment and a sustainable drainage system. This could be designed to have a soft rural appearance, but the open space would nevertheless be experienced as part of the wider development. Accordingly, the river corridor of the Emm Brook would be moderately suburbanised.

49. There is scope for some mitigation in the form of additional woodland planting, habitat creation and the retention and improvement of the boundary hedges. These are all landscape guidelines for Area J1 that can be explored through the reserved matters, of which landscaping is one. Moreover, the scheme in some respects would be a rounding off of the settlement given the presence of development on three sides. This would provide some containment. However, the overall impact on landscape character would still be net negative even when accounting for these points.
50. Both the Council and appellant agree that there would be harm to the landscape arising from the proposal. There is however divergence over the extent. The Landscape and Visual Impact Assessment (LVIA) suggests a slight adverse impact at year 1 falling to neutral at year 15. The Council on the other hand suggests substantial/moderate adverse effects falling to moderate over the same timescale. This analysis is informed by the quality and sensitivity of the landscape. The appellant scored this as 'low', so the findings of a neutral long-term effect is unsurprising. However, for the reasons given, I consider the LVIA underscores the quality and value of the landscape in which the appeal site is located and forms a dominant and important part. I favour the Council's position that the landscape (the site and its context) is of moderate overall value. It therefore follows that the magnitude of change to landscape character at year 15 would be moderate adverse, in that there would be a noticeable adverse change that cannot be fully mitigated.
51. When considering the visual impact, the Council and appellant agree that the views identified in the LVIA are broadly representative. The LVIA also demonstrates the proposal would have a contained visual envelope due to the enclosure provided by existing development and the embankments and planting around the motorway. It is of particular note that the proposal would not be readily apparent from the sensitive locations of Old Forest Meadows or Winnersh Marsh. Instead, the appeal scheme would mainly be visible from locations around the site boundary such as the SEN school, Wheatfield Primary School and Grovelands. The views from these locations, including some residential properties, are likely to experience substantial changes in the short term. Landscaping could be used to soften the impact over time such that by year 15 the residual effect would be moderate adverse.
52. The view from the gate at the end of Maidensfield (Viewpoint 3 in the LVIA) down towards the Emm Brook is a pleasant vista the appeal scheme would adversely effect. However, the indicative layout shows that an area of open space could be retained close to the access into the site. This would provide a softening effect. It could also be enlarged by removing the cluster of six homes currently shown on the illustrative masterplan (along the northern boundary of the appeal site) dividing the two areas of open space. With such an amendment, a sense of the existing view down towards the Emm Brook and adjoining woodland could be retained. This is one way the existing view from Maidensfield can be recognised in the scheme, but there may be others.
53. The street into the development could also be tree lined and generous front gardens provided to ensure a visual sense of transition between the built-up area and countryside beyond. The interface with the countryside could also be carefully designed with houses to face east over the open space as shown on the indicative layout. This is an aim of Policy CC02 of the LP, albeit for development sites within the settlement limits. It was also confirmed at the

hearing that there is no need for three storey buildings, which would otherwise appear visually dominant. Consequently, there is scope to carefully address the view from Maidensfield so that a sense of the settlement edge would be retained. As such, the visual impact from VP3 could be moderate adverse rather than substantial.

54. For practical reasons the LVIA has not identified a view from the M4 slip road. From this direction the proposal would appear as a stark incursion into the countryside. This is because the edge of Winnersh is generally screened at present by existing hedges. However, there is scope for significant structural landscaping to soften the impact of the development. Feature trees could also be planted within the scheme to break up the roof scape. A muted palette of materials, including dark roofs, could also soften the visual impact. Significantly, the view from the motorway is one where the receptors would be traveling in vehicles at speed and are therefore of lower sensitivity. Moreover, in the wider context there is development along the motorway corridor including fencing and visible housing estates. In this respect, the proposal would not appear significantly out of place. The SEN school also dominates the foreground and is a stark addition given its colour and form. Thus, the visual impact from this direction could also be moderate adverse.
55. In conclusion, the proposal would fail to adhere to the landscape strategy in the LCA and would not maintain or enhance the environment. It would also result in the fragmentation of green infrastructure and a detrimental impact on important landscape features which, in this instance, include the setting of the Emm Brook and the gap between Winnersh and Wokingham. That said, the urban context, contained visual impact and scope for some mitigation through design, including a large open space and further planting, means the overall effect would not be of a high order. The impact would be moderate adverse. Accordingly, the proposal would be at odds with Policies CP1 and CP3 of the CS and Policies CC03 and TB21 of the LP.

Settlement pattern, townscape, legibility, and usability of Maidensfield

56. As already explained, the appeal site encompasses a field enclosed by hedging broadly located between motorways and the abrupt edge of Winnersh. The site is subject to significant urbanising influences, the most evident being the SEN school and motorway. However, it retains a rural overall character. Watmore Lane also has aspects of a rural character, including mature trees that would have been present when it was a quiet country lane. That said, this street is now suburban in appearance when moving north past Maidensfield and its character is heavily influenced by the housing estates that branch off it.
57. Adjacent to the appeal site is development on three sides that includes the residential estates at Grovelands Park, Maidensfield and Winnersh Gate. The pattern of development in these three locations is 'informal suburban' as defined in the Borough Design Guide²⁵. They broadly comprise of cul-de-sacs with further small clusters of housing branching off. The houses²⁶ are generally two storeys tall and arranged in differing plot sizes and shapes. This results in variable building lines and several instances of fencing adjacent to the street. The overall effect is street scenes with little composition.

²⁵ CD6.6

²⁶ The homes nearest to the appeal site in Grovelands Park include a mix of single storey park homes and others arranged over two storeys.

58. Considering the above, the appeal site and its immediate environs incorporates both rural and suburban features. Indeed, the urban character found around the Robin Hood Lane/Reading Road crossroads gives way to a more 'formal suburban' character (using the terminology in the Borough Design Guide) in Danywern Drive. There is then a sense of the settlement tapering off into the countryside when reaching Watmore Lane and after this the informal edge of settlement character of Maidensfield, which then opens into countryside. The hierarchy of streets and spaces is intuitive, legible and easy to understand when travelling to and from the centre of Winnersh. Indeed, it is fair to say that Maidensfield is not currently designed to be a through road or signal the presence of a large housing development to its east.
59. The appeal scheme would be the single largest grouping of homes in the area. It would also be developed at a density greater than Maidensfield – 34 dwellings per hectare (dph) compared with 24dph²⁷. The density may eventually increase even further to address some of the understandable concerns raised by Ms Crafer, including the proximity of some of the homes to protected trees and boundary hedges²⁸.
60. The indicative layout shows a scheme that would be 'formal suburban' in character due to the use of consistent building lines and garden depths. Street trees would be used to provide greenery, but they would appear regimented and formal. Moreover, the indicative layout would lack any meaningful sense of a tapering off into the countryside because front garden depths, levels of planting and the massing and height of buildings would remain broadly the same throughout. Significantly, the layout shows two and half and three storey buildings, which Mr Williams' own townscape analysis indicates are almost entirely absent from the wider area. As a result, the scheme as outlined in the indicative layout would be larger, denser, taller and more compact than its surroundings. Such an approach could jar with Maidensfield, disrupt the legibility of the local street hierarchy and harm the settlement pattern of the area.
61. However, the indicative layout is just that. The scheme need not come forward in the way currently suggested. Indeed, Mr Williams confirmed that the provision of two and half and three storey buildings as shown in the indicative layout was a choice rather than being required to fit the scheme in. As a result, the proposal could (and should in my view) ultimately come forward with no building exceeding two storeys in height. In this respect, the scheme would respond better to the existing townscape by not being taller than it, which would otherwise appear odd on the settlement edge.
62. The provision of an informal central open space, as well as 'parkland' near the site entrance around mature Oak trees, could replicate the open space at Eastbury Park. Tree lined streets and hedged front gardens would also link these areas of open space and hint at the character of Watmore Lane, especially if space is provided to allow some specimen trees to reach a similar stature. To meet the Framework's requirement that all streets are tree lined, it is likely that more trees will need to be provided than is currently shown on the

²⁷ ID13

²⁸ I share the concern of Ms Crafer that the illustrative layout shows houses too close to important trees on the western boundary of the appeal site. Indeed, the proximity would create a nuisance through branch shedding and leaf litter and interrupt day and sunlight to gardens and properties. Siting five homes in the northeastern corner in the way shown on the illustrative layout would be especially problematic.

illustrative site layout plan. This would provide further greening of the scheme. An informal 'village green' could provide a subtle and attractive centre to the development. This would aid legibility rather than provide an incongruous local centre on the edge of the village.

63. Accordingly, there is scope to incorporate significant levels of greenery to soften the overall form of the proposal and thus ensure a discordant 'density clash' with Maidensfield and Winnersh Gate does not occur. This would allow the scheme to respect the current settlement edge character and street hierarchy. I am also mindful that land needs to be used efficiently and that a contemporary scheme should exhibit current good practice in urban design. For these reasons, it would not be appropriate to replicate Maidensfield.
64. That said, there would still be scope to design the link with Maidensfield respectfully by referencing the existing view towards the Emm Brook. Such an approach would allow Maidensfield to retain a semblance of being on the settlement edge. In a similar vein there would be scope to soften the transition from Maidensfield into the scheme by loosening the density at the site entrance, perhaps with a small pocket of landscaping, so that it would not appear as stark as shown in Viewpoint 2²⁹. Indeed, the scheme could be designed with a green gateway and similar building heights to Maidensfield. This may require the density to be increased elsewhere, probably to the south of the scheme, but this part of the site is influenced by the large SEN school.
65. When considered in the round, I am satisfied a scheme could come forward which could successfully integrate with the townscape and settlement pattern of Winnersh by being suburban with a leafy settlement edge character. In doing so it would respect the hierarchy of streets and provide sufficient legibility. Indeed, the high level HELAA³⁰ assessment concluded that development of the appeal site would be a logical extension of Winnersh. Arriving at a successful design would be a challenge and may require some imaginative thinking rather than a standardised approach. The Framework advocates the use of design tools to assist with this, including design review. Taking the foregoing points together, an appropriate well-designed scheme would not be inherently unachievable.
66. Turning to the Council's other concerns regarding the usability and sense of place of Maidensfield. The Council in this respect has concerns about the increased level of activity, which in turn would require some works within the highway. These works would involve painting 'give way' lines to the spurs off Maidensfield, such as Eastbury Park, and the provision of tactile paving and dropped kerb crossing points. But they would not appear out of place in a suburban context and would not be harmful as a result.
67. When giving his evidence, Mr Adams conceded that access through Maidensfield would not be suboptimal when considering traffic volumes³¹ and speeds³². He also agreed that a 5.5m road width would be acceptable and this would allow motorists, including HGVs and refuse vehicles, to safely pass one

²⁹ Viewpoint 2 shows a house squeezed in next to 2 Eastbury Park

³⁰ Housing and Economic Land Availability Assessment 2021

³¹ Daily traffic levels in Maidensfield would be around 1,700, which is well below the threshold (2,500) where cyclists would not wish to cycle in the road as indicated in CD9.6. This is indicative of a lightly trafficked street. A 5.5m wide road such as Maidensfield is also capable of accommodating up to 500 homes when applying Table A1 in the Council's Living Streets: Highway Design Guide

³² Maidensfield current has speeds of around 20mph and the appeal scheme would be designed to achieve this

another despite on street parking. He was unconcerned by emergency access and ultimately agreed that Maidensfield would be conducive to cycling. The common ground between the highway experts is a matter of significant weight that indicates access from Maidensfield would be safe and suitable in highway terms. The Council's residual concerns with the usability of Maidensfield ultimately boil down to the use of the open space in Eastbury Park and the volume of traffic changing the character of Maidensfield.

68. Eastbury Park is a small informal space that does not include play equipment. Its size and the number of mature trees means that it is unlikely to be regularly used as a kick about area or such like. As a result, the space is likely to be predominantly ornamental. In these terms the proposal would have little effect on the usability of the space. That said, even if it is used as a play area, Eastbury Park could be safely access from pavements, which also provide a buffer with moving traffic. The risk of children running into the street would not be high. In addition, traffic movements would not be so regular as to prevent safe road crossings. Moreover, any risk must also be considered in the context that the appeal scheme would provide a larger area of open space that children would be more likely to visit and play at.
69. Maidensfield is currently a quiet cul-de-sac and in this respect has the characteristics of a tertiary street as defined in Living Streets³³. The illustrative layout shows the spine road in the development would have characteristics of a secondary street on account of its width. As a result, the relationship could be characterised as Maidensfield being a tertiary street linking two secondary streets (Watmore Lane and the appeal site). However, Maidensfield has a 5.5m wide carriageway with 2m pavements either side and therefore has features of a secondary street. Moreover, the appeal scheme could be designed to ensure a design speed of 20mph thereby exhibiting a characteristic of a tertiary street. This could be reinforced with generous planting. Accordingly, the appeal scheme could incorporate a mixed secondary/tertiary street character that would integrate with Maidensfield.
70. The level of traffic in Maidensfield would increase from 335 movements a day to a combined total of 1,709 (existing and proposed flows). Most of this would be through traffic, which by definition would significantly change the current character of Maidensfield as a cul-de-sac. In the peak hour the flow would go from approximately one movement every two minutes to about one every 22 seconds if all development traffic used Maidensfield. This would be a noticeable increase in vehicle movements.
71. Local Transport Note 1/20 states that streets with less than 2,500 vehicle movements per day are conducive to comfortable on street cycling³⁴. The traffic flows after the completion of the appeal scheme would be well below this. This indicates that traffic flows in Maidensfield would not be relatively high. Moreover, when applying IEMA³⁵ guidance for traffic volumes and speeds, the fear and intimidation score upon pedestrians would be 'small' in Maidensfield, which is also indicative of a lightly trafficked street. In essence, Maidensfield would remain a suburban street.

³³ Table A1

³⁴ CD9.6 Paragraph 7.1.1

³⁵ CD9.5 - Table 3.1 and 3.2, Environmental Assessment of Traffic and Movement - Institute of Environmental Management and Assessment Guidance

72. However, if all development traffic passed through Maidensfield then it would not retain the existing character of a quiet cul-de-sac. In this respect, the provision of a second access to the south of the site would likely reduce the number of movements passing through Maidensfield, as it would be the more direct route into Wokingham. An analysis agreed between the appellant and Council indicated that the increase in vehicle movements along Maidensfield for 111 occupied houses would equate to approximately 1 extra vehicle per minute at peak times. This level of use would be more conducive to a quiet residential street. Maidensfield would not remain a cul-de-sac, but this level of traffic would not significantly alter its character and sense of place. This adds further weight to my conclusion that a second access is necessary to make the development acceptable. Overall, I am satisfied that the usability and sense of place of Maidensfield would not be harmed.
73. In conclusion, the proposal need not harm the settlement pattern and townscape of Winnersh, the legibility of the local street hierarchy or the usability and sense of place of Maidensfield. Accordingly, in this respect the character and appearance of the area would be preserved and therefore a conflict with Policies CP1 and CP3, as supported by the Borough Design Guide Supplementary Planning Document, which seek to preserve local character, would not occur in respect of this main issue.

Other Matters

Planning Obligation

74. *Affordable Housing* – In this instance, Policy CP5 of the CS requires 40% affordable housing. There is nothing before me to suggest provision at this level would be unviable. The appellant's own evidence also identifies the acute need for this type of housing. Accordingly, the appellant does not dispute the necessity of securing affordable housing to make the scheme acceptable. Provision is therefore made through the planning obligation.
75. *Employment Skills Plan* – Policy TB12 of the Local Plan requires all major development in the borough to be accompanied by an employment skills plan or a financial contribution in lieu of this. The contribution is calculated with reference to a logical methodology informed by estimated construction costs and benchmarks supplied by the Construction Industry Training Board. The appellant agrees with the Council that the scheme needs to make provision through the planning obligation to make the proposal acceptable.
76. *Allotments* – Policy TB08 requires the provision of allotments at 0.52ha per 1000 people. It states that such provision should be on site. This is entirely rational as the allotments should be positioned as close to the new residents as possible as they would increase the demand. Moreover, facilities such as this can help foster a sense of community. The supporting text to policy TB08 states that a financial contribution can be made to allotment provision if the appellant can demonstrate that on site provision cannot be accommodated. The appellant has not made this case and it would be hard to do so given the over provision of open space. Accordingly, the planning obligation addresses this by allowing the developer to elect to provide allotments on site or make a financial contribution. That decision would be informed by whether the Council requires on site provision as part of the reserved matters.

77. *Offsite Sport and Recreation* – To support health and wellbeing, Policy TB08 of the CS also requires the provision of sport and recreation facilities. Like with allotments, these should be provided on site in the first instance. However, providing sport and recreation at a combined facility would result in overall betterment in the quality of what is provided. In this respect, the Council are seeking a contribution towards developing a sports hub at Greys Fruit Farm. This would be some distance from the appeal site, but on balance it would satisfy the requirements of Policy TB08. Again, the appellant raises no objection and therefore provision is made through the obligation.
78. *Sustainable transport contribution* – This includes financial contributions toward improving bus stops and the My Journey travel plan initiative. Both are required to promote sustainable transport pursuant to Policies CP4 and CP6 of the CS and Paragraph 117 of the Framework. This will help to offset some of the adverse issues I have identified earlier. The appellant is seeking to provide the contributions as the need is not disputed. This provision would be secured through the planning obligation.
79. *Estate Roads* – To ensure appropriate accessibility to individual properties in accordance with Policies CP1 and CP3 of the CS, the Council has sought a deed that would require the estate roads to be offered for adoption to the Local Highway Authority or maintained via a management company. The appellant has not objected to this and therefore it would be secured through the planning obligation.
80. Given the above analysis, the obligations identified above are necessary to make the development acceptable when applying the requirements of the development plan and are directly, fairly and reasonably related in scale and kind to the proposal and its impacts. As a result, I can take them into account.

Conditions

81. I have had regard to the advice in the Planning Practice Guide (PPG) and the suggested conditions³⁶. In addition to commencement conditions, it is necessary to define the reserved matters and require their approval. These include aspects of access. A drawings condition relating to the position and design of the access from Maidensfield is necessary in the interests of certainty and highway safety. This is supplemented by a further condition requiring the approval of some residual details relating to the access.
82. To support sustainable transport, it is necessary to secure pedestrian crossing improvements. It is necessary to secure the approval of a Construction Method Statement in the interests of highway safety and living conditions. To prevent a risk of flooding it is necessary to secure a drainage strategy. To protect as yet unknown archaeology, it is necessary to secure a written scheme of investigation. Given the presence of important trees and hedging, it is necessary to secure an Arboricultural Method Statement.
83. Landscaping is a reserved matter, but it is nevertheless necessary to secure replacement of any failed planting within five years of the completion of the development. Further conditions could be imposed at the reserved matters to deal with the management of boundary hedgerows if this is considered necessary once the final layout is clear.

³⁶ ID15

84. In the interests of wildlife, it is necessary to secure a 10% net gain in biodiversity, reptile mitigation and the preparation of a Landscape Environmental Management Plan. Given the noise from the motorway it is necessary to secure mitigation to safeguard living conditions. To secure adequate foul water drainage, it is necessary to prevent occupation until the necessary infrastructure is in place or a phasing plan approved. To protect living conditions, it is necessary to secure the appropriate remediation of any unexpected contamination. In the interests of mitigating some of the impacts on climate change, it is necessary to secure development in accordance with the principles set out in the energy report and sustainability statement. I have already explained why a second access is necessary and why this can be secured by condition. To secure a benefit of the scheme it is necessary to set the minimum level of open space above that ordinarily required by development plan policies.

The residual concerns of interested parties

85. Several interested parties have raised concerns that the appeal scheme would harm highway safety and would result in congestion. However, the appellant, through their highway consultants, have submitted a Statement of Common Ground (SOCG)³⁷ with the Local Highway Authority (LHA) relating to highway safety and transport matters. Substantive technical evidence is not before me that would justify departing from these expert views in this instance, which were based on a detailed analysis set out in a Transport Assessment. The proposal has also been subject to a successful Road Safety Audit.
86. In particular, the highway evidence before me, including the SOCG, demonstrates that visibility splays would adhere to the standards in Manual for Streets. Following careful analysis, it has been established that there are no traffic capacity constraints, and the area has a good highway safety record. These points strongly indicate that the scheme's traffic can be absorbed.
87. The impacts from construction traffic will be addressed through a management plan. Modelling of the traffic impacts on several off-site junctions confirm that there would only be a negligible increase in queuing. This would be considerably below the 'severe' test set by the Framework. Overall, the proposal would not result in a harmful impact on highway safety and capacity.
88. Paragraph 161 of the Framework explains that to avoid flood risk to people and property, a sequential, risk-based approach to the location of *development* should be taken to flood risk from all sources, and that this should be done by applying the sequential test. The PPG states that only if a *site* is in an area at a low risk of flooding from all sources should the sequential test not be undertaken³⁸. Neither 'development' nor 'site' exclusively mean the area that would contain buildings. A housing scheme such as this requires open space and drainage infrastructure to be acceptable, and these elements within the 'site' form part of the 'development'.
89. When considering the flood risk of the site, the Environment Agency's flood map identifies large areas of the appeal site as being at medium to high risk of flooding from the Emm Brook. The area covered would be most of the open space to the east, which would include drainage features. The Flood Risk

³⁷ CD16.2

³⁸ Planning Practice Guide - Paragraph: 027 Reference ID: 7-027-20220825

Assessment has considered this further and has demonstrated that the Environment Agency's flood map overestimates the extent of the flood zone. I have no reason to doubt this technical assessment and the Environment Agency have not raised any concerns. As a result, only the area of the site immediately adjoining the Emm Brook would be in the flood zone. This area is likely to be used for planting and habitat enhancements. Importantly, it would not be used for attenuation basins or play space.

90. It cannot be said that the *site or development* would be in an area of low risk of flooding from all sources. A case could therefore be made for applying the sequential test. The Council has not applied a sequential test because the area at risk of flooding is 'water compatible' as defined in Annex 3 of the Framework. Nevertheless, these classifications are intended to inform the application of the exceptions test³⁹, which is only relevant if the sequential test is passed. Similarly, applying a sequential approach to development within the site does not negate the need for the site to be subject to a sequential test⁴⁰.
91. However, I share the view of the Council and appellant that it is a matter of planning judgment whether a sequential test should be applied having regard to the circumstances. In this instance the area of the site at risk of flooding is small and would not contain any significant part of the development that could be adversely affected by flood water, including flood storage areas or play spaces. Therefore, a sequential test would serve little purpose. Indeed, the area at risk of flooding could be omitted from the site with little consequence. As a result, I am satisfied that a sequential test would be unnecessary.
92. In coming to this view, I am mindful that the surface water drainage system would discharge surface water into the Emm Brook, even during fluvial flooding events. However, the flows would be managed to existing rates and therefore the risk of flooding would not be increased. The outfall would also be raised above the level of the 1 in 100 flood year event so the risk of backwater effects would be negligible. The drainage system has also been designed to be resilient to severe flood events. The Lead Local Flood Authority have not raised any objections to the outline drainage strategy, and I have no reason to reach a different view in this instance.
93. At my request the appellant has provided a further technical note on noise impacts given the proximity of the motorway⁴¹. The note discussed the evidence already submitted in the context of several written questions I asked after the Case Management Conference. The technical note explains that if a scheme along the lines of the illustrative layout is ultimately proposed, then around 50 homes would need additional acoustic measures to provide appropriate internal and external living conditions.
94. The mitigation would include fencing to screen road noise in gardens and the use of thermal double glazing and ventilation system to secure internal noise and cooling. Importantly, the double-glazed windows would also provide some noise mitigation when open to the extent that sleep would not be disturbed. As a result, future residents could choose to open a window or rely on an alternative ventilation system. The analysis has been provided by an expert

³⁹ Planning Practice Guide - Paragraph: 079 Reference ID: 7-079-20220825

⁴⁰ See Paragraph 173 of the Framework – an internal sequential approach only applies once the overall sequential test has been passed.

⁴¹ The appellant provided an updated technical note from an acoustician on this matter appended to CD15.1

acoustic engineer and has been reviewed by the Council's Environmental Health Team. I have no reason to doubt the conclusion that living conditions would be acceptable in terms of noise and ventilation.

95. Substantive evidence is not before me to demonstrate that the appeal scheme would have a significant adverse impact on air quality or that local education and health infrastructure could not accommodate the additional demand arising from the appeal scheme. Thames Water has confirmed that its infrastructure once upgraded would have capacity for the proposal. The evidence before me, including an Ecological Impact Assessment, which is undisputed by the Council, demonstrates that the proposal would not have a significant impact on wildlife and would achieve a net gain in biodiversity. The proposal could be designed at the reserved matters stage to preserve the living conditions of neighbours. The impacts on the living conditions of the residents of adjoining properties would require particular care to ensure privacy and outlook is not harmed.

Other Considerations

96. The appellant and Council agree that the proposal would be at odds with the development plan taken as a whole. A proposal should be determined in accordance with the development plan unless material considerations indicate otherwise. The benefits of the scheme are important material considerations to examine, as is the Framework.

The benefits of the proposal

97. There is agreement⁴² that the Council is currently able to demonstrate only 3.2 years of housing land supply against a four-year requirement, which equates to around a 635-home shortfall. The delivery of housing is therefore a benefit of the scheme as it would provide a very sizeable contribution to addressing the shortfall. Indeed, it could account for about a third of it.
98. However, on every relevant⁴³ measure⁴⁴ the Council has over delivered by some way since 2006/7. For instance, on the highest measure⁴⁵ the Council has delivered 10,393 homes against a need for 8,560. The performance against the Housing Delivery test has been exceptional, with the measurement since 2018 being as high as 205% and not lower than 157%.
99. Evidence supplied by the Council indicates that significantly boosting the supply of housing in recent years has not in itself stabilised or reduced house prices. In truth, they have continued to rise sharply. Indeed, if house prices were dictated solely by supply, then Wokingham should, in theory, have seen a reduction in house prices given the extensive scale of delivery in recent years. This in turn should have stabilised or lowered the housing requirement significantly, but that has not been the case.
100. Because of this, the Council and appellant ultimately agreed at the Inquiry that the affordability adjustment in the standard method should not be the sole means of accounting for past over delivery in my assessment. Recent statements by the Government reinforce this position⁴⁶. Instead, it was agreed

⁴² ID9

⁴³ Mr Austin Fell ultimately agreed that the delivery of affordable housing is not a proxy for measuring the Council's overall performance in respect of housing delivery.

⁴⁴ The CS requirement, Objectively Assessed Need, SHMA Sensitivity Testing and Local Housing Need

⁴⁵ Objectivity Assessed Need from the Strategic Housing Market Assessment (2016),

⁴⁶ See Mr Church's Proof, Paragraphs 3.22 – 3.24

by the Council and appellant that over-delivery is capable of being a separate material consideration which can be factored into the weight that should be given to housing delivery as a benefit. Indeed, other Inspectors have taken this approach, including the Inspector in the Lodge Road appeal⁴⁷.

101. Mr Church has provided an analysis⁴⁸ that illustrates one way in which over-supply can be factored into an assessment of the overall housing land supply. The Council does not seek to advance this analysis as its housing land supply position though⁴⁹. It is simply an attempt to demonstrate that if over supply is factored in, then the situation would be more positive. I am also mindful that the current shortfall of around 635 dwellings is overshadowed by the historic over delivery. Considering these points together, the weight I afford to the benefit of housing delivery arising from the appeal scheme is tempered.
102. Moreover, the Council are in the process of preparing a new Local Plan. The current timetable for adoption is towards the end of 2025. Consequently, even when allowing for some moderate slippages in the programme, the adoption of the new local plan is unlikely to be far off. The proposal would therefore only assist in bridging a short-term supply gap between a period of considerable over delivery and the adoption of a new Local Plan, which will need to re-establish an adequate strategy for delivering the housing requirement.
103. Furthermore, there is some doubt over the extent to which the appeal scheme would actually bridge this gap. Evidence provided by the Council⁵⁰ indicates that schemes of between 100-249 homes take on average 46 months from outline planning permission being granted to the first house sale occurring. Then after that, the average build out is around 50 dwellings a year. Therefore, it is possible the proposal would provide only a handful of homes towards the four-year supply and that most of the homes would come forward once the new local plan is in place. I am also mindful that the scheme cannot be considered 'deliverable', and thus count towards the four-year supply, until there is 'clear evidence' that housing completions would occur within the relevant period. Such clear evidence was not presented at the Inquiry and may not occur for a couple of years with the approval of all reserved matters.
104. That said, the appellant is a volume house builder rather than a land promoter and could therefore move quickly towards applying for reserved matters. Mr Shepherds' analysis was that first completions could occur in 2026 with perhaps 100 homes delivered a year after that. However, I have not been provided with substantive evidence that this is the appellant's usual rate of delivery. It seems optimistic given the Council's analysis above. Moreover, I have already explained that there will be some challenges in devising an acceptable design and the need for a second access may slow progress. That said, reducing the period permitted to submit reserved matters and then commence development may speed up delivery⁵¹.
105. The housing requirement is expressed as a minimum and therefore providing housing in addition to this would still be a benefit given the wider need for housing. However, the points outlined above significantly temper the benefit.

⁴⁷ CD8.1, see also Section 5 of Mr Church's proof

⁴⁸ CD10.4 Table 5

⁴⁹ Its current position is set out in CD17.3

⁵⁰ CD17.3

⁵¹ This is advocated by Paragraph 81 of the Framework

Overall, the contribution towards housing land supply is a matter of moderate weight in favour of the proposal.

106. The appeal scheme would deliver 40% affordable housing (up to 94 homes). This is a discrete benefit of the scheme as the housing would be addressing a specific need. The appeal scheme would provide a large contribution to the supply of affordable housing, the benefits of which are set out in Mr Stacey's evidence. Supply of this type of housing is not keeping up with the growing need, which is increasing on account of high house and rental prices and stagnant wages. The affordability ratio has increased from around 8 times medium salaries in 2006 to something now approaching 13 times. This means that some people cannot afford to purchase a home and others to rent. Mr Stacey fairly describes the situation as an affordable housing crisis. The CS identified an 'exceptional need'⁵² as long ago as 2010.
107. To combat this, the Local Housing Needs Assessment 2019 (LHNA) identified a need for 403 affordable homes in the borough every year up to 2036. The appellant suggests that in the short term this would need to increase to 487 homes a year if the past shortfall was to be made up in the next five years. However, in the next five years the Council expects to deliver only 570 homes in total. A further 1,156 homes are in the pipeline beyond this. These are gross figures though, which do not account for losses through Right to Buy, which has been of note to date⁵³. Accordingly, the indications are that the Council will not come close to meeting the need identified in the LHNA.
108. The emerging Local Plan will likely seek to deliver more affordable housing. However, previous trends have shown that delivery has only averaged 23% of total housing completions since 2006/7. Going forward, affordable housing would likely need to exceed 50% of all housing completions to achieve 403-487 affordable homes each year⁵⁴, but it is unclear if this would be viable. Moreover, not all housing schemes will provide affordable housing because they fall below the local threshold triggering the requirement (of five homes). The implication of this is that in recent years the Council has only achieved delivery of affordable housing at around 487 homes a year when total net completions were over 1,500 a year. Such a level of annual growth up to 2036 is unlikely to be a sustainable or achievable means of meeting affordable housing needs because it is twice the Objectively Assessed Need for total housing completions.
109. The above analysis demonstrates that to a large extent, the ability to meet affordable housing need is outside the control of the Council. In recognition of this there is no legal or policy requirement that requires the Council to fully meet the affordable housing needs in its area. Mr Stacey's analysis focusses on the need for affordable housing but does not identify a reasonable and realistic delivery target that factors in the inherent difficulties and constraints in addressing the need. He also conceded that the Council were doing what it reasonably could to address affordable housing need, which has included the preparation of a housing strategy and adopting a low threshold for triggering the requirement for affordable housing. This may explain why the Council has delivered relatively well when compared with other authorities in Berkshire.

⁵² Paragraph 4.34 of the CS

⁵³ Around 115 homes between 2006 and 2022, which is about 7 a year

⁵⁴ Assuming an Objectively Assessed Need (OAN) of around 801 homes a year as set out in Mr Church's Proof

110. To this end the Council submit that its performance on affordable housing delivery should be considered against what is realistic. In this respect, it looks to address those most in need. The analysis provided in the LHNA indicates that around 100 homes are required per annum up to 2036 to address the most acute need – those unable to rent or buy. Mr Stacey's analysis is that, based on past trends, the Council will deliver around 161 affordable homes a year over the next five years. The Council has averaged 177 since 2006/07. This level of delivery would meet the acute affordable housing need with some head room. On this measure, the Council's performance would be strong and therefore it submits that the weight given to affordable housing delivery should be tempered.
111. There is some traction to the Council's argument as it can only do so much. Moreover, the Council's inability to meet an apparently unassailable affordable housing need could consistently be used to justify departing from the spatial strategy, and thus undermine the public benefit of a plan led system. However, I am conscious that even if the Council is taken to be performing well when assessed against a realistic measure, there would still be a large residual need for affordable housing in the borough. In fact, supply would still be short of need by some way, with some of the real-world consequences that will flow from this⁵⁵. As such, and when considered in the round, the sizeable contribution to the provision of affordable housing would still be a notable benefit which attracts more weight than suggested by the Council but less than advocated by the appellant. I afford the matter significant weight, although it would not be a determinative benefit on its own.
112. The Council and appellant agree that moderate weight should be given to the economic benefits of the scheme, including construction and post occupation spending. I have no reason to disagree. In a similar way to affordable housing, achieving a net gain to biodiversity is a policy requirement that secures a benefit. However, I have not been provided with substantive evidence to suggest that a 10% net gain in this instance would, in absolute terms, result in anything more than a benefit of limited weight even when accounting for the pressing need to improve biodiversity.
113. The provision of public open space would also be a benefit as it would be a large area that could serve more than just the future residents of the appeal scheme. Indeed, the open space would exceed policy requirements, although that is partly a product of site constraints ranging from noise, drainage, flooding and tree protection. Moreover, the eastern area of open space would be dominated by drainage infrastructure thereby reducing its usability as somewhere to play. It would also be close to a noisy motorway and tucked towards the back of the site. The provision of open space would also be one form of green infrastructure that would replace another (the appeal site as countryside). These factors result in open space provision being a benefit of moderate weight. When considered cumulatively, the overall benefits of the scheme collectively carry significant positive weight in its favour.

Whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits

114. Policy CC01 of the LP sets out an approach for considering applications under a presumption in favour of sustainable development. However, the wording in

⁵⁵ Mr Stacey's Proof, Section 3

this policy is inconsistent with the Framework in some significant respects. Consequently, it would instead be prudent to apply the presumption in favour of sustainable development as set out in Paragraph 11 of the most recent version of the Framework. This states that when a Council cannot demonstrate an adequate housing land supply, as is the case here, then permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when considered against the policies in the Framework taken as a whole⁵⁶.

115. The adverse impacts of the proposal would be a conflict with the spatial strategy in the development plan, a moderately adverse impact on the landscape of the countryside and a moderate level of harm flowing from the limitations around access to services and facilities.
116. The conflict with the spatial strategy needs to be considered in the context that a strict application of the settlement limits would frustrate attempts to remedy the housing land supply shortfall and thus significantly boost the supply of housing going forward. The absence of a five-year housing land supply is an indication that the spatial strategy is running out of steam and requires updating. To this end, it is likely the emerging local plan will look to allocate more housing sites in the countryside. Indeed, the appeal site is currently allocated for housing in the draft plan. This document carries only limited weight at present, but it indicates that housing beyond settlement boundaries will probably be necessary. If housing in the countryside is to come forward, then the appeal site is a reasonable candidate given that the harm from breaching the settlement boundary would not be of a high order for the reasons I have already outlined.
117. That said, the settlement boundary around Winnersh is logically drawn and there is nothing in the Framework that states they should not be used. Furthermore, the spatial strategy has delivered well up until recently. As a result, the approach in the spatial strategy is broadly consistent with the Framework as it seeks to balance conflicting priorities including housing delivery, promotion of sustainable transport and recognition of the character and beauty of the countryside. Overall, and in the context of this appeal, I attached moderate weight to the conflict with the spatial strategy in the development plan.
118. Paragraph 180 of the Framework states that planning decisions should contribute to, and enhance, the natural and local environment by recognising the intrinsic character and beauty of the countryside. Ms Crafer explained that in her view, this means recognising the influence of the countryside on the local context and what it provides to the character of the area, which is a helpful way to put it. In this respect, I fail to see how the appeal scheme would do this, as the proposal would undermine the rural influence and sense of place provided by the appeal site to this part of Winnersh. Therefore, the proposal would not recognise the intrinsic character and beauty of the countryside. The harm to the local landscape character would also result in a conflict with Paragraph 135c) of the Framework and its aim for developments be sympathetic to local landscapes.

⁵⁶ In this instance the application of policies in the Framework that protect areas or asset do not provide a clear reason for refusal

119. Nevertheless, for the reasons already set out, the harm to the landscape would be of only a moderate magnitude because many of the landscape features of note could be retained and enhanced, such as the boundary hedgerows and to some extent the open setting of the Emm Brook. I am also mindful that if housing is to be developed in the countryside, which seems to be the direction of travel, then some local urbanisation will be inevitable. In this instance, the harm arising from the urbanisation of the appeal site would be contained by surrounding development. As a result, the moderate harm, and the conflict with national and development plan policies flowing from this, also attracts moderate weight against the proposal.
120. Added to this there would be harm arising from access to services and facilities on foot not being a genuine transport choice. However, this would be partially offset by the ability to cycle, walk longer distances on occasion and use local rail and bus services. The moderate harm, and the conflict with national and development plan policies flowing from this, also attracts moderate weight. Taken together, the adverse impacts of the proposal collectively carry significant weight against the appeal scheme.
121. Paragraph 11d) of the Framework starts with the premise that a proposal should be granted in circumstances where a five-year housing land supply cannot be demonstrated. In this instance, that presumption can only be displaced if the adverse impacts of the scheme would significantly and demonstrably outweigh its benefits. This 'tilted balance' has therefore been designed to authorise harm because of the importance the Government places on housing delivery. The appeal scheme would collectively have benefits of significant weight that would deliver positively against several policies in the Framework⁵⁷. Against this there would be harm that collectively carries significant weight in the context of other policies in the Framework⁵⁸, as well as the development plan.
122. In conclusion, the adverse impacts of the appeal scheme would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Accordingly, on this occasion other considerations indicate the decision should be taken otherwise than in accordance with the development plan. This is a material consideration of determinative weight in this instance.

Conclusion

123. The appeal scheme would conflict with the development plan taken as a whole. However, in this instance material considerations, namely the Framework, indicate that the appeal should be determined otherwise than in accordance with the development plan. Accordingly, when having regard to all issues raised, I conclude that the appeal should be allowed.

Graham Chamberlain
INSPECTOR

⁵⁷ Including Paragraphs 60, 63, 77, 85, 102 and 158

⁵⁸ Including Paragraphs 20, 109, 157 and 180

APPEARANCES

FOR THE APPELLANT:

Peter Goatley KC and Jessica Allen, Counsel for the appellant
instructed by Stantec

Called:

Ben Thomas BSc (Hons) MSc MCIHT CMILT	Associate Partner, i-Transport
Andrew Williams Dip LA Dip (Urban Design)	Director, Define
Clive Self Dip LA, CMLI, MA (Urban Design)	Managing Director, CSA
Cameron Austin-Fell BA (Hons) MA TP MRTPI	Planning Director RPS
James Stacey BA (Hons) Dip TP MRTPI	Managing Director, Tetlow King
Robin Shepherd BSC (Hons) Dip TP MRTPI	Director, Stantec

FOR THE LOCAL PLANNING AUTHORITY:

Cain Ormondroyd, Counsel for the Local Planning Authority
Instructed by Head of Legal, Wokingham Borough Council

Called:

Gordon Adams BA Dip Econ MA FCIHT MILT Engineer	Principal Development Control
Bridget Crafer BA (Hons) Dip LA PG Urban Design	Landscape Architect
Ian Church BA(Hons) MA MRTPI	Local Plan Manager
Laura Ashton MRTPI	Director LAUK Planning Ltd
Lyndsay Jennings	Solicitor
Raymond Barry	Green Infrastructure Officer

INTERESTED PERSONS

Cllr Prue Bray

INQUIRY DOCUMENTS

The flowing is a list of documents submitted at the Inquiry

CD17.1	LPA's opening submissions
CD17.2	Appellant's opening submissions
CD17.3	Updated Housing Land Supply Position Statement 26 Jan 2024
ID1	Statement from Cllr Prue Bray
ID2	Wokingham Borough Cycle Routes
ID3	Illustrative Masterplan, Winnersh Farm
ID4	Winnersh Farm Design and Access Statement
ID5	Winnersh Farm, Landscape and Open Space Plan
ID6	Committee Report pertaining to the application for the adjacent SEN School
ID7	Note relating to Traffic Flows in Danywern Drive and Watmore Lane agreed by the Council and appellant
ID8	Density note agreed by the Council and appellant
ID9	Housing land supply note agreed by the Council and appellant
ID10	Addendum to the suggested site visit route
ID11	Final draft of the Planning Obligation
ID12	LPA's closing submissions
ID13	Appellant's closing submissions
ID14	Copy of executed planning obligation
ID15	Final list of suggested planning conditions

SCHEDULE OF PLANNING CONDITIONS

1. A) All applications for approval of the reserved matters shall be made to the local planning authority not later than 2 years from the date of this permission.

B) The development hereby permitted shall be begun not later than 1 years from the date of approval of the last of the reserved matters to be approved.
2. Details of the appearance, landscaping, layout, scale, access (other than from Maidensfield) (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority prior to the commencement of development and the development shall be carried out as approved.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (titled Land off Watmore Lane Winnersh, Jan 2023, scale 1:1250 by JAS plan services) and Access Plan (drawing number: ITB6076-GA-005 Revision H).
4. Prior to the commencement of development, full details of the construction of the access off Maidensfield and the pedestrian crossing shown in principle on drawing number: ITB6076-GA-005 Revision H including levels, widths, construction materials, depths of construction, surface water drainage, boundary treatment, landscaping and lighting shall be submitted to and approved in writing by the local planning authority. Each dwelling shall not be occupied until the vehicle access/road to serve that dwelling has been constructed in accordance with the approved details to road base level and the final wearing course will be provided within 12 months of occupation. The access shall thereafter be maintained in accordance with the approved details and plans.
5. No more than 50 dwellings shall be occupied until the pedestrian crossing improvements approved pursuant to Condition 4 have been completed to the satisfaction of the local planning authority.
6. No development shall take place, until a Construction Method Statement, including a CEMP (Construction Environmental Management Plan), has been submitted to, and approved in writing by, the local planning authority. The approved Statement (including CEMP) shall be adhered to throughout the construction period. The Statement (including CEMP) shall provide for but not be limited to the following:
 - a) construction of suitable works access;
 - b) the parking of vehicles of site operatives and visitors;
 - c) loading and unloading of plant and materials;
 - d) storage of plant and materials used in constructing the development;
 - e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f) wheel washing facilities;
 - g) measures to control the emission of dust and dirt during construction;

- h) a scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - i) hours of construction;
 - j) hours of delivery;
 - k) mitigation and avoidance measures for ecology and biodiversity; and
 - l) the use of any mineral material extracted during construction.
- 7. Prior to the commencement of development details for disposing of surface water by means of a sustainable drainage system (SuDS) shall be submitted to and approved in writing by the local planning authority. No dwelling hereby permitted shall be occupied until the aforementioned approved details (in so far as they apply to that dwelling) have been implemented and shall be retained and managed in accordance with the SuDS Maintenance Plan (Condition 9) thereafter.
- 8. Prior to the commencement of development, a SuDS Maintenance Plan for the long-term maintenance of the SuDS system shall be submitted to and approved in writing by the local planning authority. The SuDS Maintenance Plan shall include details of routine maintenance activities, remedial actions and monitoring of the separate elements of the system. The development thereafter shall be carried out in accordance with the SuDS Maintenance Plan.
- 9. No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted and approved by the planning authority. The development shall only take place in accordance with the approved detailed scheme.
- 10. No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the local planning authority. The Arboricultural Method Statement shall include details of existing trees and hedges to be retained in the submitted Arboricultural Impact Assessment, in line with BS5837:2012, and shall include details of:
 - a) any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the sub-phase;
 - b) any proposed alterations to ground levels within the Root Protection Area or Crown Spread (whichever is the greater) of any retained tree, including trees on land adjacent to the site;
 - c) the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.
 - d) the erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the local planning authority.

- e) Prior to occupation of the first dwelling, a Veteran Tree Management Plan shall be agreed in writing with the local planning authority. This Plan shall include:
- Specialist Survey Method assessment of the trees;
 - Individual tree management programme geared towards maximising longevity;
 - Provision and maintenance of knee-rail style fencing beyond crown driplines, enclosing access-deterrent planting; and
 - Regular review by a competent person of veteran trees' condition, with follow-up management works being implemented as recommended. The first three elements of the Plan shall be implemented also prior to first occupancy.

Once approved, the development shall only be carried out in accordance with the approved Arboricultural Method Statement and Veteran Tree Management Plan.

11. No trees, shrubs or hedges within the site which are shown as being retained shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species and shall be planted at the same location in the next planting season/within one year of the original tree/shrub/hedge's demise unless the local planning authority gives written consent to any variation.
12. Prior to the commencement of the development a Landscape Environmental Management Plan (LEMP), including long term design objectives, management responsibilities, timescales, and maintenance schedules for all landscape areas, other than privately owned domestic gardens, which delivers and demonstrates a habitat and hedgerow biodiversity net gain shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved LEMP.
13. Prior to the commencement of development, details of how the development will achieve a biodiversity net gain of 10% for habitats shall be submitted to and approved in writing by the Local Planning Authority. The details thereby agreed shall be fully implemented in accordance with an approved timetable.
14. Prior to commencement of development and concurrently with the layout of a reserved matters application, the applicant shall submit to the local planning authority for written approval, details of how the following internal noise levels will be achieved in living rooms, dining rooms and bedrooms with measures to include adequate cooling and ventilation: Living Rooms and bedrooms (daytime) – 35dB LAeq,16 hours (0700-2300), Dining Rooms 40dB LAeq,16 hour (0700 – 2300), Bedrooms: 30dB L Aeq, 8 hour (2300 – 0700).

15. No development shall be occupied until written confirmation has been submitted to and approved in writing by the Local Planning Authority that all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been submitted to and approved in writing by the local planning authority. Where a development and infrastructure phasing plan is approved, no occupation shall take place other than in accordance with the approved development and infrastructure phasing plan.
16. Prior to the commencement of development, a reptile mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out fully in accordance with the approved Reptile Mitigation Strategy thereafter.
17. Should unexpected contamination be found after development has commenced, development must be halted on the part of the site affected by the unexpected contamination. A proportionate and appropriate remediation strategy shall be submitted to and approved in writing by the local planning authority. The development shall then be remediated and thereafter carried out in accordance with the approved remediation strategy.
18. The development shall be carried out in general accordance with the principles set out in the Outline Energy Report (produced by RPS Group and dated 16 January 2023) and the Sustainability Statement (produced by RPS Group and dated January 2023).
19. Notwithstanding condition 3, of the total open space to be provided (both through offsite contributions and on site measures) a further 1.3ha open space shall be provided on site so as to provide a minimum of 3.9ha of open space on site (including drainage, swales, infrastructure and play spaces).
20. No more than 111 dwellings shall be commenced until details of a second vehicle and pedestrian access, including a timetable for delivery of the access, is submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

End of Schedule