

Application Number	Expiry Date	Parish	Ward
250101	18/03/2025	Earley	Hillside

Applicant	Wokingham Borough Council
Site Address	Radstock Primary School, Radstock Lane, Earley, RG6 5UZ
Proposal	Full application for the proposed erection of 1 no. detached single storey building to form a new SEND unit with playground and canopy, plus associated plant room and sprinkler tank, parking and landscaping.
Type	Full
Officer	Kieran Neumann
Reason for determination by committee	Applicant is Wokingham Borough Council on behalf of Radstock Primary School.

FOR CONSIDERATION BY	Planning Committee on Wednesday, 12 March 2025
REPORT PREPARED BY	Assistant Director – Place and Growth
RECOMMENDATION	APPROVAL subject to the conditions and informatives outlined in Appendix 1 below.

SUMMARY

The proposed development is acceptable in principle as the proposals provide additional education provision for vulnerable children, for which there is an overwhelming need in the Wokingham Borough.

The development would have an acceptable impact on the character of the area and would not adversely impact the amenities of nearby residential dwellinghouses. Parking provision remains adequate and would not impact the provision allocated to the adjacent Community Centre. All existing trees adjacent to and on site will be protected during the course of and after the development's construction.

The loss of the existing sports pitch would not adversely impact the school's overall provision of outdoor play areas. No ecological impacts are anticipated and a 26% Biodiversity Net Gain can be achieved through on-site mitigation.

Overall, subject to the conditions and informatives within Appendix 1 below, this application is recommended for approval by the Case Officer.

RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision
970667	Proposed Single Storey Classroom Extensions To School	Approved 30/06/1997

061089	Proposed construction of hard surface for games and play area.	Approved 05/07/2006
082652	Proposed extension of existing building to increase usable floor area of existing classrooms	Approved 04/04/2008
100830	Proposed single storey extension to enlarge existing reception area.	Approved 15/09/2010
110750	Proposed installation of replacement kitchen ventilation equipment to primary school site.	Approved 04/10/2011
130851	Application to vary condition 4 of planning consent F/2013/0935 to allow for changes to the admission number of children attending the nursery.	Approved 02/10/2013
131777	Proposed replacement nursery building, plus replacement canopy and fence/railings attached to building to provide secure covered play area.	Approved 27/06/2013
151231	Proposed erection of an enclosed link corridor between existing buildings, plus covered waiting area for parents.	Approved 22/06/2015

DEVELOPMENT INFORMATION	
Proposed units	1
Previous land use	Education (Use Class F1)
Proposed land use	Education (Use Class F1)
Existing parking spaces	43 (3 disabled)
Proposed parking spaces	48 (3 disabled)
CONSTRAINTS	Scale and Location of Development Proposals – Earley (Major Development Location) Great Crested Newt Consultation Zone – Amber Risk Zone Nuclear Consultation Zone – 12km Zone Landscape Character Assessment Area SSSI Impact Risk Zones

CONSULTATION RESPONSES	
WBC Highways	No objection subject to condition(s)
WBC Ecology	No objection subject to condition(s)
WBC Ecology Newts	No objections
WBC Drainage	No objection subject to condition(s)
WBC Landscape and Trees	No objection subject to condition(s)
WBC Environmental Health	No comments received
WBC Property Services	No comments received
WBC Cleaner and Greener	No comments received

WBC Education	No comments received
Thames Water	No comments received
Sport England	No objections

REPRESENTATIONS

Town/Parish Council:

ETC raises no objection to this application. However, ETC is concerned that the documents accompanying this application state that there are 43 parking spaces currently available to the school. However, it should be noted that five of those spaces are for the exclusive use of users of the community centre and that users of the community centre also have the right to share the use of a further 12 spaces, during school hours and the right to use a further 15 spaces outside school hours. In addition, three spaces will be lost to provide access to the new facility which are three of the right to share the use of spaces for users of the community centre, with no mention in the plans of replacement spaces being provided.

(Officer Comment: The applicant has confirmed that the total number of spaces allocated to the Community Centre will remain unchanged. During construction the school have confirmed that alternative spaces will be allocated to the community centre.)

Local Members:

No comments received.

Neighbours:

Seven representations received from residents, raising the following matters:

- Concern regarding the loss of the existing hard surfaced sports pitch, question the need for mitigation.
- Concerns regarding school children climbing trees adjacent to residential boundaries.
(Officer comment: This is not a material planning consideration that can be reasonably controlled by the Council.)
- Question whether sports pitch would need to be relocated to the south-west of the new building, impacting the privacy of adjoining dwellinghouses
(Officer comment: A relocated sports pitch is not proposed.)
- Concerns regarding increase in vehicle traffic during drop off and pick up.
- Concerns regarding noise impacts from development onto adjacent dwellinghouses.
- Unsure whether the building would be used for 5 or 7 days a week
(Officer comment: The building would be used only on weekdays.)
- Concerns whether building deliveries would occur during school hours.

(Officer comment: This can be conditioned via a Construction Method Statement.)

- Question why surrounding residents, in particular those on Radstock Lane, were not consulted directly

(Officer comment: The Planning Regulations and the Council's own Statement of Community Involvement both requires the Council to notify landowners adjoining the application red-line. As the application red-line does not adjoin any surrounding residential properties, these properties were not directly consulted.)

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG) National Design Guide
Core Strategy 2010 (CS)	CP1 – Sustainable Development CP2 – Inclusive Communities CP3 – General Principles for Development CP4 – Infrastructure Requirements CP6 – Managing Travel Demand CP7 – Biodiversity CP9 – Scale and Location of Development Proposals
Managing Development Delivery Local Plan 2014 (MDD Local Plan)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB21 – Landscape Character TB23 – Biodiversity and Development
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List

PLANNING ISSUES

Site Description:

- 1) The application site consists of Radstock Primary School, a school located at the end of Radstock Lane, Earley. The site includes one main building complex to north-west, with the main outdoor playgrounds and recreational fields and a few other smaller buildings located to the south. Adjacent to the entrance to the site is also Radstock Community Centre, a detached building set within the school's grounds.
- 2) The main parking area is located in front of the school and community centre's north-eastern frontages, with a staff car park also being located to the south-east of the Community Centre.
- 3) The land subject of this pre-application is a concrete playground/court located in the south-eastern corner of the school's grounds, with its surroundings being predominantly residential dwellings.

Proposal Description:

- 4) This application seeks approval for the proposed erection of 1 no. detached single storey building to form a new SEND (Special Education Needs) unit with associated playgrounds and canopy, plus associated plant room and sprinkler tank, parking and landscaping.
- 5) The proposed SEND building would have a simple rectangular form and three varying roof forms; the largest and central element would have a shallow mono-pitch roof form, whereas the north-eastern frontage would be characterised by a flat roof. To the rear (south-west) is a steel framed canopy with a polycarbonate roof that provides external shelter for the 3no. outdoor spaces associated with each classroom. Each outdoor space would also be enclosed by low level (1 metre tall) fencing, similar to other boundary treatments within the school.
- 6) The proposed sprinkler tank and plant room would be sited to the north-east of the application site and adjacent to the extended parking area. Both are proposed to be enclosed by standard 6 feet tall close boarded timber fencing.
- 7) The elevations of the building would be finished with fair faced brick and vertical horizontal cladding. The flat roof form will be finished with felt and the mono-pitch roof with powder coated profile metal. The surfacing of the extended parking area would be laid with permeable asphalt, whereas the outdoor classroom spaces would be laid with rubber crumb surfacing.
- 8) The unit would accommodate a total of 21 pupils with special educational needs and disabilities. When the unit is fully occupied, there will also be an additional 10 members of staff working within the building.
- 9) It is important to note at this time that the school intake of Radstock School is being reduced from 60 to 45 pupils per year, so the pupil numbers will be reduced by 25% over the next 5 years. The reason for this reduction is due to budgetary issues as school admissions decreased between September 2021 and 2022. This, however, does not affect the demonstrable need for SEND provision within the Borough.

Principle of Development:

Policy Context:

- 10) Policy CP2 of the Core Strategy seeks to ensure that that new development contributes to the provision of sustainable and inclusive communities (including the provision of community facilities) to meet long term needs, planning permission will be granted for proposals that address the requirements of:
 - Children, young people and families, including the co-ordination of services to meet their needs;
 - People with special needs, including those with a physical, sensory or learning disability or problems accessing services
- 11) The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. Policy CC01 of the MDD Local Plan states that planning applications that accord with

the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

12) Paragraph 98 of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

13) Paragraph 100 of the NPPF states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give **great weight** to the need to create, expand or alter schools through the preparation of plans and decisions on applications; (Officer emphasis) and
- b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

14) Paragraph 104 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Assessment:

15) As the site is located within settlement limits and the proposals provide additional education provision for vulnerable children, the scheme is compliant with Policy CP2 of the Core Strategy. Therefore, in principle, the development is acceptable.

16) The proposal would result in the loss of approx. 733m² of outdoor playground space. This is made up of hardstanding playground. An Aerial Appraisal supporting this submission concludes that the school would continue to retain sufficient outdoor space for children of the school in line with the BB103 guidelines (Building Bulletin 103 Area guidelines for mainstream schools, 2014). Additionally, as noted above, pupil numbers will be reducing over the coming years, reducing the requirement for open space.

17) Further to the above, whilst not designated playing pitches, Sports England have been consulted on this application and have raised no objections. In this regard the proposal is considered to accord with criteria a) and c) of paragraph 104 of the NPPF (listed above) and exception 3 of their Playing Fields Policy; exception 3 of Sports England Playing Fields Policy requires development to not negatively impact

on existing sports provision. The principle of development is therefore considered acceptable.

Character of the Area:

- 18) Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high-quality design without detriment to the amenities of adjoining land uses and occupiers.
- 19) The SEND building would be sited in the north-eastern corner of the application site and would be well screened from the public realm by the densely vegetated site boundaries. The parking area associated with the building would form a natural extension to the existing parking area, facilitated by an additional pedestrian crossing.
- 20) The scale and architectural form of the building would remain in-keeping with the other school buildings on site, as would the material choices. On the contrary, the plant room and sprinkler tank would be relatively visually intrusive, but their siting within the north-eastern corner of the site would ensure minimal public views and as such, they would not appear dominant within the street scene.
- 21) Landscaping provision on the frontage of the new building is welcomed. No existing trees on site are to be removed which also ensures the verdant enclosure of the school's grounds is maintained.
- 22) Overall, the scale of the proposals would be proportionate to the scale of the school grounds and would maintain an acceptable spatial relationship with surrounding buildings. The proposals would therefore not have an harmful impact on the character of the area.

Neighbouring Amenities:

Loss of Light & Overbearing:

- 23) The development proposed is well separated from the adjacent Community centre and the residential properties to its east, south and north; the closest residential properties are no.10 Lanvier Drive and no.8 Northbourne Close which are both over 14 metres away from the application red-line. Both of these properties are also physically separated from the application site by densely vegetated site boundaries.
- 24) In light of the above, there is not considered to be any adverse loss of light or overbearing impacts as a result of the development.

Overlooking:

- 25) Overlooking opportunities from the building proposed onto surrounding properties would be negligible as a result of the aforementioned separation distances and vegetated boundaries.

Noise:

- 26)The site lies adjacent to several residential properties. The site's existing purpose is an outdoor playground/court which undoubtedly has residual noise impacts on the neighbouring properties during active use. Therefore, the provision of an educational building which would alternatively provide internal amenities will generate less noise impacts onto these dwellings.
- 27)Turning to the plant equipment and sprinkler tank, both are sited an adequate distance away from residential properties (minimum of 14 metres) and their noise emissions would be heavily dampened by the densely vegetated boundaries.
- 28)Disruption to adjacent residential properties during construction will be covered by the submitted Construction Method Statement, details of which will be secured via condition.
- 29)Overall, there is not considered to be any adverse noise impacts as a result of the development.

Highway Access and Parking Provision:

General:

- 30)The proposal will provide a new SEND unit for up to 21 pupils. The supporting information indicates that over the next 7 years the intake for the SEND unit will increase and the pupil numbers for the main school will reduce. This will, in turn, result in a reduction in staff of the main school and an increase to 10 staff in the SEND unit. The proposal is not considered to have a significant impact on the highway network.

Access:

- 31)The existing vehicular access into the car park will be utilised and this is considered acceptable. Servicing and deliveries are expected to continue to take place within the main car parking area.
- 32)The applicant has confirmed that any drop-off and pick-up associated with the new SEND unit will be managed in accordance with the current school procedures. A School Travel Plan is being prepared and this shall contain further details. A condition will be imposed to secure the submission and implementation of a School Travel Plan.
- 33)Pedestrian access has been considered and a raised crossing to provide a level footpath across the access to the car park has been indicated. The gated main entrance to the SEND unit will be via this footpath link and this is considered acceptable.

Vehicle Parking:

- 34)The applicant has confirmed the number of FTE staff and provided information to explain staffing levels over the next 7-year period. This indicates an initial increase of up to 3 staff and the proposed parking layout provides 5 additional spaces to cater for this. However, it is anticipated that there will be an overall reduction in staff over

the 7-year period (from 68 to 66). On that basis the level of parking is considered acceptable and meets WBC standards for the initial increase in staff.

35)The parking area proposed also ensures a minimum 6 metre distance behind each parking space to enable vehicles to turn.

Cycle Parking:

36)An extension to the existing cycle parking structure is proposed, accommodating a further 4 cycle spaces. This is acceptable to WBC Highways.

Landscaping and Trees:

37)The application is accompanied by an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan (Duckworths Ref. 06544/2025).

38)The development can be built with only a minor incursion into the root protection area of T001 Ash a 'C' quality tree, which represents 8% of its RPA from the proposed area of porous hard landscaping which will benefit the longevity of the tree.

39)There are 11 trees and 2 tree groups overall, and all of the trees can be retained and protected to comply with BS5837:2012 and Policy CC03d of the MDD Local Plan.

40)Overall, WBC Landscape and Trees have no objections to the proposals. Compliance with the submitted arboricultural information will be secured via condition.

Flooding and Drainage:

41)The application site is located within Flood Zone 1. The drainage strategy note states that infiltration is not achievable and proposes a rain garden, tanked permeable paving to provide attenuation, with controlled discharge. A detailed strategy, however, has not been submitted at this time.

42)WBC Drainage have no objections to this approach and as such, a drainage strategy will be secured via condition.

Ecology:

43)WBC Ecology Newts have no objections to the proposals as they are highly unlikely to have any impact on Great Crested Newts.

44)There are no other ecological concerns.

Biodiversity Net Gain:

45)As of 2nd April 2024, a 10% Biodiversity net gain (BNG) for minor developments is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This can be achieved through either on-site or off-site mitigation.

- 46) Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition").
- 47) The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development.
- 48) The application is supported by a Biodiversity Gain Metric which outlines that a 26% net gain can be achieved through on-site mitigation, the details of which will be secured within the Biodiversity Gain Plan.

Conclusion:

- 49) In summary, the proposed development is acceptable in principle as the proposals provide additional education provision for vulnerable children, for which there is an overwhelming need in the Wokingham Borough.
- 50) There are also no anticipated adverse impacts on highway safety, neighbouring amenities, existing green infrastructure, drainage infrastructure or ecological features/species.
- 51) Subject to the conditions and informatives within Appendix 1 below, this application is recommended for approval by the Case Officer.

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

APPENDIX 1 - Conditions / Informatives

APPROVAL subject to the following conditions and informatives:

1. Timescale

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

2. Approved Details

This permission is in respect of the submitted application plans and drawings numbered/titled:

- 240131-20-101 Revision B (received 25/02/2025)
- 240131-20-102 Revision A (received 25/02/2025)
- 240131-20-103 (received 25/02/2025)
- Oakington Buff – Technical Information Sheet (received 25/02/2025)
- 240131-10-101 Revision C (received 20/01/2025)
- 240131-30-101 Revision B (received 19/01/2025)
- 240131-30-101 Revision C (received 19/01/2025)
- 240131-40-102 Revision B (received 19/01/2025)
- 240131-40-103 (received 20/01/2025)
- 240131-50-101 Revision B (received 19/01/2025)

The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

3. Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as specified on the approved plans/application form unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory. Relevant policy: Core Strategy policies CP1 and CP3.

4. Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors,
- ii) loading and unloading of plant and materials,
- iii) storage of plant and materials used in constructing the development,
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- v) wheel washing facilities,
- vi) measures to control the emission of dust and dirt during construction,
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

5. Drainage Strategy

No development shall take place until full details of the drainage system for the site have been submitted to and approved in writing by the LPA. The details shall include:

- 1) Calculations indicating the Greenfield runoff rate from the site.
- 2) Full calculations demonstrating the capacity of attenuation features to cater for 1 in 100-year flood event with a 40% allowance for climate change and runoff controlled at Greenfield rates, or preferably better.
- 3) If connection to an existing surface water sewer is proposed, we need to understand why other methods of the SuDS hierarchy cannot be implemented and see confirmation from the utilities supplier that their system has got capacity and the connection is acceptable.
- 4) Groundwater monitoring confirming seasonal high groundwater levels in the area.
- 5) A drainage strategy plan indicating the location and sizing of SuDS features, with the base of any SuDS features located at least 1m above the seasonal high water table level.
- 6) Details demonstrating how any SuDS for this development would be managed throughout the lifespan of the development and who will be responsible for maintenance.

The approved scheme shall be implemented prior to the first occupation of the development and shall be maintained in the approved form for as long as the development remains on the site.

Reason: This is to prevent increased flood risk from surface water run-off. Relevant policy: NPPF (2023) Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.

6. School Travel Plan

Prior to the occupation of the development, a Travel Plan shall be submitted to and approved in writing by the local planning authority. The travel plan shall include a programme of implementation and details of drop-offs and pick-ups for pupils of the SEND unit hereby approved. The travel plan shall be fully implemented, maintained and reviewed as so-approved.

Reason: In the interests of Highway Safety. Relevant policy: Core Strategy policy CP6.

7. Parking and Turning space to be provided

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

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

8. Cycle Parking as Approved

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

Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

9. Protection of Trees

a) No development or other operations shall take place except in complete accordance with the Arboricultural Method Statement (Duckworths Arboriculture Ltd, January 2025, Ref: 06544 / 2025), hereinafter referred to as the Approved Scheme.

b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.

c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.

d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence Relevant

policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

10. Hours of Construction

No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

Informatives:

1. As of 2nd April 2024, a 10% Biodiversity net gain (BNG) for minor developments is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Under the statutory framework for biodiversity net gain, this planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met (the biodiversity gain condition).

The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development.

2. The applicant is reminded that this approval is granted subject to conditions which must be complied with prior to the development starting on site. Commencement of the development without complying with the pre-commencement requirements may be outside the terms of this permission and liable to enforcement action. The information required should be formally submitted to the Council for consideration with the relevant fee. Once the details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear please contact the case officer to discuss.
3. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.
4. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This

planning application has been the subject of positive and proactive discussions with the applicant in terms of:

- amended plans being submitted by the applicant to overcome concerns relating to vehicle turning and landscaping.

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