



DELEGATED OFFICER REPORT

App Number:	201475
Site Address:	Chestnuts, Chestnuts, Barkham Road RG41 7TF
Expiry Date:	23 September 2020
Site Visit Date:	11 August 2020
Proposal:	Full planning application for the proposed erection of 4no. semi-detached dwellings following demolition of existing dwelling and associated outbuildings with new access to Barkham Road
Recommendation:	Approval

PLANNING CONSTRAINTS/STATUS

- Limited Development Location
- Settlement Boundary (Countryside to the south)
- Tree Preservation Order TPO-0761-1995
- Thames Basin Heath Special Protection Area (5km zone)
- Bat consultation zone
- Green Route (Barkham Road)
- Flood zone 1
- Nitrate vulnerable zone
- Heathrow Aerodrome wind turbine safeguarding zone
- Contaminated land consultation zone (south eastern corner)
- Classified road

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy 2010	Policy CP1 – Sustainable Development Policy CP2 – Inclusive Communities Policy CP3 – General Principles for Development Policy CP5 – Housing Mix, Density and Affordability Policy CP6 – Managing Travel Demand Policy CP7 – Biodiversity Policy CP8 – Thames Basin Heaths Special Protection Area Policy CP9 – Scale and Location of Development Proposals Policy CP10 – Improvements to the Strategic Transport Network Policy CP17 – Housing Delivery
Managing Development Delivery Local Plan 2014	Policy CC01 – Presumption in Favour of Sustainable Development Policy CC02 – Development Limits Policy CC03 – Green Infrastructure, Trees and Landscaping Policy CC04 – Sustainable Design and Construction Policy CC06 – Noise Policy CC07 – Parking Policy CC09 – Development and Flood Risk Policy CC10 – Sustainable Drainage Policy TB05 – Housing Mix Policy TB06 – Development of Private Residential Gardens Policy TB07 – Internal Space Standards Policy TB21 – Landscape Character

	Policy TB23 – Biodiversity and Development
Other	Borough Design Guide Supplementary Planning Document Affordable Housing Supplementary Planning Document Sustainable Design and Construction Supplementary Planning Document CIL Guidance Barkham Village Design Statement

PLANNING HISTORY		
App No.	Description	Decision/Date
450/1957	Construction of garage	Approved 11 June 1957
22063	Replacement garage	Approved 23 August 1987
44295	New vehicular access	Approved 13 June 1995
44847	Construction of an additional dwelling house (on eastern side)	Refused 29 November 1995
181983	Demolition of existing dwelling and construction of three new dwellings	Refused 5 September 2018
182829	Two detached dwellings following demolition of existing dwelling	Approved 15 February 2019
190506	Replacement double garage (CLP)	Approved 13 March 2019
190830	Two detached dwellings following demolition of existing dwelling	Refused 16 May 2019
191399	Variation to 182829 to allow modifications to design	Approved 21 August 2019

CONSULTATION RESPONSES	
WBC Ecology	No objection, subject to conditions subject to biodiversity enhancements and lighting.
WBC Env. Health	No objection, subject to a condition relating to working hours. <u>Officer comment:</u> Given the small scale of the development, this condition is not justified.
WBC Highways	Following the receipt of amended plans, no objections are raised in relation to the provision of parking, turning, access and traffic management, subject to standard conditions.
WBC Trees and Landscaping	Initial concerns were raised in relation to whether the site would function (in terms of car parking and turning) without affecting existing trees, most of which are protected. Amendments were made and no further objection was noted, subject to conditions requiring tree protection and a landscape plan.
WBC Cleaner and Greener	No comments received.
WBC Drainage	No objection.
Thames Water	No comments received.

REPRESENTATIONS	
Barkham Parish Council	No objection, subject to protection of TPO trees and hedgerow.
Ward Member	No comments received.
Neighbours	The application was consulted to neighbours from 30 July to 20 August

2020. Submissions were received from the following properties:

- 1) 21 Aggisters Lane, Barkham RG41 4DW
- 2) 4 Coppid Hill, Barkham RG41 4TE

The submissions raised the following issues:

- Red line site area has been extended

Officer comment: The Council raises no objection to the location of the red line site plan, which is unchanged from the previous approval.

- Access onto Barkham Road is not lawful

Officer comment: The site plan has been updated to show the access onto Barkham Road as proposed as there has been no previous approval for access in this location. The proposal for a new access point at this location has been reviewed by the Council's Highways Officer and no objection raised on traffic and safety grounds.

- Increased traffic

Officer comment: The Council's Highways Officer does not raise concern with the level of traffic generation arising from the proposed development.

- Odour from location of bin store

Officer comment: The bin store to Plot 1 has been relocated away from the neighbour's dwelling in revised plans such that odour is no longer a concern.

- Incompatible streetscene
- Excessive bulk and height for the site

Officer comment: With the exception of two new street facing dormer windows, the envelope and footprint is unchanged from the approval in 182829, as amended by 191399. There are other changes including additional fenestration and hardstanding and the replacement of an approved garage on the western side boundary with a carport. However, the proposal retains a largely unchanged bulk and height and appropriate streetscene presence. Refer to 'Character of the Area' for further comment.

- Dominance and loss of light (to 4 Coppid Hill)
- Overlooking to 6-8 Bearwood Road

Officer comment: Matters of neighbour amenity are acceptable, as noted in 'Neighbour Amenity'.

	Rear to flank separation (to 2 Aggisters Lane) is substandard <u>Officer comment:</u> The rear to flank distance is compliant, as noted in 'Neighbour Amenity'.
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APPRAISAL

Proposal

The proposal involves the following works:

- Demolition of the existing single storey dwelling house and garage
- Subdivision of the site into four plots
- Construction of two x 2.5-storey semi-detached buildings, with each of the four dwellings consisting of four bedrooms
- Parking for ten vehicles, including a carport for Plot 1 and six spaces at the eastern end of the site
- New access driveway and crossover to Barkham Road and use of the side laneway with a modified crossover to Barkham Road
- Landscaping and site works, including additional hedges and fencing between the two plots

The application uses the approved envelope of 182829 for two detached dwellings (since varied by 191399) with additional hardstanding and changes to fenestration, loft rooflights and street facing dormer windows.

Site Description

The site is located on the northern side of Barkham Road, just east of the intersection with Bearwood Road. It has a total site area of 1540m² with a long frontage of 75m to Barkham Road. The subdivision pattern is consistent with other properties to Aggisters Lane although the dwelling is sited to face south east, which is consistent with all other properties in the area.

On the site is a single storey dwelling and detached garage concentrated in the north western corner of the site. There are two large groups of trees at the eastern end of the site, dissected by an existing entrance from an unmade road. They are protected by a Tree Preservation Order. Surrounding development comprises mostly detached dwellings within an established pattern of development although the subject property and Coppid Hill to the west are large plots fronting Barkham Road.

Principle of Development

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.

Sustainability

Policies CP1 and CP6 of the Core Strategy require that development be sustainable, in terms of enhancing the quality of the environment and achieving zero carbon developments with a reduction in the need for travel and the promotion of sustainable transport.

There are recent planning permissions granted in the surrounding area for new additional infill dwelling houses, including 171388 on Coppid Hill to the west. There are also refusals such as 171276, where sustainability was not raised a reason for refusal. The officer report for the previous approval for two dwellings on the application site (182829) concluded that because the site is located within settlement limits within a limited development location, it is suitably located in terms of access to public transport, facilities and services. That stance is maintained in this application for four dwellings and the proposal is therefore acceptable on sustainability grounds.

Development of a Residential Garden

Policy TB06 of the MDD Local Plan seeks to avoid inappropriate development of residential gardens where there is harm to the local area. Permission would only be granted where there is a positive contribution to the built form and surrounding spaces, integration with the layout of the surrounding area, appropriate hard and soft landscaping, amenity space, building separation and compatibility with the general building height.

R22 of the Borough Design Guide SPD also notes that backland development must not harm the existing character of the local area, relate positively to the existing layout and urban form, maintain the quality of environment for existing residents and create a satisfactory living environment.

The proposal is not strictly viewed as backland development because of its long southern frontage to Barkham Road but it is still, in effect, development of an existing residential garden.

The officer report for 182829 concluded that the erection of two detached dwellings on the site was a measured outcome for the site when compared with the three detached dwellings proposed in the previously refused scheme (181983). The two dwellings had an appropriate footprint, were sited appropriately to relate to neighbouring properties (including to protect existing amenity), ensured a satisfactory living environment and allowed for adequate building separation and consistency in building line. It was also achieved without compromising important landscape features and allowed for adequate pedestrian accessibility.

There is a doubling in density on the site, in terms of the number of dwellings and bedrooms. This results in additional parking requirements and with the use of the roofspace, the inclusion of dormer windows to the front roof plane. There is no change to the footprint or front and rear building lines of the approved scheme, with the two new dormers and additional velux rooflights not contributing to an unreasonable increase in bulk. There is therefore no change to the relationship with neighbouring properties and the levels of neighbour amenity remain satisfactory. The internal living standards still meet the relevant requirements and whilst there is additional hardstanding, it is not to the

extent that it adversely affects the landscape character of the site. Pedestrian access through the site is also suitably retained. On this basis, the proposal still achieves a satisfactory outcome in terms of TB06 and R22.

Character of the Area

General form

Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and must be of high quality design. R1 and RD1 of the Borough Design Guide SPD require that development contribute positively towards and be compatible with the historic or underlying character and quality of the local area.

The two approved detached dwellings in 182829/191399 had a total footprint of 157m² and 127m² respectively although the 15m² footprint of the attached garage on Plot 1 lessened any apparent bulk. This was noted as being generally larger than surrounding development but as a ratio to the site area, it was acceptable, particularly as all relevant policies were satisfied. The development did not appear out of place in the limited development location and was complemented by a positive landscape setting, as enhanced by additional landscaping by pre commencement condition.

As noted above, the approved envelope is unchanged, with the exception of an additional dormer to the front elevation of both buildings and additional fenestration. The approved garage on the western boundary has also been replaced with an open carport. As a result, any increase in built form is minimal at worst and negligible at best and does not result in an unreasonable increase in dominance on the street.

Because of the proximity of protected trees and the limited development and settlement edge location, permitted development rights in relation to Class A (extensions), Class E (outbuildings) and Class F (hard surfacing) was stipulated by condition and this stance remains in the assessment of this application.

Density

Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan require an appropriate dwelling density and R10 of the Borough Design Guide SPD seeks to ensure that the development achieves an appropriate density in relation to local character.

The site is located within a limited development location and this is evidenced in the density of the surrounding area. The immediate area bounded by Bearwood Road, Barkham Road and Aggisters Lane has a density of 14 dwellings per hectare (dph) with 13-17 dph on the northern side of Barkham Road and 8.5 dph on the southern side of Barkham Road. The adjoining to the west was also granted outline approval (161452) with a density of 25 dph.

The approved development (182829/191399) had a density of 13 dph or 17 dph when accounting for the undevelopable area of the site that is subject to TPO protection. This was entirely appropriate for the area. It has since increased to 26 and 34 dph respectively. This is bordering on and generally exceeding the upper end of the density of

the surrounding area. However, by utilising the existing approved envelope (with minor additions), maintaining adequate levels of neighbour amenity, because of its sustainable location and by accommodating car parking, access and traffic generation in a satisfactory manner, the increase in density does not manifest itself in any adverse impacts for the surrounding area. This is illustrated in the planning assessment within the rest of the officer report and on this basis, no objection is raised.

Settlement Edge

Policy CC02 of the MDD Local Plan states that development at the edge of settlements is acceptable where it is demonstrated that it is within development limits and respects the transition between the built up area and the open countryside by taking account of the character of the adjacent countryside and landscape. RD9 of the Borough Design Guide SPD requires that development on the settlement edge create an edge and incorporate soft landscaping to integrate to the rural setting.

The settlement boundary extends to the southern boundary of the property and Barkham Road is within the designated countryside. However, residential development on the southern side of Barkham Road to the west and east creates a green gap or corridor that allows views across the valley to the south.

The officer report for 182829 noted that the establishment of two dwellings on the plot, both with a height of two storeys, was appropriate in the context of surrounding development of similar scale and it achieved a suitable transition and relationship to the settlement edge and countryside. As noted above, there is an increase in density but because there is no change to the built form (including any change to roof height, eaves height, front and rear building line or building separation) and the only change includes a modestly proportioned dormer to each building and additional window openings, it retains a satisfactory relationship to the countryside to the south.

Siting and relationship to neighbours

R2 and RD2 of the Borough Design Guide require development to respond to context, including incorporating existing features, taking advantage of landform and orientation and relating to neighbours. R3 and R4 require housing to relate to the existing network of streets and spaces.

The four dwellings will front Barkham Road, with no immediate relationship to properties in Aggisters Lane and only the existing building at the corner of Bearwood Road and the infill bungalow immediately to the west having a southern presentation to Barkham Road. Notwithstanding this, it is an acceptable design solution given the ample frontage to Barkham Road of 40m (excluding the TPO trees) or 75m (including the trees) allows for sufficient frontage and an appropriate semi-detached presentation to the main road.

The building orientation is also not immediately parallel with the front boundary and is closer to 15 degrees or due south. However, this is more a consequence of the configuration of the road and the front boundary and the constraints imposed by the protected trees in the south eastern corner. On balance, the proposal retains a positive streetscape presentation in an area that does not exhibit any real cohesion in the alignment and pattern of development and as such, no objection is raised.

The building separation between Plots 1 and 2 is 3.3m, which is an appropriate outcome within the limited development and settlement edge location and in terms of the separation and openness created within other development in the area. All of these aspects are unchanged since the approval of 182829.

Building line

R7 of the Borough Design Guide SPD requires a consistent building line relative to existing buildings.

The predominant building line in this area of Barkham Road is established by Coppid Hill to the west, which dates from pre 1873, the recently constricted infill bungalow immediately to the east and the subject property. The infill bungalow has a setback of 4.5m-6.0m, which reflects the curved nature of the boundary and its relationship with the existing building to the west (setback of 4.1m). Because of the variable and irregular front boundary line and the off centre orientation of the two buildings/four dwellings, the numerical setback of Plot 1 is between 6.5m-9.5m and Plot 2 is 3.8m-5.8m. More generally though, there is consistency in the relationship to Barkham Road, with a building line of more than 10m to the kerb, and no impression of dominance to the streetscene. This is unchanged since the approval of 182829 and in this respect, the proposal is acceptable.

Height

R9 and NR5 of the Borough Design Guide SPD note that height, bulk and massing should respond to the local context and the prevailing heights in the area. The infill dwelling immediately to the west is a single storey bungalow but this is the exception rather than norm with the predominant height of established and more recent development mostly of two storeys. The approved two storey height is increasing to 2.5 storeys but only by virtue of the use of the roofspace as a second floor loft.

The addition of a dormer window to the left side of the front hip and a new window within the right side gable projection of both buildings, in addition to several rooflights, would alter the impression of the roof and result in the buildings appearing as 2.5 storeys rather than two storeys. However, there is no increase in the overall eaves height of 5.8m or ridge height of 9.2m and the height remains acceptable in this context.

Parking

P2 of the Borough Design Guide SPD ensures that parking is provided in a manner that is compatible with the local character. R23 of the Borough Design Guide SPD requires that garages be well designed, respond to the original building and contribute to the local character. Garages should not forward of the building line and provision.

The approved development (as varied by 191399) included an attached double garage with 75m² of hardstanding forward of the dwelling. Most of this space was for turning and manoeuvring but it could also be used for parking. The current application seeks to reinstate parking to the side of the dwelling, as approved in 182829, but in the form of a carport. The amount of hardstanding is increased by 17m² to 92m², allowing for an car

visitor space. On balance, the changes are relatively minor and there remains adequate opportunities for landscaping such that no objection is raised in relation to Plots 1 and 2.

Plots 3 and 4 will continue to have uncovered parking to the side and rear of the dwelling. There is no proposal for additional garaging but it includes an additional 90m² of gravel or permeable hardstanding. However, because it is concentrated away from the street frontage and is screened by existing protected trees, the additional gravel and hardstanding and the parked vehicles within it, does not pose an unreasonable impact upon the landscape setting of the site.

Materials

R11, RD6 and RD7 of the Borough Design Guide SPD require that housing ensure a coherent street character, including materials, colours and details. Materials have been nominated as brick walls with stone window surrounds, uPVC window and door frames, and slate tiles. There is limited detail (as opposed to the detail provided in 182829) and as such, a pre commencement condition is now considered necessary.

R6 of the Borough Design Guide SPD requires that building frontages provide surveillance and activation of the street. R13 of the Borough Design Guide SPD states that residential development should address public open space. The dwellings address Barkham Road and have an acceptable streetscape presence. They are of an appropriate design, with pitched roofs, projecting bay windows and gable presentation contributing to an appropriate streetscape character.

Boundary Treatments

R12 of the Borough Design Guide SPD states that boundary treatments contribute positively to the character of the area.

The site is devoid of any boundary definition to Barkham Road, with varied landscaping and a dilapidated wire fence forming part of the boundary. The proposal does not include any fencing along the boundary to Barkham Road with reliance instead upon additional planting being added to the existing tree and hedge screen. Given the site is partially elevated above the footpath level, the use of landscaping (which is subject to further details in a landscape proposals plan) is likely to be satisfactory as a boundary treatment.

Close boarded fencing is shown to delineate each of the plots and not forward of the front building line. This is acceptable. A new gate is also proposed at the entrance to Plot 2. With its location amongst heavy tree coverage, it is unlikely to pose any real streetscape concern.

Housing Policies

Dwelling Mix

Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan require an appropriate dwelling type and tenure. The proposal involves four x 4 bedroom (plus study), family sized dwellings. In the context of the surrounding built form and because of the small scale of the development and as it is expanding upon the existing approved

development of two x 4-bedroom dwellings, there is no opposition to this arrangement.

Housing Affordability

Policy CP5 of the Core Strategy, Policy TB05 of the MDD Local Plan and the Affordable Housing SPD specify an affordable housing rate of 20% for any development involving five or more dwellings on land measuring 0.16 hectares or larger. The proposal involves three additional dwellings on 0.153 hectares and as such, there is no requirement for affordable housing.

Accessibility (incorporating The Public Sector Equality Duty (Equality Act 2010))

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. Policy CP2 of the Core Strategy also seeks to ensure that new development contributes to the provision of sustainable and inclusive communities, including for aged persons, children and the disabled.

In this case, there is no specific requirement to provide an accessible dwelling. However, with level access to the ground floor, where a bathroom is located and sleeping facilities can be provided, no objection is raised. At 4+ bedrooms, each of the dwellings are also be defined as family housing, which is supported.

Accordingly, there is no indication or evidence (including from consultation on the application) that persons with protected characteristics as 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 as a result of the development.

Housing Amenity

Internal amenity

Policy TB07 of the MDD Local Plan and R17 of the Borough Design Guide SPD require adequate internal space to ensure the layout and size achieves good internal amenity. In accordance with the Technical housing standards – nationally described space standard, a minimum standard of 121-130m² applies. All four of the dwellings satisfy this requirement. Were the study areas considered as bedrooms, a standard of 134m² would apply and the proposal remains compliant.

Plot	Bedrooms	Occupancy	Area	Required	Complies
1	4	8	170m ²	130m ²	Yes
2	4	8	173m ²	130m ²	Yes
3	4	7	144m ²	121m ²	Yes
4	4	7	143m ²	121m ²	Yes

Main bedrooms should have a minimum area of 11.5m², secondary bedrooms should measure 7.5m², living spaces should have a minimum area of 31m² and there should be provision for storage. All of the bedrooms meet this requirement with Plots 3 and 4 each having one single bedroom. The open plan living area is at least 33-40m² in area and

storage is provided. As such, the internal dimensions are satisfactory.

R18 of the SPD requires sufficient sunlight and daylight to new properties, with dwellings afforded a reasonable dual outlook and southern aspect. Paragraphs 127 and 130 of the NPPF seeks to promote development that has good architecture and layout with a high standard of amenity for existing and future users and Paragraphs 150 and 153 of the NPPF state that new development should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

The dwellings are dual aspect with ample window openings and adequate building separation. They achieve a good southern aspect and with an open plan form, there is sufficient cross ventilation. There are no concerns with the proposal in relation to the amenity afforded to the future occupiers.

External amenity

R16 of the Borough Design Guide SPD requires a minimum depth of 11m for rear gardens and a 1m setback from the site boundary to allow access thereto. All four plots have a rear garden with a depth of 11m opening from the main open plan living area with side external access. On the basis of the above, no objection is raised.

Acoustic amenity

Policy CC06 and Appendix 1 of the MDD Local Plan requires that development protect noise sensitive receptors from noise impact. The rooms along the common walls of the semi-detached dwellings have been positioned appropriately, with the only exception being the bathroom of Plot 4 being alongside the bedroom of Plot 3. Given the development is a new build, it is feasible that it would not pose any unreasonable acoustic impacts when subject to building regulations.

Neighbour Amenity

Overlooking

R15 of the Borough Design Guide SPD requires the retention of reasonable levels of visual privacy to habitable rooms, with front-to-front separation of at least 10-15m to the street and 11-17m for rear-to-flank. R23 notes that the side walls must not contain windows, especially at first floor level.

There is a separation distance of at least 35m across the front boundary such that no overlooking issues are noted. To the rear, there is 11m to the boundary with 2 Aggisters Lane and a further 1.5m to its flank wall. At ground and first floor level, the total separation of 12.5m complies with the minimum standard of 11m but at second floor level, the 14.3m departs from the 17m standard. However, the velux windows have a sill height of 1.6m above the finished floor level such that there is no unreasonable level of overlooking from the windows.

There are side facing ground floor windows within each floor of each dwelling. However, they are either at ground level where they are adequately screened by existing or proposed fencing, to non-habitable ensembles (and conditioned as obscure glazed by

condition), are velux rooflights with a sill height of 1.6m or in the case of Plot 4, looking onto the access driveway and the protected trees where no overlooking of neighbouring properties exists.

Access from the car park at the west of the site would result in residents and visitors passing by the sitting room windows of Plots 4, 3 and 2. Whilst some overlooking is possible, it is not unreasonable or sufficient to warrant refusal of the application.

On the basis of the above, there is a satisfactory level of privacy provided across the property boundaries and within the development.

Overbearing and Sense of Enclosure

R16 requires separation distances of 1.0m to the side boundaries and 11m to the rear boundary. As part of the approved scheme, both dwellings were 11m from the rear boundary and no unreasonable sense of enclosure towards 2 Aggisters Lane was noted. This is unchanged.

A 3.1m setback to the western boundary is retained, which is acceptable. Consistent with the previous application, the garage extends to within 1.0m but has an eaves height of 2.5m and a flat roof, thereby minimising any foreseeable impact. It is converted to an open sided carport in this application, which lessens any approved bulk as viewed from the neighbouring property. There is at least 11m separation to the rear boundary and no dwellings adjoining to the east. Accordingly, there are no concerns raised on the grounds of overbearing dominance.

Sunlight and Daylight

R18 of the Borough Design Guide SPD aims to protect sunlight and daylight to existing properties, with no material impact on levels of daylight in the habitable rooms of adjoining properties. Habitable windows of adjoining properties must not be obstructed by a 25 degree angle and two storey extensions must not obstruct a 45 degree line back towards a habitable window of the adjoining property.

The officer report for the previous approval noted that the proposal would partially impact 2 Aggisters Lane over the rear boundary. The two storey height of the dwellings will encroach within the 25 degree line and there will be some loss of sunlight around midday arising from the roof of the two dwellings. However, the impact was not unreasonable on the basis that the proposed dwellings complied with the 11m setback requirement and there are no south facing windows within the side elevation of 2 Aggisters Lane. This is unchanged in this application.

To the west, the dwelling on Plot 1 extends 11m beyond the rear of the new infill bungalow within Coppid Hill to the west. Most of the rear elevation within the bungalow is inside the 45 degree line when measured in plan form. This includes the bedroom and reception room windows, both of which are the sole windows to these spaces, will be affected. However, Plot 1 is 3.2m-4.8m from the common boundary and when the 45 degree line is measured in elevation form, the measurement extends to 6.5m and there is no additional impact, including to the nearest bedroom window. Moreover, the carport which extends closer to the boundary also has a negligible additional impact. Overall,

though, the windows are north facing and there will be no direct overshadowing. These factors contribute to the conclusion that the impact will be minimal and entirely reasonable.

With separation of 3.3m between the two buildings, there are no concerns of daylight or sunlight loss between the two buildings as they are suitably aligned. Whilst side facing habitable windows within the dwellings between the two plots will be affected, they are secondary side windows within an open plan layout with a good front and rear outlook through their primary windows. On this basis, no objection is raised.

Noise

Policy CC06 and Appendix 1 of the MDD Local Plan requires that development protect noise sensitive receptors from noise impact. There are no unreasonable impacts in terms of noise disturbance.

Highway Access and Parking Provision

Car Parking

Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum off street car and cycle parking standards, including provision for charging facilities. The parking standards require a total of 10 spaces, made up of 8 allocated spaces and two unallocated/visitor spaces. Ten spaces are provided, with each of the dwellings provided with at least two spaces and two visitor spaces. This is in accordance with the policy.

The car spaces for Plots 1 and 2 are alongside the dwelling and the spaces for Plots 3 and 4 are in the eastern parking court. The maximum distance from car space to front door is 25m, which is reasonable. Visitor parking is located to the eastern end of the parking court, which is also reasonable.

A cycle shed is provided in the rear garden of each dwelling, which allows parking for two bikes, which accords with the standards. P2 and P3 of the Borough Design Guide SPD ensure that cycle parking is conveniently located, secure and undercover and provided where it is compatible in the streetscene. The location is convenient and secure and accords with P2 and P3.

Access, Maneuverability and Traffic Generation

Paragraph 108 of the NPPF requires safe and suitable access to the site can be achieved for all users and paragraph 110 also seeks to create places that are safe, secure and attractive. Policy CP6(f) and (g) of the Core Strategy also require mitigation against any adverse effects upon the local and strategic transport network and the enhancement of road safety.

Plots 1 and 2 will utilise an existing pedestrian access point in the western corner, with a new crossover to Barkham Road whilst Plots 3 and 4 will utilise the existing access via the unmade road to the east.

The Council's Highways Officer has noted that it is unlikely that the proposal would have

an adverse impact on the highway network. Visibility splays for the crossover on Barkham Road have been provided and are within acceptable dimensions. The landscaping close to this crossover would need to be maintained to be less than 0.6m, which is achievable. The access is widened by condition because it is now proposed to serve two properties. Subject to these arrangements, there is no objection to the location of the access and any impact upon existing traffic movements along Barkham Road.

Vehicular access to Plots 3 and 4 is satisfactory as it is accessed via an existing private drive that leads onto Barkham Road. As part of this access, it is also proposed that the existing crossover to the east of the bus stop will be reduced in length and returned to pavement which is welcome. This will need to be carried out at the applicant's expense.

On site manoeuvrability is achieved and all vehicles will be able to leave the site in a forward gear.

Pedestrian access is provided between the eastern parking court and all four dwellings, including via a unpaved woodland type path linking Plots 1/2 and 3/4. Access from the road/street is via the driveways to Barkham Road and the side laneway. Whilst there is some sharing with vehicles, both arrangements are satisfactory because it allows a maximisation of the landscape setting.

Construction Management

A framework demolition and construction method statement has been submitted with the planning application and for assessment purposes, it allows for satisfactory management of the demolition and construction phase but a full assessment is required as a pre commencement condition.

Landscaping and Trees

Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks and existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character.

The eastern end of the property is subject to Tree Preservation Order 761/1995. It relates to the following groupings of at least 30 trees:

- G1 to the northern side of the access drive and comprising 3 x Lawson Cypress, 1 x Ash and 1 x Birch
- G2 to the southern side of the access drive and comprising 13 x Holly, 1 x Hawthorn, 4 x Ash, 1 x Plum, 2 x Lime and 5 x Hazel

The dense grouping of trees collectively provide good landscape coverage in an elevated and prominent location on Barkham Road, which itself is a nominated Green Route. A non-protected grouping of hedging and trees also extended along the southern boundary to Barkham Road, which added to the green setting of the site and the streetscene. However, these trees have been recently removed in parts and this has opened up the site with a significant reduction in the landscape character of the site with the existing dwelling now visible from Barkham Road.

The frontage extends the sylvan quality derived from many trees and hedges which should be retained as they provide a setting to the site and inform the landscape character of the immediate area. The trees and hedgerows enhance the Green Route and they provide a setting to the site and screening whilst informing the landscape character of the immediate area.

There is a wide verge to the front (east end) of the site fronting Aggisters Lane, and to Barkham Road (a Green Route) where mature hedging and trees provide a landscaped apron to the boundaries and underpin the landscape character of the area and the site therein. The sylvan character is a quality derived from the many trees and hedges on and in close proximity to the site and trees on or outside of the site that will be affected by development should be retained and protected according to Policy CC03 of the Local Plan.

An Arboricultural Implications Assessment (AIA) dated June 2018 was submitted and has been reviewed by the Council's Trees Officer and is acceptable. The access onto Plots 3 and 4 and the parking area is made of compacted gravel at the request of the Trees Officer. The AIA suggests that cellweb must be used to cover the widened access driveway as it is totally covered by the root protection area of T18 and G10. For clarity, the cellweb should cover the entire driveway, which must then be surfaced with loose or compacted gravel to be compliant with BS5837:2012. This is to be detailed in an updated Arboricultural Method Statement, required by pre commencement condition.

A Tree Protection Plan (TPP) was also acceptable. However, the AIA and the TPP show an older scheme and whilst not consequential to the landscape assessment, the current design layout and the landscape proposal recommendations will need to be reflected and this is to be consolidated by condition.

R14 of the Borough Design Guide SPD requires well-designed hard and soft landscaping that complements housing. The Council's Trees Officer also raises no objection to the landscaping scheme, including paved pathways and edging to the buildings or around planting beds. The use of block paving has been minimised to not more than approved under 182829 because the Council's Trees Officer considers it to be at odds with the established character. Any additional turning and parking is loose gravel, with final details forming part of the hard and soft landscaping requirements of the pre commencement condition. Block paving, permeable in nature, at the front access point of the driveway is acceptable.

To reflect the landscape character of this semi-rural location on a green route, the front hedges should be enhanced with native hedgerow planting with Holly, Hawthorn, Birch, Hazel and Blackthorn, which will ensure the hedgerow adjacent to Barkham Road becomes a dense screen of native deciduous transplants. This will also screen the additional parking area and to complement the protected status of the trees on the site is important to the Green Route character and increased activity on this small site could adversely impact the root protection areas of the trees by increased compaction.

Further to the above, permitted development rights were removed in 182829 in relation to Classes A, E and F, with any extensions, outbuildings (or the like) and hard paving having the potential to adversely impact upon the health of TPO protected trees (and other trees) on the site. This stance would need to be maintained in this application.

It is also noted in commentary from the Trees Officer that the existing driveway from Aggisters Lane has a low canopy height that would prohibit use by larger construction vehicles. Condition 6 of the previous approval (182829) required the submission of a Construction Management Plan prior to commencement of works and this would be updated to reflect/outline this requirement.

Ecology

Policy TB23 of the MDD Local Plan requires the incorporation of new biodiversity features, buffers between habitats and species of importance and integration with the wider green infrastructure network.

The site is within habitat where bats have previously been found and is within habitat of high suitability for foraging and commuting bats and nesting birds with trees and shrubs to the east of the garden boundary, large connected gardens with trees, a broadleaved woodland 140m to the west, a number of small woodland areas within 600m and a Local Wildlife Site (The Coombes) 700m to the northwest of the site.

Planning application 182829 was accompanied by a bat survey report (prepared by Smart Ecology Ltd and dated July 2018) which detailed that the existing building as having moderate potential to support a bat roost with the results of one dusk emergence and one dawn re-entry surveys carried out in June 2018. No bats were observed and as such, the report concludes that it is unlikely that the proposals will affect bats. The report was updated July 2020 with the same conclusions.

Some trees outside of the TPO area will be felled and these are not referred to in the ecology report. However, based on the information within the tree survey, it is considered unlikely that they contain features that are suitable for use by roosting bats.

On the basis of the above, there are no ecology objections to the application, subject to a condition to ensure that biodiversity enhancements are provided on and around the new building and that gaps are left at the base of fences to allow hedgehogs and other wildlife to traverse the site.

Thames Basin Heaths Special Protection Area

Policy CP8 of the Core Strategy states that where development is likely to have an effect on the Thames Basin Heaths Special Protection Area (TBH SPA), it is required to demonstrate that adequate measures to avoid and mitigate any potential adverse effects are delivered.

The subject application includes a net increase of three dwellings on a site that is just inside the 5km zone of the TBH SPA. The access to the site from Barkham Road is also wholly within the 5km zone. Policy CP8 states that where there is a net increase in dwellings within 5km of the SPA, an Appropriate Assessment is required to be undertaken. This is attached to this report and has concluded that contributions to access management measures and monitoring in line with the Delivery Framework will be required.

Mitigation measures were outlined in a Section 106 agreement for the approval in 182829 in the form of the provision of Suitable Alternative Natural Greenspace (SANG) at Rocks Nest Wood and a monetary contribution for ongoing monitoring (SAMM). As this is a new application, a new agreement is required and has been signed.

Building Sustainability

Policy CC04 of the MDD Local Plan and the Sustainable Design and Construction SPD require sustainable design and conservation and R21 of the Borough Design Guide SPD requires that new development contribute to environmental sustainability and the mitigation of climate change.

Sustainability measures remain nominated in the building design and these include:

- Good building standards to create an excellent SAP rating
- Use of locally sourced, recycled materials
- Use of natural light through floor-ceiling windows
- Reduced internal water consumption of 110L/person/day with water efficient sanitary fittings, low flow toilets and water efficient taps
- 'A' rated electrical appliances and energy saving light fittings
- 'A' rated double glazed windows
- Water butts fitted to the rainwater down pipes
- Achievement of Lifetime Homes standard

The above arrangements are likely to ensure compliance with Part L of the Building Regulations and on this basis, no objection is raised in terms of Policy CC04 of the SPD.

Waste Storage

Policy CC04 of the MDD Local Plan requires adequate internal and external storage for the segregation of waste, recycling, green waste and composting and an appropriate area for ease of collection. Separate bin storage is nominated on the plans and it is suitably located for convenience of occupants and movement to the kerb for collection. It is also appropriately located on odour and streetscape grounds.

Flooding

Policy CC09 of the MDD Local Plan requires consideration of flood risk from historic flooding. The site and access thereto is located within Flood Zone 1 and the proposal represents no additional flood risk or vulnerability. It is therefore acceptable in terms of Policy CC09.

Drainage

Policy CC10 of the MDD Local Plan requires sustainable drainage methods and the minimisation of surface water flow. Foul water will discharge into an existing foul sewer and surface water will be to a surface water sewer or to proposed soakaways within the site. Council's Drainage Engineer has reviewed this arrangement and raises no in-principle objection, subject to additional drainage runoff, infiltration and SuDS details being submitted as a pre commencement condition.

R23 of the Borough Design Guide SPD notes that parking spaces in front gardens must be paved with permeable surfaces to avoid any increase in surface water run-off and should include for soft landscaping. The proposal includes a large amount of driveway space forward of Plots 1 and 2, accounting for approximately 46% of the frontage of both properties, up from 40% in the previous approval. Notwithstanding this, permeable block pavers are nominated on the plans, which is likely to ensure that there is adequate on site infiltration.

On the basis of the above, no objection is raised in relation to Policy CC10.

Contamination

There is no known contamination.

Community Infrastructure Levy

The application is liable for CIL payments because It involves a net increase of one dwelling. It is payable at £365/m2 index linked.

RECOMMENDATION	
Recommendation:	Approval, subject to legal agreement dated 9 October 2020
Pre Commencement Conditions Agreed	Yes
Case Officer:	Simon Taylor
Date:	9 October 2020
Earliest date for decision:	21 August 2020

Recommendation agreed by: (Authorised Officer)	
Date:	12/10/2020

The Conservation of Habitats and Species Regulations 2017
Screening Assessment and Appropriate Assessment

In the light of the “Sweetman Judgement” (People Over Wind and Sweetman v Coillte Teoranta, April 2018), the comments below comprise an Appropriate Assessment which includes advice on necessary avoidance and mitigation measures which is consistent with the advice provided to the Planning Inspectorate on such matters.

Summary of Response

WBC, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has been carried out which includes regard to mitigation requirements.

This site is located 4.93-4.99km (measured from the access road to the application site) from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

On commencement of the proposed development, a contribution (calculated on a per-bedroom basis) is to be paid to Wokingham Borough Council (WBC) towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in WBC’s Infrastructure Delivery Contributions Supplementary Planning Document (SPD).

The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures.

In this instance, the proposed development would result in a net increase of three x four bedroom dwellings within 5km which results in a total SANG contribution of £10,640.68.

The proposed development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of ££2,557.41.

The total SPA related financial contribution for this proposal is £13,197.99. The applicant must agree to enter into a S106/s111 agreement to secure this contribution prior to occupation of each dwelling. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, policy CP8 of the Core Strategy, and the NPPF.

1. The Conservation of Habitats and Species Regulations (2017)

In accordance with The Conservation of Habitats and Species Regulations (2017) Regulation 63 a competent authority (in this case Wokingham Borough Council (WBC)),

before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

- a. is likely to have a significant effect on a European site...(either alone or in combination with other plans or projects), and
- b. is not directly connected with or necessary to the management of that site.

must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.

A person applying for any such consent, permission or other authorisation must provide such information as WBC may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.

WBC must for the purposes of the assessment consult Natural England (NE) and have regard to any representations made by that body. It must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate. In the light of the conclusions of the assessment, and subject to Regulation 64 (Considerations of overriding public interest), WBC may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site.

In considering whether a plan or project will adversely affect the integrity of the site, WBC must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which it proposes that the consent, permission or other authorisation should be given.

2. Stage 1 Screening for Likely Significant Effects

WBC accepts that this proposal is a 'plan or project' which is not directly connected with or necessary to the management of a European Site. The Thames Basin Heaths Special Protection Area (SPA) is a European designated site which affects the borough, and WBC must ensure that development does not result in an adverse impact on the SPA. The potential adverse effects on the integrity of the SPA include recreational activities from inside the SPA and air pollution from inside and outside the SPA.

At this stage WBC cannot rule out 'likely significance effects' on the SPA (alone or in combination with other plans or projects) because the proposal could undermine the Conservation Objectives of these sites. This is because the proposal lies within 5km of the SPA and represents a net increase in dwellings within 400m - 5km of the Thames Basin Heaths Special Protection Area (SPA) which will lead to an increase in local population and a potential increase in recreational activity on the SPA.

As the 'likely significance effects' cannot be ruled out at this stage an Appropriate Assessment must be undertaken.

3. Stage 2 Appropriate Assessment

Based on the information proposed by the applicant, WBC must decide whether or not an adverse effect on site integrity (alone or in combination with other plans or projects) can be

ruled out. Mitigation may be able to be provided so that the proposal is altered to avoid or reduce impacts.

The following policies and guidance set out WBC's approach to relevant avoidance and mitigation measures which have been agreed with Natural England. For the majority of housing developments this will comprise the provision of (or contribution towards) Suitable Alternative Natural Greenspace (SANG) and a contribution towards the Strategic Access Management and Monitoring (SAMM) Project. The financial contributions towards SANG would be either through an obligation in a s106 agreement that requires WBC to allocate an appropriate amount of the development CIL receipt towards the provision of SANG, or through an obligation in an agreement under s111 of the Local Government Act, that requires the developer to make an appropriate financial contribution towards the provision of SANG (to be used in the event that the developer successfully seeks CIL relief). Developers will be required to secure an appropriate financial contribution to the SAMM project through an obligation in a s106 agreement.

For SDL development (and occasionally some other larger non SDL developments) within 5km of the SPA, SANG is required at a minimum of 8 ha per 1,000 new residents, constructed and delivered to Natural England's quality and quantity standards and a contribution towards pan SPA access management and monitoring (as advised by the Thames Basin Heaths Joint Strategic Partnership Board). For SDL development (and occasionally some other larger non SDL developments) between 5 and 7km, the proposals will need to be individually assessed but it is likely that SANG will be required on site in line with Natural England's quality and quantity standards, although the exact requirement will be agreed having regard to evidence supplied.

a. Policies and Guidance

For this proposal the following guidance and policies apply:

- South East Plan (May 2009) Policy NRM6 (Thames Basin Heaths Special Protection Area)
<http://webarchive.nationalarchives.gov.uk/20100528160926/http://www.gos.gov.uk/gos/e/planning/regionalPlanning/815640/>
- Wokingham Borough Core Strategy (2010) Policy CP8 (Thames Basin Heaths Special Protection Area) sets out the approach WBC will take in order to protect the TBH SPA
<http://www.wokingham.gov.uk/planning/planning-policy/local-plan-and-planning-policies/>
- Wokingham Borough Core Strategy (2010) Policy CP7 (Biodiversity) sets out the approach WBC will take in order to protect national and international nature conservation sites <http://www.wokingham.gov.uk/planning/planning-policy/local-plan-and-planning-policies/>
- Wokingham Borough Managing Development Delivery Local Plan (2014) Policy TB23 (Biodiversity and Development) <http://www.wokingham.gov.uk/planning/planning-policy/local-plan-and-planning-policies/>
- Infrastructure Delivery and Contributions SPD (2011)
<http://www.wokingham.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=193415>

The project as proposed would not adversely impact on the integrity of the SPA if avoidance and mitigation measures are provided as stipulated by these policies and guidance.

b. SPA Avoidance and Mitigation Measures

i) The provision of Suitable Alternative Natural Greenspace (SANG) and its ongoing maintenance in perpetuity.

In accordance with the development plan, the proposed development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG).

As this development is not part of an SDL, the developer may make a payment contribution towards strategic SANGs in line with schedule below (most likely this will be at Rooks Nest Wood SANG although it is subject to SANGs capacity in the right location within Wokingham borough). An occupation restriction will be included in the Section 106 Agreement in order to ensure that the contribution has been made prior to occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and Core Strategy Policy CP8

The development will result in a net increase of three dwellings and the level of SANG payments are set out as follows:

No. of bedrooms	SANG Contribution	Aggregate SANG Contribution
4 bedrooms	£3,546.86	£10,640.58

ii. Strategic Access Management and Monitoring (SAMM) Contribution

The proposed development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it.

The development will result in a net increase of three dwellings and the level of SANG payments are set out as follows:

No. of bedrooms	SAMM Contribution	Aggregate SAMM Contribution
4 bedrooms	£852.47	£2557.41

Prior to the permission being granted the applicant must enter into a Section 106 Agreement based upon the above measures.

4. Conclusion

An Appropriate Assessment has been carried out for this development in accordance with the Habitats Regulations 2017. Without any appropriate avoidance and mitigation measures the Appropriate Assessment concludes that the development is likely to have a significant effect upon the integrity of the SPA with the result that WBC would be required to refuse a planning application.

Provided that the applicant is prepared to make a financial contribution (see above) towards the costs of SPA avoidance and mitigation measures, the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

WBC is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2017), and permission may be granted.

Date: 20/9/2020

Signed: Simon Taylor