

DISCHARGE S106 OBLIGATION **DRAFT DECISION NOTICE**



WOKINGHAM
BOROUGH COUNCIL

Expiry Date: 6 February 2026

Application Number: 251048

Location: Land located to the east of Watmore Lane/Maidensfield, Winnersh, RG41

Proposal: Application to modify the Section 106 Legal Agreement dated 27/02/2024 in relation to planning permission 250640 to enable the phasing of the development with respect to the obligations in the agreement.

Recommendation: Approve

Conditions and/or Reasons

1. This Deed of Variation has been assessed in accordance with Section 106A of the Town and Country Planning Act 1990. The Section 106 Legal Agreement for the application and appeal ref: 230208 and appeal APP/X0360/W/23/3331651. continue to serve a useful planning purpose.

Having considered the statutory tests in s106A(6), the Council is satisfied that:

- the obligations continue to serve a useful purpose, and
- they would serve that purpose equally well with the phasing modifications proposed.

The Deed of Variation does not materially change the substance, scale, purpose, or enforceability of the original obligations. No material changes in policy or site circumstances have arisen that would justify requiring the obligations to remain unmodified. The modification is therefore appropriate under the statutory framework.

Informatives

1. This Deed of Variation should be read in conjunction with S106 agreement for application and appeal ref: 230208

APP/X0360/W/23/3331651.

Recommendation and conditions/reasons agreed:

Date: 05.02.26

REMEMBER - The earliest date for a decision on this application is: **12 June 2025**