

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	251129
Site Address:	Sonning Golf Club, Duffield Road, Woodley, Wokingham, RG4 6GJ
Expiry Date:	6 November 2025
Site Visit Date:	29/10/2025
Proposal: Application to vary condition 2, 3, 4, 5 and 6 of consent 200951 for the approval of reserved matters pursuant to outline planning consent 161529 for the erection of 13 dwellings with associated highway works, public open space and landscaping. Details of Layout, Appearance, Landscaping and Scale to be determined. Condition 2 refers to approved details, 3 to materials, 4 to drainage details, 5 to highway construction details, 6 to electric vehicle charging. Variation is to allow changes to car parking and garages, change of wording of condition 3, 4, 5, 6 to allow changes caused by the alterations to the proposed layout (part retrospective).	

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF)
Core Strategy (CS)	CP1 – Sustainable Development CP3 – General Principles for Development CP7 – Biodiversity CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction CC05 – Renewable Energy and Decentralised Energy Networks CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB21 – Landscape Character TB23 – Biodiversity and Development
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM3 - Protection of Habitats and Species DM5 - Protection of the Countryside DM9 - Protecting Health, Safety and Amenity DM10 - Flood Risk
Wokingham Borough	SS1 – Sustainable development principles SS2 – Spatial strategy and settlement hierarchy SS5 – Development in the countryside

Local Plan Update (LPU)	C4 – Green and blue infrastructure and public rights of way FD1 – Development and flood risk (from all sources) FD2 – Sustainable drainage NE1 – Biodiversity and geodiversity NE2 – Biodiversity net gain NE4 – Trees, woodland, hedges and hedgerows NE5 – Landscape and design DH1 – Place making and quality design DH2 – Safeguarding amenity HC1 – Promoting healthy communities HC4 – Open spaces, sports, recreation and play facilities HC5 – Environmental protection HC6 – Air pollution and air quality HC7 – Light pollution HC8 – Noise pollution HC9 – Contaminated land and water HC10 – Odor, fumes and dust
Other	National Planning Policy Guidance (NPPG) Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Affordable Housing Supplementary Planning Document Sustainable Design and Construction Supplementary Planning Document Sonning Parish Design Statement Sonning Design Appraisal

PLANNING HISTORY		
Application No.	Description	Decision & Date
161529	Outline application for the erection of 13 dwellings with associated highway works, public open space and landscaping.(Approval sought for Access).	Allowed at appeal – 02/07/2018
191164	Full application for the construction of vehicular access and off-site pedestrian footway improvements (associated with planning reference 161529 and appeal reference APP/X0360/W/17/3167142).	Approved – 21/06/2019
200951	Application for the approval of reserved matters pursuant to outline planning consent 161529 for the erection of 13 dwellings with associated highway works, public open space and landscaping. Details of Layout, Appearance, Landscaping and Scale to be determined.	Approved – 16/12/2020
222222	Application for submission of details to comply with the following condition of planning consent 200951 dated 16/12/2020. Condition 6 relates to details of Electric Vehicle Charging Points.	Approved – 12/08/2022

222426	Application for submission of details to comply with the following condition of planning consent 161529 granted at appeal (APP/X0360/W/17/3167142) dated 07/02/2018. Condition 8 relates to the submission of an environmental management plan.	Approved 04/11/2022	–
222427	Application for submission of details to comply with the following condition of planning consent 161529 granted at appeal (APP/X0360/W/17/3167142) dated 07/02/2018. Condition 13 relates to the submission of an Arboricultural Method Statement and Scheme of Works.	Approved 27/09/2022	–
221883	Application for submission of details to comply with the following condition of planning consent 161529 dated 02/07/2018. Condition 14 Off site works comprising the construction of a footway.	Approved 10/10/2022	–
222301	Application for submission of details to comply with the following condition of planning consent 200951 dated 16/12/2020. Condition 4 relates to the submission of drainage details.	Approved 19/06/2022	–
250694	Application for submission of details to comply with the following condition of planning consent 200951 dated 16/12/2020. Condition 3 relates to external surface materials.	Split Decision 09/05/2025	–
250775	Application for non-material amendment to planning consent 200951 to allow elevational changes (window sizes, porch details, brick / stone details) and reconfiguration of garage and car parking spaces.	Refused 25/04/2025	–
251387	Application to vary condition 5,8,11,13 & 14 of planning consent 161529 for the proposed erection of 13 dwellings with associated highway works, public open space and landscaping.(Approval sought for Access). Condition 5 relates to the provision and approval of a Construction Management Plan and the variation is to update the plan. Condition 8 relates to the provision and approval of an environmental management plan and the variation is to update the plan. Condition 11 relates to details of soakaways and the variation is to update the drawings. Condition 13 relates to the provision and approval of an Arboricultural Method Statement and Scheme of Works and the variation is to update the procedure. Condition 14 relates to the approval of details in	Approved 05/11/2025	–

	regard to off-site highway works and the variation is to update the drawing (part retrospective).	
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CONSULTATION RESPONSES

Internal

WBC Environmental Health – No objection
WBC Drainage – Request additional information (information provided)
WBC Highways – No objection
WBC Landscape and Trees – No objection

External

N/A

REPRESENTATIONS

Parish/Town Council	No comments received
Ward Member(s)	No comments received
Neighbours	One comment received in objection to the application on the grounds that part-retrospective applications show contempt for the planning process. (<i>Officer note: this is not a material planning consideration</i>).

APPRAISAL

Site Description:

The application site (0.8ha) is located within designated Countryside as identified on the Borough's Proposals Map, and forms part of Sonning Golf Club.

The site lies on the eastern side of Pound Lane and is bounded to the south-east by the golf course car park, to the north-east and north by the driving range area, and to the north-west by 101a Pound Lane. The site itself is currently open and not in use, although it is understood that it formed part of a fairway and green to one of the course's holes until recently.

At current the site is under construction, and it is noted that most recently S278 commitments have been satisfied with enhanced active connections south of the site.

Procedure:

S73/S73A

The applicant seeks permission via both the S73 and S73(a) mechanism for amendment and regularisation of condition pursuant to application 200951. Whilst the works pertaining to condition 5 (Highway construction details) have now been completed and can be considered under the S73(a) mechanism, those amendments to conditions 2, 3, 4 and 6 require implementation and thus can be considered under the S73 mechanism (given the works pursuant to the extant permission area ongoing).

S73 of the Town and Country Planning Act 1990 provides the ability to vary a condition on a planning permission. The Town and Country Planning (Development Management Procedure) (England) Order 2010 streamlined the procedure to enable local planning authorities to use its discretion on which statutory consultees should be consulted when such an application is submitted in order to speed up the system by being more flexible.

S73(a) of the Town and Country Planning Act (introduced by the PCPO) provides the opportunity to vary a planning permission for development carried out (or with said elements substantially completed) before the date of the application.

Section 73(a) of the Act instructs the Local Planning Authority that the mechanism is appropriate for development “(a)without planning permission; (b)in accordance with planning permission granted for a limited period; or (c)without complying with some condition subject to which planning permission was granted”. In respect to the application site, it is acknowledged that several operative parts of the development have been completed

Sections 73 and 73(a) of the Act cannot be utilised to amend the description development. Whilst in relation to S73 applications, the principles outlined within the high court judgement of *Finney v Welsh Minsters* [2019] EWCA Civ 1868 applies given the mechanism is somewhat mirrored between S73 and S73(a). This judgement ruled “the planning authority cannot use section 73 to change the description of development”, nor change the ‘operative’ part of a planning permission. The original description of application 200951 was “*Application for the approval of reserved matters pursuant to outline planning consent 161529 for the erection of 13 dwellings with associated highway works, public open space and landscaping. Details of Layout, Appearance, Landscaping and Scale to be determined.*” The proposed changes to the proposed layout (both on and off-site), landscaping, drainage, parking provision, and condition triggers do not alter the original description of development nor significantly change the substance of the application notwithstanding the completed highways works being carried out contrary to the approved plans. Accordingly, both the Section 73 and 73(a) mechanisms are procedurally appropriate in combination to consider the proposed amendments having regard for *Finney v Welsh Minsters* [2019] EWCA Civ 1868 in combination with their (in part) retrospective nature.

Reserved Matters

S91 of the Town and Country Planning Act (as amended) confirms that “outline” planning permission can be granted with certain matters reserved for subsequent approval. The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out that the matters that can be reserved are access; appearance; landscaping; layout; and scale.

The LPA note that a reserved matters application is not a planning application as defined in the act, as confirmed by the Court of Appeal in *R(on the application of Fulford Parish Council) v City of York Council* [2019]EWCA Civ 1359. Notwithstanding, approval of a reserved matters does constitute an “approval” on which conditions can lawfully be imposed. Conditions attached to a reserved matters

are therefore conditions subject to which the planning permission has been granted, as are the Outline Conditions in combination. Whilst the Fulford case was primarily concerned with the use of s96A to amend such conditions, the principle established remains relevant as it establishes the position of conditions attached to reserved matters approvals regardless of what power is being used to seek their variation.

Whilst as above, the reserved matters decision is not a separate planning permission, it is also not a stand-alone document. It merely sets out additional conditions to which the planning permission granted by the Outline Consent is subject. The two documents must be read together in order for there to be an implementable permission. It is apparent that there is an implementable/ part implemented permission for the Site because the CLEUD confirms it has been lawfully implemented (reference 223732).

This means that even though both s73 and s73A have the legal effect of granting a new planning permission, there is no procedural conflict with the legislative framework created by approving a s73 or s73A application in relation to a reserved matters approval when it is directly in conjunction with the outline 'planning permission' (in combination forming an implementable permission).

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. The Managing Development Delivery Local Plan Policy CC01 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.

The principle of development was formerly approved under application 161529 and varied by parallel outline S73/S73(a) 251387 (determined concurrently with this submission). Nothing herein alters the consideration as to whether the principle of development is acceptable.

Character of the Area:

The proposal seeks to amend condition 2 of 200951 (approved plans), with minor material amendments to the proposed layout and plots 1-13 (with respect to design).

Policy CP1 of the Core Strategy states that permission will be granted for developments that maintain and enhance the quality of the environment and encompasses sustainable values.

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.

H1 of the eLP states *"All new development must be of high-quality design to endure over the lifetime of the development and create a strong sense of place."*, outlining design guidance criteria including respecting the character of the area, creating a

positive sense of place, creating accessible development and optimises use of land.

The Wokingham Borough Design Guide requires residential development to be designed to contribute positively towards the historic or underlying character and quality of the local area.

These amendments are assessed below:

Garages + Parking:

Within application 200951, the approved site layout (formerly drawings numbered 25-J4742-01-001.1 and 25-J4742-01-003) provided tandem car parking to numerous units. Given the scale of the dwellings proposed and quantum of bedrooms, the site layout has been revised to reduce the number of garages, with plots 1 – 8 now shown to have a single garage each. This is proposed to facilitate additional surface car parking in locations where there were previously double garages, thus removing the need for tandem parking which is more visually appropriate for the site (particularly considering the reduction in bulk from the removal of the double garages) and thus acceptable.

Plots 1 & 2 (detached)

Plots 1 and 2 are proposed to be varied in terms of their design with a half hip added to main roof at each side elevation, and a projecting gable to the rear at two storey, with brick detailing and front porches with extended projecting bay windows. Turning to the rear elevation, bifold doors are proposed following the removal of the previously consented French doors (now proposed to be a window).

The amendments to the scheme are minor in nature, and the inclusion of half hip ends and projecting bay windows are positive features when viewed in the context of the site's countryside location. Whilst they do not accord with dwellings closest to the site (along Pound Lane, which is largely varied), they are inspired by historic rural form taken from farmsteads which positively interacts with the centralised green space.

The amendments to plots 1 and 2 are acceptable, and compliant with CP1 and CP3 of the Core Strategy and the Borough Design Guide.

Plots 3 & 6 (detached)

Plots 3 and 6 are proposed to be varied by simplifying the front elevations by redesigning the front porch and removing the formerly approved velux. To the rear, alike to plots 1 and 2, plots 3 and 6 are proposed to feature bifold doors to reflect modern demand with larger windows proposed.

Plot 3 is further varied by the addition of an attached garage on the east side of the dwelling with the addition of 3 further spaces. Similarly, plot 6 is varied by the addition of a single attached garage to west side of dwelling, with 3 surface car parking spaces.

The changes proposed to the detached dwellings of plots 3 and 6 are minor in the context of the development, and do not harm the character of the area, in compliance with CP1 and CP3 of the Core Strategy and the Borough Design Guide.

Plots 4 & 5 (detached)

Plots 4 and 5 are proposed to be varied through the design of the front porch to feature a flat roof with a side window. Turning to the roof elevation, the pitch of the dormer windows are proposed to be angled more steeply to align with the roof form, which complements its appearance. Alike to the other plots, bifold doors are introduced to the rear elevation wherein window sizes have been re-configured to form a symmetrical appearance.

With respect to parking provision amendments, a single attached garage is proposed to feature on both plots 4 and 5 with 2 surface car parking spaces proposed. This removes formerly approved tandem parking which as above, is a more visually acceptable solution given the reduction in vehicular paraphernalia adjacent to the dwellings.

The changes proposed to the detached dwellings of plots 4 and 5 are minor in the context of the development, and do not harm the character of the area, in compliance with CP1 and CP3 of the Core Strategy and the Borough Design Guide.

Plots 7 & 8 (detached)

Plots 7 and 8 are proposed to be varied in appearance through the use of cream brickwork with stone edging, removing the previously consented render. With respect to the front elevation, the proposal seeks to increase the width of the ground floor windows, subsequently amending the porch feature to be recessed with flat roof, supported by 2no. columns. To the rear, bifold doors are now proposed with a velux put forward to the rear projecting gable at 2 stories. This is to facilitate vaulting the ceiling of the master bedroom.

Turning to parking arrangements, plots 7 and 8 proposed detached single garages to the north and south of the plots respectively. This is accompanied by 3 surface parking spaces per dwelling which lessens the former tandem parking relationship.

The changes proposed to the detached dwellings of plots 7 and 8 are minor in the context of the development, and do not harm the character of the area, in compliance with CP1 and CP3 of the Core Strategy and the Borough Design Guide.

Plots 9 – 13 (terraces)

Plots 10-12 (the central terrace units) are proposed to be varied by adding pitched roofs to the front facing dormer windows. These are of an identical angle to the sloping hip roof end above plots 9 and 13. Hip ends have been added to the projecting gables of units 9 and 13 to the east and west elevations respectively.

Turning to parking arrangements, the position of the main car parking court is proposed to move further south towards Duffield Road, by maximum of 900mm. All parking spaces comply with the minimum widths outlined with Appendix 2 of the MDD and thus comply with the Development Plan in this respect.

The changes proposed to the terraced dwellings of plots 9-13 are minor in the context of the development, and do not harm the character of the area, in compliance with CP1 and CP3 of the Core Strategy and the Borough Design Guide.

Materials:

Along with the amendments outlined approved to the elevations and layout, the applicant seeks to amend condition 3 (materials). The applicant submitted photos and links within “RM C3 Sample Photos Rev 09 05 25” which outline those materials anticipated to be used. These are assessed below, broken down by material type:

Plots 1, 2, 7 and 8 are proposed to feature a light buff brick (Vandersanden Bivio) and natural slate tiles. Formerly, as approved within application 250694 plots 1, 2, 7 and 8 were to be constructed using Wienerberger Marziale which is a similar light buff brick. The proposed amendments are minor in nature and would not hinder the wider development’s compliance with CP1 and CP3 of the Core Strategy or the Borough Design Guide.

Plots 3, 6, 9, 10, 11, 12 and 13 are proposed to be constructed utilising Vandersanden Wickford Antique red brick with plain dark clay tiles in ‘New Forest’. Formerly, as approved within application 250964 plots 3 and 6 comprised a mixture of Ibstock dark/ cottage brick. It is noted that the materials pursuant to plots 9,10,11,12 and 13 were not approved under 250964. The proposed amendments are minor in nature and would not hinder the wider development’s compliance with CP1 and CP3 of the Core Strategy or the Borough Design Guide.

Finally, plots 4 and 5 are proposed to be constructed using Ibstock Ivanhoe Cottage Blend red brick and plain purple clay tiles (dark appearance). These have been formally approved under 250964 and do not deviate from those details formerly approved.

Neighbouring Amenity:

Overlooking, overbearing and overshadowing:

The neighbouring amenity impacts associated with the erection of 13 dwellings was approved within reserved matters application 200951 and considered in principle within the outline permission 161529. However, the proposed amendments to condition 2 involve increasing the size of the windows to the front and rear elevation of the majority of the plots, as well as amend fenestration location.

Further to assessment, the amendment described above do not impede the dwelling’s ability to comply with the Borough Design Guide with respect to separation distances. The proposed amendments are acceptable in this respect.

Highway Access and Parking Provision:

The proposal seeks to amend condition 5 (Highway construction details) and condition 6 (electric vehicle charging).

Further to consultation, WBC Highways outlined that the proposed construction materials and highway construction details which have been agreed through process of a Section 38 and Section 278 agreement. Accordingly, no objections are raised to the variations to condition.

With respect to electric vehicle charging, the proposal retains the previously agreed quantum of EVC spaces (one per unit, in excess of building regulations standards), including maintaining the specification of the previously approved charger (7.3kW) as formerly discharged under conditions submission 222222. The amendments proposed re-locate these on each plot, reflect the updated parking layout/ alteration of garages proposed. This minor material change is acceptable, and no objections are raised to the proposed variation to condition.

Amenity Space:

The proposed amenity space for each unit, associated with the erection of 13 dwellings was approved within reserved matters application 200951 and considered in principle within the outline permission 161529. Whilst minor alterations to the site layout are noted, this does not detract away from the fact that each unit has usable garden space of at least 11 metres in accordance with the Wokingham Borough Design Guide.

Flooding and Drainage:

The proposal seeks to amend condition 4 which covers the submission exceedance flow routing plan and implementation as previously discharged under application number 222301.

An amended exceedance flow plan has been submitted as a part of this variation application. This reflects the changes proposed to the sites approved layout without impacting or standing contrary to the approved drainage strategy discharged under application 222301. Updates are subsequently proposed to the drainage details are provided to accommodate these changes.

Further to consultation with WBC Drainage, additional information was requested with respect to the exceedance flow being shown in plan form. Whilst the initially submitted drawing H1432-430 did outline the exceedance flow route within plan form, for ease of visibility the applicant submitted drawing H1432-436 which directly shows the path of flow. Other than where this conflicts with the updated layout, the exceedance flow plan is substantially the same as that approved within 222301. Thus, the plan is acceptable.

WBC Drainage further requested consideration of SUDs on site, which deviates from the approach previously approved. In response, the applicant confirmed that the site layout does not lend itself to the use of swales or ponds as the only area of the site that could be suitable is an area of open space in the middle of the site which is used for amenity space and is a play area / village green space. Swales are also not particularly suitable as the road is designed as a porous pavement and therefore there would be no run-off from the road. As such, no objections are received to the proposed infiltration approach and thus this matter does not require revisiting.

Finally, WBC Drainage requested updated infiltration data, however, the extant approved drainage strategy is reliant on existing infiltration data. As the proposal seeks permission for an amended exceedance flow plan only, this is not considered to be a reasonable request subject to the development continuing to be carried out in

accordance with the approved and partially implemented drainage strategy.

Landscape and Trees:

As a part of condition 2 (approved plans) a revised landscape maintenance plan, along with a planting plan has been submitted with the application.

Further to consultation, WBC Trees and Landscape raised concerns with respect to the instant hedges proposed, outlining that *Prunus laurocerasus* (Cherry laurel) has toxic berries poisonous to animals and is very fast growing. Comments further outlined that the proposed *Laurus nobilis* (Bay) is another plant that grows very fast, with suggestions provided of alternative species that may be better suited.

Following receipt of this advice, the applicant submitted an updated Planting Plan referenced 25-J4742 revision C1 which replaced the exotic species formerly proposed with more suitable native species. Following review of this updated planting plan, WBC Trees and Landscape raise no objections to the inclusion of the updated landscape maintenance plan and planting plan within condition 2.

Ecology:

The proposal's impact on protected species was formerly considered under application 161529 and varied by parallel outline S73/S73(a) 251387 (determined concurrently with this submission). Whilst it is noted that the proposed planting scheme is amended to an extent, this provides beneficial native species to that already approved. As such, there are no objections raised on ecological grounds.

Other Matters:

In this instance, considering the outline planning consent has been varied by S73/S73A the original wording of condition 1 would put the proposal automatically in breach of conditions upon granting approval for this submission. Accordingly, condition 1 has been amended to acknowledge the outline S73/S73A application which has been determined in parallel.

Community Infrastructure Levy (CIL):

When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications. In this instance, WBC CIL have provided advisory comments which will be visible on the planning portal following determination.

Conclusion:

Overall, with the above in mind, the proposed minor material amendments to conditions 2, 3, 5 and 6 are acceptable. Thus, the application is recommended for approval.

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 reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. 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.

RECOMMENDATION	
Conditions agreed:	Yes
Recommendation:	Approval subject to conditions as amended. This decision is to be read in conjunction with S73 251387 and the S106 legal agreement pursuant to outline permission 161529.
Date:	31 October 2025
Earliest date for decision:	15 August 2025

Conditions agreed:	Yes
Recommendation:	Approval subject to conditions as amended. This decision is to be read in conjunction with S73 251387 and the S106 legal agreement pursuant to outline permission 161529.
Date:	31 October 2025
Earliest date for decision:	15 August 2025

Recommendation agreed by: (Authorised Officer)	<i>MC</i>
Date:	05.11.2025

PLANNING CONSTRAINTS/STATUS

Scale and location of development proposals

Designated Countryside.

Tree Preservation Order 1505/2015 (group of trees along front and northern side boundary)

Nitrate Vulnerable zone (groundwater)

Flood Zone 1

Minerals consultation zone

Sand and gravel extraction consultation zone

Non-classified road