

**Town and County Planning Act 1990
Section 78 (As Amended)**

**DRAFT STATEMENT OF COMMON
GROUND**

Prepared by:

**Woolf Bond Planning LLP
for Dandara Southern Ltd & Elstree Land Ltd**

and

Wokingham Borough Council



Land North of Reading Road, Arborfield

PINS Ref: TBC

LPA Ref: 243099

WBP Ref: 9015

August 2025

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1.0. INTRODUCTION

- 1.1. This Draft Statement of Common Ground (“SoCG”) relates to a Town and Country Planning Act 1990 Section 78 Planning Appeal lodged by Woolf Bond Planning LLP on behalf of Dandara Southern Ltd and Elstree Land Ltd against Wokingham Borough Council’s decision to refuse an outline planning application for up to 111 dwellings, with associated works, parking, landscaping, publicly accessible open space, with access from Reading Road (LPA Ref: 243099).
- 1.2. The Statement records the matters upon which the parties have agreed with the intention of leading to the preparation of more focused proofs of evidence.
- 1.3. Additional Topic based Statements of Common Ground are also expected to be prepared, the content of which will be dependent upon the position taken by the Local Planning Authority. However, and at this stage in the process, the Appellant expects such topic-based SoCGs to cover matters such as (i) housing need and land supply, (ii) affordable housing need, (iii) landscape; and (iv) highways.

2.0. DESCRIPTION OF THE APPEAL SITE AND SURROUNDING AREA

Context

- 2.1. The settlements of Arborfield Cross and Arborfield Green (including the Arborfield Garrison strategic development location) are walkable/cyclable from the Site, with local amenities including primary school, public house, convenience store and recreation ground available approximately 1km to the west of the Site at the settlement of Arborfield Cross.
- 2.2. The larger settlements of Wokingham and Reading are easily accessible by regular bus service. There is an existing bus stop from which to utilise this service, adjacent to the Appeal Site's southern boundary.
- 2.3. Arborfield Cross is defined as a limited development location in Policy CP9 of the Core Strategy. The Site is detached from the defined settlement boundary of Arborfield Cross.

The Appeal Site

- 2.4. The Appeal Site comprises privately owned fields, a paddock, and a caravan storage area. The Site boundaries are demarked by hedgerows and mature trees to the east, west and south with residential development abutting the northern and part of the southern boundaries.
- 2.5. There is an existing private pedestrian and vehicular access point to the Appeal Site from Reading Road.
- 2.6. A watercourse traverses the western part of the Appeal Site and thereafter runs along the southern Site boundary, parallel to Reading Road. This watercourse is classified a Main River by the Environment Agency.
- 2.5. The Multi Agency Geographic Information for the Countryside Map ('MAGIC') and the Proposals Map indicates that the Site is not covered by any statutory designations for landscape character or quality.

- 2.7. There are no further environmental constraints which would preclude the proposed development.
- 2.8. The Site is within the Zone of Influence around Thames Basin Heaths Special Protection Area ("SPA") and accordingly there is a requirement to mitigate the risk of additional recreational pressure on that SPA via contribution to Suitable Alternative Natural Greenspace ("SANG").
- 2.9. The Site is not within any Conservation Areas and there are no Listed Buildings on the Site itself.

3.0 DESCRIPTION OF THE APPEAL SCHEME

Scheme Description

3.1. The Appeal Scheme description is as follows:

“Outline application for the proposed erection of up to 111 no. dwellings with associated works, parking, landscaping, publicly accessible open space and access from Reading Road. (All matters reserved except for means of access.)”

3.2. Only the principle of developing the Site for up to 111 dwellings, and the means of access are to be determined as part of this Appeal.

3.3. Appearance, landscaping, layout and scale are reserved for subsequent determination.

Plans and Particulars

3.4. The planning application submitted to the LPA included the following documents:

- Application Form Dated 03/12/2024
- CIL Form 1 Dated 03/12/2024
- Covering Letter Dated 02/12/2024 (Woolf Bond Planning)
- Planning Statement (Woolf Bond Planning)
- Location Plan No. 052403-DAN-LOC1
- Indicative Land Use Plan No. 052403-DAN-ILUP
- Illustrative Masterplan No. 052403-DAN-MP01
- Design & Access Statement (DHA Architecture)
- Topographical Survey No. 052403-DAN-TOPO01
- Archaeological Desk-Based Assessment (RPS)
- Biodiversity Net Gain Assessment (Sam Watson Ecology)
- Ecological Impact Assessment & Shadow Habitats Regulation Assessment (Sam Watson Ecology)
- BNG Metric
- Sustainability Statement (JSP)
- Flood Risk Assessment & Drainage Strategy (RCP)
- Desk Study & Ground Investigation Report (Wilson Bailey)
- Transport Assessment (PBA)
- Arboricultural Impact Assessment and Tree Condition Survey (Ruskins)
- Utilities Statement (Connect It)

- 3.5. The following documents were submitting during the application process:

16/12/2024

Hydraulic Modelling Report (Arden)

18/02/2025

Framework Travel Plan (PBA)

Framework Construction Management Plan (PBA)

Highways Response Note (PBA)

19/03/2025

Emergency Access Plan No. 147.0017.0009 Rev P01

Refuse Vehicle & Fir[e] Appliance Tracking Plan No. No. 147.0017.0006 Rev P02

Proposed Site Access General Arrangement Plan No. 147.0017.0001 Rev P07

25/04/2025

Addendum Bat Survey Report (Sam Watson Ecology)

Agricultural Land Classification Report (Kernon)

28/04/2025

Revised BNG Metric

4.0 PLANNING POLICY

The Development Plan

4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a requirement that planning applications are to be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

4.2. The approved Development Plan comprises the following:

- Retained Policy NRM6 South East Plan
- Core Strategy (adopted January 2010)
- Managing Development Delivery SPD (adopted February 2014); and
- Arborfield and Barkham Neighbourhood Plan (made April 2020).

4.3. The settlement boundaries as set out within the Proposals Map for Wokingham Borough were identified to meet the housing needs identified in Policy CS17 of the Core Strategy.

4.4. The boundaries were aligned to the level of housing provision in the core Strategy (2010) and as such they are also manifestly out of date. Furthermore, as there is only 1.7 years' housing land supply the most important policies are out of date for the purposes of paragraph 11(d) NPPF. The tilted balance is engaged

4.5. Applicable Development Plan policies comprise as follows:

Saved Policies of the South East Plan

- NRM6 – Thames Basin Heaths Special Protection Area

Core Strategy

- CP1 – Sustainable Development
- CP2 – Inclusive Communities
- CP3 – General Principles for Development
- CP4 – Infrastructure Requirements

- CP5 – Housing Mix, Density and Affordability
- CP6 – Managing Travel Demand
- CP7 – Biodiversity
- CP8 – Thames Basin Heaths Special Protection Area
- **CP9 – Scale and Location of Development Proposals**
- **CP11 – Proposals Outside Development Limits**
- **CP17 – Housing Delivery**

Managing Development Delivery DPD

- 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
- TB05 – Housing Mix
- TB07 – Internal Space Standards
- TB08 – Open Space, Sport, and Recreational Facilities Standards
- TB12 – Employment Skills Plan
- TB21 – Landscape Character
- TB23 – Biodiversity and Development
- TB24 – Designated Heritage Assets
- TB25 – Archaeology

Arborfield and Barkham Neighbourhood Plan

- IRS1 – Preservation of Separation of Settlements.
- IRS2 – Recognise, Respect and Preserve Identity and Rural Setting of Settlements.
- **AD1 – New Development within Development Limits.**

- AD3 – High Quality Development with Generous Open Space, Properly Landscaped
 - AD4 – Address Local Flood Risk Management
- 4.6. The policies in bold are agreed to be the most important for determining the Appeal Scheme.

Five Year Housing Land Supply

- 4.12. It is agreed that the Council is unable to demonstrate a five year supply of deliverable housing land. The Council's latest position statement (30 January 2025) concludes that there is a deliverable supply of 1.7 years' housing land supply. The five-year requirement at that time, including 5% buffer, was 7,014 dwellings against which the Council could demonstrate a supply of 2,321 dwellings. This equated to a shortfall of 4,693 homes.
- 4.13. The Appellant and the Council will seek to agree matters in relation to five year housing land supply considerations, based upon the latest data set ahead of the preparation and exchange of evidence.
- 4.14. It is agreed that the Neighbourhood Plan was made more than five years ago so does not alter the tilted balance in terms of the operation of paragraph 14 NPPF.

5.0 MATTERS NOT IN DISPUTE

- 5.1. It is accepted that the Council is not currently able to demonstrate a five-year supply of deliverable housing land against the Standard Method.
- 5.2. The development policies for the supply of housing are out of date.
- 5.3. It is agreed that paragraph 11(d) of the NPPF applies and there are no reasons for the appeal to be refused on ecological, arboricultural, flood risk, heritage or energy/sustainability grounds.
- 5.4. It is accepted that the provision of up to 111 dwellings from the Appeal Scheme is a significant social benefit and that should be afforded substantial weight.
- 5.8. It is accepted that Wokingham Borough Council is a CIL Charging Authority and financial contributions will be secured at the reserved matters stage once the amount of chargeable floorspace is fixed.

6.0 MATTERS IN DISPUTE

6.1. The parties disagree on the following matters:

- The weight to be afforded to the conflict with the spatial strategy (and the site's location outside and detached from a settlement boundary/defined development limit);
- Whether the quantum and scale of development is acceptable with regard to the grain of the surrounding area;
- The weight to be afforded to the change in landscape character/visual impact;
- Whether the Site represents a sustainable location for development;
- The weight to be afforded to the 'loss' of 0.7ha of grade 3a agricultural land within the Site (noting that land is not agricultural at present);
- Whether adequate measures are in place to ensure the proposal does not cause water quality impacts in respect of the watercourse adjacent to the southern boundary
- Whether impacts on the Thames Basin Heaths SPA can be adequately mitigated, along with other planning obligations to be secured in a s106 planning agreement.

7.0 HEADS OF TERMS FOR LEGAL AGREEMENT

- 7.1. It is agreed between the parties that the Appellant will provide planning obligations, in the form of an undertaking under Section 106 of the Town and Country Planning Act (1990) in favour of Wealden District Council and East Sussex County Council.
- 7.2. The legal agreement will ensure the financial contributions and other compliant obligations to enable the proposed development to go ahead are provided in accordance Regulation 122(2) of the Community Infrastructure Levy Regulations and the content at paragraphs 55, 56 and 57 of the NPPF.
- 7.3. Subject to meeting the necessary tests at paragraph 57 of the NPPF, it is considered that the following may be provided for in a legal agreement:
- Affordable Housing (40%) (up to 44 dwellings)
 - The securing of suitable avoidance and mitigation measures and access management monitoring arrangements in regard to Thames basin Heaths SPA
 - Securing opportunities for training, apprenticeships, and other vocational initiatives to develop local employability skills
 - contributions to sport and recreational facilities
- 7.4. The legal agreement will be completed during the Inquiry.

8.0 CONDITIONS

- 8.1. It is agreed that there should be a schedule of conditions agreed between the parties, for discussion with the Inspector during the Inquiry.
- 8.2. The schedule will be compiled and submitted to the Inspector prior to the Inquiry.

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9.0 CORE DOCUMENT LIST

- 9.1. It is agreed that there should be a common list of reference documents and these are to be referenced as Core Documents to the Inquiry. The list will be compiled and a full set of the documents will be provided for the Inspector.

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10.0 AGREEMENT: SCHEDULE OF COMMON GROUND

- 10.1. This document is accepted as the agreed Statement of Common Ground for the Appeal being considered under PINS Ref: **XXXXXX**
- 10.2. It has been duly signed by representatives of the Appellant and Wokingham Borough Council.

Signed..... on behalf of **Dandara Southern Ltd & Elstree Land Ltd**

.....
NAME DATE

Signed..... on behalf of Wokingham Borough Council

.....
NAME DATE

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