

DELEGATED OFFICER REPORT



**WOKINGHAM
BOROUGH COUNCIL**

Application Number:	242043
Site Address:	100 Finchampstead Road, Wokingham, Wokingham, RG40 2NT
Expiry Date:	9 December 2024
Site Visit Date:	18/09/2024
Proposal: Full application for the demolition of the existing four bedroom detached house and construction of 2 no. new four bedroom detached houses and 1 no. new three bedroom detached house with associated parking, cycle storage, bin stores and new access.	

PLANNING CONSTRAINTS/STATUS

- Contaminated Land Consultation Zone
- Green Routes and Riverside Paths
- Affordable Housing Thresholds
- Bat Roost Habitat Suitability
- Scale and Location of Development Proposals – Major Development Location
- Great Crested Newt Consultation Zone
- Landscape Character Assessment Area
- Thames Basin Heaths SPA Mitigation Zones
- Green Routes and Riverside Paths Consultation Zone
- Great Crested Newt Consultation Zone Minor

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP3 – General Principles for Development 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 CP17 – Housing Delivery
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development 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

	TB06 – Development of Private Residential Gardens TB07 – Internal Space Standards TB23 – Biodiversity and Development Traditional Local Character and Areas of Special Character
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM2 - Climate Change – Mitigation and Adaptation
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Sustainable Design and Construction Supplementary Planning Document

PLANNING HISTORY

Application No.	Description	Decision & Date
191055	Full planning application for the proposed erection of 2no. 2 bedroom dwellings with access, associated landscape and parking and the retention of 1 no. existing bungalow.	Refused, 06/06/2019

CONSULTATION RESPONSES

Internal

WBC Environmental Health – No objections, subject to conditions.
WBC Drainage – No objections, subject to a condition.
WBC Highways – No objections, subject to conditions.
WBC Landscape and Trees - No objections, subject to conditions.
WBC Ecology – No comments received.
WBC CIL – No comments received.
WBC Cleaner and Greener – No comments received.

External

Natural England
Thames Water Utilities Ltd
Berks, Bucks & Oxon Wildlife Trust
South East Water

REPRESENTATIONS

Parish/Town Council	No comments received
Ward Member(s)	No comments received
Neighbours	Wokingham Town Council P&T Committee No objections but raises concerns regarding increased traffic and the proposed access, noting potential conflicts with Core Strategy Policies CP1 and CP3. The application was consulted to neighbours from 20/08/2024 to

	11/09/2025. Objections were received from the following properties: • 94a Finchampstead Road, Reading RG40 2NT • 8 Tangley Drive, Wokingham RG41 2NY • 89 Finchampstead Road, Wokingham RG41 2PE • 6 Tangley Drive, Wokingham, RG41 2NY • 170 Finchampstead Road, Wokingham RG40 3EY • 1 The Chatters, Farley Hill, Reading RG7 1US Impact on Character of the Area: • Several objections highlight concerns about the overdevelopment of the site, with particular reference to the density and scale of the proposed development. The proposal is considered incompatible with the local character, particularly in relation to Plot 3, which is seen as an intrusion due to its positioning and scale, leading to a loss of visual amenity. There are concerns that the development is out of keeping with the established grain of the area and would negatively affect the surrounding environment, including the loss of a biodiversity corridor and the foraging area for bats. <i>Officer comment: These issues are addressed in the relevant sections of the appraisal below.</i> Impact on Neighbouring Properties: • Overlooking: Multiple objections raise concerns over the potential for overlooking of neighbouring properties, particularly from Plot 3, which would directly impact gardens and private spaces. The distance between properties is considered too short, with the development creating a detrimental loss of privacy for residents. • Loss of Light: Concerns are raised over the loss of light, especially to rear gardens, greenhouses, and summerhouses. The proximity of Plot 3 to neighbouring gardens would block natural light and negatively affect the enjoyment of outdoor spaces. • Overbearing Development: Several objections suggest that the development would be overbearing and imposing, with particular emphasis on the visual impact of the side elevation of Plot 3 and its close proximity to neighbouring boundaries. The development is considered out of scale and inappropriate for the site, leading to an overwhelming presence on surrounding properties. <i>Officer comment: These issues are addressed in the relevant sections of the appraisal below.</i> Traffic and Highways Safety: • Increased Traffic: A common objection is the significant increase in traffic, with several residents highlighting
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	concerns about congestion on the road and the proposed new access points. The addition of multiple driveways is seen as exacerbating an already congested area, particularly near a planned new roundabout and busy pedestrian areas. Concerns are raised about the potential danger posed by increased traffic, including risks to pedestrians (particularly schoolchildren) and the difficulty of accessing the site safely during peak traffic times. <i>Officer comment: The introduction of two additional dwellings is not considered to generate a level of vehicle movement that would result in a significant impact on the surrounding highway network. The number of vehicular trips associated with two residential units is anticipated to be modest and would not, materially worsen existing congestion or pose an unacceptable risk to pedestrian safety.</i> • Inadequate Access: Objections also note the insufficient width of the proposed access roads, particularly for emergency vehicles, and the challenges posed by the proposed tandem development, which could lead to logistical problems for residents and delivery vehicles. The positioning of exits near a major junction is also seen as a safety concern. <i>Officer comment: No concerns were raised by the Council's Highways Officer in these respects.</i> Environmental and Biodiversity Concerns: • Loss of Green Space and Wildlife: Several objections focus on the loss of green space and its impact on local wildlife, particularly with the loss of a biodiversity corridor that currently runs through the site. The loss of a bat foraging area and the potential harm to local wildlife from the development are highlighted as significant environmental concerns. • Increased Surface Water Runoff: Concerns are raised about the increase in impermeable surfaces, such as roads and driveways, which would lead to higher rainwater runoff and could exacerbate local flooding issues. <i>Officer comment: These issues are addressed in the relevant sections of the appraisal below.</i> Concerns About Design and Policy Compliance: • Design and Policy Non-compliance: Several objections refer to the development being contrary to local policies, such as the borough's design guide and the NPPF. Specific concerns include the inappropriate positioning of windows, the potential for overlooking, and the impact on the visual amenity of neighbouring properties. The objections suggest that the proposal does not adhere to
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	design principles outlined for backland or tandem developments, particularly in relation to privacy, visual impact, and the overall design of the scheme. <i>Officer comment: These issues are addressed in the relevant sections of the appraisal below.</i> Previous Refusals and Historical Concerns: - Some objections refer to previous applications that were refused for similar reasons, particularly relating to the scale and impact of the development on the local area. Objectors argue that the issues raised in those refusals still apply to the current proposal, and that the reasons for refusal have not been addressed. <i>Officer comment: Each planning application is required to be assessed on its individual merits, against the development plan and any other relevant material planning considerations.</i> Impact on the Amenity of the Existing Property: - Concerns are raised over the demolition of the existing property, which is considered a well-built, desirable home that could be refurbished rather than demolished. The objectors argue that the loss of the existing house and its large garden, which is seen as an attractive feature of the area, would be a waste of a valuable resource. <i>Officer comment: The Borough's current development policies do not require detailed assessment of the merits of refurbishment of existing buildings against the merits of more energy efficient replacement dwellings. Moreover, the proposal would make a more efficient use of land providing three dwellings on an existing plot of only one.</i>
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APPRAISAL

Site Description and Proposed Development:

The application site contains a detached dwelling with a garden and driveway to the front and a large garden to the rear located to the south of Wokingham town centre, within the established settlement boundary of Wokingham. The site lies within a predominantly residential area along a well-trafficked main route into the town and is surrounded by a mix of traditional and modern detached and semi-detached housing.

The proposal seeks the erection of 2 no. new four-bedroom, detached houses and 1no. new three-bedroom house following the demolition of the existing bungalow dwelling.

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 site is located within settlement limits and as such the development should be acceptable providing that it complies with the principles stated in the Core Strategy. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high quality design without detriment to the amenities of adjoining land uses and occupiers.

Housing Land Supply Position:

Section 70[2] of the TCPA 1990 & 38[6] of the PCPA 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The plan-led approach advocated by law is reinforced numerous times throughout the NPPF including paragraph 47:

‘Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise’. This plan-led approach requires review in the context of material considerations which indicate otherwise.

The Council’s housing land supply position is a material consideration. The latest published assessment of housing land supply concluded a deliverable supply of 1.7 years as of the 31st March 2024 against a 4 year requirement.

The National Planning Policy Framework (NPPF) states under paragraph 11 that where a local planning authority is unable to demonstrate a five-year supply of deliverable housing sites, the most important policies relating to the application may be viewed as being out of date. It continues to advise that unless there are specific policies in the NPPF protecting the land subject to the application, that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF. This presumption in favour of sustainable development outlined in paragraph 11 of the NPPF is commonly referred to as the ‘tilted balance’ as harm and benefits are not weighed equally but tilted according to paragraph 11(d)ii).

Character of the Area:

Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high-quality design without detriment to the amenities of adjoining land uses and occupiers. Policy CP1 of the Core Strategy requires developments to maintain or enhance the high quality of the environment.

The proposed development would be located in the rear garden of the application site, therefore would constitute both back land and tandem development.

Policy TB06 of the MDD Local Plan refers to development of private residential gardens. It aims to restrict development of gardens where it would have a harmful

impact on the character of the area.

The policy states that proposals for new residential development that includes land within the curtilage or the former curtilage of private residential gardens will only be granted planning permission where the proposal makes a positive contribution to the character of the area in terms of:

- The relationship of the existing built form and spaces around buildings within the surrounding area
- A layout which integrates with the surrounding area with regard to the built up coverage of each plot, building line, rhythm of plot frontages, parking areas and:
- Providing appropriate hard and soft landscaping, particularly at the site boundaries
- Compatibility with the general building height within the surrounding area
- The materials and elevation detail are of high quality and where appropriate distinctive and/or complimentary
- The proposal does not lead to inappropriate tandem development.

Finchampstead Road is generally characterised by detached and semi-detached residential properties set back from the highway, typically behind sizeable front gardens with varying degrees of boundary screening. The road is identified as a Green Route in the Local Plan, and while this northern section lies closer to Wokingham town centre—resulting in a more urban grain compared to the southern stretches—it still retains a verdant and spacious feel due to the mature landscaping and garden depths. Notably, the built form in this part of Finchampstead Road is mixed in terms of architectural style, scale, and layout. The area contains a variety of building types including a short terrace of two-storey dwellings to the north, a linear row of detached houses to the west, and pockets of bungalows at the nearby Tangle Drive junction to the south.

Consequently, the prevailing pattern of development in the immediate area is not rigidly uniform, and the layout exhibits an element of variety, particularly on this side of the road. The application site itself occupies a triangular parcel of land enclosed by Finchampstead Road, Tangle Drive, and the railway line. This results in a somewhat irregular plot shape and piecemeal character that diverges from the more consistent and linear form seen further south or on the opposite side of the road.

The current application has sort to address the previously raised character concerns under 191055 primarily by altering the layout and type of new housing. The existing dwelling would now be demolished and replaced with 2.no two storey detached dwellings now situated towards the front portion of the application site. The scale, massing, design, and composition of these two dwelling dwellings would be reflective of their surroundings. The existing staggered arrangement between the neighbouring properties would be maintained, and the spacing between the proposed dwellings would align with that of the detached properties to the immediate west. Moreover, both dwellings would be positioned well away from the side walls of the adjacent properties, ensuring that they would not appear cramped within the application site. This layout also helps to preserve the characteristic green gap along the eastern side of Finchampstead Road.

The proposal includes the erection of a bungalow located towards the far rear of the application site, served by an entrance lane along the front boundary and an access path along the southern boundary. It is accepted that a building in this location would not follow the prevailing building line, orientation, or rhythm of development along Finchampstead Road and, as such, would not make a positive contribution to the established character of the street scene as encouraged by Policy TB06.

However, the section of Finchampstead Road surrounding the site does not present a wholly consistent or formal development pattern. The area displays a more informal arrangement of built form, including the presence of a similarly positioned backland dwelling at No. 94a. The general piecemeal character of the triangular parcel of land in which the site sits further supports this observation. Moreover, backland development is not wholly uncharacteristic of the broader context of Finchampstead Road. There are several access drives and breaks in the street frontage leading to dwellings sited behind the main building line, including comparable examples at No. 130, Nos. 184a, 184b, and 184c.

As such, it is considered that while the proposal would not fully comply with the guidance of Policy TB06 in terms of making a positive contribution to the character of the area, it would, when assessed in the context of the surrounding built form, represent an acceptable form of development. It is acknowledged that the development would result in a limited degree of harm to the character of the area due to its backland nature and departure from the general building line. However, this harm is deemed to be minor and is outweighed by the site-specific context, the precedent of similar developments in the vicinity, and the broader social, environmental, and economic benefits associated with sustainable development, which will be discussed later in this report.

In general design terms, the new bungalow would be constructed in materials to match those in the immediate area. The dwelling would be relatively simple and traditional in character and form, largely reflecting the scale and appearance of bungalow properties along Tangley Drive. In this respect, the dwelling would appropriately reflect the context of the locality.

In conclusion, the two-storey detached dwellings would have an acceptable impact on the character of the area, respecting the staggered arrangement of neighbouring properties and maintaining a consistent rhythm with the surrounding dwellings. Their design, massing, and spacing reflect the character of the area while preserving the green gap along Finchampstead Road.

Although the introduction of a bungalow does not fully comply with Policy TB06 in terms of contributing positively to the character of the area, it fits within the informal diversity of the locality, reflecting similar backland development nearby. While it may not directly enhance the street's character, its positioning ensures minimal harm to the surrounding area, maintaining a sense of space and openness.

Considering these points, the proposed development would have an acceptable impact on the character of the area, in accordance with Policies CP3 and CP9 of the Core Strategy and the guidance in Section 4 of the Borough Design Guide.

Housing Residential Amenity

Internal amenity

Policy TB07 of the MDD and R17 of the SPD require adequate internal space to ensure the layout and size achieves good internal amenity.

A minimum standard of 124m² applies to a four-bedroom, two-storey dwelling (based on eight persons sharing), while a minimum standard of 102m² applies to a three-bedroom, two-storey dwelling (based on six persons sharing).

The internal gross floor areas of Plots 1, 2, and 3 meet their respective requirements. Therefore, there are no objections regarding the adequacy of internal space.

External amenity

R16 of the SPD requires a minimum depth of 11m for rear gardens and a 1m setback from the site boundary to allow access thereto.

The rear amenity space of plots 1, 2 and 3 would meet the minimum depth requirement of 11 metres. Each plot would be set well away from the side boundaries. The proposal is therefore acceptable in this regard.

Neighbouring Amenity:

Plots 1 and 2

Overlooking:

R15 of the Borough Design Guide SPD requires the retention of reasonable levels of visual privacy to habitable rooms, with separation 10-15m to the street and a minimum back to flank distance of 12 metres in order to maintain privacy and limit sense of enclosure.

The proposed front elevation windows would maintain a separation of over 10 metres from the properties across the street. The plans specify that the first-floor side windows, serving non-habitable rooms, would be obscure-glazed to prevent overlooking. Additionally, the new rear windows would maintain an approximate 18-metre distance from the side wall of Plot 3. Consequently, any overlooking or loss of privacy concerns would be minimal.

With regards to the new ground floor windows, the installation of any new boundary fencing would be high enough to sufficiently mitigate any overlooking concerns.

Loss of light and Overbearing:

R16 of the Borough Design Guide SPD requires separation distances of 1.0m to the side boundary and 11m to the rear boundary.

Each dwelling would be appropriately positioned within its plot, maintaining a 1-metre gap from the side boundaries. Both dwellings would be of modest proportions, ensuring they do not pose any unreasonable concerns regarding overbearing impacts or loss of light to one another or to neighbouring properties.

Plot 3

R15 of the Borough Design Guide SPD requires the retention of reasonable levels of

visual privacy to habitable rooms, with minimum separation distances of 10m between front-to-front elevations and 22m between back-to-back elevations required to maintain privacy and limit sense of enclosure.

Overlooking:

The proposed bungalow, due to its orientation, would have a back-to-front elevation relationship with the neighbouring property at No. 94a. No. 94a was granted a Certificate of Lawfulness for its existing use as a two-bedroom dwelling in June 2010 under reference 102265.

The Borough Design Guide (BDG) does not specify a minimum back-to-front separation distance for properties to maintain privacy and avoid a sense of enclosure, as seen in Figure 4.25. However, the footnote within this figure clarifies that such *'standards and measurements should only be applied once the overall character and nature of the scheme is agreed.'* The BDG further acknowledges that more urban settings or those with a more intimate character may necessitate a tighter, more compact layout. The immediate area surrounding the application site, located near the junction of Tanglely Drive, exhibits such an informal, close-knit character, where some properties currently fall short of the advised separation distances.

In this scenario, the back-to-front elevation relationship between the proposed bungalow and No. 94a could be compared to a front-to-front elevation relationship, in which lower and upper floor windows would face each other across the street. For front-to-front relationships, the BDG recommends a minimum separation distance of 10 metres. Similarly, for back-to-back relationships, a minimum separation of 22 metres is advised. In this case, the closest of the three proposed windows on the rear dormer of the bungalow (Plot 3) would be positioned approximately 18.4 metres from the main front elevation of No. 94a, with the furthest window approximately 21.7 metres away. This comfortably exceeds the minimum front-to-front separation distance of 10 metres advised in the BDG.

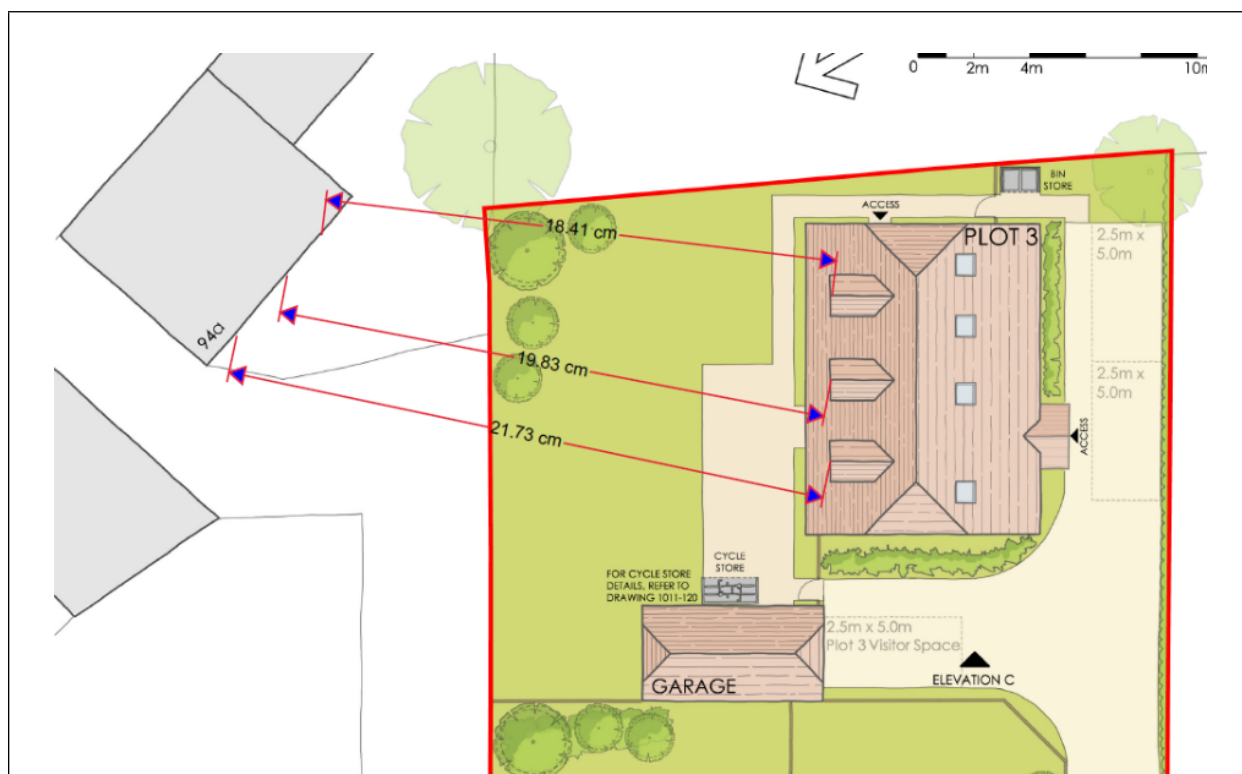


Figure 1 – Block plan showing plot 2 and the neighbour at no.94a

Additionally, the distance to the front-facing Velux windows of No. 94a would increase by approximately 1 metre for both the closest and furthest proposed windows, bringing the distances to approximately 19.4 metres and 22.7 metres, respectively. Given the sloped position and angle of these Velux windows, any potential views from the proposed bungalow would be oblique, further reducing the likelihood of direct overlooking.

It is also envisioned that the new boundary fencing, which would be a minimum of 1.8 metres in height, combined with new landscaping as indicated on the submitted block plan, would effectively screen any potential views from the proposed bungalow toward the ground-floor windows of No. 94a. This additional screening will help to mitigate any concerns regarding privacy and further reduce the potential for overlooking, ensuring that the amenity of No. 94a is preserved.

Consequently, the proposed development would not result in unacceptable harm to the amenities of No. 94a in terms of overlooking, privacy loss, or a sense of enclosure to such an extent that it would warrant refusal of this application.

In terms of the four new roof windows on the front elevation, as these would serve non-habitable rooms, a condition will be attached to any approval requiring these windows to be obscure-glazed to safeguard the residential amenities of neighbouring properties.

With regards to the new ground floor windows, the installation of any new boundary fencing would be high enough to sufficiently mitigate any overlooking concerns.

Loss of light and Overbearing:

The proposed bungalow would be appropriately positioned within its plot, maintaining a 1-metre gap from the side boundaries. Being single storey in height and of modest proportions, it would not pose any unreasonable concerns regarding overbearing impacts or loss of light to the amenity of any neighbouring properties.

Highway Access and Parking Provision:

The application site is located within a Major Development Area, characterised by the greatest range of facilities and services, offering residents a wide variety of accessible travel modes. As such, the site is considered acceptable in terms of access to sustainable transportation options. Furthermore, the traffic generated by the three proposed dwellings is unlikely to have any significant impact on the wider highway network.

Access

The council Highways Officer has raised no objection to the principle of two new accesses. Following the receipt of amended plans received on 27/01/2025, the widths 3.6m as requested by the Council's Highways Officer. It should be noted that separate consent will be required from the Council's Traffic Management team for the formation of any new dropped kerbs.

Parking Provision

The proposal will demolish the existing dwelling with six habitable rooms and rebuild into three new dwellings, two with 10 habitable rooms and one with seven habitable rooms. A total of nine driveway parking spaces are proposed within the red line.

The Council's Highways Officer has reviewed the application and considers that the off-street parking spaces provided for each plot are sufficient for their size and comply with the Council's Parking Standards. Additionally, following the recent of an amended block plan on 24/09/2024, the parking spaces proposed could accommodate at least one visitor for each dwelling, which is deemed acceptable.

EV Charging Points

Each new dwelling will be expected to provide a minimum of one EV Charging Point under the latest Building Regulations (Approved Document S).

Cycle Provisions

According to the WBC Parking Standards, three cycle parking allocation will be required per dwelling with 6+ habitable rooms.

Secure cycle store with internal dimensions of 1.9m x 0.84m has been proposed for each dwelling, which will only be suitable for storing two cycles. However, due to the provision of garage and direct access to the rear garden, the Highway Officer accepts the proposed cycle provisions in this instance.

Refuse Collection Strategy

A bin store will be provided for each plot, with kerbside collection arrangements deemed suitable for Plots 1 and 2. In accordance with the Manual for Streets, bin collection areas should not exceed the maximum carrying distances of 30 metres for households and 25 metres for refuse collection operators from the public highway.

While Plot 3 exceeds this maximum carrying distance, the site plan includes a designated bin collection point adjacent to Finchampstead Road, where bins from Plot 3 will be relocated prior to collection periods.

This arrangement mirrors those of several back land properties further along the same road. As such, no objections are raised regarding the proposed refuse collection arrangements.

Landscape and Trees:

Finchampstead Road is a Green Route that can be seen on the Designations Map, and is also one of the main 'rides' which are a consistent feature of the area of Wokingham known as Finchampstead North and these rides such as Nine Mile Ride and Sandhurst Road are characterised by mature, protected and often Veteran Oak trees. The rides are the historic hunting tracks through the royal forest of Windsor and today can be seen as the routes along which housing developed, along the rides and between the remnant areas of forest, which gives the area a more settled character.

The Council's Trees and Landscape Officer has reviewed this application and notes that although there are no protected trees on the site, there are trees that provide a setting and character to the plot aside from the unremarkable dwelling and its typical but uninspiring boundary treatment of close board fencing that divides the plot from its neighbours. The front site boundary is marked with a low hedge which extends to frame the entrance to number 102 to the south of the site. Trees are a key component of the site and the adjacent area – particularly to the east and the railway line, where mature trees line the route. Trees are key features in the adjacent gardens of the dwellings around the site.

The Trees and Landscape Officer comments that no tree information is submitted with the application. There are trees and hedges existing on the site that contribute to the site character as well as the landscape character along the street, and it is particularly important that as much of the vegetation is retained and protected through development as possible to comply with Policy CC03d of the Local Plan. Existing trees and hedges in most places help to contribute to a sense of place in the buildings and spaces themselves (see Policy CP3 of the Core Strategy). As such, the Trees and Landscape Officer requested the submission of an Arboricultural Implications Assessment (AIA). An AIA, accompanied by a tree protection plan, was submitted by the agent on 23/10/2024. The Council's Trees and Landscape Officer has reviewed the application and considers these details acceptable. Suitable conditions will be attached to any approval to ensure that the proposed works are carried out in accordance with this information.

Flooding and Drainage:

According to EA mapping, the development site is located within Flood Zone 1. The Council's Drainage Officer has reviewed the application and raised no objections to the principle of development. However, as drainage details have not been provided, a suitable condition will be implemented to secure the details of the site's drainage system. This condition has been attached accordingly in the event of any approval.

Ecology:

The application site is located in a habitat that matches where bat roosts have

previously been found in the borough.

The supporting Preliminary Ecological Appraisal [GS Ecology, February 2024, ref: Eco2911] found that the existing house and garage both have 'low' potential to host a bat roost and to determine if they host a bat roost a single dusk emergence survey from May would need to be undertaken. The report concluded that all other structures within the site could be demolished, and any trees that need to be removed can be felled, with minimal risk of harming bats.

A follow up Ecological Assessment, comprising an Extended Phase 1 Habitat and Protected Species Scoping Survey And Bat Survey) [GS Ecology, February 2024, ref: Eco2911] was conducted [GS Ecology, July 2024, ref: Eco2911b].

The report found that both the existing house and garage were assessed as having “low” potential to host a bat roost due the presence of a number of features potentially suitable for use by small number of roosting bats. However, as no bats emerged from (or went to roost in) either building during the dusk survey – carried out in May 2024 - it has been concluded that neither building currently hosts a bat roost and the building can be demolished with minimal risk of harming bats. The other structures within the application site do not have any features potentially suitable for use by roosting bats, all are assessed as having “negligible” potential to host a bat roost, and all can be demolished with minimal risk of harm to bats.

As such, the proposals are unlikely to adversely affect roosting bats or other protected species.

Great crested newt

There are three ponds within 500m of the application site, all of which are located to the east of the application site and beyond a railway corridor – a significant barrier for the dispersal of GCN. As such, the Ecological Assessment concludes that it is very unlikely that the habitats within the application site will be used by GCN.

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 proposal results in the net increase of 1no. four bedroom and 1no. 3-bedroom dwelling on a site that is within 5km of the TBH SPA. 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 and is appended herewith to this report.

Environmental Health:

The site is acknowledged to lie on the periphery of the gas consultation zone associated with the former Mulberry Park landfill site, which operated between 1960 and 1969. While the Environmental Health Officer has advised that a full site investigation would represent best practice due to the historical land use, it is important to note that there is already an existing residential dwelling on the site, which has been in long-term occupation without known issues relating to land

contamination or ground gas.

Furthermore, the proposed development does not involve any significant change of use or introduction of a particularly sensitive receptor beyond what currently exists. The nature and scale of the development is considered low-risk in this context, particularly as it does not involve deep groundworks or basements.

In light of this, it is considered that the imposition of the Council's standard Unexpected Land Contamination condition would provide a proportionate and reasonable level of safeguard. This condition would ensure that, should any unexpected contamination be encountered during construction, appropriate mitigation measures can be secured. A more extensive site investigation is not considered necessary based on the available evidence and the site's planning history. A suitable condition will be attached to any approval to ensure compliance.

The Environmental Health Officer has recommended that a condition be imposed requiring a noise assessment to be carried out, in order to identify any necessary mitigation measures and ensure that the amenity of both the proposed dwellings and nearby properties is not adversely affected by noise—particularly in relation to traffic movements or any other surrounding noise sources.

However, having assessed the layout and context of the site, the Case Officer considers that the net introduction of two additional dwellings would not, in itself, result in a significant intensification of activity that would be likely to generate harmful noise or disturbance. The proposed dwellings are modest in scale, comprising one two-storey and one one-and-a-half-storey unit, and are well-contained within their respective plots. Furthermore, they are set in from site boundaries and positioned away from the most sensitive neighbouring receptors, with adequate separation distances maintained to protect the amenity of surrounding residents.

In addition, the nature of the use—residential within a residential area—is considered wholly compatible with the character of the surroundings. While some increase in general domestic activity is inevitable, such as vehicle movements, garden use, and deliveries, this would be typical of a small-scale infill development and would not, in the opinion of the Case Officer, result in an unacceptable level of noise or disturbance.

The Environmental Health Officer has recommended that a condition be imposed requiring the submission of a Construction Method Statement. Given the back land nature of the development, the demolition of existing structures, and the formation of two new access points, along a relatively busy 'B' road, it is considered both reasonable and necessary to require such a statement. This will ensure that measures are in place to minimise disruption to neighbouring properties during the construction phase, particularly in relation to noise, dust, traffic movements, and working hours.

Tilted balance

To conclude, while the proposed two-storey detached dwellings would have an acceptable impact on the character of the area, the introduction of a backland 'Tandem' form of development in the form of a new bungalow does not fully comply

with Policy TB06 in terms of contributing positively to the area's character. However, it would result in only a limited degree of harm due to both the immediate and wider contextual setting. Given the Council's inability to demonstrate a 4-year housing supply, the development must be assessed in line with Paragraph 11d(ii), engaging the tilted balance and assessing the proposal against the policies of the NPPF as a whole.

In accordance with the NPPF, the three overarching objectives outlined in paragraph 8 — economic, social, and environmental — must be balanced when considering the proposal. The benefits and disbenefits are assessed under these broad categories:

Economically, the development would make a short-term economic contribution through the construction phase. Inhabitants of the new dwellings would also contribute to the local economy and provide modest additional council tax revenue. While these benefits are typical of any housing development, they still contribute to the local economic activity.

Socially, the development would result in a net increase of one four-bedroom dwelling and one three-bedroom dwelling. Although this is positive, the net gain of two dwellings does not represent a significant contribution to the Council's housing land supply position. Therefore, while limited, the social benefits of the development are nonetheless positive.

Environmentally, the proposal offers opportunities for mitigating measures, including enhanced soft and hard landscaping, which would positively contribute to the landscape and biodiversity. On-site biodiversity enhancement can be secured by condition, with further contributions to the Thames Basin Heath Special Protection Area secured through the s106 agreement. Additionally, the development would adhere to sustainability measures concerning energy efficiency and drainage, in line with building regulations. As a result, the environmental role performed by the proposal is positive, albeit limited.

Conclusion

Paragraph 11(d)ii of the Framework stipulates that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole, or where specific policies indicate that development should be restricted (officer emphasis). In this case, the tilted balance is engaged, although it is tempered by the past over-delivery of housing.

Factors weighing negatively in the planning balance include the partial conflict with the spatial strategy of the development plan, particularly Policy TB06 as discussed above.

However, when applying the tempered tilted balance, the adverse impacts identified are not of sufficient magnitude to significantly and demonstrably outweigh the benefits of the proposal. Therefore, in accordance with the presumption in favour of sustainable development, it is recommended that the application be approved, subject to conditions and the completion of the s106 agreement. The s106 to secure the aforementioned obligations was duly completed on 21/03/25.

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.

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. 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
Date:	27 October 2024
Earliest date for decision:	11 September 2024

Recommendation agreed by: (Authorised Officer)	
Date:	14/04/25

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 approximately **0.075 km** (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 **1.no 4 bedroom dwelling and 1.no 3 bedroom dwelling** within **5km** of the SPA which results in a total SANG contribution of **£6,237.79**

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 **£2,267**

The total SPA related financial contribution for this proposal is **£8504.79** The applicant **must agree to enter into a S106 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) as amended

In accordance with The Conservation of Habitats and Species Regulations (2017) as amended, 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 **5 km** 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
<https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Final%20adopted%20Core%20Strategy%20inc.%20cover.pdf>
- 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
<https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Final%20adopted%20Core%20Strategy%20inc.%20cover.pdf>
- Wokingham Borough Managing Development Delivery Local Plan (2014) Policy TB23 (Biodiversity and Development)
<https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Adopted%20MDD.pdf>
- Infrastructure Delivery and Contributions SPD (2011)
<https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Adopted%20Infrastructure%20De~nd%20Contributions%20SPD.pdf>

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 **1.no 4 bedroom dwelling and 1.no 3 bedroom dwelling** within **5km** of the SPA. Depending on the dwelling mix, the level of SANG payments are set out as follows:

No. of bedrooms	SANG Contribution 5km	Aggregate SANG Contribution
1 bedroom	£1,567.98 or £423.35	N/A
2 bedrooms	£2,049.59 or £553.39	N/A
3 bedrooms	£2,690.93 x 1	£2,690.93
4 bedrooms	£3,546.86 x 1	£3,546.86
5 bedrooms	£4,240.62 or £1,144.97	N/A
Total SANG Contribution		£6,237.79

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.

From 1st April 2023 SAMM contributions have been updated across the 11 Local Authorities affected by the Thames Basin Heaths Special Protection Area. Following engagement with Natural England, the Joint Strategic Partnership Board agreed this change is necessary to ensure sufficient income is raised to cover the costs of the SAMM project in perpetuity. Without this change the SAMM project would be at risk of being unable to deliver the objectives of the SAMM project, and therefore secure positive outcomes for the SPA

The level of contributions are calculated on a per bedroom basis. The application for this development is for **1.no 4 bedroom dwelling and 1.no 3 bedroom dwelling**. Depending on the dwelling mix, the level of SAMM payments are calculated as follows:

No. of bedrooms	SAMM Contribution 5km	Aggregate SAMM Contribution
1 bedroom	£563.00 or £162.00	N/A
2 bedrooms	£784.00 or £225.00	N/A
3 bedrooms	£1,042.00 x 1	£1,042.00
4 bedrooms	£1,225.00 x1	£1,225.00
5+ bedrooms	£1,400.00 or £401.00	N/A
Total SAMM Contribution		£2,267

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 63(5) of the Conservation of Habitats and Species Regulations (2017) as amended, and permission may be granted.

If the applicant does not agree with the above mitigation and does not enter into a Section 106 Agreement to secure the measures, then the application must be refused using the following reason for refusal.

5. Example Reason for Refusal

In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority (LPA), the LPA is unable to satisfy itself that the proposals include adequate mitigation measures to prevent the proposed development from having an adverse effect on the integrity of the Thames Basin Heaths SPA, in line with the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017 as amended and Article 6(3) of Directive 92/43/EEC. The proposal would be contrary to Policy NRM6 of the South East Plan, Policies CP8 and CP4 of the Core Strategy.

Date:

Signed:

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