

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242252
Site Address:	Moat House, Biggs Lane, Arborfield, Wokingham, RG2 9LN
Expiry Date:	21/02/2025 (EoT)
Site Visit Date:	20 December 2024
Proposal: Full Planning Permission for the change of use of the Moat House building from office (Use Class E) to residential (Use Class C3) to provide 4no. residential dwellings and associated internal roads, parking, landscaping, drainage, plant, bin, and cycle storage.	

PLANNING CONSTRAINTS/STATUS

Strategic Development Location – Arborfield Garrison
Modest Development Location
Listed Building – Grade II Listed Building
Contaminated Land Consultation Zone
Ancient Monuments
Affordable Housing Thresholds
Bat Roost Habitat Suitability
Farnborough Aerodrome Consultation Zone
Great Crested Newt Consultation Zone
Nuclear Consultation Zone
Public Open Space
Tree Preservation Orders (TPO 1445/2012)
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones – 5km Zone
Listed Building Buffer Zone
SAM Consultation Zone

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 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 CP17 – Housing Delivery CP18 - Arborfield Garrison Strategic Development Location
MDD Local	CC01 – Presumption in Favour of Sustainable Development CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction

Plan (MDD)	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 TB21 – Landscape Character TB23 – Biodiversity and Development TB24 – Designated Heritage Assets
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM2 - Climate Change – Mitigation and Adaptation DM3 - Protection of Habitats and Species DM4 - Protection of Designated Landscape DM5 - Protection of the Countryside DM6 - Green Belt DM7 - Conserving the Historic Environment DM8 - Restoration of Minerals and Waste Developments DM9 - Protecting Health, Safety and Amenity DM10 - Flood Risk DM11 - Water Resources DM12 - Sustainable Transport Movements DM13 - High Quality Design of Minerals and Waste Development DM14 - Ancillary development DM15 - Site History
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Affordable Housing Supplementary Planning Document Sustainable Design and Construction Supplementary Planning Document Arborfield Garrison SDL SPD Barkham Village Design Statement Arborfield and Barkham Neighbourhood Plan

PLANNING HISTORY – There is an intensive planning history on the wider site, the below is most relevant history.

Application No.	Description	Decision & Date
012385	Circular 18/84 application for the proposed erection of a temporary building for storage of archive documents.	Approved 14/05/2001
O/2014/2280	Outline permission for Demolition of buildings and phased redevelopment of Arborfield Garrison and adjoining land for: Up to 2,000 new dwellings (including up to 80 units of extra care housing). District centre comprising a food store up to 4,000 sq.m gross with up to a further 3,500 sq.m (gross) floor space within Classes A1, A2, A3, A4, A5, B1, D1 and D2 (with residential above - Class C3)), and transport interchange,	Approved 02/04/2015

	village square, car parking, servicing and drop off area. Up to a further 1,500 sq.m (gross) floor space within Classes D1 and D2. Neighbourhood centre to provide up to 300 sq.m (gross) floor space within Classes A1, A2, A3, A4, A5, B1, D1 and D2, with parking/servicing area. Secondary school for up to 1,500 pupils (Class D1) including sports pitches, flood-lit all-weather pitch, and indoor swimming pool and parking areas. Up to three-form primary school (Class D1) with sports pitch and parking areas. Associated phased provision of car parking; public open space including sports pitches, informal/incidental open space, children's play areas including multi-use games area (MUGA), skate park, community gardens/allotments; landscaping/buffer areas; boundary treatments; new roads, footpaths, cycleways and bridleways; sustainable urban drainage systems, including flood alleviation works. PART 2 - FULL PERMISSION FOR phased development of: Creation of two new areas of Suitable Alternative Natural Greenspace (SANGS) (In the north-eastern part of the application site ("Northern SANGS") and at West Court ("West Court SANGS") including car parking areas, path/walkways, fencing and associated landscaping; re-use of existing MoD gymnasium for sports/community uses/centre (Classes D1/D2; new roundabout junction to A327 Reading Road; junction improvements to Langley Common Road, Baird Road and Biggs Lane; junction improvements and new access at Biggs Lane/Princess Marina Drive; re-use and improvements to existing site accesses from Biggs Lane.	
242253	Application for Listed Building consent for the proposed change of use of the Moat House building from office (Use Class E) to residential (Use Class C3) to provide 4no. residential dwellings including external works.	Pending Decision

CONSULTATION RESPONSES

Internal

SDL Environmental Health – No objection
 SDL Natural England – Advisory comment
 SDL Historic England – Advisory comment
 SDL Flood Risk Officer – No objection

SDL Green Infrastructure – No comments received
 SDL Landscape and Trees – No objection subject to condition
 SDL Growth and Delivery (Planning Policy) – No comments received
 SDL Ecology – No objection subject to condition
 SDL Economic Prosperity and Place (Community infrastructure) – No objection
 SLD Built Heritage Officer – No objection subject to conditions
 SDL Highways – No objection subject to conditions
 WBC CIL – Advisory comment

External

Historic England – Advisory comment

REPRESENTATIONS

Barkham Parish Council	No comments to make on application
Ward Member(s)	No comments received
Neighbours	No comments received

APPRAISAL

Site Description:

The application site lies within the Strategic Development Location of Arborfield Garrison. The Moat House is a Grade II Listed Building and is located north of Buttenshaw Avenue and south of Biggs Lane.

Proposal Description:

The proposal seeks planning permission for the change of use of the Moat House building from office (Use Class E) to residential (Use Class C3) to provide 4no. residential dwellings including associated works.

Revised plans and information were received on 29 November 2024, to overcome consultee comments on grounds of heritage, ecology, landscape and highways. The revisions were reconsulted to neighbours and Barkham Parish Council on 2 December 2024.

Apartment 1 will be a 1no.bedroom apartment on the ground floor and the layout will comprise of a bedroom, bathroom and an open plan living, dining and kitchen space.

Apartment 2 will be a 2no. bedroom apartment on the ground floor which will also utilise the basement level. The layout will comprise of a bedroom, kitchen, living space and bathroom on the ground floor and a second bedroom within the basement.

Apartment 3 will be a 2no. bedroom apartment across the first and second floors. The layout will comprise of living, kitchen and dining spaces on the first floor and 2no. bedrooms and bathroom on the second floor.

Apartment 4 will be a 1no. bedroom across the first and second floors. The layout will comprise of living and kitchen spaces including a bathroom on the first floor and a bedroom on the second floor.

All of the apartments will have access to a shared amenity area.

The proposal includes 8no. car parking spaces (4 of these spaces with access to EVC) and 6no. cycle parking spaces. A scheme of soft landscaping will also be implemented.

The proposal includes external alterations which includes the removal of an existing handrail and step, existing vents and pipes from the front elevation and the installation of new step along the side elevation. An additional external door will be installed in the front elevation to provide natural light to the basement bedroom and an emergency access point.

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.

In addition, the principle of development in this location has been established through its allocation by Policy CP18 of the Core Strategy which aims to deliver sustainable, well-designed mixed-use development within the Arborfield Garrison SDL.

Arborfield and Barkham Neighbourhood Plan

Policy AD1 (New development within development limits) supports the principle of new housing within the current Development Limits including the Arborfield Garrison Strategic Development Location. In this case, the proposal will comply with the aims of policy AD1.

Loss of Office Space

The proposal would result in the loss of office space however the site is not located within an established Core Employment Area, therefore this is acceptable in principle.

Sustainability:

Policies CP1, CP4, CP6, CP9 of the Core Strategy permit development where it is based on sustainable credentials in terms of access to local facilities and services and the promotion of sustainable transport. Expanding on this, paragraph 4.57 in the Core Strategy aims to prevent the proliferation of development in areas away from existing development limits as they are not well located for facilities and services and would lead to the increase in use of the private car.

The site is in close bus services along Biggs Lane and Princess Marina Drive, which are within 200 metres from the site. In addition, there is pedestrian and cycle access to nearby facilities. It is therefore considered to be sustainable location, and the

principle of development would be acceptable under policy CP1 providing it meets other relevant policies and the NPPF.

Character of the Area including Heritage:

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.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that development must ensure the preservation of any nearby listed building, including its setting, Paragraphs 195-198 of the NPPF requires consideration of the harm to the significance of a designated heritage asset and Policy TB24 of the MDD Local Plan requires the conservation and enhancement of Listed Buildings, including their views and setting.

Amended plans

The comments from the Council's Built Heritage Officer follow on from the revised plans received on 29 November 2024.

The amended plans show where walling is to be removed within the building. Where new doorways are to be formed small sections (nibs) of the existing walling are to be retained to ensure the original form of the buildings remains clear.

In addition, the adjustment made to the position of a new internal wall on the ground floor avoids the previous placement to the edge of the lancet window reveal to the left of the main entrance. From a heritage stance, these changes are acceptable and address the concerns raised with those aspects of the proposed scheme. It is noted some amendments have been made to the internal layouts that clarify the location of the vertical routes for services pipework and soil pipes through the building and therefore avoid the unsightly addition of exterior pipework.

Existing Historic Features

It is acknowledged the submitted plans do show the internal walling that is to be removed, however the plans do not give any indication as to any intended replacement of the existing lath and plaster ceilings or floorings. Therefore, it is the view of the Council's Built Heritage Officer that the historic ceilings and flooring within the building are to be retained. Any replacement of these would necessitate a further application for listed building consent.

The remaining historically significant features of Moat House exclude any proposal to replace and/or alter the existing original ground and first floor windows. In addition, the proposed plans and documents do not set out any intended replacement of the existing entrance door, or changes to the Jacobean styled entrance hall (with its glazed inner screen, panelling) and staircase (other than the removal of a modern partition wall to the first-floor landing area that would better reveal the balustrade to the landing).

It is noted some form of safety measures may be necessary to protect people from toppling over the balustrade. Inappropriate alterations (painting of the woodwork,

cutting into the panelling and or woodwork for light/power sockets, new lighting, sensors etc.) to the historic hallway and staircase need to be avoided and it is recommended these historic elements are protected.

In the case of the where an original room door cannot be retained in situ and fixed closed, it would be expected that the door be reused elsewhere within the building, and this is to be secured via a planning condition.

Summary

From a heritage stance the proposed works to convert Moat House into 4no. residential apartments is acceptable to the Council's Built Heritage Officer.

With respect to some aspects of the proposals (including noise and fire insulation measures, communal hallway, window and door details), further details are required which can be secured via planning conditions to ensure the historic appearance and significance of the Moat House is maintained.

In addition, the removal of external pipework and repairs to the external brickwork is regarded as an improvement to the building exterior.

Historic England have commented the proposal does not extend within the scheduled monument. An informative can be applied in the event of an approval to ensure any works being carried out which may impact the boundaries of the scheduled monument require permission from the Secretary of State for Culture, Media and Sport.

Overall, given the majority of the works relate to internal conversion, there is no detrimental harm to the character to the area. In addition, the proposal would be implemented alongside a landscaping scheme that will enhance the surroundings of the site. This is discussed further in the *Landscape and Trees* section below.

Affordable Housing:

Policy CP5 of the Core Strategy, Policy TB05 of the MDD Local Plan and the Affordable Housing SPD specify an affordable housing rate of 40% for any development involving five dwellings or more on land with a total area of 0.16 hectares or more.

The Council's Affordable Housing Supplementary Planning Document (SPD) July 2013 provides further guidance on its approach to securing affordable housing through the planning process. It sets out, subject to viability, the minimum percentages of affordable housing sought on site by land type and location. It also explains that, for the avoidance of doubt, any application for dwellings exceeding the thresholds in Policy CP5, including mobile home sites, will need to deliver affordable housing in line with the Core Strategy.

However, this policy and the guidance contained within the SPD pre-dates the publication of the National Planning Policy Framework (NPPF), including the latest 2024 version. Paragraph 65 of the Framework requires that the provision of affordable housing should not be sought for residential developments that are not major developments (10 or more dwellings), other than in designated rural areas

(where policies may set out a lower threshold of 5 units or fewer).

The Planning Practice Guidance (PPG) states specifically that planning obligations for affordable housing should only be sought for residential developments that are major developments. The PPG confirms that the Community Infrastructure Levy (CIL) is the most appropriate mechanism for capturing developer contributions from small developments.

The background to this national approach is the Government's desire to incentivise house building in recent years, particularly for smaller sites and local builders. Introduced formally in 2014, this requirement was subject to a number of legal challenges and appeals which meant that it only became set into the PPG in 2016. However, it was still up to the decision maker (the local planning authority) to decide how much weight should be given to the national policy in light of local circumstances.

Further updates to the NPPF have reaffirmed the Government's view that contributions should not be collected from developments of less than 10-units. These amendments significantly strengthened the Government's position on affordable housing thresholds, and it is now a material planning consideration the LPA must have due regard to.

In this case, the proposal is for the creation of 4no.apartments which is under the threshold normally sought for affordable housing. In addition, the site area includes a shared garden area which is relatively large, however it will allow for the provision for landscaping and for the provision for on-site Biodiversity net gain. Therefore, an Affordable Housing contribution will not be sought for the scheme.

Housing Amenity:

Internal amenity

Policy TB07 of the MDD and Policy R17 of the Borough Design Guides requires adequate space to ensure the layout and size achieves good internal amenity. In terms of bedroom sizes, the Technical Housing Standards requires that a dwelling with more than one bedroom should have a main bedroom (double), which is to have a minimum area of 11.5sqm.

Secondary single bedrooms should have a minimum area of 7.5sqm and living spaces should have a minimum area of 31sqm. There should also be provision for storage.

A breakdown of the internal amenity of the proposed apartments are shown in the table below (as measured off the submitted plans).

Apartment	Bedrooms	Internal floor space (m2)
1	1	64
2	2	85.08
3	2	118.07
4	1	85.3

There is general compliance with the internal spaces standards and no overriding objections are raised on this aspect. In addition, the bedrooms sizes and living spaces comply with the above standards.

R18 of the Borough Design Guide SPD requires sufficient sunlight and daylight to new properties, with dwellings afforded a reasonable outlook.

All 4no. apartments would have sufficient openings to the habitable rooms i.e. living room and bedroom spaces therefore it is unlikely a loss of light will occur upon future occupants. It is highlighted that Apartment 2 will include a bedroom/study at the basement level, the submitted plans indicate there will be a lightwell installed which will provide light to the room.

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 proposal will provide shared amenity space for the 4no. apartments, equating to an area of 2,355 m²; this is considered to be a generous level of space for future occupants. This amenity space will include seating (timber benches), planting / landscaped areas and grassed lawn areas.

Neighbouring Amenity:

Policy CP3 of the Core Strategy aims to protect neighbouring amenity.

Overlooking

R15 of the Borough Design Guide SPD requires the retention of reasonable levels of visual privacy to habitable rooms, with separation of 22-30m to the rear and 10-15m to the street. R23 notes that the side walls must not contain windows, especially at first floor level.

Buttenshaw Avenue

The separation distance between the Moat House and No. 16 and 17 Buttenshaw Avenue is at least 50 metres away.

Parcel S Plots

An illustrative layout has been submitted for Parcel S which at the time of the writing does not benefit from a Reserved Matters permission. The assessment is considered on this basis. The illustrative layout suggests a potentially acceptable relationship between the dwellings on Parcel S and the Moat House could be achieved (subject to amendments to the siting of plot 2).

There are existing side windows on the first and roof level of the building. In terms of overlooking, the conversion of the building into apartments with no additional side windows would not affect the existing relationship between the Moat House and neighbouring properties.

Sunlight and Daylight, Overbearing and Sense of Enclosure

R18 of the Borough Design Guide SPD aims to protect sunlight and daylight to existing properties, with no material impact on levels of daylight in the habitable rooms of adjoining properties. R16 of the Borough Design Guide SPD requires separation distances of 1m to the side boundary and 11m to the rear boundary.

Since the application does not include significant external works there will not be any impact on neighbouring properties.

Highway Access and Parking Provision:

General

Fewer trips would result from residential use compared to the permitted office use. As such, it is unlikely there would be a significant impact on the wider highway network.

Access

P3 of the Borough Design Guide SPD notes that parking spaces should be safe and convenient, close to the dwelling and sited in safe locations.

The existing access via Buttenshaw Avenue will be utilised, which is acceptable to the Council's Highways Officer. In addition, improvements to the pedestrian route into the site are proposed.

Acceptable swept path analysis for a refuse collection vehicle and large saloon car have been provided. The applicant has also submitted a Fire tender tracking drawing; the Council Highways Officer has commented that due to the landscaping constraints of the site, the swept path of the fire tender is acceptable.

The footway path link has been revised as follows:

- Dropped kerbs and tactile paving are proposed at the proposed crossing points at Buttenshaw Avenue and Princess Marina Drive.
- The existing footpath connecting to the car park to the south of Princess Marina Drive is removed.

The Council's Highways Officer is satisfied with these improvements.

Parking

Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum off street parking standards.

The proposed level of parking equates to 2no. spaces per flat however to be in line with Borough Standards there would need to be an additional visitor space. The Council's Highways is satisfied that there is sufficient space on the access road for a visitor to park without affecting access.

The revised plans show offsets to the landscaping feature are to be aligned with the parking spaces and that the hedge height will be under 600m, which is acceptable to the Council's Highways Officer.

Each new dwelling will be expected to provide a minimum of one EV Charging Point under the latest Building Regulations (Approved Document S). The proposed EV charging facilities at parking spaces 5-8 will meet the requirement.

Cycle Parking

The revisions indicate the proposal will accommodate six cycle spaces which is in line with the Council's requirements and thus is acceptable to the Council's Highway Officer. As detailed of the drawings of the cycle storage for six spaces have not been received, such details can be secured via a planning condition.

Planning obligations – My Journey

MyJourney started in 2012 from LSTF (Local Sustainable Transport Fund) grant from the Department for Transport. Through the initial strategic developments that were brought forward at the start of the adopted 2010 Local Plan within Wokingham, it was identified that a number of the travel plans being promoted by developers were expensive as an overall package (promotions, surveys, monitoring etc) and were costing the developers approximately £500-600 per dwelling.

Further review of emerging developments has identified that each developers travel plan was providing links to different promotions such as car clubs, bike scheme, bus offers etc, and this was leading towards having multiple operators for each of these aspects. Through the economy of scale and the level of development My Journey, being delivered by a sole operator could delivery monitoring, promotions, marketing for each individual site at a cheaper value than the developers, whilst at the same time providing enhanced facilities. To provide these services by a dedicated team an operating costs of £520 per dwelling was calculated. It should be noted that this figure also enable travel planning services to be provided by the Council for much longer than the typical 5-year period that a developer would be required to carry out a Travel Plan for their site.

My Journey has proven to be a successful initiative for developers and residents, with all Strategic Development Location (SDL) sites opting to use this facility including the major planning consents at Arborfield Garrison and Hogwood Farm (Finchwood Park). As the application site also forms part of the SDL, My Journey contributions required. A contribution of £567 per dwelling is secured via s.106 legal agreement.

- Public transport

The Infrastructure and Developer Contributions Supplementary Planning Document sets out the importance of a high standard of public transport strategy to ensure that the development meets sustainable objectives. It identified 'bus transport corridors to Wokingham, Bracknell, Reading and Winnersh', improvements to which are to be phased in order to provide direct services as an alternative to car borne journeys.

A Public Transport Strategy (condition 30 of outline planning permission O/2014/2280) has been developed with consideration to the needs of the SDL and is being financially supported through developer contributions secured through successive SDL planning permissions. Accordingly, a public transport contribution of £914 per dwelling is secured via s.106 legal agreement.

Flooding and Drainage:

Policy CC09 of the MDD Local Plan requires consideration of flood risk from historic flooding. Policy CC10 of the MDD Local Plan requires sustainable drainage methods and the minimisation of surface water flow.

The application site is within Flood Zone 1 and no objection is raised by the Council's Flood Risk Officer on the principle of development as represented on the proposed floor plans drawing 24 - J4633-11 A. In addition, no flood risk concerns are raised.

Landscape and Trees:

Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, promote linkages between public open space and the countryside, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character.

Landscape layout

The proposed plans indicate the boundary of the site will be reinforced with additional hedgerows and in association with estate railings in order to maintain the views through the parkland type character to the Moat House from Buttenshaw Avenue.

Revisions have been submitted following the initial comments on appropriate management of the veteran tree buffer zone and to exclude public access. This is now shown on a revised Landscape Masterplan (1665/001 Rev G) which includes a cleft chestnut post and rail fencing around this area as well as an increased area wildflower seeding. Whilst the Landscape Masterplan outlines the intended principles for this aspect of the site, a detailed Landscape Scheme is required, and such details can be secured via a suitably worded condition.

It is highlighted here, that the revisions are agreed by the Council's Ecology Officer in regard to the retention of a buffer for the veteran tree. The Council's Ecology Officer has recommended the ongoing management is secured via a LEMP condition.

Arboricultural Assessment

An Arboricultural Implications Report by SJA Trees dated August 2024 has been submitted. The proposals do not require the removal of any trees within the site, there is a category A tree T185 (English Oak) which is identified as a veteran tree. This tree is growing in an area of open grassland which will remain as grassland and no construction activities are planned that will encroach into the extended root protection area.

A small number of incursions into the root protection areas of several trees have been identified within the report, which relate to minor changes around the parking area and replacements of kerbs. This will have a negligible impact on the adjacent trees (including TPO trees) and no objections are raised by the Council's Landscape Officer on this aspect. A detailed method statement is to be secured via condition.

11 trees are to be pruned, and three trees (36, 50 & 56) require crown lifting above the access road to allow sufficient space for construction traffic and other subsequent uses. Other pruning work identified include seven trees on the boundaries of the site which are identified to be crown lifted by 2.5 – 3m to open up views to the

surrounding area. Whilst the details of the pruning works have not been resolved during the timeline of the application, this can be dealt with via an Arboricultural Method Statement and is to be secured by a planning condition.

Ecology:

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

Bats

Previous surveys have confirmed the Moat House as being used by bats for roosting. The applicant's ecologists consider these roosts to most likely be low status roosts of more common species of bat. More recent surveys have not been undertaken to reconfirm the status of the bat roosts present however the Council's Ecology Officer finds it reasonable to work on the bat's roosts are likely still present and of a similar status.

As the proposal would involve internal and external work to the building without a need to modify the locations where bat emergence has been observed, it is unlikely a licence will be needed from Natural England. It may well be that the development can be carried out using non-licensable mitigation measures and therefore a derogation licence to be submitted prior to works is not required. As such it is relevant for the developer to include detailed bat mitigation measures to be submitted, and this can be secured via condition (CEMP: Biodiversity).

The submitted Ecological Constraints Report also identifies that the site is within a secondary dark corridor, according to the conditioned overarching bat mitigation strategy for application O/2014/2280. It goes on to recommend implementing the same mitigation and enhancement measures set out in relation to that mitigation strategy.

The Council's Ecology Officer is minded to agree that favourable conservation status of protected species could be maintained through retention of the existing bat roosts in the building and application of the measures outlined within the bat mitigation strategy referenced.

The bat mitigation strategy from the application O/2014/2280 has been submitted (following agreement from the applicant) as part of this application submission. The Council's Ecology Officer has commented the development can be carried out in line with the overarching bat mitigation strategy and this is to be secured via a planning condition.

Breeding Birds

The observation of bird species in proximity to the application site will require mitigation measures to prevent disturbance during construction. This can be covered within the CEMP: Biodiversity condition.

Biodiversity Net Gain

This application will be subject to mandatory biodiversity net gain, should permission be granted.

A Biodiversity Net Gain Assessment report (Aecom, ref: 60728610 revision 4, January 2025) has been submitted along with a Statutory Metric.

Regarding the on-site habitat baseline, the BNG metric has identified the habitat type as neutral grassland, vegetated land and individual trees (urban trees including a veteran tree). The Council's Ecology Officer agrees with the baseline figures outlined in the metric as being accurate.

Regarding the on-site hedge baseline, the BNG metric has identified this habitat type as a line of trees and species rich native hedgerow with trees. The Council's Ecology Officer agrees with the baseline figures outlined in the metric as being accurate.

The BNG strategy will be reliant upon on-site delivery through the creation of medium distinctive habitats according to the metric. Following the submission of the revised landscaping proposals, the Council's Ecology Officer is satisfied that this strategy is deliverable. These habitats will be maintained by a management company.

The management for a minimum period of thirty years via a Landscape Environmental Management Plan condition and the monitoring of delivery will be secured via a planning obligation within the S106 legal agreement.

The BNG monitoring fee has been calculated in line with the neighbouring authorities. The Council currently is in the process of updating the Planning Advice Note on this matter, but the below formula outlines the most up to date calculation for the cost of BNG monitoring.

For all applications that are subject to the mandatory biodiversity net gain requirements the council will require a financial contribution to cover the cost of monitoring those obligations. It is estimated that each hectare of BNG habitat will take circa 10hrs of an ecologist's time to assess and respond to monitoring reports submitted for approval to the planning authority, and this is likely to be required 9 times over the 30 years (including assessing the initial Biodiversity Gain Plan).

The hourly rate of a Grade 9 ecologists with on costs and internal recharges is £40/hr, and hence the contribution will be based upon the following formula:

£40 x 10hrs x 9 occasion = £3,600 for up to 1ha

£40 x 10hrs x 9 occasion = £3,600 for each additional hectare pro rata.

Accordingly, a BNG monitoring contribution of £3,600 is secured as part of the s.106 agreement.

Badgers

The revised landscaping proposals will enable the retention of a functional Badger sett feature, and the Council's Ecology Officer is satisfied that the proposals will not harm this species through CEMP and LEMP conditions to secure appropriate mitigation during construction and in the operational phase.

Waste:

Policy CC04 of the MDD Local Plan requires adequate internal and external storage for the segregation of waste and recycling as well as provision for green waste and composting and an appropriate area for ease of collection.

The proposed bin store a suitable sizes for four flats. Despite the distance between the households and the proposed store slightly exceeds the recommended maximum carrying distance of 30 metres, the Council's Highways Officer considers the proposed position to be acceptable. The swept paths have shown that a refuse vehicle can reverse a short distance into the site and for the operators to collect the refuse within an acceptable distance.

Building Sustainability:

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

The applicant has submitted an Energy and Sustainability Statement (AES Sustainability Consultants Ltd August 2024). The statement outlines for the approach for achieving compliance with Part L regulations and improving energy efficiency.

It is acknowledged certain elements cannot be achieved due to practical limitations of the existing building. Compliance with Part L regulations could be achieved through the roof voids (if space is feasible), secondary glazing and replacement doors to corridors.

The statement refers to the proposed dwellings being provided with appropriate heating systems, insulated primary pipework and thermostat and room temperature controls. In addition, the following renewable sources have been considered within the statement biomass heating, solar thermal, solar panels, air source heat pumps, ground source heat pumps and hot water heat pumps.

A final decision on which renewable sources are to be implemented are to be taken in due course subject to compatibility with the built heritage conditions set out.

Environmental Health:

The site is not subject to any known historic land contamination or any other risks pertaining to public health therefore no objections are raised by the Council's Environmental Health Officer.

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 four dwellings 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. The

Appropriate Assessment for this application is appended to this report and has concluded that contributions to access management measures and monitoring in line with the Delivery Framework are required.

On this basis the development is likely to have a significant effect on the TBHSPA (either alone or in combination with other plans or projects). In this case the mitigation measures are outlined in a revised Section 106 agreement. These take the form of direct provision of Suitable Alternative Natural Greenspace at West Court SANG (currently under construction), together with a monetary contribution of £2694 towards ongoing monitoring (SAMM) as set out within the s.106 agreement.

Conclusion:

The application site is located within a Strategic Development Location where the principle of development is supported subject to other material considerations.

The principle of the proposed change of use to form 4no. apartments is considered acceptable; as is the layout, appearance and impact on the host listed building. The proposal is also acceptable in relation to neighbours, in respect of highway matters and on balance, the natural environment.

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 development is CIL Liable.

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:	Pre-Commencement Conditions agreed on 29 January 2025
Recommendation:	Approve
Date:	21 January 2025
Earliest date for decision:	10 October 2024

Recommendation agreed by: (Authorised Officer)	NC
Date:	21/02/2025

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 within the 5km zone 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. In this instance, the proposed development would result in a net increase of 4 dwellings within 5km of the SPA.

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 often 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. However, In this case, SANG is being provided by the developer directly in the form of West Court SANG (currently under construction). The s.106 legal agreement associated with this application includes a covenant for the owner *"not to Occupy or cause the occupation of any dwelling unless and until the West Court SANG has been fully completed."*

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 **£2694**.

Contributions are secured within a s.106 agreement which has been completed prior to the issuing of planning permission.

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.qos.gov.uk/gose/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 located within a SDL, SANG will have to be provided at a minimum of 8 ha per 1,000 new residents for any dwellings within 5km of the TBH SPA, and between 1.73-2.16 ha per 1,000 new residents for any dwellings between 5-7km from the TBH SPA (based upon an individual assessment). The SANG will be constructed and delivered to Natural England's quality and quantity standards and the developer will need to make an appropriate contribution towards in perpetuity maintenance of the SANG. An occupation restriction has been included in the Section 106 Agreement in order to ensure that the SANG is complete and open to the public prior to the 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 **4 no dwellings**, broken down as follows: **2no. x 1-bedroom dwellings and 2no. x 2-bedroom dwellings**. In this case, SANG is being provided by the developer directly in the form of West Court SANG (currently under construction). The s.106 legal agreement associated with this application includes a covenant for the owner *"not to Occupy or cause the occupation of any dwelling unless and until the West Court SANG has been fully completed."*

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 2024 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 **2no. x 1-bedroom dwellings and 2no. x 2-bedroom dwellings**.

The level of SAMM payments are calculated based on the dwelling mix as follows:

No. of bedrooms	SAMM Contribution 5km	Aggregate SAMM Contribution
1 bedroom	£563.00	2 x £563.00 = £1126
2 bedrooms	£784.00	2 x £784.00 = £1568
3 bedrooms	£1,042.00	£0
4 bedrooms	£1,225.00	£0
5+ bedrooms	£1,400.00	£0
Total SAMM Contribution		£ 2694

The applicant has entered into a Section 106 Agreement with the Council 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.

Since applicant is prepared to make a financial contribution (see above) towards the costs of SPA avoidance and mitigation measures (together with direct provision of the West Court SANG), 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.

Date:	21/02/2025	Signed:	
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