

## **DELEGATED OFFICER REPORT**



**WOKINGHAM  
BOROUGH COUNCIL**

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| <b>Application Number:</b>                                                                                                                                                                                                                      | 251413                                                           |
| <b>Site Address:</b>                                                                                                                                                                                                                            | Robin Lodge Nursery, Part Lane, Swallowfield, Wokingham, RG7 1TB |
| <b>Expiry Date:</b>                                                                                                                                                                                                                             | 30 September 2026                                                |
| <b>Site Visit Date:</b>                                                                                                                                                                                                                         | 28 July 2025                                                     |
| <b>Proposal:</b> Proposed erection of 2no. buildings and open log store with associated parking, access and landscaping, repositioning of site boundary fence, plus installation of acoustic screen following demolition of existing buildings. |                                                                  |

| <b>PLANNING POLICY</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <b>National Policy</b>          | National Planning Policy Framework (NPPF)<br>National Planning Policy Guidance (NPPG)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Core Strategy (CS)</b>       | CP1 – Sustainable Development<br>CP3 – General Principles for Development<br>CP4 – Infrastructure Requirements<br>CP6 – Managing Travel Demand<br>CP7 – Biodiversity<br>CP8 – Thames Basin Heaths Special Protection Area<br>CP9 – Scale and Location of Development Proposals<br>CP11 – Proposals Outside Development Limits<br>CP15 – Employment Development                                                                                                                                                                                                                                                                         |
| <b>MDD Local Plan (MDD)</b>     | CC01 – Presumption in Favour of Sustainable Development<br>CC02 – Development Limits<br>CC03 – Green Infrastructure, Trees and Landscaping<br>CC04 – Sustainable Design and Construction<br>CC05 – Renewable Energy and Decentralised Energy Networks<br>CC06 – Noise<br>CC07 – Parking<br>CC09 – Development and Flood Risk<br>CC10 – Sustainable Drainage<br>TB04 – Development in vicinity of Atomic Weapons Establishment (AWE), Burghfield<br>TB05 – Housing Mix<br>TB12 – Employment Skills Plan<br>TB20 – Service Arrangements and Deliveries for Employment and Retail Use<br>TB21 – Landscape Character<br>TB25 – Archaeology |
| <b>Joint Minerals and Waste</b> | M2 – Safeguarding sand and gravel resources<br>M4 – Locations for sand and gravel extraction                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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| <b>Plan (JMWP)</b>                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Wokingham Borough Local Plan Update (LPU)</b> | SS1 – Sustainable development principles<br>SS2 – Spatial strategy and settlement hierarchy<br>SS5 – Development in the countryside<br>CE2 – Environmental standards for non-residential development<br>C1 – Active and sustainable transport and accessibility<br>C2 – Mitigation of transport impacts and highway safety and design<br>C5 – Parking and electric vehicle charging<br>FD1 – Development and flood risk (from all sources)<br>FD2 – Sustainable drainage<br>NE1 – Biodiversity and geodiversity<br>NE2 – Biodiversity net gain<br>NE3 – Thames Basin Heaths Special Protection Area<br>NE4 – Trees, woodland, hedges and hedgerows<br>NE5 – Landscape and design<br>DH1 – Place making and quality design<br>DH2 – Safeguarding amenity<br>DH5 – The historic environment<br>HC5 – Environmental protection<br>HC8 – Noise pollution<br>HC9 – Contaminated land and water |
| <b>Other</b>                                     | Borough Design Guide Supplementary Planning Document<br>Sustainable Design and Construction Supplementary Planning Document<br>Swallowfield Village Design Statement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| <b>PLANNING HISTORY</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                             |
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| Application No.         | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Decision & Date                             |
| 250373                  | Application for a certificate of lawfulness for the proposed erection of boundary treatment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Approved<br>15/04/25                        |
| 231233                  | <p>Full application for the proposed erection of 2no. buildings and open log store with associated parking, access and landscaping, plus the formation of an earth bund and acoustic screen around woodchipper, following demolition of existing green houses and mobile home.</p> <p>The application was refused for the following reasons:</p> <p><i>1. Due to the limited site area and inadequate justification, it has not been demonstrated that there is a need for 2no buildings/hardstanding of this size and scale for forestry activities. The excessive scale of development proposed and lack of sufficient area for forestry purposes within the site indicates that the proposal represents a change of use of land to a commercial operation</i></p> | Refused<br>20/08/23<br><br>Appeal dismissed |

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|  | <p><i>outside of any defined settlement boundary, which would be an unacceptable and unsustainable form of development that would result in harm to the character and appearance of the countryside, contrary to and inconsistent with paragraph 85 of the National Planning Policy Framework 2021 and policy CP11 of the Core Strategy 2010.</i></p> <p><i>2. The excessive areas of hardstanding and introduction of a high bund and intensification of activity within and to and from the site would have an unacceptably harmful effect on the landscape character and appearance of the area and would result in urbanisation and encroachment into the countryside, which would fail to maintain or enhance the high quality of the environment, contrary to Section 15 of the National Planning Policy Framework 2021, policies CP1, CP3 and CP11 of the Core Strategy 2010, and policies CC03 and TB21 of the Managing Development Delivery Local Plan 2014.</i></p> <p><i>3. The applicant has failed to demonstrate the proposal would provide for the compensation for loss of habitat, mitigation and enhancement for protected species. The proposal is therefore contrary to Policies CP3 and CP7 of the Core Strategy 2010 and TB23 of the Managing Development Delivery Local Plan 2014.</i></p> <p><i>4. The applicant has failed to demonstrate that the proposed development is located within the sequentially most preferable location, and due to the dispute regarding the proposed use, an exception test may also be required. The Flood Risk Assessment is inadequate as it has not been demonstrated that the development will not exacerbate the challenges with flooding of this land and neighbouring areas, thus the proposal is contrary to Section 14 of the National Planning Policy Framework 2021, policy CP1 of the Core Strategy 2010, and policies CC09 and CC10 of the Managing Development Delivery Local Plan 2014.</i></p> |  |
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| 222047 | Full application for the proposed erection of 3 no. buildings and open log store with associated parking, access and landscaping, plus the formation of an earth bund to north and east boundary, following removal of 1 no. mobile home and demolition of existing outbuildings. | Refused 12/10/23 and appeal dismissed        |
| 190434 | Full planning application for the proposed siting of a biomass boiler and flue plus amendments to existing forestry building. (Retrospective)                                                                                                                                     | Withdrawn 21/05/2019                         |
| 181365 | Forestry prior approval application for the erection of an open sided building with a corrugated steel roof for the storage of wood and machinery                                                                                                                                 | Approved 20/07/2018                          |
| 173339 | Prior approval application for the siting of a forestry building for the storage of machinery, tools and wood                                                                                                                                                                     | Approved 05/12/2017                          |
| 052884 | Proposed change of use of market garden to formation of hardstanding for 5 gipsy caravans with parking facilities                                                                                                                                                                 | Refused 19/08/2005                           |
| 022183 | Proposed erection of one detached dwelling                                                                                                                                                                                                                                        | Refused 28/05/2002                           |
| 991513 | Proposed Erection of one dwelling                                                                                                                                                                                                                                                 | Refused 22/11/1999                           |
| 28884  | Dwelling house (agricultural holding)                                                                                                                                                                                                                                             | Refused 05/11/1987                           |
| 41262  | Solid fuel and bottled gas storage packing and distilling depot and concrete slab production                                                                                                                                                                                      | Refused 29/11/1993 (part approved at appeal) |
| HSA01  | 25tn bulk propane tank and upto 20tn of propane and butane cylinders                                                                                                                                                                                                              | Refused 23/03/1994 (upheld at appeal)        |

## CONSULTATION RESPONSES

### Internal

**WBC Environmental Health** – No objection  
**WBC Drainage** – Further information required  
**WBC Highways** – No objection subject to conditions  
**WBC Landscape and Trees** – No objection subject to conditons  
**WBC Built Heritage Officer** – No objection  
**WBC CIL** – No comments received  
**WBC Ecology Newts** – No objection subject to condition  
**WBC Ecology** – No objection subject to conditions and s106 agreement

**External****The Environment Agency - Objection****Berkshire Archaeology – No objection subject to condition****REPRESENTATIONS**

|                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Parish/Town Council | <p>Swallowfield Parish Council have objected based on the following:</p> <ul style="list-style-type: none"><li>• Location is not appropriate for the development</li><li>• Road is too narrow for large machinery or lorries</li><li>• Noise arising from the development, despite the acoustic fencing</li><li>• Hardstanding would still be visually unattractive and damage the character of the area</li><li>• Flooding</li><li>• Noise and disturbance from activity will affect wildlife</li></ul> <p><b>Officer comment:</b> <i>The above will be discussed in the officer report</i></p> <ul style="list-style-type: none"><li>• The development could be used for any sort of commercial activity and not forestry</li></ul> <p><b>Officer comment:</b> <i>The proposed use of the land is for forestry use. Any application for a different use would require separate planning permission.</i></p> <ul style="list-style-type: none"><li>• Documents have referred to the incorrect site area</li></ul> <p><b>Officer comment:</b> <i>The application site area has been checked against the submitted red-line plan. Where earlier documents contain a different figure, the assessment in this report relies upon the verified application-site area and the latest technical submissions. The relevant technical consultees have assessed the proposal on that basis.</i></p> |
| Ward Member(s)      | No comments received                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Neighbours          | <p>28 letters of objection have been received relating to the following matters:</p> <ul style="list-style-type: none"><li>• Inappropriate given proximity to neighbouring dwellings</li><li>• Increase in noise</li><li>• Increased heavier traffic on Part Lane</li><li>• Dust and air pollution caused by activities</li><li>• This application does not overcome the reasons for why the previous applications were refused/ dismissed at appeal</li><li>• Increased flood risk</li><li>• Impact on the countryside location and inappropriate scale of development in this location</li><li>• Impact on wildlife</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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|  | <ul style="list-style-type: none"> <li>• Cannot see how 10% Biodiversity Net Gain can be achieved on site</li> <li>• The proposal is a change of use of the land from agricultural to industrial/ commercial land</li> <li>• Harm to the surrounding landscape</li> </ul> <p><b>Officer comment:</b> <i>The above will be discussed in the report.</i></p> <ul style="list-style-type: none"> <li>• Impact on property values</li> </ul> <p><b>Officer comment:</b> <i>This is not a material planning consideration</i></p> |
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## APPRAISAL

### Site Description:

The application site is located on the eastern side of Part Lane within a rural setting between established development in Swallowfield to the north, north-west and Oakfield House (and farm) to the south.

There two greenhouses on the site and close to the northern site entrance. All these structures are currently derelict and/or dilapidated. Several piles of timber plus numerous wooden pallets are also present on site. The overall site appears unkempt and overgrown.

### Proposal and background information:

Planning permission is sought for the proposed replacement of the existing derelict greenhouses with 2no. buildings identified on the application as Units A and B, plus the erection of an open log store, car parking areas, acoustic fence, associated landscaping and a pond towards the north-west corner of the site.

This application follows two previously refused applications for similar proposals (see planning history), both of which were dismissed at appeal by the Planning Inspector. Accordingly, this application aims to overcome those previously recognised harms.

### Principle of Development

The statutory starting point in the determination of planning applications is Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise. For Wokingham Borough, the Development Plan consists of the adopted Core Strategy (2010), the Managing Development Delivery Local Plan (2014) and any relevant made Neighbourhood Plan.

### 1. Adopted Development Plan

A priority of the Development Plan is to steer new development to the most sustainable locations within settlement boundaries and limit development within the countryside. This is, among other things, in order to promote sustainability, maintain the quality of the environment, protect the separate identity of settlements and provide certainty regarding how the borough will be developed.

#### (i) Core Strategy and MDD

Policy CP9 of the Core Strategy and CC02 of the MDD Local Plan states that proposals will be permitted within development limits where the scale of the application reflects the facilities and services within the settlement. The settlements are split into three categories depending on the sustainability of those locations; Major, Modest and Limited development locations.

The application site is located within the countryside, outside of settlement limits. Therefore, an assessment against policy CP11 of the Core Strategy is required. This refers to development within the countryside and states 'in order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development limits will not normally be permitted', other than in the exceptions listed. Those relevant to this proposal are:

- 1. It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of the countryside; and*
- 2. It does not lead to excessive expansion away from the original building; and*
- 3. It is contained within suitable located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement.*

It should be noted that all three are required to be satisfied to achieve compliance with CP11. Turning to whether the development complies with these:

***1. It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of the countryside***

The proposal is for a forestry development. Under the previously refused application (231233), the Council did not consider the proposal to be a rural enterprise or the site within a forestry use due to insufficient evidence of historic forestry activities and a lack of growing trees on site. Because of this, the Council concluded that the development would not be supporting an existing forestry use (as it would entail wood being brought onto the site rather than originating from the site) but rather would see unjustified industrial activity on the site, and as such the proposal would not comply with CP11(1) as the proposal would not be a rural enterprise.

However, the Inspector disagreed with this and stated that in their view, the most recent lawful use of the site was forestry and noted that it did not appear that the definition of forestry means that the site itself must be situated in a forest, or that all of the wood being processed must originate from the site. Accordingly, they concluded the proposal would not amount to a change of use of the land and the proposal would qualify as forestry operation and a rural enterprise under CP11(1). There is no reason for the Council to take a different view to the conclusion reached by the Inspector on this matter.

***2. It does not lead to excessive expansion away from the original building***

The proposal would see the two buildings located in similar positions to be existing structures. However, the proposal would see an expansion of hardstanding away from the locations of the original greenhouse structures. As part of the refused

scheme, the Inspector agreed with the Council that the amount of hardstanding would be excessive and would harmfully urbanise the site and eroding the transition from urban to rural, which the site helps achieve in its current state. Although the hardstanding extends beyond the footprint and immediate setting of the existing buildings, its reduced and more closely related layout is not considered to amount to excessive expansion for the purposes of criterion 2.

***3. It is contained within suitable located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement***

The buildings/ structures on site are dilapidated and would not be appropriate for conversion for this reason, and given they are greenhouses. The proposal would see replacement buildings that whilst on one hand would replace dilapidated structures that do not positively contribute to the appearance of the site and so the new buildings could be seen as a higher quality development given they would be new and intact, which could result in an overall environmental improvement. However, on the other hand their use will be more intense and formalised, which will erode the lower scale development currently on the site.

Accordingly, whilst the proposal complies with CP11(1), it fails to comply with CP11(2) due to the location of hardstanding away from the original buildings, and it would fail to comfortably comply with CP11(3). Accordingly, the proposal does fail to comply with the exceptions listed in CP11.

However, due regard should be had to specific purpose of policy CP11, which is to maintain the sense of separation between settlements and to maintain the quality of the environment. In this respect an assessment will be undertaken below to establish whether the proposal would conflict with this purpose, thereby establishing how much weight is to be given to any identified conflict.

The scheme would result in physical encroachment and to an extent erode some of the space between settlements, however, Officers conclude that due to the scale of the site and proposal, it would not be an encroachment to a degree that would result in visual or perceived sense of coalescence that would wholly undermine the purpose of CP11.

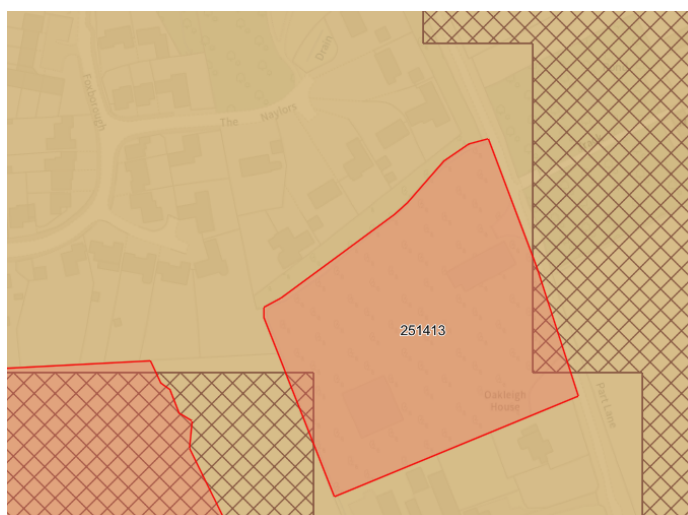
Turning to the second overarching aim of policy CP11, which is to maintain the quality of the environment, this is a multi-faceted assessment that will incorporate other material considerations (those discussed in this report). However, it is acknowledged that all development will have some impact on the surrounding environment. As such, 'maintaining' the quality of the environment is not considered to be a zero-impact test but rather a planning judgement test about effect and acceptability, not absolute preservation. The level of conflict will also depend on the appropriateness of the scheme in relation to other material planning considerations and which will feature in the overall planning balance at the end of this report.

Accordingly, the proposal conflicts with Policy CP11 because it does not fall within one the policy's identified exceptions. However, the conflict arising from the locational restriction in Policy CP11 attracts limited weight because national policy now expressly supports appropriate forestry development outside settlements. Full weight

continues to be afforded to those elements of Policy CP11 concerned with protecting the character, appearance and environmental quality of the countryside.

***(ii) Joint Minerals and Waste Plan (JMWP)***

The application site is located within the designated Mineral Safeguarding Area and small portions of the site are located within an area of search for sand and gravel, as shown below:



*Application site (red) with Mineral Safeguarding Area (brown) and Area of Search for sand and gravel (hatched)*

Policy M2 of the JMWP plan states that a minimum plot size of 3ha will apply for proposals in the Minerals Safeguarding Area as smaller plots are assumed to be uneconomic. The site is below the threshold of 3ha and so does not pose a constraint to the development.

Policy M4 of the JMWP focuses on areas of search for sand and gravel. It states that built up areas and those areas of remaining resource of less than 3 ha was excluded as being unlikely to be viable. Again, the site is less than 3ha in size so again does not pose a constraint to development.

## **2. Emerging Local Plan Update**

The Wokingham Borough Local Plan Update 2023–2040 (“LPU”) is at an advanced stage of preparation, having been submitted for examination on 28 February 2025, with the examination hearing sessions now concluded. The Inspectors’ post-hearings letter dated 4 August 2026 states that the LPU is likely to be capable of being found sound and legally compliant, subject to main modifications. That view is nevertheless expressly provisional and remains subject to Sustainability Appraisal and Habitats Regulations Assessment, consultation on the proposed main modifications, consideration of representations and the Inspectors’ final report. The LPU does not therefore form part of the statutory Development Plan, but it is a material consideration. Having regard to its advanced stage, the extent to which the examination has clarified outstanding soundness issues, and the remaining consultation and examination steps, the LPU and those policies not identified for

deletion or substantive modification are afforded moderate weight in the determination of this application.

### **3. National Planning Policy Framework**

#### *Introduction*

The National Planning Policy Framework 2026 (NPPF), including its National Decision-Making Policies (NDMPs), is a material consideration of critical importance in planning decisions. It does not displace the statutory starting point: planning law requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The principle of the proposed development must therefore be assessed against the Development Plan read as a whole, alongside the relevant provisions of the NPPF, the NDMPs and all other material considerations.

The introduction of the NDMPs alter the way national and local policy interact in decision-taking. The adopted Core Strategy and Managing Development Delivery remain part of the statutory Development Plan and continue to provide the principal local policy framework for assessing development proposals. However, the NPPF 2026 makes clear that local policies should be considered alongside the relevant NDMPs, and where a development plan policy is materially inconsistent with an NDMP, significant weight will ordinarily be afforded to the national policy. The assessment is therefore no longer focused on whether Development Plan policies are "up-to-date" by reference to their age. Instead, the application of the presumption in favour of sustainable development, including Policies S4 and S5, depends on the circumstances of the proposal and the relevant policy tests, including matters such as location, the extent to which identified development needs are being met, and relevant infrastructure and transport considerations. The weight given to individual policies is therefore a matter for the decision maker, based on their consistency with the NPPF rather than the age of the Development Plan itself. An assessment of 'Material Inconsistency' will be undertaken after this assessment of the relevant NDMPs within the framework.

#### *NDMP S3: Presumption in favour of sustainable development:*

NDMP S3 states that, in determining development proposals, decision-makers should apply either NDMP S4 or NDMP S5 depending on whether a site is located within or outside a defined settlement. Development proposals that accord with both an up-to-date development plan and the National Decision-Making Policies should be approved without delay.

The application site lies outside the major development location of Wokingham as defined by the Development Plan. Accordingly NDMP S5: *Principle of Development Outside Settlements* applies to the proposal.

#### *NDMP S5: Principle of Development Outside Settlements*

NDMP S5 establishes the national policy approach to development proposals located outside defined settlements. The policy reflects the Government's objective of directing development towards sustainable settlements whilst recognising that certain forms of development may be appropriate in the countryside. Accordingly, only those categories of development identified within NDMP S5 are supported in principle

outside settlements, subject to compliance with the relevant criteria and an assessment against the wider NDMPs.

The first stage in the assessment NDMP S5 is to establish whether the proposal falls within one of the forms of development supported by S5 and whether any specific criteria within that policy are satisfied. Policy S5(1) outlines the forms of development supported, with one of these being:

*a. Development for: agriculture, horticulture and forestry; outdoor sport and recreation; allotments; cemeteries and burial grounds; mineral extraction and processing; engineering operations and infrastructure (including for transport, energy, water and telecommunications); roadside facilities in accordance with policy TR5; national defence and security; or which is solely for nature conservation, restoration and/or enhancement*

As the development is for forestry purposes, the proposal complies with policy S5 of the NPPF, and so as directed by the NPPF the proposal should be approved, *unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework* (author's emphasis).

#### **4. Summary of principle of development**

The proposal conflicts with the adopted spatial strategy insofar as it would see development that fails to comply with the exceptions identified by Core Strategy Policy CP11. Whilst conflict remains with the adopted settlement boundary policies, those elements of Policies CP9 and CP11 which would operate as a determinative restriction on development solely because it lies outside development limits are materially inconsistent with NDMP S5(1)(a). Consequently, very limited weight is afforded to those specific policy elements. The remaining objectives of the development plan, including the promotion of sustainable patterns of development, protection of countryside character, avoidance of settlement coalescence and safeguarding environmental quality, remain relevant considerations and continue to attract weight. Subject to the detailed assessment demonstrating that no adverse impacts would substantially outweigh the benefits of the development when assessed against the National Decision-Making Policies as a whole, the principle of development is considered acceptable.

#### **Character of the Area:**

Policy CP3 of the Core Strategy states that development should be of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design.

Policy TB21 of the MDD states that proposals shall retain or enhance the condition, character and features that contribute to the landscape.

Policy DP3 of the NPPF states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings.

The site is located in the countryside adjacent to the Swallowfield settlement boundary, specifically The Naylors a residential road to the north. Part Lane is a narrow country lane that links Swallowfield with Riseley.

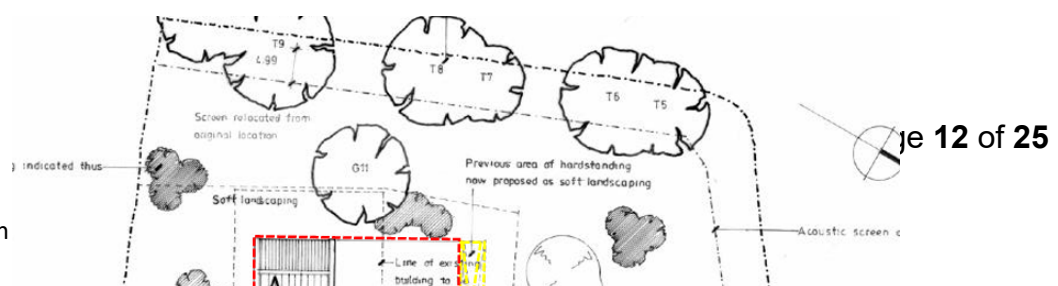
The site is located within Wokingham Borough Landscape Character Assessment (WBLCA) – Area A2 'Loddon River Valley' considered a high quality landscape. The landscape between the villages is mostly flat with far reaching views across the landscape from both Part Lane, and Trowes Lane and Basingstoke Road to the west. The landscape to the south, east and west is agricultural, with blocks of woodland and a peppering of housing and farms between. There are interconnecting narrow and footpaths through the landscape which is tranquil with a distinct sense of rurality.

Key issues affecting the landscape include; hedgerow loss and incremental loss of species rich grassland both a cost on the intensification of agriculture. Pressure for new residential and commercial development is adversely impacting the landscape character. The Landscape Strategy is to conserve and enhance the current rural character of the typical river valley components and sense of remoteness. Key aspects to be conserved and managed are the wet meadows and woodland, restoration of hedgerow boundaries and conservation of the sparse settlement pattern.

Under the previously refused application, the Council considered that the extent of hardstanding across the site and the unnatural proposed bunds would result in unacceptable harm to landscape character and the appearance of the surrounding area. This was coupled with the general intensity of activity on the site that would harm the countryside setting. The Inspector agreed that the extent of hardstanding and bunds would lead to a negative effect of the surrounding area but did not expressly discuss the impact the activity would have on the landscape setting. Neither the Council or Inspector raised concern with the scale of the proposed buildings and given the dimensions and siting of these are unchanged from the previous application, there is not reason to come to a different conclusion of those now.

As such, there are the two matters that require particular review under this proposal are the extent of hardstanding and the proposed bunds. The Inspector did not discuss harm to the countryside in the form of intensity of activity from the development (and so was not a reason for why the appeal was dismissed). Regardless, the operational intensity remains a material consideration. However, having regard to the current layout, the removal of the bunds, the reduced hardstanding and the absence of an objection from the Tree and Landscape Officer, the evidence does not demonstrate a separate unacceptable landscape effect arising from operational intensity.

Firstly, this application has omitted the proposed bunds and so this concern falls away. In terms of the extent of hardstanding, this has been reduced from the previous application by approximately 26%. It is acknowledged that the quantum of hardstanding is still of a reasonable spread and amount across the site, however, it is positioned more strategically and logically in relation to the proposed buildings. Below shows the extent of proposed hardstanding (area outlined in red) against the previously proposed extent of hard surfacing under the dismissed appeal (in yellow):



Accordingly, on balance, it is considered that the proposed areas of hardstanding have now been reduced down to a satisfactory degree. All hard landscaping will inevitably have an impact on an area that is currently free from hard landscaping, however focus needs to remain on ensuring that the amount and layout is of a proportionate level to the proposed development.

In terms of material of the hardstanding, the planning statement indicates this would be gravel, which would accord with the Borough Design Guide given it would be permeable and a less solid, urban surfacing. 8.4 of the Borough Design Guide states *“Areas of hard-standing should be kept to a minimum and should be appropriate to a rural setting, for instance gravel or strips of brick paving, rather than large areas of concrete block paving. Surfaces must allow surface water to percolate into the ground”*. However, the proposed drainage strategy states the surfacing will be permeable paving. The planning statement and drainage strategy are inconsistent as to the proposed surfacing. In view of the unresolved drainage objection, this matter cannot presently be treated as a detail capable of being secured by condition. The inconsistency reinforces the conclusion that an acceptable surface-water drainage solution has not been demonstrated.

This proposal, unlike other previous applications, also incorporates a new acoustic fence around the site to the north, west and southern boundaries, which are 2m high with 22mm thick laths overlapped or tongue and groove jointed with no gaps. As the acoustic screens are extended lengths of blank fencing that are in visually detrimental to the landscape setting, reliable climbing plant be planted at the base on the outside of the fence. This could be secured as part of a landscaping scheme secured via condition. Whilst the visual harm of the fencing is acknowledged, ultimately the WBC Tree & Landscape Officer does not object to the application or state that this harm

would be sufficient to warrant refusal of the application. The benefits of the screen in terms of noise attenuation have to be weighed against the visual harm, the latter which could be reduced through effective landscaping. Furthermore, it is noteworthy that a fence/ screen around the site boundary has already been approved under certificate of lawfulness application 250373 (see planning history).

Details of the proposed gates into the site could also be conditioned, but it is noted that similar style gates are already in existence in the proposed location.

To conclude, this proposal does contain features that are undesirable in the countryside, such as areas of hardstanding and the acoustic fencing. However, on balance, the extent of hardstanding has been reduced to a degree that would appear more proportioned to the scale of operation and related to the location of the buildings. As discussed, the fencing has the opportunity to be effectively screened whilst still providing a noise abatement solution. As such, officers do not identify a substantial breach with local or national policy to warrant refusal of the application for these reasons. The proposal would cause limited residual landscape harm from the hardstanding and acoustic fencing. That harm attracts limited adverse weight, but is not sufficient in itself to justify refusal. This is echoed by the 'no objection' response from the Tree & Landscaping Officer.

**Neighbouring Amenity:**

Policy CP3(a) of the Core Strategy states that development should not be of detriment to the amenities of adjoining land users.

The application site is adjacent to neighbouring residential properties to the north-west (The Naylor's) and a single residential property (Oakleigh House) to the south.

Due to the adequate distance of approx. 46m from the nearest proposed building (Unit B) and the boundary shared with residential properties to the north-west of the application site, the proposed development is unlikely to harm the residential amenity of neighbouring occupiers in terms of loss of light, loss of visual privacy or overbearing impacts. Likewise, Unit A would be located over 60m away. Sufficient separation distances would also remain on other boundaries. As such, no unacceptable impact would be expected to occur in terms of overlooking, overshadowing or overbearing.

Policy CP1 of the Core Strategy states development proposals should seek (inter alia) *to maintain or enhance the high quality of the environment; minimise the emission of pollutants into the wider environment; and avoid areas where pollution (including noise) may impact upon the amenity of future occupiers*. Policy CC06 of the MDD Local Plan states proposals must demonstrate how they have addressed noise impacts to protect noise sensitive receptors (both existing and proposed) from noise impacts.

A noise/ acoustic assessment has been submitted to support the application which has been reviewed by WBC Environmental Health. A sound level survey was carried out between the 27th and 29th October 2025. Representative background sound levels were measured at LA90 43dB during operating times of the new facility between 07:00 – 17:00 hours.

The proposed operations will incorporate a new woodchipper and splitter, along with heavy plant storage for excavators and a material loading area to the south-eastern entrance of the site. Two new buildings will be incorporated into the scheme, Unit A, around which the log splitter and woodchipper will operate, and Unit B, which will be an administration building. From an Environmental Health perspective, the assessment is acceptable and demonstrates that, with the proposed mitigation, the development is capable of achieving a low likelihood of adverse noise impact under BS 4142. Implementing the proposed mitigation in perpetuity could be secured via condition and comprise of acoustic screening as shown below:

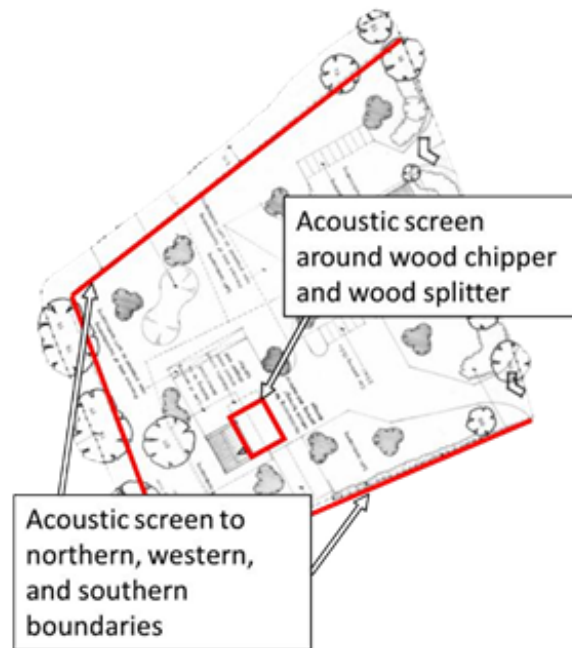


Figure 4: Acoustic Mitigation Layouts

Hours of use of the site could also be controlled via condition to ensure that neighbours would not be unduly disturbed as a result of the development. Lastly, a condition would be applied ensuring any plant machinery shall be enclosed or attenuated so as not to result in excessive noise. Details of how dust would be managed as a result of activity could also be conditioned.

The site is also located on potentially contaminated land. A condition could be applied advising that if any contaminated land is discovered, this is to be reported to the Local Planning Authority and a remediation scheme implemented.

Conditions could also be attached restricting external lighting on site so as not to result in harmful light pollution to nearby residential dwellings.

The proposal is therefore acceptable in relation to neighbouring amenity.

#### **Highway Access and Parking Provision:**

Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum off street parking standards. Policy CP6 of the Core Strategy states that proposals should not result in highway problems.

Policy TR6(4) of the NPPF states *“Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement.”*

It is noted that third parties have raised concern over the suitability of Part Lane to be used for heavy machinery. However, upon consultation with WBC Highways, they noted that this scheme is similar to previous applications on the site where there were no highway reasons for refusal, and no concerns regarding the suitability of the Lane were raised by the Council or Planning Inspector under previously refused applications/appeals.

It is proposed that the two existing accesses into the site will be used which is acceptable, as are the proposed visibility splays. The surface of these existing accesses will need to be improved, however, and this could be secured via a planning condition.

There are existing gates to the site and any new gates would need to be in the same location or set back a minimum of 15m from the carriageway.

It is proposed that there would be 14 parking spaces on site, each space being 5m x 2.5m with sufficient space behind for safe manoeuvring. It is also proposed that there would be 2 spaces (18m x 5m) for the parking and storage of large vehicles or plant machinery. There is ample space on site for manoeuvring of all vehicles.

Secure and covered cycle storage for each building in close proximity to the access to each unit is required in accordance with WBC parking standards. Details of this could be secured via condition.

Two electric vehicle charging points are also required in accordance with Building Control Approved Document S. There is sufficient space on site for these to be provided, however this will not be secured via condition due to it being a requirement of Building Control and thus unnecessary to also reimpose as part of the planning process.

Accordingly, and in line with previous decisions for similar schemes on this site, there are no identified highway impacts or policy breaches to result in a reason for refusal.

#### **Flood Risk:**

Policy CP1 of the Core Strategy, amongst other matters, seeks to ensure proposals have provision of adequate drainage and avoid increasing risks of or from all forms of flooding (including from groundwater).

Policy CC09 of the MDD Local Plan indicates that all sources of flood risk should be taken into consideration and that inappropriate development in areas at risk of

flooding should be avoided. Development proposals in flood zones 2 or 3 should consider the vulnerability of proposed development. In exceptional circumstances, new development in areas of flood risk will be supported where it can be demonstrated that, inter alia:

- i. The development provides wider sustainability benefits for the community that outweigh the flood risk.*
- ii. The development would not increase flood risk in any form elsewhere...*
- iii. The development would incorporate flood resilient and resistant measures...*

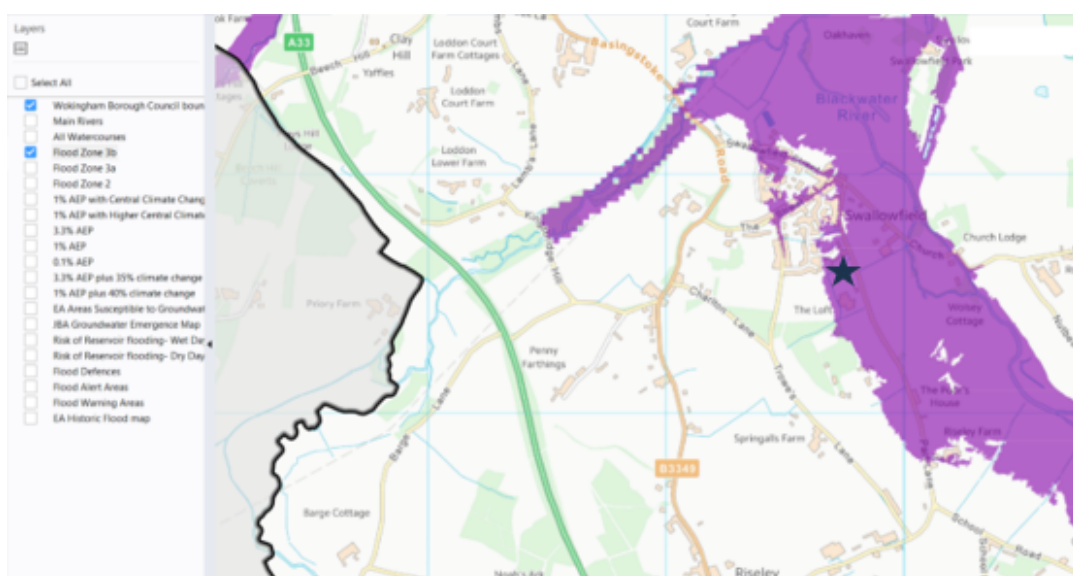
Policy F4(1) outlines when a Flood Risk Assessment is required to accompany a planning application. Policy F6(1) states that:

*In areas falling within flood zones 2, 3a, or 3b (as defined in Annex F, table 1):*

- a. Development proposals should be refused if the use is incompatible with the risk from river or sea flooding, as set out in Annex F, table 3;*

Under the previously refused application/ appeal (231233), the application site was concluded to be within flood zone 3a. However, upon consultation with the Environment Agency for this application, they advised that their latest records indicate the site is now located within Flood Zone 3b – the functional floodplain. This is defined as land having a 3.3% or greater annual probability of flooding, with any existing flood risk management infrastructure operating effectively; or land that is designed to flood (such as a flood attenuation scheme), even if it would only flood in more extreme events (such as 0.1% annual probability of flooding).

This conclusion is also supported by the Council's Strategic Flood Risk Assessment (SFRA) prepared for the Local Plan Update (approximate location of the site is starred) with Flood Zone 3b in purple:



The Environment Agency Flood Map for Planning does not distinguish Flood Zone 3a from 3b. The conclusion that the site is within functional floodplain is based on the Council's current SFRA evidence (as indicated above) and the Environment Agency's consultation response.

According to Table 2 of Annex F of the NPPF, the proposed development would fall within the 'Less Vulnerable' category (Land and buildings used for agriculture and forestry). When looking at Table 3 of Annex F 'Flood risk vulnerability and flood zone 'incompatibility'', less vulnerable development should be refused. Annex F classifies land and buildings used for agriculture and forestry as 'less vulnerable'. Table 3 identifies less-vulnerable development as incompatible with Flood Zone 3b. Policy F6 therefore directs refusal on incompatibility grounds, and neither the Sequential Test nor the Exception Test provides a route by which an incompatible use can be made acceptable..

Accordingly, the proposed development would be located in an unsuitable area for development and this weighs against the development in the planning balance.

#### Flood Risk Assessment

Notwithstanding the above in principle matter, the Environment Agency has also assessed the submitted Flood Risk Assessment (FRA) and concluded that it does not adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Demonstrate the flood modelling used within the FRA is appropriate
- Consider whether flood risk will be increased in the surrounding area
- Consider how people will be kept safe from the identified flood hazards
- Demonstrate that finished floor levels will be set above the 1% annual exceedance probability (AEP) flood level with an appropriate allowance for climate change

Consequently, there would be an unacceptable risk to the health and safety of the occupants in a flood event.

The Environment Agency noted that the Flood Risk Assessment to include the following information:

- Demonstrate the flood modelling used within the FRA is appropriate
- Consider whether flood risk will be increased in the surrounding area
- Consider how people will be kept safe from the identified flood hazards
- Demonstrate that finished floor levels will be set above the 1% annual exceedance probability (AEP) flood level with an appropriate allowance for climate change
- Confirm the UK Flood Hazard Rating to demonstrate that any proposed access and egress route

The applicant has had numerous attempts to satisfactorily update the FRA however this has not been possible and the EA retain their objection following 4 rounds of consultation.

Consequently, there would be an unacceptable risk to the health and safety of the occupants in a flood event. As a result of all the above, the development is contrary to policy CP1 of the Core Strategy, policies CP1 of the Core Strategy, CC09 of the MDD and policies F6 and F7 of the NPPF.

**Drainage:**

Policy CC10 of the MDD Local Plan discusses sustainable drainage and surface water. It states that all development proposals must ensure surface water arising from the proposed development including taking into account climate change is managed in a sustainable manner. This must be demonstrated through a Flood Risk Assessment, or through a Surface Water Drainage Strategy.

Policy F8(1) of the NPPF states that *“Development proposals which could affect drainage on or around the development site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, in ways which are proportionate to the nature and scale of the proposal. The systems employed should provide multifunctional benefits where possible, facilitating improvements in water quality, biodiversity and amenity.”*

The applicant proposes a SuDS strategy that incorporates permeable paving. The inconsistency on the material of the hard surfacing has been noted earlier in the report. Surface water is proposed to be discharged into the ground.

Upon consultation with WBC Drainage Officers, it was noted that infiltration testing was carried out on the 22/07/2026 and 23/07/2026 with max groundwater levels at 1.56m bgl and infiltration rates ranging from  $6.28 \times 10^{-6}$  m/s and  $6.03 \times 10^{-6}$  m/s.

Given that the site experiences high groundwater levels, WBC Drainage Officers would expect groundwater monitoring carried out in March when groundwater levels will be at their peak. Accordingly, the proposal has failed to demonstrate that surface water could be suitably managed, contributing to flood risk, when the site is already located within flood zone 3b.

**Trees:**

Policy CC03 of the MDD states that development should: (d) Protect and retain existing trees, hedges and other landscape features and (e) Incorporate high quality, ideally, native planting and landscaping as an integral part of the scheme.

Policy N2(1)(d) states that proposals should conserve and enhance natural features such as established trees and hedgerows.

There are no protected trees on the site. An Arboricultural Assessment to BS5837:2012 dated 4.5.23 has been submitted and includes tree survey information from 2021. The Council would normally expect a revised and update Arboricultural Assessment after 3 years. However, it is noted that the previous application/appeal scheme was from 2024 and the trees shown in the report as being retained on the current site layout seem to match those retained on the Tree Protection Plan – as such the WBC Tree & Landscape Officer does not require a revised and updated Arboricultural Report in this specific circumstance. Trees T3, T4, G11, G13, T17 are proposed for removal. All other trees and groups of trees will be retained according to the Tree Protection Plan dated May 2023.

The site frontage / verge is covered by a mix of wild flowers and hedgerow and includes some trees including 6 retained trees T14 Oak 'B', G15, T16, T1 – 'B', T2 all 'C' quality. The tree survey states that the hedge has native plants within it but it is

such a poor state that it has not been surveyed. The WBC Tree & Landscape Officer suggests that the existing vegetation around the retained trees is removed and a native hedge containing a minimum of 5 species is specified, and beyond that a verge to create a flowering verge of mixed wildflowers and grasses which is typical of the verges of the lane around Swallowfield and Riseley. This could be factored into any proposed landscaping scheme which could be conditioned.

Within the site is a proposed large area of soft landscaping illustrated on the site plan with groups of 3 trees. It is noted that the Inspector for the previous appeal states there is not enough space for large growing native trees within the site but there are opportunities for smaller native flowering trees such as Cornus mas, Sorbus aria, and Sorbus aucuparia, Field maple, Cherries, Crab apples, a small growing Lime such as Tilia cordata 'Winter Orange', smaller growing Ash – Fraxinus ornus, or F. angustifolia., small growing Birch such as Betula lenta (cherry Birch). Again, this could be considered further as part of any future landscaping scheme which could be conditioned.

Accordingly, existing trees do not pose a constraint to redevelopment of the site, and a detailed landscaping scheme could be secured via condition to accord with policy CC03 of the MDD.

**Ecology:**

Policies CP7 and TB23 require development to protect biodiversity interests, avoid harm to designated sites, habitats and species, and provide appropriate biodiversity enhancements.

Policy N2(1) (f) of the NPPF states that proposals should minimise adverse impacts on biodiversity.

It is noted that previous applications have been refused for ecological reasons / impact on biodiversity. However, The WBC Ecologist raises no objection to this application based on the submitted ecological reports. Accordingly, the proposal does not, in principle, result in harm to protected species through the creation of the development or its ongoing operation. However, mitigation and compensation measures are required (which could be conditioned) as outlined by the applicant's Ecologist. These are:

- Habitat protection and compensation measures
- Retention and protection of oak and monolith to protect potential roost features.
- Avoidance of artificial lighting and light spillage onto the off-site stream, scattered trees and scrub boundaries to protect foraging and commuting habitat for bats.
- Precautionary measures during site clearance and construction for amphibians and reptiles.
- Precautions during scrub and tree clearance for nesting birds; and
- ecological enhancements.

A management strategy for eradication of the invasive weed or inclusion of management is required in the Construction Environmental Management Plan

(Biodiversity), Habitat Management and Monitoring Plan or LEMP. This could be secured via condition.

In terms of Great Crested Newts specifically, the applicant has provided new ecological information in support of their application. An eDNA analysis was completed on the pond 50m north-east of the site, returning a negative result. This indicates that great crested newts (GCN) are likely absent from this waterbody and therefore, likely absent from the site. However, as stated within the GCN Survey report, the site does provide 'terrestrial habitats of moderate value to GCN which may provide occasional cover and possible hibernation and feeding opportunities due to the infrequent management of the site.' The residual risk of the development works is considered to be adequately mitigated through the use of the Reasonable Avoidance Measures (RAMs) provided within the document. Therefore, the RAMs provided within the GCN Survey could be secured via condition. This was recommended by NatureSpace.

#### *Biodiversity Net Gain (BNG)*

The WBC Ecologist is satisfied with classification of habitats recorded by the applicant's ecologist on the site and the baseline habitat units is agreed, with statutory 10% BNG being able to be provided on site.

The on-site mitigation and the compensation required to achieve the 37% biodiversity net gain (in excess of the mandatory 10%) as assessed, submission and approval of a Biodiversity Gain Plan must be secured. In order to secure implementation of the on-site Habitat Maintenance and Monitoring Plan must be submitted and approved by the LPA and implemented as approved. A planning obligation is necessary because the required long-term monitoring contribution and enforceable delivery of the approved HMMP over the 30-year management period cannot be secured adequately through the statutory biodiversity gain condition alone. In the absence of a completed obligation, these measures are not secured.

To secure retention and protection during clearance and construction and ensure maintenance and enhancement for wildlife and protected species in the landscaping and operational phases for 30 years from completion, detailed landscape planting, CEMP Biodiversity, and wildlife enhancement strategy must be secured via condition.

#### **Thames Basin Heaths Special Protection Area:**

Policy CP8 of the Core Strategy states that development that could affect the Thames Basin Heaths Special Protection Area will be required to demonstrate that adequate measures to avoid and mitigate any potential adverse effects are delivered.

Whilst the site is within the 5km zone, it does not introduce new residential development and as such the proposal does not need to contribute towards the TBA SPA mitigation.

#### **Sustainability:**

Policy CC04 states that development shall be of high quality and sustainably designed. As the proposed floor area of the buildings are more than 100 sqm, the proposal needs to demonstrate it would comply with BREEAM standards. This could be applied by condition. Cycle storage would also be secured by condition and are further examples of sustainable infrastructure.

**Archaeology:**

Policy TB25 states that in areas of high archaeological potential, an assessment of the impact on archaeological remains will be required.

The application relates to a site with high archaeological potential: a likely Iron Age settlement has been identified on the opposite side of Part Lane, less than 100 m from the site. There is therefore a potential for the construction to impact heritage assets of archaeological interest, and so Berkshire Archaeology has recommended that a scheme of archaeological works is required. This could be secured via condition.

**AWE Emergency Planning Zone:**

Policy TB04 of the MDD states that Development will only be permitted where the applicant demonstrates that the increase in the number of people living, working, shopping and/or visiting the proposal (including at different times of the day) can be safely accommodated having regard to the needs of “Blue light” services and the emergency off-site plan for the Atomic Weapons Establishment site at Burghfield.

The site is located within the 12km Major Nuclear Site Zone. As the application is not for a major hazard facility or residential development, no further consultation was needed with Emergency Planning Officers.

**Planning Balance/ Conclusion:**

The application site lies outside of any defined settlement and is therefore located within the countryside. The proposal fails to comply with the exceptions for development in the countryside outlined in policy CP11. However, as proposal comprises development associated with forestry, which is a form of development expressly recognised within Policy S5 of the NPPF as being capable of being appropriate outside settlements. Accordingly, the NPPF states that development should be approved *unless the benefits of doing so would be substantially outweighed by any adverse effects* (author’s emphasis).

The application site is located within Flood Zone 3b, the functional floodplain, which comprises land where flood water must be able to flow and be stored during flood events. National policy seeks to avoid inappropriate development in such locations given the important function that such land performs in flood risk management. Development within the functional floodplain is subject to the most restrictive policy approach, reflecting the substantial risks to people, property and the operation of the floodplain itself.

Whilst the proposal would provide benefits through supporting forestry activities and providing in excess in 10% BNG, those benefits are insufficient to outweigh the harm arising from the siting of the development within the functional floodplain. The flood risk concerns carry substantial weight against the proposal and are of a nature and significance that cannot be overcome through the planning balance. Consequently, notwithstanding the support in principle afforded by Policy S5, the proposal conflicts with both local and national flood risk policy and the benefits are substantially outweighed by this adverse effect. Accordingly, the proposal also fails to comply with the overarching aim of policy CP11 which is to maintain the quality of the environment

which too holds weight in the planning balance due to the alignment of the principle aims of CP11 with policy S5 in the NPPF.

The recommendation is to refuse planning permission.

**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 reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

## RECOMMENDATION

### Conditions agreed:

Not required

### Recommendation:

Refuse for the following reasons:

1. The application site lies within Flood Zone 3b, the functional floodplain. The proposed forestry development is classified as less vulnerable and is incompatible with Flood Zone 3b. The proposal should therefore be refused in accordance with Policy F6 and Annex F of the National Planning Policy Framework 2026. It also conflicts with Policies CP1 and CP11 of the Core Strategy 2010 and Policy CC09 of the Managing Development Delivery Local Plan 2014.
2. The submitted Flood Risk Assessment does not adequately demonstrate that the development would be safe for its lifetime, would not increase flood risk elsewhere, or would provide safe access and egress during a flood event. In particular, the suitability of the flood modelling, flood hazard, finished-floor levels and allowance for climate change have not been satisfactorily demonstrated. The proposal is therefore contrary to Policies F6 and F7 of the National Planning Policy Framework 2026, Policy CP1 of the Core Strategy 2010 and Policy CC09 of the Managing Development Delivery Local Plan 2014.

|                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                    | <p>3. Insufficient evidence has been provided to demonstrate that surface water can be sustainably managed without increasing flood risk. In particular, groundwater monitoring has not been undertaken during the expected seasonal peak, and the suitability of infiltration drainage has therefore not been demonstrated. The proposal is contrary to Policy F8 of the National Planning Policy Framework 2026, Policy CP1 of the Core Strategy 2010 and Policy CC10 of the Managing Development Delivery Local Plan 2014.</p> <p>4. In the absence of a completed planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 securing a financial contribution towards the monitoring of the approved biodiversity enhancements and implementation of a Habitat Management and Monitoring Plan (HMMP), the Local Planning Authority cannot be satisfied that the biodiversity mitigation, enhancement and management measures associated with the development would be effectively monitored and enforced over the required management period. The proposal is therefore contrary to Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021), policy CP7 of the Core Strategy 2010, policy TB23 of the Managing Development Delivery Local Plan 2014 and policy N2 of the NPPF 2026.</p> |
| <b>Date:</b>                       | 30 September 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Earliest date for decision:</b> | 21 August 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|                                                           |                                                                                     |
|-----------------------------------------------------------|-------------------------------------------------------------------------------------|
| <b>Recommendation agreed by:<br/>(Authorised Officer)</b> |  |
| <b>Date:</b>                                              | 30/09/26                                                                            |

## **PLANNING CONSTRAINTS/STATUS**

- Contaminated Land Consultation Zone
- Flood Zone 3
- Bat Roost Habitat Suitability
- Scale and Location of Development Proposals - Countryside
- Great Crested Newt Consultation Zone
- Minerals Site Consultation Area
- Nuclear Consultation Zone – 12Km
- Landscape Character Assessment Area
- Local Plan Update Submitted Sites
- Safety Hazard Areas HSC
- SSSI Impact Risk Zones
- Thames Basin Heaths SPA Mitigation Zones – 5km
- Main Rivers DRN Consultation Zone
- Ordinary Watercourses Consultation Zone
- Ordinary Watercourse