

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242858
Site Address:	106 Ellis Road, Crowthorne, Wokingham, RG45 6PH
Expiry Date:	7 February 2025
Site Visit Date:	10 January 2025
Proposal: Full application for the proposed erection of 1no. four bedroom dwelling, following the demolition of existing garage, plus new dropped kerb.	

PLANNING CONSTRAINTS/STATUS

Water Utility Consultation Zones
Scale and Location of Development Proposals – Modest Dev. Location (Pinewood (Crowthorne))
Farnborough Aerodrome Consultation Zone
Landscape Character Assessment Area
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones – 5km 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 CP6 – Managing Travel Demand CP7 – Biodiversity CP8 – Thames Basin Heaths Special Protection Area CP9 – Scale and Location of Development Proposals
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB06 – Development of Private Residential Gardens TB07 – Internal Space Standards TB21 – Landscape Character TB22 – Sites of Urban Landscape Value TB23 – Biodiversity and Development
Joint Minerals and	The JMWP does not apply to this scale of application.

Waste Plan (JMWP)	
Other	Borough Design Guide Supplementary Planning Document Sustainable Design and Construction Supplementary Planning Document Crowthorne Village Design Statement

PLANNING HISTORY

Application No.	Description	Decision & Date
000477	Proposed side extension to dwelling to form garage with en-suite / store over and single storey rear extension to form conservatory.	Refused 15/12/2000
010172	Proposed two storey side extension to dwelling, single storey rear extension with conservatory plus loft conversion.	Approved 03/04/2001
101669	Proposed erection of replacement detached garage.	Approved 19/07/2010
120304	Proposed erection of two storey side extension and single storey rear extension to dwelling.	Approved 01/03/2013
211823	Full application for the proposed erection of 1no. four bedroom dwelling, following the demolition of existing garage, plus new dropped kerb.	Approved 14/10/2021

CONSULTATION RESPONSES

Internal

WBC Environmental Health – No comments received
WBC Drainage – No objection subject to conditions
WBC Highways – No objection subject to conditions
WBC Landscape and Trees – No objection subject to conditions
WBC Cleaner and Greener – No comments received
WBC Ecology – No comments received

External

Thames Water Utilities Ltd – No comments received
South East Water – No comments received

REPRESENTATIONS

Parish/Town Council	Wokingham Without Parish Council object to the application as it is considered overdevelopment of the area and not in keeping with the street scene. Additionally, the parish council raised concern about increasing traffic movements.
Ward Member(s)	No comments received
Neighbours	Corvus Learning Trust have raised concern about the impact of the building process on the Oaklands Schools, these concerns are summarised below:

	• Timings of deliveries and major building traffic should not be allowed during school opening and closing times. <i>Officer comments: This will be assessed within the 'Highway Access and Parking Provision' section of the main report.</i> • Care should be taken regarding noise and dust pollution during play times when the children are outside. <i>Officer comments: This will be assessed within the 'Neighbouring Amenity' section of the main report.</i> • A new dropped kerb right by the walkway raises concern. <i>Officer comments: The Council's Highways Officer raises no concerns with the proposed location of the new dropped kerb.</i>
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APPRAISAL

Site Description:

The site is located in the residential area of Crowthorne and is within the existing curtilage of No. 106 Ellis Road – to the west side where there is approximately a 12.5m wide area of garden between the existing house and the neighbouring dwelling No. 108. The west side of the garden is adjacent to a pedestrian access to Oaklands Infants and Junior School, separating the site from No. 108. There is presently a gated side access to this side of the front garden and a dropped kerb. The surrounding area is predominantly residential in character with dwellings along Ellis Road being of varied sizes and architectural designs, the majority of which are well set back from the roadside. Ellis Road has benefits from a verdant appearance and the application site is well screened by mature landscaping as shown in the Pic. 1.0 below.

Pic 1.0: 106 Ellis Road



Proposed Development:

This application seeks permission for the proposed erection of a two storey, four bedroom dwelling, following the demolition of the existing detached garage.

This application is identical to a previous planning permission ref: 211823. Application 211823 was granted permission on 14/10/2021. The permission expired on 14/10/2024, hence this current application has been submitted.

Principle of Development:

The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

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

Character of the Area:

Core Strategy Policy CP3 states that planning permission will be granted for proposals that are of an appropriate scale of activity, mass, layout, built form, height, materials and character, together with a high quality of design without detriment to the amenities of adjoining land users, including open spaces or occupiers and their quality of life. Policy CP1 of the Core Strategy requires developments to maintain or enhance the high quality of the environment.

MDD policy TB06 states that:

1. The Council will resist inappropriate development of residential gardens where development would cause harm to the local area.
2. Proposals for new residential development that includes land within the curtilage or the former curtilage of private residential gardens will only be granted planning permission where:
 - a) The proposal makes a positive contribution to the character of the area in terms of:
 - i. The relationship of the existing built form and spaces around buildings within the surrounding area;
 - ii. A layout which integrates with the surrounding area with regard to the built up coverage of each plot, building line(s), rhythm of plot frontages, parking areas, and
 - iii. Existing pattern of openings and boundary treatments on the site frontage
 - iv. Providing appropriate hard and soft landscaping, particularly at site boundaries.
 - v. Compatibility with the general building height within the surrounding area

vi. The materials and elevational detail are of high quality, and where appropriate distinctive and/ or complementary

b) The application site provides a site of adequate size and dimensions to accommodate the development proposed in terms of the setting and spacing around buildings, amenity space, landscaping and space for access roads and parking

c) The proposal includes access, which meets appropriate highway standards

d) The proposal does not lead to unacceptable tandem development

e) The design and layout minimises exposure of existing private boundaries to public areas and avoids the need for additional physical security measures.

The proposal intends the introduction of a new 4-bedroom dwelling to the west of 106 Ellis Road within a current (16m) gap in the street scene that exists because of the wide (14.5m) plot width of the host dwelling and the adjacent footpath access to Oaklands Infants and Junior School. The proposed dwelling would be located within this gap but would still retain side separation distances of at least 1m from the host dwelling and the adjacent footpath; and 4.5m with the 106 Ellis Road (refer to Figs. 1.0 and 2.0 below).

Fig. 1.0: Extract of Proposed Block Plan

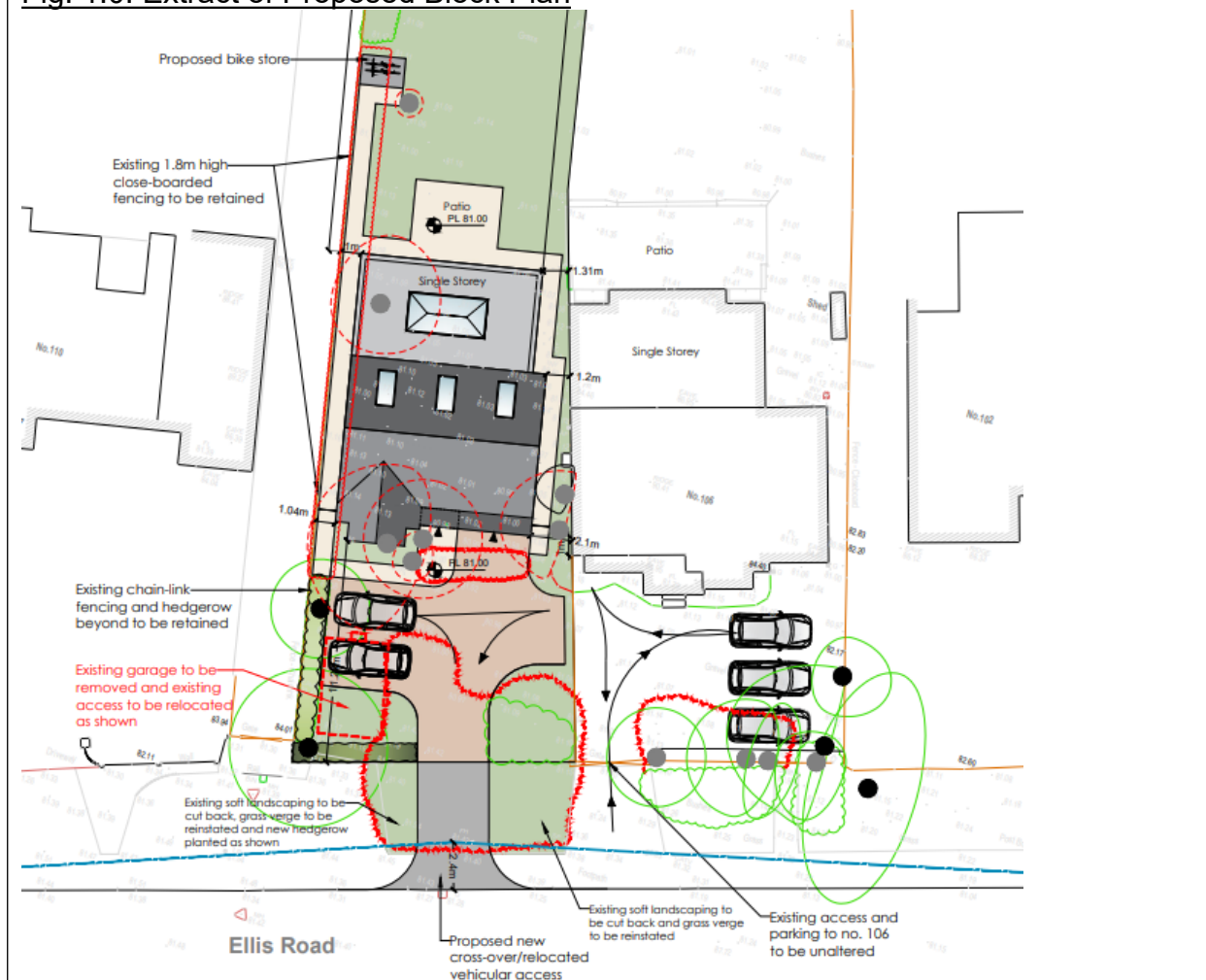


Fig. 2.0: Extract of Proposed Street Scene



The proposed dwelling would be set back approx. 17m from the roadside and incorporates a suitable stagger in the building line between the host dwelling and 106 Ellis Road. The proposed dwelling would be approx. 9.2m high to its ridge which would be reflective of the host dwelling and other neighbouring properties (refer to Fig. 2.0 above). The proposed dwelling would contribute positively towards the character of the area as it has the ability to relate well to dwellings in the surrounding area and it would integrate with the rhythm of plot frontages.

No details of external materials have been submitted with the application, so a condition to secure them is recommended. Subject to adherence to this condition, the proposal would make a positive contribution to the character of the area provided adequate soft landscaping is also secured via condition. Hence, the proposal is considered compliant with Core Strategy Policies CP1 and CP3 and MDD policy TB06.

Neighbouring Amenity:

Core Strategy Policy CP3 states that development proposals should not result in a detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life. The Council's Borough Design Guide (BDG) stipulates that a minimum back-to-back distance of 22m should be provided on new developments to maintain privacy and limit the sense of enclosure.

Overlooking:

Oaklands Infants and Junior School is sited approx. 40m to the rear of the host and proposed dwelling; there would be no residential properties directly to the rear of the proposed dwelling. The proposed dwelling includes no side facing habitable room windows so overlooking is avoided and privacy of the host dwelling and 110 Ellis Road is protected in this respect. The proposal would include double height velux windows in the loft space which would allow for views over its rear garden and that of its neighbours. However, this would not be an unusual arrangement for properties sited in a linear fashion and, although elevated, these views would be oblique angles towards the section of rear gardens that are furthest away. Moreover, the existing built form of nos. 106 and 110 would sufficiently block views of the most private parts of the gardens of these neighbours; i.e. the portions of gardens located directly to the rear of the properties themselves.

Loss of Light:

The proposed dwelling would be separated from the neighbouring dwelling at 110 Ellis Road by the existing footpath into Oaklands Infants and Junior School. This would ensure that a 4.5m gap is retained. 110 Ellis Road has one first floor side obscure glazed window (which appears to relate to a bathroom) so limited protection can be offered to what appears to be a non-habitable window. While a degree of overshadowing may occur to the side of 110 Ellis Road and the rear garden, this would not be so significant as to cause a significant detrimental impact on residential amenity. The host dwelling has two side windows serving ground floor rooms but these appear to be secondary windows so adequate daylight would still be retained within the host dwelling.

Overbearing:

The two-storey element of the proposed dwelling would be staggered forward of 110 Ellis Road and would therefore result in minimal impact on the outlook from the rear of this neighbouring property. The projection forward of 110 Ellis Road would not result in a negative impact on the front outlook of this neighbour given the 4.5m gap mentioned above. The rear ground floor section proposed incorporates a flat roof and is therefore limited in terms of its height and bulk and would again be separated away from the property boundary with 110 Ellis Road. The ground and first floor elements of the proposed dwelling would be very much aligned with the host dwelling and hence the bulk and mass of the proposal would not appear overbearing or oppressive when viewed from either neighbouring property.

Noise and Dust

It is not anticipated that construction of the proposed development would cause any undue noise or disturbance provided the developer follows established good practices for this type of development. However, given the proximity of the school access close to the application site, a Construction Method Statement condition is recommended to minimise the potential disturbance to the school in terms of dust created during the construction process.

Subject to adherence to the above condition, the proposal complies with Core Strategy Policy CP3 and with guidance contained in the Borough Design Guide (BDG) in this respect.

Residential Amenity Space:

The proposed dwelling would have a private rear garden approximately 36m in depth and 11m wide. The host property, 106 Ellis Road, would retain a similarly sized private rear garden. In each instance, this far exceeds the requirements of the Council's Borough Design Guide which normally seeks a minimum garden length of 11.0m and suitable amenity space requirements are therefore complied with.

Highway Access and Parking Provision:

MDD Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum off street parking standards. Core Strategy Policy CP6 requires developments to provide appropriate vehicular parking, having regard to car ownership. P3 of the Borough Design Guide SPD notes that parking spaces should be safe and convenient, close to the dwelling and sited to minimise impact upon safety. Visibility splays and swept path analysis are also required to be specified on the plans.

There is an existing access into the site, however, it is proposed to relocate this further east. The new access for the proposed dwelling would allow for vehicles to cross over the school no parking markings. Concerns have been raised by the Corvus Learning Trust, but the Council's Highways Officer does not consider there to be any highways safety concerns in this respect. The applicant should be aware that the access works are subject to a separate consent from the Council's Traffic Management Team, including the reinstatement of the existing kerbs and highway crossover to a suitable specification. The applicant would also be responsible for any impact from the development to the existing traffic regulation markings or signage.

Adequate parking at a minimum of two spaces would be provided for both the host and proposed dwelling and conditions are recommended to deal with cycle parking, turning, and access. Additionally, a condition requiring the submission of a Construction Method Statement prior to commencement is recommended. This shall include specific measures to avoid impact to the pedestrian access to Oaklands School and to manage deliveries, loading, and site operative parking.

Subject to compliance with the above conditions, the proposal is acceptable in highways safety and parking provision terms and hence accords with the above policies.

Flooding and Drainage:

MMD Local Plan policy CC10 states that all development proposals must reproduce greenfield runoff characteristics and return run-off rates and volumes back to the original greenfield levels, for greenfield sites and for brownfield sites both run-off rates and volumes be reduced to as near greenfield as practicably possible.

The application site lies within Flood zone 1 according to the EA mapping. The proposal indicates a new impermeable area constructed on the site, which will increase the surface water run-off from the development. It is noted from the Application Form (dated 11/11/2024) that surface water runoff from the development will be managed via soakaway method.

Based on the above, The Council's Drainage Officer has no objection to the principle of the development. However, proposed drainage details about the chosen method - soakaway to deal with the surface water have not been provided and a condition is therefore recommended to secure these details. Subject to adherence to this condition, the proposal accords with MDD Local Plan policy CC10.

Landscape and Trees:

Policy CC03 aims to protect and retain existing trees, hedges and other landscape features as well as existing Green Routes. Core Strategy Policy CP3 aims to create a sense of place in the way buildings integrate with their surroundings including the use of appropriate landscaping.

The application site has many trees and although there are no protected trees on the site, Policy CC03 of the Local Plan requires that tree, hedges and other landscape features are protected and retained during development. An Arboricultural Impact Assessment (AIA) has been submitted, and this specifies tree protection measures and

assesses the arboricultural impact of the proposal. The submitted AIA identifies that no trees of any arboricultural significant are proposed for removal.

The Council's Landscape and Tree Officer has no objection to the tree protections works suggested in the AIA and raises no objection to the proposal subject to conditions for boundary treatments, landscaping and works being in accordance with the submitted AIA. Subject to compliance with these conditions, the proposal is in accordance with the relevant tree and landscape policies referred to above.

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. Policy CP7 states that sites designated as of importance for nature conservation at an international or national level will be conserved and enhanced and inappropriate development will be resisted.

The proposal, by virtue of a s106 legal agreement that was completed on 21/05/2025, would secure Suitable Natural Green Space (SANG) and a Strategic Access Monitoring and Management (SAMM) financial contribution as an appropriate avoidance strategy to protect the Thames Basin Heaths Special Protection Area and comply with the requirements of Regulation 61 of The Conservation of Habitats and Species Regulations 2010 (as amended) and Article 6(3) of Directive 92/43/EEC as outline in the Appropriate Assessment at the end of this report.

Conclusion:

For the reasons outlined above, the proposed new dwelling is acceptable subject to conditions and should be approved.

Community Infrastructure Levy (CIL):

When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION	
Conditions agreed:	Yes
Recommendation:	Approve

Date:	4 June 2025
Earliest date for decision:	9 December 2024

Recommendation agreed by: (Authorised Officer)	
Date:	05/06/25

The Conservation of Habitats and Species Regulations 2017

Screening Assessment and Appropriate Assessment

In the light of the “Sweetman Judgement” (People Over Wind and Sweetman v Coillte Teoranta, April 2018), the comments below comprise an Appropriate Assessment which includes advice on necessary avoidance and mitigation measures which is consistent with the advice provided to the Planning Inspectorate on such matters.

Summary of Response

WBC, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has been carried out which includes regard to mitigation requirements.

This site is located less than 5km (measured from the access road to the application site) from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

On commencement of the proposed development, a contribution (calculated on a per-bedroom basis) is to be paid to Wokingham Borough Council (WBC) towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in WBC’s Infrastructure Delivery Contributions Supplementary Planning Document (SPD).

The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures.

In this instance, the proposed development would result in a net increase of **1 no 4-bedroom dwelling** within 5km of the SPA which results in a total SANG contribution of **£3,546.86**.

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 **£1,225.00**.

The total SPA related financial contribution for this proposal is **£4,771.86**. The applicant **must agree** to enter into a S106/s111 agreement to secure this contribution prior to occupation of each dwelling. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, policy CP8 of the Core Strategy, and the NPPF.

1. The Conservation of Habitats and Species Regulations (2017) as amended

In accordance with The Conservation of Habitats and Species Regulations (2017) as amended, Regulation 63, a competent authority (in this case Wokingham Borough Council (WBC)), before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

- a. is likely to have a significant effect on a European site...(either alone or in combination with other plans or projects), and
- b. is not directly connected with or necessary to the management of that site.

must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.

A person applying for any such consent, permission or other authorisation must provide such information as WBC may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.

WBC must for the purposes of the assessment consult Natural England (NE) and have regard to any representations made by that body. It must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate. In the light of the conclusions of the assessment, and subject to Regulation 64 (Considerations of overriding public interest), WBC may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site.

In considering whether a plan or project will adversely affect the integrity of the site, WBC must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which it proposes that the consent, permission or other authorisation should be given.

2. Stage 1 Screening for Likely Significant Effects

WBC accepts that this proposal is a 'plan or project' which is not directly connected with or necessary to the management of a European Site. The Thames Basin Heaths Special Protection Area (SPA) is a European designated site which affects the borough, and WBC must ensure that development does not result in an adverse impact on the SPA. The potential adverse effects on the integrity of the SPA include recreational activities from inside the SPA and air pollution from inside and outside the SPA.

At this stage WBC cannot rule out 'likely significance effects' on the SPA (alone or in combination with other plans or projects) because the proposal could undermine the Conservation Objectives of these sites. This is because the proposal lies within **5 km** of the SPA and:

- represents a net increase in dwellings within 400m - 5km of the Thames Basin Heaths Special Protection Area (SPA) which will lead to an increase in local population and a potential increase in recreational activity on the SPA

As the 'likely significance effects' cannot be ruled out at this stage an Appropriate Assessment must be undertaken.

3. Stage 2 Appropriate Assessment

Based on the information proposed by the applicant, WBC must decide whether or not an adverse effect on site integrity (alone or in combination with other plans or projects) can be ruled out. Mitigation may be able to be provided so that the proposal is altered to avoid or reduce impacts.

The following policies and guidance set out WBC's approach to relevant avoidance and mitigation measures which have been agreed with Natural England. For the majority of housing developments this will comprise the provision of (or contribution towards) Suitable Alternative Natural Greenspace (SANG) and a contribution towards the Strategic Access Management and Monitoring (SAMM) Project. The financial contributions towards SANG would be either through an obligation in a s106 agreement that requires WBC to allocate an appropriate amount of the development CIL receipt towards the provision of SANG, or through an obligation in an agreement under s111 of the Local Government Act, that requires the developer to make an appropriate financial contribution towards the provision of SANG (to be used in the event that the developer successfully seeks CIL relief). Developers will be required to secure an appropriate financial contribution to the SAMM project through an obligation in a s106 agreement.

For SDL development (and occasionally some other larger non SDL developments) within 5km of the SPA, SANG is required at a minimum of 8 ha per 1,000 new residents, constructed and delivered to Natural England's quality and quantity standards and a contribution towards pan SPA access management and monitoring (as advised by the Thames Basin Heaths Joint Strategic Partnership Board). For SDL development (and occasionally some other larger non SDL developments) between 5 and 7km, the proposals will need to be individually assessed but it is likely that SANG will be required on site in line with Natural England's quality and quantity standards, although the exact requirement will be agreed having regard to evidence supplied.

a. Policies and Guidance

For this proposal the following guidance and policies apply:

- South East Plan (May 2009) Policy NRM6 (Thames Basin Heaths Special Protection Area)
<http://webarchive.nationalarchives.gov.uk/20100528160926/http://www.gos.gov.uk/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 not part of an SDL, the developer may make a payment contribution towards strategic SANGs in line with schedule below (most likely this will be at Rooks Nest Wood SANG although it is subject to SANGs capacity in the right location within Wokingham borough). An occupation restriction will be included in the Section 106 Agreement in order to ensure that the contribution has been made prior to occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and Core Strategy Policy CP8

The development will result in a net increase of **1 no 4 bedroom dwelling**. The level of SANG payments are set out as follows:

No. of bedrooms	SANG Contribution 5km	Aggregate SANG Contribution
4 bedrooms	£3,546.86	£3,546.86
Total SANG Contribution		£3,546.86

ii. Strategic Access Management and Monitoring (SAMM) Contribution

The proposed development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it.

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

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

No. of bedrooms	SAMM Contribution 5km	Aggregate SAMM Contribution
4 bedrooms	£1,225.00	£1,225.00
Total SAMM Contribution		£1,225.00

Prior to the permission being granted the applicant must enter into a Section 106 Agreement based upon the above measures.

4. Conclusion

An Appropriate Assessment has been carried out for this development in accordance with the Habitats Regulations 2017. Without any appropriate avoidance and mitigation measures the Appropriate Assessment concludes that the development is likely to have a significant effect upon the integrity of the SPA with the result that WBC would be required to refuse a planning application.

Provided that the applicant is prepared to make a financial contribution (see above) towards the costs of SPA avoidance and mitigation measures, the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

WBC is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 63(5) of the Conservation of Habitats and Species Regulations (2017) as amended, and permission may be granted.

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

5. Example Reason for Refusal

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

Date:

Signed: