

# ET Planning

## Planning Statement

Client:  
Sid Nunns

### Bluebell Farm

**Commonfield Lane, Wokingham, RG40 4PR**

*Change of use of land to allow for stationing of  
mobile homes for permanent residential purposes*

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**Appendix 1** – Allowed appeal decision  
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**Appendix 3** – Allowed appeal decision  
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APP/X0360/W/19/3221985 Land to the rear of Lark Rise,  
Mill Lane, Sindlesham RG41 5DF (decision dated  
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## 1. Introduction

- 1.1 This statement is produced to support a planning application for the change of use of the land to residential mobile home caravan site (Sui Generis) at Bluebell Farm, Commonfield Lane, Barkham, RG40 4PR.
- 1.2 This planning statement will cover the background to the application and provide the necessary information to enable its determination by officers at the Council. It will consider the proposal in light of relevant planning policies and other material considerations. The conclusion reached is that key material considerations and the wider objectives of National and Local planning policy support the grant of permission.
- 1.3 It should be noted the applicant is not the current landowner but has an option to purchase the site subject to attaining planning permission. As such notification to the current landowner has been served as per Certificate B of the ownership section of the application form.
- 1.4 In addition to this planning statement, the application is accompanied by the appropriate planning application forms and ownership certificate, duly signed and completed, and the following documents:
  - 1:1250 Site Location Plan
  - 1:500 Site Layout as Existing
  - 1:500 Site Layout as Proposed
  - 1:500 Landscape Proposal Plan
- 1.5 The relevant application fee will be submitted by the applicant separately.

## **2. Site Location and Description**

- 2.1 The application site is a large site accessed from the southern side of Commonfield Lane. The wider site is in a mixed use featuring two respective C3 dwellinghouse units and their respective curtilages whilst the south-east section of the site has a lawful use as a Certified Location caravan site.
- 2.2 The application site is not within any designated settlement boundary however, the locality features residential development comprising dwellinghouses and notably features a residential caravan park at Honeysuckle Lodge and Pine Lodge which includes 8 pitches for Gypsies and Travellers. The opposite side of Commonfield Lane is the boundary of the Arborfield Garrison Strategic Development Location (SDL) where new dwellinghouses have been built and occupied. In the wider area, there are a number of single caravan pitches as well as the larger residential mobile home park at Robinson Crusoe and California Country Park, both along Nine Mile Ride.
- 2.3 The eastern application site boundary adjoins an area of woodland known as Longmoor Bog which is a Site of Special Scientific Interest (SSSI), the site is also within 5km of the Thames Basin Heath SPA.

## **3. Planning History**

- 3.1 Application Ref 'F/1995/63171' for 'Proposed demolition of existing dwelling and erection of replacement 3no.bedroom dwelling' Refused 05/03/1996.
- 3.2 Application Ref 'F/1997/65373' for 'Proposed single storey and rear extensions to dwelling' Approved 07/05/1997

- 3.3 Application Ref 'F/1997/66278' for 'Proposed erection of replacement dwelling' Approved 21/11/1997
- 3.4 Application Ref 'F/1998/67969' for 'Proposed erection of dwelling – amendment to F/1997/66278' Approved 24/08/1998
- 3.5 Application Ref 'F/2000/2015' for 'Proposed erection of detached double garage and installation of velux windows in roof of dwelling (retrospective)' Approved 04/09/2000
- 3.6 Application Ref '152107' for 'Application for a certificate of existing lawfulness for the use of existing chalet or mobile home as separate residence to the main dwelling' Refused 08/01/2016 (Appeal Reference **APP/X0360/X/16/3153354** Appeal Allowed 20/01/2017) confirming use as C3 dwellinghouse.
- 3.7 Application Ref '222373' for 'Application for a certificate of existing lawful development for change of use of land to a caravan site' Refused 6/10/2022
- 3.8 Application Ref '223783' for 'Full application for the proposed erection of no1. replacement dwelling and car port, following demolition of existing dwelling' Approved 10/03/2023. This is the existing dwelling to the northeast of the site, exempt from this application site area.
- 3.9 Application Ref '232420' for 'Application for submission of details to comply with the following conditions of planning consent 223783 dated 10/03/2023. Condition 3 relates to materials, 6 to electric vehicle charging, 7 to cycle parking and 9 to tree protection' Approved 16/11/2023.
- 3.10 Application Ref '231330' for 'Full application for the proposed change of use of land for stationing no. 14 static mobile home caravans for permanent residential use following demolition of existing dwellinghouse' Refused 16/08/2023.

3.11 Application Ref '231330' Reasons for Refusal:

<b>Reason No.</b>	<b>Reason Text</b>
1	The site is in the Countryside where the housing provision for 55+ years has already been met by the Arborfield Garrison SDL allocation. As such the proposal is unsustainable, unjustified, and unnecessary development in the countryside contrary to the National Planning Policy Framework 2021, policies CP2 and CP11 of the Core Strategy 2010 and policies CC01 and CC02 of the Managing Delivery Development Local Plan 2014.
2	The application site is within an unsustainable location that would not encourage a modal shift towards sustainable modes of transport, by reason of the countryside location outside of settlement limits, distances to facilities and services, limited public transport links and poor quality of the walking/cycling environment, contrary to the National Planning Policy Framework (2012), policies CP1, CP2, CP3, CP6 and CP11 of the Core Strategy, CC01 and CC02 of the Managing Delivery Development Local Plan 2014.
3	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 development would be contrary to Policy NRM6 of the South East Plan, Core Strategy Policies CP7 and CP8, and the National Planning Policy Framework 2021.
4	The proposal does not make adequate provision for on-site affordable housing, contrary to Policies CP1 and CP5 of the Core Strategy 2010, Policy TB05 of the Managing Development Delivery Local Plan 2014 and the Affordable Housing Supplementary Planning Document.
5	Insufficient information has been submitted in respect of environmental enhancements, drainage, and hard and soft landscape. As such the scheme is contrary to policies CP3, CP7 and CP11 of the Core Strategy 2010 and policies CC09, CC10, TB21 and TB23 of the Managing Development Delivery Local Plan 2014.

3.12 The current application has sought to address these previous reasons by reducing the quantum of development.

## 4. Development Proposals

- 4.1 The proposal seeks to change the use of the site to a residential mobile home caravan site, which will facilitate the siting of 9 static mobile home caravans for permanent residential use (also known as a residential 'park home' site). This would coincide with the demolition of the existing C3 residential dwelling within the centre of the site however, the existing residential unit to the north-east of the site is to be retained.
- 4.2 The proposal would provide 9 individual mobile home units, each with their own private garden and parking spaces. These are to be only occupied by the age of 55+ and their dependent. This would be secured by conditional control upon the approval of any planning consent and would form the operative part of the permission.
- 4.3 A soft landscaping scheme is also proposed to provide amenity within the site as a whole, delineating the private gardens with native mixed hedgerows and showing the removal of hardstanding.

## 5. Policy Assessment

5.1 **National Guidance and Need in Finchampstead:** The National Planning Policy Framework (NPPF) is a relevant material consideration to the application. The purpose of the planning system is to contribute to the achievement of sustainable development. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. Paragraph 38 of the NPPF states that "Local planning authorities should approach decision on proposed development in a positive and creative way" and "at every level should seek to approve applications for sustainable development where possible". Paragraph 123 of the NPPF comments that planning should "make effective use of land" in "meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions".

5.2 Paragraph 60 confirms the Government's objective to boost the supply of housing, and paragraph 8 identifies the three objectives of sustainable development, as economic, environmental, and social.

5.3 The development is to provide static mobile homes specifically for people aged **55 and older**. This accords with paragraph 63 of the NPPF which seeks to provide housing for different community groups.

5.4 As per the NPPF, the application site is considered to be previously developed land comprising a dwellinghouse and its curtilage (not in a built-up area). As such, the redevelopment of the land to provide a residential use would be supported by paragraph 80 and 124 of the NPPF.

5.5 Whilst the change of use would not provide 'conventional' bricks and mortar dwellinghouses (use class C3) it would still provide, in effect 9 residential units to contribute to the Borough's housing supply (as

the proposed mobile home units are intended to permanently occupy their plots and afford occupants with the facilities required for everyday private domestic existence). The applicant is an experienced mobile home park site owner, and all units would be managed on site by his company. As such, the site would provide a meaningful contribution to the Borough's housing supply and notably provide a more affordable form of residential accommodation in itself, due to the smaller size of the accommodation available. Furthermore, the single ongoing site ownership would ensure efficient site management. Owing to the development not being 'bricks and mortar' the implementation of such a permission would have a quick implementation period to contribute to the Council's supply.

- 5.6 In the previous application the Council had stated that a need had not been demonstrated for the type of development in the area, and it failed to meet the social dimension of a sustainable development. Notwithstanding the fact there is neither any National nor Local Plan policy explicitly requiring a need to be demonstrated some further evidence has been provided below.
- 5.7 Paragraph: 001 Reference ID: 63-001-20190626 (Revision Date 26 June 2019) of the National Planning Policy Guidance is clear that: *"the need to provide housing for older people is **critical**. People are living longer lives and the proportion of older people in the population is increasing... **Offering older people a better choice of accommodation** to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems".*
- 5.8 The NPPF and NPPG acknowledges that the needs of older people are diverse as is their health and lifestyles. This also applies to their housing need. The NPPG explicitly defines in Paragraph: 010 Reference ID: 63-010-20190626 differing types of **specialist**

**housing** to meet the diverse needs of older people to address the **critical** national need. This paragraph states in no uncertain terms that this **includes**:

**"Age-restricted general market housing:** This type of housing is generally for **people aged 55 and over and the active elderly**. It may include some shared amenities such as communal gardens, but does not include support or care services" (emphasis added is my own).

5.9 As such, the NPPG is clear that age-restricted general market housing for persons over 55 addresses the needs of an ageing population, it is not a separate accommodation for a differing need, this fact cannot be understated as the previous Officer Report had stated:

*"It is recognised that there is an ageing population however there is a need for specialist housing for an ageing population. **55+ years are considered older workers rather than retired especially given the state pension age is 67 and likely to rise, and migration patterns into the Borough indicate that it is the 65+ years needing specialist accommodation whereas 45-65 years in migration is falling.** There may be an opportunity to provide for the early retired, but this is expected to be met by the usual housing provision under policy CP3 of the Core Strategy not policy CP2. The projected net need for 2013-36 is 1965 market and 219 affordable housing and in bungalows or flats...This can be found in the Berkshire (including South Bucks) Strategic Housing Market Assessment dated February 2016 (GL Hearn Limited)"* (emphasis added is my own).

5.10 The Council's previous assessment had indicated the provision of accommodation for over 55s would not address the need of the ageing population as it would provide accommodation for the 'early retired' however, this is clearly contrary to the Governments own

policy position seeking to provide market units restricted to prevent those **under** the age of 55 from their occupation, explicitly to address an ageing population.

5.11 Whilst the Council's referenced figures (from table 117 of the SHMA is for the "projected need for Older Persons Accommodation (including Specialist Housing) – by broad tenure (2013-36)") are correct, it should be noted the Census Data referenced in the SHMA splitting the population into Older Workers (45-65) and Retirement Age (65+) is in relation to migration statistics, the figures are not of a sufficiently granular level to differentiate the need of those aged 45-55 from those aged 55-65, for the Council to state the development did not meet a real need nor does it conclude that over 55 accommodation should be excluded from these figures.

5.12 Notably, in the pre-text to table 117 of the SHMA, paragraph 9.37 is explicit that "*the analysis is not specific about the types of specialist housing that might be required*". Paragraph 9.38 is clear that: "*The different models and assumptions made regarding the future need for specialist retirement are typically defined as a form of congregate housing... There may however be an option to substitute some of this specialist provision; for example, **smaller (one and two bedroomed) housing aimed to attract 'early retired' older people which could be designated as age specific or not.** Such housing **could** be part of the general mix of homes but built to Lifetime Homes standards (and accessible/adaptable) **in order to attract retired older people looking to 'down size' but perhaps not wanting to live in specialist retirement housing**".*

5.13 The LPAs previous assessment is flawed as the figure explicitly expressed in the SHMA is designed to incorporate all forms of specialist housing which includes the early retired (those under the age of 65). The need referenced by the Council specifically includes

the type of accommodation proposed and that required in Wokingham. The fact remains that those over the age of **65 would be able to occupy any of the proposed mobile homes, they are not precluded from any condition restricting the occupation of those aged 55 and over.** The development cannot in anyway be considered to not meet the needs of an ageing population as it only precludes those not considered 'older people' for planning purposes.

5.14 The Finchampstead Neighbourhood Plan also cites a local need for development for over 55s. Part D. Housing Needs Assessment of the document, whilst acknowledging the WBC projections form more robust conclusions than the single village market, acknowledges "*...the housing stock in Finchampstead is 3+ Bedrooms and relatively expensive...inward migration depends on the availability of either new or **vacant housing***". Table 2 of the assessment comprises an age profile (Census 2011 data) showing Finchampstead to have a higher population aged 50-79 than the Borough profile.

50-54	1,012	8.4%	11,173	7.2%
55-59	888	7.4%	9,163	5.9%
60-64	963	8.0%	9,426	6.1%
65-69	691	5.7%	7,337	4.8%
70-74	492	4.1%	5,715	3.7%
75-79	381	3.2%	4,637	3.0%
80-84	209	1.7%	3,154	2.0%
85-89	147	1.2%	1,896	1.2%
90+	73	0.6%	1050	0.7%
<b>Total</b>	<b>11,990</b>		<b>154,380</b>	

**Figure 1. Extract of Table 2 from FNP showing Age Profile of 50 years and above for Finchampstead (Left) and Wokingham (Right)**

5.15 Whilst the quoted figure details the projected future need, some specific data on the local need within Finchampstead from the 2021 Census (ONS data) has been provided to demonstrate that the need is already acute within Finchampstead irrespective of migration into the Borough.

5.16 Figure 1 shows that in 2011 31.9% of Finchampstead was aged 55 years or over, when compared with Electoral Ward data (table 1.) informed by the 2021 Census this has increased to 41.28%.

Age Profile	Count (Persons)
<b>Population Aged Under 0-54 Years</b>	6903
<b>Population Aged Over 55 Years</b>	4855
<b>Percentage Aged Over 55 Years</b>	41.29%

**Table 1. Combined Age Profile of Finchampstead North and South from ONS (TS007 – Census 2021)**

5.17 At a Parish level (not Electoral Ward), Finchampstead itself had a population of 12,752 persons (all ages), with 2,766 of these persons being over the age of 65. As such, 21.7% of the local population are of an age which they would be considered 'retired' for the purposes of the SHMA. At a more granular level using Lower Super Output Areas, which overlap with the Neighbourhood Plan Boundary of Finchampstead, the economic activities of residents over the age of 16 (excluding students) and the occupancy rate of households for bedrooms are able to be ascertained.

<b>Metric</b>	<b>Number (People in Households)</b>	<b>Percentage of households</b>
<b>All households</b>	4,533	N/A
<b>No. of People in Household</b>	<b>Number (Count)</b>	<b>Percentage of households</b>
<b>0</b>	0	0
<b>1</b>	882	<b>19.46</b>
<b>2</b>	1,700	<b>37.50</b>
<b>3</b>	802	17.69
<b>4</b>	861	18.99
<b>5</b>	228	5.03
<b>6</b>	38	0.84
<b>7</b>	18	0.40
<b>8</b>	4	0.09

**Table 2. Household Size of Finchampstead Households from ONS (TS017 Census 2021)**

5.18 Table 2 shows Finchampstead is largely defined by 2 person households, comprising circa 40% of all households within the Parish. When including single occupiers this combined percentage equals circa 57%. Larger family sized households of 3+ occupiers therefore comprise less than half of all households despite the housing stock being largely comprised of family sized dwellings.

5.19 Table 3 and the Finchampstead Parish figure clearly align showing that circa 25% of the Finchampstead population are retired and or of an age that indicates retirement. In terms of household units, table 4. shows that of all households **over the age of 66 years old** (circa 25% of total households) comprised either a single person household (10.11%) or a single family household (14.58%).

5.20 Whilst the above paragraphs indicate households of retirement age are already present in the Borough, this should also be viewed within the context of Table 5. **which demonstrates over 60% of households in the Parish are under-occupied with 2+ bedrooms beyond their occupiers needs. This figure increases to over 80% when including 1+ bedrooms.**

5.21 The 2021 Census serves to demonstrate that Finchampstead has an ageing population with a high number of households exhibiting under-occupancy. The provision of age-restricted low rent accommodation would provide a substantial benefit to the Borough's housing supply serving to release existing under-occupied housing stock locally for older persons or those without dependents. This is an effect on local housing supply explicitly acknowledged in the FNP (as per paragraph 5.14 of this statement). Regardless the units without this evidence would contribute to the need identified in the SHMA up until 2036.

5.22 In conjunction with the Council's present lack of a 5-year supply of housing, the contribution to providing homes to residents of the borough this should be afforded substantial weight in favour of the development, contributing to the creation of inclusive communities. Any previous arguments of the SDL meeting this need are unfounded owing to the fact the C3 units are not age-restricted (they can be occupied by anyone at anytime) Other aspects of Sustainable Development are to be addressed elsewhere in this statement however, the need for the development itself is beyond doubt.

<b>Metric</b>	<b>Number (Persons)</b>	<b>Percentage of all usual residents</b>
<b>All usual residents aged 16 years and over</b>	9,441	N/A
<b>Economically inactive (total)</b>	3,593	38.05%
<b>Economically inactive (retired)</b>	2,466	<b>26.12%</b>

**Table 3. Economic Activity Status of Finchampstead Population from ONS (TS066 Census 2021)**

Metric	Number (Households)	Percentage of Households
<b>All Households</b>	4,541	N/A
<b>One-Person Households</b>	884	19.47%
<b>Single Family Households</b>	3,464	76.28%
<b>Other Household Types</b>	193	4.25%
<b>One-Person Households Aged 66 Years or Over</b>	459	<b>10.11%</b>
<b>Single Family Households Aged 66 Years or Over</b>	662	<b>14.58%</b>
<b>Other Household Types Including all Full-Time Students and Aged 66 Years or Over</b>	117	2.58%

**Table 4. Household Composition in Finchampstead Households (TS003  
Census 2021)**

<b>Metric</b>	<b>Number (Households)</b>	<b>Percentage of all usual residents</b>
<b>All Households</b>	4,537	N/A
<b>Occupancy rating of bedrooms</b>	<b>Number (Households)</b>	<b>Percentage of all usual residents</b>
<b>+2</b>	2,866	<b>63.17</b>
<b>+1</b>	1,106	<b>24.38</b>
<b>0</b>	497	10.95
<b>-1</b>	62	1.37
<b>-2</b>	6	0.13

**Table 5. Occupancy Rating for Bedrooms by Households in Finchampstead (TS052 Census 2021)**

5.23 **Principle of Development:** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

5.24 The Development Plan, in this instance, comprises the following:

- Adopted Core Strategy Development Plan Document (2010) ('CS');
- Wokingham Borough Managing Development Delivery Local Plan (2014) ('MDD') and;
- Finchampstead Neighbourhood Plan (September 2023) ('FNP')

5.25 It must be noted that Wokingham Borough Council are updating their Local Plan. This Local Plan has not been adopted yet and therefore less weight can be given to it however, relevant policies are still required to be given weighting in the consideration of the application.

5.26 The stationing of mobile homes does not fall under the term operational development for the purposes of S55 of the Town and Country Planning Act (the Act) and as such the determination of this application pertains to the assessment of the change of use of the land in question.

5.27 Policy TB05 of the MDD seeks for proposals for residential development to provide an appropriate housing mix which reflects a balance between the underlying character of the area and both the current and projected needs of households. Paragraph 3.19 of the MDD notes caravans and mobile homes are a residential use to this extent and paragraph 3.20 goes onto state proposals for caravans and mobile homes will be assessed on a site-by-site basis.

5.28 Policy CP2 of the Local Plan seeks to ensure that new development contributes to the provision of sustainable and inclusive communities to meet long term needs. This policy states that planning permission will be granted for proposals that address the requirements of various population groups including an **ageing population**, particularly in terms of **housing**, health and wellbeing.

5.29 As has been demonstrated in the previous section the proposed accommodation would meet the need of the ageing population within the Parish and the Borough (being a specialist type of accommodation by definition). The condition of restricting occupancy to those over the age of 55 (and or their partner/a single dependent) would ensure the housing could only support an ageing population meeting the objectives and criteria of CP2 and TB05. CP2 is clear that planning permission **will be granted** for this type of development, as such if the LPA requires a planning balance to be undertaken compliance with CP2 would weigh substantially in favour of the development.

5.30 Notwithstanding, the above it is acknowledged the application site is beyond any settlement boundary and as such CC02 of the CS and CP11 of the MDD is relevant. CP11 seeks to protect the separate identity of settlements and maintain the quality of the environment. CP11 states development would not normally be permitted except in certain circumstances.

5.31 None of the circumstances listed in CP11 would apply to the proposal, however the development would align with the aims of the policies. Notably, the application site itself does not feature a high level of environmental quality being comprised of a dwellinghouse and its maintained curtilage (comprising previously developed land as per the NPPF 'PDL').

5.32 The existing site features a significant amount of hardstanding and ancillary buildings. Caravans are also present in the south-eastern corner of the site. Any ecological or countryside appearance purely arises from the residential lawn (grass) surrounding the curtilage and does not form part of any wider landscape.

5.33 The site is enclosed by woodlands to the east (outside of application site boundary) and a neighbouring caravan site to the south/south-west and as such any development of the site is not likely to enable any future development to the east (towards Finchampstead). Policy GS1 of the FNP specifically provides locations that contribute to the settlement gaps within the Parish. The application site is not within or adjacent to any of these identified sites. As such, the development of the site (comprising PDL) being enclosed by woodland and other development would in no way undermine the objectives of CP11 of the CS and GS1 of the FNP.

5.34 It should be noted CC02 allows development in the countryside adjacent to development limits where it respects the transition of built-up areas and the countryside. The nature of the development would respect the development limits of both Finchampstead and Arborfield SDL owing to the fact the locality already features residential development and that development cannot continue any further east in the future (there is no access beyond the private track other than a footpath). The site does not expand into any areas not considered PDL.

5.35 The development is particularly sympathetic to the environmental qualities of the surrounding countryside owing to the mobile homes being a single storey and of a modest size whilst the site itself is not publicly visible from the main road. To be explicit, the site itself cannot be considered to comprise any relevant countryside or verdant character featuring several buildings and hardstanding – the

proposal would provide more native hedgerow species and increased soft landscaping appropriate to the location, improving environmental quality compared to existing site circumstances.

- 5.36 It should be noted the NPPF does not provide an 'in principle' general resistance to development in the countryside purely owing to its location. Paragraph 180 of the NPPF states planning policies and decisions should contribute to and enhance the natural environment by: protecting and enhance valued landscapes and as stated by 'recognising' intrinsic character and beauty. This is not the same as all areas of the countryside being protected in principle or the assumption that all areas of the countryside are intrinsically beautiful, the impact to the countryside is a character/landscape consideration to be assessed.
- 5.37 The proposal would not conflict with the aims of CC02 and CP11 of the Local Plan. This assessment would align with an inspectors reasoning for the application of CP11 in allowed appeal decision **APP/X0360/W/23/3331651** (dated 06/03/2024) (Appendix 1) which stated that in paragraph 10 "*the reference to schemes not 'normally' being permitted seems to be a deliberate insertion aimed at providing some flexibility. This may, perhaps, be in circumstances where a scheme does not quite align with all the criteria in the policy but would nevertheless maintain the quality of the environment*". This decision aligns with the appeal decisions provided in the previous submission detailing the flexibility of this policy, and these have also been provided with this application (Appendices 2 – 6).
- 5.38 The development would align with the objectives of CP11 preserving the separate identity of the settlements and maintaining the quality of the environment, as such it represents a development which complies with CP11.

5.39 Notwithstanding the above, the emerging Local Plan is updating policy CP11 in the form of SS13. This policy will seek to include previously developed land within the exceptions of the countryside policy. The site comprises a dwellinghouse and its curtilage, and therefore the land would be considered previously developed land, aligning with the aims of this policy.

5.40 In summary, the proposal would align with the aims of policies CP11, CC02 of the Local Plan and AHD1 of the Finchampstead Neighbourhood Plan. Material considerations also weigh in favour of this development. The proposal would also comply with policies SS13 of the emerging Local Plan. Although this is given less weight also comprises part of the policies to be considered for the application.

5.41 **Sustainable Development:** Policies CP1, CP4, CP6, CP9 of the CS seek to base development where it has sustainable credentials in terms of access to local facilities and services.

5.42 The site is within 0.25km of the Arborfield SDL boundary, approved as a sustainable mixed-use development including the delivery of around 3500 dwellings, employment, appropriate retail facilities, social/physical infrastructure, measures to maintain the separation of settlement boundaries and notably measures to improve accessibility by non-car transport modes.

5.43 Therefore, due to the application site being located opposite the development boundary for the Arborfield SDL, it is considered to be a sustainable location in terms of access and services. The site features a cycle store and is also in close proximity to pedestrian footpaths and pavements, enhancing its accessibility.

5.44 It should be noted that since the submission of the previous application the reserved matters for the facilities and services of the

SDL comprising its District Centre have since been approved (Application Ref. 230872 approved on 17/10/2023).

5.45 As stated in the previous application the development itself is sited 0.25km from the settlement boundary of the SDL. The distance of the District Centre from the application site is circa 1km, when following the footpaths comprising the Public Open Space that is being provided as part of the wider SDL development. Otherwise, the District Centre itself is to provide 18 Class E units and a community centre with a café.

5.46 This distance from the SDL boundary is endorsed by the National Design Guide (NDG) stating that 'walkable' distances to facilities and services are generally considered to be no more than a 10 minute walk (800m radius). However, the Manual for Streets ('MfS') also clarifies this is not an upper limit as journeys up to 2km from these areas offers the greatest potential to replace short car trips.

5.47 The previous Officer Report identified hourly bus services, however, no acknowledgement was provided of the access to the Public Open Space and its connectivity to the District Centre (featuring footpaths and the ability to cycle off the main road).



**Figure 2. Publicly Available Image of Pedestrian Access to SDL Open Space and District Centre (Application site entrance to left of photo)**

5.48 As such, there are alternatives to the use of private car which requires consideration by the LPA. It should be noted that whilst this would not completely remove the use of a private car for occupiers however, paragraph 109 of the NPPF is clear that "*opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both planning and decision-making*".

5.49 Likewise, the quantum of development and its density needs to be considered in concluding the proposal would provide significant harm to sustainability objectives. The condition to the occupancy of the units would be for 1-2 individuals per unit with only a single parking space being provided. The NPPG is clear this form of accommodation is also occupied by older persons described as 'active elderly' who would take advantage of the sustainable modes of transport. With the development largely accommodating retired occupants (secured by condition) there would be no need for travel movements for work to be considered.

5.50 For clarity an example condition from other over 55s permissions has been provided below (example from an appeal decision elsewhere):

*"Each mobile home hereby permitted shall be occupied only by;*

- (i) A person aged 55 years or over;*
- (ii) A person aged 50 years or older living as part of a single household with the above person in (i); or*
- (iii) A person aged 50 years or older who were living as part of a single household with the person identified in (i) who has since died".*

This example condition allows the LPA flexibility and enforceability for the occupation of the units and ensures vehicle movements would reflect households (whether a single or two persons) requiring only a single parking space.

5.51 In the context of the site being located amongst other residential development whose occupiers are able to access shops/services in the same way, the location of the site could only be considered sustainable in its context and appropriate for this specific form of development. The proposal is therefore considered to be sustainable development in accordance with the NPPF and Local plan.

5.52 **Character and Appearance of the Area:** Policy CP3 requires development to be appropriate to the character of the area and be of a high-quality design. To this extent the locality comprises a semi-rural location with residential development. The lawful use for the site comprises a dwellinghouse and an ancillary mobile home. Part of the site is covered by hardstanding, which comprise the driveway leading to the house.

5.53 Policy D2 of the Neighbourhood Plan seeks to maintain the separation of settlements and to complement the characteristics of the landscape in the immediate locality through retaining the proportion, scale and space between residential buildings, and the use of appropriate plant species in a comprehensive landscape scheme with appropriate boundary treatments to integrate with the rural character.

5.54 The site is not located adjacent to Commonfield Lane but is rather accessed via a private track. Although the development would be different to the bricks and mortar neighbouring properties, the site boundary also adjoins an 8-pitch caravan park (Honeysuckle Lodge).

5.55 The locality features various caravan and mobile home sites. Examples of this include California Country Park and Robinson Crusoe Park. Therefore, the development would be in keeping with the character and appearance of the area, as it is already in an area with residential development and static mobile home units. Regardless

being single storey and screened their visual impact would be unintrusive maintaining the characteristics of the area.

5.56 Notwithstanding the above, the development features landscaping enhancements providing indigenous shrub species and consolidates the amount of hardstanding on site to preserve and enhance the semi-rural nature of the location as much as possible.

5.57 **Residential Amenity – Overlooking, Loss of Light and Overbearing:** Policy CP3 seeks to protect neighbouring residential amenities. The closest neighbouring properties are the chalet located to the north-east of the site, 'The Finches' and the caravans present and Honeysuckle Lodge.

5.58 The caravans would be single storey and would therefore not be able to look over any neighbouring properties or their private amenity space. The caravans would be sat back from the shared boundary, away from the adjoining properties. It is considered there would be an appropriate separation distance between the neighbouring properties and the caravans.

5.59 **Trees and Landscaping:** No protected trees can be found on site. The proposed landscaping plan would provide native tree and hedgerow species.

5.60 The woodland to the east of the site is not to be impacted by the development and as such the proposal would provide an enhancement to the site appropriate to its semi-rural location. Should it be required a parameters plan can be provided to the LPA to provide conditional control to the eastern area of the site (whilst not being developed it would be within the applicant's ownership). Any tree protection conditions could also address this matter.

- 5.61 Land located in the eastern side of the site will be landscaped to reduce the surface water runoff to the SSSI which adjoins the site.
- 5.62 **Transport and Parking:** Policy CC07 of the MDD requires development to provide parking spaces as per Appendix 2 of the MDD. Nevertheless, Appendix 2 does not provide details on parking standards for caravan or mobile home units.
- 5.63 As per the proposed layout, one parking space has been assigned to each unit, with additional 6 parking spaces provided for visitors. This was deemed acceptable by the Highway Authority in the previous application.
- 5.64 Due to the proposal being a low-density residential development, it is not anticipated the development would result in severe highway impacts.
- 5.65 **Cycle Provision:** The proposal shows a potential location for a communal cycle storage. However, each unit will have its own private garden where occupiers can store cycles in their own unit. Cycle provision can be secured by way of condition.
- 5.66 **Refuse Provision:** The proposal details the location of a communal bin store adjacent to the site entrance. This provides a location with adequate access for refuse collection vehicles and any further details can be secured by way of condition.
- 5.67 **Drainage and SuDS:** The application site does not fall within a designated surface water flood zone. The current site is partly hardstanding and therefore non permeable.
- 5.68 It was raised in the previous application that the development impact the neighbouring SSSI by way of surface water runoff. However, the consultee comment acknowledged that details of a drainage management plan could be addressed by condition.

5.69 Notwithstanding the fact that where matters can be conditioned implies this is not a reason for refusal, it should be noted that the reduced number of mobile homes and layout has been considered to provide a large area of soft landscaping adjacent to the SSSI and north of the site.

5.70 The larger areas of soft landscaping should allow for soakaways of sufficient volume to be installed in this area should it be required. In conjunction with permeable paving and the reduction in hardstanding on the site, the Council should be able to condition any required details as the capacity to mitigate any run off has been demonstrated.

5.71 Furthermore, mobile homes typically feature water butts to capture any run off, as such there is no question that an acceptable drainage is able to be provided.

5.72 Any condition could be worded to be pre-commencement and its reasoning clear in order to go to the 'heart' of the permission to ensure it was discharged prior to the commencement of any development.

5.73 **Contamination:** The application site is in a mixed use comprising residential and caravan uses. There are no known previous uses, development, or reasons to indicate the land has any form of contamination which is a barrier to the proposal.

5.74 **Ecology and Special Protection Area:** As per Policy CP3 of the Core Strategy, development proposals will be granted where they have no detrimental impact upon Ecology. CP7 follows to state that the degree of protection afforded to biodiversity designations will be appropriate to their status. In particular, development which may harm Local Wildlife sites will only be permitted where it can be clearly demonstrated that the need for the proposed development outweighs the need to safeguard nature conservation.

5.75 The application is accompanied by an ecological impact assessment. This EIA details there to be no residual impacts on habitats on site and that the buildings to be demolished offer negligible suitability for roosting bats and there is to be no residual impacts on terrestrial mammals.

5.76 The application site is within the Thames Basin Heath SPA 5Km zone. The Council and Natural England have produced an avoidance strategy to prevent disturbance to the SPA. Paragraph 3.8 of the strategy states that mobile or temporary dwellings may be required to contribute towards avoidance measures.

5.77 The applicant is willing to enter into a Section 106 Obligation to provide contributions to provide SANG contributions in order to not adversely affect the integrity of the SPA.

5.78 **Affordable Housing:** Core Strategy policy CP5 requires proposals for 5 dwellings or more locate outside a development location to deliver 40% affordable housing. However, the policy does not extend to caravan site development and is therefore not applicable. Nevertheless, by their very nature, mobile home caravan development are more affordable units to purchase.

5.79 Furthermore, the revised NPPF has explicitly sought to address this by stating; "*Provision of Affordable housing should not be sought for residential developments that are not major developments*" in paragraph 65. The provision of Affordable housing should not be sought for residential developments that are not major developments. The framework defines major development, for housing, as development where 10 or more units will be provided.

5.80 In this case, the proposal would deliver 9 units. Therefore, the proposal would fall below the threshold.

5.81 **Community Infrastructure Levy:** The application does not seek to erect any buildings with the static mobile home units not being 'buildings' for the purposes of both the Town and Country Planning Act 1990 (as amended) and the Community Infrastructure Levy Regulations 2010 (as amended). As such there is no CIL liable built floorspace within the development proposed. The relevant forms are completed with the application.

## 6. Conclusion

- 6.1 This statement has demonstrated that the proposed development is acceptable in principle and makes an efficient use of land.
- 6.2 Material planning considerations have been carefully considered and analysed, as evidenced in section 5 of this statement and the supporting plans and documents. It is considered the proposed development would contribute an appropriate windfall site to the Borough's housing supply, without adverse effect on the character of the area or the amenity of neighbouring residents.
- 6.3 Regardless of complying with relevant local and national policies, the benefits of the scheme are ubiquitous particularly in the context of the Council's 3.2 year supply of housing and a local ageing population. The provision of age-restricted mobile homes will not only provide a contribution to this supply but also free up existing housing stock beyond the benefit of providing dwellings in the first instance. Owing to its quantum and nature (mobile homes being brought to site) the benefits of the development would be able to be realised in quickly (not being required to be built out) whilst utilising previously developed land.
- 6.4 It is considered that the proposed scheme complies with relevant Development Plan Policies and is further supported by National

Guidance. Therefore, it is respectfully requested that planning permission is granted.

**Will Hossack BSc MSc**

Senior Planner | ET Planning

200 Dukes Ride Crowthorne RG45 6DS

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**CIL**  
**Enforcement**  
**Land Promotion**  
**Planning**  
**Sequential Tests**  
**Viability**

## Contact

### Address

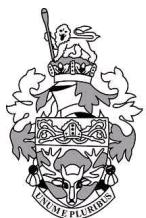
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**WOKINGHAM  
BOROUGH COUNCIL**

## **TOWN AND COUNTRY PLANNING ACTS**

**TOWN AND COUNTRY  
PLANNING (ENGLAND) 1990**

Will Hossack  
ET Planning  
200 Dukes Ride  
Crowthorne  
RG45 6DS

### **NOTIFICATION OF REFUSAL OF PLANNING PERMISSION**

**Application Number:** 240788  
**Applicant Name:** Sid Nunns  
**Site Address:** Bluebell Farm, Commonfield Lane, Barkham, Wokingham, RG40 4PR  
**Proposal:** Full application for change of use of the land for stationing of 9no. mobile homes for permanent residential use for people over the age of 55 years  
**Date of Decision:** 28 May 2024

Wokingham Borough Council in pursuance of its powers under the above Acts and Regulations hereby **refuses permission** for carrying out the above development as stated in the application and the accompanying plans submitted to the Council for the reason(s) specified hereunder.

#### **Reasons**

1. Principle of Development – The site is in the Countryside where the housing provision for 55+ years is expected to be met by the Arborfield Garrison SDL allocation. As such the proposal is unsustainable, unjustified, and unnecessary development in the countryside contrary to the National Planning Policy Framework 2023, policies CP2 and CP11 of the Core Strategy 2010 and policies CC01 and CC02 of the Managing Delivery Development Local Plan 2014.
2. Unsustainable Location - The application site is within an unsustainable location that would not encourage a modal shift towards sustainable modes of transport, by reason of the countryside location outside of settlement limits, distances to facilities and services, limited public transport links and poor quality of the walking/cycling environment, contrary to the National Planning Policy Framework (2023), policies CP1, CP2, CP3, CP6 and CP11 of the Core Strategy, CC01 and CC02 of the Managing Delivery Development Local Plan 2014.
3. In the absence of adequate Arboricultural details in the form of an AIA it has not been demonstrated the proposed development would not have a detrimental impact

upon the existing trees. This is contrary to Section 15 of the National Planning Policy Framework 2023, Policies CP1 and CP3 of the Core Strategy 2010 and Policies CC03, and TB21 of the Managing Development Local Plan 2014.

4. The proposal does not make adequate provision for on-site affordable housing, contrary to Policies CP1 and CP5 of the Core Strategy 2010, Policy TB05 of the Managing Development Delivery Local Plan 2014 and the Affordable Housing Supplementary Planning Document.

5. 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 development would be contrary to Policy NRM6 of the South East Plan, Core Strategy Policies CP7 and CP8, and the National Planning Policy Framework 2023.

## **Informatics**

1. If you intend to submit an appeal to be considered as a Public Inquiry you must notify the Local Planning Authority ([planning.appeals@wokingham.gov.uk](mailto:planning.appeals@wokingham.gov.uk)) and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before you submit the appeal.

2. This decision is in respect of the drawings and plans numbered:

Location Plan, Landscape Proposals Plan Bluebell Farm, Site Plan 2307072 01D Site Layout, Swept Path Analysis 2307072 TK01D Fire Tender, Site Layout as Existing 202316500 Site Layout As Existing Red Line, Appeal Decision for 234 Homes Appendix 1, Appeal Decision for Change of Use Appendix 2, Appeal decision for conversion of existing annex building into an independent dwelling Appendix 3, Appeal decision for change of use of building and the land to a mixed use of equestrian and dog day care (Retrospective) Appendix 4, Appeal decision for change of use from residential curtilage to parking Appendix 5, Appeal decision for the erection of four x 3 bed dwellings Appendix 6, Planning Design and Access Statement 20240306 Statement ETP230203 NFWH Final received on 27/03/2024.

Ecological Impact Assessment dated 28/03/2024.

3. The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, no pre-application advice was sought before the application was submitted. As the proposal was clearly contrary to the provisions of the Development Plan, it was considered that further discussions would be unnecessary and costly for all parties.

Signed

*M Head*

Marcia Head  
Head of Development Management - Place & Growth  
Date: 28 May 2024

**PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW**



**WOKINGHAM  
BOROUGH COUNCIL**

## **TOWN AND COUNTRY PLANNING ACTS TOWN AND COUNTRY PLANNING (ENGLAND) 1990**

**Other statutory legislation:** This decision notice relates to the above stated acts and regulations only and does not constitute approval under any other legislation.

**The Town & Country Planning (Development Management Procedure) Order:** This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) and in the requirement to work with the applicant in a positive and proactive manner.

**Officer Report:** An officer report explaining the decision will be available to view online.

**Purchase notices:** If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council which will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

**Appeals to the Secretary of State:** If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990). This must be within the timeframes set out below. Please note an extension of time for lodging an appeal is unlikely to be granted except in special circumstances.

**12 weeks from the decision date above** in the case of a refusal of a 'householder' application:  
Being the refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house; or,  
Being the refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.

**12 weeks from the decision date above** in the case of a refusal of a 'minor commercial' application:  
Being the refusal of an application for development of an existing building or part of a building currently in use for purposes in Use Classes A1, A2, A3, A4 and A5

where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.

**6 months from the decision date above** in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building/conservation area consent application.

**6 months from the decision date above** in the case of any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government. The Inspectorate has an online appeals service with information and guidance about the process. You can submit [full application appeals](#) and [householder application appeals](#) with the new appeals service. [Other application types](#) should be submitted on the current appeal service. Alternatively, you can obtain a form from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, 0303 444 5000 or through the [Inspectorate's website](#). Please note all documents will be published online by the Planning Inspectorate and therefore you should not include personal information you do not wish to be displayed in this way. This includes personal information of third parties.

**In the event of a grant of planning permission, please note the following:**

**Community Infrastructure Levy (CIL):** When planning permission is granted for a development that is CIL the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing 'Form 2', the assumption of liability notice, is a statutory requirement for the liable party(ies) to be completed for all CIL liable applications. Advice on how the Regulations may impact you and how you can properly discharge the relevant legal requirements including paying any relevant CIL charge that may be due is available on our [Community Infrastructure Levy advice \(wokingham.gov.uk\)](#) website pages.

**Discharge of Conditions:** This consent may contain conditions that require further approval by submission of an application for approval of details reserved by condition and the appropriate fee. Application forms can be obtained for this purpose by visiting the [Planning Portal](#).

**Street Naming and Numbering for new dwellings:** If this notice relates to approval of new dwellings, please ensure that you contact the Council at least 16 weeks before the commencement on site to arrange for an address and post code to be allocated. Details can be obtained from [streetnamingandnumbering@wokingham.gov.uk](mailto:streetnamingandnumbering@wokingham.gov.uk). Failure to contact the street naming and numbering department at least 16 weeks before commencement on site will result in the addressing and post code for the development being delayed.

**Access to privately owned land:** The applicant is reminded that this permission does not give right of entry to land not in the ownership of the applicant. Permission must be sought from any other landowner(s) if access is required.

**Gas Mains and Services:** Building over a gas main or service that is located within your site could cause damage to pipework or potential gas leaks within buildings. You should check for information relating to services within your site at [Home - LinesearchbeforeUdig \(lsbud.co.uk\)](#) and contact the Plant Protection Team at SGN on 0800 912 1722 or [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk).

**Building Regulations:** The development subject to this permission may also require Building Regulation approval to ensure it is built to national safety, design, and environmental standards. The Council's Local Authority Building Control (LABC) service offers a full range of plan approval, inspection, and associated services through an ISO9001 nationally accredited team of qualified building surveyors. These surveyors work closely with the Council's planning department to ensure the appropriate construction of your build. To find out more visit the Council's [Building Control website](#) or call 0300 790 0580 to speak to a member of the team.

**Fire Regulations:** In accordance with the Berkshire Act 1986, when Building Regulation applications are submitted for building(s) or extensions, the Local Authority will reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show the following:

- i) That there will be adequate means of access for the fire brigade to the building(s) or the extended building(s); and,
- ii) That the building(s) or extension(s) will not render inadequate any existing means of access for the fire brigade to a neighbouring building.

**Biodiversity Net Gain:** The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wokingham Borough Council.

**Biodiversity Net Gain Exemptions and Transitional Arrangements:** There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are set out in [paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990](#) the [Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#). and [The Environment Act 2021 \(Commencement No. 8 and Transitional Provisions\) Regulations 2024](#).

**Biodiversity Net Gain Irreplaceable Habitat:** If the onsite habitat includes irreplaceable habitat (within the meaning of [The Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) there are additional requirements. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

**Biodiversity Net Gain Section 73(2D):** If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted. Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

**Biodiversity Net Gain Phase Development:** If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024](#) apply. In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

## DELEGATED OFFICER REPORT



**WOKINGHAM  
BOROUGH COUNCIL**

<b>Application Number:</b>	240788
<b>Site Address:</b>	Bluebell Farm, Commonfield Lane, Barkham, Wokingham, RG40 4PR
<b>Expiry Date:</b>	29 May 2024
<b>Site Visit Date:</b>	14 May 2024
<b>Proposal:</b> Full application for change of use of the land for stationing of 9no. mobile homes for permanent residential use for people over the age of 55 years	

### **PLANNING CONSTRAINTS/STATUS**

Countryside  
Contaminated Land Consultation Zone  
Affordable Housing Thresholds  
Bat Roost Habitat Suitability  
Farnborough Aerodrome Consultation Zone  
Great Crested Newt Consultation Zone  
Nuclear Consultation Zone  
Public Open Space  
Land Terrier  
SSSI Impact Risk Zones  
Thames Basin Heaths SPA Mitigation Zones – 5km Zone  
PRoW Within WB Consultation Zone  
Local Nature Reserves Consultation Zone  
Local Plan Update Submitted Sites

### **PLANNING POLICY**

<b>National Policy</b>	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
<b>Core Strategy (CS)</b>	CP1 – Sustainable Development CP3 – General Principles for Development CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP8 – Thames Basin Heaths Special Protection Area CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits CP17 – Housing Delivery
<b>MDD Local Plan (MDD)</b>	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees, and Landscaping CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk

	CC10 – Sustainable Drainage TB05 – Housing Mix TB06 – Development of Private Residential Gardens TB07 – Internal Space Standards TB21 – Landscape Character TB23 – Biodiversity and Development
<b>Joint Minerals and Waste Plan (JMWP)</b>	DM1 - Sustainable Development DM2 - Climate Change – Mitigation and Adaptation DM3 - Protection of Habitats and Species DM4 - Protection of Designated Landscape DM5 - Protection of the Countryside DM10 - Flood Risk DM13 - High Quality Design of Minerals and Waste Development DM15 - Site History
<b>Other</b>	Borough Design Guide Supplementary Planning Document Finchampstead Neighbourhood Development Plan CIL Guidance

<b>PLANNING HISTORY</b>		
Application No.	Description	Decision & Date
F/1995/63171	Proposed demolition of existing dwelling and erection of replacement 3no.bedroom dwelling	Refused 05/03/1996
F/1997/65373	Proposed single storey side and rear extensions to dwelling	Approved 07/05/1997
F/1997/66278	Proposed erection of replacement dwelling	Approved 21/11/1997
F/1998/67969	Proposed erection of dwelling – amendment to F/1997/66278	Approved 24/08/1998
F/2000/2015	Proposed erection of detached double garage and installation of velux windows in roof of dwelling (Retrospective)	Approved 04/09/2000
152107	Application for a certificate of existing lawfulness for the use of existing chalet or mobile home as separate residence to the main dwelling.	Refused 08/01/2016 Appeal Allowed 20/01/2017
222373	Application for a certificate of existing lawful development for change of use of land to a caravan site.	Refused 06/10/2022
223783	Full application for the proposed erection of 1no. replacement dwelling and car port, following demolition of existing dwelling.	Approved 10/03/2023
231330	Full application for the proposed change of use of land for stationing no. 14 static mobile home caravans for permanent residential use following demolition of existing dwellinghouse.	Refused 16/08/2023
232420	Application for submission of details to comply with the following conditions of planning consent	Approved 16/11/2023

	223783 dated 10/03/2023. Condition 3 relates to materials, 6 to electric vehicle charging, 7 to cycle parking and 9 to tree protection.	
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## CONSULTATION RESPONSES

### Internal

WBC Highways – Recommend Refusal  
 WBC Economic Prosperity & Place (Community Infrastructure) – Recommend Refusal  
 WBC Environmental Health – Request for additional information prior to determination  
 WBC Drainage – Request for additional information prior to determination  
 WBC Landscape and Trees – Request for additional information prior to determination  
 WBC Growth & Delivery (Planning Policy) – Advisory comments received  
 WBC Ecology – No comments received  
 WBC Public Rights Of Way – No comments received  
 WBC CIL – No comments received  
 WBC Cleaner and Greener – No comments received

### External

Natural England – No objection subject to appropriate mitigation  
 Royal Berkshire Fire & Rescue – Advisory comment received  
 Ramblers Association – No comments received  
 Civil Aviation Authority – No comments received  
 Open Spaces Society – No comments received  
 Thames Water Utilities Ltd – No comments received  
 Berks, Bucks & Oxon Wildlife Trust – No comments received  
 South East Water – No comments received

## REPRESENTATIONS

Finchampstead Parish Council	<ul style="list-style-type: none"> <li>Object to proposal</li> <li>Development in the Countryside contrary to Finchampstead Neighbourhood Development Plan Policies ADH1 and ADH2</li> <li>Contravenes Thames Basin Heath</li> <li>Increased traffic burden onto Commonfield Lane and safety issue for pedestrians</li> <li>Concerns on the access directly onto the Greenway and bridle path which is also a popular walk-to-school route.</li> </ul>
Ward Member(s)	No comments received
Neighbours	<p><u>Two neighbour comments received:</u></p> <ul style="list-style-type: none"> <li>Object to proposal</li> <li>The current submission does not overcome the previous reasons for Refusal</li> </ul>

## APPRAISAL

### Site Description:

The application site is accessed from the southern side of Commonfield Lane and comprises 2no. residential dwellings. Part of the application site is in use as a Caravanning Park on a seasonal basis and this is permitted development. When not in use the site is a residential plot with one dwelling and an ancillary mobile home. Other permanent residential caravans on site are unlawful.

### Planning History:

A Certificate of Existing Lawfulness Use was refused on 6 October 2022 under ref: 222373 for the change of use of the land to a caravan site, with the reason pertaining to on the balance of probability it had not been demonstrated that the use of the land as a caravan site had been ongoing for a continuous period of at least ten years.

Planning permission was refused on 16 August 2023 under ref: 231330 for the proposed change of use of land for stationing no. 14 static mobile home caravans for permanent residential use following demolition of existing dwellinghouse. This was not appealed.

The reasons for refusal are listed below:

- 1. Principle of Development – The site is in the Countryside where the housing provision for 55+ years has already been met by the Arborfield Garrison SDL allocation. As such the proposal is unsustainable, unjustified, and unnecessary development in the countryside contrary to the National Planning Policy Framework 2021, policies CP2 and CP11 of the Core Strategy 2010 and policies CC01 and CC02 of the Managing Delivery Development Local Plan 2014.*
- 2. Unsustainable Location - The application site is within an unsustainable location that would not encourage a modal shift towards sustainable modes of transport, by reason of the countryside location outside of settlement limits, distances to facilities and services, limited public transport links and poor quality of the walking/cycling environment, contrary to the National Planning Policy Framework (2012), policies CP1, CP2, CP3, CP6 and CP11 of the Core Strategy, CC01 and CC02 of the Managing Delivery Development Local Plan 2014.*
- 3. 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 development would be contrary to Policy NRM6 of the South East Plan, Core Strategy Policies CP7 and CP8, and the National Planning Policy Framework 2021.*
- 4. The proposal does not make adequate provision for on-site affordable housing,*

*contrary to Policies CP1 and CP5 of the Core Strategy 2010, Policy TB05 of the Managing Development Delivery Local Plan 2014 and the Affordable Housing Supplementary Planning Document.*

5. *Insufficient information has been submitted in respect of environmental enhancements, drainage, and hard and soft landscape. As such the scheme is contrary to policies CP3, CP7 and CP11 of the Core Strategy 2010 and policies CC09, CC10, TB21 and TB23 of the Managing Development Delivery Local Plan 2014.*

**Proposal of Description:**

The proposal seeks planning permission for the change of use of the site to a residential mobile home caravan site (residential park home site) following the demolition of the existing dwellinghouse located in the centre of the site and the removal of the ancillary mobile home. This will accommodate the siting of 9no. static mobile home caravans for permanent residential use for over 55+ years. The Planning Statement refers to each unit having their own private garden and parking spaces.

**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.

This site lies outside of Settlement Limits and is therefore within the countryside for planning policy purposes. The key considerations relating to the principle of this proposed development are:

- Development Plan policy position
- Emerging Local Plan Update
- Neighbourhood Plan
- Housing land supply position
- National Planning Policy/Guidance and sustainable development

As a starting point, planning law requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise.

In this case the relevant development plan for the area is the Wokingham Borough Core Strategy 2010 (Core Strategy), the Wokingham Borough Managing Development Delivery Document 2014 (MDD) and Central and East Berkshire Joint Minerals and Waste Plan, at a national level the National Planning Policy Framework (NPPF) constitutes guidance which the Local Planning Authority (LPA). The NPPF does not change the statutory status of the development plan as the starting point for decision making but is a material consideration in any subsequent determination.

**Development plan policy position**

It is necessary to identify those relevant local development plan policies within the

Core Strategy, MDD and Central and East Berkshire Joint Minerals and Waste Plan are most applicable for the type of development proposed and its location.

### **Spatial strategy - Countryside**

The spatial strategy for the borough is contained within the Core Strategy. The application site falls within designated countryside outside of the settlement boundary and any residential development would have to be in accordance with local and national policies. Policy CP11 of the Core Strategy relates to proposals outside such development limits. It is a restrictive policy designed to protect the separate identity of settlements and maintain the quality of the environment. Policy CP11 states that proposals outside of development limits will not normally be permitted except (summarised):

- 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 encroachment or expansion of development away from the original buildings; and
- 3) It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement; or
- 4) In the case of residential extensions, does not result in inappropriate increases in the scale, form, or footprint of the original building;
- 5) In the case of replacement dwellings the proposal must:
  - i) Bring about environmental improvements; or
  - ii) Not result in inappropriate increases in the scale, form, or footprint of the original building.
- 6) Essential community facilities cannot be accommodated within development limits or through the re-use/replacement of an existing building;
- 7) Affordable housing on rural exception sites in line with CP9.

Criteria 1, 2 and 3 are not met as the proposal is not a rural enterprise and is not a conversion or a replacement building. Criteria 4, 6 and 7 are not relevant to the proposal. Criteria 5 is relevant. The Council considers the change of use of the land and the introduction of 9no. mobile homes, hard surfacing, residential paraphernalia across the whole site is inappropriate development in terms of built form and the scheme does not bring environmental improvements. Criterion 5(ii) is not comparable to the existing building on site in respect of footprint and form, but the scale of the proposal is relevant in terms of introducing more dwellings in the form of residential caravans i.e. Intensification of the residential use. In respect of 5(ii) the scheme proposes bird and bat boxes and there is an intention to provide mitigation in respect of the Thames Basins Heath SPA. However, it has not been recognised that following the amendments to the National Planning Policy Framework there is a 10% Biodiversity Net Gain even though the proposal pre-dates the mandatory requirement.

It is recognised that previously developed land in the countryside can be suitable for development however this is providing it is sustainable in meeting the NPPF.

The Planning Statement refers to the proposal providing permanent residential accommodation for the over 55s which would comply with Policy CP2 of the Core Strategy which states planning permission will be granted for developments that address requirements of an ageing population. The statement goes on to say that where there is an absence of a five-year supply of housing it should be considered there is a significant need for the development within the Borough.

The applicant has provided Appeal decisions with the submission which show this, likewise the Wokingham Local Plan update seeks to include previously developed land as part of the update to the countryside policy, as it is inconsistent with national policy which does not protect land outside of settlement boundaries in principle alone.

Paragraphs 63 of the National Planning Policy Framework (NPPF) recognise that planning decisions should consider the size, type and tenure of housing needed for different groups in the community (including older people).

Policy CP2a (Inclusive communities) of the adopted Core Strategy (2010) supports proposals that address requirements of an ageing population, particularly in terms of '*housing, health and well-being*'. The policy ensures that new development contributes towards the provision of sustainable and inclusive communities to meet longer-term needs.

The Council has commissioned Opinion Research Services (ORS) to produce a Local Housing Needs Assessment (LHNA) (November 2023). The LHNA considers specific types of accommodation for different groups, including older people / vulnerable people in the borough. The LHNA assesses the number of households by age group from 2021-2040, and projects an additional 800 households aged 55 to 64. The LHNA sets out the overall need for market housing, including by property size and by sub-area. This application is located within the Southern Sub-Area, where the assessment has identified a projected total need for the Borough. It is expected 658 2-bedroom dwellings would be delivered by the SDL within this period. It is not clear in the applicant's documentation on the breakdown of units by bed size. However, usually a family sized caravan would have a minimum of at least two bedrooms.

The development proposal would provide an opportunity to accommodate a proportion of the borough's population who are aged 55 and over in smaller properties, however no evidence has been provided on the likelihood of Finchampstead residents moving into this type of property or their demand being met as part of plan led development. Nevertheless, this need is expected to be met by housing delivered as part of plan led development i.e. allocated sites, which can meet the needs of this part of the market / population.

This is emphasised at paragraph 60 in the NPPF where it states that "it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed" and "the overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community". This is followed through in the Council's housing need assessment and strategic policies.

The applicant has not demonstrated there is a need for such housing (caravans as a specific housing requirement) in this location and the needs of an ageing population to supply housing under CP2 of the Core Strategy is met. It is recognised that there is an ageing population however there is a need for specialist housing for an ageing population. 55+ years are considered older workers, and the ageing population (65+ years) would also fall within this range. However, migration patterns into the Borough indicate that it is the 65+ years needing specialist accommodation (e.g. retirement housing, housing-with-care, and care homes) whereas 45-65 years in migration is falling. There may be an opportunity to provide for the early retired, but this is expected to be met by the usual housing provision under policy CP3 of the Core Strategy not policy CP2. The projected net need for 2013-36 is 1965 market and 219 affordable housing and in bungalows or flats

(<https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Berks%20SHMA%20Feb%20V2.compressed.pdf> ). This can be found in the Berkshire (including South Bucks) Strategic Housing Market Assessment dated February 2016 (GL Hearn Limited).

The Local Housing Needs Assessment 2022 (November 2023)

<https://www.wokingham.gov.uk/sites/wokingham/files/2024-02/Wokingham%20Local%20Housing%20Needs%20Assessment%202023.pdf> sets out need for the period 2018-2040 and identifies the size, type and tenure of homes that will be needed in the future, the housing needs of different groups, including affordable housing. In this case the application site falls within the Southern Sub-Area of the Borough which is a large area covering the parishes of Shinfield, Swallowfield, Finchampstead, Arborfield and Newland, Barkham, Wokingham Without and parts of Winnersh and includes the Arborfield Garrison Strategic Development Location (SDL) allocation and there is a need for 28% of the total housing requirement within the Sub-Area to be 2-bedroom housing for the period 2018 – 2040. It is expected 658 2-bedroom dwellings would be delivered by the SDL within this period.

Older persons housing need for the Borough which the proposal is also intending to meet in terms of only the age group is based on the Wokingham Borough Council Adult Social Care Market Position Statement 2022- 2023, which indicates that there is zero need as at 2021. Modelling of demography and maintaining the current number of units per thousand population forecasts that between 2021 to 2040 a total of 923 units of sheltered and extra care housing will be required: 311 sheltered units for sale and 348 for rent, along with 66 extra care units for sale and 198 for rent. Wokingham Borough Council pursue a policy of care at home (domiciliary care) to enable older people to remain in their own homes. Increasing domiciliary care could lower the need for sheltered and extra care. It can therefore be concluded that the proposal is not specialist accommodation for the proposed age group and will not meet the needs in terms of specialist housing for 65+ years.

It is noted that the applicant has referred to need within the Finchampstead parish and demonstrates that there is a requirement to provide for 65+ years for the parish however this is already being met by the SDL site with 483 2-bedroom flats and 175 2-bedroom houses (market and affordable) already coming forward. This is presuming that not all the proposed age group i.e. 55 – 65+ years require specialist accommodation and even then, the Council's policy is to provide care in the home.

### **Emerging Local Plan update**

The Local Plan Update (LPU) is at the consultative stage of preparation. The application site is not allocated for residential development. Notwithstanding, given the LPU is at a consultative stage, the draft strategy and related draft policies have limited weight in determining planning applications.

### **Finchampstead Neighbourhood Plan**

Following the previous refused scheme, the Finchampstead Neighbourhood Plan was adopted by the Council on 21 September 2023.

The Parish Council have raised objections that the proposal does not comply with policies ADH1 and ADH2 of the Finchampstead Neighbourhood Plan.

Policy ADH1 states Development proposals within the Development Locations will be supported where they comply with MDD TB06 and development proposals outside the Development Locations will only be supported where they are in accordance with national and Borough planning policies.

Policy ADH2 states Development proposals for independent living housing accommodation for older residents will be supported where they comply with Policy TB09 of the Managing Development Delivery Local Plan.

The Planning Statement refers to the proposal complying with Policy ADH1.

### **Housing Land Supply Position**

The NPPF requires Local Planning Authorities to identify a five-year supply of specific deliverable sites to meet housing needs. The latest published assessment of housing land supply concluded a deliverable supply of 3.2 years at 31<sup>st</sup> March 2023. This means that policies relating specifically to housing delivery in the borough's Core Strategy and MDD (and any made Neighbourhood Plans) are currently considered to be out of date.

Therefore, any application must be considered in line with paragraph 11(d) of the National Planning Policy Framework. This advises that the policies which are most important for determining the application should be deemed out of date and that permission should be granted unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Firstly, in considering i), it must be recognised that the proposed site is not located within any protected areas or assets of particular importance (as outlined above and within footnote 7 and paragraph 181 of the NPPF). As such, officers must consider as part of any forthcoming application whether under ii) there are any adverse impacts generated by the development that would significantly and demonstrably outweigh the benefits. This is referred to as the 'tilted balance,' as harm and benefits are not

weighed equally, but tilted according to paragraph 11(d)ii).

However, in acknowledging the requirements of paragraph 11(d)ii) and the tilted balancing exercise which must be undertaken as a result of paragraph 11 being engaged, the underlying reasons for the shortfall in deliverable sites must also be clearly stated.

The substantive reason for such an identified shortfall is due to significant over delivery of housing in recent years. This has inevitably reduced the bank of planning permissions that remain and therefore the short-term deliverable housing land supply. The shortfall is not a result of past under delivery, but past over delivery. Therefore, given this context, the weight to be attached to any benefits identified should be tempered depending on the scale, location and nature of the particular proposal being considered.

The submitted Planning Statement states the 9no. units would contribute to the Council's Housing Supply and would supply a more affordable form of residential accommodation. The Planning Statement goes on to say the contribution to providing homes to residents of the borough should be afforded due weight in favour of the development in accordance with paragraph 11.d of the NPPF.

### **Sustainable development**

In returning to Paragraph 11 of the NPPF, this outlines the presumption in favour of sustainable development. The three overarching objectives to achieving sustainable development are defined within the NPPF as: economic, social, and environmental.

The economic role of the NPPF requires proposals to contribute to building a strong, responsive, and competitive economy. The social role requires planning to support strong, vibrant, and healthy communities and states that it should create a high quality-built environment. The environmental role states that the natural built and historic environment should be protected and enhanced and should mitigate and adapt to climate change. It is therefore necessary as part of any forthcoming application for the LPA to consider carefully to what degree this proposal would meet the sustainable development goals of the NPPF in terms of its economic, social, and environmental roles.

**Economic role** – Limited weight is applied to the economic role; it is acknowledged there would be some indirect benefit arising from the payment of Council tax and other spending. The proposal would be seen as a residential caravan park for 55+ years, however it is not considered to be a rural enterprise. Therefore, it does not meet the NPPF in locating the development in areas already built upon i.e., the whole site is proposed to be developed.

In addition, Paragraph 89 of the NPPF 2023 states *Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by*

*cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*

It is recognised that the site is previously developed land and although not in a built-up area the site is a residential plot with a house (4 bedrooms) and an ancillary mobile home (2- bedroom) where there is also an identified need for this type of housing in the Southern Sub Area and demand. That said, the applicant has not demonstrated that the proposal is meeting the need for caravans for the age group 55+ years to counter the Council's evidence base. Also, as the site is not well served by public transport and will be relying primarily on the private vehicle for travel albeit close to the SDL site there will be no prospect in the immediate future of the application site becoming linked via footpaths or upgrading Commonfield Lane which is a single carriage way outside of the site. The proposal does not include these provisions and is relying on the proximity of the SDL site. As such is not a suitable opportunity under paragraph 89 and fails on this aspect.

**Social role** – The application site is not located in a sustainable location in terms of access to local services and facilities, the applicant has raised that the site is within 0.25km of the Arborfield SDL boundary and is a sustainable location being in the countryside. It is further raised by the applicant that following the previous refusal, the Reserved Matters application for a District Centre within the SDL under ref: 230872 was approved on 17/10/2023. As stated above the applicant is relying on the proximity of the SDL site to link the application site in sustainable modes of travel terms. The site albeit close to the SDL site will not be linked via footpaths and roads will not be upgraded to link those being delivered for the District Centre. Also, there are no existing public rights of way.

There is an hourly bus service however there are no local services within an acceptable walking distance. In addition, the nearest bus stop is around 1km way on Biggs Lane which is outside the acceptable walking distance to bus stops. Access to local shops and facilities in Finchampstead are approximately 5-10 minutes via car and up to 30 mins via public transport, however the bus service is hourly therefore there would be an over reliance on car travel.

The services and facilities being provided within the SDL site should not be relied upon and in any case the estimated operational timeframe for the services linked to the SDL site would be 2026/27 and they would not be in place prior to the determination of this application. Outside of this timeframe any future occupants would need to travel to access local facilities and services. The application site is not well served by public transport or cycle routes and is accessed via a single-track lane. As such on this aspect the proposal fails.

**Environmental role** – The application site is located within 5km of the Thames Basin Heaths SPA and the applicant is required to provide SPA mitigation, this is expected to be via a legal agreement. At the time of the writing the SANG amount would be £14,347.13, the SAMM amount would be £5488.00 amounting to a total of £19835.13. It is acknowledged from 1 June 2024, there will be an uplift in SAMM payments.

It is expected the proposal would provide some environmental improvements through Biodiversity Net Gain. This may involve an enhanced landscape scheme which can be secured by condition in the event of an approval. In addition, the provision of Ecological Enhancements to include bat and bird boxes which can be secured by condition in the event of an approval.

### **Summary of principle**

All three objectives must be met when considering the tilted balance and it is considered the proposal would fail to meet these. It is accepted that CP11 does not prevent development in the countryside and the Council cannot meet the 5-year HLS. However, in this case paragraph 11(d) of the NPPF would be engaged and the benefits of providing housing for 55+ years would not outweigh the harm and the fact that the scheme is unsustainable. As such the principle is unacceptable

### **Affordable Housing:**

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

The site exceeds this threshold and there is a requirement for the provision of affordable housing. The submitted Planning Statement states the policy does not extend to caravan site development and is in conflict with National Policy as it under 10 units and therefore not applicable.

The Council's Housing Policy Officer has been consulted on the proposal and has determined that to meet the requirements of Core Strategy CP5, a minimum of 3.6 units is required. Due to the site location and nature of the dwellings, the only practical means of delivery for the affordable housing is through a commuted sum.

Based on the Viability Study undertaken by Levvel Ltd, the Council's approach to calculating commuted sums for affordable housing is based on the difference in the residual development value of a scheme without on-site affordable housing and the same scheme with on-site affordable housing. The commuted sum sought in-lieu of 3.6 units is £251,718.61 index-linked. No viability information has been provided by the Applicant.

Furthermore, the National Planning Policy Framework (2023) states the provision of Affordable Housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). The Framework defines major development, for housing, as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. The application site is 0.7ha in size and hence triggers the need for affordable housing.

As there is no mechanism to secure its provision, the lack of any affordable housing contribution forms a Reason for Refusal.

### **Highway Sustainable Location:**

Policies CP1, CP6, CP9 and CP11 of the Core Strategy permit development where it

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

Paragraph 80 of the NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities and Paragraphs 104, 105, and 110 seek to ensure the growth of sustainable transport in managing development and approval of planning applications.

The site is considered to be a remote location and it is likely the proposal would result in a high dependency on private cars to access day-to-day services and facilities in other locations such as schools, retail, leisure, and medical services.

The Planning Statement states on the opposite side of Commonfield Lane is the boundary of Arborfield Garrison housing development (an SDL site within Wokingham) and is not unsustainable in terms of access to services and facilities.

The Council's Highways Officer has commented the location of the proposed development is not sustainable and does not therefore encourage the fullest possible use of walking, cycling or public transport as an alternative to the motor car.

In addition, the nearest bus stop is around 1km away on Biggs Lane which is outside the acceptable walk distance to bus stops. Access to local shops and facilities in Finchampstead are approximately 5-10 minutes via car and up to 30 mins via public transport, however the bus service is hourly therefore there would be over reliance on car travel.

The submitted Planning Statement refers to the site being in close proximity to the settlement boundary of the Arborfield Garrison SDL which includes a pedestrian crossing (adjacent to the application site). The applicant goes on to say in any case the Manual for Streets is clear that 2km from a settlement boundary offers the most opportunity to reduce trips by car, the site being approx. 200m from the boundary cannot be considered unsustainable.

The services and facilities being provided within the SDL site should not be relied upon and in any case the estimated operational timeframe for the services linked to the SDL site would be 2026/27 and they would not be in place prior to the determination of this application. Outside of this timeframe any future occupants would need to travel to access local facilities and services. The application site is not well served by public transport or cycle routes and is accessed via a single-track lane.

Overall, with the site being outside of settlement limits and restricted access to services the proposal is contrary to the objectives of the NPPF, and Policies CP1, CP6, CP9 and CP11 of the Core Strategy and Policy CC01 and CC02 of the Managing Development Delivery Local Plan.

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

Policy CP3 of the Core Strategy states that development must be appropriate in

terms of its scale of activity, mass, layout, built form, height, materials, and character to the area in which it is located and must be of high-quality design without detriment to the amenities of adjoining land uses and occupiers.

The site layout is acceptable to consultees and in the event the proposal is recommended for approval appropriate conditions can be imposed.

### **Neighbouring Amenity:**

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

The development would not generate a material loss of light or overlooking of neighbouring properties, or issues of over dominance.

It is acknowledged there would be an increase of future occupants but given the nature of the scheme it is unlikely to result in detrimental noise issues to the neighbouring sites.

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

#### Access

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.

It is proposed that the access to the site would be off the existing private road which is acceptable to the Council's Highways Officer. A Swept path drawing has been provided for a car to access and egress the parking spaces and to access the fire hydrants, whilst no comment has been provided on this aspect, under the previous application this arrangement was acceptable to the Council's Highways Officer.

#### Parking

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

The proposed Site Layout Plan indicates there will one parking space per unit including 6no. parking spaces provided for visitors. This is acceptable to the Council's Highways Officer.

#### Cycle Parking

The proposed Site Layout Plan indicates the location for a communal cycle storage, in addition each unit will have its own private garden where occupiers can store cycles in their own unit. Full design details of the cycle storage can be secured by a planning condition in the event of an approval.

### **Flooding and Drainage:**

Section 10 of the NPPF, Policy CP1 of the Core Strategy and Policies CC09 and CC10 of the MDD requires flooding protection, sustainable drainage methods and the minimisation of surface water flow.

The application site is located within Flood Zone 1, the Council's Drainage Officer has commented no surface water drainage details have been provided by the applicant and they would require a surface water drainage strategy prior to determination. In

the event of an approval such details can be secured by a planning condition.

### **Landscape and Trees:**

Policy CC03 of the MDD Local aims to protect green infrastructure networks, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character.

The site is located in Wokingham Borough Landscape Character Assessment Area M1 'Finchampstead Forested and Settled Sands', a high-quality landscape.

*An elevated plateau characterised by its densely wooded context, which creates a strong sense of enclosure. The woodland is varied with semi-natural areas and forestry plantation interspersed with heathland. Low density settlement is arranged along linear ridges or in the settlements of Finchampstead (north) and part of Crowthorne. Away from areas of settlement, the landscape has a remote character, although it is still accessible due to numerous footpaths.*

There are existing trees on or close to the site some of which are not clearly shown on the plans and conflict with development. It also appears that the existing access road will be adjusted which may adversely affect existing trees. Policy CC03d of the MDD Local Plan 2014 requires that existing trees are retained and protected through development, and no arboricultural information has been submitted on this aspect, in particular an AIA.

It is acknowledged there are no TPOs on the site and the proposal does not seek to remove any trees, however there are some trees adjacent to the proposed refuse storage. Any protection measures required such as no dig method statements for the refuse store can be secured by condition. In the event of an approval, the Tree Protection methodology can be secured by a planning condition.

The submitted Landscape Plan indicates the land located in the eastern side of the site will be landscaped. The Council's Landscape Officer has commented the trees shown on the plan should be offset from any close boarding fencing, in the event of an approval a revised Landscaping Plan taking this into consideration can be secured by a planning condition.

### **Ecology:**

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

At the time of writing, no comments have been received from the Council's Ecology Officer. It is acknowledged the submitted Ecology Report (Ecological Impact Assessment by Darwin Ecology May 2023) with the application is the same report as the previous scheme under 231330.

### Sites of Special Scientific Interest (SSSI).

The Ecological Impact Assessment has identified the site as being immediately adjacent to Longmoor Bog SSSI. The key features that this SSSI is designated for are:

- Lowland fens, including basin, flood-plain, open water transition, and valley

fens;

- Lowland wet heath; and
- Wet woodland

All these features are reliant on surface water and ground water flows that could be affected by adjacent development.

The Ecological Impact Assessment has not considered the landcover and surface water drainage strategy for the proposed development in relation to these key features. Under the previous application 231330 the Council's Ecology Officer raised concerns that the proposal may have adverse impacts on the drainage of the SSSI in the absence of a drainage strategy. This is acknowledged and in the event of an approval, the surface water strategy can be secured by a planning condition.

#### Bats

Under the previous application the Council's Ecology Officer agreed that the existing buildings on site are unlikely to contain a bat roost and that their demolition is unlikely to have an adverse impact on a bat European Protected Species.

The Ecological Impact Assessment recommends that external lighting needs to be carefully designed to prevent light spillage onto neighbouring sensitive receptors. In the event of an approval, such details are to be secured by a planning condition to ensure that any external lighting is designed with appropriate mitigation for light sensitive species.

#### Reptiles

The Ecological Impact Assessment outlines the site is unsuitable for widespread reptiles and under the previous application the Council's Ecology Officer was satisfied that the current condition is not suitable to support a population on site.

The adjacent SSSI supports all four widespread reptile species, however in the event the boundary fence were to be damaged or removed there would be high potential for reptiles to be recolonise the site.

Whilst the Council's Ecology Officer raised concerns that the construction phase of the development has potential to kill or injure reptiles, particularly if the site is to deteriorate in condition between permission being granted and the development commencing, this risk of an offence under the Wildlife and Countryside Act 1981 could be adequately mitigated by following a Construction Environmental Management Plan (CEMP). In the event of an approval the CEMP is to be secured by a planning condition.

#### Ecological Permeability and Ecological Enhancement

Section 8 of the Ecological Impact Assessment outlines recommendations for species specific enhancements.

Bat and bird boxes have been suggested to be placed on mature trees on site however this is an odd recommendation given the layout will require loss of the mature trees on site, which will mean there are no suitable trees to use. Bat and bird boxes would need to be provided by some other means.

It is recommended that species specific enhancements are secured, and details of these enhancements could be secured by a planning condition. Whilst the Ecological Impact Assessment does not make a recommendation for the quantum of these features, it is recommended one box (of either type) per new dwelling as a reasonable rate of provision.

The proposal has not considered MDD policy TB23 and the expectation to provide ecological permeability. The proposal would result in the sub-division of the site into a number of plots which could lead to an increase in the number of barriers to wildlife. Ecological permeability could be retained, or even enhanced, in the course of this development but the measures necessary to achieve this would need to be secured, as they are not currently shown in the current detail. It is expected this can be met via an enhanced landscape scheme and such details can be secured by a planning condition in the event of an approval.

#### **Waste and Storage:**

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

The submitted plans indicate the location of a communal bin store which would be adjacent to the site entrance. The refuse collection will remain the same as the existing situation which is considered acceptable.

#### **Thames Basin Heath Special Protection Area (SPA):**

Policy CP8 of the Core Strategy states that where development is likely to have an effect on the Thames Basin Heaths Special Protection Area (TBH SPA), it is required to demonstrate that adequate measures to avoid and mitigate any potential adverse effects are delivered.

The proposal results in the net increase of two dwellings on a site that is within 5km of the TBH SPA. Policy CP8 states that where there is a net increase in dwellings within 5km of the SPA, an Appropriate Assessment is required to be undertaken. The Appropriate Assessment for this application is attached to this report and has concluded that contributions to access management measures and monitoring in line with the Delivery Framework will be required.

The mitigation measures are ordinarily outlined in a Section 106 legal agreement and any planning permission is conditional on the completion of this agreement, however as the application is refused on other grounds, the agreement has not been pursued.

#### **Planning Balance:**

It is accepted that Policy CP11 of the Core Strategy 2010, does not prevent development in the countryside and the Council cannot meet the 5-year Housing Land Supply. However, the scheme would be unsustainable in terms of the NPPF, an unsustainable location is just one of the deciding factors where there would be a heavy reliance of private car use. As such the principle is unacceptable.

In addition, insufficient Arboricultural Information has been submitted to demonstrate

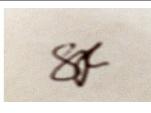
existing trees on the site would not be harmed by the development.

**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**

<b>Conditions agreed:</b>	Not required as recommendation is for Refusal
<b>Recommendation:</b>	Refuse
<b>Date:</b>	22 May 2024
<b>Earliest date for decision:</b>	24 April 2024

<b>Recommendation agreed by:</b> <b>(Authorised Officer)</b>	
<b>Date:</b>	<b>28.5.24</b>

## **Screening Assessment and Appropriate Assessment**

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

### **Summary of Response**

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

This site is located approximately **1 km** (measured from the access road to the application site) from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

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

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

In this instance, the proposed development would result in a net increase of 7no.2-bedroom dwelling within 5km of the SPA which results in a total SANG contribution of **£14,347.13**

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 **£5488.00**

The total SPA related financial contribution for this proposal is **£19,835.13** 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 **1 km** of the SPA and:

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

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

## **3. Stage 2 Appropriate Assessment**

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

The following policies and guidance set out WBC's approach to relevant avoidance and mitigation measures which have been agreed with Natural England. For the majority of

housing developments this will comprise the provision of (or contribution towards) Suitable Alternative Natural Greenspace (SANG) and a contribution towards the Strategic Access Management and Monitoring (SAMM) Project. The financial contributions towards SANG would be either through an obligation in a s106 agreement that requires WBC to allocate an appropriate amount of the development CIL receipt towards the provision of SANG, or through an obligation in an agreement under s111 of the Local Government Act, that requires the developer to make an appropriate financial contribution towards the provision of SANG (to be used in the event that the developer successfully seeks CIL relief). Developers will be required to secure an appropriate financial contribution to the SAMM project through an obligation in a s106 agreement.

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

#### a. Policies and Guidance

For this proposal, the following guidance and policies apply:

- South East Plan (May 2009) Policy NRM6 (Thames Basin Heaths Special Protection Area)  
<http://webarchive.nationalarchives.gov.uk/20100528160926/http://www.gos.gov.uk/gos/e/planning/regionalPlanning/815640/>
- Wokingham Borough Core Strategy (2010) Policy CP8 (Thames Basin Heaths Special Protection Area) sets out the approach WBC will take in order to protect the TBH SPA  
<https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Final%20adopted%20Core%20Strategy%20inc.%20cover.pdf>
- Wokingham Borough Core Strategy (2010) Policy CP7 (Biodiversity) sets out the approach WBC will take in order to protect national and international nature conservation sites <https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Final%20adopted%20Core%20Strategy%20inc.%20cover.pdf>
- Wokingham Borough Managing Development Delivery Local Plan (2014) Policy TB23 (Biodiversity and Development)  
<https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Adopted%20MDD.pdf>
- Infrastructure Delivery and Contributions SPD (2011)  
<https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Adopted%20Infrastructure%20De~nd%20Contributions%20SPD.pdf>

The project as proposed would not adversely impact on the integrity of the SPA if avoidance and mitigation measures are provided as stipulated by these policies and guidance.

#### b. SPA Avoidance and Mitigation Measures

##### **i) The provision of Suitable Alternative Natural Greenspace (SANG) and its ongoing maintenance in perpetuity.**

In accordance with the development plan, the proposed development will be required to

provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG).

As this development is not part of an SDL, the developer may make a payment contribution towards strategic SANGs in line with schedule below (most likely this will be at Rooks Nest Wood SANG although it is subject to SANGs capacity in the right location within Wokingham borough). An occupation restriction will be included in the Section 106 Agreement in order to ensure that the contribution has been made prior to occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and Core Strategy Policy CP8

The development will result in a net increase of 7 broken down as follows: 7no x 2-bedroom dwellings. Depending on the dwelling mix, the level of SANG payments are set out as follows:

No. of bedrooms	SANG Contribution 5km	Aggregate SANG Contribution
1 bedroom	£1,567.98	£0
2 bedrooms	£2,049.59	<b>7 x £2049.59</b>
3 bedrooms	£2,690.93	£0
4 bedrooms	£3,546.86	£0
5 bedrooms	£4,240.62	£0
Total SANG Contribution		<b>£14,347.13</b>

## 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 1<sup>st</sup> 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 development will result in a net increase of 7 broken down as follows: 7no x 2-bedroom dwellings. Depending on the dwelling mix, the level of SAMM payments are calculated as follows:

No. of bedrooms	SAMM Contribution 5km	Aggregate SAMM Contribution
1 bedroom	£563.00	£0
2 bedrooms	£784.00	<b>7 x 784.00</b>

3 bedrooms	£1,042.00	£0	
4 bedrooms	£1,225.00	£0	
5+ bedrooms	£1,400.00	£0	
Total SAMM Contribution		<b>£5488.00</b>	

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

#### **4. Conclusion**

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

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

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

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

#### **5. Example Reason for Refusal**

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

Date:	Signed:	
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## Appeal Decision

Hearing held on 15 April 2025

Site visit made on 15 April 2025

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 May 2025.

**Appeal Ref: APP/X0360/W/24/3356397**

**Bluebell Farm, Commonfield Lane, Barkham, Wokingham RG40 4PR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Sid Nunns against the decision of Wokingham Borough Council.
- The application Ref is 240788.
- The development proposed is described as a change of use of the land for stationing of 9no. mobile homes for permanent residential use for people over the age of 55 years.

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The Council's description of the development, on its decision notice, differs from the description contained on the application for planning permission form. I have used the Council's description in the banner heading above as it accurately describes the development. This description is also used on the appellant's planning appeal form and the main parties confirmed their agreement with this description at the Hearing.
3. Prior to the Hearing, and after seeking the views of the main parties, I accepted some minor alterations to the proposed plans. These included a reduction in the size of the appeal site, a change in the siting and location of proposed Units 6 and 7, and changes to parking associated with these units. The proposed amendments do not involve a substantial difference or a fundamental change to the original application and the appeal has been determined on the basis of these changes.
4. The Council's fourth reason for refusal related to the lack of adequate provision for affordable housing. However, the Council has confirmed that following a viability assessment report from its own independent assessor, the provision of an affordable housing contribution would not be viable. Consequently, I will not consider affordable housing provision as part of this decision.
5. The Council has an emerging Local Plan which has recently been submitted to the Secretary of State for examination. However, at the time of writing this decision there is no timescale of the examination, and the emerging Local Plan may be subject to change. At the Hearing it was agreed, between the main parties, that the emerging Local Plan is a material consideration, but any considerations carry limited weight. I have therefore determined the appeal on this basis.

6. The National Planning Policy Framework (“the Framework”) was updated in December 2024. The main parties were given an opportunity to comment on this and the revised version has been referred to in this decision.

## Main Issues

7. The main issues are the effect of the proposed development on:

- The quality of the environment including trees;
- The Thames Basin Heaths Special Protection Area (“SPA”); and
- Sustainable transport choices.

## Reasons

### *Quality of the Environment*

8. The appeal site sits within a semi-rural area which is defined by mature landscaping lining this part of Commonfield Lane. Behind the landscaping, the immediate area is defined by woodlands, open fields, and sporadic development which includes dwellings and mobile homes as well as a more intensive development which forms part of the Arborfield Garrison Strategic Development Location (“the SDL”).
9. Hazebrouck Meadow is also located close by, and this greenspace features meadow grasslands, woodland, and an access path. In addition, a dense woodland adjoins the appeal site, and this is known as Longmoor Bog, a Site of Special Scientific Interest.
10. The appeal site itself, apart from the access, is surrounded by a timber fence with some mature trees to the frontage. A tarmac drive bisects a grassed area to the frontage opening to a forecourt area in front of the existing bungalow style dwelling. The dwelling sits to the middle of the site and is accompanied by a significant amount of hardstanding. Single storey ancillary buildings and chattels also feature within the appeal site including ancillary mobile homes. The existing trees within the site are visually attractive and contribute toward the quality of the local environment.
11. It is proposed to clear the site and remove much of the existing hardstanding. This would be replaced by a new driveway with parking areas, refuse store, and cycle parking to serve the siting of nine static mobile homes for permanent residential use for occupants over the age of 55 years. Each mobile home would also have its own garden area.
12. The existing site is identified as Previously Developed Land (“PDL”), and the boundary fence would also be retained limiting some views from public vantage points. The proposed removal of significant levels of hardstanding across the site and the clearance of the site would be of benefit to the quality of the environment. However, any benefit from this removal would be tempered by the introduction of the proposed driveway, which would extend across the site, the proposed parking areas, and the refuse and cycle stores as proposed.
13. Additionally, it would be reasonable to assume that future occupiers would introduce residential paraphernalia across the site such as external seating for passive recreation and either seek to secure external storage or store chattels on

the land. While they would come and go, parked vehicles would also be present within the appeal site.

14. It was put to me that the level of activity and overall residential paraphernalia for the proposed mobile homes would be similar to the existing situation. However, limited evidence has been provided to show that nine separate mobile homes, each with their own residential paraphernalia and individually distinct levels of activity would not cause a visual intensification at the appeal site when compared to the existing situation.
15. I acknowledge that the mobile homes are single storey and the boundary fence would limit some parts of the proposed development's impact from public vantage points. However, it has not been robustly shown that the quality of the environment is dependent on public views only. Even if I am wrong on this point, significant parts of the development would be visible from adjoining land both above the fence and through the access.
16. The proposed development is not supported by an Arboricultural Impact Assessment ("AIA"). Without an AIA it is difficult to consider any potential impacts of the proposed development upon existing trees. Typically, an AIA identifies which trees might need removal, which can be retained, and the potential conflicts between the development and the trees.
17. The Statement of Common Ground addendum ("SoCGa") shows 'at least' one mature oak tree which would be felled<sup>1</sup>. This tree is set further within the site than the boundary trees and as such its loss, while visually harmful, would be tempered by its position slightly within the site and its proximity to a more prominent tree to the front boundary next to the access. This other more prominent tree, while not protected by a preservation order, is substantial in size, sits in a prominent location and makes a valuable contribution to the quality of the environment.
18. While it was confirmed at the Hearing that the access is not proposed to be changed, a proposed refuse store would be cited close to this tree. In the absence of an AIA, I cannot be certain that any impact from the proposed development would not threaten this visually attractive tree and the positive contribution it makes to the quality of the environment. Its loss would be visually harmful and replacement landscaping while of some mitigation, would be likely to take some time to mature before it would make a comparable contribution to the quality of the environment.
19. I have considered imposing a 'prior to commencement' condition to agree the impacts upon trees and any tree protection. Additionally, I have also reflected on agreeing the location of the refuse store should this building threaten the tree. However, I do not fully know the impacts of the proposed development on the tree's health and longevity or if mitigation is required.
20. These matters in combination are considerable and require substantiated arboricultural evidence before planning permission can be granted. There is uncertainty regarding the extent of any direct and indirect impacts upon trees and these factors in combination go to the heart of this main issue. For these reasons, these matters would need to be known before planning permission is granted and a condition or conditions would not be suitable in this case.

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<sup>1</sup> Paragraph 3 of the SoCGa.

21. An earlier application was refused and the impact on trees was not included as a reason for refusal in this case<sup>2</sup>. The Council stated at the Hearing that this was an error and a reason for refusal should have been included on the previous application. In addition, the previous refusal is different as it was predicated on the retention of all trees, however, in the appeal before me, 'at least one' tree would be felled.
22. I note the perceived inconsistency in approach between the applications, but in this case there are differences between the schemes. I have considered the appeal before me on its own merits and for the reasons set in this decision. As indicated above, the absence of robust arboricultural evidence weighs against the development proposal.
23. In conclusion on this main issue, I accept that the site is PDL, and it would be cleared of a considerable amount of hardstanding, buildings, and chattels. It also sits near to existing mobile home developments and the SDL. In addition, supplementary landscaping would also be proposed, which could be agreed by condition. However, the loss of a tree and uncertainty in regard to another important tree in combination with the introduction of nine mobile homes, an access running through the spine of the appeal site and the associated parking areas, stores and residential paraphernalia would, as a matter of fact and degree, have a harmful impact on the quality of the environment when compared to the existing situation.
24. The proposal would therefore be contrary to the relevant provisions of Policies CP1, CP3 and CP11 of the Wokingham Borough Local Development Framework Adopted Core Strategy Development Plan Document 2010 ("the Core Strategy") and Policies CC03 and TB21 of the Wokingham Borough Development Plan Adopted Managing Development Delivery Local Plan 2014 ("the Local Plan"). These, amongst other things, look to maintain or enhance the high quality of the environment including landscape features.
25. I have considered the wording of Policies SS3 and SS5 of the emerging Local Plan as well as the provision for Gypsy, Roma, and Traveller ("GRT") pitches elsewhere on Commonfield Lane. However, this emerging document has yet to be examined, with several concerns raised in response to the Regulation 19 consultation; it may also be subject to modifications following examination. Additionally, GRT sites are subject to different policy assessments to that of the current appeal before me. The emerging Local Plan therefore carries limited weight in the determination of this appeal and does not alter my overall findings.
26. I have found harm to the quality of the environment as set out above. Having considered the content of the emerging Local Plan, it does not lead me to a different conclusion on this main issue.

*Thames Basin Heaths Special Protection Area ("SPA")*

27. The site lies within the zone of influence of the SPA, which is noted as an internationally important habitat for rare bird species. Increased recreational pressure arising from additional residents in the zone of influence could potentially have a likely significant effect on the habitat either alone or in combination with

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<sup>2</sup> Wokingham Borough Council Ref: 231330.

other projects, as some of the rare bird species it supports nest on the ground and could be disturbed by walkers or their dogs.

28. The evidence before me indicates that the proposed development would result in an adverse effect upon the integrity of the SPA. In these circumstances, permission could only be granted if, after undertaking an Appropriate Assessment ("AA"), it was found that adequate mitigation would occur so as to avoid the adverse effect.
29. To counter such adverse impacts, measures to limit recreational pressure through a combination of providing suitable alternative natural greenspace and managing and monitoring access to the SPA have been devised. The development could, through obligations contained in a legal agreement, provide financial contributions towards these avoidance and mitigation measures. However, no such legal agreement is before me and as such no means of avoidance or mitigation has been secured in relation to the appeal scheme.
30. Nonetheless, the appellant has proposed that these measures could be secured via a 'Grampian' condition. This condition would prevent development taking place until full details of the measures that will be secured to avoid and mitigate the impact of the development upon the SPA, have been approved by the Council.
31. However, such an approach is specifically addressed in the Planning Practice Guidance (PPG)<sup>3</sup>. This sets out that a negatively worded condition is unlikely to be appropriate in the majority of cases. That said, it does note that in exceptional circumstances such a condition may be appropriate where there is clear evidence that the delivery of that development would otherwise be at serious risk, such as particularly complex development schemes.
32. The PPG therefore sets a stringent test as to when a Grampian condition may be appropriate. The circumstances of the current appeal relate to nine units of proposed accommodation. This level of development or broadly comparable quantum could apply to other similar residential proposals in the borough and would not be exceptional.
33. In addition, the application and appeal timescales do not appear to be out of the ordinary. While there were land ownership issues and uncertainty about signatories to the legal agreement, these are not atypical circumstances or ones which lead to serious risk. There is also no evidence before me to suggest that this would be a particularly complex development scheme. Taking all these factors together, they do not demonstrate that the appeal scheme represents an exceptional situation that allows me to impose a Grampian condition.
34. In addition, it is my absolute responsibility under regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 to undertake the AA. If I were to impose a Grampian condition, this approach would, in effect, result in a permission being created but would then pass the responsibility of undertaking the AA onto another competent authority. I do not consider this to be a sound approach.

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<sup>3</sup> Paragraph: 010 Reference ID: 21a-010-20190723.

35. Tying all these considerations together, appropriate measures have not been sufficiently secured at this stage to provide me with the very high level of certainty required to rule out adverse impacts on the integrity of the SPA.
36. It has not, therefore been shown that the development would not have an adverse effect on the SPA. Accordingly, it would not comply with the relevant provisions of saved Policy NRM6 of the South East Plan 2009 or Policies CP7 and CP8 of the Core Strategy. These, amongst other things, require development proposals to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.

#### *Sustainable Transport Choices*

37. The appeal site is located near to a public bridleway and Hazebrouck Meadows greenspace; these both offer opportunities for walking and cycling as well as options for health and wellbeing. The Meadows and the SDL would be easily accessible from the appeal site across Commonfield Lane via a pedestrian crossing.
38. A table is set out within the Council's Statement of Case and this shows the shortest one-way route distances to facilities and services which would broadly serve the day-to-day needs of the residents of the proposed development. In relation to the existing and consented facilities, their locations and the distances, the content of this table was not disputed at the Hearing by the appellant.
39. The National Design Guide 2021 and the Manual for Streets 2007 ("MfS") states that 'walkable' distances to local facilities are generally considered to be no more than a 10-minute walk (800m radius). Apart from Hazebrouck Meadows, the rest of the services and facilities, both existing and consented, are more than 800m from the appeal site. These 'walkable' distances also align with the Institution of Highways and Transportation Guidelines for Providing for Journeys on Foot 2000 preferred maximum in relation to Town Centre uses.
40. However, these are general distances and preferred maximums, the MfS indicates that the walking distance is not an upper limit with walking offering the greatest potential to replace short car trips, particularly those under 2 km. However, the doctor's surgery, employment facilities, and train station fall beyond 2km, but I note that employment opportunities will exist which have been consented as part of the SDL and these have been implemented<sup>4</sup>.
41. The cycle and walking routes are unpaved and unlit in parts and this would suppress their attractiveness. However, I noted from my site visit that the unpaved sections are well drained, stable, and firm underfoot without significant elevational changes or trip hazards. In addition, some lighting does extend into hours of darkness but nonetheless are turned off in the early evening.
42. Cycle parking would be proposed as part of the development and cycling opportunities exist via the public bridleway, the nearby path routes and along the roads. I note the condition of the walking and cycling environments as set out by the Council, however, the residents of the SDL would also make these journeys and as indicated above, the short journey from the appeal site to the SDL would be

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<sup>4</sup> Paragraph 73 of the Statement of Common Ground.

acceptable as a walking and cycling environment. In addition, the consented facilities are expected to start opening within a relatively short timeframe.

43. While a good bus service is offered, the Chartered Institution of Highways and Transportation Planning for Walking 2015 document ("PfW") and the Wokingham Bus Service Improvement Plan 2024 ("BSIP") set a 400m distance to bus stops as a cut-off point. The nearest bus stops on Biggs Lane would exceed these distances. In addition, one of these stops does not benefit from a shelter reducing its attractiveness in inclement weather. However, as indicated above it would not exceed the MfS limit.
44. Drawing all these considerations together, most of the services and facilities would exceed the limits in many of the documents highlighted above. However, these documents, in the main, indicate they are general walking distances and preferred maximums. The MfS sets a higher figure of up to 2 km which offers the greatest potential to replace short car trips, however, I also appreciate the PfW and BSIP set a more stringent limit of 400m to the nearest bus stops and the attractiveness of the bus stops is reduced due to the absence of a shelter. The train station is also situated beyond all the limits set out above.
45. While there are some concerns about accessibility to services and facilities by transport modes other than the private car, paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. In this case and having regard to the facts on the ground, while there are some shortcomings, genuine opportunities, in this case, to walk and cycle would be available. These would offer future occupiers a choice of transport modes which would reduce the need to travel, particularly by private car.
46. In conclusion, the proposed development would benefit from sustainable transport choices. It would therefore accord with the relevant provisions of Policies CP1, CP2 and CP6 of the Core Strategy all of which, amongst other things, seek to provide for sustainable forms of transport to allow choice.

## **Planning Balance**

### *Benefits*

47. There would be several clear benefits which would arise if the appeal were allowed. This would include the efficient use of land to deliver residential units on a windfall PDL site. These units would also be tailored to provide specialist housing for older people in the form of age-restricted general market housing. The PPG<sup>5</sup> states that the need to provide housing for older people is critical and people are living longer lives with the proportion of older people in the population increasing. The proposal would contribute toward a mix of housing, and this includes addressing the requirements of an ageing population. This would offer older people a better choice of accommodation to suit their changing needs which can help them live independently for longer.
48. The PPG recognises that age-restricted general market housing is generally for people aged 55 and over<sup>6</sup>. The proposed development would therefore capture anyone over this minimum age. In addition, there is also no robust evidence before me to suggest development in the SDL would meet this need. For these reasons

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<sup>5</sup> Paragraph: 001 Reference ID: 63-001-20190626.

<sup>6</sup> Paragraph: 010 Reference ID: 63-010-20190626.

including the current undersupply of land for homes in the Borough<sup>7</sup>, I am not convinced, from the evidence before me, that the requirement for over 55 accommodation would be met by existing plan led development.

49. The Framework<sup>8</sup> seeks to significantly boost the supply of homes and given the increase of units, which could be realised quickly, in the context of a considerable undersupply of land, I place substantial positive weight on the proposed housing.
50. The proposed development would also deliver 'downstream' benefits by providing opportunity for older people to downsize. However, it has not been robustly shown that future occupiers would all come from larger, under occupied homes or from within the borough. However, the provision of single storey accommodation would be of benefit for some older people looking to downsize to this accommodation. There would also be economic benefits associated with the construction phase and future occupiers. However, the scale of the development means that these benefits would all be moderate in weight.
51. Cumulatively drawing all the benefits together, carries substantial weight in this appeal.

#### *Harms*

52. The Council have confirmed that it is unable to demonstrate a five-year land supply for housing. The provisions of paragraph 11d) of the Framework are therefore relevant to the appeal. However, the application of policies in the Framework insofar as they protect habitat sites provide a strong reason for refusing the development proposed. This is reiterated by paragraph 195 of the Framework and as such, the proposal would not benefit from the presumption in favour of sustainable development set out in the Framework.
53. I have also found the proposal would conflict with policies that look to provide development which maintains the quality of the environment. This impact would be considerable and long lasting. This harm carries significant weight.
54. Cumulatively drawing the harms together, the in-combination impacts upon the quality of the environment and the need to protect habitat sites carries very substantial weight in this appeal.

#### **Conclusion**

55. Accordingly, the very substantial weight attached to the harm I have identified would not be outweighed by the benefits to tip the planning balance in the appeal scheme's favour. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

*N Praine*

INSPECTOR

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<sup>7</sup> 1.7 years.

<sup>8</sup> Paragraph 61.

## **ANNEX A: APPEARANCES**

### **FOR THE APPELLANT:**

Will Hossack BSc MSc - Principal Planner – Agent.

### **FOR THE LOCAL PLANNING AUTHORITY:**

Kieran Neumann B.A. (Hons) MSc – Senior Planning Officer.

Sarah Castle BA(Hons) PGDip MRTPI – Planning Enforcement Team Leader.

Brigitte Crafer BA (Hons) Dip LA CMLI Chartered Landscape Architect and PG Cert in Urban Design (2006) - Tree and Landscape Specialist.

Gordon Wallace Adam BA MA FCIHT MILT – Principal Highway Development Officer.

Duncan Fisher Degree in Forest Management - Green Infrastructure Team Manager and Ecology Specialist.

### **INTERESTED PARTIES (denoting those persons who took part in the hearing and whose names were recorded):**

Ian Williams – Local Resident.