

DELEGATED OFFICER REPORT



**WOKINGHAM
BOROUGH COUNCIL**

Application Number:	251774
Site Address:	1B Old Sawmill Lane, Crowthorne, Wokingham, RG45 6LN
Expiry Date:	27 February 2026
Site Visit Date:	8 October 2025
Proposal: Outline application for the proposed erection of 2no. self-build dwellings with associated parking and access. (All matters reserved except for access, layout and scale).	

PLANNING POLICY	
National Policy	National Planning Policy Framework (NPPF)
Core Strategy (CS)	CP1 – Sustainable Development CP3 – General Principles for Development CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP8 – Thames Basin Heaths Special Protection Area CP9 – Scale and Location of Development Proposals
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB06 – Development of Private Residential Gardens TB07 – Internal Space Standards TB23 – Biodiversity and Development
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM2 - Climate Change – Mitigation and Adaptation DM3 - Protection of Habitats and Species DM10 - Flood Risk
Wokingham Borough Local Plan Update (LPU)	SS1 – Sustainable development principles SS2 – Spatial strategy and settlement hierarchy SS3 – Development within or adjacent to major and modest settlements SS10 – Meeting our housing needs NE4 – Trees, woodland, hedges and hedgerows NE5 – Landscape and design DH1 – Place making and quality design
Other	National Planning Policy Guidance (NPPG) Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Sustainable Design and Construction Supplementary Planning Document

PLANNING HISTORY		
Application No.	Description	Decision & Date
173449	Full application for the proposed erection of a detached bungalow with associated access and parking.	Refused: January 2018 (appeal dismissed)
161569	Full planning application for the proposed erection of a detached dwelling to the rear of property 5&7, plus new access and associated parking.	Refused: August 2016 (appeal dismissed)
153409	Full planning application for the proposed erection of a detached dwelling to the rear of property 5&7, plus new access and associated parking.	Refused: February 2016
991460	Outline Application For The Proposed Erection Of One Dwelling Plus Double And Single Garages	Refused: November 1999
960489	Outline Application For The Erection Of One Detached Dwelling And Garage	Refused: September 1996

CONSULTATION RESPONSES
Internal
WBC Drainage – No objection subject to conditions WBC Highways – No objection subject to conditions WBC Landscape and Trees – No objection subject to conditions WBC CIL – Advice provided WBC Ecology Newts– No response received WBC Ecology– No objection subject to conditions WBC Libraries – No response received WBC Waste Services– No response received WBC Cleaner and Greener– No response received
External
South East Water – No response received

REPRESENTATIONS	
Wokingham Without Parish Council	The Parish Council object to this application on the following grounds: • The application may be invalid due to incorrect identification of the site.

	• The land lies beside an ancient rural pathway and should not be developed, in line with a 2018 appeal decision. • Referring to the site as “1A and 1B” is misleading, as it was originally part of the back gardens of 5–7 Rowan Drive. • The proposed fence height is excessive and should be reviewed by enforcement. • The development would urbanise and harm the semi-rural character of the area. • It represents inappropriate development of a former residential garden, negatively affecting local character. • There is concern about a camper van on site, and enforcement should confirm it is not being used for residential purposes.
Ward Member(s)	No comments received
Neighbours	Objections have been received from 23 residents on the following grounds: Previous development has been refused on site. (<i>Officer note: this is not a material planning consideration</i>). The proposal constitutes backland development. (<i>Officer note: Backland development itself is not a reason for refusal</i>). Highways impact. Lack of need for additional housing. (<i>Officer note: Wokingham can currently demonstrate a 2.5 year, 5 year HLS</i>). Harm to rural character and appearance of the area. Precedent of further development. (<i>Officer note: this is not a material planning consideration</i>). Submission lacks meaningful details (<i>Officer note: sufficient detail has been submitted for the submission’s nature as an outline</i>). Environmental impact.

APPRAISAL

Site Description: The application site is located within the modest development location of Crowthorne (Pinewood) along Old Sawmill Lane. The site itself whilst registered as '1B Old Sawmill Lane' was formerly known as 'Land to the rear of Rowan Drive' and has a long planning history.

The site at current is encapsulated by 1.8 metre close board fencing, a gate, hard-surfacing and the siting of a caravan. It is appreciated that none of these examples of use / operational development benefit from planning permission, however, it is appreciated that historically the site did operate as an informal builders / material storage yard (without any permissions).

Proposal: This application seeks outline planning permission for the erection of two self-build dwellings, with all matters reserved except for access, layout and scale. In determining this application, it is therefore necessary to assess the acceptability of the proposed development in principle, having regard to the parameter information submitted and the matters expressly reserved for later approval.

At outline stage, consideration can appropriately be given to whether the principle of residential development on the site is acceptable, the suitability of the proposed means of access, the broad disposition and arrangement of development within the site (layout), and the overall scale of the proposed dwellings in terms of height and quantum of development. These elements provide sufficient information to assess the development's potential effects on matters such as character and appearance, highway safety, residential amenity, landscape and trees, and policy compliance at a strategic level.

Site History: The site as above has a lengthy planning history, with numerous examples of planning appeal dismissals for different residential development. Part of the site has 'nil' use but part of the land to the north of the site formed the back garden of number 5 Rowan Drive therefore is in a residential use.

The key difference between the development proposed and those formerly dismissed by the Inspector is the significant change in character seen locally, with the creation and construction of 'Buckler's Park', a Bracknell Forest Council strategic development on the old TRL site. This has dramatically urbanised the character of the area, marking the proposal as no longer a 'rural fringe' property, but rather one in an entirely suburban setting with minimal, but present rural characteristics (such as the un-made lane adjacent).

Principle of Development: The application site is located within the defined settlement limits where growth is directed by both national and local planning policy. Policy S4 of the NPPF establishes a presumption in favour of development within settlements and advises that proposals in such locations should be approved unless any adverse effects substantially outweigh the benefits. The proposal for two dwellings therefore benefits from the in-principle support afforded by Policy S4.

Notwithstanding the above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to accord with the development plan unless material considerations indicate otherwise, therefore indicating that the development plan policies remain the starting point for consideration.

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.

It is noted that the Inspector of application APP/X0360/W/17/3169773 set out that part of the site is the former garden of number 5 Rowan Drive. They stated (the garden) '*is not an immaterial part of the site, and therefore I consider that the policy [TB06] does apply here...*' as such policy TB06 is a policy relevant to this application site.

Policy TB06 Development of Private Residential gardens sets out that;

1. *The Council will resist inappropriate development of residential gardens where development would cause harm to the local area.*
2. *Proposals for new residential development that includes land within the curtilage or the former curtilage of private residential gardens will only be granted planning permission where:*
 - a) *The proposal makes a positive contribution to the character of the area in terms of:*
 - i. *The relationship of the existing built form and spaces around buildings within the surrounding area;*
 - ii. *A layout which integrates with the surrounding area with regard to the built up coverage of each plot, building line(s), rhythm of plot frontages, parking areas, and*
 - iii. *Existing pattern of openings and boundary treatments on the site frontage*
 - iv. *Providing appropriate hard and soft landscaping, particularly at site boundaries.*
 - v. *Compatibility with the general building height within the surrounding area*
 - vi. *The materials and elevational detail are of high quality, and where appropriate distinctive and/ or complementary*
 - b) *The application site provides a site of adequate size and dimensions to accommodate the development proposed in terms of the setting and spacing around buildings, amenity space, landscaping and space for access roads and parking*
 - c) *The proposal includes access, which meets appropriate highway standards*
 - d) *The proposal does not lead to unacceptable tandem development*
 - e) *The design and layout minimises exposure of existing private boundaries to public areas and avoids the need for additional physical security measures.*

The proposal complies with TB06, as in layout and appearance terms it does not form standard 'backland development', but rather a continuation of the linear form along Old Sawmill Lane. Adequate design, plot sizes, landscaping, materials and boundary treatments can be secured at reserved matters stage, but the indicative form shows meets these criteria.

In terms of enhancement, whilst this will be discussed more in the character of the area section, the proposal would remove the existing material storage on site and close board fencing which is unattractive and discordant in the street scene. Accordingly, development as proposed would improve the street scene and contribute positive to the predominantly residential character and appearance of the area.

Housing Land Supply

Policy HO3(1)(a) requires the Council to maintain a supply of specific deliverable sites sufficient to provide at least five years' worth of housing against the applicable housing requirement, together with the relevant buffer. The purpose of the policy is to ensure a continuous supply of housing land capable of meeting identified needs and to support the delivery of homes throughout the plan period.

As of March 2025, the Council's published position was 2.5 years of deliverable housing land against local housing need. This represents a substantial shortfall against the requirement of Policy HO3 and demonstrates that the development plan objective of maintaining a five-year supply is not currently being met.

Policy S3 states that decisions on development proposals should apply a presumption in favour of sustainable development. In addition, Policy S4 establishes a presumption in favour of development within settlements and advises that proposals in such locations should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects when assessed against the Framework's national decision-making policies.

The application site is located within the defined settlement limits where residential development is directed and supported by the spatial strategy. The proposal for two dwellings therefore benefits from the in-principle support afforded by Policy S4, subject to compliance with all other relevant development plan policies and material considerations.

Policy HO3 identifies a clear development plan objective of increasing the supply of deliverable housing sites. The delivery of two additional dwellings would make a positive contribution towards addressing the acknowledged shortfall in housing supply. Whilst the contribution would be modest in numerical terms, it would nevertheless assist in meeting identified housing needs and carries positive weight in the planning balance. In considering the proposal, the key issue is therefore not whether additional housing is required, but whether any adverse impacts identified through the assessment substantially outweigh the benefits associated with delivering additional homes in a sustainable location within the settlement.

Sustainability of Location

Policies CP1, CP4, CP6, CP9 and CP11 of the CS permit development where it is based on sustainable credentials in terms of access to local facilities and services and the promotion of sustainable transport. Expanding on this, paragraph 4.57 in the Core Strategy aims to prevent the proliferation of development in areas away from existing development limits as they are not generally well located for facilities and services and would lead to the increase in use of the private car.

The NPPF seeks to ensure the growth of sustainable transport in managing development and approval of planning applications. More specifically, it seeks to promote sustainable travel in decisions.

The site is located within a Modest Development Location and is in close proximity to facilities, services, and public transport. From a sustainability perspective, it is within a suitable location and is acceptable in terms of the principles stated in the Core Strategy.

Summary of Principle

The principle of residential development is accepted in this modest development location, subject to all other material considerations.

Character of the Area: Policy CP3 of the Core Strategy seeks high-quality design that responds positively to local character and creates attractive and distinctive places. Policy TB06 of the Managing Development Delivery DPD seeks to resist inappropriate development within residential curtilages where such development would be harmful to local character and appearance or would fail to integrate successfully with its surroundings.

The Borough Design Guide also sets out design principles for new dwellings;

R1: Residential development should be designed to contribute positively towards the historic or underlying character and quality of the local area.

R14: Development proposals should provide space for and include well designed hard and soft landscaping to create a high-quality setting for new housing that is appropriate to the character of the local area.

The main issue in relation to character and appearance is whether the erection of two dwellings in this location would preserve or enhance the qualities that presently define this section of Old Sawmill Lane.

Existing Character

The application site lies adjacent to the western end of Old Sawmill Lane. Previous appeal decisions identified that Old Sawmill Lane exhibits two distinct character areas. The eastern section comprises a conventional residential street characterised by formal housing development and suburban infrastructure. In contrast, the western section, within which the application site is situated, is materially different in character. The lane narrows, adopts a more informal appearance, lacks street lighting and is enclosed by mature vegetation and tree cover. This creates a distinctive semi-rural environment which contrasts with the surrounding suburban development.

This transitional quality has been recognised in previous appeal decisions, where Inspectors identified the contribution that this portion of the lane makes as an attractive contrast to surrounding suburban development. The Inspector of appeal (APP/X0360/W/17/3169773) highlighted the value of the character of the lane and the impact a large single dwelling would have in its location;

“...I consider that the lane, because of its relatively narrow width, rough surfacing and overhanging trees, has a distinctive semi-rural character which provides an attractive interlude to the otherwise suburban form of development in the area. The proposed dwelling would front onto this unsurfaced part of the lane, and would erode the special quality of the lane...” (para 7.)

Those findings remain a material consideration and officers have afforded them substantial weight in reaching their assessment.

Officers agree that the semi-rural character identified by the Inspectors remains evident. The informal nature of the lane, the enclosure provided by mature vegetation and the absence of overtly suburban features contribute significantly to local distinctiveness and create an attractive transition between developed residential areas and the more natural environment surrounding the lane.

Effect of the Proposal

The proposal would introduce two residential dwellings, together with the activity, movement and domestic paraphernalia ordinarily associated with residential occupation. It is therefore accepted that the proposal would result in some change to the existing character of this part of Old Sawmill Lane. However, the extent of that interaction is extremely limited, both spatially and visually. As shown on the submitted layout, the development would occupy a short and contained length of the lane, with no requirement for widening, formalisation, lighting or surfacing works that would alter its informal character.

The introduction of built development onto the site would inevitably diminish, to a degree, the undeveloped and informal qualities presently experienced from the lane. The proposal would therefore give rise to a degree of harm to the character and appearance of the area and officers do not agree that the development would be entirely neutral in visual terms. However, the extent of that harm must be carefully assessed.

The submitted development is limited in scale, comprising two dwellings only. The proposed layout demonstrates that development would remain contained within a discrete section of land and would not result in an extensive or continuous frontage of development along the lane. Importantly, the proposal does not require the widening or formal urbanisation of Old Sawmill Lane and would not introduce the extensive engineering operations often associated with more intensive forms of residential development. This approach materially differs from the scenarios envisaged by previous Inspectors, where concern was expressed that additional dwellings would extend or reinforce elongated linear development along the lane and create pressure for incremental change.

Furthermore, the defining characteristics of the lane would largely remain. The alignment of the lane would be retained, the mature vegetation that provides enclosure would continue to form a dominant component of the street scene, and the route would continue to be experienced as a narrow and informal lane rather than a conventional suburban street. The proposal would therefore alter the character of the area, but would not fundamentally transform it.

Officers are satisfied that the visual effects of the development would be experienced principally within the immediate vicinity of the site and would not extend across the wider length of the lane. Consequently, whilst the proposal would erode some of the semi-rural qualities identified by previous Inspectors, the resulting harm would be localised and moderate rather than substantial. Again, this change is limited and differs to that previously identified by Inspectors, given the restrained scale of development and the pattern of development following that of the adjoining terrace with parking to the front of the properties. There is also a lack of physical alteration to the lane, the retention of mature tree cover. The proposal preserves the essential qualities that give

Old Sawmill Lane its distinctive character, while introducing only a limited and contained degree of change that does not undermine its continued appreciation.

It is also relevant that appearance and landscaping remain reserved matters. Accordingly, the final architectural treatment, landscape strategy and boundary treatments would be capable of being carefully controlled to ensure that the development responds positively to its setting and minimises visual intrusion. Significant weight is attached to the ability of the reserved matters process to secure a high-quality design response.

Summary

The development would introduce built form and domestic activity into a locality which presently derives part of its appeal from its informal and semi-rural character.

Nevertheless, the harm identified would be limited and localised in nature. The proposal would not fundamentally alter the defining characteristics of Old Sawmill Lane, would not require significant urbanisation of the access route and would retain the key landscape features that contribute to local distinctiveness. The lane would continue to be experienced as a narrow, enclosed and informal route notwithstanding the presence of the proposed dwellings.

Accordingly, whilst officers identify moderate effects on character and appearance and attribute corresponding weight to those impacts in the planning balance, the degree of harm is materially less significant than that identified in previous appeal decisions. The proposal is therefore not considered to result in character and appearance impacts of sufficient weight to justify refusal when assessed alongside the benefits of the development and all other material considerations.

Neighbouring Amenity:

Overlooking

Page 47 of the Borough Design Guide outlines the minimum separation distances to maintain privacy and limit sense of enclosure for new residential development. For back-to-back relationships, the minimum for first floor windows is 22 metres and the minimum for second floor windows is 26 metres. These distances assume the rear boundary is equidistant between each property.

The two dwellings proposed would retain a back-to-back distance of between approximately 31 metres from no. 3a Rowan Drive and 21.5 metres from No.5 Rowan Drive to the north. Whilst a c0.5 metre shortfall is noted in part, the relationship remains acceptable, particularly given the substandard garden length of No.5 Rowan Drive (10 metres) which means the occupier borrows outlook from the application site. The front-to-front distances from the houses on the opposite side of Old Sawmill Lane are a minimum of approximately 30 metres which is also acceptable.

Inter-development, the two dwellings would not provide unacceptable intervisibility. No objections are raised in this respect.

Loss of Light and Overbearing

There is no anticipated loss of light or overbearing impacts on the neighbouring properties to the north, south and east due to the separation distances between them and the nature of the proposals. 1 metre flank to boundary separation remains maintained and given the consistent building line retained, no harm arises from this relationship.

However, neighbour amenity can only be fully assessed at Reserved Matters Stage when the design/appearance of the dwellings is finalised and the location of windows and design of the properties is known.

Amenity Space:

Internal

The internal space standards for new dwellings are set out in the Borough Design Guide and supported by Policy TB07 of the MDD. It would need to be demonstrated at the reserved matters stage that the two dwellings proposed meet the minimum standards required for their occupancy levels and would provide adequate internal space to serve future occupiers.

External

The Borough Design Guide specifies a minimum depth of 11 metres for rear gardens and a 1 metre set-back from the site boundary to allow access thereto. The proposed amenity spaces of both dwellings comply with the requirements of the Borough Design Guide.

Highway Access and Parking Provision: The application has been assessed by the Local Highway Authority (LHA), who raise no objection to the principle of development or its sustainability credentials, and confirm that the proposed development would not result in a material impact on the wider highway network.

Access to the site would be from the existing Old Sawmill Lane, an adopted highway, but with the immediate private access track serving the parking bays at the front of the property. This private track currently provides vehicular access to an existing dwelling on the opposite site of the track and to rear garages associated with neighbouring properties on Ellis Road. Its use for residential purposes is therefore well established.

The proposed development would result in an increased vehicle movements. Given the limited scale of the proposal, the short length of the private track, and its immediate proximity to the adopted highway network, A safe and suitable access can be achieved without the need for the private road to be widened or upgraded to adoptable standards, despite the request from the Highways department. Notwithstanding this any upgrade to the track would require interventions that would significantly change the semi-rural character of the lane and likely impact on the mature trees and vegetation surrounding it thus would not be acceptable on character grounds.

Matters relating to the design of the access, including visibility splays, parking layout, refuse storage, cycle provision and emergency vehicle access can be satisfactorily addressed at Reserved Matters stage, supported by appropriately worded planning conditions.

Flooding and Drainage: Policy CC09 of the MDD Local Plan requires consideration of flood risk from historic flooding. Policy CC10 requires consideration for sustainable drainage.

The site is located within Flood Zone 1 and at low risk of surface water flooding. WBC Drainage have no objections to the proposals subject to the submission of a drainage strategy, with consideration for SUDs, prior to the commencement of development. This will be imposed on the decision notice should the application be recommended for approval.

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

There are a handful of protected trees located to the side of the site, all of which are located along the unmade lane. Given the dwellings are located outside of the RPA of these trees, there is no anticipated harm on the adjacent TPO trees. No other vegetation would be impacted by the proposals.

Landscaping is a matter reserved for later consideration, and thus it is appropriate to assess proposed mitigation planting in greater detail within a future application. Notwithstanding, the site remains feasible to provide adequate buffer planting.

WBC Trees and Landscape raised no objection to the proposal subject to conditions.

Ecology:

The documents reviewed for this proposed application are as follows:

- Proposed Site Plan
- Outline Planning Application Form, PP-14201750
- Preliminary Ecological Appraisal and Roost Assessment, Issue 1.0, 16/07/25

Biodiversity Net Gain (BNG)

I agree with the applicant's assessment of baseline habitats. This proposed development is exempt for the Statutory BNG, as it qualifies as a 'self-build, meeting all criteria; consist of no more than 9 dwellings, on a site no larger than 0.5ha and consist exclusively of self-build dwellings therefore is subject to S106 legal agreement to secure this exemption.

As this is proposed development is exempts from Statutory Biodiversity Net Gain, it does not have to provide a 10% net gain of habitat and hedgerow units on site.

Thames Basin Heath, Special Protection Area (SPA).

This development is located within the 5 km linear mitigation zone for the Thames Basin Heath Special Protection Area (SPA), a nationally designated site. In accordance with Policy CP8 – Thames Basin Heath of the Wokingham Core Strategy, the proposed increase of two additional dwellings must be appropriately assessed and provide a financial contribution toward the maintenance and protection of the SPA.

Paragraph 4.49 of Policy CP8 states:

“The Appropriate Assessment indicates that to ensure development avoids likely significant impacts upon the SPA, the following principles will apply:

i) Dwellinghouses and other residential development (including staff accommodation in Use Class C2) must provide avoidance and mitigation measures where:

a. The proposal involves one or more net additional residential units within 5 km (linear) of the SPA. Contributions toward on-site SPA access management measures and monitoring, in line with the Delivery Framework, will be required, along with the provision of SANG at a minimum of 8 ha per 1,000 population (calculated at a rate of 2.4 persons per household). This monitoring includes assessing the effectiveness of the SANG.”

As this proposal involves additional residential development within the 5 km mitigation zone, the applicant will be required to provide a financial contribution toward the maintenance of existing Suitable Alternative Natural Greenspace (SANG), to be managed in perpetuity as an alternative recreational area to the SPA. In addition, a contribution toward Strategic Access Management and Monitoring (SAMM) will also be required.

These SAMM and SANG contributions will be secured through a Section 106 Agreement.

SSSI Impact Risk Zones

The application site does fall within two SSSI Impact risk zones, however as the development is for 2 units only, Natural England does not need to be consulted.

Bats

WBC Ecology agree with the application ecologist's assessment that the site itself has negligible potential for roosting bats. However, the mature oak trees along the western boundary and the adjacent woodland habitat provide suitable conditions for bats, functioning as an important wildlife corridor connecting surrounding areas of priority woodland habitat.

Given that the adjacent woodland and mature oaks offer foraging, commuting, and potential roosting opportunities, a Lighting Plan will be required to ensure that these habitats are not adversely affected by artificial lighting associated with the proposal. Bats are European Protected Species, protected under the Conservation of Habitats and Species Regulations 2017. It is an offence to kill, injure, or disturb bats, or to damage or destroy their breeding or resting sites. In line with national guidance and Policy CP7 – Biodiversity of the Wokingham Core Strategy, developments that may impact species of principal importance—such as bats—must include appropriate mitigation measures. In this instance, for appropriate mitigation, a detailed lighting plan will be required. It is recommended that a Lighting Design Strategy for Light-Sensitive Biodiversity condition be required to secure details of the lighting plan.

Although the ecologist confirms that the site offers negligible foraging potential, the roosting potential of the two mature oak trees on the western boundary has not been fully assessed. Records indicate up to five bat species within 2 km of the site, including

two species of principal importance. In the absence of specific information on roosting potential (i.e. high, medium, or low), a precautionary approach should be adopted. If any works—such as crown reduction—are proposed to these trees, an ecologist should be present to inspect and survey the trees prior to works commencing.

It is therefore recommended that this precautionary approach be secured through a Construction Environmental Management Plan (CEMP) condition. The CEMP should set out measures for construction lighting control, and detail how potential impacts to bats will be avoided or mitigated during the construction phase.

The application ecologist has also made appropriate biodiversity enhancement recommendations for bats, particularly pipistrelles, which have been recorded in the area. The installation of integrated bat boxes should be secured through a Species Compensation and Enhancement Condition, referencing the specific products and locations recommended in the Preliminary Ecological Assessment.

Birds

WBC Ecology agree that the proposed development site does not offer any suitable nesting habitats for birds. However, similar to bats, the surrounding habitat, the mature oaks on the western boundary included, provides suitable foraging and nesting potential for birds. Birds and their nests are protected Wildlife and Countryside Act 1981. It is an offence to damage, destroy nests in use or being built. To ensure this development is in keeping with this legislation, any works to the mature oak trees on the west, are to be completed outside of nesting bird season (February – October inclusive).

Additionally, the ecologist recommends the installation of bird boxes within the proposed development to increase potential nesting habitat. The enhancements proposed will meet Wokingham Management Development Delivery Policy TB23, paragraph a) ensuring all new development incorporate new biodiversity features. The biodiversity enhancements are recommended to be secured as a part of the wider Species Compensation and Biodiversity Enhancement condition.

Hedgehogs

Hedgehogs are a species of principal importance both nationally and to Wokingham. The application ecologist states that the proposed development does not pose any habitats that are suitable for hedgehogs, of which I agree. The Ecological Impact Assessment does propose the use of hedgehog highways to allow hedgehogs the ability to move freely across the site. The incorporation of hedgehog highways would meet policy compliance, of Policy TB23 Biodiversity and Development, paragraph c) *“Ensure that all existing and new developments are ecologically permeable through the protection of existing and the provision of new continuous wildlife corridors”*. Hedgehog highways would ensure the permeability of the new development.

WBC Ecology recommend securing the biodiversity enhancement of hedgehog highways as a part of the Species compensation and enhancement condition.

Conclusion: The application seeks outline planning permission for the erection of two self-build dwellings within the defined settlement of Crowthorne, with access, layout and scale to be determined at this stage and appearance, landscaping and other

matters reserved for future consideration. The principle of residential development is considered acceptable having regard to the site's sustainable location, the spatial strategy of the development plan and the support afforded by Policy S4 for housing delivery within settlements. The proposal would make a positive contribution towards the Borough's housing supply at a time when the Council is unable to demonstrate a five-year supply of deliverable housing land and would also provide two self-build opportunities.

The site has a lengthy planning history and previous appeal decisions remain an important material consideration. Officers acknowledge the findings of previous Inspectors regarding the distinctive semi-rural character of the western section of Old Sawmill Lane and accept that the proposed development would introduce built form and domestic activity into an area which presently derives part of its attractiveness from its informal and verdant character. Notwithstanding this, the policy context has ultimately changed in light of the NPPF26 since the time of these appeals which places greater emphasis on the presumption in favour of sustainable development. As such, a degree of harm to character and appearance has been identified and given moderate weight in the overall planning balance.

However, for the reasons set out within this report, officers consider that the resulting harm would be localised and limited in extent. The proposal would not require the formalisation or urbanisation of Old Sawmill Lane, would retain the key landscape characteristics that define its appearance and would not fundamentally alter the experience of the lane as a narrow and enclosed route. The degree of harm identified is therefore materially less significant than that identified within previous appeal decisions.

Furthermore, the proposal has been assessed by the Council's technical consultees, with no objections raised in respect of highways, drainage, trees or ecology, subject to appropriate planning conditions. Satisfactory mitigation in relation to the Thames Basin Heaths Special Protection Area has been secured through the completed planning obligation.

Taking all matters into account, officers conclude that the adverse impacts of the development would not substantially outweigh the benefits associated with the delivery of two additional dwellings, including self-build housing, within a sustainable settlement location. The proposal is therefore considered to accord with the overall objectives of the Development Plan when read as a whole, together with the National Planning Policy Framework, and planning permission should be granted subject to the conditions and the completed Section 106 Agreement.

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

The Public Sector Equality Duty (Equality Act 2010): In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion

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

RECOMMENDATION

Conditions agreed:	Yes
Recommendation:	Approve
Date:	3 September 2026
Earliest date for decision:	12 February 2026

Recommendation agreed by:
(Authorised Officer)



Date: 8 September 2026

The Conservation of Habitats and Species Regulations 2017 Screening Assessment and Appropriate Assessment

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

Summary of Response

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

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

On commencement of the proposed development, a contribution (calculated on a per-bedroom basis) is to be paid to Wokingham Borough Council (WBC) towards the cost of

measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in WBC's Infrastructure Delivery Contributions Supplementary Planning Document (SPD).

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

In this instance, the proposed development would result in a net increase of up to 2 dwellings within 5km of the SPA. As the application is in outline form, the final bedroom mix is not known at this stage

The accompanying Section 106 Agreement secures SANG and SAMM contributions calculated in accordance with the Council's adopted SPA tariff and based on the bedroom mix approved pursuant to the reserved matters application.

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

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

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

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

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

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

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

2. Stage 1 Screening for Likely Significant Effects

WBC accepts that this proposal is a 'plan or project' which is not directly connected with or necessary to the management of a European Site. The Thames Basin Heaths Special Protection Area (SPA) is a European designated site which affects the borough, and WBC

must ensure that development does not result in an adverse impact on the SPA. The potential adverse effects on the integrity of the SPA include recreational activities from inside the SPA and air pollution from inside and outside the SPA.

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

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

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

3. Stage 2 Appropriate Assessment

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

The following policies and guidance set out WBC's approach to relevant avoidance and mitigation measures which have been agreed with Natural England. For the majority of housing developments this will comprise the provision of (or contribution towards) Suitable Alternative Natural Greenspace (SANG) and a contribution towards the Strategic Access Management and Monitoring (SAMM) Project. Developers will be required to secure an appropriate financial contribution for the provision of SANG and to the SAMM project through an obligation in a s106 agreement.

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

a. Policies and Guidance

For this proposal the following guidance and policies apply:

- South East Plan (May 2009) Policy NRM6 (Thames Basin Heaths Special Protection Area)
<http://webarchive.nationalarchives.gov.uk/20100528160926/http://www.gos.gov.uk/gose/planning/regionalPlanning/815640/>
- Wokingham Borough Core Strategy (2010) Policy CP8 (Thames Basin Heaths Special Protection Area) sets out the approach WBC will take in order to protect the TBH SPA <https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Final%20adopted%20Core%20Strategy%20inc.%20cover.pdf>

- Wokingham Borough Core Strategy (2010) Policy CP7 (Biodiversity) sets out the approach WBC will take in order to protect national and international nature conservation sites <https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Final%20adopted%20Core%20Strategy%20inc.%20cover.pdf>
- Wokingham Borough Managing Development Delivery Local Plan (2014) Policy TB23 (Biodiversity and Development) <https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Adopted%20MDD.pdf>
- Infrastructure Delivery and Contributions SPD (2011) <https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Adopted%20Infrastructure%20De~nd%20Contributions%20SPD.pdf>

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

b. SPA Avoidance and Mitigation Measures

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

In accordance with the development plan, the proposed development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG).

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

The development will result in a net increase of up to 2 dwellings. The final bedroom mix is not known at outline stage and therefore the precise SANG contribution cannot yet be calculated. The Section 106 Agreement secures payment of the relevant SANG contribution based upon the approved bedroom mix.

ii. Strategic Access Management and Monitoring (SAMM) Contribution

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

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

The final bedroom mix is not known at outline stage and therefore the precise SAMM contribution cannot yet be calculated. The Section 106 Agreement secures payment of the relevant SAMM contribution based upon the approved bedroom mix.

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.

The Section 106 Agreement secures a mechanism requiring payment of SANG and SAMM contributions calculated from the bedroom mix approved at reserved matters stage and prior to commencement of development. This provides certainty that appropriate avoidance and mitigation measures will be secured before development proceeds.

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:

PLANNING CONSTRAINTS/STATUS

- *Modest Development Location of Crowthorne*
- *Thames Basin Heath Special Protection Area (5km zone)*
- *Tree Preservation Orders*