



**WOKINGHAM
BOROUGH COUNCIL**

TOWN AND COUNTRY PLANNING ACTS

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

Mr Craig Pettit
Marrons
6 Queen Square
Bristol
BS1 4JE

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

Application Number: 242421
Applicant Name: The Owner and/or Occupier
Site Address: Land to the North of School Road, Arborfield Cross
Proposal: Outline application for the proposed redevelopment of the site and erection of up to 95 no. dwellings with associated access, infrastructure, open space, landscaping and associated works. (All matters reserved except for means of access).
Date of Decision: 20 December 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. The proposal represents inappropriate unplanned development outside of development limits within the countryside that is contrary to the spatial objectives of the development plan and to Policies CP1, CP3, CP6, CP9, CP11 and CP17 of the Core Strategy, Policies CC01, CC02, CC03 and TB21 of the MDD Local Plan, the Borough Design Guide SPD and sections 2, 4, 12 and 15 of the NPPF.
2. The proposed quantum of development within the parameters submitted for approval would result in a cramped and a poorly laid out scheme which has not been demonstrated to achieve minimum separation distances or adequate private amenity space. The road layout and parameters for development would result in development with streets that have poor passive surveillance and an access road that does not create a legible or integrated street network with the existing settlement pattern. The development is contrary to policies CP1, CP3 and CP11 of the Core Strategy, Policies CC01, CC02, CC03 and TB21 of the MDD Local Plan, the Borough Design Guide SPD, The National Design Guide and sections 8, 12 and 15 of the NPPF.

3. The proposed development will have a prominent negative and detrimental impact on the Bearwood and Barkham Valued Landscape, character of School Road (designated as a Green Route) and character & appearance of the area by reason of the loss of a sizeable section of open and attractive undulating landscape in the countryside with an urbanising large-scale development. Due to the location of the proposed access road, land form and quantum of development, the proposal would appear as detached from the village's main built-up core and fail to read as an organic extension to the settlement, thereby eroding its character, resulting in poor place-making. Therefore, the proposal would be contrary to policies CP1, CP3 and CP11 of the Core Strategy, Policies CC01, CC02, CC03 and TB21 of the MDD Local Plan, the Borough Design Guide SPD, National Design Guide, the Wokingham District Landscape Character Assessment, the Wokingham Borough Council Valued Landscape Assessment (2024) and sections 8, 9, 11, 12 and 15 of the NPPF.

4. The proposed development would significantly and prominently erode the open space that separates Arborfield Cross and Barkham Hill and Arborfield Cross and Arborfield, resulting in a detrimental degree of visual and perceived coalescence between these independent settlements, contrary to policies CP1, CP3 and CP11 of the Core Strategy, Policies CC01, CC02, CC03 and TB21 of the MDD Local Plan, the Borough Design Guide SPD, the Wokingham District Landscape Character Assessment, the Wokingham Borough Council Valued Landscape Assessment (2024) and sections 12 and 15 of the NPPF.

5. The proposal would have a harmful impact on the setting of the Grade II listed building through the erosion of open fields which contribute to its rural setting. The proposed parameter plans would result in development which would not be reflective of both the historic roadside settlement and the existing pattern of development, thereby failing to preserve or enhance the character of the Arborfield Cross Conservation Area. The proposal would be contrary to Core Strategy policy CP3, MDD LP policy TB24 and sections 12 and 16 of the NPPF.

6. The agricultural land is classed as Grade 3 and the application fails to demonstrate there would be no loss of Grade 3a Best and Most Versatile Agricultural Land, or that such a loss would be outweighed by other material considerations, contrary to Core Strategy policy CP1 and section 15 of the NPPF.

7. By virtue of a lack of accurate and updated information a baseline survey date cannot be agreed and an assessment of how 10% biodiversity net gain will be achieved is not possible. As such, if granted planning permission, there is no guarantee that 10% biodiversity net gain would be achieved, hence would be contrary to Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

8. It has not been demonstrated that the proposal would not lead to harm to bat and reptile protected species and species of principal importance. The proposal is therefore contrary to policy CP7 of the Core Strategy, policy and TB23 of the MDD LP, Policy IRS3 of the Arborfield & Barkham Neighbourhood Plan and section 15 of the NPPF.

9. Insufficient information has been submitted with the planning application to enable the highways, parking and transportation implications of the proposed

development to be fully assessed. This is due to the absence of an acceptable Transport Assessment. The applicant has failed to demonstrate that this major development would not have a significant adverse impact upon highway safety. This is contrary to Core Strategy policies CP1, CP3 and CP6, and sections 8 and 9 of the NPPF.

10. Insufficient information has been provided to demonstrate that the proposal would encourage a modal shift towards sustainable modes of transport, by reason of the countryside location outside and unconnected to settlement limits, distances to facilities and services and poor quality of the walking/cycling environment, contrary to policies CP1, CP2, CP3, CP6 and CP11 of the Core Strategy, CC01 and CC02 of the MDD Local Plan, the Borough Design Guide SPD, National Design Guide and sections 8 and 9 of the NPPF.

11. Insufficient information has been provided to demonstrate that the proposed foul water drainage strategy would be viable, contrary to Core Strategy policies CP1, CP3 and policy CC10 of the MDD Local Plan.

12. Insufficient information has been provided to demonstrate how planning policies relating to sustainable construction and reductions in carbon dioxide emissions would be complied with, contrary to Core Strategy policy CP1, MDD LP Policies CC04 and CC05 and WBC Sustainable Design and Construction SPD.

13. 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 and section 15 of the NPPF

14. In the absence of a planning obligation, the proposal fails to secure opportunities for training, apprenticeships and other vocational initiatives to develop local employability skills contrary to MDD LP Policy TB12.

15. In the absence of a planning obligation, the scheme fails to make adequate provision for affordable housing, contrary to Policy CP5 of the Core Strategy and section 5 of the NPPF.

16. In the absence of a planning obligation the development fails to secure the management/adoption of internal estate roads or the installation of a pavement on the southern side of Barkham Ride, contrary to Core Strategy policy CP1, CP3, CP4 and CP6 and section 9 of the NPPF.

17. In the absence of a planning obligation to secure a travel plan or a contribution towards My Journey, a contribution towards the Arborfield Bus Strategy and a contribution towards improvements of public transport infrastructure, the

development fails to comply with policies CP1, CP3, CP4 and CP6 and sections 8 and 9 of the NPPF.

18. In the absence of a planning obligation to secure contribution towards healthcare, the development fails to comply with policy CP2 of the Core Strategy and section 8 of the NPPF.

19. In the absence of a planning obligation to secure delivery, ongoing maintenance, and monitoring of significant habitat creation and enhancement measures on-site, the proposal fails to comply with the biodiversity net gain mitigation hierarchy and is contrary to Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), Core Strategy policy CP7, MDD LP policy TB23 and section 15 of the NPPF.

20. In the absence of a planning obligation to secure delivery and ongoing maintenance of Public Open Space, the proposal fails to comply with policy CP3 of the Core Strategy, policy TB08 of the MDD LP, National Design Guide and sections 8 and 12 of the NPPF.

Informatives

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) and Planning Inspectorate (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

Parameters Plan 2522477.4 Rev B

Site Boundary Plan 2522477.4 Rev A

Transport Assessment 2305-083-TA-01 Rev A

received by the Local Planning Authority on 23 September 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

MHead

Marcia Head

Head of Development Management - Place & Growth

Date: 20 December 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 \(wokingham.gov.uk\)](http://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. 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 \(lsbud.co.uk\)](http://Home-LineSearchBeforeUdig.lsbud.co.uk) and contact the Plant Protection Team at SGN on 0800 912 1722 or 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).