

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	251387
Site Address:	Sonning Golf Club, Duffield Road, Woodley, Wokingham, RG4 6GJ
Expiry Date:	9 September 2025
Site Visit Date:	04/07/2025
Proposal: Application to vary condition 5,8,11,13 & 14 of planning consent 161529 for the proposed erection of 13 dwellings with associated highway works, public open space and landscaping.(Approval sought for Access). Condition 5 relates to the provision and approval of a Construction Management Plan and the variation is to update the plan. Condition 8 relates to the provision and approval of an environmental management plan and the variation is to update the plan. Condition 11 relates to details of soakaways and the variation is to update the drawings. Condition 13 relates to the provision and approval of an Arboricultural Method Statement and Scheme of Works and the variation is to update the procedure. Condition 14 relates to the approval of details in regard to off-site highway works and the variation is to update the drawings (part retrospective).	

PLANNING POLICY	
National Policy	National Planning Policy Framework (NPPF)
Core Strategy (CS)	CP1 – Sustainable Development CP3 – General Principles for Development CP7 – Biodiversity CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction CC05 – Renewable Energy and Decentralised Energy Networks CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB21 – Landscape Character TB23 – Biodiversity and Development
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM3 - Protection of Habitats and Species DM5 - Protection of the Countryside DM9 - Protecting Health, Safety and Amenity DM10 - Flood Risk

Wokingham Borough Local Plan Update (LPU)	SS1 – Sustainable development principles SS2 – Spatial strategy and settlement hierarchy SS5 – Development in the countryside C4 – Green and blue infrastructure and public rights of way FD1 – Development and flood risk (from all sources) FD2 – Sustainable drainage NE1 – Biodiversity and geodiversity NE2 – Biodiversity net gain NE4 – Trees, woodland, hedges and hedgerows NE5 – Landscape and design DH1 – Place making and quality design DH2 – Safeguarding amenity HC1 – Promoting healthy communities HC4 – Open spaces, sports, recreation and play facilities HC5 – Environmental protection HC6 – Air pollution and air quality HC7 – Light pollution HC8 – Noise pollution HC9 – Contaminated land and water HC10 – Odor, fumes and dust
Other	National Planning Policy Guidance (NPPG) Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Affordable Housing Supplementary Planning Document Sustainable Design and Construction Supplementary Planning Document Sonning Parish Design Statement Sonning Design Appraisal

PLANNING HISTORY		
Application No.	Description	Decision & Date
161529	Outline application for the erection of 13 dwellings with associated highway works, public open space and landscaping. (Approval sought for Access).	Allowed at appeal – 02/07/2018
191164	Full application for the construction of vehicular access and off-site pedestrian footway improvements (associated with planning reference 161529 and appeal reference APP/X0360/W/17/3167142).	Approved – 21/06/2019
200951	Application for the approval of reserved matters pursuant to outline planning consent 161529 for the erection of 13 dwellings with associated highway works, public open space and landscaping. Details of Layout, Appearance, Landscaping and Scale to be determined.	Approved – 16/12/2020
222136	Application for submission of details to comply with the following condition of planning consent	Approved – 12/08/2022

	161529 granted at appeal (APP/X0360/W/17/3167142) dated 07/02/2018. Condition 5 relates to the submission of a Construction Management Plan.	
222299	Application for submission of details to comply with the following condition of planning consent 161529 granted at appeal (APP/X0360/W/17/3167142) dated 07/02/2018. Condition 11 relates to the submission of details of soakaways.	Approved – 09/09/2022
222426	Application for submission of details to comply with the following condition of planning consent 161529 granted at appeal (APP/X0360/W/17/3167142) dated 07/02/2018. Condition 8 relates to the submission of an environmental management plan.	Approved – 04/11/2022
222427	Application for submission of details to comply with the following condition of planning consent 161529 granted at appeal (APP/X0360/W/17/3167142) dated 07/02/2018. Condition 13 relates to the submission of an Arboricultural Method Statement and Scheme of Works.	Approved – 27/09/2022
221883	Application for submission of details to comply with the following condition of planning consent 161529 dated 02/07/2018. Condition 14 Off site works comprising the construction of a footway.	Approved – 10/10/2022
251129	Application to vary condition 2, 3, 4, 5 and 6 of consent 200951 for the approval of reserved matters pursuant to outline planning consent 161529 for the erection of 13 dwellings with associated highway works, public open space and landscaping. Details of Layout, Appearance, Landscaping and Scale to be determined. Condition 2 refers to approved details, 3 to materials, 4 to drainage details, 5 to highway construction details, 6 to electric vehicle charging. Variation is to allow changes to car parking and garages, change of wording of condition 3, 4, 5, 6 to allow changes caused by the alterations to the proposed layout.	Approved – 05/11/2025

CONSULTATION RESPONSES

Internal

WBC Building Control - No comment

WBC Traffic Management – No comments received
WBC Drainage – No objection
WBC Highways – No objection
WBC Green Infrastructure – No comments received
WBC Landscape and Trees – No objection
WBC Health and Wellbeing – No comments received
WBC Public Rights Of Way – No comments received
WBC Community Safety – No comments received
WBC CIL – Advice provided
WBC Ecology Newts – No response received
WBC Ecology – No response received
WBC Sports Development (Places and Neighbourhoods) – No comments received
WBC Waste Services – No comments received
WBC Cleaner and Greener – No comments received
External
Southern Gas Networks– No response received
BOB ICB NHS Buckinghamshire Oxfordshire and Berkshire West – No response received
Berks, Bucks & Oxon Wildlife Trust– No response received
Crime Prevention Design Advisor– No response received
SSE Power Distribution– No response received

REPRESENTATIONS	
Parish/Town Council	No objection received from Sonning Parish Council.
Ward Member(s)	No comments received
Neighbours	One comment has been received from the Sonning Eye Society on the following grounds: <i>“- The edge of the development adjacent to Pound Lane and to the adjacent property was previously separated by a line of trees and other growth, providing a good visual cut- off to the area. The trees along this boundary are subject to a Tree Preservation Order. Some trees have already been damaged by the work carried out to date.</i> <i>-The report by Andrew Day (Arboricultural Consultant) following a visit on 13th January 2025 provides more detail. It is considered the post construction monitoring referred to in this report should be a requirement of any planning permission granted.” (Officer note: All recommendations within the attached report will be secured by compliance condition).</i>

APPRAISAL
Site Description: The application site (0.8ha) is located within designated Countryside as identified on the Borough’s Proposals Map, and forms part of Sonning Golf Club.

The site lies on the eastern side of Pound Lane and is bounded to the south-east by the golf course car park, to the north-east and north by the driving range area, and to the north-west by 101a Pound Lane. The site itself is currently open and not in use, although it is understood that it formed part of a fairway and green to one of the course's holes until recently.

At current the site is under construction, and it is noted that most recently S278 commitments have been satisfied with enhanced active connections south of the site.

Proposal:

This is an application made pursuant to Section 73 and Section 73(a) of the Town and Country Planning Act 1990 (as amended) to vary conditions 5, 8, 11, 13 and 14 pursuant to construction management, environmental management, details of soakaways, arboricultural method statement and off-site highways enhancements. These amendments are retrospective in nature and operatively complete, hence utilisation of the 73(a) mechanism.

The proposed amendments can be summarised as follows:

Condition 5 relates to the provision and approval of a Construction Management Plan. It is proposed to be varied to a compliance condition, with details to be carried out in accordance with the submitted Construction Management Plan by Darcliffe Homes dated May 2025.

Condition 8 relates to the provision and approval of an environmental management plan. It is proposed to be varied to a compliance condition, with the development proposed to be carried out in accordance with the submitted Environmental Management & Biodiversity Plan dated June 2025.

Condition 11 relates to details of soakaways. It is proposed to be varied to a compliance condition, with the development proposed to be carried out in accordance with the submitted Drawing H1342 402F Site Layout & Drainage and Aventus Design Limited H1342-SOAKS-TOTAL dated 30/05/2025, further requiring implementation of the measures prior to occupation.

Condition 13 relates to Arboricultural Method Statement and Scheme of Works and the variation is to update the procedure (in accordance with submitted Arboricultural Site Supervision by Andrew Day Arboricultural Consultant and a Tree Protection Plan New Scheme Overlay drawing), subsequently amending the condition trigger to compliance only with said updated methodology and implementation of protection/mitigation measures prior to commencement.

Condition 14 relates to off-site highways works, namely the construction of a pedestrian refuge and footway. The variation is to update this condition to compliance only given the works have neared completion.

Procedure:

The applicant seeks permission via both the S73 and S73(a) mechanism for amendment and regularisation of condition pursuant to application 161529. Whilst the works pertaining to condition 14 (off-site highway works) have now been completed and can be considered under the S73(a) mechanism, those amendments to conditions 5,8,11 and 13 require implementation and thus can be considered under the S73 mechanism (given the works pursuant to the extant permission area ongoing).

S73 of the Town and Country Planning Act 1990 provides the ability to vary a condition on a planning permission. The Town and Country Planning (Development Management Procedure) (England) Order 2010 streamlined the procedure to enable local planning authorities to use its discretion on which statutory consultees should be consulted when such an application is submitted in order to speed up the system by being more flexible.

S73(a) of the Town and Country Planning Act (introduced by the PCPO) provides the opportunity to vary a planning permission for development carried out (or with said elements substantially completed) before the date of the application.

Section 73(a) of the Act instructs the Local Planning Authority that the mechanism is appropriate for development *“(a)without planning permission; (b)in accordance with planning permission granted for a limited period; or (c)without complying with some condition subject to which planning permission was granted”*. In respect to the application site, it is acknowledged that several operative parts of the development have been completed

Sections 73 and 73(a) of the Act cannot be utilised to amend the description development. Whilst in relation to S73 applications, the principles outlined within the high court judgement of *Finney v Welsh Minsters* [2019] EWCA Civ 1868 applies given the mechanism is somewhat mirrored between S73 and S73(a). This judgement ruled *“the planning authority cannot use section 73 to change the description of development”*, nor change the ‘operative’ part of a planning permission. The original description of application 161529 (APP/X0360/W/17/3167142) was *“Outline application for the erection of 13 dwellings with associated highway works, public open space and landscaping. (Approval sought for Access).”* The proposed changes to technical details concerning landscape, ecology, highways and drainage, and condition triggers do not alter the original description of development nor significantly change the substance of the application notwithstanding the completed highways works being carried out contrary to the approved plans. Accordingly, both the Section 73 and 73(a) mechanisms are procedurally appropriate in combination to consider the proposed amendments having regard for *Finney v Welsh Minsters* [2019] EWCA Civ 1868 in combination with their (in part) retrospective nature.

Separately, it is noted that alongside this submission, application 251129 seeks to vary conditions applied to the reserved matters submission which constitutes an extension of the outline consent. Legal advice was sought and provided by the applicant that as per the Fulford judgement, given the reserved matters is not a planning permission in its own right the variation must be considered in conjunction with the open outline s73/s73(a) submission (this submission). Subject to mutual determination conjoining the applications, there is no legal or procedural reason for

the Council to determine the application otherwise subject to compliance and coherence with submission 251129 in terms of layout and site provision.

Principle of Development:

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

The overarching principle of developing 13 no. residential dwellings, was established within application 161529 which has been implemented in accordance with details formerly secured at reserved matters. Nothing herein varies this.

Character of the Area:

The requisite in-principle character impacts of developing 13 no. residential dwellings within the site's countryside location, was established within application 161529. Nothing herein varies this. However, the construction of the highway improvement works as built differ from the previously approved plans which alters the perception of the development from public views.

Policy CP1 of the Core Strategy states that permission will be granted for developments that maintain and enhance the quality of the environment and encompasses sustainable values.

Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and must be of high-quality design. The Borough Design Guide SPD requires that development contribute positively towards and be compatible with the historic or underlying character and quality of the local area.

The 'as-built' re-location of the footway would not significantly harm the character and appearance of the area, does not substantially deviate from the approved details and thus is acceptable. The only deviation is the constructed footway on the other side of the road, which connects to the wider pedestrian access network. This was a logical amendment which arose during S278 works in conjunction with WBC Highways. There are no detrimental impacts arising from the completion of these works (undertaken via S278) and the objectives of policies CP1 and CP3 of the Core Strategy are not breached.

Neighbouring Amenity:

The requisite in-principle neighbouring amenity impacts of developing 13 no. residential dwellings was established within application 161529. Nothing herein varies this.

Highway Access and Parking Provision:

Construction Management

Condition 5 relates to the provision and approval of a Construction Management Plan. It is proposed to be varied to a compliance condition, with details to be carried out in accordance with the submitted Construction Management Plan by Darcliffe Homes dated May 2025. Whilst WBC Highways initially requested additional information, the applicant has prepared a revised construction management plan.

Firstly, within their initial response, WBC Highways requested that no deliveries between 08:00 – 09:00 and 15:00 – 16:00 occur to minimise number of HGVs on the road network during school pick-up and drop-off times when children will be walking and cycling to/from school. The revised CMP states that deliveries will be scheduled between 9am – 3pm, from Monday to Friday which addresses this point.

Secondly, WBC Highways further requested that the CMP confirm the Vehicle Types to be used in construction and provide swept path analysis which demonstrates suitable turning space for the largest vehicles on the construction layout (i.e. this maybe a 16.5m low loader, 10m rigid tipper truck and a mobile crane). The revised CMP confirms the type of vehicles which will be used during construction (an 18.1m low loader for crane delivery being the longest) and confirms tracking checks have been undertaken which demonstrate vehicles and plant are able to safely enter, use and exit the site.

Thirdly, WBC Highways reflected the access gate to be setback by 16.5m and gates to open inwards to ensure construction vehicles do not block the flow of traffic on Pound Lane. The revised CMP displays a gate setback of 16.5m on the site set up plan which addresses this point.

Fourthly it was outlined that trained banksmen should supervise arrival and departure of delivery vehicles. The revised CMP confirms that 'a trained banksmen has been allocated to supervise the arrival and departure of delivery vehicles' which addresses this request.

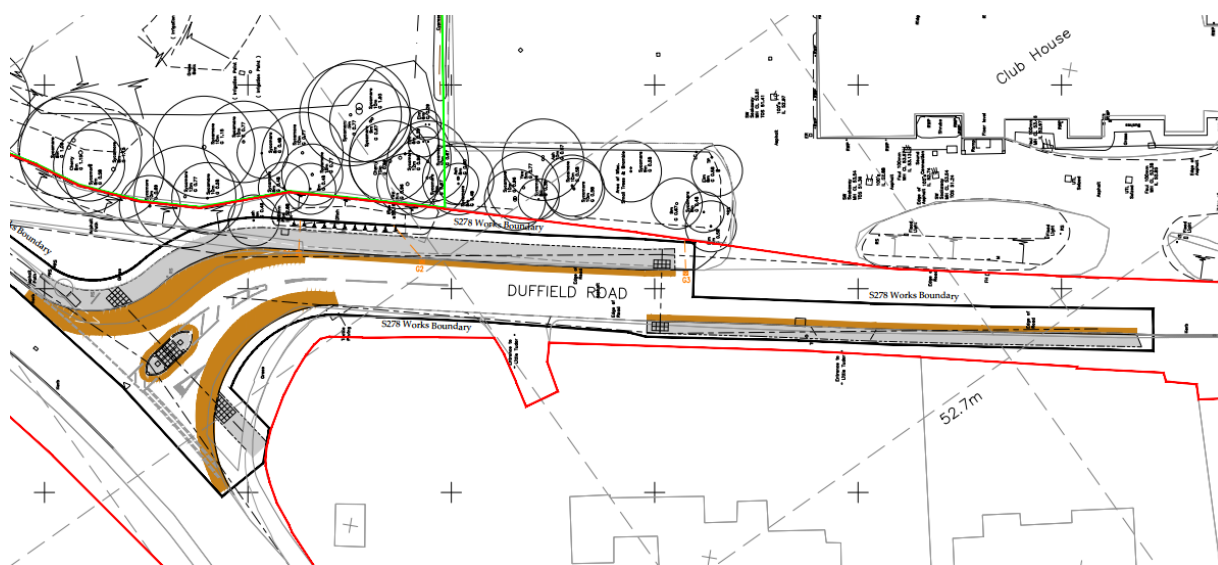
Fifthly, a vehicle routing plan was requested which shows HGV route to/from the site and demonstrates HGVs will avoid any weight/height restrictions on the surrounding road network. (Duffield Road and Butts Hill Road bridges over the railway both have a 10T Weight Restriction, Sonning Bridge has a 7.5T weight restriction). The revised CMP provides a vehicle routing plan which confirms HGVs will avoid the weight restrictions on the surrounding road network and access/egress the site via the A4 Bath Road only which is acceptable.

Finally, WBC Highways requested that the CMP should confirm the emissions standard for vehicles and non-mobile machinery/plant on site. A Euro VI emissions standard is the requested minimum standard for all vehicles and non-mobile machinery/plant used on the site. This is to minimise the air quality impact of construction on the surrounding area. The revised CMP states that 'All machinery and plant within our control will comply with minimum Euro VI standard' which is acceptable.

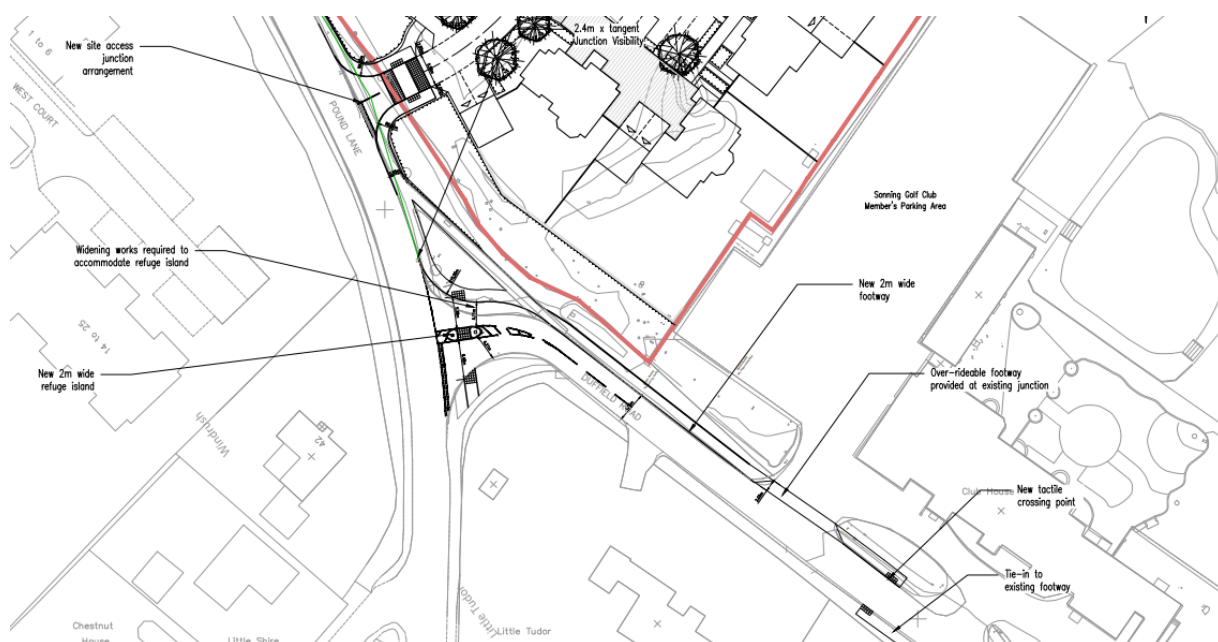
Off-Site Works:

Condition 14 relates to off-site highways works, namely the construction of a pedestrian refuge and footway. The variation is to update this condition to compliance only given the works have neared completion/ were completed during the course of the application.

The as-built works only slightly deviate from those initially approved, the main change coming from the shortening of the northern footway and extension of the southern footway, with changes to the tactile crossing point. This is illustrated below:



As-built Footway Works



Footway works secured via discharge of conditions application ref 221883

The extent of the works reflect discussions with Wokingham's S278 team, which reflect a logical earlier connection across the roadway. In the context of the overall development, the extension of the southern footway and reduction of the northern

footway are minor amendments. Whilst these have been advanced to delivery contrary to those plans approved under 221883 they are safe, adaptable and offer positive connectivity from the application site. WBC Highways and the S278 team raise no objections to regularising these plans via the S73(a) mechanism, given the works are substantially completed.

Flooding and Drainage:

Condition 11 relates to details of soakaways. It is proposed to be varied to a compliance condition, with the development proposed to be carried out in accordance with the submitted Drawing H1342 402F Site Layout & Drainage and Aventus Design Limited H1342-SOAKS-TOTAL dated 30/05/2025, further requiring implementation of the measures prior to occupation.

Further to re-consultation WBC Drainage raise no objections to the proposed amendments which vary the soakaway design, as formerly approved in discharge of conditions application 222301. The only deviations proposed between 2022 (when the condition was discharged) and present is to account for seasonal fluctuations in groundwater levels with reference to the submitted rainfall report.

The civil design now is proposed to incorporate an overflow link system between all soakaways to reflect the beforementioned fluctuations inter-season in groundwater levels. Additionally, a further soakaway (SA08) 14m x 3m x 0.8m has been added to provide enhanced capacity as shown on submitted plan H1342-402-F WIP.

Following queries raised by WBC Drainage, the applicant confirmed that the decision by the designer to locate the base of soakaways at 0.8m depth is due to the suitability of ground conditions at this level and to ensure at least 1m clear from recorded groundwater levels with some tolerance for seasonal fluctuations. These details are acceptable to secure via condition 11 which will be amended to compliance only with implementation considered prior to occupation.

Landscape and Trees:

Condition 13 relates to Arboricultural Method Statement and Scheme of Works and the variation is to update the procedure (in accordance with submitted Arboricultural Site Supervision by Andrew Day Arboricultural Consultant and a Tree Protection Plan New Scheme Overlay drawing), subsequently amending the condition trigger to compliance only with said updated methodology and implementation of protection/mitigation measures prior to commencement.

Further to consultation, WBC Trees and Landscape raise no objection to the proposal, subject to compliance with the submitted Arboricultural Method Statement and plan. It was however raised that in accordance with this revised document, the landscaping plan (pursuant to condition 2 of the reserved matters, separately assessed) will require amendment. This has been provided pursuant to joint application 251129 and will be assessed in conjunction with the amendments proposed within this submission given the reserved matters approval constitutes an extension of the outline permission.

Ecology:

Condition 8 relates to the provision and approval of an environmental management plan. It is proposed to be varied to a compliance condition, with the development proposed to be carried out in accordance with the submitted Environmental Management & Biodiversity Plan dated June 2025.

The proposals seek to collate the information previously approved under discharge of conditions application 222426 into a single page plan which reflect the updated layout proposed as a part of adjoining application to vary the reserved matters (ref 259129).

No comments or objections have been received by WBC Ecology to the submitted plan, which simplifies Version 2 of the submitted Environmental Management Plan and its appendices inc. plans titled Appendix 2 and 4 and numbered PA-RM-AH-001 Rev D. The only amendment to the submitted plan is to reflect the updated site layout shown pursuant to parallel application 251129.

Other Matters:

In this instance, considering that development has commenced and the period for reserved matters submissions has lapsed through the passing of time conditions 2 and 3 have been deleted. Furthermore, to crystallise the link between the varied outline and reserved matters, condition 1 has been amended to read *"Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be carried out in accordance with amended Reserved Matters application 251279 dated 05/11/2025."*

Conclusion:

Overall, with the above in mind, the proposed amendments are acceptable, procedurally correct and in accordance with the development plan. This decision should be read strictly in accordance with application 251129 approved in parallel.

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

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

RECOMMENDATION	
Conditions agreed:	Yes
Recommendation:	Approval subject to conditions as varied and those that remain in force pursuant to application 161529 and those secured by extension via the Reserved Matters approval 251129 approved on 05/11/2025.
Date:	05/11/2025
Earliest date for decision:	24 July 2025

Recommendation agreed by: (Authorised Officer)	<i>MC</i>
Date:	05.11.2025

PLANNING CONSTRAINTS/STATUS

Designated Countryside

Tree Preservation Order 1505/2015 (group of trees along front and northern side boundary)

Nitrate Vulnerable zone (groundwater)

Flood Zone 1

Minerals consultation zone

Sand and gravel extraction consultation zone

Non-classified road