

Proof Of Evidence.

Evidence of Kate Holden BA (Hons) MA MRTPI.

In Respect of Land west of Limmerhill Road, Wokingham.
On behalf of Monopro Ltd.

Date: January 2026 | Pegasus Ref: P23-0064

Appeal Ref: APP/X0360/W/25/3361360 | LPA Ref: 232621

Author: Kate Holden





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Appendix 1: Letter from Berkeley Strategic

1. Personal Background

- 1.1. My name is Miss Kate Holden and I hold Batchelor of Honours degree (First) from the University of Nottingham and a Masters degree in Spatial Planning (Distinction) from Westminster University.
- 1.2. I am a chartered member of the Royal Town Planning Institute.
- 1.3. I have practiced in the private sector for over 15 years, advising primarily on residential development management matters for housebuilders at all scales.
- 1.4. I was employed by JCDecaux from 2010–2014 before joining Dalton Warner Davis LLP in London from 2014–2016. I joined Pegasus Group in Bristol as a Principal Planner in late 2016, being promoted to Associate in 2019.
- 1.5. I am familiar with the appeal site, having managed the preparation, submission and running of the Outline planning application on behalf of my client and authored the Planning Statement. I have also co-authored the Statement of Common Ground with the Local Planning Authority.
- 1.6. The appeal was originally submitted and started as a Written Representations appeal, the relevant documentation for which – including the Statement of Case – was authored by my colleague Bridget Westcott (née Miller) during my time on maternity leave. My return to work has coincided with the decision of the Planning Inspectorate to upgrade the appeal to an inquiry, and therefore I shall now be acting as the expert planning witness for the appeal. Whilst I have had regard to the statement of Ms Westcott, this proof is intended to be read independently of her statement, and the views set out within it are entirely my own.
- 1.7. I am conversant with the planning and other disciplinary matters relevant to the appeal scheme. I have visited the site and am familiar with the immediate locality and wider area.
- 1.8. The evidence which I present in this Proof of Evidence is given in accordance with the guidance of my professional institution, and I confirm that the opinions expressed are my true and professional opinions.

2. Scope of Evidence

- 2.1. My Proof of Evidence deals with the appeal site in respect of planning policy matters, including the application of the spatial strategy policies in the Local Plan, the application of the 'tilted balance' established through national policy, and technical and environmental matters as relevant to the application of such policies at a high level.
- 2.2. The structure of my evidence is as follows:
- Section 3 provides the context to the appeal, including events occurring subsequent to the appeal's submission;
 - Section 4 presents the Appellant's case in respect of planning matters, organised thematically with reference to the reasons for refusal;
 - Section 5 confirms the benefits and harms of the proposals and the weight to be ascribed; and finally;
 - Section 6 undertakes the Planning Balance exercise and sets out my key conclusions.
- 2.3. As my evidence is concerned with matters of planning policy, it necessarily alights upon several other disciplines, and attention is directed to the supporting information provided by relevant subject matter experts as appropriate.
- 2.4. Notwithstanding, I place a particular emphasis on those policies concerning the principle of development, benefits of the appeal proposals, weight to be ascribed to relevant policies, and how the various considerations are to be weighed into the 'planning balance'.
- 2.5. Detailed evidence on the other matters is provided by the following specialists:
- Mr Jonathan Evans – Landscape;
 - Mr David Partridge – Arboriculture;
 - Ms Katie Stock – Locational Sustainability and highways; and
 - Mr Tom Harris – Design.
- 2.6. In the interests of succinctness, I will direct the Inspector to existing documentation such as the Statement of Common Ground, where relevant to avoid repetition.

3. Appeal Context

3.1. The description of development is:

"Outline Planning Application for up to 60 no. dwellings (use class C3) with associated public open space, landscaping, ecological enhancements, drainage and other supporting infrastructure, with access from Barkham Road (all other matters reserved)."

3.2. The description of development was amended at the written representations final comments stage. This was because the Council requested during s106 negotiations that provisions for age-restricted housing be removed from the draft S106 Agreement, as they didn't think that typology appropriate at this site. Acceptance of this change is confirmed in the Statement of Common Ground.

3.3. The key features of the scheme are:

- Up to 60 no. dwellings;
- 40% affordable housing;
- Vehicular access from Ye Olde Leathern Bottel;
- Additional pedestrian connections to surrounding network;
- Publicly accessible open green space, including picnic areas on elevated ground to enjoy views;
- A children's play area (LEAP);
- SuDS with a 'dipping area' for educational value;
- Landscape and ecological enhancements including wildflower meadow, community orchard, woodland and native shrub planting to encourage wildlife corridors; and
- Avenues of trees for the entrance and at interface with Public Open Space to soften visual impact.

3.4. The details of the application and appeal submission are set out within the Statement of Common Ground and are not repeated here. I would however draw the Inspector to the following material changes in circumstances since the time of the earlier Written Representations submissions:

- The application documentation, decision notice and earlier appeal submissions do not draw in any particular detail (with the exception of the Valued Landscape policy) on the draft policies in the emerging Local Plan. The parties have agreed in the Statement of Common Ground (December 2025) that these policies can only be afforded limited weight. However, in the interests of completeness, and given the unknown timescales involved with both the progress of the plan and the issue of a decision on this appeal, I have commented upon the effect of the most pertinent policies, should the Inspector be minded to afford them a greater degree of weight in his decision.

- Since the submission of the appeal, an appeal has been allowed on the site known as Land adjacent to Blagrove Lane (CD8.1), on the southern side of Barkham Road opposite the appeal site. It is also located between (and abutting in parts) the Development Limits of both Wokingham and Barkham. I will draw upon this in my case.
- At the time of writing, the consultation on the draft updated NPPF (published for consideration on 16th December 2025) is currently live. Responses are invited until March 2026. At this stage, the draft is not afforded any significant weight in the decision-making process, however, it may well be published in its final form before the appeal is determined and as such, I will comment on the most pertinent changes.

Third Party Comments

3.5. The Appellant notes the comments of Third Parties (submitted both in response to the Written Representations appeal and the Inquiry), with the following topics raised being addressed elsewhere within my evidence or other evidence submitted on behalf of the appellant:

- Unsuitability of location/ unallocated site;
- Loss of greenspace and the natural break between settlements;
- Loss of trees;
- Impact on habitats and biodiversity;
- Lack of regard to the town's character;
- Impact on neighbouring amenities;
- The lack of SANG provision;
- Past over-delivery of housing locally; and
- Insufficient local amenities.

3.6. No further commentary is therefore offered.

3.7. Other topics raised by third parties (but which are not matters of dispute between the main parties) are summarised below with our comments:

- Unsafe access to the site – the local Highway Authority confirmed no objection to the scheme subject to planning conditions.
- Additional road traffic and construction traffic – ditto to the above.
- Creating a less safe walking/cycling environment – ditto to the above.
- Lack of parking – ditto to the above, the scheme is in outline and appropriate parking provision can be provided for and assessed at reserved matters stage.

- Impact on healthcare accessibility – the population of the development is not anticipated to have a material impact, and WBC has not requested any specific obligations to improve healthcare access.
- Impact on the local pub – the development will not affect the pub’s operation and improved, safer access to the pub car park will be provided. Only a few pub car parking spaces will be lost.
- Lack of affordable housing – the Section 106 Agreement secures 40% affordable housing provision which is policy compliant and key benefit of the scheme.
- Impact on Flood Risk – the Council is satisfied that the proposal will not have an unacceptable flood risk subject to standard conditions.
- The status of Limmerhill Road – Limmerhill Road is a private road. A Definitive Map Modification Order (DMMO) was submitted in March 2022 to instate a bridleway along this route. A notice placed within local press in March 2023 demonstrates that this order has been made (Wokingham Bridleway 1, map ref. SU 76 NE) and the Public Rights of Way officer has confirmed this with Ms Stock, however the definitive map has not been updated. It is understood that the Limmerhill Road Residents Association is not concerned with the proposals connecting on to it the bridleway, but with the ability for the appellant to be able to improve it which we are not proposing.
- Other Footpaths – The definitive map also shows the location of a series of proposed public footpaths put forward under a DMMO application in 2014; the status of this application is marked as “under investigation” but I have no reason to believe it is any longer being pursued.
- The suggestion that the appeal site is a designated ‘public open space’ or similar – The site is identified on the Development Plan policies map as ‘Natural and Semi-Natural Greenspace’ but is not formally designated. There is no current public access to the site and there is no public right of way across the site. The current review of the Development Plan does not propose the site as a public open space, nor is it proposed as a Local Green Space (LGS). The Local Green Spaces Assessment Report 2024 (CD7.6) which forms part of the evidence base for the emerging plan considered the site as one of the nominations but states. *“The nominated area of green space at Limmerhill Road has very limited public access and holds limited recreational, ecological, historical or tranquillity value that would warrant or benefit from designation as Local Green Space. Scoped out of detailed assessment.”* The application for a village green on the site was rejected by the Council in March 2018, a decision which was upheld by the High Court in October 2018.
- The ‘spurious’ planning history of the site – An applicant is at liberty to submit any number of planning applications on a site and each will be judged upon its own merits. Some of the applications made on the site relate to Ye Olde Leathern Bottel pub rather than the site as a whole.

4. The Appellant's Case

4.1. The substantive matters in dispute relate to whether the appeal proposals are acceptable as a matter of principle, having regard to the operation of the 'tilted balance', the strategic development plan policies for the area, the benefits of development and the planning balance to be exercised pursuant to s.38(6) of the Planning and Compulsory Purchase Act 2004.

4.2. My evidence is structured as follows:

- Issue 1 – The application of the 'tilted balance'
- Issue 2 – The extent to which the proposed development would be consistent with the development plan (Spatial Strategy) and the weight to be given to these policies **(Reason for Refusal 1)**
- Issue 3 – Whether there are material considerations outweighing the loss of Grade 2 and Grade 3a agricultural land **(Reason for Refusal 5)**
- Issue 4 – Whether 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 **(Reason for Refusal 8)**
- Issue 5 – The extent to which the proposed development would be consistent with the development plan (other matters) and the weight to be given to these policies **(Reasons for Refusal 2, 3, 4, 6, 7, 9, 10)**

Issue 1: The Application of the Tilted Balance

- 4.3. Sustainable Development is not defined in the NPPF, but Section 2 is clear that it should contribute to the three overarching objectives (economic, social and environmental). The appeal proposals represent sustainable development which will deliver much needed new market and affordable housing in an appropriate location and deliver several economic, social and environmental benefits, discussed further under Issue 7.
- 4.4. Paragraph 11d) of the NPPF establishes that
- “where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date [footnote 8], granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance [footnote 7] provides a strong reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”*
- 4.5. Footnote 7 describes those policies in the NPPF as those:
- “relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.”*
- 4.6. The Development Plan Wokingham Borough comprises the Core Strategy (adopted 2010) and Managing Development Delivery (adopted 2014). The Development Plan has not been reviewed for in excess of 5 years and does not plan for an up-to-date housing need.
- 4.7. The publication of the revised NPPF on 12 December 2024 introduced a new standard method for calculating housing need, applicable to those authorities without an up-to-date locally derived figure. This resulted in a 78% overnight increase in housing need. I acknowledge the difficulty this has presented to the Council but it does not diminish the actual need. The target for Wokingham is 1,316 dwellings per annum (taking into account the most recent affordability ratios published in March 2025). This is compared to a housing requirement in the adopted development plan of 623 dwellings per annum (in relation to the period April 2021 – March 2026).
- 4.8. The latest figure set out within the ‘Five Year Housing Land Supply Statement’ (CD7.1) published by the Council in August 2025 is 2.5 years’ supply, equating to a supply of 3,453 dwellings against the standard method local housing need of 1,316 dwellings per annum (with a 5% buffer). This is a shortfall of 3,454 dwellings.

- 4.9. Since the Council cannot demonstrate a 5-year supply of housing land against an objectively assessed need, the relevant policies are out-of-date for the purposes of the 'presumption' and therefore that the 'tilted balance' of paragraph 11d) applies.
- 4.10. The proposals do not give rise to disengagement of the tilted balance under the provisions of footnote 7 because for the avoidance of doubt:
- No 'irreplaceable habitats' (including Veteran Trees) are impacted;
 - Subject to appropriate measures, the impact on the Thames Basin Heath SPA ('Habitats Site') is adequately mitigated in line with The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations) (such that paragraph 195 of the NPPF is not triggered).
- 4.11. Policy CC01: Presumption in Favour of Sustainable Development re-iterates the presumption enshrined in the NPPF. Whilst this policy has the same material effect of leading the decision maker to the tilted balance in this scenario, the fact that it is contained within the Development Plan is a critical difference which is addressed in Issue 2 below.
- 4.12. Although the Council agrees that it cannot demonstrate a 5-year supply of land for housing, in the officer report (CD2.8) on the application, it is claimed that the tilted balance should be 'tempered' by the fact that the Council is performing well due to historic over-delivery.
- 4.13. I accept that there has been a surplus of housing completions against all national policy requirements since the Core Strategy period began in 2006. Earlier in the plan period, Wokingham had a strong record of performance in terms of housing delivery. Nevertheless, the requirement in the NPPF is essentially forward facing and I therefore I give only limited weight to past over-supply.
- 4.14. This approach is consistent with the conclusions of the Inspector in the New Bath Road, Twyford (Wokingham Borough) appeal decision (CD8.4):
- "In my view, the housing land supply figure does not present a ceiling which should not be exceeded... I consider the approach adopted by the Inspectors at Swallowfield and Orchard Road to be the most appropriate. That is to say the requirement on local planning authorities to deliver housing is forward facing and I give only limited weight to this past over-supply." (Paragraphs 61 and 62)*
- 4.15. The 'Swallowfield' Inspector, referred to above, writes in his decision (CD8.9):
- "The Council argues that the weight to be afforded to the shortfall in housing land supply should be tempered because of past over-delivery of housing. Paragraph 77 of the Framework indicates that past over-supply may be a relevant factor in calculating housing land supply, but notwithstanding what is said in that paragraph no methodology has yet been provided in national planning guidance for doing so. The main parties have offered me differing figures for over-supply based on methodologies of their own devising... Without an agreed methodology for factoring in over-supply in housing land supply calculations, it is difficult assign weight to this matter. Looking at the most recent housing delivery test for Wokingham, which at 205% is impressive, it is clear that recent housing delivery has been strong and has exceeded the minimum housing requirement by a considerable margin. However, it is equally clear from the shortfall in future housing land supply that such delivery will not be achieved over the next 4 years if the spatial strategy is applied rigidly.*

Since the requirement on local planning authorities to deliver housing is essentially forward facing, I give only limited weight to past over-supply.” (Paragraphs 37 and 39)

The Emerging Local Plan

- 4.16. The Council is preparing a new Local Plan. This emerging Local Plan plans for between 748–795 dwellings per annum using a locally-derived Housing Need figure (compared with the current standard method figure of 1,316 dwellings per annum). This means it is, at best, planning for only around 60% of its need.
- 4.17. The parties agree that the emerging Local Plan should be given limited weight in line with paragraph 49 of the NPPF owing to its stage of preparation. There are many objections to the emerging Local Plan which have not yet been tested through examination and there is no guarantee it will be found sound in its present form.
- 4.18. Nevertheless, in the event that the emerging Local Plan were to be found sound and adopted based on the above housing figure, the following considerations should be taken into account.
- 4.19. First, under the provisions set out in Annex 1 of the NPPF, because the emerging Local Plan was submitted for examination prior to 12th March 2025, it will be examined against the previous version of the Framework, and therefore will be subject to an immediate review to account for the unmet housing need. Further, this Local Plan Review will be subject to the plan-making regime introduced by the Levelling-up and Regeneration Act (2023). Under the transitional arrangements, the Council must publish its Gateway 1 self-assessment by 31 October 2026. In effect this means that plan-making needs to begin again in the near future to ensure the Council can meet the statutory requirement to demonstrate 'readiness' for plan-making by October.
- 4.20. Secondly, for the purposes of decision-making, from 1 July 2026, paragraph 78c) of the NPPF introduces a requirement for the application of a 20% buffer where *“a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework, and whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.”* This will apply. The ability to demonstrate a 5-year supply of housing land will therefore be assessed against an annual requirement 20% greater than contained within the plan, c. 898 – 954 dwellings per annum. The trajectory published with the examination documents dated September 2024 (CD7.5) establishes the following anticipated delivery over the next 5 years:
- 2026/2027 – 579 units
 - 2027/2028 – 524 units
 - 2028/2029 – 873 units
 - 2029/2030 – 1,000 units
 - 2030/2031 – 1,047 units

- 4.21. This results in a total delivery of 4,023 units vs. a *minimum* 5-year requirement of 4,490 units. This shortfall is most acute in the first three years, and may well extend beyond this owing to the delays associated with the adoption of the plan.
- 4.22. In these circumstances, the tilted balance would still most likely be engaged even once the emerging Local Plan is adopted. In other words, even if adopted, the adopted Development Plan would remain insufficient in terms of planning for sufficient housing, and the housing land supply shortfall would not be instantly resolved.

Emerging (Draft) National Planning Policy Framework 2026

- 4.23. The overarching direction of the draft NPPF, underpinned by the drive to deliver more homes, is the notion of providing – what the government has been referring to in the press as a “default yes” – to higher density development in sustainable, well-connected locations. As a result, most significantly, the ‘presumption in favour of sustainable development’ has been revised to give greater weight to development in certain situations.
- 4.24. National Decision-Making Policy S5 establishes the principle of development outside settlements. It states, at part 1, that only certain forms of development – as listed – should be approved outside settlements, and that “These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.”
- 4.25. The list includes:
- j. Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test), and where the development would:*
 - i. be well related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or*
 - ii. comprise major development for storage and distribution purposes which accords with policy E3.*
- 4.26. The appeal proposals fall within the provisions of j and would therefore be subject to the (newly worded) ‘tilted balance’ of policy S5 if brought into force. The new wording is further ‘tilted’ in favour of development.
- 4.27. Within this balance, policy HO7: Meeting the need for homes is clear about the weight to be given to the delivery of new housing. It states that:
- “In applying the policies in this Framework, substantial weight should be given to the benefits of providing accommodation that will contribute towards meeting the evidenced needs of the local community, taking into account any up-to-date local housing need assessment, and other relevant evidence (including the extent to which there is a five year supply of deliverable housing and traveller sites, and performance against the Housing Delivery Test).”*

Issue 2: The extent to which the proposed development would be consistent with the development plan (Spatial Strategy) and the weight to be given to these policies

- 4.29. This issue goes to the heart of reason for refusal 1 which states that the proposal represents inappropriate unplanned development outside of development limits within the countryside, contrary to the spatial objectives of the development plan.
- 4.30. The appeal site is located outside of the Development Limits established by the Local Plan and as such I acknowledge that development is contrary to policies CP9 and CP11.
- 4.31. Policy CC02 (2) states that development will only be permitted at the edge of settlements where all development is within Development Limits. The appeal proposals conflict with this provision.
- 4.32. Policy CP17 sets out the Council's plan to provide for at least 13,230 new homes across the plan period. Policy CP17 does not cap housing numbers and includes flexibility to bring land forward in identifying future land supply, albeit this is envisaged to be through the allocations process. This is established in the appeal at Nine Mile Ride, Finchampstead (CD8.5). Accordingly, I do not find conflict with policy CP17.
- 4.33. Taking policies CP9, CP11, CC02 and CP17 together, I therefore conclude that there is a degree of conflict with the spatial strategy.

Weight to be given to the policies

- 4.34. However, the weight to be given to these policies must be significantly reduced because:
- Policies CP9, CP11 and CC02 are out-of-date;
 - Policy CP17 is out-of-date; and
 - Of the existence of policy CC01 which supports development (which would be otherwise restricted) where the relevant policies are out-of-date.
- 4.35. First, policies CP9, CP11 and CC02 are out-of-date owing to the fact that the provisions of the 'presumption' in the NPPF stipulate as such for the 'most important' policies in the absence of a five-year supply of housing land. For the avoidance of doubt, I consider these policies (with policy CP17) to comprise the most important policies for the delivery of housing in this instance.
- 4.36. Although in its Statement of Case, the Council seems to accept that the policies are out-of-date by the NPPF definition, it argues that the policies are "not out of date by substance [my emphasis] and are consistent with the framework". At page 13, it draws upon a March 2023 appeal (ref. 3309202). This concerns a proposal for 200 homes adjoining the village of Hurst, whereas the current appeal is for 60 homes on the edge of the town of Wokingham. In his decision the Inspector states that the policies in question "accord strongly with the requirements of the Framework, especially with the regard to the need to

promote and secure a sustainable pattern of development.” In that appeal, which was dismissed, the Inspector found that Council had a housing supply of nearly 4 years.

- 4.37. I disagree with the application of this conclusion to the present appeal. Rather, as set out in my Planning Statement supporting the application, I draw upon the findings of the Inspector of the appeal for 118 dwellings at Nine Mile Ride, adjoining the village of Finchampstead (CD8.5) which make clear that where the housing need cannot be met because delivery is restricted by spatial strategy policies, then the fundamental NPPF objective of delivering a sufficient supply of homes is offended:

“The housing requirement in policy CP17 was based on the now revoked South-East Plan and is clearly no longer fit for purpose. In any event, the Framework makes clear that as the strategic policies in the CS were adopted more than 5 years ago and have not been updated, local housing need should be calculated using the standard method set out in national planning guidance. There is no dispute that when applying the relevant 5% buffer the requirement is 844.4 dwellings per annum (dpa). This is significantly more than the 723 dpa in policy CP17...

The scale and location of housing and the associated development limits were established to accommodate this lower housing requirement. However, as the Hurst Inspector observed, policy CP17 does not cap housing numbers and includes flexibility to bring land forward in identifying future land supply. Housing land supply is considered later in the decision, but the evidence is clear that this depends on some sites that are outside the development limits. The delivery of a sufficient supply of homes is a fundamental objective of the Framework but cannot be achieved through adherence to policies CP9, CP11 and CC02, which are all dependent on the development limits. These policies are therefore out-of-date.” (Paragraphs 25–26)

- 4.38. For this reason, given the effect of the application of spatial limits on the failure of the Local Planning Authority to delivery of housing, the substance of the policies must be considered out-of-date.
- 4.39. Secondly, policy CP17 is out-of-date for the very reason that it establishes a plan to deliver a quantum of housing based on a need which is out-of-date and substantially insufficient compared with the government’s objectively assessed need for the Borough.
- 4.40. Thirdly, the existence of policy CC01 – which reiterates the NPPF presumption (albeit an older version thereof) – within the Development Plan is of consequence.
- 4.41. At the heart of the decision making process in planning is the Section 38 of the Planning and Compulsory Purchase Act 2004 which (as paraphrased in paragraph 48 of the NPPF) provides:

‘If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.’

- 4.42. This establishes the primacy of the Development Plan.
- 4.43. Ordinarily, therefore, in a ‘tilted balance’ scenario, the starting point is the conflict with the Development Plan, with regard to be had to paragraph 11 of the NPPF as a material consideration which could justify departure from that development plan.

4.44. However, in this case, policy CCO1 specifically applies the titled balance as one of a suite of policies within the Development Plan, accounting for the very situation where those other policies are out-of-date. One does not need to turn to the material considerations. The fact that (policy CCO1 of) the Development Plan itself tells the decision maker to consider its relevant policies out-of-date must further reduce the weight to be given to them. Put another way, Policy CCO1 is one of the overarching policies in the plan. It is an integral part of the development plan's spatial strategy. Reading that spatial strategy as a whole (including Policy CCO1), the plan itself indicates that its strategy should be considered to be substantively out of date.

4.45. For these reasons, I consider the weight to be afforded to policies CP9, CP11, CCO2 and CP17 is very limited.

Weight to be given to conflict/harm arising

4.46. Turning to the degree of conflict with the policies, the weight to be attributed to the conflict should also be significantly reduced because:

- The objectives of policies CP9 and CP11 are not offended.

4.47. In considering the policy objectives, it is of course material to consider what Development Limits are being breached and for what level of development. Being located on the edge of Wokingham, the appeal proposals represent a small extension to the primary settlement in the Borough (to which development is directed), as opposed to a larger development in an isolated part of the countryside.

4.48. Policy CP9 directs development to specific locations following a hierarchy of accessibility and the absence of the appeal site location within this list (i.e. outside settlement limits) is read as equal to being excluded. For the avoidance of doubt, I accept the Council's position at paragraph 5.9 in its Statement of Case about the inherent 'negative corollary' in permissively worded policies.

4.49. However, the location of the appeal site outside of these locations, does not, in my view, make it inherently an unsustainable location or tantamount to unsustainable development. In paragraph 5.1 of its Statement of Case, the Council refers to "sustainable settlement limits" [my emphasis] yet this is not terminology adopted in the Local Plan itself.

4.50. Rather, the policy wording states that "the scale of development proposals in Wokingham borough must reflect the existing or proposed levels of facilities and services at or in the location, together with their accessibility." This matter goes to the evidence of Ms Stock, which concludes that with regards to accessibility, the location of the appeal site is sustainable.

4.51. I explore the matter of sustainability in greater detail later in my evidence, and find that there is no harm to the objectives of the policy to ensure that development is sustainably located with access to services.

4.52. Policy CP11 states that development will not be permitted outside of Development Limits except in specific circumstances which do not apply to the appeal proposals.

4.53. The purpose of policy CP11 is to maintain the separate identity of settlements and the quality of the environment. Again, I explore this matter in greater detail later in my evidence

and find that there is no harm to the objectives of the policy owing to the retention of a green space as part of the proposals and other factors which limit its impact on the perceptual coalescence between Barkham and Wokingham.

4.54. For these reasons, the degree of harm arising from the policy conflict is very limited, and there is limited conflict with the purposes of policies CP9 and CP11.

4.55. I note that my conclusions – both in terms of weight to be given to the policies and weight to be given to the harm arising from policy conflict – differ from those of the Inspector in the recent Blagrove Lane appeal (CD8.1). At paragraph 20, he states:

“For the time being, I consider CS Policies CP9, CP11, CP17 and MDD Policy CC02 frustrate the delivery of housing at the level that is required. They are therefore inconsistent with the Framework’s objective to meet an area’s identified need. However, that does not mean that those out-of-date policies (not only deemed out of date) carry no or little weight. In my opinion, given the purposes of the policies, they carry moderate weight, and moderate material harm would arise from the proposal’s conflict with the spatial strategy.”

4.56. However, this reasoning does not articulate to what extent, if any, the effect of policy CC01 should have on the weight to be given to the policies, whereas as set out above, this is factored into my assessment.

4.57. Moreover, there are material differences in the circumstances of these two proposals. The Blagrove Lane proposals are for up to 350 dwellings and a care home, which would represent a significantly greater quantum of development on a site which is also significantly larger in size. This is particularly pertinent in relation to policy CP9 which seeks to match the scale of development to appropriate locations.

4.58. The Council also refers to the following policies within Reason for Refusal 1:

- CP1 (Sustainable Development);
- CP3 (General Principles for Development);
- CP6 (Managing Travel Demand);
- CC03 (Green Infrastructure, Trees and Landscaping);
- TB21 (Landscape Character);
- Sections 12 and 15 of the NPPF; and
- Borough Design Guide.

4.59. I do not consider that these go to the heart of the matter of whether or not the appeal proposals are inappropriate having regard to the established Development Limits and the overarching spatial strategy. I do however return to these policies later in my evidence.

Emerging Plan Policies

- 4.60. As set out above, I attribute only limited weight to the emerging Local Plan. However, should the Inspector be minded to consider its effects on this matter, I offer the following observations.
- 4.61. Under the provisions of the emerging plan, the site retains the same status as an unallocated site within the countryside, outside but adjacent to the settlement of Wokingham (and Barkham).
- 4.62. Policy SS2: Spatial Strategy and Settlement Hierarchy and SS5: Development in the Countryside prohibit development in the countryside outside the settlements.
- 4.63. Policy SS3: Development within or Adjacent to Major and Modest Settlements effectively supersedes the 'presumption' contained in policy CC01, but introduces caveats as follows. Proposals must be:
- relative to the scale of the shortfall evidenced in the Housing Delivery Test;
 - demonstrably deliverable within 5 years and will contribute towards addressing the shortfall evidenced in the Housing Delivery Test;
 - consistent with the role and function of the relevant settlement in the settlement hierarchy;
 - integrate successfully with the community it adjoins having regard to core shape, form and size of the settlement, the mix of uses proposed and the design, layout and accessibility of the scheme;
 - sustainably located where future residents would have realistic opportunities to use active and sustainable modes of transport for day-to-day travel and would not be reliant on private motor-vehicles;
 - not unacceptably compromise the visual or perceived separation of settlements; and not compromise the delivery of any other site allocations.
- 4.64. For the reasons discussed elsewhere in this evidence, I find no reason that these criteria could not be met.
- 4.65. As such, the overall policy framework for the spatial strategy for this site remains the same – namely that restrictive policies sit alongside a (nuanced version of) 'tilted balance' presumption. Therefore, my assessment in relation to the emerging spatial strategy would be unchanged.

Issue 3 – The Loss of Best and Most Versatile Agricultural Land

- 4.66. This issue is concerned with Reason for Refusal 5.
- 4.67. A report on Agricultural Land Classification and Soil Resources, produced by Reading Agricultural has been submitted with the appeal and concludes that the agricultural land quality of the appeal site is c. 46% (3.1ha) Grade 2 (very good quality), 47% (3.2ha) Subgrade 3a (good quality) and 7% (0.5ha) non-agricultural. As per the Statement of Common Ground, based on these findings, the parties agree that the proposals will result in the loss of BMV land, but the weight to be given to that loss is disputed.
- 4.68. Core Strategy Policy CP1.7 (Sustainable development) states that planning permission will be granted for development proposals that avoid areas of ‘best and most versatile’ agricultural land (i.e. Grades 1–3a as defined by Annex 2 of the NPPF). This is reflected in draft Policy SS1.j) (Sustainable development principles) of the Wokingham Local Plan Update (Regulation 19) which adds that ‘exceptional circumstances’ are required to justify unplanned loss of BMV land. This is not consistent with the NPPF which requires the impact on BMV to be recognised but does not place a blanket restriction upon development on it.
- 4.69. The relevant NPPF Section 15 (Conserving and enhancing the natural environment) says that planning decisions should contribute and enhance the natural and local environment by *“recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land.”*
- 4.70. The land is currently in use for equestrian purposes, and is therefore not in arable use or for food growing and thus has limited economic benefit¹. The size and isolated nature of the appeal site, being divorced from wider agricultural land and accessible by vehicle only from Barkham Road, mean its economic benefits are further limited.
- 4.71. The loss of less than 7 hectares of BMV is considered insignificant in terms of overall national BMV land availability and significantly lower than the threshold of 20ha set by the Town and Country Planning (Development Management Procedure (England) Order) (DMPO) 2015 for referring such sites to Natural England for assessment. None of the land is the highest quality Grade 1 land. Furthermore, the proposed development reserves the western side of the site for open space, and much of this area is proposed as traditional orchard planting.
- 4.72. Locally, there is a high proportion of BMV land in Wokingham Borough which is a constraint on identifying land for housing to meet the housing need. This is recognised in the Interim Sustainability Appraisal (2020) (CD7.2) for the Local Plan Update which concludes, in respect of the draft Plan’s preferred spatial strategy that:

“Land, soils and natural resources– there is a need to conclude the inevitability of significant negative effects as the proposed spatial strategy would lead to significant

¹ A full planning application was approved in 2016 (ref. 161092, approved 17/08/2016) to change the use of the land from agricultural to mixed agricultural/equestrian, and it is understood that the site has been used exclusively for equestrian uses since.

loss of best and most versatile agricultural land, although it is recognised that reasonable spatial strategy alternatives perform worse.”

4.73. All of the strategic growth scenarios considered in the Local Plan Update would lead to – at best – significant loss of BMV agricultural land demonstrating that there is insufficient non-BMV land in the Borough to accommodate the population growth and economic needs of Wokingham, such that the loss of BMV is therefore inevitable.

4.74. For these reasons, I afford the loss of BMV land, and the conflict with policies CP1 and section 15 of the NPPF, only very limited weight.

4.75. This is broadly consistent with the Inspector in the Swallowfield appeal (CD8.9), albeit he in fact attributes no material weight to the loss of BMV:

“The part of the appeal site used as an arable field is classified as best and most versatile agricultural land, containing grade 2 and grade 3a soils. No objection has been raised by the Council to the loss of the field in terms of agricultural production. As any development on agricultural land in the area is likely to result in the loss of best and most versatile land, I do not consider that the loss of this parcel of land carries material weight. It is likely that similarly classified land in the borough will have to be released to meet housing demand.” (Paragraph 38)

4.76. Should the Inspector find that regard should be had to draft Policy SS1.j then I find that the provision of market and affordable housing within the context of a substantially insufficient housing land supply would amount to exceptional circumstances.

Issue 4 – SANG

4.77. Reason for refusal 8 states:

“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.”

4.78. This is of importance, for the purposes of the planning balance, in relation to paragraph 195 of the NPPF which states that:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

4.79. As noted in the committee report (CD2.8), the Council undertook an Appropriate Assessment in relation to the application and concluded that SANG would be required to satisfy the Habitats Regulations with regards to impacts upon the Thames Basin Heaths Special Protection Area. Having previously been the Council, this competent authority is now the Inspector. The parties have agreed in the Statement of Common Ground that reason for refusal 8 could, in principle, be resolved through the imposition of a planning obligation, and that this would satisfy the Habitats Regulations and policies cited as being offended in the decision notice.

Proposed Mitigation

4.80. The appellant has prepared a Unilateral Undertaking (dated 20th June 2025, CD4.9) – together with a SANG Agreement (CD10.11) – which secures SANG at Langley Mead Extension to mitigate the effects of the proposal on the Thames Heath Basin SPA for the purposes of the Habitats Regulations.

4.81. For the avoidance of doubt, the Unilateral Undertaking was originally prepared to cover all planning obligations. The other matters (relating to the provision of opportunities for training and apprenticeships and affordable housing) will now be agreed between the parties in a S106 Agreement. The UU is therefore only of pertinence for the outstanding SANG matter owing to the lack of agreement between the parties on this point (which is likely to be updated accordingly prior to the inquiry).

4.82. However, Natural England objects to the proposals on the basis of the unsuitability of the proposed SANG. Natural England’s objection, as set out in its statement dated 8th July 2025 (CD10.3), is premised on two concerns; distance and deliverability. The Pegasus letter of 23rd July 2025 to Natural England (CD10.4), which was submitted to the appeal under the earlier Written Representations procedure provided an initial response to these points, which I elaborate upon below.

Distance

- 4.83. There is no threshold for the distance between a site and its associated SANG established within either South East Plan Policy NRM6 or Core Strategy Policy CP8.
- 4.84. The guidance to which Natural England refers (ref. 'Guidance for the Creation of Suitable Natural Green Space (SANGS) 2021 (CD6.2)) states that, in relation to SANGs within the Thames Basin Heaths SPA, *"a recent survey showed that... 70% of those who visited by car had come from within 5km of the access point onto the SPA"*. On this basis, Natural England has objected because the proposed Langley Mead extension SANG is not within "catchment" (linear distance of over 5km from the development).
- 4.85. The reference to a defined "catchment" (made again in its letter to me dated 17th December 2025, CD10.8) is, in my view, inaccurate. The 2021 Guidance document does not state anywhere that there is a defined 5km 'guidance distance', let alone a policy position on the matter. It simply tells us that based on their recent survey work, 70% of people, just over two-thirds, had travelled to the SANG by car from less than 5kms away. It tells us nothing about the journey time taken to get there, the directness/circuitousness of any route, the availability of other green spaces, or indeed any other factor which could influence an individual's decision about what constitutes "too far away" to be an attractive/viable option.
- 4.86. For example, the nearest point of the Langley Mead Extension is 5.2km (as the crow flies) to the site access, with the car park being 5.8km away (as the crow flies). The real world driving distance is (4.6miles) (or 7.4km) and at 15:54 on 20/01/2026, according to Google Maps, it will take 10 mins to get there. By contrast, the proposed South SDL Extension SANG is 3.7kms as the crow flies and would therefore be acceptable to Natural England in principle on the basis of the 5kms threshold. However, three driving routes are suggested by Google Maps (15:56 20/01/2026) and they require a drive time of 16-17mins. The quickest drive time of the three identified (by 1 minute) avoids the town centre of Wokingham, where most delay can be expected.

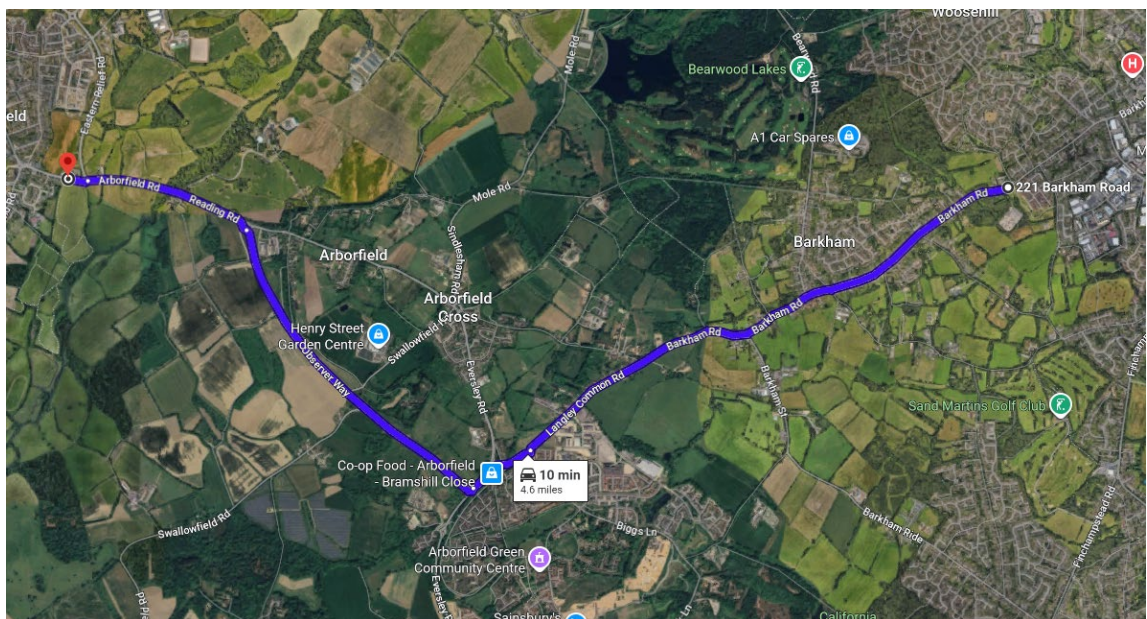


Figure 1: Drive time from the appeal site to the Langley Mead Extension

4.87. The Natural England statement of 8th July 2025 followed a chain of email communication between NE and the Council. In his email of 16th June 2025 (CD10.1), the planning officer writes to NE:

"The council's Green Infrastructure Manager (Duncan Fisher) has advised that in his view, the proximity of the SANG strays from the JSPB Delivery Framework because the majority of the dwellings will be beyond the 5km catchment. However, the proposal is within the 5-7km linear mitigation zone – this might mean that there is a bit more discretion to consider a SANG solution that is different from the strict standards for the 400m-5km linear mitigation zone. Please could NE advise whether the catchment exception is acceptable in this case – or could be made acceptable, e.g. via consumption of SANG at a rate higher than normal for the 5-7km zone? Please see the attached plans showing the proximity of the application site to the Langley Mead Extension."

4.88. In this correspondence, an alternative point of reference is used with regards to the 5km 'catchment'; the Thames Basin Heaths Special Protection Area Delivery Framework, authored by the Thames Basin Heaths Joint Strategic Partnership Board (2009) (CD6.3). This sets out, at paragraph 5.11, that:

"The catchment of SANG will depend on the individual site characteristics and location, and their location within a wider green infrastructure network. As a guide, it should be assumed that:

- i) SANG of 2-12ha will have a catchment of 2km*
- ii) SANG of 12-20ha will have a catchment of 4km*
- iii) SANG of 20ha+ will have a catchment of 5km [footnote 14].*

Footnote 14: These catchments are indicative and based on initial research by NE as set out in the draft Delivery Plan."

4.89. Although this document – which is non-statutory for the purposes of the Development plan – does articulate 'catchments', the words "as a guide" explicitly indicate the possible flexibility in their application. It is not indicated how the measurements are to be taken (i.e. to the site as a whole, to some or all housing in it, or to the vehicular access that would be used to drive to the SANG).

4.90. In Natural England's response of 2nd July 2025 to the Council (CD10.1), Ms Osborne writes:

"From Natural England's perspective, we were satisfied with the Langley Mead extension back in early 2024, following some amendments. As such, we would be happy for it to be used as mitigation once it has been secured formally as SANG. How many of the houses are in the catchment of the SANG extension?"

Housing should generally fall within the catchment of a SANG. In the 5-7km zone, consideration could be given to the location of vehicle access, but it would be for Wokingham BC as the competent authority to be satisfied."

4.91. This is notable in two respects; firstly, this verifies that the Langley Mead extension is appropriate in principle, subject to its being 'formally secured'. Secondly, the phrase 'should generally' and reference to the 5-7km zone makes clear that any part of a development's

being in such a range does not automatically discount the suitability of the relevant SANG, but that a sensible qualitative judgement is required on the part of the competent authority; 'should generally, plainly does not have the same operative meaning as 'must always'. This also indicates a clear degree of flexibility.

- 4.92. To be expressly clear, parts of the site are within 5km of the Langley Mead Extension. Natural England is measuring from the access point of the appeal site (in the south-eastern corner), which is 5.2kms from the SANG. The magnitude of the differences in distance being discussed are wholly non-material in the overall scheme of a c. 5km trip made by car and highly unlikely to be determinative in the decision making of users.



Figure 2: Plan showing a 5km radius from the entrance to the Langley Mead Extension SANG, partially covering the appeal site

- 4.93. Ironically, those dwellings anticipated to be within the 5km radius, at the site's northwest, would have a slightly longer journey to the proposed SANG than those outside of it, on account of having to proceed initially to the main access to the southeast, passing dwellings beyond the 5km radius on the way. This highlights the risk and fallacy of interpreting what is in actuality a flexible piece of guidance with undue rigidity and without exercising pragmatic 'real-world' (fact and degree) judgement in matters such as this.
- 4.94. In practice, the appeal site offers convenient vehicular access to the LME SANG via the B3349 and A327, an estimated 9-10 minute drive, such that it is more than a reasonable proposition that users would exercise personal choice to visit, regardless of whether they live 5km or 5.2km linear distance from it.

Deliverability

- 4.95. Second, Natural England asserts that, notwithstanding any legal agreement, the Langley Mead Extension is not legally secured as SANG.

- 4.96. The Langley Mead Extension does benefit from planning permission, granted on appeal some years ago (Appeal reference APP/XO360/W/19/3235895, local ref. 181631) CD8.11. The planning permission is for a Country Park extension to the existing Langley Mead SANG. This is readily capable of becoming SANG and generating SANG capacity once a SANG Management Plan is submitted and discharged. LME will be 'formally secured as SANG' once the University of Reading has entered into a formal arrangement with the Council for the onward management and maintenance of the LME as SANG. This point is addressed in a letter from the appellant's solicitors (CD10.4a).
- 4.97. Part of the County Park (parking and a pedestrian footpath link to the Langley Mead SANG) has already been delivered. The University of Reading website advises that "The Langley Mead SANG Extension is currently being delivered in phases, due for completion in 2026". If the appeal scheme is granted, it is expected that development works will be ready to commence in mid-2026 at the earliest (following the discharge of pre-commencement condition and the obtaining of reserved matters approval).
- 4.98. The administrative tasks pertaining to the management plan and legal agreement between the landowners The University of Reading and the Council to manage and maintain the land as SANG in perpetuity will be advanced in 2026, building on the extensive SANG network that has been put in place at Shinfield at Three Mile Cross.
- 4.99. The University of Reading is willing and able to attribute SANG capacity to the appeal proposals. To support the Unilateral Undertaking, a SANG Agreement has been made between the appellant and the university to this effect. This was submitted unsigned as part of our earlier submission to PINS in July 2025 but is now submitted to the appeal in signed form (CD10.11). The purchase contract between the University and the appellant for the land contains a positive obligation requiring the University to enter into a S.106 Agreement with the Council regarding management arrangements upon sale of the land.
- 4.100. Reliance, in planning terms, on the Unilateral Undertaking could be supported by the imposition of a Grampian condition.
- 4.101. We suggest that such condition could take the form of the following:
- (i) No development shall take place until a scheme for the mitigation of the effects of the development on the Thames Bain Heath SPA (by provision of an appropriate Suitable Alternative Natural Greenspace (SANG) and arrangements to secure the onward maintenance and management of the SANG) has been submitted to and approved in writing by the Local Planning Authority.
 - (ii) No dwelling shall be occupied before written confirmation has been obtained from the Local Planning Authority that the SANG has been provided and secured in accordance with the approved scheme.
 - (iii) The scheme shall thereafter be implemented as approved.
- 4.102. In considering the appropriateness of employing a Grampian condition in relation to SANG mitigation, the decision maker needs to be satisfied in terms of the provisions of both the NPPG and the Habitats Regulations. The appeal decision at Rectory Farm, Kings Langley (CD8.10) sets out this issue well. This pertains to the delivery mechanism proposed by the appellant to utilise a Grampian condition which would restrict occupation until the

necessary credits from the Westbrook Hay SANG (the appellant's chosen private SANG) have been secured.

4.103. At paragraphs 34 – 39, the Inspector writes:

"The only real issue between the Council and Appellant in respect of Westbrook Hay is the delivery mechanism. The Appellant favours the use of a Grampian condition which would restrict occupation until the necessary credits have been secured. Appeal decisions where Inspectors have accepted such an approach were discussed at the Inquiry. There is little utility in carrying out a forensic examination of these decisions given they all turn on their individual facts. Nonetheless, they do at least demonstrate that the use Grampian conditions in relation to SANG is not something new or novel.

The Council argued that a Grampian condition would be unlawful because there is no certainty that credits from Westbrook Hay will come forward and therefore it has not been demonstrated that the mitigation would be delivered within the two-year lifetime of the permission.

At this point it is important to acknowledge the distinction between the test for Grampian conditions in the Planning Practice Guidance (PPG) and the test under regulation 63 of the Habitats Directive. The latter requires that a competent authority may only agree to a plan or project "having ascertained that it will not affect the integrity of the European Site". The precautionary approach requires the decision maker to be sure there is no reasonable scientific doubt, that a scheme will not affect the integrity of the site.

The PPG test relates to the imposition of Grampian conditions and states that it will be unreasonable to impose a pre-commencement where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission – where there is some prospect, a pre-commencement condition will be reasonable²¹. In short, 'certainty' is required in relation to the Regulation 63 test, whereas 'reasonable prospect' relates to the imposition of a Grampian condition.

NE's flow chart states that permission may be granted provided it can be ascertained that the proposal would not adversely affect the integrity of the SAC. The Council's planning witness accepted that a negatively worded Grampian condition preventing occupation until the SANG mitigation is secured, would ensure no adverse effects on the SAC. There is no logical basis on which I can conclude otherwise. I am thus satisfied that option 2 put forward by the Appellant removes all reasonable scientific doubt of adverse effects on the SAC. The Regulation 63 test is therefore met.

In the absence of any evidence to the contrary and considering the November 2023 board approval, there appears to me to be a very real prospect that the Appellant will be able to secure SANG credits at Westbrook Hay within the lifetime of the permission. That is sufficient to satisfy the PPG test." [my emphasis]

4.104. In very similar circumstances, the Inspector was satisfied on both counts.

4.105. This appeal also helpfully addresses potential concerns in respect of compliance with the NPPF. At paragraphs 41 – 44, the Inspector writes:

"The Council also raised concerns about compliance with the tests set out in paragraph 57 of the National Planning Policy Framework (the Framework) which requires conditions to be enforceable, precise and reasonable.

In terms of enforceability, the condition prevents the commencement of development until details of the SANG mitigation have been approved by the Council. In that regard the condition is just as enforceable as any other pre-commencement condition. In the unlikely event that development was to commence before the condition has been discharged, then a breach of planning control would be self-evident, and the Council could take action to stop the development. The condition would therefore be enforceable.

The Grampian condition makes it clear what the Appellant must do to discharge it and is specific in this regard... I am thus satisfied that the Grampian condition would be sufficiently clear and precise.

I have already found that there is a reasonable certainty that the Appellant would be able to comply with the condition's requirements and that these are reasonable and necessary. The proposed Grampian condition therefore meets the relevant statutory tests."

Alternatives

- 4.106. If the Inspector was to concur that the UU is not adequate to be relied upon for the reasons above, then nonetheless a Grampian condition to secure the SANG could be employed to prohibit development until suitable mitigation is attributed to the satisfaction of the Local Planning Authority.
- 4.107. Aside from the Langley Mead Extension, there are other forthcoming SANGs within the Borough which could be utilised. One such other SANG in the pipeline is that to be created as part of the recently allowed Blagrove Lane development. In his decision, the Inspector asserts that:

"The SANG would, however, be of a greater quantum than is required to mitigate the scheme's effects. That could be used to mitigate the effect of other development within a 2km catchment area." (Paragraph 118)
- 4.108. The Blagrove Lane SANG is roughly 9.9ha and the excess SANG will be in the order of 8ha. This appeal proposal requires just 0.3ha. The Blagrove Lane SANG is permitted in outline on the basis of a, general arrangement plan, and a Management Plan (although a condition requires that this be issued again at detailed design stage)
- 4.109. A letter from the appellant, Berkeley Strategic Land Limited, is appended (Appendix 1) and it has been confirmed to us that there will be spare capacity within the SANG and that this will be for sale.
- 4.110. A further fallback position would be to limit the development to a maximum of 49 no. dwellings, such that there would be no likely significant effect arising from recreation pressures on the Thames Basin Heaths SPA before the occupation of 50 dwellings. Delivery beyond 50 dwellings would require SANG for the totality of the site (up to 60 dwellings).

4.111. The supporting text (paragraphs 4.44–4.49) to Core Policy 8 explains the findings of the Council's Appropriate Assessment underpinning the Development Plan. At paragraph 4.49 it states:

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

i) Dwellinghouses and other residential development (including staff accommodation in use class C2) will need to provide avoidance and mitigation measures where:

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

b. The proposal provides 50 or more residential units within 7km (linear). In this case, the proposal will be individually assessed for whether a significant effect upon the SPA is likely either on its own or in combination with other plans or projects around the site. Where avoidance and mitigation measures are required to address likely significant effects, this is likely to involve SANG together with funding towards monitoring the effectiveness of the solution agreed;

c. There is a 400m exclusion zone from the SPA for any net additional dwellings due to the inability to avoid likely significant effects upon the SPA."

4.112. With reference to part b) above, by reducing the number of dwellings to less than 50, there is no requirement to assess the proposal for significant effects.

4.113. The condition could take the following wording:

"Notwithstanding the description of development, not more than 49 dwellings may be occupied until sufficient SANG for all dwellings granted pursuant to reserved matters has been secured to mitigate the likely significant effects on the Thames Basin Heaths SPA, to the satisfaction of the LPA and Natural England."

OR

"Notwithstanding the description of development, not more than 49 dwellings shall be constructed on the site."

4.114. The latter condition could be amended through a S.73 (minor material amendment) application in due course in the event that a suitable and agreeable SANG solution was subsequently achieved. However, if such an application was made it would be assessed on its own merits at the relevant time.

4.115. The condition would be consistent with the existing description of development for "up to" 60 dwellings. If the Inspector was to find the Grampian conditions options to be unsuitable, then the imposition of this condition would meet the NPPF tests as it would be 'necessary' to make the development acceptable.

- 4.116. The delivery of the 49 dwellings with a consent enabling 'up to' 60 dwellings would also necessarily remain in broad accordance with the parameters plans, including the area for built development. No change would be required to these plans. The design implications of this change, including the resultant reduction in net density, are assessed in the evidence of Mr Harris.

Summary

- 4.117. The appellant has proposed SANG mitigation in the form of:
1. The enactment of the UU for the Langley Mead Extension SANG which could be further underpinned by an appropriate Grampian condition;
 2. An alternative Grampian condition pertaining to securing appropriate mitigation (from an alternative SANG). In this respect, a suitable alternative at Blagrove Lane has been identified; or
 3. A condition limiting development to a sub-significant effects threshold either until such time as appropriate mitigation is secured or in perpetuity.
- 4.118. In respect of options 1 and 2 which rely upon a Grampian condition, the Inspector would need to be satisfied that the relevant 'tests' of the NPPG and Habitats Directive are met. In relation to the NPPG, there is clearly a reasonable prospect of the condition being discharged both because of the progress on the Langley Mead Extension and the contract with the appellant and because of the availability of other options e.g. at Blagrove Road. In relation to the Habitats Regulations, there is sufficient certainty to this approach because the development could not commence or be occupied until a suitable SANG had been secured. Such a planning obligation – which satisfies the relevant statutory provisions – will therefore ensure the impact on the Thames Basin Heath SPA ('Habitats Site') is adequately mitigated in line with The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations).
- 4.119. In respect of option 3, there would be no significant effects on the SPA if (or whilst) the development is limited to 49 dwellings as explained in the supporting text to policy CP8.
- 4.120. In either case (adequate mitigation or no significant effects), this also means that that paragraph 195 of the NPPF is not triggered, and the presumption in favour of sustainable development is not disengaged.

Issue 5 – The extent to which the proposed development would be consistent with the development plan (other matters) and the weight to be given to these policies;

Erosion of the open space between settlements

- 4.121. This issue goes to reason for refusal 4, which is that the proposals would:
- “significantly and prominently erode the last remaining open space that separates Wokingham and Barkham, resulting in a detrimental degree of visual and perceived coalescence between these independent settlements.”*
- 4.122. Mr Evans has addressed this reason for refusal in chief in his evidence; I comment upon the planning policy considerations.
- 4.123. The most pertinent policy in the Development Plan is CP11. It limits development outside of Development Limits in order to one, “protect the separate identity of settlements” and two, “maintain the quality of the environment”. This is carried forward in the Local Plan Update, which at objective 4, refers to ‘keeping settlements separate’ and at draft policy SS1 establishes that proposals must “maintain the separate identity of settlements and places, avoiding physical or perceived coalescence.”
- 4.124. Importantly, on this matter, I would stress that policy CP11 “Proposals outside Development Limits” is fundamentally a spatial strategy policy. It seeks to limit (most) development within the countryside based on its geographical location outside the Development Limits. Although the objectives of the policy are one, to protect the separate identity of settlements and two, to maintain the quality of the environment, these are not its operational requirement.
- 4.125. This is a point confirmed in the appeal at Nine Mile Ride, Finchampstead (CD8.5) in which the Inspector states:
- “The appeal site is within the area between Finchampstead North and the Arborfield Garrison Strategic Development Location (SDL)... The map of development limits in the MDD shows the two developed areas but does not include any specific gap notation in between. Indeed, the Examining Inspector specifically addressed this matter and considered that additional policy protection over and above that in policy CP11 would be unsound.*
- ...None of the criteria in policy CP11 are specifically directed towards ensuring that the 2 settlements do not get closer together. To my mind it is a policy that is aimed towards countryside protection and, as the supporting text makes clear, seeks to protect the character and setting of settlements and direct development to them for reasons of accessibility. I do not therefore agree that any development within the space between the Arborfield Garrison SDL and Finchampstead North would be harmful to spatial separation as a matter of policy.” (Paragraphs 30–31)*

4.126. Similarly, in an appeal at Land adjacent to Barkham Road (for 2 gypsy pitches almost adjacent to the appeal site), the Inspector writes:

"Moreover, LP Policy WCC2, which designated the band of separation between Wokingham and Barkham as a 'green gap', no longer forms part of the development plan and has not been replaced by an equivalent CS policy. Consequently, there is no longer a strategic level of policy protection applicable to the appeal site over and above the general countryside protection to which gypsy/traveller sites can be an exception. I do not therefore uphold any strategic objection to the proposal based on the principle of guarding against the coalescence of settlements." (Paragraph 20)

4.127. Indeed, policy CP11 is not a "gap" type policy where particular areas of land are specifically selected for their value in preventing coalescence. In the Council's Statement of Case, in its discussion on the erosion of the 'gap', much is made of the loss of the 'last' field between Wokingham and Barkham in this location. Therefore, I do not agree that the land in question is ascribed any specific additional value under the terms of this policy simply because it is the 'last' field between Wokingham and Barkham in this location.

4.128. Notwithstanding the above, having regard to the objectives of the policy, then I would make the following comments.

4.129. To re-cap, the objectives of the policy are one, to protect the separate identity of settlements and two, to maintain the quality of the environment. These two policy objectives should not be conflated.

4.130. The objective to "maintain the quality of the environment" is understood to be about landscape impact and is already covered by reason for refusal 3, which alleges that the proposed development will have a negative impact on the landscape character and appearance of the area. The 'Landscape Impact' section below outlines those which I consider to be the operative considerations on landscape matters.

4.131. The objective to "protect the separate identity of settlements" is understood in this context to mean that one should experience Barkham and Wokingham as separate settlements. This notion of 'coalescence' goes to the heart of the alleged 'erosion' of the open space.

4.132. The Appeal proposals demonstrate that up to 60 dwellings can be achieved on the site whilst following the existing settlement edge of Wokingham and retaining an undeveloped gap to Barkham through the introduction of the publicly accessible semi-natural green space to the western part of the site. The specification of this space would be the subject of a reserved matters application.

4.133. In terms of physical distances, the current smallest distance between the Development Limits of Barkham and Wokingham (measured between 4 Blandford Drive and the property at the end of Limmerhill Road) is approximately 210m, which would be reduced to c. 150m by the proposals. At a macro level, it is notable that proximity of settlements is actually a characteristic of the area e.g. Wokingham with Finchampstead (see Figure 4 below). Taking a broader view, the extent to which the proposals would alter this pattern (by c. 60m) as a whole is not significant. Barkham will still retain its identity as a village which is entirely surrounded by undeveloped land/countryside.

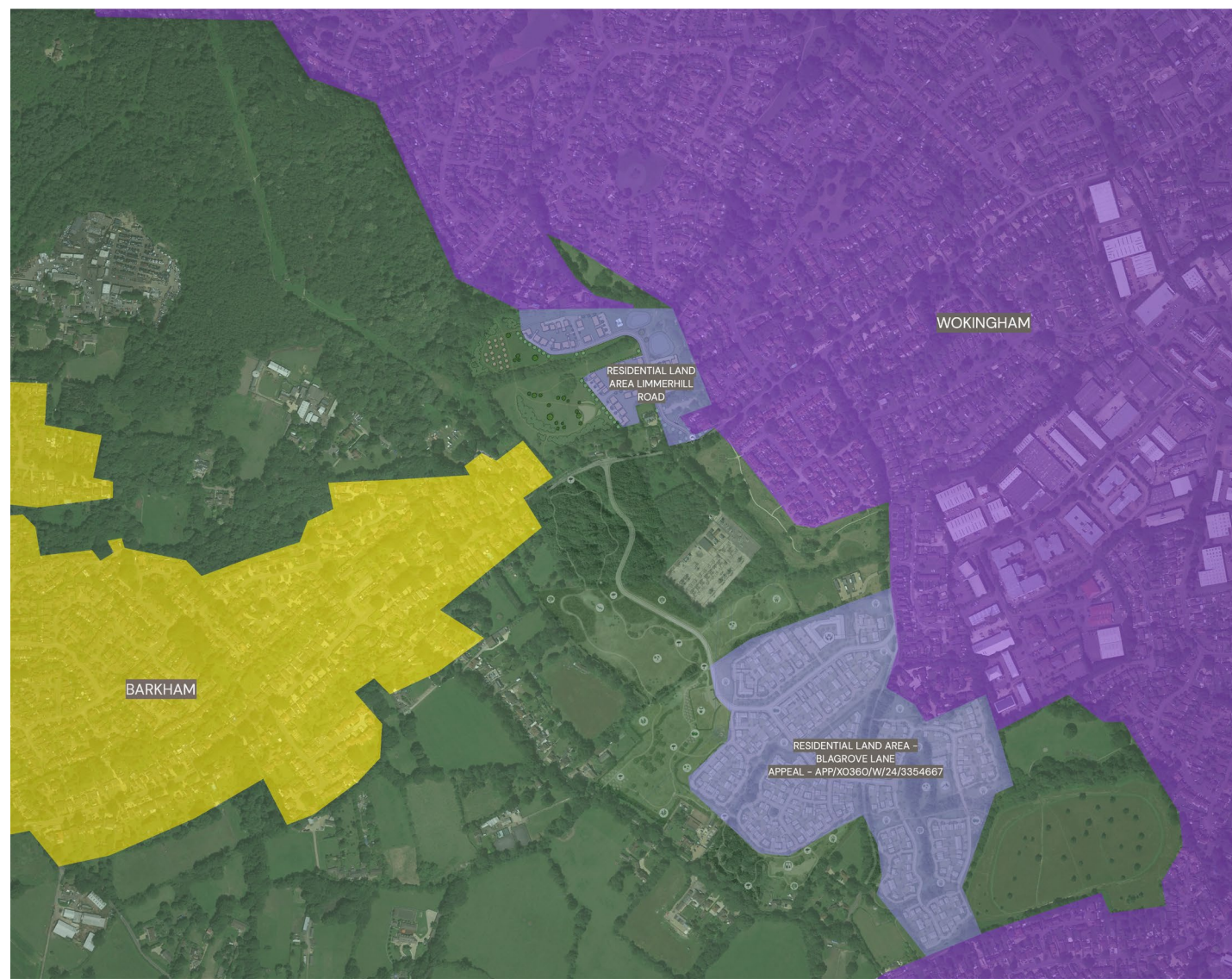


Figure 3: Plan showing the proposals and Blagrove Lane proposals in relation to the surrounding Development Limits and countryside

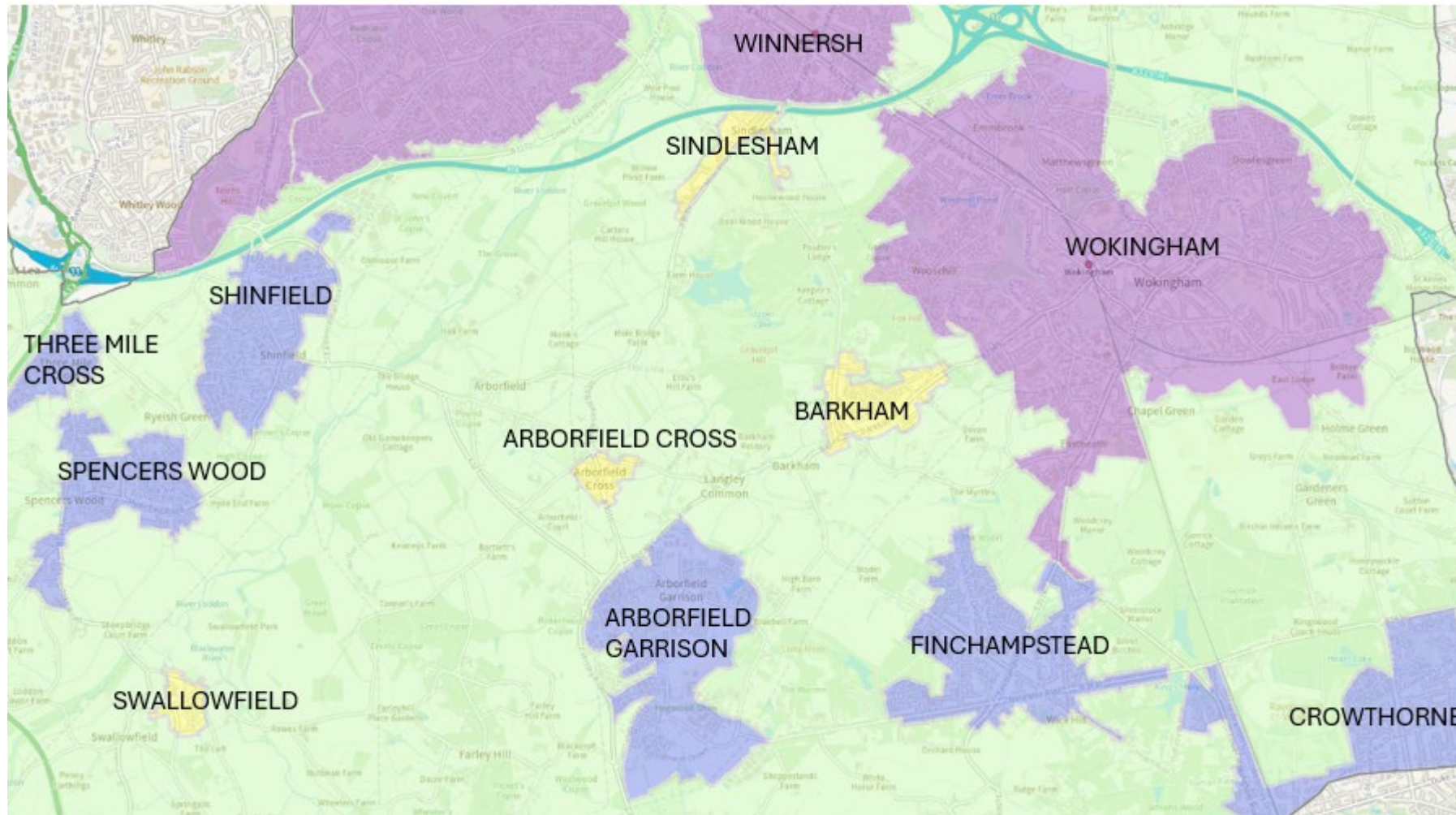


Figure 4: Plan showing location of Developments Limits of Settlements relative to one another

- 4.134. In terms of the visual relationship between Barkham and Wokingham, it is important to highlight that there is already a degree of intervisibility between the two settlements. As explored in depth in Mr Evan's evidence, the extent to which the development impacts this depends upon various factors including existing/proposed landscape features, topography, prominence from public viewpoints, patterns of existing development and so on.
- 4.135. Similar issues in respect of development in the Barkham-Wokingham countryside were addressed in the Blagrove Lane appeal (CD8.1). The Inspector does identify that the proposals would result in a "visual and perceived coalescence of Barkham and Wokingham" which he states "would be due to the quantum, scale and location of the development, the changed land use and public access." Clearly, there are key differences between the two proposals, not least the quantum and scale of development, the location/prominence of the access points, and the openness of the sites. This is discussed further in Mr Evans' evidence.
- 4.136. In addition, it is also not appropriate to directly compare the comments on the Inspector on the Land adjacent to Barkham Road (gypsy pitch) proposals (CD8.6) on such matters.
- "Irrespective of any strategic function that this stretch of road frontage may play in keeping the built up areas apart [with reference to paragraph 20 reproduced above], it makes a quite separate and distinct contribution to the visual quality of the area. Whilst I acknowledge that the frontage on the opposite side of the road is not developed, this would not in itself be sufficient to mitigate the harm that would arise from the appeal scheme." (Paragraph 25)*
- "I found this stretch of road to have a distinctly different character to the built-up areas it links. It contributes a significant semi-rural element to an otherwise urban environment and provides a welcome visual break between densely built-up frontages. The appeal site is an important component of this visual separation, its open nature being clearly apparent from the road through the gated access." (Paragraph 22)*
- 4.137. The critical difference in between the gypsy pitch scheme site and this appeal site is the degree of visibility from Barkham Road, and the fact that the utilisation of the existing pub access (albeit altered) would not materially change the experience from Barkham Road in this regard.
- 4.138. Compliance with policies CP1, CP3, CCO3 and TB21 is demonstrated within Issue 6, below, in relation to reason for refusal 3. Mr Evans also alights on matters of conformity with the Borough Design Guide SPD, the Wokingham District Landscape Character Assessment and the relevant sections of the NPPF.
- 4.139. As set out in the Statement of Common Ground, I do not consider the following Development Plan policies are relevant specifically to this reason for refusal, for the reasons outlined here:
- Policy CCO1 (Concerned with the presumption in favour of sustainable development and dealt with elsewhere in the appellant's evidence)
 - Policy CCO2 (Concerned with proposals within development limits so not applicable in design terms)

- 4.140. For the avoidance of doubt, on the final policy, CC02, I depart from the Statement of Case prepared by my colleague Ms Westcott, in so far as due to its wording, I do not consider it technically applicable in landscape/design terms:

"Planning permission for proposals at the edge of settlements will only be granted where they can demonstrate that the development, including boundary treatments, is within development limits and respects the transition between the built-up area and the open countryside by taking account of the character of the adjacent countryside and landscape." (my emphasis)

- 4.141. Since the appeal site is outside the Development Limits then technically I do not consider that the requirement to 'respect the transition' applies. Nonetheless, were the provision to be applied, I do not find conflict, chiefly because – as set out above – the proposals represent an appropriate response in terms of landscape strategy.
- 4.142. In summary, on the matter of coalescence, I highlight that policy CP11 is not a 'gap' policy. Nevertheless, I do not consider that the proposals would offend the objective to maintain the separate identities of settlements (albeit for the purposes of reason for refusal 1, I have already accepted that we are in conflict with the policy). It will be clear to those moving within and around the appeal proposals that Barkham remains its own 'place', as does Wokingham. In any event, for the reasons I have already articulated in the preceding section (lack of five-year housing land supply, insufficient housing target and the presence of policy CC01), I afford policy CP11 very limited weight.

Parameters of Development/Design

- 4.143. Reason for refusal 2 alleges that the proposals offend a suite of policies because:

"The proposed quantum of development within the parameters submitted for approval and access road 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 and would introduce conflicts between private gardens and public spaces. The road layout and parameters for development would result in a fragmented pattern of development with streets that have poor passive surveillance and a decoupled access road that does not create a legible or integrated street network with the existing settlement pattern."

- 4.144. My fundamental interpretation of this argument is that amount of housing proposed within the confines of the area shown on the parameter plans results in a layout which is too dense and cramped.
- 4.145. Firstly, the NPPF is clear that planning policies and decisions should promote the optimal and efficient use of land, including avoiding building at low densities, particularly where land supply is constrained and there is an unmet need for housing. The appeal proposals include a developable area of c. 2 hectares, equating to a density of approximately 30 dwellings per hectare. This is wholly appropriate for an edge-of-settlement, suburban location. The layout has been principally defined by the desire to maintain a green gap to the western part of the site, with associated protection and enhancement of existing landscape and ecological features (boundary trees and hedgerows). A series of parameter plans – including a density plan and character plan – are included in the application Design and Access Statement to

explain how the massing in each part of the site would be approached relative to its sensitivity.

- 4.146. Secondly, the outline nature of the proposals needs to be borne in mind. The application's Illustrative Masterplan (drawing no. P2300064-DE-01-A-19) shows one way in which a policy-compliant development could come forward within these parameters. The detailed design (appearance, landscaping, layout and scale) will be assessed and controlled by WBC through the reserved matters process. Access is the only matter proposed in detail and is shown on application drawing no. P23-0064 Figure 4.1.
- 4.147. The evidence of Mr Harris sets out a detailed examination of the specific issues raised, such as separation distances and amenity space. It is demonstrated that the proposals would achieve an appropriately high standard of design throughout the development. A series of overlay plans have been produced to illustrate and demonstrate that a well-designed layout can be achieved at reserved matters stage.
- 4.148. Turning to the policies cited in the reason for refusal, Policy CP1 (10) provides that development must be "attractive, functional, accessible, safe, secure and adaptable". The relevant provisions of policy CP3 set out that proposals:
- *Are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life (a);*
 - *Provide a functional, accessible, safe, secure and adaptable scheme (b); and*
 - *Contribute to a sense of place in the buildings and spaces themselves and in the way they integrate with their surroundings (especially existing dwellings) including the use of appropriate landscaping (c).*
- 4.149. The Design and Access Statement includes a detailed explanation of the development of the scheme to ensure a high quality development which has proper regard to the surroundings and placemaking principles. This is further discussed in the evidence of Mr Harris.
- 4.150. Mr Harris also alights on matters of conformity with the Borough Design Guide SPD, the National Design Guide and Section 12 of the NPPF.
- 4.151. Although policy CCO3 and Section 15 of the NPPF are tangentially related to design in so far as the importance of green infrastructure within masterplanning, I deal with them in the discussion on landscape impact below.
- 4.152. As set out in the Statement of Common Ground, I do not consider the following Development Plan policies are relevant specifically to the matter of the parameters of the development, for the reasons outlined here:
- Policy TB21 (Concerned with landscape character and dealt with elsewhere in the appellant's evidence)
 - Policy CP11 (Concerned with the spatial strategy and dealt with elsewhere in the appellant's evidence)

- Policy CC01 (Concerned with the presumption in favour of sustainable development and dealt with elsewhere in the appellant's evidence)
- Policy CC02 (Concerned with proposals within development limits so not applicable in design terms)

4.153. As stated above, I do not consider policy CC02 technically applicable in design/landscape terms being outside the Development Limits. However, were the requirement to 'respect the transition' apply, I do not find conflict, chiefly because – as set out above – the proposals represent an appropriate response in terms of density. A detailed layout for up to 60 units, at up to 30dph, can readily be achieved at reserved matters stage, with the incoming housebuilder determining the final housing mix

Landscape Impact

4.154. Reasons for refusal 3 is alleges that the proposed development will have a negative impact on the landscape character and appearance of the area.

4.155. The site lies within Landscape Character Area 'J1: Wokingham-Winnersh Settled and Farmed Clay' within the Landscape Type 'J: Settled and Farmed Clay' in Wokingham's Landscape Character Assessment.

4.156. The parties do not agree whether the site is a Valued Landscape. It has no current designation as such under the adopted Local Plan. Even if it were to be considered as such for the purposes of the NPPF, paragraph 187 only states that:

"Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)..."

4.157. It does not impose a bar on development which would harm Valued Landscapes.

4.158. The emerging Valued Landscape designation under draft policy NE6 of the Local Plan update can be afforded only limited weight in line with paragraph 49 of the NPPF, and was challenged by the appellant through representations to the Regulation 19 consultation. The Examination hearings of the Wokingham Local Plan Review as not reached the stage of assessing the soundness of NE6. For the avoidance of doubt, the policy consequences in NE6, namely that:

"Development proposals affecting Valued Landscapes will only be supported where they protect, and where appropriate, integrate with and/or enhance the special features, characteristics and qualities of the landscape, unless the benefits of the development in that location clearly outweigh the harm",

therefore do not apply.

4.159. The draft NPPF also removes reference to (undefined) "valued" landscapes – now only "Protected Landscapes" which are limited to National Parks, the Norfolk and Suffolk Broads and National Landscapes in England are afforded enhanced protections.

- 4.160. Policies CP1 and CP3 reflect the overarching principles for achieving sustainable development and include the need to provide a high-quality environment and avoid adverse impacts on landscape features. Policy CP11 refers to maintaining the quality of the environment. Policy TB21 says that proposals must demonstrate the requirements of the Council's Landscape Character Assessment and shall retain or enhance important landscape characteristics.
- 4.161. Tables 7 and 8 of the application LVIA provide the summary of landscape and visual effects of the appeal proposals. The LVIA concludes that the site is strongly contained, both physically and visually by the combination of topography, existing green infrastructure, highway and, most notably, the existing settlement edge of Wokingham. Given the context of the site with existing residential development to the north and east, and acknowledging the relatively limited impact on the wider aspects of the landscape, as a result of the proposed mitigation recommendations, the LVIA confirms that the site has the capacity to successfully accommodate the proposed development.
- 4.1. The evidence of Mr Evans builds upon the LVIA to argue that the impact of the development on landscape character is not assessed to be significant. Existing residential dwellings immediately to the north and south, and consolidated residential development behind existing boundary vegetation to the east and west, and the pylon within the west of the site, influences the character of the site and reduces its remoteness and tranquillity, particularly in the eastern portion of the site. He finds that at the site level, with a medium susceptibility (given its urban fringe character), medium value and sensitivity combined with a medium/low magnitude of change would result in an overall moderate/minor adverse effect in landscape element/ character terms. At a wider level, the overall sensitivity of the site is assessed as medium. Full account has been taken of the Wokingham District Landscape Character Assessment in both the application LVIA and the Appeal Statement and the scheme therefore complies with Policy TB21 (Landscape Character), which is the operative policy in reason for refusal 3.
- 4.2. Mr Evans also alights on matters of conformity with the Borough Design Guide SPD, the Wokingham District Landscape Character Assessment and the relevant sections of the NPPF. He confirms in response to Section 12 and 15 of the NPPF which encourage tree planting, conservation/enhancement of the natural environment, and recognition of the intrinsic character and beauty of the countryside, that the scheme indicates the potential introduction of over 100 new trees, most of which would be assumed to be native species.
- 4.3. The pertinent provisions of policy CC03 are principally concerned with landscape design and include requirements to:
- *Promote accessibility, linkages and permeability between and within existing green corridors including public rights of way such as footpaths, cycleways and bridleways*
 - *Promote the integration of the scheme with any adjoining public open space or countryside*
 - *Protect and retain existing trees, hedges and other landscape features*
 - *Incorporate high quality, ideally, native planting and landscaping as an integral part of the scheme.*

- 4.4. These features are included within the Illustrative Landscape Masterplan and discussed within the Design and Access Statement and LVIA.
- 4.5. As set out in the Statement of Common Ground, I do not consider that the following Development Plan policies are relevant specifically in relation to the landscape reason for refusal:
- CP11 (Concerned with the spatial strategy and dealt with elsewhere in the appellant's evidence);
 - CC01 (Concerned with the presumption in favour of sustainable development and dealt with elsewhere in the appellant's evidence); and
 - Policy CC02 (Concerned with proposals within development limits so not applicable in landscape terms).

Sustainability

- 4.6. Reason for refusal 6 alleges that the application site is within an unsustainable location that would not encourage a modal shift towards sustainable modes of transport.
- 4.7. The overarching thrust of policy CP9 is to direct development to sustainable location, to enable access to facilities/services. Wokingham is identified as a 'major development location', which is the first 'tier' of locations. It is a significant settlement with a range of facilities and employment options, and fast, regular train services to London and other destinations. Although the proposals conflict with the policy on a 'principle' basis in terms of the location of the appeal site outside the Development Limits of Wokingham, it would be wrong to suggest that it is automatically unsustainable. The binary line provided by the Development Limits does not mean one should take an 'all-or-nothing' approach to sustainability; clearly a dwelling on Limmerhill Road (within the Development Limits) is arguably no more or less sustainable than our site adjacent despite being on either side of this divide.
- 4.8. Indeed the appeal site is both closer and better linked by bus to the train station and town centre than some existing parts of the settlement and the Strategic Development Locations identified by the Council for significant growth.

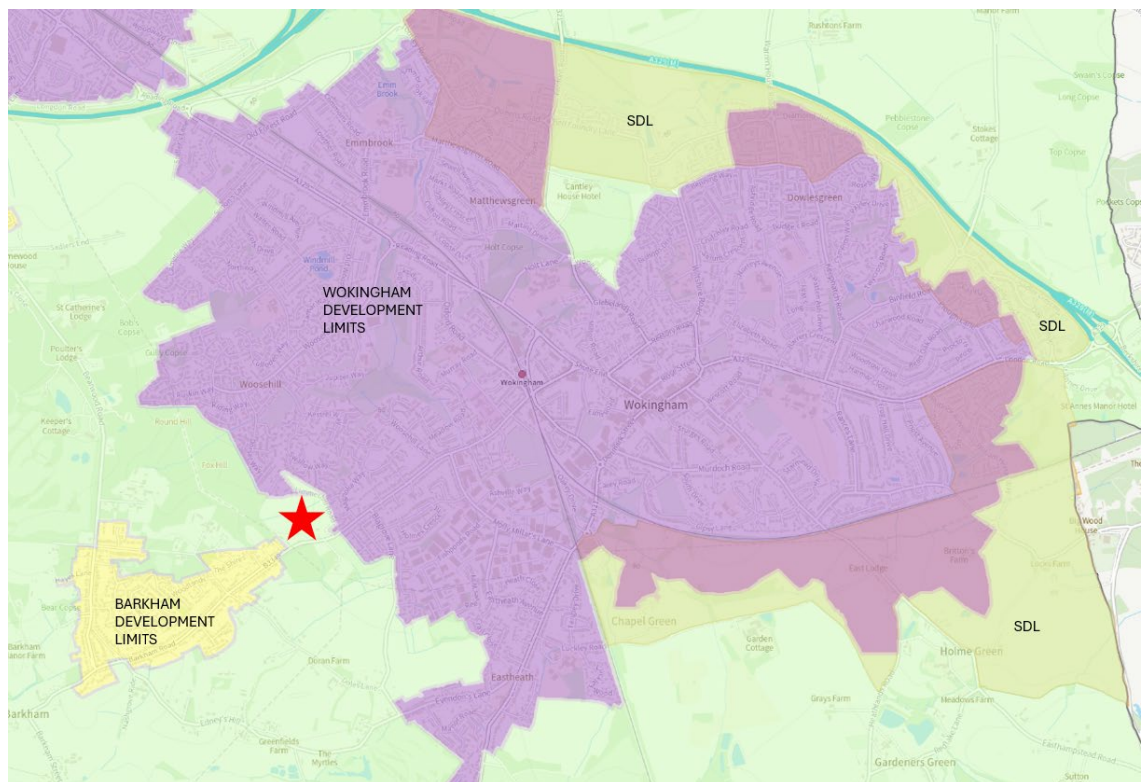


Figure 5: Plan showing the location of the appeal site (starred) and the location of the SDLs relative to Wokingham Development Limits, the town centre and train station

- 4.9. Sections 8 and 9 of the NPPF are clear about the importance of sustainable travel. Paragraph 110 states:
- “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”*
- 4.10. Policy CP1 (10) states that proposals must demonstrate how they support opportunities for reducing the need to travel, particularly by private car.
- 4.11. Policy CP2 (c) states that developments should allow for primary school children to have a safe route to school by walking or cycling and (d) states that proposals should be located either within or close to the development limits of a settlement in policy CP9 in order to maximise the possibilities for social inclusion and sustainable patterns of living.
- 4.12. Policy CP6 states that permission will be granted for schemes which (inter alia):
- a) Provide for sustainable forms of transport to allow choice
 - b) Are located where there are or will be at the time of development choices in the mode of transport available and which minimise the distance people need to travel;

- c) Improve the existing infrastructure network, including road, rail and public transport, enhance facilities for pedestrians and cyclists, including provision for those with reduced mobility, and other users.

4.13. The site is located adjacent to Barkham Road, where there is good access to local facilities and services on foot, bicycle or by bus/train, including local schools and employment opportunities. In her evidence, and with reference to the relevant industry guidance, Ms Stock details the local facilities, transport options and journey times, and concludes that there are realistic opportunities for non-car travel. This is reflected in the conclusions of the Blagrove Lane (CD8.1) inspector, who finds that, although

“the greatest range of facilities and services that future occupants would use on a day-to-day basis are at the upper end or beyond the distance that most people are prepared to walk or cycle to... the site is in a broadly sustainable location.” (Paragraph 87)

4.14. The Appellant is willing to provide a financial contribution of £914 per dwelling towards Arborfield Bus Improvements and £540 per dwelling towards the Council’s My Journey scheme to provide travel planning measures at the site which are to be secured through the Section 106 Agreement which supports this appeal.

4.15. For these reasons, I consider that the policy requirements for the site to be appropriately located and support a shift away from private-motor travel have been satisfied.

4.16. As set out in the Statement of Common Ground, I do not consider that the following Development Plan policies are relevant specifically in relation to the sustainability of the site:

- Bullet point 10 of CP1 (the reference to “accessible” in this sense is understood to refer to the detailed design of the proposals);
- The remaining bullet points of CP6 (which relate to highway safety and parking);
- CP11 (Concerned with the spatial strategy and dealt with elsewhere in the appellant’s evidence);
- CC01 (Concerned with the presumption in favour of sustainable development and dealt with elsewhere in the appellant’s evidence); and
- Policy CC02 (Concerned with the spatial strategy, design and landscape and dealt with elsewhere in the appellant’s evidence).

4.17. The Borough Design Guide, although tangentially concerned with highways matters, relates primarily to design principles within developments rather than locational sustainability.

Biodiversity

4.18. Reason for refusal 7 states that “The application fails to consider biodiversity degradation on the site in the form of felling two Veteran Trees, which are irreplaceable habitat.”

4.19. The Council has confirmed that it is no longer defending this reason for refusal.

Veteran Trees

- 4.20. The trees in question were not the subject of a Tree Preservation Order and were lawfully removed by the landowner prior to the submission of the planning application. Their loss does not form part of the appeal proposals. Therefore their (former) existence is not a material consideration in arboricultural terms.
- 4.21. The provisions of paragraph 193c) (and by extension paragraph 11d)) of the NPPF seek to resist “development resulting in the loss of irreplaceable habitats”. Whilst in the earlier Statement of Case (CD4.1f) Mr Partridge is clear that the trees are not ‘Veteran Trees’ which constitute ‘Irreplaceable Habitat’, the distinction is non-material in this regard, since the development has not resulted in the loss of the trees which did not exist upon application. Thus, even if the Inspector was minded to consider the trees to be Veteran, the ‘tilted balance’ would not be disengaged because the removal of the trees does not form part of the proposals.
- 4.22. Indeed, the Council’s decision not to defend reason for refusal 7 (CD3.4) is predicated on the conclusions of the Inspector in the Lodge Road appeal, namely that the requirement for wholly exceptional reasons for the loss of irreplaceable habitat set out at paragraph 193(c) of the NPPF was not applicable because the veteran trees on that site had already been removed before the submission of the planning application. Although a different view was taken in the appeal at Heathlands Road, the circumstances are not comparable because that conclusion was based on the stool of the tree in question remaining alive.
- 4.23. Similarly, the ‘balancing’ test set out in policy CP7, requiring the decision-maker to weigh up the need for the development vs. the harms, does not apply since the loss of the trees is not a part of the development.

Biodiversity Net Gain

- 4.24. In respect of biodiversity, the requirement to demonstrate Biodiversity Net Gain in line with the provisions of the Environment Act 2021 does not apply to this appeal because the planning application was submitted prior to 12th February 2024. The appellant has included this information with the application in order to demonstrate additional benefits of the scheme but was not required to do so. Given the methodology prescribed by the above regulations requires the baseline to be taken as of 30th January 2020, the loss of the trees is accounted for in the calculations, which demonstrate a significant biodiversity gain of 13.08% for habitats and 35.41% for hedgerows.. This is far in excess of the unspecified “net gains” required by the NPPF (i.e 0.1%). A more detailed assessment is contained within the evidence provided by Mr Phillips in the earlier Statement of Case (CD4.1g).
- 4.25. Overall, the proposals include substantial ecological enhancements through the introduction of various flora and tree planting, which comply with the overarching objectives of the NPPF and policy TB23 to grasp opportunities for biodiversity enhancement.
- 4.26. I therefore find no conflict with policy CP7, policy TB23 or Section 15 of the NPPF.

Infrastructure Delivery

- 4.27. The parties are agreed that reasons for refusal 9 and 10 relating to the provision of opportunities for training and apprenticeships and affordable housing can be overcome through planning obligations in the form of a completed legal agreement, which would be compliant with the requirements of the Community Infrastructure Levy Regulations 2010 (as amended). A completed S.106 Agreement will be submitted to the appeal.

5. Benefits / Harms of the Development

5.1. For this assessment, I adopt the scale and terminology set out within the Statement of Common Ground, which may differ from my commentary in the Planning Statement accompanying the application:

- No weight
- Limited weight
- Moderate weight
- Significant weight
- Very significant weight (i.e. the maximum weighting)

Benefits

Social

- 5.2. The provision of up to 60 homes to meet identified local requirements at a time of acute local and national housing need, and under-delivery nationally is a substantial benefit of development, which weighs heavily in favour of the proposals. The government's agenda in relation to housing delivery is explicit, and the imposition of the standard method and the relevant mechanisms with the NPPF to deliver against its targets are a clear manifestation of this.
- 5.3. As of August 2025, the Council can only demonstrate 2.5 years' supply of housing land, equating to a shortfall of 3,454 dwellings against its 5-year requirement. This deficiency has existed since 2022 (According to the respective Housing Land Supply Reports produced by the Council, this figure was 1.7 years as of March 2024, 3.2 years as of March 2023, and 3.95 years as of March 2022).
- 5.4. Although the Council points to earlier over-supply in the plan period, the requirement to meet housing need and boost delivery is forward looking, as confirmed in the New Bath Road and Swallowfield appeal decisions.
- 5.5. There is no plan to address deficiency against local housing need. The emerging Local Plan only plans for, at best, 60% of actual housing need, and owing to the transitional provisions set out under the 2024 NPPF, will now need to commence work on a new plan straight away if it were to be adopted.
- 5.6. Those provisions also require those authorities *whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method to apply a 20% buffer*. This takes the emerging Local Plan figure to 898 – 954 dwellings per annum, or 4,490 units over 5 years, whereas the trajectory only predicts 4,023 units delivered. This shortfall is most acute in the first three years, and may well extend beyond this owing to the delays associated with the adoption of the plan.

- 5.7. The new homes would be located in one of the Borough's key settlements where demand for new homes exists and where there is good access to services, facilities and employment.
- 5.8. The proposals are eminently deliverable in terms of the NPPF. If granted, the new homes could be delivered within the next five years. If minded, to increase that certainty, the Inspector could impose a condition requiring the submission of the first reserved matters to be made within 1 year from the date of decision.
- 5.9. To the provision of market housing, I attribute **very significant weight**. As set out above, policy HO7 of the draft NPPF is clear that 'substantial' weight should be afforded to the provision of housing de facto where there is a clearly unmet need.
- 5.10. Furthermore, the provision of up to 24 affordable homes is also a substantial benefit in its own right. Affordable housing delivery in Wokingham has been insufficient and worsening over an extended period of time, exacerbated by external factors such as in-migration and the cost of living. There is a chronic backlog and any contribution to relieving this acute pressure must be encouraged.
- 5.11. In respect of affordable housing delivery, the Wokingham Local Housing Needs Assessment of 2022 (CD7.3) establishes a need for 352 affordable housing units per annum between 2021/22 to 2039/40 (factoring in previous shortfalls). .
- 5.12. For the five most recent reporting years between 2020/21 and 2024/25, WBC has provided an average of 263 units per annum and have failed to provide the amount of affordable housing required. 1,314 affordable units were completed against an identified need for 1,760 affordable homes, equivalent to 74.7% and a shortfall of 446 homes.
- 5.13. The five year average affordability ratio of house price to workplace-based earnings in Wokingham is 11.34 compared to a national average of 9.27.
- 5.14. Over the past five years, an average of 29% of housing delivery has been affordable. If this pattern is to continue over the next five years, based on WBC's housing supply figures, a shortfall of 770 affordable units against the identified need.
- 5.15. As of the publication of the Affordable Housing Topic Paper in 2024 (CD7.4), there were 1,160 households on WBC's housing register.

	2020-21	2021-22	2022-23	2023-24	2024-25	
AH completions (1)	302	338	121	316	237	
AH need (2)	352	352	352	352	352	
AH under-delivery against need	50	14	231	36	115	
All completions (3)	1,121	1462	856	728	604	
Market housing completions (4)	819	1,124	735	412	367	
% AH as a proportion of new build	27%	23%	14%	43%	39%	Ave: 29%

Table 1: Affordable Housing Delivery for past 5 monitoring years

	2025/26	2026/27	2027/28	2028/29	2029/30
Housing land supply (4)	635	722	1048	609	400
AH need (2)	352	352	352	352	352
Predicted AH delivery at 29%	184	209	304	177	116
Shortfall of AH against need	168	143	48	175	236

**Total cumulative 5 year
shortfall:**

770

Table 2: Predicted Affordable Housing Delivery

1 – Affordable housing supply statistics (AHS) 2024–25, MHCLG (20 November 2025)

<https://www.gov.uk/government/statistical-data-sets/live-tables-on-affordable-housing-supply>

2 – Local Housing Needs Assessment, Wokingham Borough Council (2022)

3 – Net additional dwellings, component flows of, by local authority district, England, 2012–13 to 2024–25, MHCLG (last updated 20 November 2025) <https://www.gov.uk/government/statistical-data-sets/live-tables-on-net-supply-of-housing>

4 – Wokingham Borough Five Year Housing Land Supply Statement at 31 March 2025

5.16. As the New Bath Road appeal decision (CD8.4) confirms,

*“the affordable homes would deliver a number of social benefits by providing homes for a sector of the population **for which there is an acute need** and in an area where the delivery of affordable housing has fallen **persistently short** of meeting these identified needs. Overall, **there is a clear and pressing need for the delivery of both affordable and market homes in Wokingham.**” (added emphasis) (Paragraph 63)*

5.17. To the provision of affordable housing, I attribute **very significant weight**.

5.18. It is worth noting the government’s intention to give de facto substantial weight to the provision of new housing in such situations. This is an explicit recognition of the importance to be given to housing delivery in planning decisions. Policy HO7 of the draft NPPF states:

“In applying the policies in this Framework, substantial weight should be given to the benefits of providing accommodation that will contribute towards meeting the evidenced needs of the local community, taking into account any up-to-date local housing need assessment, and other relevant evidence (including the extent to which there is a five year supply of deliverable housing and traveller sites, and performance against the Housing Delivery Test).”

5.19. The appeal scheme would provide for extensive public open space, delivering a high-quality network of green infrastructure and play areas. The provision of opportunities for recreation is pursuant to local and national policy objectives which recognise the social value in green spaces and the outdoors in relation to healthy communities and mental well-being. I afford this benefit **moderate weight**. The provision of the SANG, the contribution to allotments and the contribution to offsite sports and recreation – in terms of this social objective – can also each be afforded **limited weight**. All elements are to be secured through planning obligations.

Economic

5.20. The economic benefits of the scheme include:

- Supporting local employment;
- The generation of tax and Council tax revenue;
- Increased local spending; and
- Community Infrastructure Levy payment.

- 5.21. The economic benefits arising through the construction and operational phases of development align with Paragraph 85 of the Framework, which notably does not require economic gains to be permanent. The construction of up to 60 no. homes will support jobs through on-site and supply chain roles.
- 5.22. The benefit associated with the support to local employment is cemented through the imposition of a planning obligation requiring either the production of an Employment Skills Plan or an appropriate contribution.
- 5.23. Council Tax revenue is estimated to be in the region of £143,000 per annum, based on 60 dwellings at middle band D.
- 5.24. In terms of local spending, the introduction of additional occupiers to the local area will make a significant contribution to the vitality and viability of Wokingham both in terms of earning and spending through the multiplier effect given the town's range of employment, shops and services. This development would introduce c.144 new residents based on an average occupancy of 2.4 persons per dwelling, many of whom would be economically active.
- 5.25. Once the development is completed and occupied, it is anticipated that total combined expenditure by new households will provide a significant input of capital into the local economy, supporting the sustainability of Wokingham as a target for growth (and Barkham), with an estimated combined £300,000 in first occupation expenditure².
- 5.26. The Community Infrastructure Levy payment for the proposals is estimated at around £1,983,672, based on the delivery of 36 open market dwellings averaging 100sqm³.
- 5.27. When taken collectively, these economic benefits should be afforded **moderate weight**.
- 5.28. Environmental
- 5.29. The appeal proposals include the creation of high-quality green infrastructure networks through the provision of both landscaped open space and other on-site mitigation/enhancement measures including tree planting and other habitat creation. This will deliver an overall betterment to the ecological status of the site as a whole. Despite there being no policy imperative to do so, the proposals will deliver a significant biodiversity gain of 13.08%

² The average homeowner spends approximately £5,000 to make their house 'feel like home' within 18 months of moving in, figure referenced in the report 'Economic Footprint of House Building in England and Wales' HBF, July 2018

³ The Council's Charging Schedule came into effect on 6th April 2015. The rate payable for C3 Residential Development outside of the Strategic Development Locations is £365 per square metre (index linked to £551.02).

for habitats and 35.41% for hedgerows. This is a very important benefit to be afforded **moderate weight**.

- 5.30. Furthermore, the proposal will also provide surface water management, pollution control and attenuation where there is presently no designed system of management, resulting in a betterment during extreme weather events and reducing the risk of flooding and damage to surrounding land uses. I afford this benefit **limited weight**.
- 5.31. In terms of its environmental effects, I consider the impact of the provision of SANG to be neutral, owing to the fact that it is specifically designed in policy terms to provide appropriate mitigation to any increased recreational pressure arising on other sites from the proposed development. Similarly, for much the same logic, I do not attach any weight to the benefit that the dwellings will be designed using a best-practice fabric first approach and appropriate renewable/or carbon minimising technologies which will seek to mitigate the impact of the development.

Harms

- 5.32. For the reasons described in Section 4 above, I attribute only **limited weight** to the conflict with the spatial strategy.
- 5.33. In relation to the location of the site outside the Development Limits, I have set out why I consider the weight to be afforded to policies CP9, CP11, CC02 and CP17 is very limited. The degree of harm arising from the conflict is also very limited, owing to the degree to which the location of the site and the scale of the development offend the policies in the context of the spatial strategy taken holistically. The delivery of 60 dwellings outside but adjacent to Wokingham – the most important settlement within the Borough – is clearly less contradictory to the strategy than a larger development on the edge of a small village.
- 5.34. Indeed, although policy CP11 is not expressly a ‘gap’ or ‘coalescence’ policy, I find no harm in relation to its objectives in maintaining the separate identity of settlements. Similarly, I find no harm in relation to the relevant policies in terms of sustainability, given the site’s accessibility to a range of facilities by non-car modes of travel and onward connectivity by train.
- 5.35. For the reasons described in Section 4 above, I attribute **very limited weight** to the loss of Best and Most Versatile agricultural land.
- 5.36. Drawing upon the expert evidence of Mr Jonathan Evans, I have also identified harms arising from the landscape impacts of the proposal on the character of the area, which are quantified as moderate/minor. The appeal site is not a ‘valued landscape’, but notwithstanding the provisions of the operative policies do not preclude any harm to landscape impacts or identify harms as fatal. Rather, taken together, they point to the requirement to retain and enhance important landscape characteristics and provide a high-quality landscape environment, having regard to the Council’s landscape character assessment. Accordingly, given the harms do not amount to policy conflict, I ascribe them **limited weight**.

6. Planning Balance and Concluding Remarks

- 6.1. When assessed against the operative basket of policies (CP9 and CP11, together with CC02 and CP17), the location of the development outside of the Development Limits within the countryside results in conflict. This conflict is, however, tempered by the existence of policy CC01, which seeks to enable sustainable development when these policies are rendered out-of-date, such as in the case of a deficient housing land supply.
- 6.2. For the reasons described in Section 4 above, I attribute only **limited weight** to the conflict with the spatial strategy.
- 6.3. In relation to the location of the site outside the Development Limits, I have set out why I consider the weight to be afforded to policies CP9, CP11, CC02 and CP17 is very limited. The degree of harm arising from the conflict is also very limited, owing to the degree to which the location of the site and the scale of the development in the context of the spatial strategy taken holistically. The delivery of 60 dwellings outside but adjacent to Wokingham – the most important settlement within the Borough – is clearly less contradictory to the strategy than a larger development on the edge of a small village.
- 6.4. The appeal proposals represent sustainable development. They will provide new market and affordable housing, together with other social, economic and environmental benefits, within a site which is appropriately located with good access to facilities and services. Indeed, despite the policy conflict in relation to policy CP9, I have identified how the proposals are consistent with the objectives of the policy which seeks to direct development to sustainable locations. The site's location adjacent to Wokingham, a 'major development location' should not be dismissed in this respect.
- 6.5. Similarly, despite conflict with policy CP11, I have found no harm to the objectives of the policy to maintaining the separate identities of Barkham and Wokingham, having regard to the role of the site and the impact of the proposals in terms of coalescence or erosion of the 'gap'.
- 6.6. I have explained that, for reasons including the lack of five year housing land supply, the relevant policies are out-of-date. The tilted balance of paragraph 11d) states that where the relevant policies are out of date planning permission should be granted unless:

"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."
- 6.7. The tilted balance is not disengaged by virtue of footnote 7 in relation to 'veteran' trees or impacts upon the SPA.
 - First, the proposals do not affect irreplaceable habitats for the purposes of paragraph 193 of the NPPF, being one of the policies specifically referred to in 11d) as an important policy which could provide a strong reason for refusing development. This is because – regardless of the status of the two felled trees on the appeal site frontage – their loss does not form part of this application.

- Secondly, through the use of a Grampian condition, a planning obligation – which satisfies the relevant statutory provisions – will therefore ensure the impact on the Thames Basin Heath SPA ('Habitats Site') is adequately mitigated in line with The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations). I have demonstrated how this approach would satisfy the conditions test both of the NPPF and the Habitats Regulations. In the alternative, a condition to limit the development to no more than 49 dwellings would mean that there would be no significant effects on the SPA. In either case, this means that that paragraph 195 of the NPPF is not triggered, such that presumption in favour of sustainable development is not disengaged.

- 6.8. I have also assessed the proposals against the other pertinent planning policies in relation to the Council's reasons for refusal on matters of design, landscape, sustainability, biodiversity, SANG mitigation and other planning obligations and find no conflict.
- 6.9. I have weighted the benefits and harms of the proposal with justification in the preceding section. Most notably, the weight to be given to the delivery of housing and affordable housing is very significant in the context of the evidence I have presented in relation to the Council's substantially deficient housing land supply (2.5 years) and the difficulties around resolving this issue in the near future.
- 6.10. The benefits of the scheme comprise the delivery of housing (very significant weight); affordable housing (very significant weight); public open space (moderate weight); SANG, allotment contributions and off-site sports contribution (each of limited weight); a range of economic benefits (moderate weight); biodiversity net gain (moderate weight); and flood risk management (limited weight).
- 6.11. The harms arising from the scheme comprise the conflict with the spatial strategy (limited weight); loss of BMV land (very limited weight); and landscape impacts (limited weight).
- 6.12. It is therefore clear that the adverse impacts would not outweigh the benefits of the scheme, and that paragraph 11d) dictates that the appeal proposals should be allowed.



Appendix 1: Letter from Berkeley Strategic

James Sorrentino
Lightwood Strategic
4 Carlos Place
London
W1K 3AW

12th January 2026

Dear James,

RE Land Adjacent to Blagrove Lane, Wokingham Application (WBC ref 222306)

I refer further to our recent conversation in relation to your planning appeal for 60 units at Limmerhill Road Wokingham (PINS re 3361360), where a main issue is the need to achieve appropriate SPA mitigation by means of SANG.

On 29th May 2025 Berkeley Strategic achieved outline planning permission for the above application at Blagrove Lane, which is a very short distance to the south Limmerhill Road site, on the opposite side of Barkham Road.

As identified in paragraphs 66 of that appeal decision, roughly 9.9ha of SANG will be laid out, of which the permission will require 1.9ha, leaving 8ha that could mitigate the effects of other nearby development on the SPA. We are willing to provide to you the SANG capacity you require, subject to contract, to support the conditions of your application (I understand you need an area of 0.3ha).

As part of that contractual commitment, we will set out a timetable for setting out the SANG at Blagrove Lane so it functions as appropriate mitigation for your housing scheme. In any case, the Blagrove Lane SANG will need to be laid out, as a first phase, to enable the delivery of the 350 homes associated with the May 2025 permission. I anticipate RM stages and the discharge of conditions being worked through this year.

We look forward to agreeing terms but can confirm that we will engage on a commercial basis and that we have spare capacity to facilitate your requirements.

Yours sincerely



Adrian Brown FRTPI MRICS
Managing Director

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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