

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	241828
Site Address:	58 Finchampstead Road, Wokingham, Wokingham, RG40 2NS
Expiry Date:	31 October 2025
Site Visit Date:	16 September 2024
Proposal: Full application for proposed erection of 4no detached dwelling houses following demolition of the existing dwelling and associated outbuildings.	

PLANNING CONSTRAINTS/STATUS

Water Utility Consultation Zones
Contaminated Land Consultation Zone
Heathrow Aerodrome Consultation Zone
Archaeological Sites
Bat Roost Habitat Suitability
Scale and Location of Development Proposals – Major Development Location (Wokingham)
Great Crested Newt Consultation Zone
Nuclear Consultation Zone
Strategic Development Location – Adjoining
Landfill Gas Consultation Zone
Landscape Character Assessment Area
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones
Ordinary Watercourses Consultation Zone
Archaeological Sites Consultation Zone
Ordinary Watercourse
Local Plan Update Submitted Sites
Flood Zones 2 and 3
Flood Zone 3
Great Crested Newt Consultation Zone Minor

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP2 – Inclusive Communities CP3 – General Principles for Development CP4 – Infrastructure Requirements CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP8 – Thames Basin Heaths Special Protection Area

	CP9 – Scale and Location of Development Proposals CP17 – Housing Delivery
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction CC05 – Renewable Energy and Decentralised Energy Networks CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB05 – Housing Mix TB06 – Development of Private Residential Gardens TB07 – Internal Space Standards TB21 – Landscape Character TB23 – Biodiversity and Development TB24 – Designated Heritage Assets TB25 – Archaeology TB26 – Buildings of Traditional Local Character and Areas of Special Character
Wokingham Borough Local Plan Update (LPU) <u>Those highlighted in yellow hold moderate weight, all others hold limited weight</u>	SS1 – Sustainable development principles SS2 – Spatial strategy and settlement hierarchy SS3 – Development within or adjacent to major and modest settlements SS10 – Meeting our housing needs CE3 – Environmental standards for residential development C5 – Parking and electric vehicle charging H1 – Housing mix, density and standards H3 – Affordable Housing H12 – Development of Private Residential Gardens FD1 – Development and Flood Risk (from all sources) FD2 – Sustainable drainage NE1 – Biodiversity and geodiversity NE2 – Biodiversity net gain NE3 – Thames Basin Heaths Special Protection Area NE4 – Trees, woodland, hedges and hedgerows NE5 – Landscape and design DH1 – Place making and quality design DH2 – Safeguarding amenity DH5 – The historic environment DH6 – Archaeology HC5 – Environmental protection HC6 – Air pollution and air quality HC7 – Light pollution HC8 – Noise pollution HC9 – Contaminated land and water

PLANNING HISTORY

Application No.	Description	Decision & Date
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960961/OUT	Outline application for erection of dwelling	Refused 25/11/96
FP98/7205	New Bungalow	Approved 23/02/98

CONSULTATION RESPONSES – FINAL RESPONSES

Internal

WBC Environmental Health – No objection subject to conditions

WBC Drainage – No objection

WBC Highways – No objection subject to conditions

WBC Landscape and Trees – No objection subject to conditions

WBC Ecology – No objection subject to conditions

WBC CIL – Development would be CIL liable

WBC Cleaner and Greener – No comments received

WBC Ecology Newts – No objection subject to condition

External

Natural England - Appropriate Assessment has to be passed to secure measures to ensure the integrity of European Sites (habitat sites)

Thames Water Utilities Ltd – No comments to make

The Environment Agency – No objection subject to condition

Berkshire Archaeology – No objection

Network Rail – No comments received following revised plans to aim to overcome initial objection

South East Water – No comments received

REPRESENTATIONS

Parish/Town Council	Concerns raised: Increased traffic with the proposed access being unsafe with increased risks to pedestrians, cyclists as well as cars exiting onto the road from the proposed development Officer comment: <i>The above is noted and will be considered within the 'Highways' section of this report.</i>
Ward Member(s)	No comments received
Neighbours	6 comments were received (excluding duplicates) which raised the following concerns: - Access is down a small single track which is inadequate for the increase in traffic if the development goes ahead - Exiting to Finchampstead Road is difficult, and if more traffic was generated as a result of the proposed development (which all was trying to exist at the same time), it would be dangerous and cause a grid lock situation

	• Pedestrians use the road where the track meets Finchampstead Road as there is no pavement. This would cause further delays for vehicles and traffic backing up • The delivery vans and service vehicles currently using the road need consideration • Another development is proposed at 66 Finchampstead Road and if both were going on at the same time it would affect local wildlife and people's health in terms of noise • During construction of these properties the road is totally unsuitable for heavy plant vehicles and van deliveries going up and down during construction which could be non stop. Officer comment: <i>The above will be considered in the 'Highways' section of this report. The proposal has been robustly assessed by WBC Highways Officers.</i> • Is there any way an access road could be built on the other side of their development and come out in a different area? Officer comment: <i>Officers are required to assess the application as submitted and presented.</i> One, more supportive, representation has been received and reads as follows: <i>Excellent proposal to enhance the surrounding buildings. Traffic onto Finchampstead Road is considerably reduced now the Warr Physiotherapy Clinic no longer occupies 66 Finchampstead Road. There used to be up to 10-20 cars per hour when this business was there. Large vehicles have had no problem collecting refuse in the past decades down this access road.</i> Officer comment: <i>The above is noted.</i>
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APPRAISAL

Site Description:

The application site relates to a two-storey dwelling. It has a hipped roof and single storey attached garage in an extensive plot (approx. 0.5ha). It is situated along a narrow, private road. In the vicinity is a residential bungalow and to the south-west is a block of residential apartments (Eyre Court). To the north, is a railway line. From the site visit carried out by the Officer, it was apparent that the site has a lot of trees, however some of these had been felled.

The land at the application site gently slopes from north to south and down to a Secondary/ Tertiary River (Ordinary Watercourse).

Proposal:

Planning permission is sought for the erection of 4 x 5 bedroom detached dwellings following the demolition of the existing dwelling on the site.

Principle of Development:

The principle of development is assessed under the NPPF, the Development Plan (Core Strategy, Managing Development Delivery Plan).

The Joint Minerals and Waste Plan (JMWP) also forms part of the Development Plan however the site is not located within a mineral safeguarding area or area of search for sand and gravel and so is not relevant to this application. and the site is an area of Sharp Sand and Gravel resources.

The other documents which form part of the Development Plan (as mentioned above) will be considered in assessing the principle of the change of use, alongside the NPPF.

Adopted Development Plan

The site is located within settlement limits and in the major development location of Wokingham, as defined in Policy CP9 of the Core Strategy. As the site is within settlement, the development should be acceptable in principles providing that it complies with the principles stated in the Local Development Plan and other material considerations.

Local Plan Update

The Local Plan Update (LPU), the plan which will supersede the adopted Core Strategy and MDD local plans, is at Regulation 22 stage as it has been submitted to the Planning Inspectorate for examination. As per paragraph 49 of the NPPF:

Local planning authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

As a whole, the LPU is still given limited weight, despite its advance stage of preparation. This is owing to unresolved objections to a great number of the policies contained within it. However, those policies highlighted in yellow in the policy table earlier in this report are those that have received less objection and therefore individually hold moderate weight in the determination of this application. All the others

hold limited weight. The policies that hold moderate weight will feed into/ be considered in their relevant sections in this report.

The site is not specifically mentioned in the Local Plan update, however to the South is the South Wokingham Strategic Development Location (SDL) which contains site allocation 5WK006 (Land South of Gipsy Lane) for residential development.

Housing Land supply

The borough currently does not have a 5 year housing land supply. Recent data shows the borough having a 2.5 year housing land supply. As a result of the shortfall, the borough's policies are 'out of date' in accordance with paragraph 11(d) of the NPPF (2024). Therefore, permission for development 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." (paragraph 11 d(ii) of the NPPF, 2024).

Development of residential garden land

The NPPF clarifies that residential gardens are *not* classified as previously developed land (so the land is 'Greenfield'). Whilst policy CP3 of the Core Strategy states that proposals should "*not lead to a net loss of dwellings and other residential accommodation and land*", policy TB06 of the MDD, and policy H12 of the LPU, does allow an exception and development of private residential gardens, subject to complying with strict criteria. Criteria 2 of policy TB06 focuses on new residential development within private residential gardens. The proposal should make a positive contribution to the character of the area in terms of:

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

A number of the above relate to other material considerations and so will be assessed in more detail in the body of this report.

Principle of the demolition of the existing dwelling and outbuildings

58 Finchampstead Road is a detached dwelling, with an inscribed stone plaque that has the date of 1936 in the centrally positioned open-fronted brick front entrance porch structure, to this symmetrical appear inter-war dwelling built with fine brickwork exterior walling in a stretcher bond, with brick corner quoin detailing.

The property is of an age and form that it is considered to be an example of a distinctive inter-war period housing form, such that it is considered as being a non-designated heritage asset, albeit one of limited significance. This conclusion was reached upon discussions with the WBC Built Heritage Officer.

Paragraph 209 of the NPPF states that:

‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’

The applicant has provided a heritage statement and is of the view that the dwelling has no rarity or notable architectural merit and only possesses the most minimal significance in heritage terms. However, the LPA do consider the dwelling to be a non-designated heritage asset, as detailed above, and so paragraph 209 of the NPPF does apply.

The scale of harm the asset would be high, owing to its total loss as a result of the development, however the building itself is of limited significance. When making a balanced judgement, there is not considered substantial grounds to resist the demolition of the dwelling, due to its limited significance.

The outbuildings on the site are not non-designated heritage assets and there is no objection in principle to their demolition.

Summary of the principle of development

The principle of a net increase of 3 additional residential dwelling development is accepted in this major development location. However, this is on the provision that the proposal complies with policy TB06 of the MDD which outlines the criteria for suitable residential development in private residential gardens and complying with other material considerations as outlined below. The loss of the existing house, which is considered by the LPA to be a non-designated heritage asset, is accepted owing to its limited heritage significance and when making a balanced judgment the benefits of the provision of new dwellings within defined settlement limits, this outweighs the identified limited harm.

Dwelling Mix/ Tenure:

As this proposal is for a modest number of dwellings (4, net increase of 3), excessive commentary on tenure and dwelling mix is not applicable in this instance. All four dwellings would contain five bedrooms. Whilst not a mix of dwelling sizes, given the modest scale of the proposal, there is no substantial concern with this and the dwellings

would contribute towards the provision of good sized family housing in the borough which is required.

Affordable Housing:

Policy CP5 states that residential development on previously developed land within a Major Development Location should provide a contribution towards Affordable Housing. However, this only applies to schemes of 5 or more dwellings (net) or a site area that relates to more than 0.16ha (net). The site area of this site is approx. 0.57 ha, so above the threshold, however as the site is in an existing residential use, and there would not be a net increase in residential site area of at least 0.16 ha, this scheme would not be required to contribute towards Affordable Housing.

Character of the Area:

Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high-quality design without detriment to the amenities of adjoining land uses and occupiers. Paragraph 131 of the NPPF (2024) notes that good design is a key aspect of sustainable development.

Policy TB06 of the MDD, relating to development in residential gardens, states that

a) The proposal makes a positive contribution to the character of the area in terms of:

- i. The relationship of the existing built form and spaces around buildings within the surrounding area;*
- ii. A layout which integrates with the surrounding area with regard to the built up coverage of each plot, building line(s), rhythm of plot frontages, parking areas, and*
- iii. Existing pattern of openings and boundary treatments on the site frontage*
- iv. Providing appropriate hard and soft landscaping, particularly at site boundaries.*
- v. Compatibility with the general building height within the surrounding area vi. The materials and elevational detail are of high quality, and where appropriate distinctive and/ or complementary*

b) The application site provides a site of adequate size and dimensions to accommodate the development proposed in terms of the setting and spacing around buildings, amenity space, landscaping and space for access roads and parking

c) The proposal includes access, which meets appropriate highway standards

d) The proposal does not lead to unacceptable tandem development

e) The design and layout minimises exposure of existing private boundaries to public areas and avoids the need for additional physical security measures.

R9 of the Borough Design Guide states that development should respond to the height of the surrounding local context, and R10 states that development should be reflective of local density. R11 states housing should be designed to create a street scene with a coherent character that relates well to the existing street scene.

Scale, Layout and Massing

The proposed dwellings would be of large scale (primarily in terms of width) and would stand at two storeys with dormers. The existing dwelling on site is two storey whereas the closest neighbour (58a Finchampstead Road) which is a bungalow. To the west is Eyre Court which is a block of apartments which is three storey (two full storeys with a series of dormer windows).

The proposed dwellings would be substantially larger than the nearby bungalow. However, owing to the largely discreet location of the site from wider views, the proposed dwelling have the opportunity to be larger than this closest residential dwelling without unduly unbalancing the relationship with this neighbour in design terms or surrounding area. Policy TB06 states that development should have a compatibility with the general building height with the surrounding area. At its closest point to no. 58a (bungalow), the development is a chalet style (single storey with dormer in roof scape). As such it would create a transition from no. 58a to the full two storey built form which is appropriate.

Policy TB06 also states that the layout of the development should integrate with the surrounding area in terms of building line, rhythm and plot coverage. In terms of layout, dwellings would be suitably spaced with areas of incidental landscaping and parking to form a cul-de-sac.

The building line of the proposed dwellings would be largely consistent with one another, albeit slightly more forward than 58a Finchampstead Road. Given the existing dwelling at the site is positioned at an acute angle to 58a, the building line in this area is not consistent as a starting point and what is proposed, acceptable.

Overall, the site presently is sparsely developed, however the proposal would not result in a substantial level of harm as a result of scale, massing and layout and would comply with principles outlined in policy TB06 and CP3.

Detailed Design

The proposed dwellings would be of a pleasant visual appearance with materials indicated as being clay tiles, red multi stock facing brickwork with brick plinths and upvc windows. It will be conditioned that the development is carried out in accordance with these materials.

Impact on Street Scene

The proposal would have limited visibility from the wider street scene owing to its location down a single lane, private track. The development would see the creation of its own cul-de-sac rather than having to respond to the pattern or architectural cues of an existing.

Overall, the proposal is acceptable in terms of scale, layout and design in its own right and in the context of the surrounding area, in line with policy CP3 of the Core Strategy, TB06 of the MDD and the Borough Design Guide.

Neighbouring Amenity:

Policy CP3 of the Core Strategy aims to protect neighbouring amenity. Policy CC06 states that noise impact of the development must be assessed. This is echoed by policy DH2 of the LPU.

Future Occupiers

Policy R17 of the Borough Design Guide outlines the internal space standards for different sized residential dwellings. However, these standards do not go beyond 4 bedroom dwellings. As such, the Nationally Prescribed Space Standards have been referred to. For a 5 bedroom house, the Nationally Prescribed Space Standards 110 – 128 sqm depending on number of bed spaces. The proposed dwellings would well exceed these minimum standards and so future occupiers should enjoy a good standard of living accommodation. All habitable rooms would be served by windows and would receive a suitable level of natural light and outlook. As such, the dwellings as shown would result in a good standard of accommodation for future occupiers.

Existing occupiers

Policy CP3 of the Core Strategy states that development should not have an adverse impact on neighbouring properties.

Policy R16 of the Borough Design Guide outlines the separation distances required to maintain privacy and limit sense of enclosure.

Overlooking: R15 of the Borough Design Guide SPD requires the retention of reasonable levels of visual privacy to habitable rooms, with separation of 22-30m to the rear and 10-15m to the street. R23 notes that the side walls must not contain windows, especially at first floor level.

Sunlight and Daylight: R18 of the Borough Design Guide SPD aims to protect sunlight and daylight to existing properties, with no material impact on levels of daylight in the habitable rooms of adjoining properties. It also requires sufficient sunlight and daylight to new properties, with dwellings afforded a reasonable outlook, preferably dual aspect (with the avoidance of north facing, single aspect flats) and no material impact on levels of daylight in the habitable rooms of adjoining properties. Habitable windows of adjoining properties must not be obstructed by a 25 degree angle and two storey extensions must not obstruct a 45 degree line back towards a habitable window of the adjoining property.

Overbearing

The closest neighbouring residential property to the application site is 58a Finchampstead Road, a bungalow. The proposal has been designed so that dwellings would not protrude beyond the rear building line of this neighbour and so would not result in overbearing. Furthermore, there would be a separation distance with the site boundary the boundary and the majority of built form of plot 1 would be in line with the

neighbouring bungalow. Visual dominance of the development would not be experienced from windows of the amenity space of no. 58a.

Light and Privacy

Whilst the closest proposed dwelling (plot 1) to this neighbour would be sited slightly forward in comparison, it would not breach a 45 light angle when taken from front facing windows. Officers could not identify any side windows of this bungalow and so there would be no concerns regarding loss of privacy. In terms of overbearing, the 1.5 storey element of plot one would be in closest proximity to no. 58a. Given this, there being a separation distance of the boundary and the majority of built form (plot 1) being in line with the neighbouring bungalow, this would not result in overbearing impacts. Visual dominance of the development would not be experienced from windows of the amenity space of no. 58a.

Owing to the positioning of the proposed dwellings, they would not unduly compromise privacy or result in overlooking or overbearing impacts on one another.

It is not envisaged that a proposal would affect any other neighbouring property, with Eyre Court in excess of 70m away.

Amenity Space:

Policy R16 of the Borough Design Guide SPD advises a minimum depth of 11m for rear gardens and a 1m setback from the site boundary to allow access thereto. It should receive direct sunlight and be capable of accommodating play, clothes drying and storage.

The submitted site plan indicates that each dwelling would have a rear amenity space in excess of 11m in depth and so complies with this standard.

Highway Access and Parking Provision:

Policy CP6 of the Core Strategy seeks to manage travel demand with sustainable travel modes, appropriate vehicle parking and minimisation of traffic impacts and highway safety concerns. Policy CC07 and Appendix 2 of the MDD Local Plan set out the minimum parking requirements for development proposals. Policy CP9 states that the scale of development must reflect the existing and proposed levels of facilities, services and accessibility at or in the location. Policy C5 of the LPU states that development proposals should provide and retain vehicle parking (including motorcycles) and cycle parking that caters for the needs of all users (including people with disabilities and visitors) that is appropriate to the location and the scale of development.

Site sustainability

Owing to the location of the site within a major development location, the site is sustainable with alternative transport modes to the private motor car. As discussed in the 'Access' section, the applicant has clarified that the private section of the road (where it meets Finchampstead Road) will continue to be a shared surface to facilitate walking/cycling activities of residents, which is acceptable.

Vehicle and Cycle Parking

The site is categorised as an 'Urban' location. The Transport Statement has assessed the parking provisions according to "Town & Fringe", which is inaccurate. According to

the WBC Car Parking Standards, the development of such scale in Urban location will require a minimum of ten parking spaces within the red line boundary, including one visitor parking space, if each dwelling has two allocated parking space. Each parking space shall have minimum dimensions of 5.0m x 2.5m. The WBC minimum sizes of a single garage for parking are 6m x 3m.

The applicant proposes 8 driveway parking of dimensions 5m x 2.5m and four double garage of dimensions circa 6m x 6.4m, resulting in 12 proposed parking spaces. Each dwelling will have the capacity to provide its own visitor parking, which is acceptable.

The proposed double garage of circa dimensions 6m x 6.4m will be suitable for both parking and cycle storage. As such, a condition will be attached to ensure the garages are retained as garages in perpetuity so that cycle parking will be retained.

Access

The site is accessed via a private road section of Finchampstead Road. In Paragraph 3.3 of the Transport Statement, the private section of Finchampstead Road is currently serving 11 dwellings and will serve a total of 14 dwellings after the redevelopment. The submission has clarified that the access width will be widened to 4.1m. The applicant has demonstrated two vehicles travelling in opposite directions can pass through each other at the access when entering and leaving the public highway. Despite the applicant is unable to provide the swept path analysis at the first 10m of the site access, in view of the low traffic flow of the access road, the submitted assessment can be accepted in this instance.

The applicant has clarified that the private section will continue to be a shared surface to facilitate walking/cycling activities of residents.

Traffic Generation

Within objections raised, there was concern over the additional traffic that will generated as a result of the proposal (in combination with existing traffic, deliveries and service vehicles) which would back up into the site when waiting to join Finchampstead Road. However, WBC Highways have confirmed the traffic generated from three additional dwellings are unlikely to have significant impacts on the wider highway network and consider the traffic flow of the access road to presently be low. As such, there is no substantive or evidenced reason for Officers to refuse the application on this basis.

Emergency Vehicles

The applicant has provided the swept path analysis in Drawing No. 20.104-001A for a fire tender of WBC's standard, which is acceptable.

EV Charging Points

The applicant has indicated electric vehicle charging points on the revised parking plan which are acceptable. Full details of EV charging points are no required by condition as they are now required under Building Regulations.

Overall, the development is deemed acceptable from a Highways perspective. Whilst the objections from neighbours are noted, the above assessment has been made by professional officers within WBC Highways. However, they do recommend conditions

to be attached to secure parking (vehicle and parking) and turning provision, the widening and surfacing of the access and a construction method statement (CMS) to be protect neighbouring amenity during the construction phase. The CMS will also detail where construction vehicles will park, materials will be stored, measures to control noise, dust and dirt. A restriction on working hours will also be conditioned in the interests of neighbouring amenity.

Waste Provision:

Policy CC04 states that all development, including conversions, alterations and extensions shall incorporate suitable waste management facilities, including on-site recycling.

The applicant has shown the revised the bin collection point (BCP) being placed opposite the boundary between plots 1 & 2. While the location does not fully meet the maximum carrying distances for all plot, WBC Highways understand that there is no better location within the red line and the proposed position of BCP will not have negative highway impacts.

WBC Highways consider the proposed BCP to be acceptable if it is accepted by the council's Cleaner & Greener team. No comments have been received by the Cleaner & Greener team and therefore Officers have no information to the contrary to not accept this arrangement.

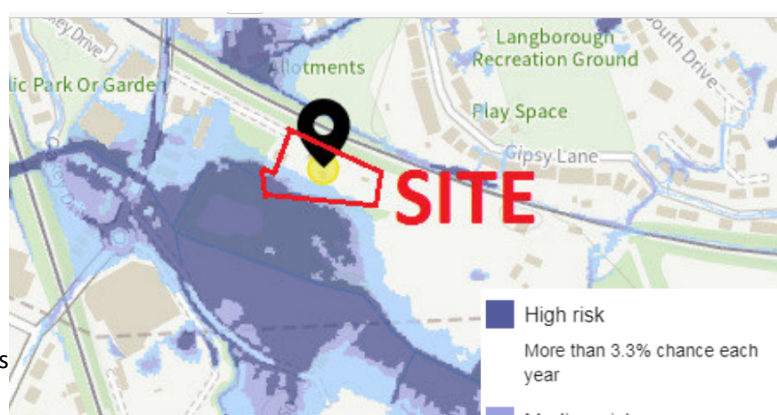
Flooding and Drainage:

Policy CP1 of the Core Strategy, amongst other matters, seeks to ensure proposals have provision of adequate drainage and avoid increasing risks of or from all forms of flooding (including from groundwater).

Policy CC09 of the MDD Local Plan indicates that all sources of flood risk should be taken into consideration and that inappropriate development in areas at risk of flooding should be avoided. Development proposals in flood zones 2 or 3 should consider the vulnerability of proposed development. In exceptional circumstances, new development in areas of flood risk will be supported where it can be demonstrated that, inter alia:

- i. The development provides wider sustainability benefits for the community that outweigh the flood risk.*
- ii. The development would not increase flood risk in any form elsewhere...*
- iii. The development would incorporate flood resilient and resistant measures...*

The site in its majority is primarily located in Flood Zone 1 with the southern end of the site being within Flood Zones 2 and 3. Flood Zone 1 has a low probability of flooding with Flood Zone 3 having a high probability of flooding.



Sequential Test and Exception Test

Policy CC09 states that development must be guided to areas of lowest flood risk by applying the sequential approach. This is reiterated by paragraph 168 of the NPPF. If passed, sometimes an Exception Test is also required. The Exception Test is designed to allow appropriate and safe development to proceed in scenarios where the Sequential Test has been passed.

Residential development is classified as a 'More vulnerable' use and, if within Flood Zone 3a, an exception test would also be required. The applicant has submitted a Flood Risk Assessment and states that a sequential approach has been used when designing the layout of the development and the dwellings have been located in an area at less risk of flooding. However, it is noted that the applicant's sequential test does not evaluate other more sequentially preferable locations.

The NPPG associated guidance titled 'Flood risk assessment: flood zones 1, 2, 3 and 3b (updated July 2024)' states that *"You may not need a sequential test if development can be laid out so that only elements such as public open space, biodiversity and amenity areas are in areas at risk of any source of current or future flooding"*.

In this case, the majority of the site is located within Flood Zone 1, with only the southern element of the site being in Flood Zones 2 and 3 (the latter zone being a very small portion of the site). The dwellings would be located in flood zone 1 with amenity spaces located in the higher flood zones. As such, on balance, taking into account the guidance above, the development is considered acceptable in relation to flood risk in the absence of a detailed sequential test. An exception test is therefore also not required.

Comments on Flood Risk Assessment

The Environment Agency originally raised objection to the proposal. This was not on the principle of development but rather had concern that the submitted Flood Risk Assessment failed to detail the site boundary fencing, where this will be in relation to flood zone three and whether the fencing has gaps incorporated into the design to allow for flood waters to flow freely. It also failed to consider and demonstrate that the proposed fencing will not increase flood risk elsewhere.

A revised FRA was provided and the Environment Agency withdrew their objection. They were satisfied with the previous proposal for a 1.8m high solid fence around the boundary of the site has been replaced with post and rail fencing and it also has a lower height of 1.2m. This will be secured via condition.

Drainage

Policy CC10 of the MDD Local Plan discusses sustainable drainage and surface water. It states that all development proposals must ensure surface water arising from the proposed development including taking into account climate change is managed in a sustainable manner. This must be demonstrated through a Flood Risk Assessment, or through a Surface Water Drainage Strategy.

The proposal has been reviewed by the WBC Drainage Officer. The current dwelling discharges foul water into the existing foul sewer network on Finchampstead Road and the development proposes maintaining the foul sewer discharge into the network on Finchampstead Road.

Surface water is proposed to be managed via attenuated discharge into the existing ditch to the south of the site, as represented by the proposed drainage strategy drawing in Appendix D, with discharge limited at the greenfield runoff rate of 2.4l/s.

The attenuation tank as well as all the dwellings are situated outside of the climate change flood extent, with 57m³ of storage provided when 55.2m³ is required to cater for the 1 in 100-year flood event with a 40% allowance for climate change. It will be conditioned that the development is carried out in accordance with the maintenance schedule as outlined in the report.

Notwithstanding the above, Network Rail also raised objection to the proposal as the FRA had not assessed the flood risk associated with the stream which they believe forms an outfall from Network Rail Drainage systems. The FRA should cover all types of flood risk and confirm the potential catchment and associated risks. Further information was required to ensure the risk associated with this stream is understood and that the design does not impact Network Rail assets.

Revised information was submitted in response to the above however no re-consultation response was received from Network Rail. As such, without evidence to the contrary this is not satisfied, Officers are proceeding on this basis.

Landscape and Trees:

Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, promote linkages between public open space and the countryside, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the proposal's impact and relationship with landscape character.

R14 of the Borough Design Guide SPD requires well-designed hard and soft landscaping that complements housing.

The site is located with the settlement boundary of Wokingham, in an area which is sparsely developed. Access to the site is restricted by a narrow access road with three Corsican Pines protected by a TPO (0281/1985) either side of the entrance off Finchampstead Road (designated a Green Route). The access road which runs parallel to the railway embankment is mostly lined by vegetation and trees. The site is surrounded by a high level of trees and other vegetation.

An Arboricultural Impact Assessment (AIA) is provided with the application. The WBC Tree & Landscaping Officer has no concerns regarding the information provided in the AIA which contains an Arboricultural Method Statement and Tree Protection Plan. Two tree groups and one small individual specimen are shown to be removed to enable development. The T&L Officer has no objection to these removals provided suitable replacements are provided on the site boundaries in the locations of the group removals, as part of the landscape scheme. However, the WBC Ecologist considered one of the proposed removed tree group (G60) to be part of a wildlife corridor and requested its retention. The applicant has agreed a pre-commencement condition for an updated AIA and Tree Protection Plan to see if any retention of G60 is possible.

The present AIA doesn't include the TPO trees at the site entrance off Finchampstead Road however the Transport Statement provided with the application confirms in paragraph 3.6 that the driveway between the access to Eyre Court and Finchampstead Road will remain unchanged, therefore there will be no impact on the TPO trees.

The Drainage Strategy indicates the attenuation tank in the rear gardens of plots 1 & 2 is outside the root protection area of trees growing just outside the southern site boundary, therefore will not impact on the trees to be retained.

Overall the T&L Officer has no objection to the form and layout of the proposed dwellings within the site or in relation to the trees. It is expected that a comprehensive landscape scheme to be submitted though conditions to ensure the new dwellings make a positive contribution to the landscape character to comply with Core Strategy policy CP3 and Local Plan policy CC03. Of particular importance is the need to provide a strong landscaped entrance into the site and on the boundary with 58A Finchampstead Road to replace the recent clearance of vegetation in this area and the proposed removal of tree 'G60', if this is still proposed to be removed in whole or part (which will become apparent in the updated AIA which would be secured via condition). A landscaped boundary to the rear garden of plot 3 such as a native hedgerow with trees will also need to be included to partially replace some of the vegetation to be removed in this area.

Conditions to secure site level details, landscaping details and boundary treatment details will also be secured.

Ecology:

Policy TB23 of the MDD Local Plan requires the incorporation of new biodiversity features, buffers between habitats and species of importance and integration with the wider green infrastructure network. Bats and Newts are protected species in planning law.

Protected species – Newts

The site is located within red zone for Great Crested Newts, which is the highest zone and the most likely areas where Great Crested Newts may be present. Within the Preliminary Ecological Appraisal it recommended some precautionary working methods to mitigate risks to great crested newts. It will be conditioned that the development is carried out in accordance with recommendations in the PEA.

Bats

The WBC Ecologist is satisfied the survey effort and methodology of the emergence activity surveys carried out on 8 May and 3 June 2025 are adequate. Soprano pipistrelle, Nathusius's pipistrelle, Serotine, Brown long eared bats were seen and recorded foraging and garden and commuting over and around, the house, lawn and trees. Common pipistrelle activity on 8 May is described at constant. It is agreed with the applicant's ecologist that no further bat surveys are necessary and that the result of a survey can never completely rule out the presence of bats at a building as use may be obscure or occasional. A CEMP biodiversity condition with details of the supervising ecologist and toolbox talks before clearance, construction or demolition works start on site will be secured.

Bat bricks will also be secured via condition and these should be located away from single storey garages and positioned at least 4m above ground level away from disturbance from windows and external lighting.

According to the PEA the applicant proposes that low-impact lighting strategy will be adopted for the site in order to maintain dark corridors in line with ILP/BCT Bats and Artificial Lighting in the UK' Guidance Note GN 08 / 23. The external lighting strategy and the protected species enhancements suggested by Arbtech (the applicant's Ecology consultant) will be secured via condition.

Reptiles

The multiple woodchip, spoil and log piles and scrub provide foraging and suitable refuges for common reptiles. The site has good connectivity to further suitable reptile habitat in the wider landscape. Clearance of further scrub and trees and management of grassland must not be undertaken until reptile mitigation method statement has been submitted to and approved by the LPA. This will be secured via condition.

Amphibians

The pond map in appendix 1C and 1a fail to include the blueline land pond shown on the Location Plan immediately outside the southwest corner of the site. The pond has been damaged by tree felling and degraded by the landowner. Refugia searches have not been completed to rule out the presence and impact to amphibians. According to WBC information and OS maps the pond is likely to be fed by the southern ditch. Lanmor Consulting's letter ref 241778/KL/ml/01 states that freeholders have the responsibility to "let water flow naturally with undiminished quantity and quality, not to obstruct the flow of a watercourse to the detriment of your neighbours". The landscaping and drainage schemes, the LEMP and CEMP Biodiversity should therefore address the need to protect the pond and habitat for amphibians and provide enhancement in line with policies CP7 and TB23.

Biodiversity Net Gain (BNG)

The pond map in appendix 1C and 1a fail to include the blueline land pond shown on the Location Plan immediately outside the southwest corner of the site. The pond has been damaged by tree felling and degraded by the landowner. Refugia searches have not been completed to rule out the presence and impact to amphibians.

According to WBC information and OS maps the pond is likely to be fed by the

southern ditch. Lanmor Consulting's letter ref 241778/KL/ml/01 states that freeholders have the responsibility to "let water flow naturally with undiminished quantity and quality, not to obstruct the flow of a watercourse to the detriment of your neighbours". The landscaping and drainage schemes, the LEMP and CEMP Biodiversity should therefore address the need to protect the pond and habitat for amphibians and provide enhancement in line with CP3, CP and MDD TB23.

The standard condition relating to biodiversity net gain requirements (that developments achieve a 10% BNG) will be secured via the standard planning condition. In addition to this, the proposed landscaping scheme shall be conditioned to have a programme for 30 years in line with BNG requirements.

Thames Basin Heath Special Protection Area

Policy CP8 of the Core Strategy states that development which alone or in combination is likely to have a significant effects on the Thames Basin Heaths Special Protection Area will be required to demonstrate that adequate measures to avoid and mitigate any potential adverse effects are delivered.

The site is located within the 5km zone from the Thames Basin Heaths Special Protection Area (TBH SPA). The Thames Basin Heath Special Protection Area is an internationally important habitat that is home to 3 rare species of ground nesting birds - the Dartford Warbler, Nightjar, and Woodlark. To protect these, the government has designated the Thames Basin Heaths as a Special Protection Area (SPA) under the European Commission Birds Directive and placed mitigation zones around the heaths to lessen the impact of human activity on them. The Appropriate Assessment needs to be passed to ensure that development would not have adverse impact on the TBH SPA.

Mitigation proposed is for residential development (located within the 5km and 7km buffer zones) to contribute towards Suitable Alternative Natural Greenspace which aims to direct residents away from the SPA and rather into the SANG, thereby reducing footfall and pressure on the SPA.

SANGs are new or existing open spaces designed to attract visitors away from the SPA by providing an enjoyable natural environment for recreation. The expectation is that by providing these alternative areas for outdoor recreation, there will not be an increase in recreation pressure on the SPA as new households can use the SANG instead of the protected heathland. SANGs are high quality open space that will remain in perpetuity.

A contribution towards SANG is required per dwelling and this is dependant on the number of bedrooms in each dwelling. Each dwelling will also have to pay a Strategic Access Management and Monitoring (SAMM) contribution. SAMM is a project delivered by Natural England to implement messages, wardening and education across the TBH SPA and promote the use of SANGs. SANG and SAMM contributions are secured via a S106 legal obligation.

Based on the current SANG and SAMM rates, the contribution required for a scheme of 3 x 5 bedroom dwellings (as there is only a net increase of 3 dwellings) would be £17,062.86.

The applicant is agreeable to this contribution and will be secured via a S106 legal agreement.

Environmental Health:

Policy CP1, specifically criterion 8, states that development should “*Avoid areas where pollution (including noise) may impact upon the amenity of future occupiers*”. Policy HC5 of the LPU states that Development proposals will only be supported where it can be demonstrated that individually, or cumulatively in combination with other schemes, they do not have an unacceptable impact, either during the construction phase, or when completed, on:

- a) Human health, well-being or safety;
- b) Residential and public amenity;
- c) The quality of land, including soils and the subsurface;
- d) Air and Water quality (including surface water and groundwater); and
- e) Other sensitive receptors, including the natural environment.

Noise

Policy CC06 of the MDD states that proposals must demonstrate how they have addressed noise impacts to protect noise sensitive receptors (both existing and proposed) from noise impacts.

A railway line is in close proximity to the proposed site. A noise and vibration assessment has been submitted and reviewed by WBC Environmental Health Officer. The assessment states that suitable internal noise levels in all noise-sensitive rooms can be achieved where all glazed and background ventilation elements meet the minimum sound insulation specifications. The report also concluded that measured survey data shows that levels of vibration are sufficiently low that they represent a low probability of adverse comment on the proposed residential dwellings. The WBC Environmental Health Officer raised no objection to the findings of the report but advised a condition to ensure that insulation specifications are carried out to protect the amenities of future occupiers of the dwellings.

No concerns regarding air quality were raised by Environmental Health in light of the proximity to the railway.

To avoid adverse noise disturbance to neighbours during the construction phase, a Construction Method Statement will be secured via condition along with the hours of construction work restricted.

Land contamination

Policy HC9 of the LPU states that development proposals on or near sites which are known, or suspected to be potentially contaminated, or proposals for sensitive land uses, will only be supported where it can be demonstrated that sensitive receptors would not be exposed to levels of potential contamination that would give rise to unacceptable risks or harm to health. One of these receptors are people (future or existing occupiers).

The site is located on potentially contaminated land. As such, a Contaminated Land Risk Assessment was carried out and submitted to support this application. It

concluded that there is potentially significant potential pollutant linkages that were identified. It was therefore recommended that that an intrusive site investigation is undertaken with the objective of determining the presence and extent of any soil and gaseous contamination on the site. A further contaminated land assessment and potentially remediation scheme is required and will be secured via condition.

Furthermore, both the report and WBC Environmental Health Officers advised a condition which requires the reporting of unexpected contaminated land.

Archaeology

Policy TB25 states that Where development is likely to affect an area of high archaeological potential or an area which is likely to contain archaeological remains, the presumption is that appropriate measures shall be taken to protect remains by preservation in situ. Where this is not practical, applicants shall provide for excavation, recording and archiving of the remains.

According to the Council's mapping system, the edge of the site/ access road is within an archaeological site. However, Berkshire Archaeology were consulted and confirmed that no archaeology mitigation is required.

Building Sustainability:

Policy CC04 outlines that in respect of new homes, the follow should be achieved:

- a) Seeking to achieve the requirements of the full Code for Sustainable Homes Level 4;*
- b) Meet internal potable water consumption targets of 105 litres or less per person per day (as part of the requirement to meet full Code for Sustainable Homes Level 4).*

It should be noted that the above policy is out of date and were written before the Council's declared Climate Emergency. For this reason, the Council produced a Climate Change Interim Policy Position Statement (CCIPPS) (2022) which outlines what is expected of development proposals in light of the climate emergency.

In relation to policy requirements outlined in CC04, it should be noted that the Code for Sustainable Homes Level 4 has now been withdrawn, and now applicants must meet the interim Future Homes Standard (as required by Building Regulations) of a minimum 31% reduction in emissions, in line with the CCIPPS. This will be secured via condition.

With regards to water consumption, measures for internal water use for each dwelling at a standard of less than 110 litres per person per day is required. This water consumption standard to comply with the CCIPPS, which is a higher standard than that outlined in CC04 because Wokingham Borough is situated within part of the country classified as an area of serious water stress. This will be conditioned.

Planning Balance/ Conclusion:

The most important policies for determining the application are out of date by virtue of The absence of a 5 year housing land supply. Paragraph 11 of the Framework therefore states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The proposal would provide several material benefits that weigh in favour of the application. The provision of new housing weighs substantially in favour of the scheme given the borough being unable to demonstrate a sufficient land supply and given this would see dwellings being built within settlement, in a sustainable location and on partially physically previously developed land.

No material harm has been identified in relation to other material considerations such as neighbouring amenity, the natural environment and highways. Despite objections from third parties on the latter, these views are not shared or evidenced by WBC Highways when reviewing this application.

The recommendation is therefore to grant planning permission subject to conditions and the completion of a S106 legal agreement for mitigation towards the Thames Basin Heath Special Protection Area (SANG/ SAMM contributions).

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

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

RECOMMENDATION

Conditions agreed:

Yes

Recommendation:

APPROVE subject to S106 legal agreement for SANG/ SAMM contributions and the following conditions:

1. Time Limit
2. Approved Plans
3. Materials as specified
4. Site Levels
5. Boundary Treatments
6. Hard and soft landscaping details
7. Retention of trees and shrubs
8. Protection of trees
9. Noise mitigation
10. Construction Method Statement
11. Hours of Work

	12. Remediation 13. Parking and Turning as approved 14. Surfacing of access 15. Access widening 16. Garages to be retained 17. Adherence to drainage details submitted 18. Adherence to FRA 19. Accordance with ecological recommendations 20. Carbon emissions 21. Water consumption 22. CEMP 23. Lighting details 24. LEMP 25. Biodiversity Enhancements 26. Reptile Strategy
Date:	7 August 2025
Earliest date for decision:	18 September 2024

Recommendation agreed by: (Authorised Officer)	<i>BJC</i>
Date:	08.08.25

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

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

Summary of Response

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

This site is located approximately **4.8 km** (measured from the access road to the application site) from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

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

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

In this instance, the proposed development would result in a net increase of **3 no 5 bedroom dwellings**, within 5km of the SPA which results in a total SANG contribution of **£12,721.86**.

The proposed development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of **£4,341**.

The total SPA related financial contribution for this proposal is **£17,062.86**. The applicant **must agree** to enter into a S106/s111 agreement to secure this contribution prior to occupation of each dwelling. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, policy CP8 of the Core Strategy, and the NPPF.

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

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

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

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

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

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

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

2. Stage 1 Screening for Likely Significant Effects

WBC accepts that this proposal is a 'plan or project' which is not directly connected with or necessary to the management of a European Site. The Thames Basin Heaths Special Protection Area (SPA) is a European designated site which affects the borough, and WBC must ensure that development does not result in an adverse impact on the SPA. The potential adverse effects on the integrity of the SPA include recreational activities from inside the SPA and air pollution from inside and outside the SPA.

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

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

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

3. Stage 2 Appropriate Assessment

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

The following policies and guidance set out WBC's approach to relevant avoidance and mitigation measures which have been agreed with Natural England. For the majority of housing developments this will comprise the provision of (or contribution towards) Suitable Alternative Natural Greenspace (SANG) and a contribution towards the Strategic Access Management and Monitoring (SAMM) Project. The financial contributions towards SANG would be either through an obligation in a s106 agreement that requires WBC to allocate an appropriate amount of the development CIL receipt towards the provision of SANG, or through an obligation in an agreement under s111 of the Local Government Act, that

requires the developer to make an appropriate financial contribution towards the provision of SANG (to be used in the event that the developer successfully seeks CIL relief). Developers will be required to secure an appropriate financial contribution to the SAMM project through an obligation in a s106 agreement.

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

a. Policies and Guidance

For this proposal the following guidance and policies apply:

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

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

b. SPA Avoidance and Mitigation Measures

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

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

As this development is not part of an SDL, the developer may make a payment contribution towards strategic SANGs in line with schedule below (most likely this will be at Rooks Nest

Wood SANG although it is subject to SANGs capacity in the right location within Wokingham borough). An occupation restriction will be included in the Section 106 Agreement in order to ensure that the contribution has been made prior to occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and Core Strategy Policy CP8

The development will result in a net increase of **3 no dwellings**, broken down as follows: **3 no 5 bedroom dwellings**. Depending on the dwelling mix, the level of SANG payments are set out as follows:

No. of bedrooms	SANG Contribution 5km	Aggregate SANG Contribution
1 bedroom	£1,567.98	£0
2 bedrooms	£2,049.59	£0
3 bedrooms	£2,690.93	£0
4 bedrooms	£3,546.86	£0
5 bedrooms	£4,240.62	£12,721.86
Total SANG Contribution		£12,721.86

[DELETE AS APPROPRIATE]

ii. Strategic Access Management and Monitoring (SAMM) Contribution

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

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

The level of contributions are calculated on a per bedroom basis. The application for this development is for **3 no 5 bedroom dwellings**. Depending on the dwelling mix, the level of SAMM payments are calculated as follows:

No. of bedrooms	SAMM Contribution 5km	Aggregate SAMM Contribution
1 bedroom	£582.00	£0
2 bedrooms	£810.00	£0
3 bedrooms	£1,077.00	£0
4 bedrooms	£1,267.00	£0

5+ bedrooms	£1,447.00	£4,341
Total SAMM Contribution		£4,341

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

4. Conclusion

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

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

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

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

5. Example Reason for Refusal

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

Date:	24/10/25	Signed:	
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