



**WOKINGHAM
BOROUGH COUNCIL**

TOWN AND COUNTRY PLANNING ACTS

**TOWN AND COUNTRY PLANNING
(PERMISSION IN PRINCIPLE) ORDER 2017**

**TOWN AND COUNTRY PLANNING
(BROWNFIELD LAND REGISTER)
REGULATIONS 2017**

ET Planning

200 Dukes Ride
Crowthorne
Bracknell Forest
RG45 6DS

NOTIFICATION OF REFUSAL OF PERMISSION IN PRINCIPLE

Application Number: 250604
Applicant Name: The Owner and/or Occupier
Site Address: Sulby Croft, Heathlands Road, Wokingham, RG40 3AR
Proposal: Permission in principle application for the proposed erection of up to 5 no. dwellings, following demolition of the existing dwelling.
Date of Decision: 23 April 2025

Wokingham Borough Council in pursuance of its powers under the above Acts and Regulations hereby **refuses permission in principle** for carrying out the above development as stated in the application and the accompanying plans submitted to the Council for the reason(s) specified hereunder.

Reasons

1. In accordance with the National Planning Policy Guidance, permission in principle must not be granted for development which is habitats development. The application site lies within 2.3km of Thames Basin Heaths Special Protection Area, which is a qualifying European site. The proposal fails to provide avoidance measures for the adverse effect on the integrity of the European protected site which renders the proposal as habitats development. As such, 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.

2. The site is not sustainable in transport terms with regards to its location and access to day-to-day services and facilities. Future residents of the development would also not have access to a good standard of bus service and would have an

attractive walking or cycling routes/ environments when outside the site. The proposal will therefore result in high dependence on private vehicle use and represents an unsustainable development, contrary to policies CP1, CP3 and CP6 of the Core Strategy and policy CC01 paragraphs 110 and 115 of the NPPF.

3. The proposal represents inappropriate development within designated countryside. By virtue of their cumulative quantum and density, along with car parking and hardstanding that fails to integrate with the surrounding countryside, the proposal for up to 5 dwellings will have detrimental visual and urbanising impacts on the landscape and the character and appearance of the area in general and surrounding countryside in particular. The proposal is therefore contrary to policies CP1, CP3, CP9 and CP11 of the Core Strategy, policies CC01 and TB21 of the MDD, the Borough Design Guide and the NPPF.

Informatives

1. In reaching its decision, the LPA considered the following

submitted plans and documents:

Planning Statement prepared by ET Planning

Bat Emergence Survey, Report no. ASW/MPIL/103/28/2024, prepared by ASW Ecology Ltd, dated September 2024

Arboricultural Report, Report ref. 2024005 v2.0, prepared by Harper Tree Consulting

Preliminary Ecological Appraisal and Preliminary Roost Assessment Issue 3, prepared by Arbtech, dated 17/01/24

Application Form

CIL Form

02-31 - Site Location Plan

02-30 - House replacement, site plan

02-31 - House replacement, Elevations NTS - indicative

Proposed Elevations (with extended dwelling)

CGIs prepared by Etherion Design Studio

Pedestrian Accessibility, Bus Routes and Cycle Accessibility contour drawings

Received 13th, 14th and 20th March 2025 and 11th April 2025

2. The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, no pre-application advice was sought before the application was submitted. As the proposal was clearly contrary to the provisions

of the Development Plan, it was considered that further discussions would be unnecessary and costly for all parties.

Signed

MHead

Marcia Head

Head of Development Management - Place & Growth

Date: 23 April 2025

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW



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Other statutory legislation: This decision notice relates to the above stated acts and regulations only and does not constitute approval under any other legislation.

The Town & Country Planning (Development Management Procedure)

Order: This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) and in the requirement to work with the applicant in a positive and proactive manner.

Officer Report: An officer report explaining the decision will be available to view online.

Purchase notices: If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council which will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

Appeals to the Secretary of State: If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990). This must be within the timeframes set out below. Please note an extension of time for lodging an appeal is unlikely to be granted except in special circumstances.

12 weeks from the decision date above in the case of a refusal of a 'householder' application:
Being the refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house; or,
Being the refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.

12 weeks from the decision date above in the case of a refusal of a 'minor commercial' application:

Being the refusal of an application for development of an existing building or part of a building currently in use for purposes in Use Classes A1, A2, A3, A4 and A5 where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.

6 months from the decision date above in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building/conservation area consent application.

6 months from the decision date above in the case of any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government. The Inspectorate has an online appeals service with information and guidance about the process. You can submit [full application appeals](#) and [householder application appeals](#) with the new appeals service. [Other application types](#) should be submitted on the current appeal service. Alternatively, you can obtain a form from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, 0303 444 5000 or through the [Inspectorate's website](#). Please note all documents will be published online by the Planning Inspectorate and therefore you should not include personal information you do not wish to be displayed in this way. This includes personal information of third parties.

In the event of a grant of planning permission, please note the following:

Discharge of Conditions: This consent may contain conditions that require further approval by submission of an application for approval of details reserved by condition and the appropriate fee. Application forms can be obtained for this purpose by visiting the [Planning Portal](#).

Street Naming and Numbering for new dwellings: If this notice relates to approval of new dwellings, please ensure that you contact the Council at least 16 weeks before the commencement on site to arrange for an address and post code to be allocated. Details can be obtained from streetnamingandnumbering@wokingham.gov.uk. Failure to contact the street naming and numbering department at least 16 weeks before commencement on site will result in the addressing and post code for the development being delayed.

Access to privately owned land: The applicant is reminded that this permission does not give right of entry to land not in the ownership of the applicant. Permission must be sought from any other landowner(s) if access is required.

Gas Mains and Services: Building over a gas main or service that is located within your site could cause damage to pipework or potential gas leaks within buildings. You should check for information relating to services within your site at

[Home - LinesearchbeforeUdig \(lsbud.co.uk\)](#) and contact the Plant Protection Team at SGN on 0800 912 1722 or plantlocation@sgn.co.uk.

Building Regulations: The development subject to this permission may also require Building Regulation approval to ensure it is built to national safety, design, and environmental standards. The Council's Local Authority Building Control (LABC) service offers a full range of plan approval, inspection, and associated services through an ISO9001 nationally accredited team of qualified building surveyors. These surveyors work closely with the Council's planning department to ensure the appropriate construction of your build. To find out more visit the Council's [Building Control website](#) or call 0300 790 0580 to speak to a member of the team.

Fire Regulations: In accordance with the Berkshire Act 1986, when Building Regulation applications are submitted for building(s) or extensions, the Local Authority will reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show the following:

- i) That there will be adequate means of access for the fire brigade to the building(s) or the extended building(s); and,
- ii) That the building(s) or extension(s) will not render inadequate any existing means of access for the fire brigade to a neighbouring building.