

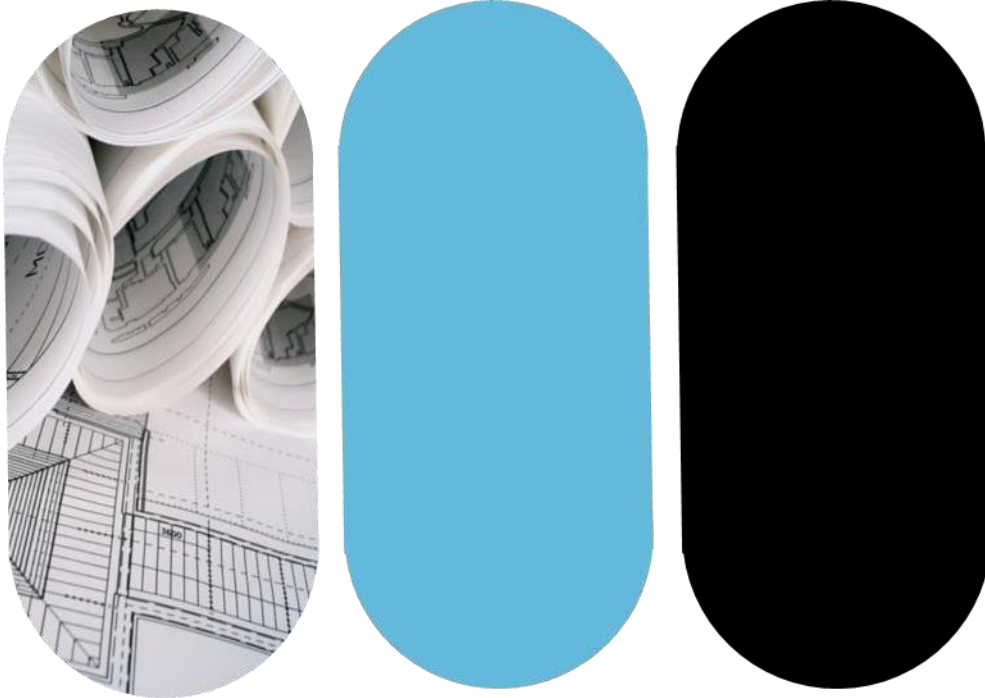


 Part of Shakespeare Martineau

Croudace Homes, Vortal Homes Limited and Falcon Developments (SE) Limited

Land North of School Road, Arborfield Cross, Wokingham

Planning Statement





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1. Introduction

1.1 This Planning Statement has been prepared by Marrons on behalf of Croudace Homes, Vortal Homes Limited and Falcon Developments (SE) Limited (the “Applicant”) and is submitted to Wokingham Borough Council (the “Council”) in support of an outline planning application in relation to Land North of School Road, Arborfield Cross (the “Site”).

1.2 The description of development is as follows:

“Proposed residential development of up to 95 dwellings together with open space and associated works. Means of Access to be considered (with Appearance, Landscaping, Layout and Scale to be reserved)”.

1.3 The Site, which extends to 8.25 hectares, is identified at Figure 1 below as well as on the Site Location Plan submitted as part of the application.

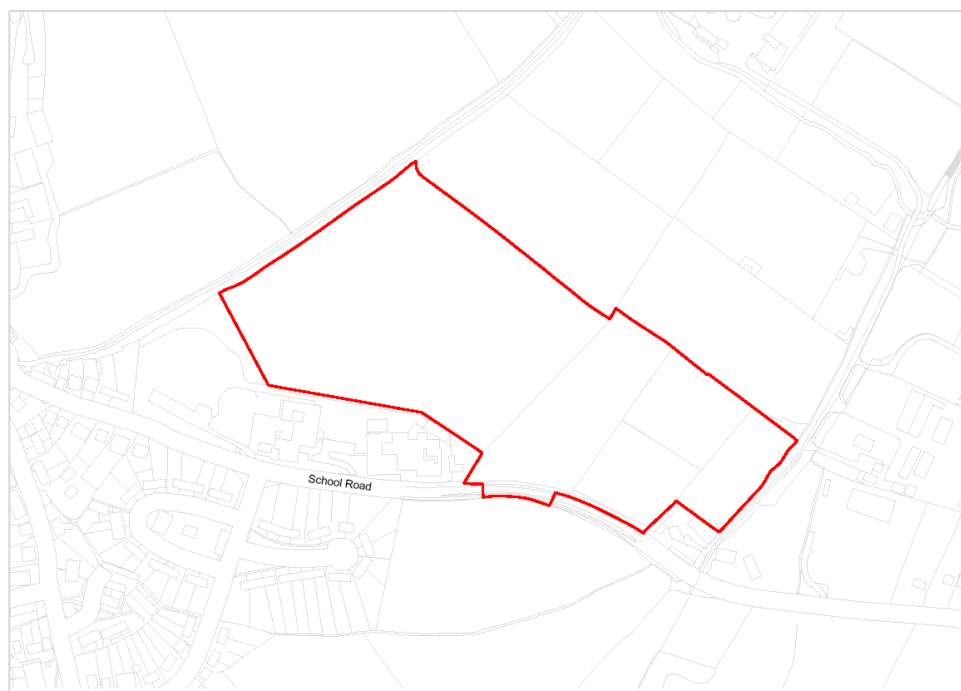


Fig 1. Site Location Plan



Supporting Documentation

- 1.4 This Statement should be read in conjunction with the range of other supporting technical documents and plans submitted as part of this application including:
- Site Location Plan (Marrons);
 - Parameters Plan (Marrons);
 - Illustrative Masterplan (Marrons);
 - Design and Access Statement (Marrons);
 - Statement of Community Involvement (The Community Communications Partnership);
 - Economics Benefit Statement (Marrons);
 - Wokingham Affordable Housing Need Technical Note (Marrons);
 - Landscape and Visual Impact Assessment (CSA Environmental);
 - Arboricultural Implications Report, including Outline Arboricultural Method Statement, Tree Survey Schedule and Tree Protection Plan (SJA Trees);
 - Ecology Appraisal, Biodiversity Metric and Habitat Plans (DFA);
 - Heritage Statement (Marrons);
 - Phase 1 Geo-Environmental Desk Study (ST Consult);
 - Transport Statement including [Road Safety Audit and Designers Response] (Transport Planning Associates); and
 - Flood Risk Assessment and Drainage Strategy (Abley Letchford Partnership).
- 1.5 The proposals have been informed by pre-application engagement with the local community, Arborfield and Newland Parish Council, the Ward Councillors and other key stakeholders including the Royal British Legion. A website (<https://schoolrd-arborfieldcross.co.uk/>) and a Social Media campaign on Instagram and Facebook were launched to notify the local community of the development proposals and the opportunity to engage at the Drop in Consultation and Exhibition on the 9th July 2024; further details are provided within this statement and the accompanying Statement of Community Involvement (SCI).
- 1.6 The purpose of this Planning Statement is to describe the proposals and outline the economic, social and environmental benefits with reference to the local and



national planning policy context, having regard to any material considerations. This Planning Statement demonstrates that there are no adverse impacts associated with the proposals that would significantly and demonstrably outweigh the benefits, or warrant refusal of the application.

Planning Statement Structure

- 1.7 The remaining sections of this Planning Statement are structured as follows:
- **Section 2:** Provides a description of the Site and its surroundings, planning designations and the relevant planning history
 - **Section 3:** Provides details of the Proposed Development
 - **Section 4:** Details the planning history in relation to the Site
 - **Section 5:** Sets out the relevant local planning policy context of the adopted and emerging Development Plan
 - **Section 6:** Sets out the relevant national planning policy context of the adopted and emerging National Planning Policy Framework
 - **Section 7:** Provides a planning assessment of the Proposed Development against local and national policies, and other material considerations
 - **Section 8:** Details the S106 Heads of Terms
 - **Section 9:** Provides the summary and conclusions



2. The Site and Surrounding Area

2.1 The relevant matters in relation to the Site and its characteristics for the purposes of this Statement are:

- The Site is located on the eastern edge of the village of Arborfield Cross, north of School Road (B3349) and extends to approximately 8.25 hectares of greenfield land;
- The Site comprises two agricultural fields, lined with hedgerows and trees with current access via Wood Lane;
- The Site immediately adjoins the settlement boundary of Arborfield Cross and is bound to the northeast by agricultural fields, the east by Wood Lane and a single dwelling and associated buildings off School Road. Immediately south of the Site is The Coombes Church of England Primary School and School Road, and Cole Lane runs along the western boundary;
- The Site's topography slopes gradually from the north to the south-east;
- The Site is located entirely within Flood Zone 1 and has no known land contamination, pollution or other environmental quality issues;
- There are two Public Rights of Way (PROW) which run outside of the eastern and the western boundaries of the Site, one along Cole Lane and along Wood Lane;
- The Site lies immediately outside of the settlement boundary but within the 'Countryside', 'Thames Basin Heaths Special Protection Area' and 'Special Protection Area, Linear Mitigation Zone' as designated in the adopted Development Plan. It is however outside of the Arborfield Cross Conservation Area and Green Belt and is not subject to any landscape protection designations;
- The Site is well related to the village of Arborfield Cross which offers a range of services and facilities including, a convenience store, a village hall (incorporating Swallowfield Medical Practice consulting room), a primary



school, a nursery, a public house, the Royal British Legion Club, a large recreation ground, a garden centre and café and a farm shop offering services which include a butchers, hair salon, café and pizzeria;

- The neighbouring village of Arborfield Green is located approximately 1.2 miles south east of the Site (a 20-minute walk) and provides access to a wider range of services and facilities which include but are not limited to, a leisure centre, a large Co-Operative, Bohunt Secondary School and two places of worship, with further facilities planned.
- In terms of connectivity, there are four bus stops located around Arborfield Cross and within close proximity to the Site which provide a regular service between Reading and Wokingham via Shinfield, Arborfield Green, Finchampstead and Barkham; and
- The market town of Wokingham is located approximately 5 miles northwest of the Site directly via Eversley Road and Langley Common Road (approximately a 12-minute drive, 22 minutes via public transport and a 24 minute cycle) which offers a much greater range of services including supermarkets, an array of schools, hotels, restaurants, cinemas, a hospital and a train station which provides a regular service to London in under an hour, and other destinations.



3. Planning History

- 3.1 The Site forms part of the northern parcel of a previous planning application, 'Land North and South of School Road, Arborfield Cross, Wokingham' (Planning Reference: 180596) which was refused Outline Planning Permission for the development of up to 120 dwellings on 22nd June 2018.
- 3.2 This provides important precedence for the determination of this application and confirms areas which the Council previously considered needed further work, and those which were acceptable.
- 3.3 Accordingly, the current proposal seeks to specifically address the previous reasons for refusal, with the technical detail summarised within this Planning Statement and detailed within the supporting documents/plans.
- 3.4 The eight reasons for refusal have been summarised below for ease of reference, along with a summary of how the current proposal has resolved these:

	Reason for refusal	How this has been addressed
1	The location of development being contrary to policy and the Council's ability to demonstrate a 5 year housing land supply.	The Council's position has changed; the most recent Wokingham Borough Five Year Housing Land Supply Statement (January 2024) confirms that Wokingham Borough Council can demonstrate only a 3.2 year housing land supply, automatically rendering the most important adopted planning policies out of date.
2	The impact of the development on the character of the area and the erosion of the separation between settlements.	The development proposals have been sensitively designed to have minimal impact of the areas of separation between settlements and also to reflect the character of the village through the utilisation of the Arborfield and Newland Village Design Statement. It should also be noted that the proposals do not include land south of School Road, therefore any impact is focussed to the north of the settlement.
3	The impact on the setting and significance of the Grade II listed building (Langleypond)	The application is supported with a new Heritage Impact Assessment which concludes that the



	Farmhouse).	development fulfils the desirable statutory objective set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Paragraphs 195, 196 and 203 of the NPPF alongside relevant local plan and neighbourhood plan policies concerned with the sustainable management of heritage assets.
4	The location of the development is considered unsustainable in transport terms with regards to its location and access to services, resulting in a high level of car dependency.	There are new facilities in Arborfield Green and the proposals provide a direct link on Cole Lane which will encourage more walking and cycling to services and facilities. This is also considered to help facilitate the Council's PROW improvement plan, which proposes direct links to Arborfield Green.
5	Insufficient provision for affordable housing.	The proposal will provide policy compliant affordable housing provision at 40%.
6	Failure to secure mitigation for the adverse effect on the Thames Basin Heaths Special Protection Area (provision of SANG).	The proposal will provide suitable off-Site SANG.
7	Insufficient information regarding the impact on a priority habitat (hedgerow).	The application is supported by a suite of ecology surveys which sufficiently assess the ecological baseline of the site which includes habitats; the Report concludes that whilst there will be certain impact as a result of the proposed development, the proposed mitigation provides a significant benefit to habitats and species overall.
8	Failure to make provision for employment skills training.	This is a matter to be considered at Discharge of Condition stage of the application.

Fig 2. Table setting out previous reasons for refusal and how this proposal addresses these.

3.5 The Site was previously assessed as part of the Wokingham Borough Council Housing and Economic Land Availability Assessment (HELAA) November 2021



in two separate parcels.

- 3.6 Both Parcel 1, the larger (9.16ha), 'Land to the North of School Road' (HELAA Reference: 5AR007) and Parcel 2, the smaller (3.22ha), 'Land North of School Road' (HELAA Reference: 5AR009).
- 3.7 Prior to this, the Site formed part of a much larger strategic extension (30.27ha) assessed within the October 2019 HELAA, 'Land to the North and South of School Road, Targetts Farm, Langley Pond Farm Livery Stables and Land off Langley Common Road' (HELAA References: 5AR007, 5AR008, 5AR009, 5AR010, 5AR018, 5AR021, 5BA030) for mixed use development with a capacity for 450 new homes.



4. The Proposed Development

4.1 The description of development is as follows:

“Proposed residential development of up to 95 dwellings together with open space and associated works. Means of Access to be considered (with Appearance, Landscaping, Layout and Scale to be reserved)”.

4.2 The Proposed Development is described in more detail within the accompanying Design and Access Statement; however the key elements of the proposal for the purposes of this Planning Statement are as follows.

Housing

4.3 The Proposed Development will deliver up to 95 new dwellings, of which 40% will be affordable.

4.4 Whilst the detailed design is to be decided at Reserved Matters stage, the housing mix and tenure will be reflective of the local needs as set out within the Local Housing Needs Assessment (November 2023), or any relevant updates.

4.5 The Proposed Development will take into consideration the surrounding character and the existing built form as set out within the accompanying Design and Access Statement. Although indicative at this stage, the building heights will be a maximum of 10.5m, taking the form of short terraces, detached and semi-detached buildings at a relatively low density across the Site.

Accessibility and Movement

4.6 Access is a matter to be considered as part of the outline planning application.

4.7 Vehicular access is to be taken from School Road via a tertiary street; the existing one way traffic calming scheme on School Road is to be partly removed and replaced with a new raised junction. The existing footway is to be widened to a minimum of 2m up to the existing pedestrian crossing point.

4.8 A pedestrian and cycle access will be provided onto Cole Lane in the western corner of the site; this access will be 3.7m wide to enable emergency vehicle



access if required.

- 4.9 Pedestrian routes are proposed to connect with the existing Public Rights of Way and the footway on School Road connecting the scheme with Arborfield Cross.

Green and Blue Infrastructure

- 4.10 The Site incorporates approximately 4.93ha of green infrastructure across the site boundary, equating to 60% of the whole site. This is dominated by a green buffer which borders the entire edge of the Site in order to mitigate the impacts of the Proposed Development on the existing hedgerow and to retain the site's natural screening. These green areas will create a network of open spaces, woodland, play areas and green corridors to be enjoyed by the wildlife, new residents and existing residents of Arborfield Cross.
- 4.11 A large proportion of trees and hedgerow are to be retained and enhanced. Additional tree planting is also proposed across the Site, particularly within the green buffers, at the entrance of the Site and lining the main street.
- 4.12 The layout has been configured to include two surface water drainage features in the form of Sustainable urban Drainage System basins at the northern corner and at the eastern corner of the Site.
- 4.13 Given the extent of the enhancement and creation of new habitat on Site, a Biodiversity Net Gain of 50% has been achieved representing a significant ecological enhancement post development, as evidenced in the supporting Ecological Assessment.

Suitable Alternative Natural Greenspace (SANG)

- 4.14 The proposal involves more than one net additional dwelling and is located within a 5km (linear radius) to the Thames Basin Heath Special Protection Area (TBHSPA). In addition to a financial contribution to the SPA in accordance with the Delivery Framework, a provision of Suitable Alternative Natural Greenspace (SANG) at 8ha/1000 population based on 2.4 persons per household is required. The Applicant has an in-principle agreement with the University of Reading. Should planning permission be obtained, the appropriate SANG capacity will



therefore be secured within the Section 106 Agreement.



5. The Development Plan

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The Development Plan for the purposes of this application is:
- The Core Strategy (CS), adopted in January 2010;
 - The Managing Development Delivery (MDD) Local Plan, adopted in February 2014;
 - Saved Policy NRM6 (Natural Resource Management) of the South East Plan (partially revoked 2013);
 - Joint Minerals and Waste Plan, adopted January 2023; and
 - The Arborfield and Barkham Neighbourhood Plan, made in April 2020.
- 5.3 A summary of relevant policies is contained in Appendix 1.

Emerging Local Plan

- 5.4 Wokingham Borough Council is currently preparing a new Local Plan which will put in place a new planning strategy for the period to 2040, when adopted would replace the current Local Plan (Core Strategy and Managing Development Delivery Local Plan).
- 5.5 Work carried out to date includes an Issues and Options consultation 2016 (Regulation 18) which took place between August and September 2016, the Homes for the Future consultation which took place between November 2018 and February 2019, the Draft Plan consultation (Regulation 18) which took place between February and April 2020 and the Revised Growth Strategy consultation (Regulation 18) which took place between November 2021 and January 2022.
- 5.6 The most recent version of the Local Development Scheme (LDS) 2023-2026, published in July 2023, stated that Wokingham Borough Council intended to publish the Proposed Submission Plan Publication for consultation (Regulation 19) in November 2023 in expectation of its submission in March 2024 and its



eventual adoption in December 2025; evidently this is not accurate.

- 5.7 The Council previously released an update which stated that, following the Government changes to the National Planning Policy Framework (NPPF) in December 2023, the Council was reflecting on the changes and anticipates the next stage of engagement will take place in the summer of 2024 and an update to the LDS was promised in due course.
- 5.8 At the Full Council meeting held on the 25th July 2024, the leader of the Council provided an update on the progress of the emerging Local Plan following the results of the general election. Councillor Conway stated that it was the intention to present the final publication version of the Local Plan Update at the meeting, however this has been delayed due to outstanding final inputs from consultees and assurances from external legal advisors on soundness. It was stated that the publication version will be brought to the next Full Council meeting on the 19th September 2024.
- 5.9 Consequently, at the time of writing, a final publication version of the Local Plan Update is not available nor is the position clear. Given this doubt and having regard to Paragraph 48 of the NPPF, the early stage of plan preparation and the uncertainty noted above, the Emerging Local Plan is considered to have very limited weight as a material consideration at present.



6. The National Planning Policy Framework and other Material Considerations

National Planning Policy Framework (NPPF) 2023

- 6.1 The NPPF (2023), the 'Framework', is a material consideration in planning decisions. Importantly, it confirms the statutory status of the Development Plan as the starting point for decision-making (Paragraph 2).
- 6.2 Annex 1 of the Framework confirms that the policies should be taken into account in dealing with applications from the day of its publication (Paragraph 224). Due weight should be given to existing Development Plan policies according to their degree of consistency with the Framework, even if they were adopted or made prior to the publication of this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given) (Paragraph 225).
- 6.3 The Framework is clear that where the policies within the development plan are considered out of date, permission must be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework (Paragraph 11d(ii)).
- 6.4 The Framework directs local planning authorities to approach decisions in a positive and creative way, indicating that decision-makers should seek to approve applications for sustainable development where possible (Paragraph 38).
- 6.5 With regard to prematurity and emerging local plans, and with particular reference to the presumption in favour of sustainable development, the Framework explains that arguments that an application is premature are unlikely to justify a refusal of planning permission (Paragraph 49).
- 6.6 The Framework emphasises the need to support the Government's objective of significantly boosting the supply of homes, by enabling a sufficient amount and variety of land to come forward, to ensure the needs of groups with specific housing requirements are addressed (Paragraph 60).



- 6.7 The Framework is clear that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby (Paragraph 83).
- 6.8 The Framework acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas (Paragraph 109).
- 6.9 The Framework supports multiple benefits from sites, including net environmental gains, new habitat creation and improved public access to the countryside. It also promotes the development of under-utilised land, especially where it would help to meet identified needs for housing where land supply is constrained (Paragraph 124).
- 6.10 The Framework directs local planning authorities to take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs (Paragraph 125).

Proposed National Planning Policy reforms

- 6.11 The Ministry of Housing, Communities and Local Government published a consultation version of the NPPF on 30th July 2024 which sets out proposed reforms to the Framework. The consultation is set to run until the 24th September 2024.
- 6.12 The proposed reforms are considered relevant to the determination of this application in the following areas:
- i. Paragraph 11(d) has been amended to simplify the ‘tilted balance’, being clear that it is the policies for the supply of land which can be rendered out-of-date by virtue of a lack of five-year housing land supply (applicable in this instance);
 - ii. Paragraph 11(d) at part ii includes reference to affordable homes, providing the context for increased weight to be applied where affordable homes are proposed (applicable in this instance);



- iii. Paragraph 76 requires the annual update of the supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing;
- iv. Linked to iii above, the revised standard method notes that the housing requirement for Wokingham is 1,308 dwellings per annum (up from 748), which is the figure that future supply calculations will be assessed against;
- v. Paragraph 142 includes the requirement to review the Green Belt for development where housing needs cannot be met. The Site is not within the Green Belt but is within a Green Belt authority where the housing requirement is due to increase significantly. Notwithstanding that, it is expected that the Council will continue to consider applications outside the Green Belt more favourably than those with the Green Belt,;
- vi. Paragraph 224 confirms the transitional arrangements and notes for the purpose of decision making that the policies within the revised Framework will become material considerations from the day of its publication (applicable in this instance as it is expected to be during the determination of the application); and
- vii. Paragraph 224 confirms for the purpose of plan making that the policies within the revised Framework will apply one month after the publication date. Marrons considers that the Council will need to take immediate account of the revisions given the transitional arrangements, the status of the emerging Local Plan and the very substantial increase in the housing requirement.

6.13 Whilst the proposed reforms to the NPPF remain at consultation stage and at the time of writing adopted national policy remains as of December 2023, the direction of travel is clear. This is further emphasised by the Written Ministerial Statement¹ which accompanied the proposed reforms. The Written Ministerial Statement confirms the Government's view that *"...we cannot wait for all release to come through plan making. Where authorities are underperforming...applications for sites not allocated in a plan must be considered..."*.

¹ [Written statements - Written questions, answers and statements - UK Parliament](#)



National Planning Practice Guidance

- 6.14 The National Planning Practice Guidance (PPG) is an element of the Government's continued reform of the planning process. The PPG is a material consideration in decision making.
- 6.15 The PPG acknowledges that *"the NPPF represents up-to-date Government planning policy that must be taken into account where it is relevant to a planning application or appeal, this includes the presumption in favour of sustainable development found at paragraph 14"* (Paragraph: 006 Reference ID: 21b-006-20190315).
- 6.16 And states that *"in decision-taking, if an authority cannot demonstrate a 5 year housing land supply, including any appropriate buffer, the presumption in favour of sustainable development will apply as set out within paragraph 11d of the NPPF"* (Paragraph: 008 Reference ID: 68-008-20190722).

Wokingham Borough Five Year Housing Land Supply Statement at 31st March 2023

- 6.17 Published on 26th January 2024, the Wokingham Borough Five Year Housing Land Supply Statement sets out the housing completions as at 31st March 2023 and the supply of deliverable sites for the subsequent five year period 1st April 2023 to 31st March 2028.
- 6.18 By utilising the Government's standard method in place at the time to establish the latest Local Housing Need figure of 795 additional homes per annum from 1st April 2023, a five year requirement of 3,975 dwellings was identified.
- 6.19 In assessing housing need against the total deliverable sites across the period of 1st April 2023 to 31st March 2028, Wokingham Borough Council could demonstrate a housing land supply of **3.2 years**; this represents a significant shortfall.
- 6.20 With regard to decision-taking as per Paragraphs 11 and 226 of the Framework, given the status of the previous consultation version of the emerging Local Plan which included both a policies map and proposed allocations towards meeting



housing need, Wokingham Borough Council does benefit from the requirement of demonstrating only a 4 year supply. This and the Borough's housing land supply figure of 3.2 years has been confirmed through recent planning Appeal Decisions (Appendix 2 and 3) which are considered in paragraphs 6.28 – 6.31 below. It should be noted, however, that it is not yet clear whether the latest version of the draft Local Plan remains consistent in order for this is to continue to apply.

- 6.21 As a result of this, paragraph 11d is engaged rendering applicable planning policies out of date and adopting the presumption in favour of sustainable development.
- 6.22 With the ongoing delays to the preparation of the emerging Local Plan, it is extremely unlikely that the housing land supply shortfall will be resolved without the approval of windfall schemes such as this application site which, given that the relevant policies are out of date, should be decided based on the presumption in favour of sustainable development; therefore the **tilted balance is engaged**.
- 6.23 Notwithstanding the commentary above, as part of the proposed reforms consultation, the Government has released a revised standard method and associated housing requirements for LPAs. In Wokingham Borough the requirement is proposed to rise from 748 to 1,308 dwellings per annum, an increase of 75%. This is a considerable increase which will further impact the Council's five year housing land supply calculations and require the preparation of its emerging Local Plan to be significantly amended accordingly. The Government intends to adopt the revisions in October 2024 and the implications are therefore considered a material consideration in the determination of this application.

Wokingham Borough Council Local Housing Needs Assessment 2022

- 6.24 Published in November 2023 and prepared by Opinion Research Services, the Wokingham Borough Council Local Housing Needs Assessment 2022 (LHNA) provides up to date evidence regarding the overall need for housing as well as the size, type and tenure and the housing needs of different groups to inform local and strategic plans in Wokingham covering the period of 2018-2040.



- 6.25 The LHNA identifies that Wokingham Borough Council has a Local Housing Need (LHA) of 781 dwellings per annum (utilising the minimum LHN figure) which includes a total affordable housing need of 1,943 dwellings across 2021-2040 as set out in the table below.

	Affordable Housing	Market Housing	Total Housing
1 bedroom	329	515	843
2 bedroom	745	1,399	2,142
3 bedroom	634	5,041	5,675
4+ bedroom	234	3,890	4,124
Dwellings	1,943	10,845	12,783
Additional Need	-	494	494
Local Housing Need	1,943	11,339	13,277

Fig 3. Table showing Housing Need by property size 2021-2040

- 6.26 The LHNA concludes that on assessing the unmet affordable housing need in 2021, together with the future need for affordable housing and those aspiring to home ownership arising over the 19 year period, the overall need for affordable housing would comprise a total of 6,689 households, equivalent to an average of 352 per annum (45% of the 781 LHN). Therefore the demand for affordable housing in Wokingham Borough is very substantial.
- 6.27 To support this application an Affordable Housing Need Technical Note has been prepared and submitted which assesses the affordable housing position in Wokingham Borough in greater detail. The Report highlights that in Wokingham, only 34-47% of affordable housing need has been delivered over the past 12 years and the number of households on the Council's housing waiting list has risen by 49 percent concluding that Wokingham Borough Council has an acute affordable housing delivery shortfall against need.

Appeal Decision APP/X0360/W/24/3340006

- 6.28 A recently allowed Appeal (19th July 2024) at 'Land west of Trowes Lane and north of Charlton Lane, Swallowfield' (APP/X0360/W/24/3340006) proposing 81



dwellings (including 40% affordable homes) confirms that Wokingham Borough have a housing land supply shortfall of 0.8 years; the Inspector awarded this significant weight. It should be noted that this was tested against the Council's requirement to demonstrate a 4-year supply – the Council's position is currently therefore 3.2 years.

- 6.29 The Inspector also awarded substantial weight to the delivery of affordable homes stating, *"I was presented with evidence at the inquiry which showed there to be a real problem of affordability in the area, with a persistent unmet demand from those unable to afford housing on the open market"*.

Appeal Decision APP/X0360/W/23/33316151

- 6.30 Another recently allowed Appeal (6th March 2024) at 'Land off Watmore Lane/Maundersfield, Winnersh Berkshire' (APP/X0360/W/23/33316151) proposing 234 dwellings (including 40% affordable homes) also confirms the Borough's housing land supply figure of 3.2 years against a requirement of 4 years, awarding this significant weight.
- 6.31 The Appeal site sought to deliver 40% affordable housing totalling 94 homes. The Inspector awards this matter significant weight and highlighted the *"affordable housing crisis"* and commented that the exceptional need was identified as long ago as 2010.

Affordable Housing SPD

- 6.32 Adopted in July 2013, the Wokingham Borough Council Affordable Housing Supplementary Planning Document provides further guidance on the Council's approach to securing affordable housing through the planning process, including setting out the evidence of housing need (albeit out of date), types, size and tenure mix of affordable housing and design and distribution.

Sustainable Design and Construction SPD and companion document

- 6.33 Adopted in May 2010, the Wokingham Borough Local Development Framework Sustainable Design and Construction Supplementary Planning Document and companion document promotes the use of sustainable techniques and materials



in the construction of buildings and structures and provides guidance to help improve the sustainability performance of buildings and spaces through their design and subsequent use.

Borough Design Guide SPD

- 6.34 Adopted in June 2012, the Wokingham Borough Council Design Guide Supplementary Planning Document updates and builds upon the design guidance within the Core Strategy for development across the Borough.

Arborfield and Newland Village Design Statement

- 6.35 Adopted as a Supplementary Planning Document on 26th March 2015, the Arborfield and Newland Village Design Statement sets out the design guidelines for plan area with a view to preserving the rural qualities of the Parish.



7. Assessment of the Proposed Development

- 7.1 The application should be determined in accordance with the Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 7.2 This section of the Planning Statement considers the key issues in relation to this proposal which indicate whether planning permission should be granted. These are as follows:
- The Principle of Development;
 - Design;
 - Housing Mix;
 - Open Space Provision;
 - Flood Risk and Drainage;
 - Highways Impact;
 - Heritage and Archaeological Impact;
 - Ecological Impact;
 - Arboricultural Impact;
 - Landscape and Visual Impact;
 - Planning Balance.

The Principle of Development

- 7.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.”
- 7.4 The Core Strategy was adopted in 2010 and the Managing Development Delivery Local Plan was adopted in 2014.
- 7.5 Core Strategy policies CP9 and CP11, MDD policy CC02 and Neighbourhood Plan policy IRS1 restricts development to within the development limits.
- 7.6 As evidenced within the Wokingham Borough Five Year Housing Land Supply



Statement (January 2024), Wokingham Borough Council is only able to demonstrate a housing land supply of 3.2 years. This is substantially short of the required 4 years supply. Importantly, the effect of a 5-year housing land supply shortfall is to render the most important policies “automatically” out of date; that is a procedural gateway into the tilted balance.

- 7.7 NPPF paragraph 225 sets out that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 7.8 The weight applicable to the policies deemed ‘most important’ for the determination of the application must therefore be considered against their consistency with the Framework.
- 7.9 The context for up to date housing requirements is provided by the latest evidence of housing need for Wokingham, set out within the Wokingham Borough Council Local Housing Needs Assessment (November 2023). The LHNA calculates housing requirements based upon the standard housing method and identifies an annual Local Housing Need of 781 dwellings across a plan period of 2021 to 2040, totalling 13,277. Considering that the more recent MDD Local Plan allocates sites for the development of at least 13,230 dwellings across a plan period of 2006 to 2026 and the emerging Local Plan is experiencing significant delays, it is extremely unlikely that the housing land supply shortfall will be resolved without the approval of windfall schemes such as this.
- 7.10 As a consequence, the development strategy provided by CP9, CP11 and CC02 is out of date. In the context of the significant increase in housing need and lack of 5 year housing land supply Policy CS1 can only be attributed limited weight in the planning balance.
- 7.11 The village of Arborfield Cross falls within the Plan Area for the Arborfield and Barkham Neighbourhood Plan which was made in April 2020. The Neighbourhood Plan does not allocate land to meet its identified housing requirement. Therefore, for the same reasons that the Core Strategy and MDD



Local Plan are out of date, the Neighbourhood Plan is also out of date and the policies should be attributed limited weight.

Design

7.12 Core Strategy Policy CP3, 'General Principles for Development' states that planning permission will be granted for proposals that:

- a. Are of an appropriate scale of activity, mass, layout, built form, height, materials and character of the area together with a high quality design without detriment to the amenities of adjoining land uses including open spaces or occupiers and their quality of life;
- b. Provide a functional, accessible, safe, secure and adaptable scheme;
- c. Have no detrimental impact upon important ecological, heritage, landscape (including river valleys) or geological features or water courses;
- d. Maintain or enhance the ability of the site to support fauna and flora including protected species;
- e. Use the full potential of the site and contribute to the support for suitable complementary facilities and uses;
- f. 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;
- g. Provide for a framework of open space in secure community use achieving at least 4.65 ha/1,000 population provision together with recreational/sporting facilities in addition to private amenity space;
- h. Contribute towards the provision of an appropriate sustainable network of community facilities;
- i. Do not lead to a net loss of dwellings and other residential accommodation or land; and
- j. Do not lead to a loss of community or recreational facilities/land or infrastructure unless suitable alternative provision is available.

7.13 Arborfield and Barkham Neighbourhood Plan Policy IRS2, 'Recognise, Respect and Preserve Identity and Rural Setting of Settlements' reiterates the above and states that development must recognise, respect and preserve the identity and rural setting of settlements with regard to scale and form, density, materials to



reflect local character, tree and hedgerow planting and the distinctive character of the varied landscapes. The Policy also states that applications should demonstrate how the design of new development complies with the guidance as set out within the Village Design Statement.

- 7.14 In this regard, a Design and Access Statement (DAS) has been prepared by Marrons which sets out the context, opportunities, constraints and design principles which have informed the supporting illustrative design drawings and plans.
- 7.15 The DAS identifies the design strategy of the scheme, showing the evolution from the initial assessment of the site and the context of the surrounding area to the Framework Plan which has been informed by the full suite of technical information which supports this submission.
- 7.16 The proposals as set out within the Illustrative Masterplan create a soft transition from School Road onto the Site with an enhanced landscape entrance onto the eastern parcel. The proposed dwellings are set back from the existing buildings on School Road and separated by a new landscape buffer.
- 7.17 The design has been landscape-led with a focus on the maintenance and strengthening of the existing trees and hedgerows on the Site alongside delivering new landscape buffers.
- 7.18 The DAS provides further detail on land use, access and movement and scale and appearance which demonstrate the acceptability of proposals and alignment with the distinctive and traditional character of Arborfield Cross.
- 7.19 On this basis, the Proposed Development is considered to accord with Core Strategy Policy CP3, and Arborfield and Barkham Neighbourhood Plan Policy IRS2 with detailed design matters to be considered through a subsequent Reserved Matters application.

Housing Mix

- 7.20 In respect of the housing mix, Core Strategy Policy CP5, 'Housing Mix, Density



and Affordability' sets out the requirement for residential development to provide a mix and balance of densities, dwelling types, tenures and sizes. The Policy confirms that for the site at School Road, the minimum percentage of affordable housing sought based on land type and location would be 40%.

- 7.21 Managing Development Delivery Local Plan Policy TB05, 'Housing Mix' states that proposals for residential development shall provide an appropriate housing mix which reflects a balance between the underlying character of the area and both the current and projected needs of households. Any scheme that requires the provision of affordable housing should provide an appropriate mix of accommodation on a site by site basis, which reflects the Council's Housing Strategy and the Affordable Housing SPD. A proportion of all dwellings must be built to Lifetime Homes Standards.
- 7.22 Arborfield and Barkham Neighbourhood Plan Policy AD2, 'Prioritise Housing for Local Needs' states that all proposals for new housing must demonstrate how the types of homes provided will contribute to a balanced mix of housing and meet the needs identified in the most current assessment of housing needs.
- 7.23 The Policy also states that all new housing developments providing affordable housing, the purchase of affordable homes for sale is encouraged to be prioritise for key workers locally in the first instance with the local connection proposed to be within the neighbourhood area firstly and then within the borough of Wokingham.
- 7.24 Given the application is submitted in Outline, the final housing mix and tenure split is to be informed by the most recent Local Housing Needs Assessment at the time and agreed with Wokingham Borough Council at Reserved Matters stage. The proposals will deliver 40%, policy compliant affordable housing.
- 7.25 On this basis, the Proposed Development is considered to accord with Core Strategy Policy CP5, Managing Development Delivery Local Plan Policy TB05 and Arborfield and Barkham Neighbourhood Plan Policy AD2 with detailed design matters to be considered through a subsequent Reserved Matters application.



Open Space Provision

- 7.26 Managing Development Delivery Local Plan Policy TB08, 'Open Space, Sport and Recreational Facilities Standards for Residential Development' sets out the standards for on-site provision per 1000 population applied on a pro-rata basis.
- 7.27 Arborfield and Barkham Neighbourhood Plan Policy AD3, 'High Quality Development with Generous Open Space, Properly Landscaped' sets out that all new developments must reflect the rural character and historic character of existing dwellings within the Plan Area by:
- a. Recognising, in the design of developments, the distinctive local character of the area and contribute sensitively in order to create dwellings of a high architectural and rural quality, referring to the Village Design Statements;
 - b. Considering the density of any new development which must be in character with the surrounding area, respect the rural nature of the area and be designed to give an impression of spaciousness and variety with uniform houses and plots being avoided; and
 - c. Recognising possible impacts of climate change and consequently reflect sustainable development standards.
- 7.28 As detailed within the DAS, the development proposal includes approximately 4.93ha of open space, landscaping and areas of play as part of the scheme. Should the development be capable of accommodating circa 250 occupants (2.6 ppl. per dwelling) it would be required to deliver a total of 1.3ha of open space in accordance with the requirements of the MDD. The Proposed Development is therefore well in excess of the local standards, thereby respecting the rural nature of the area and contributing to the impression of spaciousness as per the Neighbourhood Plan.
- 7.29 As a result of compliance with the required standards, the Proposed Development is considered to accord with Managing Development Delivery Local Plan Policy TB08 and Arborfield and Barkham Neighbourhood Plan Policy AD3.



Flood Risk & Drainage

- 7.30 Managing Development Delivery Local Plan Policy CC09, 'Development and Flood Risk (from all sources)' and Policy CC10, 'Sustainable Drainage' state that flood risk and drainage must be taken into account to avoid inappropriate development.
- 7.31 A Flood Risk Assessment and Drainage Strategy has been produced by Abley Letchford Partnership which accompanies this application and details what provisions have been proposed in order to mitigate any risk.
- 7.32 The Flood Risk Assessment confirms that the site is located within Flood Zone 1 and therefore is not at risk of fluvial flooding, and the majority of the Site is at a very low risk of surface water flooding.
- 7.33 The Sustainable Drainage Statement and Drainage Strategy sets out that the surface water from the Proposed Development is to be attenuated on-site via a network of trapped gullies, pipes and SuDS to collect the surface water from impermeable areas. A ditch that runs parallel to the northern boundary of the Site will receive this surface water run-off, as is currently the case.
- 7.34 Two drainage basins are indicatively proposed to the north and south east of the Site. Proposed discharge rates will be restricted to QBAR for all storm events up to and including the 1 in 100 year storm event plus 40% allowance for climate change. This would negate the requirement for long term storage and flows would be attenuated on site and discharged utilising on-site flow control devices such as a hydrobrakes.
- 7.35 The Sustainable Drainage Statement and Drainage Strategy confirms that the foul water will be drained from the Proposed Development via gravity separately from the surface water and discharged to the existing public sewer in School Road.
- 7.36 The Flood Risk Assessment and Drainage Strategy demonstrates that the Proposed Development complies with national and local planning policy. The risk of flooding is adequately managed and with the implementation of a surface water drainage strategy, the off-Site flood risk is not increased. Accordingly, the



Proposed Development is considered to accord with Managing Development Delivery Local Plan Policy CS22.

Highways Impact

- 7.37 Core Strategy Policy CP6, 'Managing Travel Demand' states that planning permission will be granted for schemes that, amongst other things, provide for sustainable forms of transport to allow choice, improve the existing infrastructure network, mitigate any adverse effects upon the local and strategic transport network, and provide appropriate vehicular parking, having regard to car ownership.
- 7.38 A Transport Statement and Framework Travel Plan have been prepared by Transport Planning Associates which assess the site's suitability for residential development with regards to highway impacts and safety. No personal injury collision data has been recorded on School Road within five years and it has been concluded that the proposals will not exacerbate any pre-existing highway safety issues on School Road.
- 7.39 The reports confirm that the proposed vehicular access to the Site will be off School Road via a realigned and prioritised tertiary road. Pedestrian footways are to be extended along School Road to the Site entrance. An additional pedestrian and cycle access will be provided onto Cole Lane in the western corner of the Site to increase the permeability of the Site by active modes of transport, linking up to the internal walking and cycle routes. This link will also serve as an emergency access.
- 7.40 In terms of minimising the reliance on the private car, public transport enhancements are proposed as part of the development proposals. These take the form of a new northbound bus stop and improvements to the southbound bus stop. The Proposed Development will also facilitate the delivery of the Council's proposed PROWs between School Road and the existing PROW (ARB014) which will enhance the connectivity and permeability of the area for both existing and future residents.
- 7.41 The Transport Assessment sets out the parking standards for Wokingham Borough Council; suitable provision has been made onsite although this is to be



finalised at Reserved Matters stage.

- 7.42 The Report is supported by a suite of highway drawings which form the appendices, these include, 'Proposed Site Access' and 'Swept Path Analysis'.
- 7.43 It is therefore considered that a safe access can be delivered and so the Proposed Development accords with Core Strategy Policy CP6.

Heritage and Archaeological Impact

- 7.44 Managing Development Delivery Local Plan Policy TB24, 'Designated Heritage Assets (Listed Buildings, Historic Parks and Gardens, Scheduled Ancient Monuments and Conservation Areas)' states that proposals will conserve and seek the enhancement of designated heritage assets in the Borough and their settings.
- 7.45 A Heritage Impact Assessment has been prepared by Marrons which considers the known and potential historic environment resources within the Site and its environs and any potential impacts which may be imposed upon it by the Proposed Development.
- 7.46 The Report concludes that there is a low potential to impact upon remains of up to a local level of archaeological interest.
- 7.47 Regarding the potential impact of the neighbouring heritage assets, the Assessment states that the Proposed Development would have a neutral impact upon the significance of the Arborfield Cross Conservation Area and the Grade II listed War Memorial. Through a small change to the character of partial and narrow views of the former farmhouse of Langleypond Farm, a Grade II listed building located within a modern domestic garden plot, the Proposed Development would bring about a negligible degree of harm to its significance. Proposed mitigation within the indicative masterplan would not negatively impact upon the setting and significance of heritage assets.
- 7.48 The Proposed Development is considered to accord with Managing Development Delivery Local Plan Policy TB24.



Ecological Impact

- 7.49 An Ecological Appraisal has been prepared by DFA which concludes that the mitigation and enhancements are predicted to more than offset the potential impacts of the scheme. The residual impacts are likely to be positive at a Local scale, given that over 60% of the Site will contribute to the green infrastructure. This is reinforced by the results of the Defra Biodiversity Net Gain metric which realised a 50.97% increase the biodiversity value of habitats and 64.21% in relation to hedgerows within the Site post development, highlighting the Applicant's commitment to provide 15% BNG; a significant increase on the 10% minimum required.
- 7.50 Policy CP8 (Thames Basin Heaths Special Protection Area) indicates that development which alone or in combination is likely to have 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 through the creation of a SANG
- 7.51 The Applicant is committed to delivering a SANG solution, to form part of a package of mitigation / avoidance measures directed at potential increases in recreational pressure at the Thames Basin Heaths SPA. Any SANG solution proposed to be brought forward needs to have full regard to relevant guidance published by Natural England. This would include considerations in relation to SANG catchment areas and accessibility, in addition to the design and layout of the SANG and provision of an appropriate length circular walk.
- 7.52 The Applicant is currently in advanced discussions with the University of Reading regarding the provision of SANG, which will be located off-site but within Wokingham Borough. Such provision would meet the SANG guidelines published by Natural England. The Proposed Development is therefore considered to accord with Policy CP8 and saved Policy NRM6 of the partially saved South East Plan.

Arboricultural Impact

- 7.53 Managing Development Delivery Local Plan Policy CC03, 'Green Infrastructure, Trees and Landscaping' states that development proposals should demonstrate



how they have considered and achieved the protection and retention of trees, hedges and other landscape features, the integration of the scheme with, amongst others, any adjoining public open space or countryside and public rights of way.

- 7.54 An Arboricultural Implications Report which includes an Outline Arboricultural Method Statement, Tree Survey Schedule and Tree Protection Plan has been prepared by SJA Trees.
- 7.55 80 individual trees and 10 groups of trees were surveyed as part of the assessment. The arboricultural character of the site was concluded to be belts of trees, populated with a mix of mature and semi-mature specimens grounding around the perimeter of long established field boundaries.
- 7.56 The Report concluded that only 4 trees and 3 groups of trees are to be removed as part of the development, these do not include any mature, category A or B trees or trees of high landscape or biodiversity value. In addition to this, the proposals incorporate considerable scope for replacement tree planting.
- 7.57 As a result of the retention of these features, and the additional green infrastructure planting proposed, the proposal accords with Managing Development Delivery Local Plan Policy CC03.

Landscape and Visual

- 7.58 A Landscape and Visual Impact Assessment has been prepared by CSA Environmental which assesses the site's suitability to accommodate the development proposals, and the potential landscape and visual effects on the wider area.
- 7.59 Managing Development Delivery Local Plan Policy TB21, 'Landscape Character' states that proposals must demonstrate how they have addressed the requirements of the Council's Landscape Character Assessment, including the landscape quality; landscape strategy; landscape sensitivity and key issues. Proposals shall retain or enhance the condition, character and features that contribute to the landscape.



- 7.60 Arborfield and Barkham Neighbourhood Plan Policy IRS3, 'Protection and Enhancement of the Natural Environment and Green Spaces' states that development proposals should conserve and enhance the natural environment and green spaces of the area.
- 7.61 The Landscape and Visual Impact Assessment identifies that the Site does not carry any statutory or non-statutory designations for landscape character or quality and is assessed as being of medium landscape quality and medium landscape value.
- 7.62 The supporting appendices of the Landscape and Visual Impact Assessment along with the DAS and Illustrative Layout show how the development proposals retain a large number of trees and hedgerows onsite which are incorporated into the 4.89ha of green infrastructure which equates to 60% of the site area, comprising a green buffer and a network of open spaces, woodland, play areas and green corridors. It is concluded that the landscape effects of the proposals on the character of the countryside beyond the Site would be limited, both in terms of the considerations applied to the Proposed Development and the natural containment of the Site.
- 7.63 Therefore the Proposed Development is considered to accord with Managing Development Delivery Local Plan Policy TB21 and Arborfield and Barkham Neighbourhood Plan Policy IRS3.

Planning Balance

- 7.64 In respect of the planning balance, as previously mentioned in Chapter 6, Wokingham Borough Council can demonstrate only a housing land supply of **3.2 years**, which automatically renders the most important planning policies out of date, and with the ongoing delays to the preparation of the emerging Local Plan the **tilted balance** is engaged.
- 7.65 The harms associated with the Proposed Development are limited to the Site's location outside of, but immediately adjoining the Development Limits. As detailed within this Statement, the Development Limits are out of date and can only be attributed limited weight. There are no other harms associated with the



Proposed Development which cannot be appropriately mitigated.

7.66 The benefits of the Proposed Development include:

Social Benefits:

- **Market Housing** within the context of a housing land supply shortfall and the provision of a housing mix to meet local needs – ***very significant weight***;
- **40% Affordable Housing** within the context of a significant, and increasing, local need and shortfall in supply – ***very significant weight***; and
- Creation of new green space and play areas publicly accessible to both new and existing residents within the context of a recognised shortfall in the village – ***moderate weight***.

Economic Benefits:

- The proposal would result in a number of economic benefits, notably **job creation** during construction, increased local spend at shops and facilities, increased Council Tax receipts and a New Homes Bonus payment;
- Significant **CIL** payments would also be generated through the development, of which up to 25% could be requested by the Parish Council given the status of the Neighbourhood Plan.

These economic benefits would accrue ***significant weight*** in the planning balance.

Environmental Benefits:

- The ecological enhancement on site securing **Biodiversity Net Gain of 50%**; and
- The creation of a **4.93ha of open space**, landscaping and areas of play.

These environmental benefits would accrue ***significant weight*** in the planning balance.



- 7.67 It is clear that the limited adverse impacts would not significantly and demonstrably outweigh the benefits when assessed against the NPPF policies taken as a whole. As such, and in the context of Paragraph 11(d) of the NPPF, the application should be approved without delay.



8. Section 106 Agreement Heads of Terms

- 8.1 As with all new residential development, the proposals will result in an increase in population and will thereby have some impact upon local infrastructure. Not all impacts will be negative (for example increased footfall and revenue for local shops, and increased pupil registrations for the local schools).
- 8.2 At this stage, it is anticipated that a Section 106 agreement will be entered into with the Borough Council, for matters pertaining to education, healthcare, libraries, transport etc. The applicant welcomes early discussion on these matters with the Council and its consultees.
- 8.3 This agreement is subject to any obligation being demonstrated to meet the CIL tests as required within paragraphs 55 – 58 of the NPPF, and taking into consideration the viability and costs associated with the development.
- 8.4 Wokingham Borough Council approved its Community Infrastructure Charging Schedule in February 2015. As the proposals at the Site involve the creation of new dwellings, the development proposals are CIL liable. As such the appropriate forms have been completed and submitted alongside this planning application.



9. Summary and Conclusions

- 9.1 This Planning Statement has been prepared by Marrons on behalf of Croudace Homes, Vortal Homes Limited and Falcon Developments (SE) Limited and forms part of an Outline Planning Application for a proposed residential development of up to 95 dwellings together with open space and associated works. Means of Access to be considered (with Appearance, Landscaping, Layout and Scale to be reserved) at 'Land North of School Road, Arborfield Cross' (the "Site").
- 9.2 The Development Plan for this application is the Core Strategy (CS), adopted in January 2010, the Managing Development Delivery (MDD) Local Plan, adopted in February 2014, saved Policy NRM6 (Natural Resource Management) of the South East Plan, the Joint Minerals and Waste Plan, adopted January 2023; and the Arborfield and Barkham Neighbourhood Plan, made on April 2020.
- 9.3 The Site is located north of School Road (B3349), immediately adjoining the settlement edge of the village of Arborfield Cross and extends to approximately 8.25 hectares of greenfield land.
- 9.4 As noted within Chapter 6, Wokingham Borough Council can only demonstrate a housing land supply of **3.2 years**, which automatically renders the most important planning policies out of date, and with the ongoing delays to the preparation of the emerging Local Plan the **tilted balance** is engaged.
- 9.5 The latest evidence of housing need for Wokingham Borough, the Wokingham Borough Council Local Housing Needs Assessment 2021-2040 (November 2023) identifies that the Borough has a Local Housing Need of 781 dwellings per annum (utilising the minimum LHN figure). An average annual affordable housing need of 352 dwellings was identified through assessing the current unmet need and anticipated future need, which is very high.
- 9.6 The village of Arborfield Cross falls within the plan area for the Arborfield and Barkham Neighbourhood Plan which was made on 22nd April 2020. The Neighbourhood Plan does not allocate land to meet its identified housing requirement and instead aligns with the Core Strategy and Managing Development Plan, therefore the Neighbourhood Plan can be attributed only



limited weight.

9.7 Relating to the three dimensions to sustainable development (economic, social and environmental), the Proposed Development at the 'Land North of School Road, Arborfield Cross' would:

- Boost the supply of housing by providing up to 95 much needed new dwellings in a sustainable location;
- Provide 40% affordable homes;
- Vehicular access from School Road;
- New green buffers bordering the Site which includes areas of enhanced and retained trees and hedgerows as well as new planting;
- The enhancement and creation of new habitats on Site to achieve a 15% Biodiversity Net Gain;
- Two surface water drainage features in the form of SuDS basins at the northern corner of the Site and at the eastern corner of the Site;
- The improved pedestrian and cycle connectivity throughout the Site and into the village;
- The provision of 4.93ha of public open space, landscaping and a play area;
- Provide jobs associated with the preparation of the site and the construction of the dwellings; and
- Provide the Council with a significant boost to its economy via council tax payments and the new homes bonus scheme.

9.8 In accordance with the National Planning Practice Guidance, the Site is considered to be:

- **Suitable** – as detailed within this Planning Statement the Site is considered to be in an appropriate location for development;
- **Available** – there are no known legal or ownership impediments to development; and
- **Achievable** – the Site is capable of accommodating the Proposed Development as detailed by this planning application;

9.9 There are therefore no insurmountable technical issues that should prevent permission being granted for this wholly sustainable and suitable development and,



it is respectfully requested that planning permission is granted without delay.

- 9.10 The Site is being promoted by Croudace Homes, a family-owned, regional residential developer with an outstanding track record. Croudace Homes, Vortal Homes Limited and Falcon Developments (SE) Limited are fully committed to the scheme and has engaged with the local community and Parish and Ward Councillors during the initial design process which has helped inform the development proposals.



Appendix 1 - Summary of Development Plan Policies

Core Strategy (2010)

The Wokingham Borough Core Strategy sets out the spatial vision and planning policy guidance for the borough across the plan period of 2006 to 2026.

Policy CP1, 'Sustainable Development' states that planning permission will be granted for development proposals that, amongst other things, maintain or enhance the high quality of the environment, ensure the provision of adequate drainage, and provide attractive, functional, accessible, safe, secure and adaptable schemes.

Policy CP2, 'Inclusive Communities' states that planning permission will be granted for development proposals that, amongst other things, contributes to the provision of sustainable and inclusive communities (including the provision of community facilities) by addressing the requirements of an ageing population, children, young people and families.

Policy CP3, 'General Principles for Development' states that planning permission will be granted for proposals that 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.

Policy CP4, 'Infrastructure Requirements' states that planning permission will not be granted unless appropriate arrangements for the improvement or provision of infrastructure, services, community and other facilities required for the development taking account of the cumulative impact of schemes are agreed. Arrangements for provision or improvement to the required standard will be secured by planning obligations or condition if appropriate.

Policy CP5, 'Housing Mix, Density and Affordability' sets out the requirement for residential development to provide a mix and balance of densities, dwelling types, tenures and sizes. The Council will negotiate the tenure, size and type of



affordable units on a site by site basis having regard to housing needs, site specifics and other factors. The Policy confirms that for the site at School Road, the minimum percentage of affordable housing sought based on land type and location would be 40%.

Policy CP6, 'Managing Travel Demand' states that planning permission will be granted for schemes that, amongst other things, provide for sustainable forms of transport to allow choice, improve the existing infrastructure network, mitigate any adverse effects upon the local and strategic transport network, and provide appropriate vehicular parking, having regard to car ownership.

Policy CP7, 'Biodiversity' states that development which may harm habitats or species of principle importance in England for nature conservation, veteran trees or features of the landscape that are of major importance for wild flora and fauna (including wildlife and river corridors) or that compromises the implementation of the national, regional, county and local biodiversity action plans will only be permitted if mitigation measures can be put in place to prevent damaging impacts.

Policy CP9, 'Scale and Location of Development Proposals' states that the scale of development proposals must reflect the existing or proposed levels of facilities and services at or in the location, together with their accessibility. The Policy confirms that, *"development proposals within development limits will be acceptable in the limited development location of Arborfield Cross"*.

Policy CP11, 'Proposals Outside Development Limits (including Countryside)' states that in order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development limits will not normally be permitted except where, amongst other things, it does not lead to excessive encroachment or expansion away from the original buildings.

Policy CP17, 'Housing Delivery' sets out the Local Plan housing requirement to delivery at least 13,230 dwellings across the plan period (2006-2026), this has been portioned off into four phases; for the period between April 2021 to March 2026, the Policy sets out that this will be achieved at an average of 623 dwellings



per annum.

Managing Development Delivery Local Plan (2014)

The MDD is the second part of the Local Plan building upon the CS by providing extra detail to the policies and including site allocations for housing and employment.

Policy CC01, 'Presumption in Favour of Sustainable Development' states that planning applications that accord with the policies in the Development Plan will be approved without delay, unless material considerations indicate otherwise.

Policy CC02, 'Development Limits' states that 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 the 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.

Policy CC03, 'Green Infrastructure, Trees and Landscaping' states that development proposals should demonstrate how they have considered and achieved the protection and retention of trees, hedges and other landscape features, the integration of the scheme with, amongst others, any adjoining public open space or countryside and public rights of way.

Policy CC04, 'Sustainable Design and Construction' states that planning permission will only be granted for proposals that seek to deliver high quality sustainably designed and constructed developments by seeking to achieve the requirements of the full Code for Sustainable Homes Level 4; and Meet internal potable water consumption targets of 105 litres or less per person per day.

Policy CC09, 'Development and Flood Risk (from all sources)' states that all sources of flood risk, including historic flooding, must be taken into account at all stages and to the appropriate degree at all levels in the planning application process to avoid inappropriate development in areas at risk of flooding. Where required, suitable and appropriately detailed flood risk information will need to



accompany a planning application.

Policy CC10, 'Sustainable Drainage' 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.

Policy TB05, 'Housing Mix' states that proposals for residential development shall provide an appropriate housing mix which reflects a balance between the underlying character of the area and both the current and projected needs of households. Any scheme that requires the provision of affordable housing should provide an appropriate mix of accommodation on a site by site basis, which reflects the Council's Housing Strategy and the Affordable Housing SPD. A portion of all dwellings must be built to Lifetime Homes Standards.

Policy TB07, 'Internal Space Standards' sets out the Councils minimum internal space standards for all new residential units.

Policy TB08, 'Open Space, Sport and Recreational Facilities Standards for Residential Development' sets out the on-site requirements for open space, indoor or outdoor play, sport and recreational facilities; these are shown in the table below.

Open Space Type	Standards (ha per 1,000 population)
Outdoor	
Parks and public gardens	1.1
Natural/semi natural green space (excluding Country Parks)	2.84
Amenity green space	0.98
Provision for children young people (Neighbourhood Equipped Areas of Play, Local Equipped Areas of Play and Local Areas of Play)	0.25



Civic space	0.01
Outdoor sports facilities	1.66
Cemeteries/burial grounds	14.4 plots
Indoor	
Sports hall (4-bad courts) including indoor bowls (2 rinks) and health and fitness gym (20 stations)	65.43
Swimming pools	8.26
Activity halls	41.31

Fig 4. Table showing Open Space, Sport and Recreational Facilities Standards

Policy TB21, 'Landscape Character' states that proposals must demonstrate how they have addressed the requirements of the Council's Landscape Character Assessment, including the landscape quality; landscape strategy; landscape sensitivity and key issues. Proposals shall retain or enhance the condition, character and features that contribute to the landscape.

Policy TB23, 'Biodiversity and Development' states that planning permission for development proposals will only be granted where they comply with Core Strategy Policy CP7 and can demonstrate how they provide opportunities through design, layout and landscaping to incorporate new biodiversity features or enhance existing.

Policy TB24, 'Designated Heritage Assets (Listed Buildings, Historic Parks and Gardens, Scheduled Ancient Monuments and Conservation Areas)' states that proposals will conserve and seek the enhancement of designated heritage assets in the Borough and their settings.

Arborfield and Barkham Neighbourhood Plan

The Arborfield and Barkham Neighbourhood Plan 2019-2026, was made on the 22nd April 2020 and forms part of the Wokingham Borough Council Development Plan.

Neighbourhood Plan Policy IRS1, 'Preservation of Separation of Settlements'



states that in order to protect the separation of settlements, development proposals outside of development limits will be required to comply with CS Policy CP11 and preserve the character and appearance of the countryside and not lead to the physical, visual or perceived coalescence of existing settlements.

Policy IRS2, 'Recognise, Respect and Preserve Identity and Rural Setting of Settlements' states that development proposals must have respond to the setting of the settlements with regard to scale and form, density, materials and landscaping. Applications should demonstrate how the design of new developments comply with the guidance set out within the Village Design Statements.

Policy IRS3, 'Protection and Enhancement of the Natural Environment and Green Spaces' states that development proposals should conserve and enhance the natural environment and green spaces of the area.

Policy IRS4, 'Protection and Enhancement of the Historic Character of the Area' states that development proposals will need to demonstrate how they protect or enhance the historic and natural character of the area.

Policy TC2, 'Properly Planned and Designed New Facilities' states that proposals for new community facilities should:

- a. Incorporate sufficient flexibility to allow for present needs and future planned growth to be accommodated on the one site;
- b. Be inclusive and provide appropriate access for all generations;
- c. Incorporate adequate off-street parking;
- d. Be appropriately designed for the prospective use and users; and
- e. Support and facilitate safe access on foot and bicycle.

The Policy also states the proposals will be considered more favourably where clear evidence of long-term viability is provided.

Policy AD2, 'Prioritise Housing for Local Needs' states that all proposals for new housing development must demonstrate how the types of homes provided will contribute to a balanced mix of housing and meet the needs identified in the most



current assessment of housing needs. In all new housing developments providing affordable housing, the purchase of affordable homes for sale is encouraged to be prioritised for key workers locally in the first instance, with the local connection proposed to be within the neighbourhood area firstly and then within the borough of Wokingham.

Policy AD3, 'High Quality Development with Generous Open Space, Properly Landscaped' sets out the criteria for all new development to meet in reflecting the rural character and historic context of the existing dwellings and delivering good design quality.

Policy AD4, 'Address Local Flood Risk Management' sets out the criteria the planning applications must meet in addressing flood risk, which include principles of flood risk management, measures to slow the rate of water run off by the adequate provision of swales, ponds and other SUDS measures and tree planting to reduce run off.

Policy GA1, 'Minimise Additional Traffic on Unsuitable Roads' states that development proposals must consider, assess and address their impact on junctions and the roads and other PROWs that connect them, including road safety, and implement measures of mitigation as required. In establishing the capacity of individual roads, consideration must also be given to the general frontage land-use and its sensitivity to traffic.

Policy GA2, 'Implement Local Network of Green Routes for Non-Motorised Users' sets out that development proposals should where possible support, amongst other things, a network of all-weather routes, safe crossings and better connectivity.



Appendix 2 – Appeal Decision APP/X0360/W/24/3340006



Appeal Decision

Inquiry held on 26-28 June and 2-3 July 2024

Site visit made on 26 June 2024

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19/07/2024

Appeal Ref: APP/X0360/W/24/3340006

**Land west of Trowes Lane and north of Charlton Lane, Swallowfield
RG7 1RT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Croudace Homes Ltd against the decision of Wokingham Borough Council.
 - The application Ref is 230422.
 - The development proposed is the erection of 81 dwellings (including 40% affordable homes), open space, SuDS, landscaping, biodiversity enhancements, new vehicular access off Trowes Lane, pedestrian and cycle links, and associated infrastructure.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 81 dwellings (including 40% affordable homes), open space, sustainable drainage system, landscaping, biodiversity enhancement, new vehicular access off Trowes Lane, pedestrian and cycle links, and associated infrastructure on land west of Trowes Lane and north of Charlton Lane, Swallowfield RG7 1RT in accordance with the terms of the application Ref 230422 and subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The description of development on the application form includes the words 'Full planning application' and 'on Land West of Trowes Lane and North of Charlton Lane, Swallowfield'. I have omitted them from the description in the banner heading above to avoid unnecessary repetition.
3. A bilateral legal undertaking has been submitted under Section 106 of the Town and Country Planning Act 1990. The Council is satisfied that the obligations contained in the undertaking address the matters raised in reasons for refusal 4-8 of its decision notice relating to the provision of affordable housing, mitigating harm to the Thames Basin Heaths Special Protection Area, providing contributions towards employment opportunities, sport and recreation, and highway matters. I consider the undertaking in more detail later in my decision.
4. Additional drawings have been submitted with the appeal amending the position of the play areas within the site, giving further details of the pedestrian access to Charlton Lane, and adding further landscaping on Trowes Lane and Charlton Lane. These additional drawings were the subject of publicity by the appellant and are accepted by the Council. They are relatively

minor changes and corrections to the plans on which the planning application was determined. I am satisfied that they do not prejudice the interests of any parties in this appeal and I have taken them into account in my decision.

5. The Wokingham Draft Local Plan was published under Regulation 18 of the Town and Country (Local Planning) (England) Regulations 2012 in February 2020. It has not yet progressed to Regulation 19 or independent examination and therefore I give it little weight in this appeal. I deal with its relevance in the calculation of the housing land requirement under main issues.

Main Issues

6. Having regard to the matters addressed by the legal undertaking, I consider the main issues in this appeal are the effect of the development on:
 - The spatial objectives of the Local Plan as regards the location of new development
 - Landscape
 - Accessibility to facilities and services
 - Housing land requirement and supply
7. It is also necessary to consider other relevant matters including the benefits of the scheme, and how the main issues and other material considerations should be weighed together. I do this in the planning balance.

Reasons

Location of development

8. The spatial strategy of the Wokingham Borough Core Strategy Development Plan Document adopted January 2010 (the Core Strategy) is to focus new development within strategic development locations and settlements that either have or are planned to have a significant range of facilities and services. The scale of development should reflect the existing or proposed levels of facilities and services available, with a hierarchy of settlements ranging from major through modest to limited development locations. Outside settlements only certain types of development are considered appropriate, primarily relating to agriculture, open recreation, burial grounds and the rural economy.
9. Swallowfield is recognised as a limited development location in Policy CP9 of the Core Strategy with its development limits defined by Policy CC02 of the Wokingham Borough Managing Development Delivery Document, adopted February 2014 (the Local Plan) and shown on the Policies Map. Policy CP17 of the Core Strategy allocates 100 dwellings across limited development locations, where sites should generally not exceed 25 dwellings each.
10. The appeal site lies outside the development limits of Swallowfield. The proposal does not fall into any of the categories of development included in Policy CP11 of the Core Strategy as being appropriate in the countryside. Even if it had fallen within the development limits of the village, at 81 dwellings it is of a scale of development that exceeds that envisaged for limited development locations.

11. The weight to be given to these policies are dependent on the degree to which they are consistent with the National Planning Policy Framework revised in December 2023 (the Framework), in particular the Framework's objective of significantly boosting the supply of homes. I address this weighting in the planning balance after having considered the issue of housing land requirement and housing land supply.
12. However, so far as these policies are relevant, I conclude that the appeal scheme conflicts with the spatial strategy of the development plan and runs counter to its approach to the location of new residential development. As a consequence, the proposal conflicts with Policies CP9, CP11 and CP17 of the Core Strategy and Policy CC02 of the Local Plan.
13. The Council's reason for refusal relating to this issue refers to other planning policies. Policies CP1 and CP3 of the Core Strategy are about sustainable development and general principles rather than development location and are of limited relevance to this particular issue. Policy CP6 of the Core Strategy on managing travel demand I look at in more detail under the issue of accessibility. Policy CC01 of the Local Plan reflects the presumption in favour of sustainable development which I consider in the planning balance. Policies CC03 and TB21 of the Local Plan relate primarily to landscape, which I address in the next section.

Landscape

14. The site falls within the I2: Riseley Farmed Clay Lowland landscape character area as described in the Wokingham Borough Landscape Character Assessment 2019. The landscape is characterised by arable farming in large open fields bounded by hedgerows. Rural lanes are often narrow and lined with verges containing ditches and mature trees. There are occasional small blocks of woodland.
15. The settlement pattern consists of nucleated villages with a scatter of farmsteads. Swallowfield originated as a rural village centred on the crossing of The Street and Swallowfield Street. It expanded mainly during the 20th century to the west and south forming a compact settlement. The village is set back from the B3349 Basingstoke Road, surrounded by farm and park land.
16. Although the countryside around Swallowfield is not a 'valued' landscape in the sense used in paragraph 180 of the Framework, it retains a largely rural character and is recognised in the landscape character assessment as having valuable landscape attributes.
17. The appeal site exhibits many of the landscape features described in the landscape character appraisal. It currently forms an arable field on the southern edge of Swallowfield, surrounded by trees and woodland. Trowes Lane running along its eastern boundary is characteristic of the lanes in the area being narrow with verges and ditches either side, and lined with hedgerows containing mature trees. To the south a block of plantation woodland screens the arable field from Charlton Lane, other than for a limited view through a field access. Houses along its northern boundary, including a small estate currently under construction, form a boundary between the village and the countryside.

18. Development of the site with a housing estate would inevitably harm its contribution to the landscape by introducing built development on what is currently open agricultural land. The widening of the northern end of Trowes Lane and provision of footpaths to form the main access to the site would also erode its rural character. Some mitigation would be provided by setting the houses back from the eastern boundary with Trowes Lane, and tree planting and landscaping within the site, along the Trowes Lane boundary and around the Charlton Lane pedestrian access. Nevertheless, the presence of residential buildings would be apparent in views from Trowes Lane and from the permissive paths in the woodland, as would be the domestic activities and movement of vehicles that are inherent in a residential setting. The development would have the effect of extending the built form of the village further south into the countryside, and eroding the rural setting of Trowes Lane as it approaches the village.
19. Having said that, the effect on the landscape would be largely confined to the site itself and the section of Trowes Lane along its eastern boundary. The containment provided by the trees and hedges around the boundaries, and the block of woodland in the southern part of the site, would largely screen the development in views from the wider landscape. This includes views from Charlton Lane, where the view through the field access would be stopped by additional landscaping. The impact on the character and appearance of the countryside outside the immediate southern environs of the village would therefore be minimal.
20. The evidence presented to me on landscape impact was consistent in its assessment of character and visual effects, albeit with varying degrees of judgement on the scale of that impact. Once planting has matured, I consider that the effect of the development on the landscape would be moderately adverse in terms of its local impact, and at most slightly adverse in terms of its wider impact on the landscape. I conclude that the proposal would cause harm to the landscape and would therefore conflict with Policies CP1 and CP3 of the Core Strategy and Policies CC03 and TB21 of the Local Plan, which seek to retain or enhance the condition, character and features that contribute to the landscape, but only to the limited extent outlined above.
21. The Council's reason for refusal on the issue of landscaping includes further policies. While Policy CP11 of the Core Strategy and Policies CC01 and CC02 of the Local Plan do obliquely refer to countryside and landscape, their primary roles relate to the presumption in favour of sustainable development and the location of development outside settlement boundaries, which I address elsewhere in my decision. I consider they are of secondary importance to the issue of landscape.

Accessibility to facilities and services

22. Facilities and services available in Swallowfield include a public house, a church, a modern village hall, a recreation ground with play equipment, a small shop, and a general medical practice. As I found out at the inquiry, it has a thriving social scene with the hall in particular being used for a wide range of social activities. These facilities are within walking distance of the appeal site. Their presence supports the designation of Swallowfield as a limited development location in the Core Strategy, which is defined as being a

- settlement with a basic range of services and facilities and being physically and socially cohesive.
23. The village does not have a primary school, and a pre-school club held in the village hall has recently closed. While there are some employment opportunities in or around the edge of the village, it was acknowledged that most economically active villagers find employment elsewhere, unless they work from home. These needs, as well as access to higher order facilities and services such as secondary and post-16 education, larger convenience and comparison shopping, and leisure, require villagers to travel to centres some distance away.
24. Public transport to other centres is limited. There is one bus route to Reading via Spencers Wood to the north, and to Riseley to the south, which operates Monday to Saturday but with a limited evening and no Sunday service. Cycling to the nearest centres is possible but is via well trafficked roads, and therefore not attractive for other than competent cyclists.
25. The legal obligations linked to the appeal scheme would support improvements to footpaths and crossing points in the village, widen the footpath along the Basingstoke Road to Lambs Lane Primary School, upgrade local bus stops, provide a subsidy for the bus service, and encourage cycling, use of the bus service and car sharing as part of a travel plan initiative. While these improvements would help maximise the use of sustainable transport modes, given the limited availability and attractiveness of such options in Swallowfield it is likely that the majority of trips to facilities and services outside the village would still be undertaken using the private motor car.
26. Policies CP1, CP3 and CP6 of the Core Strategy seek to locate new development where there is a choice in the mode of transport available and which minimise the need to travel. These aims are consistent with paragraph 109 of the Framework which requires significant development to 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. I recognise that opportunities for sustainable travel will vary between urban and rural areas but given the scale of the proposed development, which exceeds that envisaged in Policy CP17 of the Core Strategy for limited development locations such as Swallowfield, it would inevitably generate a significant increase in trips by private motor car.
27. Local residents are concerned about the capacity of local facilities and services to accommodate additional demand. The manager of the medical centre comments on the increasing pressure on medical services, although the centre remains open to new registrations. Access to education also clearly worries many villagers. The nearest primary school at Lambs Lane is at capacity, and children from the village have to attend a wide range of different schools in the area, in some cases considerable distances away, with the difficulties of travel and social cohesion that brings.
28. While I understand the frustrations expressed about the capacity of local services, that is essentially a matter for the relevant service provider to resolve, including increasing capacity where needed to meet additional demand. In the case of primary education, the Council is seeking to build a new school that would free up space nearer Swallowfield, although that has been delayed because of the expansion of the detailed emergency planning

zone around the Atomic Weapons Establishment at Burghfield. Nevertheless, based on what I was told at the inquiry, the anticipated time scale for its provision would be broadly comparable to that for completion of the appeal scheme.

29. So far as the medical centre is concerned, it is large enough to cater for patients in Swallowfield but is under strain because it provides health services for patients well beyond the village. It is a matter for the Health Authority how best to cater for those demands, as new housing is built in the area. For those reasons, capacity concerns are not sufficient to prevent development on the appeal site.
30. The picture as regards the accessibility of the site to facilities and services is therefore a mixed one. I conclude that the proposal would conflict with Policies CP1, CP3 and CP6 of the Core Strategy because it would occupy a location that is not as accessible for a development of this scale as required by the spatial strategy, but that conflict is lessened because of the basic facilities and services that are available in the village, and because appropriate opportunities have been secured to promote the limited sustainable transport modes that are available. For those reasons, I give the conflict with the policies only moderate weight.
31. The Council's reason for refusal relating to the issue of accessibility refers to other policies than those identified above. Policy CP2 of the Core Strategy relates to accommodating the needs of specific groups. Policies CC01 and CC02 of the Local Plan relate to the presumption in favour of sustainable development and the application of development limits. None of those policies are directly relevant to this issue.

Housing land requirement and supply

32. Paragraphs 76-77 and 226 of the Framework establish how many years of housing land is required at any given time. Where a local planning authority has an emerging local plan that has reached either the Regulation 18 or Regulation 19 stage and includes both a policies map and proposed allocations towards meeting housing need, the requirement is to show 4 years' worth of housing land supply.
33. The Council published a draft local plan under Regulation 18 in February 2020, which contains both a policies map and housing land allocations. The appellant argues that given the length of time since its publication and the extent to which it is proposed to be revised, it should be disregarded. However, there is nothing in the Framework that suggests that should be the case. The circumstances of the plan also differ to those drawn to my attention in 2 appeal decisions¹, one of which I determined. In those cases, the local planning authorities had effectively abandoned earlier draft plans and decided to begin the plan making process again. That is not the situation in Wokingham, where the Council has continued to develop its draft plan with revisions published in 2021. I therefore consider that the emerging plan does meet the requirements of paragraph 226 of the Framework, and for the purposes of this appeal the Council is required to demonstrate a 4-year housing land supply.

¹ APP/D1265/W/23/3323727: Land between Sailsbury Street, Tanzey Lane and Sodom Lane, Marnhull, Dorset and APP/K2420/W/23/3330774: Land off Desford Lane, Ratby, Leicestershire

34. Because the development plan is more than 5 years old, calculation of housing land supply uses the methodology set out in the Planning Practice Guidance. The main parties are agreed that at present there is only 3.2 years' worth of housing land available. A revised affordability ratio was published in March 2024 that will affect the calculation to a small extent, but the Council is content to rely on the supply published in its current housing land supply statement until such time as the statement is updated.
35. The Council is therefore unable to demonstrate an adequate housing land supply position at present, with the extent of the shortfall being of the order of 0.8 years.
36. As the Council is unable to demonstrate an adequate housing land supply, footnote 8 of the Framework deems the policies which are most important for determining the application to be out-of-date. Where those policies are out-of-date, paragraph 11d) of the Framework says that 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 the Framework taken as a whole. This is an important material consideration I consider in the planning balance.
37. 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.
38. Measured against the housing targets in Policy CP17 of the Core Strategy, there has been an over-delivery of housing of some 16.9% over the plan period. Even when measured against the standard methodology, which produces the highest housing need figure, the last 5 years has seen delivery outstrip need by some 57%. An alternative approach put forward on behalf of the appellant using a different method of calculating housing need consistent with changes in national planning guidance over the plan period results in the over-delivery of housing being marginal. The Council considers this approach invalid as it double counts unmet need and under-supply.
39. 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.
40. Another matter that is disputed between the parties is whether past housing supply has been reliant on non-policy compliant schemes being either permitted or allowed on appeal outside development limits. There have been such schemes over the plan period. However, the majority of these are still within strategic development locations and were permitted by the Council

under a normal planning balance in order to help deliver highway infrastructure. I do not therefore consider that housing delivery has been reliant to any significant extent on non-policy compliant schemes.

Other Matters

41. The site lies within the zone of influence of the Thames Basin Heaths Special Protection Area, which is noted as an internationally important habitat for rare bird species. I am required to undertake an appropriate assessment to determine if the proposed development could have a significant adverse effect on the special protection area, and if so whether that effect could be mitigated.
42. Increased recreational pressure arising from additional residents in the zone of influence could potentially have an adverse effect on the habitat, as some of the rare bird species it supports nest on the ground and could be disturbed by walkers or their dogs. To counter such potential harm local authorities, including Wokingham Borough Council, working in partnership with Natural England have devised a strategy to limit recreational pressure through a combination of providing alternative natural green space and managing access to the special protection area.
43. The development, through obligations contained in the legal undertaking, would provide financial contributions towards the provision of a strategic access management and monitoring scheme, and support the formation of an alternative natural green space at The Ridge which is being undertaken by the University of Reading. These measures would mitigate any additional recreational pressure arising from the appeal scheme. I am therefore satisfied that the development would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area. It would also comply with saved Policy NRM6 of the former South East Plan Regional Strategy and Policy CP8 of the Core Strategy.
44. I was told at the inquiry that there have been instances of foul sewer surcharging in the village. The reason is reportedly due to an excessive amount of surface water entering the foul sewerage system during times of heavy rain. The proposed development would have separate foul and surface water systems. While it would introduce an additional foul flow to the sewerage system, that would not include surface water and would not itself exacerbate matters during times of heavy rain. The onus lies with the drainage provider rather than the developer to resolve existing problems and where necessary increase capacity to accommodate demand. Therefore, where surcharging has happened, regrettable though it is, it does not amount to a reason to prevent the development taking place. I have imposed conditions allowing clarification and if necessary coordination between the development and any improvement works planned for the sewerage system.
45. Parts of the site has apparently been subject to seasonal waterlogging, although according to local knowledge this may be the result of lack of maintenance of the field drains. The proposal includes a sustainable drainage system that would provide a means of collecting and disposing of surface water to avoid such drainage problems affecting the proposed development. I consider that surface water drainage should not, therefore, be a limiting factor for development on the site.

46. Concern has been expressed about highway safety and congestion in the wider area, in particular accessing the primary road network at peak times. No objection has been raised by the Council as Highway Authority, and I see nothing in the scheme or proposed highway access works that lead me to reach a different view. The design and layout of surrounding roads, including the width of Trowes Lane, are not inherently unsafe or incapable of accommodating the additional vehicle movements associated with the scheme. So far as the wider road network is concerned, a development of the scale proposed would have little if any measurable effect on congestion, certainly on junctions as far away as those on the M4. The cumulative effect of new development on the road network is a matter for consideration as part of the existing and emerging local plans.
47. 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.
48. Concern about harm to character, in terms of the increase in the number of houses and/or developed area compared to the existing or past size of the village, is more intangible. While increasing the number of people may make the village a somewhat busier place, which some might regret, it would also add to those participating in social activities and provide more custom for local businesses, such as the local shop, which would be of benefit to their continued operation, and therefore indirectly beneficial to all. The consequence of change to what may be described as the character of the village is therefore multifaceted, but in my view not intrinsically harmful.
49. My attention has been drawn to a wide range of appeal decisions. I have had regard to those decisions where applicable, in particular on an adjoining site², elsewhere in Wokingham³, and in relation to housing land requirement and supply⁴. I have come to my own conclusions based on the evidence presented to me and the most recent version of the Framework.

Legal Undertaking

50. The appeal is accompanied by a bilateral legal undertaking under section 106 of the Town and Country Planning Act 1990 that commits the developer of the site to several planning obligations.
51. Those obligations secure the provision of: 33 affordable dwellings in a range of agreed tenures; financial contributions towards the provision of allotments, off-site sports and recreation facilities, bus service provision, and the Thames Basin Heaths Special Protection Area strategic access, monitoring and management plan; an employment skills plan or contribution in lieu; highway works comprising construction of estate roads to adoptable standards, formation of new accesses, bus stop improvements, footpath widening on Trowes Lane, crossing points on The Street and Foxborough, and funding of

² APP/X0360/W/17/3175817: Land to the west of Trowes Lane, Swallowfield

³ APP/X0360/W/22/3309202: Land east of Lodge Road, Hurst

⁴ APP/X0360/W/23/3331651: Land off Watmore Lane, Winnersh

footpath widening along Basingstoke Road from Swallowfield to Lambs Lane; establishment of a management company to maintain the woodland and any retained communal areas; a travel plan; transfer of open space and play areas to public ownership if agreed; and a contribution toward provision of suitable alternative natural green space at The Ridge.

52. The obligations are agreed by both main parties, and address reasons for refusal 4-8 on the Council's decision notice. Having regard to the submitted evidence contained in the Council's justification statement and the discussion that took place at the inquiry, I am satisfied that each obligation is necessary to make the development acceptable in planning terms, is directly related to the development, and is fairly and reasonably related in scale and kind. The obligations therefore meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010, and I have taken them into account in reaching my decision.

Planning Balance

53. I have found that the appeal proposal would conflict with the spatial strategy of the development plan as the site lies outside the settlement limits of Swallowfield and does not constitute development appropriate in a countryside location. Given the lack of housing land supply, application of that strategy needs to be applied in a flexible way to ensure that sufficient land for housing continues to come forward. However, even if the settlement limits around Swallowfield are applied flexibly to allow development on the edge of it, the scale of the proposed development is such as to conflict with the strategy for development in settlements of the size of Swallowfield. I give that conflict moderate weight.
54. I have found that the proposal would harm the character and appearance of the landscape, although that harm would be limited given the contained nature of the site. I have also found that accessibility to facilities and services is constrained and would generate a significant proportion of trips by motor car. I give moderate weight to that conflict.
55. Set against these conflicts are a number of benefits that would flow from the appeal scheme. The most important would be the provision of 81 new dwellings in a range of sizes. That would be of particular importance given the demand for housing in the area and the lack of available land on which to build new dwellings. Forty per cent of the dwellings would also be affordable housing tenures. I was presented with evidence at the inquiry which showed there to be a real problem of affordability in the area, with a persistent unmet demand from those unable to afford housing on the open market. The scheme would help to address that need. I give both these benefits substantial weight.
56. Other benefits would also accrue. There would be economic benefits arising in the short term from construction of the dwellings, and in the longer term from the spending power of future residents and their availability as part of the local workforce. The development would result in a biodiversity net gain on the site, greater than that required by policy. The same would apply to the construction of the buildings, which have been designed to mitigate carbon dioxide emissions in excess of that currently required by policy. The open space, woodland and play equipment on the site is intended primarily for the benefit of future residents but would also be open to other villagers to enjoy. I give these benefits limited weight.

57. My approach to balancing these competing factors must however rest on the presumption in favour of sustainable development contained in paragraph 11d) of the Framework, sometimes referred to as the 'tilted balance'. As the Council is unable to demonstrate an adequate housing land supply, national planning policy contained in that paragraph requires planning permission to be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits. I consider that the application of that national policy should be tempered to a limited extent because of recent past over-supply of housing and having regard to the size of the shortfall at 0.8 years. Nevertheless, the presumption remains and carries significant weight. The need to apply a presumption in favour of sustainable development is reinforced by Policy CC01 of the Local Plan.
58. I have concluded that there would be substantial benefits accruing from the scheme, in particular the provision of open market and affordable housing. Balanced against those benefits is the harm that would be caused to the strategy that directs where new development should be located, the landscape, and accessibility to facilities and services. However, in each case I have found that only moderate or limited weight should be given to that harm. It follows that the adverse impacts of the proposed development would not significantly and demonstrably outweigh the substantial benefits of the scheme. Accordingly, the Framework supports planning permission being granted.

Conditions

59. I have considered the conditions suggested by the main parties, including additional and alternative conditions discussed at the inquiry, and imposed them where I consider they meet the tests set out in paragraph 56 of the Framework. I have made changes to the suggested wording where necessary in the interests of precision and enforceability. The conditions have been reordered in accordance with the advice in the Planning Practice Guidance. Conditions that are required to be discharged before development commences have been avoided where possible. Those pre-commencement conditions that remain have been agreed in writing by the appellant.
60. Conditions setting a time limit and identifying the approved plans are necessary for certainty. Pre-commencement conditions are necessary to agree and implement a construction method statement, exceedance flow routing, tree protection and archaeological investigation in the interests of the amenities of neighbouring and future residents, the natural environment and any remains of historic interest that might be found under the site.
61. Conditions that are required to be discharged before occupation of the development begins are necessary to agree external materials in the interests of the appearance of the site, construction of the highway accesses and provision and management of car and cycle parking in the interests of highway safety and to promote sustainable transport, provision and arrangements for maintenance of landscaping and surface water drainage in the interests of the appearance and operation of the development, the design of external lighting and means of enclosure in the interests of safety, amenity and wildlife, installation of energy saving measures in the interest of minimising carbon emissions, and the installation of refuse and recycling facilities in the interests of future occupants. I have combined conditions dealing with landscaping,

ecology and biodiversity net gain for simplicity and to avoid unnecessary repetition.

62. Other conditions are necessary to replace any trees, shrubs or hedges that are intended to remain but are removed or damaged in the interests of the appearance of the site, to control hours of construction in the interests of neighbouring occupants, to provide a framework for action in the unlikely event that contamination is found on the site in the interests of public health, and to clarify the position of the local area of play in the interests of certainty.
63. I have imposed 2 conditions having regard to the consultation response from Thames Water and in a modified form with the agreement of the main parties which deal with foul drainage and water supply, the first being a pre-commencement condition and the second a pre-occupation condition. These respond to concerns raised by local residents who have experienced deficiencies in the existing foul drainage system and water supply, and are concerned that the development might exacerbate those problems. While I understand the concerns, it is a matter for the utility provider rather than a developer to respond to existing problems in the sewerage and water networks and to provide additional capacity where required. The conditions are not intended to prevent the development being undertaken but to enable the Council to confirm that capacity is available in those systems or that suitable action is being taken by the utility provider to ensure that additional demand can be met.
64. I have not imposed a condition requiring approval and future maintenance of highway details as these are the subject of an obligation in the legal undertaking. I have not imposed a condition requiring the installation of electric vehicle charging points as this is now secured under the building regulations and to do so would result in unnecessary duplication of requirements. I have not imposed a condition requiring details of surface water drainage overflow as this is covered in the conditions on drainage management and drainage exceedance routing. I have not imposed a condition relating to noise as control over any such disturbance that might occur during the construction period is addressed by the construction and ecological management plan, and I see no need for noise controls over and above normal environmental health powers once the development is complete.
65. I have also not imposed conditions restricting how occupants could use their garages or make use of permitted development rights that allow for domestic extensions and associated works, including means of enclosure and paving. Paragraph 54 of the Framework states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. I do not consider that the arguments put forward by the Council clearly demonstrate that the circumstances of this development would be materially different to other housing estates where such rights apply.

Conclusion

66. The development would conflict with policies relating to the location of new development, protection of the landscape, and accessibility to facilities and services. It would therefore conflict with the development plan when taken as a whole. However, the presumption in favour of sustainable development contained in paragraph 11d) of the Framework points towards planning permission being granted. In this case, I conclude that this significant material

consideration outweighs the conflict with the development plan, notwithstanding the scale of the current shortfall in housing land and past delivery of housing in the borough.

67. Consequently, I conclude that the appeal should be allowed.

Guy Davies

INSPECTOR

Appearances

For the appellant:

Andrew Tabachnik KC	Counsel
Clive Self Dip LA CMLI MA (Urb D)	Director, CSA Environmental
Tim Wall BA MA MCIHT CMILT	Partner, i-Transport LLP
Steven Brown BSc (Hons) DipTP MRTPI	Managing Director, Woolf Bond Planning Limited
Karen Charles BSc (Hons) DipTP MRTPI	Executive Director, Boyer

For the Council:

Matthew Lewin	Counsel
Stuart Ryder BA (Hons) CMLI	Director, Ryder Landscape Consultants
Alan Lewis CEng FIHE CMILT	Highway Development Manager, Wokingham Borough Council
Ian Church BA (Hons) MA MRTPI	Local Plan Manager, Wokingham Borough Council
Laura Ashton BA (Hons) MSc MRTPI	Director, LAUK Planning

Interested parties:

Ian Fullerton	Smallfield Community Action Group
John Anderson	Smallfield Parish Council
David Entwistle	Resident
Richard Hale	Resident
Jeremy Bayliss	Resident
Philip Guard	Resident
David Edmunds	Ward Councillor
Colin Tweedale	Resident
Professor Richard Hoyle	Smallfield Community Action Group
Catherine Glover	Ward Councillor

For the round table sessions on conditions and legal undertaking:

Caroline Bailey	Group Legal Director, Croudace Homes Ltd
Mark Croucher	Development Management Team Leader, Wokingham Borough Council
Lyndsey Jennings	Solicitor, Wokingham Borough Council
Graham Stanley	Swallowfield Flood Resilience Group

Documents submitted at or after the inquiry

- ID1 Appearances for appellant
- ID2 Note on public consultation of additional landscape plans
- ID3 Opening statement on behalf of the appellant
- ID4 Opening statement on behalf of the Council
- ID5 Statement and results of survey of households by Mr Fullerton
- ID6 Statement by Mr Anderson
- ID7 Statement by Mr Entwistle
- ID8 Statement by Mr Hale
- ID9 Statement by Mr Bayliss
- ID10 Statement by Mr Guard
- ID11 Hard copy of draft conditions
- ID12 Errata sheet for proof of evidence of Mr Lewis
- ID13 Statement by Professor Hoyle
- ID14 Statement by Mrs Glover
- ID15 Copy of email from Swallowfield Medical Practice Business Manager
- ID16 Draft copy of unilateral legal undertaking
- ID17 Compliance statement on legal obligations
- ID18 Confirmation of acceptance of pre-commencement conditions
- ID19 Draft copy of bilateral legal undertaking
- ID20 Closing statement by Mr Fullerton
- ID21 Closing statement on behalf of the Council
- ID22 Closing statement on behalf of the appellant
- ID23 Shadow appropriate assessment
- ID24 Copy of completed bilateral legal undertaking

Schedule of conditions

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following plans:
 - Site Location Plan 3145-A-1000-PL-B
 - Site Layout 3145-A-1005-PL-G
 - Site Layout Coloured 3145-C-1005-PL-H
 - Parking Plan 3145-A-1700-PL- E
 - Street Scenes 3145-C-1010-PL-D
 - Street Scenes 3145-C-1011-PL-E
 - Refuse Strategy Plan 3145-A-1701-PL-D
 - Boundary Treatments Plan 3145-A-1702-PL-D
 - Materials Plan 3145-A-1703-PL-D
 - Fire Strategy Plan 3145-A-1705-PL-D
 - Garden Sizes Plan 3145-A-1706-PL-F
 - POS Typologies Plan 3145-A-1707-PL-J
 - Landscape Masterplan CSA/5643/118G
 - LEAP Landscape Proposals CSA/5643/119C
 - LAP Play Area Proposals CSA/5643/120B
 - Hard Landscape Proposals (Sheet 1) CSA/5643/111F
 - Hard Landscape Proposals (Sheet 2) CSA/5643/112F
 - Hard Landscape Proposals (Sheet 3) CSA/5643/113F
 - Soft Landscape Proposals (Sheet 1) CSA/5643/114F
 - Soft Landscape Proposals (Sheet 2) CSA/5643/115G
 - Soft Landscape Proposals (Sheet 3) CSA/5643/116G
 - Soft Landscape Proposals (Sheet 4) CSA/5643/117F
 - Boundary Design Details Sheet 1 5643_125_A
 - Boundary Design Details Sheet 2 5643_126
 - Proposed Access Road 5638/004D
 - Charlton Lane Pedestrian Connection ITB19769-GA-005
 - B3015 Plans and Elevations 3145-C-3005-PL-B
 - B3016 Plans and Elevations 3145-C-3010-PL-C
 - B3016 Plans and Elevation 3145-C-3011-PL-A
 - B3016+B2009M Plans and Elevations 3145-C-3015-PL-B
 - B3017 Plans and Elevations 3145-C-3020-PL-B
 - B3017 Plans and Elevations 3145-C-3021-PL-B
 - B3017 Plans and Elevations 3145-C-3022-PL-B
 - B3017 Plans and Elevations 3145-C-3023-PL-C
 - B3018 Plans and Elevations 3145-C-3025-PL-C
 - S4029M Plans and Elevations 3145-C-3035-PL-B
 - S4029M Plans and Elevations 3145-C-3036-PL-B
 - S4026M Plans and Elevations 3145-C-3040-PL-B
 - S4027M Plans and Elevations 3145-C-3045-PL-B
 - S4027M Plans and Elevations 3145-C-3046-PL-B
 - G4031M Plans and Elevations 3145-C-3050-PL-B
 - G4031M Plans and Elevations 3145-C-3051-PL-B
 - G4032M Plans and Elevations 3145-C-3056-PL-B
 - G4031M Plans and Elevations 3145-C-3059-PL-C
 - A2708M Plans and Elevations 3145-C-3060-PL-B
 - A2708M Plans and Elevations 3145-C-3061-PL-B

A2708M+A1702M Plans and Elevations 3145-C-3065-PL-C
A3710M Plans and Elevations 3145-C-3070-PL-B
A4714M Plans and Elevations 3145-C-3075-PL-B
A1702M Plans and Elevations 3145-C-3080-PL-B
Maisonette Block A Plans and Elevations 3145-C-3085-PL-C
Maisonette Block B Plans and Elevations 3145-C-3086-PL-B
A2706M Plans and Elevations 3145-C-3100-PL-B
Garages & Stores Plans and Elevations 3145-C-3150-PL-A
Garages & Stores Plans and Elevations 3145-C-3151-PL-A

3. No development hereby permitted shall commence until a construction method statement, including a construction ecological management plan, has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall include but not be limited to the following:
 - (a) construction of suitable works access
 - (b) the parking of vehicles of site operatives and visitors
 - (c) loading and unloading of plant and materials
 - (d) storage of plant and materials used in constructing the development
 - (e) the erection and maintenance of security hoarding
 - (f) wheel washing facilities
 - (g) measures to control the emission of noise, dust and dirt during construction
 - (h) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - (i) hours of construction
 - (j) hours of delivery
 - (k) mitigation and avoidance measures for ecology and biodiversity.
4. No development hereby permitted shall commence until an exceedance flow routing plan for flows above the 1 in 100 + 40% climate change event has been submitted to and approved in writing by the local planning authority. Exceedance flow paths should be directed to highways and public open space and should avoid paths through areas in private ownership. The approved exceedance flow routing plan shall be implemented prior to occupation of the development hereby permitted.
5.
 - (a) No development hereby permitted shall commence until a scheme for the protection of trees, shrubs and hedges to be retained on or adjacent to the site in accordance with BS5837:2012 has been submitted to and approved in writing by the local planning authority. The protection measures shall be implemented in accordance with the approved scheme and retained during the construction period including site preparation work, tree felling or pruning, soil moving, temporary construction access and any operation involving the use of vehicles or construction machinery.
 - (b) No development hereby permitted shall commence until written notice has been provided to the local planning authority with a period of not less than 7 working days to enable inspection of the measures undertaken to protect trees, shrubs and hedges in accordance with the approved scheme.
 - (c) No excavations, storage of materials or machinery, parking of vehicles, deposit of spoil or rubble, lighting of fires or disposal of liquids shall take

place within any area designated as being fenced off or otherwise protected in the approved scheme.

(d) The fencing or other means of protection installed in accordance with the approved scheme shall not be moved or removed until all construction works have been completed and all equipment, machinery and surplus materials removed from the site.

6. No development hereby permitted shall commence until a programme of archaeological work including a written scheme of investigation has been submitted to and approved in writing by the local planning authority. The scheme of investigation shall include but not be limited to the following:
 - (a) programme and methodology of site investigation and recording
 - (b) programme for post investigation assessment
 - (c) analysis of the site investigation and recording
 - (d) means of publication of the analysis and recorded finds
 - (e) archive deposition of the analysis and recorded finds
 - (f) nomination of a competent person or organisation to undertake the site investigation.The site investigation shall take place in accordance with the approved programme of archaeological work. The development hereby permitted shall not be occupied until the post investigation assessment has been undertaken and the analysis and recorded finds have been published and deposited.
7. Before any above ground construction works of the development hereby permitted are commenced, samples and details of the materials to be used on the external surfaces of the buildings shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
8. No development hereby permitted shall commence until details of the means of foul sewerage disposal have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
9. Prior to occupation of the development hereby permitted the Trowes Lane access shall be constructed in accordance with drawing 5638/004D and the Charlton Lane pedestrian access shall be constructed in accordance with drawing ITB 19769-GA-005 and the visibility splays to both accesses shall be cleared of any obstruction exceeding 0.6m in height. The accesses shall be retained in accordance with the approved details and the visibility splays shall be maintained clear of any obstruction exceeding 0.6m in height at all times.
10. Prior to occupation of any dwelling hereby permitted the vehicle parking space associated with that dwelling has been provided in accordance with the drawing 3145-A-1700-PL-E. All visitor and unallocated spaces shall be provided prior to occupation of all of the dwellings.
11. Prior to occupation of the development hereby permitted, a parking management strategy for the management of visitor and unallocated spaces shall be submitted to and approved in writing by the local planning authority. The strategy shall be implemented once approved.

12. Prior to occupation of the development hereby permitted, details of secure and covered bicycle storage shall be submitted to and approved in writing by the local planning authority. The bicycle storage shall be provided in accordance with the approved details prior to occupation of the dwelling to which each bicycle store relates and shall thereafter be retained.
13. Prior to occupation of the development hereby permitted, a landscape and ecological management plan shall be submitted to and approved in writing by the local planning authority. The plan shall include but not be limited to the following details: long term design objectives, management responsibilities, timescales and maintenance schedules for all non-private landscape areas which demonstrates habitat and hedgerow biodiversity net gain in accordance with Ecological Impact Assessment CAS/5643/05 (August 2023). The development shall be carried out in accordance with the approved landscape and ecological management plan.
14. Prior to occupation of the development hereby permitted a sustainable drainage system management and maintenance plan shall be submitted to and approved in writing by the local planning authority. The plan shall include details of the arrangements and responsibilities for securing the operation of the drainage system for the lifetime of the development hereby permitted and shall include details of maintenance access to all parts of the drainage system and a method for removal and disposal of waste. The approved drainage system shall be implemented prior to the occupation of the development hereby permitted.
15. Prior to occupation of the development hereby permitted details of external lighting shall be submitted to and approved in writing by the local planning authority. The details shall include but not be limited to the following: location, height, type and direction of light sources, intensity of illumination, and highway lighting. External lighting shall be implemented in accordance with the approved details.
16. Prior to occupation of the development hereby permitted, details of walls, fences and other means of enclosure shall be submitted to and approved in writing by the local planning authority. The details shall demonstrate how the walls, fences and other means of enclosure will be ecologically permeable to small mammals and other wildlife. The walls, fences and other means of enclosure shall be erected in accordance with the approved details.
17. Prior to the occupation of the development hereby permitted, the solar panels and heat pumps detailed in the Energy and Sustainability Statement BO.S.RG7 Rev 3 shall be installed and thereafter retained unless replaced by more efficient and sustainable equipment.
18. Prior to the occupation of any dwelling hereby permitted the bin storage area and facilities for that dwelling shall be installed in accordance with drawing 3145-A-1701-PL-D. The bin storage area and facilities shall thereafter be retained and used for no purpose other than the storage of refuse and recycling materials.
19. Prior to the occupation of the development hereby permitted a scheme shall be submitted to and approved in writing by the local planning authority

demonstrating that the water network infrastructure has capacity to serve the development. The development shall be carried out in accordance with the approved scheme.

20. No trees, shrubs or hedges shown to be retained on landscape plan CSA/5643/11F, CSA/5643/115G, CSA/5643/116G and CSA/5643/117F shall be felled, uprooted, damaged, destroyed or removed. Any trees, shrubs or hedgerows removed or damaged within 5 years from the occupation of all of the development hereby permitted shall be replaced with trees, shrubs or hedgerow plants or similar size and species unless any variation is agreed in writing by the local planning authority.
21. No work, including demolition and preparation prior to building operations, relating to the development hereby permitted shall take place other than between the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays. No works shall take place at any time on Sundays or Bank Holidays or National Holidays.
22. If land contamination is found at any time during the construction of the development hereby permitted the discovery shall be reported in writing as soon as possible to the local planning authority. Prior to any further works being conducted, a contamination risk assessment shall be carried out and a remediation method statement submitted to and approved in writing by the local planning authority. Work shall only recommence if in accordance with the approved remediation method statement.
23. Notwithstanding drawings refs 3145-A-1700-PL-E, 3145-A-1701-PL-D, 3145-A-1702-PL-D, 3145-A-1703-PL-D, 3145-A-1704-PL-D, 3145-A-1705-PL-D and 3145-A-1706-PL-F, the Local Area of Play shall be located in the central greenspace as shown in drawing 3145-C-1005-PL-H.

***** end of conditions *****



Appendix 3 – Appeal Decision APP/X0360/W/23/3331651



Appeal Decision

Inquiry held on 30 January – 2 February and 6 February 2024

Site visits made on 29 January and 2 February 2024

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 March 2024

Appeal Ref: APP/X0360/W/23/3331651

Land off Watmore Lane/Maidensfield, Winnersh, Berkshire Easting 478940 and Northing 170753

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Taylor Wimpey Strategic Land (Taylor Wimpey UK Ltd) against the decision of Wokingham Borough Council.
 - The application Ref 230208, dated 18 January 2023, was refused by notice dated 11 August 2023.
 - The development proposed is described as 'Residential development for up to 234 units, with all matters reserved except access from Maidensfield'.
-

Decision

1. The appeal is allowed, and outline planning permission is granted for a residential development of up to 234 homes with all matters reserved except for an access from Maidensfield, at Land off Watmore Lane/Maidensfield, Winnersh, Berkshire Easting 478940 and Northing 170753, in accordance with the terms of the application, Ref: 230208, dated 18 January 2023, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The planning application was submitted in outline with all matters of detail reserved for future consideration save for an access into the site from Maidensfield. I have assessed the proposal on this basis and treated the drawings, other than the Maidensfield access drawing, as simply being an illustration of how the proposal could ultimately be configured.
3. A revised version of the National Planning Policy Framework (the 'Framework') has recently been published. The parties were able to address the amendments in their submissions and again at the event. A screening direction issued on the 10 November 2023 confirmed the proposal is not Environmental Impact Assessment development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Main Issues

4. A planning obligation pursuant to s106 of the Town and Country Planning Act 1990, in the form of a legal agreement between the Council and appellant, was submitted after the inquiry closed. It is common ground¹ between the

¹ Core Document (CD) 16.1 – Planning Statement of Common Ground

appellant and Council that the s106 Agreement would secure adequate provision for an employment skills plan, affordable housing and several items of infrastructure, the details and necessity of which I discuss later. As there is common ground on these points, I have not considered them as main issues. Accordingly, the main issues in this appeal are:

- Whether the appeal site is an appropriate location for the proposed development with reference to 1) the spatial strategy for housing in the development plan; 2) permeability and integration with pedestrian and cycle routes; and 3); the accessibility of services and facilities.
- The effect of the proposed development on the landscape character and visual amenity of the countryside; and
- The effect of the proposed development on the character and appearance of the area, with particular reference to 1) the settlement pattern and townscape; 2) the legibility of any local street hierarchy and 3) the usability and sense of place of Maidensfield.

Reasons

The appropriateness of the location with reference to the spatial strategy

5. To manage the growth identified in Policy CP17 of the Core Strategy² (CS) in a sustainable way, the Council, through the CS, seeks to guide development to locations where there would be balanced communities, commensurate levels of infrastructure and appropriate access to services and facilities.
6. To this end, a settlement hierarchy was developed following a sustainability appraisal. This hierarchy forms the basis of Policy CP9 of the CS, which identifies three development categories – major, modest and limited. Major Development Locations (MDLs) have the greatest range of facilities and services with the highest choice in transport modes to access them. Major development is therefore supported within MDLs with the level of growth anticipated in modest and limited development locations being reflective and proportionate to where they are in the hierarchy.
7. Winnersh is identified in Policy CP9 as an MDL. The appeal scheme would be a major development next to this MDL, which by definition has a high level of services and facilities relative to other settlements in the borough. Thus, in some respect, the scale of development proposed would not be out of kilter with the settlement hierarchy in Policy CP9. However, Policy CP9 states that development proposals *within* development limits will be acceptable. It provides no support for development adjacent to an MDL. It does not directly state that development outside the settlement limits would not be supported, but this is not uncommon in a positively worded policy.
8. Accordingly, the corollary is clear, in that development outside the limits of Winnersh would be at odds with Policy CP9. This is entirely logical as the settlement limits focus development within the more accessible built-up areas and those allocated for development as Strategic Development Locations (SDLs). Indeed, a porous settlement limit would undermine the Council's spatial strategy. Thus, the appeal scheme would be at odds with Policy CP9 of

² Wokingham Borough Core Strategy (Adopted 29 January 2010)

the CS because it would amount to a large body of homes outside the settlement limits of Winnersh.

9. Policy CP11 of the CS has a different objective to Policy CP9 in that it seeks to protect the separate identities of settlements and maintain the quality of the environment. The latter includes the landscape and countryside. The policy states that a proposal outside development limits will not normally be permitted unless it would be one of the types of development listed, such as a barn conversion or replacement dwelling. Essential community facilities are also permitted outside settlement limits by Policy CP11, which helps explain why the SEN school adjoining the appeal site was granted. The appeal scheme would be outside the settlement boundary of Winnersh and would not be any of the types of development listed in Policy CP11. Consequently, the proposal should 'not normally be permitted' when applying this policy.
10. The reference to schemes not 'normally' being permitted seems to be a deliberate insertion aimed at providing some flexibility. This may, perhaps, be in circumstances where a scheme does not quite align with all the criteria in the policy but would nevertheless maintain the quality of the environment. However, this flexibility should not extend to the appeal scheme because it would be a significant breach of the settlement limit of Winnersh and would not, for reasons I go into, maintain the quality of the environment.
11. Policy CC02 of the Local Plan³ (LP) postdates the CS and updates the settlement limits to include SDLs and address inconsistencies. It states, in less flexible terms than Policy CP11, that development on the edge of a settlement will only be granted where it is within the revised development limits. The appeal scheme would not adhere to this requirement, which is straight forward and unnuanced. Thus, the proposal would be at odds with Policy CC02 because it would be outside the settlement limit of Winnersh.
12. In conclusion, the proposal would be at odds with Policies CP9 and CP11 of the CS and Policy CC02 of the LP. In this respect, the appeal site would not be a suitable location for the appeal scheme when applying the spatial strategy in the development plan, which is a carefully drafted and considered statement of policy informed and shaped by public participation. Instead, the proposal would undermine the objectives of the strategy. This would be harmful given the public interest in having a genuinely plan led system that provides consistency and direction.

Integration with pedestrian and cycle routes and permeability

13. The proposed access into the site would include 2m wide pavements which would be an extension of those in Maidensfield. The pavements in the area are lit, overlooked and form a contiguous network. As a result, future pedestrians could enter or exit the appeal site and travel around existing streets safely. In addition, the Council's concerns regarding the usability of Maidensfield, Watmore Lane and Danywern Drive for cycling were resolved during the process of the Inquiry⁴. Accordingly, the appeal scheme would integrate satisfactory with existing pedestrian and cycle routes.

³ Wokingham Borough Adopted Managing Development Delivery Local Plan Document (adopted 21 February 2014)

⁴ CD9.6 - Cycle Infrastructure Design Local Transport Note 1/20. If traffic flows are above 5,000 vehicles a day, then few people would be prepared to cycle on-street. The flows in Maidensfield, Watmore Lane and Danywern Drive would remain well below this level.

14. In respect of permeability, the appellant submits there is no technical highways reason to prevent up to 234 homes being served from Maidensfield. I have no reason to dispute this as Mr Adams ultimately agreed this point when giving evidence. Moreover, the appeal scheme would adhere to the Council's guidance⁵ on this matter. Accordingly, a second access is not justified on account of highway safety or capacity. Furthermore, Maidensfield would be the main desire line to most facilities as demonstrated by Mr Thomas' analysis⁶.
15. However, a second access to the south would reduce the walking distance to the nearest convenience shop, a sports and social club, a dental practice and, crucially, a frequent bus service on Reading Road. Wheatfield Primary School would also be closer making the round trip for an escorting adult shorter and more likely to occur. Given the mixed picture regarding the site's accessibility to services and facilities, it is necessary for journey lengths to be reduced as far as possible, especially for those residents furthest into the site.
16. A second access would also lessen the extent to which the appeal scheme would be experienced as an insular enclave of housing on the edge of Winnersh. This is because visitors and residents would be able to pass through the development, giving it the feel of an integrated parcel of townscape. Future residents would also have a choice of routes out of the estate, with the interest and variety that would entail. In this respect, a circular walk would be possible taking in Watmore Lane. A second access would also facilitate a clear desire line south towards Reading Road and on to Wokingham. The National Design Guide explains that ease of movement, including direct links and connections, are important components of a well-designed place.
17. Accordingly, a second access to the south of the site is necessary to achieve good urban design and enhanced accessibility. Indeed, guidance in Manual for Streets (MfS)⁷ explains that a development with poor links to the surrounding area can create an enclave. Internal permeability within the scheme would be a necessary extension of such good practice, but it would not mitigate for the limitations of a single entrance, even when accounting for the general lack of permeability in Winnersh due to main roads and the railway line.
18. During the Council's assessment of the application discussions took place with the appellant regarding the provision of a second access to the south. Such an access was considered technically possible. And there is nothing to suggest it would result in harm to highway safety, congestion or living conditions. Officer's originally intended to recommend the proposal for approval on the proviso of a second access being delivered⁸.
19. Accordingly, a condition was drafted which, if imposed, would prevent the second half of the scheme coming forward until a second access was implemented. Both the Council and appellant agreed that a 'Grampian'⁹ type condition along these lines could be imposed if it was considered necessary and reasonable¹⁰. As set out above, there are factors relating to urban design and accessibility that direct towards the necessity of a second access.

⁵ CD12.1 – Living Streets, which states that up to 500 homes can be served off at carriageway that is 5.5m wide, which is the width of Maidensfield

⁶ Table 6.5 of his Proof of Evidence

⁷ CD9.3, Paragraph 4.2.5

⁸ CD5.2 – Officer's draft report

⁹ A condition prohibiting development in full or in part from proceeding until a specified action has occurred.

¹⁰ Indeed, legal advice was given to that effect in a letter dated 30 June 2023

20. The Planning Practice Guide (PPG)¹¹ explains that a Grampian condition should not be used where there are 'no prospects at all' of the action in question being performed within the time-limit imposed by the permission. In this instance, the appeal site and land to the south (Winnersh Farm) are currently allocated for development in the emerging local plan as a single scheme. As a result, there is a clear inference that the sites should be connected. Indeed, several tested development options included an access into the appeal site¹². In addition, the Council recently submitted a planning application for residential development which included an access through to the appeal site. This application was withdrawn, but substantive evidence is not before me to demonstrate this was due to concerns raised by the Local Planning Authority. An extract of the report to the Council's Executive Meeting¹³ provides no further detail on why the Winnersh Farm application was withdrawn.
21. Indeed, Cllr Bray's evidence was helpful in providing context to the decision to withdraw the application. It was on account of a Strategic Asset Review whereby the Council is evaluating its land holdings to ascertain how its sites should be used. Cllr Bray, who is the Deputy Leader of the Council, explained during the Inquiry that the Winnersh Farm site is likely to be developed in the future and might be used for a care home or key workers housing. She also outlined the Council's financial pressures which may also be a factor in deciding whether to realise the value of Winnersh Farm as an asset. When asked to put a timescale on this, Cllr Bray confirmed that the strategic review could be concluded within 18 months to 3 years. If it is the former, and there is nothing of substance to demonstrate that would be unachievable, then an access could be delivered in the necessary timeframe¹⁴. This could be as part of a development proposal promoted by the Council or as a separate discrete project. As a result, the evidence before me suggests there is a prospect of a second access to the south. Put another way, there is nothing of substance to suggest there is 'no prospect at all'.
22. In summary, there is a clear need to improve the permeability of the appeal scheme through a second entrance. This would enhance access to services and facilities and achieve the necessary urban design quality. There is a prospect that such an access can be provided within three years. With a second access the proposal would be as permeable as it can be when accounting for surrounding physical constraints. As a result, the proposal would be functional, accessible, safe and adaptable and therefore a conflict with Policies CP1 and CP3 of the CS in respect of this main issue would not occur.

The accessibility of services and facilities

23. The appeal site is located on the edge of a suburban area on the periphery of Winnersh. It is severed from many facilities by the railway line and busy roads. This means there are few routes between the appeal site and local facilities and that these often require the use of crossing facilities. The analysis in the Transport Assessment supplied by the appellant confirms that the only facilities within an 800m walking distance of the centre of the appeal site are the SEN School, the workshops in Grovelands Avenue and Wheatfield Primary School.

¹¹ Paragraph: 009 Reference ID:21a-009-20140306

¹² Inquiry Document 4 (ID4) p14

¹³ CD9.14

¹⁴ Of three years

The first two destinations are unlikely to be well used by residents of the appeal scheme given their modest scale or targeted function.

24. This is important because MfS states that walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes/800m walking distance of residential areas. This is a realistic distance when considering convenience, inclement weather, when accounting for young children, those with mobility issues and the distance and time taken to undertake a whole journey, including the return leg. Accordingly, the appeal scheme would not be part of a walkable neighbourhood, and this would notably curtail opportunities to inclusively promote walking. The impact of this needs to be considered in the context of the large number of homes being proposed.
25. That said, MfS also indicates that 800m is not an upper limit and states, with reference to PPG13¹⁵, that walking offers the greatest potential to replace short car trips under 2,000m. However, PPG13 is no longer extant and therefore this statement should be given limited weight. In any event, there is little substantive evidence before me suggesting most people would walk 2,000m. In fact, when giving his evidence Mr Thomas referred to the National Travel Survey (NTS) which indicates that 80% of walking journeys are under 1,600m/one mile. His analysis of accessibility by walking revolved around this figure as an aspirational upper limit. When applying this threshold, several additional facilities would fall into a reasonable walking distance. This includes, Winnersh Local Centre, The Forest School, local shops including a supermarket, a dental practice, pharmacy, rail station and bus stops.
26. However, there is a potential pitfall in deriving an upper walking distance from the NTS because it is unclear how the 80% figure is broken down. In other words, how many of the 80% of walking journeys were close to one mile. It could be that most walking trips captured within the 80% were not. At the least, there is likely to be a sliding scale. To establish this, it would have been useful to see a further breakdown of walking trips by distance¹⁶. This evidence is not, however, before me.
27. I share the view of Mr Thomas that many future residents might be prepared to walk up to a mile if they are fit enough to do so. They may even walk further, including into Wokingham on occasion. However, that is not the relevant policy test. The Framework explains that significant development, such as that proposed, should offer a genuine choice of transport modes. The National Model Design Code (NMDC) indicates that a genuine choice is one that is easy, comfortable and attractive. The guidance in the NMDC needs to be read alongside the National Design Guide (NDG), which defines 'walkable' as no more than 800m. I take this to be an indication of what would be easy, comfortable and attractive. A mile's walk would be twice that, and is not, therefore, a good measure of a genuine transport mode.
28. Although not referred to in national planning policy, the appellant has also referred to guidance prepared by the Chartered Institution for Highways and Transportation (CIHT)¹⁷. This includes helpful advice as to a desirable (400m), acceptable (800m) and preferred maximum (1,200m) walking distances. However, this does little to assist the appellant's case as there are no retail or

¹⁵ Planning Policy Guidance Note 13

¹⁶ For example, 0-400m, 400-800m, 800-1200m and 1200-1600m

¹⁷ Providing Journeys on Foot

leisure facilities within these walking distances¹⁸. This is significant because Table 6.1 of the TA indicates that around 26% of trips will be for leisure and 19% for shopping, which are the two largest categories. That said, a second access would bring a shop within the 1,200m preferred maximum.

29. The CIHT guidance indicates that residents may be prepared to walk up to 2,000m if commuting to work. This is logical as people may be willing to walk further if they intend to spend longer at the destination. The TA explains that commuting could account for 18% of trips. There are some employment opportunities within 2,000m radius of the appeal site, but major employment hubs such as Winnersh Retail Park and Winnersh Triangle are beyond this preferred maximum walking distance.
30. Regarding access to education, which could account for around 13% of trips, the primary school would be within a comfortable walk. Data from the NTS indicates that the proportion of secondary school children walking 1,600m to 3,200m is around 37%. Therefore, some children will be prepared to walk to Emmbrook School, but it would not be easy or comfortable to do so twice a day. Most would likely rely on a bus, but they would have to walk around 1,000m before reaching the nearest bus stop with a service to the school.
31. In respect of cycling, up to 8,000m (5 miles/30 minutes) is a reasonable radius against which to test the range of facilities within cycling distance of the appeal site¹⁹. Accordingly, the whole of Winnersh and Wokingham is brought within the range of this mode of transport, including rail stations and town centres. Many of the roads around the appeal site appeared to be reasonably flat suburban streets conducive to cycling. Indeed, Danywern Drive and Watmore Lane are promoted²⁰ through My Journey as quiet cycling routes suitable for this mode of transport all year round. Watmore Lane provides a link to Reading Road, which includes a dedicated cycle route, albeit with sections within the carriageway, to both Wokingham and the Winnersh Triangle. Further cycle routes spur off Reading Road and this contributes towards a network. A second access would provide a quick direct route to Reading Road.
32. Consequently, there would be genuine opportunities for residents to travel by bicycle, although this would be notably tempered by an inherent limitation that many residents would not have the fitness, confidence or proficiency to cycle. Furthermore, cyclists may be understandably nervous of cycling along Reading Road due to the volume of traffic. This is demonstrated by relevant guidance²¹. Moreover, I have not been provided with substantive evidence to suggest cycling is a frequently used mode of transport in the local area and some residents may simply not have a bicycle. A voucher may assist, but it would need to be more than the £150 suggested in the draft Travel Plan if a family were to be supported to purchase bikes. As Mr Ormondroyd put it in closing, cycling would be a small part of the 'sustainable transport pie'.
33. There are bus stops in Reading Road and Robin Hood Lane that, in combination, provide a quick and reasonably comprehensive service linking Winnersh with local facilities and larger centres such as Wokingham. The service is better at Reading Road than Robin Hood Lane and a second access

¹⁸ As categorised in Table 6.5 of Mr Thomas' proof

¹⁹ See Paragraph 6.3.11 of the TA, which is undisputed by the Council.

²⁰ ID2

²¹ Local transport Note 1/20, which suggest that cycling becomes more comfortable when traffic flows are below 2,500 per day and speeds are no more than 20mph. Neither applies to Reading Road.

would reduce the walking distance to here from 1,300m to about 1,000m. Although more positive, the distance to bus stops even with a second access into the site would still be longer than the aspirational target walking distance of up to 400m for a high frequency service²². Having to walk longer would likely suppress the use of buses as a genuine transport mode.

34. Accessibility to public transport also needs to factor in the rail station. This is around a 1,000m walk from the centre of the site and provides a comprehensive service. The Council and appellant agree that this is an acceptable walking distance because the return trip would be undertaken sometime later and after a rest. This may explain why Census data indicates that around 19% of residents in Maidensfield travel to work by public transport.
35. In summary, the Framework establishes a movement hierarchy by stating that developments should give priority to pedestrian and cycle movement and then, so far as possible, facilitate access to public transport. This makes perfect sense as personal active travel is the most affordable, resilient and low impact mode of transport. The appeal scheme would not be within a walkable neighbourhood despite the works that would take place to improve pedestrian connectivity²³, and this is a significant limitation to this mode being a genuine transport option. Alternatively, there would be genuine opportunities to cycle, but there would be inherent limitations with the uptake of this mode. As such, most residents of the appeal scheme would not be predisposed to regularly engage in active travel with the benefits this accrues, including to their health. This is an important point against the scheme.
36. That said, the impact would be moderately offset by the availability of some facilities within longer walking distances, which could be accessed occasionally on foot. These longer walks would, on the whole, be along level, lit pavements. Although traffic flows and noise may suppress the attractiveness of some of the routes, such as Reading Road. A second access would also assist in reducing walking journeys to some services, including a convenience store, high frequency bus stop and primary school. The picture regarding public transport is mixed, with bus stops being poorly related to the appeal site but the rail station being accessible. Provision would also be made for ultra-low emission vehicles, but it would likely take a long time before they are universally used due to the cost. The Travel Plan (the My Journey scheme) would also provide some limited assistance in promoting sustainable travel.
37. In conclusion, given the size of the scheme, its location outside a walkable neighbourhood could result in significant harm. However, the impact would be moderately offset by the factors outlined above. It is also important to note that the appeal scheme would be located at Winnersh, which is an MDL, and therefore car journeys to many services would be shorter than elsewhere in the Borough. This sequential point is of some relevance when identifying sites for housing. Overall, siting up to 234 homes at the appeal site would result in a moderate level of social and environmental harm linked to additional car use, including reliance on fossil fuels and undermining the health benefits from active travel. As a result, there would be a conflict with Policies CP1 and CP6 of the CS, which seek to manage the demand and need to travel, by locating development where there will be sustainable travel choices.

²² See CD12.2 and CD12.3

²³ Listed at Paragraph 5.4.1 of the Framework Travel Plan

The landscape character and visual amenity of the countryside

38. The landscape for the purpose of my assessment includes the appeal site and its local context. This includes built features such as the settlement edge of Winnersh, the M4 and the A329(M), including their embankments and roadside fencing. It also incorporates natural or undeveloped features such as a section of the Emm Brook, a pocket of ancient woodland adjoining the appeal site, Winnersh Marsh/Blackberry Gardens and areas of open land between Winnersh and Wokingham, including Old Forest Meadows and allotments.
39. This landscape is identified in the Wokingham Borough Landscape Character Assessment (LCA) as being within Area J1: Wokingham-Winnersh Settled and Farmed Clay. The LCA identifies several key characteristics for Area J1. In particular, the extensive post war growth of Wokingham and Winnersh is identified as a dominate feature, with only small areas of arable fields and recognisable countryside left. The extensive urbanising influence in Area J1 is compounded by abrupt and poorly designed rural-urban interfaces, the presence of major transport corridors²⁴ and recent large-scale development as part of the North Wokingham SDL. The overall landscape condition is therefore understandably identified as often being in 'poor' condition due to fragmentation and lack of distinctiveness.
40. That said, Area J1 does include some valuable landscape attributes. The LCA identifies the Emm Brook, its floodplain and the buffer provided by the undeveloped agricultural fields between Wokingham and Winnersh as such. The appeal site is one of these fields. It also adjoins the Emm Brook, providing an undeveloped setting to this landscape feature. This enhances the water course's sense of ruralness. The Emm Brook, the pocket of ancient woodland alongside and the presence of mature specimen trees within the appeal site, including several Oaks, enhance the condition, sensitivity, and biodiversity value of the landscape above that typically found in Area J1.
41. In this respect, the localised landscape to the southeast of Winnersh between the settlement and the M4 is unrepresentative of the generally more urban character found elsewhere in Area J1. Moreover, the agricultural use of the appeal site is now a relatively rare feature in the landscape character area, and this elevates its landscape value. Indeed, countryside such as the appeal site is defined in the development plan as green infrastructure.
42. In addition, it is still possible to discern aspects of the historic field scape as the boundaries of the appeal site are those established over one hundred years ago when several smaller fields were amalgamated. This, taken with a section of Watmore Lane, which retains a sense of the rural thoroughfare it once was, hint at the landscape's deeply rural origins, as evidenced on ordnance survey maps from the late nineteenth century. This enhances the intactness and condition of the landscape and provides some limit cultural value.
43. Nevertheless, the boundary hedge around the appeal site is fragmented, and the field is mainly poor semi-improved grassland of limited biodiversity interest. Moreover, the localised landscape to the southeast of Winnersh is fragmented by motorways such that it is separated from the countryside northeast of the A329(M). It is therefore viewed as a remnant of countryside broadly enclosed by existing urbanising influences including modern housing

²⁴ Motorways, the rail line and the north Wokingham relief road

estates with properties built close to the field edge, a mobile home park and a strident school building. In addition, the motorways are extremely apparent due to the noise and very conspicuous passage of traffic. As a result, the localised landscape is fragmented and lacks tranquillity.

44. The urban influence also effects the scenic value of the landscape. There is currently a pleasant view from Maidensfield over the gently undulating appeal site down towards the ancient woodland around the Emm Brook. However, the unescapable presence of the motorway, SEN school and adjoining housing means the scenic value is not elevated beyond the ordinary. The same can be said of the other main view of the appeal site from the M4 slip road. Other than the allotments, Old Forest meadow and Winnersh Marsh, there is little public access to the localised landscape for recreation. Moreover, the spatial contribution to the sense of separation between Winnersh and Wokingham is moderate given the physical barrier provided by the M4 corridor.
45. Thus, when having regard to the foregoing characteristics and attributes, the landscape (the site and its context) has a value that is higher than the norm for Area J1. Nevertheless, the Council and appellant agree that the appeal site is not a 'valued landscape' or located within one. This is a sound conclusion when the positive and negative landscape attributes are considered in the round. That said, I lean more toward the Council's categorisation of the landscape as being of ordinary moderate value rather than the appellant suggestion that it is of low value. This is because it contains valuable landscape attributes, such as the Emm Brook and a historic field. It is also untypical, in a positive way, of the urban character that otherwise dominates Area J1.
46. The appeal scheme would be an urbanising incursion into the countryside that would breach a well-established and logical settlement boundary. The agricultural character of the appeal site would also dramatically change, as an open field would become a housing estate. Moreover, the appeal scheme would be a comparatively large body of homes with an inevitable suburban character. This would be due to the extent of developable area that the housing would need to be accommodated within due to constraints such as noise contours, important trees and areas at risk of flooding.
47. Given the comparative rarity of agricultural land in Area J1, the loss would be more keenly felt, especially as the countryside buffer largely provided by the appeal site between the motorway and the edge of Winnersh would, in all practical sense, be largely extinguished. The remaining countryside between Winnersh, as enlarged by the appeal scheme, and the motorways would be a fragmented remnant. Accordingly, the appeal scheme would not adhere to the landscape strategy in the LCA for Area J1, which is to maintain the landscape character by conserving the openness of the fields next to transport corridors.
48. In respect of the latter, the indicative layout demonstrates that a large open space could be provided between the Emm Brook and the new houses. This would provide an open semi natural setting to this landscape feature. However, the open space would include suburban features such as play equipment and a sustainable drainage system. This could be designed to have a soft rural appearance, but the open space would nevertheless be experienced as part of the wider development. Accordingly, the river corridor of the Emm Brook would be moderately suburbanised.

49. There is scope for some mitigation in the form of additional woodland planting, habitat creation and the retention and improvement of the boundary hedges. These are all landscape guidelines for Area J1 that can be explored through the reserved matters, of which landscaping is one. Moreover, the scheme in some respects would be a rounding off of the settlement given the presence of development on three sides. This would provide some containment. However, the overall impact on landscape character would still be net negative even when accounting for these points.
50. Both the Council and appellant agree that there would be harm to the landscape arising from the proposal. There is however divergence over the extent. The Landscape and Visual Impact Assessment (LVIA) suggests a slight adverse impact at year 1 falling to neutral at year 15. The Council on the other hand suggests substantial/moderate adverse effects falling to moderate over the same timescale. This analysis is informed by the quality and sensitivity of the landscape. The appellant scored this as 'low', so the findings of a neutral long-term effect is unsurprising. However, for the reasons given, I consider the LVIA underscores the quality and value of the landscape in which the appeal site is located and forms a dominant and important part. I favour the Council's position that the landscape (the site and its context) is of moderate overall value. It therefore follows that the magnitude of change to landscape character at year 15 would be moderate adverse, in that there would be a noticeable adverse change that cannot be fully mitigated.
51. When considering the visual impact, the Council and appellant agree that the views identified in the LVIA are broadly representative. The LVIA also demonstrates the proposal would have a contained visual envelope due to the enclosure provided by existing development and the embankments and planting around the motorway. It is of particular note that the proposal would not be readily apparent from the sensitive locations of Old Forest Meadows or Winnersh Marsh. Instead, the appeal scheme would mainly be visible from locations around the site boundary such as the SEN school, Wheatfield Primary School and Grovelands. The views from these locations, including some residential properties, are likely to experience substantial changes in the short term. Landscaping could be used to soften the impact over time such that by year 15 the residual effect would be moderate adverse.
52. The view from the gate at the end of Maidensfield (Viewpoint 3 in the LVIA) down towards the Emm Brook is a pleasant vista the appeal scheme would adversely effect. However, the indicative layout shows that an area of open space could be retained close to the access into the site. This would provide a softening effect. It could also be enlarged by removing the cluster of six homes currently shown on the illustrative masterplan (along the northern boundary of the appeal site) dividing the two areas of open space. With such an amendment, a sense of the existing view down towards the Emm Brook and adjoining woodland could be retained. This is one way the existing view from Maidensfield can be recognised in the scheme, but there may be others.
53. The street into the development could also be tree lined and generous front gardens provided to ensure a visual sense of transition between the built-up area and countryside beyond. The interface with the countryside could also be carefully designed with houses to face east over the open space as shown on the indicative layout. This is an aim of Policy CC02 of the LP, albeit for development sites within the settlement limits. It was also confirmed at the

hearing that there is no need for three storey buildings, which would otherwise appear visually dominant. Consequently, there is scope to carefully address the view from Maidensfield so that a sense of the settlement edge would be retained. As such, the visual impact from VP3 could be moderate adverse rather than substantial.

54. For practical reasons the LVIA has not identified a view from the M4 slip road. From this direction the proposal would appear as a stark incursion into the countryside. This is because the edge of Winnersh is generally screened at present by existing hedges. However, there is scope for significant structural landscaping to soften the impact of the development. Feature trees could also be planted within the scheme to break up the roof scape. A muted palette of materials, including dark roofs, could also soften the visual impact. Significantly, the view from the motorway is one where the receptors would be traveling in vehicles at speed and are therefore of lower sensitivity. Moreover, in the wider context there is development along the motorway corridor including fencing and visible housing estates. In this respect, the proposal would not appear significantly out of place. The SEN school also dominates the foreground and is a stark addition given its colour and form. Thus, the visual impact from this direction could also be moderate adverse.
55. In conclusion, the proposal would fail to adhere to the landscape strategy in the LCA and would not maintain or enhance the environment. It would also result in the fragmentation of green infrastructure and a detrimental impact on important landscape features which, in this instance, include the setting of the Emm Brook and the gap between Winnersh and Wokingham. That said, the urban context, contained visual impact and scope for some mitigation through design, including a large open space and further planting, means the overall effect would not be of a high order. The impact would be moderate adverse. Accordingly, the proposal would be at odds with Policies CP1 and CP3 of the CS and Policies CC03 and TB21 of the LP.

Settlement pattern, townscape, legibility, and usability of Maidensfield

56. As already explained, the appeal site encompasses a field enclosed by hedging broadly located between motorways and the abrupt edge of Winnersh. The site is subject to significant urbanising influences, the most evident being the SEN school and motorway. However, it retains a rural overall character. Watmore Lane also has aspects of a rural character, including mature trees that would have been present when it was a quiet country lane. That said, this street is now suburban in appearance when moving north past Maidensfield and its character is heavily influenced by the housing estates that branch off it.
57. Adjacent to the appeal site is development on three sides that includes the residential estates at Grovelands Park, Maidensfield and Winnersh Gate. The pattern of development in these three locations is 'informal suburban' as defined in the Borough Design Guide²⁵. They broadly comprise of cul-de-sacs with further small clusters of housing branching off. The houses²⁶ are generally two storeys tall and arranged in differing plot sizes and shapes. This results in variable building lines and several instances of fencing adjacent to the street. The overall effect is street scenes with little composition.

²⁵ CD6.6

²⁶ The homes nearest to the appeal site in Grovelands Park include a mix of single storey park homes and others arranged over two storeys.

58. Considering the above, the appeal site and its immediate environs incorporates both rural and suburban features. Indeed, the urban character found around the Robin Hood Lane/Reading Road crossroads gives way to a more 'formal suburban' character (using the terminology in the Borough Design Guide) in Danywern Drive. There is then a sense of the settlement tapering off into the countryside when reaching Watmore Lane and after this the informal edge of settlement character of Maidensfield, which then opens into countryside. The hierarchy of streets and spaces is intuitive, legible and easy to understand when travelling to and from the centre of Winnersh. Indeed, it is fair to say that Maidensfield is not currently designed to be a through road or signal the presence of a large housing development to its east.
59. The appeal scheme would be the single largest grouping of homes in the area. It would also be developed at a density greater than Maidensfield – 34 dwellings per hectare (dph) compared with 24dph²⁷. The density may eventually increase even further to address some of the understandable concerns raised by Ms Crafer, including the proximity of some of the homes to protected trees and boundary hedges²⁸.
60. The indicative layout shows a scheme that would be 'formal suburban' in character due to the use of consistent building lines and garden depths. Street trees would be used to provide greenery, but they would appear regimented and formal. Moreover, the indicative layout would lack any meaningful sense of a tapering off into the countryside because front garden depths, levels of planting and the massing and height of buildings would remain broadly the same throughout. Significantly, the layout shows two and half and three storey buildings, which Mr Williams' own townscape analysis indicates are almost entirely absent from the wider area. As a result, the scheme as outlined in the indicative layout would be larger, denser, taller and more compact than its surroundings. Such an approach could jar with Maidensfield, disrupt the legibility of the local street hierarchy and harm the settlement pattern of the area.
61. However, the indicative layout is just that. The scheme need not come forward in the way currently suggested. Indeed, Mr Williams confirmed that the provision of two and half and three storey buildings as shown in the indicative layout was a choice rather than being required to fit the scheme in. As a result, the proposal could (and should in my view) ultimately come forward with no building exceeding two storeys in height. In this respect, the scheme would respond better to the existing townscape by not being taller than it, which would otherwise appear odd on the settlement edge.
62. The provision of an informal central open space, as well as 'parkland' near the site entrance around mature Oak trees, could replicate the open space at Eastbury Park. Tree lined streets and hedged front gardens would also link these areas of open space and hint at the character of Watmore Lane, especially if space is provided to allow some specimen trees to reach a similar stature. To meet the Framework's requirement that all streets are tree lined, it is likely that more trees will need to be provided than is currently shown on the

²⁷ ID13

²⁸ I share the concern of Ms Crafer that the illustrative layout shows houses too close to important trees on the western boundary of the appeal site. Indeed, the proximity would create a nuisance through branch shedding and leaf litter and interrupt day and sunlight to gardens and properties. Siting five homes in the northeastern corner in the way shown on the illustrative layout would be especially problematic.

illustrative site layout plan. This would provide further greening of the scheme. An informal 'village green' could provide a subtle and attractive centre to the development. This would aid legibility rather than provide an incongruous local centre on the edge of the village.

63. Accordingly, there is scope to incorporate significant levels of greenery to soften the overall form of the proposal and thus ensure a discordant 'density clash' with Maidensfield and Winnersh Gate does not occur. This would allow the scheme to respect the current settlement edge character and street hierarchy. I am also mindful that land needs to be used efficiently and that a contemporary scheme should exhibit current good practice in urban design. For these reasons, it would not be appropriate to replicate Maidensfield.
64. That said, there would still be scope to design the link with Maidensfield respectfully by referencing the existing view towards the Emm Brook. Such an approach would allow Maidensfield to retain a semblance of being on the settlement edge. In a similar vein there would be scope to soften the transition from Maidensfield into the scheme by loosening the density at the site entrance, perhaps with a small pocket of landscaping, so that it would not appear as stark as shown in Viewpoint 2²⁹. Indeed, the scheme could be designed with a green gateway and similar building heights to Maidensfield. This may require the density to be increased elsewhere, probably to the south of the scheme, but this part of the site is influenced by the large SEN school.
65. When considered in the round, I am satisfied a scheme could come forward which could successfully integrate with the townscape and settlement pattern of Winnersh by being suburban with a leafy settlement edge character. In doing so it would respect the hierarchy of streets and provide sufficient legibility. Indeed, the high level HELAA³⁰ assessment concluded that development of the appeal site would be a logical extension of Winnersh. Arriving at a successful design would be a challenge and may require some imaginative thinking rather than a standardised approach. The Framework advocates the use of design tools to assist with this, including design review. Taking the foregoing points together, an appropriate well-designed scheme would not be inherently unachievable.
66. Turning to the Council's other concerns regarding the usability and sense of place of Maidensfield. The Council in this respect has concerns about the increased level of activity, which in turn would require some works within the highway. These works would involve painting 'give way' lines to the spurs off Maidensfield, such as Eastbury Park, and the provision of tactile paving and dropped kerb crossing points. But they would not appear out of place in a suburban context and would not be harmful as a result.
67. When giving his evidence, Mr Adams conceded that access through Maidensfield would not be suboptimal when considering traffic volumes³¹ and speeds³². He also agreed that a 5.5m road width would be acceptable and this would allow motorists, including HGVs and refuse vehicles, to safely pass one

²⁹ Viewpoint 2 shows a house squeezed in next to 2 Eastbury Park

³⁰ Housing and Economic Land Availability Assessment 2021

³¹ Daily traffic levels in Maidensfield would be around 1,700, which is well below the threshold (2,500) where cyclists would not wish to cycle in the road as indicated in CD9.6. This is indicative of a lightly trafficked street. A 5.5m wide road such as Maidensfield is also capable of accommodating up to 500 homes when applying Table A1 in the Council's Living Streets: Highway Design Guide

³² Maidensfield current has speeds of around 20mph and the appeal scheme would be designed to achieve this

another despite on street parking. He was unconcerned by emergency access and ultimately agreed that Maidensfield would be conducive to cycling. The common ground between the highway experts is a matter of significant weight that indicates access from Maidensfield would be safe and suitable in highway terms. The Council's residual concerns with the usability of Maidensfield ultimately boil down to the use of the open space in Eastbury Park and the volume of traffic changing the character of Maidensfield.

68. Eastbury Park is a small informal space that does not include play equipment. Its size and the number of mature trees means that it is unlikely to be regularly used as a kick about area or such like. As a result, the space is likely to be predominantly ornamental. In these terms the proposal would have little effect on the usability of the space. That said, even if it is used as a play area, Eastbury Park could be safely access from pavements, which also provide a buffer with moving traffic. The risk of children running into the street would not be high. In addition, traffic movements would not be so regular as to prevent safe road crossings. Moreover, any risk must also be considered in the context that the appeal scheme would provide a larger area of open space that children would be more likely to visit and play at.
69. Maidensfield is currently a quiet cul-de-sac and in this respect has the characteristics of a tertiary street as defined in Living Streets³³. The illustrative layout shows the spine road in the development would have characteristics of a secondary street on account of its width. As a result, the relationship could be characterised as Maidensfield being a tertiary street linking two secondary streets (Watmore Lane and the appeal site). However, Maidensfield has a 5.5m wide carriageway with 2m pavements either side and therefore has features of a secondary street. Moreover, the appeal scheme could be designed to ensure a design speed of 20mph thereby exhibiting a characteristic of a tertiary street. This could be reinforced with generous planting. Accordingly, the appeal scheme could incorporate a mixed secondary/tertiary street character that would integrate with Maidensfield.
70. The level of traffic in Maidensfield would increase from 335 movements a day to a combined total of 1,709 (existing and proposed flows). Most of this would be through traffic, which by definition would significantly change the current character of Maidensfield as a cul-de-sac. In the peak hour the flow would go from approximately one movement every two minutes to about one every 22 seconds if all development traffic used Maidensfield. This would be a noticeable increase in vehicle movements.
71. Local Transport Note 1/20 states that streets with less than 2,500 vehicle movements per day are conducive to comfortable on street cycling³⁴. The traffic flows after the completion of the appeal scheme would be well below this. This indicates that traffic flows in Maidensfield would not be relatively high. Moreover, when applying IEMA³⁵ guidance for traffic volumes and speeds, the fear and intimidation score upon pedestrians would be 'small' in Maidensfield, which is also indicative of a lightly trafficked street. In essence, Maidensfield would remain a suburban street.

³³ Table A1

³⁴ CD9.6 Paragraph 7.1.1

³⁵ CD9.5 - Table 3.1 and 3.2, Environmental Assessment of Traffic and Movement - Institute of Environmental Management and Assessment Guidance

72. However, if all development traffic passed through Maidensfield then it would not retain the existing character of a quiet cul-de-sac. In this respect, the provision of a second access to the south of the site would likely reduce the number of movements passing through Maidensfield, as it would be the more direct route into Wokingham. An analysis agreed between the appellant and Council indicated that the increase in vehicle movements along Maidensfield for 111 occupied houses would equate to approximately 1 extra vehicle per minute at peak times. This level of use would be more conducive to a quiet residential street. Maidensfield would not remain a cul-de-sac, but this level of traffic would not significantly alter its character and sense of place. This adds further weight to my conclusion that a second access is necessary to make the development acceptable. Overall, I am satisfied that the usability and sense of place of Maidensfield would not be harmed.
73. In conclusion, the proposal need not harm the settlement pattern and townscape of Winnersh, the legibility of the local street hierarchy or the usability and sense of place of Maidensfield. Accordingly, in this respect the character and appearance of the area would be preserved and therefore a conflict with Policies CP1 and CP3, as supported by the Borough Design Guide Supplementary Planning Document, which seek to preserve local character, would not occur in respect of this main issue.

Other Matters

Planning Obligation

74. *Affordable Housing* – In this instance, Policy CP5 of the CS requires 40% affordable housing. There is nothing before me to suggest provision at this level would be unviable. The appellant's own evidence also identifies the acute need for this type of housing. Accordingly, the appellant does not dispute the necessity of securing affordable housing to make the scheme acceptable. Provision is therefore made through the planning obligation.
75. *Employment Skills Plan* – Policy TB12 of the Local Plan requires all major development in the borough to be accompanied by an employment skills plan or a financial contribution in lieu of this. The contribution is calculated with reference to a logical methodology informed by estimated construction costs and benchmarks supplied by the Construction Industry Training Board. The appellant agrees with the Council that the scheme needs to make provision through the planning obligation to make the proposal acceptable.
76. *Allotments* – Policy TB08 requires the provision of allotments at 0.52ha per 1000 people. It states that such provision should be on site. This is entirely rational as the allotments should be positioned as close to the new residents as possible as they would increase the demand. Moreover, facilities such as this can help foster a sense of community. The supporting text to policy TB08 states that a financial contribution can be made to allotment provision if the appellant can demonstrate that on site provision cannot be accommodated. The appellant has not made this case and it would be hard to do so given the over provision of open space. Accordingly, the planning obligation addresses this by allowing the developer to elect to provide allotments on site or make a financial contribution. That decision would be informed by whether the Council requires on site provision as part of the reserved matters.

77. *Offsite Sport and Recreation* – To support health and wellbeing, Policy TB08 of the CS also requires the provision of sport and recreation facilities. Like with allotments, these should be provided on site in the first instance. However, providing sport and recreation at a combined facility would result in overall betterment in the quality of what is provided. In this respect, the Council are seeking a contribution towards developing a sports hub at Greys Fruit Farm. This would be some distance from the appeal site, but on balance it would satisfy the requirements of Policy TB08. Again, the appellant raises no objection and therefore provision is made through the obligation.
78. *Sustainable transport contribution* – This includes financial contributions toward improving bus stops and the My Journey travel plan initiative. Both are required to promote sustainable transport pursuant to Policies CP4 and CP6 of the CS and Paragraph 117 of the Framework. This will help to offset some of the adverse issues I have identified earlier. The appellant is seeking to provide the contributions as the need is not disputed. This provision would be secured through the planning obligation.
79. *Estate Roads* – To ensure appropriate accessibility to individual properties in accordance with Policies CP1 and CP3 of the CS, the Council has sought a deed that would require the estate roads to be offered for adoption to the Local Highway Authority or maintained via a management company. The appellant has not objected to this and therefore it would be secured through the planning obligation.
80. Given the above analysis, the obligations identified above are necessary to make the development acceptable when applying the requirements of the development plan and are directly, fairly and reasonably related in scale and kind to the proposal and its impacts. As a result, I can take them into account.

Conditions

81. I have had regard to the advice in the Planning Practice Guide (PPG) and the suggested conditions³⁶. In addition to commencement conditions, it is necessary to define the reserved matters and require their approval. These include aspects of access. A drawings condition relating to the position and design of the access from Maidensfield is necessary in the interests of certainty and highway safety. This is supplemented by a further condition requiring the approval of some residual details relating to the access.
82. To support sustainable transport, it is necessary to secure pedestrian crossing improvements. It is necessary to secure the approval of a Construction Method Statement in the interests of highway safety and living conditions. To prevent a risk of flooding it is necessary to secure a drainage strategy. To protect as yet unknown archaeology, it is necessary to secure a written scheme of investigation. Given the presence of important trees and hedging, it is necessary to secure an Arboricultural Method Statement.
83. Landscaping is a reserved matter, but it is nevertheless necessary to secure replacement of any failed planting within five years of the completion of the development. Further conditions could be imposed at the reserved matters to deal with the management of boundary hedgerows if this is considered necessary once the final layout is clear.

³⁶ ID15

84. In the interests of wildlife, it is necessary to secure a 10% net gain in biodiversity, reptile mitigation and the preparation of a Landscape Environmental Management Plan. Given the noise from the motorway it is necessary to secure mitigation to safeguard living conditions. To secure adequate foul water drainage, it is necessary to prevent occupation until the necessary infrastructure is in place or a phasing plan approved. To protect living conditions, it is necessary to secure the appropriate remediation of any unexpected contamination. In the interests of mitigating some of the impacts on climate change, it is necessary to secure development in accordance with the principles set out in the energy report and sustainability statement. I have already explained why a second access is necessary and why this can be secured by condition. To secure a benefit of the scheme it is necessary to set the minimum level of open space above that ordinarily required by development plan policies.

The residual concerns of interested parties

85. Several interested parties have raised concerns that the appeal scheme would harm highway safety and would result in congestion. However, the appellant, through their highway consultants, have submitted a Statement of Common Ground (SOCG)³⁷ with the Local Highway Authority (LHA) relating to highway safety and transport matters. Substantive technical evidence is not before me that would justify departing from these expert views in this instance, which were based on a detailed analysis set out in a Transport Assessment. The proposal has also been subject to a successful Road Safety Audit.
86. In particular, the highway evidence before me, including the SOCG, demonstrates that visibility splays would adhere to the standards in Manual for Streets. Following careful analysis, it has been established that there are no traffic capacity constraints, and the area has a good highway safety record. These points strongly indicate that the scheme's traffic can be absorbed.
87. The impacts from construction traffic will be addressed through a management plan. Modelling of the traffic impacts on several off-site junctions confirm that there would only be a negligible increase in queuing. This would be considerably below the 'severe' test set by the Framework. Overall, the proposal would not result in a harmful impact on highway safety and capacity.
88. Paragraph 161 of the Framework explains that to avoid flood risk to people and property, a sequential, risk-based approach to the location of *development* should be taken to flood risk from all sources, and that this should be done by applying the sequential test. The PPG states that only if a *site* is in an area at a low risk of flooding from all sources should the sequential test not be undertaken³⁸. Neither 'development' nor 'site' exclusively mean the area that would contain buildings. A housing scheme such as this requires open space and drainage infrastructure to be acceptable, and these elements within the 'site' form part of the 'development'.
89. When considering the flood risk of the site, the Environment Agency's flood map identifies large areas of the appeal site as being at medium to high risk of flooding from the Emm Brook. The area covered would be most of the open space to the east, which would include drainage features. The Flood Risk

³⁷ CD16.2

³⁸ Planning Practice Guide - Paragraph: 027 Reference ID: 7-027-20220825

Assessment has considered this further and has demonstrated that the Environment Agency's flood map overestimates the extent of the flood zone. I have no reason to doubt this technical assessment and the Environment Agency have not raised any concerns. As a result, only the area of the site immediately adjoining the Emm Brook would be in the flood zone. This area is likely to be used for planting and habitat enhancements. Importantly, it would not be used for attenuation basins or play space.

90. It cannot be said that the *site or development* would be in an area of low risk of flooding from all sources. A case could therefore be made for applying the sequential test. The Council has not applied a sequential test because the area at risk of flooding is 'water compatible' as defined in Annex 3 of the Framework. Nevertheless, these classifications are intended to inform the application of the exceptions test³⁹, which is only relevant if the sequential test is passed. Similarly, applying a sequential approach to development within the site does not negate the need for the site to be subject to a sequential test⁴⁰.
91. However, I share the view of the Council and appellant that it is a matter of planning judgment whether a sequential test should be applied having regard to the circumstances. In this instance the area of the site at risk of flooding is small and would not contain any significant part of the development that could be adversely affected by flood water, including flood storage areas or play spaces. Therefore, a sequential test would serve little purpose. Indeed, the area at risk of flooding could be omitted from the site with little consequence. As a result, I am satisfied that a sequential test would be unnecessary.
92. In coming to this view, I am mindful that the surface water drainage system would discharge surface water into the Emm Brook, even during fluvial flooding events. However, the flows would be managed to existing rates and therefore the risk of flooding would not be increased. The outfall would also be raised above the level of the 1 in 100 flood year event so the risk of backwater effects would be negligible. The drainage system has also been designed to be resilient to severe flood events. The Lead Local Flood Authority have not raised any objections to the outline drainage strategy, and I have no reason to reach a different view in this instance.
93. At my request the appellant has provided a further technical note on noise impacts given the proximity of the motorway⁴¹. The note discussed the evidence already submitted in the context of several written questions I asked after the Case Management Conference. The technical note explains that if a scheme along the lines of the illustrative layout is ultimately proposed, then around 50 homes would need additional acoustic measures to provide appropriate internal and external living conditions.
94. The mitigation would include fencing to screen road noise in gardens and the use of thermal double glazing and ventilation system to secure internal noise and cooling. Importantly, the double-glazed windows would also provide some noise mitigation when open to the extent that sleep would not be disturbed. As a result, future residents could choose to open a window or rely on an alternative ventilation system. The analysis has been provided by an expert

³⁹ Planning Practice Guide - Paragraph: 079 Reference ID: 7-079-20220825

⁴⁰ See Paragraph 173 of the Framework – an internal sequential approach only applies once the overall sequential test has been passed.

⁴¹ The appellant provided an updated technical note from an acoustician on this matter appended to CD15.1

acoustic engineer and has been reviewed by the Council's Environmental Health Team. I have no reason to doubt the conclusion that living conditions would be acceptable in terms of noise and ventilation.

95. Substantive evidence is not before me to demonstrate that the appeal scheme would have a significant adverse impact on air quality or that local education and health infrastructure could not accommodate the additional demand arising from the appeal scheme. Thames Water has confirmed that its infrastructure once upgraded would have capacity for the proposal. The evidence before me, including an Ecological Impact Assessment, which is undisputed by the Council, demonstrates that the proposal would not have a significant impact on wildlife and would achieve a net gain in biodiversity. The proposal could be designed at the reserved matters stage to preserve the living conditions of neighbours. The impacts on the living conditions of the residents of adjoining properties would require particular care to ensure privacy and outlook is not harmed.

Other Considerations

96. The appellant and Council agree that the proposal would be at odds with the development plan taken as a whole. A proposal should be determined in accordance with the development plan unless material considerations indicate otherwise. The benefits of the scheme are important material considerations to examine, as is the Framework.

The benefits of the proposal

97. There is agreement⁴² that the Council is currently able to demonstrate only 3.2 years of housing land supply against a four-year requirement, which equates to around a 635-home shortfall. The delivery of housing is therefore a benefit of the scheme as it would provide a very sizeable contribution to addressing the shortfall. Indeed, it could account for about a third of it.
98. However, on every relevant⁴³ measure⁴⁴ the Council has over delivered by some way since 2006/7. For instance, on the highest measure⁴⁵ the Council has delivered 10,393 homes against a need for 8,560. The performance against the Housing Delivery test has been exceptional, with the measurement since 2018 being as high as 205% and not lower than 157%.
99. Evidence supplied by the Council indicates that significantly boosting the supply of housing in recent years has not in itself stabilised or reduced house prices. In truth, they have continued to rise sharply. Indeed, if house prices were dictated solely by supply, then Wokingham should, in theory, have seen a reduction in house prices given the extensive scale of delivery in recent years. This in turn should have stabilised or lowered the housing requirement significantly, but that has not been the case.
100. Because of this, the Council and appellant ultimately agreed at the Inquiry that the affordability adjustment in the standard method should not be the sole means of accounting for past over delivery in my assessment. Recent statements by the Government reinforce this position⁴⁶. Instead, it was agreed

⁴² ID9

⁴³ Mr Austin Fell ultimately agreed that the delivery of affordable housing is not a proxy for measuring the Council's overall performance in respect of housing delivery.

⁴⁴ The CS requirement, Objectively Assessed Need, SHMA Sensitivity Testing and Local Housing Need

⁴⁵ Objectivity Assessed Need from the Strategic Housing Market Assessment (2016),

⁴⁶ See Mr Church's Proof, Paragraphs 3.22 – 3.24

by the Council and appellant that over-delivery is capable of being a separate material consideration which can be factored into the weight that should be given to housing delivery as a benefit. Indeed, other Inspectors have taken this approach, including the Inspector in the Lodge Road appeal⁴⁷.

101. Mr Church has provided an analysis⁴⁸ that illustrates one way in which over-supply can be factored into an assessment of the overall housing land supply. The Council does not seek to advance this analysis as its housing land supply position though⁴⁹. It is simply an attempt to demonstrate that if over supply is factored in, then the situation would be more positive. I am also mindful that the current shortfall of around 635 dwellings is overshadowed by the historic over delivery. Considering these points together, the weight I afford to the benefit of housing delivery arising from the appeal scheme is tempered.
102. Moreover, the Council are in the process of preparing a new Local Plan. The current timetable for adoption is towards the end of 2025. Consequently, even when allowing for some moderate slippages in the programme, the adoption of the new local plan is unlikely to be far off. The proposal would therefore only assist in bridging a short-term supply gap between a period of considerable over delivery and the adoption of a new Local Plan, which will need to re-establish an adequate strategy for delivering the housing requirement.
103. Furthermore, there is some doubt over the extent to which the appeal scheme would actually bridge this gap. Evidence provided by the Council⁵⁰ indicates that schemes of between 100-249 homes take on average 46 months from outline planning permission being granted to the first house sale occurring. Then after that, the average build out is around 50 dwellings a year. Therefore, it is possible the proposal would provide only a handful of homes towards the four-year supply and that most of the homes would come forward once the new local plan is in place. I am also mindful that the scheme cannot be considered 'deliverable', and thus count towards the four-year supply, until there is 'clear evidence' that housing completions would occur within the relevant period. Such clear evidence was not presented at the Inquiry and may not occur for a couple of years with the approval of all reserved matters.
104. That said, the appellant is a volume house builder rather than a land promoter and could therefore move quickly towards applying for reserved matters. Mr Shepherds' analysis was that first completions could occur in 2026 with perhaps 100 homes delivered a year after that. However, I have not been provided with substantive evidence that this is the appellant's usual rate of delivery. It seems optimistic given the Council's analysis above. Moreover, I have already explained that there will be some challenges in devising an acceptable design and the need for a second access may slow progress. That said, reducing the period permitted to submit reserved matters and then commence development may speed up delivery⁵¹.
105. The housing requirement is expressed as a minimum and therefore providing housing in addition to this would still be a benefit given the wider need for housing. However, the points outlined above significantly temper the benefit.

⁴⁷ CD8.1, see also Section 5 of Mr Church's proof

⁴⁸ CD10.4 Table 5

⁴⁹ Its current position is set out in CD17.3

⁵⁰ CD17.3

⁵¹ This is advocated by Paragraph 81 of the Framework

Overall, the contribution towards housing land supply is a matter of moderate weight in favour of the proposal.

106. The appeal scheme would deliver 40% affordable housing (up to 94 homes). This is a discrete benefit of the scheme as the housing would be addressing a specific need. The appeal scheme would provide a large contribution to the supply of affordable housing, the benefits of which are set out in Mr Stacey's evidence. Supply of this type of housing is not keeping up with the growing need, which is increasing on account of high house and rental prices and stagnant wages. The affordability ratio has increased from around 8 times medium salaries in 2006 to something now approaching 13 times. This means that some people cannot afford to purchase a home and others to rent. Mr Stacey fairly describes the situation as an affordable housing crisis. The CS identified an 'exceptional need'⁵² as long ago as 2010.
107. To combat this, the Local Housing Needs Assessment 2019 (LHNA) identified a need for 403 affordable homes in the borough every year up to 2036. The appellant suggests that in the short term this would need to increase to 487 homes a year if the past shortfall was to be made up in the next five years. However, in the next five years the Council expects to deliver only 570 homes in total. A further 1,156 homes are in the pipeline beyond this. These are gross figures though, which do not account for losses through Right to Buy, which has been of note to date⁵³. Accordingly, the indications are that the Council will not come close to meeting the need identified in the LHNA.
108. The emerging Local Plan will likely seek to deliver more affordable housing. However, previous trends have shown that delivery has only averaged 23% of total housing completions since 2006/7. Going forward, affordable housing would likely need to exceed 50% of all housing completions to achieve 403-487 affordable homes each year⁵⁴, but it is unclear if this would be viable. Moreover, not all housing schemes will provide affordable housing because they fall below the local threshold triggering the requirement (of five homes). The implication of this is that in recent years the Council has only achieved delivery of affordable housing at around 487 homes a year when total net completions were over 1,500 a year. Such a level of annual growth up to 2036 is unlikely to be a sustainable or achievable means of meeting affordable housing needs because it is twice the Objectively Assessed Need for total housing completions.
109. The above analysis demonstrates that to a large extent, the ability to meet affordable housing need is outside the control of the Council. In recognition of this there is no legal or policy requirement that requires the Council to fully meet the affordable housing needs in its area. Mr Stacey's analysis focusses on the need for affordable housing but does not identify a reasonable and realistic delivery target that factors in the inherent difficulties and constraints in addressing the need. He also conceded that the Council were doing what it reasonably could to address affordable housing need, which has included the preparation of a housing strategy and adopting a low threshold for triggering the requirement for affordable housing. This may explain why the Council has delivered relatively well when compared with other authorities in Berkshire.

⁵² Paragraph 4.34 of the CS

⁵³ Around 115 homes between 2006 and 2022, which is about 7 a year

⁵⁴ Assuming an Objectively Assessed Need (OAN) of around 801 homes a year as set out in Mr Church's Proof

110. To this end the Council submit that its performance on affordable housing delivery should be considered against what is realistic. In this respect, it looks to address those most in need. The analysis provided in the LHNA indicates that around 100 homes are required per annum up to 2036 to address the most acute need – those unable to rent or buy. Mr Stacey's analysis is that, based on past trends, the Council will deliver around 161 affordable homes a year over the next five years. The Council has averaged 177 since 2006/07. This level of delivery would meet the acute affordable housing need with some head room. On this measure, the Council's performance would be strong and therefore it submits that the weight given to affordable housing delivery should be tempered.
111. There is some traction to the Council's argument as it can only do so much. Moreover, the Council's inability to meet an apparently unassailable affordable housing need could consistently be used to justify departing from the spatial strategy, and thus undermine the public benefit of a plan led system. However, I am conscious that even if the Council is taken to be performing well when assessed against a realistic measure, there would still be a large residual need for affordable housing in the borough. In fact, supply would still be short of need by some way, with some of the real-world consequences that will flow from this⁵⁵. As such, and when considered in the round, the sizeable contribution to the provision of affordable housing would still be a notable benefit which attracts more weight than suggested by the Council but less than advocated by the appellant. I afford the matter significant weight, although it would not be a determinative benefit on its own.
112. The Council and appellant agree that moderate weight should be given to the economic benefits of the scheme, including construction and post occupation spending. I have no reason to disagree. In a similar way to affordable housing, achieving a net gain to biodiversity is a policy requirement that secures a benefit. However, I have not been provided with substantive evidence to suggest that a 10% net gain in this instance would, in absolute terms, result in anything more than a benefit of limited weight even when accounting for the pressing need to improve biodiversity.
113. The provision of public open space would also be a benefit as it would be a large area that could serve more than just the future residents of the appeal scheme. Indeed, the open space would exceed policy requirements, although that is partly a product of site constraints ranging from noise, drainage, flooding and tree protection. Moreover, the eastern area of open space would be dominated by drainage infrastructure thereby reducing its usability as somewhere to play. It would also be close to a noisy motorway and tucked towards the back of the site. The provision of open space would also be one form of green infrastructure that would replace another (the appeal site as countryside). These factors result in open space provision being a benefit of moderate weight. When considered cumulatively, the overall benefits of the scheme collectively carry significant positive weight in its favour.

Whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits

114. Policy CC01 of the LP sets out an approach for considering applications under a presumption in favour of sustainable development. However, the wording in

⁵⁵ Mr Stacey's Proof, Section 3

this policy is inconsistent with the Framework in some significant respects. Consequently, it would instead be prudent to apply the presumption in favour of sustainable development as set out in Paragraph 11 of the most recent version of the Framework. This states that when a Council cannot demonstrate an adequate housing land supply, as is the case here, then permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when considered against the policies in the Framework taken as a whole⁵⁶.

115. The adverse impacts of the proposal would be a conflict with the spatial strategy in the development plan, a moderately adverse impact on the landscape of the countryside and a moderate level of harm flowing from the limitations around access to services and facilities.
116. The conflict with the spatial strategy needs to be considered in the context that a strict application of the settlement limits would frustrate attempts to remedy the housing land supply shortfall and thus significantly boost the supply of housing going forward. The absence of a five-year housing land supply is an indication that the spatial strategy is running out of steam and requires updating. To this end, it is likely the emerging local plan will look to allocate more housing sites in the countryside. Indeed, the appeal site is currently allocated for housing in the draft plan. This document carries only limited weight at present, but it indicates that housing beyond settlement boundaries will probably be necessary. If housing in the countryside is to come forward, then the appeal site is a reasonable candidate given that the harm from breaching the settlement boundary would not be of a high order for the reasons I have already outlined.
117. That said, the settlement boundary around Winnersh is logically drawn and there is nothing in the Framework that states they should not be used. Furthermore, the spatial strategy has delivered well up until recently. As a result, the approach in the spatial strategy is broadly consistent with the Framework as it seeks to balance conflicting priorities including housing delivery, promotion of sustainable transport and recognition of the character and beauty of the countryside. Overall, and in the context of this appeal, I attached moderate weight to the conflict with the spatial strategy in the development plan.
118. Paragraph 180 of the Framework states that planning decisions should contribute to, and enhance, the natural and local environment by recognising the intrinsic character and beauty of the countryside. Ms Crafer explained that in her view, this means recognising the influence of the countryside on the local context and what it provides to the character of the area, which is a helpful way to put it. In this respect, I fail to see how the appeal scheme would do this, as the proposal would undermine the rural influence and sense of place provided by the appeal site to this part of Winnersh. Therefore, the proposal would not recognise the intrinsic character and beauty of the countryside. The harm to the local landscape character would also result in a conflict with Paragraph 135c) of the Framework and its aim for developments be sympathetic to local landscapes.

⁵⁶ In this instance the application of policies in the Framework that protect areas or asset do not provide a clear reason for refusal

119. Nevertheless, for the reasons already set out, the harm to the landscape would be of only a moderate magnitude because many of the landscape features of note could be retained and enhanced, such as the boundary hedgerows and to some extent the open setting of the Emm Brook. I am also mindful that if housing is to be developed in the countryside, which seems to be the direction of travel, then some local urbanisation will be inevitable. In this instance, the harm arising from the urbanisation of the appeal site would be contained by surrounding development. As a result, the moderate harm, and the conflict with national and development plan policies flowing from this, also attracts moderate weight against the proposal.
120. Added to this there would be harm arising from access to services and facilities on foot not being a genuine transport choice. However, this would be partially offset by the ability to cycle, walk longer distances on occasion and use local rail and bus services. The moderate harm, and the conflict with national and development plan policies flowing from this, also attracts moderate weight. Taken together, the adverse impacts of the proposal collectively carry significant weight against the appeal scheme.
121. Paragraph 11d) of the Framework starts with the premise that a proposal should be granted in circumstances where a five-year housing land supply cannot be demonstrated. In this instance, that presumption can only be displaced if the adverse impacts of the scheme would significantly and demonstrably outweigh its benefits. This 'tilted balance' has therefore been designed to authorise harm because of the importance the Government places on housing delivery. The appeal scheme would collectively have benefits of significant weight that would deliver positively against several policies in the Framework⁵⁷. Against this there would be harm that collectively carries significant weight in the context of other policies in the Framework⁵⁸, as well as the development plan.
122. In conclusion, the adverse impacts of the appeal scheme would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Accordingly, on this occasion other considerations indicate the decision should be taken otherwise than in accordance with the development plan. This is a material consideration of determinative weight in this instance.

Conclusion

123. The appeal scheme would conflict with the development plan taken as a whole. However, in this instance material considerations, namely the Framework, indicate that the appeal should be determined otherwise than in accordance with the development plan. Accordingly, when having regard to all issues raised, I conclude that the appeal should be allowed.

Graham Chamberlain
INSPECTOR

⁵⁷ Including Paragraphs 60, 63, 77, 85, 102 and 158

⁵⁸ Including Paragraphs 20, 109, 157 and 180

APPEARANCES

FOR THE APPELLANT:

Peter Goatley KC and Jessica Allen, Counsel for the appellant
instructed by Stantec

Called:

Ben Thomas BSc (Hons) MSc MCIHT CMILT	Associate Partner, i-Transport
Andrew Williams Dip LA Dip (Urban Design)	Director, Define
Clive Self Dip LA, CMLI, MA (Urban Design)	Managing Director, CSA
Cameron Austin-Fell BA (Hons) MA TP MRTPI	Planning Director RPS
James Stacey BA (Hons) Dip TP MRTPI	Managing Director, Tetlow King
Robin Shepherd BSC (Hons) Dip TP MRTPI	Director, Stantec

FOR THE LOCAL PLANNING AUTHORITY:

Cain Ormondroyd, Counsel for the Local Planning Authority
Instructed by Head of Legal, Wokingham Borough Council

Called:

Gordon Adams BA Dip Econ MA FCIHT MILT Engineer	Principal Development Control
Bridget Crafer BA (Hons) Dip LA PG Urban Design	Landscape Architect
Ian Church BA(Hons) MA MRTPI	Local Plan Manager
Laura Ashton MRTPI	Director LAUK Planning Ltd
Lyndsay Jennings	Solicitor
Raymond Barry	Green Infrastructure Officer

INTERESTED PERSONS

Cllr Prue Bray

INQUIRY DOCUMENTS

The following is a list of documents submitted at the Inquiry

CD17.1	LPA's opening submissions
CD17.2	Appellant's opening submissions
CD17.3	Updated Housing Land Supply Position Statement 26 Jan 2024
ID1	Statement from Cllr Prue Bray
ID2	Wokingham Borough Cycle Routes
ID3	Illustrative Masterplan, Winnersh Farm
ID4	Winnersh Farm Design and Access Statement
ID5	Winnersh Farm, Landscape and Open Space Plan
ID6	Committee Report pertaining to the application for the adjacent SEN School
ID7	Note relating to Traffic Flows in Danywern Drive and Watmore Lane agreed by the Council and appellant
ID8	Density note agreed by the Council and appellant
ID9	Housing land supply note agreed by the Council and appellant
ID10	Addendum to the suggested site visit route
ID11	Final draft of the Planning Obligation
ID12	LPA's closing submissions
ID13	Appellant's closing submissions
ID14	Copy of executed planning obligation
ID15	Final list of suggested planning conditions

SCHEDULE OF PLANNING CONDITIONS

1. A) All applications for approval of the reserved matters shall be made to the local planning authority not later than 2 years from the date of this permission.

B) The development hereby permitted shall be begun not later than 1 years from the date of approval of the last of the reserved matters to be approved.
2. Details of the appearance, landscaping, layout, scale, access (other than from Maidensfield) (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority prior to the commencement of development and the development shall be carried out as approved.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (titled Land off Watmore Lane Winnersh, Jan 2023, scale 1:1250 by JAS plan services) and Access Plan (drawing number: ITB6076-GA-005 Revision H).
4. Prior to the commencement of development, full details of the construction of the access off Maidensfield and the pedestrian crossing shown in principle on drawing number: ITB6076-GA-005 Revision H including levels, widths, construction materials, depths of construction, surface water drainage, boundary treatment, landscaping and lighting shall be submitted to and approved in writing by the local planning authority. Each dwelling shall not be occupied until the vehicle access/road to serve that dwelling has been constructed in accordance with the approved details to road base level and the final wearing course will be provided within 12 months of occupation. The access shall thereafter be maintained in accordance with the approved details and plans.
5. No more than 50 dwellings shall be occupied until the pedestrian crossing improvements approved pursuant to Condition 4 have been completed to the satisfaction of the local planning authority.
6. No development shall take place, until a Construction Method Statement, including a CEMP (Construction Environmental Management Plan), has been submitted to, and approved in writing by, the local planning authority. The approved Statement (including CEMP) shall be adhered to throughout the construction period. The Statement (including CEMP) shall provide for but not be limited to the following:
 - a) construction of suitable works access;
 - b) the parking of vehicles of site operatives and visitors;
 - c) loading and unloading of plant and materials;
 - d) storage of plant and materials used in constructing the development;
 - e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f) wheel washing facilities;
 - g) measures to control the emission of dust and dirt during construction;

- h) a scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - i) hours of construction;
 - j) hours of delivery;
 - k) mitigation and avoidance measures for ecology and biodiversity; and
 - l) the use of any mineral material extracted during construction.
- 7. Prior to the commencement of development details for disposing of surface water by means of a sustainable drainage system (SuDS) shall be submitted to and approved in writing by the local planning authority. No dwelling hereby permitted shall be occupied until the aforementioned approved details (in so far as they apply to that dwelling) have been implemented and shall be retained and managed in accordance with the SuDS Maintenance Plan (Condition 9) thereafter.
- 8. Prior to the commencement of development, a SuDS Maintenance Plan for the long-term maintenance of the SuDS system shall be submitted to and approved in writing by the local planning authority. The SuDS Maintenance Plan shall include details of routine maintenance activities, remedial actions and monitoring of the separate elements of the system. The development thereafter shall be carried out in accordance with the SuDS Maintenance Plan.
- 9. No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted and approved by the planning authority. The development shall only take place in accordance with the approved detailed scheme.
- 10. No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the local planning authority. The Arboricultural Method Statement shall include details of existing trees and hedges to be retained in the submitted Arboricultural Impact Assessment, in line with BS5837:2012, and shall include details of:
 - a) any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the sub-phase;
 - b) any proposed alterations to ground levels within the Root Protection Area or Crown Spread (whichever is the greater) of any retained tree, including trees on land adjacent to the site;
 - c) the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.
 - d) the erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the local planning authority.

- e) Prior to occupation of the first dwelling, a Veteran Tree Management Plan shall be agreed in writing with the local planning authority. This Plan shall include:
- Specialist Survey Method assessment of the trees;
 - Individual tree management programme geared towards maximising longevity;
 - Provision and maintenance of knee-rail style fencing beyond crown driplines, enclosing access-deterrent planting; and
 - Regular review by a competent person of veteran trees' condition, with follow-up management works being implemented as recommended. The first three elements of the Plan shall be implemented also prior to first occupancy.

Once approved, the development shall only be carried out in accordance with the approved Arboricultural Method Statement and Veteran Tree Management Plan.

11. No trees, shrubs or hedges within the site which are shown as being retained shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species and shall be planted at the same location in the next planting season/within one year of the original tree/shrub/hedge's demise unless the local planning authority gives written consent to any variation.
12. Prior to the commencement of the development a Landscape Environmental Management Plan (LEMP), including long term design objectives, management responsibilities, timescales, and maintenance schedules for all landscape areas, other than privately owned domestic gardens, which delivers and demonstrates a habitat and hedgerow biodiversity net gain shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved LEMP.
13. Prior to the commencement of development, details of how the development will achieve a biodiversity net gain of 10% for habitats shall be submitted to and approved in writing by the Local Planning Authority. The details thereby agreed shall be fully implemented in accordance with an approved timetable.
14. Prior to commencement of development and concurrently with the layout of a reserved matters application, the applicant shall submit to the local planning authority for written approval, details of how the following internal noise levels will be achieved in living rooms, dining rooms and bedrooms with measures to include adequate cooling and ventilation: Living Rooms and bedrooms (daytime) – 35dB LAeq,16 hours (0700-2300), Dining Rooms 40dB LAeq,16 hour (0700 – 2300), Bedrooms: 30dB L Aeq, 8 hour (2300 – 0700).

15. No development shall be occupied until written confirmation has been submitted to and approved in writing by the Local Planning Authority that all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been submitted to and approved in writing by the local planning authority. Where a development and infrastructure phasing plan is approved, no occupation shall take place other than in accordance with the approved development and infrastructure phasing plan.
16. Prior to the commencement of development, a reptile mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out fully in accordance with the approved Reptile Mitigation Strategy thereafter.
17. Should unexpected contamination be found after development has commenced, development must be halted on the part of the site affected by the unexpected contamination. A proportionate and appropriate remediation strategy shall be submitted to and approved in writing by the local planning authority. The development shall then be remediated and thereafter carried out in accordance with the approved remediation strategy.
18. The development shall be carried out in general accordance with the principles set out in the Outline Energy Report (produced by RPS Group and dated 16 January 2023) and the Sustainability Statement (produced by RPS Group and dated January 2023).
19. Notwithstanding condition 3, of the total open space to be provided (both through offsite contributions and on site measures) a further 1.3ha open space shall be provided on site so as to provide a minimum of 3.9ha of open space on site (including drainage, swales, infrastructure and play spaces).
20. No more than 111 dwellings shall be commenced until details of a second vehicle and pedestrian access, including a timetable for delivery of the access, is submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

End of Schedule