

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	261430
Site Address:	93 Reading Road, Finchampstead, Wokingham, RG40 4RD
Expiry Date:	10 September 2026
Site Visit Date:	10 March 2026
Proposal: Full application for the retention of the existing bungalow pursuant to planning appeal APP/X0360/W/19/3223708 without complying with condition 10 requiring demolition of existing dwelling prior to occupation of the proposed dwelling, plus landscaping, removal of existing static caravan and associated works.	

PLANNING POLICY	
National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP3 – General Principles for Development CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP8 – Thames Basin Heaths Special Protection Area CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits CP17 – Housing Delivery
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB05 – Housing Mix TB07 – Internal Space Standards TB21 – Landscape Character TB23 – Biodiversity and Development
Other	Borough Design Guide Supplementary Planning Document

PLANNING HISTORY		
Application No.	Description	Decision & Date
201382	Application for submission of details to comply with the following conditions of planning consent 182633 (Appeal Decision APP/X0360/W/19/3223708) dated 05/06/2019. Conditions: 3. External	Approved: July 2020

	materials. 4. Landscaping and boundary treatments. 6. Protection of trees.	
200533	Application for submission of details to comply with the following conditions of planning consent 182633 Appeal Decision APP/X0360/W/19/3223708 (Dated 05/06/2019) 3. External Materials 4. Landscaping Plan 6. Tree Protection Plan	Approved: April 2020
182633	Full planning application for the demolition of existing bungalow and the erection of 1 x 4 bed dwelling, with landscaping and associated works.	Refused: December 2018 (allowed at appeal)

CONSULTATION RESPONSES

Internal

WBC Environmental Health – No objection
WBC Drainage – No objection
WBC Highways – Request further information
WBC Landscape and Trees – Objection raised
WBC CIL – CIL liable development
WBC Ecology – No comments
WBC Waste Services – No comments
WBC Cleaner and Greener – No comments

External

Thames Water Utilities Ltd – No comments
South East Water – No comments

REPRESENTATIONS

Finchampstead Parish Council	Objects to the proposal on the grounds that a Planning Inspector previously concluded that retention of the existing bungalow was unacceptable. The Council considers the bungalow to be out of keeping with the established building line along Reading Road and is concerned that retaining both the original and replacement dwellings would set an undesirable precedent for similar developments.
Ward Member(s)	No comments received.

Neighbours	Four letters received raising an objection to the development on the following grounds: • It would be in breach of the allowed appeal, and the original condition should be upheld. • The bungalow detracts from the character and appearance of the street scene area. • Does not contribute positive to the local environment. • Contrary to policy. • The bungalow does not follow the established building line. • The granting of permission would set an undesirable precedent.
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APPRAISAL

Context: The application site is situated on Reading Road, Finchampstead, a predominantly residential road which nevertheless retains a distinctly rural feel due to its wider surroundings, synonymous with its countryside designation. The surrounding area is characterised by an almost continuous frontage development on both sides of Reading Road, comprising a varied mix of dwelling types and sizes set along a generally linear, albeit staggered, building line.

Planning permission ref. 182633 was granted on appeal for the demolition of the existing bungalow and the erection of a replacement dwelling, sited further to the rear of the plot. A fundamental component of the approved scheme was the removal of the original dwelling and associated outbuildings, ensuring that only a single residential unit would remain on the site. In allowing the appeal, the Inspector therefore imposed Condition 10, which requires the demolition of the existing property and outbuildings prior to the first occupation of the replacement dwelling. The Inspector considered this condition necessary to safeguard the character and appearance of the area and to ensure that the development proceeded in accordance with the terms of the proposal as approved.

The replacement dwelling is now occupied, and the bungalow has not been demolished in accordance with the condition. This has resulted in a breach of Condition 10 and has created a materially different form of development to that which was assessed and approved through the previous appeal process. The development that has occurred has effectively been the erection of a new dwelling in the Countryside rather than a replacement dwelling. The current application now seeks planning permission for the retention of the original bungalow, together with associated landscaping works and the

removal of the existing static caravan, thereby regularising the continued presence of two dwellings on the site.

It has been confirmed through the various site visits made by Officers and confirmation from the applicant that the bungalow has not been occupied as a dwelling for some time. As such, it is clear that the original bungalow does not function as a separate residential unit making an active contribution to the Borough's housing supply. The Council therefore considers that the housing benefits associated with the proposal are less significant than would ordinarily be the case where an occupied dwelling would otherwise be lost.

Notwithstanding the above, whilst the existing bungalow physically remains on site, the extant appeal permission required its demolition prior to occupation of the replacement dwelling. The approved development was therefore assessed and found acceptable on the basis that the site would contain a single replacement dwelling. In considering whether the bungalow should now be retained, the Council is effectively considering the acceptability of an additional residential unit beyond that authorised by the appeal permission. The proposal must therefore be assessed as the erection of a dwelling (i.e. net increase of one dwelling) relative to the extant consent, rather than as the retention of an established and lawfully intended dwelling. Whilst the application is described as seeking the retention of the existing bungalow, the Council's assessment is not confined to whether the building should remain in situ. The extant appeal permission authorised a replacement dwelling scheme and required the demolition of the original bungalow prior to occupation of the replacement dwelling. The key issue for consideration is therefore whether the continued presence of the bungalow, resulting in an additional dwelling beyond that authorised by the appeal permission, is acceptable when assessed against the current planning policy framework. In particular, the proposal must be assessed against Core Strategy Policy CP11, which restricts new residential development within the countryside, together with the provisions of the National Planning Policy Framework (2026), including Policy S5 and the weight to be afforded to housing delivery. Significant weight is also attached to the appeal decision, as it provides a clear planning judgment on the circumstances in which development of the site was previously found acceptable.

Of relevance to this application, Policy DM8(2) requires substantial weight to be given to the intentional nature of unauthorised development when determining retrospective planning applications. In this case, significant weight is therefore afforded to the fact that the breach appears to have been deliberate. Planning permission ref. 182633, granted on appeal, expressly required the demolition of the existing bungalow and associated outbuildings prior to occupation of the replacement dwelling through Condition 10. The requirement was unambiguous and formed a fundamental part of the development approved by the Inspector. The replacement dwelling has nevertheless been occupied whilst the bungalow remains in situ, resulting in the creation of a materially different form of development to that which was approved. The retention of the bungalow cannot reasonably be regarded as an inadvertent or technical breach, as compliance with Condition 10 required a positive act of demolition before occupation occurred. The current application seeks retrospective permission to regularise a situation that has arisen through the conscious decision not to implement a condition which went to the heart of the appeal scheme. Accordingly, it is concluded that the unauthorised development was intentional, and substantial weight is therefore

given to this matter in accordance with Policy DM8(2) of the NPPF. This weighs significantly against the grant of planning permission.

Principle of Development: The application site lies outside any defined settlement boundary within the countryside and is therefore subject to Policy CP11 of the Core Strategy. Policy CP11 seeks to protect the separate identity of settlements and maintain the quality of the environment by restricting development in such locations unless it falls within one of the specified exceptions set out within the policy. The proposal does not accord with any of those exceptions and would result in the permanent retention of an additional dwelling within the countryside. As such, the proposal conflicts with the spatial strategy of the Development Plan.

The retention of the existing bungalow alongside the substantially larger replacement dwelling would also result in a significantly greater extent and intensity of residential development on the site than that previously approved. Whilst planning permission 182633 was granted for a replacement dwelling, the current proposal would result in two separate dwellings being retained on the site. In the context of this countryside location, this would represent an unjustified and excessive encroachment of residential development that would undermine one of the core objectives of Policy CP11.

The National Planning Policy Framework (August 2026) applies a presumption in favour of sustainable development. For proposals located outside settlements, Policy S5 (1) identifies the forms of development that should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects. This includes development that would address an evidenced unmet need S5(1)(j), including proposals involving housing in circumstances where the local planning authority (LPA) cannot demonstrate a five-year supply of deliverable housing sites or where housing delivery falls below the relevant threshold. The applicant relies upon the Borough's housing land supply position in support of the application, alongside the contribution of the bungalow to housing choice and mix, the efficient use of land and the avoidance of demolition. These matters are material considerations and attract weight in the planning balance. It is acknowledged that retention of the bungalow would preserve a small residential unit and therefore make a modest contribution towards housing supply and housing choice. However, the weight attributed to these benefits is limited in the particular circumstances of this case, for the reasons outlined below.

As noted, planning permission 182633 was granted on appeal for the demolition of the existing bungalow and erection of a replacement dwelling. The approved scheme was therefore assessed and permitted on the basis that the original dwelling and associated outbuildings would be removed. In granting permission, the Inspector imposed Condition 10 requiring the demolition of those buildings prior to occupation of the replacement dwelling. The Inspector expressly concluded that the condition was necessary to protect the character and appearance of the local area and to ensure the development accorded with the proposal that had been assessed.

Significant weight is attached to the Inspector's findings and the reasoning underpinning Condition 10. The condition formed a fundamental component of the development found acceptable at appeal and ensured that the proposal remained a replacement dwelling rather than an additional dwelling within the countryside. The current application seeks permission for a materially different form of development,

namely the permanent retention of both the original dwelling and replacement dwelling on the site. The appeal decision provides no support for such an arrangement and, on the contrary, specifically required the removal of the original dwelling as part of the approved development. Whilst the proposal would result in the retention of a dwelling and therefore make a modest contribution to housing supply, the appeal permission expressly authorised a replacement dwelling and not an additional dwelling. The approved development was assessed on the basis that the existing bungalow would be demolished and replaced by a single dwelling, resulting in no net increase in the number of residential units on the site. The current proposal would fundamentally alter the nature of the approved development by introducing an additional dwelling in the countryside, thereby creating a form of development that was neither assessed nor found acceptable by the Inspector. Significant weight is therefore attached to the appeal decision and the planning judgement that the existing bungalow should be removed as part of the approved scheme.

Whilst the Council acknowledges the housing benefits arising from retention of the bungalow, those benefits do not outweigh the conflict with Policy CP11, the resulting encroachment of residential development into the countryside, or the significant weight that should be afforded to the appeal decision. Furthermore, the continued presence of the bungalow results from a failure to comply with Condition 10 and it is therefore not considered appropriate to attribute the same level of weight to its retention as would ordinarily be afforded to the loss of a lawfully retained dwelling. In these circumstances, it would not be reasonable to conclude that the removal of the bungalow would amount to a material loss of housing stock. The assessment of this application, however, is determining the acceptability of a net additional dwelling in the countryside, not simply whether an existing building can be retained.

The applicant has referred to Policy CP3(i), which seeks to ensure that development does not result in a net loss of dwellings and other residential accommodation. However, the current proposal does not involve the loss of an existing dwelling which is intended to remain as part of the approved development. Planning permission 182633, granted on appeal, expressly required the demolition of the bungalow and authorised a replacement dwelling scheme resulting in a single dwelling on the site. The appeal decision therefore established a planning position whereby the bungalow would be removed and no longer contribute to the housing stock. The current application seeks permission to depart from that approved scheme by retaining the bungalow in addition to the replacement dwelling. As such, the proposal is properly characterised as seeking permission for an additional dwelling rather than preventing the loss of an existing dwelling. Policy CP3(i) therefore attracts limited weight in favour of the proposal.

As discussed above, the proposal engages Policy S5(1)(j) of the NPPF by providing an additional dwelling at a time when the Council cannot demonstrate a five-year supply of deliverable housing sites. The contribution that the proposal would make towards housing delivery attracts weight in favour of the development. However, the proposal must also be assessed against the Development Plan as a whole. The site lies within the countryside where Core Strategy Policy CP11 seeks to restrict new residential development other than in limited specified circumstances. The proposal does not fall within any of the exceptions identified by Policy CP11 and would result in an additional dwelling in a location where such development is not supported.

The proposal is not merely the retention of an existing building. The extant appeal permission authorised a replacement dwelling and required the demolition of the original bungalow, resulting in no net increase in the number of residential units on the site. The current proposal would instead result in an additional dwelling beyond that authorised by the appeal permission. As such, it would give rise to a form of residential development in the countryside that conflicts directly with the objectives of Policy CP11, increasing the extent and intensity of residential development on the site beyond that previously assessed and approved.

Significant weight is attached to the appeal decision and the Inspector's conclusion that the demolition of the bungalow was necessary to ensure the acceptability of the replacement dwelling scheme. That conclusion reinforces the Council's finding that the additional dwelling now proposed would be unacceptable in planning terms. Whilst the housing benefits attract weight, they are not sufficient to outweigh the conflict with the Development Plan, in particular Policy CP11, nor the harm arising from the creation of an additional dwelling in the countryside contrary to the terms of the extant permission. The proposal is therefore contrary to Policies CP1 and CP11 of the Core Strategy and the principle of development is considered unacceptable.

Character of the Area: Core Strategy Policy CP3 requires development to be of an appropriate scale, form, layout and character, whilst Policy CP11 seeks to protect the quality of the environment within the countryside. In assessing the current proposal, significant weight should be afforded to the findings of the Planning Inspector who considered these matters in detail under appeal reference APP/X0360/W/19/3223708. The Inspector concluded that the replacement dwelling would not harm the character and appearance of the area, but importantly imposed Condition 10, requiring the demolition of the existing dwelling and associated outbuildings prior to occupation of the replacement dwelling. The Inspector expressly stated that this condition was necessary *"to ensure that the character and appearance of the local area is protected and to accord with the terms of the proposal"*. In addition, the National Planning Policy Framework (2026) seeks to ensure that development adds to the overall quality of an area, is visually attractive, sympathetic to local character and landscape setting, and makes effective use of land whilst maintaining a strong sense of place. Whilst the NPPF does support delivery of additional housing, it does not do so irrespective of wider planning considerations.

The current application seeks to retain the original bungalow alongside the replacement dwelling, resulting in a form of development materially different from that assessed and approved at appeal. Whilst it is acknowledged that the replacement dwelling has now been constructed and is partially screened from public viewpoints, the consideration of character and appearance is not limited to the visual impact of the replacement dwelling from public vantage points. Rather, the proposal would result in the permanent retention of two dwellings on a site that was expressly approved on the basis of a replacement dwelling scheme. The Inspector's assessment was undertaken on the basis that the original dwelling and associated outbuildings would be removed, with the resulting site frontage providing opportunities for environmental enhancement and additional planting. Those anticipated improvements would be significantly reduced if the bungalow were retained, as highlighted by the Landscape Officer further down in this report.

Notwithstanding the weight that should be afforded to the previous appeal decision, the retention of the bungalow would also give rise to harm when the current proposal is considered on its own merits. The submitted site plan demonstrates that the existing bungalow would remain at the frontage of the site, alongside the substantially larger replacement dwelling positioned to the rear. This would create a more intensive and visually prominent pattern of residential development, increasing the extent of built form and domestic activity within the site and introducing a greater urbanising influence into the countryside. Such an arrangement would be at odds with the rural character of the area. The Inspector also states: *“The removal of the existing property, which appears very cramped within its plot and close to the adjoining property would provide an opportunity for additional planting close to the Reading Road as well as further into the site. Whilst the benefit of this environmental improvement, on its own, would not be conclusive in determining this proposal, it adds weight in support”*. The Inspector also acknowledges in their planning balance that the original proposal *“would not fully accord with all the detailed guidance in the SPD, but this is guidance, and in the particular circumstances of this case and for the reasons set out above”*, this included the removal of the existing dwelling.

The prevailing pattern of development along Reading Road comprises dwellings positioned relatively centrally within long and narrow plots, with very few examples of tandem or backland development. The retention of the bungalow would effectively create a separate and notably constrained residential parcel towards the frontage of the wider site, resulting in an incongruous and visually discordant form of development that would detract from the established character and visual cohesiveness of the road.

In addition, the bungalow itself, by virtue of its age and apparent lack of maintenance, now presents an unsightly and visually negative element within the street scene. Whilst this would not, in isolation, provide sufficient justification for its demolition, it is nevertheless a relevant consideration when assessing the overall effect of the proposal. The removal of the bungalow in accordance with Condition 10 would not introduce localised harm; rather, it would result in a clear visual improvement to the existing frontage and provide greater scope for landscaping and environmental enhancement. Such observations are even supported by the planning consultant during their appraisal of the initial appeal, stating at paragraph 4.4 of their appeal statement that *“The existing house is of an unexceptional design and contributes little to the quality of the local environment”*. Furthermore, despite refusing permission at the time for the replacement property, the Planning Officer also acknowledged the negative impact of the original bungalow within the wider setting, stating that *“the host dwelling on site appears as an anomaly within the street scene. The dwelling is significantly smaller in its appearance in comparison to neighbouring properties and moreover, it is sited significantly forward of a relatively strong building line. The dwelling on site appears almost as a ‘gate-house’ to the site which possibly relates to the site’s historic use which is undocumented”*. This all demonstrates and contributes to why the Inspector felt it was crucial to impose a condition requiring its demolition.

It is also important to recognise that the applicant's contention that no material harm arises from the coexistence of the two dwellings is based, in part, on the assertion that the original bungalow is an established feature within the street scene. However, its continued presence is not authorised by the extant appeal consent. The relevant

comparison is therefore not simply between the existing situation and the proposed retention of the bungalow, but between the development as currently proposed and the development that was assessed and approved at appeal. Had the development been implemented in accordance with the appeal consent, the bungalow and associated outbuildings would have been removed, resulting in a more open and landscaped site frontage. Its retention therefore represents a new and additional built feature that was expressly excluded from the approved scheme on character grounds.

Overall, the proposal would result in the permanent retention of an additional dwelling that was expressly excluded from the appeal scheme. The resultant development would be more intensive, more urbanising and visually less coherent than the form of development previously found acceptable. It would reduce opportunities for landscaping and environmental enhancement (which was a key benefit of the original proposal), fail to respect the established pattern of development along Reading Road and detract from the character of this countryside location. These harms are inherent in the development proposed and are not dependent upon any change in circumstances since the appeal decision. The proposal is therefore harmful to the character and appearance of the area and conflicts with the objectives of the National Planning Policy Framework and CP1, CP3, CP11 and CC03 of the Development Plan.

Landscape and Trees: The Landscape and Trees Officer raises an objection to the proposal on grounds that closely align with those set out above. In particular, the Officer notes that the appeal Inspector considered landscaping to be an important component of the approved replacement dwelling scheme and imposed a condition requiring the submission and implementation of a comprehensive landscaping scheme. The purpose of this condition was to ensure that the development was appropriately integrated into its countryside setting and to secure environmental enhancements along the adjoining Green Route.

In response to that condition, a landscaping scheme was approved under application 201382. The approved plans included new planting within the area currently occupied by the existing bungalow, reflecting the Inspector's expectation that the dwelling would be demolished in accordance with the appeal permission. The approved landscaping scheme was intrinsically linked to the removal of the bungalow and formed part of the development that was found acceptable at appeal. If the bungalow is retained, significant elements of the approved landscaping scheme would no longer be capable of being implemented. As a result, the environmental and visual enhancements envisaged by the Inspector would not be delivered, undermining the rationale for the approved scheme and diminishing its integration within the surrounding landscape. The proposal would make compliance with part of the approved appeal scheme impossible, thereby resulting in another breach of condition that would need regularising.

Consequently, the proposal would fail to secure the landscaping benefits that formed part of the approved replacement dwelling development and would conflict with the objectives of Policy CC03, which seeks to protect and enhance Green Routes and the Borough's green infrastructure network.

Residential Amenity: The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.

The National Design Guide states “*Well-designed homes and buildings are functional, accessible and sustainable. They provide internal environments and associated external spaces that support the health and wellbeing of their users and all who experience them*”. Paragraph 126 states that “*Well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation*”.

When considering the ability of the bungalow to currently function as a residential dwelling and provide adequate amenity for occupiers, the planning consultants planning statement pertaining to the initial consent (ref. 182633) is relevant. It states that:

“4.37 Additionally, given that the gross internal area of the existing bungalow falls below the minimum standards for a new one bedroom flat, set out in Policy TB07, it is evident that the living accommodation is substandard and unsuitable to serve the amenity requirements of existing and future occupiers.

...

4.5 Currently, the one-bedroom bungalow is in poor condition and is not up to modern living standards – it is not connected to any mains water (current occupiers use a well to obtain water), there is limited electricity and the amount of living accommodation is inadequate (less than 44 sqm). As such, it is considered that the proposed development would be in line with the overarching sustainability aims of Wokingham Local Plan and consistent with the NPPF as a whole.”

Whilst issues relating to utilities and servicing could potentially be addressed through refurbishment works, the inadequacy of the internal living environment remains a significant concern. Policy TB07 of the Managing Development Delivery Local Plan and requirement R17 of the Wokingham Borough Design Guide SPD seek to ensure that dwellings provide a satisfactory standard of accommodation through adequate internal space and room dimensions. The Nationally Described Space Standards require a one-bedroom, two-person single-storey dwelling to provide a minimum gross internal floor area of 50sqm. The submitted floor plan indicates that the bungalow provides only approximately 44sqm of internal floorspace, notably below this minimum benchmark. Whilst the floor plan does not explicitly identify whether the bedroom is a single or double bedroom, it is reasonable to assess the room as two-person unit, as this is supported by the property's historic occupation by a couple and the repeated references made during the consideration of application 182633 to the limited and inadequate accommodation provided by the bungalow.

Furthermore, the dwelling does not provide adequate internal storage, and the sole bedroom falls short of the standards set out in R17 of the Design Guide and the Nationally Described Space Standards, which advise that double bedrooms should provide a minimum floorspace of 12sqm. The bedroom measures approximately 8.8sqm, and the remainder of the accommodation is heavily constrained, with approximately 23sqm dedicated to a combined kitchen and living area. Taken as a whole, the dwelling would provide a cramped and substandard living environment,

resulting in a poor level of internal amenity and a reduced quality of life for future occupiers.

With regard to external amenity, the subdivision of the site would result in a notably constrained plot for the application dwelling, that is heavily influenced by access arrangements, parking provision and the proximity of surrounding development. This would result in low-quality private amenity space, highlighting another negative factor resulting from the bungalows retention. The Wokingham Borough Council Design Guide Supplementary Planning Document 2012 (SPD) provides guidance on what is considered appropriate garden amenity space and is a material consideration in the determination of this appeal. It is evidence that the proposed garden would be small and dominated by driveway and parking (presumably bin and bike stores also). The side garden would lack privacy by being adjacent to the access and is at odds in an area characterised by properties with generous gardens. The proposed development would not provide acceptable living conditions for future occupants, with regard to amenity space. Consequently, the development would not comply with Policies CP3 which seeks to ensure that development is well designed and provides sufficient amenity space. It is also contrary to the Design Guide SPD.

Overall, the lack of external amenity space combined with the poor internal amenity space provided in this development would result in an overall poor quality living environment for the future occupiers of the units.

Neighbouring Amenity: It remains the Council's position that the original bungalow is unauthorised in planning terms and, for the purposes of the current application, must therefore be assessed as a new element of development rather than an established dwelling. The retention of the bungalow would result in a degree of enclosure to the occupiers of No.91 Reading Road that would not arise were the building demolished in accordance with Condition 10 of planning permission 182633. Notwithstanding, having regard to the modest scale, single storey form of the bungalow, it is not considered that its retention would give rise to a harmful overbearing impact or a significant loss of light to neighbouring occupiers. Accordingly, no objection is raised to the proposal on neighbouring amenity grounds.

Highway Access and Parking Provision: The Highway Authority (HA) has reviewed the application and has not raised an objection in principle to the retention of the existing dwelling. However, it has requested amendments prior to determination in relation to the proposed parking provision, which does not fully accord with the Council's adopted parking standards, and the width of the shared access serving the two dwellings.

Notwithstanding the above, the application is recommended for refusal on the more fundamental grounds relating to the principle of development, its impact on the character and appearance of the area, and its conflict with the appeal decision and Condition 10 of planning permission 182633. As such, it has not been considered necessary to seek further amendments or information in respect of the highway matters identified.

In any event, it is not considered that the issues raised by the Highway Authority would have warranted refusal of the application in their own right. The shortfall in parking

dimensions is relatively minor and could reasonably have been addressed through amendments to the submitted plans. Similarly, whilst the Highway Authority sought revisions to the access arrangement, it is noted that the increase in development proposed is limited to a single additional dwelling and the requirement to widen the access is disproportionate and would not have formed a defensible reason for refusal.

Flooding and Drainage: The WBC Drainage Officer has raised no objection to the proposal but requests that any previous surface water drainage arrangement should continue to be implemented and maintained.

Ecology: There are no significant ecological objections to the retention of the bungalow, nor with any landscape changes proposed or the removal of the static caravan. As this is a retrospective application, the statutory Biodiversity Net Gain requirements are not applicable to this development.

Conclusion: The application seeks retrospective planning permission for the continued presence of the original bungalow in addition to the replacement dwelling approved under appeal reference APP/X0360/W/19/3223708. The appeal permission expressly required the demolition of the bungalow prior to occupation of the replacement dwelling, ensuring that the development remained a replacement dwelling scheme resulting in no net increase in the number of residential units on the site. The current proposal would instead result in an additional dwelling beyond that authorised by the appeal permission. This Inspector viewed the removal of the bungalow as an environmental benefit, the landscaping scheme carried positive weight and condition 10 was required to protect the character and appearance of the area. The proposed development prevents all these benefits from being realised.

Significant weight is attached to Condition 10. The condition goes to the heart of the appeal permission as it is the sole mechanism that ensures the development proceeds as a replacement dwelling scheme rather than as a scheme resulting in an additional dwelling. The appeal was assessed and allowed on the basis that the existing bungalow would be demolished and replaced by a single dwelling. Without Condition 10, the appeal permission would not secure that outcome, and the development would fundamentally differ from that considered acceptable by the Inspector. The current proposal seeks to regularise precisely the situation that Condition 10 was imposed to prevent.

It is a material consideration under Policy DM8 that the application has been submitted retrospectively. Planning permission was granted under appeal reference APP/X0360/W/19/3223708 subject to a condition requiring the demolition of the existing bungalow prior to occupation of the replacement dwelling. Despite that requirement, the replacement dwelling was occupied and the bungalow retained. The Council subsequently investigated the matter through its enforcement process before the submission of the current application. The proposal therefore seeks to regularise development that has been carried out otherwise than in accordance with the approved scheme.

Policy S5 affords positive weight to housing delivery where the Council cannot demonstrate a five-year supply of deliverable housing sites. The proposal would provide an additional dwelling and therefore attracts weight in support under Policy

S5(1)(j). However, that benefit is modest and must be considered in the context of a development that was expressly approved as a replacement dwelling scheme and the net increase is one substandard sized dwelling. The proposal would result in an unjustified additional dwelling in the countryside contrary to Policy CP11, create a more intensive and visually incongruous form of development than that previously found acceptable, and prevent the full implementation of the approved landscaping scheme and associated environmental enhancements that formed part of the appeal scheme

Whilst the proposal would retain a single dwelling and therefore provide some benefit in terms of housing supply however these benefits are limited as the dwelling would provide a poor standard of accommodation for future occupiers, by reason of its substandard floorspace, inadequate bedroom size, lack of internal storage and constrained private amenity space thus do not outweigh the identified harm. The proposal would result in an unjustified additional dwelling in the countryside, contrary to the spatial strategy of the Development Plan, and would create a more intensive and visually incongruous form of development and harm to the character and appearance of the Countryside. Furthermore, the retention of the bungalow would prevent the full implementation of the approved landscaping scheme and undermine the potential landscaping and environmental enhancements that formed an important component of the appeal scheme.

The Council has carefully considered the provisions of the National Planning Policy Framework (August 2026), including the weight to be afforded to housing delivery. The benefits of the scheme do not substantially outweigh the adverse effects. There is not considered to have been a material change in circumstances sufficient to justify departing from the Inspector's conclusions or setting aside a condition that was fundamental to the acceptability of the approved development. The proposal is considered contrary to Policies CP1, CP3 and CP11 of the Core Strategy and Policy CC03 of the Managing Development Delivery Local Plan and is therefore recommended for refusal.

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

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

RECOMMENDATION

Conditions agreed:	N/A
Recommendation:	Refuse and Enforce
Date:	10 September 2026
Earliest date for decision:	6 August 2026

Recommendation agreed by: (Authorised Officer)	<i>JMM</i>
Date:	10 September 2026

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

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

Summary of Response

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

This site is located within **5km** from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

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

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

In this instance, the proposed development would result in a net increase of **1no. 1-bedroom dwelling** within 5km of the SPA which results in a total SANG contribution of **£1,567.98**.

The proposed development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of **£600.00**.

The total SPA related financial contribution for this proposal is **£2,167.9**. The applicant **must agree** to enter into a S106/s111 agreement to secure this contribution prior to occupation of each dwelling. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, policy CP8 of the Core Strategy, and the NPPF.

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

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

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

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

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

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

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

2. Stage 1 Screening for Likely Significant Effects

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

potential adverse effects on the integrity of the SPA include recreational activities from inside the SPA and air pollution from inside and outside the SPA.

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

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

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

3. Stage 2 Appropriate Assessment

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

The following policies and guidance set out WBC's approach to relevant avoidance and mitigation measures which have been agreed with Natural England. For the majority of housing developments this will comprise the provision of (or contribution towards) Suitable Alternative Natural Greenspace (SANG) and a contribution towards the Strategic Access Management and Monitoring (SAMM) Project. Developers will be required to secure an appropriate financial contribution for the provision of SANG and to the SAMM project through an obligation in a s106 agreement.

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

a. Policies and Guidance

For this proposal the following guidance and policies apply:

- South East Plan (May 2009) Policy NRM6 (Thames Basin Heaths Special Protection Area)
<http://webarchive.nationalarchives.gov.uk/20100528160926/http://www.gos.gov.uk/gose/planning/regionalPlanning/815640/>
- Wokingham Borough Core Strategy (2010) Policy CP8 (Thames Basin Heaths Special Protection Area) sets out the approach WBC will take in order to protect the TBH SPA <https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Final%20adopted%20Core%20Strategy%20inc.%20cover.pdf>

- Wokingham Borough Core Strategy (2010) Policy CP7 (Biodiversity) sets out the approach WBC will take in order to protect national and international nature conservation sites <https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Final%20adopted%20Core%20Strategy%20inc.%20cover.pdf>
- Wokingham Borough Managing Development Delivery Local Plan (2014) Policy TB23 (Biodiversity and Development) <https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Adopted%20MDD.pdf>
- Infrastructure Delivery and Contributions SPD (2011) <https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Adopted%20Infrastructure%20De~nd%20Contributions%20SPD.pdf>

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

b. SPA Avoidance and Mitigation Measures

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

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

As this development is not part of an SDL, the developer may make a payment contribution towards strategic SANGs in line with schedule below (most likely this will be at Rooks Nest Wood SANG although it is subject to SANGs capacity in the right location within Wokingham borough). An occupation restriction will be included in the Section 106 Agreement in order to ensure that the contribution has been made prior to occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and Core Strategy Policy CP8.

The development will result in a net increase of 1no dwelling, broken down as follows: 1no 1-bedroom dwelling. Depending on the dwelling mix, the level of SANG payments are set out as follows:

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

ii. Strategic Access Management and Monitoring (SAMM) Contribution

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

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

The level of contributions are calculated on a per bedroom basis. The application for this development is for 1no. 1-bedroom dwelling. Depending on the dwelling mix, the level of SAMM payments are calculated as follows:

No. of bedrooms	SAMM Contribution 5km	Aggregate SAMM Contribution
1 bedroom	£600.00	£600
2 bedrooms	£835.00	£0
3 bedrooms	£1,110.00	£0
4 bedrooms	£1,306.00	£0
5+ bedrooms	£1,492.00	£0
Total SAMM Contribution		£600

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

4. Conclusion

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

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

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

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

5. Example Reason for Refusal

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

Date:	24/08/2026	Signed:	JFULLER
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PLANNING CONSTRAINTS/STATUS

- *Countryside*
- *Tree Preservation Orders*
- *Green Route*
- *Bat Roost Habitat*