



## Appeal Decision

Inquiry held on 26 November - 4 December 2024

Accompanied site visit made on 3 December 2024

**by C Masters MA (Hons) FRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 5<sup>th</sup> February 2025**

**Appeal Ref: APP/X0360/W/24/3350170**

**Land to the North of the A4, New Bath Road, Twyford**

- 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 David Wilson Homes Southern Ltd against the decision of Wokingham Borough Council
- The application Ref 223455, dated 11 November 2022 was refused by notice dated 14 June 2024
- The development proposed is outline application with all matters reserved for a residential development of up to 230 dwellings, open space, internal accesses and parking, drainage measures, landscaping, demolition of all existing structures, and all other associated works.

### Decision

1. The appeal is allowed, and planning permission is granted for outline planning application with all matters reserved for a residential development of up to 230 dwellings, open space, internal accesses and parking, drainage measures, landscaping, demolition of all existing structures, and all other associated works at Land to the North of the A4, New Bath Road, Twyford in accordance with the terms of the application, Ref 223455, subject to the conditions in the attached schedule.

### Preliminary Matters

2. The planning application was submitted in outline with all matters of detail reserved for future consideration. I have proceeded to determine the appeal on this basis. The drawings which accompanied the appeal are for illustrative purposes only and have been treated as such.
3. I was provided with a draft planning obligation prior to the inquiry opening. I allowed some time following the close of the inquiry for the document to be finalised. A signed copy of the document was received on the 20 December 2024. I return to this matter below.
4. The Council confirmed that on the basis of this document, reasons for refusal 4,5,6 and 7 would be satisfactorily addressed and would not be contested by the Council.
5. The Council has granted outline planning permission in July 2023 for the redevelopment of the site opposite the appeal site for 200 residential units. The statement of common ground (SoCG) confirms that the Bridge Farm site is a

sustainable and accessibly located site and is a material consideration to this appeal. The scheme is known as the 'Bridge Farm Proposals' and where necessary, I shall refer to the scheme as this throughout my decision.

6. A revised version of the National Planning Policy Framework (the Framework) was published on the 12 December 2024. As this was following the close of the inquiry but before the decision had been issued, the parties were given time to provide written comments on this revised document. I have taken on board the comments received in reaching my conclusions set out below. All references to the Framework within this decision are to the latest version of the document.

## **Main Issues**

7. This appeal has two main issues:

- Whether the appeal site is an appropriate location for residential development (sustainability and physical separation);
- Whether the proposal adequately provides for sustainable transport measures including pedestrian and cycle movements.

8. I deal with each of these matters in turn.

## **Reasons**

*Whether the appeal site is an appropriate location for residential development (sustainability and physical separation)*

### *Sustainability*

9. The appeal site is located to the north of Twyford and outside of the defined settlement boundary of Twyford in an area currently defined as countryside within the development plan.
10. Twyford is recognised within the Core Strategy as a major development location within the borough. The Core Strategy defines these locations as settlements with the greatest range of facilities and services which also allows residents the greatest choice in modes to access them. Reflective of this designation, the settlement provides for a range of services and facilities commensurate with the status of the settlement as one of the higher order centres within the borough. These include (but are not limited to) doctors, shops, places of worship, primary schools and public houses. There is a secondary school (the Piggott School) within 800m of the settlement boundary and a core employment area within 400m of the settlement boundary.
11. In terms of transport connections, Twyford station is on the Elizabeth line which provides services to London and beyond to the east as well as providing mainline services to neighbouring settlements such as Slough, Maidenhead and London Paddington. It was broadly agreed between the parties that this represents an excellent service and I can see no reason to disagree with this. In terms of the appeal site, existing pedestrian and cycle connections are available to Twyford along the A4 New Bath Road and then along Wargrave Road. These pedestrian and cycle connections would potentially be enhanced through the completion of the Bridge Farm Proposals which would deliver a further route to the centre of Twyford directly opposite the appeal site.

12. The appeal site is well served by existing bus services which are provided through bus stops located a short walk away on the A321 to the north of the A4/A321 roundabout which is served by the 850 bus. This provides direct links between Reading and High Wycombe through a service every 20 minutes between 0800 and 2000 Monday to Friday as well as a reduced service outside of these hours (between 0500 -0800 and 2000-2330) and a service every 30 minutes to 1 hour at the weekends. The Council recognise this is a good service – given the sites location on the edge of the settlement and taking into account the size of the settlement, I consider this to represent an excellent service. Although the Rule 6 party expressed doubts regarding the financial viability of this service going forward, as well as difficulties associated with the bus lanes in Reading, I have no substantive evidence on these matters.

13. In terms of the Bridge Farm proposals, I am aware of the conclusions which the Council reached in terms of the sustainability of this site and its suitability for residential development which is located directly opposite the appeal site, within the countryside and also outside of the defined settlement boundary. Taking into account the locational characteristics of the appeal site, as well as the evidence presented on this issue, it is my view that the appeal site would present a sustainable location for residential development.

#### *Physical Separation*

14. The Council's case in relation to this matter focused on the existing A4 road acting as a 'physical and psychological' barrier separating the appeal site from the remainder of Twyford. Whilst the Council have referred to a number of design guides to support this assertion, there was a clear lack of any detailed analysis of the sites existing and emerging context to support the assertions made in relation to this issue.

15. There are a number of important points to consider in this regard. Firstly, although it was broadly accepted and agreed between the parties that the road is relatively heavily trafficked with some cars travelling at speed, it is also an important existing shared pedestrian and cycle route and is identified as such within the Local Cycling and Walking Infrastructure Plan (LCWIP) 2023. It is also identified as being part of an existing Greenway and Active Travel Network suitable for medium and longer distance cycle journeys. In terms of its actual use, I witnessed many pedestrians and cyclists including school children but also dog walkers using the footpath/shared cycleway next to the road during my site visits. There are a number of opportunities for crossing points along the road including the pedestrian footbridge. It is my view that rather than presenting a psychological barrier as suggested by the Council, the A4 clearly forms an important and well used part of the existing transport infrastructure of the area. As a result, it provides important connections to other parts of the existing transport network which I will address in further detail under main issue 2 below.

16. Secondly, the Council's contention that the site has a high degree of physical separation from built development and the settlement of Twyford is misleading. There is existing built development beyond the A4 road. This built development includes the Piggott School, with its associated car parking, playing fields and ancillary buildings, a nursery, pockets of housing development, the Thames Water Wargrave Sewage Treatment works as well as a small caravan park associated with the fruit picking businesses.

17. Thirdly, the existing environment of the road will change as a result of the Bridge Farm Proposals. The Bridge Farm proposals would deliver a number of additional traffic calming measures including a speed reduction from 60mph to 40mph as well as an additional pedestrian crossing point close to the indicative entrance to the appeal site. This development will bring the built form of Twyford further north and west than existing and beyond the development limits as identified within the adopted development plan. It would result in the opportunity for greater pedestrian and vehicular connections to the appeal site to be achieved on this existing road frontage.
18. Contrary to the position presented by the Council, the appellants evidence concerning the issue of physical separation was compelling in this regard. It demonstrates a clear understanding of the existing site context, the evolution of Twyford and its settlement form and the potential for the design approach to create physical and visual cohesion between the appeal site and the settlement edge.
19. Finally, specific concerns were raised by the Council that the proposal could result in an 'airgap' along the A4 between the appeal site and the Bridge Farm proposals. For the reasons I have set out above, I do not agree that the existing road results in a severance effect and the concerns regarding the creation of an airgap in policy terms are also unfounded.

*Conclusion on main issue 1*

20. To conclude, I am of the view that the appeal site would be an appropriate, sustainable location for residential development which would not be physically separated from the settlement of Twyford. In terms of the Wokingham Borough Core Strategy (2010), the Council have referred to policy CP1 concerning sustainable development. This policy identifies a number of criteria which seek to, in the round, direct development where it can enhance the overall sustainability of the area by minimising the impact on the environment. I conclude that the proposal would accord with this policy.
21. The Council have also cited a conflict with policy CP2 of the Wokingham Borough Core Strategy (2010). This policy addresses inclusive communities, and the Council's alleged harm relates to parts a-c of the policy. There is nothing before me to suggest that the groups identified by the policy would be disadvantaged in terms of accessing facilities in a sustainable way. There is no conflict with this policy.
22. Notwithstanding the above conclusions, there would be conflict with policies CP9 and CP11 of the Wokingham Borough Core Strategy (2010) as the proposal would be located outside of the development limits. Policy CP9 states that development proposals will be acceptable within the defined development limits as defined by the policy. The proposal would not be located within these defined development limits. Policy CP11 sets out 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. A list of exceptions are then set out, none of which would be applicable to the appeal site.
23. My attention has also been drawn to policies CC01 and CC02 of the Wokingham Managing Development Delivery Local Plan (2014). Policy CC01 highlights the presumption in favour of sustainable development and in broad terms, echoes

the requirements of paragraph 11 (d) of the Framework. As I will go on to assess the proposal against this part of the Framework later within my decision, I do not reach a conclusion on whether there is a conflict with this policy at this time. Policy CC02 requires, amongst other things, that planning permission at the edge of settlements be granted where the development is located within the development limits. As the proposal would be located outside of the development limits, there would be a conflict with this policy.

24. The reason for refusal also refers to the Boroughs Design Guide SPD as well as the National Design Guide. However there is nothing contained within these documents which would lead me to reach a different conclusion on the above main issue.
25. In terms of the weight to be given to these identified policy conflicts, this is dependent upon the extent to which these policies are consistent with the Framework. I shall go on to address the weight to be afforded to these policy conflicts later within my decision.

*Whether the proposal adequately provides for sustainable transport measures including pedestrian and cycle movements*

26. I have already concluded above that the site would present a sustainable location for housing development. Although the site is located outside of the settlement boundary, the site has direct access to the cycle network outside the appeal site onto the A4 New Bath Road, a designated cycle route. The appeal site would connect to the existing pedestrian and cycle network which is flat, well lit and well maintained. Moreover, the SoCG confirms the Bridge Farm Proposals would facilitate various pedestrian and cycle improvement works and that a route through this scheme would provide connections to the centre of Twyford. The Bridge Farm proposals would include the introduction of a toucan crossing on the A4 New Bath Road, with associated amendments to the existing shared footway/cycle path.
27. Even without the improvements proposed as part of this scheme as well as the Bridge Farm proposals, it is clear that walking and cycling are existing modes of transport which are well used in the immediate area. The frequency of the bus service and proximity of the bus stop would also make this a genuine choice of transport modes in the context of paragraph 110 of the Framework, particularly for onwards connections to the station where the Rule 6 party explained in some detail that there are existing car parking capacity issues.
28. To inform my view, and as part of the site visit, I was able to walk from the appeal site to a number of the key services and facilities within Twyford. The route provided had been agreed between the main parties and provided a useful comparison to the wealth of evidence presented on acceptable walking distances<sup>1</sup>. The topography of the area is favourable, footpaths are well lit and there is good clear visibility on the footpaths from the appeal site to the centre of Twyford. Whilst I fully recognise that the use of the private car may still be preferred by those with young children, mobility issues or those undertaking a weekly shop, this does not mean that there is not the genuine choice available as envisaged by the Framework. Given the above, I am not convinced that for most journeys, the car would remain the sole choice for future residents of the development as suggested by the Council.

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<sup>1</sup> CD7.3, CD7.5, CD5.15, CD5.17

29. I therefore conclude that the proposal would adequately provide for sustainable transport measures including pedestrian and cycle movement. The homes proposed on the appeal site would be within a reasonable walking and cycling distance to the key services and facilities within Twyford. They would also be an acceptable walking distance to the nearby bus stops located on the A321. There would be no conflict with the development plan policies which the Council have identified and which I shall now go onto summarise below.
30. In the context of policy CP1 of the Core Strategy, this is a general policy concerning sustainable development. The Council allege conflict with parts 1,2 and 11 of this policy. These criteria relate to maintaining or enhancing the high quality of the environment, minimising the emission of pollutants into the wider environment and demonstrating how the development proposal would support opportunities for reducing the need to travel by private car in line with policy CP6. For the reasons I have set out above, I do not consider that there would be any conflict with this policy which is broadly consistent with the Framework.
31. I also conclude that the proposal would accord with policy CP6 of the Wokingham Core Strategy (2010) which relates to managing travel demand and seeks to ensure, amongst other things, that schemes provide for sustainable forms of transport to allow choice.
32. Furthermore, the proposal would accord with policy CC03 of the Wokingham Managing Development Delivery Local Plan (2014) which relates to green infrastructure, trees and landscaping. Part (b) of the policy requires development proposals to promote linkages and permeability between and within existing green corridors including public rights of way. For the reasons I have identified above, the proposal would accord with this policy.
33. My attention has also been drawn to policies TW1, TW2 and TW13 of the Twyford Neighbourhood Plan (2023). During the inquiry, it was evident that the extent to which the Council consider there is any conflict with these policies is limited. However, I have nevertheless addressed them below for the sake of completeness.
34. Policy TW1 relates to encouraging sustainable travel. The policy advises that the Neighbourhood Plan identifies the existing sustainable travel network and opportunities for improvements, for the purposes of prioritising active travel and encouraging the use of public transport. The policy goes onto note that development proposals on land that lies within or adjacent to the Network should sustain and where practicable, enhance the functionality of the network. The appeal site lies adjacent to the A4 New Bath Road which is defined as one such route and I am satisfied that the development would deliver a number of measures which would align with this policy objective.
35. Policy TW2 addresses sustainable accessibility and mobility. The policy refers to the detailed layout of streets and spaces in relation to major development proposals as well as requiring measures through a travel plan to improve active travel for all users. Although the scheme before me is outline form only, I am satisfied that subject to appropriately worded conditions, the scheme would be able to address this policy objective at the detailed design stage.
36. Policy TW13 refers specifically to design codes. Part of the policy refers specifically to development proposals which effect the historic environment which is not directly relevant to the issues before me. The remaining part of

the policy is in two parts and relates (i) to the individual character areas typologies as shown on the policies map. The appeal site is not covered by such a designation and as such I see no conflict with this part of the policy. Part (ii) requires development proposals to demonstrate the way in which they have responded positively to the general design principles set out within the Twyford Design Guidelines and Codes report. Although the scheme before me is in outline only, it is accompanied by a detailed Design and Access Statement which appropriately addresses the requirements of these documents.

37. The reason for refusal also refers to the Boroughs Design Guide SPD as well as the National Design Guide. However, there is nothing contained within these documents which would lead me to reach a different conclusion on the above main issue. Similarly, for the reasons set out above, I do not consider the proposal would lead to any conflict with paragraph 139 of the Framework as alleged by the Council.
38. The Council have also referenced policies CC01 and CC02 of the Wokingham Management Development Policies (2014) as well as policies CP2, CP3 and CP11 of the Wokingham Core Strategy (2010) document however I do not consider these policies are directly relevant to this main issue.

### **Other Matters**

39. Much of the Rule 6 Party's case as well as a number of third parties focused on the highways impacts of the development and a concern that the proposal would result in a severe residual cumulative impact on the road network. These concerns relate specifically to the impact of the development on the existing traffic flow on Wargrave Road during the drop off and pick up times at the Piggott School. In support of this position, the Rule 6 Party submitted drone footage of the existing traffic movements taking place at these times. I was also able to witness the existing situation first hand during a number of site visits.
40. I readily accept that the evidence demonstrates that there are times during the day when traffic queueing occurs at the access to the school. This can have implications for the free flow of traffic at the roundabout. However, this situation is not itself unusual in a location where there is a school. I have no evidence before me to support the assertion that the proposal would result in a severe residual cumulative impact of the road network as suggested by the Rule 6 Party. The Council have not raised any objections on highways grounds and are content that the modelling undertaken demonstrates that the highways impacts of the development would be acceptable. I have no evidence to support the assertion made that the Council have in some way underestimated or misunderstood the highways impacts of the appeal proposal. Similarly, on wider highways matters raised such as highways safety, I can see no reason to disagree with the highways authority on this matter.
41. A significant number of the concerns raised include matters relating to ecology and wildlife, minerals safeguarding, air quality, highways safety, noise and odours and the impact on local infrastructure. A number of these issues are addressed through the use of appropriately worded conditions which I cover below. Specific concerns regarding the credentials of the appellant in terms of the quality of the house build is not a matter for my deliberations. The appeal is supported by a detailed Agricultural Land Classification report which concludes that the site would not result in the loss of BMVAL and the Council

also concur with the conclusions reached on this issue. I have no evidence before me to suggest that these findings are incorrect.

42. Concerns have also been raised regarding the existing flooding which occurs in the area and I have no doubt that these concerns are real concerns for those who live locally. However, the flood risk assessment and associated addendum have been completed in accordance with the guidance contained within both the Framework and the PPG on this matter. The statement to the inquiry<sup>2</sup> provides a comprehensive response to the issues of flood risk and drainage pertinent to the appeal site. Furthermore, and subject to appropriate conditions which I shall go on to address below, the Lead Local Flood Authority (LLFA), Environment Agency and Thames Water have raised no objection to the development. Accordingly, I do not consider that the issue of flood risk is one which should weigh against this proposal.
43. I acknowledge that the proposal has attracted a significant amount of local interest and objection. I have taken all of these representations into account in reaching my conclusions below however there is nothing contained within these objections which would lead me to reach a different conclusion than the statutory consultees and local planning authority on these matters.
44. The Council's witness took the view that the Officers report to committee was not a relevant material consideration and contained nothing more than a recommendation. I disagree. In my view, this document is a relevant material consideration in relation to this appeal. The report presents a comprehensive consideration of the relevant site context, planning matters, consultation responses, an assessment of the harms and benefits and also balances the relevance of the Bridge Farm Proposals in this context. Whilst the Committee did not agree with the Officers' overall judgement and recommendation, they are perfectly entitled to do so. However, this does not mean that the Officer report and analysis undertaken should be totally disregarded in the context of the appeal.
45. The Council have also suggested that allowing the appeal would undermine the principle of plan led development in the area. However, the Council also acknowledge that given the present housing land supply position, flexibility needs to be applied to the development limit boundaries identified within the development plan, as has been the case with the Bridge Farm proposal. Accordingly, in the case of this appeal, I do not agree that assessing the proposal through the application of paragraph 11 (d) of the Framework undermines the primacy of the development plan.
46. The emerging plan is at an early stage and on this basis and as agreed within the SoCG, I attach limited weight to this emerging policy position.

#### *Other appeal decisions*

47. The parties have referred me to no fewer than 25 other appeal decisions<sup>3</sup> which they consider to have comparable characteristics to the case before me. Where there are matters which are directly comparable, I have referred to the individual decision within my findings. For the remainder of the decisions, they are for materially different schemes, often within other local planning authority areas with a different development plan policy to the one before me. Even the

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<sup>2</sup> Appendix 2 to Mr Murray Cox Proof of Evidence

<sup>3</sup> Appeal Decisions as listed at section CD10 of the Core Documents library

appeal decisions relating to this local authority area do not address the specific characteristics of this appeal site within Twyford. Furthermore, the decisions all predate the publication of the latest version of the Framework against which this appeal must be assessed.

### **Planning Obligation**

48. As I have already outlined, the appellant submitted a completed planning obligation following the close of the inquiry. I have had regard to the requirements of Regulation 122(2) of the Community Infrastructure Levy Regulation 2010 as well as paragraph 58 of the Framework.
49. In relation to affordable housing, the obligation identifies both the quantum, tenure mix and delivery threshold levels linked to the market housing provision. The obligation includes for a contribution towards open space in the form of an open space commuted sum identified as formal public parks (£360,930), amenity open space (£160,140) natural green space (£554,880), play areas commuted sums as defined/designated for both a LAP (local area of play) and LEAP (local equipped area of play) to total £241,360 as well as an allotment contribution of £157,872. An employment skills contribution is also defined within schedule 6 of the document to support employment and training initiatives.
50. In terms of transportation and highways, the document provides for a My Journey contribution to a maximum of £130,410 which represents the Council's borough wide travel awareness initiative, a £4000 contribution towards costs for a traffic regulation order along the A4 reducing the legal speed limit as well as a £6000 contribution towards speed reduction signs at the Piggott School, a public transport contribution of £121,900 towards the funding of public transport to serve the area. The obligation also makes provision for a s278 agreement in relation to off site highways works which are identified at Schedule 9 of the document. These off site highways works include the provision of a crossing over New Bath Road should this not be brought forward through the Bridge Road proposals, the provision of a new bus stop and advisory cycle lane as well as the provision of a crossing over the northern arm of the A4/A321 roundabout.
51. In addition to the above, the document makes provision for a NHS contribution of £198,720. The justification provided by the Council in relation to this condition relies to some extent on an approach adopted by a previous Inspector at Haddenham<sup>4</sup>. The NHS Integrated Care Board (ICB) appeared at the inquiry and confirmed that the existing Twyford Surgery is over capacity and requires additional clinical space to be able to accommodate any new patients from the proposed development. This would be achieved through either the reconfiguration of existing non clinical space or an extension to the premises. The contribution has been calculated based on the number of dwellings proposed which has been used to define an additional patient yield. Taking into account the representations made, as well as the approach adopted by the Inspector in the case of the Haddenham appeal, I am satisfied that this obligation would meet the necessary tests. Finally, the obligation includes a monitoring fee clause to the value of £512 per clause. Given that the document includes some 40 clauses, the total amount for the monitoring fee would be £20,480.

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<sup>4</sup> APP/J0405/W/24/3339126

52. The Council have provided full details in relation to how these contributions have been calculated as well as the relevant policy justification for the obligations being sought. These provisions are in accordance with policies CP1, CP3, CP4, CP5, CP6 of the Wokingham Borough Core Strategy (2010), as well as policies TB08, TB12 and CC03 of the Wokingham Managing Development Delivery Local Plan (2014).
53. I am satisfied that the obligations outlined above are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. I have therefore taken them into account in reaching my decision. To conclude, the proposal would make adequate provision towards the local infrastructure requirements.

### **Conditions**

54. The Council and Appellant produced a list of conditions, which were largely agreed, at the round table session. Where there was a dispute between the parties, this was discussed at the round table session. In addition, the Rule 6 party were afforded the opportunity to input to the drafting of the conditions as this session. I have had regard to these discussions in preparing the list of conditions as they are set out on the attached schedule, as well as the guidance contained within the Planning Practice Guidance regarding the use of conditions and paragraph 56 of the Framework. Where necessary, I have amended the wording of the suggested condition in the interests of clarity, precision and enforceability.
55. Conditions dealing with the timescale for the implementation of the permission, the approved plan as well as the reserved matters submission are necessary to provide certainty (conditions 1,2,3) . A number of conditions are necessary and reasonable to ensure the appearance of the development is satisfactory (conditions 24,25,26,27,28,39, 40,41,42,43,44). Conditions are necessary to ensure that the living conditions of the future occupiers of the development are adequately protected (conditions 4,37,45). In the interests of public health, condition 7 has been included to address any potential contamination issues on the site. Condition 8 requires the submission of a construction environmental management plan to ensure the living conditions of neighbouring occupiers are satisfactorily addressed and to ensure the development promotes sustainable construction processes. For the same reasons, condition 9 covers the hours of construction at the site.
56. Conditions 5 and 6 requires the development to submit details in relation to a scheme for archaeological investigation at the site. This is necessary to ensure that any archaeological issues are satisfactorily addressed. Condition 29 and 30 provide protection to existing trees on the site, these are necessary in the interests of the character and appearance of the area. Conditions 31,32 and 33 deal with protected species and are necessary to ensure that measures to adequately protect wildlife are suitably addressed.
57. In the interest of highways safety as well as the provision of pedestrian and cycle infrastructure, conditions 19,20,21,22,23 deal with the provision of a safe and suitable access, the layout of any car parking and cycle parking, and connections to the adopted highway. In the interest of sustainable development, condition 34 seeks to secure the submission of a scheme for

achieving a 10% reduction in the predicted carbon emissions arising from the operation of the development.

58. A number of conditions (conditions 15,16,17,18,35,36,38) are included which deal with foul water drainage and water supply, these include conditions as suggested by Thames Water and will ensure that foul water drainage and water supply are appropriately addressed, including odour mitigation measures. These conditions are both reasonable and necessary. Conditions 10,11,12,13,14 are all reasonable and necessary to ensure that flood risk at the site is adequately addressed.

### ***Other considerations***

59. In accordance with the Framework, a proposal should be determined in accordance with the development plan unless material considerations indicate otherwise. I now turn to set out the benefits the appeal scheme would deliver which are important material considerations.

#### *The benefits of the proposal*

60. There is agreement between the Council and the appellant that the Council are unable to demonstrate a five year housing supply as required by paragraph 78 of the Framework. The Council recognise that that the agreed position of 3.2 years supply at 31 March 2023 is now reduced based on the changes to the standard method for calculating local housing need as well as the deletion of the four year requirement. However, the Council have not quantified what these changes mean. Conversely, the appellant has set out, adopting the same methodology contained within the Housing Land Supply SoCG, and utilising the most up to date local housing need figure, the housing supply is in the region of 1.81 years.

61. The Council and Rule 6 party have suggested that the housing position in Wokingham demonstrates the Council is performing well given its historic over delivery and as a result, the weight to be afforded to housing delivery should be tempered. In my view, the housing land supply figure does not present a ceiling which should not be exceeded. However, I have taken into account the conclusions drawn by the previous Inspectors<sup>5</sup> on this matter. It is worth noting that since the previous decisions were issued, the new Framework against which this appeal falls to be considered against has additional text in relation to paragraph 11(d) which states *having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well -designed places and providing affordable homes, individually or in combination*. The decision at Lodge Road, Hurst is now in the order of some 2 years old, and the main issues are materially different to the appeal before me. Importantly, the Inspector concluded the appeal site was not a sustainable location. In terms of Orchard Road, Reading, the Inspector concluded that the circumstances outlined by the Council do not prevent the application of paragraph 11(d) and oversupply of housing is in itself not a justification for resisting development.

62. Taking into account the above, I consider the approach adopted by the Inspectors at Swallowfield<sup>6</sup> and Orchard Road to be the most appropriate. That

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<sup>5</sup> APP/X0360/W/22/3309202 and APP/X0360/W/24/3342812

<sup>6</sup> APP/X0360/W/24/3340006

is to say the requirement on local planning authorities to deliver housing is forward facing and I give only limited weight to this past over supply.

63. With this in mind, I now turn to consider the benefits of the proposal. The proposal would deliver 230 market homes and 92 affordable homes in a location which I have already concluded to be a sustainable one. The affordable housing provision at 40% would comply with policy CP5 of the Wokingham Core Strategy (2010). In an authority which is unable to demonstrate a 5 year supply of homes, these dwellings would boost the supply of housing in this area which would go someway to addressing this shortfall. The affordable homes would deliver a number of social benefits by providing homes for a sector of the population for which there is an acute need and in an area where the delivery of affordable housing has fallen persistently short of meeting these identified needs. Overall, there is a clear and pressing need for the delivery of both affordable and market homes in Wokingham. I therefore attach significant weight to the delivery of the market housing and in addition, very significant weight to the delivery of the affordable housing in this sustainable location.
64. The proposal would deliver economic benefits in the form of employment during the construction phases of the development, as well as increased spending within the borough as a result of the new occupiers. I therefore attach moderate weight to this.
65. The proposal would also deliver environmental benefits in the form of publicly accessible open space on the site as well as allotments (or an off site contribution). As I recognise that this space is most likely to be used by the occupiers of the new dwellings, I attach only limited weight to this benefit. The proposal would also deliver BNG in excess of the 10% mandatory target to which I attach moderate weight.
66. A number of the highways measures proposed will have benefits not only for the residents of the proposed development but will also benefit existing residents in the area. I attach moderate weight to these benefits.

### **Conclusion and Planning Balance**

67. The proposal would conflict with policies CP9 and CP11 of the Wokingham Borough Core Strategy (2010) as well as policy CC02 of the Wokingham Managing Development Delivery Local Plan (2014). It conflicts with the development plan as a whole. On my reading, these policies present a more restrictive approach to development outside of defined development limits than the Framework. As such, this reduces the weight I attach to this development plan conflict.
68. However, in the case of this appeal, the presumption in favour of sustainable development applies as set out within the Framework. This states that where a Council cannot demonstrate an adequate housing supply, as is the case here, then permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in isolation.

69. In addition to this conflict with the development plan as a whole, the adverse impacts would be the change to the countryside to which I attribute limited harm.
70. Taking into account the above conclusions, material considerations<sup>7</sup> indicate that notwithstanding the conflict with the development plan, planning permission should be granted. It is my view that there would be no adverse impacts which would significantly and demonstrably outweigh the benefits of granting planning permission. Accordingly, planning permission should be granted.

*C Masters*

INSPECTOR

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<sup>7</sup> In light of this conclusion, there would be no conflict with policy CC01 as referred to within paragraph 22 above.

## **Conditions**

1. No development shall commence (except in relation to survey work necessary for demolition) until details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") of the development have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out as approved. Application for approval of the first reserved matters shall be made to the Local Planning Authority not later than 3 years from the date of this permission and all reserved matters applications shall be made within a period ten years from the date of this permission. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plan: Parameter Plan 009 Rev I.
3. Prior to the commencement of development, a strategy for the phasing of the development hereby approved shall be first submitted to and approved in writing by the Local Planning Authority. The Phasing Strategy will define: (i) the development to be delivered within each phase of the development; (ii) timescales for delivery ; (iii) details of the coordination of housing and infrastructure delivery including triggers for delivery of infrastructure and the arrangements to prevent interruption of delivery across sub-phase and phase boundaries. The development shall be carried out in accordance with the approved Phasing Strategy, unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to development above slab, all buildings associated with Riverways Farm, New Bath Road, Twyford, Berkshire, RG10 9RY are to be demolished and permanently removed from the application site in their entirety.
5. Prior to the determination of reserved matters applications dealing with layout, a programme of archaeological work (which may comprise more than one phase of works) shall be implemented in accordance with a written scheme of investigation, which has been submitted and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.
6. No development shall take place on any phase of the development hereby approved until a Phase 2 Contamination Investigation report (including any potential remediation proposals) for that phase is submitted to and approved in writing by the local authority in consultation with the water undertaker. The risk assessment shall document the nutrient impact to groundwater abstraction as a result of the development and propose mitigation and monitoring to ensure that at least 'nutrient neutrality' is achieved. The development shall be constructed in line with the recommendations of the Risk Assessment. All remediation measures so-approved on each phase shall be implemented in full prior to any construction taking place on that phase.
7. In the event that unexpected contamination is found at any time when carrying out the development hereby approved that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the

Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and, where remediation is necessary, a remediation scheme must be prepared in accordance with the approved investigation report which shall be subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the approved remediation scheme.

8. Prior to commencement of any phase of development hereby permitted, a Construction Environmental Management Plan (CEMP) in respect of that phase shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out otherwise than in accordance with the approved CEMP. The CEMP shall include details on the following matters relevant to that phase:

- the parking of vehicles of site operatives and visitors;
- the turning of vehicles within the site;
- loading and unloading of plant and materials;
- storage of plant and materials used in the construction of the development;
- the erection and maintenance of security hoarding
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction,
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- risk assessment of potentially damaging construction activities for protected species and/or the River Loddon;
- identification of "biodiversity protection zones";
- practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- the location and timing of sensitive works to avoid harm to biodiversity features.
- the times during construction when specialist ecologists need to be present on site to oversee works.
- responsible persons and lines of communication including with local residents
- the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- use of protective fences, exclusion barriers and warning signs.
- provision of boundary hoarding;
- details of any site construction office, compound and ancillary facility buildings. These facilities shall be sited away from biodiversity features;
- measures to ensure no on-site fires during construction;
- methods for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use; and,
- methods to record the quantity of recovered mineral (re-use on-site or off-site) and to report this data to the LPA upon completion of the development; and
- badger mitigation strategy (including a status check and follow up licensing and compensation) and reptile and amphibians mitigation strategy, in accordance with British Standard 4202:2013.

The development shall be carried out in full compliance with the approved CEMP at all times.

9. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.

10. The development of each phase shall be carried out in accordance with the submitted flood risk assessment (Flood Risk Assessment & Preliminary Drainage Strategy, David Wilson Homes (Southern) Land North of the A4, New Bath Road, Twyford, August 2022, Vectos) and addendum (Land north of the A4, New Bath Road, Twyford, Flood Risk Assessment Addendum 9th October 2023 ref. 184398, Vectos), and the following mitigation measures detailed in the addendum:

- Finished floor levels shall be set no lower than 35.46 metres above Ordnance Datum (AOD), as detailed on page 6 of the addendum.
- All built development, SuDS and land raising will be excluded from the 1% annual exceedance probability (1 in 100 year) event plus 35% climate change flood extent, as detailed on page 6 of the addendum.

These mitigation measures for each phase shall be fully implemented prior to first occupation within that phase and shall be in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

11. Before or concurrent with submission of the first application pursuant to reserved matters, a Drainage Strategy based on the Flood Risk Assessment Addendum (dated 9 October 2023) and including evidence of the level of the seasonally high groundwater table, drainage calculations, assessment of SuDS components as listed in the CIRIA SuDS Manual (and justification for exclusion of any if necessary), details of the layout, position and size of attenuation basins, and principles for locally based treatments such as rain gardens, filter strips and swales shall be submitted to and approved in writing by the Local Planning Authority.

12. Before each phase of the development is brought into use measures for effective water quality treatment (using the methodology set out in the SuDS Strategy and Section 26.7 of the CIRIA SuDS Manual (C753) or any guidance that supersedes it) shall be provided in accordance with details for that phase that have first been submitted to and approved in writing by the Local Planning Authority.

13. Reserved matters for each phase shall include details of SuDS to serve that phase, based on the approved SuDS Strategy, and shall include full construction details of all SuDS and drainage components. Detailed design of SuDS features shall demonstrate how they will be integrated into the wider landscape, with attenuation basins having a natural shape and shallow profile (not requiring lifesaving equipment and fence barriers), allowing them to fulfil amenity, ecological and drainage functions. SuDS shall be provided prior to first occupation of that phase of the development it is to serve in accordance with the approved details and the phasing details pursuant to condition 3 above and retained thereafter.

14. Prior to commencement (excluding demolition) of any phase of the development hereby approved, a plan for flows above the 1 in 100+40% climate change event (hereinafter referred to as an Exceedance Flow Routing plan) for that

phase shall be submitted to and approved in writing by the Local Planning Authority. The Exceedance Flow Routing plan:

- shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space;
- will demonstrate how flow routes avoid passing through gardens and other areas in private ownership;
- shall be accompanied by an exceedance map with arrows showing the direction of surface water in an event above 1 in 100+40% climate change or blockage;

Each phase of the development shall be carried out in accordance with the details so approved before the first occupation of the development hereby permitted within that phase.

15. No dwelling within the development hereby permitted shall be occupied until a SuDS Management and Maintenance Plan for the lifetime of the development has been submitted to and approved in writing by Local Planning Authority. The plan should include details of:

- arrangements to secure the operation of the scheme throughout its lifetime, including adoption by a Private Management Company, WBC or a Statutory Undertaker;
- maintenance access;
- a method statement for safe and sustainable removal and disposal of waste from drainage system, detailing frequency, materials to be used and standard of work; and
- a GIS shape file for the drainage system serving the site.

The approved SuDS Maintenance and Management Plan shall be implemented in full in accordance with the details hereby approved.

16. No development shall be occupied until confirmation has been provided that either:-

1. Foul water capacity exists off site to serve the development, or;
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or;
3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

17. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

18. Development here by approved shall not commence until a Source Protection Strategy, detailing how the developer intends to ensure the water abstraction source is not detrimentally affected by the proposed development both during and

after its construction, has been submitted to and approved by, the local planning authority in consultation with the water undertaker. The development shall be constructed in line with the recommendations of the strategy.

19. The first application for reserved matters for the development hereby approved shall include details of the proposed vehicular access onto the A4. These details shall include visibility splays acceptable for the speed limits on the A4. No phase of the development hereby approved shall be commenced until such details have been first approved by the Local Planning Authority. The accesses shall be formed as so approved, and the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height prior to the occupation of the development. The accesses shall be retained in accordance with the approved details and used for no other purpose and the land within the visibility splays shall be maintained clear of any visual obstruction exceeding 0.6 metres in height at all times.

20. The reserved matters for the development shall include details of internal pedestrian and cycle infrastructure and connections from the development to the adopted highway. The approved infrastructure shall be implemented in accordance with the approved details prior to the occupation of the first dwelling.

21. The reserved matters application for the development shall include details of car and motorcycle parking in accordance with the Council's policies and which are to be approved in writing by the Council. No dwelling shall be occupied until the vehicular accesses, driveways, parking and turning areas to serve it including any unallocated space have been provided in accordance with the approved details and the provision shall be retained thereafter. The vehicle parking shall not be used for any other purposes other than parking and the turning spaces shall not be used for any other purposes than turning.

22. The reserved matters application for each phase of the development hereby approved shall include details of secure and covered bicycle storage/parking facilities serving those dwellings within that phase for the occupants of, and visitors to the development. The cycle storage/parking shall be implemented in accordance with the approved details before first occupation within that phase of the development and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the garage accommodation on the site identified on the plans to be approved shall be kept available for the parking of vehicles ancillary to the residential use of the site at all times. It shall not be used for any business nor as habitable space.

24. Concurrent with the submission of a reserved matters application in relation to landscape matters of the development, an overarching landscape strategy document for the whole site shall be submitted and approved in writing by the Local Authority. The landscape strategy shall be based on the approved Parameter Plan (as referred to in condition 2 above) and provide more detailed information on the types of structural planting proposed throughout the site and how this relates to the existing landscape features to be retained. It should also define structural landscape elements within the development parcels including SuDS, green infrastructure, and street tree planting. In areas outside the development parcels

the strategy will need to show the location of footpaths and possible linkages to rights of way off site as well as SuDS proposals and all formal recreational locations. Development shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

25. No development (except for demolition) shall take place within a phase until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The submitted details shall include, as appropriate:

- scheme drawings;
- proposed levels and contours;
- detailed design of SuDS features in accordance with the SuDS Strategy, demonstrating how they will be integrated into the wider landscape, with attenuation basins having a natural shape and shallow profile, (not requiring lifesaving equipment and fence barriers), allowing them to fulfil amenity, ecological and drainage functions;
- soft landscaping details including planting plans, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- a landscape specification document covering soft landscaping (including site preparation, cultivation, plant handling and other operations associated with plant and grass establishment) and hard landscaping including all construction works such as paths, bridges and retaining walls;
- details of the street tree planting pits in combination with the roadside swales/raingardens demonstrating that the trees have sufficient rooting volume to enable their successful retention long term health;
- hard landscaping materials including samples;
- minor artefacts and structures (e.g. play equipment, street furniture, refuse or other storage units, signs, external services) including specifications for the product and its installation;
- specification for tree rooting systems and use of structural soils under paving or where rooting volumes are limited;
- all boundary treatments, and other means of enclosure or controlling access such as gates, bollards and vehicle restraint systems, which shall include consideration of ecological permeability;
- measures required for ecological mitigation and biodiversity net gain to include an updated assessment using the Defra metric to achieve a biodiversity net gain;
- details of quality control measures, including supervision of landscape contract(s) by a suitably qualified landscape specialist and annual landscape audits for the five-year period from completion of the landscaping for the Landscape Phase or until adoption (whichever is longer). The annual Landscape Audit shall be submitted to the Local Planning Authority for information prior to the next planting season and replacement planting undertaken in accordance with the landscape audit and ii) below.

26. The hard and soft landscaping scheme of a defined phase shall be implemented in accordance with the details so approved prior to final occupation of that phase.

27. Any trees or plants which, within a period of five years after planting within each phase, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained (in which case the five-year period shall re-commence for that particular plant).

28. No development shall take place within any phase until a landscape and ecological management plan (LEMP), including long-term design objectives, management responsibilities, timescales and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to, and approved in writing by, the Local Planning Authority for that phase. The submitted LEMP shall include the following elements:

- plans showing the extent and layout of the buffer zone adjacent to the River Loddon and the ordinary watercourse within the boundary of the site;
- details of any new habitat created within the buffer zone of the River Loddon, including the proposed planting scheme (these must be native species, ideally of local provenance);
- details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan

The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

29. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. If within a period of five years from the date of the occupation of the first unit, any tree planted is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

30. No development or other operation shall commence within each phase until a scheme which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to that phase in accordance with BS5837: 2012 has been submitted to and approved in writing by the Local Planning Authority (the Approved Scheme).

- the tree protection measures approved shall be implemented in complete accordance with the approved scheme for the duration of the development (including, unless otherwise provided by the approved scheme) demolition, all site preparation work, tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery.
- no development (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) shall commence until the Local Planning Authority has been provided (by way of a written notice) with a period of no less than 7 working days to inspect the implementation of the measures identified in the approved scheme on-site.
- no excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the approved scheme.

- the fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

31. The reserved matters for the development shall include a detailed scheme to maintain or enhance the ecological permeability of the site (especially with regard to mammals). The mitigation and contingency measures contained within the plan shall be implemented in accordance with the approved plan unless otherwise approved in writing by the local planning authority.

32. The reserved matters application for each phase of development hereby approved shall be accompanied by a detailed strategy demonstrating how ecological enhancement measures detailed in section 5 of *Land North of the A4, New Bath Road, Twyford – Response to Ecology Comments* prepared by Thomson Environmental Consultants received by the Local Planning Authority on 15 November 2023 have been incorporated for that phase. The development with each phase shall be carried out in accordance with details so approved.

33. The reserved matters application for each phase of development hereby approved shall be accompanied by a Lighting Design Strategy for Biodiversity for that phase, for the written approval of the Local Planning Authority. The strategy shall be in accordance with 'Bats and Artificial Lighting at Night: Guidance Note GN08/23 and shall outline appropriate mitigation for commuting and foraging bats. All external lighting within a phase shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

34. Prior to the commencement of development, a scheme for achieving a 10% reduction in the predicted carbon emissions arising from operation of the development using decentralised renewable and/or low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) shall be submitted to and approved in writing by the Local Planning Authority. The minimum 10% reduction shall be achieved in addition to the levels of reduction in carbon emissions required through the Building Regulations in force at the date of this permission. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

35. No dwelling hereby approved shall be occupied until fittings have been installed that are designed to achieve a water consumption target of 105 litres/person/day or less in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

36. The reserved matters for each phase of the development shall include provision for all dwellings of a water butt of an appropriate size installed to maximise rainwater collection and space for composting, unless it can be demonstrated to the satisfaction of the Local Planning Authority that it is not practicable to accommodate it within the curtilage of the building. No dwelling shall be occupied

until a water butt and space for composting have first been provided for that dwelling.

37. The dwellings within each phase of development hereby approved shall be designed and/or insulated so as to provide attenuation against externally generated noise in accordance with a noise mitigation scheme that has first been submitted to and approved in writing by the Local Planning Authority before commencement of development within that phase. The submitted noise mitigation scheme shall ensure that ambient internal noise levels and the noise levels within gardens for dwellings meet the BS8233/2014: Guidance on sound insulation and noise reduction for buildings. The approved mitigation measures to serve each dwelling shall be implemented prior to first occupation of that and retained thereafter.

38. The development hereby approved shall not be commenced unless and until the applicant has provided written confirmation from Thames Water Utilities Limited ("Thames") to the local planning authority that the applicant has entered into an agreement with Thames which provides for the delivery mechanism (including a programme and timetable for implementation) for the odour mitigation measures set out in Section 7.1 of the Olfasense Odour Assessment Report DWHO23A\_03 dated 2 March 2023 ("the Odour Mitigation Measures"). The Odour Mitigation Measures shall be implemented and operational prior to first occupation of any phase of the development hereby approved

39. No development within any phase shall take place until a measured survey of the site and a plan prepared to scale of not less than 1:500 showing details of existing ground levels for the application site and proposed finished ground and floor levels (in relation to a fixed datum point) and finished roof levels for that phase shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be fully implemented prior to the occupation of the building(s).

40. Prior to the commencement of the development within each phase involving earthworks, details of the earthworks for that phase shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The Earthworks shall be carried out in accordance with the approved details and permanently so retained.

41. The reserved matters application for each phase of the development shall include details of how the development has taken into account principles of Secure by Design for that phase. The development shall be carried out in accordance with the approved details.

42. Before the development of any phase including dwellings hereby permitted is commenced, samples and details of the materials to be used in the construction of the external surfaces of the building/s for that phase shall have first been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the so-approved details.

43. Before the development hereby permitted is commenced on any phase details of all boundary treatment(s) to plots within that phase shall first be submitted to

and approved in writing by the Local Planning Authority. The details shall include relevant measures to provide ecological permeability throughout the site. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

44. Details of external lighting for each phase shall be submitted to and approved in writing by the Local Planning Authority before that phase of the development is occupied. The details shall be in accordance with the Lighting Design Strategy for Biodiversity include location, height, type and direction of light sources and intensity of illumination for all external lighting strategies including details of lighting for all highways, cycleways, footpaths and public areas. No further external lighting shall be installed without having first obtained written approval from the Local Planning Authority.

45. No dwelling shall be occupied until adequate ducting, that shall enable the connection of superfast broadband or similar technologies, has first been provided to serve that dwelling.

### **Conditions End**

## APPEARANCES

### FOR THE APPELLANT:

|   |                      |
|---|----------------------|
| Sasha White KC                          | Instructed by Turley |
| David Murray Cox BA (Hons) MPlan MRTPI  | Turley               |
| Clare Brockhurst FLI, BSc (Hons) Dip LA | Leyton Place Limited |
| James Bancroft                          | SLR Consulting Ltd   |
| Sophie Horsley*                         | David Wilson Homes   |
| Richard Harding*                        | Osbourne Clarke      |

### FOR THE LOCAL PLANNING AUTHORITY:

|  |  |
|--|--|
| Joseph Thomas  | Instructed by Working Borough Council                    |
| Laura Ashton MRTPI   | LAUK Planning Limited                                    |
| Andrew Chugg* MRTPI DipTP                                    | Assistant Director of Planning Wokingham Borough Council |
| Catherine Brimble* BA (Hons) Dip LA MNLI Landscape Architect | Wokingham Borough Council                                |
| Ray Drabble* Flood Risk Manager                              | Wokingham Borough Council                                |
| Alan Lewis* Highways Team                                    | Wokingham Borough Council                                |
| Nicky Phillips* Employment and Skills Officer                | Wokingham Borough Council                                |
| Jeffery Ng*  | NHS Buckinghamshire, Oxfordshire and Berkshire West ICB  |

### RULE 6 PARTY:

|                       |                                       |
|-----------------------|---------------------------------------|
| Alex Shattock         | Instructed by Wargrave Parish Council |
| Cllr Kevin Southworth |                                       |

### INTERESTED PARTIES:

|                        |                |
|------------------------|----------------|
| Lillian Pearson Bishop | Local Resident |
| Jonathan Riley         | Local Resident |
| Richard Thomas         | Local Resident |
| Steven Conway          | Local Resident |
| Cerri Hart             | Local Resident |

|                   |                        |
|-------------------|------------------------|
| Elizabeth Tawse   | Local Resident         |
| Catherine Abbott  | Local Resident         |
| Patricia Sutcliff | Local Resident         |
| Charles Wickenden | Twyford Parish Council |
| Gavin Dunbar      | Local Resident         |
| Graham Howe       | Local Resident         |

*\*denotes participation at Planning Obligation and Conditions session only*

## **Documents submitted at the inquiry**

Updated Core Documents list

Opening Statement on behalf of the Local Planning Authority

Opening Statement on behalf of the Rule 6 Party

Opening Statement on behalf of the Appellant

Statement on behalf of J Riley

Statement on behalf of R Thomas

Statement of behalf of L Bishop

Statement on behalf of G Dunbar

TAG Unit A4.1 Social Impact Appraisal November 2022

DMRB Volume 11 Section 3 Part 8 and LA112

Draft Planning Obligation

Draft Conditions with commentary from the LPA and the Appellant

National Cycle network route 4 Map extract source: Sus Trans website

Attendance sheet

Closing Statement on behalf of the Local Planning Authority

Closing Statement on behalf of the Rule 6 Party

Closing Statement on behalf of the Appellant

Site visit route map

Site plan extract