

Application Number	Expiry Date	Parish	Ward
232490	15.11.2024	Barkham	Barkham and Arborfield;

Applicant	Anwyl Land Limited
Site Address	Land off Langley Common Road, Arborfield, Wokingham
Proposal	Outline planning application for a proposed residential development of up to 50 dwellings together with open space and associated works. Means of Access to be considered (with Appearance, Landscaping, Layout and Scale to be reserved).
Type	Outline and means of access. Appearance, landscaping, Layout and Scale to be reserved).
Officer	Mark Croucher
Reason for determination by committee	Major application

FOR CONSIDERATION BY REPORT PREPARED BY	Planning Committee on Wednesday, 9 October 2024 Assistant Director – Place and Growth
RECOMMENDATION	i) APPROVAL subject to conditions and informatives outlined in Appendix 1 of this report and the completion of a S106 legal agreement to secure the following: 1. Affordable Housing – 40% on site affordable Housing. 2. Employment and Skills Plan – Employment and Skills Plan or in lieu contribution to be provided – this is determined by floorspace and so will be calculated at Reserved Matters. 3. Thames Basin Heaths SPA – Off site mitigation to be secured (via Langley Mead) and contribution to be calculated following Reserved Matters as it is dependent on number of bed spaces per dwelling 4. Roads – Details of road status – either to remain as private or to be adopted by the Council and to be built to adoptable standards 5. Establishment of Management Company – to be responsible for drainage, roads (the latter if not adopted by the Council) 6. Contributions in accordance with Policy TB08 for open space, sport and recreational facilities standards. 7. Offsite Highway works – Relocating bus stop.

	8. Bus Service Contribution - £914 per dwelling will be required to improve the sustainability of the site. 9. Biodiversity – A Landscape Ecological Management Plan (LEMP) to be submitted demonstrating no overall loss of ecology/biodiversity and offsite compensation where necessary. Or ii) That the committee authorise the Head of Development Management to REFUSE full planning permission if the legal agreement is not completed within six months of the date of this resolution (unless officers on behalf of the Head of Development Management agree to a later date for completion of the legal agreement).
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SUMMARY

The application is for outline planning permission for the proposed erection of up to 50 dwellings with associated access. Appearance, landscaping, layout and scale are to be reserved matters. Along with the proposed accesses, matters for consideration are the principle of residential development in this location and whether the quantum of up to 50 dwellings can be appropriately accommodated within the site.

The site is outside of, but opposite/adjacent to the northern settlement limits of Arborfield Garrison, which is a Strategic Development Location with a range of day-to-day facilities. The policies that establish settlement limits are however out of date by reason of the absence of a NPPF compliant housing land supply and this effectively reduces the weight of this spatial conflict.

The site would relate to the existing settlement pattern of Arborfield Garrison, matching development and built form on the opposite/southern side of Langley Common Road. It would also abut existing residential development at Rickman Close. There would however be some harm regarding the loss of the field and the contribution this makes to the overall separation between Arborfield Cross and Arborfield Garrison.

Indicative drawings demonstrate that the quantum of development could be achieved whilst striking an appropriate balance between existing densities in the area and making efficient and effective use of land. The proposal would have an acceptable impact on highway safety. The site is Flood Zone 1 and there are no drainage implications that would weigh against this proposal.

The development makes a meaningful contribution to the boroughs housing land supply and provides 20 on-site affordable homes. The design and layout will result in a satisfactory residential development with incorporated open space and play facilities. Ecological impacts can be mitigated and there would be an ecological area incorporated into the development. These are weighty factors in favour of the scheme.

The Council is currently unable to demonstrate a four-year supply of deliverable housing

sites and subsequently, Core Strategy policies CP9 and CP11, as well as MDD Local Plan Policy CC02 identified above, which are most important for determining applications for new housing, are considered out-of-date in accordance with Paragraph 11 of the NPPF. Paragraph 11 of the Framework states that where the development plan is out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or there are specific policies in the Framework which indicate that development should be restricted. In this regard the tilted balance is engaged, albeit tempered due to past over-delivery.

Overall, in applying the test required by Paragraph 11d of the NPPF and the tempered tilted balance, and when taking all matters into consideration, the adverse impacts of the proposed development would not significantly and demonstrably outweigh those identified benefits when assessed against the policies in the Framework when taken as a whole. The application is therefore recommended for approval subject to the conditions and legal agreement set out in this report.

RELEVANT PLANNING HISTORY

None.

DEVELOPMENT INFORMATION

Proposed units	50
Proposed density - dwellings/hectare	24 dph
Number of affordable units proposed	20
Previous land use	Agriculture
Existing parking spaces	N/A
Proposed parking spaces	N/A (Layout reserved matter)

CONSTRAINTS

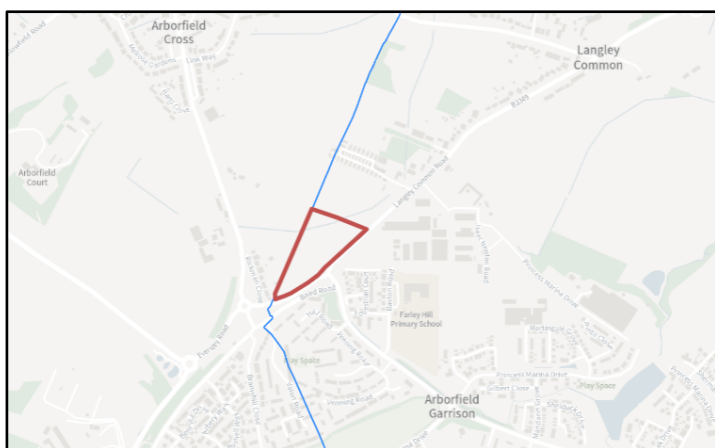
Countryside
Agricultural Land Grade 2 and 3
Public Right of Way
Flood Zone 1
Surface Water Flooding
Thames Basin Heaths - Special Protection Area – 5 and 7 km
Potentially Contaminated Land Zone

CONSULTATION RESPONSES

WBC Highways	No objection subject to conditions
WBC Drainage	No objection subject to conditions
WBC Landscape and Trees	Objection
WBC Environmental Health	No objection
WBC School Places	No objection
WBC Rights of Way	No response
WBC Affordable Housing	No objection subject to AH delivery
WBC Ecology	No response
Royal Berkshire Fire and Rescue	No objection
Natural England	Habitat Regulation Assessment should be complete by the LPA

REPRESENTATIONS**Town/Parish Council:**

A full copy of the Parish Council responses is appended to the agenda. The site falls within Barkham Parish Council boundaries but is on the border with Arborfield and Newland Parish Council's area. The map below shows the parish council boundaries.

**Barkham Parish Council**

Barkham Parish Council (BPC) wishes to oppose this application for the following considerations:

This site lies outside the existing settlement area and is the only green space between the settlements of Arborfield Cross and Langley Common Road. It will increase the urbanisation of the area and detract from the nearby countryside. (Policies CP1, CP11, CC02, TB21 & IRS1).

The proposed development will encroach into the greenspace around individual residential sites which is contrary to the spatial goals of the 2010 Core Plan set out in Section 2.68 (viii). (Policies CP3, CC03, TB21, IRS1 & IRS2).

This is entirely a greenfield development site and an area of mature countryside that will concentrate human and traffic activity closer to the existing hedgerows and other habitats. This will have a significant and negative impact on wildlife such as badgers, foxes, deer, owls and red kites. (Policies CP7 & IRS3)

The traffic on Langley Common Road, already congested at peak times, is increasing with an average of some 5000 vehicles per day recorded. New developments that feed onto Langley Common Road will add to this volume.

The access road will egress onto Langley Common Road between 2 roundabouts on a route that as discussed above is already seeing a significant increase in in traffic, and will add to the congestion that already exists. (Policy CP1, CP4)

The location of the access road is close to a known flood risk area which has already led to the closure of the underpass underneath Langley Common Road. Flooding is frequently

observed with moderate rainfall and the proposed development will further aggravate this issue.

Furthermore, the closure of the underpass will be offset by the construction of a toucan crossing in the vicinity of the proposed access point which will further increase congestion.

The frequency and routing of the bus service from this area to Wokingham and Reading are not conducive for commuting and the school run purposes. The car will continue to be the preferred means of travel adding yet more traffic on this already busy road.

This location is not sustainable. The Wokingham Borough Design Guide SPD states that for locations to be sustainable, 'walkable neighbourhoods should be created that have a range of facilities within 10 mins walking distance (800m) to encourage travel by foot or by bicycle'. The proposals of this application do not meet this criterium.

Local services such as schools, medical and dental care are already stretched with people having to travel across the Borough to secure access. This development will add to these shortages.

In addition to the above specific planning considerations, BPC would like to make one further observation. This application pre-empts the Local Plan Update (LPU) – it is not included in the 2010 Core Plan nor in either of the two recent versions of the LPU.

This resulting piecemeal approach to planning driven by the developers without reference to a professionally produced overall plan will create a number of discrete residential centres rather than a focal point that can be designed to be truly sustainable thereby encouraging walking and cycling and reducing additional traffic as much as possible.

The cumulative effect of several such planning applications being adopted will exacerbate the concerns expressed above regarding this specific application. Hence, applications such as this should not be considered in advance of the LPU.

Barkham Parish Council requests that this application is refused.

A full copy of the Parish Council Response is appended to the agenda.

Arborfield and Newland Parish Council

This is an inappropriate development in this location for the reasons outlined below. Arborfield and Newland Parish Council (The Council) believes that Wokingham Borough Council has no option but to refuse this application.

The proposed development contravenes policies IRS1, IRS2, IRS4, AD1, AD2 and GA3 of the adopted Arborfield and Barkham Neighbourhood Plan and, policies CP1, CP2, CP3, CP4, CP6, CP9, CP11 and CP18 of the Wokingham Borough Core Strategy. These policies set a position against development outside the settlement boundaries, development in the countryside, degradation of the identity, historical and rural character of the area, and require applicants to demonstrate sustainable development, appropriate developments to meet the local housing need and sustainable transport.

The application submitted by Anwyl Land Ltd does not comply with these policies nor does it demonstrate how it would mitigate the harms of the development. As the housing need

identified in the Arborfield and Barkham Neighbourhood Plan has already been more than delivered, and the Arborfield Garrison SDL is ahead of planned completions, there is no discernible benefit from this development for the local area. As a result of the significant harm this development would cause while delivering no benefits to the area The Council believes WBC has no option but to refuse this application. The application is a ribbon development and seeks to link Arborfield Cross village with Arborfield Garrison SDL and coalesce both settlements into one.

The development will sit adjacent to Langley Common Road between two roundabouts on a route that is already experiencing significantly elevated traffic volumes as a result of the closure of School Road.

The development is outside the curtilage of Arborfield Cross and the addition of 50 houses would substantially increase the developed area and change the rural character and setting of the historic village irrevocably.

The development is outside the Arborfield Garrison strategic development location and is wholly a greenfield development site outside the current settlement boundaries which would result in a net loss of agricultural land and green field open space which is the predominant character of this area outside the settlements.

The site for development also fails to provide a sustainable location and supports no improvements to the local amenity, facilities, or transport links that this development relies on to support the 'sustainable' nature of its planning application. Bus journeys to Reading station are 40-50 minutes and buses to Wokingham Station infrequent. Existing experience demonstrates that the majority of commuting for school and education is by car because of inadequate public transport links. The site is more than a comfortable walking distance from the amenities proposed for Arborfield Garrison SDL which will require use of a car for shopping and leisure trips. There are no public transport routes to local medical facilities and no safe walking or cycling routes to reach the medical facilities at Swallowfield or Shinfield; there is no proposed medical facility in Arborfield Garrison SDL. The assumed car trip rate is significantly lower than that measured on similar developments locally which will put increased congestion onto a road network that is already approaching capacity at peak times.

The parish council therefore does not believe this proposed development is consistent with WBCs planning objectives, is contrary to the Arborfield and Barkham Neighbourhood plan and also fails to meet national and local sustainability criteria. The Parish council strongly objects to this development.

Shinfield Parish Council

SPC object to proposals that are outside development limits as is the case here as they erode the effectiveness of such limits.

This development would add to traffic levels in the parish of infield and would further diminish access to education within the parish by reducing spare capacity.

SPC also support the comments of our neighbouring parish councils made on this proposal

Local Members:

None

Neighbours:

A total of 124 representations received objecting to the development. 84 representations received when considering duplicate submissions. The objections are summarised below:

- The application fails to meet the Arborfield and Barkham Neighbourhood Plan and is planned for a greenfield site. It is outside of the Garrison strategic development location (an area specifically identified for housing).
- Impact on wildlife and ecology
- Loss of natural habitat
- Lack of local amenities
- Impact on traffic
- Impact in highway safety
- Additional pollution from vehicles
- Loss of countryside
- Loss of green spaces
- Amenities are yet to be developed for Arborfield SDL
- Exacerbates existing traffic problems
- Poor public transport links
- Not enough doctors and dentists to support the development
- Lack of school places
- Increased noise and disturbance
- The access close to the Baird Road roundabout is a highway safety concern
- It will further stretch existing utility systems
- No safe crossing points along the road
- There is no need for the development
- Green spaces are needed between settlements
- Impact on character of the area
- Impact on the countryside
- The rural character is being eroded
- Loss of privacy for residents at Rickman Close
- The development takes advantage of WBC not having an up to date local plan
- Traffic has increased along the road since the closure of School Road.
- Water utilities in the area are inadequate
- There is existing flooding
- Loss of Green Gap between Arborfield, Barkham and Arborfield Cross
- Outside of settlement limits
- Out of the SDL
- Negative impact on existing residents amenity.
- Impact on Thames Basins Heaths SPA
- Impact on local residents during construction
- The housing is out of keeping with the low level residential homes at the nearby park homes
- Impact on fire services
- There are plenty of unsold properties in the area
- The land was considered unsuitable for development in the LPU
- Loss of strategic gap between settlements

- Erosion of settlement separation
- Loss of attractive walking route
- Local schools are at capacity
- The development should be environmentally sustainable
- Net loss of biodiversity
- Slow worms have been observed in the field
- The roads are at peak capacity
- Too much development in the area
- Impact on drainage and flooding
- It would be a difficult junction between roundabouts
- Too many houses with too little Green Space.
- Does not meet the Neighbourhood Plan
- Using the existing underpass would be preferable to road crossings
- Noise impact on existing residents

PLANNING POLICY

National Planning Policy Framework
National Design Guide
National Planning Practice Guidance

Core Strategy (CS)

CP1 – Sustainable Development
 CP2 – Inclusive Communities
 CP3 – General Principles for Development
 CP4 – Infrastructure Requirements
 CP5 – Housing Mix, Density and Affordability
 CP6 – Managing Travel Demand
 CP7 – Biodiversity
 CP8 – Thames Basin Heaths Special Protection Area
 CP9 – Scale and Location of Development Proposals
 CP11 – Proposals Outside Development Limits (Inc Countryside)
 CP17 – Housing Delivery
 CP18 – Arborfield Garrison SDL

MDD Local Plan (MDD)

CC01 – Presumption in Favour of Sustainable Development
 CC02 – Development Limits
 CC03 – Green Infrastructure, Trees and Landscaping
 CC04 – Sustainable Design and Construction
 CC05 – Renewable Energy and Decentralised Energy Networks
 CC06 – Noise
 CC07 – Parking
 CC09 – Development and Flood Risk
 CC10 – Sustainable Drainage
 TB05 – Housing Mix
 TB07 – Internal Space Standards
 TB08 – Open Space, Sport and Recreational Facilities Standards
 TB21 – Landscape Character

TB23 – Biodiversity and Development
TB24 – Designated Heritage Assets
TB25 – Archaeology

Other

Arborfield and Barkham Neighbourhood Plan
Borough Design Guide Supplementary Planning Document
CIL Guidance + 123 List
Affordable Housing Supplementary Planning Document
Sustainable Design and Construction Supplementary Planning Document
Arborfield Garrison SDL SPD
Arborfield and Newland Village Design Statement

Principle of Development:

1. The starting point for decision making is the development plan. Section 70[2] of the TCPA 1990 & 38[6] of the PCPA 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The plan-led approach established in law is reinforced through the NPPF including paragraph 47:

‘Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.’

2. Paragraph 17 and 20 of the NPPF state the development plan must include strategic policies to address each local planning authority’s priorities and an overall strategy for the pattern, scale and quality of development.
3. The Development Plan includes the Core Strategy (adopted in January 2010), the Managing Development Delivery Local Plan (adopted in February 2014) (MDD Local Plan) and the Arborfield and Barkham Neighbourhood Plan. The Core Strategy and MDD Local Plan sets out the vision for the borough and the policies to achieve those objectives. The core spatial strategy established by the Core Strategy was informed by engagement with the community.
4. The NPPF has an underlying presumption in favour of sustainable development which is carried through to the Development Plan. Policy CC01 of the MDD Local Plan states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

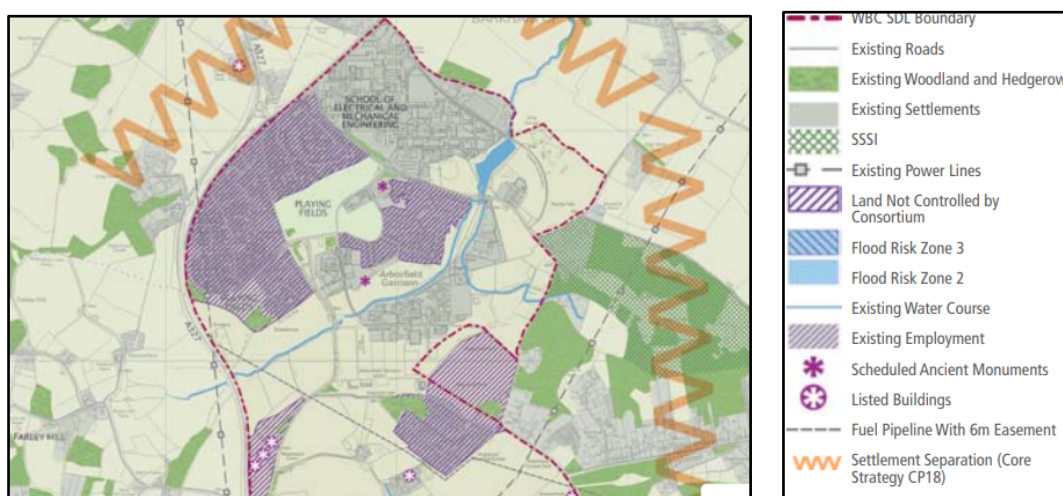
Core Strategy and MDD Local Plan

5. A priority of the Development Plan is to steer new housing to the most sustainable locations within settlement boundaries and limit development within the countryside. This is, among other things, in order to promote sustainability, maintain the quality of the environment, protect the separate identity of settlements and provide certainty regarding how the borough will be developed. It is also well-explained in the Borough Design Guide at pages 6 -7.
6. The spatial vision explains that in order to deliver the necessary development within the Borough the Council has identified a number of high-quality Strategic Development Locations (SDLs) where the majority of the minimum 13,230 new houses to be delivered in the Core Strategy local plan period will be located. This approach seeks to locate schemes where they can provide easy access to existing facilities and services or where infrastructure improvements can be delivered. In addition, the spatial vision seeks to concentrate development in those towns and villages that either have a significant range of infrastructure including facilities and services now - or will have them as a result of the development proposed through the CS. Development is stated to be less likely in locations where these facilities and services will not be available.

7. Policy CP9 of the Core Strategy and CC02 of the MDD Local Plan states that proposals will be permitted within development limits where the scale of the application reflects the facilities and services within the settlement. The settlements are split into three categories depending on the sustainability of those locations; Major, Modest and Limited development locations. Policy broadly steers Major developments to sustainable major settlements with the best services, facilities and infrastructure. The definition of development limits recognises the consistent approach in planning to identify appropriate and sustainable areas for development.
8. Whilst the site is opposite the settlement limits of the Arborfield Garrison SDL, it is within the countryside. Therefore, an assessment against policy CP11 of the Core Strategy is required. This refers to development within the countryside and states *‘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’*, other than the exceptions listed. The proposed development would not fall within any of the exceptions set out in Policy CP11.
9. As none of the exceptions given in Core Strategy Policy CP11 apply to this proposal, they would not form a basis to support this scheme. However, due regard should be had to specific purpose of this policy, which is to maintain the sense of separation between settlements and to maintain the quality of the environment. In this respect an assessment will be undertaken below to establish whether the proposal would conflict with this purpose, thereby establishing how much weight is to be given to any identified conflict. In summary, the location of this development is not in accordance with the Development Plan, taken as a whole. This is because by seeking to develop this countryside location, outside defined development limits, it would conflict with the spatial vision for the Borough, set out at Section 3 of the Core Strategy, and would conflict with a number of adopted policies such as CS Policies CP9 and CP11, as well as MDD Local Plan Policy CC02.

Settlement Separation

10. The development will be within an area identified as “Settlement Separation” in the Core Strategy and Arborfield SDL Supplementary Planning Document – an extract from the SPD is set out below.



11. As described, development in this location would conflict with the Core Strategy and the strategy for the area.

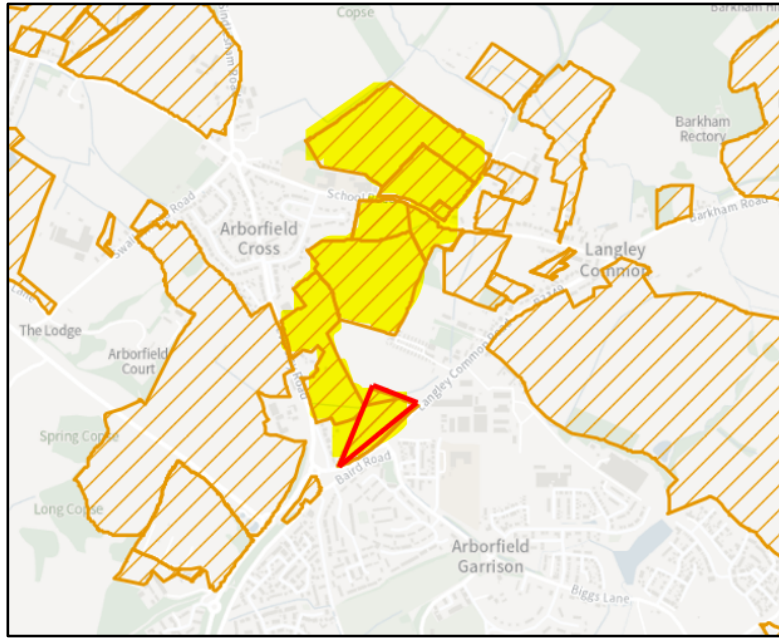
12. Neighbourhood Plan Policy IRS1 states in order to protect the separation of settlements, development proposals outside of development limits should not lead to the physical, visual or perceived coalescence of existing settlements.
13. The development would encroach into open land to the north of Langley Common Road and between Arborfield Garrison and Arborfield Cross. To this extent the proposal would erode some of the open space between the settlements. The development would not however extend any further northward than the ribbon development along Rickman Close and there would still be appreciable open countryside (approx. 370m) separating the settlements. The development would be seen as experienced within the context of the Arborfield Garrison SDL and it would not significantly blur the boundaries between existing settlements.
14. In this regard, whilst resulting in physical encroachment, there would be limited visual or perceived coalescence, and as such, the conflict with the aims and objectives of the CS, the Arborfield SDL strategy and Neighbourhood Plan should be reduced.

Neighbourhood Plan

15. The Arborfield and Barkham Neighbourhood Plan (NP) was 'made' (adopted) on 22 April 2020 and forms part of the development plan. The NP uses the same settlement limits as the Core Strategy and MDD Local plan and therefore the location of the development would be contrary to the spatial strategy carried into the Neighbourhood Plan. The policies of the NP have been assessed throughout the assessment of this application.

Emerging Local Plan Update

16. The Local Plan Update (LPU), the plan which will supersede the Core Strategy and MDD Local Plan, is at the consultative stage of preparation. To date, the Council has consulted on two draft strategies for the LPU: the Draft Plan (2020) and the Revised Growth Strategy (2021).
17. The site has not been included as a proposed allocation in the emerging LPU. It was considered as part of a larger group of sites known as 5AR007 between Arborfield Garrison and Arborfield Cross in Housing and Economic Land Availability Assessment (HELAA) (2021). The extent of this group is highlighted in yellow below with the application site outlined in red.



18. The larger allocation was considered unsuitable because of the overall impact this allocation would have of the coalescence of settlements which would be inappropriate to the existing settlement form and pattern. However, as the application site covers only a small proportion of the 5AR007 group, it would be unwise to assume that exactly the same conclusion would be reached on the potential impact as set out in the HELAA. The impact on settlement separation is considered further in this report but overall, it is concluded that whilst there would be some erosion of the separation between settlements, this would not be a significant nor wide ranging as the 5AR007 grouping.
19. Notwithstanding the above, given the LPU is at a consultative stage, the draft strategy and related draft policies have limited weight in determining planning applications at this time. It must also be recognised that the assessment of land in the HELAA is high level with the purpose of informing options within the plan-making process. It is not comparable to a planning application, however, it is nonetheless useful in providing an understanding as to how the wider promoted site was viewed in context of plan-making.
20. The LPU was brought to full Council on the 19th of September 2024 under the Regulation 19 process, which was accepted by Members with 30 votes for, and 19 against. A Regulation 19 consultation is therefore being undertaken at this time.
21. In considering the weight to be given to Wokingham Borough Council's emerging LPU, it is necessary to refer to Paragraphs 48-50 of the NPPF 2023. Paragraph 48 states that decision-makers may give weight to emerging policies according to:
 - *The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
 - *The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);*

- *The degree of consistency of the relevant policies in the emerging plan with the NPPF (the closer the policies are to the Framework, the greater the weight that may be given).*
22. The LPU is still at an early stage of its preparation. Submission to the Secretary of State is anticipated to be in December, with Stage 1 of the examination scheduled for Spring 2025 and Stage 2 later in the Summer of 2025. The Inspector's post-hearing letter is anticipated in Winter 2025, with the consultation on modifications planned for early 2026, and adoption is not projected until Spring/Summer 2026.
 23. As seen in High Court judgements, even when an emerging plan is at an advanced stage, it may still attract limited weight if further consultation and modifications are required, and the Inspector has yet to issue a final report. Wokingham's LPU has several stages yet to be completed, including the examination hearings and main modifications stages, which restricts the weight that can currently be afforded.
 24. Given the broad timeline noted in point 1, the extent and significance of unresolved objections cannot yet be fully ascertained. However, the LPU will propose a development strategy to 2040, which will result in significant interest from stakeholders, including developers, residents and statutory consultees. It is therefore highly likely that one of the primary areas of contention and potentially objection, will be the spatial strategy for development and the location of land proposed for development to help meet future development needs. How far such objections are capable of being resolved will only become clear at later stages of plan making.
 25. Although the council are confident that the emerging LPU, and its policies align with the NPPF, the degree of consistency has not yet been tested through examination and cannot be guaranteed. As per other cases, consistency with the NPPF is only one factor, and its relative importance depends on the extent to which the LPU impacts the planning balance in decision-making.
 26. Using these tests and drawing on the conclusions of the High Court judgments, it is appropriate to conclude that at best, only 'limited weight' can be attributed to Wokingham Borough Council's emerging LPU at this time.
 27. It is therefore necessary for the committee to make decisions in accordance with the current Development Plan and have due regard to any other material considerations until such time as the LPU has progressed further.

National Planning Policy Framework

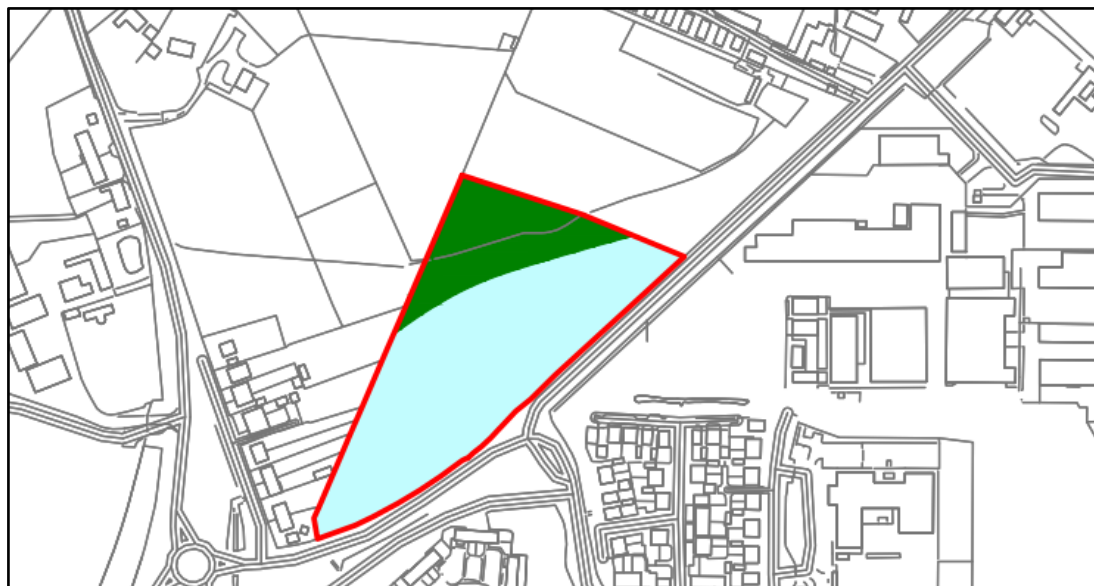
28. The NPPF is a material consideration in the decision-making process. The NPPF outlines the Government's planning policy on a national level and highlights sustainable development as the centre of the decision-making process incorporating economic, social and environmental objectives. These three objectives seek to balance growth and local community needs against the protection of the natural, built and historic environment. It does not however change the status of the development plan as the starting point in the decision-making.

Housing Land Supply

29. To achieve sustainable development, the NPPF requires LPAs to identify a five-year supply of specific deliverable sites to meet housing needs. However, against this requirement, the Council is currently only able to demonstrate 3.2 years' worth of deliverable sites, rather than a four-year supply required [a 4-year supply is required due to the stage of the local plan update]. Subsequently, Core Strategy Policies CP9 and CP11, as well as MDD Local Plan Policy CC02 identified above, which are most important for determining applications for new housing, are considered out-of-date in accordance with Paragraph 11 of the NPPF.
30. Paragraph 11 states that where policies which are most important for determining the application are out-of-date, permission should be granted unless:
- the application of policies in the Framework that protect assets of particular importance provides a clear reason for refusing the development; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
31. Firstly, in considering i), it must be recognised that the proposed site is not located within any protected areas or assets of particular importance (as outlined above and within footnote 7 and paragraph 181 of the NPPF). Officers must therefore consider the application under ii) and determine whether there are any adverse impacts generated by the development that would significantly and demonstrably outweigh the benefits. This is referred to as the 'tilted balance', as harm and benefits are not weighed equally, but tilted against any adverse impacts.
32. In acknowledging the requirements of paragraph 11(d) ii) and the titled balance being engaged, it is necessary to consider the underlying reasons for the shortfall in deliverable housing sites in order to understand whether there are any circumstances which affect the degree to which the tilted balance is engaged.
33. Firstly, the identified shortfall is acknowledged to not be a result of under-delivery of housing but is in fact due to a significant over delivery in recent years, reducing the bank of land with extant planning permissions. All evidence and assessments show that whether the housing target is defined through the requirement set out in the Core Strategy or the outcome of the Standard Method set out in National Planning Practice Guidance, delivery has significantly exceeded the target. If over delivery was taken into account over the whole Core Strategy plan period or since the introduction of the standard method, there would be no shortfall over the coming five years with over delivery significantly exceeding the shortfall.
34. In this context, the weight to be attached to the benefits of additional housing under paragraph 11 of the NPPF should be moderated. This reflects the approach set out in a number of appeal decisions where the Inspectors have recognised the over delivery position. This was factored into the overall weighting of the benefits of the scheme.
35. Taking previous Inspector's conclusions from past appeal decisions into consideration, it would indicate that whilst the tilted balance is engaged, this tilt is tempered due to past over delivery for those reasons outline above. Having established the tilted balance is 'tempered', Paragraph 11d(ii) requires the proposal to be considered against the policies of the NPPF taken as a whole.

Agricultural Land Classification:

36. An Agricultural Land Classification Report has been submitted showing the land as a mixture between Grade 2 (very good quality) and 3a (good quality). The land is therefore classed as Best and Most Versatile Land in accordance with the Glossary in the NPPF. The areas of BMV land are depicted on the plan and key below.



KEY			
Grade 1		Grade 4	
Grade 2		Grade 5	
Subgrade 3a		Non-agricultural	
Subgrade 3b		Not present	

37. Policy CP1 states development should avoid areas of best and most versatile agricultural land. Best and most versatile agricultural land is defined as land in grades 1, 2, and 3a of the Agricultural Land Classification.
38. The NPPF states that planning decisions should contribute to and enhance the natural and local environment by ‘...recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land’ (Para. 180). The NPPF goes on to states that ‘where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development’ (footnote 62).
39. Aerial photographs show that the site has not been used for arable farmland since at least 1999 and therefore has had no commercial production in at least the last 20 years. This alongside the fact that the site represents a very small proportion of the overall BMV resource within the Borough, only limited weight can be afforded to the economic implications arising from the loss of BMV in this instance. Furthermore, the NPPF (footnote 62) accepts that there are instances where the loss of BMV is

necessary, and in this instance, any loss and economic implications must be balanced against the clear need within the NPPF to meet the borough's identified housing needs. These social and economic factors will be weighed in the overall balance.

Parameters for development and design:

40. The application is for outline permission with all matters reserved apart from the access. An indicative Parameter Plan has been submitted showing where the blocks of development could be located and where the access will be located onto Langley Common Road. Drawings showing an indicative layout has also been submitted and whilst this is only illustrative for this outline permission, it does indicate broad constraints that, to a degree, would show how the development could be laid out.
41. The Planning Practice Guidance (PPG) sets out how design should be considered for an outline application:

'How is design considered in outline planning applications?

Applications for outline planning permission seek to establish whether the scale and nature of a proposed development would be acceptable before fully detailed proposals are put forward. However, design is often considered at this stage in order to assist community engagement, inform an environmental impact assessment or design and access statement (where required) and provide a framework for the preparation and submission of reserved matters proposals.'

[...]

'Design quality cannot be achieved through an outline planning application alone. Outline planning applications allow fewer details about the proposal to be submitted than a full planning application, but can include design principles where these are fundamental to decision making.'

42. The density of the developed parcel of land would be approximately 24 dwellings per hectare (dph). A triangle of land at the north of the site would remain undeveloped and will be set aside as a small ecological area, therefore this has not been included in the density calculation.
43. The density of development in the immediate area varies. Rickman Close comprises of a mix of detached and semidetached dwellings with one small terrace of three houses. The Close has a density of approximately 12.5 dph. The houses opposite the site access are original dwellings as part of the Arborfield Garisson and these have a density of approximately 40 dph and are arranged in small groups of terraces. The new dwellings erected as part of the strategic allocation in Equestrian Court have a density of approximately 32 dph.
44. The density of the development is considered appropriate for the site. Whilst it is denser than the dwellings along Rickman Close, the site is opposite the Arborfield Garisson SDL and will largely be seen and experienced in the context of this area. The density of the development would lie between the range of densities in the immediate area and would act as a bridge between the SDL site and dwellings

outside of it. The density and the indicative parameter layout shows the development can appropriately interface with the open countryside, retaining hedgerows, trees, scrub and open areas alongside the undeveloped ecological area to the north.

45. Taking into account the indicative parameters for development set out, the density and open spaces within the site, it is considered there is sufficient space to provide an acceptable layout and design that would be appropriate for the character of the developed area.

Impact on character of the area and landscape:

Policy & Guidance

46. Policy CC02 of the MDD Local Plan reinforces the development limits of each settlement area stating that *'planning permission for proposals on the edge of settlements will only be granted where they can demonstrate that the development, including boundary treatments, is within development limits'*. Policy CC03 states that development should promote the integration of the scheme with any adjoining public space or countryside and proposals that result in the loss, fragmentation or isolation of areas of green infrastructure will not be acceptable.
47. Policy TB21 of the MDD Local Plan states that proposals must demonstrate how they have addressed the requirements of the Council's Landscape Character Assessment (LCA), including the landscape quality; landscape strategy; landscape sensitivity and key issues and proposals shall retain or enhance the condition, character and features that contribute to the landscape.
48. The site is located in Wokingham Borough Landscape Character Assessment (WBLCA) J2 - Arborfield Cross and Barkham Settled and Farmed Clay. The valuable landscape attributes of the area include;
- Barkham Brook and associated wetland
 - Pattern of arable and pastoral fields
 - Mature hedgerow trees and in-field trees
 - Rural settlement pattern
 - Recreational value
 - Views across the landscape
49. The Landscape Strategy for the area is to *'conserve and enhance the remaining rural character of the landscape. The key aspects to be conserved and enhanced are the field pattern with mature hedgerow trees wetland and woodland habitats, rural lanes and historic features. In terms of development, the aim is to integrate new development into its landscape setting, and retain the open and rural character of the landscape between settlements.'*

Assessment

50. The proposed development of the site will harm the character and appearance of the of the countryside by reason of the loss of the open field and replacing this with a housing development and associated roads an infrastructure.

51. The submitted Landscape and Visual Impact Assessment identifies the proposal will result in harm to the landscape. It describes the harmful visual impacts ranging from None to Major / Moderate Adverse after 10 years. The LVIA concluded these impacts would be well contained from wider vistas across the surrounding area, with the majority of views filtered by existing vegetation, even when in closer proximity to the site.
52. Main visual impacts would be from a Public Right of Way that runs across the site and Langley Common Road. It should be noted that the Public Right of Way is not a through route and stops to north by Link Way in Arborfield Cross.
53. There would be an erosion of the open fields that separate Arborfield Garrison and Arborfield Cross and this would erode the separation between the settlements. However, significant open countryside would exist between the two settlements and the development itself would not extend beyond the ribbon development of Rickman Close.
54. The development would be located on the northern side of Langley Common Road, which forms part of joined up ring road (that also comprises of the Eversley Road and the A327) around the Arborfield SDL that marks a defined settlement boundary. Whilst each application must be considered on its individual merits, it is not considered that this development would set an undesirable precedent for further expansion to the north of the ring road and there are material factors present at the application site that are different to other land to the north of the settlement.
55. The application site is at a point where Langley Common Road is immediately adjacent to the northern part of the SDL and planned houses, and it would be mainly perceived as visually part of this strategic development. The small roundabout with Biggs Lane immediately to the south, angles into Arborfield giving a sense of being integrated within the settlement. Whereas further west and south, the ring road becomes more detached from the settlement and separated by a greater landscape barrier. Once at the Eversley Road roundabout and heading towards the A327, the roads are, and feel, much more detached from the settlement and are akin to a utilitarian transport corridor skirting around the outside of the settlement. The speed limit of the roads also increases to the west as it becomes an arterial A road in contrast to this immediate section of Langley Common Road, which has a more domestic and settled character. In addition, land to the northeast, along Eversley Road and Observer Way, has an appreciably more open and sensitive landscape than the application site. The relationship of this site with the SDL would unlikely be similar for other land to the North of the settlement boundary.
56. The below plan shows how the site relates to the planned development at Arborfield, with the section highlighted in yellow being the proposed developable area and the small triangle area to the north remaining an undeveloped ecological area. Overall, it is considered that this would enclose the nodal roundabout with Biggs Lane and contribute to a sense of arrival to the settlement rather than a development appended to edge of it.



57. There would be some loss of the hedgerow along the southern section of the site to facilitate the site access, although no significant trees would be removed. The trees and vegetation around the periphery of the site would be retained, although some are classified as category U and are recommended to be removed through good arboriculturally management. There is sufficient open space on site for additional tree planting.
58. The Council's Tree and Landscape Officer objects to the development. They broadly agree with the conclusion in the LVIA with respect to where the harm would arise:

'Settlement separation will be significantly harmed by the proposed development as the retention of open countryside between them cannot be maintained. This is not only contrary to Core Strategy policy CP11 but also Local Plan policy TB21 as the proposals cannot retain or enhance the condition, character and features that contribute to the landscape in this particular area, specifically the requirement in the landscape strategy for landscape character area J2 to retain the open and rural character of the landscape between settlements. There will also be significant changes required for the main entrance into the site.'

59. The development would harm the character and appearance of the area and this weighs against the proposal. As stated, whilst there would be an erosion of the open land between Arborfield Garrison and Arborfield Cross, it is not considered that the development would not result in coalescence of existing settlements as specifically resisted by the purpose of Policy CP11.

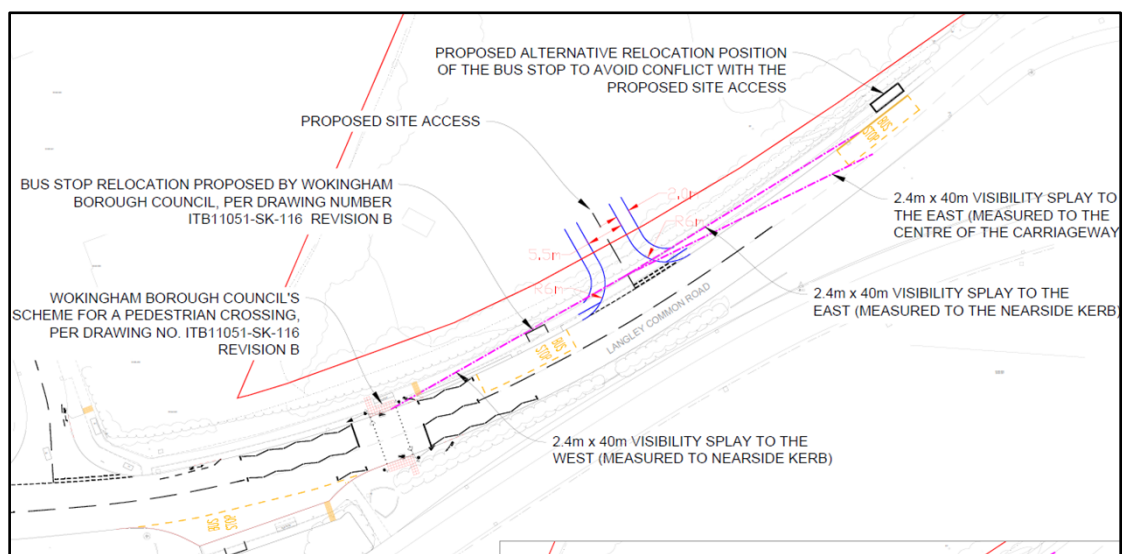
Neighbouring Amenity:

60. The application is for outline planning permission and a detailed layout would be submitted as part of the reserved matters.

61. The nearest residential dwellings are to the west of the site along Rickman Close. There are also properties further to the south opposite Langley Common and Baird Road, and to the east at Oaklands Residential Park.
62. An indicative Parameter Plan has been submitted along with an indicative layout and this shows that the dwellings can be accommodated on site whilst not detrimentally impacting the amenity of any neighbouring occupiers. The development would be visible from some of the rear windows and gardens of the Rickman Close properties, but this would not have an overbearing impact.
63. Overall, the proposed dwellings can be located a sufficient distance away from neighbouring properties as not to result in detrimental overbearing, loss of light and overlooking impacts.

Highway Access and Parking Provision:

64. The main access to the site would be to the south onto Langley Common Road. It would be approximately 40m east of the bus bay on the north side of Langley Common Road and this would take the form of a priority junction. The below plan shows the point of the access, along with the proposed relocation of the bus stop and planned SDL works such as a new pedestrian crossing.



65. A new pedestrian crossing is proposed to the east of the access, which is part of the planned works for the SDL. The council's Highway Officers are satisfied that the proposed development would not impact these planned works. It is also proposed to move the eastbound bus stop and shelter further east along Langley Common Road to remove it from the visibility splays. The Highway Safety Audit submitted raised no issue with these works.
66. The Visibility Splays for 2.4m x 43m have been demonstrated and this is acceptable for a 30mph Road. Swept Path analysis has also been provided showing that large vehicles would be able to manoeuvre into an out of the site access safely.
67. TRICS data has been used to assess the level of trips that would be generated by this development and WBC highways has also carried out an assessment using the Borough's approved trip rates and the results are comparable with the data

submitted. The traffic generated from this development would not have an adverse impact on the wider highway network.

68. There would be 29 vehicle movement in total during the morning peak (8-9am) which would comprise of 7 vehicles arriving into the site and 22 departing. The distribution of movements between east and west along Langle Common Road would be relatively even. During the evening peak (5-6pm) there would be a total of 28 vehicle movements with 19 arrivals and 9 departures and these would also be split relatively evenly across east and west travel along Langley Common Road. Overall, the development would generate approximately 250 vehicle movements across the entire day.
69. The Transport Statement sets out that the proposed site access junction is forecast to operate well within capacity. The council's Highway Officer has advised that it is forecast that there would be very little queueing for vehicles leaving the site and there would be no material queueing on Langley Common Road caused by any right turning traffic. The maximum delay would on average be around 16 seconds in both the AM and PM peaks for traffic turning right out of the site.
70. Details regarding the layout, dimensions of internal site roads and parking provision would be a reserved matter and whether the roads would be adopted or maintained privately.
71. The principle highway consideration for any outline planning application is whether the site access would have a detrimental impact on highway safety and the Council's Highway officers are satisfied it can be safely accommodated.

Sustainable Location:

Policy

72. Policy CP9 of the Core Strategy states 'the scale of development proposals in the borough must reflect the existing or proposed levels of facilities and services at or in the location, together with their accessibility.'
73. Policy CP6 states of the Core Strategy states:
- 'Planning permission will be granted for schemes that:*
- a) Provide for sustainable forms of transport to allow choice;*
- b) Are located where there are or will be at the time of development choices in the mode of transport available and which minimise the distance people need to travel;'*
74. The supporting text to Policy CP6 states:
- 'Paragraph 2.16 recognises that the borough has one of the highest car ownership rates of any English local authority. To reduce the likelihood that these vehicles will be used and to encourage modal shift, it is important to ensure all proposals achieve sustainable development'*

‘To help achieve sustainable development, proposals likely to generate significant demands for travel movements should be located in areas with best access to existing good services. This means that people can have the widest range of choice in selecting transport modes and help reduce the use of the private car. The availability of good existing public transport services has been considered in drafting the strategy for the Borough.’

Walking

75. The Borough Design Guide SPD states *‘if places are to be sustainable then the aim should be to create: Walkable neighbourhoods, with a range of facilities within 10 minutes walking distance of residential areas, which encourage people to travel on foot or by bicycle.’* Walkable neighbourhoods are defined in Manual for Streets (MfS) as those typically characterised by having a range of facilities within 10 minutes walking distance from residential areas. Manual for Streets clarifies that 10 minutes walking distance is roughly 800 metres. The Urban Design Compendium further advises:

‘People should be able to walk in 2-3 minutes (250 metres) to the post box or telephone box: the newsagent’s should be within 5 minutes (400 metres). There should be local shops, the bus stop, the health centre and perhaps a primary school within a walking distance of (say) 10 minutes (800 metres).’

76. The National Design Guide¹ (Oct 2019) defines walkable as local services being no more than a 10 minute walk (800m radius).
77. The Chartered Institution of Highways and Transportation (CIHT) document ‘providing for journeys on foot’ advises that 400 metres is a desirable walking distance outside of city centres; 800 metres is stated as acceptable, and 1,200 metres is the preferred maximum. The document clarifies that the suggested walking distances are for pedestrians without mobility impairment. These distances are also cited in the Wokingham Highway guidance Living Streets.
78. An assessment of facilities and services within walking distance is set out below. Whilst the New District Centre is outside of the maximum 1200m walkable guidelines, there are a range of facilities and services that have a high and medium level of accessibility, including a primary and secondary school. The walking route to most facilities and services will be through the Arborfield Garrison SDL which has, and is, being developed with appropriate pedestrian and cycle infrastructure. As stated elsewhere in this report, A new pedestrian crossing is being proposed across Langley Common Road which would provide a safe crossing point.

Facility / Service	Distance	Use	Accessibility
Co-op	320m	Retail (grocery)	High
Farley Hill Primary School	400m	Primary School	High
Valon Road Play Area	520m	Open Space	High
Bus Stops	150m	Bus Stops	High

Royal Legion	British	770m	Community Hall / Club	High
Community Centre		1.1km	Community Centre	Medium
Arborfield Londis	Cross	1km	Retail (grocery)	Medium
Bohunt Secondary School		1.5km	Secondary School	Medium
Leisure Centre		1.4km	Leisure Centre	Low
District Centre		1.35km	New District Centre	Low

Buses

79. The supporting text to policy CP6 of the Core Strategy sets out the requirement of a good bus service:

- a) At least a thirty minute service frequency during peak times (7:00 to 9:00 and 16:00 to 19:00 Monday to Saturday); and*
- b) At least an hourly service frequency during off-peak hours (9:00 to 16:00 and 19:00 to 22:00 Monday to Saturday and between 7:00 and 22:00 on Sundays).*

80. The Bus Service along Langley Common Road is the Leopard 3, which runs from Reading to Wokingham via Shinfield, Arborfield and Finchampstead. It does not meet the criteria set out above and cannot be considered as a 'good service'. There is no 30-minute frequency during peak nor hourly service during off-peak hours. There are no services on Sundays.
81. CIHT guidance 'Buses In Urban Developments' recommends a bus stop catchment of 300 metres for less frequent routes. The Bus Stops would be within a 300m radius of the site.

Cycling

82. There are no cycle lanes along Langley Common Road but Arborfield does have an integrated network of shared cycle lanes.

Conclusion on Sustainable Location / Accessibility

83. Whilst mindful that Paragraph 109 of the Framework requires decision makers to recognise that sustainable transport solutions will vary between urban and rural areas, and it is likely any scheme would be accompanied by a Travel Plan, the application site would not be optimally located with regard to access to facilities and services by sustainable modes of transport.
84. The residents would have a range of facilities within preferable walking distances including top-up shopping, a local primary school and secondary school, community facilities and open space and sports pitches. However, a proportion of these would be outside of the 800m guidance set out in the National Design Guide.
85. The new district centre would fall outside the preferred distance of 1.2km and this is the main negative aspect of the site's accessibility. However, whilst the site is not

highly accessible, it must be recognised that there are facilities and services which have high to medium accessibility for future occupants. This aspect of the development is weighed in the planning balance section of this report.

Public Right of Way:

86. There is an existing Footpath that runs cross the site from North to South and this will be retained. The footpath is not a through route and terminates to the south of Arborfield Cross. The indicative Parameter Plan includes an area of green open space for the footpath.

Flooding and Drainage:

87. The site is within Flood Zone 1 where the risk of flooding from rivers is low. There are areas at risk from surface water flooding in the northern section of the site, which is towards an unnamed stream / open drain.
88. A Flood Risk Assessment & SuDS Strategy has been submitted setting out the surface water drainage strategy and this includes a climate change allowance for peak rainfall intensity. The Drainage Strategy shows how attenuation tanks can be located centrally within the site underneath areas of open space.
89. The development assumes that infiltration will not be achievable and proposes permeable paving, below ground storage crates within wetland features and swales, to cater for 696m³ of storage required to cater for the 1 in 100-year flood event with a 40% allowance for climate change, with discharge controlled at greenfield rates. The impermeable area considered is 1.24ha and controlled discharge is proposed into the ditch towards the northern boundary of the site. The council's Drainage Officer is satisfied with the Drainage Strategy.
90. Thames Water have raised no objection with regard to the indicative Surface Water Drainage Strategy. They have however advised that existing water infrastructure would need upgrading to accommodate the development and therefore condition 15 is recommended to secure this.

Affordable Housing:

91. It is proposed that 40% of the dwellings on site will be affordable housing and this equates to 20 units and complies with the requirements set out in policy CP5 of the Core Strategy. This will be secured by a Section 106 agreement.
92. The Council's Affordable Housing Team have advised that they would require the approximate mix of affordable units to be delivered on site: 6 x 1-bed apartments; 6 x 2-bed houses; 5 x 3-bed houses; and, 3 x 4-bed houses. This precise size and location of the affordable housing will be established by reserved matters.

Environmental Health:

93. The site is agricultural land with evidence of being grazed by animals in the past. Council records show that the western part of the site falls within a potentially contaminated zone. A Phase 1 Risk Assessment has been submitted and this has not identified any potential on or off-site sources of contamination, with risks to

future site users and controlled waters receptors considered to be Low. The Council's Environmental Officer raises no objection regarding contamination. Condition 16 is however recommended in the event that contamination is found during construction.

94. Noise during construction could impact neighbouring residents and therefore conditions 7 and 14 requiring a Construction Method Statement and limiting construction hours has been recommended.
95. Noise levels in external amenity areas, associated with proposed dwellings, have been assessed as part of a Noise Assessment. The assessment of noise in external amenity areas shows that gardens located closest to the nearby roads may experience noise levels above the noise guideline levels. However, with appropriate mitigation measures considered, such as garden boundary fencing, or locating gardens on the screened sides of dwellings, it is considered noise guideline levels in proposed garden areas could be achieved throughout the site.
96. The Council's Environmental Officer raises no objection regarding noise or disturbance.
97. The development would not be of a size where additional traffic would create adverse air quality, and such issues are generally caused by traffic queuing for long periods or high volume transport routes. The Council's Environmental Officer raises no objection regarding air quality.

Ecology:

98. The site predominantly comprises of species-rich semi-improved grassland with trees and hedgerows along the boundaries. The field also contains some unimproved grassland indicator species such as common knapweed and common bird's-foot trefoil. There is an area of unimproved grassland located within the northern section of the site, which is separated from the remainder of the site by the unnamed stream, which has vegetation boarding it - the indicative Parameter Plan takes this into consideration showing this section will not be developed.

Great Crested Newts

99. The onsite ditch is of fairly low quality for GCN due to its shallow depth along most of its length and little aquatic or marginal vegetation. As well as the on-site ditch, two further ditches and two mapped ponds are present within 250m of the site. As a result of negative eDNA results, GCN are not considered to be present on the site or within the immediate vicinity of the site.

Reptiles

100. The hedgerow habitats are broadly suitable for slow-worm and common lizard, while the onsite ditch and nearby waterbodies add to the site's suitability for grass snake. The record search returned records of common lizard, slow-worm, grass snake and adder from the local area, the closest of which is a record of a grass snake 678m to the west of the site from 2018. A reptile survey was undertaken but no reptiles were found on site during the presence / absence survey. Therefore, no mitigation or compensation measures which specifically target reptiles are required.

Bats

101. The change in habitats from grassland to residential development, with a mix of sealed surface and vegetated grassland, is unlikely to cause a significant impact on the foraging resource and the scale and nature of the change is unlikely to result in a significant loss of foraging resource for bats. The surrounding hedge rows and trees will remain. Bat Boxes can be incorporated and a lighting strategy is secure by condition 17.

Badgers

102. No evidence of badger activity, such as mammal tracks or latrines, was observed on site during the walkover survey. The grassland field and surrounding hedgerows provide some foraging and commuting habitat for badgers, but there would be no displacement of badger setts.

Other species

103. The habitats on site are relatively unsuitable for hazel dormice. The hedgerows forming the boundaries of the site lack key species such as hazel *Corylus avellana* and honeysuckle *Lonicera periclymenum*. Furthermore, no woodland is present on the site. No records of hazel dormice were returned during the record search.
104. Although a targeted bird survey was not conducted during the site visit, the following bird species were recorded whilst on or within the nearby proximity of site: great tit, greenfinch, blackbird, crow, magpie and woodpigeon.
105. The hedgerows and areas of scrub on site provide suitable foraging, commuting and hibernating opportunities for hedgehogs. However, no evidence of hedgehog activity was observed on site during the walkover survey.
106. Overall impacts during the operational phase of development can be mitigated by a Construction Ecological Management Plan (CEMP), which would be secured by recommended condition 7.

Biodiversity Net Gain

107. The application was submitted prior to the mandatory 10% Biodiversity Net Gain requirement. A separate Biodiversity Net Gain Assessment has however been submitted. The baseline value of the site has been calculated as 30.66 habitat units, 7.28 hedgerow units and 0.34 watercourse units. Whilst there are no details of the extent of the units lost or recreated via the development, the DEFRA metric allows compensation for loss on-site to be provided via off-site habitat creation or enhancement. A Landscape and Ecological Management Plan is recommended as part of S106 agreement and this would allow for on/site offsite compensation in accordance with the statutory BNG legislation.

Thames Basin Heaths Special Protection Area:

108. The application site is within 5km of the Thames Basin Heaths Special Protection Area. The impact to the Thames Basin Heath Special Protection Area must be

mitigated by the provision of the Suitable Alternative Natural Greenspace (SANG).

109. Wokingham Borough Council's own strategic SANG could not be used to provide SANG capacity for this project because it is outside of development limits and not part of a strategic site. The developer proposes to purchase capacity at a SANG owned by the University of Reading, instead.
110. The applicant has confirmed that the Langley Mead SANG and subsequent extension can be used as suitable mitigation for the Impact on the SANG. Natural England originally set out in 2017 that the Langley Mead Extension would provide suitable SANG that can act as adequate mitigation for the impact on the SPA. This is proposed to be secured by the Heads of Terms in the Section S106 agreement.

Heritage Assets:

111. There are no heritage assets on, or, adjacent to the site. The nearest Heritage Asset is a Grade II Listed building 200m to the west called Ducks Nest Farm House. The site is separated by significant intervening features included the B3030. A Heritage Statement has been submitted that also concludes there would be no impact on the significance of any Heritage Assets.

Archaeology:

112. The available evidence indicates that the study site can be considered likely to have a potential for the Bronze Age, Iron Age and Roman periods. An Archaeology Desk Based Assessment has been provided and advises that a Geophysical survey undertaken in July 2023 did not detect any anomalies of archaeological interest – notwithstanding a condition is recommended to secure a programme of archaeological works given the potential for remains and scale of development.

Employment Skills Plan:

113. Policy TB12 of the MDD Local Plan states that for Proposals for major development should be accompanied by an Employment and Skills (ESP) plan to show how the proposal accords opportunities for training, apprenticeship or other vocational initiatives to develop local employability skills required by developers, contractors or end users of the proposal.
114. ESPs are worked out using the Construction Industry Training Board (CITB) benchmarks which are based on the value of construction. The ESP contribution for this application will be secured by a section 106 agreement.

Community Infrastructure Levy (CIL):

115. 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.
116. The council's Regulation 123 List outlined CIL contributions towards Health centres/GP surgeries and education. The current Infrastructure Funding Statement shows allocations towards health provisions and education. CIL can be used to

increase the capacity of existing infrastructure in accordance with third-party comments regarding the capacity of local services, including education. The School Place Planning Manager has advised that development is not of a scale where a specific S106 contribution is required in addition to CIL.

117. The School Place Planning Manager has advised the school places should not be an impediment to the development in this instance. Farley Hill Primary School is running at capacity but there is availability at other nearby schools such as the Coombes in Arborfield Cross and Gorse Ride in Finchampstead. The development would likely lead to new resident children taking places that would otherwise have gone to children in further-out homes who potentially have access to other schools within walking distance.
118. Bohunt Secondary School is also at capacity but this is because it takes children from further out homes. For example this year, the Council allocated Bohunt places to Shinfield children, who are closest to the undersubscribed Oakbank School. Additional development around the school would lead to new resident children taking places that would otherwise have gone to children in further-out homes who potentially have access to other schools within walking distance. It has been advised that the council are creating additional capacity to meet high demand for Year 7 places, this is largely due to the primary bulge entering secondary education. It has been advised that demand is expected to fall as the smaller primary cohorts work their way through to the secondary sector.

Planning Balance:

119. Whilst the policies which are most important for determining the application are out of date by virtue of the absence of a 4-year housing land supply, that does not mean such policies carry no weight. The weight attached to the development plan policies are a matter for the decision maker. The conflict with the spatial strategy of the plan still weighs against the application.
120. The Council cannot demonstrate a 4-year housing supply and therefore the development must be assessed in line with Paragraph 11d(ii) and against the policies in the NPPF taken as a whole. The three overarching objectives contained within paragraph 8 of the Framework seek to balance growth and local community needs against protection of the natural, built and historic environment. The benefits and disbenefits are therefore considered against these three broad topic areas below.

Economic

121. As with all housing development of this scale in this location, the proposal would result in economic benefits. This is broadly set to arise from the short-term economic contribution of the construction of up to 50 homes via construction industry jobs. In the longer term, future residents of the dwellings will contribute to the viability and vitality of businesses in the village and nearby towns. CIL payments and New Homes Bonus would also be an economic benefit of the proposal. In terms of economic costs, the development would result in the likely loss of a small proportion of the boroughs BMV. On the whole, the size of the development means

these benefits are not insignificant and are positively balanced. The development is therefore considered to perform a positive economic role.

Social

122. The provision of 50 new dwellings, including 20 affordable homes on site would positively assist in furthering the social objective of sustainable development. The provision of an adequate range of dwelling sizes and policy compliant on-site affordable housing provision will ensure this site does as much as it can to meet the identified general and affordable housing need over the local plan period. Planning Inspectors have given the benefit of affordable housing varying weight. Broadly speaking, the greater number of homes and affordable units provided within a development tends to attract greater weight from government Inspectors. This particular development is therefore considered to perform a positive social role.

Environmental

123. There would be a degree of harm to the character and appearance of the countryside as the proposal would result in the loss of undeveloped open field that contributes to the separation of existing settlements. The site is however locally contained and would be experienced within the context of the Arborfield SDL. Whilst the location of the site is not optimal in sustainability terms, there would be opportunities for future occupants to utilise some sustainable travel options to several nearby day-to-day facilities. There would be a temporary environmental impact from the construction phase of the development associated with quarrying, processing and transportation of materials along with the general construction on site and emissions from travelling to and from the site. The proposal would incorporate open space and inherent energy efficiency measures. In environmental terms, there are factors that weigh in favour and against the proposal.

Conclusion:

124. As outlined above, the proposal would provide notable benefits that weigh in favour of the application. The provision of 50 new market and affordable homes is a weighty material benefit in favour of the scheme which accords with the government's objective to significantly boost the supply of new homes in and areas where there is a housing land supply shortfall and identified needs. Whilst past over-delivery is relevant, it is also pertinent that the current housing land supply shortfall will likely remain until the new LPU is adopted, enabling new planned developments to come forward. In addition, other economic and environmental benefits weigh in favour of the development.
125. As noted, there are factors that weigh negatively in the planning balance including the overall conflict with the spatial vision of the development plan, the localised landscaping impact which would come about through the effective enlargement of the existing settlement, and the loss of a small area of BMV land. However, it must be recognised that the conflict with the spatial strategy is considered against the context of a housing land supply shortfall. Any economic harm is tempered due to the limited agricultural contribution made by this land in the borough. Other material considerations are neutral to the planning balance, having an acceptable impact subject to conditions and S106 agreement.

126. Therefore, in considering all matters raised, the adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. The application is therefore, recommended for approval subject to the conditions and legal agreement set out in this report.

The Public Sector Equality Duty (Equality Act 2010)

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups 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 upon protected groups as a result of the development.

Appendix 1 – Recommended conditions

APPROVAL subject to the following conditions and informatives:

Time Limit

1. A) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.

B) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: In pursuance of s.92 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

Approved Details

2. Approval of the details of the appearance, landscaping, layout and scale of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - LCRA-01 and Proposed Site Access Arrangements - 3500-01-D01 Rev B.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

Quantum of Development

4. The number of dwellings hereby permitted shall not exceed 50 in total.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

Access

5. Prior to commencement of the development, there shall be submitted to and approved in writing by the local planning authority, details of the proposed vehicular accesses on to Langley Common Road to include visibility splays as well as the pedestrian facilities on Langley Common Road. 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 access 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.

Reason: In the interests of highway safety and convenience. Relevant policy: Core Strategy policies CP3 & CP6.

Highway Construction Details

6. Prior to the commencement of development, full details of the construction of roads and footways, including levels, widths, construction materials, depths of construction, surface water drainage and lighting shall be submitted to and approved in writing by the local planning authority. The roads and footways shall be constructed in accordance with the approved details to road base level before the development is occupied and the final wearing course will be provided within 3 months of occupation, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that roads and footpaths are constructed to a standard that would be suitable for adoption as publicly maintainable highway, in the interests of providing a functional, accessible and safe development. Relevant policy: Core Strategy policies CP3 & CP6.

Construction Method Statement and Ecological Management Plan

7. No development shall take place, until a Construction Method Statement, including a CEMP (Construction Ecological Management Plan), has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The statement shall provide for but not be limited to the following:

- (a) construction of suitable works access;
- (b) the parking of vehicles of site operatives and visitors;
- (c) loading and unloading of plant and materials;
- (d) storage of plant and materials used in constructing the development;
- (e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (f) wheel washing facilities;
- (g) measures to control the emission of dust and dirt during construction;
- (h) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (i) hours of construction;
- (j) hours of delivery; and
- (k) mitigation and avoidance measures for ecology and biodiversity.

Reason: In the interests of highway safety & convenience, neighbour amenities and ecology. Relevant policy: Core Strategy policies CP3 & CP6.

Landscape Management Plan

8. Prior to the first occupation of the development hereby approved, a landscape management plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, other than privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved.

Reason: In order to ensure that provision is made to allow satisfactory maintenance of the landscaping hereby approved. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21

Tree Protection

9. a) No development or other operation shall commence on site until a scheme which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent the site 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.
- b) 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.
- c) 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.
- d) 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.

Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21

Tree Retention

10. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation.

To secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of amenity value to the are. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21

Drainage

11. Prior to the commencement of development details for disposing of surface water by means of a sustainable drainage system (SuDS) shall be submitted to and approved in writing by the local planning authority. No dwelling hereby permitted shall be occupied until the aforementioned approved details (in so far as they apply to that dwelling) have been implemented and shall be retained and managed in accordance with the SuDS Maintenance Plan (condition 14) thereafter.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

12. Prior to the commencement of development, a SuDS Maintenance Plan for the long-term maintenance of the SuDS system shall be submitted to and approved in writing by the local planning authority. The SuDS Maintenance Plan shall include details of routine maintenance activities, remedial actions and monitoring of the separate elements of the system. The development thereafter shall be carried out in accordance with the SuDS Maintenance Plan.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

13. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. 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.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

Hours of development works

14. 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 hours and 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: to protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.

Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

Unexpected Land Contamination

15. Should unexpected contamination be found after development has commenced, development must be halted on the part of the site affected by the unexpected

contamination. A proportionate and appropriate remediation strategy shall be submitted to and approved in writing by the local planning authority. The development shall then be remediated and thereafter carried out in accordance with the approved remediation strategy.

Reason: To ensure that any contamination of the site is identified at the outset to allow remediation to protect existing/proposed occupants of property on the site and/or adjacent land. Relevant policy: NPPF Section 15 (Conserving and Enhancing the Natural Environment) and Core Strategy policies CP1 & CP3.

Sustainability/renewables

16. The reserved matters shall include details of renewable energy and low carbon technology demonstration that the development and dwelling will result in carbon reductions below the relevant the baseline. No building shall be occupied until the sustainability measures associated with that property are installed in full working order in accordance with details thereby agreed. So far as practical, the sustainability measures shall be maintained in full working order unless they are replaced by more efficient and sustainable technology.

Reason: to mitigate and adapt to climate change and ensure the building are energy efficient.

External Lighting

17. Prior to the occupation of the first dwelling, details of external lighting shall be submitted to and approved in writing by the local planning authority before the development is occupied. The details shall 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, public areas and any non-residential buildings. No further external lighting shall be installed without the written approval of the local planning authority

Reason: to ensure a satisfactory and safe public realm, avoid detrimental impacts on existing and future residents and to ensure impacts on bats and protected species are satisfactorily minimised.

Archaeology

18. No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted and approved by the planning authority. The development shall only take place in accordance with the approved detailed scheme.

Reason: The site has potential for archaeological remains.

Noise

19. Prior to commencement of development and concurrently with the layout of a reserved matters application, the applicant shall submit to the local planning authority for written approval, details of how the following internal noise levels will be achieved in living rooms, dining rooms and bedrooms with measures to include adequate cooling and ventilation: Living Rooms and bedrooms (daytime) – 35dB LAeq,16 hours (0700-2300), Dining Rooms 40dB LAeq,16 hour (0700 – 2300), Bedrooms: 30dB LAeq, 8 hour (2300 – 0700).

Reason: to ensure the residents are exposed to satisfactory noise levels in the dwellings hereby approved and satisfactory level of amenity.

Informatives

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the Applicant.
2. The applicant is reminded that this approval is granted subject to conditions which must be complied with prior to the development starting on site. Commencement of the development without complying with the pre-commencement requirements may be outside the terms of this permission and liable to enforcement action. The information required should be formally submitted to the Council for consideration with the relevant fee. Once the details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear please contact the case officer to discuss.
3. This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act, the obligations in which relate to this development.
4. The developer's attention is drawn to the fact that this permission does not authorise the physical construction of the proposed off-site highway works and site access connections to the public highway. A separate legal agreement made with the Council under s.278 of the Highways Act 1980 is required. No work within or affecting the public highway shall commence until the agreement has been completed and the Council, as local highway authority, has approved all construction and installation details together with a programme of works.
5. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development, failure to do this will result in penalty surcharges being added. For more information see the Council's website – Community Infrastructure Levy advice page. Please submit all CIL forms and enquiries to developer.contributions@wokingham.gov.uk.
6. Fire service vehicles currently operated by Royal Berkshire Fire & Rescue Service exceed the requirements stated in the current edition of Approved Document B. The applicant should be made aware of the following amendments:- The minimum carrying capacity for a pumping appliance is 16 tonnes. The minimum carrying capacity for a high reach appliance is 26 tonnes. Structures such as bridges should have the full vehicle carrying capacity. Any structural fire precautions and all means of escape provision will have to satisfy Building Regulation

requirement. These matters are administered by the local authority Building Control or approved inspectors, who you are advised to contact in this regard.

7. Thames Water advise Prior to the commencement of development; a Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. The developer shall demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on online.

APPENDIX 2 – Habitat Regulation Assessment

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

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

Summary of Response

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

This site is located approximately 5 km (measured from the access road to the application site) from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

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

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

In this instance, the proposed development would result in a net increase of up to 50 dwellings, within 5km of the SPA. 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.

The total SPA related financial contribution for this proposal comprises of SANG Construction Cost, SANG Maintenance Charge and SAMM payment. Only the SAMM part of this total contribution is to be paid to WBC. 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 5 km of the SPA and:

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

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

3. Stage 2 Appropriate Assessment

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

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

successfully seeks CIL relief). Developers will be required to secure an appropriate financial contribution to the SAMM project through an obligation in a s106 agreement.

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

a. Policies and Guidance

For this proposal the following guidance and policies apply:

- South East Plan (May 2009) Policy NRM6 (Thames Basin Heaths Special Protection Area) <http://webarchive.nationalarchives.gov.uk/20100528160926/http://www.gos.gov.uk/gose/planning/regionalPlanning/815640/>
- Wokingham Borough Core Strategy (2010) Policy CP8 (Thames Basin Heaths Special Protection Area) sets out the approach WBC will take in order to protect the TBH SPA <https://www.wokingham.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=268860>
- 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/EasySiteWeb/GatewayLink.aspx?allId=268860>
- Wokingham Borough Managing Development Delivery Local Plan (2014) Policy TB23 (Biodiversity and Development) <https://www.wokingham.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=269993>
- Infrastructure Delivery and Contributions SPD (2011) <http://www.wokingham.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=193415>

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).

This development is located beyond the catchment area of WBC's strategic SANG, Rooks Nest Wood. It is therefore not possible for the developer to make a contribution to purchase capacity at this SANG.

The developer has proposed using strategic SANG capacity available at a University of Reading owned and managed SANG site called the Ridge Extension. The Ridge Extension has been tested against the Natural England criteria when earlier planning applications were considered – the most relevant of these being O/2010/1432 and 181499. It is accepted that, in combination with the Ridge SANG, meets the Natural England requirements to be considered SANG. Existing legal agreements on the land secure the in perpetuity management of both the Ridge and Ridge Extension, with step in rights for WBC should WBC establish a need to step in in order to maintain in perpetuity management.

A review by the University of Reading and WBC of the allocated capacity at the Ridge Extension confirms that there is sufficient unallocated capacity at this specific SANG to provide the required capacity for this project. The Ridge and Ridge Extension together have a catchment area that covers the proposed development.

A commencement restriction is included in the Section 106 Agreement in order to ensure that a sufficient contribution has been made to the University of Reading to purchase the required capacity prior to occupation of the dwellings and for the University of Reading to provide the SANG requirement in perpetuity thereafter. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and Core Strategy Policy CP8.

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 2024 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 number of bedrooms is unknown at this stage as the application is for outline permission with appearance, landscaping, layout and scale being a reserved matter. Depending on the dwelling mix, the level of SAMM payments are calculated as follows:

No. of bedrooms	SAMM Contribution 5km
1 bedroom	£563.00
2 bedrooms	£784.00
3 bedrooms	£1,042.00
4 bedrooms	£1,225.00
5+ bedrooms	£1,400.00
Total SAMM Contribution	

Prior to the permission being granted the applicant must enter into a Section 106 Agreement based upon the above measures. A Section 106 Agreement secures the above SAMM Contribution rates and payment of that contribution on or prior to commencement of development. This gives the certainty required to satisfy the Habitats Regulations that sufficient mitigation measures are secured to prevent likely significant effects occurring on the Thames Basin Heaths Special Protection Area via the recreational pathway from this project.

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.

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