

Application Number	Parish	Ward
191068, 250399 & 252590	Wokingham Without	Wokingham Without

Applicant	Miller Homes
Site Address	Parcel R10, Land at Phase 2b of the South Wokingham Strategic Development Location (SDL), Wokingham.
Proposal	Deed of Variation to the S106 legal agreement relating to hybrid planning permission 191068 (erection of 1,434 dwellings and associated infrastructure) a) to vary the affordable housing tenure mix for parcel/Development Zone R10 (215 dwellings of which 53 are affordable) and to vary the trigger for Strategic Access Monitoring and Management (SAMM) payments for the whole of phase 2b.
Type	Deed of Variation
Officer	Sophie Morris/Emy Circuit
Delegated Decision	In accordance with part 8.6 of the council's constitution, the decision to vary the S106 can be made under delegated powers.

BACKGROUND & SUMMARY

The Wokingham Borough Core Strategy establishes the spatial strategy for the borough for the period up to 2026, including an urban extension of 2,500 new homes to the south of Wokingham, referred to as the South Wokingham Strategic Development Location (SDL).

In May 2021 the planning committee resolved to grant planning permission for a suite of applications for the second phase of development in the SDL, including a hybrid consent for a phased development of 1,434 dwellings in phase 2b (reference 191068). This planning permission was subject to a S106 legal agreement to secure supporting infrastructure, including affordable housing. The S106 was completed and planning permission issued on 19 July 2024. The Development Plan (policy CP21 *South Wokingham Strategic Development Location* in particular) together with this extant planning permission, establish the principle of development.

Affordable Housing

The S106 establishes that 35% of the dwellings within phase 2b should be affordable and overarching target mixes for the tenure, size and type of affordable dwellings. The phasing approved pursuant to condition 3 of the hybrid planning permission (reference 221622) establishes how delivery of affordable housing should be phased through Phase 2b (referred to in the S106 as the Framework Affordable Housing Scheme). Consistent with the approved phasing, the reserved matters for Parcel R10 (reference 250399 approved on 23 June 2025) proposed 35% affordable dwellings, of which 12% were to affordable rented dwellings, 58% social rented and 30% shared ownership. The size and type mix were also consistent with the approved phasing.

As with parcel R11 mix - which is being brought forward in parallel by the joint applicant, Kier Development - despite having been through the steps required by the S106, the developers have been unable to secure an offer from a Registered Provider based on the approved affordable housing. They have, however, received an offer based on an alternative tenure mix and a different definition of shared ownership. The alternative mix proposed is 58% Social Rent and 42% Shared Ownership, with the definition of shared ownership revised to reflect the Homes England model i.e. a minimum 10% share in the property with rent capped at 2.75% per annum on the value of the unsold equity, rather than a minimum 35% share with rent capped at 1.5%). Negotiations between the developers and the Economy and Housing Team, in liaison with the Leader of the council and Executive Councillor for Housing, Partnership and the Local Plan, concluded that - given current circumstances - this offer is not inconsistent with the requirements of Core Strategy Policy CP5 *Housing mix, density and affordability* and MDDL Policy TB05 *Housing Mix*, which

require a mix and balance of dwelling tenure types and sizes. The alternative mix was initially agreed for parcel R11 and has now and has been accepted for Parcel R10 too. Accordingly, a Deed of Variation is required to amend the definitions of Affordable Housing and Shared Ownership Housing together with other, associated changes.

An application for a non-material amendment is being submitted for the revised tenure mix for parcel R10.

When negotiating the revised tenure mix for parcel R11 it was also agreed that the requirement for Affordable Rented Accommodation to be for Key Workers, with specific, additional size mix requirements was unduly restrictive and will not reflect needs throughout the time that the development is being constructed, so could be deleted for whole of phase 2b.

Strategic Access Monitoring and Management (SAMM)

The S106 secures payment of Strategic Access Monitoring and Management (SAMM) contributions calculated according to dwelling size, with payment on first occupation and every 200 occupations thereafter, across the whole of phase 2b. As first occupations are approaching, it has become apparent that this will be unduly cumbersome to administer, requiring projections of occupations based on reserved matters across several parcels. A more workable approach (because it would provide greater certainty about the mix the payments the calculation is based on) would be for SAMM payments to be calculated for each Development Zone.

RELEVANT PLANNING HISTORY	
191068	A hybrid application for up to 1,434 dwellings (Phase 2b of the SDL) and associated infrastructure, including full planning permission for SANG, approved 19 July 2024, following the resolution of the planning committee on 18 May 2021.
221622	Phasing details (including the Framework Affordable Housing Scheme) approved on 20 June 2025 approved under delegated powers.
250678	Reserved matters for 215 dwellings in parcel R10 approved under delegated powers on 23 September 2025.
252590	NMA relating to the design of a sub-station approved under delegated powers 15 December 2025.
260624	NMA relating to the affordable housing size and tenure mix registered 13 March 2026 and under consideration

RELEVANT PLANNING POLICY

National Planning Policy Framework
National Planning Practice Guidance

Core Strategy (CS)

- CP5 - Housing Mix, Density and Affordability
- CP21 - South Wokingham Strategic Development Location

MDD Local Plan (MDD Managing Development Delivery Local Plan)

- TB05 - Housing Mix

Local Plan Update

Proposed Submission Plan (Regulation 19) was submitted to the Secretary of State for examination in February 2025 and the examination is due to commence in November 2025. The policies of the LPU are therefore relevant considerations in determining planning applications. However, they currently carry limited or moderate weight, depending on the extent of objection and consistency with the NPPF and have not been referred to further in this report.

Other

South Wokingham Strategic Development Location Supplementary Planning Document
Infrastructure Delivery and Contributions Supplementary Planning Document
Affordable Housing Supplementary Planning Document

Conclusion

A Deed of Variation (already in draft for parcel R11, in line with the report dated 19 November 2025) should be progressed to:

- i) amend the definitions of Affordable Housing, Shared Ownership Housing and associated changes, insofar as they relate to Parcels R10 & R11 only;
- ii) to omit the requirement for Affordable Rented Housing to be reserved for Key Workers, plus the additional size and type requirements for this tenure, for the whole of phase 2b; and
- iii) revise the trigger for payment of Strategic Access Monitoring and Management (SAMM) contributions for the whole of phase 2b.

The Public Sector Equality Duty (Equality Act 2010)	
<i>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.</i>	

Recommendation	Progress a S106 Deed of Variation
Recommendation agreed by (Authorised Officer)	Connor Corrigan 
Date	17 March 2026