

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242947
Site Address:	Land to the west of St Annes Drive, and south of London Road, Wokingham, RG40 1PB
Expiry Date:	Extended to 17 July 2026
Site Visit Date:	20 December 2024
Proposal: Application to modify a Section 106 Planning Obligation to modify the requirements for tenure mix, triggers for affordable housing and the trigger for the delivery of public open space, plus amendments to the extent of adoptable highway in the Section 106 Agreement dated 4 November 2022 relating to planning permission 203544 approved on 20 December 2022 (APP/X0360/W/22/3297645). Within the Relevant Period.	

PLANNING POLICY	
National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP17 – Housing Delivery
MDD Local Plan (MDD)	TB05 – Housing Mix
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM2 - Climate Change – Mitigation and Adaptation DM3 - Protection of Habitats and Species DM4 - Protection of Designated Landscape DM5 - Protection of the Countryside DM6 - Green Belt DM7 - Conserving the Historic Environment DM8 - Restoration of Minerals and Waste Developments DM9 - Protecting Health, Safety and Amenity DM10 - Flood Risk DM11 - Water Resources DM12 - Sustainable Transport Movements DM13 - High Quality Design of Minerals and Waste Development DM14 - Ancillary development DM15 - Site History
Wokingham Borough Local Plan Update (LPU)	H1 – Housing mix, density and standards H3 – Affordable housing
Other	Affordable Housing Supplementary Planning Document

PLANNING HISTORY		
Application No.	Description	Decision & Date
F/2007/1613	Proposed erection of replacement stable block	Approved 15/08/2007
182882	Full planning application for the development of 74 units (including 26 affordable homes) with associated access road from St Anne's Drive, Landscaping, SANG and open space.	Refused 09/01/2020 Appeal Withdrawn
203544	Full application for the proposed erection of 54 units (including 19 affordable homes) with associated access road from St Anne's Drive, landscaping and open space.	Refused 13/01/2022 Appeal Allowed 20/12/2022
233176	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 17 relates to an Arboricultural Method Statement and Scheme of Works.	Approved 06/03/2024
240126	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 4 relates to a Noise Impact Assessment.	Approved 06/03/2024
240358	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 6 relates to contamination.	Approved 06/03/2024
240178	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 3 relates to a Written Scheme of Archaeological Investigation.	Approved 06/03/2024
240804	Application for non-material amendment to planning consent 203544 (APP/X0360/W/22/3297645) to flip plots 27-39 and make elevational changes to these plots.	Approved 23/05/2024
240848	Application for non-material amendment to planning consent 203544 (APP/X0360/W/22/3297645) to make changes to plots 40 - 54. The proposed changes include changes to elevations, fenestration and internal layouts.	Approved 23/05/2024
233177	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated	Approved 30/05/2024

	20/12/2022. Condition 8 relates to a Traffic Management Plan.	
233186	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 7 relates to a Construction Environmental Management Plan.	Approved 30/05/2024
241175	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 3 relates to a Written Scheme of Archaeological Investigation.	Approved 30/05/2024
240830	Application for non-material amendment to planning consent 203544 (APP/X0360/W/22/3297645) to make elevational changes to the affordable plots and market plots 1 - 26. The proposed changes include changes to elevations, fenestration, roof forms and internal layouts.	Approved 12/06/2024
240959	Application to vary condition 2 of planning consent 203544 (approved under APP/X0360/W/22/3297645) for the proposed erection of 54 units (including 19 affordable homes) with associated access road from St Anne's Drive, landscaping and open space. Condition 2 refers to the approved details, and the variation is for the addition of garden rooms to 14 no. plots on the site.	Withdrawn 24/06/2024
240489	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 40 relates to details of the vehicular access onto St Annes Drive.	Approved 25/07/2024
240671	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 11 relates to external materials.	Approved 25/07/2024
240539	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 30 (Pedestrian and Cycle Infrastructure and Connections)	Approved 20/08/2024
240639	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 24 relates to details of foul drainage.	Approved 20/08/2024
240537	Application for submission of details to comply with the following condition of planning consent	Approved 21/10/2024

	203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 23 relates to an Exceedance Flow Routing Plan.	
242697	Application for a non-material amendment to revise conditions 15, 19 and 20 attached to planning permission 203544 & APP/X0360/W/22/3297645	Approved 15/11/2024
240454	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 13 relates to a lighting strategy.	Approved 02/12/2024
241038	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 12 relates to boundary treatments.	Approved 02/12/2024
240532	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 9 relates to details of earthworks.	Approved 02/12/2024
240533	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 10 relates to ground and floor levels.	Approved 02/12/2024
240538	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 26 (Roads, Cycleways and Paths).	Approved 02/12/2024
240479	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 14 relates to hard and soft landscaping.	Approved 10/12/2024
240536	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 21 relates to details of a sustainable urban drainage system (SuDS Strategy).	Approved 10/12/2024
243154	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 11 relates to external materials	Approved 14/02/2025
240535	Application for submission of details to comply with the following condition of planning consent	Approved 14/03/2025

	203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 20 relates to details of links to the SANG.	
250381	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 3 relates to a Written Scheme of Archaeological Investigation.	Approved 14/03/2025
240535	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 20 relates to details of links to the SANG.	Approved 14/03/2025
240127	Application for submission of details to comply with the following conditions of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 15 relates to a Landscape and Ecological Management Plan (LEMP) and condition 18 to a protected species safeguarding strategy.	Approved 05/09/2025
240534	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 19 relates to SANG footpath upgrade details.	Approved 05/09/2025
240638	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 27 relates to details of electric vehicle (EV) charging points.	Approved 05/09/2025
251144	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 29 relates to visibility splays.	Approved 05/09/2025
251641	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 33 relates to provision of fire hydrants.	Approved 05/09/2025
251773	Submission of details to comply with the following condition of planning consent 203544 dated 20/12/2022. Condition 22 refers to SUDS maintenance.	Approved 05/09/2025
251836	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 32 relates to a Parking Management Plan.	Approved 05/09/2025
251695	Application for submission of details to comply	Approved

	with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 25 relates to waste and recycling management.	17/09/2025
251675	Application for submission of details to comply with the following condition of planning consent 203544 (APP/X0360/W/22/3297645) dated 20/12/2022. Condition 28 relates to bicycle storage / parking.	Approved 16/10/2025
251899	Application for submission of details to comply with the following condition of planning approval 203544 dated 20.12.2022 (APP/X0360/W/22/3297645). Part discharge condition 4 relates to noise impact assessment.	Approved 16/10/2025
243194	Application to vary condition 2 of planning consent 203544 (approved under APP/X0360/W/22/3297645) for the proposed erection of 54 units (including 19 affordable homes) with associated access road from St Annes Drive, landscaping and open space. Condition 2 refers to the approved details, and the variation is to amend the drawings to include the addition of single storey rear extensions to approved plots 2, 3, 4, 7, 50, 51 and 52.	Approved 23/10/2025
260586	Application for non-material amendment to planning permission 203544 (APP/X0360/W/22/3297645) to revise previously approved non-material amendment 240830 to allow the approved balcony screening to be changed from glass to perforated aluminium balustrade on Plots 12–20.	Approved 16/04/2026
261109	Application for submission of details to comply with the following condition of planning approval 203544 dated 20.12.2022 (as allowed by APP/X0360/W/22/3297645). Part discharge Condition 6 relates to scheme of remediation.	Approved 09/07/2026

CONSULTATION RESPONSES

Internal

SDL Green Infrastructure – No objection
 SDL Economic Prosperity and Place (Housing) – No objection
 SDL Highways – No objection

REPRESENTATIONS

Wokingham Town Council	No comments received
Ward Member(s)	No comments received

Neighbours	One neighbour comment received: Building more houses puts pressure onto existing school systems and infrastructure. <i>Officer comment – This application deals with the modification of the existing legal agreement only. Planning permission has been obtained for the application site for the delivery of houses under ref: 203544, which the impact of infrastructure has been considered.</i>
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APPRAISAL

Site Description:

Planning permission was granted on appeal on 20 December 2022 (APP/X0360/W/22/3297645) (ref: 203544) for the erection of 54 units (including 19 affordable homes) with associated access road from St Anne's Drive, landscaping and open space.

The application site fronts onto the southern side of London Road and tapers to the south. The site is separated from the Montague Park development, situated to the west, by an area of Suitable Alternative Natural Greenspace (SANG) known as Buckhurst Meadows. To the east of the site there are a small number of dwellings, with the wooded grounds of St Anne's Hotel located beyond, all of which are accessed off St Anne's Drive. It is acknowledged that construction works have commenced on site.

The S106 agreement associated with the planning permission secured the provision of 19 on site affordable dwelling units.

A request to modify a Section 106 Planning Obligation to allow amendments to tenure mix, triggers for affordable housing and the trigger for the delivery of public open space, plus amendments to the extent of adoptable highway dated 4 November 2022 relating to planning permission 203544 has been submitted and seeks to formally modify the above provisions through a Deed of Variation to the original Section 106 agreement.

Affordable Housing

The modification seeks to amend the tenure mix and trigger for delivery of affordable housing (it is acknowledged no specific trigger was included in the submission). The amendment to the tenure mix is to deliver a 50/50 split between social rent and shared ownership (affordable housing delivery).

The Agreed tenure mix for 19 dwellings as secured through the original S106 is as follows:

- 14no. Social Rent Units – 6 x 1-bedroom flats, 6 x 2-bedroom dwellings and 2 x 3-bedroom dwellings.
- 5no. Shared Ownership – 3 x 2-bedroom flats and 2 x 3-bedroom dwellinghouses.

The proposed tenure mix for 19 dwellings is as follows:

- 10no. Social Rent Units – 6 x 1 bed flat, 2 x 2-bedroom dwellings and 2 x 3-bedroom dwellings
- 9no. Shared Ownership – 3 x 2-bedroom flats, 4 x 2- bedroom dwellings and 2 x 3-bedroom dwellings.

In addition, the trigger to deliver the Affordable Housing Units is amended to:

Not to Occupy or cause or permit the Occupation of more than 60% of the Market Housing Units until the Affordable Housing Units have been completed and made ready for Occupation and not to Occupy or cause or permit the Occupation of more than 25 of the Market Housing Units within the Development until the Affordable Housing Units have been transferred or leased at a term of 125 years to the Registered Provider.

Development sites across the borough (and nationally) are currently experiencing difficulty in securing registered providers for affordable housing delivery. This is largely due to national policy where providers are now consolidating their existing stock and focusing on resources on maintaining and improving existing stock, which has resulted in low or no bids for new schemes. This trend is not unique to the application site, the council is having discussions across the borough, but it reflects a wider market challenge affecting multiple developments.

In this case the developer (applicant) has demonstrated there is an absence of viable Registered Provider offers on the previously approved tenure mix. To avoid the developers going down the route of formally submitted a viability assessment, discussions with the Council's Housing Team have taken place to ensure the scheme continues to deliver the affordable housing units

It is considered necessary at the current time to introduce some flexibility within the S106 agreement. This will allow housing to be delivered, as it means the scheme is viable, and ensures the delivery of affordable housing on site. Each application to amend affordable housing provisions are being considered on a case-by-case basis and in this instance, the proposed change has been discussed and agreed with the applicant and the Council's Housing team.

Public Open Space

The delays in affordable housing provision have affected the delivery of the planned open spaces and their associated community benefits. Therefore, the request to the amend the Public Open Space trigger within the S106 agreement has been made to ensure its delivery ties in with these units being delivered on site.

Following discussions with the developer and the Council's Green Infrastructure Team, the amendment is to read as:

Not to Occupy or cause or permit the Occupation of:

More than 60% of the Market Housing Units until the Public Open Space (comprising both the Public Open Space (Northern) and the Public Open Space (Southern)) has been completed and the Council has issued the Provisional Certificate ;

The Affordable Housing Units until the Public Open Space (Northern) has been completed and the Council has issued the Provisional Certificate in respect of the Public Open Space (Northern)

Given the delivery of affordable housing is integral to the development scheme it is considered reasonable to amend this trigger.

Adoptable Highway

The triggers for footpath works has been updated to reflect the current site conditions (on-going construction works).

The amendment is to read as:

Not to Occupy or cause or permit the Occupation of more than 60% of the Market Housing Units until the Owner shall, having first obtained any necessary permission or licence from the relevant landowner to implement the Footpath Works Scheme, complete the Footpath Works in accordance with the approved Footpath Works Scheme;

Not to Occupy or cause or permit the Occupation of more than 60% of the Market Housing Units until the Footpath Works have been completed in accordance with the approved Footpath Works Scheme;

To pay the Footpath Works Maintenance Sum to the Council prior to the Occupation of the 35th Dwelling within the Development”

This will ensure access to the SANG is available whilst the footpath works continue on site and therefore it is considered reasonable to amend this trigger.

Conclusion

The proposed amendments to the S106 agreement via a Deed of Variation are considered acceptable and necessary to reflect the revised circumstances of the development. The amendments would not undermine the original intentions of the agreement and ensures that the development remain acceptable in planning terms and complainant with local and national planning policy.

Subject to the completion of the Deed of Variation, it is recommended the amendments are supported.

The Public Sector Equality Duty (Equality Act 2010):

In determining this application, the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership,

pregnancy and maternity, race, religion or belief, sex or sexual orientation. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION	
Conditions agreed:	Not required
Recommendation:	Approve
Date:	17 July 2026
Earliest date for decision:	9 January 2025

Recommendation agreed by: (Authorised Officer)	 Head of Strategic Development
Date:	17 July 2026

PLANNING CONSTRAINTS/STATUS

- *South Wokingham Strategic Development Location*
- *Countryside*
- *Ancient Woodland*
- *Thames Basin Heath Special Protection Area – 5 km Linear Mitigation Zone*
- *Public Open Space*
- *Green Route*
- *Potentially Contaminated Land consultation zone*
- *Bat Roost Habitat Suitability*
- *Ordinary Watercourse*
- *Emm Brook Nitrate Vulnerable Zone*
- *Flood Zone*
- *Tree Preservation Order*
- *Landscape Character Assessment Area – Holme Green Pastoral Sandy*