

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	252941
Site Address:	Land East of Longwater Road, Finchampstead, RG40 3TS
Expiry Date:	Extended to 29 May 2026
Proposal: Application to modify a Section 106 Planning Obligation to allow amendments to Schedule 1 (Affordable Housing) in the Section 106 Agreement dated 29.09.2025 relating to planning consent 241567 approved on 29.09.2025.	

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP5 – Housing Mix, Density and Affordability
MDD Local Plan (MDD)	TB05 – Housing Mix
Joint Minerals and Waste Plan (JMWP)	
Wokingham Borough Local Plan Update (LPU)	H1 – Housing mix, density and standards H3 – Affordable housing
Other	Affordable Housing Supplementary Planning Document Sustainable Design and Construction Supplementary Planning Document

PLANNING HISTORY

Application No.	Description	Decision & Date
241567	Full application for the proposed erection of 38no. dwellings (Use Class C3), together with associated outdoor space and landscaping, drainage infrastructure, hard and soft landscaping, parking, access, and associated works.	Approved 29/09/2025

CONSULTATION RESPONSES

Internal

WBC CIL – No objection

WBC Economic Prosperity & Place (Housing) – No objection

External

None consulted.

REPRESENTATIONS

Parish/Town Council	For information only consultation – no comments.
Ward Member(s)	For information only consultation – no comments.
Neighbours	No consultation required.

APPRAISAL

The application site is located to the east of Longwater Road, adjacent to the limited development location of Finchampstead village, and comprises circa 2.29 hectares of agricultural land.

Full planning permission was granted in September 2025 (Ref. 241567) for 38 dwellings (inc. 60% affordable housing), associated outdoor space and landscaping, drainage infrastructure, hard and soft landscaping, parking and access. The S106 agreement associated with the permission secured the provision of 60% (23) affordable dwellings on site.

A request to modify a S106 Planning Obligation to allow amendments to Schedule 1 (Affordable Housing) of the S106 agreement dated 29 Sept 2025 relating to planning permission 241567 has been submitted and seeks to formally modify the affordable housing obligation through a Deed of Variation to the original S106 agreement.

Section 106A of the Town and Country Planning Act 1990, subsection (6) says:

“Where an application is made to an authority under subsection (3), the authority may determine—

(a) that the planning obligation shall continue to have effect without modification;

(b) if the obligation no longer serves a useful purpose, that it shall be discharged; or

(c) if the obligation continues to serve a useful purpose, but would serve that purpose equally well if it had effect subject to the modifications specified in the application, that it shall have effect subject to those modifications.”

The changes proposed concern the affordable housing provisions only, more specifically the amount secured through the original s106 agreement. The proposal would therefore seek to provide an optional approach to the affordable housing delivery. Option A provides no less than 60% affordable housing on site, whilst Option B would allow for 100% affordable housing on site. For both options, the proposed tenure split would reflect a policy compliant 70% social rent / 30% shared ownership.

The proposed modification as set out in the draft Deed of Variation would support the delivery of 100% affordable housing scheme and the Planning Obligation would continue to serve a useful purpose with them in place.

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 instance, since issuing the original permission the land ownership has changed to a Registered Provider of Affordable Housing (Aster) who seek to develop the site with the support of grant funding from Homes England through their Social and Affordable Homes Programme (SAHP).

Given the above, 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 Registered Provider and the Council's Housing team.

Planning Balance and Conclusion:

Whilst the provision of between 60-100% affordable housing secures a notable benefit for the borough, it does come at the cost of infrastructure funding via the Community Infrastructure Levy CIL) that is generally in place to offset greater need of local services arising from increases in the population. The loss of CIL is a material consideration and will to some degree impact the borough's ability to cater for additional numbers in population. Notwithstanding, *Stonewater v Wealden* Caselaw outlines that CIL relief for the provision of affordable housing is not discretionary, but mandatory.

Wokingham borough, as a whole, have a pressing unmet need for affordable housing delivery. The LHNA (2023) outlines a need for 352 affordable dwellings annually over the plan period, with recent appeals identifying significant weight attached to their provision (on schemes providing less affordable housing numbers on site, in more affordable parts of the borough).

With the above in mind, it is reasonably to justify the proposed maximum of 100% affordable housing and the resulting loss of CIL payments on this occasion, given the ongoing need for affordable housing delivery. However, to ensure sustainable communities with an adequate provision of suitable infrastructure, all cases must be assessed individually on their own merits to determine that affordable housing provision in excess of policy requirements is appropriate.

It is therefore recommended that the application is approved to enable the required Deed of Variation to be completed to reflect the proposed modifications to the original S106.

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	
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Conditions agreed:	N/A
Recommendation:	Approve
Date:	26/05/2026
Earliest date for decision:	N/A

Recommendation agreed by: (Authorised Officer)	
Date:	26.05.26