



**WOKINGHAM
BOROUGH COUNCIL**

TOWN AND COUNTRY PLANNING ACTS

**TOWN AND COUNTRY
PLANNING (ENGLAND) 1990**

Mr Neil Davis
Davis Planning Ltd
19 Woodlands Avenue
Wokingham
RG41 3HL

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

Application Number: 240179
Applicant Name: Mr Mark Douglas
Site Address: Land East Of Barkham Manor, Barkham Road,
Wokingham, RG41 4TH
Proposal: Full application for the proposed erection of 3No
detached dwellings with detached double garages
and associated access and landscape works.
Date of Decision: 18 March 2024

Wokingham Borough Council in pursuance of its powers under the above Acts and Regulations hereby **refuses permission** for carrying out the above development as stated in the application and the accompanying plans submitted to the Council for the reason(s) specified hereunder.

Reasons

1. The proposal represents inappropriate unplanned development outside of and unconnected to any development limits within the countryside and contrary to the spatial objectives of the development plan and to policies CP1, CP3, CP6, CP9, CP11 and CP17 of the Core Strategy, Policies CC01, CC02, CC03 and TB21 of the MDD Local Plan, Policies IRS1, IRS2 and AD1 of the Arborfield & Barkham Neighbourhood Plan, the Borough Design Guide SPD and sections 2, 4, 12 and 15 of the National Planning Policy Framework.
2. The application site is within an unsustainable location that would not encourage a modal shift towards sustainable modes of transport, by reason of the countryside location outside of settlement limits, distances to facilities and services, limited public transport links and poor quality of the walking/cycling an environment, contrary to policies CP1, CP2, CP3, CP6 and CP11 of the Core Strategy, Policies CC01 and CC02 of the MDD Local Plan, the Borough Design Guide SPD and section 8 & 9 of the National Planning Policy Framework.

3. The proposed development will have a negative and detrimental impact on the landscape and character & appearance of the area by reason of the loss of an open green field in the countryside with an urbanising development contrary to policies CP1, CP3 and CP11 of the Core Strategy, Policies CC01, CC02, CC03 and TB21 of the MDD Local Plan, Policies IRS1, IRS2 and AD3 of the Arborfield & Barkham NP, the Borough Design Guide SPD, the Wokingham District Landscape Character Assessment and sections 12 and 15 of the National Planning Policy Framework.
4. The proposals would negatively impact the setting of Barkham Manor (Grade II Listed) and the Barkham Church and Manor Area of Special Character. The less than substantial harm caused is not outweighed by any significant public benefits associated with the proposals. The proposal is therefore contrary policies CP1 and CP3 of the Core Strategy, policies TB24 and TB26 of the MDD Local Plan, the Borough Design Guide SPD and the National Planning Policy Framework.
5. By virtue of its lack of information relating to the proposed surface water drainage strategy including provision of SuDS, the proposal has failed to demonstrate acceptable flooding and drainage impact contrary to NPPF Section 10, Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.
6. In the absence of adequate mitigation and monitoring measures, the proposed development would have a negative impact on the woodland priority habitat. Additionally, the proposal has failed to demonstrate how a biodiversity net gain would be achieved and secured in perpetuity (on or off the site). As such, in its current form the proposal would have detrimental impact on the biodiversity of the area contrary to policies CP7 of the Core Strategy, TB23 of MDD Local Plan and the National Planning Policy Framework.
7. The proposal triggers for an affordable housing contribution of £161,915.23 (index-linked) in-lieu of 1.2 units. In the absence of any measures to secure the affordable housing, the proposal is considered to be in contrary to policies CP1 and CP5 of the Core Strategy 2010, Policy TB05 and Appendix 12 of the Managing Development Delivery Local Plan 2014 and the Affordable Housing Supplementary Planning Document 2013.
8. The proposal would introduce 3 additional residential units within 5km of Thames Basin Heath SPA requiring monetary contributions of £13,106.07 towards Suitable Alternative Natural Greenspace (SANG) in the Borough. 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 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.

Informatives

1. If you intend to submit an appeal to be considered as a Public Inquiry you must notify the Local Planning Authority (planning.appeals@wokingham.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before you submit the appeal.

2. The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, no pre-application advice was sought before the application was submitted. As the proposal was clearly contrary to the provisions of the Development Plan, it was considered that further discussions would be unnecessary and costly for all parties.

Signed

MHead

Marcia Head

Head of Development Management - Place & Growth

Date: 18 March 2024

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE BELOW



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Other statutory legislation: This decision notice relates to the above stated acts and regulations only and does not constitute approval under any other legislation.

The Town & Country Planning (Development Management Procedure) Order: This decision has been made in accordance with the requirements of the National Planning Policy Framework (NPPF) and in the requirement to work with the applicant in a positive and proactive manner.

Officer Report: An officer report explaining the decision will be available to view online.

Purchase notices: If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council which will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

Appeals to the Secretary of State: If your application has been **refused** by the Borough Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990). This must be within the timeframes set out below. Please note an extension of time for lodging an appeal is unlikely to be granted except in special circumstances.

12 weeks from the decision date above in the case of a refusal of a 'householder' application:
Being the refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house; or,
Being the refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.

12 weeks from the decision date above in the case of a refusal of a 'minor commercial' application:
Being the refusal of an application for development of an existing building or part of a building currently in use for purposes in Use Classes A1, A2, A3, A4 and A5

where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.

6 months from the decision date above in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building/conservation area consent application.

6 months from the decision date above in the case of any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government. The Inspectorate has an online appeals service with information and guidance about the process. You can submit [full application appeals](#) and [householder application appeals](#) with the new appeals service. [Other application types](#) should be submitted on the current appeal service. Alternatively, you can obtain a form from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, 0303 444 5000 or through the [Inspectorate's website](#). Please note all documents will be published online by the Planning Inspectorate and therefore you should not include personal information you do not wish to be displayed in this way. This includes personal information of third parties.

In the event of a grant of planning permission, please note the following:

Community Infrastructure Levy (CIL): When planning permission is granted for a development that is CIL the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing 'Form 2', the assumption of liability notice, is a statutory requirement for the liable party(ies) to be completed for all CIL liable applications. Advice on how the Regulations may impact you and how you can properly discharge the relevant legal requirements including paying any relevant CIL charge that may be due is available on our [Community Infrastructure Levy advice \(wokingham.gov.uk\)](http://wokingham.gov.uk) website pages.

Discharge of Conditions: This consent may contain conditions that require further approval by submission of an application for approval of details reserved by condition and the appropriate fee. Application forms can be obtained for this purpose by visiting the [Planning Portal](#).

Street Naming and Numbering for new dwellings: If this notice relates to approval of new dwellings, please ensure that you contact the Council at least 16 weeks before the commencement on site to arrange for an address and post code to be allocated. Details can be obtained from streetnamingandnumbering@wokingham.gov.uk. Failure to contact the street naming and numbering department at least 16 weeks before commencement on site will result in the addressing and post code for the development being delayed.

Access to privately owned land: The applicant is reminded that this permission does not give right of entry to land not in the ownership of the applicant. Permission must be sought from any other landowner(s) if access is required.

Gas Mains and Services: Building over a gas main or service that is located within your site could cause damage to pipework or potential gas leaks within buildings. You should check for information relating to services within your site at [Home - LineSearchBeforeUdig \(lsbud.co.uk\)](http://Home-LineSearchBeforeUdig.lsbud.co.uk) and contact the Plant Protection Team at SGN on 0800 912 1722 or plantlocation@sgn.co.uk.

Building Regulations: The development subject to this permission may also require Building Regulation approval to ensure it is built to national safety, design, and environmental standards. The Council's Local Authority Building Control (LABC) service offers a full range of plan approval, inspection, and associated services through an ISO9001 nationally accredited team of qualified building surveyors. These surveyors work closely with the Council's planning department to ensure the appropriate construction of your build. To find out more visit the Council's [Building Control website](#) or call 0300 790 0580 to speak to a member of the team.

Fire Regulations: In accordance with the Berkshire Act 1986, when Building Regulation applications are submitted for building(s) or extensions, the Local Authority will reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show the following:

- i) That there will be adequate means of access for the fire brigade to the building(s) or the extended building(s); and,
- ii) That the building(s) or extension(s) will not render inadequate any existing means of access for the fire brigade to a neighbouring building.