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A Meeting of the **PLANNING COMMITTEE** will be held David Hicks 1 - Civic Offices, Shute End, Wokingham RG40 1BN on **WEDNESDAY 10 APRIL 2024** AT **7.00 PM** 

Susan Parsonage

**Chief Executive** 

Published on 28 March 2024

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# **Our Vision**

# A great place to live, learn, work and grow and a great place to do business

### **Enriching Lives**

- Champion excellent education and enable our children and young people to achieve their full potential, regardless of their background.
- Support our residents to lead happy, healthy lives and provide access to good leisure facilities to enable healthy choices for everyone.
- Engage and empower our communities through arts and culture and create a sense of identity for the Borough which people feel part of.
- Support growth in our local economy and help to build business.

#### **Providing Safe and Strong Communities**

- Protect and safeguard our children, young and vulnerable people.
- Offer quality care and support, at the right time, to reduce the need for long term care.
- Nurture our communities: enabling them to thrive and families to flourish.
- Ensure our Borough and communities remain safe for all.

#### **Enjoying a Clean and Green Borough**

- Play as full a role as possible to achieve a carbon neutral Borough, sustainable for the future.
- Protect our Borough, keep it clean and enhance our green areas for people to enjoy.
- Reduce our waste, promote re-use, increase recycling and improve biodiversity.
- Connect our parks and open spaces with green cycleways.

#### **Delivering the Right Homes in the Right Places**

- Offer quality, affordable, sustainable homes fit for the future.
- Ensure the right infrastructure is in place, early, to support and enable our Borough to grow.
- Protect our unique places and preserve our natural environment.
- Help with your housing needs and support people, where it is needed most, to live independently in their own homes.

# **Keeping the Borough Moving**

- Maintain and improve our roads, footpaths and cycleways.
- Tackle traffic congestion and minimise delays and disruptions.
- Enable safe and sustainable travel around the Borough with good transport infrastructure.
- Promote healthy alternative travel options and support our partners in offering affordable, accessible
  public transport with good transport links.

# **Changing the Way We Work for You**

- Be relentlessly customer focussed.
- Work with our partners to provide efficient, effective, joined up services which are focussed around our customers.
- Communicate better with customers, owning issues, updating on progress and responding appropriately as well as promoting what is happening in our Borough.
- Drive innovative, digital ways of working that will connect our communities, businesses and customers to our services in a way that suits their needs.

# Be the Best We Can Be

- Be an organisation that values and invests in all our colleagues and is seen as an employer of choice.
- Embed a culture that supports ambition, promotes empowerment and develops new ways of working.
- Use our governance and scrutiny structures to support a learning and continuous improvement approach to the way we do business.
- Be a commercial council that is innovative, whilst being inclusive, in its approach with a clear focus on being financially resilient.
- Maximise opportunities to secure funding and investment for the Borough.
- Establish a renewed vision for the Borough with clear aspirations.

#### MEMBERSHIP OF THE PLANNING COMMITTEE

#### Councillors

David Cornish (Chair) Andrew Mickleburgh (Vice- Alistair Neal

Chair)

Wayne Smith Michael Firmager Stuart Munro Rachelle Shepherd-DuBey Tony Skuse Bill Soane

ITEM NO.	WARD	SUBJECT	
<b>79</b> .		APOLOGIES To receive any apologies for absence.	
80.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Meeting held on 13 March 2024	5 - 16
81.		<b>DECLARATION OF INTEREST</b> To receive any declaration of interest	
82.		APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS To consider any recommendations to defer applications from the schedule and to note any applications that may have been withdrawn.	
83.	Coronation	APPLICATION NO 233168 FORMER TRAVIS PERKINS SITE, WOODLEY GREEN, WOODLEY, WOKINGHAM, RG5 4QP RECOMMENDATION: Conditional Approval subject to a legal agreement. CASE OFFICER: Stefan Fludger	17 - 62
84.	Charvil	APPLICATION NO 240459 20 OLD BATH ROAD, CHARVIL, RG10 9QR RECOMMENDATION: Conditional Approval CASE OFFICER: Claire Moore	63 - 84

# Any other items which the Chairman decides are urgent

A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading.

#### **GLOSSARY OF TERMS**

The following abbreviations were used in the above Index and in reports.

**C/A** Conditional Approval (grant planning permission)

CIL Community Infrastructure Levy

R Refuse (planning permission)

**LB** (application for) Listed Building Consent

Section 106 legal agreement between Council and applicant in accordance

with the Town and Country Planning Act 1990

F (application for) Full Planning Permission

MU Members' Update circulated at the meeting

**RM** Reserved Matters not approved when Outline Permission previously granted

**VAR** Variation of a condition/conditions attached to a previous approval

PS Category Performance Statistic Code for the Planning Application

# **CONTACT OFFICER**

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# MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 13 MARCH 2024 FROM 7.00 PM TO 9.20 PM

# **Committee Members Present**

Councillors: David Cornish (Chair), Andrew Mickleburgh (Vice-Chair), Alistair Neal, Wayne Smith, Michael Firmager, Stuart Munro, Rachelle Shepherd-DuBey, Tony Skuse and Bill Soane

### **Councillors Present and Speaking**

Councillors: Charles Margetts

#### Officers Present

Brian Conlon, Operational Lead - Development Management Connor Corrigan, Head of Strategic Development Rachel Lucas, Senior Lawyer Liam Oliff, Democratic and Electoral Services Specialist Madeleine Shopland, Democratic and Electoral Services Specialist Alan Lewis, Highways Development Manager

#### **Case Officers Present**

Andrew Chugg Emy Circuit Connie Davis Christopher Howard

# 70. APOLOGIES

There were no apologies for absence.

#### 71. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 14 February 2024 were confirmed as a correct record and signed by the Chair.

#### 72. DECLARATION OF INTEREST

Councillor Cornish declared a prejudicial interest as he had contributed to Finchampstead Parish Council Neighbourhood plan, which made reference to this location.

# 73. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

There were no items to be deferred or withdrawn.

# 74. APPLICATION NO 232995 LAND SOUTH OF CUTBUSH LANE EAST, SHINFIELD. RG2 9AA

**Proposal:** Full planning permission for the construction of an extension to the Thames Valley Science Park spine road to provide access to a proposed new building for the Natural History Museum, landscaping, surface water attenuation and other associated works. Application is a potential departure from Local Plan.

**Applicant:** University of Reading

The Committee considered a report on this application, set out in agenda pages 17 to 68.

The Committee were advised that updates contained within the Supplementary Planning Agenda included:

- Reasons for lack of Environmental Impact Assessment
- Added plans for condition 2.
- Change to condition 7.

Christopher Howard, case officer, explained that he would present item 74 and 75 together as the items were co-dependent.

All members of the committee had attended a site visit except Councillor Smith.

Dave Green, resident, spoke in objection to the application. He told the committee that this application was on a site that was designated as greenfield in the Local Plan and beyond the boundary of the Sustainable Development Location (SDL). He added that this was the third major extension to the science park. He argued that the proposed access was more extensive than needed to access the site and might be designed to provide access to possible development sites beyond. He explained that further sites were not featured in any Council documents. He told Members that he believed the Council were ignoring the Local Plan and the SDL.

Phil Brown, agent, spoke in support of the application. He told the committee that the University of Reading (UoR) and Natural History Museum (NHM) had worked in partnership on this application. He explained that the new access road would provide the infrastructure needed to provide the main NHM building and that this route had been chosen for minimal impact. He added that the access was essential for the economic, social, and environmental benefits of the building. The road had been designed to encourage walking and cycling and there were suitable bus routes. He mentioned that there would be a biodiversity net gain of 20% and that the road would be of high quality. He said that Cutbush Lane East would remain cut off to the site for vehicles. He also mentioned that the development would provide 35 construction jobs in addition to more local employment, as well as safeguarding highway corridor land. The Wokingham Borough Council (WBC) Highways team had deemed this an acceptable form of development.

Councillor Shepherd-Dubey questioned the number of apprenticeships that would be provided from the scheme. The case officer confirmed that there would be 21 apprenticeships arising from the scheme.

Councillor Mickleburgh asked why this development was permitted when it was not featured in the Council's Local Plan. The case officer explained that the Local Plan was devised at a certain moment in time and could evolve. Councillor Mickleburgh sought clarity on a point raised by Dave Green regarding further applications in the future that could arise from the new access road. The case officer told Members that they should consider plans on their merits and planning policy.

Councillor Neal questioned officers on the connection from the cycle path from the motorway bridge and asked for assurance that the cycle route would not be blocked by barriers. Alan Lewis, Highways Development Manager, explained the current route had barriers to limit motor-vehicle access and assured Members that they would provide a continuous cycling route.

It was proposed by Councillor Skuse and seconded by Councillor Shepherd-Dubey that the application be approved.

**RESOLVED**: That application 232995 be approved subject to

- A) Completion of a S106 agreement and;
- B) Conditions as set out in the report and amended in the members update (if required);
- C) Should the S106 agreement not be signed by the applicant by six months of the committee resolution, delegate to the Assistant Director of Planning to refuse the application unless a longer timeframe is agreed with the Chair of Planning Committee in consultation with the Assistant Director of Planning.

# 75. APPLICATION NO 232833 LAND SOUTH OF CUTBUSH LANE EAST, SHINFIELD. RG2 9AA

**Proposal:** Full application for the proposed Construction of a Collections, Digitisation & Research Centre with associated infrastructure and external works including car parking, SUDS basin and landscaping. Application is a potential departure from the Local Plan.

**Applicant:** Natural History Museum

The Committee considered a report on this application, set out in agenda pages 69 to 148.

The Committee were advised that updates contained within the Supplementary Planning Agenda included:

- Withdrawal of objection from Shinfield Parish Council
- Additional representation from Councillor Gary Cowan
- Changes to condition 7 regarding Public Art Community Engagement & Consultation
- Change to condition 26 regarding Community Engagement Strategy

All members of the committee attended a site visit except Councillor Smith.

Tim Littlewood, Director of Science, Natural History Museum, spoke in support of the application. He told the committee that this would bring the flagship research centre to the Borough and that the NHM had a statutory duty to make collections accessible to current and future generations. He added that a Community Engagement plan would be developed with the Parish Council. He also said that the application would provide 150 jobs at the site. The building would be zero carbon which exceeded local policy requirements under Core Strategy Policy CP1, with carbon savings of 21%, as well as reducing energy and water use. Solar Panels on the roof would produce 22% of energy demand for the building which exceeded the 10% policy requirement. He explained that despite the development not complying with the Local Plan's countryside policies in terms of planning balance, any adverse impacts on the countryside were outweighed by the economic, social, and sustainable benefits of the facility.

Councillor Mickleburgh thanked officers for addressing the issues from Shinfield Parish Council, which had led to the Parish Council withdrawing their objection.

Councillor Mickleburgh questioned the change in condition 26 on page 110, that was referenced in the supplementary agenda, specifically querying the Community Engagement Strategy and who would be responsible for updating the strategy every five years as referenced. Connor Corrigan, Head of Strategic Development, explained that this responsibility would be imposed on NHM, and added that other stakeholders such as UOR, the British Museum and local schools would be engaged in the process.

Councillor Shepherd-Dubey asked for the biodiversity net gain figures from the site. The case officer reiterated that it would be 20%.

Councillor Neal explained for clarity that committee members had previously received a presentation from NHM which addressed many of the members concerns.

It was proposed by Councillor Mickleburgh and seconded by Councillor Shepherd-Dubey that the application be approved.

**RESOLVED:** That Application 232833 be approved subject to

- A) Completion of a S106 agreement and;
- B) Conditions as set out in the report and amended in the members update (if required);
- C) Should the S106 agreement not be signed by the applicant by six months of the committee resolution, delegate to the Assistant Director of Planning to refuse the application unless a longer timeframe is agreed with the Chair of Planning Committee in consultation with the Assistant Director of Planning.

# 76. APPLICATION NO 223528 33 BARKHAM RIDE FINCHAMPSTEAD WOKINGHAM RG40 4EX

Having declared a prejudicial interest in this item Councillor Cornish left the room for this item and did not participate in the debate or vote. This item was chaired by the Vice Chair Councillor Mickleburgh

**Proposal:** Outline application for the proposed erection of 56 residential dwellings with associated access, following demolition of the existing dwelling and outbuildings. Access only to be considered (with Appearance, Landscaping, Layout and Scale to be reserved)

**Applicant:** Mr Nathan Craker

The Committee considered a report on this application, set out in agenda pages 149 to 234.

The Committee were advised that updates contained within the Supplementary Planning Agenda included:

- Update to the recommendation- time limit on Section 106 agreement.
- Clarity on the ownership Victoria Gardens.
- Information regarding local Badger population.

Connie Davis, case officer provided clarity over a request for an additional condition from the British Horse Society but as the request to reinstate the historic bridleway was still under consideration by WBC, and therefore the condition was not required to make the application acceptable.

Roger Marshallsay, Finchampstead Parish Council, spoke in objection to the application. He mentioned that more notice had been taken regarding Finchampstead's Neighbourhood Development Plan (NDP) compared to other recent applications, especially policy ES1 which related to carbon neutral housing. He told the committee that originally the application had been for both 31 and 33 Barkham Ride which the NDP accepted, with 70 houses, but this had now been split into two sites which had 56 and 26 houses, taking the total to 82, over the 70 that was considered acceptable in the NDP. He asked whether the sites could be considered together.

Hugh Reid, resident, spoke in objection to the application. He highlighted traffic as a key concern for the residents, explaining that peak time traffic in the mornings was already high with 1060 peak two-way flows measured in the morning, 28% higher the than the WBC report. He also mentioned speeding, disregard for the 6ft6 limit and the safety issues near Bohunt School as key issues. He told Members that there were a large number of T-Junctions in the area, which caused frequent accidents. He said that these were concerns because of the lack of opportunity for alternative transport options. He was of the view that this development would be the start of turning the western end of the settlement on Barkham Ride into a higher housing density area. The proposed 56 dwellings on 29 hectares, the next most dense area on Barkham Ride contained only 42 dwellings, this was a 33% increase.

Nathan Craker, applicant, spoke in favour of the application. He referenced a good partnership between the applicants and the officers. He cited figure 1 on page 159 of the agenda which he said showed the site in its context, surrounded on three sides by existing development. He mentioned good transport links, specifically the number 3 Leopard bus that ran nearby. He told the committee that the development was sustainably located and adhered to the growth strategy and NDP. He mentioned some key benefits which were 40% affordable housing being provided and the tenure mix including 70% social rented housing, improvement to sustainable transport and Biodiversity net gain.

Councillor Charles Margetts, ward member, spoke in objection to the application. He said that the site was outside the settlement boundary and explained that the combined site of 31 and 33 Barkham Ride was in the draft Local Plan update as 66 houses. He commented that if all proposed developments went ahead, then there would be 112 houses built in the area. He told the committee that he had asked officers to bring both sites together to committee but that this had been ignored and that the sites were brought separately to exploit planning. He pointed out that the application was contrary to policies CP9 and CP11. He added that there was no access to Barkham on foot, inadequate bus services and the bus did not go near the closest railway station. He also referenced the width of the road and the fact that buses and vans passed less than a metre away when walking on the pavement. The NHS Primary Care network had advised that local GPs were overcapacity with no plans for expansion. Councillor Margetts told Members that the

application did not comply with policies CP6 or CP3. He referenced many future plans within the area for development and how there would be a large cumulative effect. Councillor Margetts referenced local wildlife and drew Members' attention to a video of a badger travelling along the site boundary.

All members of the committee attended a site visit except Councillors Cornish and Soane.

Councillor Mickleburgh explained that this was an outline application which would fix the number of dwellings at a maximum of 56. He indicated that he wanted to exercise the right to bring the application back to Planning Committee at the reserved matters stage, were it to be accepted at the outline stage. He said that although the application was contrary to policy CP11, because of the Council's lack of a 5 Year Housing Land Supply (5YHLS), the harms must significantly and demonstrably outweigh the benefits for the application to be refused. He pointed out the positives of 22 affordable homes on the site.

Councillor Firmager sought comment on the traffic levels along Barkham Ride and possible increases as a result of the application. Alan Lewis explained that the Highways team had looked into this at length. He added that daily levels had a significant range and there were roughly 8000 traffic flows per day, 4% of which were HGVs. 63 per week were the larger HGVs which may be connected with adjacent commercial uses which have a legitimate right of access to properties within the 6'6" restriction. He explained that due to the scale of current flows, the estimated increase in traffic from development would only be 2% which would largely be light traffic and that this was considered sufficiently low. He added points regarding limitations of land and highway drainage, that the new solar farm development would improve land drainage and therefore reduce pressure on highway drainage, and that an extension of the speed limit would ease lots of areas of concern.

Councillor Firmager asked whether the 22 affordable houses could possibly be reduced by the applicant, referencing previous applications where he had been disappointed to see this occur. The case officer explained that accepting this application would fix the maximum number of overall dwellings to 56. However, the overall number of dwellings could be reduced at reserved matters stage, which due to the number of affordable houses being a percentage, would in turn decrease the number of affordable homes, However, in order for the applicant to deviate away from the 40% affordable housing required, a viability assessment would have to be provided.

Councillor Shepherd-Dubey mentioned that the committee had to consider this application on tilted balance due to the lack of a 5YHLS and asked the case officer to explain titled balance for the benefit of the public. She also reiterated that the committee must look at this application on its own merit. The case officer explained that if other applications do come in then this application, if approved, would be a material consideration but not the other way around as it would be speculative to do so. She then explained the concept of titled balance.

Councillor Skuse asked at what point the speed limit change would come into effect. Alan Lewis indicated that although there was no need to relocate the speed limit, it was being looked at and that it potentially would be moved to the edge of the 31 Barkham Ride site.

Councillor Smith focused on the cumulative effect of the application, he explained that the Local Plan allowed for 70 houses across the 2 sites and that there would now potentially be 108 because the original number had not envisaged the mobile homes. The case officer explained that the 66 net increase in the revised growth strategy was above and

beyond the mobile homes on Victoria Gardens. Councillor Smith then questioned officers on the lack of an updated 5YHLS number and stated that the last number given was from April 2022. He also mentioned that from the site visit, the traffic flows were very high and the predicted 2.4 cars per dwelling coming in and out of one entrance would cause issues. Brian Conlon, Operational Lead - Development Management, clarified there had been an updated 5YHLS position which was the Council's position as of 31 March 2023, this position was 3.2 years, down from the previous figure of 3.95 years which was referenced in paragraph 3.15 of the report. Alan Lewis provided clarity on the traffic movements, explaining that there would be approximately 28 peak movements in and out of the site which could potentially lead to a 1.8% increase in traffic.

Councillor Neal referenced paragraph 10.3.3 on page 181 of the agenda. He mentioned that the My Journey quiet cycle link from Finchampstead to Wokingham Town Centre at Blagrove Drive had been blocked off by the landowner so was no longer accessible. He also mentioned paragraph 10.2.9, which referred to the historic bridleway and asked if there was any chance of this being reinstated. The case officer confirmed that the application relating to this was still pending.

Councillor Munro questioned the differences between the housing densities in the report and the ones presented by the resident in their presentation. The case officer explained that it was difficult to know where the discrepancies stemmed from without knowing the methods behind their calculations, but referred to the agenda which showed the density at 31 Barkham Ride as 17.6 dwellings per hectare and 33 Barkham Ride as 19.3 dwellings per hectare.

Councillor Smith questioned why the 5YHLS number was going down when the committee had approved sites in the past. Councillor Mickleburgh suggested that the conversation regarding the 5YHLS was continued outside of the meeting.

Councillor Mickleburgh said that the main reason cited by Councillor Margetts for listing this application was due to the fact the location was unsustainable. He was of the view that from the site visit and the evidence in the report, that this was not the case. He added that pages 196-198 of the agenda were of concern which referenced the relationship between this site and others on Barkham Ride. He mentioned that a Project Board had been proposed to discuss the possibility of multiple applications in the area. He asked officers whether it was permissible to add a condition relating to a project board to manage the large number of developments on Barkham Ride. Brian Conlon told Members that the activities of the Council wider than planning covered many different statutory roles and explained that the Executive had priorities and could discuss cumulative impact of developments. He added that the cumulative impact could be considered if it was material, but each application must be considered on its own merit. He said that even though officers could not request applicants to resolve a problem that was unrelated to them, if the cumulative effect was going to lead to an issue, then they could pool mitigation. This could be done through a section 106 agreement. He informed Members that activities the Council undertook at a higher level to coordinate with developers would require an overarching role of Local Government and would not be in the remit or control of, nor meet the test of an individual planning permission.

Councillor Smith questioned how a Neighbourhood Plan was insufficient to protect the local area from development. The case officer indicated that this was referenced in paragraph 3.24 of the agenda where it discussed what happened if tilted balance was combined with a Neighbourhood Plan. She referred to paragraph 14 of the National

Planning Policy Framework (NPPF) and explained that point B from paragraph 14 of the NPPF was not complied with because the Finchampstead NDP did not feature any housing allocation sites. The application would have been assessed differently if that was not the case.

It was proposed by Councillor Neal and seconded by Councillor Skuse that this application be approved. Due to an equal number of votes for and against the proposal, Councillor Mickleburgh was given casting vote as Chair of the Committee and the application was approved.

**RESOLVED:** That application 223528 be approved subject to conditions and informatives set out in pages 202 to 218, and the following obligations

- 1. **Roads -** Details of road status either to remain as private or to be adopted by the Council
- 2. Affordable Housing 40% on site affordable housing
- 3. **My Journey/ Travel Plan -** Contribution of £30,240 (£540 per dwelling) towards My Journey or Travel Plan to be provided
- 4. **Bus Services -** Contribution of £ 72,688 (£1298 per dwelling) (indexed linked) to contribute towards the Arborfield bus strategy
- 5. **SANG/ SAMM –** Contribution to be calculated following Reserved Matters as it is dependent on number of bed spaces per dwelling.
- 6. **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
- 7. **Establishment of Management Company –** to be responsible for open spaces, play equipment, drainage, roads (the latter if not adopted by the Council)
- 8. **Public Open Space** Financial contribution towards public open space types (outdoor sports provision / allotments) if there is a shortfall on-site at Reserved Matters. If an off-site contribution is to be provided, £38,445.00 would be required for allotments and a contribution of £131,432 (£2,347 per dwelling) indexed linked to 2015 towards Outdoor Sports Provision.
- 9. **Biodiversity Net Gain -** 10% Biodiversity Net Gain plan to be submitted with details of on-site provision or off-site off-setting

At this point in the meeting Councillor Cornish returned to the meeting and resumed the Chair.

# 77. APPLICATION NO 232560 WHITEHOUSE FARM, BEECH HILL ROAD, SPENCERS WOOD, WOKINGHAM, RG7 1HR

**Proposal:** Full application for the change of use of land from Agricultural, residential, light industrial and storage to an Arboretum with ancillary support facilities to include storage, laboratory, offices and auditorium, re-location of poly tunnels and creation of irrigation pond, swale and attenuation pond, following demolition of hardstanding areas and various buildings including workshop, Mobile home, store, container, Nissan hut and sheds.

**Applicant:** Bartlett Tree Experts

The Committee considered a report on this application, set out in agenda pages 235 to 296.

The Committee were advised that updates contained within the Supplementary Planning Agenda included:

• The Applicant's name added.

Neil Davis, agent, spoke in favour of the application. He told committee members that this use of the site should be welcomed by the Council. The location of the site with the land around it to accommodate the arboretum was essential to its success. He explained that Bartlett Tree Experts currently operated from the site leased from UoR but that this lease was set to terminate, and that this development was fundamental for future plans for the applicant. Headded that the current space did not provide necessary space for the arboretum. He mentioned that the site was private, and therefore external visits would be controlled by a private company. He added some key benefits included protection of the countryside, high quality buildings, and an excellent BREEAM rating. There were no objections from internal or external consultees.

Councillor Smith asked how issues with the Atomic Weapons Establishment (AWE) Detailed Emergency Planning Zone (DEPZ), referenced on page 270 of the agenda as item 7, had been resolved. Andrew Chugg, case officer, explained that conversations had taken place with the Emergency Planning team and the view was that new housing would not be suitable, however as a business, this was an acceptable use of the site as there was a net loss of homes which gives a lower risk.

Councillor Firmager sought clarity on the traffic flow on Beech Hill Road and whether this would lead to an increase in flows. Alan Lewis clarified that the traffic flows were modest, and that the daily variation was typically +/-7%, he added that there could be a slight increase or decrease in traffic but that it was expected to be neutral.

Councillor Neal asked whether any issues with tree disease could spread outside the arboretum. The case officer explained that the Ecology Officer had looked at that matter, and that the applicants were specialists in the field. Brian Conlon added that the planning system was not the regime that would regulate biosecurity.

Councillor Soane questioned where the access would be for event parking and what the number of parking spaces would be. The case officer clarified that access for the event parking would be on the most southerly access on Beech Hill Road and that 15 parking spaces had been proposed, compared to the current 5 spaces.

Councillor Cornish mentioned that this application was full of benefits.

It was proposed by Councillor Smith and seconded by Councillor Soane that this application be approved.

**RESOLVED:** That application 232560 be approved subject to conditions and informatives detailed in Appendix 1 of the report.

# 78. APPLICATION NOS 190914, 191068 & 192325 SOUTH WOKINGHAM STRATEGY DEVELOPMENT LOCATION (SDL)

**Proposal:** Application No 190914: Outline application with all matters reserved except for principal means of access to the highways, for up to 215 dwellings, public open space, play areas, associated infrastructure and landscaping. To be read in conjunction with applications 190900 & 191068.

Application No 191068: Hybrid planning application (part outline/part detailed) comprising an outline application with all matters reserved except principal means of access to the highways, for a mixed use development of up to 1,434 dwellings, a two-form entry primary school, local centre (A1, A2, A3, A4, A5 and D1 including community building D1/D2), public open space, play areas and associated infrastructure and landscaping; and a full application for the proposed Suitable Alternative Natural Greenspace (SANG), associated landscaping and temporary car park. – To be read in conjunction with applications 190900 & 190914.

<u>Application No 192325:</u> Hybrid Planning application (part outline/part full) comprising outline application with all matters reserved for up to 171 no. dwellings, public open space and associated infrastructure and full application for Suitable Alternative Natural Greenspace (SANG).

**Applicant:** Kingacre Estates Ltd, Keir Ventures Ltd and Miller Homes Ltd and Charles Church Developments Ltd

The Committee considered a report on this application, set out in agenda pages 297 to 310 and the update Item No 78- Supplementary Agenda.

The Committee were advised that updates contained within the Supplementary Planning Agenda included:

• A change to the recommendations following legal advice.

Emy Circuit, case officer, explained to Members that following legal advice, the recommendations had been changed to making a formal decision, as opposed to noting an update.

Councillor Smith sought clarity on the delivery of the school and asked whether that would now be paid for by developers rather than by the Council. The case officer confirmed that this was the case. Councillor Smith urged the building to commence as quickly as possible. Connor Corrigan told Members that the plan was to be building houses in a years' time.

Councillor Skuse queried how the negotiations took place to allow the developers to pay for parts of the development that were originally going to be paid for by the Council. The case officer explained that the developer's interest was such that they were dependent on the delivery of the road to start the building.

Councillor Shepherd-Dubey asked that the school and the community facility be made as separate entities. Connor Corrigan assured Members that they would be two separate buildings and lessons had been learnt from the past.

Councillor Cornish urged developers to start development as soon as possible.

It was proposed by Councillor Cornish and seconded by Councillor Shepherd-Dubey to approve the officer recommendations.

**RESOLVED:** That recommendations for applications 190914, 191068 and 192325 be approved subject to:

**RECOMMENDATION 190914** 

- 1. In addition to the resolution to GRANT PLANNING PERMISSION on the 18th May 2021 for application 190914 that the committee authorise that the existing GRANT OF PLANNING PERMISSION is also subject to the following:
- A. The revised terms and mechanism as set out in this report for securing delivery of the school (including triggers and scale), community facility (including triggers and scale) and allotments in the s106 agreement; and
- B. AUTHORISE the Assistant Director Place and Growth to agree revisions to conditions and informatives as set out in this report and to any further required additions, revisions and updates to conditions and informatives
- between the resolution of the Planning Committee on 18 May 2021 and issue of the decision under delegated powers.
- 2. That the committee authorise the Head of Development Management to refuse planning permission in the event of an S106 agreement not being completed to secure the services and infrastructure within six months of the date of the committee resolution (unless a longer period is agreed by the Head of Development Management in consultation with the Chairman of Planning Committee) due to failure to secure the necessary infrastructure impact mitigation.

#### **RECOMMENDATION 191068**

- 1. In addition to the resolution to GRANT PLANNING PERMISSION on the 18th May 2021 for application 191068 that the committee authorise that the existing GRANT OF PLANNING PERMISSION is also subject to the following:
- A. The revised terms and mechanism as set out in this report for securing delivery of the school (including triggers and scale), community facility (including triggers and scale) and allotments in the s106 agreement; and
- B. AUTHORISE the Assistant Director Place and Growth to agree revisions to conditions and informatives as set out in this report and to any further required additions, revisions and updates to conditions and informatives
- between the resolution of the Planning Committee on 18 May 2021 and issue of the decision under delegated powers.
- 2. The committee authorise the Head of Development Management to refuse planning permission in the event of an S106 agreement not being completed to secure the services and infrastructure within six months of the date of the
- committee resolution (unless a longer period is agreed by the Head of Development Management in consultation with the Chairman of Planning
- Committee) due to failure to secure the necessary infrastructure impact mitigation.

#### **RECOMMENDATION 192325**

- 1. In addition to the resolution to GRANT PLANNING PERMISSION on the 9th March 2022 for application 192325 that the committee authorise that the existing GRANT OF PLANNING PERMISSION is also subject to the following:
- A. The revised terms and mechanism as set out in this report for securing delivery of the school (including triggers and scale), community facility (including triggers and scale) and allotments in the s106 agreement; and

- B. AUTHORISE the Assistant Director Place and Growth to agree revisions to conditions and informatives as set out in this report and to any further required additions, revisions and updates to conditions and informatives between the resolution of the Planning Committee on 9 March 2022 and issue of the decision under delegated powers.
- 2. The committee authorise the Head of Development Management to refuse planning permission in the event of an S106 agreement not being completed to secure the services and infrastructure within six months of the date of the committee resolution (unless a longer period is agreed by the Head of Development Management in consultation with the Chairman of Planning Committee) due to failure to secure the necessary infrastructure impact mitigation.

# Agenda Item 83.

Application Number	Expiry Date	Parish	Ward	
233168	11/04/2024	Woodley	Coronation;	

Applicant	R Ruscoe, Propco (Woodley Green) Ltd	
Site Address	Former Travis Perkins Site, Woodley Green, Woodley RG5 4QP	
Proposal	Full application for the proposed erection of a building to form a residential care home (Use Class C2) with access, parking, landscaping and associated works, following demolition of all existing buildings on the site.	
Туре	Full	
Officer	Stefan Fludger	
Reason for determination by committee	Major application	

FOR CONSIDERATION BY	Planning Committee on Wednesday, 10 April 2024
REPORT PREPARED BY	Assistant Director – Place and Growth
RECOMMENDATION	i) APPROVAL subject to conditions and Informatives & completion of S106 legal agreement to secure the following: • Employment Skills Plan – To secure a construction phase Employment Skills and Training Plan or equivalent financial contribution in accordance with Policy TB12 of the MDD and based on the value of the Construction Industry Training Board Benchmark.
	OR
	ii) REFUSE full planning permission if the legal agreement is not completed within three months of the date of this resolution (unless officers on behalf of the Assistant Director – Place and Growth agree to a later date for completion of the legal agreement)

# SUMMARY

The application proposes a care (including dementia care) home with 68 bedrooms on the site of an existing builders merchant in Woodley Green. There is an identified need for a home of this sort and this has been supported by the Council's Strategy and Commissioning team. Additionally, as the Council cannot demonstrate a 5 year housing land supply, the tilted balance is engaged. In any case, the development is within settlement limits in a sustainable location and the principle of building a care home on this employment land has been found to be acceptable.

This application is the second on the site, the first being refused on harm to the character of the area and to neighbouring properties by virtue of overlooking and creation of a sense of enclosure.

The building has been re-designed to incorporate more appropriate design features which break up the bulk, scale and mass of the dwelling. Additionally, technical solutions have been suggested to prevent harmful overlooking. On this basis, it is considered that the previous reasons for refusal have been overcome and this application is recommended for approval.

# RELEVANT PLANNING HISTORY

Application number	Description	Decision & Date
F/2004/1923	Proposed erection of a detached storage building.	Approved – 19/07/2004
F/2009/0333	Proposed erection of prefabricated warehouse building and erection of 2m high boundary fence. (Demolition of existing unsafe outbuildings).	Approved – 29/04/2009
C/2009/1253	Application for submission of details to comply with conditions 3 and 4 of planning consent F/2009/0333 (3 - Boundary Treatment and 4 - Samples and details of materials to be used).	Replied – 01/12/2009
231871	Full application for the proposed erection of a building to form a residential care home (use class C2) with access, parking, landscaping and associated works, following demolition of all existing buildings on the site.	Refused – 30/11/2023

DEVELOPMENT INFORMATION	
Proposed units Previous land use Existing parking spaces Proposed parking spaces	68 beds Builders merchant N/A 24
CONSTRAINTS	Major Development Location Potentially Contaminated Land

CONSULTATION RESPONSES	
WBC Highways	No objection, subject to conditions.
WBC Landscape	No objection, subject to conditions.
WBC Ecology	No objection, subject to conditions.
WBC Sustainability	No objection, subject to conditions.

WBC Planning Policy No objection. WBC Built Heritage No objection.

WBC Drainage No objection, subject to conditions. Thames Water No objection, subject to conditions.

RBFRS No objection.

Berkshire Archaeology No objection, subject to conditions. Environmental Health No objection, subject to conditions.

Southern Gas Networks Provide standing advice. Scottish and Southern Electricity Provide standing advice.

#### REPRESENTATIONS

**Town/Parish Council:** Woodley Town Council have considered the revised proposal, noting the steps taken to respond to the refusal of the original planning application and are fully supportive of the new proposals.

**Local Members:** Cllr Alison Swaddle has listed this application for committee in the event that it is recommended for refusal for the following reason:

I believe that the significant work undertaken to address the planning officer's reasons for refusal with the improvements to the new scheme, the strong local support, and the associated community benefits along with meeting an identified need, should receive significant weight in the overall assessment of the planning balance in favour of approval.

. . .

#### **Neighbours:**

- 3 Comments in support received. -
  - The proposal would result in less lorries on the local roads, leading to an improvement over the existing builders merchant.
  - The existing site has been derelict for a long time.
  - The proposal will result in much needed local housing and job opportunities.

#### **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

CP9 – Scale and Location of Development Proposals

CP15 – Employment Development

#### **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

TB12 - Employment Skills Plan Retail Use

TB21 – Landscape Character

TB22 - Sites of Urban Landscape Value

TB23 - Biodiversity and Development

TB24 – Designated Heritage Assets

# 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

#### Other

Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Woodley Design Statement

#### **PLANNING ISSUES**

# **Site Description and History:**

- 1. The site is an existing commercial plot of approximately 0.35 hectares with multiple single and two-storey flat-roofed buildings and extensive hardstanding that covers most of the plot. It is located adjacent to but outside of Headley Road East Core Employment Area. It is also located within the settings of Woodley Green Conservation Area and Grade II Listed Bull & Chequers public house. The site is accessed from Woodley Green which branches from Church Road carriageway. Surrounding developments include residential properties along the east and north; Headley Road East commercial complex to the south and BT Telephone Office to the west with the Bull & Chequer's parking area adjoining the north-western side of the access road.
- 2. The application seeks consent for a residential care home, with associated parking. care home would contain 68 bedrooms.
- 3. In November 2023 a similar application for a care home was refused. The reasons for refusal were as follows:
  - 1. The proposal would be of excessive overall size, height, bulk, scale and mass when considering the size and shape of the site and surrounding built form. The result would be a cramped, incongruous and monolithic form of development, which would be harmful to the character of the area, contrary to the NPPF, CP1 and CP3 of the Core Strategy and guidance contained within the Borough Design Guide.
  - 2. By virtue of its close proximity to rear facing windows and garden spaces at neighbouring properties on Stafford Close and its height and scale, the proposed care home would result in a harmful sense of enclosure and overbearing presence to the detriment of the amenities of the existing neighbouring occupants, contrary to the NPPF, CP1 and CP3 of the Borough Design Guide and guidance contained within the Borough Design Guide.
  - 3. By virtue of its proximity to rear facing windows and garden spaces at neighbouring properties on Stafford Close and Woodley Green and the location of windows serving habitable rooms on the east and north elevation, the proposed care home would result in harmful overlooking to neighbouring properties, contrary to the NPPF, CP1 and CP3 of the Core Strategy and guidance contained within the Borough Design Guide
- The scheme has been redesigned and it is considered that the previous reasons for refusals have been overcome. This application is therefore now recommended for approval.

# **Principle of Development:**

5. The starting point for decision making is the development plan. Section 70[2] of the Town and Country Planning Act 1990 & 38[6] of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations

indicate otherwise. In this case, the Development Plan consists of Core Strategy 2010; MDD Local Plan 2014; and Central and Eastern Berkshire Joint Minerals and Waste Plan (Joint Plan) (2023) which are read alongside the NPPF. The MDD Local Plan policy CC01 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.

### Employment:

- 6. Core Strategy Policy CP15 defines Core Employment Areas, where the majority of employment development is located, and the majority of growth will occur. Additionally, the policy states "any proposed changes of use from B1, B2, or B8 should not lead to an overall net loss of floorspace in B Use within the borough" therefore requiring a quantitative assessment. It is acknowledged that B use was revoked from 1 September 2020 and replaced with a new Class E use.
- 7. The application site is located adjacent to, but outside of, the Headley Road East, Woodley Core Employment Area (CEA) as defined by Policy CP15.
- 8. The site comprises various buildings, structures and outdoor storage areas. It is understood that the lawful use of the site is a builder's yard most recently operated by Travis Perkins. Builder's yards may constitute sui generis use or B8 storage and distribution use depending on their nature. Part of the buildings were used as showrooms and offices, so there may also be an element of E(g)(i) offices and E(a) retail.
- 9. The development proposal would involve the loss of commercial floorspace. The site is outside the Headley Road East, Woodley CEA. The existing commercial use and land therefore contribute to the mix envisaged by Policy CP15, though tempered by its location outside the CEA. As a general principle, were such alternative sites allowed to be lost unchecked, without appropriate justification, this would run contrary to the qualitative aim of the policy to ensure variety in provision across the borough.
- 10. Further, paragraph 4.71 to Policy CP15 supports the re-use of some existing employment sites for other uses in locations where there is a demand for alternate uses and/or lack of demand for business uses, providing no net loss in employment floor space results. This approach is consistent with paragraph 127 of the NPPF which offers conditional support for the reuse of retail and business use for homes where this would not undermine key economic sectors or sites (amongst other issues) and would be compatible with other policies in the NPPF.
- 11. An Employment and Economic Statement supported the previous planning application on the site. The Statement indicated that the site was marketed for industrial, commercial, and residential developers and owner occupiers from late October 2021 to February 2023 a total of 16 months and was considered to align with the recommended marketing period set out in the council's development plan (paragraph 3.85 of the MDD local plan). Other reasons sought by the applicant to justify the loss of employment use include the relocation of the operator to a site adjacent to the CEA and the poor condition of the existing buildings which were not considered commercially attractive for prospective occupiers.

- 12. The Local Plan Update (LPU), the plan which will supersede the adopted Core Strategy and MDD local plans, 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 (RGS) (2021).
- 13. As part of the evidence base for the draft LPU, the council produced an update to the Employment Land Needs Study (ELNS), previously published in January 2020. The Employment Land Needs Review (2023) was produced by Stantec with Urba to assess the future need for land and floorspace for economic uses in the borough, primarily to take account changes in the economy, including changes to the Use Class Order, and the effects of Covid and Brexit. It is acknowledged that the report was not available at the time of our response to the earlier planning application in August 2023. The report identified a future need of a minimum 18 hectares of industrial land (180,000sqm) to balance the demand for need and supply in the assessment period to 2040.
- 14. Whilst the application site is outside of the Headley Road East CEA, it is adjacent to it. The ELNS recognises that the CEA is a well-established industrial area with a mix and age of purpose-built units. Occupiers tend to be those seeking small to medium sized units typically servicing or have links to the local area. It is recognised that some industrial unit outside of the Headley Road East CEA, such as the application site, offer an alternative sit and size of employment land within the borough.
- 15. Emerging LPU policy ER3 refers to employment uses outside of CEAs and sets out the requirements for where a loss is proposed. The main considerations are consistent with current adopted policy, principally requiring clear evidence of a lack of demand for existing employment use for a loss to be justified.
- 16. Given the LPU is at a consultative stage, the draft strategy and related draft policies have limited weight in determining planning applications. As has been indicated in paragraph 11, the site was marketed for 16 months without success. Additionally, once operational the proposed development will generate approximately 93 direct jobs and an additional 32 supply chain jobs.
- 17. It is Officer's view that the loss of this employment site would not lead to a harmful loss of employment land across the Borough, given the relatively modest loss and the marketing exercise undertaken for the specific use of the site and the poor quality of the existing buildings.

Lack of 5 Year Housing Land Supply and Tilted Balance:

- 18. 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.
- 19. The Council cannot currently demonstrate a deliverable five-year housing land supply in respect of its housing targets as required by the NPPF. The latest assessment concludes that there is a 3.2 year supply as of 31st March 2023. However, it is a

matter of fact that housing completions within Wokingham Borough have significantly exceeded all assessments of housing need. The strong performance on housing delivery is a material factor that should be considered alongside the technical shortfall in deliverable housing land supply. The lack of a five-year supply of deliverable housing sites results in the presumption in favour of sustainable development, as envisaged by paragraph 11 of the Framework being engaged. Whilst the tilted balance is engaged, this tilt is tempered due to past over delivery.

#### Need Assessment:

- 20. The proposal is for the erection of a care home (Use Class C2) which would provide for both ordinary and dementia care. Paragraphs 60 and 62 of the NPPF (2021) recognise that planning decisions should consider the size, type and tenure of housing needed for different groups in the community (including older people). Policy CP2a (Inclusive Communities) of the Core Strategy (2010) supports proposals that address the requirements of an ageing population, particularly in terms of housing, health and well-being. The policy ensures that new development contributes to the provision of sustainable and inclusive communities to meet long-term needs. Policy TB09(d) (Residential accommodation for vulnerable groups) of the adopted MDD local plan (2014) supports, in principle, proposals that provide accommodation for specialist needs, including 'purpose-built accommodation' for the elderly.
- 21. The development proposal would be consistent with the classification of 'residential care homes and nursing homes' as defined by the national Planning Practice Guidance (PPG) due to the level and type of care provided for meeting all activities of daily living.
- 22. Paragraph 2.40 of the Core Strategy (2010) refers to the Council's latest Older People's Housing Strategy which sets out the requirements for specialist housing for older people. The proposal would provide specialist accommodation that would help provide for the varied needs of the local community, in accordance with Policy CP5 of the Core Strategy.
- 23. As part of the evidence to support the Draft Local Plan, the Council commissioned Opinion Research Services to produce a Local Housing Need Assessment (LHNA) (January 2020). The LHNA considers specific types of accommodation for different groups, including older people / vulnerable people in the Borough. The LHNA has identified a future need for new specialist (rented) housing for older people between 82 and 573 units to be provided within the plan period (2018 2036).
- 24. The current application is supported by a Needs Assessment by HPC. This indicates a potential need for 650 beds by 2030. The quantum of need suggested by the applicant is significantly greater than the need identified through the Council's most relevant evidence. The Councils Strategy and Commissioning teams have given the following response:

'Whilst there is a need for increased capacity of older people's care home accommodation, this is not at the level claimed in the HPC Needs assessment.

Firstly the recent Census figures show that population growth in the over 75 age groups (most relevant to care home planning) will be lower than HPC forecast. WBC data for those aged 85+ is 4452 in 2023 (HPC shows 4835 in

2024). This change arises as the 2021 census data has evidenced that younger people form a larger proportion of the population growth than previously predicted. This matches our experience of families moving into the large areas of new build housing in the borough.

This has been a marked trend over recent years for people to choose to stay in their own homes for as long as possible. This is helped by the housing stock across the borough lending itself to easy adaptation for mobility issues. The large proportion of detached and semi-detached housing can be adapted for downstairs living, stair or other lifts and adaptation of bathrooms. The majority of borough residents are relatively wealthy home-owners who can afford to adapt rather than move as they age. There has been a significant rise in domicilliary care provision across the borough which has mitigated growth in the need for care home accommodation. The majority of people who now move into a care home have advanced dementia and/or need for nursing care. This explains why the net number of care homes has not increased much in recent years.

Also it is wrong for the HPC report to dismiss the rooms currently available that are not en-suite. Whilst we support the recommendation that new homes are built with en-suite facilities, the existing stock is well used and is often chosen by families who find it more cost effective whilst still meeting the needs of their loved one. Therefore these rooms should be used in modelling future demand.

According to the NHS Capacity Tracker on 25th March there are currently 1941 residential and nursing beds in Wokingham Borough and 114 are vacant. In addition one nursing home has 33 beds being refurbished. The occupancy is building from a low base during Covid. Wokingham Borough Council commissions 26% of these occupied care home beds. The majority of beds are purchased by self-funding older people and their families.

The HPC assertion that there is a current under supply of beds is not evidenced by the current occupancy levels and the Berkshire Strategic Housing Market Assessment from 2016 that is quoted is very out of date. Taking into account the change in how people are choosing to meet their care needs, WBC population needs modelling predicts the need for three new care homes of 60-70 beds each by 2035. This is in contrast to HPC's potential need of 650 beds by 2030 which appears to be far in excess of actual likely demand.'

25. While it is clear there is recognised a need for care home spaces, the Council does not agree this is as significant as is indicated by the applicant. It is accepted that the tilted balance is engaged but weight given to the provision of the unspecified type of care home spaces proposed should only be given moderate weight. This will be considered alongside other relevant material considerations considered below and the overall planning balance will be re-visited at the end of this report.

#### Density and previously developed land

26. Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan require an appropriate dwelling density and R10 of the Borough Design Guide SPD seeks to

ensure that the development achieves an appropriate density in relation to local character. Paragraph 89 of the NPPF is clear that the use of previously developed land should be encouraged where suitable opportunities exist in order to meet local community needs. Paragraph 123 of the NPPF requires decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

27. The proposed density, though higher than the surrounding single residential dwellings makes the most efficient use of previously developed brownfield land within a major development location. Therefore, substantial weight should be afforded to the re-use of previously developed land, in line with NPPF.

# **Character of the Area:**

- 28. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and must be of high-quality design. Policy CP1 of the Core Strategy requires developments to maintain or enhance the high quality of the environment. Paragraph 130 of the NPPF requires that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 134 states that development that is not well designed should be refused.
- 29. The National Design Guide (2021) ("NDG") provides general good practice guidance for planning new development. The NDG alongside the Wokingham Borough Design Guide ("BDG") provides useful guidance in considering design, scale, bulk and mass. Paragraph 59 of the NDG states "Where the scale or density of new development is very different to the existing place, it may be more appropriate to create a new identity rather than to scale up the character of an existing place in its context. New character may also arise from a response to how today's lifestyles could evolve in the future, or to the proposed method of development and construction."
- 30. The site presents difficulty in design terms due to the fact that it is a constrained site which abuts both other commercial uses and residential properties. The existing buildings are unattractive structures which contribute little to the character of the area. This being said, the proposed building would represent a significant increase in scale compared to the existing buildings on site.
- 31. The previous application was refused due to the provision of a building which was excessive in bulk, scale and mass. It would have appeared monolithic and cramped in appearance.
- 32. The current scheme is similar in overall size, however it has been re-designed to break up the scale and massing of the building introducing a greater degree of articulation and variety in the roof form when viewed from a number of different directions. Figures 1 and 2 below show a direct comparison of the two schemes. It should be noted that it would not be possible to view the building in its entirety from such a distance due to surrounding houses, so Fig 1 and 2 are primarily a useful in

understanding the various components of the design rather than being an accurate indication of what will be seen from such an elevation over distance.



Fig 1: Refused Scheme east (top) and west elevation (bottom)



Fig 2: New Scheme east (top) and west (bottom) elevation

- 33. The architecture of the surrounding area remains varied. To the east is a 1970's estate with terraced dwellings which are typical of the era. To the south is an industrial estate complete with large floor-plate buildings. Whilst it is recognised that the overall building remains large due to its inherent institutional use, it is considered that the breaking up of the mass with variation in roof height, additional gables and more varied fenestration provides for a more interesting and sympathetic scheme, which effectively transitions between the variety of surrounding uses and built form.
- 34. The proposal would undoubtedly remain visible between and beyond neighbouring dwellings, as the existing commercial building do to a lesser degree, yet the design would be more in-keeping with the varied character of the area and in this regard no significant harm is caused.

35. In this regard, the design is now deemed to sufficiently overcome the previous reason for refusal and for the above reasons is considered acceptable.

# **Neighbouring Amenity:**

# Overlooking:

36. Core Strategy Policy CP3 requires that new development should be of a high quality of design, it should not cause detriment to the amenities of adjoining land users. The proposed site plan is shown below:

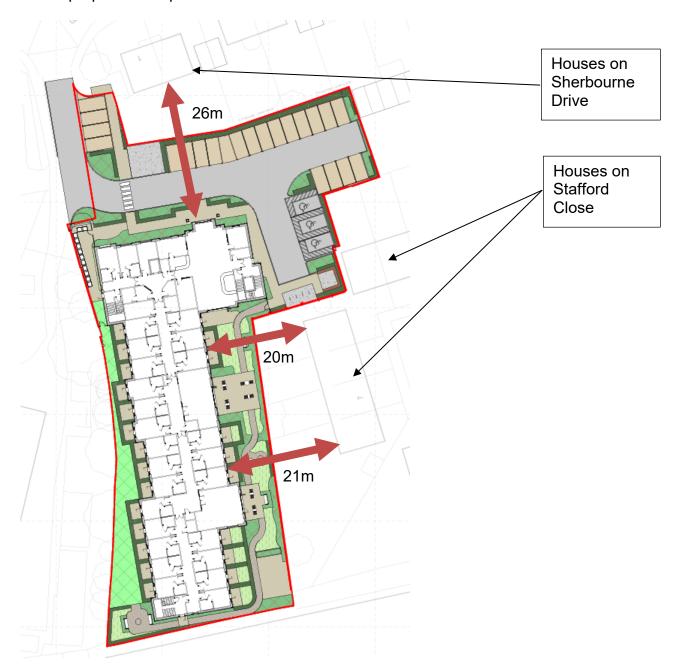
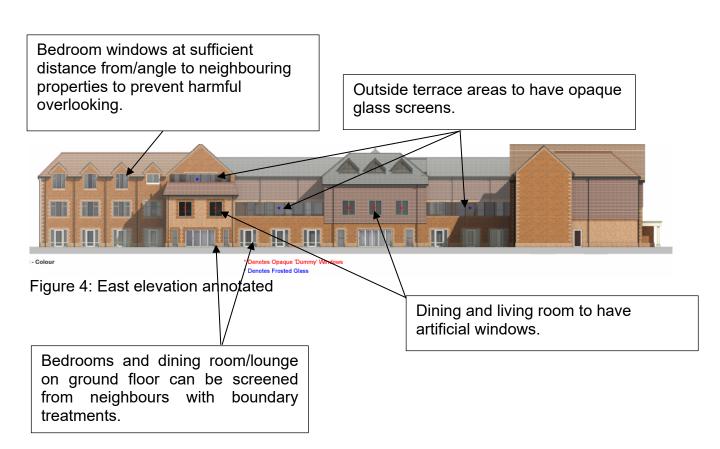


Figure 3: Proposed site plan.

37. The previous application was refused due to impacts on the neighbouring dwellings to the east, on Stafford Close, in addition to those to the north. This was due to an overbearing design and overlooking. This position was informed by advice contained in the Borough Design Guide, relating to separation distances, which are designed to

- prevent such impacts. The building is three-storeys tall and is similar to a block of flats. On this basis, the usual expectation would be that distances of 30m are maintained between the building and the rear elevations of nearby dwellings.
- 38. Fig 3 above shows the separation distances which would be maintained between the proposal and neighbouring dwellings. A distance of 26m would separate the north (front) elevation of the proposal and 20m would be maintained between the houses on Stafford Close and the side elevation of the building.
- 39. It is recognised that the separation distances are broadly the same as under the previous refused scheme. However, in responding to this relationship the applicant has re-designed the scheme in order to overcome the concerns of officers on adjoining neighbours. They have also alleviated the risk of harmful direct overlooking through the provision of obscure glazing. It must also be noted that a solution involving the provision of the full separation distance is unlikely to be achievable for a scheme such as this on this site.
- 40. Figure 4 below shows the east elevation of the proposed building, facing the houses on Stafford Close. The windows have been labelled by the Planning Officer to explain how overlooking would be prevented.



41. The measures outlined above mean that all windows facing the houses on Stafford Close, with the exception of those on the far south end of the eastern elevation would be obscured by either boundary treatments, obscure glazing or obscure screens. The far southern windows are considered to be of a sufficient distance and at an oblique angle from neighbours to avoid any significant harm. Whilst there would be a significant amount of obscure glazing and screening measures required, this can be

reasonably secured via condition and appropriate in context to these specific proposals. Such a condition would require that samples and details of the obscure glazing and screening would be agreed with the local planning authority prior to its installation, including opacity. With regards the screening this would also include its height from standing level to ensure that there would be no views from the terrace areas towards the neighbours.

- 42. With regards the houses on Sherbourne Drive, it is considered that a separation distance of 26m is only marginally short of recommended standards and would not result in harm to be a reason for refusal on its own. These houses would benefit from the removal of one of the existing buildings which is tall and abuts the rear boundary of these properties. In this regard there is considered to be a material benefit in terms of the impact on these houses.
- 43. There is an existing overlooking window in similar proximity to the neighbours on the eastern side of the builders merchant, which has some impact on the neighbours. Taking this and the above into consideration, the technical solutions which have been proposed are acceptable. Therefore, the proposal would not lead to harmful overlooking impacts over and above those which are already present and harm identified in the previous refusal has been largely addressed.

#### Overbearing:

- 44. With regards overbearing impacts, the applicant has broken up the roof form and brought the eaves further from the dwellings at Stafford Close. However, the changes made to the current scheme in relation to proximity to neighbours are minimal.
- 45. The above being said, there is now no harmful overlooking impact due the measures put in place, and as such overbearing impacts must be assessed in this new context and with due regard to any existing relationships. While existing harms will not justify further overbearing impacts and poorly thought-out development, the existing relationship of commercial buildings to residential does hold weight in the overall planning balance and must be considered alongside the fact that no objection to this matter has been raised from those adjoining the site.
- 46. The existing builders merchant contains a large building, which comes into close proximity to the site boundary and neighbouring properties. This is shown on the below overhead image:



Figure 4: Aerial on Stafford close

47. The applicant has provided the below plan (Figure 5) which shows the difference between the existing situation and the proposal:



3D VIEW 1 - MASSING COMPARISON - EXISTING BUILDINGS



3D VIEW 1 - MASSING COMPARISON - PROPOSED BUILDINGS

Figure 5: Massing comparison

- 48. It is acknowledged that the proposed buildings are taller than those which currently exist. However, there is an existing sense of enclosure caused to neighbours by virtue of the existing building. Furthermore, the bulk of the building would be located to the north and west, retaining an unobstructed southern aspect from all the gardens along this part of Stafford Close. With regards the closest houses on Sherbourne Drive, the removal of the existing buildings which directly abuts against the boundary will be a material benefit of the proposal.
- 49. Given this and the fact that there is now no significant harm caused in terms of overlooking, it is not considered that any sense of enclosure to the rear facing windows and gardens at Stafford Close would not be sufficiently harmful to withhold permission. The 20m separation distance is therefore acceptable.

#### Loss of Light:

50. With regards any potential loss of light, a 25-degree angle would be maintained between the rear facing windows of the properties at Stafford Close. It is considered that this is acceptable in relation to the rear facing windows at numbers 6-9 Stafford Close. However, there may be a level of light loss to the rear gardens, particularly at number 9, which would be affected on 2 sides. This being said, much of the proposed building is to the north of the neighbouring garden as described above and therefore the impact of this would be reduced.

#### **Environmental Health:**

- 51. The proposal is supported by a Phase 2 site investigation report and noise assessment. The Council's Environmental Health Officer has no objection to the scheme, subject to conditions requiring the submission of construction method statement and lighting details. Additionally, any outside plant would need to be limited to 5db, as well as floodlighting restricted and construction hours limited. This is considered reasonable and necessary to protect neighbouring residential occupiers.
- 52. The Environmental health Officer has indicated that they have no concerns relating to noise emanating from the outside terrace areas on the side of the building facing Stafford Close. The applicant is agreeable to a condition restricting the playing of music in these areas and use of the terraces outside hours of 0800-1800. However, given the limited risk of disturbance from the intended use, it is felt more reasonable to allow a greater degree of flexibility to the occupants of the care home and allow use of the terrace until 2000. Which I many cases will only be possible in the more clement times of year.

#### Heritage:

- 53. Under Sections 16(2) and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on Local Planning Authorities to have 'special regard to the desirability of preserving a listed building, or its setting, or any features of special architectural or historic interest it possesses.' TB24 of the MDD Local Plan relates to designated heritage assets. The site is located within the setting of several heritage assets, including:
  - 1 Church of St. John the Evangelist, grade II\*;
  - 2 Church Cottage Church of England School, grade II;
  - 3 Barn at Former Woodley Green Farm, grade II;
  - 4 The Bull & Chequers Public House, grade II;
  - 5 Apple Tree Cottage The Cottage, grade II.
- 54. Due to the nature of works, separation distance, intervening built form and plant screening, The Bull & Chequers Public House is considered the only asset with the potential to be impacted by the proposal.
- 55. With that in mind, the traditional setting of The Bull & Chequers Public House has been greatly eroded and the pub is currently experienced within a largely suburban environment, enveloped by modern built form and large areas of hard landscaping. In its current condition, the contribution of the site to the neighbouring listed building

- is considered negative. The site is a collection of abandoned and dilapidated buildings of modern provenance and low architectural quality formerly used as a builders yard. As such, demolition is considered acceptable in principle.
- 56. The scheme is not considered to have meaningful effect on the existing setting of the relevant heritage asset. The proposal complies with Policy CP3 of the Wokingham Borough Core Strategy Development Plan Document and Policy TB24 of The Managing Development Delivery Local Plan (MDD) and the LPA has discharged its duties under 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

# **Highway Access and Parking Provision:**

57. Core Strategy policy CP6 relates to managing travel demand. It states the following:

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; c) Improve the existing infrastructure network, including road, rail and public transport, enhance facilities for pedestrians and cyclists, including provision for those with reduced mobility, and other users;
- d) Provide appropriate vehicular parking, having regard to car ownership;
- e) Mitigate any adverse effects upon the local and strategic transport network that arise from the development proposed;
- f) Enhance road safety; and
- g) Do not cause highway problems or lead to traffic related environmental problems.
- 58. CC07 of the MDD Local Plan relates to Parking. It requires that planning permission is only granted where the proposal demonstrates that it meets the Borough Parking Standards and that the scheme retains an overall level of off-street parking.
- 59. The Council's Highways Officer has indicated that the parking for the care home would need to follow the parking standards of 1 space per full time equivalent member of staff and 1 visitors space per 3 residents. There is a parking requirement of 23 visitor spaces. There would be 25 members of staff on site at any one time. This would imply 25 spaces for staff. Therefore, a total of 48 spaces would be required. It is proposed that there will be 24 spaces on site, a shortfall of 24 spaces. The applicant has submitted a parking utilisation exercise, which suggests that the level of parking provided would be acceptable and this has been accepted by the Highways Officer, including disabled parking. Being close to the centre of Woodley, the site is sustainably located. It is close to local bus services, which run along Butts Hill Road. There are alternative services along Headley Road East. A Travel Plan is required and this is secured by condition.
- 60. Conditions will require submission of details relating to storage of and charging points for electric disabled buggies, cycle parking, a parking management plan and electric vehicle charging. Further conditions will require stopping up of the existing access, an assessment of the local walking environment, visibility splays and a Construction and demolition statement. It is considered that the proposal is acceptable in this regard.

### **Amenity Space:**

61.CP3 of the Core Strategy indicates that planning permission will be granted for proposals that provide for a 'functional, accessible, safe, secure and adaptable scheme'. The Borough Design Guide indicates that new housing must provide easy access to some form of amenity space. While it does not provide guidance relating specifically to care homes the requirement for outside space is established. The proposed outside amenity space is narrow in places; however it would provide good access to the outdoors for activites such as communal activities, sitting and exercise. It is considered that there is an acceptable level of outdoor amenity space to serve the intended residents and the proposal is acceptable in this regard.

# Flooding and Drainage:

62. CC09 of the MDD Local Plan relates to development and flood risk. CC10 relates to sustainable drainage. The application site is in food zone 1, representing a low risk of flooding. The Council's Flood Risk and Drainage Officer has no objection to the scheme, subject to conditions requiring a SuDS maintenance strategy to be submitted. This is acceptable and necessary. They have also recommended the use of a condition to require submission of a plan showing exceedance flow routes, where water would flow away from the development in the event the drainage system is overwhelmed. This is not considered to pass the test of reasonableness as the site is already completely covered in hardstanding and any development would be unlikely to cause any worsening of the existing situation.

# **Landscape and Trees:**

63. CC03 of the MDD Local Plan states:

Development proposals should demonstrate how they have considered and achieved the following criteria within scheme proposals:

- a) Provide new or protect and enhance the Borough's Green Infrastructure networks, including the need to mitigate potential impacts of new development
- b) Promote accessibility, linkages and permeability between and within existing green corridors including public rights of way such as footpaths, cycleways and bridleways
- c) Promote the integration of the scheme with any adjoining public open space or countryside
- d) Protect and retain existing trees, hedges and other landscape features
- e) Incorporate high quality, ideally, native planting and landscaping as an integral part of the scheme.

Development proposals which would result in the loss, fragmentation or isolation of areas of green infrastructure will not be acceptable.

64. There are a number of existing trees (which are not protected) around the site. These can be dealt with by way of a tree protection plan required by condition. The Council's Trees Officer has requested minor changes relating to crown lifting neighbouring trees to allow more light into the outside spaces. While this is acknowledged it is not required to make this application acceptable. The proposal would provide a good quality landscaping scheme which would be an improvement to the present situation.

#### **Ecology:**

65.CP7 of the Core Strategy relates to Biodiversity. TB23 of the MDD Local Plan relates to Biodiversity and development. The Council's Ecologist is satisfied that if the landscaping and masterplan is implemented as shown, then the proposal would secure a biodiversity net gain. Enhancements would include bird and bat boxes. There is a Common Pipistrelle Day Roost on site. The Council's Ecologist is satisfied that a European protected species licence would be granted and this would be required by condition. Overall, the scheme is acceptable in this regard.

# Archaeology:

- 66. There are potential archaeological implications with this proposed development as demonstrated by Berkshire Archaeology's Historic Environment Record. The site lies in an area where Pre-lithic evidence has been discovered, including a Mesolithic tranchet axe from a gravel pit c.630m southeast and Neolithic knife c.290m northeast, along with further evidence in the wider area. The recent geotechnical investigation boreholing has identified that there are sand and gravel river terrace deposits on site, which were often favoured for activity in the Prehistory. The site appears to have remained undeveloped agricultural land until the 1960s, therefore it is possible that any remains may not have been subjected to multiple impacts and may be relatively undisturbed.
- 67. For this reason, Berkshire Archaeology have recommended a condition which requires submission of a programme of archaeological work prior to commencement of development.

#### Sustainability:

- 68. WBC Core Strategy Policy CP1 requires that developments "12) Contribute towards the goal of reaching zero-carbon developments as soon as possible by: a) Including appropriate on-site renewable energy features; and b) Minimising energy and water consumption by measures including the use of appropriate layout and orientation, building form, design and construction, and design to take account of microclimate so as to minimise carbon dioxide emissions through giving careful consideration to how all aspects of development form."
- 69. Policy CC04 part 2 a) of the managing development delivery local plan requires that "All new non-residential proposals of more than 100 sq m gross non-residential floorspace shall at least: a) Achieve the necessary mandatory Building Research Establishment Assessment Method (BREEAM) requirements or any future national equivalent."
- 70. The scheme has been reviewed by the Council's Sustainability Planning Officer. The scheme is acceptable subject to conditions requiring a scheme providing a 10% reduction in carbon emissions and accordance with BREEAM standards.

# **Community Infrastructure Levy (CIL):**

71. 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.

### **NHS Comments:**

- 72. Comments have been received from Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board (IBC) which indicates that local services are being affected by additional planning applications, particularly Loddon Vale Surgery. They have requested that a contribution is made towards primary infrastructure funding to support capital projects.
- 73. Officers and members are required to justify this contribution against local planning policy and against the tests for such obligations. In terms of local policy, there are no specific policies that relate to development and healthcare. Policy CP3 (h) discusses that proposals should contribute towards the provision of an appropriate sustainable network of community facilities of the Within the supporting text of Policy CP1 it states that "Development within the borough should enhance the overall sustainability of the area through minimising impact on the environment, including access to facilities.." As this development will result in increased pressure on this community health facility, the contribution would be justified to make the scheme functional in that it will be self-sufficient in helping alleviate the pressure and therefore will not be detrimental to the health wellbeing of the existing community.
- 74. Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that obligations can only be attached if complied with the following tests:
- necessary to make the development acceptable in planning terms;
- · directly related to the development; and
- fairly and reasonably related in scale and kind to the development.
- 75. It is noted that no information has been provided by the NHS to demonstrate that this application would take the local surgery over capacity and no details of the capital projects required to fix capacity issues have been provided. Communication has been made with the IBC, who have been requested by the Local Planning Authority to provide further evidence as to their specific requirements and how this relates to this development in particular. At this time Officers do not consider the financial contribution would meet the above tests as there is not convincing and clear evidence before them to confirm that a contribution would be necessary to make this development acceptable. At this point therefore, no planning obligation is recommended. However, if further information is available ahead of the planning committee, then an update will be provided to members.
- 76. The Local Planning Authority remains open to considering any new information which may accompany similar requests on other planning applications in the area.

## **Employment Skills Plan**

77.MDD Local Plan Policy TB12 requires that major development should be accompanied by an Employment and Skills plan to show how the proposals accord with opportunities for training, apprenticeship or other vocational initiatives to develop local employability skills required by developers, contractors or end users of the

proposal. This can also be secured by planning obligation and this is required in this instance.

# The Public Sector Equality Duty (Equality Act 2010):

78. 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 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.

# Planning Balance:

- 79. The starting point for decision making is the development plan. As set out in the Principle of Development section of the report, paragraph 11d(ii) of the NPPF is engaged and this also requires the proposal to be considered against the policies of the NPPF taken as a whole. The tilted balance does not however displace the primacy of the development plan. Paragraph 8 of the NPPF sets out that achieving sustainable development means that development should satisfy three overarching objectives in relation to economic, social and environmental benefits.
- 80. Economically the proposed development would enable job creation (during the construction period and generate employment for the end use (93 jobs) However, the change of use away from Class E (previously B8) to Class C2 residential, would result in the loss of existing employment on the site. While other forms of employment would be created, the economic benefits of the scheme are limited.
- 81. With regard the social role, it is noted that the proposed bed spaces would likely free up homes within the Borough. Although the need for an unspecified type of care home is not as great as the applicant suggests, there is still a need, and ongoing requirement for the borough to significantly boost the supply of housing in accordance with the NPPF. Therefore, the weight to be given to the social role is moderate.
- 82. Regarding the environmental role of the development, previous proposals would have resulted in harm to the character of the area and to the amenity of neighbouring residential land users. However, the current scheme has addressed these concerns with technical solutions and a new building design. Whilst the proposed building would be more visible in the wider area, the removal of the unattractive existing buildings is considered positive, so too is the weight afforded to efficient use of previously developed land. The environmental role is therefore moderate.
- 83. It is important to note that supporting comments have been received from neighbours nearby, as well as the Town Council. The Local Ward Member is also supportive of the scheme, having called it in to be seen by the committee in the event that the application was recommended for refusal. While this would not justify poor quality development, it does support the fact that the existing builders merchant is unneighbourly and the scheme is likely to lead to an improvement in terms of lorry and other vehicle movements in close proximity to neighbours.

84. In returning to Paragraph 11(d) of the NPPF, when applying the tempered tilted balance, those identified adverse impacts of granting permission would not significantly and demonstrably outweigh those benefits as identified above. When assessed against the policies in the NPPF as taken as a whole the proposal performs a moderate economic, social and environmental role. Accordingly, the application is recommended for approval subject to the conditions listed within Appendix 1, and the terms listed within the recommendation.

# 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 - Conditions / informatives**

APPROVAL subject to the following conditions and informatives:

1. Timescale - The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

- 2. Approved Details This permission is in respect of the submitted application plans and drawings numbered:
- 11 (Location Plan)
- 12 Existing Site Plan.
- 13 Buildings A and D Existing Plans and Elevations.
- 14 Buildings B, C and E Existing Plans and Elevations.

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001 - Proposed Ground Floor Plan
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002 - Proposed First Floor Plan

003 - Proposed Second Floor Plan

004 - Proposed Roof Plan

006 - Proposed Elevations.

010 - Site Plan - Existing.

011 - Site Plan - Proposed

012 – Site Plan – Demolition

M417-100 REV P3 – Landscape Masterplan.

M416-201 REV P3 - Landscape Plan 1 of 2.

M417-202 REV P3 – Landscape Plan 2 of 2.

Hydrock - Proposed drainage strategy and Drainage Maintenance Strategy (06<sup>th</sup> July 2023) 28456-HYD-XX-XX-RP-C-7000 received by the local planning authority on 21/12/2023. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

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. External Materials – Before the development hereby permitted is commenced above slab level, samples and details of the materials to be used in the construction of the external surfaces of the building/s shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details.

Reason: To ensure that the external appearance of the building is satisfactory. Relevant policy: Core Strategy policies CP1 and CP3.

4. Demolition and removal of all buildings – Prior to commencement of Development above slab level – the existing buildings on the site (as shown on the demolition plan) shall be demolished and removed from the site.

Reason: To ensure that the existing building on the northern edge of the site is removed, which will improve the amenity of residents on Sherbourne Drive.

### 5. - Protection of trees

- a) No development or other operation shall commence on site until an Arboricultural Method Statement and Scheme of Works which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site in accordance with BS5837: 2012 has been submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in complete accordance with the details as so-approved (hereinafter referred to as the Approved Scheme).
- b) No operations shall commence on site in connection with development hereby approved (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) until the tree protection works required by the Approved Scheme are in place 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 in writing 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

6. Access - Prior to commencement of the development, details of the proposed vehicular access on to Woodley Green shall be submitted including details of visibility splays to and approved in writing by the local planning authority. The access 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 in accordance with Core Strategy policies CP3 & CP6.

- 7. Construction Method Statement No development shall take place, including any works of demolition, until a Construction Method Statement 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:
  - i) the parking of vehicles of site operatives and visitors
  - ii) loading and unloading of plant and materials (including times, these should be in line with permitted hours of work).
  - iii) storage of plant and materials used in constructing the development,
  - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
  - v) wheel washing facilities,
  - vi) measures to control the emission of dust and dirt during construction,
  - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
  - viii) asbestos survey results and if present a safe removal and disposal plan to be submitted.

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

# 8. Archaeology -

- A) No development shall take place/commence until a programme of archaeological work, informed by a focused Desk Based Assessment (DBA) has been completed. The archaeological work will require a Written Scheme of Investigation (WSI) has been submitted to, and approved by, the local planning authority in writing. The WSI shall include an assessment of significance and research questions; and:
- (i) The programme and methodology of site investigation and recording
- (ii) The programme for post investigation assessment
- (iii) Provision to be made for analysis of the site investigation and recording
- (iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- (v) Provision to be made for archive deposition of the analysis and records of the site investigation
- (vi) Nomination of a competent person or persons/organisation to undertake the works set out within the WSI
- B) The Development shall take place in accordance with the WSI approved under condition (A). The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

9. Bats - No works shall commence until a licence for development works affecting bats has been obtained from Natural England and a copy of the licence and approved mitigation strategy (or an email from Natural England that the site has been registered under a bat mitigation class licence) has been submitted to the council. Thereafter mitigations measures detailed in the licence shall be maintained in accordance with the approved details. Should the applicant conclude that a licence for development works affecting bats is not required for all or part of the works the applicant is to submit a report to the council detailing the reasons for this assessment and this report is to be approved in writing by the council prior to commencement of works.

Reason: To ensure bats which are a protected species are not adversely affected by the proposals. Relevant policy: Core Strategy policy CP7, MDD Local Plan policy TB23, Section 15 of the NPPF and Conservation (Natural Habitats &c.) Regulations 2017 (as amended).

10. Carbon Emissions - Prior to the commencement of development, a scheme for achieving a 10% reduction in the predicted carbon emissions arising from operation of the development through the use of decentralised renewable and/or low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) shall be submitted to and approved in writing by the local planning authority. The minimum 10% reduction shall be achieved on top of the levels of reduction in carbon emissions required through the Building Regulations in force at the time of the submission of planning application. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

Reason: To ensure developments contribute to sustainable development in accordance with NPPF Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), WBC Climate Emergency Action Plan, Core Strategy policy CP1, MDDLP policy CC05 & the Sustainable Design and Construction Supplementary Planning Document.

11. BREEAM - Prior to works proceeding beyond the slab level, information shall be provided to the submitted to and approved in writing by the local planning authority to demonstrate that at least four credits under BREEAM Ene01 would be achieved if the project were subject to BREEAM assessment. This information must relate to the final BRUKL output reports used to inform the Building Control Assessment.

Reason: To ensure developments contribute to sustainable development in accordance with NPPF Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policy CC04 and CC05 and the WBC Climate Change Interim Policy Position Statement.

12. Water - The building shall not be occupied until fittings have been installed that are designed to achieve a water consumption target of 105 litres/person/day or less in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: in order to reduce consumption of water in a classified area of serious water stress in accordance with the NPPF, Wokingham Borough Core Strategy Policy CP1; Managing Development Delivery Local Plan Policy CC04; and the Sustainable Design and Construction Supplementary Planning Document (2010).

13. Lighting - Prior to the first occupation of the development a biodiversity-sensitive external lighting and low level car park lighting scheme, in accordance with Bats and Artificial Lighting in the UK' Guidance Note GN 08 / 23 (Bat Conservation Trust/ILP) and Preliminary Ecological Appraisal (Ecosupport, 14 November 2023) shall be submitted to and approved in writing by the local planning authority. The scheme shall show how and where proposed external lighting will, through the provision of appropriate contour plans and technical specifications, clearly demonstrate that any areas to be lit will not disturb or negatively impact biodiversity or neighbouring residential properties. All external lighting shall be installed and maintained in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To ensure that biodiversity, protected and priority species are not adversely affected by the proposals and that neighbours are not subject to nuisance from light spill nor that there are any harms to highway safety. Relevant policy: NPPF paragraph 185 and Core Strategy policies CP3 and CP7 and Managing Development Delivery Local Plan policy TB23.

14. Parking to be provided - No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking space has been provided in accordance with the approved plans. The vehicle parking space shall be permanently maintained and remain available for the parking of vehicles at all times.

Reason: To ensure adequate on-site parking provision in the interests of highway safety, convenience and amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

15. SuDS - No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To prevent increased flood risk from surface water run-off. Relevant policy: NPPF Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10

16. SuDS Management - No development shall be put in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

17. Travel Plan - Prior to the first occupation of the development a Travel Plan shall be submitted to and approved in writing by the local planning authority. The travel plan

shall include a programme of implementation and proposals to promote alternative forms of transport to and from the site, other than by the private car and provide for periodic review. The travel plan shall be fully implemented, maintained and reviewed as so-approved.

Reason: To encourage the use of all travel modes. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy policy CP6.

18. Cycle parking (Details Required) - Prior to the first occupation of the development hereby permitted, details of secure and covered bicycle storage/ parking facilities for the occupants of [and visitors to] the development shall be submitted to and approved in writing by the local planning authority. The cycle storage/ parking shall be implemented in accordance with such details as may be approved before occupation of the development hereby permitted and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.

Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

19. Parking Management strategy - Prior to the first occupation of the development, a Parking Management Strategy for the management of the on-site parking shall be submitted to and approved in writing by the local planning authority. The management of the parking within the site shall be in accordance with the approved details thereafter.

Reason: to ensure satisfactory development in the interests of amenity and highway safety in accordance with Wokingham Borough Core Strategy Policies CP1, CP6 and CP21.

20. Prior to first use of the building, a Delivery and Servicing Plan be submitted to and approved in writing by LPA.

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

21. Prior to the first occupation of the development a landscape management plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas 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

22. Access to be stopped up - The existing vehicular access(es) to the site shall be stopped up and abandoned, and the footway and/or verge crossings shall be reinstated within one month of the completion of the new access(es) in accordance with details to be submitted to and approved in writing by the local planning authority.

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

23. Biodiversity - Unless otherwise previously agreed in writing by the Council, all works are to be carried out and thereafter maintained in full accordance with the recommendations given in Section 6 of the Phase II Bat Surveys and Mitigation Strategy, Section 6 of the submitted Preliminary Ecological Appraisal (Ecosupport, 14 November 2023), and in Biodiversity Metric (Ecosupport, 14 November 2023).

Reason: To ensure protected species and biodiversity are not adversely affected by the proposals. Relevant policy: Core Strategy policies CP3 and CP7, MDD Local Plan policy TB23, Section 15 of the NPPF.

24. Obscure glazing – The following windows in the development hereby permitted shall be permanently obscure-glazed and fixed closed at all times:

# First Floor:

All windows serving the stairwell 1.

Window to staff room and female changing room.

All windows to the dining room with the exception of the door onto the terrace.

All windows to the lounge with the exception of the door onto the terrace.

## Second Floor:

All windows serving the plant room.

All windows serving stairwell 1.

Reason: To prevent harmful overlooking impacts on the residents of Stafford Close from the terraces, balconies and shared amenity areas within the building.

25. Screening for terrace(s) and balconies – Before the first use of any part of the building a final detailed design of the glazed screening surrounding all terraces/balconies shall have first been submitted to and approved in writing by the local planning authority. These details shall include samples of the materials to be used, which clearly demonstrate the opacity of the screening. Development shall not be carried out other than in accordance with the so-approved details and shall be retained in accordance with the approved details and the screening shall be in place prior to first use of any part of the building.

Reason: To prevent harmful overlooking impacts on the residents of Stafford Close from the terraces, balconies and shared amenity areas within the building.

26. Boundary treatments. Before the development hereby permitted is first used, details of all boundary treatment(s) shall first be submitted to and approved in writing by the local planning authority. This shall include boundary treatments of sufficient height, solidity and quality as to prevent views from the ground floor and amenity spaces towards the houses at Stafford Close and Sherbourne Drive.

The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The

scheme shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of visual amenity and highway safety and to prevent views from ground floor and amenity areas of the development towards neighbouring properties. Relevant policy: Core Strategy policies CP1, CP3 and CP6.

27. Landscaping: All hard and soft landscape works shall be carried out in accordance with the approved landscaping details prior to the occupation of any part of the development. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.

Reason: In the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21 (and TB06 for garden development)

28. Piling - No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

29. Plant/ Machinery - All fixed plant/machinery installed or operated in connection with the carrying out of this permission shall be enclosed and/or attenuated so that noise output does not exceed at any time a level of 5dB[A] below the existing background noise level when measured at a point one metre external to the nearest residential or noise sensitive property. Any recommended noise mitigation measures should be retained and maintained thereafter.

Reason - To ensure that no nuisance or disturbance is caused to the occupiers of properties. Relevant policy: NPPF Section 15 (Conserving and Enhancing the Natural Environment) Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

30. 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 and 18:00 Monday to Friday and 08:00 to 13:00 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.

31. The outside terraces on the first and second floor shall not be used except between the hours of 08:00 and 20:00 and no music shall be played in these areas.

Reason: To protect the amenity of neighbouring residents from noise.

### 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 and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.
- 2. 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. We would expect the developer to demonstrate what measures he 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 line via https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thamesw ater.co.uk%2F&data=05%7C02%7Cplanning.enquiries%40wokingham.gov.uk%7C 51ed15b7373e41ff7fa908dc11bf0764%7C996ee15c0b3e4a6f8e65120a9a51821a% 7C0%7C0%7C638404759398135787%7CUnknown%7CTWFpbGZsb3d8eyJWljoi MC4wLjAwMDAiLCJQljoiV2luMzliLCJBTil6lk1haWwiLCJXVCl6Mn0%3D%7C3000 %7C%7C%7C&sdata=DqPx5WNrL518ilwztrDLGojvY0QncWv1V1rtXxzqVtU%3D&r eserved=0. Please refer to the Wholesale: Business customers: Groundwater discharges section.
- 3. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 4. 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.
- 5. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning

permission does not authorise you to gain access or carry out any works on, over or under your neighbour's land or property without first obtaining their consent, and does not obviate the need for compliance with the requirements of the Party Wall etc. Act 1996.

- 6. 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.
- 7. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on adjacent highways. For further information contact the Highway Authority on tel.: 0118 9746000.

### **APPENDIX 2 - Town Council Comments**

The Planning & Community Committee have considered the revised proposal, noting the steps taken to respond to the refusal of the original planning application, and are full supportive of the new proposals.





173488
Woodley Green
Builders Yard

Telephone Exchange

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# Site Area 3,646m2 / 0.36 ha / 0.90 acre



227 LONDON ROAD • ROMFORD • ESSEX • RM7 9BQ info @ churchgateservices.co.uk • TEL 01708 380940

Location Plan

Care Home Development
Woodley Green
Reading RG5 4QP

1:1250 @ A4 Date 17.03.2023

Job No. Drawing No. Revisio 5 1

CS2301 11 --

Notes
Do not scale without prior approval, use written dimensions where provided. Large scale drawings take preference over small scale drawings unless advised otherwise. This drawing is to be read in conjunction with all related drawings, unless advised otherwise. This drawing is to be read in conjunction with all related drawings, schedules, and specifications. All component and assembly dimensions are to be checked on also prior to beginning the production of any hop drawing or off-size flabrication. Any discrepancies with drawn information are to be

reported to Churchgate Services.

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Planning

Drawn by ihd
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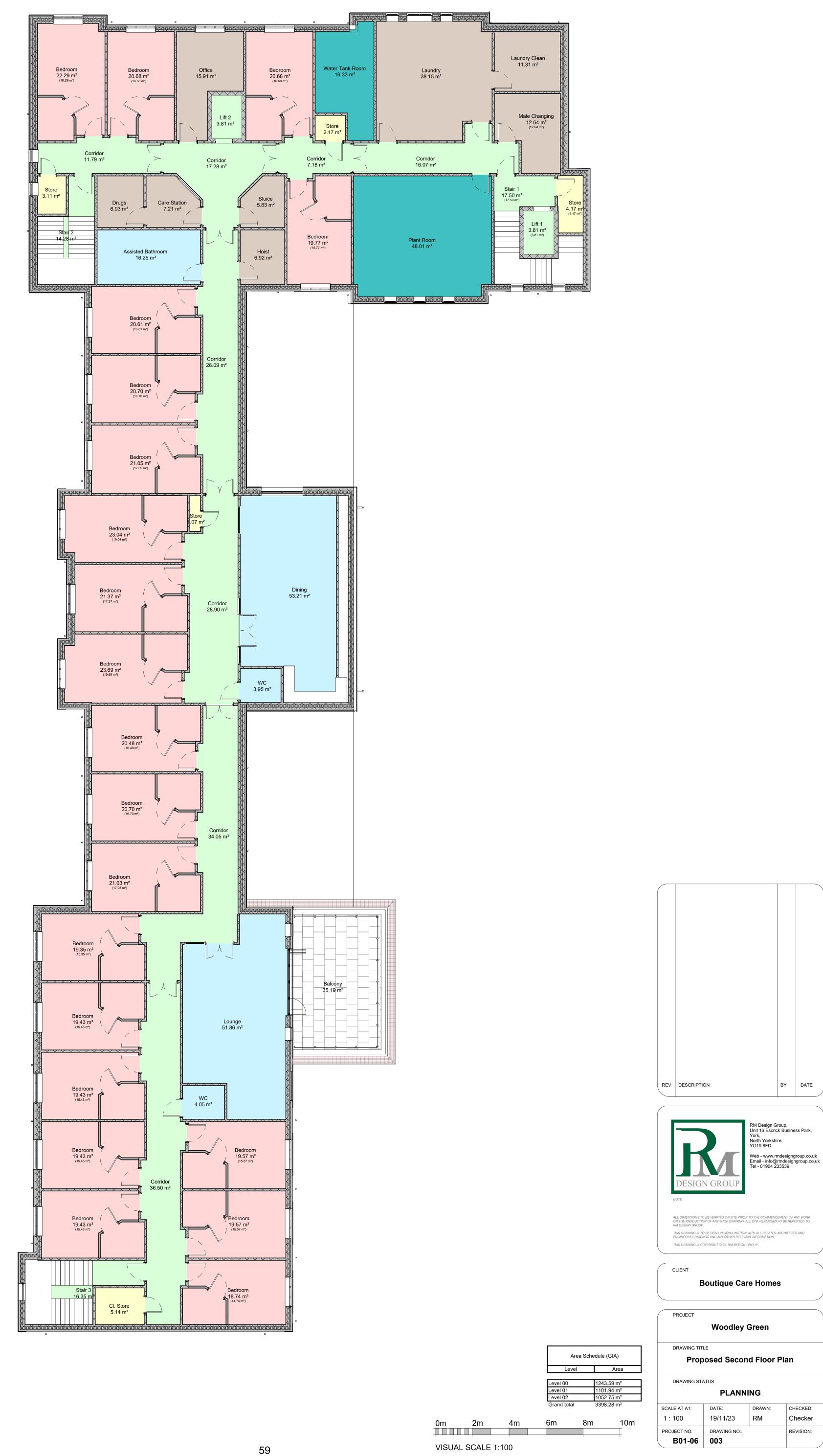




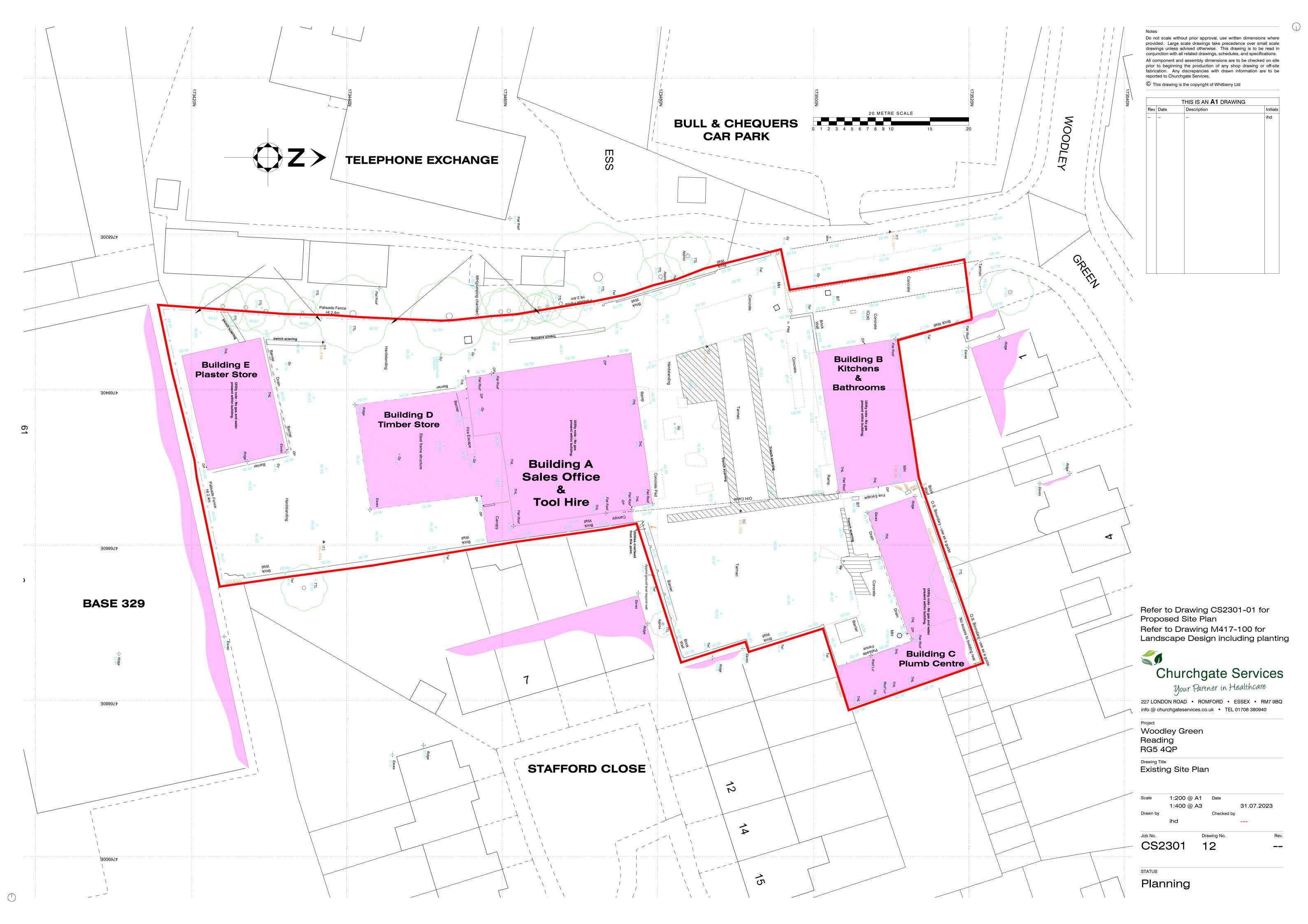












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Application Number	Expiry Date	Parish	Ward	
240459	18 April 2024	Charvil	Charvil;	

Applicant	Mr Tino Simon	
Site Address	20 Old Bath Road, Charvil, RG10 9QR	
Proposal	Householder application for the proposed single-storey front extension, single-storey side extension, two-storey side extension and part single-storey part two-storey rear extension plus changes to fenestration and demolition of existing detached garage.	
Туре	Householder	
Officer	Claire Moore	
Reason for determination by committee	This application has been called to committee by Cllr Aktar for the following reasons:	
	<ul> <li>Loss of light and loss of privacy impacts to no.18 Old Bath Road.</li> <li>The proposal being a rebuild, rather than extensions.</li> <li>High frequency of applications causing confusion among neighbours (This is not a planning reason).</li> <li>Regulations not being consistently applied by the council (This is not a planning reason).</li> </ul>	

FOR CONSIDERATION BY REPORT PREPARED BY	Planning Committee on Wednesday, 10 April 2024 DM Operational Lead
RECOMMENDATION	APPROVAL subject to conditions and informatives

# **SUMMARY**

This application seeks planning approval for the erection of single and two-storey extensions, changes to fenestration and demolition of the existing garage.

Objections have been received on overbearing impact and loss of light to no.18 Old Bath Road and the proposal being out of character with the host dwelling and local area.

The principle of development is acceptable, and the scale of the proposal is appropriate in the context of surrounding development, including impact upon the adjoining neighbours.

The application is recommended for conditional approval.

# RELEVANT PLANNING HISTORY

Application No.	Description	Decision & Date
232951	Householder application for the proposed erection of a single storey front extension, single storey side extension, two storey rear extension	I I

	plus changes to fenestration following demolition of existing detached garage.	
231261	Householder application for the proposed erection of a single storey front extension, single storey side extension, two storey rear extension plus changes to fenestration following demolition of existing detached garage.	Approve 14/09/2023
230259	Application for the prior approval of the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.00m, for which the maximum height would be 3.00m and the height of the eaves 2.80m.	Approve 20/03/2023

### **CONSTRAINTS**

Contaminated Land Consultation Zone

**Local Authorities** 

Heathrow Aerodrome Consultation Zone

Affordable Housing Thresholds

**Bat Roost Habitat Suitability** 

**Borough Parishes** 

Scale and Location of Development Proposals

**Great Crested Newt Consultation Zone** 

**Ground Water Zones** 

**Nuclear Consultation Zone** 

**Borough Wards** 

Radon Affected Area

Landfill Gas Consultation Zone

Landscape Character Assessment Area

SSSI Impact Risk Zones

JCEB Mineral Safeguarding Areas

### **CONSULTATION RESPONSES**

### Internal

WBC Environmental Health – No objection, subject to condition in relation to land contamination and hours of work (05/03/2024).

WBC Highways – No objection (27/02/2024).

WBC CIL - CIL liable (29/02/2024).

# **External**

None consulted.

REPRESENTATIONS	
Parish/Town Council	<ul> <li>Objection letter (11/03/2024). Concerns include:         <ul> <li>Increase in mass adversely affects amenities of neighbouring property.</li> <li>Contrary to CP3 - The extension does not respond positively to the original building.</li> </ul> </li> </ul>
	Loss of light to no.18 Old Bath Road.

	<ul> <li>Overbearing and out of character with the neighbouring properties.</li> </ul>
Ward Member(s)	This application has been called to committee by Cllr Aktar for the following reasons:
	- Loss of light and loss of privacy impacts to no.18 Old Bath Road.
	<ul> <li>The proposal being a rebuild, rather than extensions.</li> <li>High frequency of applications causing confusion among neighbours (This is not a material consideration).</li> </ul>
	- Regulations not being consistently applied by the council (This is not a material consideration).
Neighbours	<ul> <li>One letter of support (08/03/2024).</li> <li>Two letters of objection (29/02/2024 and 11/03/2024).</li> <li>Concerns include: <ul> <li>Scale, size and massing.</li> <li>Disproportionate design.</li> <li>Detrimental impact on character and appearance of host dwelling and local area.</li> <li>Overbearing impact on no.18 Old Bath Road.</li> <li>New roof form and excessive depth.</li> <li>Raising of roof will lead to increase in bulk, further overshadowing, loss of light and loss of visual amenity to no.18.</li> <li>Contrary to CP3 as it does not take its form from the main building.</li> <li>Incongruous design.</li> <li>The extent of demolition is beyond that of a householder application.</li> <li>Inaccurate use of the 45° angle.</li> <li>The two side, ground-floor windows should be removed from the application.</li> </ul> </li> </ul>
	<ul><li>Concerns over accessing the rear garden.</li><li>Concerns over drainage.</li></ul>

# **APPLICANTS POINTS**

The applicants have taken into consideration the reasons for refusal for application 232951 and the comments from this application and have removed the additional storey (loft accommodation) from the proposal and reduced the roof ridge height. They have also removed two gables from the front elevation and reduced the size of the one remaining front gable to be more in-keeping with surrounding properties.

# **PLANNING POLICY**

National Planning Policy Framework National Design Guide National Planning Practice Guidance

Core Strategy (CS)

CP1 – Sustainable Development

CP3 – General Principles for development

CP7 – Biodiversity

CP9 - Scale and Location of Development Proposals

## **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

CC06 - Noise

CC07 - Parking

CC09 - Development and Flood Risk

CC10 - Sustainable Drainage

TB21 – Landscape Character

TB23 - Biodiversity and Development

### Other

Borough Design Guide Supplementary Planning Document

CIL Guidance + 123 List

## **PLANNING ISSUES**

# **Background**

1. A Household Prior Approval application was approved on 20 March 2023 for the erection of a single storey rear extension. On 14 September 2023 planning permission was granted for a single-storey front extension, single-storey side extension and two-storey rear extension plus changes to fenestration following demolition of the existing garage. On 24 January 2024 planning permission was refused for the erection of a single-storey front extension, single-storey side extension, two-storey rear extension, addition of a loft room, changes to fenestration and demolition of detached garage. Application 240459 was validated on 22/02/2024 and consultation letters sent to adjoining neighbours on 22/02/2024. Amendments were submitted on 22/03/2024.

# **Site Description**

- 2. The application site consists of a two-storey detached property set within a large plot on the south side of Old Bath Road, Charvil. There are two adjoining neighbours (nos. 18 and 22) to the east and west of the application site and Park Lane Recreation Ground located to the south beyond the rear garden.
- 3. The property is set back from the road behind a substantial front lawn and off-street parking for three vehicles. Old Bath Road consists of a wide variety of dwelling types and architectural designs styles arranged in a conventional side-side relationship. There is a mix of material palettes including red brick, timber cladding, render, hung tiles and timber detailing. There are numerous examples of already constructed extensions ranging in form, size and scale.



Figure 1: Aerial view of site (Google Maps 2024)

# **Proposal**

- 4. This application seeks planning approval for a part single-storey, part two-storey rear extension. The ground floor element of the extension would measure approximately 6m in length and 9.4m in width and would include no.2 roof lanterns in the flat roof.
- 5. The single-storey side extension would run along the side of the house and measure approximately 11.89m in length and 2.2m in width with no.3 rooflights.
- 6. The two-storey side extension would measure approximately 2.45m in length and 3.05m in width.
- 7. Also proposed is a single-storey front extension measuring approximately 3.27m in width and 2.59m in depth to form a porch and open-sided porch canopy.
- 8. A new dual pitched roof would be erected and would include a hipped roof form to the front and 2-span to the rear, plus the insertion of no.1 dormer in the east elevation and no.1 dormer in the west elevation.
- 9. The first-floor would measure approximately 9.38m in width and 12.22m in length (maximum length).
- 10. There are no protected trees on site and no trees or hedges are proposed to be removed as part of this proposal.
- 11. The application proposes no.3 on-site vehicle parking spaces.

12. Materials would include grey roof tiles, uPVC windows and doors and facing brickwork and render, to match existing.

# Principle of development

- 13. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 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.
- 14. The site is located within settlement limits and as such the development should be acceptable providing that it complies with the principles stated in the Core Strategy. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high-quality design without detriment to the amenities of adjoining land uses and occupiers.

## Impact on the Character and appearance including landscaping

- 15. CP3 of the Core Strategy states that proposals should be of an appropriate scale of mass, built form and character of the area. Section 4 of the Council's Borough Design Guide (BDG) sets out advice for residential developments.
- 16. As described, there is no prevailing architectural style along Old Bath Road, as residential properties vary in size, scale, age and design.
- 17. The site benefits from a large front lawn and driveway. The mature hedging and shrubs along the front boundary and the existing mature trees and shrubs in the rear garden add to the verdant environment of the local area. There are no protected trees on site, and no trees or hedges are proposed to be removed as part of this proposal.

## Single storey side extension:

- 18. The Borough Design Guide (BDG) recommends the eaves height of single storey extensions 'should not exceed 3m within 2m of a side boundary'. The proposed eaves height would measure approximately 2.8m at the front and rear with a sloping flat roof adjoining a mock pitch to the front elevation. This element of the scheme is set back from the road in excess of 19m and is set back from the principal building line by approximately 0.3m. The proposed single-storey side extension is a subservient addition to the host dwelling.
- 19. Furthermore, there are examples of similar, already constructed extensions in the street, most notably no.24.

### Front extension:

20. The proposal includes a single-storey front extension to create a porch and open-sided canopy. The BDG recommends that front extensions are 'generally only acceptable where the building is set well back from the street frontage..... and should generally be no more than 1 storey in height and should not project significantly forward from the building line'.

- 21. The single-storey front extension would be a relatively minor addition to the host dwelling and is a similar footprint to that which could have been allowed under permitted development.
- 22. It would be sufficiently in-keeping with the varied local character of the street scene which includes a variety of porch styles. These include inset, mono-pitch, pitched, flat roof, open and closed-sided porches. Furthermore, the proposed porch would be set back approximately 17m from the road and is acceptable.

## Single-storey rear extension:

23. There would be no discernible views of the single storey rear extension from the public realm and it would have no discernible impact on the character of the street. Furthermore, it is not substantially different to approved application 231261.

# Two storey side extension:

24. The proposed two-storey side extension to the northwestern corner would infill space between the existing hall and dining room. The proximity of the two-storey side extension to no.18 Old Bath Road (approximately 2.78m), would not result in any harmful terracing effect in this instance. Furthermore, the front elevation would be set back from the front building line by approximately 0.3m and would not harm the character and appearance of the host dwelling or surrounding area.

## Raising of roof:

25. The proposal also includes raising the roof from approximately 6.57m to 7.48m. R9 of the BDG states that the heights of residential buildings should 'respond to the prevailing heights and degree of variation in height in the local context'. As evidenced by the submitted street scene plan (BR-08) and publicly available Google Maps image below dated 21/03/2024 (Figure 2), even with the 0.91m increase in ridge height, the host dwelling would remain at a height commensurate with the lower roof height of no.18 (6m tall) and no.22 (8.2m tall). The incremental increase in height when viewed from the street would be sympathetic to its immediate surroundings and would not appear obtrusive or have an adverse impact on the character of the host dwelling or local area.



Figure 2: Street view (Google Maps 2024)

- 26. From the public realm, the new roof would be sufficiently in-keeping with the hipped roofs of no.18 and no.22. The remodelled roof would also include the addition of no.1 pitched roof dormer in the east elevation and no.1 pitched roof dormer in the west elevation. There are examples of existing side dormer windows along Old Bath Road, examples include no.26 and no.34. Therefore, these components of the scheme cannot be argued to be out of character within the local context.
- 27. Third parties referenced concern regarding the new roof form. As stated above, the hipped roof is in-keeping with the local character. There is a 2-span roof form proposed to the rear. As evidenced in the photographs below, there are examples of less prevalent roof forms along Old Bath Road. Within close proximity are examples of a 2-span and gambrel roof.



Figure 3: Example of a 2-span roof form approximately 60m to the west (no.8).



Figure 4: Exmaple of a gambrel roof form approximately 80m to the west (no.6).

# Impact on Residential Amenity

- 28. Policy CP3 of the Core Strategy aims to protect neighbouring amenity.
- 29. The Parish Council and third parties have raised concern over the scale and size of the proposed works. It is considered that the large plot can accommodate such increases in size and scale without significant detrimental impact to neighbouring properties.
- 30. Permitted development rights would already be used through any grant of this planning permission, therefore, the application site would not benefit further from the provisions set out in the Town and Country Planning, (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, for Class A, B, C, or D, unless the scheme is not implemented. As the property benefits from a substantial sized garden (circa 50m), it would be unnecessary to impose a condition to remove permitted development rights for Schedule 2, Part 1, Class E.
- 31. Revised plans (BR-05R1, 22/03/2024) have been submitted that reduce the ridge height to approximately 7.54m and replace the crown roof form proposed in 232951 with a 2-span roof form to the rear. The proposed height is marginally higher (0.05m) than the roof height of approved application 231261 and removes the significant bulk and mass of the proposed loft room in application 232951.
- 32. The depth of the first floor will increase to an approximate 11.9m. This extends the depth of the first floor by approximately 3.1m. This accords with general BDG guidance which recommends that 'rear extensions should not project more than four metres from the main rear wall where they are close to a side boundary'.

- 33. Nonetheless, it is recognised that due to no.18 being sited significantly further forward, there are already views of the host dwelling from the rear fenestration of no.18, and views of built form from the rear fenestration of no.18 would increase to some degree.
- 34. However, the removal of the crown roof and reduction in roof height to similar proportions of those approved in application 231261, significantly reduce the overbearing impact of the first-floor extension to adjoining neighbours.
- 35. Furthermore, no.18 benefits for a substantial sized garden that extends to over 50m in length, providing the occupiers with sufficient private amenity space which is currently free from any perceived overbearing.
- 36. The single storey rear extension would be located approximately 1m from the shared boundary with no.18 and 2.3m from the shared boundary with no.22. This accords with the BDG which recommends a minimum 1m separation distance for one and two storeys to maintain privacy and limit a sense of enclosure. This is also similar to that already approved under application 231261.
- 37. Objections have been raised regarding the first floor dormer window in the western elevation. However, as already stated in the officer report for 231261, the window would be replacing an existing window. It would not change the existing relationship with the neighbouring property. This is an original window and so although R23 of the BDG notes that side walls should not contain windows, especially at first floor level, it would be unreasonable to refuse this aspect of the scheme due to the existing side facing window already being present.
- 38. The proposed first floor window in the eastern elevation would serve a bathroom. Furthermore, the adjoining property has only one window on the adjoining flank wall which serves the staircase. Therefore, as concluded in the officer report for 231261, it remains the case that no significant overlooking would be caused. However, to mitigate any potential harmful overlooking impacts, it will be conditioned that the dormer window serving the bathroom is obscurely glazed and limiting in opening height to protect the amenity of the occupants at no.22.
- 39. An objection has been raised regarding a loss of privacy to the occupiers of no.18 from the 2no. ground floor windows proposed on the western elevation. However, 2no. ground floor windows in this side elevation already exist. The no.2 additional ground floor windows would be more than 7m from the existing rear windows of no.18. Therefore, this element of the scheme would not result in any greater level of harm that does not already exist and is therefore acceptable.
- 40. The host dwelling and adjoining side neighbours benefit from south facing gardens. There is already a degree of loss of light to no.18 from the host dwelling and it is acknowledged that there would be a minor increase in loss of light impact. This would be confined to the mornings at certain times of the year. However, due to the south facing gardens, for large parts of the day no.18 would have unobstructed sunlight. Therefore, no harmful impact to the amenities of no.18.
- 41. In conclusion, the impact on adjoining neighbours has been considered in detail and informed by third party comments. Based on this assessment and the site-specific circumstances, it is concluded that the proposal would not cause any significant harm to

the amenities of adjoining occupiers in accordance with policies CP1, CP3, CC07 and guidance in the Borough Design Guide.

#### **Land Contamination**

- 42. The application site falls within a landfill gas consultation zone for nearby historic landfill sites. The WBC Environmental Health officer was consulted and raised no objection to the proposal, subject to the applicant carrying out an appropriate risk assessment to determine if gas protection measures are required, this will be conditioned.
- 43. An hours of construction/building work condition was also recommended. Usually, it is not standard practice and unreasonable to impose construction times on household development when they are likely to be carrying out the works themselves. Therefore, this condition will not be imposed.

# **Ecology**

44. The application site is located in an area suitable for bat roosts and a preliminary bat roost assessment was submitted. The report concluded that there was no evidence of bats (currently or historically) found internally or externally and the main dwelling and garage offer no suitable roosting opportunities for bats. Taking the precautionary approach in the unlikely event bats are found during works, an informative will be included to a grant of any planning permission.

### **Drainage**

45. The application site is located in flood zone 1 which is suitable for development and is at a very low risk of surface water flooding. Very low risk means that this area has a chance of flooding of less than 0.1% each year. WBC Drainage were consulted for application 232951 and had no objection, subject to a condition to provide drainage details due to the increase in footprint. The same approach has been taken for this application.

### **Community Infrastructure Levy**

46. The CIL Team were consulted and confirmed that the proposal would result in a total net increase in floorspace of 126.95sqm, therefore CIL liable. 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. Any changes to the approved scheme could result in significant CIL implications.

## The Public Sector Equality Duty (Equality Act 2010)

47. 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 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.

# Conclusion

48. The proposed extensions are acceptable in principle and do not cause a detrimental impact on local character, neighbouring amenity, drainage, parking, and ecological aspects. Therefore, it is recommended that this application is approved subject to the above conditions as it accords with the National Planning Policy Framework and the Council's Development Plan policies and guidance.

#### APPENDIX 1 - Conditions and Informatives

# 1. Timescale

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

# 2. Approved Details

This permission is in respect of the submitted application plans and drawings received by the local planning authority and labelled as follows:

BR-01, BR-02, BR-03, BR-04, BR-05R1, BR-06, BR-07 and BR-08 received by the Local Planning Authority on 20/002/2024 and 19/03/2024.

The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

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. Drainage

No development shall take place until full details of the drainage system for the site have been submitted to and approved in writing by the LPA. The details shall include:

- 1) Calculations indicating the existing runoff rate from the site.
- 2) BRE 365 test results demonstrating whether infiltration is achievable or not.
- 3) Use of SuDS following the SuDS hierarchy, preferably infiltration.
- 4) Full calculations demonstrating the performance of soakaways or capacity of attenuation features to cater for 1 in 100-year flood event with a 40% allowance for climate change and runoff controlled at existing rates, or preferably better.
- 5) If connection to an existing surface water sewer is proposed, we need to understand why other methods of the SuDS hierarchy cannot be implemented and see confirmation from the utilities supplier that their system has got capacity and the connection is acceptable.
- 6) Groundwater data confirming seasonal high groundwater levels in the area.
- 7) A drainage strategy plan indicating the location and sizing of SuDS features, with the base of any SuDS features located at least 1m above the seasonal high water table level.
- 8) Details demonstrating how any SuDS for this development would be managed throughout the lifespan of the development and who will be responsible for maintenance.

The approved scheme shall be implemented prior to the first occupation of the development and shall be maintained in the approved form for as long as the development remains on the site.

Reason: this is to prevent the increased flood risk from surface water run-off.

Relevant policy: NPPF (2019) Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.

#### 4. Land Contamination

A preliminary Risk Assessment must be conducted in line with the Land Contamination Risk Management procedure as defined by the Environment Agency to determine if any gas protection measures are required, and if so, identify these in a clearly defined scheme of works.

The preliminary report must be presented to the local authority and any risk or remediation measures agreed prior to commencement of development.

Any necessary mitigation measures are to be maintained in perpetuity.

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.

### 5. External materials

Except where stated otherwise on the approved drawings, the materials to be used in the construction of the external surfaces of the extension hereby permitted shall be of similar appearance to those used in the existing building, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the external appearance of the building is satisfactory. Relevant policy: Core Strategy policies CP1 and CP3.

# 6. Obscure glazing

The first floor dormer window in the eastern elevation of the development hereby permitted shall be fitted with obscured glass and shall be permanently so-retained. The window shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level of the room in which the window is installed and shall be permanently so-retained.

Reason: To safeguard the residential amenities of neighbouring properties. Relevant policy: Core Strategy policy CP3.

#### Informatives:

#### 1. Bat Informative

Bats are a protected species under the Conservation of Habitats and Species Regulations 2017 (as amended). Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

#### 2. Within Curtilage

Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning permission does not authorise you to gain access or carry out any works on, over or under your neighbour's land or property without first obtaining their consent, and does not obviate the need for compliance with the requirements of the Party Wall etc. Act 1996.

# 3. Changes to Approved Plans

The applicant is reminded that should there be any change from the approved drawings during the build of the development this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990. Any changes to the approved scheme could result in CIL implications. This specifically refers to serious implications for the applicant in respect of potential Community Infrastructure Levy (CIL) payments that may be due if the development does not have the correct planning permission.

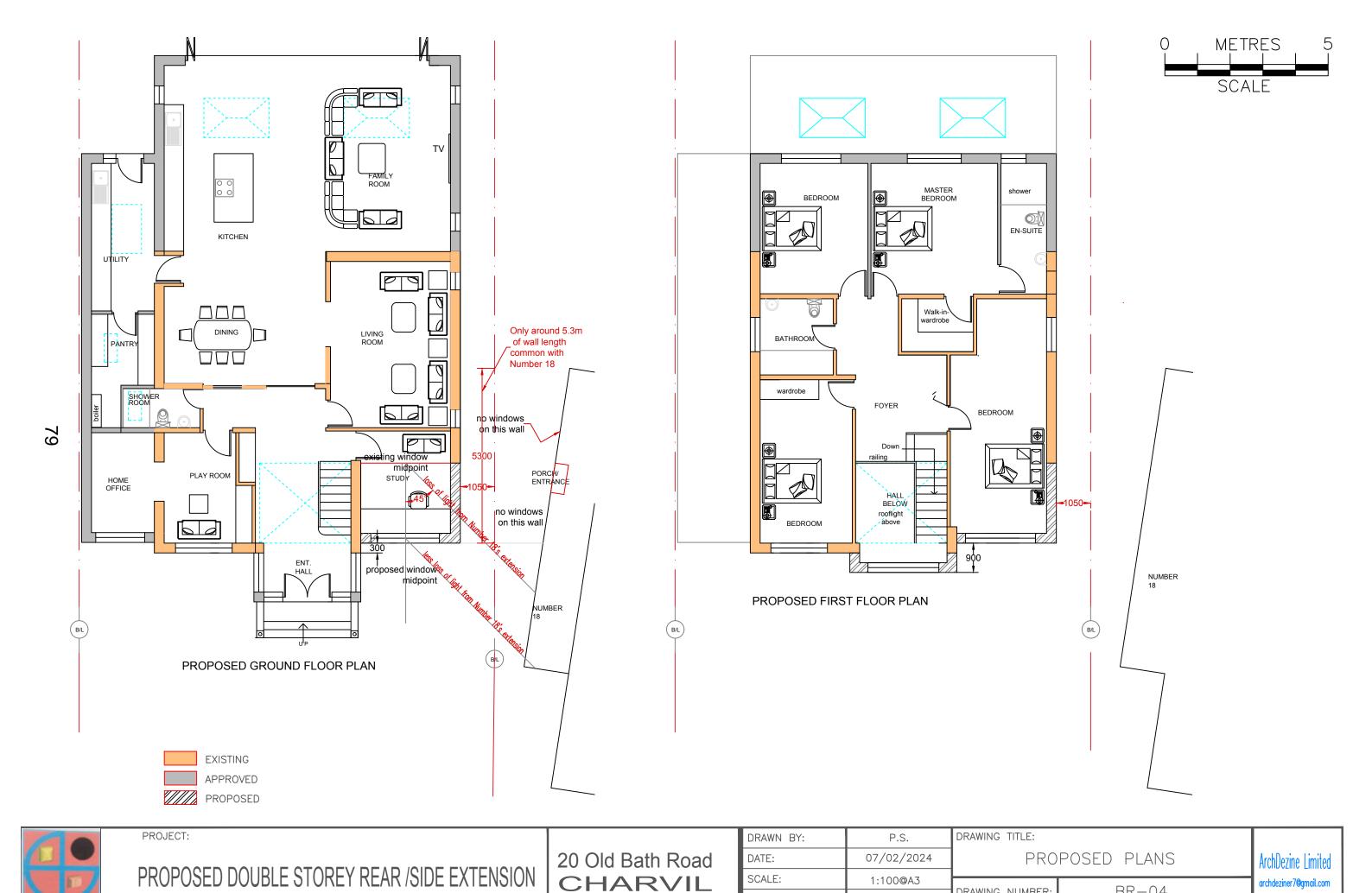
# 4. Discussion

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 in terms of:

- Existing elevation plans to include garage plan submitted.
- Revised Proposed Elevation plan submitted.
- Additional plans submitted: Street scene plan, Comparative elevation plan and Comparative elevation Rear plan submitted.
- Agreed amended description.

The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.





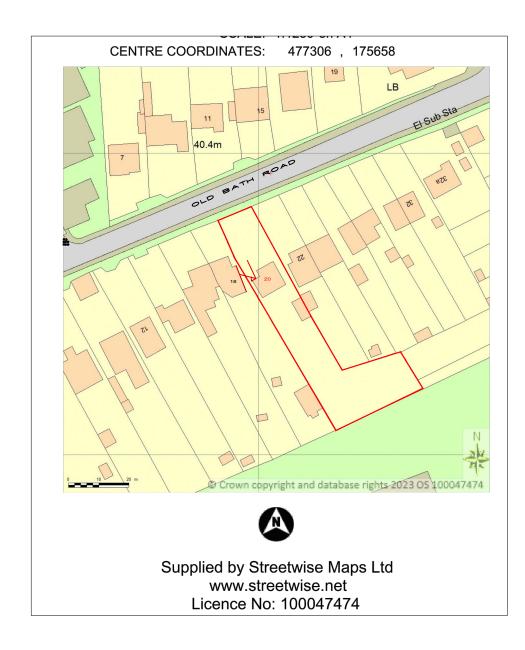
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PROJECT:

PROPOSED DOUBLE STOREY REAR /SIDE EXTENSION

20 Old Bath Road CHARVIL

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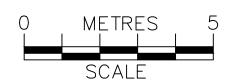
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ArchDezine Limited archdeziner7@gmail.com

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PROJECT:

PROPOSED DOUBLE STOREY REAR /SIDE EXTENSION

20 Old Bath Road
CHARVIL

DRAWN BY:	P.S.	DRAWING TITLE:		
DATE:	07/02/2024	PROPOSED ELEVATIONS		ArchDezine Limited
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