

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.
Type	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	<p>i) APPROVAL subject to conditions and Informatives & completion of S106 legal agreement to secure the following:</p> <ul style="list-style-type: none"> • 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. <p>OR</p> <p>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)</p>
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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	68 beds
Previous land use	Builders merchant
Existing parking spaces	N/A
Proposed parking spaces	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.

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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*
4. 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 Council's 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 domiciliary 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 941 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:

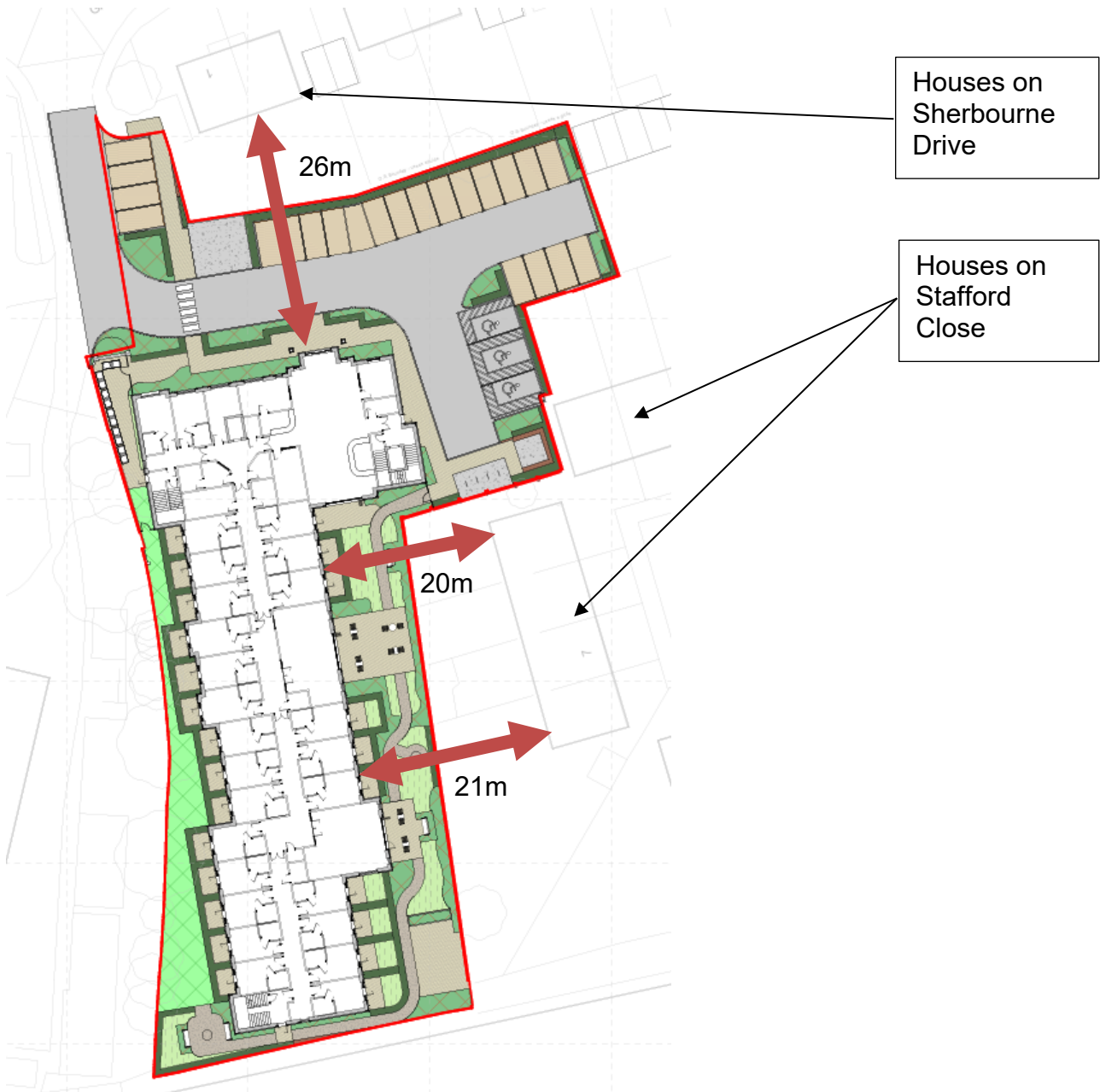


Figure 3: Proposed site plan.

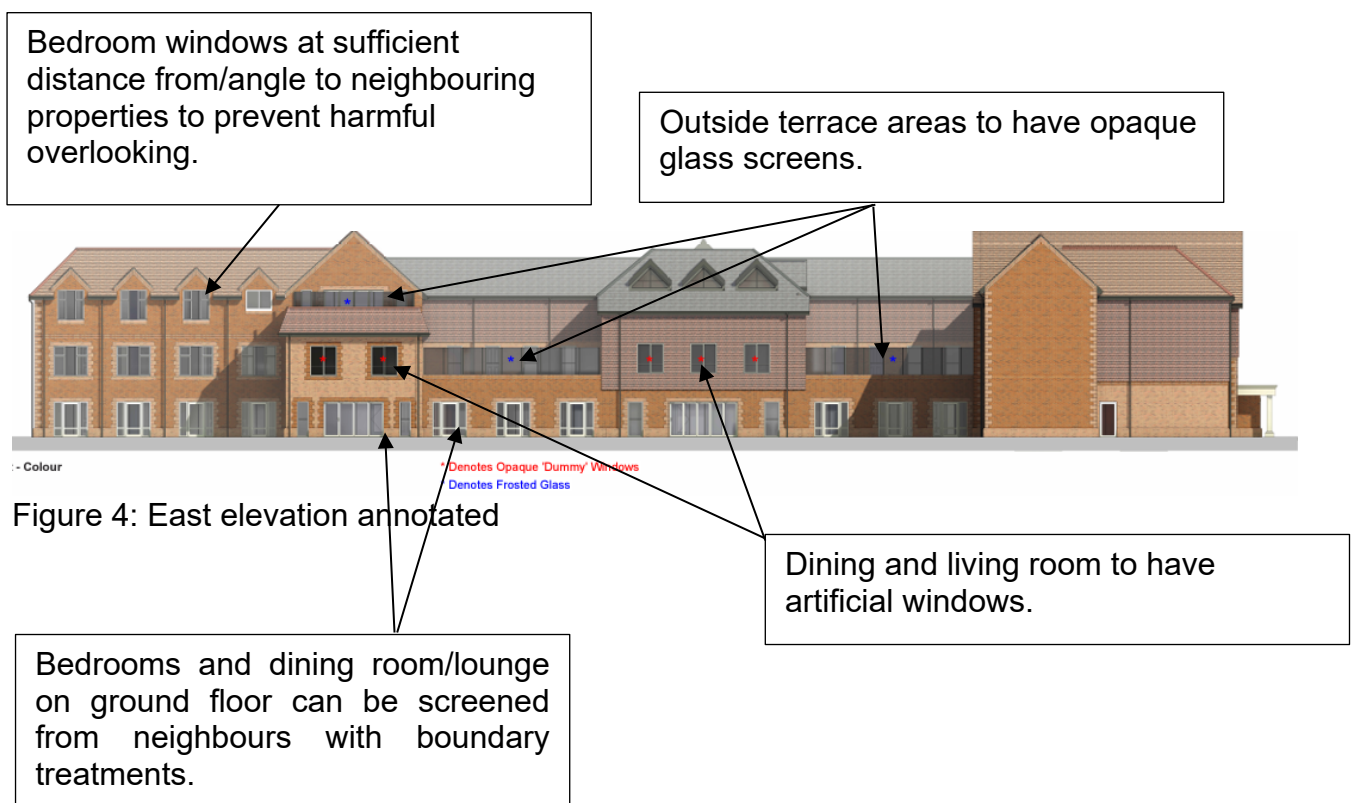
37. The previous application was refused due to impacts on the neighbouring dwellings to the east, on Stafford Close, in addition to those to the north. This was due to an overbearing design and overlooking. This position was informed by advice contained in the Borough Design Guide, relating to separation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

- 001 – Proposed Ground Floor Plan
- 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 (06th 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, MDDL 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.thameswater.co.uk%2F&data=05%7C02%7Cplanning_enquiries%40wokingham.gov.uk%7C51ed15b7373e41ff7fa908dc11bf0764%7C996ee15c0b3e4a6f8e65120a9a51821a%7C0%7C0%7C638404759398135787%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=DqPx5WNRl518ilwztrDLGojvY0QncWv1V1rtXxzqVtU%3D&reserved=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.

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