

Public Document Pack

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 9 DECEMBER 2015 FROM 7.00 PM TO 9.55 PM

Committee Members Present

Councillors: Simon Weeks (Chairman), Tim Holton (Vice-Chairman), Chris Bowring, John Kaiser, Bob Pitts, Malcolm Richards, Rachelle Shepherd-DuBey, Chris Singleton and Wayne Smith

Other Councillors Present

Councillors: Keith Baker and UllaKarin Clark

Officers Present

Clare Lawrence, Head of Development Management and Regulatory Services
Chris Easton, Service Manager, Highways Development Management
Mary Severin, Borough Solicitor
Colm Ó Caomhánaigh, Democratic Services Officer

Case Officers Present

Dan Hay, Pooja Kumar and Justin Turvey

67. APOLOGIES

There were no apologies for absence.

68. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 11 November 2015 were confirmed as a correct record and signed by the Chairman.

MEMBERS' UPDATE

There are a number of references to the Members' Update within these minutes. The Members' Update was circulated to all present prior to the meeting. A copy is attached.

69. DECLARATION OF INTEREST

Councillor Wayne Smith declared that, although he had listed Item 81, application 152680 - 1 Pykes Farm Cottages, Forest Road, he still had an open mind with regard to the decision.

70. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

No applications had been recommended for deferral, or withdrawn.

71. APPLICATION NO. 150260 - 97 OXFORD ROAD

Proposal: Full Application for demolition of existing community building (D1 use class) and erection of a single storey replacement building for use as Gospel Hall (D1 use class).

Applicant: David Parsons

The Committee received and reviewed a report about this application, set out in Agenda pages 11 to 34.

The Committee was advised that the Members' Update included:

- clarification on the position, height and area of the current and proposed buildings;

- clarification from the applicant on the proposed use of the building;
- information from the Council's Environmental Health Officers;
- examples of D1 uses;
- Town Council comments on the lawful use of the site which were omitted from the report;
- further submissions from local residents and the Officer's responses;
- recommended changes to conditions 2 and 6;
- a correction to the Noise Management Plan;
- the recommended replacement of conditions 7 and 8 with one condition 7; and
- a recommended additional condition 13.

It was noted that Members visited the site on 4 December 2015 to assess the impact on the character of the area and adjacent properties.

Colin George, representing Wokingham Town Council, spoke in objection to the application.

Keith Rogers, representing local residents, spoke in objection to the application.

UllaKarin Clark, Local Ward Member, spoke in objection to the application.

Ian Douglas, Agent, spoke in favour of the application.

In response to questions raised about the D1 use class of the building, Mary Severin, the Borough Solicitor, confirmed that the D1 use class would be retained by the property even if the building was demolished.

The Chairman reminded Members that D1 use class meant that the building could already be used as a Gospel Hall but that, if the new planning permission was granted, it provided the opportunity to introduce some conditions.

Members asked for clarification on the roof line and position of the building and its effect on the character of the area and the provision of parking spaces. The Planning Officer confirmed that the proposed roof line was 0.2m higher than the existing building; it was set back 5m for the line of the neighbouring houses; and the separation from the boundary was 0.5m. If the new building was not set back then there would be a loss of one or two parking spaces.

Clare Lawrence, Head of Development Management and Regulatory Services, clarified that, due to the set back of the building there would be no terracing effect. She referred to other similar applications which had been approved and said that it would be difficult to justify refusal on the grounds of the effect on the character of the area.

In response to suggestions that the conditions should specify a later start time on Sundays, the Chairman referred to other planning appeals in which the inspectors had allowed start times of 05:45 and 06:00.

Members asked the Officer if changing the design of the façade had been considered to make it appear more residential. The Agent indicated that the Applicant would be open to that.

RESOLVED: That application No. 150260 be approved, subject to the conditions set out on Agenda pages 12 to 14 with conditions 3,6,7 and 8 amended and a new condition 13 added as set out in the Members' Update; and with the Head of Development Management and Regulatory Services and the Chairman authorised to grant planning permission following final agreement on the front elevation and the materials being submitted.

72. APPLICATION NO. 152192 - 7-9 WILTSHIRE ROAD

Proposal: Demolition of existing buildings and erection of a block of 33 sheltered apartments for the elderly; construction of basement parking and surface parking spaces; associated integral refuse bin store, electric pavement car store and cycle store; modification of existing access.

Applicant: Renaissance Retirement Ltd and Bancroft Developments

The Committee received and reviewed a report about this application, set out in Agenda pages 35 to 66.

The Committee was advised that the Members' Update included:

- clarifications on the parking provision, the contribution for affordable housing and visibility at the access; and
- a recommended deletion of condition 25.

It was noted that Members visited the site on 4 December 2015 to assess the impact on the character of the area and adjacent properties.

Peter Tanner, Applicant, spoke in favour of the application.

The Chairman suggested that condition 23, which specified that one or more occupants of each dwelling must be over 60 years of age, should be amended to 65 which is likely to result in a lower level of car ownership. The Applicant indicated agreement with this.

Members asked about the visibility at the access and safe routes for users of mobility scooters. Chris Easton, Service Manager, Highways Development Management, confirmed that visibility, although partially restricted by a tree, was adequate and that access to the town and other facilities for users of mobility scooters or wheelchairs was deemed appropriate.

In response to queries about the level of the contribution for affordable housing, Clare Lawrence, Head of Development Management and Regulatory Services, clarified that the contribution in this case was around 3% instead of the usual 30%. She explained that the matter was examined by an independent consultant who confirmed that the development would not be commercially viable if the company was required to pay the full contribution.

RESOLVED: That application No. 152192 be approved, subject to the completion of a Legal Agreement and conditions set out on Agenda pages 36 to 42 with condition 25 deleted as set out in the Members' Update and condition 23 amended to state 65, instead of 60, years of age.

73. APPLICATION NO. 152569 - ST JOHN AMBULANCE, CHURCH ROAD, WOODLEY

Proposal: Full application for the proposed upgrade and alteration works to existing telecommunications base station.

Applicant: CTIL Ltd and Vodafone Ltd.

The Committee received and reviewed a report about this application, set out in Agenda pages 67 to 82.

The Committee was advised that the Members' Update included:

- amendments to the 'Representations' section of the report;
- clarification on the history of development in the area.

It was noted that Members visited the site on 4 December 2015 to assess the impact on the character of the area.

Richard Dolinski, representing Woodley Town Council, spoke in objection to the application.

Richard Beasley, representing local residents, spoke in objection to the application.

James Cain, Agent, spoke in favour of the application.

Keith Baker, Local Ward Member, spoke in objection to the application.

In response to suggestions that the new transmitters would interfere with free-to-air television, the Chairman stated that this issue had not been raised by anyone until this meeting and it was not possible at this stage to discuss such a technical matter without the input of qualified experts.

Members asked for clarification on the increased width of the mast which was the reason a new application was necessary. Officers stated that at the height of 5.5m the increase in width was from 40cm to 55cm, which was just over the 30% limit.

The Chairman asked Officers if it was possible to prevent any further increases in the height of the mast which had already increased from 12.5m to 17m since the mast was first erected. Clare Lawrence, Head of Development Management and Regulatory Services, stated that it was not possible to take the permitted development rights away.

RESOLVED: That application No. 152569 be approved, subject to the conditions set out on Agenda page 68.

74. APPLICATION NO. 152680 - 1 PYKES FARM COTTAGES, FOREST ROAD

Proposal: Proposed erection of a two storey side extension to dwelling.

Applicant: Ms C Gaines

The Committee received and reviewed a report about this application, set out in Agenda pages 83 to 100.

The Committee was advised that the Members' Update included amendments to the 'Planning History' and 'Neighbour Impacts' sections of the report as well as a clarification on noise issues.

It was noted that Members visited the site on 4 December 2015 to assess the impact on the character of the area.

The Planning Officer recommended refusal of the application on the grounds that the extension represented an inappropriate increase in scale, form and footprint away from the original building to the detriment of the countryside and landscape character. Also, the extension was not considered to relate well to the existing dwelling and would have an unbalancing effect on the terrace.

Mark Leedale, Agent, spoke in favour of the application.

Members noted that the size of the plot was quite large, that the only public viewpoint was at the end of a road that was no longer a through road and that there was a busy and noisy motorway slip road behind the property.

The Planning Officer clarified that the extension increased the overall footprint of the existing house by 47%.

RESOLVED: That application No. 152680 be approved, subject to conditions including the standard three year limit, plans and materials to be submitted and approved and provisions made in relation to the protection of Great Crested Newts. Conditions to be agreed by the Head of Development Management and Regulatory Services.

75. PRE COMMITTEE SITE VISITS

The Head of Development Management and Regulatory Services had recommended that pre-Committee site visits be undertaken in respect of the following applications:

- 152661 – The Maidenover, Silverdale Road, Earley - Full application for the proposed change of use from public house (Use Class A4) to retail (Use Class A1), to assess the impact on the character of the area and highways.
- 152913 – Thames Bridge House, Henley - Full application for the proposed erection of an apartment block comprising 4 x 2 bedroom flats and associated development. Demolition of existing buildings, to assess the impact on the character of the area and adjoining residents amenity.

RESOLVED: That pre-Committee site visits be undertaken on Monday 4 January 2016 in respect of the following applications:

- 152661 – The Maidenover, Silverdale Road, Earley - Full application for the proposed change of use from public house (Use Class A4) to retail (Use Class A1), to assess the impact on the character of the area and highways.
- 152913 – Thames Bridge House, Henley - Full application for the proposed erection of an apartment block comprising 4 x 2 bedroom flats and associated development. Demolition of existing buildings, to assess the impact on the character of the area and adjoining residents amenity.

A site visit agreed at the 11 November 2015 Meeting in respect of 152374 - Land adjacent to 8 Budes Cottages, Keephatch Road, Wokingham, which was not carried out, would now be undertaken on 4 January 2016.

This page is intentionally left blank

MEMBERS' UPDATE

Planning Committee – 9 December 2015

Site Address: 97 Oxford Road, Wokingham
Application No: 150260, Pages 11 - 34

Further Clarification

In two places the Committee Report refers to the proposed building being set back 3m from the front of No. 99. This should read **5m**.

The Committee Report (page 18) also refers to the height of the building as 6.3m at present. The actual ridge height of the existing building is 6.0m; the 6.3m as shown on the application submissions includes the chimney. The proposed ridge height of the building would be 6.2m, a 0.2m increase. The eaves height of the building would remain at 2.5m.

For information, the existing building measures approximately 105 sqm (gross external area) whilst the proposed building would measure 96 sqm (gross external area), a reduction in footprint of approximately 8%.

The applicant has clarified how the Gospel Hall would generally operate, with two services/meetings per week (Sunday morning and Monday evening). They currently have 8 households who would use this Hall (which equates to 31 people including children) and have a target number of 35 users. Information from the applicant relating to the Plymouth brethren has been forwarded to Members.

The Council's Environmental Health Officers have confirmed that they have no objection to the development, subject to conditions relating to adherence to the Noise Management Plan (Condition 7/8) and use only by the Plymouth Brethren Christian Church (Condition 2). Environmental Health have also reviewed the other 3 sites used by the Plymouth Brethren in Wokingham (9 Hollow Lane, Shinfield RG2 9EQ, Pitts Lane, Earley RG6 1BT and 269a Nine Mile Ride, Finchampstead RG40 3NS). All three sites adjoin residential properties to at least one side. Environmental Health have checked the records for each site and confirm that there have been no complaints made against any of these sites in respect of noise.

The Nine Mile Ride site was converted from a D1 doctor's surgery without the need for planning consent. For information, the government's Planning Portal website lists examples of D1 (non-residential institution) uses: *Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non residential education and training centres.* The application site can be used for any of these purposes without requiring planning permission.

The Town Council's comments were reported in the Committee Report, but their comments regarding the lawful use of the site were missed off. Their full comments are reported below:

Justin Turvey

From: Mike Dunstan <planning@wokingham-tc.gov.uk>
Sent: 10 September 2015 10:04
To: Development Control
Cc: Katie Herrington
Subject: Comments on 150260 97 Oxford Road

150260 (97 Oxford Road)

**Full Application for demolition of existing community building (D1 use class) and erection of a single storey replacement building for use as Gospel Hall (D1 use).
Planning Officer: Katie Herrington**

Wokingham Town Council objects to this proposal on the following grounds:

- The Council does not believe that the property benefits from an open D1 use class. The current use class is either sole use as a dental surgery (planning consent 35870) or residential (planning consent F/2013/0212)
- The north flank to boundary separation is 0.5m (Borough Design Guide is 1m minimum)
- The width of the proposed driveway is 2m (Highways Design Guide is 2.5m minimum)
- The low building line, front elevation and proposed gate are out of character with the street scene (Policy CP3)
- The proposed hours of opening are not stated, leading to potential noise disturbance to adjoining neighbours (policies CP1, CP3 & CC06)
- Off road parking provision is not adequate for the proposed use (policy CC07)
- Due to its size, scale and orientation the proposal would have a harmful impact on the residential amenities of 99 Oxford Road (overbearing and loss of light) contrary to the NPPF and policy CP3

Regards

Mike Dunstan
Planning & Transportation Officer

Wokingham Town Council
Town Hall
Market Place
Wokingham
RG40 1AS

Tel: 0118 978 3185
Direct Tel: 0118 974 0885
www.wokingham-tc.gov.uk



Further Submissions

Members have been sent a copy of the Committee Report annotated with comments made on behalf of 7 households and residents in the vicinity of the site. A response to the main points is provided below:

- Concerns regarding conditions – amendments are proposed to Conditions 2, 6, 7 and 8 below.
- Previous permissions restricted parking in the rear – parking in the rear was permitted under application 36870 following an earlier refusal which included a reason relating to parking in the rear.
- Previous permission F/2004/1405 restricted hours of use to 8 AM to 7 PM and not on Sundays – This permission related to an extension and the conversion of the roofspace to provide a flat. The hours restriction was imposed in the interests of the amenity of the occupiers of the flat who would have been living above the surgery. As this permission was never implemented, the conditions never took effect. There is no restriction on the hours the site may be used.
- Dimensions are misleading and the set back from No. 99 is incorrect – noted. This point has been addressed above.
- Building and its materials would be out of keeping with the area and are not used locally anywhere – there is a mix of ages, style and type of property along Oxford Road and in the surrounding area. Notwithstanding the comments made by objectors, there are a number of properties which have wooden or white plastic boarding in the vicinity of the site. There are examples along Oxford Road (65m and 170m from the site); Hawkes Road (90m from the site) and Reading Road (110m from the site). There are also a significant number of properties which have boarding as a feature along Brookside (180m from the site). Some examples are provided below:

Hawkes Road:



Rotherfield Avenue:



Reading Road:



Oxford Road:



- Residents close to the Gospel Hall in Pitts Lane report being woken up early on Sundays – as above, no complaints have been received by the Council's Environmental Health Department.
- Overbearing to No. 99 has not been assessed - No. 99 has a single storey rear extension hard up to the boundary with the application site. The proposed building would extend as far back as the rear wall of No. 99's extension, so would not be overbearing on the ground floor or garden of the neighbour. No. 99's first floor rear extension has a large rear-facing window, but given that the proposed building would be single storey and slopes away from this window, it is not considered that it would be overbearing.

View from rear of the site to No. 99.



- Concern re parking to the rear – it should be noted that an element of parking to the rear and side of the site was permitted in the 1990 application, and that the development would be limited to a personal permission, with controls on hours of use and a noise management plan. It must also be noted that the road fronting the site does not have parking restrictions, and the main time the building would be used (early Sunday mornings) is not a peak time in terms of parking demand.

Along with comments on the Committee Report, members have also been sent comments on the submitted Noise Management Plan by residents. The comments are attached to this update for information, and a response to the main points is provided below:

- Maintenance issues for No. 99 – No. 99 is hard up to the boundary with the application site. The application proposes that the new building would be set off the boundary by 0.5m.

- Main entrance is at the rear of the building – Noise and disturbance would be controlled through the Noise Management Plan.
- Noise from car doors cannot be controlled – There are no complaints from neighbours regarding the noise and disturbance from other sites within the borough, including where parking takes place to the rear of the building.
- Complaints from neighbours of Pitts Lane Gospel Hall – No complaints have been received by the Council's Environmental Health Department.
- Extraction should be to the east (rear) not north – This is a mistake in the Noise Management Plan, which will be addressed through a condition (see below).

Changes to conditions

Condition 2 restricts use to the Plymouth Brethren Christian Church 'or their nominees'. This is potentially unclear and a revised wording is suggested below:

2. The development hereby permitted shall be carried out only by the Plymouth Brethren Christian Church. When the premises cease to be occupied by the Brethren, the Gospel Hall use hereby permitted shall cease.

Although the applicant has suggested that a restriction on the starting time for use of the building would be inappropriate, it is considered that amending Condition 6 to include a start time of 05:30 would be an appropriate balance between the needs of the occupier and the interests of neighbours. Condition 6 is amended to read:

6. The building shall not be used as a Gospel Hall outside of the following hours:
Sunday: 05:30 – 20:00
Monday – Saturday 09:00 – 21:00

The Noise Management Plan mistakenly refers to the northern flank of the building when it should refer to the eastern (rear) and accordingly needs to be amended. Condition 7 relates to noise mitigation measures being submitted and condition 8 refers to the Noise Management Plan. It is proposed that these can be combined into one condition, reading:

7. Before the development hereby permitted commences a noise management plan and scheme, including details relating to the insulation of the building, shall be submitted to and approved in writing by the local planning authority which specifies the provisions to be made for the control of noise emanating from the building and the approved scheme shall be fully implemented prior to the occupation of the building(s).

A further condition is proposed to limit construction hours:

13. 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.

Site Address: 7 – 9 Wiltshire Road, Wokingham

Application No: 152192, Pages 35 – 66

Further Clarification

During the site visit, Members requested further information relating to the required number of parking spaces were the scheme for unrestricted C3 residential flats, rather than sheltered apartments as proposed. A table of parking requirements is produced below in response:

	STANDARD FOR A C3 FLAT SCHEME	STANDARD FOR A C2 CARE HOME	BASED ON SURVEYS OF C3 SHELTERED APARTMENT SCHEMES	OVERALL PROPOSED IN THIS SCHEME
NO. OF SPACES	33 spaces unallocated	14 spaces	15 spaces	25 spaces unallocated

25 parking spaces are proposed to serve the scheme. As a standard residential apartment scheme, the development would require 33 parking spaces; however, the development is limited by Condition 23 to sheltered accommodation for the elderly only (which includes the requirement for one of the occupants to be over 60), and the applicant advises that the first time purchasers in similar schemes are, on average, in their mid to late 70's. As such parking demand is less than a standard residential development - surveys of similar schemes indicate that 15 parking spaces would be required. It is therefore considered that the 25 parking spaces as proposed is acceptable to serve the development, subject to Condition 23 which restricts the use to sheltered accommodation for the elderly only. In addition, the development proposes a parking area for 10 mobility scooters.

Affordable Housing

A contribution of £205,228 would be secured for affordable housing. This equates to approximately 1 no. 2 bedroom unit so the contribution is effectively 3%. A policy compliant off-site contribution would be (if based on say 4 no. 1 bed units and 6 no. 2 bed units) approximately £1,818,234. Advice has been received from the Council's viability expert adviser that a contribution of over the £205,228 together with the CIL contribution of £557,715 would result in the scheme being unviable.

Visibility splays

The existing access to No. 7 Wiltshire Road would be blocked up, with the access to No. 9 upgraded to accommodate the development. Visibility to the north (right) for vehicles leaving the site is not ideal given the slight bend in the road before the access; however, the Council's Highways Officer has confirmed it allows for adequate visibility and, in any event, vehicles would be slowing at this point as they approach the junction. Visibility from the south is acceptable.

Changes to conditions

Condition 25 requires details of the drainage system and results of groundwater monitoring to be submitted prior to commencement in order to demonstrate that the basement car park will not be at risk of groundwater flooding or increase the risk of flooding to neighbouring properties.

Details of the drainage system are required under Condition 24, and so the first part of Condition 25 is an unnecessary duplication. In relation to groundwater, the required sampling has already been carried out, and the relevant data submitted for consideration by the Council's drainage consultant. The submissions include sampling at depths well in excess of the 2.6m depth of the basement, and confirm no evidence of groundwater strikes. The submissions conclude that '*...the effect of the development on groundwater flows would be negligible*' and the Council's drainage consultant agrees with this conclusion. Accordingly, the Council's consultant advises that Condition 25 is no longer necessary, and it is therefore recommended that it be removed.

Site Address: St John Ambulance, Church Road, Woodley **Application No: 152569, Pages 67-82**

There is a mistake in the 'Representations' section (page 69). No comments have been received from St John Ambulance Centre. A letter of support was received from St John Evangelist Church, however this has been withdrawn and the Church has stated that they were misled by the address on the planning application and they agree with objections received from local residents. The 'Representations' section should therefore be amended to remove reference to the letter of support and to increase the number of objections (from 18 to 19).

The houses on St Johns Close were granted planning permission in 1993. The antenna has been in place at the site since prior to 1993.

Site Address: 1 Pykes Farm Cottages, Forest Road **Application No: 152680, Pages 83 - 100**

Clarification that application CLP/2010/0411 (referred to in the 'Planning History' section at page 84) for a "certificate of lawful proposed use for 2 residential properties to be combined into 1 residential property" which was approved on 30/03/2010 relates to the neighbouring property at no.3 Pykes Farm Cottages and not no.1 Pykes Farm.

Change to paragraph 7.1.1 (page 87) which makes reference to 2 & 3 Pykes Farm Cottages should just read 3 Pykes Farm Cottages as the two units were converted to one and no.2 Pykes Farm Cottages no longer exists.

The site is located next to the motorway and experiences noise issues as a result. However, the extension will not introduce new receptors into this area as the current use of the premises is residential. As such, it would be unreasonable to refuse this application for the extension on noise grounds.

Pre-emptive site visits

152374 - Land adjacent to 8 Budes Cottages, Keephatch Road, Wokingham

Full application for the proposed erection of a new dwelling at land adjacent to 8 Budes Cottages with new parking area to be erected.

Reason – to assess impact on the character of the area

152661 – The Maidenover, Silverdale Road, Earley

Full application for the proposed change of use from public house (Use Class A4) to retail (Use Class A1).

Reason – to assess the impact on the character of the area and highways

152913 – Thames Bridge House, Henley

Full application for the proposed erection of an apartment block comprising 4 x 2 bedroom flats and associated development. Demolition of existing buildings.

Reason – to assess the impact on the character of the area and adjoining residents amenity

This page is intentionally left blank