



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **PLANNING COMMITTEE** will be held at the Civic Offices, Shute End, Wokingham, RG40 1BN on **WEDNESDAY 6 JANUARY 2016 AT 7.00 PM**

A handwritten signature in black ink, appearing to read 'Andy Couldrick'.

Andy Couldrick
Chief Executive
Published on 23 December 2015

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Our Vision

A great place to live, an even better place to do business

Our Priorities

Improve educational attainment and focus on every child achieving their potential

Invest in regenerating towns and villages, support social and economic prosperity, whilst encouraging business growth

Ensure strong sustainable communities that are vibrant and supported by well designed development

Tackle traffic congestion in specific areas of the Borough

Improve the customer experience when accessing Council services

The Underpinning Principles

Offer excellent value for your Council Tax

Provide affordable homes

Look after the vulnerable

Improve health, wellbeing and quality of life

Maintain and improve the waste collection, recycling and fuel efficiency

Deliver quality in all that we do

MEMBERSHIP OF THE PLANNING COMMITTEE

Councillors

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

ITEM NO.	WARD	SUBJECT	PAGE NO.
83.		APOLOGIES To receive any apologies for absence.	
84.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Meeting held on 9 December 2015.	7 - 12
85.		DECLARATION OF INTEREST To receive any declaration of interest.	
86.		APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS To consider any recommendations to defer applications from the schedule and to note any applications that may have been withdrawn.	
87.	Maiden Erlegh	APPLICATION NO. 152661 -THE MAIDENOVER, SILVERDALE ROAD, EARLEY Recommendation: Conditional approval.	13 - 36
88.	Finchampstead South	APPLICATION NO. 152130 - LAMBDA COTTAGE, WICK HILL LANE, FINCHAMPSTEAD Recommendation: Refusal.	37 - 54
89.		PRE COMMITTEE SITE VISITS To consider any recommendations from the Head of Development Management to hold pre-committee site visits, set out in Members' Update.	

Any other items which the Chairman decides are urgent

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

GLOSSARY OF TERMS

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

C/A	Conditional Approval (grant planning permission)
CAC	Conservation Area Consent
R	Refuse (planning permission)
LB	(application for) Listed Building Consent

S106 Section 106 legal agreement between Council and applicant in accordance with the Town and Country Planning Act 1990
F (application for) Full Planning Permission
MU Members' Update circulated at the meeting
RM Reserved Matters not approved when Outline Permission previously granted
VAR Variation of a condition/conditions attached to a previous approval
PS Performance Statistic Code for the Planning Application
Category

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**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.

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Agenda Item 87.

Development Management Ref No	No weeks on day of committee	Parish	Ward	Listed by:
152661	14	Early	Maiden Erlegh	Cllr Miall

Applicant	Tesco Stores Ltd		
Location	The Maidenover, Silverdale Road, Earley	Postcode	RG6 7NG
Proposal	Full application for the proposed change of use from public house (Use Class A4) to retail (Use Class A1)		
Type	Other/Change of use		
PS Category	632		
Officer	Daniel Ray		

FOR CONSIDERATION BY Planning Committee on 6th January 2016
REPORT PREPARED BY Head of Development Management and Regulatory Services

SUMMARY

The application proposes the change of use of the former pub, the Maiden Over, to an A1 retail unit. The application is submitted on behalf of Tesco Stores Limited. Parking arrangements, a transport management plan and opening hours are all included within the submitted details.

The application has been listed by Councillor Miall due to concerns over delivery times and management, highway safety and opening hours.

The principle of development is considered acceptable; additionally the change of use can occur without the requirement of planning permission under Permitted Development rights. Planning permission has been granted for associated works including signage, lighting, introduction of plant equipment, an ATM and alterations to the front of the building.

In conclusion, subject to the use of appropriate conditions, approval for planning permission is recommended.

PLANNING STATUS

- Major Development Location (Early)
- Local Centre (Silverdale Road)

RECOMMENDATION

That the Planning Committee authorise the GRANT OF PLANNING PERMISSION subject to the following

A: Conditions and Informatives

1. 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. This permission is in respect of the submitted application plans and drawings numbered '132066-01A', '132066-10C', '132066-11D' and '132066-12C' received by the local planning authority on 29 September 2015 and 'Transport Statement' (including Delivery Management Plan) received by the local planning authority on 14 December 2015. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by 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. No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space has been provided in accordance with the approved plans. The vehicle parking and turning space shall be retained and maintained in accordance with the approved details and the parking space shall remain available for the parking of vehicles at all times and the turning space shall not be used for any other purpose other than vehicle turning.

Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road safety and convenience and providing a functional, accessible and safe development and in the interests of amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

4. Prior to the commencement of the development hereby permitted details of secure and covered bicycle storage/ parking facilities for the 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 4 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

5. 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 09:30-1400 and 1600-2100 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.

6. The A1 retail unit hereby permitted shall not be open outside the following times: 06:00 to 23:00 Monday to Sunday including Bank Holidays.

Reason: To safeguard residential amenities. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

7. All deliveries shall be carried out in strict accordance with the approved Delivery

Management Plan as outlined:

- Delivery vehicles will be limited to 8.4m in length, and will be fitted with tail lifts as standard.
- Deliveries will be undertaken via the internal constraints of the site. Deliveries will enter the site in forward gear, turning left into the access from Silverdale Road and drive into the service area. All turning, manoeuvring and loading/unloading will be undertaken from the car park area fronting the store. The egress will be from Sevenoaks Road, turning right onto Silverdale Road.
- The delivery vehicle access arrangement is illustrated in TPA drawing number 1508-51SP01A (a copy of which is appended to the Transport Statement (Appendix D)).
- No deliveries or serving (aside from newspapers and magazines from single axle vehicles on Sundays) shall be taken or dispatched from the site outside the following times: 0930-1400 and 1600-2100 Monday – Saturday and Bank Holidays.
- The store manager will be informed on a daily basis of delivery timing for the subsequent day, via email.
- All service vehicle engines will be switched off during the unloading/loading operation in order to ensure that vehicle noise is kept to a minimum. Tesco will ensure that for deliveries made using vehicles fitted with tail lifts that in addition to the service vehicle driver, two other (suitable trained) store employees will be present during unloading/loading operations. These members of staff will assist with the movements of goods from vehicle to store, ensuring that pedestrian safety is maintained at all times.
- Delivery roll cages will remain on the service vehicles until such time as they can be immediately unloaded onto the tail lift of service vehicles.
- Tesco will return their own packaging and general refuse to their depot utilising returning delivery vehicles.
- Delivery drivers are made aware that should they arrive at the site and not be able to access the site they are to continue past, find a suitable and legal place to stop and then contact the store manager, who will advise as to an appropriate time for the vehicle to return to the site.

Reason: To ensure highway safety is maintained at all times and to safeguard residential amenities. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06 and TB20.

PLANNING HISTORY

F/2014/1996 – Approval of proposed installation of ATM (16.10.2014)

A/2014/1994 – Approval of advertisement consent for the proposed installation of 3x non illuminated galvanised pole mounted signage 2x non illuminated fence mounted signage 1x internally illuminated fascia 2x non illuminated fascia 2x externally illuminated fascia 1x internally illuminated projecting sign and 1x externally illuminated hanging pub sign. (20.10.2014)

F/2014/1995 – Approval of proposed alterations to the front and side elevations plus the installation of a new shop front (16.10.2015)

F/2014/1993 – Approval of proposed installation of plant equipment (16.10.2014)

F/2014/2296 – Approval of proposed installation of 3no galvanised steel ram-raised bollards with yellow reflective bands each 1m in height to front elevation. (06.02.2015)

NMT/2014/2831 – Approval of application for non-material amendment to planning consent F/2014/1995 to allow for infilling of some windows and doors to the front and side elevations (02.01.2015)

A/2014/2822 – Proposed installation of 4no Dibond Signage Panels on front and both side elevations and 1no fascia sign on east elevation (17.02.2015)

F/2014/2826 – Proposed installation of canopy at rear of existing building (17.02.2015)

F/2014/2827 – Proposed installation of a 3m x 3.1m chiller unit at rear of property to be accessed internally (17.02.2015)

SUMMARY INFORMATION

Site Area	0.17ha
Previous land use(s) and floorspace(s)	A4 – 365sqm
Proposed floorspace of each use(s)	A1 - 365sqm
Change in floorspace (+/-)	0
Number of jobs created/lost	10
Existing parking spaces	N/A there is a parking area associated with the A4 but it is not formally laid out
Proposed parking spaces	20 + 2 disability spaces + 2 cycle spaces

CONSULTATION RESPONSES

Local Member:

Cllrs Miall and Chopping have both raised concern regarding highways, road safety, delivery methods and opening times.

Parish Council:

Earley Town Council 'expressed no opinion' at the time of consultation.

Internal Consultations Wokingham Borough Council:

Environmental Health:

All comments relating to potential operational nuisance i.e. external lighting, chiller units, plant noise, deliveries & refuse collections have been covered off by conditions on previous approved applications (F/2014/2827, 2824 & 1993) relating to the development of this site, as well as assurances on application

paperwork.

In addition, expect to see Construction Working Hours applied as there are residents in close proximity who will be sensitive to noise disturbance.

Highways:

It is proposed to change use from an existing public house to A1 retail. There have been several previous applications relating to this which have all been granted consent.

Traffic Impact

The proposal will lead to additional vehicle movements in the peak hours compared to the previous use as a public house. However it is considered that the traffic impact can be safely accommodated on the existing highway network. A percentage of traffic will be passing traffic and therefore these vehicles will already be on the highway network. The site is also well located in respect of sustainable modes of travel.

Sustainable travel

The site is located within a residential area with good access to sustainable modes of travel. Pedestrian access has been provided and includes a marked pedestrian route through the car park. Some short-stay cycle parking has been indicated and this would be suitable for customers. Covered and secure cycle parking is also required for staff.

Access

It is propose to utilise two existing accesses into the site – the access off of Silverdale Road would become the entrance and the access onto Sevenoaks Road would be the exit. No objection to this subject to appropriate advisory signage being in place.

There is adequate space within the forecourt for turning associated with parking spaces. Delivery vehicles would be able to unload within the forecourt and vehicles could leave in forward gear through the exit due to one-way operation through the car park.

Parking

The submitted drawing indicates twenty one parking spaces. The level of parking has been reviewed against the Council's parking guidance and is considered acceptable. Two disabled spaces are proposed and these are acceptable.

REPRESENTATIONS

26 representations were made by local residents including MERA (Maiden Erlegh Residents' Association). The comments, objections and concerns are summarised as follows:

Highways

Deliveries:

- The number of deliveries is likely to create noise that will affect residents nearby
- Larger delivery vehicles (8.4m) will create problems along the narrow roads,

Sevenoaks Road, Radnor Road and Avalon Road are not suitable for larger vehicles.

- There is no suitable space where additional vehicles arriving at the same time can park
- Engines should be turned off whilst waiting.
- Deliveries made between 8am and 9am and 2.30pm and 3.45pm will coincide with school opening and closing times, this would be unacceptable.
- Morning deliveries should be prohibited, peak hour deliveries avoided and noise levels controlled, any conditions used should be enforced.
- The site is not suitable for delivery vehicles nor so close to two schools.
- Delivery times should be restricted as should the number of deliveries.
- The deliveries would cause serious safety problems especially for small children.

Traffic:

- Once open, the supermarket will lead to a radically different number of vehicles and traffic movement, the worry being this will lead to more congestion, especially at peak times.
- Re-opening the access on to Silverdale Road would cause traffic delay and congestion in both directions. This will be even worse at school times.
- It is likely the car park will be full and drivers shall wait for spaces at the entrance to the car park, and drivers shall attempt to park at the Parade, which is usually full. Restrictions should be placed on the length of time vehicles are allowed to park.
- A S106 agreement should be required to fund any necessary works that need to be done (including the improvement/redesign of the Silverdale Road junction, and to provide compensation benefits for the local community.
- The peak times in the area are not as stated. Residents state that peak times are between 8am and 9am and 2.30pm and 3.45pm although traffic remains heavy until 6pm. The volume of traffic is heavily influenced by the opening and closing time of nearby schools, there is no reference to this in the traffic report.
- Parking in the Silverdale Road/Sevenoaks Road and Radnor Road areas is a particular problem, the Council need to review current arrangements. More presence by parking wardens is required.
- The congestion could lead to fatal consequences.

Other Highways comments:

- The increased traffic, size of lorries and number of deliveries will lead to accidents, especially so close to two schools.
- There will be no free flow of movement through The Parade and area.
- Existing poor parking and individuals, often on the pavement, makes walking to school hazardous and this will make it worse, especially for primary aged children.
- The traffic report did not consider the traffic flow during periods where there a lot children and parents on the street.
- There is no school crossing patrol on Silverdale Road where children and parents cross, large lorries will exacerbate the situation.
- Tesco should be asked to fund turning the zebra crossing into a traffic light crossing for everyone's safety.
- Crossing the entrance to the car park will be a problem.

- Coaches are unable to negotiate Sevenoaks Road, nor any other side roads due to residential cars even outside school hours. The side roads are not big enough for delivery trucks, nor is the car park big enough for one to turn round in once a couple of cars are parked in it.
- The application must be rejected unless proper measures to ameliorate the increased hazard level are guaranteed, e.g. a ban on deliveries and physical closure of the Tesco car park at the peak times.
- Children wear dark uniforms, this is a safety issue.
- There are over 2000 students at the nearby school, the proposed Tesco would be a hazard to their safety.
- Children used to use the car park when it was a pub as a shortcut, they will do again but this will become a safety concern, it wasn't when it was a pub because the pub wasn't open or generating traffic at peak school times. There will be an increased risk of accident or injury.
- Is it completely necessary to add more car parking spaces?
- The 19C bus service always gets stuck in traffic, the worst being at the top of Silverdale Road.
- The prospect of lorries of up 8.4m in length added to traffic that is at a complete halt, drivers trying to get past each other by often going up on the verge fills (me) with dread.
- Many of the teachers and 6th formers resort to parking around the schools, as do parents when picking up and dropping off children.
- There is not enough double lines on Sevenoaks Road, many people ignore them anyway.
- There is considerable risk to cyclist, mothers with baby buggies and other pedestrians, especially at peak times.

Impact on nearby shops

- There is concern that that the Tesco shop will lead to The Parade closing down which will lead to a creeping decay in the area. McColls and the Post Office already offer a number of services that the Tesco is likely to provide. These shops will close down.
- If Tesco plan to sell pharmaceutical products, this will affect the viability of Boots the Chemist, this will be a major detriment to local residents, especially the elderly and vulnerable.
- There is an expectation that takeaway food will be sold from the premises, this would affect the services offered by Herbies and Yan Yan's. There would also be a reduction in business for the Waterfall restaurant, where takeaway meals are also provided. This will affect their viability and lead to closures.
- The proposed opening and closing times of the Tesco store would be longer than other shops in the area and consideration should be given to ensuring that Tesco's trading hours are the same as those shops in The Parade.
- There is no need for another supermarket, there is a multipurpose store within 100m of the site already.
- There is a McColls and two Co-op stores within a mile in two directions, the store will not carry a particularly enhanced range compared to McColls and Boots Chemist so there will not be any benefit to it being placed there.
- There is enough loss of residential in the area without further loss due to noise.

Noise and disturbance

- The proposed shop will cause noise and disturbance from deliveries, traffic generation and in general.
- The proposed development shall lead to air pollution and traffic noise.
- There are enough teenagers gathering outside nearby properties because of the fast food shops and are making noise into the night, this will be even worse with the opening hours extended to 11pm.
- There is no need for deliveries before 6am
- The opening times are excessive and shall lead to disturbance, annoyance and inconvenience to those living in the immediate vicinity.
- Opening times should be limited from 10am to 4pm on Sundays.
- Opening times should be limited on bank holidays
- This is a quiet area largely dominated by families so we have a wonderful school community. The noise, fumes and congestion will seriously impact on our lives.
- There will be an increase of people to the site.
- Will also encourage more children from both schools to buy rubbish food and litter the area, and hang around, more noise.

General comments

- Concern with the lack of advertisement/site notice
- The consultation map did not include 4 shops directly affected by the application nor does it include many houses along Sevenoaks Road.
- Councillors are encouraged to visit the site during term time between 8am and 9am.
- This is a very bad plan
- There is no need for a Tesco, there is a need for a public house.
- There is a Facebook page campaign against the change of use.
- The site should revert to a proper community use.
- Tesco have already shown a lack of consideration to the local community. Since taking over the site in August 2014 the site has been left a complete mess with the car park having been dug up and piles of rubble left around. Broken glass around the perimeter of the boundary and weeds growing rampant. After extreme petitioning they did tidy it up slightly but as mentioned this does not show any awareness for community spirit.
- Inaccuracies with the details contained within the application, the application states there is currently no parking, there were around 15 spaces previously. There was first floor residential accommodation and therefore there will be the loss of residential use on the site.
- This represents the loss of an important amenity and community focus in the area. The fact that WBC have allowed this building to stand empty for such a long time is a disgrace.
- The Maiden Over was not always busy in recent years, but this was due to the landlords, the food was poor and many beers off the menu. Was tatty and lacked atmosphere – what is needed is a good community pub which is updated with good food and social events the community can take part in.
- The building was in good condition when it was taken over, but was then left half demolished and the debris left in the car park. This was 15 months ago. Tesco's and Enterprise Inn's have both failed to take responsibility for this. This eye sore must be dealt with... would hate to think this was only being done to stop people

commenting.

APPLICANT'S POINTS

The applicant was invited to make a brief summary of key points they wished to make:

'The building falls on previously developed land and will physically regenerate and re-use an existing building in a current poor state in a designated retail centre. In terms of economic regeneration, the store will provide job opportunities and Tesco will seek to employ staff from the local area wherever possible. There is thus no principle objection to the loss of the public house and additional retail in this location. Having liaised closely with the Council during the statutory pre-determination period, we have taken the opportunity as part of the consultation period to remedy some of the concerns from local residents towards delivery and servicing and highways impact. Tesco Stores Limited have therefore agreed to restrict deliveries to outside of peak times (i.e. none to be dispatched from the site outside the following times: 0930-1400 and 1600-2100 Monday-Saturday and Bank Holidays) whilst none will occur on Sunday. Beyond this the size of delivery vehicles will be limited to no larger than 8.4m in length and entrance and egress will be completely one way on site to prevent any issues of manoeuvring to and from the site. This we feel addresses any public concerns towards safety and elicits a positive scheme compliant with relevant and current statutory provisions of the development plan.'

PLANNING POLICY

National Policy

NPPF National Planning Policy Framework

Adopted Core Strategy DPD 2010

CP1 Sustainable Development

CP3 General Principles for Development

CP9 Scale and Location of Development Proposals

Adopted Managing Development Delivery Local Plan 2014

CC01 Presumption in Favour of Sustainable Development

CC02 Development Limits

CC04 Sustainable Design and Construction

TB17 Local centres and neighbourhood and village shops

TB20 Service Arrangements and Deliveries for Employment and Retail Use

Supplementary Planning Documents

Borough Design Guide SPD

PLANNING ISSUES

1. Description of Development

1.1 The application proposes the change of use of the site from A4 (pub) to A1 (retail). The Maiden Over public house is sited on the corner of Sevenoaks Road and Silverdale Road and has been vacant for some time. The site is currently fenced off from access. The pub itself is boarded up and the condition of the site is in decline.

1.2 The change of use application includes parking details, opening hours and a Transport Statement with a Delivery Management Plan has been submitted.

2. Background

2.1 Planning Applications have been brought to committee and decisions have been made on the understanding that under the current A4 use class, permitted development rights would allow for the change of use of the former public house to A1 retail without the need for planning permission. Whilst it remains the case that it is normally Permitted Development to change from a pub to a shop there is now a provision that (introduced only in April 2015), before this happens, there must be a written request submitted to the Council to find out if the building has been nominated as a community asset. Development can then not start for 56 days, during which time the building could be nominated (delaying the process) and ultimately, if added to the list as a community asset, it would then no longer be Permitted Development. Once this has been undertaken, the development would need to have been completed within 12 months of this process. If not, the entire process would need to be repeated.

2.2 Notwithstanding the above, the Maiden Over has previously not been included on the community asset list following its nomination. Despite this, the processes outlined above would have to be undertaken by the developer; this application for change of use circumvents this and development can take place with a greater degree of flexibility for the applicants without the need to go through the processes outlined above. By submitting a planning application, a degree of control is afforded to the local authority as the opportunity to control elements of the development through the use of appropriate conditions.

2.3 As noted, a number of applications have previously been determined and approved in relation to signage and lighting, as such this application seeks permission for the change of use of the land and building to a shop (Use Class A1), as well as the opening hours associated with the retail unit, parking provision and the Delivery Management Plan that is incorporated in to the Transport Statement. Previously approved applications have considered and approved the material changes to the appearance of the building – including advertisements and lighting.

3. Principle of Development

3.1 The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise. This is especially pertinent as the development can be completed under permitted development.

3.2 The site is located within a major development location and within a settlement boundary and as such the development should be acceptable providing that it complies with the principles stated in the Core Strategy. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which

it is located and must be of high quality design without detriment to the amenities of adjoining land uses and occupiers.

- 3.3 Policy TB17 of the Managing Development Delivery Plan states that proposals that retain and enhance the provision of day to day shopping facilities in Local Centres (Silverdale Road being a Local Centre and this site being part of the Local Centre), will be supported.
- 3.4 Whilst some of the provision that the Tesco is likely to provide is already present within the Local Centre (e.g. McColls, Boots, etc.) the Tesco is likely to enhance the offer available. Whilst residents have raised concern that the Tesco may lead to the loss of nearby retail units, the Local Authority cannot refuse planning permission on the basis of competition.
- 3.5 Whilst the loss of the public house is not favoured by some local residents, the proposed A1 use is an acceptable use within the Local Centre, the pub has closed and there is no prospect of it reopening. The applicants can undertake the change of use without the need of planning permission, as detailed above. As such the principle of development is considered acceptable.

4. Character of the Area

- 4.1 The site as existing is detrimental to the character of the area. The site is run down and boarded up and the public house has closed. Ancillary residential accommodation associated with the pub has also ceased. The design, signage and lighting have already been approved and can be introduced at any point by the applicants. As such, the proposed change of use would ensure that a vacant site is brought back in to life. This will have a positive impact on the character of the area rather than the abandoned and declining site that is present. The appearance of the building has already been approved and considered to not adversely affect the character of the area. In addition, the alterations to facilitate the change from a public house to a retail use are not so significant and are appropriate given the mix character and appearance of the area and which includes retail and similar uses.

5. Highways

- 5.1 The Highways Authority have raised no concern regarding highway safety. The level of parking provision is considered acceptable and the one way system through the site appropriate. A revised swept path analysis has been submitted as part of the Transport Statement which demonstrates that an 8.4m rigid vehicle can enter and exit the site in a safe manner.
- 5.2 Concern has been raised by the potential timing of that deliveries would be undertaken and the potential danger and nuisance this may cause. A revised Deliveries Management Plan has been submitted (Transport Statement Appendix D), a key amendment outlines:
- No deliveries or servicing shall be taken or dispatched from the site outside the following times: 09:30-1400 and 1600-2100 Monday-Saturday and Bank Holidays;
 - No deliveries on Sunday aside for newspapers and magazines and from single axle vehicles

- 5.3 Deliveries shall enter the site from the direction of Betchworth Avenue, turning from Silverdale Road in to the site and egress on to Sevenoaks Road, turning right back onto Silverdale Road in the direction of Betchworth Avenue. Delivery vehicles shall not approach the site from the south.
- 5.4 By approaching and leaving the site to the west along Silverdale Road the narrower and traffic affected aspect of Silverdale Road shall be avoided. As a result the overall impact on the inconvenience additional transport movements from delivery vehicles shall be kept to a minimum.
- 5.5 The strict delivery hours shall ensure that school peak hours are avoided by larger vehicles and the impact of noise from the delivery vehicles shall be kept to more sociable hours and the potential dangers associated with deliveries during school drop off/pick up times removed.
- 5.6 Movements through the site by vehicles from visitors and deliveries would be one way, entering the site from Silverdale Road and exiting on to Sevenoaks Road. This would help with traffic flow and highway safety as vehicles would not be opposing each other, and pedestrians walking through and by the site would be aware of the single direction that traffic would be moving.
- 5.7 Overall, the proposed Delivery Management Plan, one way system and the level of parking are considered acceptable and would mitigate any potential harmful impact in line with Policy TB20 of the Delivering Development Management Plan as:
- a. There is no harmful impact on the amenity of adjoining land uses in terms of noise, fumes and disturbance
 - b. There is no significant impact on highway safety
 - c. There is no significant adverse visual impact
 - d. There is no significant adverse environmental impact.

6. Opening Hours

- 6.1 The application proposes opening hours between 0600 and 2300 seven days a week including bank holidays. There has been a great deal of concern raised over the opening hours of the proposed store from residents.
- 6.2 The residential amenity of neighbouring occupiers from lighting was considered under previous applications and no objections were raised by Environmental Health, appropriate conditions were included with the relevant applications.
- 6.3 The opening hours is likely to increase the level of traffic in and around the site early in the day and late in the evening beyond what is currently experienced. However this shall be limited to smaller vehicles and not include larger delivery vehicles due to the restriction on delivery times as detailed in the Delivery Management Plan (see para 5.2 above).
- 6.4 The opening hours, whilst long, would not cause detriment to neighbouring residential properties to a level that would warrant refusal. The applicants have lessened the impact on neighbouring properties by way of limiting delivery times and the size and type of vehicle that would approach the site (8.7m in length). Lighting has previously been approved and it is considered that the scheme shall

not have an undue impact on the neighbouring residential properties.

6.5 Should the site be converted through permitted development, there would be no limitations on the opening hours. Similarly, the Delivery Management Plan would be lost. This application is an opportunity to control the impact of development to an acceptable and reasonable degree.

7. Impact on neighbour residential amenity

7.1 As discussed throughout this report, residential amenity is a primary factor in the determination of this application. It has been outlined that external appearance of the shop and lighting have already been determined and as such are not considered as part of this application.

7.2 The main issue is the level of traffic attracted to the site, specifically early in the morning and late at night. It is likely that there shall be an increase in vehicle movements, however these shall be limited to shop users rather than large delivery vehicles, as a result disturbance shall be kept to a minimum. This is a far better scenario than if the applicants decided to undertake the development under Permitted Development and no control over delivery times and vehicles could have been secured.

CONCLUSION

Overall, the applicant has addressed many of the issues that have been raised by residents and interested groups. It is acknowledged that there is likely to be an impact on nearby residents due to the introduction of this shop, however the impacts, such as vehicle size, type, route and times of delivery, have been reduced and minimised through a positive Delivery Management Plan.

This application has introduced an opportunity to control the development through conditions to ensure that the impact resulting from the introduction of an A1 unit is reduced as much as possible. Should development be progressed through permitted development, this opportunity would be lost, opening times would not be limited, construction hours uncontrolled and the delivery management plan non enforceable.

Residents are of course concerned that there may be a loss of other local shops, however competition is not a material planning consideration. The proposal is in accordance with adopted policy and on balance no material harm that would warrant refusal would take place to neighbouring residential amenity and highway safety shall be retained. Adequate parking, in accordance with WBC's parking guidance, is to be provided.

CONTACT DETAILS

Service	Telephone	Email
Development Management and Regulatory Services	0118 974 6428 / 6429	development.control@wokingham.gov.uk

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Any errors or omissions are to be reported to the Architect immediately. All proposed road and junction alterations subject to highways engineers detailed design.

Removal of any existing tree and landscaped areas subject negotiations with Local Authority Planning department and other statutory controls.
All drawings to be read in conjunction with structural engineers drawings, all related Architects and consultant drawings and other relevant information.

Any changes to the drawn design during construction work should be recorded and reported to the Architect immediately.

Inspire Design Ltd will not take responsibility for any variation made by a design and build contractor to the design and construction detail contained within this drawing.

REVISIONS		
Rev	Description	Date
A:	COORDINATED WITH RETAIL PLAN.	14.07.14
B:	ANNOTATION.	20.08.15
C:	CYCLE PARKING ADDED.	10.09.15



Status **PLANNING ISSUE**

inspire design
Inspire Design Ltd, 10 Ty Nant Court, Morganstown
Cardiff, CF15 8LW. T:- 029 2022 7926

Project SILVERDALE ROAD
READING RG6 7NG
Draw Title PROPOSED SITE PLAN

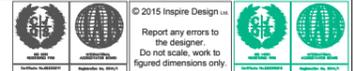
Date 20.08.15 Scale(s) 1:500 @ A3

Job No 132066 Type AL Dwg No 10 Revision C

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A3

Site 0.42 Acres



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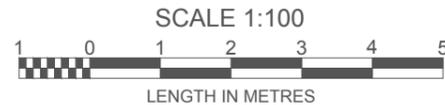
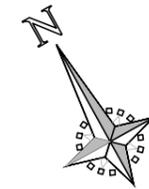
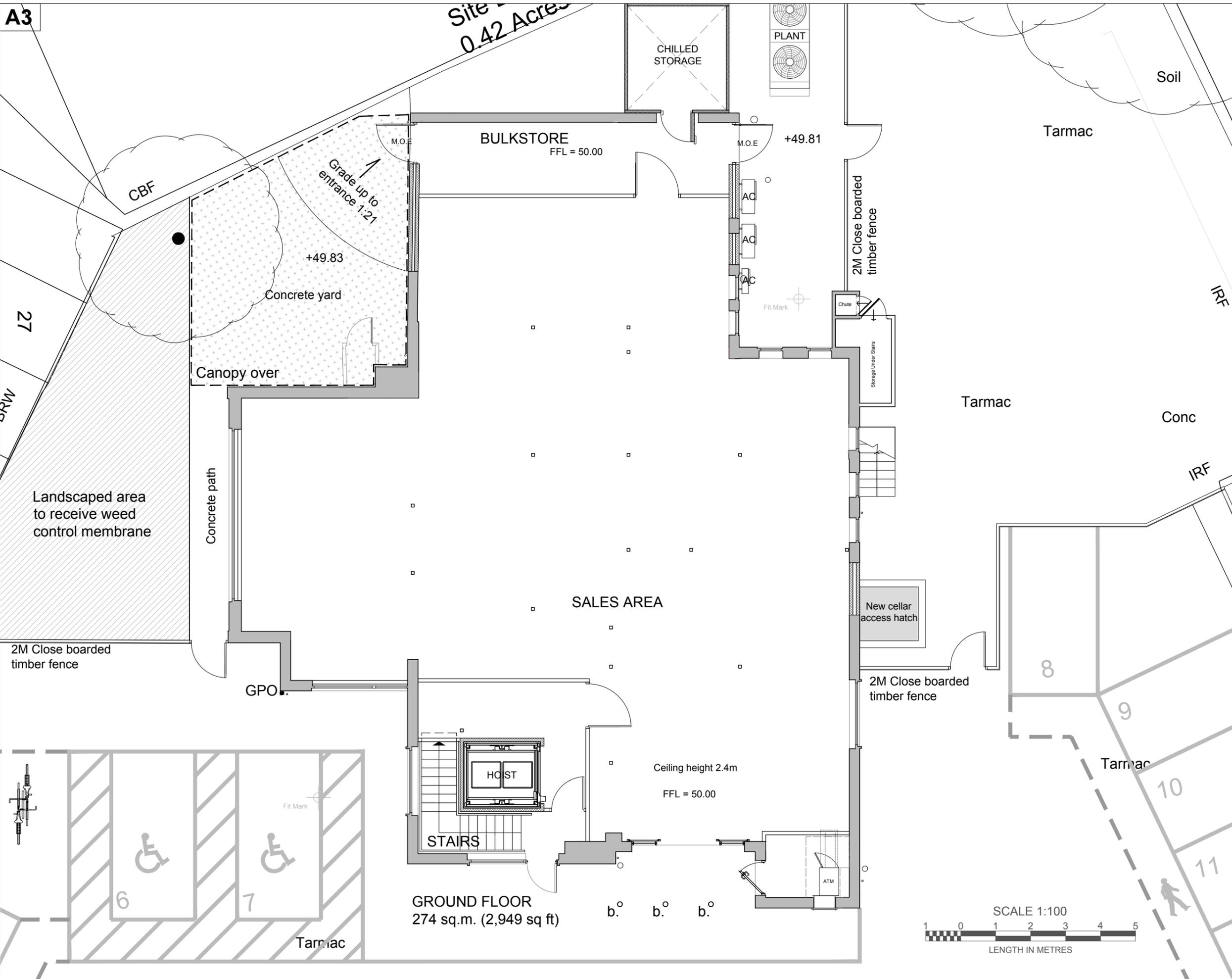
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REVISIONS		
Rev	Description	Date
A:	COORDINATED WITH RETAIL PLAN.	14.07.14
B:	ANNOTATION.	20.08.15
C:	PARKING UPDATED.	10.09.15
D:	INTERNALS.	16.09.15



PLANNING ISSUE

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Project: SILVERDALE ROAD READING RG6 7NG

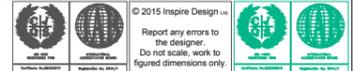
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Job No	132066	Type	AL
Draw No	11	Revision	D

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A3

29



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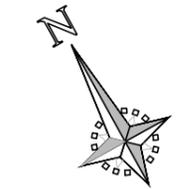
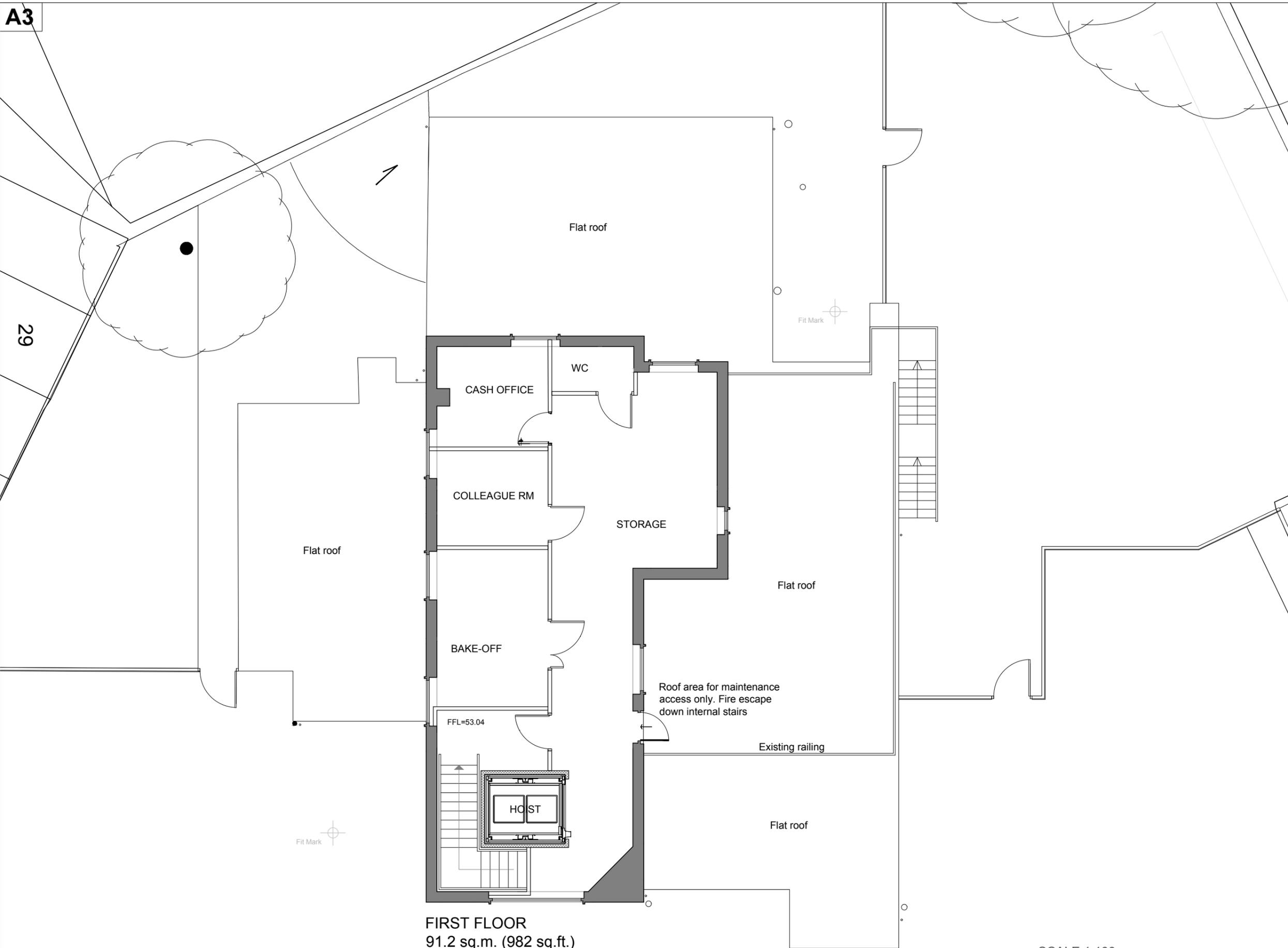
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Removal of any existing tree and landscaped areas subject negotiations with Local Authority Planning department and other statutory controls.
All drawings to be read in conjunction with structural engineers drawings, all related Architects and consultant drawings and other relevant information.

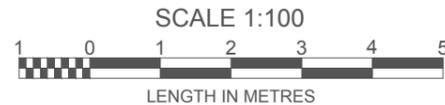
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REVISIONS		
Rev	Description	Date
A:	COORDINATED WITH RETAIL PLAN.	14.07.14
B:	ANNOTATION.	20.08.15
C:	ANNOTATION.	16.09.15



FIRST FLOOR
91.2 sq.m. (982 sq.ft.)



PLANNING ISSUE

inspire design

Inspire Design Ltd, 10 Ty Nant Court, Morganstown Cardiff, CF15 8LW. T:- 029 2022 7926

Project SILVERDALE ROAD READING RG6 7NG

Draw Title PROPOSED FIRST FLOOR PLAN

Date 20.08.15 Scale(s) 1:100 @ A3

Job No	132066	Type	AL	Dwg No	12	Revision	C
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**Tesco,
The Maiden Over, Reading**

Deliveries Management Plan

This document has been produced with regards to the proposed development of a site in Earley, Reading, located between Silverdale Road and Sevenoaks Road and its change of land use from Public House to Retail. This document is produced in accordance to paragraphs 3.93 and 3.94 of Wokingham Borough Council's *Policy TB20: Service Arrangements and Deliveries for Employment and Retail Use*. The policy states that:

“In the case of new or extended development, the Council will require the access for delivery vehicles to minimise any impact of noise. This may be by providing an access which enables vehicles to turn and leave the site without having to reverse onto a public highway or through limiting times and days when deliveries can be made. (para. 3.93)

“To help minimise the impact of service deliveries including night time deliveries, applicants shall submit a Delivery Management Plan that demonstrates how the following have been considered:

i. The provision of covered or enclosed loading/unloading areas to minimise noise impact; ii. Installations of measures for mitigating noise; iii. Installation of measures for mitigating odour from fumes; iv. Installation of measures to manage litter and refuse; v. Levels of lighting, which do not cause detrimental impact on adjoining land uses; vi. The sharing of servicing arrangements.”
(para 3.94)

General servicing and delivery management

- Delivery vehicles will be limited to 8.4 m in length, and will be fitted with tail lifts as standard.
- Deliveries will be undertaken via the internal constraints of the site. Deliveries will enter the site in forward gear, turning left into the access from Silverdale Road and drive into the service area. All turning, manoeuvring and loading / unloading will be undertaken

from the car park area fronting the store. The egress will be from Sevenoaks Road, turning right onto Silverdale Road.

- The delivery vehicle access arrangement is illustrated in TPA drawing number 1508-51 SP01A, a copy of which is appended to this document.
- No deliveries or servicing (aside from newspapers and magazines from single axle vehicles on Sundays) shall be taken or dispatched from the site outside the following times: 0930-1400 and 1600-2100 Monday-Saturday and Bank Holidays.
- The store manager will be informed on a daily basis of delivery timing for the subsequent day, via email.
- All service vehicle engines will be switched off during the unloading/loading operation in order to ensure that vehicle noise is kept to a minimum.
- Tesco will ensure that for deliveries made using vehicles fitted with tail lifts that ensure that in addition to the service vehicle driver, two other (suitably trained) store employees will be present during unloading/loading operations. These members of staff will assist with the movements of goods from vehicle to store, ensuring that pedestrian safety is maintained at all times.
- Delivery roll cages will remain on the service vehicles until such time as they can be immediately unloaded into the store.
- Cage marshalling will be undertaken within the store until such time as they can be immediately loaded onto the tail lift of service vehicles.
- Tesco will return their own packaging and general refuse to their depot utilising returning delivery vehicles.
- Delivery drivers are made aware that should they arrive at the site and not be able to access the site they are to continue past, find a suitable and legal place to stop and then contact the store manager, who will advise as to an appropriate time for the vehicle to return to the site.

FROM: Daniel Ray Telephone: 0118 974 6758

DATE: 20 October 2015

WBC Earley Town Council PARISH CONSULTATION SHEET

Application Number: 152661

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

Site Address: The Maidenover, Silverdale Road, Earley, RG6 7NG.

Applicant: The Owner and/or Occupier.

Your observations are required in respect of this application by 17/11/2015.

Please send comments by Email to: planning.enquiries@wokingham.gov.uk

Councillors expressed no opinion on this application at this stage.

SIGNED: _____



DATE: _____

03/11/15

Clerk To Earley Parish/Town Council.

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Agenda Item 88.

Development Management Ref No	No weeks on day of committee	Parish	Ward	Listed by:
152130	17/08	Finchamps tead	Finchampstead South	CLlr Simon Weeks

Applicant Mr Colin Singer C/O Mr John Slater
Location Lambda Cottage, Wick Hill Lane, Finchampstead. **Postcode** RG40 3SR
Proposal Full application for the proposed erection of a replacement detached four bedroom house and double garage.

Type Minor Dwellings (1-9)
PS Category 13
Officer Pooja Kumar

FOR CONSIDERATION BY Planning Committee on 6th January 2016
REPORT PREPARED BY Head of Development Management & Regulatory Services

SUMMARY

The application is for the erection of a detached four bedroom dwelling with associated garages, driveway, access and landscaping. The dwelling would replace the existing Lambda Cottage, which is single storey and located to the north of the site. The application has been submitted as an alternative scheme to the already approved F/2014/0300 (dated 13/03/2014) which approved a replacement dwelling in a similar footprint to the existing Lambda Cottage. The main difference between the two proposals is an alternative siting and design to the approved replacement dwelling. As a result of the altered design, the proposal would be smaller in terms of its footprint and volume, whilst also creating a new driveway and access.

In addition, it is understood from discussions with the agent, and within the submitted Design and Access statement submitted (dated July 2015) that the applicant has recently acquired "an additional 0.2 acres of land"(para 1.6) to the south of the original site. This additional land forms part of the current application's red line boundary which is different to the red line boundary of the approved F/2014/0300. As such, officers consider that a material change of use of this recently acquired land should also form part of the description and assessment of the application. This is a matter of dispute between officer and the applicant, and therefore the description has not been amended accordingly.

The application has been listed by Councillor Weeks as ward member as a cogent argument was provided by the applicant. Although it is recognised that the listing was made received late, both the Chairman and vice-chairman have agreed that it is reasonable to determine the application via planning committee.

The site is located within designated countryside, outside of settlement limits as outlined within the MDD Local Plan. The site is situated at the end of Wick Hill Lane, Finchampstead which is accessed from the Jubilee Road (B3348). The immediate locality comprises of a cluster of dwellings in a low density rural setting. Dwellings along the street scene are varied in character and are screened by number boundary treatments. The property to be replaced, Lambda Cottage, is screened

with fencing, mature hedgerow and trees to the west and by a timber barn, which is to be retained, to the north.

The principle of a replacement dwelling has been established by the extant planning permission F/2014/0300. The current application seeks to replace and re-locate the proposed dwelling to the far southern end of the site. As mentioned above, part of this site is within the existing residential curtilage at Lambda Cottage (in planning terms) and would require a change of use for the land to residential. Notwithstanding the reduced volume proposed compared to the extant permission, it is considered that the proposal represents an inappropriate development within the countryside which would result in excessive expansion and encroachment into the countryside, contrary to policies CP11 and CP3 of the Core Strategy. As such the application should be refused.

PLANNING STATUS

- Countryside
- 5KM & 7KM Thames Basin Heath SPA
- Bat Roosts
- South East Water
- Sand & Gravel Extraction
- Farnborough Aerodrome Consultation Zone
- Aerodrome Safeguarding for Wind

RECOMMENDATION

REFUSAL for the following reasons:

1. The proposed development by virtue of its inappropriate siting away from the original dwelling house combined with the enlargement of the existing residential curtilage would result in an excessive encroachment of development into the countryside, away from original buildings. The proposal would not respect the pattern and character of the settlement thus failing to positively maintain or enhance the rural setting of the site and locality. As such the proposal is considered to be unacceptable in principle and therefore contrary to the NPPF, Core Strategy policies CP3, CP11, policy TB06 of the Managing Development Delivery Local Plan as well as the relevant guidelines within the Borough Design Guide.
2. In the absence of a detailed mitigation and compensation strategy it has not been demonstrated to the satisfaction of the Local Planning Authority either that the proposed development would not have an adverse impact upon, or that the need for the development clearly outweighs the need to safeguard Bats which are protected species. As such, the development would be contrary to Wokingham Borough Core Strategy policies CP3 & CP7.

Informatives

1. This decision is in respect of the drawings and plans numbered 14.16.1A; 14.16.3; Site Survey 01D and; Tree Protection Plan received by the Local Planning Authority on 09/09/2015.
2. The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, advice was given

regarding the proposal being unacceptable. Discussion took place in trying to find a solution, but no solution was possible.

PLANNING HISTORY

33737; Demolition of existing dwelling (Lambda Cottage) and replacement with new dwelling (Old Orchard), and conversion of barn to garages – Conditional Approval (18/07/1990)

CLE/2007/2823; Application for a Certificate of Lawful Existing Use for the retention of a dwelling house known as Lambda Cottage – Approved (02/01/2008)

F/2013/2060; Proposed erection of a replacement 4no bedroom dwelling – Withdrawn (08/01/2014)

F/2014/0300; Proposed erection of a replacement dwelling, including creation of additional vehicular access – Conditional Approval (31/03/2014)

SUMMARY INFORMATION

Site Area	0.35 hectares
Thames Basin Heath SPA	5KM & 7km
Original Floor Area	211.91 sq m
Proposed Floor Area	361 sq m
Existing Use	Predominantly Residential
Proposed Use	Residential
Proposed Parking Spaces	4 including garage parking

CONSULTATION RESPONSES

Countryside Officer (Biodiversity):	Objection on the basis of insufficient information. The updated bat survey shows that there is no change to the status of the roosts discovered, and no detail on mitigation strategy or compensation plan has been submitted. A pre-commencement condition such as attached to the 2014 application is no longer suitable for the Local Authority to take in light of the case law on European Protected Species.
Environmental Health:	No objection subject to conditions on Air Quality and Demolition and Potential Contamination.
Highways:	No objection subject to condition and informative.
Landscape and Trees:	Objection on the basis that a new driveway entrance on site would result in the loss of a green habitat. Additionally the Arboricultural Impact Assessment and Method Statement is incomplete

Thames Water:

as it has been submitted without a tree survey and therefore is not in accordance with best practice BS5837:2012

Surface Water Drainage: It is a developers responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In terms of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.

Sewerage Infrastructure Capacity: No objection

REPRESENTATIONS

Local Residents:

1 objecting to the proposal, summarised as follows:-

- The proposal is not a real replacement for Lambda Cottage as it has already been replaced by Old Orchard
- Should the current application be approved, F/2014/0300 permission should be revoked
- Conditions should ensure that planting and landscaping is completed prior to commencement and contractor parking and the delivering of construction materials should not take place in the lane, but on site to prevent disruption

Finchampstead Parish – Objection

- The property should have been demolished under a previous planning approval, and footprint was increased by over 40%. FPC support the comments outlined in neighbour's letter

Ward Member – Cllr Weeks Objection

- An initial listing request was received on the basis that specific conditions must be attached to planning permission if granted. These conditions were to ensure the demolition of Lambda Cottage and the securing contractor parking on site, rather than along the Lane.
- Following discussions, and the final listing request, Cllr Weeks feels that there are specific aspects which should be scrutinised by planning committee. These aspects are weighing the restrictions of policy CP11 against the potential of reducing the impact on the neighbours and on vehicle access in the narrow lane.

APPLICANTS POINTS

- The position of the house will no longer be sited opposite the houses on the opposite side of Wick Hill; which will improve their outlook and privacy.
- The new dwelling is significantly smaller than the approved scheme.
- The proposed access at the south of the site would mean traffic to the new property will no longer pass further along the public right of way nor will it involve traffic passing the existing houses, reducing disturbance
- Visually the new house will be less prominent in the rural landscape.
- Improved relationship between the Old Orchard, improving privacy

PLANNING POLICY		
National Policy	NPPF	National Planning Policy Framework
Adopted Core Strategy DPD 2010	CP1	Sustainable Development
	CP3	General Principles for Development
	CP6	Managing Travel Demand
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP9	Scale and Location of Development Proposals
	CP11	Development outside of settlement limits, including countryside
Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
	CC02	Development Limits
	CC03	Green Infrastructure, Trees and Landscaping
	CC04	Sustainable Design & Construction
	TB06	Development of Private Residential Gardens
	TB21	Landscape Character
	TB23	Biodiversity
Supplementary Planning Documents (SPD)	BDG	Borough Design Guide
	WPSS	Wokingham Parking Standards Study Report October 2011

PLANNING ISSUES	
<u>Description of development</u>	
1)	It is proposed to erect a single 4-bedroom dwelling including an attached double garage. To facilitate the development access would be from the south of the site with associated, driveway, parking and turning space. At first floor level the proposed dwelling would include front, side and rear facing dormers.
2)	The key dimensions of the proposal are as follows: <ul style="list-style-type: none"> • 7.6 metres in height to the main central ridgeline • 8.6 metres maximum depth from the central bay to rearmost wall • 23.9 metres in width at widest point
<u>Background</u>	
3)	The current application follows on from an approved replacement dwelling under planning reference F/2014/0300 (approved 31/03/2014). The current

application provides an alternative siting and design of the proposed dwelling as a result of the applicant acquiring additional land along the southern part of the site.

- 4) The applicant in their Design and Access statement suggests that the land has been acquired “into the curtilage of Lambda Cottage” (para 1.6), which has provided the opportunity for the re-siting. The acquired land may be within the applicant’s ownership but it is not authorised, in planning terms, as being part of the residential curtilage of Lambda Cottage. Therefore a change of use of the land should also be assessed under the current application.
- 5) From comparing the site plans of the approved scheme (F/2014/0300) and the application before us, it can be assumed that approximately just short of 50% of the proposed dwelling would be located within the recently acquired land.

Principle of development

- 6) The National Planning Policy Framework (NPPF) has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.
- 7) The site is located outside the settlement limits and therefore development would only be acceptable if in accordance with Policy CP11 of the Core Strategy. CP11 of the Wokingham Borough Core Strategy states “proposals outside of development limits will not normally be permitted except where... (2) it does not lead to excessive encroachment or expansion of development away from original buildings” and in relation to replacement dwellings proposals must (5i) “Bring about environmental improvements; or (5ii) not lead to inappropriate increases in the scale, form and footprint of the original building” (emphasis added).
- 8) Policy CP3 of the Wokingham Borough Council Core Strategy states that; development must be appropriate in terms of its scale of activity, mass layout, built form, height, materials and character of the area in which it is located, and it must be of a high quality design without detriment to the amenities of adjoining land uses and occupiers.
- 9) Whilst the principle of a replacement dwelling in the countryside is acceptable, the specific impacts of the proposal on the character of the surrounding countryside and any impacts upon the amenities of neighbouring properties must be carefully considered. In addition to the above, a significant material consideration is the extant permission; reference F/2014/0300.

Impact on the Character of the Area

- 10) As stated above this end of Wick Hill Lane comprises of a single access road and a cluster of dwellings, located mainly to the north and north-west of the lane, beyond which (to the south) are dwellings forming a sparser built

pattern. The clustered pattern of development provides a distinctive character for the locality. The grouping of dwellings (including associated outbuildings), mixed with the mature landscaped boundaries and pockets of open views to and from the wider rural landscape, create a positive sense of place.

- 11) Policy RD5 of the Borough Design Guide SPD states that new development in rural area should respond to the typical forms of buildings in the village or locality. In doing so, designers should generally take into account and respond to:
 - The pattern of building forms that helps create the character of a settlement, for instance whether there is a consistency or variety;
 - The ways in which buildings address the street;
 - The heights of buildings;
 - Roof forms and slopes, for instance whether there are gables or eaves facing the street;
- 12) The extant permission is considered to maintain the character and pattern of development by creating a 'courtyard' area between the approved dwelling and retained barn. The siting of the approved dwelling would be close to the area where dwellings are already loosely 'grouped' and therefore the focus of development remained. Thus the extant permission would successfully maintain and enhance the character of the locality. Whilst the extant permission introduced a new alignment along the street scene, this did not have a detrimental impact on the street scene and character of the settlement to warrant refusal.
- 13) The current proposal would result in the demolition the existing Lambda Cottage while retaining the adjacent barn located on site. The new dwelling would be sited to the southern-most end of the application site, approximately 25 metres away from the footprint of the original Lambda Cottage which would detrimentally alter the distinctive character prevalent along the street scene and therefore harm the character of the locality. Furthermore there would be an enlargement of residential curtilage which would erode a rural 'gap' along Wick Hill Lane.
- 14) The applicant in their Design & Access Statement states that the current proposal provides a scale of development which is more favourable than the approved dwelling by virtue of a reduction in the overall floor space proposed and siting away from nearby neighbouring properties. The difference in floor space is as outlined below has duly been considered but, in the view of officers,, the proposed siting remains unacceptable.
 - Approved dwelling incl garage- 407 sq m
 - Proposed dwelling incl garage- 361 sq m
 - Difference between approved and proposed- -46 sq m
- 15) As noted, almost 50% of the proposed dwelling would be sited on land which has recently been purchased by the applicant. The agent has identified the site as 'nuisance' site with enforcement history linked to the same. However the Council is not aware of any planning enforcement and environmental health complaints or of any action taken, and therefore without any additional information it can be concluded that the land does not lie within any residential

curtilage and the lawful use of the land is yet to be confirmed.

- 16) From officer's site visit, the plot of land in question is characterised by mixed landscaping, including both trees and shrubs. Although the landscaping is not protected or of a high quality it provides a clear visual separation between the clustered pattern of development and the sparse settlement which lies to the south of Wick Hill Lane. As a result of the proposal, this area would become wholly residential characterised with hard landscaping to provide a driveway with parking and turning space for the proposed dwelling. Whilst it is noted that there would be limited landscaping along the side and front boundaries, the existing rural character of this plot would be lost.
- 17) There is an existing access point to the plot of land which seeks a change of use, which would be utilised under the current application as the only vehicular access for the new dwelling. However this access currently appears not be used and it is not known what the access has historically been used for.
- 18) There would be a clear material change of use of the land as a result of this proposal, from that of a landscaped open plot which contributes to a green character and a clear visual distinction between the two built patterns along Wick Hill Lane to that of a new replacement dwelling and associated new access and hardstanding for the parking of vehicles.
- 19) The proposed material change of use of the land is considered unacceptable in principle. Criterion 2 of policy CP11 clearly states that development proposals should not result in excessive encroachment or expansion into the countryside. The proposed new dwelling would not only be located significantly away from original buildings, it would require the material change of use of land outside the residential curtilage of the site and therefore would represent unacceptable encroachment within the countryside.
- 20) Generally replacement dwellings will be expected to be sited in the same location as the original building (Borough Design Guide SPD). There may be circumstances where it is preferable to site a replacement dwelling in another location, for instance where:
 - the visual or other impact of the replacement dwelling is more appropriate than the original building; or
 - the proposed location is preferable in environmental terms, such as further from a watercourse in a flood risk zone.
- 21) The proposed development would not represent a scheme which would satisfy the above criterion which is in line with policy CP3 of the Core Strategy, and therefore is considered non compliant with policies CP3 and CP11 of Core Strategy.
- 22) Overall the proposed siting of the development, change of use of the land, enlargement of the existing residential curtilage and associated works are considered to be unacceptable in principle. The proposed development would result in significant harm to the character of the settlement and set an undesirable precedent for encroachment into the countryside contrary to

policy CP11 of the Core strategy.

Impact on Neighbouring Amenities

- 23) It is noted that the approved scheme (F/2014/0300) attracted a number of neighbour objections on the basis of impact on neighbours amenities and outlook; highways safety concerns and countryside. The approved scheme was however, amended within the duration of the application, and was considered by officers not to result in any significant harm in terms of loss of privacy. The approved dwelling would be set back approximately 12 metres from the immediate road side and did not result any significant harmful overlooking, loss of light and overbearing.
- 24) Officers acknowledge that the applicant is now seeking to erect a smaller sized dwelling to the southern end of the site to remove any concerns of neighbours; however the scheme within the extant permission was not considered harmful and would not adversely affect the amenity of neighbours.
- 25) The current proposal would be located further away from the grouped dwellings and the immediate dwellings and would therefore also not result in any significant harm in terms of loss of light, overlooking and overbearing. Any improvements in terms of outlook for neighbours that would occur as a result of their proposal (in comparison to the extant approval) are not considered to be significant.

Highways & Parking

- 26) The proposed application includes the provision of an independent access located to the south of the site, two garages and parking and turning space to the front of the proposed dwelling. WBC Highways officers have considered that the proposed level of parking is considered to be in accordance with WBC Parking standards. A condition to restrict the use of the garages from anything other than parking of vehicles has been suggested by the Highways officers.

Landscaping

- 27) WBC Trees and Landscaping officers have objected to the creation of a new driveway entrance to serve the proposed dwelling which would result in the loss of a green habitat, contrary to policy CP11 and TB06. Landscape Officers here, refer to the existing access to the south of the site.
- 28) The officer notes the tree information submitted on documents titled 'Tree Protection Plan May 2015'; however the document has been submitted without a tree survey. As such the Arboricultural impact assessment and method statement is incomplete and not in accordance with best practice BS5837:2012.
- 29) Landscape officers; have expressly objected to the erection of two dwellings on site. Officers note that due to the siting of the proposed dwelling both permissions could be implemented, which would result in significant intensification of residential development within the countryside, contrary to policy CP11.

Biodiversity

- 30) WBC Ecology officer has objections to the proposed application on the basis that the applicant has supplied insufficient information for the authority to assess the impact of the development on a protected species. The applicant has submitted an updated bat survey report which shows that there has been no change to the status of the roosts discovered during a survey to support application F/2014/0300, there is no detail on the mitigation strategy or compensation plan.
- 31) Previously for the this site, condition 9 of the approved application F/2014/0300 was a 'pre-commencement' condition requiring a Natural England derogation to be obtained and details of the mitigation and compensation plan to be submitted to the local planning authority.
- 32) In light of the case law on European Protected Species, the Council's ecologist is of the opinion that this is no longer an acceptable approach for the local authority to take. Whilst there is some merit in conditioning the obtaining of the Natural England derogation to encourage compliance with the Conservation of Habitats and Species Regulations 2010 (as amended); such a condition not be used to bypass the requirement for the local planning authority considering the 'three tests' when it comes to European Protected Species. The local planning authority should consider, at the point of making a decision, what mitigation and compensation strategy is proposed and whether this is likely to be able to maintain favourable conservation status. Without doing so, there is an element of doubt as to whether it has properly fulfilled its duty under the regulations. It is also relevant for the local planning authority to review the proposals for the compensation roosts (that the Planning Design & Access Statement have identified will be included) at this stage in order to be confident that these are achievable within any plans to be approved.
- 33) It is therefore recommended that the applicant submits a detailed mitigation and compensation strategy that shows the integration of the compensation roosts within the proposed new building. Where these demonstrate that favourable conservation status can be maintained, the local planning authority can secure their implementation through condition. The strategy must be detailed enough to be enforceable although the condition will allow for the agreed modification where this is appropriate to obtain a European Protected Species derogation.
- 34) Therefore, the application fails to demonstrate that the proposed development would not result in any harm to bats, a European Protected Species, contrary to policy CP7 of the Core Strategy and policy TB23 of the MDD Local Plan.

Community Infrastructure Levy and SPA

- 35) **Community Infrastructure Levy:** As the proposal is for the construction of a new dwelling, it would be CIL liable development; the CIL charge for new residential development is set at £365 per square metre for any new increase in residential floor space. An exemption could be applied for if the build fell

within the requirements for a self-build dwelling.

- 36) **Special Protection Area:** The proposal does not meet the threshold for mitigation against the SPA as there would not be a net increase of dwellings. As such a mitigation strategy or contribution to the Council's agreed mitigation strategy is not required.

Environmental Health

- 37) **Demolition and Potential Contamination:** The proposal would require demolition of an existing building on site. Such structures and their demolition may give rise to contamination of the site through the presence of asbestos, oil storage facilities or other contaminating materials present in the buildings to be demolished. A detailed condition is recommended.
- 38) **Air Quality- Dust:** A condition to minimise any significant effect of dust arising as a result of the proposed development is suggested.

- 39) On balance, it is acknowledged that the proposal before us would result in a reduced scale of dwelling than the extant permission, and would be less visible to neighbours than the approved scheme. However these improvements are considered not to outweigh the resultant harm to the openness and encroachment of the countryside; and therefore the application is recommended for refusal.

CONCLUSION

Overall it is considered that the combination impact of the siting of the dwelling away from original buildings and extension of residential countryside would result in excessive encroachment and expansion of residential development into the countryside and therefore the application is recommended for refusal. Additionally, without the submission of a mitigation and compensation strategy for a protected species, the Council is unable to assess the impact of the proposal on the protected species of bats. The proposal is considered contrary to the NPPF, Core strategy policies CP3, CP7 and CP11 and MDD Local Plan Policies, TB06, TB21 and TB23.

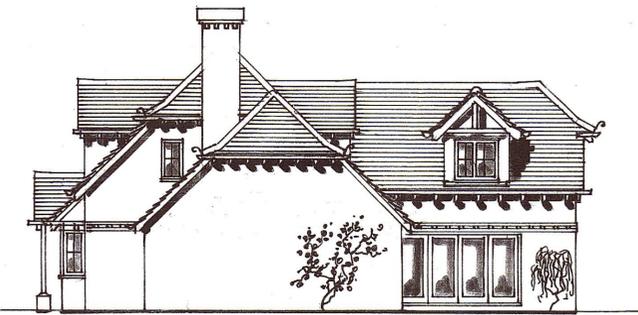
CONTACT DETAILS

Service	Telephone	Email
Development Management and Regulatory Services	0118 974 6428 / 6429	development.control@wokingham.gov.uk

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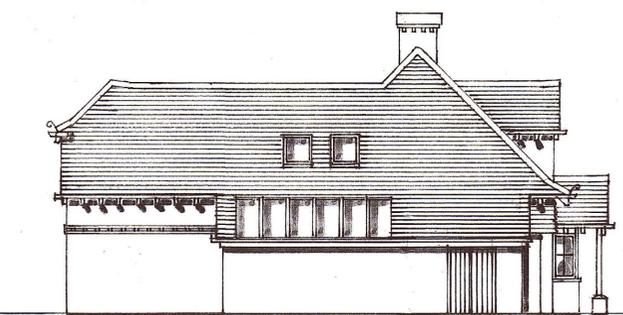


west



south

ELEVATIONS 1:100



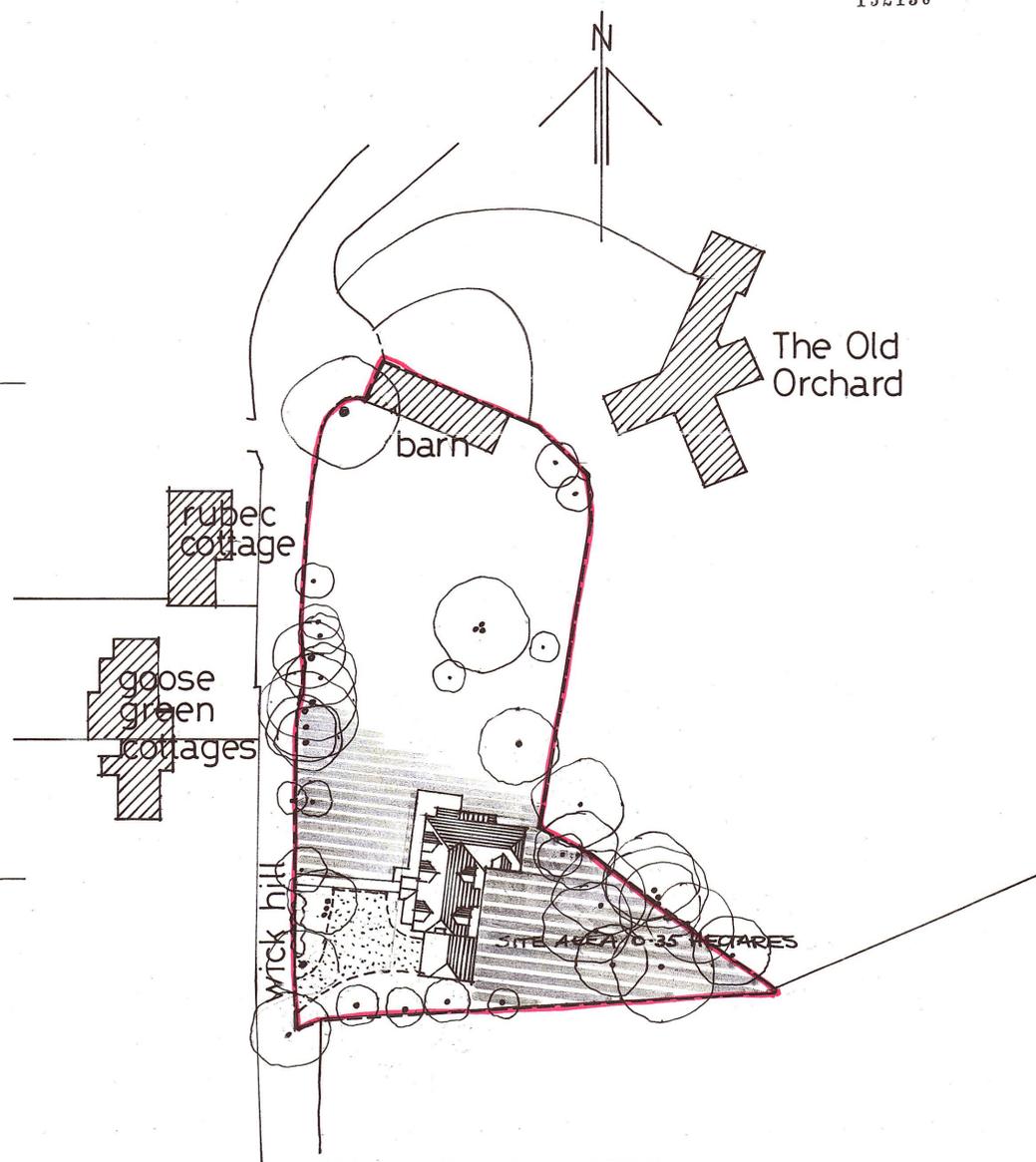
north



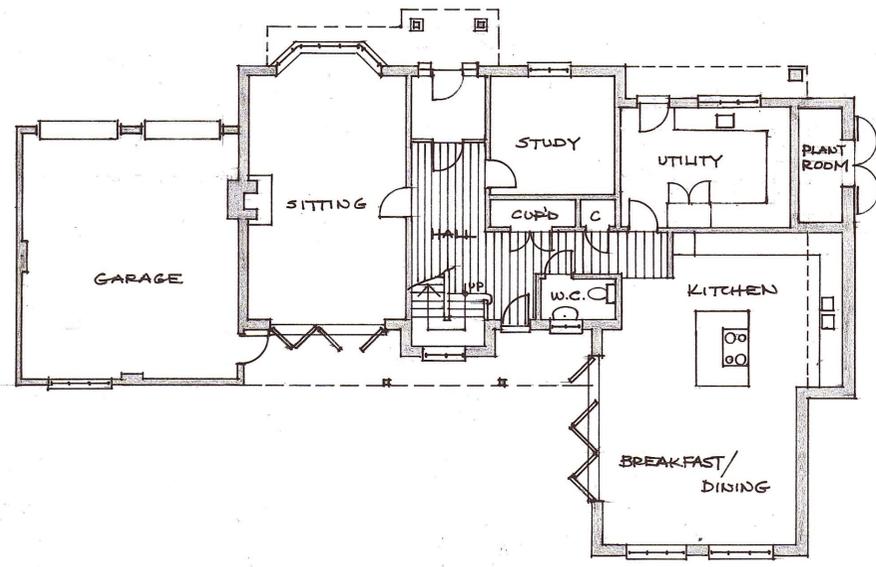
east

MATERIALS:
 WALLS: MID-RED FACING BRICKS
 ROOFS: BROWN PLAIN CLAY TILES
 WINDOWS/DOORS: WHITE UPVC AND ALUMINIUM

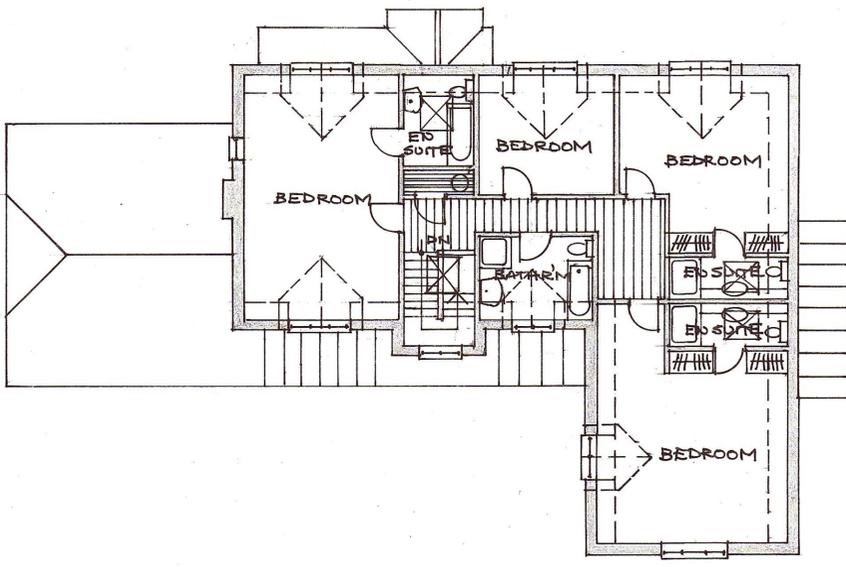
AREAS	GROSS M ²
GROUND FLOOR (EXCL. GARAGE)	161.75
FIRST FLOOR	160.92
TOTAL	322.67
GARAGE	39.00



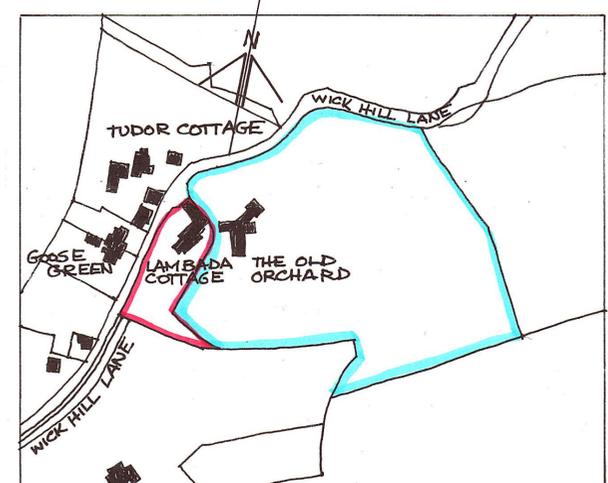
SITE PLAN 1:500



GROUND FLOOR 1:100
 GROSS AREA : 162 M²



FIRST FLOOR 1:100
 GROSS AREA : 141 M²



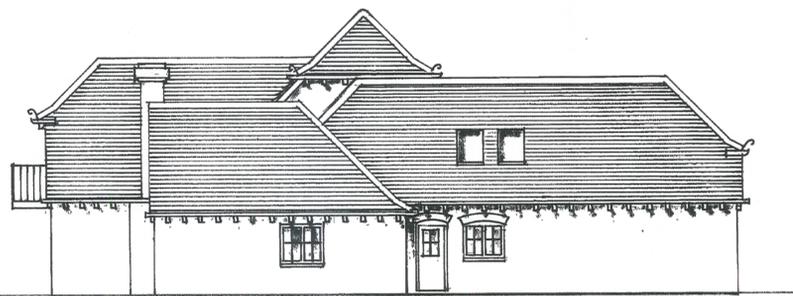
LOCATION PLAN 1:2500

ANTHONY ST. CLAIR Dip. Arch.(OXFORD) TEL: 0118 9477351
 White Lodge, Upper Warren Avenue, Caversham, Reading, RG4 7EB.
 Colin Singer The Old Orchard
 Wick Hill FINCHAMPSTEAD
 Proposed Cottage 14...16...14

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south
ELEVATIONS 1:100



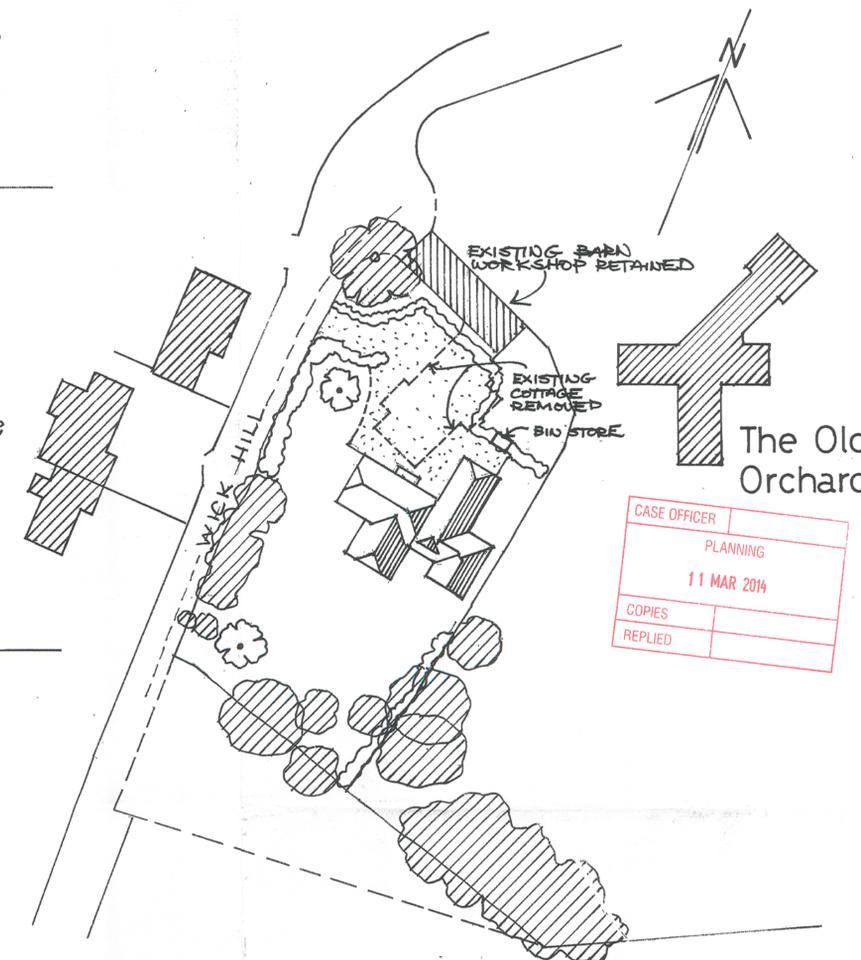
east



west



north



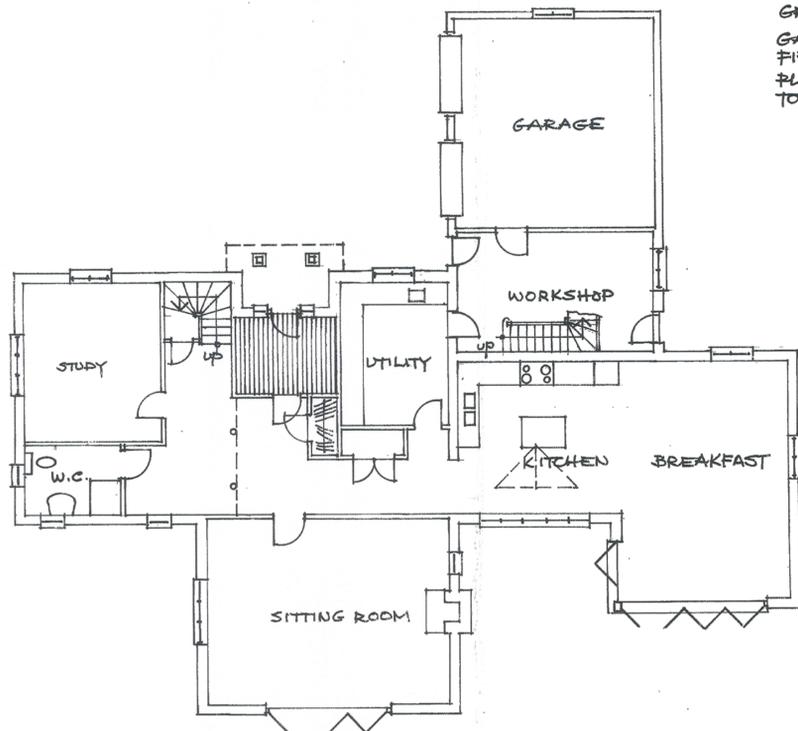
CASE OFFICER
PLANNING
11 MAR 2014
COPIES
REPLIED

SITE PLAN 1:500
SITE AREA 0.26 HECTARES.

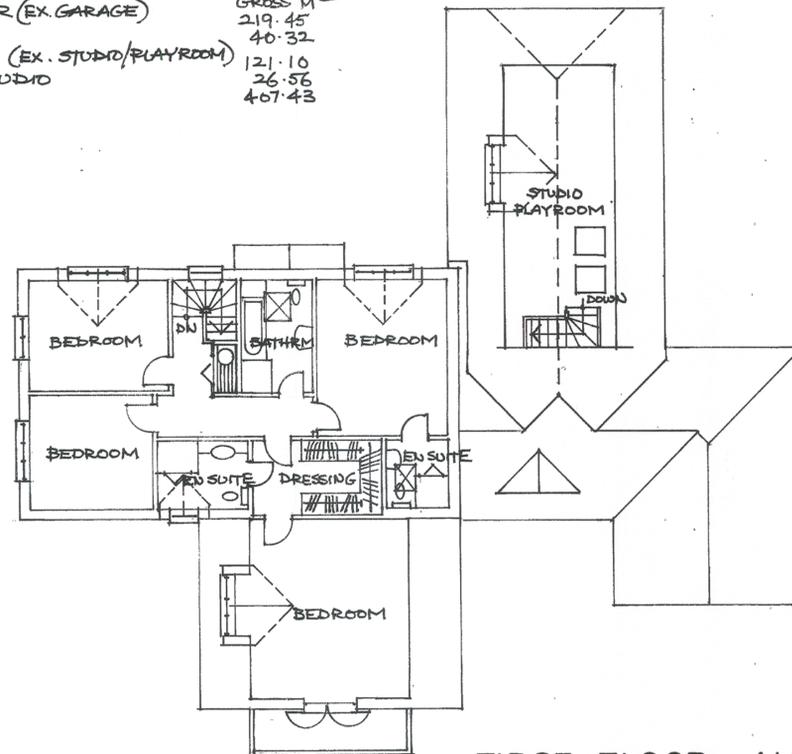
REVISED PLAN
0300

MATERIALS:
WALLS: MID-RED FACING BRICKS. (PART STAVED BOARDING)
ROOFS: BROWN PLAIN TILES
WINDOWS/DOORS: WHITE UPV + ALUMINIUM

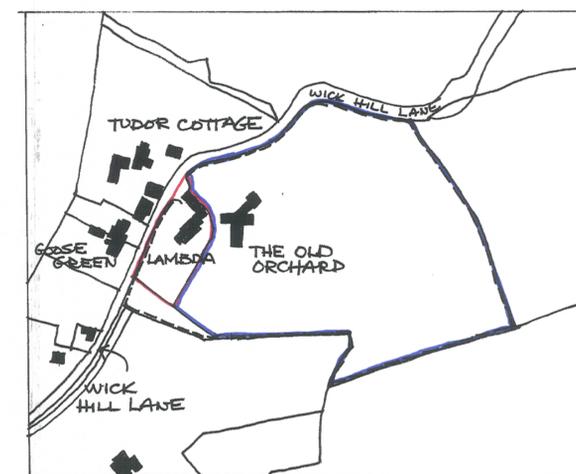
	GROSS M ²
GROUND FLOOR (EX. GARAGE)	219.45
GARAGE	40.32
FIRST FLOOR (EX. STUDIO/PLAYROOM)	121.10
PLAYROOM/STUDIO	26.56
TOTAL	407.43



GROUND FLOOR 1:100



FIRST FLOOR 1:100

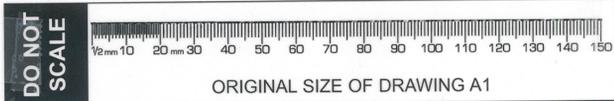


LOCATION PLAN 1:2500

ANTHONY ST. CLAIR Dip. Arch.(OXFORD) TEL: 0118 9477351
White Lodge, Upper Warren Avenue, Caversham, Reading, RG4 7EB.

Colin Singer The Old Orchard
Wick Hill FINCHAMPSTEAD

Replacement Cottage 12... 6... 4'B



'A' HOUSE RESITED 10:1:2014
'B' HOUSE RESITED 7:3:2014

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Karen Breadmore

From: Pooja Kumar
Sent: 15 October 2015 08:49
To: Planning Enquiries
Subject: FW: Lambda Cottage, Wick Hill Lane - 152130 ~[UNCLASSIFIED]~

Categories: Karen

Hi,

Please log this and have it put on the website.

Thank you

Pooja

From: Finchampstead Parish Council [<mailto:clerk@finchampstead-pc.gov.uk>]
Sent: 15 October 2015 08:46
To: Pooja Kumar
Subject: Lambda Cottage, Wick Hill Lane - 152130

Dear Pooja

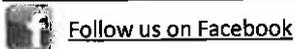
Please find our objections below.

Wick Hill Lane, Lambda Cottage	152130 Pooja Kumar	Singer	Comments by 8th October – 1 letter of objection Full application for the proposed erection of a replacement detac house and double garage
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Regards Anna

Assistant to the Clerk: Mrs A. Kent
 Finchampstead Parish Council
 FBC Centre, Gorse Ride North
 Finchampstead
 Berkshire RG40 4ES

0118 908 8164
www.finchampstead-pc.gov.uk



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