



# WOKINGHAM BOROUGH COUNCIL

A Meeting of the **PLANNING COMMITTEE** will be held at the Civic Offices, Shute End, Wokingham, RG40 1BN on **WEDNESDAY 27 APRIL 2016 AT 7.00 PM**

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

Andy Couldrick  
Chief Executive  
Published on 19 April 2016

This meeting will be filmed for inclusion on the Council's website.

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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.
126.		<b>APOLOGIES</b> To receive any apologies for absence.	
127.		<b>MINUTES OF PREVIOUS MEETINGS</b> To confirm the Minutes of the Meetings held on 15 March 2016 and the 30 March 2016.	5 - 14
128.		<b>DECLARATION OF INTEREST</b> To receive any declaration of interest.	
129.		<b>APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS</b> To consider any recommendations to defer applications from the schedule and to note any applications that may have been withdrawn.	
130.	Norreys	<b>APPLICATION NO. 150664 - SITE D ELIZABETH ROAD, WOKINGHAM</b> Recommendation: Conditional approval.	15 - 36
131.	Wescott	<b>APPLICATION NO. 153263 - PHASE 7, MONTAGUE PARK, SOUTH WOKINGHAM SDL</b> Recommendation: Conditional approval.	37 - 72
132.	Hurst	<b>APPLICATION NO. 153360 - LAND ADJACENT TO CARTEF FARM ISLANDSTONE LANE READING WOKINGHAM</b> Recommendation: Conditional approval.	73 - 110
133.	Twyford	<b>APPLICATION NO. 152344 - 80 HURST ROAD, TWYFORD</b> Recommendation: Conditional approval.	111 - 130
134.	Sonning	<b>APPLICATION NO. 153301 - PAVILION, HOLME PARK SPORTS GROUND SONNING LANE SONNING</b> Recommendation: Conditional approval.	131 - 158
135.		<b>QUARTERLY ENFORCEMENT MONITORING REPORT</b> To receive the quarterly enforcement monitoring	159 - 162

report.

136.

**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.

<b>C/A</b>	Conditional Approval (grant planning permission)
<b>CIL</b>	Community Infrastructure Levy
<b>R</b>	Refuse (planning permission)
<b>LB</b>	(application for) Listed Building Consent
<b>S106</b>	Section 106 legal agreement between Council and applicant in accordance with the Town and Country Planning Act 1990
<b>F</b>	(application for) Full Planning Permission
<b>MU</b>	Members' Update circulated at the meeting
<b>RM</b>	Reserved Matters not approved when Outline Permission previously granted
<b>VAR</b>	Variation of a condition/conditions attached to a previous approval
<b>PS</b>	Performance Statistic Code for the Planning Application
<b>Category</b>	

**CONTACT OFFICER**

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**MINUTES OF A MEETING OF THE  
PLANNING COMMITTEE  
HELD ON 15 MARCH 2016 FROM 6.30 PM TO 9.30 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, Prue Bray, Philip Houldsworth and Norman Jorgensen

**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  
Connor Corrigan, Strategic Delivery Manager, Development Delivery Team  
Boniface Ngu, Principal Flood Risk and Drainage Engineer

**Case Officers Present**

Nick Chancellor, Graham Vaughan, Andrew Chugg and David Smith

**102. APOLOGIES**

There were no apologies for absence.

**103. DECLARATION OF INTEREST**

There were no declarations of interest.

**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.

**104. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS**

No applications had been recommended for deferral, or withdrawn.

**105. APPLICATION NO. 152359 - HATCH FARM DAIRIES, INCL.42 & 44 KING STREET LANE, WINNERSH**

**Proposal:** Reserved Matters application (Appearance, Landscaping, Layout and Scale to be considered) pursuant to outline planning consent O/2006/8687 relating to the erection of 433 dwellings, associated amenity space, car parking including garaging, internal access roads (accessed from approved Phase 1 Winnersh Relief Road between King Street Lane and Lower Earley Way) and private drives, pedestrian and cycle links, hard and soft landscaping including public open space, infrastructure provision including provision of surface water drainage and foul drainage (including foul water pumping station), undergrounding of power lines and other associated works.

**Applicant:** Persimmon Homes & Bovis Homes

The Committee received and reviewed a report about this application, set out in Agenda pages 5 to 80.

The Committee was advised that the Members' Update included:

- clarifications on school land, the country park, car parking, flooding and the relief road;
- alterations to the report; and
- additional information on drainage strategy, window design and residents' concerns.

It was noted that Members visited the site on Friday 11 March 2016 to assess the relationship of the major development with adjoining land uses and nearby residential properties.

Councillor Bill Luck, representing Earley Town Council spoke on the application and expressed concerns about road traffic, flood risk, parking, window design and construction lorry wheel washing.

Paul Robertson and Tony Johnson, representing local residents, spoke in objection to the application. They queried if the relief road had full planning permission and raised the issues of noise, housing density and landscaping.

David Hutchison, Agent, spoke in favour of the application. He pointed out that there were no objections from the Parish Council or the statutory consultees.

Prue Bray, Local Ward Member, spoke to the application. She asked that Local Ward Members be consulted about the implementation of condition 9 relating to drainage.

Philip Houldsworth, Local Ward Member, spoke to the application. He said that additional housing was needed but that the Council had to ensure that there was adequate flooding protection.

Clare Lawrence, Head of Development Management and Regulatory Services, stated that permission for the relief road was included at outline stage.

Members asked about the enlarged drainage ponds, possible flooding of the relief road or housing and concerns expressed by Thames Water. Boniface Ngu Azeh, Principal Flood Risk and Drainage Engineer, explained that the larger ponds were to improve flood protection, the design of the relief road was to ensure that it would not flood in a 100-year storm plus 30% for climate change, there were no houses in Flood Zone 2 and full drainage details must be provided prior to commencement of development under condition 9.

In response to questions about the provision of schools and public transport, the planning officers stated that there was capacity for these to be provided at a later stage. There is land reserved for educational use and room to place bus stops.

Members asked about certain roads in the development that were not of a standard that could be adopted by the Council. Chris Easton, Service Manager, Highways Development Management, explained that some roads did not meet the Council's adoptable requirements on service margins but that the carriageways themselves were of acceptable width. Those roads will be the responsibility of the Management Company in perpetuity and residents will be made aware of that as set out within a Section 106 legal agreement.

Members expressed concern about potential traffic problems until Winnersh Relief Road Phase 2 is completed and, in particular, possible extra traffic on King Street Lane. Chris Easton stated that he believed that the completion of Phase 1 may provide some relief for King Street Lane and that in assessing the planning application officers consider all aspects including the development in its completed state.

Clare Lawrence, Head of Development Management and Regulatory Services, stated that she would write to the developer about mud on the road. Also, that local ward Members would be consulted about any discharge of condition submission in respect of drainage.

**RESOLVED:** That application No. 152359 be approved, subject to the completion of a Legal Agreement and the conditions set out on Agenda pages 7 to 13.

#### **106. APPLICATION NO. 153336 - NINE MILE RIDE EXTENSION, ARBORFIELD GARRISON SDL**

**Proposal:** Reserved Matters application pursuant to planning consent O/2014/2280. The application relates to the Nine Mile Ride Extension, School Access Road and A327 Roundabout. Details of access, appearance, landscaping, layout and scale to be considered.

**Applicant:** Crest Nicholson Operations Limited C/O Savills

The Committee received and reviewed a report about this application, set out in Agenda pages 81 to 110.

The Committee was advised that the Members' Update included clarifications on the extent of this application and the condition on vehicle parking.

Councillor Laurence Heath, representing Barkham Parish Council, spoke to the application and raised concerns about the position of a cycleway crossing and traffic at the junction with the school access route. He stated that the Parish Council recommended having a roundabout at that junction.

Councillor Steve Bromley, representing Finchampstead Parish Council, also supported the idea of a roundabout and expressed concerns that queues for the right hand turn to the school would be longer than predicted.

Phil Hamshaw, Agent, spoke in favour of the application, and expressed his belief that the traffic modelling was robust as it assumed traffic for the full Strategic Development Location plus 10 year growth.

Chris Easton, Service Manager, Highways Development Management, stated that a proposed junction had been assessed and that it works satisfactorily. The option of a roundabout is not deemed to be necessary and does not interact well with cycleway provisions. An independent road safety audit had been conducted on the overall scheme showing it to be satisfactory.

Members asked further questions about the safety of the proposed shared cycleway/ pedestrian route and if the crossing would be controlled by traffic signals. Chris Easton stated that the crossing was proposed to be uncontrolled and that the design of the scheme was satisfactory and not the only option available as other routes will be delivered through the delivery of the wider Arborfield Strategic Development Location.

**RESOLVED:** That application No. 153336 be approved, subject to the conditions set out on Agenda pages 82 to 84.

**107. APPLICATION NO. 152649 - MATTHEWSGREEN FARM, MATTHEWSGREEN ROAD, WOKINGHAM**

**Proposal:** Reserved Matters application pursuant to Outline Planning Approval O/2014/2242 (Phased development of approximately 760 dwellings, including 60 units of assisted living homes / older person accommodation, and a local centre (including retail, a primary school and community facilities) – approved 02/04/2015) for the construction of the Northern Distributor Road (NDR) within the development site including footways and associated highways works.

**Applicant:** Bovis Homes and Gleeson Developments

The Committee received and reviewed a report about this application, set out in Agenda pages 111 to 166.

The Committee was advised that the Members' Update included amendments to condition 1 to include the approved drawings and a representation from Emmbrook Residents Association and the officer's response.

Councillor Kevin Morgan, representing Wokingham Town Council, spoke to the application and stated that he believed that two mature trees could be saved if the route was realigned by about 100 yards. He also questioned if public notices of the application had been displayed locally.

Charlie Collins, Agent, spoke in favour of the application and stated that the applicants had sought to avoid the loss of trees and that there would be planting of new trees including oak.

Members asked for clarification on the road alignment and the width throughout. Chris Easton, Service Manager, Highways Development Management, stated that the road alignment had been decided by the Council Executive and that the width of the road in the application was 7.3m throughout.

Connor Corrigan, Strategic Delivery Manager, Development Delivery Team, stated that the Council had placed site notices and a notice in a local newspaper and had written to about 400 local residents.

**RESOLVED:** That the Head of Development Management and Regulatory Services be authorised to approve application No. 152649, subject to the conditions set out on Agenda pages 113 to 115.

**108. APPLICATION NO. 153258 - MARLBOROUGH HOUSE, BASINGSTOKE ROAD, SPENCERS WOOD**

**Proposal:** Full application for the proposed conversion, alteration and extension of existing office building to provide 15 flats (12no 1bed, & 3no 2beds) including front and side extensions, the removal of the existing front facade including the existing shop front, and the re-construction of the existing facade to facilitate the proposed extensions, new vehicular entrance, with security gates, changes to existing roof line to increase roof

height, addition of windows, dormers, roof lights and Juliette balconies in the side and rear elevations, the erection of a cycle and bin stores and hard and soft landscaping.

**Applicant:** Mr. D. McCarthy

The Committee received and reviewed a report about this application, set out in Agenda pages 167 to 190.

The Committee was advised that the Members' Update included

- amendments to conditions 7 and 8;
- the deletion of condition 17 which duplicates condition 6; and
- an additional informative on a prior approval.

It was noted that Members visited the site on Friday 11 March 2016 to assess the relationship of the major development with adjoining residential properties.

Members asked for clarification of the status of the prior approval should the current application be approved. The Planning Officer stated that the applicant was not happy to agree to quash the prior approval. Mary Severin, Borough Solicitor, stated that the applicant could not 'mix and match' from the two approvals but could build one or the other.

**RESOLVED:** That application No. 153258 be approved, subject to the completion of a Legal Agreement and conditions set out on Agenda pages 168 to 173 with conditions 7 and 8 amended, condition 17 deleted and an additional informative as set out in the Members' Update.

#### **109. APPLICATION NO. 160167 - 44 TIPPINGS LANE**

**Proposal:** Full planning application for the proposed erection of a 2x2 bed dwellings following sub-division of an existing 4 bed dwelling (part retrospective)

**Applicant:** Mr G Bertram

The Committee received and reviewed a report about this application, set out in Agenda pages 191 to 214.

Keith Baker, Local Ward Member, spoke to the application. He referred to several conditions on approval which related to the completion of construction and questioned the meaning of these conditions given that he believes that construction has in fact been completed already.

The Planning Officer confirmed that if the applicant cannot meet the requirements then they would still be in breach of the planning approval. He also confirmed that the development does not extend the footprint of the building.

**RESOLVED:** That application No. 160167 be approved, subject to the conditions set out on Agenda pages 191 to 193.

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**MINUTES OF A MEETING OF THE  
PLANNING COMMITTEE  
HELD ON 30 MARCH 2016 FROM 7.00 PM TO 9.30 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: Mark Ashwell, Prue Bray, Philip Mirfin and Angus Ross

**Officers Present**

Mark Cupit, Head of SDL Delivery  
Chris Easton, Service Manager, Highways Development Management  
Mary Severin, Borough Solicitor  
Colm Ó Caomhánaigh, Democratic Services Officer

**Case Officers Present**

Emy Circuit

**110. APOLOGIES**

There were no apologies for absence.

**111. MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of the Committee held on 2 March 2016 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.

**112. DECLARATION OF INTEREST**

Rachelle Shepherd-DuBey stated that, while as a member of the Liberal Democrat party she had in the past expressed sympathetic support for an alternative scheme for Elms Field, she had an open mind about the application and intended only making a final decision once she had heard all the representations on this scheme.

**113. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS**

No applications had been recommended for deferral, or withdrawn.

**114. APPLICATION NO. 153125 - LAND BETWEEN WELLINGTON ROAD & SHUTE END (ELMS FIELD AND PADDOCKS CAR PARK) WOKINGHAM**

**Proposal:** Full application for the erection of mixed use development for Town Centre uses comprising A1 shops including a food store, A2 Financial and Professional Services, A3 Cafes and Restaurants, A4 Drinking Establishments, A5 Hot Food Takeaways; Cinema (D2); 95-bed hotel (C1); 126 C3 residential units; re-configured town park; new and re-configured public car parking and partial closure of Elms Road (south) and provision of a new road to link Wellington Road and Shute End, as part of the regeneration of Wokingham Town Centre.

**Applicant:** Wokingham Borough Council & Wilson Bowden Developments

The Committee received and reviewed a report about this application, set out in Agenda pages 11 to 138.

The Committee was advised that the Members' Update included:

- corrections and clarifications to the report;
- additional information regarding an Average Daylight Factor Test;
- additional consultation responses on fire and rescue and crime prevention;
- additional representations; and
- revised and additional conditions and additional informatives.

It was noted that Members had visited the site on Wednesday 23 April 2016.

Mark Cupit, Head of SDL Delivery, outlined the history of the town centre regeneration and the principles behind it. He described the current proposal as the final piece of the first wave. The Planning Officer summarised the report on the application and displayed computer-generated pictures of how the development will look.

Imogen Shepherd-DuBey and Andrew Waters, representing Wokingham Town Council, spoke to application. They welcomed the regeneration plan but expressed concerns about road safety, tree loss, overbearing building heights, loss of green space, the absence of affordable housing in the proposal and possible unacceptable uses of the cinema.

Marc Maynard and Peter Humphreys spoke in objection to the application on behalf of local residents and other interested parties. They raised the issues of building heights, effects on the character of the area, the fact that the great majority of representations received were in opposition to the plan, the continuous loss of green space over the last 50 years and doubts about the proposed anchor tenants.

Bernie Pich, Stan Hetherington and Councillor Mark Ashwell spoke in favour of the application. They emphasised that the plan was in line with Council policy, there had been widespread consultation, the development was needed to provide for sustainable growth, it would greatly improve Elms Field and the concern that further procrastination would lead to a loss of confidence.

Philip Mirfin, Local Ward Member, spoke in favour of the application on his own behalf and on behalf of Bob Wyatt, also a Local Ward Member, who was unable to attend due to illness. He stated that local people were asking for a greater choice of shops and entertainment in the town centre. He believed that the development was needed to reverse recent decline, create jobs and bring money in.

Responding to the issues raised, the Planning Officer stated that mature trees would be lost due to their proximity to the road. The arboricultural advice was that they could not be retained or have some roots cut, as suggested, without them becoming unstable and creating a danger to the highway. The plans contained new planting to mitigate the losses.

Regarding the provision of affordable housing in the scheme, an independent consultant had examined the proposal and confirmed that it would not be viable if required to include affordable housing. This is the normal procedure followed.

Addressing concerns about the cinema use, the Planning Officer stated that this would also be a matter for licensing and that condition 30 required details of the acoustic design to be submitted.

There were two main issues with regard to building height, according to the Planning Officer, the character of the area and the effect on adjoining properties. She described the measures taken to reduce the effects such as top floors being set back and the use of obscure glazing for rear windows

On the issues of traffic and parking, Chris Easton, Service Manager, Highways Development Management, stated that the road would have a 20mph design speed and there would be 1,895 parking spaces when all related development was completed compared with 1,836 now. These figures did not include the privately operated station car park which is about to be expanded.

Members viewed images showing the shadowing in the development at different parts of the day which was also a matter of concern.

The Planning Officer clarified that the only five storey building in the development was part of the hotel at the corner of Denmark Street. She had examined the overlook issues with regard to No.s 9 and 14 Albert Road from various angles and found the design to be acceptable.

Members asked how much of Elms Field was to be lost under the proposal and if the park had been cited as suitable green space for other new developments. Officers calculated the loss of area at 38 per cent and, while it may have been cited as suitable green space for historic applications, the loss was being compensated for in this application.

Members expressed concern about the pedestrian crossing to Carnival Pool both in terms of pedestrian safety and the effect on the high volume of traffic. Chris Easton stated the overall scheme will contain improvements for pedestrians and that new traffic lights can detect flows and adjust the timing accordingly.

Asked about pillars shown in the application drawings that might restrict visibility of pedestrians, Chris Easton said that such problems would be dealt with at the detailed design stage and that full Road Safety Audits would be required prior to implementation.

**RESOLVED:** That application No. 153125 be approved, subject to

- i) No new substantive planning issues being raised during the remainder of the consultation period which ends on 6 April 2016;
- ii) Contributions to mitigate the impact of the development in terms of sport and the Thames Basin Heaths Special Protection Area in accordance with paragraphs 31, 188 and 201 of this report and the Executive resolution on 28 January 2016 ; and
- iii) the conditions set out on Agenda pages 13 to 37 with conditions 2,3,7,12 and 17 amended, additional conditions 56 to 60 and additional informatives 10 and 11 as set out in the Members' Update.

#### **115. APPLICATION NO. 160523 - LAND AT ELMS ROAD, WOKINGHAM**

**Proposal:** Application for change of use from outdoor sports area to a temporary car park with 96 parking spaces plus temporary lighting. Formation of a vehicular access linking to the Paddocks car park.

**Applicant:** Wokingham Borough Council

The Committee received and reviewed a report about this application, set out in Agenda pages 139 to 152.

The Committee was advised that the Members' Update included an additional representation and an amendment to condition 4.

Peter Humphreys spoke in objection to the application and questioned why the Council was spending money providing this parking when there were many spare spaces around the town centre.

Members asked if it was necessary to include a condition to restore the site to its former use given the other application approved at this meeting. The Planning Officer explained that it could not be assumed that the other application would be passed or that it will be built.

Members expressed concern that if the basketball nets were left in situ that it would not be feasible to enforce the time limits on playing basketball. It was agreed to add an informative to recommend using portable nets.

Members also asked if lighting in the car park would be switched off at night. It was agreed to add a condition that lighting should be turned off between midnight and 6am.

**RESOLVED:** That application No. 160523 be approved, subject to the conditions set out on Agenda page 140 with condition 4 amended as set out in the Members' Update, an additional condition to restrict lighting to the hours of 6am to midnight and an additional informative regarding the basketball hoops, to be agreed by the Head of SDL Delivery.

#### **116. PRE COMMITTEE SITE VISITS**

There were no proposals for pre-committee site visits.

# Agenda Item 130.

<b>Development Management Ref No</b>	<b>No weeks on day of committee</b>	<b>Parish</b>	<b>Ward</b>	<b>Listed by:</b>
F/2015/0008 (150664)	60/8	Wokingham	Norreys	WHL Development

**Applicant** Wokingham Housing Limited, Shute End

**Location** Site D Elizabeth Road, Wokingham **Postcode** RG40 1UB

**Proposal** Proposed erection of 2 x no. 3-bedroom dwellings with associated parking and landscaping, following the demolition of existing garage blocks.

**Type** Full  
**PS Category** 13  
**Officer** Ian Bailey

**FOR CONSIDERATION BY** Planning Committee on 27<sup>th</sup> April 2016  
**REPORT PREPARED BY** Head of Development Management and Regulatory Services

## SUMMARY

This is a full application and proposes development of the site by the erection of two 3-bedroom dwellings with parking and landscaping and other associated works following demolition of 10 garages.

The application is before the Committee as a development by Wokingham Housing Limited (WHL) which is the limited company providing social housing on behalf of Wokingham Borough Council.

The site is within Wokingham which is identified in Policy CP9 of the adopted Core Strategy as a Major Development Location which is considered to be sustainable location in terms of access to services, facilities and public transport for additional housing.

This application was deferred from consideration at a previous Planning Committee of 19 August 2015. This was principally because of concerns regarding the provision of a turning area for suitably sized refuse vehicles. The scheme has now been amended to make the correct provision, but this has resulted in a larger take-up of land and this has in turn resulted in a number of further revisions to the layout and landscaping. The main change is the reduction in the number of units being proposed from 3 x 2-bedroom to 2 x-3 bedroom units. There has also been a corresponding reduction in the number of parking spaces (from 7 to 5) and an increased provision of landscaping around the buildings.

These revised plans have been subject to a further period of consultation given the time lapsed from the original consultation and the nature of the changes. The application originally attracted one letter of comment which raised issues concerning the potential risk of overlooking, loss of natural screening and sufficiency of car parking. The re-consultation has resulted in one further comments relating to sufficiency of car parking.

The proposal is considered to be acceptable in terms of its design and layout, its relationship with neighbouring properties and the provision of adequate parking and turning areas. It is therefore recommended that planning permission be granted subject to conditions.

### **PLANNING STATUS**

- Major settlement
- Contaminated Land Zone
- South East Water Consultation Zone
- SPA 7km
- Wind Turbine Consultation Zone (BAA consultation required)
- Public Open Space

### **RECOMMENDATION**

That the Planning Committee authorises the GRANT OF PLANNING PERMISSION subject to the conditions set out below:

#### **Conditions:**

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. Before the development hereby permitted is commenced, samples and details of the materials to be used in the construction of the external surfaces of the buildings and all hard-standings shall have first been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3. This permission is in respect of the following drawings:

Drawing Title	Drawing No.	Revision
Location Plan	2864/01	A
Site Plan	2864/02	C
Proposed Plans and Elevations	2864/101	C
Proposed Layout Plan	2864/102	C

*Reason: To ensure the development is carried out in accordance with the application form and associated details hereby approved.*

4. Prior to the commencement of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the local planning authority. These details shall include, as appropriate, proposed finished floor levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access

and circulation areas, hard surfacing materials and minor artefacts and structure (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc). Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.

*Reason: In the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21*

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

b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.

c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.

d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

*Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence*  
*Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21*

6. Before the development hereby permitted is commenced details of all boundary treatments shall first be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The scheme shall be maintained in the approved form so long as the development remains on the site.

*Reason: To safeguard neighbouring amenity. Relevant policies: NPPF, Core Strategy policies CP1 and CP3*

7. No development shall take place until a measured survey of the site and a plan prepared to scale of not less than 1:500 showing details of proposed finished ground levels in relation to a fixed datum point) and finished floor levels shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented prior to the occupation of the building

*Reason: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape. Relevant policies: NPPF, Core Strategy policies CP1 and CP3*

8. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) measures to prevent the deposit of materials on the highway and details of wheel washing facilities;
- v) measures to inform local residents of commencement of development by letter and provide appropriate contact details for residents to contact the developer if they have concerns or issues
- vi) details of vehicle deliveries to and from the site during the construction phase (including site clearance) including the types and size of vehicles used, the number, times and frequency of vehicle movements, and the routes to access the site:

*Reason: In the interests of highway safety, safety and convenience and to ensure that neighbourhood amenity is preserved. Relevant policies: Core Strategy policies CP3 and CP6*

9. 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. The parking spaces shall not be allocated to individual units or properties through the provision of signage or road markings.

*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*

10. Prior to the commencement of the development hereby permitted details of secure and covered bicycle storage/ parking facilities for the occupants of 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 and CP6 and MDD Local Plan policy CC07.*

11. No building shall be occupied until the vehicular access has been surfaced with a permeable and bonded material across the entire width of the access for a distance of 10 metres measured from the carriageway edge

*Reason: To avoid spillage of loose material onto the highway, in the interests of road safety. Relevant policy: Core Strategy policy CP6.*

12. Before any development commences, a scheme to deal with potential contamination of the site shall be submitted to and approved in writing by the local planning authority. The scheme shall include an investigation and assessment to identify the extent of any contamination and the measures to be taken to avoid risk when the site is developed. No building shall be occupied until the measures have been carried out and a validation report has been submitted to and approved in writing by the local planning authority

*Reason: To ensure that any contamination on the site is remediated to protect the proposed occupants of the application site*

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no buildings, extensions, or alterations permitted by Classes A, B, D and E of Part 1 of the Second Schedule of the 2015 Order shall be carried out without the written approval of the Local Planning Authority.

*Reason: To safeguard the amenities of the occupiers of neighbouring properties, preserve the character of the settlement and to ensure proper planning of the area. The gardens to these properties are generally at or around the minimum separation distances and amenity space sizes so the Local Planning Authority wishes to assess the potential impact of such development. Porches to the front would impact on turning areas of vehicles and therefore would impact on highway safety. Relevant policies: NPPF, Core Strategy Policy CP1, CP3 and the guidance set out in the adopted Borough Design Guide.*

**Informatives:**

1. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

2. The applicant is reminded that this permission does not authorise any off-site highway or other works and site access to the public highway. A separate legal agreement (Minor Works Agreement) made with the Council under s184/278 of the Highways Act 1980 is required. No work within or affecting the public highway shall commence until

the agreement has been concluded and the Council, as local highway authority, has approved all construction and installation details together including with a programme of works.

3. The applicant is advised that the scheme would be Liable to the Community Infrastructure Levy (CIL) Schedule which came into effect on 6<sup>th</sup> April 2015. Therefore, this scheme will be liable to pay the Council's CIL upon commencement of development. Whilst the development may be eligible for social housing relief, the onus is on an applicant to make a claim to the Charging Authority.

### PLANNING HISTORY

The site is part of a turning area (including adopted highway) and garaged parking area for a wider residential estate. There is no previous planning history for development of the site.

### SUMMARY INFORMATION

**Site Area** – 0.09ha  
**Existing Units** – 0  
**Proposed Units** - 2  
**Existing density** (dwellings per hectare) - N/A  
**Proposed density** (dwellings per hectare) - 22dph  
**No of affordable** - 2  
**Previous land use** - Garage court  
**Existing car parking** - 10 (garages)  
**Proposed car parking** - 5 spaces (unallocated)

### CONSULTATION RESPONSES

**Trees & Landscape Officer** – No objection subject to conditions to ensure trees on neighbouring sites are protected and approve details of landscaping (No. 4 and 5)

**Highways Officer** – No objection subject to conditions to ensure provision of parking and turning areas (including that parking spaces should remain unallocated), use of paved material within 10m of highways, and provision of cycle parking (No 9, 10, and 11)

**Ecology Officer** – No objection subject to informative (No 1)

**Environmental Health Officer** – No objection subject to condition requiring land contamination investigation given former use (No 12)

### REPRESENTATIONS

Ward Members	No comments
Neighbour comments	Two letters of comment concerning: - possible overlooking and seeking measures to avoid this, in

	<p>particular measures to retain natural screening (see para 9 and 10 below);</p> <p>- questions the sufficiency of car parking for the proposal (see para 12 &amp; 13 below).</p> <p>A further comment noted that the proposal would represent an improvement over the run-down appearance of the existing garages.</p>
Wokingham Town Council	Supports proposal

### **APPLICANTS POINTS**

1. The site is within the settlement area and there is a presumption in favour of residential development.
2. The proposal provides much needed affordable housing.
3. The development reflects local character and is a good quality design.
4. The proposal utilises sustainable construction in accordance with the Council's Sustainable Design and Construction SPD.
5. The garages are largely derelict and only three are currently let. At least one is only used for storage. None of the occupiers have objected but have asked for notice. A local parking survey has demonstrated that alternative on-street parking is available both day and night.

### **PLANNING POLICY**

The following are relevant to the consideration of this application:

National policies and guidance:

National Planning Policy Framework (NPPF)  
National Planning Policy (NPPG)  
Technical housing standards – nationally prescribed space standards

Wokingham Borough Council Development Plan policies

Core Strategy

CP1 – Sustainable development  
CP2 – Inclusive communities  
CP3 – General Principle for development  
CP4 – Infrastructure Requirements  
CP5 – Housing mix, density and affordability  
CP6 – Managing Travel Demand  
CP7 – Biodiversity  
CP8 – Thames Basin Heaths Special Protection Area  
CP9 – Scale and location of development proposals  
CP17 – Housing delivery

## Managing Development Delivery Local Plan Document

### *Cross Cutting Policies*

CC01 – Presumption in favour of sustainable development  
CC02 – Development Limits  
CC03 – Green Infrastructure, Trees and Landscaping  
CC04 – Sustainable Design and Construction  
CC06 – Noise  
CC07 – Parking  
CC09 – Development and Flood Risk  
CC10 – Sustainable Drainage

### *Topic Based Policies*

TB05 – Housing Mix  
TB07 - Internal Space Standards  
TB09 – Residential Development for vulnerable groups  
TB21 – Landscape Character  
TB23 – Biodiversity and development

### Other guidance

Borough Design Guide Supplementary Planning Document (SPD)  
Sustainable Design and Construction SPD  
Affordable Housing SPD

## **PLANNING ISSUES**

### **APPRAISAL**

#### Principle of Development

- 1) This is a full application and proposes the redevelopment of a site to provide 2 no. two-storey three-bedroom dwellings in the form of a pair of semi-detached houses. The units are proposed to be affordable housing. The site is currently a garage parking court with hardstanding. A pedestrian access to the side of No. 52 Elizabeth Road adjacent and to rear of properties further to the north is retained.
- 2) The site is within the Wokingham settlement area which is identified in Policy CP9 of the adopted Core Strategy as a Major Development Location where development is acceptable in principle.
- 3) The adopted Core Strategy Policy CP3 provides general principles for all development, with the primary remit that development should be appropriate in terms of scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life.
- 4) The adopted Borough Design Guide provides guidance for residential schemes under Section 4. The NPPF requires that proposed dwellings should be well integrated with,

and complement local buildings in relation to scale, density, layout and access. Policy CP3 of the Core Strategy outlines that development should be appropriate to the surrounding street scene and without detriment to the amenity of neighbouring residents. Planning policy overall encourages character led development. The Borough Design Guide provides substantial advice on layout best practice.

5) It is considered that the application is acceptable in principle. The main planning issues are considered to be:

- Impact on local character;
- Impact on residential amenity;
- Design standards;
- Impact on parking (including loss of garages) and highway safety;
- Impact on biodiversity;
- Infrastructure provision /Community Infrastructure Levy.

#### Impact on local character

6) The Council's policies support development only where it makes a positive contribution to the character of the area. In this regard design guidelines are set out in the Borough Design Guide SPD. Section 2 deals with general principles and Section 4 deals with residential development.

7) The application site comprises a row of largely derelict garages and hardstanding which detract from the overall character of the area. The proposed development is for the erection of a pair of semi-detached dwellings which respect the overall character of this part of the estate which includes a number of semi-detached pairs and short terraced rows. They differ from the existing dwellings which have short front gardens, whereas the proposal has doors directly accessed from the proposed footpath/car parking area. However, the proposed site is at the end of a cul-de-sac and with a different relationship to the road compared to other houses in the street and will not appear incongruous despite this different approach. The development introduces areas of external landscaping which will assist in improving the appearance of the street as well as assisting in softening the appearance of the new dwellings. Five car parking spaces are provided in the form of a small courtyard and different materials can be incorporated to make the distinction between circulation and car parking areas. These are directly opposite the front doors of the dwellings, and overlooked. Overall, the development provides a small character area in its own right, but which reflects the wider character of Elizabeth Road, and it is considered that this brings about visual benefits and does not harm the overall character of the area.

#### Impact on residential amenity

8) The Borough Design Guide sets out minimum recommended separation distances between dwellings in order to preserve amenity and character. The recommended distances are summarised as follows:

- Front to front across street - 10m
- Rear to rear of dwellings - 22m
- Flank wall to boundary - 1m
- Flank wall to rear of dwelling - 12m

9) There is strong natural screening between the proposed development and No. 2 Barrett Crescent to the south. Much of this is within the land under the control of No. 2.

The developer has submitted an amended drawing (2864/02A) which has incorporated a gap to the boundary in order to allow retention of natural screening, as well as a 1.8 metre side access to Plot 2.

10) Although some cutting back of the hedge will be necessary to construct the development, the Trees and Landscape Officer considers that sufficient natural screening is retained to prevent any material loss of amenity. Conditions can be imposed to ensure protection and additional planting (No 4 and 5). The front elevations of the proposed development face towards the rear of No. 2a Barrett Crescent (i.e. Front-to-rear and where there is no standard given in the BDG). It is considered that the screening and distance (of at least 18.0m) to No.2a Barrett Crescent, and that it is positioned at a slight angle so as not be directly facing, is sufficient to prevent material overlooking occurring. Similarly the rear of the propose dwellings face towards the side of No. 52 Elizabeth Road, over a distance of 12.0m and more towards the rear part of the garden only. There is good intervening screening to the rear of No. 52 and given the distances and oblique angles involved to the rear of the property, no loss of privacy will result. Otherwise, the proposed development is sufficiently separated from these neighbours so as not to be overbearing or result in loss of daylight or sunlight. Overall, when considered against the guidance in the BDG, no significant loss of residential amenity will result.

#### Design Standards - Amenity space and internal space standards

11) The Borough Design Guide establishes requirements for private amenity space. Amenity space should generally have a 'roughly rectangular shape' and good access to sunlight, with usable garden of at least 11 metres in depth. The development follows this approach (the two gardens are 11.0m in depth) and therefore it is considered that an appropriate level of amenity space is proposed. Coupled with the substantial area of open space which is within two or three minutes' walk of all properties, it is considered that this element of the proposals is acceptable. The internal floorspace exceeds the standards outlined in the technical housing standards of 93 sq.m for a 3-bedroom/5 person two-storey dwelling (both are 126 sq.m).

#### Parking (including loss of garages) & Highway Safety

12) The proposed level of car parking provision is acceptable and satisfies the guidance contained in the Council's Parking Standards Study Report provided that the spaces remain unallocated (and which can be secured by condition (No 9)). The Highway's Officer has recommended conditions to ensure provision and retention of car parking and adequate turning (No 9), provision of cycle parking (10) and to ensure the surface is paved for at least 10.0m where it joins the highway and to prevent loose material on the highway (11).

13) Following discussions with officers, the applicant submitted a survey of parking in the vicinity of the development site. The Car Parking Survey (in the evening on two weeknights) showed very limited use of the garages or on-street in the area proposed for parking (a maximum of two parked cars). It was also noted at the case officer's site visit (daytime) that none of the garages appeared to be occupied by parked cars and no cars were parked on-street. There was also some availability for on-street parking further north on Elizabeth Road and if any car parking was to be displaced. Given that adequate on-site parking is proposed to meet the demand of the development (see para 12 above) it is unlikely that the development would have a prejudicial impact on pedestrian or highway safety.

14) The existing Elizabeth Road carriageway and footway is to be realigned as part of this development. In order to protect the existing and future highway rights some of the public highway needs to be stopped up (as shown edged blue on plan 02C). Before commencing this development the applicant needs to demonstrate how it is proposed to achieve this and it must be legally stopped up before commencement as the developer cannot build on the public highway. Section 247 of the Town and Country Act 1990 makes provision to stop up the public highway in relation to planning applications.

Biodiversity

15) The Council's Ecologist has considered the implications of this application and is satisfied that this development is unlikely to adversely affect the local bat population and works can proceed. A precautionary informative is recommended.

Infrastructure Mitigation

16) The Community Infrastructure Levy (CIL) Charging Schedule was adopted on 6th April 2015. CIL is a land charge that is payable at commencement of works.

17) This Council charges CIL on residential developments in the Rest of the Borough \* at a rate of £365 per square metre.

\* 'Rest of the Borough' is the remainder of the Borough excluding the Strategic Development Locations (SDLs)

The current proposal is CIL liable. Whilst the applicant may be eligible for affordable housing relief the onus is on the applicant to make a claim. An informative advising of the applicant of CIL liability is recommended.

**CONCLUSION**

18) This is a full application and proposes redevelopment of site to provide 2 no. 3 bedroom dwellings (as affordable housing), hard and soft landscaping, open space, car parking provision and associated infrastructure.

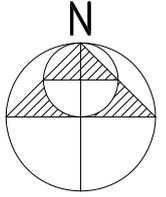
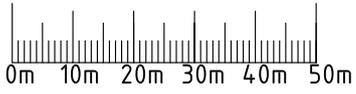
19) The site is within Wokingham which is identified in Policy CP9 of the adopted Core Strategy as a Major Development Location where development is acceptable in principle. The proposal is of an acceptable design compatible with character of the wider and proposing dwellings which the meet the expected designs standards. The loss of the existing garages has been justified and there is sufficient dedicated car parking provided to meet anticipated demand. There would be no detrimental impact on nearby residential amenity.

20) The application is before the Committee as it is a development by Wokingham Housing Limited. It is recommended that planning permission be granted.

**CONTACT DETAILS**

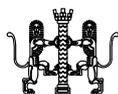
<b>Service</b>	<b>Telephone</b>	<b>Email</b>
Development Management and Regulatory Services	0118 974 6428 / 6429	development.control@wokingham.gov.uk

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LOCATION PLAN  
SCALE 1:1250 @ A4

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JOB

SITE D - LAND AT  
ELIZABETH ROAD  
WOKINGHAM

JOB NO

2864

DATE

SEP 13

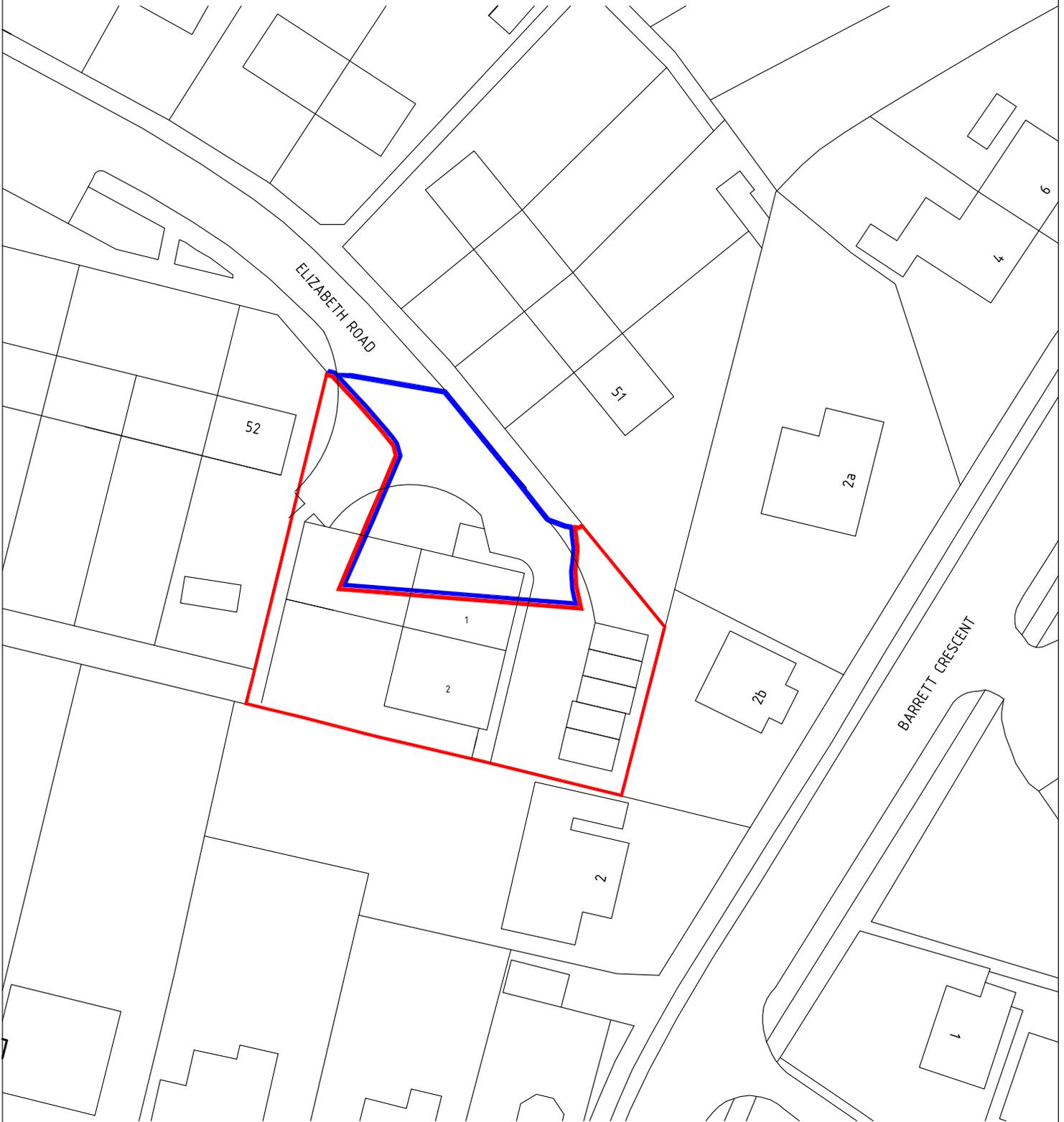
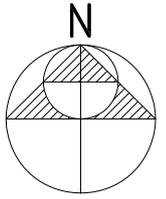
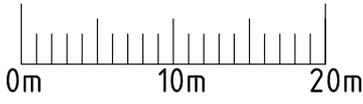
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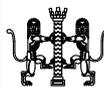
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**PROPOSED**  
**SCALE 1:500 @ A4**

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JOB **SITE D - LAND AT**  
**ELIZABETH ROAD**  
**WOKINGHAM**

JOB NO **2864**

DATE **JAN 16**

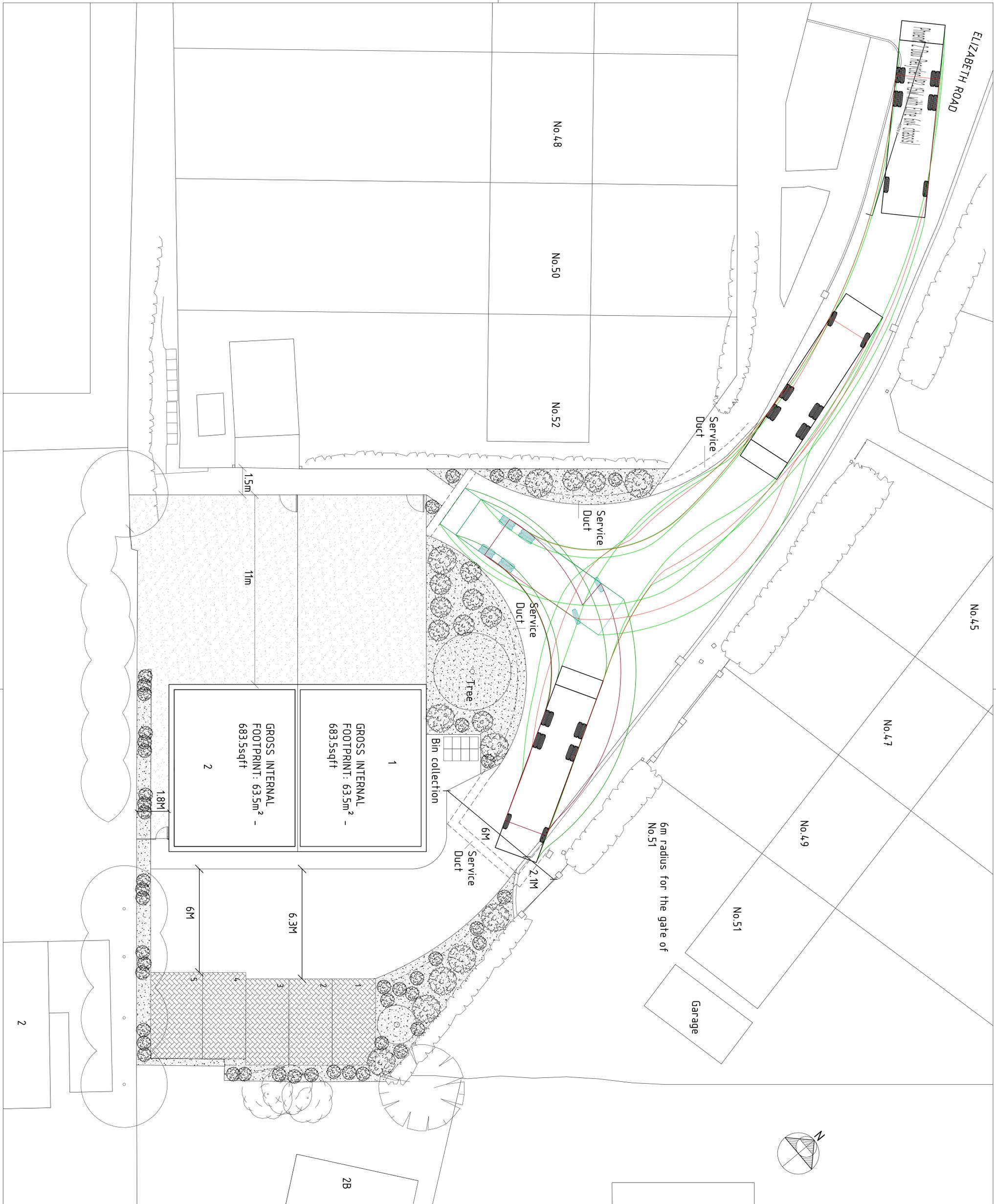
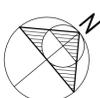
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Site Area - 937.3m<sup>2</sup>



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REVISION B	29.01.16	CG
REVISION A	27.01.16	CG



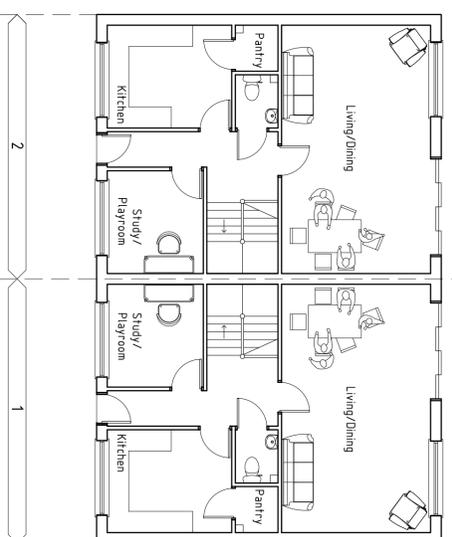
**W.M. GRAHAM ASSOCIATES**  
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JOB  
**SITE D - LAND AT ELIZABETH ROAD WOKINGHAM**

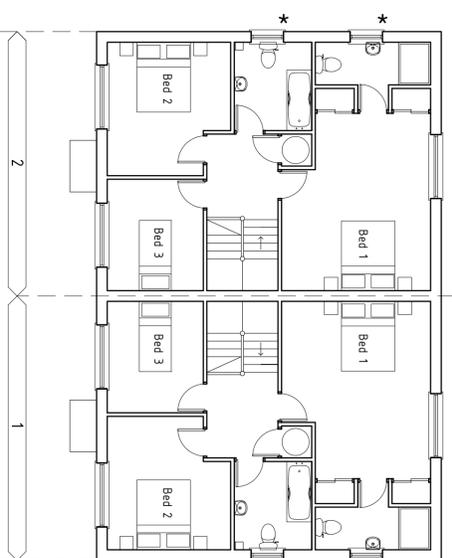
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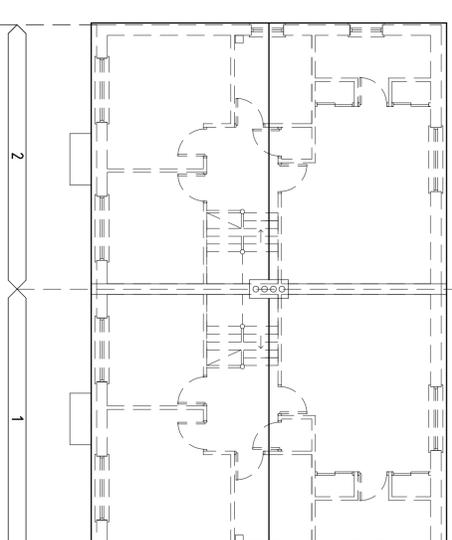
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GROUND



FIRST



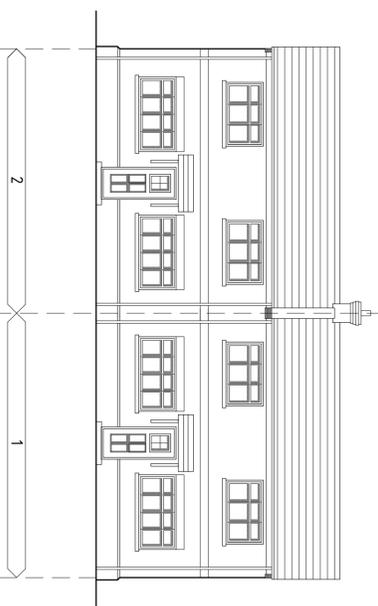
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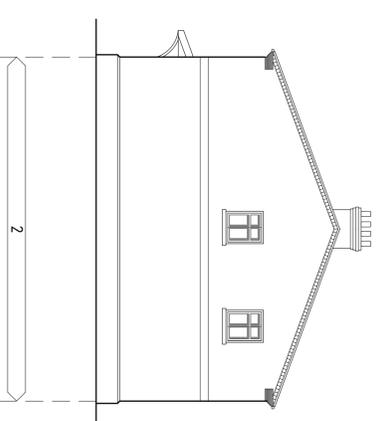
\* - Obscured Glazing

Dwelling and Sizes - Gross Internal

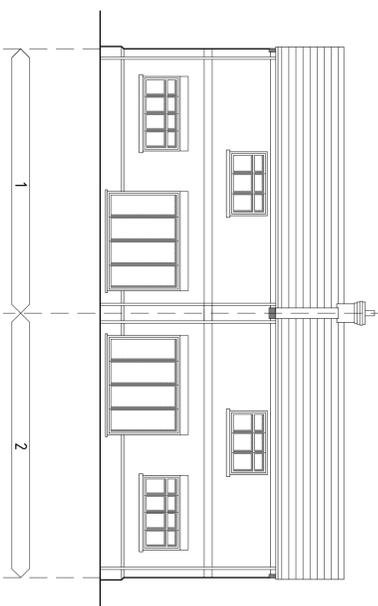
House 1	
Ground	63.5 SQM
First	63.5 SQM
Total	127.0 SQM
Bed 1	19.4 SQM
Bed 2	12.1 SQM
Bed 3	8.5 SQM
House 2	
Ground	63.5 SQM
First	63.5 SQM
Total	127.0 SQM
Bed 1	19.4 SQM
Bed 2	12.1 SQM
Bed 3	8.5 SQM



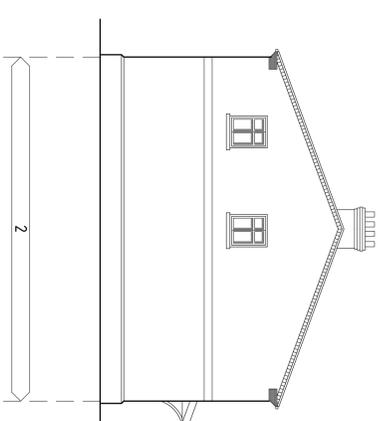
FRONT



SIDE



REAR



SIDE



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JOB  
**SITE D - LAND AT**  
**ELIZABETH ROAD**  
**WOKINGHAM**

TITLE  
**HOUSE 1 AND 2**  
**PROPOSED PLANS AND**  
**ELEVATIONS**

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## Zoona Choudary

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**From:** Mike Dunstan <planning@wokingham-tc.gov.uk>  
**Sent:** 04 February 2015 09:59  
**To:** Development Control  
**Subject:** Comments on planning applications

At their meeting last night, Wokingham Town Council's Planning & Transportation Committee considered the following planning applications and made comment as shown.

F/2015/0060

**F/2015/0080 Land adjacent to 13 Barrett Crescent**  
**Proposed erection of two storey block of two 2-bedroom flats together with parking and bin/cycle storage. Demolition of existing single storey garage block.**  
**Planning Officer: Cris Lancaster**

CEL

Comment: No objection.

**F/2015/0015 Land adjacent to 86 Emmbrook Road**  
**Proposed erection of two 5-bedroom dwellings with associated car parking following demolition and removal of existing garages.**  
**Planning Officer: Cris Lancaster**

WITHDRAWN CEL

Comment: Objection on the grounds that the three storey building is overbearing and out of keeping with the character of the area. The site is better suited to a smaller scale development for social housing.

**F/2015/0008 Site D, Elizabeth Road**  
**Proposed erection of three 2-bedroom dwellings with parking. Demolition of 10 garages.**  
**Planning Officer: Cris Lancaster**

CEL

Comment: The Town Council supports this proposal.

**LB/2015/00379 Market Place(9)**  
**Application for Listed Building consent for the erection of fascia and hanging signs.**  
**Planning Officer: Daniel Hay**

DH

Comment: No objection.

Regards

Mike Dunstan  
Planning & Transportation Officer

Wokingham Town Council  
Town Hall  
Market Place  
Wokingham  
RG40 1AS

Tel: 0118 978 3185

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Development Management Ref No	No weeks on day of committee	Parish	Ward	Major Development Proposal (SDL)
153263	25	Wokingham	Wescott	

<b>Applicant</b>	David Wilson Homes		
<b>Location</b>	Montague Park (formerly Buckhurst Farm), London Road, Wokingham	<b>Postcode</b>	RG40 1PD
<b>Proposal</b>	Reserved matters pursuant to outline planning permission O/2010/1712 as varied by VAR/2015/0342 for a development of up to 650 dwellings and associated infrastructure. The reserve matters comprise details of 100 dwellings and associated internal access road, footways, parking, landscaping, play area and allotments. Details of appearance, landscaping, layout and scale to be determined.		
<b>Type</b>	Reserved Matters		
<b>PS Category</b>	1 (large scale major, dwellings)		
<b>Officer</b>	Nick Chancellor		

## SUMMARY

Montague Park (formerly Buckhurst Farm) is a 34.71 hectare site, situated on the eastern edge of Wokingham. It is bounded by the A329 London Road to the north, the Reading to Waterloo Railway line to the south and Clay Lane to the west. The site lies within the designated South Wokingham Strategic Development Location (SDL); one of four major sites identified by Wokingham Borough Core Strategy Policy CP17 to deliver 10,000 new homes and associated infrastructure during the period to 2026. Core Strategy Policy CP21, amplified by Appendix 7 and two Supplementary Planning Documents (SPDs) – the South Wokingham South Wokingham Strategic Development Location SPD and the Infrastructure Delivery and Contributions SPD – set out the Council's expectations in terms of the comprehensive delivery of 2,500 new dwellings together with the infrastructure that is required to support them in an urban extension at South Wokingham.

This suite of documents identifies Montague Park as the first phase of development within the SDL and, in line with this, outline planning permission for up to 650 dwellings and associated infrastructure was granted on 18 December 2012, following the resolution of the Planning Committee on 4 April 2012 (Application O/2010/1712).

The outline application was supported by an Infrastructure Delivery Plan (IDP) which established how the necessary infrastructure – both on and off-site – to support the whole SDL could be delivered. A S106 legal agreement secured the proportion of the infrastructure that is attributable to the development at Buckhurst Park and triggers for its delivery.

As well as the amount and type of development, access to the site (four accesses from London Road) was approved at the outline stage and the application established parameters for the layout, scale, appearance and landscaping of the development, details of which were reserved for later determination. These details were amplified by the Design and Access Statement (DAS) and other supporting documents at the application stage and subsequently by the Design Code, which was a requirement of condition 8 of the outline planning permission. Thus, the principles for development of the site have already been established and the reserved matters applications will add

further detail to what has already been agreed.

Condition 3 of the outline planning permission, required approval of phasing (consistent with the triggers in the S106 legal agreement). The development is proposed to come forward in seven sub-phases, five of which already have approval:

Sub-Phase 1..... the Southern Distributor Road (SDR) within the site, secondary access and two cul-de-sacs off the A329 London Road (RM/2013/0240 amended by NMT/2014/0378)

Sub-Phase 2..... 160 dwellings, plus a Suitable Alternative Natural Greenspace (SANG) incorporating a Local Landscaped Area of Play (LLAP) and other open space including two of three surface water drainage ponds (RM/2013/0242 amended by NMT/2013/2500)

Sub-Phase 3..... 66 dwellings and a Local Equipped Area of Play (LEAP) (RM/2014/0586)

Sub-Phase 4..... the primary school (RM/2014/0979 amended by NMT/2014/2807)

Sub-Phase 5..... 195 dwellings (RM/2014/0265 amended by NMT/2015/1307 & 152378)

Sub-Phase 6..... approximately 111 dwellings including a dementia care facility, plus a neighbourhood centre and a Neighbourhood Area of Play (NEAP) – reserved matters pending

Sub-Phase 7 current application for 100 dwellings, play area and allotments

The current application relates to Sub-Phase 7. The principle of development and parameters for development have already been established by the outline consent and the purpose of this application is to provide further detail of the layout of this part of the site, the scale and appearance of the buildings and the landscaping of the site. The scheme has been revised during the course of this application to address concerns regarding compliance with the Council's amenity standards and the design quality of the development.

#### **PLANNING STATUS**

- Major Development Location (CP9, CC01)
- Strategic Development Location (SDL) (CP17 & CP21)
- Countryside
- Within 5km of the Special Protection Area (SPA) (CP08)
- London Road is a Green Route
- Clay Lane, Wokingham byway/restricted byway 26 is outside the site but is located not far from the western boundary
- Trees on the site are protected under Tree Preservation Order (TPO) 1336/2010
- Flood Zone 1

**RECOMMENDATION**

APPROVE RESERVED MATTERS subject to the following conditions:

**Conditions and reasons**

1. Nothing herein contained shall be deemed to affect or vary the conditions imposed by planning permission O/2010/1712, dated 18 December 2012 as varied by VAR/2015/0342 dated 2 June 2015, which conditions shall remain in full force and effect save in so far as they are expressly affected or varied by this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

<b>Drawing No</b>	<b>Title</b>	<b>Received by the LPA</b>
<b>Layout Drawings</b>		
P001	Site Location Plan	10.03.16
P002 rev J	Site Layout Plan	10.03.16
P003 rev A	Highways Adoption Plan	10.03.16
P004 rev A	Refuse Plan	10.03.16
P005 rev A	Building Heights Plan	10.03.16
P006 rev A	Character and Materials Dispersion Plan	12.04.16
P007 rev A	Boundary Treatment Plan	12.04.16
P008 rev B	Parking and Tenure Plan	14.04.16
<b>Street Scenes</b>		
P300 rev B	Streetscenes	10.03.16
<b>House Types</b>		
P200 rev C	SF11 Plans and Elevations	10.03.16
P201 rev C	SH27 Plans and Elevations	10.03.16
P202 rev B	SH38 Plans and Elevations	10.03.16
P203 rev B	SH39 Plans and Elevations	10.03.16
P206 rev B	T306 Plans and Elevations	10.03.16
P208 rev B	P332 Plans and Elevations	10.03.16
P210 rev B	P470 Plans	10.03.16
P211 rev B	P470 Elevations	10.03.16
P212 rev C	T234 Plans and Elevations	10.03.16
P213 rev C	SB40 Ground and First Floor Plans	10.03.16
P214 rev C	SB40 Second Floor and Roof Plans	10.03.16
P215 rev C	SB40 Elevations	10.03.16

P217 rev A	SB85 Ground and First Floor Plans	10.03.16
P218 rev A	SB85 Second Floor Plans and Elevations	10.03.16
P219 rev A	SB85 Elevations	10.03.16
P220 rev C	SB42 Ground and First Floor Plans	10.03.16
P221 rev C	SB42 Second Floor Plans and Front Elevation	10.03.16
P222 rev C	SB42 Side and Rear Elevations	10.03.16
P223 rev C	SB22 Ground Floor Plan	10.03.16
P224 rev C	SB22 First Floor Plan	10.03.16
P225 rev C	SB22 Second Floor Plan	10.03.16
P226 rev C	SB22 Elevations Sheet 1	10.03.16
P227 rev C	SB22 Elevations Sheet 2	10.03.16
P204 rev A	P231 Plans and Elevations	12.04.16
P240 rev C	P332 (OPP) Plans and Elevations	12.04.16
P238 rev A	T322 (OPP) Plans and Elevations	10.03.16
P239	T306 (OPP) Plans and Elevations	10.03.16
P242 rev A	SH39 (OPP) Plans and Elevations	12.04.16
P243	SH38 (OPP) Plans and Elevations	12.04.16
P241 rev A	SH27 (OPP) Plans and Elevations	10.03.16
P250 rev B	T338 Plans and Elevations	10.03.16
P251 rev B	T338 (OPP) Plans and Elevations	10.03.16
P253	SB42 Variant Ground and First Floor Plans	10.03.16
P254	SB42 Variant Second Floor Plan and Elevations	10.03.16
P255	SB42 Variant Rear and Side Elevations	10.03.16
<b>Drainage Details</b>		
H4585/P7/025 rev B	Existing and Proposed Levels	10.03.16

3. Before installation of any photovoltaic panels proposed to fulfil the requirements of Conditions 56 and 57 of O/2010/1712 details shall be submitted to and approved in writing by the Local Planning Authority and the equipment shall be installed in accordance with the approved details.

Reason: To ensure that carbon reductions are achieved in accordance with the requirement on these conditions but not at the expense of the character of the area in accordance with Wokingham Borough Core Strategy Policies CP1 and CP3 and Managing Development Delivery Local Plan Policies CC04: *Sustainable design and construction* and CC05: *Renewable energy and decentralised energy networks* and the Sustainable Design and Construction Supplementary Planning Document (May 2010).

4. Before the commencement of development, details of provision for water butts and

space for composting shall submitted and approved in writing by the Local Planning Authority.

Reason: To fulfil the requirements of condition 58 of the outline planning permission, in order to reduce refuse and enable the efficient use of water in accordance with Wokingham Borough Core Strategy Policy CP1, the Sustainable Design and Construction Supplementary Planning Document (2010) and paragraphs 14.88 and 14.116 of the Environmental Impact Assessment (July 2010).

5. Before the development hereby approved commences details of the refuse and cycle storage for the apartment blocks including the internal fit out to provide cycle storage to comply with the Councils' adopted standards shall be submitted and approved in writing by the Local Planning Authority. Provision for each apartment block shall be made in accordance with the approved details before first occupation of it.

Reason: to ensure provision of adequate cycle storage whilst also protecting the character and amenities of the area in accordance with Wokingham Borough Core Strategy Policies CP1, CP3 and CP6.

6. Before the commencement of the development a Water Management Strategy to demonstrate how the development will achieve internal potable water consumption targets of 110 litres or less per person per day shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Strategy.

Reason: To ensure a high standard of sustainable development and water management in accordance with Wokingham Borough Core Strategy Policy CP1, MDD Local Plan 2014 policy CC04, the Sustainable Design and Construction Supplementary Planning Document (2010) and the South Wokingham Strategic Development Location Supplementary Planning Document (October 2011).

7. The allotments shall be provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority before occupation of the 550<sup>th</sup> dwelling

Reason: to ensure provision of allotments in accordance with Wokingham Borough Core Strategy Policy CP3, Managing Development Delivery Local Plan Policy TB08 and the guidance in the South Wokingham SDL SPD. The proposed layout has been revised to provide a larger number of smaller plots, in line with comments from Wokingham Town Council who are likely to operate the allotments, but the number of taps and amount of parking has not been revised to reflect the likely increase in visitors at any time. Also boundary treatments need to be reviewed.

#### **RELEVANT PLANNING HISTORY**

WOK B O/14/68	1968-2008: various applications for residential development and one for sports use refused/dismissed at appeal
WOK B O/3/70	

WOK B O/2/71	
18254	
30611/30612	
O/1996/63417	
SO/2008/2040	13 October 2008: scoping opinion for a development of 2,500 dwellings with a community centre, medical centre, local retail centre, nursery and primary school, to establish the scope of environmental information that should be provided in an environmental impact assessment for the proposal.
O/2010/1712	18 December 2012: outline planning permission (including access details) for 650 dwellings and associated infrastructure GRANTED following a committee resolution on 4 April 2012
C/2012/2568	21 December 2012: submission of details to comply with Conditions 3 (sub-phasing strategy), 15 (overarching Landscape & Habitat Management Plan), 19 (Retile Strategy), 23 (Air Quality), 34 (Archaeology) and 42 (bus strategy) of outline planning permission O/2010/1712
C/2013/0200	31 January 2013: submission of Design Code to comply with Condition 8 of O/2010/1712 (overarching design code for whole development and detail for phases 1 & 2).
C/2013/0239	05 February 2013: submission of details to comply with Conditions 11 (Levels for phase1), 14 (hard and soft landscaping for Phase 1) and 35 i) and ii) (roads, footpaths and cycleways for Phase 1) of outline planning permission O/2010/1712.
RM/2013/0240 (Phase 1 of 7)	12 June 2013: Reserved Matters for the SDR, secondary access and two cul-de-sacs APPROVED following the resolution of the Planning Committee on 11 June 2014.
C/2013/0241	6 February 2013: submission of Energy Strategy to comply with Condition 57 of O/2010/1712
RM/2013/0242 (Phase 2 of 7)	5 November 2013: Reserved Matters for 162 dwellings, the SANG and amenity open space incorporating two of three SUDS ponds APPROVED following the resolution of the Planning Committee on 11 June 2014, to approve subject to a Deed of Variation to the S106 agreed at outline.
C/2013/0243	14 February 2013: submission of details to comply with conditions 10 (samples/details of materials for Phase 2), 12 (Arboricultural Implications Assessment for phases 1 & 2), 13 (Arboricultural Method Statement for phases 1 & 2), 18 (hedgerow breaks in phases 1 & 2), 20 (overarching external lighting strategy), 21 (contaminated land assessment/remediation for the whole site), 22 (landfill gas assessment/remediation for the whole site), 23 (measures to protect occupants from poor air quality for the whole site), 40 (parking management strategy for phases 1 & 2), 43 (travel plan for the whole site), 52 (wetland features in Phase 2), 56 (Code for Sustainable Homes pre-assessment for Phase 2) of outline

	planning permission O/2010/1712.
C/2013/0360	25 February 2013: submission of details to comply with conditions 14 (hard and soft landscaping for Phase 2), 15 (Landscape & Habitat Management Plan for phases 1 & 2), 25 (noise mitigation for Phase 2), 47 (proposals for upgrade of London Road/Binfield Road junction) and 51 (studies of existing water supply infrastructure) of outline planning permission O/2010/1712.
C/2013/1055	21 May 2013: submission of drainage strategy to comply with Condition 50 (Phases 1 & 2) of outline planning permission O/2010/1712.
F/2013/1512	4 November 2013: temporary planning permission GRANTED for a marketing suite (David Wilson Homes).
A/2013/1514	17 September 2013: Advertisement Consent GRANTED for signage around the junction of the SDR and London Road.
C/2013/1702	16 August 2013: submission of details to comply with conditions 11 (levels for Phase 2), 31 (pumping station noise assessment, Phase 2), 35 (road design, Phase 2); 61 (Site Waste Management Plan, Phases 1 & 2) and 62 (affordable housing, Phase 2) of outline planning permission O/2010/1712.
C/2013/2211	5 November 2013: submission of details to comply with conditions 20 (detailed lighting scheme for Phases 1 & 2) and 32 (Construction Environment Management Plan for Phases 1 & 2) of outline planning permission O/2010/1712.
NMT/2013/2500	24 December 2013: non-material amendment to planning consent RM/2013/0242 APPROVED substituting two detached houses for two pairs of semis (plots 29-32) thereby reducing the number of dwellings in Phase 2 from 162 to 160.
C/2013/2589	18 December 2013: submission of details to comply with conditions 4 (residential cycle storage) and 5 (SANG cycle parking) of RM/2013/0242 (Phase 2) of outline planning permission O/2010/1712.
A/2014/0043	29 May 2014: Advertisement Consent GRANTED for signage within the vicinity of the junction of the Secondary Access Road and London Road.
C/2014/0207	27 January 2014: submission of details to comply with Condition 8 (Design Code, Phase 5) of outline planning permission O/2010/1712.
RM/2014/0265 (Phase 5 of 7)	12 February 2014: reserved matters for 206 dwellings registered, currently under consideration.
C/2014/0266	12 February 2014: submission of details to comply with Conditions 10 (materials), 11 (levels), 14 (landscaping), 18 (hedgerow gaps), 25 (noise mitigation scheme) and 50 (drainage strategy) for Phase 5 of outline planning permission O/2010/1712.
F/2014/0303	28 March 2014: temporary planning permission GRANTED for a

	marketing suite (Barratt Homes).
NMT/2014/0378	25 March 2014: application for a non-material amendment to planning consent RM/2013/0240 to allow changes to the detailed design of the SDR including the re-location of the zebra crossing APPROVED.
C/2014/0559	6 March 2014: submission of details to comply with Conditions 7 ii) (School Development Brief, Phase 4) and 8 (Design Code, Phase 3)
RM/2014/0586 (Phase 3 of 7)	26 June 2014: reserved matters for 66 dwellings and a Local Equipped Area for Play (LEAP) APPROVED following the resolution of the Planning Committee on 25 June 2014.
C/2014/0772	Details to comply with Conditions 10 (Samples and details of materials), 11 (site levels), 14 (hard and soft landscaping scheme), 18 (hedgerow gaps), 25 (noise mitigation scheme) and 50 (drainage strategy) for Phase 3 of outline planning permission O/2010/1712.
C/2014/0834	Submission of details to comply with condition 9 of planning consent F/2014/0303 (Ground level survey and surface water drainage)
RM/2014//0979 (Phase 4 of 7)	26 June 2014: reserved matters for the primary school and associated sports provision Approved following the resolution of the Planning Committee on 25 June 2014.
C/2014/1146	Details to comply with Conditions 10 (Samples and details of materials), 11 (site levels), 14 (hard and soft landscaping scheme), 18 (hedgerow gaps), 25 (noise mitigation scheme) and 50 (drainage strategy) for Phase 4 of outline planning permission O/2010/1712.
C/2014/1593	16 July 2014: submission of details to comply with Condition 52 (fire hydrants) for Phase 2.
C/2014/2482	Details to comply with condition 10 (materials) of planning consent O/2010/1712 (Phase 3):
C/2014/2531	Details to comply with conditions 10 (Materials), 32 (Construction Environmental Management Plan and 61 ( Site Waste Management Plan of planning consent O/2010/1712 ( phase 4 ).
C/2014/2630	Details to comply with conditions of planning consent O/2010/1712 (Phase 4): 12 (Arboricultural Implications Assessment), 13 (Arboricultural Method Statement), 14 (Landscaping scheme)
NMT/2014/2807	and RM/2014/0265: 5 sprinkler systems Changes to the design of the primary school
C/2014/2698	Application for submission of details to comply with condition 11 of planning consent O/2010/1712 (Phase 5).
C/2015/0067	Application for submission of details to comply with the following condition of planning consent O/2010/1712 (as regards phase 5): 12 & 13. Arboricultural Implications Assessment & Approved Method Statement., 14. Landscaping. 15. Landscape & Habitat Management Plan. 25. Noise
C/2015/0340	Application for submission of details to comply with the following

	condition of planning consent RM/2014/0979: 4. Relating to sustainable design and construction (conditions 56 & 57 of O/2010/1712).
VAR/2015/0342	Application to vary condition 3, 56 & 62 of planning consent O/2010/1712 (outline application for a development of 34.71 hectares of land to provide up to 650 dwellings and associated infrastructure). Conditions 3 and 62 relate to affordable housing (phase 4); condition 56 relates to sustainable design and construction (whole site).
VAR/2015/0342	Application to vary condition 3, 56 & 62 of planning consent O/2010/1712 (outline application for a development of 34.71 hectares of land to provide up to 650 dwellings and associated infrastructure). Conditions 3 and 62 relate to affordable housing (phase 4); condition 56 relates to sustainable design and construction (whole site).
C/2015/0394	Application for submission of details to comply with the following condition of planning consent O/2010/1712 (Phase 5): 10. Materials, 32. Construction Management Plan, 35. Access and Movement, 40. Parking Management Strategy
C/2015/0771	Details to comply with Condition 61 (SWMP) (Phase 5)
C/2015/1078	Application for approval of details to comply with conditions of O/2010/1712 (Phase 3): 11. Levels, 20. Lighting, 32. Construction Management Plan, 35. Road Details, 61. Site Waste Management Plan.
C/2015/1130	Application for approval of details to comply with conditions of O/2010/1712 (Phase 3): 12 & 13 Arboricultural Implications Assessment & Arboricultural Method Statement, 15. Landscape and habitat management strategy, 18. Hedgerow Management Plan.
C/2015/1221	Detail of PVs to comply with Condition 6 of RM/2013/0242
NMT/2015/1307	Application for proposed non-material amendments to the design of flats Blocks A-F within Phase 5 of the development approved under outline planning permission O/2010/1712 varied by VAR/2015/0342 and reserved matters RM/2014/0265. Approved 22/07/2015 under delegated authority.
152378	Reserved matters pursuant to outline O/2010/1712 as varied by VAR/2015/0342 comprising 13 flats as an alternative to plots 398–405 previously approved under reserved matters RM/2014/0265 (Phase 5). Details of appearance, landscaping, layout and scale to be determined. Approved 12/11/2015 following a resolution of the planning committee on 11/11/2015.
160611	Application for non-material amendments to reserved matters 152378 (13 flats as an alternative to plots 398–405 previously approved under Phase 5 reserved matters RM/2014/0265) to allow small changes to the internal layout of the flats and elevations. Approved 31/03/2016.

## SUMMARY INFORMATION

Overall Site Area	34.71 hectares
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Net developable area	18.57 hectares (excluding the SANG, the primary school, distributor road and strategic buffers along London Road and Clay Lane)		
Phase 7	2.64 hectares		
Proposed units	100 of up to 650 approved dwellings (15%)		
Number of affordable units proposed on-site	12 (12%) of the total in the sub-phase, 8% of the total on site)		
Number of bedrooms per unit	Market housing (% of market housing)	On-site affordable housing (% of affordable housing)	Total (% of total dwellings in sub-phase)
One-bedroom	0 (-%)	2 (17%)	2 (2%)
Two-bedroom	53 (60%)	5 (42%)	58 (58%)
Three-bedroom	32 (36%)	5 (42%)	37 (37%)
Four-bedroom	3 (3%)	0 (-%)	3 (3%)
Total	88 (88% of total in sub-phase)	12 (12% of the total in the sub-phase)	100 (15% of the total on site)
Proposed allocated parking spaces (not including garages)	131		
Proposed unallocated parking spaces	57		

## CONSULTATION RESPONSES

Land Use and Transportation	No in principle objection to the revised proposals.
Access and Movement	The revised layout is generally acceptable, subject to minor revisions to the adoption plan and details of proposed servicing to be agreed through the section 38/278 process.
Public Rights Of Way Officer	No comments received. <i>(Officer Note: the site layout demonstrates a pedestrian link with Clay Lane south of the pond 2 within an area identified to be adopted by the Council as POS).</i>
Landscape Officer	No objection, subject to minor revision to the landscaping scheme. <i>(Officer Note: Condition 14 of O/2010/1712 requires submission of a detailed landscaping scheme)</i>
Ecology	No objection.
Environmental Health Officer	No objection.
Community	No objection: the amount of affordable housing in this phase and

Infrastructure (affordable housing)	the size and tenure mix are acceptable. <i>(Officer Note: the S106 and the strategy for provision of affordable housing required by Condition 62 of O/2010/1712 establish the parameters the overall amount, tenure and size mix of affordable housing and the phasing of delivery)</i>
Archaeological Advisor	No comments received in relation to this reserved matters application but feedback has been received on the details submitted in relation to Condition 34 of O/2010/1712 which are acceptable and no further archaeological work is required in this phase.
Environment Agency	No comments received.
Drainage	No objection and no additional conditions recommended.
Natural England	No comments received
Sport England	No comments received.
English Heritage	No comments received.
Crime Prevention Design Advisor	No comments received
Thames Valley Police	No comments received.
Thames Water	No objection.
South East Water	No comments received.
SSE Power Distribution	No comments received.
British Gas	No comments received.
Highways Agency	No comments received.
Network Rail	No comments received.
Southwest Trains	No comments received.
Royal Berkshire Fire and Rescue	No comments received.
Bracknell Forest Borough Council	No comments received.
Health and Safety Executive, Explosives Inspectorate	No comments received.
Ward Members	No comments received
Wokingham Town Council	[Comments on the application as originally submitted] “The rear elevation of the block of flats in plots 48-59 has no quality of design, does not enhance the character of the surrounding area and should incorporate some design features (Core Strategy Policy CP3).

The block of flats in plots 48-59 should be provided with full balconies (or at least Juliet balconies) to allow the occupants to enjoy the amenity space”

[Comments on the allotments]

- “The parking provision of three spaces is insufficient and will force plot holders to park on the adjoining roads
- Suggest using one of the 10 pole plots for six additional parking spaces and the central bank of 20-25 tool lockers
- The other 10 pole plot should be divided into two 5 pole plots
- A composting toilet does need to be installed  
The 20 plus trees by the boundary should be removed from the plan - the root systems and shade effect will have a serious impact on cultivation of the adjacent plots
- The number of water taps should be increased from three to six”

[Comments on revised plans]:

“Wokingham Town Council is delighted that the developers have addressed their concerns about the appearance of these dwellings and have gone further by replacing the large block of flats with smaller dwellings and improved private amenity space.”

*(Officer Note: The revised plans have substituted the apartment units referred to with houses. Balconies are now included on all apartment units – in most cases Juliet , though units 7-12 incorporate patio-style balconies on all three floors.*

*The detailed specification of the allotments was fixed by the s.106 agreement at outline stage; however, the agreement allows for some flexibility in the size of plots at Reserved Matters stage. The applicant’s revised plans now show a greater number of smaller plots, as requested by the Town Council. However, a greater number of taps and the amount of parking has not been revised to reflect the likely increase in users. Therefore, recommended condition 7 requires the applicant to seek approval of the allotment details (from the LPA) before occupation of the 550<sup>th</sup> dwelling).*

Wokingham Without Parish Council      No comments received.

Binfield Parish Council      No comments received

## REPRESENTATIONS

No representations have been received

## PLANNING POLICY

**Wokingham Borough Core Strategy policies:**

CP1	Sustainable development
CP2	Inclusive communities
CP3	General Principles for development
CP5	Housing mix, density and affordability
CP6	Managing travel demand
CP7	Biodiversity
CP8	Thames Basin Heaths Special Protection Area
CP21	South Wokingham Strategic Development Location

**Managing Development Delivery Local Plan (Adopted February 2014)****Cross Cutting Policies**

CC01	Presumption in Favour of Sustainable Development
CC02	Development Limits
CC03	Green Infrastructure, Trees and Landscaping
CC04	Sustainable Design and Construction
CC05	Renewable energy and decentralised energy networks
CC06	Noise
CC07	Parking
CC08	Safeguarding alignments of the Strategic Transport Network & Road Infrastructure
CC09	Development and Flood Risk (from all sources)
CC10	Sustainable Drainage

**Residential Uses**

TB05	Housing Mix
TB07	Internal Space Standards
TB09	Residential accommodation for vulnerable groups

**Landscape and Nature Conservation**

TB21	Landscape Character
TB23	Biodiversity and Development

**Heritage**

TB25	Archaeology
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**Housing**

SAL04	New open space associated with residential development within and adjoining the Borough
SAL05	Delivery of avoidance measures for Thames Basin Heaths Special Protection Area

**Supplementary Planning Documents**

Wokingham Borough Council Borough Design Guide Supplementary Planning Document (June 2012)

Sustainable Design and Construction Supplementary Planning Document (28 May 2010)

South Wokingham Strategic Development Location Supplementary Planning Document

(October 2011)

Infrastructure Delivery and Contributions Supplementary Planning Document (October 2011)

Wokingham Borough Affordable Housing Supplementary Planning Document (July 2013)

### **National Planning Policy**

National Planning Policy Framework (27 March 2012)

Planning Practice Guidance

## **PLANNING ISSUES**

### The principle of development

1. The principle of development was established by outline planning permission O/2010/1712 (as varied by VAR/2015/0342), for up to 650 dwellings and associated infrastructure: although at the time of the outline application, the site lay beyond development limits in the designated Countryside, the application was consistent with the Core Strategy - in particular Policies CP17 and CP21 - the South Wokingham Strategic Development Location Supplementary Planning Document (the South Wokingham SPD) and the Infrastructure Delivery and Contributions Supplementary Planning Document (the Infrastructure SPD), which identify the South Wokingham SDL for a coordinated, infrastructure rich development of 2,500 new homes and envisage Buckhurst Farm (now Montague Park) coming forward as the first phase.
2. The Managing Development Delivery Local Plan (MDDLDP, February 2014) has subsequently confirmed the spatial strategy established in the Core Strategy and SPDs, incorporating the western part of the Montague Park site in the Major Development Location of Wokingham – one of the settlements identified by Core Strategy Policy CP9 as being capable of accommodating large scale new development - while the land to the east of the site remains in the Countryside.
3. The outline planning permission was subject to a S106 legal agreement, which secures the coordinated delivery of the infrastructure necessary to support the development – including on-site provision of a primary school with dual use sports pitches, a neighbourhood centre, Suitable Alternative Natural Greenspace (SANG), play areas and amenity open space – and triggers for its delivery, consistent with the Core Strategy and Infrastructure Delivery and Contributions Supplementary Planning Document.
4. The parameters plans approved under the outline planning permission established the juxtaposition of different land uses, which were consistent with adopted planning policy and also the then emerging, now adopted MDDLDP policies. (Very broadly built development would be located towards the west of the site and open space to the east, to maintain the separation from Bracknell). They also established the range and distribution of building densities and heights across the site; the green infrastructure framework including the SANG, play areas and other open space; and the movement network with a hierarchy ranging from the SDR (Southern Distributor Road, now William Heelas Way) to informal footpaths within the SANG. These plans, combined with the Design and Access Statement (DAS)

identified key elements of the design establishing different character areas within the development, gateways, key public spaces, locations for landmark buildings and so on. They also established typologies for the different character areas and street types.

5. Condition 8 of O/2010/1712 requires these principles to be amplified in a Design Code. An overarching Design Code for the development as a whole has been approved (C/2013/0200). A Detailed Design Code for Phase 7 has also been submitted (152736) and is considered to be in compliance with the approved parameters and the design principles in the DAS and Overarching Design Code.

#### Affordable and specialist housing

6. Core Strategy Policy CP5, Housing mix, density and affordability, amplified by MDD LP Policy TB05: Housing Mix, South Wokingham SPD Design Principle 2b, the Infrastructure SPD and the Affordable Housing SPD, requires a mix of tenures, including up to 35% affordable housing within SDLs. Accordingly, conditions 3 and 62 of the outline application and the S106 legal agreement, amended by a Deed of Variation, secure the equivalent of 35% affordable housing: 23% on-site, equating to 150 units, a commuted sum towards delivery of the 8% off-site and the option to expand of the primary school to three-forms of entry in lieu of the remaining 4%. They also establish the tenure - 70% social rented, up to 12% of which may be affordable rented housing, and 30% to be available for shared ownership – and requirements regarding the mix of dwelling types and sizes.
7. The revised strategy for delivery of affordable housing submitted in relation to Condition 62 proposes 23% on-site affordable housing of which 70% would be affordable or social rented and 30% shared ownership, in line with the S106 agreement, as varied. The strategy anticipated that there would be 14 (17%) affordable dwellings in Phase 7 of which 11 would be rented and three for shared ownership.
8. The proposal is for 12 affordable units, four of which would be shared-ownership and the remainder social rented tenures. Although the proposal is for two fewer units that had been originally anticipated for this phase, the housing officer has advised that the proposal is acceptable and that the overall affordable housing obligation can be fully met through the remaining (phase 6), as required by the s.106 legal agreement.

#### The character of the area

9. Core Strategy Policies CP1, Sustainable Development and CP3, General Principles for Development require a high quality design that respects its context. This requirement is amplified by MDDL Policies CC03, Green Infrastructure, Trees and Landscaping and TB21, Landscape Character and South Wokingham SPD which requires development proposals to protect and enhance the Borough's Green Infrastructure (including designated Green Routes such as London Road), retaining existing trees, hedges and other landscape features and incorporating high quality - ideally native – planting as an integral part of any scheme, within the context of the Council's Landscape Character Assessment.
10. The juxtaposition of different lands uses and how these relate to the landscape

character of the area was considered at the outline stage: the Land Use Parameters Plan (Drawing No TA03 Rev T) establishes the broad distribution of uses across the site and - together with the Landscape Parameters Plan (Drawing No TA06 Rev T) - the landscape structure for the development. The application demonstrated how the existing landscape structure could be largely retained and incorporated to ensure that the development would integrate well in the landscape context and conditions of O/2010/1712 secure this (Conditions 12, 13, 14, 15, 17 and 18 among others).

11. The DAS incorporated an assessment of the character of the area surrounding the site to identify characteristics of development in Wokingham. This analysis formed the foundation for the parameters for development – including the density and height distribution across the development - and principles established in the DAS and overarching Design Code. Consistent with the requirements of the South Wokingham SPD, the parameters plans and DAS established that development would be based on a traditional pattern of streets and perimeter blocks.
12. The DAS also built on the approach established by the SPD to establish six character areas, three of which are relevant to Phase 7: Buckhurst Boulevard (fronting onto William Heelas Way), Clay Lane (bordering the eponymous Public Footpath) and Buckhurst Lanes (the interior of the site).
13. Condition 8 of O/2010/1712 requires submission and approval of a Design Code before submission of reserved matters for each sub-phase. An overarching Design Code for the whole development has been approved (C/2013/0200) and a detailed Design Code for Phase 7 has also been submitted and revised in response to initial feedback (152736).
14. The SDR (now William Heelas Way) will form the main route through the development and will be the focus for community facilities such as the school and neighbourhood centre. Consistent with this function the Buckhurst Boulevard and Square character area is intended to have a relatively formal, urban character, softened by street tree planting and, reflecting this, the approved parameters established that the greatest densities and building heights would occur along this route.
15. The eastern edge of the site fronting onto the SDR therefore comprises three storey apartments, continuing the Montague Boulevard Character Area to the southern boundary of the site, where it meets the railway. Three storey development is considered to be appropriate in this location, given the siting of blocks 23-31 and 39-47 adjacent to a (proposed) elevated section of the SDR (i.e. a bridge embankment crossing the railway, allowing the SDR to continue southward and westward) and since overall building heights fall within the prescribed maximums. Furthermore, the use of materials combined with gables and variations in the ridgeline successfully breaks up the mass of the buildings to maintain a domestic scale. The application is supported by a landscaping scheme and section drawing demonstrating that a successful relationship can be achieved between the embankment and the adjacent residential properties.
16. The remainder of the site - the Buckhurst Lanes and Clay Lane Character Areas are comprised 2 and 2.5 storey units, providing a softer edge to the development, consistent with the approach adopted within phase 5, immediately to the north.

Two apartment blocks (units 28-64 and 83-88) have been incorporated within the site interior; however, their corner siting and 2.5 storey design allows for successful integration within the less urban form of this part of the site.

17. A broad palette of materials - orange/red brick and render, with tile or slate roofs – was established at the outline stage. The use of these materials in differing proportions throughout the site will help define the different character areas. Condition 10 of O/2010/1712 requires approval of materials before commencement of development in any sub-phase. Details for Phase 7 will therefore be submitted for approval in due course.
18. Conditions 12 and 13 require approval of an Arboricultural Implications Assessment and Arboricultural Impact Assessment and Condition 14 requires approval of a scheme of landscaping before work commences in any sub-phase.
19. Condition 15 required approval of an overarching Landscape and Habitat Management Plan before submission of the first Reserved Matters application (this was approved in February 2012, Conditions reference C/2012/2568) followed by a detailed Plan before development in any sub-phase begins.

Density of development and housing mix

20. Core Strategy Policy CP5, Housing mix, density and affordability and MDDL Policy TB05, Housing Mix and the South Wokingham SPD seek a mix and balance of densities, dwelling types and sizes.
21. The outline application established an average density of 35 dwellings per hectare (dph) across the site as a whole, with variation to help establish different character areas. Thus, densities will range from a maximum of 50- 60 dph in the immediate vicinity of the neighbourhood centre (where a mixed-use development of flats above retail and community uses is anticipated) and around the junction with the secondary access road, to a minimum of 25-30 dph around the edges of the development, to allow it to assimilate to adjacent residential areas and provide a 'softer' edge to the countryside.
22. The outline application also established that there would be a range of dwelling types and sizes, proposing an overall mix of dwellings broadly in line with the target mix set out in the Wokingham District Local Plan (now superseded). As with density the precise mix will vary between different character areas. Generally there will tend to be a higher proportion of larger detached and semi-detached houses in lower density areas and a higher proportion of smaller units, including flats and terraced houses in higher density areas. The proposed dwelling mix of dwelling types is set out below.

Unit size	market housing (% of Market housing)		affordable housing (% of affordable housing)		total (% of total dwellings)	
1bed	0		2 (17%)		2 (2%)	
2 bed (flat)	53 (60%)	53 (60%)	1 (8%)	8 (47%)	54 (54%)	19 (29%)

2 bed (house)	- (-%)	4 (33%)	4 (4%)
3 bed	32 (36%)	5 (42%)	37 (37%)
4 bed	3 (3%)	- (-%)	3 (3%)
<b>total</b>	<b>88</b> (88% of total in sub-phase)	<b>12</b> (12% of the total in the sub-phase)	<b>100</b> (15% of the total on site)

23. Phase 7 falls within an area prescribed as medium density (30-40dph) within the Outline application density parameter plan. The Reserved Matters proposal is complies with the density parameters.

24. The overall proportion of flats proposed (54 which equates to 54% of the dwellings) is higher than in previous phases, which, given the relatively dense development (apartment blocks) along the SDR within the Montague Boulevard Character Area and adjacent to the neighbourhood centre, is as anticipated. As set out above, the siting of apartment blocks along the SDR is considered to be appropriate and a less urban character is successfully achieved within the interior and western edge of the site.

Residential amenity: the impact upon neighbouring properties

25. Core Strategy Policy CP3, General Principles for Development requires that new development should be of a high quality of design that does not cause detriment to the amenities of adjoining land users or their quality of life. This is amplified by Figure 4.25 (page 47) of the Wokingham Borough Council Borough Design Guide SPD which establishes minimum separation distances required between dwellings to maintain acceptable levels of privacy and avoid overbearing impacts.

26. Design Principle 1a(iv) makes particular reference to the need for careful treatment of the transition between new and existing developments, including a specific requirement for a separation of at least 25 metres between the rear boundary of existing properties and new properties on Buckhurst (now Montague) Park.

27. To the west of the site is Priest Avenue, comprised of predominantly two-storey, detached dwellings, separated from the application site by a byway, Clay Lane. The proposed layout achieves a consistent separation in excess of 100m to the rear boundaries Priest Avenue dwellings. Thus, the relationship is acceptable in terms of residential amenity.

28. The dwellings within Sub-Phase 5 of the development (to the north) are already under construction. They are predominantly two-and-a-half storey properties, of a similar height to those proposed opposite within Sub-Phase 7. There is ample separation to the Phase 5 site, which screened by a mature hedgerow in any case. Therefore, the relationship is acceptable in terms of residential amenity.

29. To minimise disturbance during construction, Condition 32 of O/2010/1712 requires approval of a Construction Environmental Management Plan (CEMP) before development in any sub-phase begins and Condition 33 controls hours of work.

Residential amenity: the amenity of future occupants of the development

Compliance with internal space standards

30. Consideration should also be given to the amenity of future occupants of the development.
31. MDDL Policy TB07: Internal Space Standards has been superseded by the 'Technical housing standards – nationally described space standard'. This new standard is not a building regulation and remains solely within the planning system as a new form of technical planning standard which the council can choose to apply (and its discretion) given it has a policy in place for this.
32. In general, the Nationally Described Space Standard require a greater amount of internal space for a given unit size/occupancy when compared to superseded policy. In some cases, the difference is significant – in the region of 15% more than MDD Policy TB07.
33. The Outline planning permission for the wider site was approved prior to the introduction of both the National Standard and superseded the Policy TB07 and set the parameters for development, including density, from which assumptions were made about the quantum of development – in this case, permission has been granted for up to 650 units.
34. The application proposal meet, and generally exceed, the TB07 (superseded) space standards for the vast majority of the unit types. However, 42 of the units do not accord with the new National Standard. Four of the units fall marginally below the WBC TB07 standard – only by 1m<sup>2</sup> in the case of units 98, 99 and 100 and by 2m<sup>2</sup> for unit 92.
35. The wording of criterion 1 of policy TB07 is such that it does offer the authority flexibility in assessing proposals. Likewise the new national standards offers similar flexibility, provided the LPA is satisfied the amenities of residents is not detrimentally impacted upon.
36. In reviewing the application, officers have had regard to the Outline development parameters, constraints, the quantum of development achieved on previous phases and what is anticipated could be achieved in the phase 6. Based on this assessment, it is considered unlikely that 650 units could be delivered across the Outline site overall. By opting to impose the new Nationally Described Space Standard, the number that could be achieved would fall further still.
37. Therefore, for this particular development, it is considered reasonable to exercise the flexibility afforded by the policy, recognising that the scheme is generally compliant with the superseded space standards given the proposed units are considered to offer a good standard of accommodation for future occupiers.

Separation distances and private amenity space

38. The Borough Design Guide (page 47) establishes minimum separation distances

of 10 metres front-to-front across the street, 22 metres back-to-back and 12 metres back-to-flank in order to achieve appropriate levels of privacy. However, these are minimum standards and in some circumstances – for example where there is accommodation on three or more floors – greater separation may be appropriate.

39. The Borough Design Guide (page 47) also establishes principles for provision of private amenity space for dwellings: the size of garden should relate to the house type and number of proposed occupants and provide a degree of privacy. In suburban areas gardens should be of sufficient size to allow a variety of activities (level areas for sitting, play, clothes drying, outside storage), which requires a roughly rectangular, useable space of at least 11 metres in length which receives direct sunlight for at least part of the day. There should also be secure external cycle storage.
40. The proposed layout complies well with the guidance on separation distances and also makes appropriate provision for outdoor amenity space: all but four of the private tenure houses (and all of the affordable units) would have private gardens of 11 metres or more in depth as recommended by the Borough Design Guide and the flats would all have access to some form of communal amenity space. In some cases this would be quite limited but these would be in the denser areas adjacent to the SDR and the guidance does acknowledge that more compact gardens or alternative provision may be acceptable in some locations. Taking into account other material planning considerations - in particular the need to provide adequate space for car parking and circulation and the large amount of open space within the development (the amount of amenity open space provided in the green corridors that run through the site is significantly over policy requirements) – the provision of private amenity space is acceptable.

#### Noise

41. Core Strategy Policy CP1, Sustainable Development and MDDL Policy CC06, Noise direct development away from areas where noise would impact upon amenity and require mitigation where noise cannot be completely avoided.
42. The South Wokingham SPD identifies noise as a constraint to development and the noise assessment submitted at the outline stage identified three areas where noise levels in 2026 were predicted to be within Noise Exposure Category (NEC) B, where noise must be taken into consideration, or NEC, where planning permission should not normally be granted (these categories have since been revised by the MDDL to No Observed Effect Level, Lowest Observed Adverse Effect Level and Significant Observed Adverse Effect Level). These were along London Road, along the SDR and adjacent to the railway.
43. Accordingly, Condition 24 of the outline planning permission requires the layouts submitted at reserved matters stage to have regard to the need to avoid noise sensitive development with these areas and Condition 25 requires approval of noise mitigation measures before commencement of development in any sub-phase and implementation of the approved scheme.

#### Ecology

44. Core Strategy Policy CP7, Biodiversity and MDDL Policy TB23: Biodiversity and Development, require appropriate protection of species and habitats of conservation value. Design Principle 1b (i-ii) is concerned with protection of ecological habitat and biodiversity features, together with mitigation of any impacts that do arise.
45. A key feature of both landscape and ecological value is the network of species rich hedgerows, which are to be retained as an integral part of the landscape framework for the development. To allow for successful retention of the hedgerows, Condition 17 of O/2010/1712 requires reserved matters to be in accordance with the Hedgerow Management Plan (revised 14 October 2011) and accompanying drawings and Condition 18 requires amplification of the details of breaks in the hedgerows and mitigation of the impact before development in any sub-Phase begins.
46. A critical element of the Hedgerow Management Plan is the establishment of ten metre wide buffers on either side of the hedgerows (measured from the centre line of the hedgerow) consisting of open soft areas, with occasional leisure paths. The buffers may, as an exception, be reduced to a minimum of seven meters for short sections, on one side only. The application as revised is consistent with the Hedgerow Management Plan.
47. Details of hedgerow gaps, to comply with Condition 18 will be agreed under this condition.
48. In order to balance the sometimes conflicting aims of providing a safe environment for occupants and minimising the impact on wildlife, especially bats, Condition 20 requires approval of an overarching lighting strategy before submission of reserved matters and a detailed scheme before development in any sub-phase begins. An acceptable overarching strategy has been submitted (C/2012/2568) and a detailed scheme will be required before commencement. Also, in accordance with Condition 19, an updated reptile survey has been submitted together with a Reptile Contingency Plan (C/2014/1409). The proposals are acceptable.

#### Thames Basin Heaths Special Protection Area

49. The Thames Basin Heaths Special Protection Area was designated under European Directive due to its importance for heathland bird species. Southeast Plan Policy NRM6 and Core Strategy Policy CP8 establish that new residential development within a 7km zone of influence is likely to contribute to a significant impact upon the integrity of the Special Protection Area. The South Wokingham SDL falls within this zone of influence and, accordingly, Core Strategy Policy CP21 amplified by MDDL Policy SAL05 and SDP Design Principle 1c(vi) require provision of Suitable Alternative Natural Greenspace (SANG).
50. Condition 68 of outline planning permission O/2010/1712 secures the provision of 12.48 hectares of SANG (consistent with SAL05, 10), to be delivered in three phases: the SANG, including at least two kilometres of footpaths is to be open and available for use before occupation of the first dwelling and subsequent landscaping is to be implemented in two phases, the first before occupation of the 100th dwelling and the second before occupation of the 375th dwelling. These

requirements are reinforced by the S106 which secures the SANG together with a commuted sum for its future maintenance and a SANG management plan. The details of the SANG landscaping were refined through the reserved matters for Sub-Phase 2 (RM/2013/0242) and the details to comply with Condition 68 of O/2010/1712 which required submission and approval of details of the landscaping including footpaths, prior to occupation of the first dwelling (C/2013/0243). The SANG is now open.

#### Access and movement

51. Core Strategy Policies CP1, Sustainable Development and CP6, Managing Travel Demand seek to manage travel demand by a variety of measures and Policies CP10, Improvements in the Strategic Transport Network and CP21, South Wokingham Strategic Development Location amplify this aim, identifying specific measures relevant to the South Wokingham SDL including provision of the SDR, improvements to capacity along the A329 and A321 corridors and improved provision for travel by means other than the private car. The travel impacts of the development were considered at the outline stage (in line with the Council's modelling protocol) mitigation was secured through a combination of conditions (Conditions 41, 42, 43, 45, 46 and 47 of O/2010/1712) and the S106 legal agreement.

#### Movement layout

52. The outline planning permission (Plan Drawing No TA07 Rev T, Movement and Access Parameters) also established a network of streets, converging on SDR which will be the key connecting route through the Montague Park development - for pedestrians, cyclists and motor vehicles – as well as fulfilling a strategic function. The design of the SDR has been approved through outline planning permission O/2010/1712 and the Phase 1 reserved matters application RM/2013/0240 and subsequently refined through the S38/S278 highway approval process and approval of details to comply with planning conditions: these refinements were drawn together in a non-material amendment application NMT/2014/0378. As anticipated by the South Wokingham SPD, these approvals establish the character of the road as a tree lined street with residential development facing onto it.
53. As well as providing an indication of the layout of the movement network, the approved Movement and Access Parameters Plan amplified by the DAS and Design Code, establishes typologies for different types of route. Access to development within Phase 7 will be from the SDR (William Heelas Way) the design and character of which already has approval. Leading off from the main site access at William Heelas Way will be a series of interconnected tertiary streets and mews lanes. These are intended primarily to provide access to residential areas so will accommodate relatively low levels of traffic travelling at slow speeds and. Consistent with the established principles, the estate road immediately adjacent to the play area and open space fringe have been designed as shared surface streets.
54. The application is supported by a refuse plan, showing the locations for storage of waste and recycling for each of the houses and apartment blocks. In some cases, refuse carry distances exceed the recommended 30 metre maximum. While this

is unfortunate, it is not considered that a reduced carry distances could be achieved without significantly compromising the overall quality of the development.

55. The layout is generally acceptable subject to minor revisions to the adoption plan and details of proposed servicing to be agreed through the section 38/278 process.

#### Car parking

56. In line with Core Strategy Policy CP6, Managing Travel Demand and MDDL Policy CC07: Parking Condition 36 of O/2010/1712 requires reserved matters to incorporate car and motorcycle parking in line with the Council's standards. The standards require allocated parking to be supplemented with unallocated parking.
57. The Design and Access Statement and Design Code proposed a combination of on-plot parking (drives and in many cases garages), formally marked-out parking bays within the public realm and parking courtyards serving a small number of dwellings.
58. The overall parking provision would consist of 131 allocated parking spaces, plus 34 garages and 57 unallocated car parking spaces; a total of 165 allocated spaces (equivalent to 1.65 per dwelling) and 222 spaces overall (equivalent to 2.22 per dwelling). Allowing for potential underutilisation of allocated parking where more than two spaces are provided per dwelling and only 0.5 for a garage spaces (due to the tendency for them to be used for storage rather than parking) the parking demand calculator suggests that there will be equivalent to 140 allocated spaces and demand for 60 unallocated spaces. Parking provision is in accordance with the Council's adopted standards.
59. The proposed allocated parking would generally be well located in relation to the units it is intended to serve and the amount of parking is proportionate to the size of dwelling. Unallocated parking is also well distributed through the development.
60. Condition 37 of O/2010/1712 requires garages and car ports to be retained and kept available for parking.
61. Therefore, the quantum and distribution of car parking provision is considered to be satisfactory.

#### Cycle storage

62. Consistent with Core Strategy Policies CP1, Sustainable Development and CP6, Managing Travel Demand, which expect development to make provision to support sustainable travel, Condition 38 of O/2010/1712 requires the reserved matters for each Sub-Phase of development to incorporate cycle storage in line with the Council's standards at the time. These are set out in MDDL Appendix 2: Car Parking Standards: the requirement is for provision of at least one cycle space for dwellings with three or fewer habitable rooms, two spaces for dwellings with four or five habitable rooms and three cycle spaces for larger dwellings.
63. The development provides the requisite amount of cycle storage in accordance with the Council's adopted standards, either within garages or else sheds provided

in back gardens. Cycle stores are also proposed for the flats. Condition 5 will secure details of how these are to be fitted out to provide secure storage for the number of cycles required to meet standards.

#### Flooding and Drainage

64. Core Strategy Policy CP1 and MDDL Policies CC09 and CC10 establish that new development should avoid increasing and where possible reduce flood risk (from all sources) by first developing in areas with lowest flood risk, carrying out a Flood Risk Assessment (FRA) where required and managing surface water in a sustainable manner. These requirements are reinforced by South Wokingham SPD Design Principle 1c(ii) which requires provision of a comprehensive system for water management, which takes account of existing features and includes proposals for effective sustainable urban drainage (SUDS), measures to avoid flood risk and new ponds.
65. The Montague Park site was and remains entirely in Flood Zone 1 where the risk of flooding is low and all uses, including more vulnerable residential uses and less vulnerable uses (the proposed school, shops and community uses) are appropriate. Furthermore, the site was allocated in the Core Strategy, which was subject to a Strategic Flood Risk Assessment and, therefore, the sequential test was met.
66. The Environment Agency's information on "Risk of Flooding from Surface Water" shows that parts of the site – predominantly along the Clay Lane ditch and the watercourse that runs east-west across the site - are at low-to medium risk and at a few points high risk of pluvial flooding.
67. The outline application was supported by a Flood Risk Assessment (a requirement for site of more than one hectare area) which established how development could be carried out without increasing surface water run off or, therefore, the risk of flooding and Condition 48 of O/2010/1712 required development to be in accordance with this document. In addition Condition 49 requires reserved matters applications for each sub-phase to include a surface water drainage scheme and Condition 50 requires approval of a strategy for surface water and foul drainage before development in any sub-phase commences.
68. The FRA established a storm water run-off management strategy which includes source control (permeable paving), site control (detention basins) and regional control (attenuation ponds incorporating wetland areas), to mimic a natural catchment and incrementally reduce pollution, flow rates and volumes. Discharge would be to an existing on-site water course and ultimately to the Thames Water sewer, as is currently the case. Discharge rates would be limited to current greenfield run off rates and would control the volume of storm water run-off to reflect current discharge rates with capacity provided within the attenuation systems for storm water run-off during 1 in 100 year storm events, including an allowance of an additional 30% for potential future climate change.
69. The application is accompanied by an acceptable surface water drainage scheme, which fulfils the requirements of Condition 49. The SuDS will eventually be adopted by Wokingham Borough Council. Thus the application demonstrates that the drainage for the development, once complete, will be acceptable.

## Sustainable Design and Construction

70. Core Strategy Policy CP1 requires development to contribute towards the goal of achieving zero carbon development by including on-site renewable energy features and minimising energy and water consumption. This is amplified by MDDL P policies CC04: Sustainable design and construction and CC05: Renewable energy and decentralised energy networks and the Sustainable Design and Construction Supplementary Planning Document (May 2010).
71. Policy CC04 establishes that new housing should seek to achieve Code for Sustainable Homes (CfSH) Level 4 and, as part of this requirement, to meet internal potable water consumption targets of 105 litres or less per person per day.
72. Condition 56 of O/2010/1712 requires market housing within the development to be designed to at least CfSH level 3 and affordable housing to be designed to at least CfSH level 4. However, since the imposition of this condition, revised Part L of Building Regulations has been updated to effectively require the equivalent energy efficiency as Code Level 4
73. In line with Policy CC04, Condition 59 requires the reserved matters for each phase to include details of measures to reduce water consumption. A pre-assessment detailing water consumption has not been provided with the Reserved Matters application. Recommended condition 6 requires the development to meet internal water potable water consumption targets of 110 litres or less per person, per day.
74. Policy CC05 requires proposals to deliver a minimum 10% reduction in carbon emissions through renewable energy or low carbon technology. The outline application was supported by an Energy Demand Assessment which established a preliminary strategy for achieving 10% of the predicted energy use of the development from on-site decentralised, renewable or low carbon sources. Building on this, Condition 57 of O/2010/1712 requires either amplification of this strategy or an alternative strategy which can achieve a greater carbon saving. An alternative strategy based on a fabric first approach, which achieves carbon savings by prioritising measures such as improved insulation (thereby reducing the demand for energy) before use of decentralised, renewable or low carbon energy sources has been approved (C/2013/0241).
75. Condition 57 requires reserved matters applications to include details of the measures to fulfil the approved strategy for achieving a 25% reduction in Co2 emissions and installation of the approved measures before first occupation of the buildings they are intended to serve. This detailed information is not available at this stage and, therefore, a condition requiring approval of details prior to installation is recommended (Condition 3).
76. MDDL P Policy CC04 requires all development to incorporate suitable waste management facilities including on-site recycling. Condition 58 requires provision of water butts and space for composting. This detailed information is not available at this stage and therefore, a condition requiring this is recommended (condition 4).

### Archaeology

77. Core Strategy Policy CP3 and MDDL Policy TB25 require the archaeological impact of development to be taken into consideration.
78. The Archaeological Assessment submitted at the outline stage did not find evidence of archaeological remains of sufficient importance to justify in-situ preservation but did suggest that a further, intrusive investigation was justified. Accordingly Condition 34 of O/2010/1712 required a programme of archaeological work to be agreed and implemented before submission of reserved matters for each sub-phase of the development. In the event a Written Scheme of Investigation (WSI) was submitted for the whole site, the fieldwork has taken place and a report of the evaluation has been submitted (C/2012/2568). The evaluation was acceptable and no additional archaeological work is required for this phase of the development.

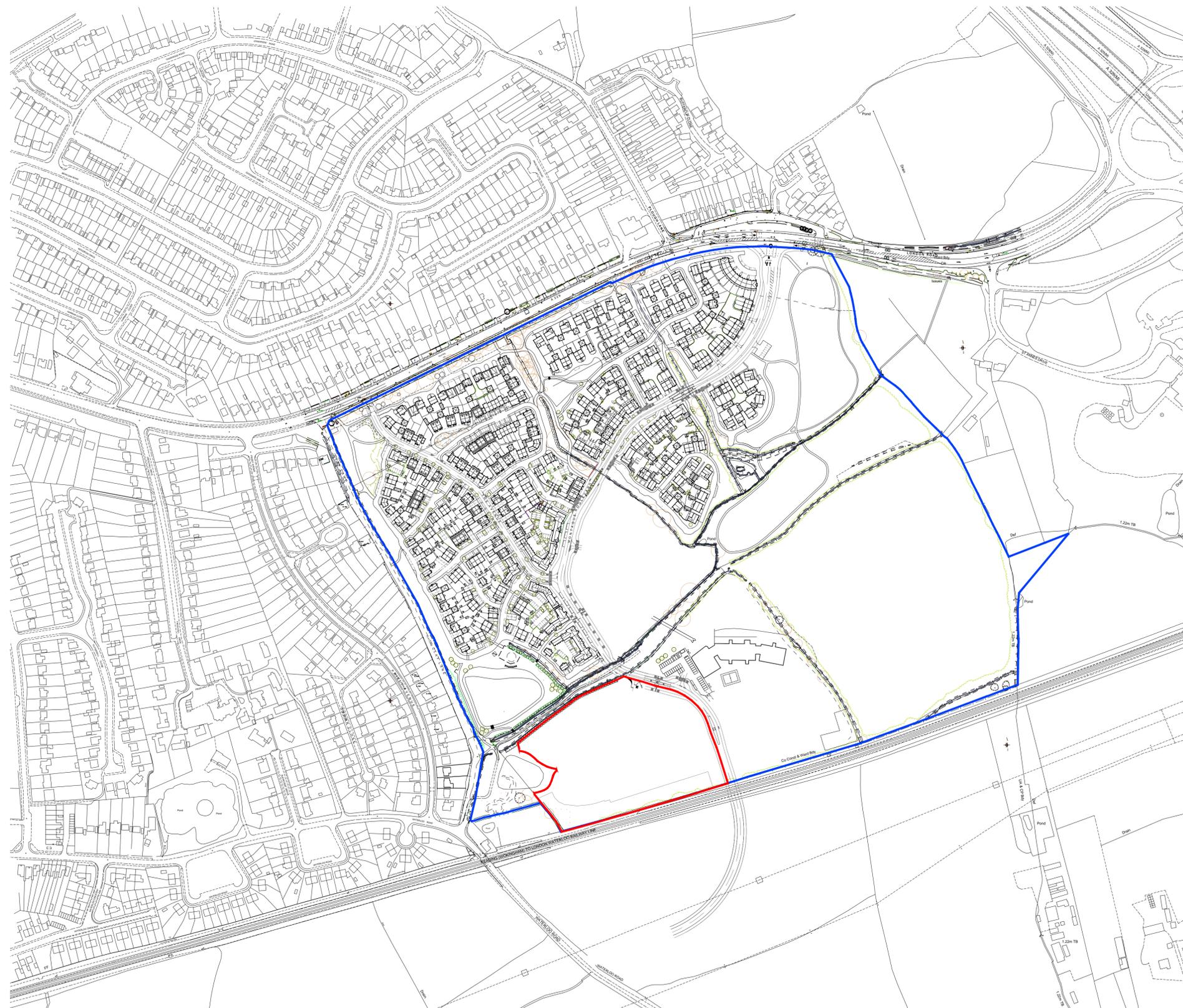
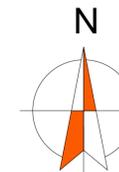
### **CONCLUSION**

The reserved matters are considered to be good design, consistent with the principles and parameters established by the outline planning permission, which themselves reflect the Council's adopted policies (including the MDDL, adoption was more recent than the grant of outline planning permission) and guidance for development within the South Wokingham SDL. The application is in line with the Council's spatial strategy and can be recommended for approval.

### **CONTACT DETAILS**

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notes:



rev: date: comment(s): name: check:

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status: **For Planning** RIBA Stage: **3**

client: David Wilson Homes

job: Montague Park Phase 7

title: Site Location Plan

drawn: SKT date: Nov 2015

checked: SKT scale @ a1: 1:2500

job no: C2274 drg no: P001 Rev -



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all dimensions to be checked on site and architect notified of any discrepancies prior to commencement. do not scale.

notes:



J	10.03.16	Garage omitted from plot 22. Road & footpath alignment amended to front of plots 69-88. General revisions in accordance with LPA comments. Resubmitted for planning.	DM	DWH
H	03.11.15	Cycleway amended to realign with new SDR junction.	SKT	SKT
G	27.10.15	SDR junction revised as per highways engineers amendments.	SKT	SKT
F	23.10.15	Planning submission layout - redline boundary added, schedule of accom. added.	SKT	SKT
E	15.10.15	Layout revised as clouded following discussion with Landscape Architect.	SKT	SKT
D	12.10.15	Layout revised in accordance with DWH comments.	SKT	SKT
C	08.10.15	Layout amended and re-issued by DWH as final sign-off layout.	D. Moore	D. Moore
B	30.09.15	Layout revised in accordance with DWH comments.	SKT	SKT
A	21.09.15	Layout revised in accordance with local authority's comments following consultation with planning and highways officers on 10.09.15.	SKT	SKT

rev: date: comment(s): name: check:

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status: **For Sign Off by DWH** RIBA Stage: 3

client: David Wilson Homes

job: Montague Park Phase 7

title: Site Layout Plan

drawn: SKT date: August 2015

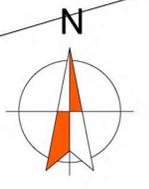
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job no: C2274 drg no: P002 Rev J

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Approved new dwellings to adjacent site shown indicatively for contextual purpose only

READING (WOKINGHAM) TO LONDON WATERLOO RAILWAY LINE



59 Un-allocated Parking Spaces  
 129 Allocated Parking Spaces

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 do not scale.

notes:



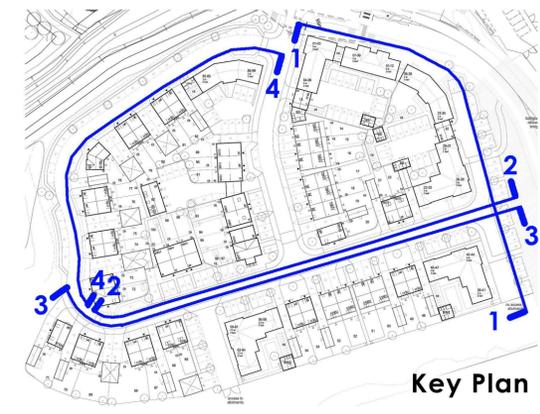
67  
Streetscene 1



Streetscene 2



Streetscene 3



Streetscene 3 - Continued



Streetscene 4

B	10.03.2016	Revised as per client's comments. To be issued for client sign off. Resubmitted for planning.	AJW	SKT
A	26.01.2016	Revised as per client's comments. To be issued for client sign off.	AJW	SKT
rev:	date:	comment(s):	name:	check:

**IDP** ARCHITECTS.  
 URBAN DESIGNERS.  
 PLANNERS.  
 PROJECT MANAGERS.  
 LANDSCAPE ARCHITECTS.  
 WE ARE IDP.

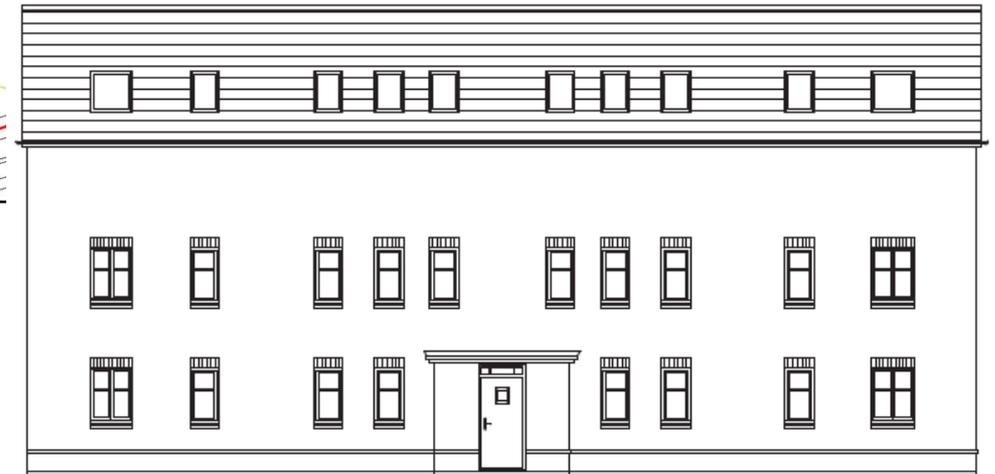
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client:	David Wilson Homes		
job:	Montague Park Phase 7		
title:	Proposed Streetscenes		
drawn:	SDC	date:	04.11.15
checked:	SKT	scale @ a1:	1:500
job no:	C2274	drwg no:	P300 Rev B

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**WTC COMMENTS ON ORIGINAL HOUSING PROPOSAL**

The rear elevation of the block of flats in plots 48-59 has no quality of design, does not enhance the character of the surrounding area and should incorporate some design features (Core Strategy Policy CP3).

The block of flats in plots 48-59 should be provided with full balconies (or at least Juliet balconies) to allow the occupants to enjoy the amenity space



153263

Montague Park

## WTC COMMENTS ON REVISED HOUSING PROPOSAL

Wokingham Town Council is delighted that the developers have addressed their concerns about the appearance of these dwellings and have gone further by replacing the large block of flats with smaller dwellings and improved private amenity space.



**WTC COMMENTS ON REVISED ALLOTMENTS PROPOSAL**

- The parking provision of three spaces is insufficient and will force plot holders to park on the adjoining roads
- Suggest using one of the 10 pole plots for six additional parking spaces and the central bank of 20-25 tool lockers
- The other 10 pole plot should be divided into two 5 pole plots
- A composting toilet does need to be installed
- The 20 plus trees by the boundary should be removed from the plan - the root systems and shade effect will have a serious impact on cultivation of the adjacent plots
- The number of water taps should be increased from three to six

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<b>Development Management Ref No</b>	<b>No weeks on day of committee</b>	<b>Parish</b>	<b>Ward</b>	<b>Listed by:</b>
153360	19	St Nicholas	Hurst	Recommended for approval

**Applicant** Mr Henry Giles C/O Green Planning Studio Ltd, Shrewsbury  
**Location** Land Adjacent to Cartref Farm, Islandstone Lane, Reading, Wokingham **Postcode** RG10 0RU  
**Proposal** Application to remove condition 1 of appeal planning consent F/2010/2695 to allow permanent occupation of the gypsy pitch on the site

**Type** Minor Gypsy and traveller pitches (1-9)  
**PS Category** 515  
**Officer** Daniel Ray

**FOR CONSIDERATION BY** Planning Committee on 27<sup>th</sup> April 2016  
**REPORT PREPARED BY** Head of Development Management & Regulatory Services

**SUMMARY**

Application F/2010/2965 was refused by Wokingham Borough Council for the following reasons:

1. Insufficient information supplied in relation to Flood risk
2. Insufficient information supplied in relation to protected species and habitat (Great Crested Newts and hedgerows and lowland meadow)
3. Failed to make satisfactory provision for adequate services, amenities and infrastructure needs and the subsequent impact upon the amenities of the area.
4. The proposal would create an excessive amount of hardstanding and an ancillary utility/dayroom would be disproportionate in scale to the rest of the structures on site thus a harmful visual impact would occur on the character of the area.

Four year temporary planning was granted in January 2012 for use of the site as a S106 agreement was entered in to (resolving point 3), satisfactory ecology reports were submitted (2) and the Inspector found that no harm to the character of the area would occur (4); however, concern remained regarding permanent occupancy due to flooding issues and the general need and provision for pitches in the Borough. This was the reason for temporary planning permission being granted.

Wokingham Borough Council’s Principle Flood Risk and Drainage Officer has visited the site and considered that the permeable surface (pebble) allows for water infiltration and considers this acceptable; therefore no objection was raised regarding permanent occupancy of the site.

Following the Blagrove Lane appeal decision (APP/X0360/C/15/3085493 & 3085495), it has been acknowledged that the Council may have a deficit of 1 gypsy and traveller pitch in the period 2014 – 2021, as such there is a requirement for the provision of 1 additional pitch in the Borough.

Due to the key factors that weighed against permanent occupancy are now, resolved or

overcome through the grant of permanent occupancy at this site, the application is recommended for approval. Unlike a temporary consent a permanent consent will enable the pitch to count towards the Council's supply of GRT pitches.

#### **PLANNING STATUS**

- Countryside
- Flood Zone 2
- Groundwater Protection Zone
- Land Liable to Flood
- Wind Turbine Safeguarding Zone

#### **RECOMMENDATION**

That the Planning Committee authorise the GRANT PERMISSION TO VARY A CONDITIONAL PLANNING PERMISSION subject to the following conditions:

##### A: Conditions and Informatives

Condition 1 (temporary planning permission) is removed.

Condition 2 (remediation of site following expiry of planning permission) is removed.

All other conditions of planning permission F/2010/2695 granted by appeal ref: APP/X0360/A/11/2154295 (dated 30/01/2012) apply to this planning permission.

3. The site shall not be occupied by any persons other than gypsies and travellers as defined in paragraph 15 of ODPM Circular 01/2006
4. The development hereby permitted shall be carried out in accordance with the following approved plans: nos. 09\_290\_003A, 09\_290\_004, 09\_290\_005, 09\_290\_006 and 09\_290\_007.
5. No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 1 shall be a static caravan) shall be stationed on the site at any time in the positions marked on plan number 09\_290\_003.
7. No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.
8. No commercial activities shall take place on the land, including the storage of materials.
11. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed or cut back in any way or removed without previous written consent of the local planning authority. Any works on the site's existing hedgerows and trees shall be carried out outside the period 1<sup>st</sup> March to the 31<sup>st</sup> August inclusive in any year, unless otherwise agreed in writing by the local planning authority.
12. No walls, fences, gates or other means of enclosure shall be erected on the site (including at the access mouth) other than those shown on the approved plans.

##### Informatives

1. It is noted that conditions 6, 9, 10, 13, 15 and 16 of the original planning permission have been formally discharged through application C/2012/1529. Letter dated 8<sup>th</sup> May 2013 and that planning permission was lawfully implemented in accordance with the requirements of condition 1.

**PLANNING HISTORY**

- F/2010/0308 – Application for change of use for the station of a caravan and mobile home for residential purposes for one gypsy pitch together with the formation of additional hardstanding and utility/dayroom and stable ancillary to that use. Refused (24/04/10)
- F/2010/2695 – Application for the change of use of land for the stationing of caravans for residential purposes for 1 no. gypsy pitch, together with the formation of additional hard standing, stable block and utility/dayroom ancillary to that use. Formation of a new access to the site. Temporary Planning permission granted by appeal (APP/X0360/A/11/2154295) for four years. (30/01/2012).

**SUMMARY INFORMATION**

Site Area 0.5ha

There is no change to the floor area (home and utility day room), land use (Gypsy and Traveller Pitch) and no change to the level of parking provided.

**CONSULTATION RESPONSES**

<b>Flood Risk and Drainage:</b>	My main flood risk concern was the size of the impermeable area, however after the site visit, I found the impermeable area to be of pebbles which allow for infiltration into the ground. As such I don't have any major flood risk concerns for this development to be allowed permanently.
<b>Highways:</b>	No highway issues
<b>Landscape and Trees:</b>	No comment
<b>Planning Policy:</b>	It is expected that further information be provided in order to determine whether the applicants meet the planning definition of gypsies and travellers. The case officer should also seek information regarding the efforts the applicant has made to establish if alternative available accommodation elsewhere is available. Also, insufficient information has been supplied to reassess the flooding impact of the proposal.
<b>Thames Water:</b>	The application does not affect Thames Water and as such we have no comments to make.

**REPRESENTATIONS**

**Local Residents:** - 7 letters were received; 6 objections and one letter of support. The

comments received are summarised as follows:

**Objections:**

- At the time of the original appeal decision, WBC was unable to provide evidence that there were sufficient sites in the Borough. WBC now has sufficient sites as per the Gypsy and Traveller Accommodation Assessment.
- The Inspectors overall conclusion are clearly listed in Paragraphs 68 to 74 of the appeal decision
- The site has not been lived on permanently during the temporary permission so the urgent need for housing as stated in the appeal documents does not appear to be the case
- The land should be returned to the grazing of horses as it is clearly not required for accommodation
- The site is located on an historic flood plain and is a development next to a watercourse/flood defence, this was a key reason only temporary planning permission was granted.
- In the last four years, the area around the junction of Nelson's Lane/Islandstone Lane and Islandstone Lane up to Broadcommon Road have been subject to flooding on numerous occasions, in particular 7/2/2014 – images have been supplied
- Despite efforts to mitigate the problem by digging/clearing out the drainage ditches and culverts, the problem will always be an on-going issue.

**Support:**

- The land had become contaminated with Ragwort prior to the present occupiers and was leading to problems in the surrounding area, the present occupiers have removed this and renewed fences. The site is maintained to a high standard.
- The family have integrated well in to the community and children have settled in to school.
- The family is hard working.
- The road junction near the site has flooded for many years and never been resolved; the site has had no adverse impact on the flooding.
- Uprooting a family that has proven against much prejudice that it can fit in to a village community would be unjust.

**Hurst Parish Council – Objection:**

The primary reason that temporary permission was granted at appeal (Appeal No APP/X0360/A/11/2154295/NWF) was that WBC was at the time unable to provide evidence that there were sufficient sites in the Borough.

The Inspector's Overall Conclusions leading to her decision are listed in Paragraphs 68 to 74 of the Appeal Decision letter of 30th January 2012, a copy of which is attached to the Applicant's Agent's Planning Statement.

These conclusions quite clearly dismissed the appeal for permanent permission and allowed temporary permission until WBC had provided sufficient sites in the borough.

It is the Council's understanding that this is now the case. WBC has since this Appeal completed a review, the Gypsy and Traveller Accommodation Assessment. This showed that there was no need for additional sites.

<b>PLANNING POLICY</b>		
National Policy	<b>NPPF</b>	National Planning Policy Framework
	<b>PPTS</b>	Planning Policy for Traveller Sites (August 2015) (PPTS)
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP3</b>	General Principles for Development
	<b>CP6</b>	Managing Travel Demand
	<b>CP7</b>	Biodiversity
	<b>CP9</b>	Scale and Location of Development Proposals
	<b>CP11</b>	Proposals Outside of Development Limits
Adopted Managing Development Delivery Local Plan 2014	<b>CC01</b>	Presumption in Favour of Sustainable Development
	<b>CC02</b>	Development Limits
	<b>CC03</b>	Green Infrastructure, Trees and Landscaping
	<b>CC07</b>	Parking
	<b>CC10</b>	Sustainable Drainage
	<b>TB21</b>	Landscape Character
	<b>TB23</b>	Biodiversity
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide
	<b>WPSS</b>	Wokingham Parking Standards Study Report October 2011
	<b>GTAA</b>	Gypsy and Traveller Accommodation Assessment 2015

<b>PLANNING ISSUES</b>
<p><u>The Site and Surroundings</u></p> <p>1) The application site is on the north-west side of Islandstone Lane, Hurst and comprises a large mobile home on a brick plinth, a low brick plinth with foundations laid for a day room and a stable. A grassed area is to the west and north of the mobile home which is an amenity garden area. Immediately adjacent the site to the south is a paddock.</p> <p>2) The site is within the countryside, with the surrounding area largely agricultural in nature. To the south are a small number of residential properties with the nearest dwelling (1 Nelson's Lane) over 70 metres from the application site. To the west Bridleway farm is some 80 metres from the application site, Holme Park Lea to the</p>

east is over 60 metres away whilst there is some 130 metres distance from the dwellings in Bonhomie Court which are to the north.

- 3) The site is bound largely by post and rail fences, although the northern boundary has a 2 metre high close boarded fence, beyond which is a mature hedge. Beyond the post and rail fence on the northern boundary is a mature hedge.

#### Description of proposal

- 1) The application proposes to remove condition 1 of appeal decision APP/X0360/A/11/2154295 (attached) pursuant to application number F/2010/2695 which reads:

*The development hereby permitted shall begin not later than three years from the date of this decision and the use hereby permitted shall be for a limited period of 4 years from the date of this decision.*

- 2) The application was lawfully implemented with pre-commencement conditions being discharged in line with the requirements of the decision notice (C/2012/1529). This application, for the removal of Condition 1, was made when planning permission was still active; however the 4 years temporary permission lapsed on 30 January 2016.
- 3) Should planning permission be granted, permanent occupation of the site would lawfully take place.

#### Assessment

- 4) Policy H: Determining planning applications for traveller sites of the Planning Policy for Traveller Sites (PPTS) sets out the approach local authorities should take when assessing applications for GRT sites. The Policy sets out that applications should be determined in accordance with the presumption in favour of sustainable development and the application of specific policies of the NPPF and the PPTS.
- 5) Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:
  - a) The existing level of local provision and need for sites
  - b) The availability (or lack) of alternative accommodation for the applicants
  - c) Other personal circumstances of the applicant
  - d) The locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
  - e) That they should determine applications for sites from any travellers and not just those with local connections
- 6) In addition, local planning authorities should attach weight to the following matters:
  - a) Effective use of previously developed (brownfield), untidy or derelict land
  - b) Sites being well planned or soft landscaped in such a way as to positively

- enhance the environment and increase its openness
- c) Promoting opportunities for health lifestyles, such as ensuring adequate landscaping and play areas for children
  - d) Not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community
- 7) The Local Plan outlines that planning permission may be granted for new gypsy and traveller pitches where it can be demonstrated that:
- a) The site is adjacent to an existing settlement
  - b) It avoids impacting on the separate identity of settlements
  - c) Unacceptable impacts on the character and appearance of the surrounding landscape will be minimised through the sensitive and appropriate design of the scheme
  - d) The development demonstrates how it has addressed the requirements of the Assessment, including the landscape's quality, strategy, sensitivity and key issues
  - e) Proposal shall retain or enhance the character and features that contribute to the landscape
- 8) Furthermore the Design Guide explains that the layout and design of gypsy sites should respect the character of the local area and development in or on the edge of the countryside must respond to the unique character and setting of each site. This reflects the NPPF that explains the importance of the character of the countryside and the essential nature of quality of design.

#### Previous appeal

- 9) The criteria and issues raised within paragraphs 6, 7 and 8 above were assessed and addressed by the Inspector as part of appeal APP/X0360/A/11/2154295 (attached) who found that there would be no negative impact on the character of the area and landscape quality. Furthermore, the site would have no undue impact on nearby residential dwellings and the site was in an accessible location and relatively close to local amenities. The site was considered a relatively sustainable location for a gypsy site.
- 10) Upon reviewing the Inspector's findings, it is found that the appeal assessment made at the time is still valid, there is no detrimental impact on the character of the area and local services still remain meaning that the site is just as sustainable now as at the time of the Inspector's decision. There is no information available at this time to undermine the Inspector's findings in this regard. The only issue that the Inspector considered the pitch could have an unacceptable impact upon was flood risk as this matter had not been overcome by the appeal proposal.
- 11) In line with the Inspector's decision, all site specific issues have been addressed with the exception of flood risk. This is the main consideration in assessing the acceptability of the site as a permanent pitch. However, it is also important to consider any material change in circumstances as a result of the need for GRT pitches and the personal need of the applicant.

#### Need

- 12) Whilst the applicants have benefited from a new addition to the family, no other circumstances have changed since being described by the Inspector in the appeal decision. No additional information has been received about the availability (or lack) of alternative accommodation than what was originally submitted and assessed by the Inspector.
- 13) Since the appeal decision, the Council has published a Gypsy and Travellers Accommodation Assessment (GTAA) (March 2015) and Wokingham Borough Council has argued that it has been able to demonstrate an adequate provision of pitches for gypsy and travellers. However, since the publication of the GTAA, a recent appeal Inspector's decision (APP/X0360/C/15/3085493 & 3085495) has stated that '*I have noted the minor shortfall relating to the supply of pitches within the following five year period*'. This shortfall being one pitch. It could therefore be argued that this proposal could meet this identified need for a single pitch. The previous temporary permission did not meet the Council's supply on the basis of its temporary nature. However, the approval of a permanent pitch could count towards the Council's supply and reduce the pressure for the Council to support other GRT proposals on sites not as suitable for development, in areas where the impact on character of the area would be greater, or where they are less sustainability located.

#### Personal Circumstances

- 14) Information regarding the personal circumstances of the applicants in line with the requirements of the PPTS outlined in para. 5. were requested and submitted. Information pursuant to Annex 1 of the PPTS that applicants meet the definition of gypsies and travellers were submitted as well as noting that the children still attend local schools and that the family is registered at a local health care provider. There are no specific personal circumstances submitted with this application that add any weight to the proposal. The personal circumstances of the applicant have limited weight in support of this proposal.

#### Flood Risk

- 15) A great deal of discussion took place within the Inspector's report regarding flood risk. The site is within flood zone 2 and concluded:

*The proposal would be safe for members of the general public but there are concerns about more vulnerable members of the community. I have also concluded that the likely incidence of flooding may be higher than the medium improbability range generally applied to flood zone 2. I am not satisfied that there is enough evidence before me to conclude that the sequential test has been met, especially where some 59% of the borough is in a lower risk flood zone. Even if the sequential test is met, then I have concluded that the first limb of the exception test is not satisfied. In this regard the proposal is contrary to the aims of PPS25 and RSS policy NRM4.*

- 16) Requests for further information to address the Inspector's concerns were made however no further information beyond the original FRA was submitted. Notwithstanding this, a site visit was undertaken by the Council's Principle Flood

Risk and Drainage Engineer who noted the permeable surface within the site (pebbles). In addition, acceptable details for the disposal of foul and storm water sewage were received as part of the discharge of condition 9 of the original appeal permission and an acceptable flood risk management plan has been agreed (condition 15).

- 17) When the Inspector came to his/her conclusions (para. 44 of appeal decision), it was considered that the sequential test had not been met as 59% of the Borough is a lower flood risk zone than the application site. The exception test was therefore applied to assess whether the sustainability benefits of a lawful pitch outweighed those of the flood risk.
- 18) At the time, the Inspector found that whilst the proposed development wouldn't lead to an increase in the risk of flooding off site and in the immediate area, the chances of flooding on the site was higher than the medium probability range generally applied to flood zone 2 and as such the wider benefits of providing the pitch did not outweigh the harm. On this basis, he/she was not satisfied that on the basis of the evidence available at the time that the exception test would be met.
- 19) Since the appeal, the Council has been able to assess the situation on the ground and the impact of flooding on the occupiers of the site and the local area. While objections have been received including photographs of flooding within the area, none of the photographs are directly of the site and there is no evidence to suggest that the site of the pitch was directly affected by the flooding. In the same vein as the Inspectors findings, the evidence does not 'conclusively demonstrate that at times when the lanes were flooded so too was the site'.
- 20) In addition to the above, the Council's expert advisor has been able to make an assessment of the dangers of flood risk. As described above, the use of pebbles instead of impermeable hard surfacing at the site has resulted in water infiltration. Along with the raised floor levels (37.6mm AOD (some 600mm above the ground levels of the site), this means that flood risk on the site has been successfully managed and the exception test met. Consequently, the expert has advised that he has no objection to the permanent occupancy of the site on the basis of flooding.
- 21) The combination of flood risk management and permeable surface ways in favour of the site to mitigate the concerns that were originally raised by the Inspector in respect of flooding.

#### Planning Balancing Exercise

- 22) The occupiers/applicants are gypsies/travellers as defined in the PPTS. The site is considered sustainable and no harm to the character of the area or landscape is found, nor is there detrimental harm to nearby dwellings. The site is considered sustainable and access to local services is possible. No external factors have affected this conclusion since the Inspectors findings in 2012.
- 23) Factors that weighed against permanent occupancy were flood risk and land supply. As described above, no objection regarding flooding on the site has been

made by the Council's Principal Flood Risk and Drainage Engineer. This weighs positively towards permanent occupancy of the site.

- 24) A shortfall of one pitch has been identified when the Council's GTAA (2015) and this site could accommodate this need and enable the Council to resist other proposals on less acceptable sites. In light of no objection on character, amenity or sustainability grounds, and that there has been no objection raised regarding flooding, in line with national policy, it is considered that refusal of the application for a permanent pitch could not be substantiated

#### Human Rights and Rights of the Children

- 25) Article 8 of the European Convention on Human Rights as incorporated by the Human Rights Act 1998 as well as obligations under the United Nations Convention on the Rights of the Child would be a prime consideration should planning permission be refused. The Council has an obligation to consider these articles however these would be activated should Planning Permission not be forthcoming. As the application is recommended for approval, no breach of Human Rights would occur, the recommendation has been reached purely on a planning basis however these rights would need to be considered should planning permission be refused and enforcement action required to remove the applicants from the site.

#### Other Matters

- 26) Condition 2 of the original planning permission outlines the requirement for the land to be restored to its original condition as per a scheme to be agreed by the local planning authority. This condition was discharged but would no longer be relevant should planning permission be granted. Whilst the application does not seek to alter this condition, the local planning authority has the power under Section 73 of the Town and Country Planning Act 1990 to vary or remove a condition as appropriate when issuing a decision under the same Section to ensure it is compliance with the Act itself. As a result, and as per the recommended conditions list, Condition 2 should be removed.

### **CONCLUSION**

The need for one additional Gypsy/Traveller pitch within the Borough identified through a recent appeal decision will be met as a result of this proposal and enable the Council to more successfully resist unacceptable GRT pitches on other unsuitable sites. The reason for the temporary nature of the previous appeal permission was on the basis of concerns about flood risk but these have now been overcome by additional information and evidence available on the ground. This has resulted in the Council's flood risk expert raising no objection on this basis of to the current application for a permanent pitch. On this basis this application is recommended for approval.

### **CONTACT DETAILS**

<b>Service</b>	<b>Telephone</b>	<b>Email</b>

Development Management and Regulatory Services	0118 974 6428 / 6429	development.control@wokingham.gov.uk
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## Appeal Decision

Hearing held on 17 and 18 November 2011

Site visit made on 16 November 2011

**by Karen L Ridge LLB (Hons) MTPL**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 30 January 2012**

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**Appeal Ref: APP/X0360/A/11/2154295**

**Land adjacent to Cartref Farm, Islandstone Lane, Hurst, Reading,  
Wokingham RG10 0RU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Henry Giles against the decision of Wokingham Borough Council.
- The application Ref. F/2010/2695, dated 6 December 2010, was refused by notice dated 31 January 2011.
- The development proposed is the use of land for the stationing of caravans for residential purposes for 1 no. gypsy pitch together with the formation of additional hard standing and utility/dayroom ancillary to that use.

**Summary of Decision:** The appeal is allowed and temporary planning permission is granted subject to the conditions set out.

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### Preliminary Matters

1. In its decision notice the Council describes the proposal as an '*application for the change of use of land for the stationing of caravans for residential purposes for 1 no. gypsy pitch, together with the formation of additional hard standing, stable block and utility/dayroom ancillary to that use. Formation of a new access to the site*'. Since I consider that this description more accurately reflects what is proposed I have adopted it in my decision paragraph.

*Matters no longer in dispute between the main parties*

2. The Council cited four reasons for refusal in its decision notice. One of the reasons related to the lack of information to enable a proper assessment of the impact of the development on legally protected species and habitat. An Ecology Survey dated May 2010 was submitted with the original planning application. Since that time further surveys have been conducted and a second Ecology report from Just Ecology, dated July 2011, has been submitted. On the basis of the findings in this latest report the Council has withdrawn its objection in relation to biodiversity and ecological matters, subject to the imposition of suitable conditions to protect such interests in the event that planning permission is granted.
3. I have carefully considered the ecology reports and I am satisfied that the information before me is sufficient to enable a proper assessment as to the possible effects of development on protected species and habitat. I am further

- satisfied, subject to sufficient controls regarding the timing of development and replacement hedgerows, that the proposal would not result in material harm to these interests. As such it would be in conformity with the objectives in Planning Policy Statement 9: *Biodiversity and Geological Conservation* and policy NRM5 of the South East Plan.
4. Another reason for refusal related to the lack of satisfactory provision by the appeal proposal in relation to services, amenities and infrastructure needs. The requirements occasioned by the proposal are set out in full in the Council's evidence. During the Hearing the appellant submitted an executed unilateral undertaking made pursuant to section 106 of the Town and Country Planning Act 1990 (as amended). This undertaking makes provision for financial contributions towards education, leisure and libraries, as well as a monitoring fee. In the event that a temporary planning permission is granted the undertaking provides that the contributions should be reduced to 1/80<sup>th</sup> of the contribution for each year of the temporary period. At the Hearing the Council confirmed that the completed undertaking overcomes its third reason for refusal.
  5. The education contributions would be used to fund additional primary school places within the catchment area containing the appeal site and a contribution towards Special Educational Needs provision. The leisure contribution would be used for various projects, including enhancement works to the Martineau Lane play area which is in Hurst close to the appeal site. Other contributions would be directed towards biodiversity, countryside access and library facilities as set out in the Council's evidence and based upon the Council's Planning Advice Note<sup>1</sup>.
  6. The Council also sought payment of the sum of £375 in relation to its monitoring costs. However, I consider that the contributions listed above are for wider public use. Paragraph B19 of circular 05/05: *Planning Obligations* provides that the cost of subsequent maintenance and other recurrent expenditure associated with a developer's contributions should normally be borne by the authority. Accordingly, I consider that in the particular circumstances of this case the costs of monitoring the planning permission and the terms of the undertaking, essentially relate to the Council's statutory duty to ensure development is carried out in accordance with planning permissions. As such I conclude that the monitoring costs fall within recurrent expenditure and should not be recouped from the appellant.
  7. With the exception of the monitoring costs, I am satisfied that the provisions to be made by the undertaking accord with the tests set out in Circular 05/05 and also satisfy the requirements of regulation 122 of the Community Infrastructure Levy Regulations 2010. I shall take it into account in my determination of this appeal. As a result I conclude, on this matter, that the proposal is in accordance with policy CC7 of the South East Plan, Core Strategy Policy CP4 and saved policies W1C8 and WR7 of the Local Plan.
  8. On the second day of the Hearing a note<sup>2</sup> was submitted from both parties setting out the agreed position of both main parties to the effect that '300mm of flood water would constitute danger for some which includes children, the elderly and the infirm but would be safe for most which includes the general

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<sup>1</sup> Infrastructure Impact Mitigation Contributions for New Development, Revised November 2010.

<sup>2</sup> In the form of an email, submitted document 20.

public'. I have taken this into account in my determination. Following the closure of the Hearing I asked for the views of the main parties on two possible conditions in the event that planning permission was granted. I have taken these views into account in my determination of this appeal.

#### *Gypsy status*

9. The proposed site would accommodate the appellant, Mr Henry Giles, his wife, Mrs Samantha Giles and their 4 children.<sup>3</sup> Both Mr and Mrs Giles are Romany Gypsies and Mr Giles travels for work purposes. They currently live in a mobile home within the curtilage of his father's dwelling-house. On the basis of the written information before me, supplemented by the oral evidence of Mr Giles, I am satisfied that the appellant and his family fall within the definition of gypsies and travellers as set out in ODPM Circular 01/06: *Planning for Gypsy and Traveller Sites*.

#### **Main Issues**

10. The appeal site is in the open countryside where Planning Policy Statement 7: *Sustainable Development in Rural Areas* (PPS 7) seeks to strictly control new development. Having regard to this and the above matters, I consider that the main issues in this case are as follows:
- the effect of the proposal on the character and appearance of the surrounding countryside;
  - the risk to safety from flooding;
  - whether any other material considerations in support of the proposal outweigh any harm arising from the two main issues above, including:
    - the need for, and provision of, sites for gypsies within the area;
    - the accommodation needs and options of the appellant and his family;
    - the personal circumstances of the appellant and his family and human rights considerations;
    - any other material considerations in support, including other policy considerations.

#### **Reasons**

11. The Council's Core Strategy has now been adopted and largely replaces policies in the Wokingham District Local Plan adopted in 2004 (LP). However some LP policies have been saved and of particular relevance is saved LP policy WH17 which sets out the circumstances in which gypsy sites will be granted planning permission.
12. The development plan currently includes the South East Plan (RSS). Relevant policies relate to sustainable development (policy CC1), sustainable communities and the character of the environment (policy CC6), landscape and countryside management (policy C4) and sustainable flood risk management (policy NRM4). The Localism Act 2011 received Royal Assent on 15 November 2011 and prevents the creation of any further strategies. It is the

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<sup>3</sup> Mr and Mrs Giles currently have 3 small daughters and are awaiting the imminent arrival of a new baby.

Government's intention to lay Orders in Parliament which will have the effect of revoking the existing RSS subject to the outcome of environmental assessments.

13. In the context of this appeal the RSS policies referred to above are in conformity with other development plan policies and with current national policy. Therefore whilst I have had regard to the stated intent to revoke the South East Plan and the progress towards this, I consider that it is of limited consequence in this appeal, because the policy objectives in the relevant RSS policies before me are reflected elsewhere.
14. Circular 01/2006: *Planning for Gypsy and Traveller Caravan Sites* sets out national policy in relation to gypsy site provision. The Secretary of State made an announcement on the 29 August 2010 regarding his intention to revoke this Circular as he considers it to be flawed. The main parties and one of the professional representatives of the third parties agreed that the circular attracts substantial weight. The Government has also published a consultation document entitled *Planning for Traveller Sites* in April 2011 which is currently subject to consultation. As such little weight can be attributed to this document. Circular 11/95: *The Use of Conditions in Planning Permissions* sets out pertinent advice in relation to the use of conditions with regard to temporary planning permissions.

#### **Character and appearance**

15. The appeal site comprises a rectangular shaped piece of land within a larger grassed paddock adjacent to Islandstone Lane, a single track lane. The surrounding area is characterised by relatively flat agricultural fields demarcated by established hedgerows which generally close off middle and longer distance views creating a more intimate landscape setting. It is identified in the Council's District Landscape Character Assessment (adopted as supplementary planning guidance) as 'Hurst Farmed Clay Lowland' which is recognised as having peaceful rural qualities.
16. The site is located some 600 metres from the settlement boundary of Hurst, a small village, and there are scattered dwellings along the lanes and in clusters in the open countryside in the wider vicinity. The paddock area which contains the site is fenced and bounded by a deciduous hedgerow which includes trees.
17. The appeal proposal would result in the sub-division of the paddock and the introduction of a mobile home, touring caravan, dayroom and stable building, together with hardstanding. Whilst there are gaps in the existing hedgerow which would afford views of the development, these views would generally be limited to vantage points along the two lanes adjacent to the paddock. In addition, new hedgerow planting within the site would provide further screening, particularly in views from the entrance to the new access proposed.
18. The Council asserts that the proposal would not conform to the established pattern of hedgerows. However, the landscape character assessment refers to this area as a 'pastoral landscape defined by small-scale regular and irregular shaped fields' and this was evident on my site visit. I do not consider that the sub-division of the paddock would be out of keeping in this context. Neither do I accept that the proposed dayroom would be unduly large or obtrusive in this setting. The internal hedgerow proposed would go some way to screening it in views from the entrance way. Similarly the proposed stable building to be used

in conjunction with the remaining paddock area would be of a size commensurate with that area.

19. Whilst a significant proportion of the site would comprise hardstanding, the nature of this hardstanding could be controlled by condition. The design of the dayroom and stable are similar to many rural and other buildings in the wider vicinity and the use of materials could be conditioned. I accept that the hardstanding, together with the two new buildings, two caravans and vehicles would bring about a visual change to the immediate area of the appeal site. However, the changes would be low key, the development would be glimpsed in views along the lanes and it would be screened to a great extent by existing hedgerows which would be supplemented by additional planting. It would not be so discordant a feature as to be harmful in the immediate landscape setting and it would only be glimpsed in wider views.
20. Circular 01/06 provides that rural settings not subject to special planning constraints are acceptable in principle<sup>4</sup>. Bearing this in mind, and having regard to the above matters, I conclude that whilst the proposal would bring about some change, that change would not be so harmful as to be contrary to the objectives within policies CP1 and CP3 of the Council's Core Strategy, and policies CC1 and CC6 of the South East Plan. These policies seek, amongst other things, to protect the natural landscape and maintain the high quality of the environment. It would also be in conformity with criteria (a) and (b) of LP policy WH17.

### **Flood risk**

21. Probability: The appeal site is within Flood Zone 2 identified as having a medium probability of flooding by Planning Policy Statement 25: *Development and Flood Risk* (PPS25). The broad objectives of PPS25 are to reduce and manage flood risk by avoiding inappropriate development in areas at risk of flooding and to direct development away from areas at highest risk<sup>5</sup>. In table D.2 of PPS25 caravans and mobile homes are classified as highly vulnerable forms of development. Table D.1 confirms that, subject to the sequential test being applied, highly vulnerable uses are only appropriate in flood zone 2 where the exception test is passed.
22. Both parties accept that the site falls within Flood Zone 2 having regard to the Environment Agency (EA) indicative flood map. These maps indicate the susceptibility of an area to flooding from rivers and coastal waters. I am informed that they take no account of other sources of flooding. I have also seen a 2009 map submitted by the EA showing detailed modelling of the River Lodden and flood probability. On that map the appeal site is depicted as falling within an area with a 0.1% probability of a flood in a given year. This coincides with the probability of flooding events in flood zone 2 put at between 0.1% and 1%<sup>6</sup>.
23. The Kayersbridge Brook, classified as a main river, flows along the eastern and western sides of the site with a further tributary of the River Lodden flowing 600m to the northeast of the site<sup>7</sup>. The EA representative confirmed that the modelling is, by its very nature, somewhat generalised and it does not take

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<sup>4</sup> Paragraph 54, Circular 01/06.

<sup>5</sup> PPS25, paragraph 5.

<sup>6</sup> i.e. between 1 in 100 years and 1 in 1000 years.

<sup>7</sup> Environment Agency, appeal statement.

into account the Kayersbridge Brook. This causes me some concern given that the appeal site sits at the junction of two arms of the Kayersbridge Brook which wraps around two boundaries of the site. This is relevant in light of other evidence as to the numbers of flooding events provided at the Hearing and in the written submissions of local residents and the EA.

24. EA records indicate historic evidence of flooding on the site in 1947, 1974, 1981, 1991 and 2007. These records only go back to 1947. At the Hearing I heard further evidence from local residents as to the incidence of flooding in the vicinity of the appeal site and this included flooding events in 2000, 2001 and 2010. One resident contends that the road around Nelson Lane and Islandstone Lane floods around three times a year. Photographic evidence<sup>8</sup> of flooding earlier this year on the lanes in the vicinity of the appeal site was submitted by Mr Larkin.
25. The appellant points out that the land comprising the appeal site sits at a higher level than the adjoining lane and that photographic evidence does not conclusively demonstrate that at times when the lanes were flooded so too was the site. Whilst the ground levels on the appeal site are generally a little higher than the surrounding lanes, I accept that when floodwaters are relatively low it must follow that there is a likelihood that the appeal site may not have standing water on it. I also accept the EA point that the photographs may not have been taken at the peak of the flood and cannot be said to be determinative. In any event the flooding on the surrounding lanes poses a question mark over the issue of safe access and egress from the site.
26. The site is in flood zone 2 which indicates a probability of a flooding event of between 1 in 100 and 1 in 1000 years. However, I am mindful of the evidence of recorded floods dating back to 1947. The EA records some 5 floods in a 64 year period and the EA further confirms that the list is not exhaustive. I do not consider these events to be statistically insignificant as advanced by the appellant. They appear to have occurred at relatively regular intervals over the 64 year period. Having regard to all of the evidence I conclude that the probability of flooding on land in the vicinity of the appeal site is likely to be at the upper limit of 1 in 100 years referred to in flood zone 2 or possibly even higher. In other words I conclude that the probability of a flood event occurring in any given year is, in my view, likely to be at, or more than, 1%.
27. Implications of flooding: Having concluded on the probability of flooding occurring on or near the appeal site it is necessary to go on to examine the risk to safety. The appellant's survey data sets the ground levels of the appeal site at between 36.62m and 37.1m AOD. This was not disputed by the EA representative. The appellant's expert contends that the flood level on the site would be around 37.0m AOD and that the finished floor levels (FFL) of the caravans should be 300mm above this flood level.
28. It is somewhat difficult to come to a definitive view on the likely flood level on site based on modelled data. However the photographic evidence and the oral evidence of neighbours regarding the flood levels on Islandstone Lane appear to me to support the appellant's figure of a flood level on the site of around 37.0m. On behalf of the appellant, Mr Cutting submitted that an appropriate FFL of the caravans should be based on the principle that FFLs should be 300mm above the 1 in 100 flood level event with climate change factored in, in

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<sup>8</sup> Photographs taken 18 January 2011.

- this case 37.40m AOD. The EA representative pointed out that the alternative approach was for FFLs to be 600mm above the 1 in 100 flood level (without taking account of climate change factors), namely 37.6mm AOD.
29. Annex E of PPS25 advises that flood risk assessments should take account of the impacts of climate change. This advice has been followed in the appellant's professional assessment which concludes that, as a result of the relatively flat nature of the catchment area, a 30% change in impact due to climate change would not materially increase the flood risk in terms of any increase in the depth of flood waters. This contention is supported by the contents of the Strategic Flood Risk Assessment<sup>9</sup>.
30. Taking all of the above evidence together I am satisfied that a FFL of 37.40AOD would be appropriate in this case. I further accept Mr Cutting's contention that the tethering of caravans could be an appropriate precaution to prevent the caravans floating away causing danger to any occupants and exacerbating flooding difficulties elsewhere.
31. Access to the site is via Islandstone Lane and I have already referred to the oral, written and photographic evidence of flooding on this lane. The matter is further complicated by virtue of there being two, relatively wide and deep drainage ditches on either side of this single track lane. In the event of flooding anyone seeking to travel down the lane would find it difficult to ascertain the presence of the ditches which would present an additional hazard. I note that local residents would be conscious of the ditches and that prudent traveller's and emergency services would, as a matter of practice, seek to travel along the centre of the lane. Nonetheless I consider that this would be an additional hazard to the unwary to which I attribute some weight.
32. Flood hazard is the risk posed to pedestrians during flooding in terms of the likelihood of a person being unbalanced by floodwaters. The possibility of this is directly related to the depth of flow and the speed with which the water is flowing. The edge of the flood zone is a short distance to the south-east on Nelsons Lane and to the north-east on Broadcommon Road. If flooding occurred on the lane and/or site the occupants would either be marooned there or tempted to negotiate the flood waters to enter or leave the site.
33. The appeal site is within a flat catchment area where flooding is likely to occur following a prolonged period of rainfall and water levels would rise fairly steadily. In the past, with some exceptions, it appears that floodwaters have generally receded within a matter of days. Having regard to technical advice notes the EA representative and the appellant's representative agreed that in terms of the depth of the water and its velocity, the flood water of 300mm would constitute a danger for some people including children, the elderly and infirm but that it would be safe for most which would include the general public.
34. In this case, given the flat catchment area it is likely that there would be some advance warning of rising waters to enable occupiers to make plans to evacuate the site. However, there may be instances where this does not happen and having regard to all of the above, I have some remaining concerns about the risk to personal safety of the abovementioned categories of persons

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<sup>9</sup> Paragraph 6.4. page 29.

from floodwaters in light of my findings about the probable number of times when flooding events are likely to occur.

35. The Sequential Test: PPS25 sets out the sequential approach designed to steer new development to areas at the lowest probability of flooding (zone 1). The accompanying practice guide to PPS25 confirms that the sequential test will need to be applied at the individual site level in circumstances where a site has not yet been sequentially tested in a Local Development Document (LDD) or where the use of the site proposed is not in accordance with LDD allocations and policies. This is the case here. It goes on to state that it is the responsibility of the developer to undertake pre-application discussions with the local planning authority, the EA and other stakeholders and to assemble the evidence for their application to allow the local planning authority to carry out the test<sup>10</sup>.
36. Paragraph D5 of PPS25 confirms that application of the sequential test will involve consideration of whether there are any other reasonably available sites in zone 1. The practice guide<sup>11</sup> assists further by adding the words suitable, developable and deliverable. In this borough there are currently no available pitches on either of the two Council sites and no allocated sites. One site, Highfields, has been granted planning permission for 12 pitches and is due to be developed. However I understand this to be a private site albeit unconstrained by a personal condition.
37. I am mindful that some 41% of the borough is within flood zones 2, 3a and 3b meaning that 59% is within zone 1. The opportunity for applying the sequential test at a local level would be when the Council is allocating land for sites in a Development Plan Document (DPD) allocations document. This has not occurred within this borough. In terms of this appeal site, the appellant gave evidence that he had considered a number of other sites before purchasing the appeal site and had ruled them out for various, ostensibly acceptable, reasons. However he further confirmed that he had not looked at which flood zones each of the sites were in. There is no documentary, or other substantive evidence, before me regarding the appellant's own search for sites or any consideration of sites in lower risk areas.
38. The appellant's position is that there are no reasonably available sites in areas with a lower probability of flooding than the appeal site. I accept that there are currently no available private or public gypsy sites. However, I have remaining concerns that there has not been a full analysis of any other potential sites which may be suitable for a gypsy site use within this borough, 59% of which is located in a lower risk area for flooding. This statement is not intended as a criticism of either party but as a simple analysis of the evidence before me on which I have to assess whether the sequential test has been reasonably applied and passed in this case. In this case I am not satisfied on the evidence before me that the sequential test is met.
39. The appellant advocated the approach of the Inspector in the Sykes v Malvern Hills<sup>12</sup> case to the sequential test. However there were different factors at play in that case. Firstly there was an acknowledged and substantial need for pitches in the district and secondly there is no indication in the appeal decision

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<sup>10</sup> Paragraphs 4.27 and 4.28, PPS25 Practice Guide.

<sup>11</sup> Paragraph 4.27, second bullet point.

<sup>12</sup> Appeal reference APP?J1860/A/09/2099293.

as to the proportion of land within the administrative district in a lower flood zone. In this case I am conscious that a large proportion of this borough is in flood zone 1 and this is a significant factor in applying the objectives of PPS25 which seek to direct development to areas of lower flood risk.

40. If the sequential test has been met, the vulnerability classification of the development is such that table D.3 of PPS25 requires the application of the exception test. Whilst I am not convinced that the sequential test is met I shall go on to examine the exception test.
41. The Exception Test: The proposal would provide a single gypsy pitch for one family which could potentially avoid the need for roadside or other unauthorised encampments harmful to the environment and all sectors of the community. Paragraph 64 of Circular 01/06 sets out the wider sustainability benefits of lawful pitches, including the promotion of peaceful and integrated co-existence between the site and local community, health and educational benefits for site occupants and a reduction in long-distance travelling. The final criterion relates to not locating sites in areas at high risk of flooding. I have already set out my views on the probability of flooding. In this case I am not satisfied that the wider sustainability benefits outweigh the flood risk in this case, having regard to the risk to safety of certain sections of the community as well as the likely frequency of flooding events.
42. The second limb of the exception test requires development to be on developable previously-developed land or, if not, there should be no reasonable alternative sites on developable previously-developed land. Given the limited information before me, I accept that there are no such reasonable alternative sites.
43. The third limb requires the FRA to demonstrate that the development will be safe, without increasing flood risk elsewhere and where possible, reducing flood risk overall. The EA has raised concerns about development within the 8 metre buffer zone of the Kayersbridge Brook since it could restrict essential maintenance and emergency access to the culvert. However, access could be gained via the other bank of the brook and the mobile home would not be a permanent structure. On balance I conclude that the use would not increase flood risk elsewhere.
44. Overall conclusions on flooding: the proposal would be safe for members of the general public but there are concerns about more vulnerable members of the community. I have also concluded that the likely incidence of flooding may be higher than the medium probability range generally applied to flood zone 2. I am not satisfied that there is enough evidence before me to conclude that the sequential test has been met, especially where some 59% of the borough is in a lower risk flood zone. Even if the sequential test is met, then I have concluded that the first limb of the exception test is not satisfied. In this regard the proposal is contrary to the aims of PPS25 and RSS policy NRM4.

***Other material considerations in support of the proposal***

45. General need for and provision of gypsy sites in the area: RSS policy H4 provides that council's should seek to identify a range and mix of housing opportunities for all sectors of the community, including gypsies and travellers. It goes on to provide that local authorities should seek to identify a mix of site allocations in each five year period. The RSS contains information on its

- interim statement with regard to gypsies and travellers. The recommendations, following a single issue review of the RSS in relation to gypsy pitch provision, were set out in emerging RSS policy H7, which proposed 21 additional pitches in Wokingham between 2006 and 2016.
46. The recommended figure of 21 additional pitches was at variance with the earlier Gypsy and Traveller Accommodation Assessment (GTAA) carried out in 2006<sup>13</sup> which identified a need for only 2 additional pitches between 2006 and 2011. The Council's Core Strategy was adopted in January 2010 and the text to policy CP2 of that document records the RSS recommendations and states that once they had been confirmed by the Secretary of State the Council would proceed to allocate sites, if necessary, through a DPD.
47. Whilst confirmation of the RSS pitch figures is not proceeding, the Council has accepted that the figure of 21 pitches to 2011 is an appropriate starting point. The Council's position prior to the Hearing was that it has granted planning permissions for some 35 pitches and therefore the need has been addressed to 2016<sup>14</sup>. The appellant however has sought to revisit the GTAA and revise its calculations to provide, it is claimed, a more accurate assessment as to the general need for pitches. I shall now consider this.
48. *The GTAA*: the Council accepts the appellant's point that the GTAA assumes a net outward migration of families because it contains figures for turnover of pitches which refer to families leaving the district whilst there is no corresponding figure for inward migration. The most sensible way to address this deficiency, in the face of no other evidence, is to assume there is no net outward migration<sup>15</sup>. This decreases the available supply over 5 years by some 29 pitches.
49. In addition I am informed that only 4 of the predicted new pitches on Council sites came to fruition which reduces the supply by a further 3 pitches. The supply was also made up of 12 pitches on the New Acres site which the GTAA said were to be brought back into use. Whilst the appellant contends that these pitches were occupied at the time of the GTAA, no evidence has been put before me. I consider it reasonable to assume that the GTAA was, in part, based on survey and other evidence and I am not prepared to revise these figures without evidence to contradict the statement that 14 pitches (including the 12 from New Acres) were to be brought back into use.
50. If these alternative figures are fed back into the GTAA figures for Wokingham, it reduces the available supply from 59 down to 27<sup>16</sup>. This must be set against an estimated overall need for 61 additional permanent pitches 2006/2011 in the GTAA. When the estimated need of 61 is compared to the estimated supply of 27, the indicative need is then revised to 34 additional pitches to 2011.
51. The Council also accept that, looking forward, it is reasonable to apply a household growth figure of 17% over 5 years to calculate the additional need to 2016. There are already 73 authorised pitches which together with the outstanding need to 2011 of 34 pitches equates to 107 pitches/households as

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<sup>13</sup> By Tribal, entitled Gypsy and Traveller Accommodation Needs Assessment for the Thames Valley Region.

<sup>14</sup> Proof of evidence paragraph 5.6.1

<sup>15</sup> The figures assume that 6 existing pitches will become available in this way per year.

<sup>16</sup> Ie Deducting 29 pitches (migration point) and 3 pitches (planned pitches) from current supply figure of 59 in GTAA.

- at 2011. It is also accepted that when a growth figure of 3% p.a over 5 years is applied to these households there will be an additional requirement for 17 pitches to 2016.
52. In terms of supply to date, the Council confirms that it has granted permission for some 34 pitches and the appellant accepted at least 30 pitches had been granted permission. The figures are quite close and I do not consider it necessary to examine them further.
53. However, the appellant points out that from 2011 onwards the general need will start to increase again due to household growth equating to an additional 17 pitches to 2016. This point was also accepted by the Council at the Hearing and it is an important one given the Council's previous stance that the need to 2016 had been met by the grant of planning permissions. It is clear that, without any further provision, as at 2016 there will be an outstanding need of at least 17 pitches.
54. There are two Council owned sites in the borough which are fully occupied and which have waiting lists with 14 names on it at the present time<sup>17</sup>. The caravan count data presents a somewhat mixed picture, with some nil returns and one higher figure of 24 unauthorised caravans. At the Hearing the Council confirmed that they currently have 5 different unauthorised pitches on 5 separate sites, three of which are likely to be tolerated.
55. The above evidence leads me to conclude that there is likely to be a modest level of unmet need for pitches at this present moment in time. This is based upon an examination of the revised GTAA figures and the grants of planning permissions, the waiting list for Council pitches and the current levels of unauthorised sites.
56. The appellant further contends that the Council have no concrete plans to address this need through the DPD process. The Council explained at the Hearing that it intended to address the delivery of gypsy sites through the Managing Development Delivery DPD (MDD). The anticipated adoption date of this document is May 2013 although the Council accepts there may be further slippage. The Council is currently in the process of preparing a tender document to enable outside consultants to bid for work in assessing need for additional gypsy pitches up to the end of 2026.
57. However, the MDD is currently undergoing consultation. The Council says it might contain some sites which are gypsy sites which have been put forward and are deliverable. The problem is that the evidence of need will not be available until after the consultation period of the MDD document which is effectively the policy document in which sites will be allocated. The timing of the collection of evidence on need and the policy document for delivery of sites is such that it raises questions as to whether the MDD will adequately address the correct level of any identified need for additional sites.
58. Having regard to all of the above evidence and my findings, I conclude that there is a level of current outstanding need for sites at the present time. In addition, household growth over the next five year period will result in further additional need for sites which will have to be catered for. These are matters which add support to the current proposal.

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<sup>17</sup> Submitted document 18.

59. Accommodation needs and options of the appellant and his family: it is accepted that the appellant and his young family do not have an authorised site. They currently live in a mobile home on land within the residential curtilage of his father's dwelling. A certificate of lawful use<sup>18</sup> produced at the Hearing confirms that the siting of this mobile home is for purposes ancillary to the main house 'for occupation on an occasional basis by the applicant's daughter'. The appellant informs me that his older sister has a first claim on the mobile home. She and her family are away travelling and could return at any time. In any event it is clear that occupation of the mobile home is not permitted on anything other than an occasional basis.
60. Whilst there is no suggestion that enforcement proceedings are contemplated in relation to the residential use of the caravan this does not mean that the family's position is secure or acceptable. I consider that the permanent occupation of the caravan as a residential unit within the grounds of the house does not constitute an authorised gypsy site and does not represent a suitable alternative to such a site. Consequently the family currently have a personal need for an authorised site, although it is not an immediate need. This adds weight to the appeal proposal.
61. Personal circumstances: the appellant's two oldest children attend primary school in Yateley where their attendance records are excellent. The family are registered at a GPs surgery in Yateley and as such have access to healthcare. Other than his wife suffering from asthma, the appellant's family are all well and have no special healthcare needs.
62. A permanent base enables gypsy families to enjoy access to healthcare profession and education which becomes difficult to access from roadside encampments. Again these are matters which weigh in favour of the proposal, although such weight is tempered because there is no suggestion that the appellant and his family would be deprived of such access if the appeal failed.
63. In practical terms dismissal of this appeal would amount to an interference of the appellant's human rights in that he would be deprived of an opportunity of providing a settled base for himself and his family. Taking the above factors into consideration I attach some limited weight to the interference with the family's human rights in the event that the appeal was dismissed.
64. Other policy considerations: The Council confirm that it does not currently have a 5 year supply of housing land. Accordingly the requirement to consider favourably planning applications for housing in paragraph 71 of Planning Policy 3: *Housing* applies. The appellant also argues that there has been a failure of policy in relation to gypsy site provision. To the extent that there has been any such failure, I have had regard to it in terms of its consequences in resulting in an unmet general need.

### **Other Matters**

65. Whilst some local residents raised concerns about highway safety, there was no objection from the Council. The new access would have satisfactory visibility splays and I am satisfied that it would not materially harm highway safety. The traffic generated by the use would be limited and the size of commercial vehicles could be controlled by condition as could a prohibition on commercial activities taking place.

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<sup>18</sup> Submitted document 19.

66. I have seen other objections relating to the sustainability of the site which is located a relatively short distance away from the centre of Hurst village which contains a general store, post office, butchers and bakery store. In addition it has a primary school and two churches. The bus service through Hurst is typical of many rural services with an hourly service and no evening services. I am satisfied, having regard to the advice in Circular 01/06, that the site would be in a relatively sustainable location for a gypsy site.
67. Some local residents have expressed concerns about the use of the remaining paddock should planning permission be granted. However the appeal site is limited to the area surrounded by a red line on the application plan. Any planning permission would relate to that area only and would not change the status of the paddock. Similarly the dayroom proposed is ancillary to the use as a gypsy pitch and could not be used as a separate dwelling. I am also satisfied that a suitable sewage disposal system could be required by condition if planning permission were granted.

### **Overall Conclusions**

68. I have concluded that the proposal would not have a materially harmful impact upon the countryside, it is visually well-contained and neighbouring properties are sufficiently far enough removed such that there would be no adverse impact on residential amenity. The proposal would be in an accessible location and relatively close to services and amenities and the primary road network. I have also concluded that, subject to conditions, there would not be a significant adverse effect upon any interest of nature conservation importance. As such the proposal would be in conformity with LP policy WH17.
69. In relation to the consideration of a permanent planning permission; against the proposal is the harm to flood risk objectives which I have outlined. On the other side of the balance there is the general unmet need for sites to which I have attached some weight. The favourable presumption in PPS3 also applies.
70. When the above matters are weighed in the balance I conclude that the combination of factors in support of the grant of a general permanent planning permission do not outweigh the harm which I have identified to national and local policy objectives which seek to direct development to areas of lower flood risk and the harm to safety which I have identified. A permanent general planning permission should not be granted.
71. It now falls to me to consider whether or not the addition of the family's personal circumstances tip the balance in favour of the grant of a permanent planning permission personal to the appellant. Whilst the family have a need for a permanent base, I have concluded that this is not an immediate need. I therefore attribute only moderate weight to this aspect. When this factor, as well as the other general benefits in having a permanent site, are added to the matters which weigh in favour of a permanent permission, I am still not satisfied that they outweigh the harm identified. A permanent permission limited to this family is not therefore justified.
72. I shall now turn to consider the issue of a temporary planning permission. Paragraph 46 of Circular 01/06 advises that substantial weight should be attributed to the general unmet need when considering whether a temporary permission is justified. The proposal remains contrary to flood risk objectives which seek to direct development to areas at lower risk of flooding. I do

however acknowledge that whilst the annual probability of a flood and the consequences of a flooding event would remain the same as for a permanent consent, the likelihood of a flooding event occurring over a 4 year period is less than it would otherwise be for the lifetime of a permanent permission. I have taken this matter into consideration in my assessment.

73. It is clear that the Council are taking steps in making an assessment of the general need for sites. In this case I consider that there is a reasonable expectation that circumstances will change when the MDD is adopted and sites begin to come forward thereafter. The Council accepts that sites will take some 12 months to be developed following adoption of the MDD and I consider that a temporary period of 4 years would allow sufficient time for this to take place, allowing some scope for slippage in the adoption timetable. Any site allocations process would also have the potential benefit of applying the sequential test.
74. I conclude that planning permission for a temporary period of 4 years would be the appropriate response in this case since I am satisfied that the factors in support of such a measure clearly outweigh the factors against.

### **Conditions**

75. The Council has suggested conditions which I have considered in light of the advice within Circular 11/95: *The Use of Conditions in Planning Permissions*. These conditions were discussed in full at the Hearing. The numbers in brackets relate to the Council's suggested conditions in relation to a temporary permission.
76. Development has not commenced so a condition setting out a time limit for commencement is required, as well as a condition limiting the period of use and requiring restoration of the site (1). The appeal has been determined on the basis that it is an application for a gypsy site and a condition limiting occupancy therefore needs to be imposed as well as a condition limiting the number of caravans on the site (4 and 6).
77. To control the development conditions requiring development to be carried out in accordance with the plans, details of the materials to be used in the stables and dayroom, preventing commercial activities and limiting the use of commercial vehicles are all necessary (2, 3 and 5). I have already referred to the proposed landscaping in my reasoning and it is necessary to condition this matter and to require retention of the existing hedgerows and a hedgerow mitigation scheme (7, 8 and 17). I have removed the reference to replacement planting within 5 years since it does not apply given the limited duration of the permission. I have also included a clause to prevent works being carried out between 1 March and 31 August in order to ensure that no damage is caused to the habitats of legally protected species. (16)
78. I also agree that it is necessary to restrict the erection of walls, fences, gates and other means of enclosure and to control external lighting given the countryside location of the site (9, 10 and 12). Similarly a condition is required to control the provision of the new access and the hard surfacing within the site (13 and 15). The Council accepted that condition 11 was no longer needed and withdrew it.
79. In relation to the management of flood risk I consider it necessary to require the submission of a flood risk management plan which shall include details of

the tethering of the caravans, finished floor levels of the caravans and an evacuation plan (14). Finally, as requested of the parties I also consider it necessary to impose a condition requiring details of foul sewage and storm water sewage. It is unnecessary to impose a condition prohibiting the dayroom and stables from permanent residential occupation.

### **Formal Decision**

80. The appeal is allowed and planning permission is granted for the change of use of land for the stationing of caravans for residential purposes for 1 no. gypsy pitch, together with the formation of additional hard standing, stable block and utility/dayroom ancillary to that use. Formation of a new access to the site at Land adjacent to Cartref Farm, Islandstone Lane, Hurst, Reading RG10 0RU in accordance with the terms of the application, Ref. F/2010/2695, dated 6 December 2010, subject to the following conditions:

- (1) The development hereby permitted shall begin not later than three years from the date of this decision and the use hereby permitted shall be for a limited period of 4 years from the date of this decision.
- (2) No development shall commence until a scheme of restoration has been submitted to, and approved in writing by, the local planning authority. When the site ceases to be occupied or at the end of the 4 years from the date of this decision (whichever is the sooner), the use hereby permitted shall cease and all materials and equipment brought onto the land in connection with the use, including the dayroom hereby approved, shall be removed and the land restored to its former condition in accordance with the approved scheme of works within a period of 3 months from the date of cessation of the use.
- (3) The site shall not be occupied by any persons other than gypsies and travellers as defined in paragraph 15 of ODPM Circular 01/2006.
- (4) The development hereby permitted shall be carried out in accordance with the following approved plans: nos. 09\_290\_003A, 09\_290\_004, 09\_290\_005, 09\_290\_006, 09\_290\_007.
- (5) No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 1 shall be a static caravan) shall be stationed on the site at any time in the positions marked on plan number 09\_290\_003.
- (6) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the stable and dayroom building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- (7) No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.
- (8) No commercial activities shall take place on the land, including the storage of materials.
- (9) No development shall take place until details of the method for the disposal of foul and storm water sewage have been submitted to and approved in writing by the local planning authority. The site shall not be occupied before the approved works have been implemented in full.

- (10) No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping and hedgerow mitigation, which shall include details of species, planting sizes, spacing and numbers of trees/shrubs to be planted as well as a hedgerow mitigation scheme. The landscape and hedgerow mitigation scheme shall include a timetable for implementation and development shall be carried out in accordance with the approved scheme.
- (11) No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed or cut back in any way or removed without previous written consent of the local planning authority. Any works on the site's existing hedgerows and trees shall be carried out outside the period of 1<sup>st</sup> March to the 31<sup>st</sup> August inclusive in any year, unless otherwise agreed in writing by the local planning authority.
- (12) No walls, fences, gates or other means of enclosure shall be erected on the site (including at the access mouth) other than those shown on the approved plans.
- (13) Details of any external lighting shall be submitted to and approved in writing by the local planning authority and shall be installed in accordance with the approved details.
- (14) The site shall not be occupied until the proposed vehicular access has been provided and surfaces with a permeable and bonded material across the entire width of the access for a distance of 10 metres back measured from the carriageway edge.
- (15) Prior to the commencement of the use a flood risk management plan shall be submitted to and approved in writing by the local planning authority. The management plan shall include full details of the method of finished floor levels and tethering of the caravans, a flood risk warning and evacuation plan including evacuation procedures and measures and safe routes to refuge points. The approved management plan shall be adhered to throughout the duration of the use.
- (16) No occupation of the site shall commence until the hard surfacing shown on the approved plan has been constructed from porous materials or provision has been made to direct run-off water from the hard surface to a permeable or porous area in accordance with details which have been submitted to, and approved in writing by, the local planning authority.

*Karen L Ridge*

INSPECTOR

## **APPEARANCES**

### FOR THE APPELLANT:

Mr Matthew Green	Green Planning Solutions LLP
Mr Cutting	Prior Associates Consulting Engineers
Mr Henry Giles	Appellant

### FOR THE LOCAL PLANNING AUTHORITY:

Ms Hannah Wilson	Planning Officer, Wokingham Borough Council
Ms Jenny Seaman	Principal Planning Officer, Wokingham Borough Council
Ms Claire Lawrence	Team Leader, Wokingham Borough Council
Mr Andy Glencross	Ecologist, Wokingham Borough Council
Ms Catherine Brimble	Landscape Architect, Wokingham Borough Council
Ms Ruth Letourneur	Environment Agency

### INTERESTED PERSONS:

Ms Rebecca Lord	Bell Cornwell, Chartered Town Planners
Mr Mark Thackery	Walsingham Planning
Mr Larkin	St Nicholas Hurst Parish Council
Mr Michael Ewart	Local resident
Mr Nobles	Local resident
Mr Colin Gutteridge	Local resident
Mrs Jeanes	Local resident
Ms Sally McAllister	Local resident

## DOCUMENTS SUBMITTED DURING THE HEARING

- 1 List of persons notified of the Hearing date, submitted by the Council.
- 2 Wokingham Borough Council Strategic Flood Risk Assessment, July 2007.
- 3 Decision Letter of Secretary of State, appeal reference: APP/T3725/A/10/2133713 and C/10/2133714, Land at Kites Nest Lane and Brownley Green Lane, Beausale, Warwickshire submitted by the appellant.
- 4 Suggested conditions in the event of a permanent planning permission, submitted by the Council.
- 5 Suggested conditions in the event of a temporary planning permission, submitted by the Council.
- 6 Appeal decision reference APP/T0355/A/10/2129018, Brayfield Stables, Windsor Road, Water Oakley, Windsor, submitted by the Council.
- 7 Decision Letter of Secretary of State, appeal reference: APP/T0355/C/10/2121576, Land to the South of Hilarion, Shurlock Road, Waltham St Lawrence, submitted by the Council.
- 8 Policy CP9 of Wokingham Borough Core Strategy, submitted by the Council.
- 9 Policy NRM4 of The South East Plan, submitted by the Council.
- 10 Community Infrastructure Levy Regulations 2010, submitted by the Council.
- 11 Copy letter St. Nicholas Hurst Parish Council to Wokingham Borough Council dated 5 January 2011.
- 12 Extract from The South East Plan, paragraphs 7.27 to 7.30, submitted by the appellant.
- 13 Appendix H (Local Data-Wokingham) to the Tribal Gypsy and Traveller Needs Assessment, submitted by the appellant.
- 14 Supplementary Note on Flood Hazard Ratings and Thresholds for Development Planning and Control Purposes, submitted by the Environment Agency.
- 15 Unilateral Undertaking of Mr Henry Giles and Mrs Samantha Anne Giles, dated 17 November 2011, submitted by the appellant.
- 16 Witness Statement of Henry Giles, dated 18 November 2011, submitted by the appellant.
- 17 Approved Wokingham Borough Local Development Scheme May 2011, submitted by the Council.
- 18 Email correspondence from Carol Lovell Interim Community Infrastructure Manager dated 18 November 2011, submitted by the Council.
- 19 Copy Certificate of Lawful Use for siting of a mobile home at 23 Sandhurst Road, Yateley, Hampshire, submitted by Bell Cornwell.
- 20 Email Matthew Green to Hannah Wilson dated 18 November 2011 setting out agreed position regarding risk of 300mm of floodwater, submitted by both parties.
- 21 Supplementary Note on Flood Hazard Ratings and Thresholds for Development Planning and Control Purposes, submitted by the Environment Agency.

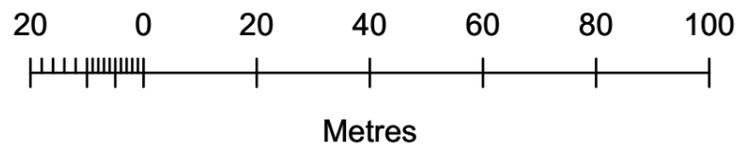
## PLANS SUBMITTED DURING THE COURSE OF THE HEARING

- A Appendix A to the Report of Prior Associates dated November 2009
- B Drawing 8887/02: Level Survey (Sheet 1 of 2) dated 16 November 2011, submitted by the appellant.
- C Drawing 8887/03: Level Survey (Sheet 2 of 2) dated 16 November 2011, submitted by the appellant.



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# Ordnance Survey OS Sitemap



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1:1250

Location Plan

Notes:	Client:	Henry Giles	Scale:	1:1250 @ A3
	Project title:	Land at Cartref Farm, Hurst, Reading	Project:	09_290A_GILE1
	Drawing title:	Location Plan	Drg. No.:	09_290A_001
<small>Green Planning Studio Ltd Directors : Matthew Green BA, Ruth Reed BA, DipArch, MA, PGCEd HonFRAS PPRIBA, Michael Rudd BSc(Hons), MSc, LL.M, PgDip Law, FGS Reg. No: OC08736963</small>				
<small>Unit D Lunesdale Upton Magna Business Park Shrewsbury SY4 4TT</small>			<small>t: 01743 709364 f: 01743 709385 w: www.greenplanning.co.uk e: applications@gpsltd.co.uk</small>	
Rev.	Date	Amendments	Author	

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# ST. NICHOLAS HURST PARISH COUNCIL

Clerk to the Council: Mrs. Maria Bradshaw MIA.  
The Office, 9 Primrose Lane, Winnersh, Wokingham, Berkshire, RG41 5UR.  
Telephone: 0118 9798914  
E-mail: [Clerk@hurstpc.org.uk](mailto:Clerk@hurstpc.org.uk)

Development Control Manager,  
Wokingham Borough Council,  
Planning Services,  
P.O. Box 157,  
Shute End,  
Wokingham,  
RG40 1WR

28/1/16

Dear Mr Ray

Planning Applications 153360  
Land Adjacent to Cartref Farm, Islandstone Lane, Hurst

The Council has considered this application and objects on the following grounds:

The Council objected to the original application F/2010/2695 for this site and still believes that it should not be allowed. A copy of the Council's letter of 5<sup>th</sup> January 2011 objecting to this application is attached.

The primary reason that temporary permission was granted at appeal (Appeal No APP/X0360/A/11/2154295/NWF) was that WBC was at the time unable to provide evidence that there were sufficient sites in the Borough.

The Inspector's Overall Conclusions leading to her decision are listed in Paragraphs 68 to 74 of the Appeal Decision letter of 30<sup>th</sup> January 2012, a copy of which is attached to the Applicant's Agent's Planning Statement.

These conclusions quite clearly dismissed the appeal for permanent permission and allowed temporary permission until WBC had provided sufficient sites in the borough.

It is the Council's understanding that this is now the case. WBC has since this Appeal completed a review, the Gypsy and Traveller Accommodation Assessment. This showed that there was no need for additional sites.

For these reasons the Parish Council asks that this proposal be refused planning permission.

Yours sincerely,



Maria Bradshaw, Clerk.

## **ST. NICHOLAS HURST PARISH COUNCIL**

Clerk to the Council: Mrs. Maria Bradshaw MIA  
The Office, 9 Primrose Lane, Winnersh, Wokingham, Berkshire RG41 5UR  
Telephone: 0118 979 8914  
E-mail: [clerk@hurst-pc.org.uk](mailto:clerk@hurst-pc.org.uk)

Development Control Manager  
Wokingham Borough Council  
P.O. Box 157  
Shute End  
Wokingham  
RG40 1WR

5th January 2011

For the attention of Hannah Wilson

Dear Ms Wilson,

**Planning Application F/2010/2695**  
**Land adjacent to Cartref Farm, Islandstone Lane, Hurst**

I refer to the above-mentioned Application for change of use for the stationing of caravans for residential purposes for 1 No gipsy pitch together with the formation of additional hard standing, stable block and utility/dayroom ancillary to that use and formation of new access to site.

The Council notes that this application is virtually identical to application number F/2010/0308 that was refused on 21<sup>st</sup> April 2010 and the Council believes that the reasons for refusal apply equally to this new application. The additional documents – the Ecology Survey and the Traffic Report – do not alter the Council's view on this proposed development.

The Council objects to this application on the following grounds:

1. **Policy Issues**

The area is designated as Countryside in Wokingham Borough Council (WBC) plans. It is therefore subject WBC's Countryside Policies.

The Parish Council does not believe that there is a case under these policies for this development.

CP2 – 'Inclusive Communities' of the Wokingham Adopted Core Strategy in reference to the requirements of Gypsies and Travellers in para d) states in i) that 'The site is located either within or close to the development limits of a settlement in Policy CP9. This site is far from any such settlement.

Furthermore in CP11 – 'Proposals outside the Development Limits' it is clear that this proposed development fails the exception criteria i.e it is not an

'enterprise' and it is a stand alone development that encroaches on the countryside..

Also in reference to WH17: 'Gypsy Sites ( Permanent and Transit)' in Wokingham District Local Plan again this proposed development fails the criteria listed particularly the ones about the need and the access from the primary road network ones but also the others that deal with the effect on the local environment.

## 2. Flooding

The Keyersbridge Brook that runs down Islandstone Lane on both sides and across the North West boundary of the site towards Bonhomie Court and Broadcommon Road is designated as Main Rivers by the Environment Agency who are responsible for its maintenance. A copy of a map showing all the EA areas of responsibility in Hurst is attached.

As this map shows the Keyersbridge Brook drains a considerable area to the west and south of the site up to the M4 and the A329(M).

The WBC Proposals Map attached to the Local Plan clearly shows that the site is in an area liable to flooding.

The Parish Council on 11<sup>th</sup> March 2009 showed the WBC's Drainage manager, Mr E Napper, around the parish to point out the considerable number of places in Hurst that regularly flood and it was clear that he was very aware of all these including the Islandstone Lane area.

The flood risk assessment supplied by the applicant is in error. It summarises the flood risk in Paragraph 6.1 as having a probability of a flood event of 1 in 1000 years. A simple enquiry to the Environment Agency website and their flood map gives a return period of 1 in 75 years. The Council believes that Environment Agency historic data records flooding in the area in 1947, 1974, 1981, 1991 and 2007. Clearly even the 1 in 75 years is an optimistic assessment of the probable return period.

However the EA necessarily has a broad brush approach and does not recognise the individual problem spots that occur. There is plenty of local knowledge of regular flooding of Islandstone Lane and Nelsons Lane that local residents will testify to that was sufficiently deep to prevent vehicular access. The floods of July 2007 were particularly deep at this location but it cannot be emphasised strongly enough that flooding of this area is a regular event. The most recent event was 27<sup>th</sup>/28<sup>th</sup> February 2010.

In summary the Parish Council believes that siting this facility at this location would be positively dangerous for its users and contrary to policies that limit or even prohibits development in the floodplain.

## 3. Demonstration of Need

There are two caravan sites within two miles of this location.

One is at Maidenhead Road (sometimes called Carters Hill) in the Ashridge area of Hurst and the other one is at London Road, Twyford.

In view of this it is clear that there is no need for a facility at this location.

4. Traffic

Islandstone Lane and Nelsons Lane are single track lanes that would be inadequate for any additional traffic of any nature. The recently introduced 7.5T weight limit is the lowest that can be applied but even traffic of this weight will rapidly destroy these lanes.

5. Loss of amenity

This development would represent an urban intrusion on the countryside and consequent loss of amenity.

In addition the Council is concerned by a number of inconsistencies in the application as follows:

1. Singular and plural

The application is not clear as to how many caravans are intended. Both the singular and the plural are used quite liberally.

2. Parking Provision

The application states that zero parking spaces will be provided but the Design and Access Statement inc Parking Provision in Para 2.03 clearly states there will be 2 No vehicles per plot. Again it is not clear how many plots are involved.

The site layout shows a considerable area of hard standing available for parking.

3. Land Use

The existing land use is not stated. For the avoidance of doubt it is agricultural.

It is important that these inconsistencies are resolved so that there is no argument as to what is being applied for.

The Council asks that this application be refused for all the reasons stated above.

Yours sincerely,

Maria Bradshaw,  
Clerk to St Nicholas Hurst Parish Council.

# Agenda Item 133.

<b>Development Management Ref No</b>	<b>No weeks on day of committee</b>	<b>Parish</b>	<b>Ward</b>	<b>Listed by:</b>
152344	30	Twyford	Twyford	Cllr Ferris

**Applicant** Mr Mark Belcher c/o Grange Farm, Nelsons Lane, Hurst  
**Location** 80 Hurst Road, Twyford, Wokingham **Postcode** RG10 0AN  
**Proposal** Full application for the erection of 2 semi-detached dwellings following demolition of existing dwelling.

**Type** Minor Dwellings (1-9)  
**PS Category** 511  
**Officer** Daniel Ray

**FOR CONSIDERATION BY** Planning Committee on 27<sup>th</sup> April 2016  
**REPORT PREPARED BY** Head of Development Management & Regulatory Services

## SUMMARY

The application proposes to demolish the existing single storey dwelling and construct a pair of semi-detached two storey dwellings at 80 Hurst Road, Twyford. Parking would be provided to the front of the dwellings with turning taking place within the site whilst the building line would broadly follow that of neighbouring dwellings and would be of a size and scale that would sit well within the street scene.

Concern has been raised that the proposal would be overbearing and lead to a loss of light to 78 Hurst Road, however the any loss of light would be limited to a non-habitable room (kitchen) and is not considered to be significant enough to warrant refusal of this application.

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

## PLANNING STATUS

- Major Settlement (Twyford)
- Flood Zone 2 (partial)
- Groundwater Protection Zone
- Wind Turbine Safeguarding Zone
- Mineral site consultation area

## RECOMMENDATION

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

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 3278/202C and 3278/203C received by the local planning authority on 20 August 2015 and plans and drawings number 3278/200E, 3278/201E and 3278/204D received by the local planning authority on 22 February 2016. 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 development shall take place until a measured survey of the site and a plan prepared to scale of not less than 1:500 showing details of existing and proposed finished ground levels (in relation to a fixed datum point) and finished roof levels shall be submitted to and approved in writing by the local planning authority, and the approved scheme shall be fully implemented prior to the occupation of the building(s).

Reason: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy TB21.

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

Reason: To ensure that the external appearance of the building is satisfactory.

Relevant policy: Core Strategy policies CP1 and CP3.

5. Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, and any existing trees or shrubs to be retained.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s).

Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority.

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

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

b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by

the Approved Scheme are in place on site.

c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.

d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and [Managing Development Delivery Local Plan policies CC03 and TB21.

7. 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.

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

Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 4 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

9. No building shall be occupied until the vehicular access has been surfaced with a permeable and bonded material across the entire width of the access for a distance of 7 metres measured from the carriageway edge.

Reason: To avoid spillage of loose material onto the highway, in the interests of road safety. Relevant policy: Core Strategy policy CP6.

10. No building shall be occupied until the access has been constructed until the access has been constructed to 4.8 metres wide.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no gates or barriers shall be erected at, or within 10 metres of, the vehicular access onto the highway.

Reason: To ensure that vehicles do not obstruct the highway whilst waiting for gates or barriers to be opened or closed, in the interests of road safety. Relevant policy: Core Strategy policies CP3 & CP6.

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

Reason: To safeguard the residential amenities of neighbouring properties.

Relevant policy: Core Strategy policy CP3.

13. Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional windows or similar openings shall be constructed in north or south elevations of the buildings hereby permitted except for any which may be shown on the approved drawing(s).

Reason: To safeguard the residential amenities of neighbouring properties.

Relevant policy: Core Strategy policy CP3.

14. Before the development hereby permitted is commenced details of all boundary treatment(s) shall first be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of amenity and highway safety. Relevant policy: Core Strategy policies CP1, CP3 and CP6

15. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent government guidance), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and
- iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent increased flood risk from surface water run-off. Relevant policy: NPPF Section 10 (Meeting the Challenge of Climate Change, Flooding and Coastal

Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10

### PLANNING HISTORY

- None Relevant to this application

### SUMMARY INFORMATION

Site Area	0.9 ha
Original Floor Area	62.09sqm
Proposed Floor Area	197.34sqm
Existing Use	Residential
Proposed Use	Residential
Proposed Parking Spaces	4

### CONSULTATION RESPONSES

**Environmental Health:** No comment to make

**Environment Agency:** None received

**Highways:** There is an existing access onto A321 Hurst Road and it is proposed to retain this access to serve two dwellings. No objection to this subject to the access being a minimum of 4.8m wide to enable two vehicles to pass (the width of the dropped kerb does not need to be altered). The access shall be surfaced with a suitable hard bound material to ensure loose material does not enter the public highway.

The proposed dwellings will each have five habitable rooms. Four parking spaces have been indicated and this level of parking is considered acceptable.

Independent turning area has been indicated and this will need to be retained to enable vehicles to enter and leave the site in a forward gear. (Condition 7)

Secure, covered cycle storage is required to be provided for each dwelling – condition refers. (Condition 8)

**Landscape and Trees:** No objection however, conditions requiring a suitable landscaping are recommended; the submitted scheme should include sustainable urban drainage solutions which must be applied to the front of the property and to any hard surfacing to the rear. (Conditions 5, 6, 14 and 15)

## REPRESENTATIONS

**Local Resident:** - One letter received outlining concern on the impact on 78 Hurst Road:

The development will block daylight from my living room/rear bedroom and decking area and will lead to overlooking to bedroom skylights and in to the living room. The proposed development would be 8 metres high (higher than 78 Hurst Road) and only 1 metre from the boundary and exceed the 45 degree angle from the living room (see para's 11 – 17).

The parking of 4 cars on one side of the plot would not work as each house would park outside their property (para. 18).

The proposal is out of keeping with the area, it should be a single dwelling on the plot not a pair of semi-detached properties.

**Twyford Parish Council** – No comment

**Ward Member** – Site Visit undertaken with Cllr Ferris and has requested that the application be listed due to overbearing impact.

## APPLICANTS POINTS

- Additional information has been supplied to ascertain the function of the flank elevation windows. It would appear that the window nearest the road serves the cloakroom, the next window appears to serve the utility room and the third window along serves the kitchen. By reference to drawing no. 3278/200E it may be seen that the proposed development will not sit in front of any of those windows. As regards the three narrow windows located towards the rear of the elevation, the approved plans indicate that these windows serve the living room. It is relevant to note that the living room has its principal aspect to the rear incorporating French windows and receives daylight on 3 sides.
- The proposed development will not unacceptably harm living conditions at No. 78 in terms of either loss of daylight or overbearing impact. It is considered that the proposed development is in all respects entirely reasonable in the context of this developed location and it would be inappropriate to deny planning permission simply because the adjoining owner had, ill advisedly, chosen to install an excessive number of windows close to the flank boundary in this built up area.

## PLANNING POLICY

National Policy	<b>NPPF</b>	National Planning Policy Framework
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP3</b>	General Principles for Development
	<b>CP6</b>	Managing Travel Demand
	<b>CP7</b>	Biodiversity
	<b>CP9</b>	Scale and Location of Development Proposals
	<b>CP17</b>	Housing Delivery
Adopted Managing Development	<b>CC01</b>	Presumption in Favour of Sustainable

Delivery Local Plan 2014		Development
	<b>CC02</b>	Development Limits
	<b>CC03</b>	Green Infrastructure, Trees and Landscaping
	<b>CC04</b>	Sustainable Design & Construction
	<b>CC06</b>	Noise
	<b>CC07</b>	Parking
	<b>CC10</b>	Sustainable Drainage
	<b>TB05</b>	Housing Mix
	<b>TB06</b>	Development of Private Residential Gardens
	<b>TB07</b>	Internal Space Standards
	<b>TB21</b>	Landscape Character
	<b>TB23</b>	Biodiversity
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide
	<b>WPSS</b>	Wokingham Parking Standards Study Report October 2011

## **PLANNING ISSUES**

### Description of development

- 1) The proposed two storey semi-detached properties would be constructed with a mix of brick and hanging tiles under a plain tiled roof. Each property would benefit from a porch entrance with the build having a single storey rear element, separated by a central rear gable projection. Both dwellings would provide three bedrooms with two parking spaces for each dwelling.

### Principle of development

- 2) 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.
- 3) The site is located within a Major Development Location and within a settlement boundary and as such the development is acceptable subject to the proposal complying 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 and occupiers. These considerations are discussed below.

### Impact on the Character of the Area

- 4) To the south of the development site, the west side of Hurst Road is characterised by a series of semi-detached dwellings, whilst to the immediate north are detached dwellings before Loddon View breaks the rhythm of this part of the street.
- 5) The existing dwelling is somewhat an anomaly within the existing street scene being the last remaining bungalow in the immediate vernacular. The proposed design of the replacement dwellings would be of an appropriate scale that would reflect existing dwellings to the south. Additionally the proposed dwellings, whilst on higher ground (the land raises northwards) would have a slightly lower ridge height than properties to the south, however, they would be higher than the neighbouring property to the north, number 78 by 0.9m.
- 6) The dwellings would be set back within the plot a similar distance to neighbouring dwellings to the south, although set slightly further back than the dwelling, number 78, to the north. This is a similar arrangement to the existing bungalow which is set back further in the plot than number 78. As a result the flow and form of the west side of the Hurst Road would not be diminished by the proposed development.
- 7) The proposed design of the properties would be in keeping with the surrounding area as the vernacular is made up of a variety of styles and designs however the predominant use of external materials is the use of red brick and render. Subject to the use of appropriate materials (controlled by way of condition 4) the proposed development would be in keeping with the area as the overall bulk and massing is commensurate to the plot and neighbouring dwellings. The inclusion of porches is not common to the area; however they would not upset the balance, appearance and rhythm of the street and are therefore considered acceptable.
- 8) Parking is proposed to the front of the property, this is the standard situation for most of the neighbouring dwellings, although not all benefit from being able to turn with the site. The proposed parking scheme would allow turning to take place within the site and the proposal is therefore acceptable in this respect. Additionally landscaping conditions are required to ensure acceptable boundary planting is installed (Conditions 5 and 14) .
- 9) It is considered that subject to the inclusion of conditions requiring external materials be agreed (to ensure they are in keeping with the vernacular) and that finished floor and ridge heights be agreed prior to development taking place shall ensure the development is commensurate in scale to neighbouring properties (Condition 4).
- 10)The proposed development would respect and enhance the character of the area and accord with relevant design based policies.

#### Impact on Neighbouring Amenities

- 11)The proposed development would have no impact on the dwellings to the south. This is because the scale, position and orientation of the proposed dwellings means that there is no overshadowing or overbearing impacts as a result of the proposal. Any overlooking in to the rear garden of neighbouring properties would

be similar to that of any urban environment and would not unexpected or unreasonable. There would be no overlooking issues as a result of this proposal.

- 12) Specific concern has been raised regarding the impact of the development on the neighbouring property to the north, number 78 Hurst Road. Number 78 Hurst Road has had a number of alterations in recent years and as a result, six windows have been introduced on the southern boundary that would face the proposed development.
- 13) There are three windows on the southern elevation of number 78 that serve the main living area and it is accepted that there may be some loss of light as a result of the proposed development. Notwithstanding this, these are secondary windows as a set of French doors, with additional windows either side of the doors, are present on the rear elevation which are the primary openings for the room. When drawing a 45 degree line from the southernmost window on the rear elevation, the proposed building does not interrupt this line.
- 14) The remaining three windows on the southern elevation of 78 Hurst Road all serve non habitable rooms, a cloakroom, utility room and a kitchen. The kitchen window would be forward of the building line and as such there would be no loss of light early in the morning, however as the day progresses, it is likely that there would be a loss of light to the kitchen. Despite this, as per the approved plans for 78 Hurst Road, the kitchen is not a kitchen/diner as a separate dining room is present. Therefore the kitchen is a non-habitable room in planning terms and as such any loss of light is not considered to significantly diminish the residential amenity of the neighbouring occupier.
- 15) There are no first floor windows affected by the proposed development and the only first floor windows on the side elevation of the proposed dwellings would serve bathrooms. These can be conditioned to be obscure glazed and non-opening to ensure neighbouring amenity is retained both presently and any potential overlooking in the future (Condition 12 and 13).
- 16) Ground floor windows are proposed in the side elevation of the proposed dwellings, these would serve the kitchen area. It is considered that because of the lack of boundary screening there may be some views between the kitchen window of the northern most plot and number 78 Hurst Road, as a result a condition ensuring that the ground floor northern window serving the kitchen shall be obscure glazed and non-opening to ensure that no direct views take place between the neighbouring properties (Condition 12). In addition a condition regarding boundary treatments shall ensure that appropriate boundary screening takes place (Condition 14).
- 17) It is accepted that the outlook from 78 Hurst Road shall be different than what is currently experienced, however following the submission of revised drawings showing accurately plotted windows of 78 in relation to the proposed development, the impact of the development can more accurately be assessed. On balance, through the use of conditions to ensure that potentially sensitive windows are non-opening and obscure glazed, the proposal would not have a detrimental impact on neighbouring properties to the point that the proposal should be refused.

### Highways & Parking

18) The application proposed 4 parking spaces however the entrance to the site would need to be widened to ensure highway safety is retained. A number of conditions are recommended to ensure that the works are undertaken and retained in the future so that highway safety is secured and adequate parking provided (Conditions 7, 9 and 10). Subject to these conditions, no objection on highway safety or parking standards is raised.

### Flood Risk

19) Part of the site is within flood zone two, however a flood risk assessment has been provided. It has been recommended that the dwelling have a finished floor level set 40.94 AOD, this is 300mm above the highest part of the site and is in line with the EA standing advice. A condition has been included detailing finished floor levels and ridge heights (Condition 3), as a result this would ensure that development takes place in an acceptable manner. In addition, a further condition requiring information regarding SuDs be submitted prior to development taking place is appropriate (Condition 15).

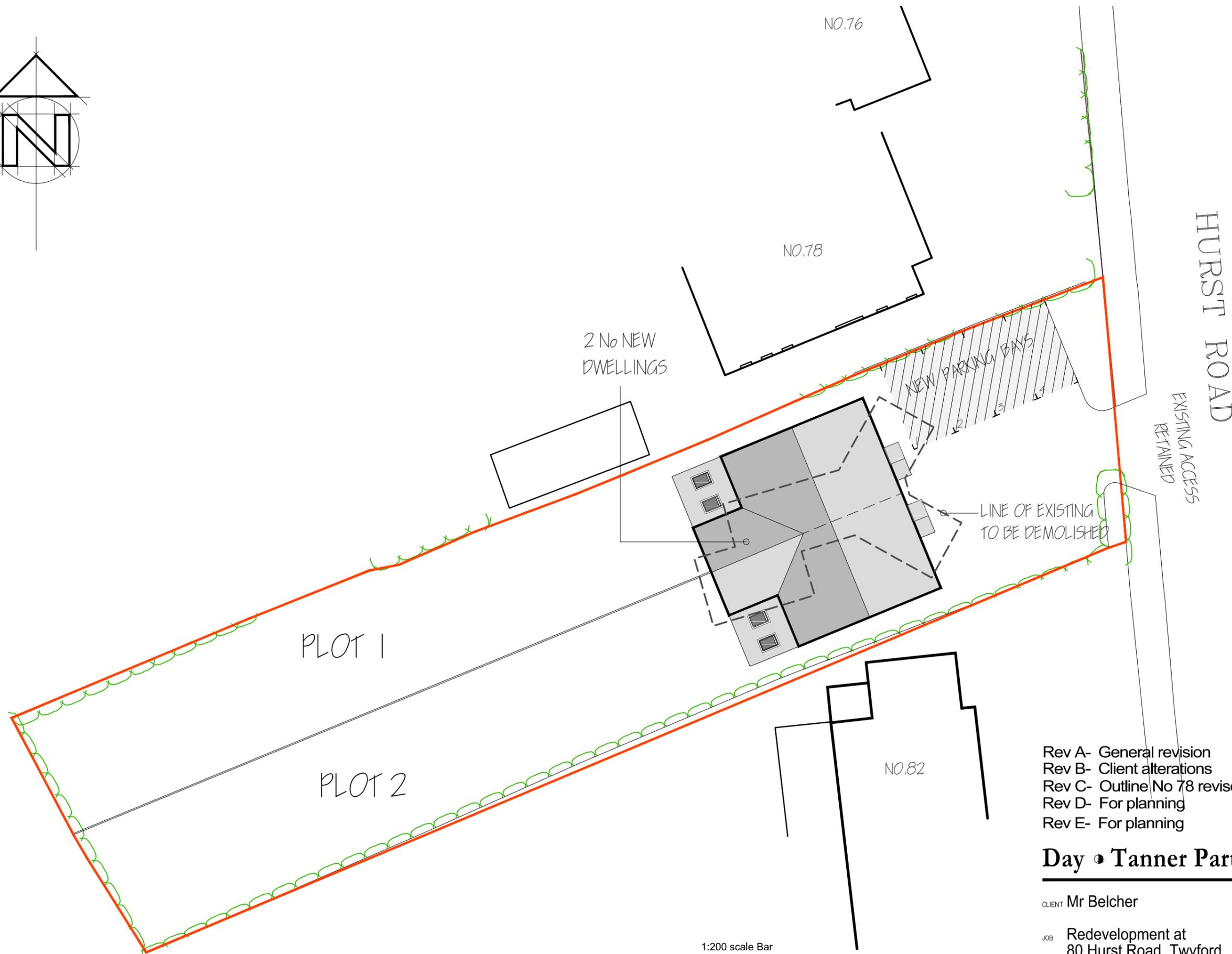
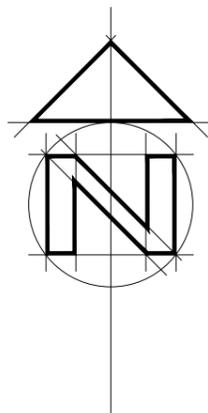
20) Further to the above, additional comments have been requested from colleagues in the Flood Risk team in terms of the provision of dry access and these shall be reported by way of update prior to the Committee meeting.

## **CONCLUSION**

The proposed development would be in accordance with adopted policy both local and national. The development would have no undue impact on the character and appearance of the area, nor would it have any significant detrimental impact on neighbouring residential dwellings that would warrant refusal. As a result, the proposal is recommended for approval subject to the use of appropriate conditions.

## **CONTACT DETAILS**

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



- Rev A- General revision 09.06.15
- Rev B- Client alterations 29.06.15
- Rev C- Outline No 78 revised 10.07.15
- Rev D- For planning 10.02.16
- Rev E- For planning 19.02.16

**Day • Tanner Partnership** ARCHITECTURE AND PLANNING

CLIENT Mr Belcher

JOB Redevelopment at  
80 Hurst Road, Twyford  
DRG PROPOSED SITE PLAN

www.daytanner.co.uk  
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 Wokingham 36B Church Street  
 Berkshire Caversham, Reading  
 RG40 1XP RG4 8AU  
 0118 989 0808 0118 946 1242  
 info@daytanner.co.uk rdgoffice@daytanner.co.uk

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FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

Rev A- General revision 09.06.15  
 Rev B- Client alterations 29.06.15  
 Rev C- FFL notation added 18.08.15

1:100 scale Bar  
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**Day • Tanner Partnership** ARCHITECTURE AND PLANNING

CLIENT Mr Belcher

JOB Redevelopment at  
 80 Hurst Road, Twyford  
 DRG PROPOSED ELEVATIONS

SCALE 1:100 DRAWN ALM DATE June 2015

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- Rev A- General revision 09.06.15
- Rev B- Outline No 28 revised 10.07.15
- Rev C- FFL notation added 18.08.15
- Rev D- For planning 10.02.16

**Day • Tanner Partnership** ARCHITECTURE AND PLANNING

CLIENT Mr Belcher

JOB Redevelopment at  
80 Hurst Road, Twyford  
DRG STREET SCENE

www.daytanner.co.uk

Wokingham Reading  
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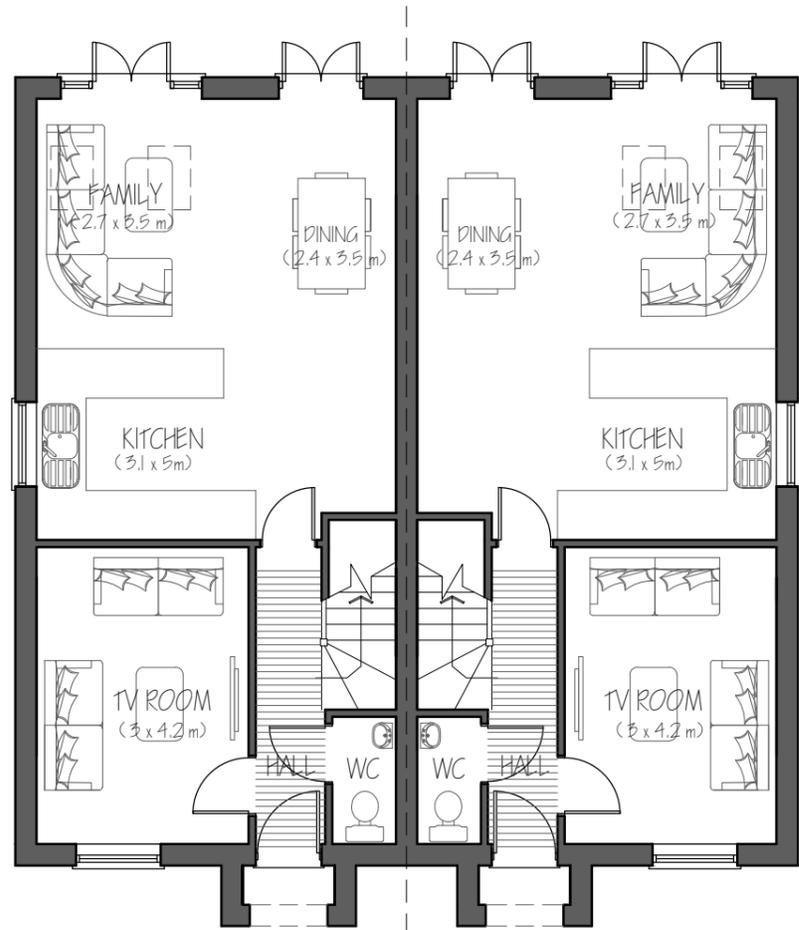
1:200 scale Bar  
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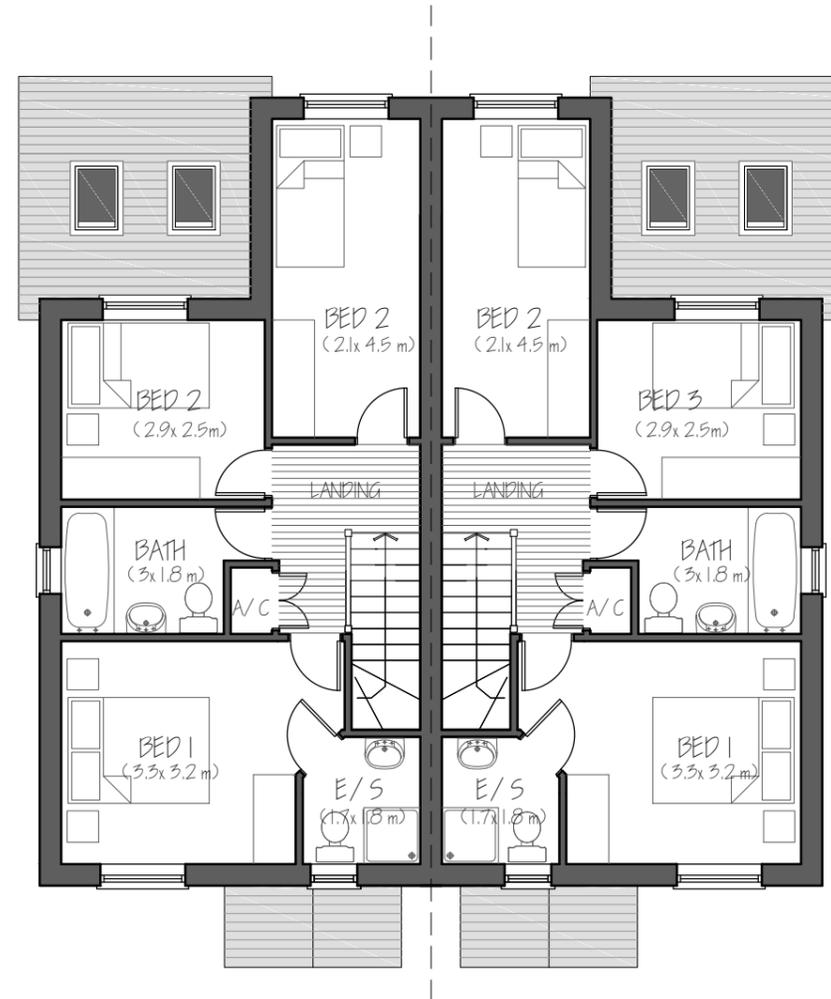
SCALE 1:200 DRAWN ALM DATE June 2015

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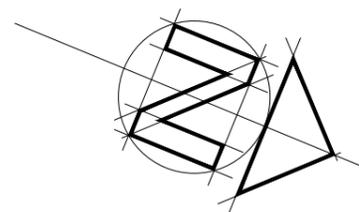


GROUND FLOOR FFL 40.94



FIRST FLOOR

**TOTAL AREA**  
**2 No DWELLINGS**  
**@ 98.67sq m = 1062.07 sq ft EACH**  
 127



1:100 scale Bar  
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- Rev A- General revision 09.06.15
- Rev B- Client alterations 29.06.15
- Rev C- FFL notation added 18.08.15
- Rev D- For planning 10.02.16
- Rev E- For planning 19.02.16

**Day • Tanner Partnership** ARCHITECTURE AND PLANNING

CLIENT Mr Belcher

JOB Redevelopment at  
 80 Hurst Road, Twyford

DRG PROPOSED FLOOR PLANS

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SCALE 1:100 DRAWN ALM DATE June 2015

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**Jackie Norriss**

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**From:** Twyford Parish Council <clerk@twyfordparishcouncil.gov.uk>  
**Sent:** 07 April 2016 10:56  
**To:** Planning Enquiries  
**Subject:** Twyford PC comments

**Categories:** Jackie

Good morning,

Please find listed the Councils comments on the following planning applications:

- ✓ 152344 80, Hurst Road – no comment
- 160534 14, Hurst Park Road – the Council were concerned as to the potential loss of light for the neighbour.
- 160560 7, Station Terrace – no comment
- 160590 51, Paddock Heights – no comment
- 160622 37, Poundfield Way – no comment
- 160698 55, Wargrave Road – no comment

Kind regards,

Lucy

Lucy Moffatt  
Clerk to Twyford Parish Council  
16 Gooch Close  
Twyford  
Reading  
Berks  
RG10 0XS  
Tel: 0118 9345444  
Mob: 07816 569552

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# Agenda Item 134.

<b>Development Management Ref No</b>	<b>No weeks on day of committee</b>	<b>Parish</b>	<b>Ward</b>	<b>Listed by:</b>
153301	30	Sonning	Sonning	Cllr Haines

**Applicant** Mr John Fisher, Holme Park Sports and Leisure  
**Location** Pavilion, Holme Park Sports Ground, Sonning Lane, Sonning **Postcode** RG4 6ST  
**Proposal** Full application for amendment to planning permission F/2014/2196 to approved sports and physiotherapy clinic building, involving reorientation, redesign, improved landscaping and parking provision.

**Type** Minor all other developments  
**PS Category** 516  
**Officer** Daniel Ray

**FOR CONSIDERATION BY** Planning Committee on 27<sup>th</sup> April 2016  
**REPORT PREPARED BY** Head of Development Management & Regulatory Services

## SUMMARY

The application proposes to demolish the dilapidated wooden sports club building, and to construct a physiotherapy centre with hyperbaric chamber, associated parking and landscaping.

The application differs from previous planning permission (F/2014/2196) in so far as the proposed floor area would be 3sqm less and a greater level of parking is proposed (20 proposed in the 2014 application, 25 are proposed with this current application) and the introduction of a hyperbaric chamber in addition to the 'standard' physiotherapy services being offered.

The proposed building would be approximately 4.2m in height and be in a similar location to the existing building, although re-orientated so that the principle elevation faces westwards rather north towards the sports pitches.

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

## PLANNING STATUS

- Countryside
- Minerals Consultation Zone
- Sand and Gravel Extraction

## RECOMMENDATION

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

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 B.01A, P.01A, P.02A, P.04A, P.05A and 672\_01A received by the local planning authority on 17 February 2016. 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. Before the development hereby permitted is commenced, samples and details of the materials to be used in the construction of the external surfaces of the building/s shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details.

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

4. 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.

5. No building shall be occupied until secure and covered parking for cycles has been provided in accordance with the approved drawing(s)/details. The cycle parking/ storage shall be permanently so-retained 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.

6. No building shall be occupied until the vehicular access has been surfaced with a permeable and bonded material across the entire width of the access for a distance of 10 metres measured from the carriageway edge.

Reason: To avoid spillage of loose material onto the highway, in the interests of road safety. Relevant policy: Core Strategy policy CP6.

7. No other development of the site as hereby approved shall take place until the access has been constructed in accordance with the approved plans.

Reason: To ensure adequate access into the site for vehicles, plant and deliveries associated with the development in the interests of highway safety and convenience. Relevant policy: Core Strategy policies CP3 & CP6.

8. Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, and any existing trees or shrubs to be retained.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s).

Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority.

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

9. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation.

Reason: To secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of amenity value to the area. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

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

b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.

c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.

d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority

that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

11. All windows in the southern elevation of the development hereby permitted shall be permanently obscure-glazed and fixed closed at all times.

Reason: To safeguard the residential amenities of neighbouring properties.

Relevant policy: Core Strategy policy CP3.

12. The clinic hereby permitted shall not operate other than between the hours of 08:00 to 18:00 Mondays to Fridays inclusive and 08:00 to 13:00 on Saturdays. The clinic shall not operate at all on Sundays or Bank or National Holidays.

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

13. No development shall take place until a scheme for external lighting has been submitted and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the use hereby approved commencing and shall be retained thereafter.

Reason: To ensure a satisfactory scheme for external lighting is implemented and so to protect the appearance of the area and the amenity of nearby residential occupiers.

14. The premises shall be used on for a sports and physiotherapy clinic (including hyperbaric chamber) and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order (with or without modification).

Reason: In granting this permission the local planning authority has had regard to the special circumstances of this case, being that the benefits of the use to the community outweigh the harm caused by the proposal being located outside any development limit, and wishes to that the opportunity of exercising control over any subsequent alternative use.

15. No more than seven treatment/consultation rooms (including only one treatment room associated with the hyperbaric chamber) shall be provided within the clinic hereby approved.

Reason: To prevent overdevelopment of the site and to ensure adequate parking.

Relevant policies: Core Strategy policies CP1, CP3 and CP6.

16. Before the development hereby permitted is commenced details of all boundary treatment(s) shall first be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of amenity and highway safety. Relevant policy: Core Strategy policies CP1, CP3 and CP6

## **PLANNING HISTORY**

- 45097 – Approval of proposed renewal of temporary consent for sports

clubhouse

- F/2008/2461 – Refusal of change of use from D2 to D1 (05.01.2009)
- F/2009/1239 – Refusal of proposed change of use from D2 (Assembly and Leisure) to D1 (Non Residential Institution) (10.08.2009). Appeal Approved (18.08/2010) reference APP/X0360/A/10/2121591.
- EXT/2013/0796 – Approval of application to extend implantation date of appeal planning consent F/2009/1239 (11.06.2013)
- F/2014/2196 – Approval of erection of sports and physiotherapy clinic following demolition of existing sports club, changing facilities, club bar and external store (26.11.2014)

### SUMMARY INFORMATION

Site Area	0.42 ha
Original Floor Area	230sqm
Proposed Floor Area	237sqm
Existing Use	D2 (Assembly and Leisure)
Proposed Use	D1 (Non Residential Institution)
Proposed Parking Spaces	25 (including 2 disabled)

### CONSULTATION RESPONSES

**Environmental Health:** No comment

**Highways:**

Compared to the previous scheme the parking layout has been modified and some additional parking (+6 spaces) has been indicated and there is no objection to this. The previous application included a condition limiting the number of consulting rooms to six and the submitted drawing does indicate six consulting rooms. The proposed level of parking complies with the Council's parking standards in this respect.

The layout now also includes disabled parking and areas for cycle storage and refuse. The cycle storage is considered acceptable (Condition 5)

Turning area is retained to enable vehicles to enter and leave the site in forward gear.

The access remains as previously approved and this is considered acceptable subject to suitable construction.

No further comments arose as a result of amendments made by the applicant, subject to the use of appropriate conditions (Conditions 4, 5, 6 and 7).

**Landscape and Trees:**

The site is in Countryside. There is a TPO of multiple trees along the east boundary with Sonning Lane.

This proposal is similar in concept to consented application F/2014/2196. The TPO trees will need to be protected during construction, please condition for this (Conditions 8, 9 and 10).

## REPRESENTATIONS

**Local Residents:** - 5 letters of objection were received over the two consultation periods including two letters from Sonning and Sonning Eye Society. All comments are summarised as follows:

- There is no reference in the formal application document to the introduction of a hyperbaric chamber (see para. 12)
- The building footprint appears to have increased in size (para. 3)
- The car parking area appears to have increased 100% (from the approved scheme) (para. 15-17 and 23)
- It is considered very unlikely the hyperbaric chamber will be used simply for sports injuries, thus meaning additional traffic visiting the site (hence the need for the increased car parking) (para. 13)
- The height of the proposed building appears to have increased from 2.7 metres high to 4.1 metres since the previous approval (para. 4)
- Notwithstanding the comments in the design and access statement it is considered there is a distinct possibility of noise from the hyperbaric chamber equipment (para's. 18-22)
- The proposed development is considered inappropriate in the countryside (para. 8-10)
- Since the building was last in use there has been significant increases in traffic flow and the roads and junctions in this area are already congested at peak times (para. 24)
- Parking takes place along Sonning Lane and goes unchecked so that it is a single lane road for quite a distance, this development will only make it worse (para. 24)
- It is acknowledged the pavilion is an accident waiting to happen because of its dilapidated state as are the trees that have also been neglected, however to replace it with a commercial enterprise leading to increased and frequent traffic and visitors is not in keeping with the current peaceful surroundings

Further objections from an immediate neighbour were made in great detail however a summary of specific comments not already raised are as follows:

- Objections to earlier applications were not raised due to a restrictive covenant on their property
- The proposed development shall have an adverse impact on the privacy and quiet enjoyment of the neighbouring dwelling (The Bungalow) (para's. 18-22)
- The hyperbaric chamber presents noise and disturbance issues, fire and explosion risk as well as day to day interference from the car park and deliveries to serve the oxygen chamber (para's. 25-26)
- Detail has been supplied of a number of accidents in the United States. (para. 25-26)
- The proposal is not in accordance with the Inspector's decision as the proposal is not a physiotherapy centre and does not focus on the sports community but is a medical centre and draws its customers from any section of the population

(para's. 12-14).

- The size of the building has increased but the number of consulting rooms has decreased, not in accordance with the Inspectors decision (para 12).
- The proposal is not in keeping with CP11 as it is not appropriate development in this location (para's 8-10).

**Sonning Parish Council** – The Parish Council objected both to the scheme as originally submitted, and following revisions to parking layout, landscaping and layout. The summary of the objections are as follows:

- The proposal is not in keeping with the reasoning for the Inspectors findings for the originally consented scheme, the introduction of a hyperbaric chamber in the scheme has a tentative association with sport/sports injury (para. 8-13).
- The hyperbaric chamber is not ancillary to the approved use but occupies a third of the total area (para's 11-14).
- Concern with the safety of the hyperbaric chamber and is not convinced that it would not explode under any circumstances. The storage of oxygen also remains a concern (para's. 25 and 26).
- Concern that the commercial business venture shall introduce significantly more traffic (para. 24).
- There have been accidents at this junction and there have been no funding allocated to Sonning or the Third Bridge to improve infrastructure in this area (para. 24.)
- The Council are concerned about the impact the facility will have on the infrastructure and the additional pressure it will have on the sub-standard Victorian drainage system.

**Ward Member** – The application has been listed because of the considerable enlargement of the development since the 2014 application (see para. 4 re: floor space and height), the building on green space between villages (Sonning and Woodley) (para's 8-10) and potential health and safety issues involving Hyperbaric Therapy (para's. 25-26), along with increased attendance and car parking (para's. 23-24).

#### **APPLICANTS POINTS**

- Additional planting including a wider and denser landscape as well as buffer strip has been proposed; re-orientation of the car park and moving the oxygen chambers and path to the north of the building have been designed to eliminate any impact on The Bungalow
- The chamber cannot explode, it will only have air in it, the patients use a face mask on a non-reverse valve (like a scuba diver wears) to breathe 96% Oxygen, it cannot ignite.
- The oxygen tanks will be stored as per the 'Storage of Oxygen' Regs and with the advice of Air Products in an open air Cage at the rear of the building, so if any oxygen were to escape from the tanks it does not present a danger as it escapes in to the atmosphere and is not in an enclosed space to allow the build-up of oxygen.
- First and foremost the clinic will be a Physiotherapy and Rehabilitation Centre offering multiple disciplines to achieve the correct outcome for the patient, to include physiotherapy, chiropractors etc. The chamber will be one of the options available to patients.

#### **PLANNING POLICY**

National Policy	<b>NPPF</b>	National Planning Policy Framework
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP3</b>	General Principles for Development
	<b>CP11</b>	Proposals Outside of Development Limits
Adopted Managing Development Delivery Local Plan 2014	<b>CC01</b>	Presumption in Favour of Sustainable Development
	<b>CC02</b>	Development Limits
	<b>CC03</b>	Green Infrastructure, Trees and Landscaping
	<b>CC04</b>	Sustainable Design & Construction
	<b>TB21</b>	Landscape Character
	<b>TB23</b>	Biodiversity
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide
	<b>WPSS</b>	Wokingham Parking Standards Study Report October 2011

## **PLANNING ISSUES**

### Description of development

- 1) The application proposes to demolish the existing sports club building and outbuildings, and to erect a new building for a sports and physiotherapy clinic including hyperbaric chamber. The air pressure inside a hyperbaric oxygen chamber is about two and a half times higher than normal air pressure; this aids recovery. Landscaping and parking provision is included within the proposal.
- 2) Planning permission was achieved by appeal in 2010 for the conversion of the wooden clubhouse in to a sports and physiotherapy centre. This planning permission was extended following an EXT application in 2013 and as a result planning permission for this conversion remains extant until June of this year.
- 3) In addition to aforementioned conversion, further planning permission remains extant on the site through application F/2014/2196 for a replacement building but for the same D1 use; a sports and physiotherapy clinic with 6 consultation rooms following the demolition of the existing club house. Planning permission remains extant on the site for this permission until November 2017.
- 4) The proposed building would be similar in shape and form from the extant permission (F/2014/2196) however the current proposal would have a floor area of 3sqm less. The building has been re-orientated and a dual pitched roof proposed instead of a flat roof. As a result the building is approximately 4.2m high (to ridge), some 1.3m higher than the previous permitted scheme, however this would have no undue impact on the character of the area and is set far enough away from the nearby dwelling (The Bungalow) not to cause any overshadowing or overbearing issues.

- 5) This application proposes 5 'standard' treatment rooms plus one 'hyperbaric' treatment room. A further hyperbaric consultation room is proposed along with the hyperbaric chamber itself.
- 6) The application also includes an additional 6 parking spaces above that of previous consents, this parking appears to be spread out over a larger area but also includes disabled bays and cycle storage which hadn't previously been identified within plans.

#### Principle of development

- 7) 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 considerations indicate otherwise.
- 8) Whilst the site is located within the open countryside, the principle of development of a D1 use has been established as per appeal decision APP/X0360/A/10/2121591 and the extension to this permission as well as the principle of a replacement building as per F/2014/2196. This is despite the Inspector concluding that the proposal was contrary to Policy CP11 as the proposed development would not have a detrimental impact on the quality of the surrounding rural environment and also would not have a detrimental impact in terms of parking and highway safety.
- 9) The Inspector found that the policy does not accord with Policy CP11 as this policy does not normally permit development outside the development limits of settlements except in specific circumstances and none of the exceptions referred to in the Policy apply in the his case. However the Inspector concluded that:  
  
*Policy CP11 was adopted by the Council to protect the separate identity of settlements and to maintain the quality of the environment. The proposed re-use of the building clearly does not harm the separate identity of settlements – it already exists. The improvements that will result from the proposal will add quality to the environment and this, in my judgement, clearly outweighs the harm that arises from non-compliance with the terms of Policy CP11. I therefore conclude that the proposal would be appropriate development in this location and it would not have a detrimental impact on the quality of the surrounding environment.*
- 10) The removal of dilapidated buildings and structures in this location and the introduction of a replacement building in this location would bring about the same positive environmental improvements that have already been considered acceptable by the Inspector.
- 11) The specific impact of the design and re-orientation of the building as well as the expansion of the parking shall be considered below however concern has been raised as to whether or not the introduction of a hyperbaric chamber would be in accordance or the spirit with the Inspector's original decision.

- 12) The application proposes a sports and physiotherapy clinic of 5 consulting rooms as well as third of its floor space dedicated to a hyperbaric chamber, consulting room and hyperbaric treatment room. This additional floor space appears to be commensurate to the needs of the type of treatment rather than the level of provision. The proposed treatment and consultation rooms are broadly similar in size to the individual sports and physiotherapy treatment rooms. As such it is reasonable to conclude that the level of hyperbaric treatment would be supplementary to and not the sole focus of the clinic.
- 13) Regardless, the use of a hyperbaric chamber for sports/physiotherapy or other medical use still falls under the D1 remit and there is no evidence to suggest that the proposal is anything beyond a sports and physiotherapy centre despite the additional provision of a wider treatment offer. The inspector was mindful when permitting the original scheme that the centre would be able to serve the local population and there is nothing to suggest that this would still not be the case.
- 14) The principle of development is considered acceptable as it the proposed sports and physiotherapy clinic with hyperbaric chamber is in accordance with adopted policy and the planning inspector's decision.

#### Impact on the Character of the Area

- 15) The application site forms part of a sports field and is located within the designated countryside. The proposed clinic itself would be located where the existing sports club is sited albeit the clinic would be orientated differently and have a much more positive appearance than both the dilapidated sports club and the flat roofed clinic in 2014. The parking area, whilst larger would still be limited to the area of the previous tennis court that has since overgrown and not in use.
- 16) Adjacent to the site is a large parking area that serves a children's day nursery and other sports and education uses. Immediately to the south of the proposed clinic and to the east of the parking area is a residential property. A number of conifers have been removed in recent months; however these had no positive benefit on the character of the area and were not covered by any tree preservation orders. Further additional landscaping shall be secured by Condition 8.
- 17) The proposed building would not have a negative impact on the character of the area beyond what has previously been approved by the appeal scheme. Whilst the increase of parking area would result in a greater level of hardstanding, the introduction of a positive planting scheme would help reduce the visual impact of this and an overall improvement to the appearance of the site would take place as a result (Condition 8).

#### Impact on Neighbouring Amenities

- 18) Concern has been raised that the proposal would have a detrimental impact on the private amenity of the neighbouring property 'The Bungalow' in terms of overlooking, general disturbance, and the noise impact from vehicles, parking and from the use of the building and plant equipment.

- 19) Amendments were received during the determination of the application to improve the planting scheme, improve boundary planting between the car park and the neighbouring dwelling and move the oxygen storage tanks and path serving the storage area to the north of the building away from the neighbouring dwelling.
- 20) A number of windows are situated on the southern elevation of the proposed building however these would all serve treatment rooms and are identified as being obscure glazed on the plans. To ensure this remains the case, a condition requiring the windows be obscure glazed and non-opening is recommended (Condition 11).
- 21) Overall it is considered that the proposed development would not have a significant detrimental impact on the neighbouring residential development. The additional parking area would be mitigated through a positive landscape and planting scheme. Through the use of conditions there would be no overlooking issues and no concern has been raised regarding potential noise issues from Environmental Protection. Although the proposed use is not considered to be a particularly noisy activity, should noise occur outside of opening hours or to a level beyond what would be considered acceptable, this would be investigated and dealt with under the relevant legislation.
- 22) Furthermore, visitors associated with the proposed use are likely to be during more sociable hours than the existing D2 use that was present on the site. Whilst this has not occurred recently due to the decline of the building, this use could be re-established and would result in much greater disturbance than what is proposed. Proposed Condition 12 would limit the opening hours of the proposed development to ensure that residential amenity is retained.

#### Highways & Parking

- 23) The application proposes 25 parking spaces, two of which are disabled bays as well as cycle parking. No highway objection has been raised subject to the use of conditions ensuring the parking and turning arrangements are implemented in accordance with the plans proposed (Conditions 4, 5, 6 and 7).
- 24) It is acknowledged that concern has been raised about traffic and parking problems in the area, however the proposed development is in accordance with the Council's parking standards and adequate parking facilities are proposed, therefore there should be no increase in informal parking outside of the site as a result of this proposal. No concern has been raised by the Highways advisor in terms of existing highway infrastructure or safety or due to any additional journeys attracted to the site and as a result, the proposal is considered acceptable in this regard.

#### Other issues

- 25) Concern has been raised regarding the safety of the hyperbaric chamber and the storage of oxygen and the risk of fire and explosion. No concern has been raised from Environmental Health in this regard and nor have they raised any issues regarding noise as a result of the plant equipment.

26) Regardless, the installation, use and storage of oxygen would be covered by both building control regulations and other regulations such as the Explosive Atmospheres Regulations 2002. It is the applicants responsibility to ensure that the use/storage etc. conforms to all the relevant Acts and Regulations and this is not a material planning consideration as the levels of Oxygen to be stored on site would not require Hazardous Substances Consent; this is outside the remit of planning legislation and not a substantiate reason for refusal on these grounds.

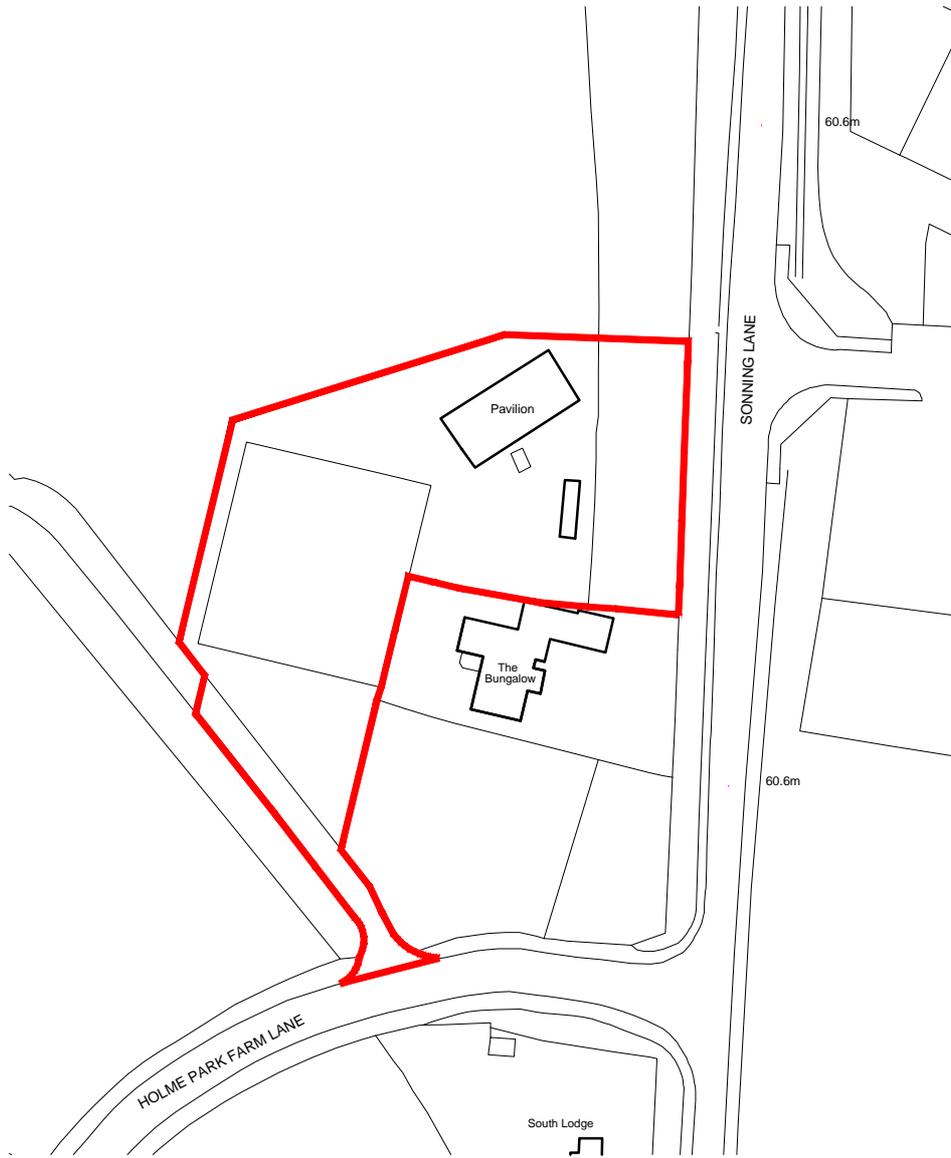
## **CONCLUSION**

In accordance with previous the previous appeal decision, the proposed development, would bring about a positive environmental improvement to the area and would be in accordance with the Planning Inspectors findings that development of this type and in this location would not erode the separate identities of settlements. The proposed introduction of a hyperbaric chamber as an additional treatment would not undermine reasons for approval of previous applications for a sports clinic and physiotherapy centre.

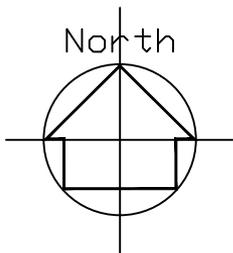
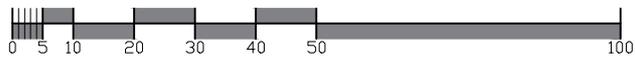
The development would have no undue impact on the character and appearance of the area, nor would it have any detrimental impact on neighbouring residential dwellings to a level that would warrant refusal. As a result, the proposal is recommended for approval subject to the use of appropriate conditions.

## **CONTACT DETAILS**

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



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CLIENT

T.A.FISHER

PROJECT

HOLME PARK SPORTS GROUND  
SONNING

TITLE

Location Plan

SCALE

1:1250@A4

DATE

14.07.15

DRAWN

NjR

PROJECT NO.

15.523

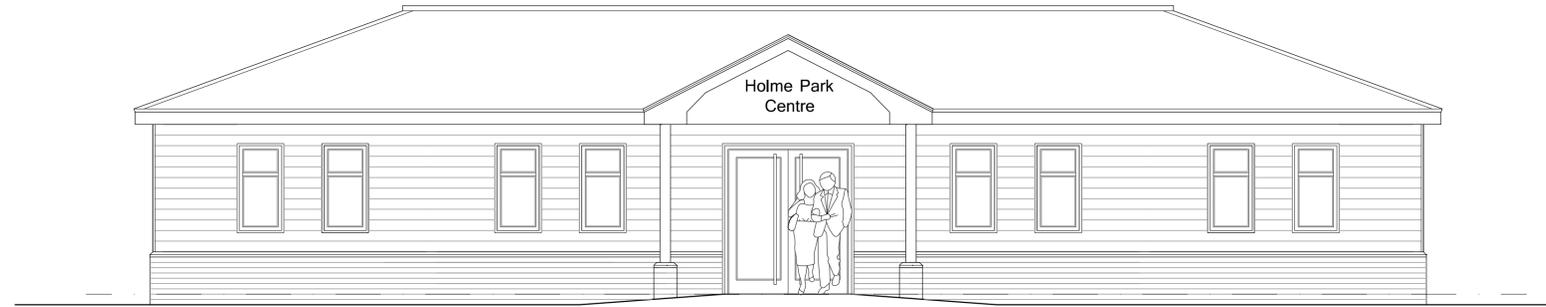
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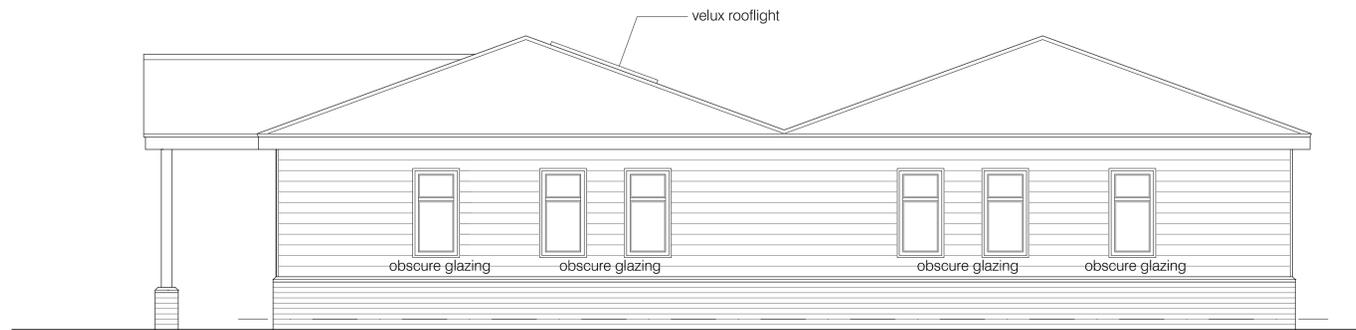


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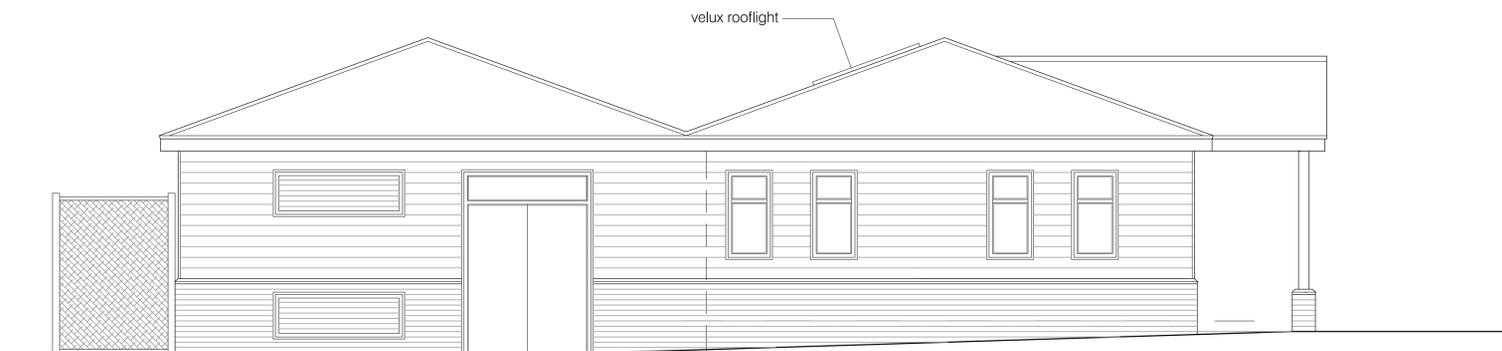
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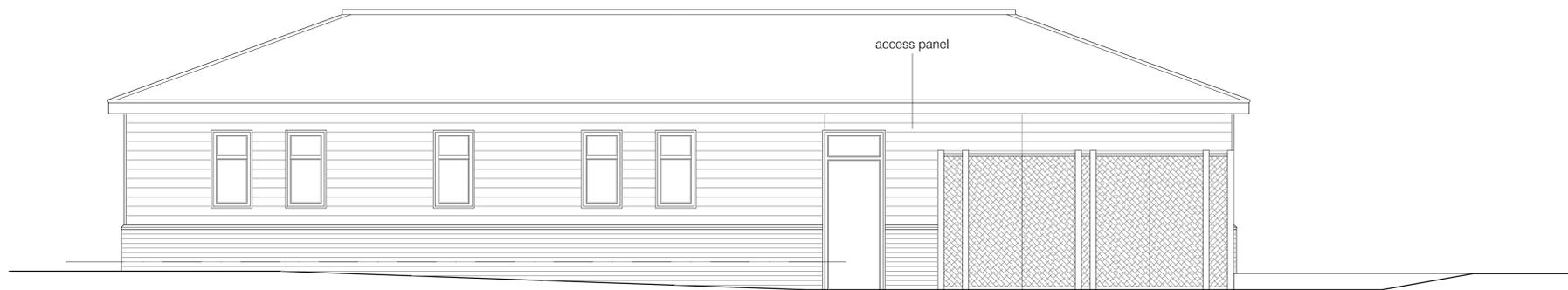
FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION

REV	DATE	DESCRIPTION	INITIAL	CHECKED
<b>PLANNING</b>				



harding rose architects

CLIENT T.A.FISHER  
 PROJECT HOLME PARK SPORTS GROUND  
 SONNING  
 TITLE Proposed Elevations

SCALE 1@50 @ A1	DATE 14.07.15	P.04   A
DRAWN NJR	PROJECT NO. 15.523	



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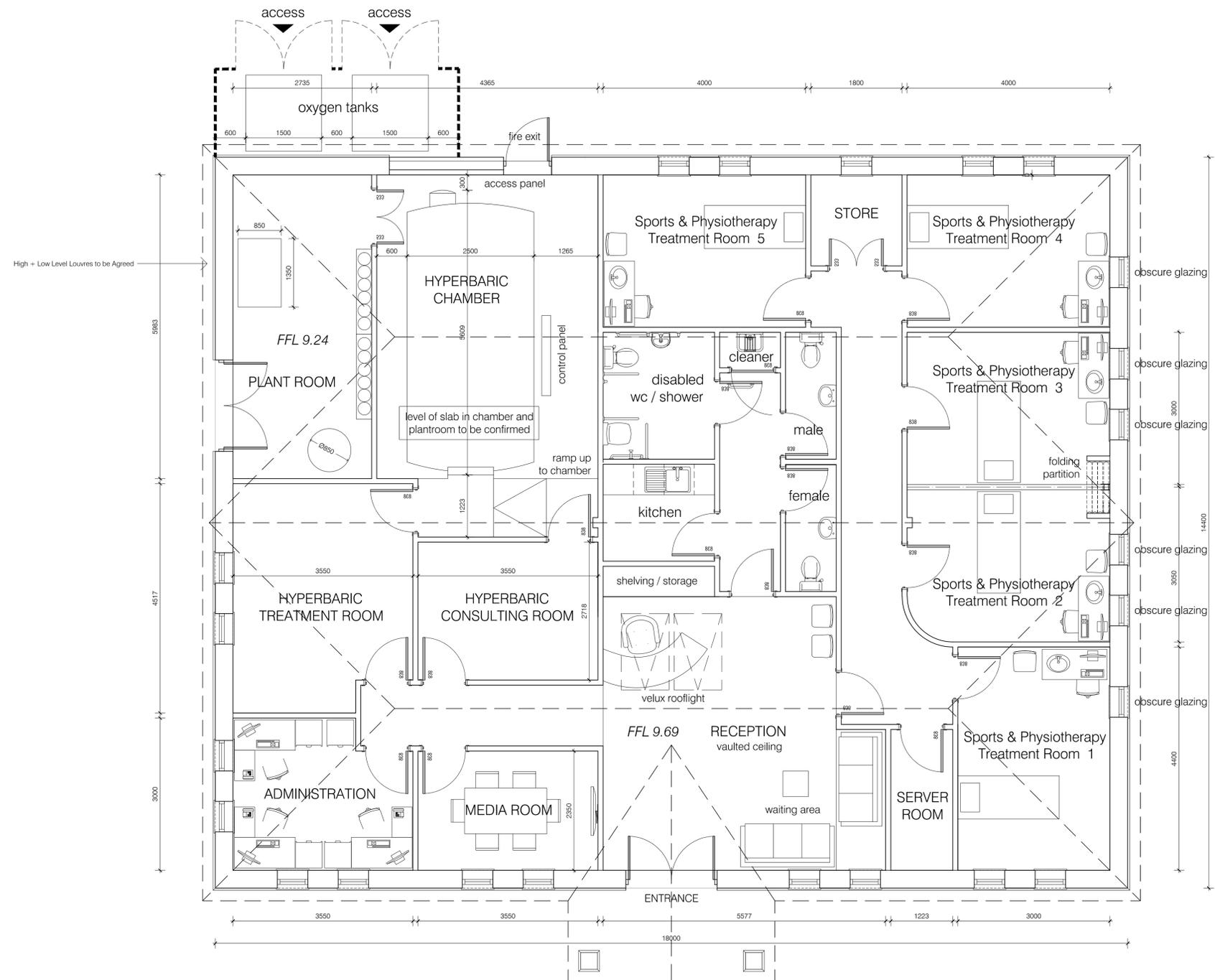
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GROUND FLOOR PLAN

REV	DATE	DESCRIPTION	INITIAL	CHECKED
<b>PLANNING</b>				



harding rose architects

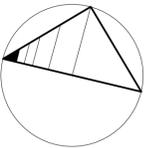
CLIENT T.A.FISHER  
 PROJECT HOLME PARK SPORTS GROUND SONNING  
 TITLE Proposed Floor Plan

SCALE 1@50 @ A1	DATE 14.07.15
DRAWN NJR	PROJECT NO. 15.523

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ENTRANCE TREE  
2 PYRUS C 'C' +  
LOW CLIPPED HDG

CAR PARK  
EXISTING CONIFER HDG  
TO BE REMOVED.

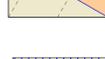
PERIMETER CLIPPED HDG  
+ 6 CARPINUS B 'FF'

SONNING LANE BOUNDARY  
RETAINED TREE SCREEN  
TREE PROTECTION FENCING  
TO BE INSTALLED PRIOR  
TO DEMOLITION  
(HERAS READIFENCE AS  
BS5837.2012 - P21.FIG 3)

SPORTS CLINIC ENTRANCE AREA  
PERIMETER CLIPPED HDG  
BUNGALOW BDY  
RETAINED/ REINFORCED  
BUFFER incl  
MIXED NATIVE TREE GROUPS +  
MIXED NATIVE HDG

23 Car Spaces + 2 Disabled

### PLAN KEY

-  RETAINED TREES
-  TREE PLANTING
-  NATIVE TREE GROUP PLANTING  
boundary areas
-  EXISTING SCREENING  
managed and infilled as required
-  MIXED NATIVE SCREENING  
BDY PLANTING  
managed for screening
-  CLIPPED HEDGING  
footpath edges + parking  
area
-  GRASS AREAS  
close mown pitches + path/ bdy margins  
- outer boundary marginal habitat  
Emergate EMI seed mix managed  
for conservation - species rich meadow
-  DRIVEWAY + PARKING  
permeable macadam paving finish  
- see arch det spec
-  FOOTPATHS  
flag, block + bitmac permeable  
paving - see arch det spec
-  ACCESS TRACK  
'coblock or grasscrete' permeable  
grass paving (to client det spec)
-  BOUNDARY FENCING  
see arch det dwg for spec

### PLANTING SCHEDULE

NO	SPECIES	Size/Ht	Density/ppm2
<b>STREET TREES</b>			
to be planted in parking boundary (subject to highway/service constraints)			
6	Carpinus betulus 'Frans Fontaine' - Upright hornb'm	16-18cm/4m+	airpot grown
2	Pyrus calleryana 'Chanticleer' - Upright Pear	16-18cm/4m+	airpot grown
<b>TREE GROUP PLANTING</b>			
<b>MIXED BOUNDARY NATIVE SCREENING</b>			
informal tree screening to be planted in groups of 3-5 same spp			
	Acer campestre - field maple	fthd/2.5m+	
	Crataegus monogyna - thorn	fthd/2.5m+	
	Prunus padus 'Watereri' - bird cherry	fthd/2.5m+	
	Ilex aquifolium - holly	20lt/2m+	bushy
	Sorbus aria 'Lutescens' - Whitebeam	fthd/2.5m+	
<b>MIXED NATIVE BDY HEDGING - 'The bungalow' bdy app 50m lin</b>			
to be planted in informal groups 5 - 15 same spp to be planted in 5 staggered rows @450mms infill hdg + rabbit guards/treespats			
	Acer campestre - field maple	fthd/1-1.5m+	2+ppm2
	Cornus sanguineum - dogwood	fthd/1-1.5m+	2+ppm2
	Crataegus monogyna - thorn	fthd/1-1.5m+	2+ppm2
	Ilex aquifolium - holly	10lt/1m+	2+ppm2
	Prunus spinosa - blackthorn	fthd/1-1.5m+	2+ppm2
	Viburnum lanata - wayfaring tree	fthd/1-1.5m+	2+ppm2
<b>CLIPPED HEDGING - Parking area edge</b>			
final nos. subject to setting out/fencing layout to be planted as single spp hedging in 2 staggered rows @450mms + p/w fence as req'd prune to required height/side up when established select from			
	Carpinus betulus - Hornbeam	20lt/1200mm	3ppm2
	Fagus sylvatica - Beech	rb/1.5m+	3ppm2
	Lonicera nitida 'Maygreen' (low hedging)	10lt/450mm	4ppm2
	Pyracantha coccinea 'Red column'	20lt/1200mm	3ppm2

REV A 2/16 Buffer planting added - rev parking/access track - LPA/PC request

### GENERAL

All landscape works subject to  
BS.3882.2015 - Recommendations for topsoil  
BS.3936.1992 - Specification for trees & shrubs  
BS.3998.2010 - Recommendations for treework  
BS.4043.1989 - Recommendations for transplanting rootballed trees  
BS.4428.1989 - Recommendations for general landscape operations  
BS.5837.2012 - Trees in relation to demolition, design & construction  
BS.8545.2014 - Recommendations for trees  
BS.8601.2013 - Recommendations for subsoil  
BRE 2007 - Code of sustainable homes technical guide



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HOLME PARK SPORTS AND LEISURE LTD

HOLME PARK SPORTS CENTRE  
SONNING LANE  
SONNING

LANDSCAPE PROPOSALS  
including DETAILED PLANTING SCHEDULE  
written landscape design statement  
(based on HR Architects dwg no.15.523/P01)

Scale:	1:200@A1.1:400@A3	Date:	12/15	Drawn:	PLANNING
Job no:	672	Drawing no:	672/01	Revision:	A

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WOKINGHAM BOROUGH COUNCIL

PARISH COUNCIL OBSERVATION SHEET

PLANNING APPLICATION.

APPLICATION No. 153301

Officer DANIEL RAY

Parish SONNING.

Proposal FULL APPLICATION FOR THE AMNEDMENT TO PLANNING PERMISSION F/2014/2196 TO APPROVE SPORTS AND PYSIOTHERAPY CLINIC BUILDING INVOLVING REORIENTATION, REDESIGN, IMPROVED LANDSCAPING AND PARKING PROVISION.

Address PAVILION, HOLME PARK SPORTS GROUND

Applicant MR JOHN FISHER

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This application follows several previous applications, which were for the approval of a sports and physiotherapy centre, the principle of which was established at the 2008 appeal. When allowing the appeal the Inspector agreed (Reasons 8) that the proposal did not accord with policy CP11 and that none of the exceptions referred to in the policy applied to the case. However, in the Inspector's view (Reasons 9) the proposal was relatively modest in terms of its size and its impact on its surroundings and also referred to PPS 4 (Reasons 10) saying that, in rural areas, local planning authorities should support the **conversion and re-use** of appropriately located and suitably constructed existing buildings in the countryside. Further the Inspector (Reason 11) was of the view that it would be **easily accessible** for some **residents of Sonning and locals living elsewhere** and (Reason 14) the use would in part benefit those **suffering sports injuries whilst playing for the various local Sports Clubs or the School located in the vicinity of the site**. In Reason 17 the Inspector noted that there were no other sports and physiotherapy clinics in the area and 'I would anticipate that some of the users of the facilities **would live relatively locally**'. In Reason 18 the Inspector concluded that '**re-use** of the building clearly does not harm the separate identity of settlements, it already exists' and that this outweighed the harm that arises from non-compliance of CP11'. In Reason 19 the Inspector referred to car parking and said that the anticipated movements to and from the site 'would be lost in the day to day fluctuations of vehicles through the aforementioned junction'.

In short the Inspector identified *local use* (Reasons 11, 14, 17), that the proposal was '*relatively modest*' Reason 9), that '*PPS 4 supported the re-use of suitably constructed existing buildings*' in the countryside (Reason 10) and that there were '*no other sports and physiotherapy clinics in the area*'.

When appraising application F/2014/2196, in his Officer Report the officer referred to the Inspectors reasoning at the appeal and relied heavily on this reasoning when deciding the application to demolish and rebuild the existing building. The proposal F/2014/2196 is similar in size and layout to that allowed at the appeal, and, importantly, the roof height was to be

reduced to 2.7 metres. Sonning Parish Council were of the view that this made the demolition and rebuilding acceptable, providing the appeal conditions were applied to the proposal.

The latest proposal is significantly different from that considered by the Inspector or that approved in F/2014/2196. There is a change of use, the introduction of a hyperbaric chamber, the building is to be reoriented, there is a significant change in the position and size of the car parking area, the height of the building to be raised to 4.1 metres across its whole length whereas the current permission is for a roof height of 2.7 metres, and the proposal would significantly affect the amenity presently enjoyed by the residents in the Bungalow. The Parish Council therefore wish to strongly object to the application and believe that the proposal should be considered as a new, separate planning application rather than an amendment.

The Parish Council therefore objects to the proposal, for the above, and the following reasons:

- When allowing the appeal the Inspector identified a *local use* but the current application states that the proposal will result in a *local and national hub*. This is significantly different to anything previously proposed or visualised and represents overuse of the site.
- There are other hyperbaric facilities locally (just off the Oxford Road in Reading) and another at the Reading University campus (but the Council understands that this one may have been closed). The applicant states that it has “*proved difficult to secure a tenant*” despite statement at the appeal that “*many patients would come from the nearby education and sports establishments*”. The Parish Council ask why this new speculative proposal will succeed in securing a tenant where the previous proposal failed. The rationale for the proposal on this site is therefore questionable and the Parish Council has doubts about how much the hyperbaric centre would serve the local community.
- Sports injuries/physiotherapy are not included in the list of issues that would benefit from hyperbaric treatment so it is difficult to understand how the use of hyperbaric chamber relates to the sports and physiotherapy clinic.
- The appeal decision and approval F/2014/2196 stated that the “*premises shall be used as a sports and physiotherapy clinic only and for no other purpose (including any other purpose in Class D1)*”. The current proposal is a far more ambitious project than envisaged at the appeal or when considering the 2014 application.
- The Parish Council have concerns about the safety of the hyperbaric chamber, both for the patient and others in the building and about the potential fire risk due to the oxygen-rich environment of the chamber. There are also rooms within the central core of the building which do not have easy access to escape routes. This is also of concern given the proximity of the proposal to the Bungalow, the nurse school and rugby football pitch. It is therefore contrary to CP3 (a) and (b). The current proposal is also contrary to CP11 (2), which states that the development should **not** “*lead to the excessive encroachment or expansion of development away from original buildings*” and (3), “*it is suitably located within located buildings, which are appropriate for conversion or in the case of new buildings would bring about **environmental improvements***”.
- The same concerns apply to the storage of the oxygen tanks.
- The Parish Council is also concerned about the noise and disturbance likely to be generated by the hyperbaric chamber.

- Together with the increase in parking spaces (from 20 to 27), increased vehicle movements and the revised layout of the car park the proposal is a much more urban proposal than that being considered at the appeal or under F/2014/2196. This now covers a much larger area, is more built up with shed like structures for bicycles and refuse, and is positioned immediately behind the Bungalow which will impact on the quiet enjoyment, privacy and amenity, currently enjoyed by the occupants of the Bungalow.
- There is also concern about the lighting which will be required in the car park, both to illuminate the area and to provide security. Given the proposed car park would cover a much wider area than in the previous applications this would have even more impact on the occupants of the Bungalow.
- The 2014 permission stated that WBC had regard for the ‘special circumstances of the case (the benefits of the use to the community outweigh the harm caused by the proposal)’ and continued to say that WBC wanted to have the opportunity of exercising control over any subsequent alternative use. The Parish Council considers that the current proposal is so significantly different to that referred to in the appeal decision or in F/2014/2196 that the special circumstances no longer apply and cannot be used in relation to the current application and this now requires a full planning application rather than a revised proposal.

For all the above reasons Sonning Parish Council urges refusal of the application.

L. A. Bates (Clerk to the Council).

27 January 2016

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DPR

WOKINGHAM BOROUGH COUNCIL

PARISH COUNCIL OBSERVATION SHEET

PLANNING APPLICATION.

APPLICATION No. 153301  
REVISED PLANS

Officer DANIEL RAY

Parish SONNING.

Proposal FULL APPLICATION FOR THE AMNEDMENT TO PLANNING PERMISSION

F/2014/2196 TO APPROVE SPORTS AND PYSIOTHERAPY CLINIC BUILDING INVOLVING REORIENTATION, REDESIGN, IMPROVED LANDSCAPING AND PARKING PROVISION. REVISED PLANS INCLUDE LANDSCAPE PLAN AND COVERED CYCLE AND REFUSE STORAGE. COVERING LETTER INCLUDING FURTHER INFORMATION AND CLARIFICATION

Address PAVILION, HOLME PARK SPORTS GROUND

Applicant MR JOHN FISHER

The Parish Council notes the revised plans. Having carefully considered these plans, and further information, the Council urges refusal for the following reasons.

The proposal does not comply with the Inspectors reasons for allowing the proposal. The Inspector, although agreeing that the proposal did not accord with policy CP11 and that none of the exceptions referred to in the policy applies to the case, took the view that the proposal was relatively modest in terms of its size and its impact on its surroundings. The proposal at that time was for a 'physio therapy clinic' and the approval was conditional on the building being used for that purpose.

The introduction of a hyperbaric chamber into the scheme has a very tentative association with sport and, as it occupies a third of the total area, cannot be considered to be 'ancillary' to the approved use. The chamber has a variety of uses for which SPORTS injury will be but a fraction of medical conditions that could be treated. The Parish Council does not question the medical benefits of the chamber.

The Parish Council is still concerned about the safety of the hyperbaric chamber and is not convinced that it would not explode under any circumstances. The storage of oxygen also remains a concern.

The proposal is a for a commercial business venture and as such it will need to be used effectively in order to justify the investment. The Council are therefore concerned that this will significantly increase the amount of traffic, to well above those numbers visualised by the Inspector when allowing the appeal (9 vehicles in the morning and 7 in the afternoon). The permitted times of business are between 8.00 am and 6.00 pm five days a week, and 8.00 am to 1.00pm on Saturdays. The Sonning Lane/A4 junction is becoming more and more dangerous

and there has been an increase in traffic accidents at this junction. The added facility of the hyperbaric chamber will only increase the traffic movements to and from the site. Traffic in Sonning and Sonning Lane has increased to exceptional levels since 2009. Although Wokingham Borough Council has impressive plans to improve the highways infrastructure within the Borough but no funding has been allocated to Sonning or the Third Bridge.

The Council is also concerned about the impact the facility will have on the infrastructure and the additional pressure it will have on the sub-standard Victorian drainage system.

L. A. Bates (Clerk to the Council).

17 March 2016

**QUARTERLY ENFORCEMENT MONITORING INFORMATION**  
**PLANNING COMMITTEE Apr 2016**

**RFS CASES 1 Jan – 31 Mar 2016**

Number on hand 1 Jan	192
Number received	179
Number closed	163
% closed in 8 weeks	56%
Number on hand on 31 Mar	208

Reasons for closure	Number	%
Other	14	6%
No breach of planning control	80	50%
Not expedient to pursue	2	1%
Voluntary compliance	27	18%
Details submitted (eg minor amendment, details pursuant to conditions, planning application)	35	22%
Notices served*	5	3%

\*In order to monitor the % of cases which result in a notice we have now introduced a new practice whereby a case is closed shortly after the notice is served and a new case opened. This will also enable us to monitor the length of time it takes to investigate a case and serve a notice. There can be a delay between serving the notice and closing the case. Therefore, some of the 5 notices shown above were served at the end of the last quarter. (Hence the figure is higher than the 1 notice shown below as served for Jan-March)

**SUMMARY OF NOTICES/PROSECUTION for period 1 Jan – 31 Mar 2016**

Notice Type	Number Served
Enforcement Notices	1 (Doran Farm)
Stop Notices	0
Temporary Stop Notices	0
Breach of Condition Notices	0
Section 215 Notices	0
Prosecutions (see below)	0
Direct Action	0
Injunctions (see below)	1

### **Injunction at land to rear of 28-30 Langley Common Road**

Hardsurfacing work was taking place on site and local residents were concerned that residential mobile homes may be moved onto the land. Therefore officers applied for and were granted a court order to prevent this from happening.

### **APPEALS AGAINST ENFORCEMENT NOTICES 1 Jan – 31 Mar 2016**

Number of enforcement appeals lodged: 4 (2 at Barkham Manor Farm and 2 at Willow Lane Marina)

Number of enforcement notice appeals determined: 5

Number of enforcement appeals withdrawn: 0

Enforcement appeals public inquiries pending: Pineridge and New Acres (Sep 2016); Barkham Manor Farm (Nov 2016)

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Reference: RFS/2014/00237

**Address: 53 Peach Place, Wokingham**

Breach of planning control: Change of use of office to dwelling

Appeal outcome: Dismissed and notice upheld

Inspector's findings: The main planning issue is whether the standard of living conditions for the occupant of the dwelling are of a sufficient standard. The Inspector found that the dwelling only has two small windows and is heavily reliant on artificial light and at 27 sq m the floor area of the dwelling is well below the standard required by MDD policy TB07 and the Technical Housing Standards. The cramped space inside and the lack of outdoor amenity space led to the Inspector finding the living conditions to be unacceptable.

Reference: RFS/2015/00040

**Address: Land opp Pulleyn's yard Church Lane**

Breach of planning control: Change of use to builders contractors depot

Appeal outcome: Dismissed and notice upheld

Inspector's findings: As a result of the unauthorised use the land now has a more industrialised appearance and use. This, together with large lorries, many vehicles and temporary toilet accommodation has a substantial impact, altering the ambiance of the area, and is alien and incongruous in this location and causes substantial harm. As such it does not maintain and enhance the character of the area and is contrary to policy.

Reference: RFS/2015/00190

**Address: Blagrove Lane, Wokingham**

Breach of planning control: Change of use of land for the stationing of mobile homes for residential use

Appeal outcome: Dismissed and notice upheld

Inspector's findings: The Inspector recognised that the Council has granted planning permission for a number of GRT pitches recently and is determined to meet their targets. He therefore only gave limited weight to the proposal having regard to the five year supply of sites against targets. The Inspector noted that there is probably not any alternative sites within the Borough for the family to move to but recognised that the notice gives 9 months for compliance which would give the family time to find alternative pitches. The Inspector balanced the personal needs of the families with the harm caused by the unauthorised development and found that the need does not outweigh the harm to the character of the area. In particular, the caravans are highly visible and have a severely detrimental impact on the appeal site and the open countryside character.

Reference: RFS/2013/00279

**Address: 42 Danywern Drive, Winnersh**

Breach of planning control: Change of use of land for the sale and storage of motor vehicles

Appeal outcome: Dismissed and notice upheld

Inspector's findings: The introduction of a car sales and storage operation with the associated activities and the layout of closely spaced cars causes considerable change to the character of the surrounding residential area. The unauthorised use is therefore detrimental to the character and appearance of the area and contrary to the Development Plan policies.

Reference: RFS/2015/00094

**Address: 60 Headley Road, Woodley**

Breach of planning control: Change of use of land for a mixed use including an unauthorised dwelling

Appeal outcome: Notice quashed

Inspector's findings: The Inspector found that the site is not in mixed use but is made up of several different planning units. Officers will investigate reserving the notice in relation to the unauthorised dwelling on the site.

Report Author: Marcia Head

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