



# WOKINGHAM BOROUGH COUNCIL

A Meeting of the **PLANNING COMMITTEE** will be held virtually on **WEDNESDAY 13 MAY 2020 AT 7.00 PM**

Susan Parsonage  
Chief Executive  
Published on 4 May 2020

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

**Note:** The Council has made arrangements under the Coronavirus Act 2020 to hold the meeting virtually via Team Meetings, the meeting can be watched live at the following link: <https://youtu.be/TJxSVIF3Rkw>

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# WOKINGHAM BOROUGH COUNCIL

## Our Vision

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

### Enriching Lives

- Champion outstanding education and enable our children and young people to achieve their full potential, regardless of their background.
- Support our residents to lead happy, healthy lives and provide access to good leisure facilities to complement an active lifestyle.
- Engage and involve our communities through arts and culture and create a sense of identity which people feel part of.
- Support growth in our local economy and help to build business.

### Safe, Strong, Communities

- Protect and safeguard our children, young and vulnerable people.
- Offer quality care and support, at the right time, to prevent the need for long term care.
- Nurture communities and help them to thrive.
- Ensure our borough and communities remain safe for all.

### A Clean and Green Borough

- Do all we can to become carbon neutral and sustainable for the future.
- Protect our borough, keep it clean and enhance our green areas.
- Reduce our waste, improve biodiversity and increase recycling.
- Connect our parks and open spaces with green cycleways.

### Right Homes, Right Places

- Offer quality, affordable, sustainable homes fit for the future.
- Build our fair share of housing with the right infrastructure to support and enable our borough to grow.
- Protect our unique places and preserve our natural environment.
- Help with your housing needs and support people to live independently in their own homes.

### Keeping the Borough Moving

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

### Changing the Way We Work for You

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

## MEMBERSHIP OF THE PLANNING COMMITTEE

### Councillors

Simon Weeks (Chairman)	Chris Bowring (Vice-Chairman)	Stephen Conway
Gary Cowan	Carl Doran	Pauline Jorgensen
Abdul Loyes	Andrew Mickleburgh	Malcolm Richards
Angus Ross	Rachelle Shepherd-DuBey	

ITEM NO.	WARD	SUBJECT	PAGE NO.
101.		<b>APOLOGIES</b> To receive any apologies for absence.	
102.		<b>MINUTES OF PREVIOUS MEETING</b> To confirm the Minutes of the Meeting held on 11 March 2020.	5 - 16
103.		<b>DECLARATION OF INTEREST</b> To receive any declaration of interest	
104.		<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.	
105.	Twyford	<b>APPLICATION NO.192280 - LAND TO THE REAR OF 20 &amp; 22 STATION ROAD, TWYFORD, BERKSHIRE, RG10 9NT</b> <b>Recommendation:</b> Conditional approval	17 - 56
106.	Remenham, Wargrave and Ruscombe	<b>APPLICATION NO.193047 - GTO HOUSE, FLORAL MILE, BATH ROAD, HARE HATCH, RG10 9ES</b> <b>Recommendation:</b> Conditional approval subject to legal agreement	57 - 78
107.	Swallowfield	<b>APPLICATION NO.193356 - BALCOMBE NURSERIES, BASINGSTOKE ROAD, SWALLOWFIELD, RG7 1PY</b> <b>Recommendation:</b> Conditional approval subject to legal agreement	79 - 114
108.	Remenham, Wargrave and Ruscombe	<b>APPLICATION NO.193422 - LAKE LODGE, WARGRAVE ROAD, WARGRAVE</b> <b>Recommendation:</b> Conditional approval	115 - 132
109.	Hurst	<b>APPLICATION NO.200323 - ASHRIDGE MANOR GARDEN CENTRE, BINFIELD</b> <b>Recommendation:</b> Conditional approval	133 - 152

**Recommendation:** That the Diversion Order is made

**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 11 MARCH 2020 FROM 7.00 PM TO 10.13 PM**

**Committee Members Present**

Councillors: Chris Bowring (Vice-Chairman, in the Chair), Stephen Conway, Gary Cowan, Carl Doran, Pauline Jorgensen, Abdul Loyes, Andrew Mickleburgh, Malcolm Richards, Angus Ross and Rachelle Shepherd-DuBey

**Councillors Present and Speaking**

Councillors: Jenny Cheng and Lindsay Ferris

**Officers Present**

Lyndsay Jennings, Legal Specialist  
Judy Kelly, Highways Development Manager  
Justin Turvey, Team Manager (Development & Regeneration)  
Callum Wernham, Democratic & Electoral Services Specialist

**Case Officers Present**

Nick Chancellor  
Natalie Jarman  
Brian O'Donovan  
Baldeep Pulahi  
Simon Taylor

**91. APOLOGIES**

An apology for absence was submitted from Councillor Simon Weeks.

**92. MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of the Committee held on 12 February were confirmed as a correct record and signed by the Vice Chairman in the Chair, subject to the following amendment:

Agenda page 6: "Gary Cowan queried *the cost of the development proposal.*"

**MEMBERS' UPDATE**

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

**93. DECLARATION OF INTEREST**

Carl Doran declared a personal interest in Agenda item 95, land at 78 Reading Road, on the grounds that part of the application site was owned by BT, his employer. BT were not the applicants and they had no issue with the application. Carl added that he would still take part in the debate and the decision.

Stephen Conway declared a personal interest in agenda item 97, on the grounds that he had listed this item to allow for public debate. Stephen added that he would consider this application with an open mind, and would take account of the officer report, presentation, Committee debate and all other representations prior to making a judgement on this application.

#### **94. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS**

No applications were recommended for deferral, or withdrawn.

#### **95. APPLICATION NO. 193059 - LAND AT 78 READING ROAD AND TO THE REAR OF 80 READING ROAD, EVERSLEY, RG40 4RA**

**Proposal:** Full application for proposed change of use to provide light industrial (Use Class B1) and internal and external storage and distribution (Use Class B8) on the site with associated parking

**Applicant:** Palmarium Properties Limited

The Committee received and reviewed a report about this application, set out in agenda pages 15 to 56.

The Committee were advised that the Members' Update included:

- Clarification that the first sentence of paragraph 1 on page 33 should refer to there being three existing buildings on site;
- Further clarification relating to Policy CP15;
- Additional submissions received since the publication of the agenda, and associated officer comments.

Chris Bowring stated that the Committee had been on a site visit to the subject application site. Pauline Jorgensen stated that she had not been able to visit the site. Justin Turvey, Team Manager (Development & Regeneration), clarified that not attending the site visit did not preclude a Member from voting on an application.

Gareth Rees, resident, spoke in objection to the application. Gareth stated that he was speaking on behalf of a number of Reading Road residents. Gareth was of the opinion that the proposed development was contrary to Policy CP11 as it was an inappropriate increase in size. Gareth stated that the B usage of the site only extended to building 2, with the remainder of the site being classified for agricultural usage. Gareth was of the opinion that the proposals did not meet the requirements of Policy CP11, being neither diverse nor rural. Gareth stated that the site would have an inadequate turning circle for heavy goods vehicle (HGVs) and that it had not taken account of the provision for waste storage. Gareth added that the transport statement had inaccurate access vehicle tracking and the visibility splays were inadequate being 60m rather than 120m. Gareth asked that should this application be approved, additional conditions be added regarding enforcement action, hard fencing, limiting vehicle weight to 3.5 tonnes and limiting the on-site businesses to diverse and rural enterprises.

Robin Henderson, agent, spoke in favour of the application. Robin stated that the site was well contained and was currently in a neglected and redundant state, and was in need of meaningful use. Robin added that the applicant had engaged in consultation with officers throughout the planning process, and the applicant had received expressions of interest from businesses for usage of the site. Robin stated that B1 usage was suitable for a residential environment, and it was unlikely that there would be increased vehicle movements than would have resulted from previous planning approval on the site. Robin added that the proposals would improve the sight lines on Reading Road, and the requested planning permission would not facilitate a Collards Waste operation. Robin stated that the proposals were necessary to provide local employment, generate a much needed improvement to the site whilst having a low impact on the surrounding area.

Judy Kelly, Highways Development Manager, stated that the site had been tracked for large HGVs, and an adequate and maintained turning space was conditioned. Visibility splays had been deemed acceptable after assessing data from the speed survey, and the proposals would result in an improvement to the current situation on Reading Road. Judy stated that the 'left in and left out' turns were the tightest manoeuvres and that was the reason why these had been assessed.

Simon Taylor, Case Officer, stated that Condition 4 required additional detail regarding boundary treatment, including additional fencing and landscaping.

Abdul Loyes asked for additional clarification regarding Policy CP11. Simon Taylor stated that although the proposals breached Policy CP11 as it referred to a rural enterprise, the existing lawful business use was a strong material consideration. The NPPF gave provision for expansion of an existing business within reason, and the proposals were deemed to be an appropriate expansion of the existing site.

Andrew Mickleburgh queried whether it could be conditioned to prevent a Collards operation on site, whether the visibility splays were impacted by the size of the vehicles, whether the shared pedestrian and vehicular access could be improved by condition, and asked for confirmation that the existing buildings would be retained with no new building construction planned. Simon Taylor stated that there was nothing to stop a Collards operation, however a skip hire business would require a *suis generis* use classification and would also be restricted by the limited Class B8 external storage given the required turning circle on site. In addition, it would unfairly restrict the applicant to not be allowed to operate on site. Simon stated that no new buildings would be constructed as part of this application, and the existing buildings would be reused. Judy Kelly stated that the visibility splays were based on the recorded speed of traffic, with a speed survey having been completed. Judy added that the visibility splays met standards, and the shared access was already existing and was not deemed to be a highways concern.

Stephen Conway queried why the trip rate was calculated to be lower than the existing vehicle movements, and whether a condition stating a reasonable vehicle weight was necessary to reassure residents. Judy Kelly stated that the trip rate was based on a national database, specifically looking at the standard trip rates for B use classes for the site. Simon Taylor stated that the access was proposed to be widened, and the previous restriction to 3.5 tonnes was related to a 17 person minibus, and not conditioning a weight limit was not deemed to cause significant harm to the road network or neighbour amenity.

Gary Cowan queried the fencing proposals, queried why not having a vehicle weight limit was deemed to not cause harm when a 3.5 tonne limit was previously imposed, queried why the northbound traffic exiting the access road was not covered within the transport statement, and requested that the hours should be limited to an 8am start as was standard for other sites. Simon Taylor stated that the fencing was conditioned, with fencing between building 2 and the northern boundary to be constructed with additional landscaping. The 7.30am start time was based on previous conditions. Judy Kelly stated that vehicle access was due to be widened, and the left turn was the tightest manoeuvre and was therefore tracked. It was confirmed that the northbound access was deemed acceptable in highways terms.

Carl Doran queried why the existing 3.5 tonne vehicle weight limit should not remain considering the whole access road was not due to be widened, and whether a gate would

be constructed to allow pedestrian access to the other site. Simon Taylor stated that beyond number 80A Reading Road the access was only for the subject application site and there would therefore be no other pedestrians on this stretch other than those entering the application site. Resultantly, there would be low conflict between vehicles and pedestrians on this stretch of road. Simon stated that a gate would be subject to details.

Rachelle Shepherd-DuBey queried what weight limit was imposed on vehicles associated with the sawmill. Simon Taylor stated that the mill was a historic usage, and had no planning permission. In addition, there were no traffic number datasets related to the mill, however the proposed widening of the access road would benefit any vehicles travelling to or from the mill.

Pauline Jorgensen queried what percentage of the road would be made into two-way access. Simon Taylor stated that approximately 60 percent of the road would be made into a two-way access, which would reduce the potential for traffic conflict on 60 percent of the road. Judy Kelly stated that a maximum of 19 vehicle movements per hour were expected, and the part of the road that was not due to be widened had good visibility to allow vehicles to wait for an oncoming vehicle. Two 2.6m wide vehicles could pass by side by side on the widened stretch of road.

Angus Ross was of the opinion that it would be unreasonable to impose a vehicle weight restriction for this site if there was no such restriction for the BT site or mill which both used the access road.

Angus Ross queried whether the site levels, as stated, were correct. Simon Taylor stated that there were no proposed changes to the site levels.

Malcolm Richards queried what would be the maximum weight of vehicle that could travel down this access road should the weight limit be unrestricted. Judy Kelly stated that a vehicle of 44 tonnes, the same permitted on other highways, could use this access road. The maximum vehicle length would be approximately 16.5m.

Pauline Jorgensen queried why a 3.5 tonne vehicle weight limit was felt acceptable to impose before, but not considered acceptable to impose now. Simon Taylor stated that the previous vehicle weight limit was due to the access road width, and to provide certainty on the types of buses (minibuses) accessing the site. Simon added that the proposals were acceptable on traffic access grounds with the proposed widening.

Gary Cowan was of the opinion that there needed to be conditions regarding vehicle weight restriction, a substantial boundary fence and, an 8am start time. Chris Bowring queried whether a vehicle weight restriction condition was necessary and reasonable. Justin Turvey stated that a restriction to this site would still allow unrestricted vehicle weights for the mill and the BT site.

Gary Cowan proposed an additional condition, delegating officers to assess a reasonable vehicle weight limit and condition it to the subject application site. This proposal was seconded by Pauline Jorgensen, passed, and added to the list of conditions as set out in the officer recommendation.

Gary Cowan proposed that a 2m boundary fence be conditioned, and an 8am opening time be conditioned. This was seconded, passed, and added to the list of conditions as set out in the officer recommendation.

**RESOLVED** That application number 193059 be approved, subject to conditions and informatives as set out in agenda pages 16 to 22, and additional three conditions as resolved by the Committee.

**96. APPLICATION NO. 192018 - HARE HATCH SHEEPLANDS, BATH ROAD, HARE HATCH**

**Proposal:** Full application for the change of use of three existing nursery glasshouses into events area relating to the existing nursery

**Applicant:** Hare Hatch Sheeplands

The Committee received and reviewed a report about this application, set out in agenda pages 57 to 80.

The Committee were advised that the Members' Update included:

- A request from the agent to review conditions 3 and 4, and associated officer responses in objection;
- Amendment to condition 3(f);
- Amendment to condition 4.

Frank Moore, resident, spoke in support of the application. Frank stated that he was a keen amateur gardener, and he fully supported this planning application to allow three existing nursery structures to host horticultural events. Frank added that this site was a benefit to the community, and the application was fully in line with Wokingham Borough Council's (WBC's) vision of enabling strong and vibrant communities to thrive.

Alyson Jones, agent, spoke in support of the application. Alyson stated that the enforcement notice associated with the site did not prohibit the events related to this application. Alyson added that a range of activities would be hosted on site, including flower shows, children's activities, community events and Tywford in Bloom. Alyson stated that the applicant had applied for permission to host events on weekends and school holidays, however they accepted the restricted hours.

Stephen Conway stated that he fully supported the proposals, and queried how the 24 day limit was calculated. Simon Taylor, Case Officer, stated that the Inspector had previously commented that 20% was an appropriate guide in establishing what constituted an ancillary use limit. Officers had calculated 20% of 52 weekends, which rounded to 12 weekends (or 24 days). 73 days, as requested by the applicant, was deemed as excessive when compared to the existing use.

Andrew Mickleburgh recognised the significant community benefit of the application, and queried whether there were any parking concerns associated with the proposals. Judy Kelly, Highways Development Manager, stated that there were 85 parking spaces required for A1 use standards, which were available within the site, and therefore the parking provision was deemed satisfactory for the proposals.

Pauline Jorgensen queried what defined a community event. Simon Taylor stated that a list of events was contained on agenda page 59.

Malcolm Richards queried whether the hours of use should reflect bank holiday usage, as standard on applications. Simon Taylor stated that the hours needed to be corrected to reflect the existing conditions on site.

**RESOLVED** That application number 192018 be approved, subject to conditions and informatives as set out in agenda pages 58 to 60, amendments to condition 3(f) and 4 as set out in the Members' Update, and amendment to the restrictions of use to reflect the existing conditions relating to bank holidays.

**97. APPLICATION NO. 192280 - LAND TO REAR OF 20 -22 STATION ROAD, TWYFORD**

**Proposal:** Full application for the erection of a 1No bed two storey dwelling following demolition of the existing workshop.

**Applicant:** Mr Ray Cook

The Committee received and reviewed a report, set out in agenda pages 81 to 112.

The Committee were advised that the Members' Update included:

- Omission of Condition 17;
- Minor amendment of Condition 20;
- Addition of Condition 21;
- Addition of Condition 22;
- Comment from Twyford Parish Council, objecting to the proposals and supporting the residents' viewpoints;
- Correction to paragraph 5.

Selena Durrant, resident, spoke in objection to the application. Selena stated that the application was of modern design, which was out of keeping with the rest of the properties within the conservation area. Selena stated that her home was built in 1901 and retained its original character. Selena added that the proposals did nothing to enhance the conservation area, and mixed-use parking was at a premium in the area. Selena was of the opinion that the designs were unsympathetic to the character of the street scene, and three vehicles regularly parked alongside the existing garages. As parking was already a daily issue, the proposals would only create more issues. Selena stated that the proposals would overlook into her property, in addition to creating additional noise to the rear of the property. Selena added that an elderly neighbour would be affected by additional noise and privacy concerns. Selena asked that the Committee conduct a site visit, in order to gain a better understanding of privacy concerns and develop a better picture of the character of the existing conservation area.

Thomas Rumble, agent, spoke in support of the application. Thomas stated that the existing site was in a dilapidated state and was in need of redevelopment. Thomas added that the proposals were for a new one bedroom dwelling which followed the design of a previous appeal decision. The Inspector had commented that the current site negatively affected the conservation area due to its dilapidated state. Thomas stated that the site was situated within a highly sustainable area, and the new property designs were more desirable than the existing property. Thomas added that the Inspector had refused the previous appeal on two grounds (timber cladding, and the 1<sup>st</sup> floor infringing on the adjacent dwelling), both of which had been remedied within the current application proposals. Thomas stated that the proposals furthered development on brownfield land.

Thomas added that the plans allowed for a positive active frontage, with a contemporary dwelling design situated within a sustainable area.

Lindsay Ferris, Ward Member, spoke in objection to the application. Lindsay stated that the proposals were totally out of character with the Twyford conservation area. Lindsay stated that the Wokingham Borough Council (WBC) conservation Officer had raised an objection to the proposals. Lindsay stated that the site was cramped and overlooked neighbouring properties. Lindsay stated that acceptance of the proposed structure could break down the character of the area. Lindsay saw no reason that WBC should accept the proposals in their current form. Lindsay stated that the Inspector's comment regarding that the proposals were better than the existing were unusual for an Inspector, as he was not commenting on a planning consideration. Lindsay asked that the Committee refused the proposals.

Stephen Conway commented that the issue with this application was that the Inspector had made some very clear conclusions regarding the designs, and had in essence invited the applicant to re-apply with suggested amendments. Stephen added that the WBC conservation officer had raised a very strong objection to the application, and the officers recommendation was very much 'on-balance'. Stephen commented that parking spaces were very limited in this area, and there would be significant overlook which would be contrary to the Borough Design Guide. Stephen queried whether the application was compatible with the conservation area status, and suggested the Committee conduct a site visit to assess the street scene.

Chris Bowring queried how the Committee should weigh up the conservation officer's objection against the Inspector's findings. Justin Turvey, Team Manager (Development & Regeneration), stated that officers had refused three similar designs, however the Inspector had made some very positive comments regarding the design of this application subject to amendments. As the Inspector gave the applicant clear guidance, which was followed, the Inspectors judgements should be viewed as the main consideration.

Pauline Jorgensen queried whether an inspector would overturn a previous Inspector's decision, and was of the opinion that the proposals were not acceptable. Justin Turvey stated that this was unlikely unless there had been a material change. Government guidance stated that it would be unreasonable behaviour to ignore the advice of an Inspector, which would result in costs being awarded against WBC.

Andrew Mickleburgh stated his support for a site visit, and was of the opinion that the large expanse of front facing glazing was out of character with the surrounding conservation area.

Gary Cowan was of the opinion that the designs were wholly out of character with the surrounding conservation area, and the proposals would destroy the character of the street scene. Gary was of the opinion that the 'on balance' decision should have been to refuse the application.

Angus Ross stated that a site visit would give WBC a stronger case, should the Committee be minded to refuse the application at a later date.

Malcolm Richards queried whether the 20<sup>th</sup> March expiry would present an issue should this item be deferred for a site visit. Justin Turvey stated that it would be reasonable to go beyond the expiry date should Members request a site visit.

Carl Doran asked for clarification of the purpose of a conservation area, and commented that the scheme was out of keeping with the character of the conservation area. Justin Turvey stated that a conservation area did not mean that there could be no further development, however there was a higher threshold when assessing planning applications. Justin added that the Inspector would have taken these considerations into account.

Carl Doran asked for clarification as to whether the amenity spaces were below standard. Natalie Jarman, case officer, confirmed the amenity spaces to be 27m<sup>2</sup>, which were under standard.

Chris Bowring commented that the Inspector had made a very strong judgment, and it was likely that this would be allowed at appeal should the Committee be minded to refuse the application.

Stephen Conway commented that a site visit was very important, as it would allow Members an opportunity to assess the character of the conservation area. Stephen added that any new build within this area should seek to preserve or enhance the conservation area.

Angus Ross commented that a site visit would allow the Committee to be more informed about any potential reasons for refusal, should this be how the Committee was minded at a later date.

Stephen Conway proposed that this item be deferred, in order to allow for a Member site visit to be conducted to assess the relationship of the proposed dwelling to the existing dwellings, and assess whether the proposed dwelling was appropriate for a conservation area. This proposal was seconded and carried.

**RESOLVED** That application number 192280 be deferred, in order to allow for a Members site visit to be undertaken for the reasons listed above.

**98. APPLICATION NO. 200089 - CARNIVAL POOL LEISURE HUB LAND AT WELLINGTON ROAD & FINCHAMPSTEAD ROAD, WOKINGHAM, RG40 2AF**

**Proposal:** Full planning application for the erection of 55 dwellings (flats) with associated landscaping, parking, access and drainage. Demolition of all existing buildings on site. The proposal is for an amended design to the dwellings previously approved under reference 172012, with replacement leisure centre to be constructed pursuant to planning permission 172012.

**Applicant:** Wokingham Borough Council (WBC)

The Committee received and reviewed a report about this application, set out in agenda pages 113 to 152.

The Committee were advised that the Members' Update included:

- Clarification of paragraph 128;
- Insertion of plan numbers;
- Correction of condition 11 to state "visibility splays";
- Amendment to condition 14;

- Amendment to condition 21;
- Additional condition 35.

David Smith, WBC, spoke in support of the application. David stated that this application was an alteration to the residential phase of Carnival Pool redevelopment which had previously been approved. David added that this would be the 'last piece of the jigsaw' for the Wokingham town centre redevelopment. David stated that the updated proposals included amendments to the residential block, which were viewed as an improvement to the previously agreed scheme. David added that the application was conditioned to deliver 10% renewable energy, however officers were hoping to achieve a significantly higher level, with the goal being a carbon neutral building to be achieved by methods including a flat roof which would allow for additional coverage of photovoltaic panels.

Carl Doran queried why the viability assessment was not being made available for public and Member viewing, when the guidance stated that such viability assessments should be made publically available unless there were exceptional circumstances. Nick Chancellor, case officer, stated that the viability assessment was not available due to commercial sensitivity. However, the assessment deemed that affordable housing was not viable for this development.

Carl Doran queried whether by stating that occupants should use the parking at Carnival Pool car park could set a precedent for private developers to argue a similar proposal. Justin Turvey, Team Manager (Development and Regeneration) stated that the Committee was realistically looking at the amendments to the scheme which was previously approved. The details regarding car parking had been previously approved at Committee. Justin added that the fall back for the applicant could be to proceed with the previously approved scheme, which would not have the updated design elements.

Andrew Mickleburgh was of the opinion that WBC should set a high standard for issues such as affordable housing and renewable energy. Andrew queried why there was no immediate commitment from WBC to provide a carbon neutral development. Nick Chancellor stated that planning policy only required a 10 percent renewable energy source for such a development, however the applicant desired to exceed this considerably.

Gary Cowan commented that it was difficult for the Committee to make a decision on this application when it had not seen the viability assessment. Gary also queried how many trees would and had been cut down, where, and how many would be replaced. Nick Chancellor stated that the original site had 46 trees, some of which had already been felled. The proposals were to remove a total of 33 trees (including those previously removed), including a number of grouped small and low quality trees. Only 13 trees of quality were proposed to be removed, with 13 to be retained and 36 high quality trees to be planted which would result in a net gain of 3 trees and a gain in the quality of the trees. The landscaping officer had felt that this would be a significant improvement, and a proportion of the trees would be semi-mature specimens.

Chris Bowring commented that the previously approved application had approved various aspects of the scheme, such as parking and landscaping.

Rachelle Shepherd-DuBey stated that WBC should be setting a high threshold for developers when it came to affordable housing and combatting the climate emergency.

Abdul Loyes queried what the changes were to this application compared to the previously approved application. Nick Chancellor stated that some aspects of the design had changed including the elevations and a flat roof, which necessitated a new planning application.

Stephen Conway asked for confirmation that a new viability assessment had been undertaken, and had taken account of current figures. Nick Chancellor confirmed that a new viability assessment had been completed, which had taken into account all relevant data and had concluded that it was not viable to provide affordable housing on site.

Angus Ross stated that in future, a management plan for upkeep and preservation of planted and existing trees should be included within applications, to prevent situations where trees repeatedly died and had to be replaced. Nick Chancellor stated that a Landscape Management Plan was conditioned to manage the landscaping on site.

Stephen Conway suggested that an Informative be added, stating that the Committee was disappointed that no affordable housing would be provided, and reminding that applicant that in future WBC should be looking to set an example to provide affordable housing to meet WBC's own standards. This was seconded by Rachelle Shepherd-DuBey, carried and added to the list of Informatives.

**RESOLVED** That application 200089 be approved, subject to conditions and informatives as set out in agenda pages 114 to 127, various amendments and corrections to conditions as set out in the Members' Update, additional condition 35 as set out in the Members' Update, and additional informative as resolved by the Committee.

**99. APPLICATION NO. 200191 - 314 KINGFISHER DRIVE, WOODLEY, RG5 3LH**

**Proposal:** Householder application for the proposed erection of a two storey side extension, new driveway and dropped kerb.

**Applicant:** Mr and Mrs J Kalsi

The Committee received and reviewed a report about this application, set out in agenda pages 153 to 168.

The Committee were advised that the Members' Update included:

- Comments from Woodley Town Council, recommending that the application be refused;
- Additional condition 9.

Carol Jewell, Woodley Town Council, spoke in objection to the application. Carol stated that Woodley Town Council had previously submitted objections to this application, however they did not come through. Carol added that there were poor sight lines at the application site, with a children's play area opposite the proposed driveway. Carol stated that any vehicle exiting the proposed driveway would have to come forward significantly due to a blind spot, which could cause accidents. Carol added that the estate was designed to have an open frontage with rear access to each property. Carol stated that none of the other corner properties had this type of access, with house number three not setting a precedent as it had a path which only served 4 houses. Carol raised a number of safety concerns that these proposals could cause, and was of the opinion that this application would be out of keeping with the character of the area in addition to setting a

precedent. Carol stated that the dropped kerb had not met any of the four criteria within Wokingham Borough Council's (WBC's) guidance, and asked that the application be refused.

Katrina Hearne, resident, spoke in objection to the application. Katrina stated that a front facing driveway was not in keeping with the character of the street scene, and the property was situated on a blind spot opposite a children's play area. Katrina added that this driveway would pose a hazard to Council staff who came to maintain the park, in addition to the park being used as a general cut through for train commuters. Katrina stated that a vehicle in the proposed driveway could have to reverse into oncoming traffic, and the proposal would reduce on-street parking for residents. Katrina added that the proposals would create access issues for emergency vehicles. Katrina stated that there were two local primary schools, a secondary and an SEN in the area which resulted in the footpaths being heavily used by children and parents. Katrina was of the opinion that the proposals would be a danger to all road users, pedestrians and cyclists. Katrina stated that the existing six foot fence hides the vehicle exiting the property, and the property had sufficient parking already.

Jenny Cheng, Ward Member, spoke in objection to the application. Jenny stated that she objected to the driveway proposals, as they did not accord to the original design of Kingfisher Drive which had service roads and garages. Jenny added that each house had rear access, and drivers would not be expecting a driveway when using this stretch of the road. Jenny stated that the development was designed to be open, and the proposals were not in keeping with the character of the street scene.

Carl Doran queried whether the height of the fence had been considered. Judy Kelly, Highways Development Manager, stated that the Members' Update included a condition to ensure that the fence was lowered to allow for a suitable pedestrian visibility splay.

Andrew Mickleburgh asked for specific details on highways considerations. Judy Kelly stated that cars were parked on the road at the moment, and the driveway would only remove one on street parking space whilst creating two off street parking spaces. The visibility splays were secured by condition, and the proposals met all highways safety standards.

Pauline Jorgensen queried whether the dropped kerb required planning permission. Justin Turvey, Team Manager (Development and Regeneration), stated that a means of access came under permitted development rights, which would require highways approval but not planning permission.

Stephen Conway asked for clarification as to whether reversing out of the driveway was considered safe. Judy Kelly stated that both reversing and driving forwards from the proposed driveway had been assessed as adequately complying the conditioned visibility splays.

**RESOLVED** That application number 200191 be approved, subject to conditions and informatives as set out in agenda pages 153 to 155, and additional condition 9 as set out in the Members' Update.

**100. APPLICATION NO. 193417 - SQUIRES GARDEN CENTRE, HEATHLANDS ROAD, WOKINGHAM, RG40 3AS**

**Proposal:** Full application for the proposed erection of a single storey structure to form a kitchen with associated fridge/freezer unit plus extension of existing café terrace, installation of an infill canopy over rear entrance and erection of a new 2 metre high metal mesh fence to the southwestern part of the site boundary

**Applicant:** Martin Breddy

The Committee received and reviewed a report about this application, set out in agenda pages 169 to 190.

The Committee were advised that there were no Members' Updates.

Martin Breddy, applicant, spoke in support of the application. Martin stated that the proposals represented a modest increase in the site footprint. Martin added that the proposal would allow for a larger kitchen which would improve staff conditions. A canopy would be moved to improve the customer experience, and the fence would be replaced in order to improve security. Martin added that the fencing would be sufficiently landscaped to shield it from view.

Angus Ross stated that the applicant had recently acquired the site and had done much to improve the existing structures.

**RESOLVED** That application number 193417 be approved, subject to conditions and informatives as set out in agenda pages 170 to 171.

Application Number	Expiry Date	Parish	Ward
192280	15/05/20	Twyford	Twyford;

<b>Applicant</b>	Mr Ray Cook
<b>Site Address</b>	Land to the rear of 20 & 22 Station Road, Twyford, Berkshire, RG10 9NT
<b>Proposal</b>	Full application for the erection of a 1No bed two storey dwelling following demolition of existing workshop.
<b>Type</b>	Full
<b>PS Category</b>	13
<b>Officer</b>	Natalie Jarman
<b>Reason for determination by committee</b>	Listed by Councillor Conway

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 13 <sup>th</sup> May 2020
<b>REPORT PREPARED BY</b>	Assistant Director – Place

<b>ADDENDUM REPORT</b>
<p><u>Background:</u></p> <p>1. The determination of this application was deferred by the Planning Committee on 11<sup>th</sup> March 2020 in order that a site visit could be made to assess the relationship of the proposed dwelling to the existing dwellings, and assess whether the proposed dwelling was appropriate for a conservation area. The application was originally listed by Councillor Conway in the event the application was recommended for approval.</p> <p><u>Additional Information:</u></p> <p>2. As part of the Member’s update for the March 2020 Planning Committee, the recommendation included updates to following conditions (March Committee Report Committee Numbers) to omit Condition 17, a minor amendment of Condition 20 and the addition of conditions 21 and 22. The update also noted a comment from Twyford Parish Council, objecting to the proposals and supporting the residents’ viewpoints.</p> <p>3. Following the deferral of the application additional information has been supplied. Revised plans have been received (revised proposed site plan, proposed ground floor plan and proposed side elevation) showing the height of the wall at the front of the site reduced in height to 0.6m. Accordingly, the recommended approved plan set has been updated and the condition requiring their submission has been omitted.</p> <p>4. The Agent has highlighted in a submission “I note that the Planning Team Leader at last week’s meeting (referring to the March Planning Committee) referred to the Inspector making some very positive comments regarding the design of this application subject to amendments and that as the Inspector gave the applicant clear guidance, which was followed, the Inspectors judgments should be viewed as the <u>main consideration</u>.”</p>

5. The Agent also refers to the Planning Practice Guidance, which sets out the government's planning policies and how these are expected to be applied. The Agent refers to the section relating to appeals which states "a persistence in objections to a scheme which an Inspector has previously indicated as acceptable as constituting one such circumstance of such unreasonable behaviour. This relates to both design (where clear recommendations were made by the Inspector and have been followed) and the proposed amenity space that was identified as entirely appropriate".

6. The agent provided an extract of paragraph 50 of the PPG:

"What type of behaviour may give rise to a substantive award against a local planning authority?

Local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal, for example, by unreasonably refusing or failing to determine planning applications, or by unreasonably defending appeals. Examples of this include:

persisting in objections to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable."

7. The reason for deferral was to assess the relationship of the proposed dwelling to the existing dwellings, and assess whether the proposed dwelling was appropriate for a conservation area. Following this the application is recommended for approval.

## **RECOMMENDATION**

**That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following:**

### **Conditions and informatives:**

*Conditions:*

#### Timescale

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).*

#### Approved Details

2. This permission is in respect of the submitted application plans and drawings numbered Letter from Woolf Bond Planning dated 27<sup>th</sup> August 2019 received by the local planning authority on 27<sup>th</sup> August 2019, Letter from AA Environmental Limited dated 14<sup>th</sup> November 2019 received by the local planning authority on 18<sup>th</sup> November 2019, Existing Plan (16.111 PL102 Rev D), Existing Front Elevation (16.111 PL103 Rev D), Existing Side

Elevation (16.111 PL104 Rev D), Existing Rear Elevation (16.111 PL105 Rev D), Existing Side Elevation (16.111 PL106 Rev D), Proposed First Floor Plan (16.111 PL109 Rev D), Proposed Rear Elevation (16.111 PL112 Rev D), Proposed Side Elevation (16.111 PL113 Rev D) received by the local planning authority on 29<sup>th</sup> January 2020, Location and Site Plan (16.111 PL101 Rev E) received on 3<sup>rd</sup> February 2020 and Proposed Site Plan (16.111 PL107 Rev E), Proposed Ground Floor Plan (16.111 PL108 Rev E), Proposed Front Elevation (16.111 PL110 Rev E) and Proposed Side Elevation (16.111 PL111 Rev E) received by the local planning authority on 20<sup>th</sup> March 2020. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

*Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details.*

#### External materials details

3. No works of development shall be undertaken above the level of footings/foundation footings until details and samples of the external materials (bricks, mortar mix, coping etc.) and finishes for the hereby approved development have been submitted to and approved in writing by the Local Planning Authority. Development shall then be undertaken in accordance with the materials and finishes as approved.

*Reason: To ensure that the external appearance of the building is satisfactory and to ensure highway safety. Relevant policy: Core Strategy policies CP1, CP3 and CP6.*

#### Brickwork Sample

4. No works of development shall be undertaken above the level of footings/foundation until an onsite brickwork sample panel has been built on site and the brick, brick bond and mortar mix have been approved in writing by the Local Planning Authority. The brickwork sample panel shall be no smaller than 1x1 metre in size and is to show the bricks, brick bond and mortar mix to be used for the Brook Street elevation of the hereby approved dwelling. The sample panel shall be maintained on site until completion of building works. The development shall then be undertaken in accordance with the details as approved.

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

#### Hours of work

5. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.

*Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.*

#### Obscure Glazing

6. The first floor window in the side elevation facing Number 49 Brook Street and all windows shown as obscure glazed on the approved plans of the development hereby permitted shall be fitted with obscured glass and shall be permanently so-retained. The windows on the first floor side elevations 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.*

#### Restriction of permitted development rights – windows

7. 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 the north-east and south-west elevations at first floor level, 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.*

#### Restriction of permitted development rights

8. Notwithstanding the provisions of Classes A, B, D, E and G of Part 1 of the Second Schedule 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 buildings, enlargement or alterations permitted shall be carried out without the express permission in writing of the local planning authority.

*Reason: To safeguard the character of the area and neighbouring amenities. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy TB21.*

#### Construction Method Statement

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors,
- ii) loading and unloading of plant and materials,
- iii) storage of plant and materials used in constructing the development,
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- v) wheel washing facilities,
- vi) measures to control the emission of dust and dirt during construction,
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

#### Drainage Details

10. No construction shall take place until details of the drainage system for the site have been submitted to and approved in writing by the LPA. The details shall include how the site currently drains and will be drained after proposed development with any consideration to SuDS.

*Reason: This is 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.*

#### Noise and Vibration from Railway

11. The applicant shall submit to the local planning authority, for approval, a scheme for protecting the proposed development from noise and vibration from the nearby railway lines. Any works which form part of the approved scheme shall be completed before the development the dwelling is occupied.

*Reason: To protect occupiers of the proposed development from noise and vibration from rail traffic. Relevant Policy: Core Strategy Policy CP1 and Managing Development Delivery Local Plan policies CC06.*

#### Land contamination

12. Before development commences the applicant shall carry out a contamination risk assessment of the application site commencing with a preliminary risk assessment (desk top study and walk-over survey) followed by intrusive sampling if found to be necessary. The applicant shall then, if necessary, prepare and submit to the Local Planning Authority for written approval a remediation scheme that follows the guidelines set out in BS10175 'Code of Practice for the Investigation of Potentially Contaminated Sites' and CLR11 Model procedures for the management of Land Contamination.

*Reason: To protect neighbours and future occupiers of the site from the harmful effects of contamination. Relevant Policy: Core Strategy policies CP1 and CP3.*

#### Remediation Works

13. Before buildings on the application site are occupied the remediation works to make the land suitable for its intended use, as set out in the approved remediation scheme

submitted to comply with condition 12 above shall be completed and a validation report shall be submitted to and approved in writing by the local planning authority.

*Reason: To ensure that future users of the site are protected from the harmful effects of contamination. Relevant Policy: Core Strategy policies CP1 and CP3.*

#### Window and roof light details

14. No works shall be undertaken to install the windows and/or roof lights of the hereby approved dwelling until full details for the windows, the full height glazing /glazed doors of the first floor (including the Juliette balcony feature) and the roof lights, have been submitted to and approved in writing by the Local Planning Authority. Details will need to specify the materials and finishes to the frames, and include, as appropriate cross sections, with moulding details. Installation of the windows, first floor glazing and the roof lights shall then be undertaken in accordance with the materials and finishes as approved.

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

#### Gate / Door Details

15. Notwithstanding the details submitted the Brook Street gate/door is to be of a timber ledge and braced timber fabricated, with a corresponding timber gate/door frame and retained as such.

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

#### Details of flue, vents, pipework and rainwater goods

16. Notwithstanding the details submitted, there are to be no flues, vents, pipework or rainwater goods to the exterior elevations of development other than those shown on the plans as approved, unless written approval from the Local Planning Authority is obtained before works are undertaken.

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

#### Parking to be provided

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

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

#### Cycle parking to be provided

18. 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 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.*

#### Visibility splays

19. Prior to occupation of the development the access shall be formed as so-approved and the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height prior to the occupation of the development. The access shall be retained in accordance with the approved details and used for no other purpose and the land within the visibility splays shall be maintained clear of any visual obstruction exceeding 0.6 metres in height at all times.

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

#### Bin store

20. No building shall be occupied until details of bin storage area / facilities have been submitted to and approved in writing by the local planning authority. The bin storage area and facilities shall be permanently so-retained and used for no purpose other than the temporary storage of refuse and recyclable materials.

*Reason: In the interests of visual and neighbouring amenities and functional development. Relevant policy: Core Strategy CP3 and Managing Development Delivery Local Plan policy CC04.*

#### *Informatives:*

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see –

<http://www.wokingham.gov.uk/planning/developers/cil/cil-processes/>

2. The Head of Highways at the Council Offices, Shute End, Wokingham [0118 974 6000] should be contacted for the approval of the access construction details before any work is carried out within the highway (including verges and footways). This planning permission does NOT authorise the construction of such an access or works.

3. Any works / events carried out by or on behalf of the developer affecting either a public highway or a prospectively maintainable highway (as defined under s.87 New Roads and Street Works Act 1991 (NRSWA), shall be co-ordinated and licensed as required under

NRSWA and the Traffic Management Act 2004 in order to minimise disruption to both pedestrian and vehicular users of the highway.

Any such works or events, and particularly those involving the connection of any utility to the site must be co-ordinated by the developer in liaison with the Borough's Street Works team (0118 974 6302). This must take place AT LEAST three months in advance of the intended works to ensure effective co-ordination with other works so as to minimise disruption.

# Agenda Item 97.

Application Number	Expiry Date	Parish	Ward
192280	20/03/20	Twyford	Twyford;

<b>Applicant</b>	Mr Ray Cook
<b>Site Address</b>	Land to the rear of 20 & 22 Station Road, Twyford, Berkshire, RG10 9NT
<b>Proposal</b>	Full application for the erection of a 1No bed two storey dwelling following demolition of the existing workshop.
<b>Type</b>	Full
<b>PS Category</b>	13
<b>Officer</b>	Natalie Jarman
<b>Reason for determination by committee</b>	Listed by Councillor Conway

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 12 February 2020
<b>REPORT PREPARED BY</b>	Assistant Director – Place

## **SUMMARY**

This application has been listed by one of the Borough Councillors for Twyford if officers are minded to approve the application. The application has been listed on the grounds that the application site is within a conservation area and the proposal does not fit in design terms with the surrounding housing, on this basis the application is before you.

The application site comprises of a single storey workshop and yard.

The proposal is for a two storey one bedroom dwelling following demolition of the existing workshop. The proposed dwelling would have an enclosed courtyard and an allocated parking space following reconfiguration of the existing access.

The application follows the refusal of planning permission (LPA ref: 181852) for the erection of a one bedroom dwelling, which was refused on five grounds. A subsequent appeal (PINS ref: APP/X0360/W/19/3221229) was dismissed. The main issues were the effect on the character and appearance of the conservation area and the adequacy of proposed private amenity space for occupiers of the proposed dwelling. Whilst the Inspector dismissed the appeal, the Inspector did accept the principle of a dwelling with a contemporary design and that adequate outdoor amenity space was proposed. The reasons for refusal relating to loss of on-street parking, inadequate on-site cycle parking facilities and absence of adequate information to be certain that a pedestrian visibility splay were considered to be overcome by the submission of a revised plan during the course of the appeal.

The application proposal is for a contemporary design, mainly glazing on the first floor element and the first floor element is set back, in line with the building line of No. 49 Brook Street seeking to address the comments in the appeal decision.

The report concludes that the current scheme overcomes the previous reasons for refusal and addresses the comments raised by the Planning Inspector. However, it is acknowledged that there continues to be an objection from the Conservation Officer. On balance, the proposal is not considered to have a harmful effect on the Conservation Area based on the previous Planning Inspector's comments, provides adequate private amenity space for future occupiers and would not have a harmful impact on parking or residential amenity. It is recommended that this application is approved as it would accord with the NPPF and Wokingham Development Plan policies.

#### **PLANNING STATUS**

- Major development location
- Conservation Area
- Contaminated Land Consultation Zone
- Groundwater Protection Zone
- Heathrow Aerodrome consultation zone
- Affordable Housing
- Bat Roost Habitat Suitability
- Radon Affected Area
- Landscape Character Assessment
- SSSI Risk Zones

#### **RECOMMENDATION**

**That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following conditions and informatives:**

*Conditions:*

##### Timescale

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).*

##### Approved Details

2. This permission is in respect of the submitted application plans and drawings numbered Letter from Woolf Bond Planning dated 27<sup>th</sup> August 2019 received by the local planning authority on 27<sup>th</sup> August 2019, Letter from AA Environmental Limited dated 14<sup>th</sup> November 2019 received by the local planning authority on 18<sup>th</sup> November 2019, Existing Plan (16.111 PL102 Rev D), Existing Front Elevation (16.111 PL103 Rev D), Existing Side Elevation (16.111 PL104 Rev D), Existing Rear Elevation (16.111 PL105 Rev D), Existing Side Elevation (16.111 PL106 Rev D), Proposed Site Plan (16.111 PL107 Rev D), Proposed Ground Floor Plan (16.111 PL108 Rev D), Proposed First Floor Plan (16.111 PL109 Rev D), Proposed Front Elevation (16.111 PL110 Rev D), Proposed Side Elevation (16.111 PL111 Rev D), Proposed Rear Elevation (16.111 PL112 Rev D), Proposed Side Elevation (16.111 PL113 Rev D) received by the local planning authority on 29<sup>th</sup> January 2020 and Location and Site Plan (16.111 PL101 Rev E) received on 3<sup>rd</sup> February 2020. The development shall be carried out in accordance with the approved

details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details.

#### External materials details

3. No works of development shall be undertaken above the level of footings/foundation footings until details and samples of the external materials (bricks, mortar mix, coping etc.) and finishes for the hereby approved development have been submitted to and approved in writing by the Local Planning Authority. Development shall then be undertaken in accordance with the materials and finishes as approved.

*Reason: To ensure that the external appearance of the building is satisfactory and to ensure highway safety. Relevant policy: Core Strategy policies CP1, CP3 and CP6.*

#### Brickwork Sample

4. No works of development shall be undertaken above the level of footings/foundation until an onsite brickwork sample panel has been built on site and the brick, brick bond and mortar mix have been approved in writing by the Local Planning Authority. The brickwork sample panel shall be no smaller than 1x1 metre in size and is to show the bricks, brick bond and mortar mix to be used for the Brook Street elevation of the hereby approved dwelling. The sample panel shall be maintained on site until completion of building works. The development shall then be undertaken in accordance with the details as approved.

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

#### Hours of work

5. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.

*Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.*

#### Obscure Glazing

6. The first floor window in the side elevation facing Number 49 Brook Street and all windows shown as obscure glazed on the approved plans of the development hereby permitted shall be fitted with obscured glass and shall be permanently so-retained. The windows on the first floor side elevations 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.*

#### Restriction of permitted development rights - windows

7. 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 the north-east and south-west elevations at first floor level, 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.*

#### Restriction of permitted development rights

8. Notwithstanding the provisions of Classes A, B, D, E and G of Part 1 of the Second Schedule 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 buildings, enlargement or alterations permitted shall be carried out without the express permission in writing of the local planning authority.

*Reason: To safeguard the character of the area and neighbouring amenities. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy TB21.*

#### Construction Method Statement

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors,
- ii) loading and unloading of plant and materials,
- iii) storage of plant and materials used in constructing the development,
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- v) wheel washing facilities,
- vi) measures to control the emission of dust and dirt during construction,
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

### Drainage Details

10. No construction shall take place until details of the drainage system for the site have been submitted to and approved in writing by the LPA. The details shall include how the site currently drains and will be drained after proposed development with any consideration to SuDS.

*Reason: This is 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.*

### Noise and Vibration from Railway

11. The applicant shall submit to the local planning authority, for approval, a scheme for protecting the proposed development from noise and vibration from the nearby railway lines. Any works which form part of the approved scheme shall be completed before the development the dwelling is occupied.

*Reason: To protect occupiers of the proposed development from noise and vibration from rail traffic. Relevant Policy: Core Strategy Policy CP1 and Managing Development Delivery Local Plan policies CC06.*

### Land contamination

12. Before development commences the applicant shall carry out a contamination risk assessment of the application site commencing with a preliminary risk assessment (desk top study and walk-over survey) followed by intrusive sampling if found to be necessary. The applicant shall then, if necessary, prepare and submit to the Local Planning Authority for written approval a remediation scheme that follows the guidelines set out in BS10175 'Code of Practice for the Investigation of Potentially Contaminated Sites' and CLR11 Model procedures for the management of Land Contamination.

*Reason: To protect neighbours and future occupiers of the site from the harmful effects of contamination. Relevant Policy: Core Strategy policies CP1 and CP3.*

### Remediation Works

13. Before buildings on the application site are occupied the remediation works to make the land suitable for its intended use, as set out in the approved remediation scheme submitted to comply with condition 12 above shall be completed and a validation report shall be submitted to and approved in writing by the local planning authority.

*Reason: To ensure that future users of the site are protected from the harmful effects of contamination. Relevant Policy: Core Strategy policies CP1 and CP3.*

### Window and roof light details

14. No works shall be undertaken to install the windows and/or roof lights of the hereby approved dwelling until full details for the windows, the full height glazing /glazed doors of the first floor (including the Juliette balcony feature) and the roof lights, have been submitted to and approved in writing by the Local Planning Authority. Details will need to specify the materials and finishes to the frames, and include, as appropriate cross-sections, with moulding details. Installation of the windows, first floor glazing and the roof lights shall then be undertaken in accordance with the materials and finishes as approved.

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

### Gate / Door Details

15. Notwithstanding the details submitted the Brook Street gate/door is to be of a timber ledge and braced timber fabricated, with a corresponding timber gate/door frame and retained as such.

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

### Details of flue, vents, pipework and rainwater goods

16. Notwithstanding the details submitted, there are to be no flues, vents, pipework or rainwater goods to the exterior elevations of development other than those shown on the plans as approved, unless written approval from the Local Planning Authority is obtained before works are undertaken.

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

### Utility Service Meter Enclosures

17. Notwithstanding the details submitted there shall be no utility service meter enclosures on the Brook Street elevation of the hereby approved new dwelling and boundary wall.

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

### Parking to be provided

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

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

#### Cycle parking to be provided

19. 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.

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

#### Visibility splays

20. Prior to occupation of the access shall be formed as so-approved and the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height prior to the occupation of the development. The access shall be retained in accordance with the approved details and used for no other purpose and the land within the visibility splays shall be maintained clear of any visual obstruction exceeding 0.6 metres in height at all times.

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

#### *Informatives:*

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see - <http://www.wokingham.gov.uk/planning/developers/cil/cil-processes/>

2. The Head of Highways at the Council Offices, Shute End, Wokingham [0118 974 6000] should be contacted for the approval of the access construction details before any work is carried out within the highway (including verges and footways). This planning permission does NOT authorise the construction of such an access or works.

3. Any works / events carried out by or on behalf of the developer affecting either a public highway or a prospectively maintainable highway (as defined under s.87 New Roads and Street Works Act 1991 (NRSWA), shall be co-ordinated and licensed as required under NRSWA and the Traffic Management Act 2004 in order to minimise disruption to both pedestrian and vehicular users of the highway.

Any such works or events, and particularly those involving the connection of any utility to the site must be co-ordinated by the developer in liaison with the Borough's Street Works team (0118 974 6302). This must take place AT LEAST three months in advance of the intended works to ensure effective co-ordination with other works so as to minimise disruption.

<b>RELEVANT PLANNING HISTORY</b>		
<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
181852	Full application for the proposed erection of a 1 no. bedroom dwelling, following demolition of existing workshop building.	Refused 08/08/18 and Appeal Dismissed 30/05/19
180533	Full planning application for the erection of two storey 1 bedroom dwelling following the demolition of the existing workshop.	Refused 26/04/18
172695	Full application for proposed erection of a two storey dwelling following the demolition of the existing storage building.	Refused 13/11/17
CLE/2011/2668	Application for certificate of lawful existing use for 2 shops, 1 industrial building and 1 residential flat above the 2 shops.	Withdrawn 18/07/12
31111	Motorcycle shop at 20 Station Road, Twyford	Approval 03/08/88
31110	Motorcycle store at 20 Station Road, Twyford	Approval 03/08/88
30252	Extension to office and store	Refusal 23/03/88
2745	Retail to motor cycles shop / renewal consent	Approval 05/04/84

20603	Shoe shop to sale and restoration of vintage motor cycles	Temporary approval 15/12/83
12826	'C' - Replacement two storey workshop	Refused 10/04/80
12825	'B' - Replacement two storey workshop	Refused 10/04/80
12824	'A' - Replacement two storey workshop	Refused 10/04/80

<b>SUMMARY INFORMATION</b>	
Site Area	125 square metres (0.01 hectares)
Existing units	0
Proposed units	1
Existing density – dwellings/hectare	0
Proposed density - dwellings/hectare	100
Number of affordable units proposed	0
Previous land use	Workshop
Existing parking spaces	1
Proposed parking spaces	1

<b>CONSULTATION RESPONSES</b>	
Thames Water	No comments received
South East Water	No comments received
WBC Biodiversity	Recommend approval, no conditions
WBC Economic Prosperity and Place (Community Infrastructure)	No comments received
WBC Drainage	Recommend approval, subject to conditions
WBC Education (School Place Planning)	No comments received
WBC Environmental Health	Recommend approval, subject to conditions
WBC Highways	Recommend approval, subject to conditions
WBC Tree & Landscape	Recommend approval, subject to conditions
WBC Cleaner & Greener (Waste Services)	Recommend approval, subject to conditions
WBC Conservation	Objection

<b>REPRESENTATIONS</b>
<p><b>Twyford Parish Council:</b> Update to be provided following their meeting on 3<sup>rd</sup> March 2020. No comment to original consultation.</p> <p><b>Local Members:</b> Councillor Conway requested that the application be listed if officers are minded to approve the application on the grounds that the application site is within a conservation area and the proposal does not fit in design terms with the surrounding housing.</p>

**Neighbours:** 17 objections

- Misleading plans. Telecoms box restricting access where access for two cars is proposed. Is there sufficient space with proposed amenity space. Not showing chimneys from 20-22 Station Road are bricks from these chimneys to be used in the proposed building.  
*Officer Comment: The proposal is for the communications box to remain, a small section of wall to the east would be removed and a lower wall erected. The application proposals only relate to land to the rear of 20-22 Station Road.*
- Out of character (See paragraphs 20-36)
- Unnecessary building (Not a material planning consideration)
- Overcrowding (See paragraph 58 and 20-36)
- Loss of privacy (See paragraph 41-42)
- Overshadowing (See paragraph 45)
- Parking impact (See paragraphs 46-51)
- Impact on water and sewerage system (See paragraph 52)
- Impact on Conservation Area (See paragraphs 20-36)
- Block open skyline (Not a material planning consideration)
- Outlook (Not a material planning consideration)
- Overlooking (See paragraph 41-42)
- Loss of light (See paragraph 45)
- Design (See paragraphs 20-36)
- Visual Impact (See paragraphs 20-36)
- Set a precedent (Not a material planning consideration)
- Inappropriate site (See paragraphs 20-36)
- Height (See paragraphs 20-36)
- Reference to approach at 29a and 29b Brook Street (Aware from previous appeal)
- Noise (Refer to proposed Construction Method Statement condition)
- Light Pollution (use of glass creating a reflective box) (See paragraph 29)
- Contemporary Nature of the proposals particularly in relation to Conservation Area (See paragraphs 20-36)
- Impact on parking space to the rear of No. 24-28 (even) Station Road impacting on right of way and block access(See paragraphs 46-51)
- Brook Street narrow Highway safety (See paragraphs 46-51)
- Currently a parking problem (See paragraphs 46-51)
- Loss of on-street parking spaces (See paragraphs 46-51)
- Parking requirements from 20-22 Station Road include a flat above. Tattoo shop currently use two spaces. (See paragraphs 46-51)
- Viability (Not a material planning consideration)
- Dropped kerb forbid vehicle access. (See paragraphs 46-51)
- Refuse collection (Cleaner and Greener comments)
- Overbearing (See paragraphs 20-36)
- Privacy for occupier (See paragraph 37 and obscure glazing is recommended)
- Lack of Natural Light to ground floor (The ground floor is served by windows)
- Proposed Materials (See paragraphs 20-36)
- Noise and disturbance (Refer to proposed Construction Method Statement condition)

<b>APPLICANTS POINTS</b>	
<ul style="list-style-type: none"> <li>• Proposed parking provision and widening considered acceptable by the Local Planning Authority (LPA) during the appeal process with appropriate pedestrian and cycle facilities. Therefore, no revisions in this respect.</li> <li>• Refers to Inspectors comments that the site would be able to accommodate a reasonable level of sitting out space and outdoor storage space</li> <li>• Amount of amenity space remains the same and proposal continues to propose a one bedroom dwelling. LPA should not sustain objection to the scheme in respect of private amenity space provision.</li> <li>• Reference to paragraph 9 and of the same Inspector's appeal decision, including negative impact of existing building, contemporary appearance better than pastiche and highly sustainable location.</li> <li>• Reference to paragraphs 12 to 14 of the same Inspector's appeal decision relating to the Inspector's concern regarding timber cladding at first floor level and replacement with predominantly glass.</li> <li>• Reference to paragraphs 15 and 16 of the same Inspector's appeal decision relating to building line. The current proposal is for the first floor element to be set back such that it sits just behind the established building line.</li> <li>• Current proposal switches living accommodation to the ground floor and bedroom on the first floor to overcome previous concerns.</li> <li>• Obscure glazing is proposed on some of the glass frontage to ensure privacy for the future occupier and ensure that there is no undue amenity impacts upon neighbouring properties.</li> <li>• Inspector supported contemporary development on the site.</li> </ul>	

<b>PLANNING POLICY</b>		
National Policy	<b>NPPF</b>	National Planning Policy Framework
	<b>NPPG</b>	National Planning Policy Guidance (NPPG)
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP3</b>	General Principles for Development
	<b>CP5</b>	Housing mix, density and affordability
	<b>CP6</b>	Managing Travel Demand
	<b>CP7</b>	Biodiversity
	<b>CP9</b>	Scale and Location of Development Proposals
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 and Construction
	<b>CC05</b>	Renewable energy and decentralised energy networks

	<b>CC06</b>	Noise
	<b>CC07</b>	Parking
	<b>CC09</b>	Development and Flood Risk (from all sources)
	<b>TB05</b>	Housing Mix
	<b>TB07</b>	Internal Space standards
	<b>TB21</b>	Landscape Character
	<b>TB23</b>	Biodiversity and Development
	<b>TB24</b>	Designated Heritage Assets
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide
		DCLG – Nationally described space standard

## PLANNING ISSUES

### Site and Surroundings:

1. The existing built form is a single storey brick workshop constructed from mainly of red stock brick similar to that of other buildings in the locality. The rest of the building is made up of exposed blockwork, partial white painted timber garage and access doors and a corrugated and felt mono-pitched roof.
2. Behind the building, accessed via a track off Brook Street and outside of the application site are a set of covered car-ports mainly timber and partial brick. The existing use of the building has been stated is that of a workshop. The structure is accessed from the yard of 20 and 22 Station Road.
3. The site is within 150 metres of Twyford mainline railway station and it is situated within the Twyford Station Conservation Area. Whilst the overall makeup of the area is residential, there is an existing Police Station (which appears to no longer be in operation) with rear parking on the opposite side of the road to the application site. The ground floor of two former residential houses are now a Tattoo Parlour at 20 Station Road (to the side of the application site) and a Dog Groomers at 31 Station Road, a property on the opposite side of Station Road. Residential uses along Brook Street and Station Road mainly take the form of Victorian terraced housing.
4. Parking provision within the street is unallocated and is not controlled within any parking permits, although daytime parking restrictions do exist along Station Road. There is an existing access drive adjacent to the workshop.

### Description of Development:

5. Planning permission is sought to demolish the existing building on site and to replace it with a two storey one bedroom dwelling, with a courtyard including bike store and an allocated parking space to the proposed dwelling. To provide access to the car parking space demolition of a wall is proposed and a new 1.05m high wall is proposed.

6. During the course of the planning application the proposals have been amended to provide clarification that the boundary wall is to be retained, to show the existing shed in the adjacent garden and the communications box, the coping detail on northern elevation has been omitted and replaced with a brick on edge detail instead and further information added.

The proposed dwelling has a gross internal floor area of the ground floor of 36 square metres incorporating an open plan lounge, kitchen and dining space and wc. The proposed gross internal floor area for the first floor is 26 square metres, providing space for a bedroom and en-suite bathroom. The building would have a total internal area of 62 square metres overall. The existing workshop would be demolished which has a floor area of 60 square metres.

8. A new external courtyard of 27 square metres is also proposed, which includes space for a bike store. Beyond the enclosed courtyard is an allocated parking space for the proposed dwelling and an area for bin storage.
9. The proposed height of the dwelling is 5.6 metres, the proposed width is 8 metres and depth is 5.75 metres. The first floor element is proposed to be set in from the north-west and north-east frontages by 1.2 metres to 1.5 metres. Within the recessed space two roof lights are proposed.
10. In terms of its appearance, the proposed building would be built from brick on the ground floor and a largely glazed first floor element with brick surround with a flat roof form with a metal coping detail.

#### **Planning History:**

11. There have been previous submissions on the application site, the most recent application was dismissed at planning appeal in May 2019. The refused scheme featured a combined bedroom with dressing room on the ground floor (19.7 square metres) and bathroom, the ground floor measured 36.5 square metres. The first floor was proposed as a combined kitchen and living area (24 square metres). A total of 60.5 square metres. The proposed height was 5.5 metres high, 11.2 metres wide and depth 5.84 metres. The first floor element was also proposed to be recessed and clad with timber with a sliding Juliette balcony with a flat roof form.
12. The application was refused for five reasons, the first reason for refusal was the proposed development by reason of its isolated form, siting and discordant design within the street scene was considered an overdevelopment of the site and by virtue of its cramped presence, would result in significant harmful impact on the character and appearance of area, failing to preserve or enhance the special architectural and historic character or appearance of the surrounding Conservation Area. The second reason for refusal related to inadequate level of private amenity for future occupiers. This report considers in detail whether these reasons for refusal have been overcome.

13. The third reason for refusal related to the net loss of one on-street parking space with unrestricted use, due to the proposed demolition of part of the existing boundary wall and widening of the access in order to gain access to the space, to the detriment of local residents and to the detriment of highway safety. The fourth reason for refusal related to absence of adequate information to be certain that a pedestrian visibility splay of 2m x 2m could be provided at the access and to the impact of this on highway safety. The fifth and final reason for refusal related to the proposal not providing adequate on-site cycle parking facilities. Within the appeal a revised ground floor plan was submitted, which demonstrated pedestrian visibility, cycle storage and provision of two parking spaces on site. Accordingly these reasons for refusal were withdrawn from the appeal.
14. A copy of the Inspectors appeal decision is appended to this report. The Inspector determined the main issues were the effect of the proposal on the character and appearance of the conservation area and the adequacy of the private amenity space for occupiers of the proposed dwelling.
15. The appeal concluded that there was support for the principle of contemporary development on the site, however, the appeal proposal was harmful on the street scene and would fail to preserve the character and appearance of the conservation area and therefore conflict with Development Plan policies. The Inspector concluded (paragraph 18 of the appeal decision) that there was potential for an alternative option that would enable the development without harm resulting from the current scheme. The appeal Inspector's decision is a material consideration that carries significant weight.
16. Prior to that, planning permission (LPA ref: 172695) was refused in November 2017 for the erection of a two storey, two bedroom dwelling. The application was refused due to the harmful impact upon the character of the conservation area, by reason of the contemporary design and materials of the proposed dwelling.
17. A further application was refused in April 2018 (LPA ref: 180533) for a two storey, one bedroom dwelling following demolition of the existing workshop. The application was refused on the grounds that it was considered harmful upon the character of the conservation area by reason of its stark form, siting and discordant design, not being an allocated housing siting, unsatisfactory provision of adequate living environment for future occupiers, loss of on-street parking, inadequate on site cycle parking and unsatisfactory provision of a method of surface water and foul water disposal.

**Principle of Development:**

18. 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 (MDD) 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.

19. The site is located within a major settlement category within settlement limits. The principle of development has previously been found to be acceptable by the appeal Inspector. As such the development should be acceptable providing that it complies with the principles stated in the Core Strategy and the material considerations identified within the body of this report.

**Character of the Area and Impact on Heritage Assets:**

20. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high quality design without detriment to the amenities of adjoining land uses and occupiers.
21. The application site forms part of Twyford Station Conservation Area. Brook Street is an attractive no-through street and its relatively unaltered late nineteenth century character makes a positive contribution to the conservation area. Its character of a consistent architectural style and detailing, typical of the late 19<sup>th</sup> century period. This part of Twyford was developed in response to the introduction of the railway to the area and the terrace cottages and shops built up over a relatively short period, providing accommodation and facilities for workers associated with the Great Western Railway mainline, giving the area its distinctive character. The street is notable for its consistent architectural style and detailing in terms of bay windows, recessed front entrances, pitched roofs, which is typical of this period and which gives the area its distinctive character and synergy. This is further demonstrated with the fact that the predominant building typologies are of terraced Victorian two storey dwellings; in terms of urban form as part of the morphology of the urban structure that has developed in the area. It is important to note that the dwellings are made up of predominantly long terraces of 10-12 dwellings at maximum and with occasional Victorian semi-detached dwellings providing relief within the street scene which breaks up the overall massing of the existing dwellings. Many original features are retained in the area such as tiled paths and detailing around doors and windows.
22. The existing heavily altered workshop structure of the application site holds only limited interest, and in its present condition the workshop is considered overall to negatively contribute to its surroundings. Therefore from a heritage stance the removal of the workshop is supported but only on the basis that whatever was to replace it would at a minimum preserve the conservation area's character and appearance if not enhance it. The site is of a heavily constrained nature and the site has a relatively high level of visual prominence within the street.
23. The application site is occupied by a dilapidated workshop, positioned within an open area between the terraces and the junction with Station Road where there is a mixture of rear elevations, outbuildings, garages and parking areas. The space to the rear of No. 20 and 22 Station Road on Brook Street provides visual relief in the street scene between the existing property and the remainder of the street on Brook Street. This pattern is replicated on the opposite side of the street to the street behind the Police Station, providing openness to the existing grain of development. The Inspector's comments regarding the need to give weight to the existing negative contrast of the site and its surroundings with the wider conservation area. The Inspector concluded that the existing site compromised the quality of the townscape.

24. The proposal seeks to occupy the space with a contemporary two storey detached dwelling. The previous proposal was considered to be a discordant addition in the pattern of the street scene by virtue of its lateral urban form. The proposal was considered to intensify and be harmful to the established pattern and grain of development. However, the Inspector took the view that the Council was overly critical of the contemporary design (paragraphs 7 and 8 of the appeal decision). The Inspector acknowledged the sharp contrast between an overtly contemporary design and the Victorian terraces of Brook Street. The appeal proposal was considered to provide a building and curtilage with a high quality design and layout of appropriate scale in a highly accessible and sustainable location and considered to be far better than a pastiche of the existing nearby buildings.
25. Within the appeal, the Council acknowledged the use of contemporary design within historic contexts. The appeal proposal sought the introduction of a contemporary, flat-roofed, detached building which was considered to be of stand-alone appearance and to be at odds with the neighbouring terraces and prevailing pattern of development. The Council argued within the appeal that the existing building is single storey and relatively low in height and visually did not stand out nor compete with surrounding historic buildings. The Inspector acknowledged that a contrast in materials is needed to support the contemporary design. The Inspector questioned whether timber cladding was appropriate within the urban setting and conservation area. The Inspector went on to state that alternatively, or in addition, the much greater glazing of the building than proposed within the appeal would have a more neutral impact on the conservation area (paragraphs 12 and 14 of the appeal decision). The submitted scheme addresses the points raised by the Inspector.
26. There continues to be concern from the Council's Conservation Officer, by virtue of the design of the proposed dwelling, the proposal would result in a dwelling of form that starkly contrasts with the predominant architectural form of the surrounding residential buildings, such that the dwelling would be overtly conspicuous within the historic street-scene of Brook Street, at its junction with Station Road. The stark alien form of the proposal is thought to result in a development that visually jars with its surroundings than the present structure on the site. The Conservation Officer concludes that the proposal neither preserves or enhances the character or appearance of the conservation area and would therefore be contrary to TB24 of the Councils Managing Development Delivery Document (2014). In terms of the level of harm the proposal would cause to the conservation area this harm is defined within the NPPF and would amount to 'less than substantial harm' to the conservation area, as a designated asset and as such the expectation is for 'this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The Inspector also concluded that the previous scheme would cause 'less than substantial' harm.
27. In considering the appeal the Inspector highlighted areas of concern, this current proposal seeks to revise the proposals in accordance with those changes to its design and materials advocated by the Inspector. The Inspector was supportive of the principle of a 'contemporary development on the site' over pastiche design and stated they 'consider there is the potential for an alternative option that would enable the development without the harm resulting from the current issues' (paragraph 18 of the Appeal Decision).

28. The changes advocated by the Planning Inspector were:
- The need for a ‘contrast in material is needed to support the contemporary design’ (paragraph12), a suggested greater use of glazing to first floor as an alternative means of intruding a contrasting appearance to this element (paragraph 14),
  - The first floor being set back, aligning with the building line of the adjacent Victorian terrace (paragraph16).
29. With respect to the amended scheme, whilst it is believed the greater extent of glazing to the first floor storey, when compared to more limited fenestration form of the previous scheme could make this element of the new dwelling less visually dominant. The Conservation Officer has raised concern about the proposal being an atypical architectural feature and the amount of light at night time from the first floor element. The applicants have specifically responded to paragraph 14 of the appeal decision and so on balance this element of the proposal is considered to be acceptable. The Conservation Officer does conclude, whilst it is thought this amended fenestration form of the first floor creates something with a greater architectural cohesion to it compared to the previous proposal.
30. The Conservation Officer raises the extensive use of brick on the rear elevation creating a large unbroken expanse of brick walling and suggested an alternative. The previous proposal was for reclaimed bricks on the ground floor and vertical timber cladding on the first floor, which would also have been a large expanse. On balance, this element of the proposal is considered to be acceptable.
31. The Conservation Officer concludes that whilst it is thought the amended fenestration form of the first floor creates something with a greater architectural cohesion to it compared to the previous proposal, such that as a standalone building this present has some degree of merit to its design. The Conservation Officer maintains concern over the standalone appearance, particularly of the first floor of the proposal and that the proposed development would have a greater impact on the character of the area than the presently poor quality building does. The conclusions of the Inspector are a material consideration and the current scheme reflects what the Inspector suggested.
32. The comments of the Conservation Officer need to be balanced with the appeal decision, which is a material planning consideration. In considering the appeal proposal, the Inspector supported the principle of a contemporary design on the site but the form of development within the appeal proposal was considered to have a harmful effect on the street scene and would fail to preserve the character and appearance of the street scene. However, the Inspector provided comments on how the proposal could be amended. The Inspector was specific in the appeal decision at paragraph 14 stating that “the much greater glazing of the building than proposed would be neutral in relation to the character of the conservation area.” The applicant has introduced “much greater glazing” as stated in the appeal decision and whilst this may result in an expanse of brickwork and a “light box”, there is not considered to be harm from these elements and the proposals address the concerns raised by the Inspector.

33. It is acknowledged that the existing structure is considered to be somewhat detrimental to the character and appearance of this part of the conservation area although the high brick boundary wall maybe considered to hold a degree of significance both visually and historically however any such significance the walling may hold is diminished by the fact that it has clearly been altered and partially rebuilt. As such the removal of this existing building provides the opportunity to see the area enhanced.
34. The proposals within the appeal were for the first floor element to protrude forward of No. 49 Brook Street by 0.5 metres. The Council argued that one of the main elements within the street, which provides homogeneity is the consistent building line, along both sides of Brook Street. The Council were not convinced that the proposals would provide an active street frontage and would not have a positive impact. The juliet balcony and bi-folding doors were highlighted as not being features within the street scene or surrounding area and present as a horizontal element against the characteristic verticality of the conservation area, reinforced by the flat roof and glazed materials. It was concluded that the proposed scheme would harm the character and appearance of the conservation area.
35. The Inspector also raised concern that there was an infringement of the adjoining terrace's building line through the half metre projection of the first floor in front of the flank of No. 49 Brook Street, which would have a disappointing jarring effect and considered that lining-in with the frontage of the terrace could be acceptable, noting that the bedroom could be on the first floor. The current proposed first floor plan shows the first floor element set back a further 0.5 metres from the appeal proposal and in line with the prevailing building line in Brook Street. The Conservation Officer welcomes the change but challenges whether the change is sufficient enough. The applicants have amended the scheme to reflect the Inspectors comments. The building line of the existing ground floor has been retained and the first floor element which has been introduced seeks to reflect the prevailing building line. The Borough Design Guide (page 38) states that this is particularly important for infill schemes to reflect the existing pattern of building lines where this creates a positive street character. The current scheme is considered to address the comments raised by the Inspector in the appeal decision and the set-back is considered to be appropriate. On balance, taking into consideration both the comments of the Council's Conservation Officer and the appeal decision the proposed dwelling is considered to have been sufficiently revised from the refused scheme to overcome the Inspectors concern and to meet the issues raised and would not have a harmful effect on the street scene and would preserve the character and appearance of the conservation area.

**Amenity of future occupiers:**

36. Within the refused scheme, concern was raised regarding the usability of the proposed amenity space due to the cramped nature of the space, 4.25 metres deep, and whether privacy could be provided, directly adjacent to a footpath and with direct views from the street and neighbouring properties. The space would have also been enclosed by walls and included a canopy. The Council concluded that the proposed private amenity space was considered to be inappropriate in terms of size and scale and it emphasised the cramped nature of the proposals. There were also concerns regarding whether the space would provide a reasonable degree of light. It was therefore concluded that the proposed development failed to provide adequate private amenity space.

37. In considering the appeal, the Inspector concluded at paragraph 6 that the proposed courtyard provided an adequate sitting out area with the potential for sunlight and some outdoor storage space and no harmful conflict with policy.
38. The Borough Design Guide states that new dwellings should aim to provide an amenity space of 11 metres in length. The proposal makes the provision for some amenity space within the proposed courtyard.
39. Whilst Officers were of the opinion that this was considered to be inadequate. The Inspector concluded in paragraph 6 of the appeal decision that the proposed space, the same proposed within the current application provided for adequate sitting out area with the potential for sunlight and some outdoor storage space and no harmful conflict with policy. On this basis, no objection is raised on this basis.

**Residential Amenities:**

40. *Overlooking:* The Borough Design Guide states that a flank to rear relationship should be a minimum of 12 metres for single and two storey developments as advised in section 4.25 of the Guide. However, due to the angled nature of the site and how no. 20-22 Station Road is set within its plot, the proposed development achieves a separation distance of 11.7 metres remain as per the refused scheme at appeal. It was concluded at that time that whilst not achieving the separation distance by 0.3 metres is not significant in its own right, the cumulative impact, the proposed development was considered to erode the natural break in the street scene. The current proposal does introduce additional windows in the side elevation adjacent to 20-22 Station Road but does incorporate obscure glazing. On balance, this element of the proposal is considered to be acceptable
41. The proposal seeks for glazing on the north-east elevation and north-west elevation and a window on the side elevation facing 49 Brook Street to serve a shower room. On the opposite side of Brook Street the majority of the application site faces the parking area associated with the Police Station. Number 1 Brook Street is 12.5 metres between the first floor element of the proposed dwelling. Over the 10 metre separation distance set out in the Borough Design Guide for front to front separation distance. The proposal would also introduce windows on the side elevation adjacent to the rear of 20-22 Station Road, as noted above the separation distance is just below the guidance set out in the Borough Design Guide. Although on balance this is considered to be acceptable.
42. On the elevation facing Number 49 Brook Street at first floor a en-suite shower room is proposed, if approved it is recommended that this window be obscure glazed. On the ground floor two windows are proposed in the elevation adjacent to Number 49 Brook Street. There is a first window in the side elevation of Number 49. In the previous proposal a dressing room and bathroom window were proposed. There is some concern that these windows would be immediately adjacent to a side access but on balance this is considered to be acceptable. Finally, a ground floor window on the elevation facing the rear of 20-22 Station Road is proposed, this would overlook the enclosed courtyard and the proposed brick wall would partially screen. The proposal also includes two roof lights.
43. *Overbearing:* The current proposals are of a similar scale to proposals considered at appeal and those were not concluded to be overbearing.

44. *Loss of Light:* The proposed new dwelling will not cause any loss of daylight or overshadow any habitable windows of neighbouring properties. This was not raised as a concern within the previous refusal.

**Access and Movement:**

45. Policy CP6 of the Core Strategy seeks to manage travel demand with sustainable travel modes, appropriate vehicle parking and minimisation of traffic impacts. Policy CC07 and Appendix 2 of the MDD stipulates minimum off street parking standards, including provision for charging facilities.
46. The proposed development seeks to create access for an additional parking space over and above that which already exists to the rear of 20-22 Station Road, in order to seek to comply with the Borough Council's adopted parking standards for new dwellings. The application has been reviewed by the Council's Highway Officer who has recommended approval subject to conditions.
47. Objection was made within the refused proposals that widening the access to provide space for an off-street parking space would reduce the amount of available on-street parking spaces. Within the appeal this reason for refusal was considered to be overcome.
48. Pedestrian visibility splays have been provided which are acceptable due to the low (0.6m) wall. A condition on visibility splays being retained is proposed.
49. An area for cycle parking is shown, further information is requested via a recommended condition.
50. Due to its location, a construction method statement will be required. This will need to be secured by planning condition.

**Flooding and Drainage:**

51. Policy CC10 of the Managing Development Delivery requires sustainable drainage methods and the minimisation of surface water flow, via a Flood Risk Assessment or Surface Water Drainage Strategy. It includes the incorporation of SuDS, no impact to the sewer and the reproduction of greenfield runoff characteristics. The proposed development is in Flood zone 1 according to the Environment Agency mapping. There may be a small increase in impermeable area. The application has been reviewed by the Council's Drainage Engineer who has no objection to the principle of the development but as drainage details have not been provided and the existing drainage has not been mentioned, it is recommended that further information is submitted via a condition.

**Landscape and Trees:**

52. The Council's Landscape and Tree Officer was consulted on the application, who has no objection subject to a landscaping plan condition. The proposals include a courtyard space 5 metres x 6 metres. The addition of the courtyard with a tree helps to soften the view between the built form but there are other opportunities to provide contrast and soften the walls with well managed plants. In order to be compliant with policies CC03 and CP3, subtle planting proposals should be optimised in a

Landscape Design to include hard and soft landscaping as appropriate, the submitted information shows details of a Courtyard, whilst recommended by the Tree and Landscape Officer, a hard and soft landscaping condition is considered unnecessary given the nature of the site.

**Ecology:**

53. The application site comprises a single-storey flat- roofed workshop located in habitat which matches that where bat roosts have previously been found in the borough. It is proposed to demolish the workshop and replace it with a dwelling. The application is supported by a bat survey report (AA Environmental, November 2019). The application has been considered by the Council's Ecologist who considers the bat report to have been undertaken to an appropriate standard, the report concludes that the building is unlikely to host roosting bats. A second bat survey report (Nathan Ofsthun, September 2019) concurs with this assessment. As such, since bats (and other protected species) are unlikely to be affected by the proposals, there are no objections to this application on ecological grounds.

**Environmental Health:**

54. Noise and dust during construction activities: The proposed development is located within close proximity to residential premises. Nearby residents must be protected from noise and dust during construction activities. Environmental Health recommend a condition on minimising dust, this would form part of a Construction Method Statement.
55. Noise and vibrations: There is a railway line within 91 metres from the proposed development. Future occupants of the proposed development must be protected from noise and vibration from railway lines. Accordingly, a condition is recommended that a scheme for protecting the proposed development from noise and vibration from the nearby railway lines be submitted and agreed prior to completion.
56. Land contamination: The application site has been used as a workshop and this land use may have caused contamination. As the proposed residential use is sensitive, in accordance with the NPPF, the applicant will be required to carry out a contamination risk assessment of the site followed by remediation works if found to be necessary.
57. On this basis, conditions relating to construction hours, minimising the effects of dust, noise and vibration from the railway and contamination are recommended.

**Internal Space Standards:**

58. The National Space Standards for a two storey one bedroom dwelling is 58 square metres, the proposed dwelling is 62 square metres.

**Summary:**

The current scheme overcomes the previous reasons for refusal and addresses the comments raised by the Planning Inspector. It is acknowledged that there continues to be an objection from the Conservation Officer. On balance, the proposal is not considered to have a harmful effect on the Conservation Area based on the previous Planning Inspector's comments, provides adequate private amenity space for future occupiers and would not have a harmful impact on parking or residential amenity. It is recommended that this application is approved as it would accord with the NPPF and Wokingham Development Plan policies.

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

*In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.*

**CONCLUSION**

The proposal for a one bedroom two storey dwelling within a conservation area and is considered to be acceptable in principle. The proposal for a contemporary design was considered by the Planning Inspector to be an appropriate approach and is a material consideration to this application. The applicant has sought to address the Planning Inspector's comments with the introduction of glazing on the first floor element and the setting back the first floor element in line with No. 49 Brook Street. The proposals include the provision of private amenity space and an off-street parking space. It is therefore recommended that this application is approved as it would accord with the NPPF and development plan policies for Wokingham Borough.



## Appeal Decision

Site visit made on 18 April 2019

**by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30<sup>th</sup> May 2019

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### **Appeal Ref: APP/X0360/W/19/3221229**

### **Workshop at Land to the rear of 20 & 22 Station Road, Twyford RG10 9NT**

- 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 Ray Cook against the decision of Wokingham Borough Council.
  - The application, Ref. 181852, dated 27 June 2018, was refused by notice dated 8 August 2018.
  - The development proposed is demolition of the existing workshop and construction of a new 1-bed dwelling.
- 

### **Decision**

1. The appeal is dismissed.

### **Preliminary Matter**

2. The Council's appeal statement explains that following the submission of revised plans after the lodging of the appeal, in particular Drawing No. PL 008 Rev. C, three of the five original reasons for refusal no longer apply. However, the Council's objection remains in respect of reasons 1) and 2) of the Refusal Notice and these are reflected in the main issues below.

### **Main Issues**

3. The main issues are (i) the effect of the proposal on the character or appearance of the Twyford Railway Conservation Area, and (ii) the adequacy of the private amenity space for occupiers of the proposed dwelling.

### **Reasons**

4. Turning firstly to issue (ii), the Council has argued that the external amenity area fails on a number of matters when assessed against the Borough Design Guide. This guidance will no doubt inform development on larger sites, particularly (albeit not exclusively) greenfield sites where densities can be adjusted to secure an appropriate balance between a range of competing factors for the available land.
  5. However, I consider that in the case of a small, heavily constrained, brownfield site such as this, a reasonable compliance with the more basic assessment on page 48 of the Design Guide is all that is necessary. As the appellant's statement correctly observes, the proposed dwelling is a one bedroom property
-

and would be occupied by no more than two people, quite possibly a couple seeking ready access to the train station for commuting.

6. The proposed courtyard is roughly rectangular in shape; it provides cycle storage facilities and I consider it both provides an adequate sitting out area with the potential for sunlight and some outdoor storage space, these being the most relevant considerations for any likely prospective occupiers. And the fundamental point is that such occupiers will only choose to live there if in their opinion the courtyard is adequate for their needs. I therefore see no harmful conflict with Policies CP1 & CP3 of the Wokingham Borough LDF Core Strategy 2010; the Borough Design Guide, and paragraph 127f) of the updated National Planning Policy Framework 2019 ('the Framework').
7. Returning to the first issue, the Council says in paragraph 3.10 of its Appeal Statement that it '*acknowledges that the use of contemporary design within historic contexts is a worldwide common practice with many positive examples*'. However, it then proceeds to argue that the introduction of a contemporary, flat roofed detached building would have a standalone appearance at odds with the uniformity and strong design coherence of the late C19th red brick two storey terraces. This assessment is subsequently augmented by a number of detailed points as to why the development would be harmful.
8. It seems to me that the Council's criticism of the proposal is in this case so comprehensive that it is tantamount to a rejection of its earlier acknowledgement that contemporary and traditional design can harmoniously co-exist. This is illustrated by the conclusion in paragraph 3.14 of the Statement that, rather than providing a positive contrast in the Conservation Area, the main elements '*would compete for visual attention, diminishing the importance and visual hierarchy of the Brook Street terraces*'.
9. However, in my view this conclusion fails to give appropriate weight to the existing negative contrast of the site and its surroundings with the wider conservation area. Whilst to the south west of the appeal site there is the attractive terraced housing, the site itself is a dilapidated existing workshop and is positioned within the more open area between the terraces and the junction with Station Road. With its hotchpotch of rear elevations, outbuildings, garages and parking areas this area joins the workshop in harmfully compromising the quality of the townscape.
10. Whilst I acknowledge that the sharp contrast between a dwelling of overtly contemporary design and the Victorian terraces of Brook Street will inevitably draw the eye, the appeal scheme will provide a building and curtilage with a high quality design and layout of appropriate scale in a highly accessible and sustainable location. It would be far better than a pastiche of the existing nearby buildings. Furthermore, the benefit of an extra dwelling on this windfall site with its highly sustainable location is in my view a given and I see no need for discussion as to housing need and land availability in order to justify it. Moreover, the grounds of appeal quote extensively from the Framework and these extracts also provide a wide ranging basis of support for the principle of the proposal.
11. With all that said, there are in my view two drawbacks to the proposal that must be afforded considerable weight if the building, which will draw the eye

because of its marked contrast, is to be perceived positively rather than negatively. Both of these relate to the first floor addition, which because it would be the only two storey element in the gap between the rear of 20 & 22 Station Road and the flank of No. 49 Brook Street, would be of particular visual significance.

12. The proposed timber and glazed first floor was *'selected purposefully to respond to the traditional choice of red brick and offer a distinct contrast with the surrounding properties'*. However, whilst a contrast in materials is needed to support the contemporary design, I query whether timber cladding is appropriate to this urban setting and within this particular conservation area.
13. As regards the setting, I regard the prominent use of timber on a building to be more in keeping in either a well treed suburban or a rural area where it would relate both symbiotically and positively to its sylvan context. In terms of the conservation area, the authenticity of the contemporary architecture would be endorsed by the use of a material that resonates with the fact that (as stated in paragraph 3.6 of the Council's Statement) *'this part of Twyford was developed in response to the introduction of the railway to the area, and the terrace cottages and shops built over a relatively short period, providing accommodation and facilities for workers associated with the GWR mainline'*.
14. Alternatively, or in addition, the much greater glazing of the building than proposed would be neutral in relation to the character of the conservation area but would provide an opportunity to positively 'refresh' it. Glass is perceived as being more 'lightweight' and would offset the potential for the solidity and bulk of the building's rectilinear form, particularly the flat roof, to read uncomfortably against the attractive Victorian terraces. The fact that it would literally reflect at least some of these buildings would also be an enhancement of the road. However, irrespective of these possible alternatives, the essential point in this appeal is that I do not consider the proposed timber cladding of a building of this design would either be a positive feature in the street scene or serve to preserve the character and appearance of the conservation area.
15. The second drawback is the infringement the adjoining terrace's building line through the half metre projection of the first floor in front of the flank of No. 49. I agree with the Council's argument on this point, and whilst I accept that the projection is in itself modest, it would have a disproportionately jarring effect – particularly in views when approaching the site from the junction with Station Road.
16. Ideally there needs to be a metre set back, although bearing in mind this may preclude development because of the need to acquire third party land I consider that a lining-in with the frontage of the terrace could be acceptable. In my view this would still be achievable despite the small size of the site. For example, if the bedroom and bathroom were to be on the first floor this would enable the open plan living room / kitchen area to be accommodated at ground floor level with the same living space as at present. There would be some loss of natural light and aspect but this would be balanced by an improved and more practicable relationship with the courtyard.
17. Whether or not such alternatives are both feasible and acceptable to the parties in this appeal, I conclude on issue (i) that despite supporting the principle of a

contemporary development on the site, in its present form the proposal would have a harmful effect on the street scene and would fail to preserve the character and appearance of the conservation area. This would be in harmful conflict with Policies CP1 and CP3 of the Core Strategy ; Policy TB24 of the Wokingham Managing Development Delivery Local Plan 2014; the Borough Design Guide, and Government policy in the Framework - in particular Section 16: 'Conserving and Enhancing the Historic Environment'.

18. Pursuant to my conclusion on the effect on the conservation area, because the development is on only one site the harm caused to this designated heritage asset would be '*less than substantial*' as referred to in the Framework. I have carried out the balancing exercise required by paragraph 196 and have already made clear that I regard the addition of a dwelling on this site as a public benefit. However, this would not outweigh the harm caused, not least because, as I have indicated, I consider that there is the potential for an alternative option that would enable the development without the harm resulting from the current scheme.

### **Conclusion**

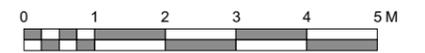
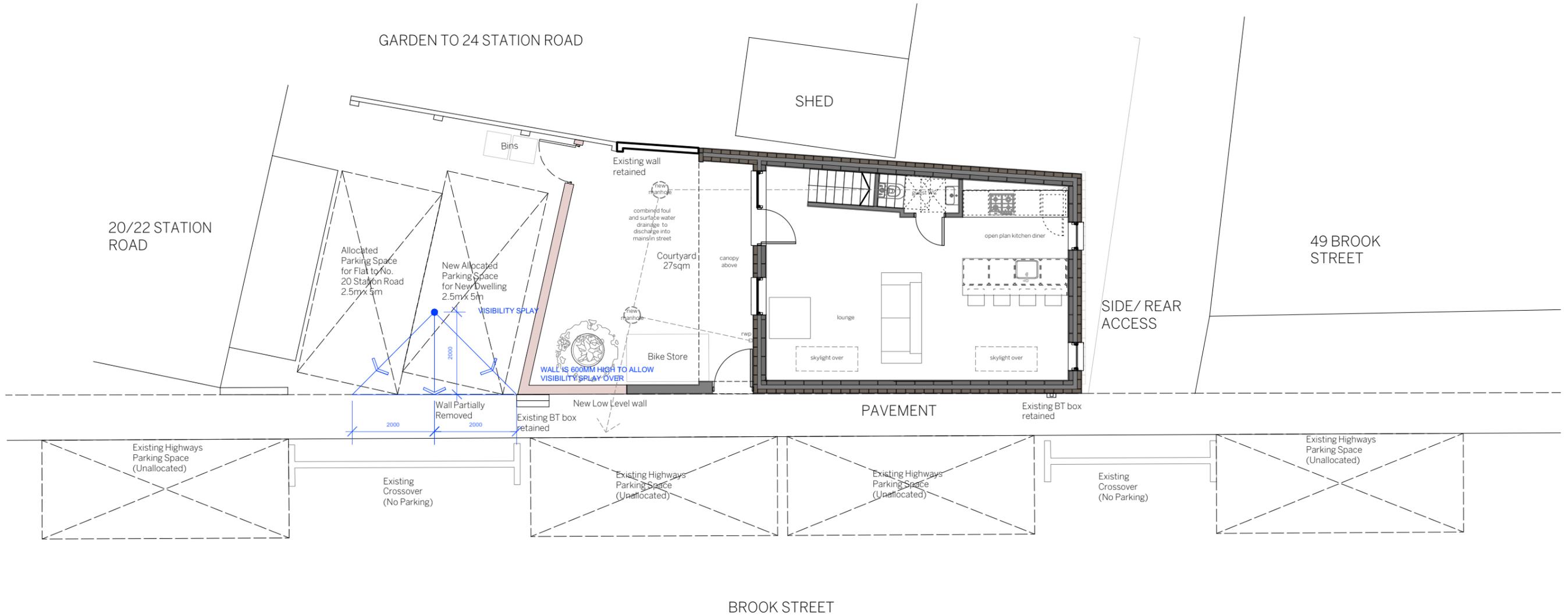
19. For the reasons explained and having had regard to all other matters raised, the appeal is dismissed.

*Martin Andrews*

INSPECTOR



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**General Notes**  
 1. ISSUED ONLY FOR PURPOSE INDICATED.  
 2. THIS IS TO BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS INFORMATION.  
 3. CHECK SITE CONDITIONS PRIOR TO COMMENCEMENT OF WORK  
 4. ANY DISCREPANCIES TO BE REPORTED DIRECTLY TO THE ARCHITECT  
 5. ALL DIMENSIONS TO BE CHECKED ON SITE.  
 6. THIS DRAWING IS COPYRIGHT.  
 7. DO NOT SCALE OFF DRAWING. USE FIGURED DIMENSIONS ONLY.

**Revisions:**  
 REV DATE DESC  
 B 16/01/2020 D500 Block plan removed  
 C 18/01/2020 GENERAL REVISIONS  
 D 23/01/2020 GENERAL REVISIONS  
 E 18/03/2020 Wall Height changed to 600mm

DRAWN CHECKED

Project name:  
 BROOK STREET DEVELOPMENT

Client:  
 MR RAY COOK

Status:  
 PLANNING

Job No:  
 16.111

Description:  
 PROPOSED SITE PLAN

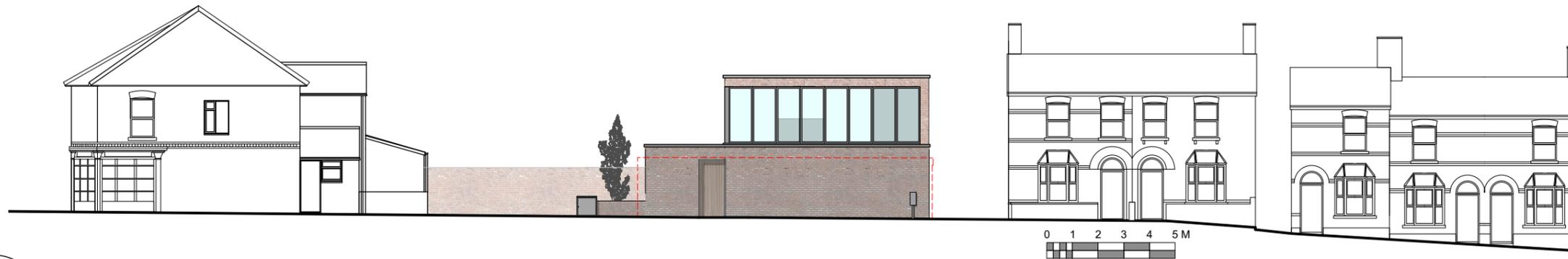
Date:  
 AUG 2019

Scale:  
 1:100

Drawing No:  
 PL 107

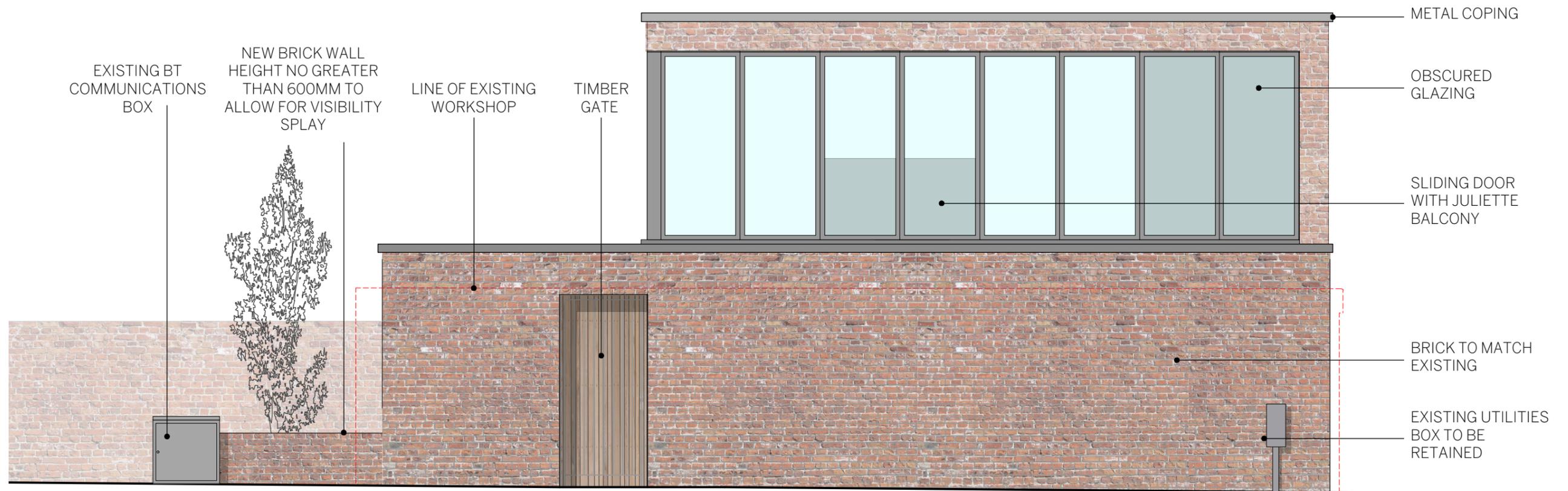
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1 PROPOSED STREET ELEVATION  
PL 110 1:200

53



2 PROPOSED FRONT ELEVATION  
PL 110 1:50



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PLANNING REF : 192280  
PROPERTY ADDRESS : PO Box 8250  
: Reading  
: RG6 9SZ  
SUBMITTED BY : Twyford Parish Council  
DATE SUBMITTED : 06/03/2020

COMMENTS:

The committee are not in agreement of the plans being approved and support the residents in their views and comments.

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Application Number	Expiry Date	Parish	Ward
193047	31/05/2020	Wargrave	Remenham, Wargrave and Ruscombe;

<b>Applicant</b>	Mr Lyon
<b>Site Address</b>	GTO House, Floral Mile, Bath Road, Hare Hatch, RG10 9ES
<b>Proposal</b>	Full application for the proposed erection of a workshop including associated office accommodation and storage following demolition of existing outbuildings.
<b>Type</b>	Full
<b>PS Category</b>	3
<b>Officer</b>	Mark Croucher
<b>Reason for determination by committee</b>	Major application

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 13 May 2020
<b>REPORT PREPARED BY</b>	Assistant Director – Place

<b>SUMMARY</b>
<p>The proposed development comprises the demolition of existing buildings on site and the erection of a new workshop building for the service and restoration of motor vehicles (Class B2 use) with ancillary office accommodation and storage use.</p> <p>There will be no significant net gain in built development on the site as existing buildings will be demolished to compensate for the new structure. The proposed building will be single storey and will be situated behind the main building on site. It comprises of a low key design and will not be overly prominent within the landscape. Overall, the proposal will have an acceptable impact on the openness of the Green Belt and is not inappropriate development.</p> <p>The development is considered acceptable in all other respects subject to conditions. 1 – 15 and a legal agreement securing an Employment Skills Plan. The development overcomes the previous reasons for refusal set out in the application ref: 190063 and associated dismissed appeal decision.</p>

<b>PLANNING STATUS</b>
<ul style="list-style-type: none"> <li>• Green Belt</li> <li>• Countryside</li> <li>• Green Route Enhancement Area (Bath Road)</li> </ul>

<b>RECOMMENDATION</b>
<p><b>That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following:</b></p> <p><b>A. Completion of a legal agreement to secure an Employment Skills Plan.</b></p> <p><b>B. Conditions and informatives:</b></p> <p><i>Conditions:</i></p>

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. The use of the site hereby approved shall only be occupied and used by the applicant known as 'GTO Engineering' for the carrying out of vehicle restoration & repairs and other ancillary functions connected to the business and shall at no time be used for any other uses.

*Reason: to maintain the openness of the Green Belt, the character and appearance of the area and the amenity of neighbouring residents and uses.*

3. Approved Plans

The plans hereby approved are 14013-10-000, 1910 01B, 1910 02, 1910 03, and 1910 04 received by the Local Planning Authority on 15.11.2019 and 20.11.2019.

*Reason: for the avoidance of doubt.*

Material samples/details

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.*

Scheme for landscaping

5. 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: To ensure adequate planting in the interests of visual amenity. Relevant*

Tree protection details

6. a) No development or other operation shall commence on site until a scheme which provides for the retention and protection of trees, shrubs and hedges growing on or

adjacent the site in accordance with BS5837: 2012 has been submitted to and approved in writing by the local planning authority (the Approved Scheme); the tree protection measures approved shall be implemented in complete accordance with the Approved Scheme for the duration of the development (including, unless otherwise provided by the Approved Scheme) demolition, all site preparation work, 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.

b) No development (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) shall commence until the local planning authority has been provided (by way of a written notice) with a period of no less than 7 working days to inspect the implementation of the measures identified in the Approved Scheme 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 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.*

#### Drainage

7. 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.*

#### Ecology

8. Demolition of Building 3 (as identified in the Ecological Appraisal, Rev 5, Clarke Webb Ecology Limited, 26 November 2019) shall not commence until a licence for development works affecting bats has been obtained from the Statutory Nature Conservation Organisation (Natural England) and a copy has been submitted to the council. Thereafter mitigations measures approved in the licence shall be maintained in accordance with the approved details. Should the applicant conclude that a licence for development works affecting bats is not required for all or part of the works the applicant is to submit a report to the council detailing the reasons for this assessment and this report is to be approved in writing by the council prior to commencement of works.

*Reason: The building hosts a bat roost which may be affected by the proposals. This condition will ensure that bats, a material consideration, are not adversely impacted upon by the proposed development.*

9. No development shall commence until a report detailing the lighting scheme and how this will not adversely affect wildlife has been submitted to and approved in writing by the LPA. The report shall include the following figures and appendices: A layout plan with beam orientation
- a. A schedule of equipment
  - b. Measures to avoid glare
  - c. An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of importance for commuting and foraging bats.
  - d. The approved lighting plan shall thereafter be implemented as agreed.

*Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with para 180 of the NPPF.*

10. The biodiversity enhancements (bird and bat boxes, native hedgerow and wildflower planting) detailed in section A9 of Appendix 1 of the Ecological Appraisal (Rev 5, Clarke Webb Ecology Limited, 26 November 2019) are to be installed / planted under the supervision of a suitably qualified ecologist. A brief letter report confirming that the biodiversity enhancements have been installed, including a simple plan showing locations and photographs is to be submitted to and approved in writing by the Council.

*Reason: To incorporate biodiversity improvements in and around developments in accordance with paragraph 175 of the NPPF.*

#### Parking and turning space to be provided

11. 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.*

Cycle parking to be provided

12. 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: To promote sustainable transport.*

Travel Plan

13. Prior to the commencement of the development a Travel Plan shall be submitted to and approved in writing by the local planning authority. The travel plan shall include a programme of implementation and proposals to promote alternative forms of transport to and from the site, other than by the private car and provide for periodic review. The travel plan shall be fully implemented, maintained and reviewed as so-approved.

*Reason: To promote sustainable transport and minimise the impact of additional vehicle movements.*

Environmental Health

14. No development shall take place until details of a scheme (Construction Method Statement) to control the environmental effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-

- (i) the control of noise
- (ii) the control of dust, smell and other effluvia
- (iii) the control of rats and other vermin
- (iii) the control of surface water run-off
- (iv) the proposed method of piling for foundations (if any)
- (v) proposed construction and demolition working hours
- (vi) hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site.

The development shall be carried out in accordance with the approved scheme.

*Reason: In the interests of the amenities of the area.*

15. The building hereby approved shall not be occupied for any use until the existing buildings on the site are demolished in accordance with drawing ref: 1910 01B titled 'proposed site plan'.

*Reason: To ensure the proposal is appropriate development within the Green Belt.*

16. No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological works, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority.

*Reason: The site lies within an area of archaeological potential; the Condition will ensure the satisfactory mitigation of any impacts upon buried archaeological remains accordance with national and local planning policy.*

17. Prior to the commencement of development a scheme demonstrating a 10% reduction in carbon emissions through the use of low carbon and/or renewable technology shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

*Reason: to mitigate climate change and contribute to sustainable development.*

*Informatives:*

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. As an affordable housing development a claim for relief can be made. This is a matter for the developer. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see - <http://www.wokingham.gov.uk/planning/developers/cil/cil-processes/>.
2. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
3. The requisite Travel plan would need to comply with the latest national and local guidance:
  - 1) NPPF Section 9 (Sustainable Transport)
  - 2) The Essential Guide to Travel Planning (DfT, March 2008)
  - 3) Delivering Travel Plans Through the Planning Process (DfT, April 2009)
  - 4) A Guide on Travel Plans for Developers (DfT)
  - 5) Making Residential Travel Plans Work (DfT, June 2007) All accessible at:  
<http://www.dft.gov.uk/pgr/sustainable/travelplans/>  
<https://www.gov.uk/government/policies/improving-local-transport>  
WBC Transport Plan 3 and Active Travel Plan 2011 – 2026  
WBC Workplace Travel Plan Guidance and Residential Travel Plan Guidance

Documents, covering workplace travel plans and residential travel plans provide local guidance and are available on the Borough's website.
4. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist 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.

<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
07486	Proposed office extension	Refused: 1978. Appeal allowed.
F/2007/0595	Two storey side extension to an office - for the headquarters building	Refused: 20/04/2007. Appeal allowed.
F/2013/1025	Demolition of Mabey HQ and associated buildings, and proposed erection of 70- bedroom Care Home with 39 parking spaces and vehicular access	Refused 29.08.2013
F/2014/2157	Application for temporary planning permission for 3 years to allow the erection of a modular structure for the use by GTO Engineering for the service repair and restoration of motor vehicles (B2) use	Withdrawn.
F/2014/2768	Proposed demolition of existing buildings and the erection of a two storey extension to existing office building for the service repair and restoration of motor vehicles (Use Class B2) with ancillary accommodation car parking and landscaping	Withdrawn
170107	Full application for the proposed erection of new service, repair and restoration motor vehicle centre (Use Class B2) with ancillary parking and landscaping following demolition of existing buildings.	Refused: 10.01.2018
190063	Full application for the proposed erection of restoration motor vehicle building including associated office and storage space, plus change of use of existing buildings with ancillary parking and landscaping following demolition of existing buildings.	Refused: 08.03.2019. Appeal Dismissed: 13.12.2019.

### **SUMMARY INFORMATION**

#### **For Commercial**

Site Area:	2.18 ha.
Previous land use(s) and floorspace(s):	B1 (offices) 2,095 sqm
Proposed floorspace of each use:	B2 (general industrial) 2,095 sqm
Change in floorspace (+/-):	0 sqm
Number of jobs created/lost:	>22
Existing parking spaces:	59
Proposed parking spaces:	59 (not including 4 additional motorcycle & 14 cycle spaces)

### **CONSULTATION RESPONSES**

WBC Biodiversity	No objection subject to condition.
WBC Drainage	No objection subject to condition.
WBC Environmental Health	No objection subject to condition.
WBC Highways	No objection subject to conditions.
WBC Tree & Landscape	No objection subject to conditions.
Thames Water	No objection.
SGN	No objection.

<b>REPRESENTATIONS</b>
<b>Town/Parish Council:</b> Wargrave Parish Council had no objection to this application. Note: a condition is requested requiring a landscaping scheme to maintain a screen when viewed from the A4 to minimise impact.
<b>Local Members:</b> No comments received
<b>Neighbours:</b> No comments received

<b>APPLICANTS POINTS</b>
<ul style="list-style-type: none"> <li>• There would be no material volume increase in built development on the site.</li> <li>• It is appropriate development within the Green Belt.</li> <li>• GTO is local business and the development would allow it to continue and thrive.</li> <li>• Landscaping can be incorporated to soften the impact of the development.</li> <li>• The development would improve the appearance of the site.</li> <li>• The development will assimilate into the character and appearance of the area.</li> <li>• There would be no impact on local residents.</li> <li>• The proposal is acceptable in all other aspects.</li> </ul>

<b>PLANNING POLICY</b>		
National Policy	<b>NPPF</b>	National Planning Policy Framework
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP2</b>	Inclusive Communities
	<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 development limits (including countryside)
	<b>CP12</b>	Green Belt
	<b>CP15</b>	Employment Development
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 and Construction

	<b>CC05</b>	Renewable energy and decentralised energy networks
	<b>CC06</b>	Noise
	<b>CC07</b>	Parking
	<b>CC09</b>	Development and Flood Risk (from all sources)
	<b>CC10</b>	Sustainable Drainage
	<b>TB01</b>	Development within the Green Belt
	<b>TB11</b>	Core Employment Areas
	<b>TB12</b>	Employment Skills Plan
	<b>TB20</b>	Service Arrangements and Deliveries for Employment and Retail Use
	<b>TB21</b>	Landscape Character
	<b>TB23</b>	Biodiversity and Development
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide – Section 4

<p><b>PLANNING ISSUES</b></p> <p><b>Description of Development:</b></p> <p>1. The proposed development comprises the demolition of the existing buildings on site and the erection of a new workshop building for the service and restoration of motor vehicles (Class B2 use) with ancillary office accommodation and storage use.</p> <p><b>Principle of Development:</b></p> <p>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 (MDD) 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.</p> <p>3. The application site is within the Green Belt. Paragraph 145 of the NPPF states the construction of new buildings is inappropriate development in the Green Belt apart from the exceptions listed. The relevant exception under consideration for this application is set out in para 145(g). This states the following is not inappropriate development:</p> <p><i>‘limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.’</i></p> <p>4. The re-development would result in other buildings on site being demolished and it is stated in the submission that the total net volume of development on the site would be unchanged and numerically the same. This is because the demolition of the other existing buildings would compensate/offset for the erection of the proposed building.</p>
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5. Whilst the volume may be the same, the development could still have a greater impact on the Green Belt by reason of a more prominent siting or design. The proposed structure would be situated behind the main building on the site. Whilst the building will spread away from the main building, it will have a lower profile. The proposal will have a relatively simple pitch roof form and elevation detailing. This would assist the building in appearing discrete in the landscape and maintaining the existing main building as the focal point for the site.
6. The proposed development differs from the previously dismissed appeal decision (ref: 190063) in-so-far as being lower in height; reduced in width; comprising of a more sympathetic design and including the demolition of other buildings on the site to compensate for the proposal.
7. Overall, the proposal is considered not to be inappropriate development within the Green Belt because it would not have a greater impact on the Green Belt than the existing development on the site. It therefore complies with para 145 of the NPPF and the exceptions listed.
8. As the development is also within the countryside, it is assessed against policy CP11 of the Core Strategy. The policy states:  
  
*'in order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development limits will not normally be permitted except where: 1) It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside; and 2) It does not lead to excessive encroachment or expansion of development away from the original buildings;*
9. The proposal meets criterion 1 as the development would contribute to a business enterprise in a rural location. The site has been well established to be in commercial use. With regard to criterion 2 of CP11, it is considered that the proposed redevelopment would not lead to excessive expansion away from existing buildings. The reasons for this have been partially set out at the beginning of this section and are also explained in the next section of this report.
10. The NPPF states that planning decisions should enable *'the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings'* – Therefore the sustainable redevelopment of an existing business premise in the countryside is acceptable in principle.
11. The proposed redevelopment would change the use of the site from a B1 (office) use to a B2 (general industrial). The application has been assessed on the basis of GTO occupying the site. The business is a local employer and their general operation is known to principally occur within the buildings. As a B2 use includes a broad spectrum of operations and the entire site would benefit from a change of use, it is considered necessary for a personal condition to be recommended so that the openness of the Green Belt is maintained, along with the character and area of the countryside. Condition 2 is therefore recommended accordingly.

12. It is considered that the principle of re-developing the site is acceptable subject to the material considerations set out elsewhere in this report.

#### **Character of the Area:**

13. Policy CP1 of the Core Strategy states that planning permission will be granted for development proposals that *'maintain or enhance the high quality of the environment'*. Policy CP3 of the Core Strategy states planning permission will be granted if development is *'of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design'* and contributes *'to a sense of place in the buildings and spaces themselves and in the way they integrate with their surroundings (especially existing dwellings) including the use of appropriate landscaping'*. The supporting text to policy CP3 also sets out that development should be of a high standard of design that can integrate with the character of the area as this is important to achieving sustainable development.

14. The proposed structure would be positioned behind the existing main building on the site. It would replace an existing building with an arced shaped roof and other buildings elsewhere on site. Whilst the structure would have a wider frontage than the main building, it would have a lower profile and would be set back by approximately 26m.

15. The design of the building is relatively simple with brick elevations and limited articulation. It is considered that this is appropriate for the site as it maintains the main building as the focal point for the site. The restrained design also helps the building tie into countryside character of the area, which comprises of other simple rural and horticultural buildings.

16. It is considered that the siting and design of the proposed building would have an acceptable impact on the character and appearance of the area.

#### **Residential Amenities:**

17. The proposed use of the site is for B2 usage. There is 1 residential property located to the south west called Mulbery House. The proposed building will be located 120 metres away from this property and will not result in any detrimental impact with regard to overlooking; loss of privacy or over shadowing.

18. With regard to noise and disturbance, the commercial operations are intended to take place within the building. The Environmental Health Team has raised no objection to the proposal with regard to noise and disturbance. As set out above, a personal condition is recommended so that any other B2 use would require planning permission and the impact of that use assessed accordingly.

19. The other neighbouring land uses are commercial and agricultural and it is not considered that the proposed building would impact the amenity of any other neighbouring land uses.

#### **Access and Movement:**

20. The development will utilise the same the vehicle access arrangement onto Bath Road as existing, which is not known to have any detrimental safety issues.

21. The existing site has 59 parking spaces and this would not be altered because the level of parking required to serve the new building can be accommodated. An additional 14 cycle parking spaces are proposed to encourage sustainable modes of transport.
22. The proposed quantum of commercial floor space on the site is materially similar to the existing arrangement. The supporting Transport Statement does however state that there would be an increase of staff on the site from 40 to 60. This is marginally different to the application form which states there would be an increase in staff from 36 to 58. Overall, there would be an increase in staff of between 20 – 22 employees.
23. In the morning, the majority of staff arrive on site before the typical highway peak between 0700 and 0800. In the evening, many of the staff will be departing the site during the highway peak hour (1700 to 1800) with a select few working later into the evening. With the increase of staff, this will see circa 50 two-way vehicle movements (50 arriving in the morning peak with 50 departing in the evening peak). The increase of 22 staff would likely generate 17 - 19 of these morning and evening vehicle movements. The council's Highway Engineer has considered this increase and has raised no objections due to the negligible impact.
24. The site is located outside of settlement limits and in an area with limited sustainable public transport links. The Inspector for the previous appeal (ref: 190063) made the same observation while dismissing the appeal.
25. Whilst the previous Inspector considered the site to be poorly located with regard to promoting sustainable travel choices, the development is now volumetrically the same as the existing buildings on site. The increase in staff numbers could occur now given that the overall size of commercial floor space would remain materially similar. In the previous application the increase in size was considered to be 150% and it was this uplift in commercial activity, outside of settlement limits and employment areas that resulted in the objection from the council. This level of commercial intensification is not proposed now.
26. As the amount of commercial volume would be the same as existing, it is considered that the proposed development will not conflict with the sustainable location and transport objectives set out in the development plan.

**Flooding and Drainage:**

27. The application is for major development therefore a Flood Risk Assessment (FRA) has been submitted. The site is in Flood Zone 1 where the risk of fluvial flooding is low. The application form states that foul sewage from this development will be into a foul sewer network while surface water runoff will be managed via soakaway. The Drainage Engineer has raised no objection with regard to flooding and drainage subject to condition 7.

**Landscape and Trees:**

28. The site is located to the north of Bath Road (A4) which is a Green Route Enhancement Area. The site is in the countryside outside of any settlement boundary, and in the Green Belt. It is located within Wokingham District Landscape Character

Assessment Area (WDLCA) H1 'Wargrave-Twyford Arable Chalk Lowlands' with the following typical characteristics;

- Dominated by intensive working arable farmland, including market gardening, defined by extensive field units of no apparent pattern and with no obvious boundary divisions.
- Farmland with strong sense of openness and homogeneity due to the lack of field divisions or vertical elements across the landscape and maintains separation between and setting of settlements
- Views to the wooded knolls at Bowsey Hill create some sense of distant enclosure in an otherwise exposed landscape.
- Transport corridors both road and rail including the A4T and A3032 running through the landscape create a sense of disturbance in an otherwise peaceful landscape.
- Enclave of plant nurseries with their associated car parks along the A4 Bath Road

29. The landscape is considered to have a moderate quality and character due to distinct flat shelving landform. The strategy is to enhance landscape character, and there are management opportunities to improve the condition, intactness and presentation of the farmed landscape without affecting the sense of openness. The overall moderate sensitivity is a result of varied scope for the recreation of landscape elements but within this context there are some highly sensitive elements such as the perceptual open quality of the landscape and its physical contrast to the surrounding hills. Issues include; hedgerow loss, soil erosion and lack of traditional landscape management associated with the loss of small farms. Loss and fragmentation of native deciduous woodland and chalk grassland. Ongoing threat from built development and amalgamation of settlements and suburbanisation of the countryside.

30. The Inspector for the previous dismissed appeal decision stated in the decision letter that, '*the removal of areas of hardstanding and provision of more landscaping would be a benefit of the scheme, but this would not override or compensate for the identified harmful effects.*' A landscaping scheme on the site is secured by recommended conditions 5 and 6.

31. One tree is being removed which is part of group of sycamores. This tree is not visible from the public realm as it is located behind the main building on the site. It is considered that the tree removal can be mitigated given the space on the site for additional planting and landscaping. This is secured by recommended condition 5.

32. The Tree and Landscape Officer has advised that the objection to the previous application was based on the size of the proposed building. Now this is considered acceptable, there are no landscape objections to the application.

33. It is considered that the proposed development will have an acceptable impact and additional landscaping opportunities can be incorporated.

#### **Environmental Health:**

34. The application site is mainly located on previously developed land. The Environmental Health Team has considered the proposal and raised no objection

subject to a condition 14. Impacts regarding noise and disturbance have been previously set out in paragraphs 17 – 19.

**Ecology:**

35. An Ecology Report (Clarke Webb Ecology Limited, November 2019) has been undertaken and details a series of bat surveys carried out in 2012, 2016, with the most recent site walkover update in 2019. The report concludes that the building identified in the report as “Building 3 (B3)” hosts an occasional day roost for an individual soprano pipistrelle bat. The other outbuildings on the site are unlikely to host roosting bats, however, GTO House (which is to be retained) hosts a small maternity roost for common pipistrelle bats and a day roost for brown long-eared bats.
36. The council’s Ecologist has reviewed the proposal and raises no objection subject to conditions 8 - 10 which includes mitigation measures and a licence from Natural England. The application is considered acceptable in ecology terms.

**Archaeology:**

37. Berkshire Archaeology have advised that there are potential archaeological implications associated with this application as this is a reasonably substantial development within an area of archaeological potential. The Historic Environment Records show find spots of Prehistoric, Roman and Medieval date, recorded during the East Berkshire Archaeological Survey. Although little excavation has been undertaken in the vicinity of the proposal site, the find spots indicate there to be potential for unknown archaeological remains within this area. As such they have advised that condition 16 is recommended to mitigate potential archaeological impacts.

**Sustainable Design/Construction:**

38. Policy CC04 of the MDD Local Plan states that all new non-residential proposals of more than 100 sqm gross floor space shall at least achieve the necessary mandatory Building Research Establishment Assessment Method (BREEAM) requirements or any future national equivalent. Policy CC05 of the MDD Local Plan states that development for non-residential proposals of more than 1,000 sq m gross floorspace or above must deliver a minimum 10% reduction in carbon emissions through renewable energy or low carbon technology.
39. A Sustainability & Energy Statement has been submitted with the application which states the building can achieve a BREEAM rating of ‘Very Good’ and deliver a 10% reduction in carbon emissions through the use of low carbon and/or renewable technology. Whilst no detailed assessment of how the development would achieve this have been provided, it is considered that this can be secured by recommended condition 17.

**Employment Skills:**

40. An Employment Skills Plan is required by policy TB12 because it is Major Application. Given the quantum of development, the ESP should secure 1 Job created to be either a job post or an apprenticeship and this may be carried out either during the construction period or after construction is complete as part of normal business

activity. They must also carry out the 3 community skills support activities in addition to this. This will be secured by a legal agreement.

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

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.

### **CONCLUSION**

There will be no net gain in built development on the site as existing buildings will be demolished to compensate for the new structure. The proposed building will be single storey and will be situated behind the main building on the site. It comprises of a low key design and will not be overly prominent within the landscape. Overall, the proposal will have an acceptable impact on the openness of the Green Belt and is not inappropriate development. The principle objection for the previous application and dismissed appeal decision are therefore considered to be overcome.

The development is also considered to have an acceptable impact with regard to neighbour amenity; highway safety; accessibility; drainage; ecology; environmental health; archaeology and sustainable design and construction.

The development is considered acceptable in all respects subject to the recommended conditions and legal agreement.

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Notes:

Rev:	Description:	Date:	Dwn:	Chk:	Iss:
1	Planning		NP	NP	TH



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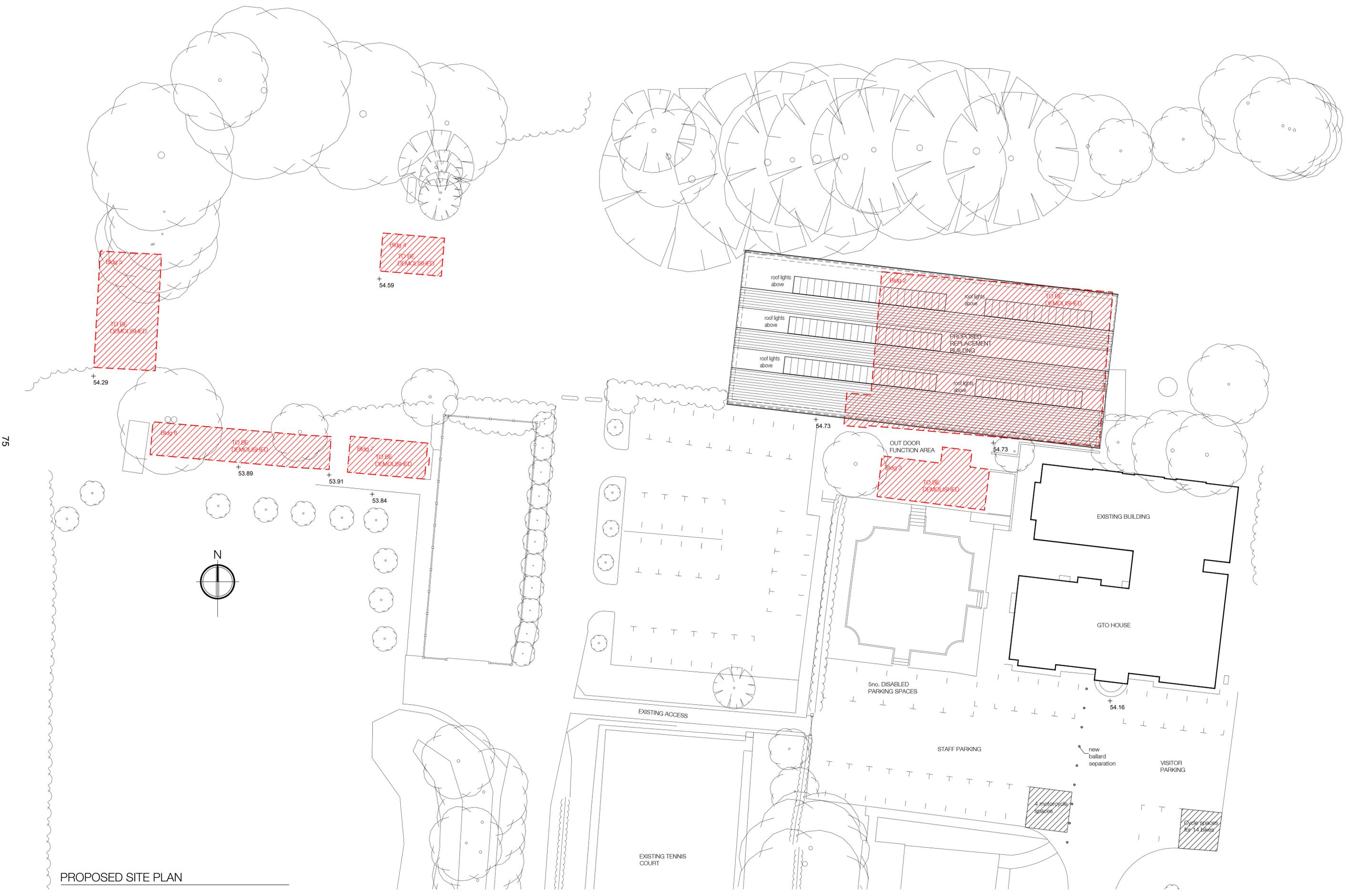
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Title: SITE LOCATION PLAN

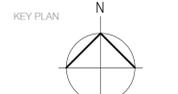
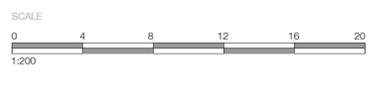
hamiltons architects

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Date: 07-01-19	Drawn: NP	

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PROPOSED SITE PLAN



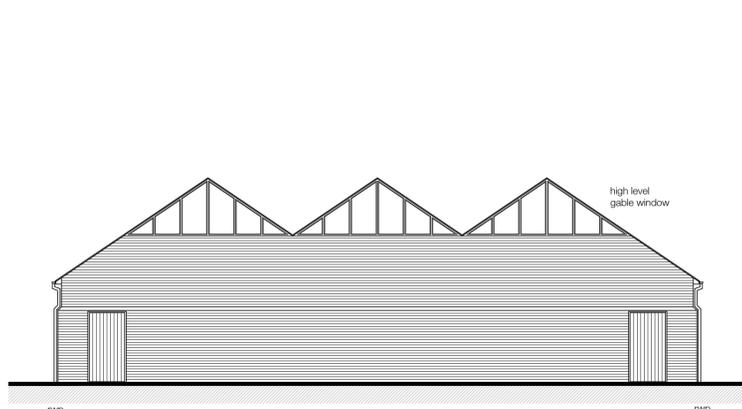
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B	Additional information added

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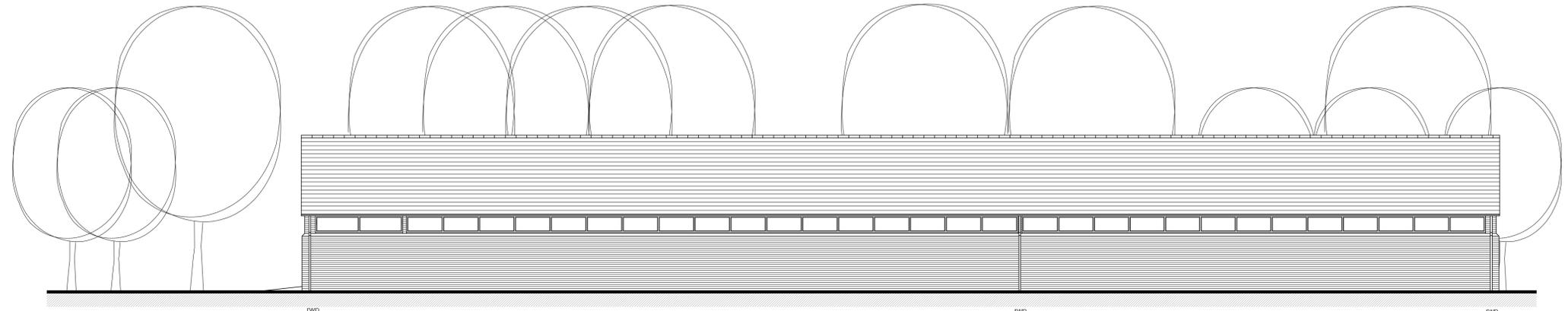
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DRAWING	Proposed Site Plan	
NUMBER	1910 01	DATE Aug 19
SCALE	1:200	PAPER A1

**DANKS BADNELL**
  
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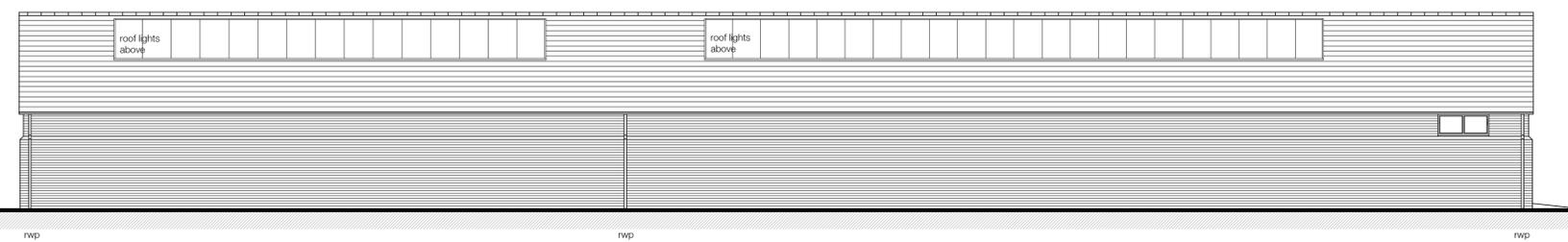
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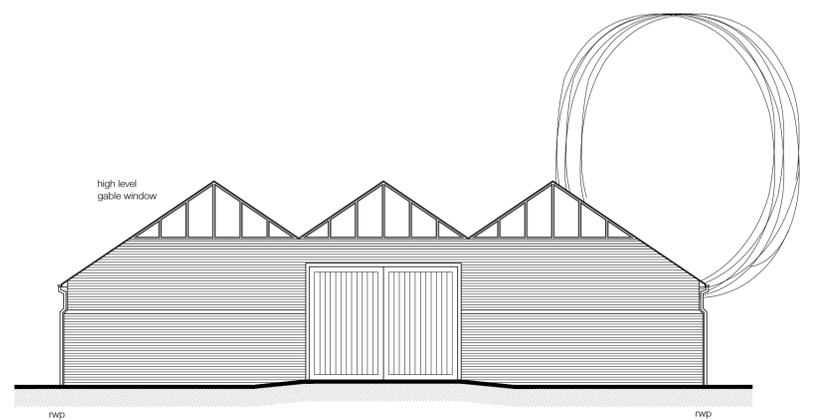
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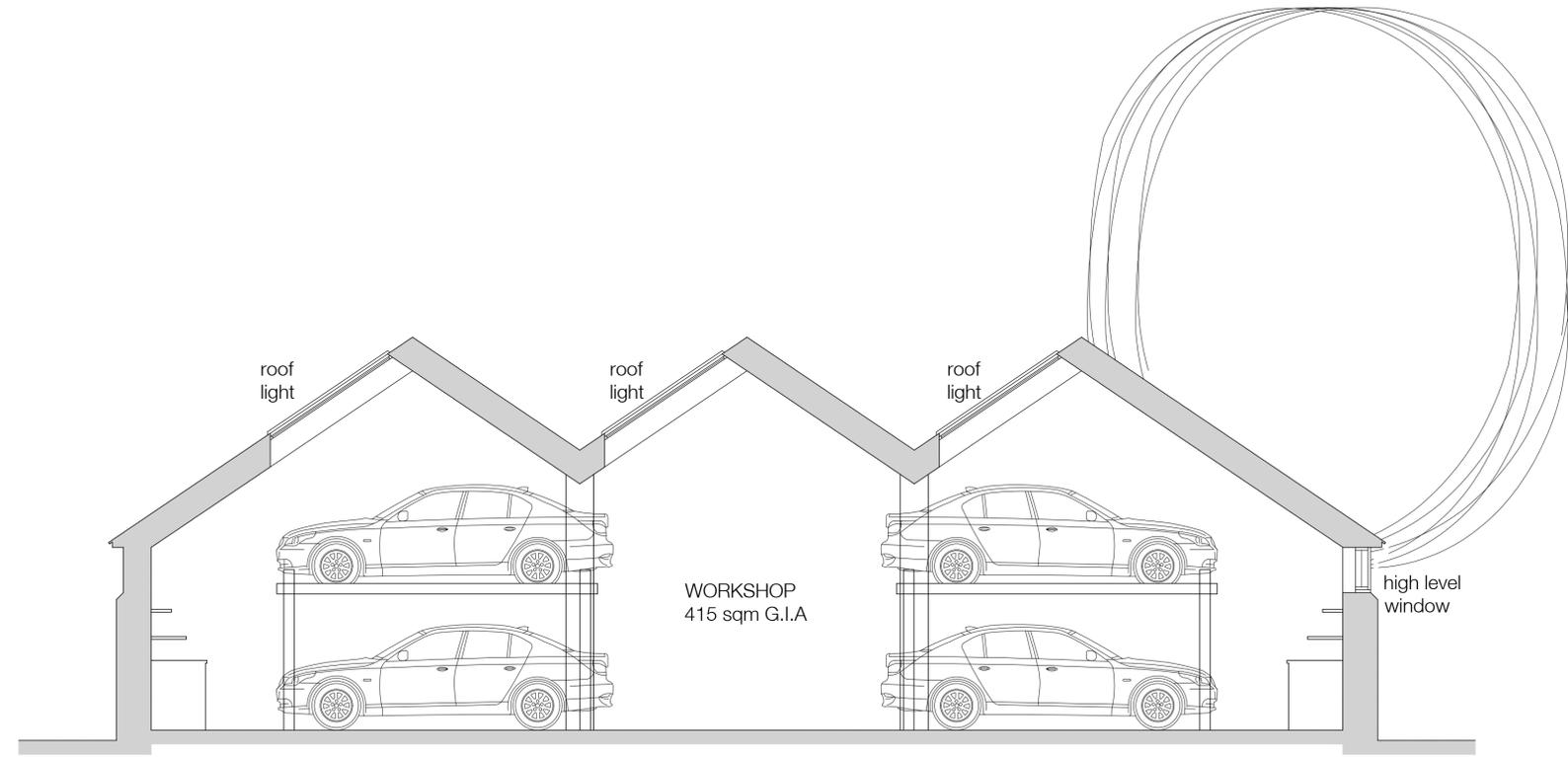
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SOUTH ELEVATION

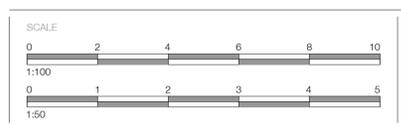


WEST ELEVATION



SECTION

PROPOSED ELEVATIONS & SECTION



KEY PLAN

REVISIONS

SITE GTO Engineering  
 DRAWING Proposed Elevations & Section  
 NUMBER 1910 03 DATE Aug 19  
 SCALE 1:100 & 50 PAPER A1

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Application Number	Expiry Date	Parish	Ward
193356	20/05/2020	Swallowfield	Swallowfield;

<b>Applicant</b>	Woodridge Developments
<b>Site Address</b>	Balcombe Nurseries, Basingstoke Road, Swallowfield, RG7 1PY
<b>Proposal</b>	Full application for the erection of 5 No detached dwellings, one with separate garage and four dwellings with internal garages. Associated landscaping works including one balancing pond. 2 No accesses with entrance gates and 1.2m post and rail fencing.
<b>Type</b>	Full
<b>PS Category</b>	6
<b>Officer</b>	Senjuti Manna
<b>Reason for determination by committee</b>	Major application (area > 1 hectares)

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 13 May 2020
<b>REPORT PREPARED BY</b>	Assistant Director – Place

<b>SUMMARY</b>
<p>The application proposes the erection of five detached dwellings on the site with two access roads, associated landscaping and an ecological enhancement area. One of the detached properties would be 6 bedroom with detached garage and would benefit from a separate access. The second access will be shared between other 4 houses, one of which would be 5 bedroom dwelling with inbuilt garage. Remaining 3 dwellings would have 4 bedrooms and integral garages. Whilst there are no buildings on the land, parts of the site are previously developed (brownfield) and were historically used as a garden centre.</p> <p>This application follows an extant planning permission (ref: 173726) for the erection of five dwellings on the site – one detached and two pairs of semi-detached houses and another scheme same as the current application (ref: 182370) that was dismissed on appeal due to lack of legal agreement to secure planning obligations only. Both the current scheme and the dismissed scheme defers from the extant permission in that they propose 5 detached houses and 2 separate accesses resulting in additional footprint and hardstanding. The principle of residential development has therefore been established and the assessment falls upon what impact the additional footprint and hardstanding would have in relation to the extant planning permission.</p> <p>As set out, the proposed development does not seek to increase the number of dwellings from the approved planning permission. Whilst the proposal represents additional footprint and hardstanding, the inspector for the previous application (ref: 182370) has concluded that these would not have any additional detrimental impact on the character of the area including Countryside. There will be large areas of landscaping and an ecological enhancement area on the site and this remains unchanged from the extant permission. The proposed dwellings would have ample indoor and outdoor space, providing a satisfactory living environment for the future occupiers. Local residents have expressed support for the application and the proposed development would have a satisfactory impact on the amenity of the neighbouring occupiers.</p>

There are no objections to the proposal with regard to highway safety; parking; trees; drainage & flooding; ecology and archaeology. The development is considered acceptable in all other aspects subject to the recommended conditions and a legal agreement securing a commuted sum for affordable housing (£214,938.56); an index linked Strategic Access and Management Monitoring payment to offset the impact on the Thames Basins Heaths Special Protection Area and an Ecological Enhancement Management Plan. The application is accordingly recommend for approval for the reasons set out in this report.

#### **PLANNING STATUS**

- Countryside location
- Green Route Enhancement Area
- Burghfield AWE Zone C (5 km)
- Thames Basin Heath Special Protection Area – 5 and 7km
- Flood zone 1

#### **RECOMMENDATION**

**That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following:**

- **A legal agreement securing a commuted sum of £214,938.56 in lieu of 2 affordable units; an index linked Strategic Access and Management Monitoring to offset the impact on the Thames Basins Heaths Special Protection Area and an Ecological Enhancement Management Plan.**
- **Subject to the following recommended Conditions and informative:**

#### **Conditions:**

##### **1. Time limit**

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

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

##### **2. Approved plans**

This permission is respect of the submitted application plans and drawings numbered ref: 2396-15A; 2396-16A; 2396-28; 2396-29; 2396-30; 2396-31, 2396-32B, 2396-33B, EIP21607-11B, EIP21607-12B, Arboricultural Impact Assessment & Method Statement (ref.: EIP21607aia-ams), Soft Landscape Management and Maintenance Plan (ref.: EIP21607man), Soft Landscape Specification (ref.: EIP21607spec) and Design and Access Statement (ref.: PHE/2396) received by the local Planning Authority on 18 December 2019. 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. Material samples/details**

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. Tree protection details**

- a) No development or other operation shall commence on site until the tree protection measures, as detailed in the Arboricultural Impact Assessment and Method Statement (ref: EIP21607aia-ams, hereafter the Approved Scheme) are implemented in complete accordance with the Approved Scheme. The tree protection measures must be retained for the entire duration of the development (including, unless otherwise provided by the Approved Scheme) demolition, all site preparation work, 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.
- b) No development (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) shall commence until the local planning authority has been provided (by way of a written notice) with a period of no less than 7 working days to inspect the implementation of the measures identified in the Approved Scheme 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 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.*

## 5. Visibility splays

Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority, details of the proposed vehicular access to include visibility splays. The access shall be formed as so-approved and the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height prior to the occupation of the development. The access shall be retained in accordance with the approved details and used for no other purpose and the land within the visibility splays shall be maintained clear of any visual obstruction exceeding 0.6 metres in height at all times.

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

## 6. Swept path details

Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority, details of a swept path analysis demonstrating vehicles can manoeuvre safely on site and enter and leave the site in both directions. No building shall be occupied until the access roads have been constructed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

## 7. Dropped kerb

No development shall take place until details of dropped kerbs and tactile paving to the front of the site shall be submitted to and approved in writing by the Local Planning Authority. The details thereby agreed shall be fully implemented prior to the first occupation of the dwellings.

**Reason:** *in the interest of pedestrian safety and to encourage walking and sustainable modes of transport. Relevant policy: Core strategy policies CP3 and CP6.*

## 8. Construction method statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors,
- loading and unloading of plant and materials,
- storage of plant and materials used in constructing the development,
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- wheel washing facilities,
- measures to control the emission of dust and dirt during construction,
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

- no deliveries outside the permitted working hours
- Best practice for use of machinery on site e.g. no idling of engines when equipment not in use etc.

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

### **9. Drainage details**

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

- BRE 365 test results demonstrating that infiltration is not achievable, as attenuation is being proposed.
- Calculations demonstrating that there will be no flooding of pipes for events up to and including the 1 in 100 year flood event with a 40% allowance for climate change.
- A demonstration of the capacity of the receiving ditch on Basingstoke Road and maintenance of this ditch, given that Basingstoke Road already experiences surface water flooding.
- Groundwater data to confirm seasonal high groundwater levels for the area.
- A drainage strategy plan, with pipe invert levels, indicating the location and sizing of SuDS features, with the base of any SuDS features located at least 1m above the seasonal high water table level.

**Reason:** *This is 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.*

### **10. Archaeology**

No development shall take place within the application area until the applicant, their agents or successors in title have secured and implemented a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The results of the evaluation will inform the preparation of a subsequent mitigation strategy which will be submitted by the applicant and approved in writing by the Local Planning Authority prior to the commencement of the development. The mitigation strategy will provide for:

- A programme of site investigation and recording, or alternative appropriate mitigation, within the area of archaeological interest. Development will not commence within the area of archaeological interest until the site investigation has been satisfactorily completed.
- A programme of post investigation assessment, analysis, publication, dissemination and archiving. This part of the condition shall not be discharged until these elements of the programme have been fulfilled in accordance with the programme set out in the WSI or unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that any archaeological remains within the site are adequately investigated and recorded or preserved in situ in the interest of protecting the archaeological heritage of the borough. Relevant policy: National Planning Policy Framework Section 16 (Conserving and Enhancing the Historic Environment) and Managing Development Delivery Local Plan policy TB25.

### **11. Ecological enhancement area**

No development shall take place until details of the area to be enhanced (including details of the planting mix and ongoing maintenance) as well as locations of enhancement for birds, bats and reptiles and amphibians have been submitted to the local planning authority and approved in writing. The ecological enhancement area will be developed as per the approved plan and permanently so-retained and used for no other purpose.

**Reason:** To ensure provision is made to allow satisfactory development and maintenance of the natural environment and biodiversity within the application site. Relevant policy: Core strategy policy CP3 and MDD Local Plan policy TB23.

### **12. Access surfacing**

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.

### **13. Cycle parking**

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

### **14. Parking spaces**

No part of any building(s) hereby permitted shall be occupied or used until vehicle parking and turning space has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. The vehicle parking and turning space so-approved shall be retained in accordance with the approved details and the parking space remain available for the parking of vehicles at all times and the turning space shall not be used for any purpose other than vehicle turning.

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

### **15. Landscaping**

Landscape for the proposed development including hard and soft landscape shall be provided in accordance with approved details [drawings numbered EIP21607-11B, EIP21607-12B, Soft Landscape Management and Maintenance Plan (ref.: EIP21607man), and Soft Landscape Specification (ref.: EIP21607spec)]. 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).*

#### **16. Retention of existing trees**

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 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.*

#### **17. Hours of construction**

No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.

**Reason:** *To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.*

#### **18. Obscure glazing & 1.7m opening height**

The first floor side windows in 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.*

#### **19. Restriction of permitted development rights - domestic**

Notwithstanding the provisions of Classes A, B, C, D, E, F and G of Part 1 of the Second Schedule 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 buildings, enlargement or alterations permitted shall be carried out without the express permission in writing of the local planning authority.

**Reason:** *To safeguard the character of the area and prevent overdevelopment of Countryside location. Relevant policy: Core Strategy policies CP1, CP3 and CP11, and Managing Development Delivery Local Plan policy TB21.*

**Informatives:**

1. This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated \_\_\_ April 2020, the obligations in which relate to this development.
2. The applicant is reminded that this approval is granted subject to conditions which must be complied with prior to the development starting on site. Commencement of the development without complying with the pre-commencement requirements may be outside the terms of this permission and liable to enforcement action. The information required should be formally submitted to the Council for consideration with the relevant fee. Once the details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear please contact the case officer to discuss.
3. The Head of Highways at the Council Offices, Shute End, Wokingham [0118 9746000] should be contacted for the approval of the access construction details before any work is carried out within the highway (including verges and footways). This planning permission does NOT authorise the construction of such an access or works.
4. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on adjacent highways. For further information contact the Highway Authority on tel.: 0118 9746000.
5. Any works/ events carried out by or on behalf of the developer affecting either a public highway or a prospectively maintainable highway (as defined under s.87 New Roads and Street Works Act 1991 (NRSWA)), shall be co-ordinated and licensed as required under NRSWA and the Traffic Management Act 2004 in order to minimise disruption to both pedestrian and vehicular users of the highway. Any such works or events, and particularly those involving the connection of any utility to the site must be co-ordinated by the developer in liaison with the Borough's Street Works team (0118 974 6302). This must take place at least three months in advance of the intended works to ensure effective co-ordination with other works so as to minimise disruption.
6. The applicant is advised to consider the rubbish and recycling information on the Council's website: <http://www.wokingham.gov.uk/rubbish-andrecycling/collections/information-for-developers/>.

7. The development hereby permitted is liable to pay the Community Infrastructure Levy. This is a matter for the developer. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see - <http://www.wokingham.gov.uk/planning/developers/cil/cil-processes/>.
8. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist 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.
9. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

#### PLANNING HISTORY

Application Number	Proposal	Decision & Date
182370	Full planning permission for the erection of 5no. dwellings with garages and a balancing pond  <i>(Officer's note: The current application is similar to this application in terms of proposed plans).</i>	Non-determination application; Appeal dismissed on lack of legal agreement grounds: 29.11.2019
173726	Full application for the proposed erection of 5no dwellings with detached garages, a balancing pond and an ecological enhancement area.	Approved: 24.07.2019
O/2014/1944	Proposed erection of 3 dwellings with garages and a balancing pond (means of access to be considered)	Approved: 31.10.2016
F/2007/2197	Proposed change of use of land from Garden Centre to Builders Merchant with demolition of existing sales building and erection of new building for builders merchants	Refused: 17.10.2007 Appeal Dismissed: 06.04.2009.
F/2005/6160	Change from garden centre to builders yard	Refused: 02.06.2006
VAR/2004/1391	Proposed variation of conditions 12 & 16 of consent 40500 to allow a substitute of layout plan	Approved: 22.04.2004
VAR/2003/9521	Proposed variation to condition 11 of consent 40500 to amend the schedule of goods sold and areas within the garden centre sales	Approved: 12.08.2003

	building to include the sale of conservatories & garden buildings	
F/2003/9191	Proposed erection of replacement workshop and store building. Demolition of existing building	Withdrawn
F/2003/0044	Proposed erection of replacement workshop and store building plus demolition of existing building	Approved: 22.10.2003
CLE/2002/7744	Application for certificate of lawful existing use of land as garden centre	Approved: 12.02.2003
F/2002/6245	Proposed redevelopment of garden centre, reuse of buildings, access improvement, road, parking and landscaping	Refused: 12.06.2002
F/1999/69285	Proposed erection of 3 detached dwellings 2 garages and associated works	Refused: 04.05.1999 Appeal Dismissed: 29.09.1999.
F/1998/68734	Proposed erection of 6 detached dwellings and garages demolition of redundant building	Refused: 09.02.1999 Appeal Dismissed: 29.09.1999.
V/1997/66449	Proposed Relaxation Of Conditions 1 And 3 on Consent 40500 For Extension Of Time For Commencement Of development for further 5 years (condition 1) & removal of condition 3 relating to removal of building	Approved: 25.02.1998
F/1996/63285	Proposed Erection Of 25 Detached Dwellings	Refused: 11.04.1996 Appeal Dismissed: 04.03.1997
40500	Redevelopment of garden centre including the construction of garden centre sales building	Approved
37103	Redevelopment of existing garden centre	Approved: 13.03.1991

<b>SUMMARY INFORMATION</b>	
<b>For Residential</b>	
Site Area	2.31 ha
Existing units	0 (5 approved under 173726)
Proposed units	5
Existing density – dwellings/hectare	0
Proposed density - dwellings/hectare	2 dwellings per hectare
Number of affordable units proposed	0 (commuted sum of £214,938.56 in lieu of 2 affordable units)
Previous land use	Garden centre (sui generis) / Nil use (there is an extant permission for residential development yet to be implemented).
Proposed Public Open Space	N/A
Existing parking spaces	N/A
Proposed parking spaces	12

<b>CONSULTATION RESPONSES</b>	
Berks, Bucks and Oxon Wildlife Trust	No comments received
Crime Prevention Design Officer	No comments received
National Grid	No comments received
Royal Berkshire Fire and Rescue	No comments received
Southern Gas Networks	No objections
SEE Power Distribution	No objections
Thames Water	No comments received
NHS Wokingham Clinical Commissioning Group	No comments received
Natural England	No objection subject to planning obligations secured by legal agreement.
Berkshire Archaeology	No objections subject to condition
WBC Biodiversity	No objection subject to ecological management plan and TBH SPA contribution secured by legal agreement.
WBC Affordable Housing	No objection subjected to commuted sum secured by legal agreement.
WBC Drainage	No objections subject to condition
WBC Environmental Health	No objections subject to condition
WBC Highways	No objections subject to condition
WBC Tree & Landscape	No objections subject to condition
WBC Cleaner & Greener (Waste Services)	No objections subject to condition
WBC Public Rights of Way	No comment

<b>REPRESENTATIONS</b>
<p><b>Town/Parish Council:</b> No comments received</p> <p><b>Local Members:</b> No comments received</p> <p><b>Neighbours:</b> 3 letters received supporting the application:</p> <ul style="list-style-type: none"> <li>• Well researched and well-designed scheme.</li> <li>• The site is becoming an eyesore.</li> <li>• Design is in-keeping with the character of the area.</li> </ul>

<b>APPLICANTS POINTS</b>
<ul style="list-style-type: none"> <li>• The proposal will make affective use of a previously developed site.</li> <li>• The planning merits of this revised submission were considered to be acceptable by an earlier appeal Inspector for application ref.182370.</li> <li>• The plans were all considered acceptable by the appeal Inspector. This was in relation to character and appearance, location of development (i.e. the principle of housing within the countryside) and the proposed access arrangements.</li> <li>• The main principles established under the earlier permission and agreed under the appeal scheme such as the balancing pond feature and ecological enhancement area are all maintained as part of the proposal. The number of dwellings remains unchanged.</li> <li>• The applicant agrees to a S106 to allow for affordable housing and SANGS contributions.</li> </ul>

<b>PLANNING POLICY</b>		
National Policy	<b>NPPF</b>	National Planning Policy Framework
	<b>NPPG</b>	National Planning Practice Guidance
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP2</b>	Inclusive Communities
	<b>CP3</b>	General Principles for Development
	<b>CP5</b>	Housing mix, density and affordability
	<b>CP6</b>	Managing Travel Demand
	<b>CP7</b>	Biodiversity
	<b>CP8</b>	Thames Basin Heaths Special Protection Area
	<b>CP9</b>	Scale and Location of Development Proposals
	<b>CP11</b>	Proposals outside development limits (including countryside)
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>CC06</b>	Noise
	<b>CC07</b>	Parking
	<b>CC09</b>	Development and Flood Risk (from all sources)
	<b>CC10</b>	Sustainable Drainage
	<b>TB04</b>	Development in vicinity of AWE
	<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 and Development
	<b>TB25</b>	Archaeology
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide – Section 4 & 8.
		Swallowfield Village Design Statement
		DCLG – National Internal Space Standards
		Berkshire (including South Bucks) Strategic Housing Market Assessment Feb 2016
		Community Infrastructure Levy (CIL) Charging Schedule Feb 2015

<b>PLANNING ISSUES</b>
<p><b>Description of Development:</b></p> <p>1. Full application for the proposed erection of 5 detached dwellings comprising of one 6 bedroom dwelling with detached garage (plot 1), one 5 bedroom dwelling with internal garage (plot 5) and three 4 bedroom dwellings with internal garages (plots 2,</p>

3 and 4). These dwellings will be served by two access roads from Basingstoke Road – one for plot 1 and other for the remaining dwellings. Both accesses will have entrance gates and will be sited within the existing commercial bell-mouth with 1.2m post and rail fencing along the front boundary. Plot 1 will be separated from the group of other 4 houses by 1.2m high closed board fencing. The proposal also includes associated landscaping works with a balancing pond and 1.1 hectare of ecological enhancement area.

2. The proposed scheme has not been changed from the previous application (ref: 182370) that was dismissed on appeal for lack of a legal agreement only.

#### **Principle of Development:**

3. 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 (MDD) 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.
4. Policy CC02 of the MDD Local Plan sets out the development limits for each settlement as defined on the policies map. Policy CP9 sets out that development proposals located within development limits will be acceptable in principle, having regard to the service provisions associated with the major, modest and limited categories. The site is outside of any settlement limits and is within the countryside between Riseley and Swallowfield, which are both defined as limited development locations.
5. Whilst the site is within the countryside and the proposal does not fall within any of the exceptions listed in the Core Strategy policy CP11, there is an extant planning permission for the erection of 5 dwellings (ref: 173726) on the land, which is a material consideration for the current scheme. At the time of this approval it was considered that the residential development would have a preferable impact on the character and appearance of the area compared to the previous garden centre use. This extant permission followed an outline permission (ref: O/2014/194, now out of time) for 3 detached dwellings on this land. As such, the principle of residential development on this site has already been established by the previous outline scheme for 3 dwellings as well as the extant planning permission that allowed erection of 5 houses. The current scheme does not propose to increase the total number of dwellings and as such, the proposal is considered acceptable in principle.
6. The consideration of the application therefore mainly falls against the fall-back position of the extant planning permission for 5 dwellings – one detached and 2 pairs of semi-detached houses with a single access road on the site and the proposal before the committee has been considered in this context.

#### **Character of the Area:**

7. The site is in Wokingham District Landscape Character Area I2 – 'Risely Farmed Clay Lowland'. The Landscape Character Assessment sets out that the Landscape is of overall moderate quality and in moderate condition. The site is an open field and whilst part of the site was previously developed, there is currently no built form on it

and it has the appearance of a Greenfield. The immediate surrounding area is characterised by scattered detached dwellings of varying types and plot sizes.

8. The proposal includes erection of 5 large executive style detached dwellings on 1.2ha land that will be served by 2 access roads. As set above, the extant permission of 5 dwellings with single access was on balance considered acceptable because it was deemed to have a preferable impact on the character and appearance of the area. The current scheme differs from the extant scheme in terms of types and sizes of houses and an additional access, resulting in overall increase in built form on the site. Table below provides a comparative analysis of building footprint and hardstanding between the outline permission, extant permission and the current scheme.

<b>Application no.</b>	<b>Building footprint</b>	<b>Driveway hardstanding</b>	<b>Total coverage</b>	<b>% of site coverage</b>
O/2014/1944	834 m <sup>2</sup>	1362 m <sup>2</sup>	2196 m <sup>2</sup>	18.3%
173726	810 m <sup>2</sup>	1385 m <sup>2</sup>	2195 m <sup>2</sup>	18.3%
193356	907 m <sup>2</sup>	1535 m <sup>2</sup>	2442 m <sup>2</sup>	20.35%

9. As can be seen from the above table, the proposal would result in 2% increase in site coverage. Since the proposal is a low density development (2 dwellings per hectare), a 2% increase in plot coverage is not considered to have any significant additional harm to the character of the area including surrounding countryside.
10. The dwellings are proposed to be sited more than 100m from the Basingstoke Road street frontage. Because of the great set-in distance, the scheme will not be readily visible from public realm and the impact of additional built-form on the overall landscape would be limited in comparison to the extant permission.
11. The immediate neighbours along Basingstoke Road include residential properties named Uplands, Mayfield House, Oak Cottage and Lancambria which are all detached properties of varying designs and sizes sited on varying plot dimensions. Moreover, there is no consistent building line available within the immediate neighbourhood. As such, the proposed siting of the buildings will not detract from the general linear nature of the frontage development to Basingstoke Road. There is an existing wooded backdrop to the site and this will be maintained through the ecological enhancement area. The wooded backdrop would also provide a spacious setting for the dwelling reflecting the open rural character of the area.
12. The additional access to serve plot 1 alone would be acceptable since both accesses will be sited within the existing commercial bell-mouth from Basingstoke Road. Most of the neighbouring dwellings are served by individual accesses, often positioned close together. Because of these reasons, it is not consider that the proposed additional access will result in a significant harmful effect over and above the permitted situation.
13. Whilst the proposal would increase the built form within the countryside, the effect on the landscape and character of the area will not be significant compared to the extant permission and the quality of the environment will be maintained. The proposed design of the dwellings will be in keeping with other dwellings of the area. To ensure high quality development, condition 3 is recommended to confirm the materials to be used for the construction of external surfaces of the development.

14. The management plan for the ecological enhancement area will be secured using s106 legal agreement and this will be maintained as part of the scheme (condition 11). The proposal will not result in any loss of wooded backdrop and further landscape enhancement is proposed through landscape management plan which is acceptable. Overall, it is considered that the proposal will have an acceptable impact on the character and appearance of the area and the countryside compared to the extant permission.

**Residential Amenities:**

15. The proposed buildings will be positioned between 6 – 10 metres from the boundaries of the existing properties and this far exceeds the minimum separation distances set out in the Borough Design Guide SPD of 2 metres. Furthermore, the boundaries are defined by trees and planting that will further screen the development from neighbouring houses.

16. A minimum of 4m separation will be maintained between individual houses (plots 2 - 5) which is acceptable. Plot 1 will be separated from the rest of the development by a 1.2m closed board fencing and will have a separation distance of 12m from plot 2. These separation distances are acceptable and no mutual overlooking impact is expected from the proposal. However, in order to minimise any further overlooking, condition 18 is recommended to ensuring first floor side windows are obscurely glazed and top hung. Condition 19 is recommended to remove all domestic PD rights including insertion of additional windows at first floor level and above without first applying for planning permission.

17. It is considered that the proposed development will have an acceptable impact on the amenity of the neighbouring occupiers with respect to overlooking, overshadowing and overbearing impact.

**Access and Movement:**

18. The proposed development is for the erection of five dwelling with 2 separate accesses – one for plot 1 and the other to be shared by remaining 4 dwellings. The existing access to the site was built as part of a previous garden centre application which has never been fully implemented. However, the access was designed to accommodate a significantly greater amount of traffic than the proposed residential scheme. Whilst the proposal seeks to introduce an additional access within the existing bell-mouth, it is not considered to have any detrimental impact on highway safety since the bell-mouth is already established. It is considered that there is satisfactory space for vehicles to manoeuvre on site and leave in a forward gear subject to condition 6. Acceptable visibility splay will be secured using condition 5.

19. Twelve car parking spaces have been indicated on the submitted plans and opportunities for informal parking will be also be available on the hard surfaced areas. However, since no formal parking plan is submitted with the current application these details are secured using condition 14. Similarly, details regarding cycle storage are secured by condition 13.

20. With regard to the sustainability of the location, the site is approximately a 1.14km walk to the post office; public house and medical centre along The Street in Swallowfield. There is a primary school (Lambs Lane) approximately 2 km from the

site and there is a footpath along Basingstoke Road that links the site to school. A community centre is also located on the opposite side of Swallowfield.

21. Riseley is located to the south of the site. The proposed houses will be approximately 1.18 km walk to the centre where a pub and Community Hall are located. A footpath along Basingstoke Road links the site to Riseley.
22. A bus stop is located along Basingstoke Road and is currently used by two services (no. 7 and 145). The 145 operates one service per week on a Tuesday. The number 7 runs an hourly services from approximately 7am – 7pm Monday – Saturday and 4 services on Sundays. This service runs between Fleet and Reading.
23. The current scheme does not include any additional dwelling from the extant permission and will not result in additional number of occupants. Whilst the site is not a highly sustainable location there are bus services and footpaths in the area which make the houses accessible to local services and facilities. On balance it is not considered that the limited sustainability of the location would warrant a refusal reason on this basis, particularly given that a similar application has been previously approved.

#### **Flooding and Drainage:**

24. The application site is in Flood Zone 1 where the risk of flooding from rivers is low and as such all forms of development, including 'more vulnerable' uses, are acceptable. A balancing pond and generous area of porous soft handspring have been designed into the scheme. The Council's Drainage Engineer has considered the application and raised no objection to the proposed development. The proposal will have an acceptable impact with regard to drainage and flooding subject to the recommended condition 9 to further secure drainage details.

#### **Landscape and Trees:**

25. Policy CP3 of the Core Strategy states that planning permission will be granted for proposals that 'maintain or enhance the ability of the site to support fauna and flora including protected species'. Policy CC03 of the MDD Local Plan states that development proposals should demonstrate how they have considered and achieve to 'protect and retain existing trees, hedges and other landscape features'.
26. The trees close to the entrance are being retained and these contribute to the character of the area and the Green Route Enhancement Area. Some category U trees located further into the site are being removed but no objection is raised to this as they cannot realistically be retained as living specimens. Detailed landscape scheme is proposed which is acceptable. Condition 15 is recommended to secure appropriate landscaping in accordance with approved plans. Conditions 4 and 16 are recommended to secure protection and retention of existing trees.
27. The development will incorporate significant areas of soft landscaping and an ecological enhancement area to the west. Overall it is not considered that the uplift in development from the extant permission would diminish opportunities for soft landscaping or detrimentally impact the Green Route Enhancement Area along Basingstoke Road. The proposal will have a comparable impact to the extant residential permission with regard to landscape and trees.

**Environmental Health:**

28. According to historical mapping there is no contamination on or near to the site. Therefore no objection is raised with regard to contamination. However, due to the close proximity of the neighbouring residential properties, the Environmental Health Officer has recommended conditions limiting working hours and controlling of noise and dust emission. Accordingly, condition 17 is included to restrict hours of construction and condition 8 is recommended to secure construction methods statement including details of measures to control noise and dust.

**Amenity Space for future occupiers:**

29. Plots 2 – 5 will have rear gardens at least 20 metres deep and plot 1 will have a rear garden approximately 35 metres deep. This will comply with the minimum garden depth of 11 metres set out in the Borough Design Guide SPD. The proposed development will provide a suitable level of private amenity space.

**Internal Space Standards:**

30. The proposed development comprises of 3 no 4 bedroom detached properties; 1 no 5 bedroom detached dwelling and 1 no 6 bedroom detached dwelling. The Nationally Described Space Standard recommends a minimum floor area of 97 sq m for a 4 bedroom property; 110 sq m for a 5 bedroom house and 123 sq m for a 6 bedroom house. The proposed dwellings will significantly exceed the national minimum requirements. The 4 bedroom houses will have floor areas between 170 sqm and 220 sq m, the 5 bedroom house approximately 265 sq. m and the 6 bedroom property 510 sq m. The proposed dwellings will therefore provide an acceptable standard of accommodation for the future occupiers.

**Ecology:**

31. Policy CP7 of the Core Strategy states that development proposals that may harm habitats or species of principle importance or features of the landscape that are of major importance for wild flora and fauna (including wildlife and river corridors), will only be permitted if it has been clearly demonstrated that the need for the proposal outweighs the need to safeguard the nature conservation importance; that no alternative sites that would result in less or no harm is available which will meet the need.

32. The application site comprises a grassland field over previously developed areas. Whilst overgrown, a large amount of scalping have been laid on the site which will be removed. The previously approved application (ref: 173726) for the erection of 5 dwellings included a legal agreement securing the retention of open space to the west which would be managed for wildlife enhancements. The current scheme also retains the area to the west as open space and the applicant has agreed for a legal agreement to secure its management similar to the extant permission. As such subject to the legal agreement, there is no objection to the current proposal on ecology grounds.

**Community Infrastructure Levy (CIL), Special Protection Area (SPA) & Affordable Housing:**

33. As the proposal is for new residential floor space, it would be a CIL liable development. CIL is charged at a rate of £365 per square metre. If the development is approved, a CIL liability notice would be issued.
34. The site is within 5km of the Thames Basin Heaths Special Protection Area. Policy NRM6 of the South East plan requires that proposals mitigate their impact upon the TBHSPA. Avoidance payment towards SANG is classed as infrastructure and therefore is included within the CIL payment. SPA-wide Strategic Access and Management Monitoring (SAMM) is not considered to fall within the definition of infrastructure and therefore is continued to be secured through legal agreements. The application is recommended for approval subject to a legal agreement securing an index linked payment for SAMM contributions.
35. The application site is over 0.16 ha in area and policy CP5 of the Core Strategy requires the proposal to contribute towards affordable housing. The site is outside of the development limits and therefore a minimum contribution of 40% is required, equating to 2 equivalent affordable units. The Affordable Housing Team has advised that an offsite commuted sum would be acceptable and this has been calculated as £214,938.56.
36. The applicant has agreed to pay the full commuted sum and this approval is subject to the applicant entering into a legal agreement.

**Archaeology:**

37. The site is within an area of archaeological potential. Berkshire Archaeology have advised the following:

*‘Numerous find spots ranging in date from the Bronze through to Post-Medieval are recorded on the Historic Environment Records within the area. Just over 500m to the west prehistoric worked flint, a Roman finds scatter and medieval pottery sherds have been found. Prehistoric worked flint and undated pottery sherds have been found 300m to the north of the site and there linear cropmarks located c600m to the south west of the site. To the east of the site finds dating to the Bronze Age through to the medieval period are recorded. In addition to this evidence there are two areas identified within the Wokingham Borough Council Plan as being Areas of High Archaeological Potential. One is 200m to the north and the other a little over 400m to the north east.’*

38. There is a potential that archaeological remains may survive within this site and an archaeological evaluation will be required to be carried out: condition 10 is therefore recommended.

**Atomic Weapons Establishment:**

39. The site is within a 5km zone of the Atomic Weapons Establishment (AWE) at Burghfield. Policy TB04 of the MDD Local Plan states that Development will only be permitted where the applicant demonstrates that the increase in the number of people living, working, shopping and/or visiting the proposal (including at different times of the day) can be safely accommodated having regard to the needs of “Blue light” services and the emergency off-site plan for the Atomic Weapons

Establishment site at Burghfield. The proposal fall significantly below the level of 500 new residents set out in the policy that would require additional consultation and consideration.

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

40. In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.

#### **CONCLUSION**

41. The application follows an extant planning permission (ref: 173726) for the erection of five dwellings on the site. The principle of residential development has therefore been established and the assessment falls upon what impact the additional built form would have on character of the area including surrounding countryside in comparison to the extant planning permission.

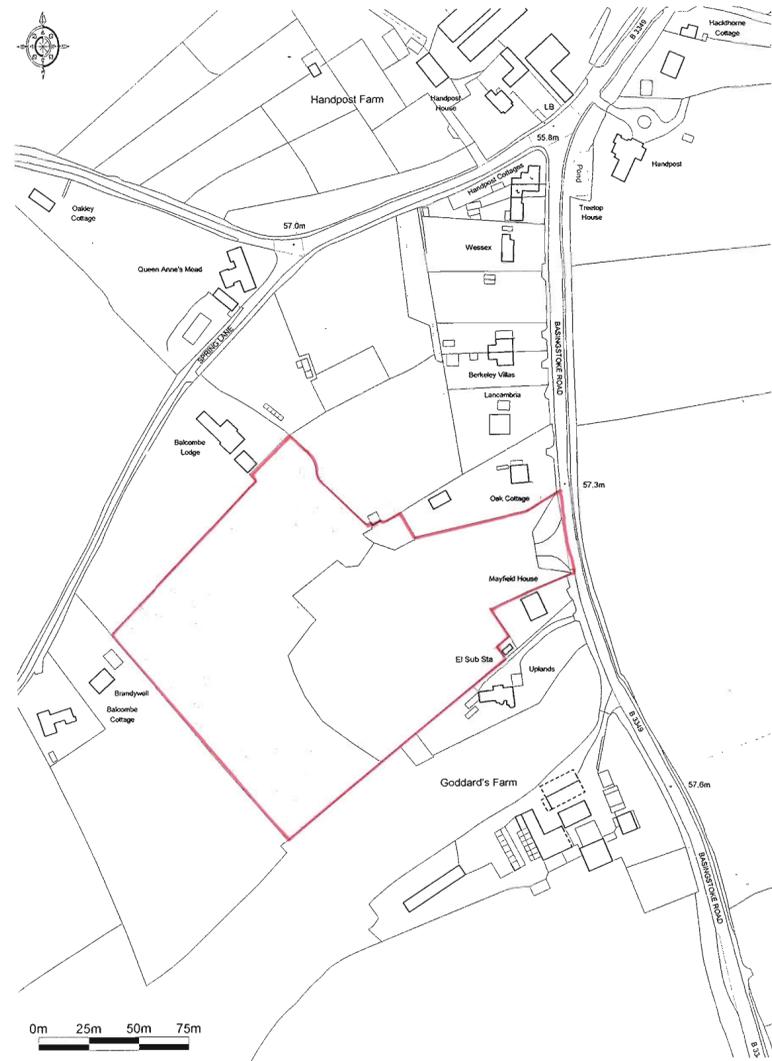
42. The proposed development does not seek to increase the total number of dwelling. It is now proposed to erect 5 detached dwellings with 2 accesses resulting in 2% increase in built up area compared to the extant permission. Whilst this represents an increase in quantum of development, it is considered acceptable since the density of the proposed development would be low. The inspector of the previously dismissed appeal for the same scheme (ref: 182370) did not raise any objection to the additional built up area since the plot is large and development will be set back from the street frontage. There will be large areas of landscaping and an ecological enhancement area on the site and this remains unchanged from the extant permission. The proposed dwellings will have ample indoor and outdoor space and will provide a satisfactory living environment for the future occupiers. Local residents have expressed support for the application and the proposed development would have a satisfactory impact on the amenity of the neighbouring occupiers.

43. There are no objections to the proposal with regard to highway safety; sustainable location; parking; trees; drainage & flooding; ecology and archaeology. The development is acceptable in all other aspects subject to conditions and a legal agreement securing a commuted sum for affordable housing; a SAMM avoidance payment to offset the impact on the Thames Basins Heaths Special Protection Area and an Ecological Enhancement Management Plan. The application is accordingly recommend for approval.

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CONTEXT PLAN 1:1000



LOCATION PLAN 1:2500

TOTAL SITE AREA 2310 ha = 5.710 acres  
 DEVELOPED AREA 1.175 ha = 2.904 acres

Plot 1	6 bedroom detached house	[gea = 562.42 sq m]
2	4 bedroom detached house	[gea = 272.10 sq m]
3	4 bedroom detached house	[gea = 229.95 sq m]
4	4 bedroom detached house	[gea = 272.00 sq m]
5	5 bedroom detached house	[gea = 299.73 sq m]

Notes

All dimensions and levels on site are to be checked prior to commencement of work.

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B : ENTRANCE POSITION AND ACCESS 18.03.2018  
 ROAD AMENDED TO ACCORD WITH  
 PLANNING OFFICERS REQUIREMENTS.  
 A : POSITION OF DOUBLE GARAGE TO  
 PLOT 1 AMENDED 2.10.2018

Project  
**Residential development  
 Balcombe Nursery Site  
 Basingstoke Road  
 SWALLOWFIELD  
 Berks**

Client  
**Woodridge Development**

CONTEXT and LOCATION PLAN

Scale: 1:1000 at A2 Date: July 2018



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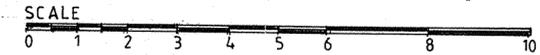
Job 2396 Dwg. 33 B

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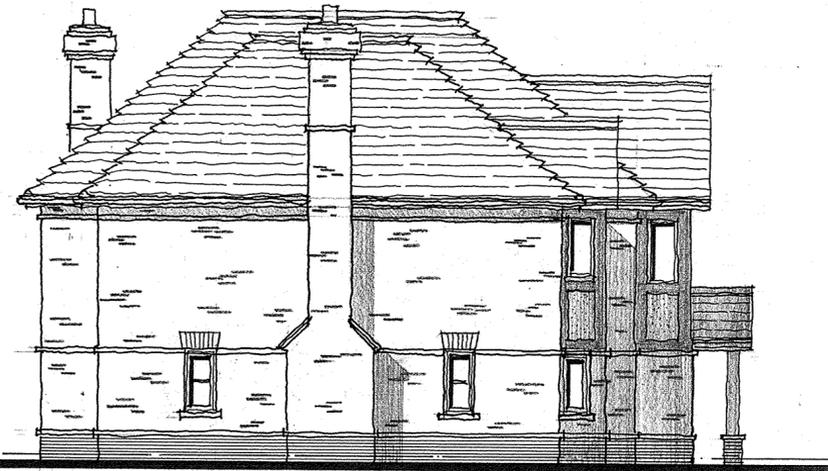
Notes

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FRONT ELEVATION

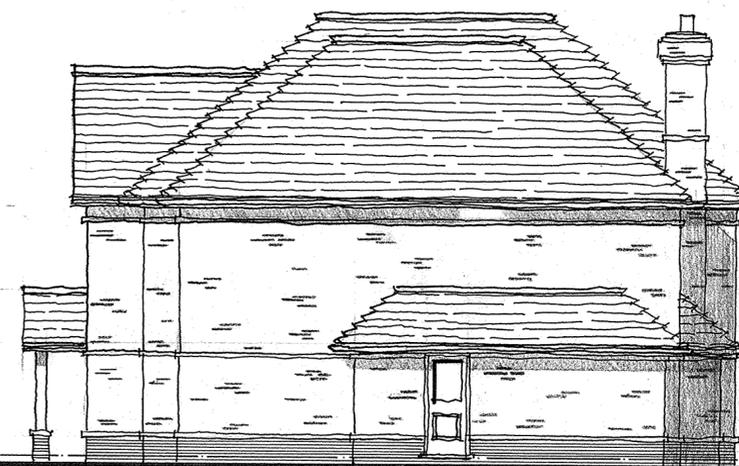


SIDE ELEVATION

101



REAR ELEVATION



SIDE ELEVATION

A WINDOWS TO FRONT ELEVATION AMENDED 22.2.19 AND ALL WINDOW STYLES CHANGED

Project	Residential development Balcome Nursery Site Basingstoke Road SWALLOWFIELD Berks
Client	Woodridge Developments

Drawing	ELEVATIONS PLOT 1
Scale	1:100 at A2
Date	November 2017



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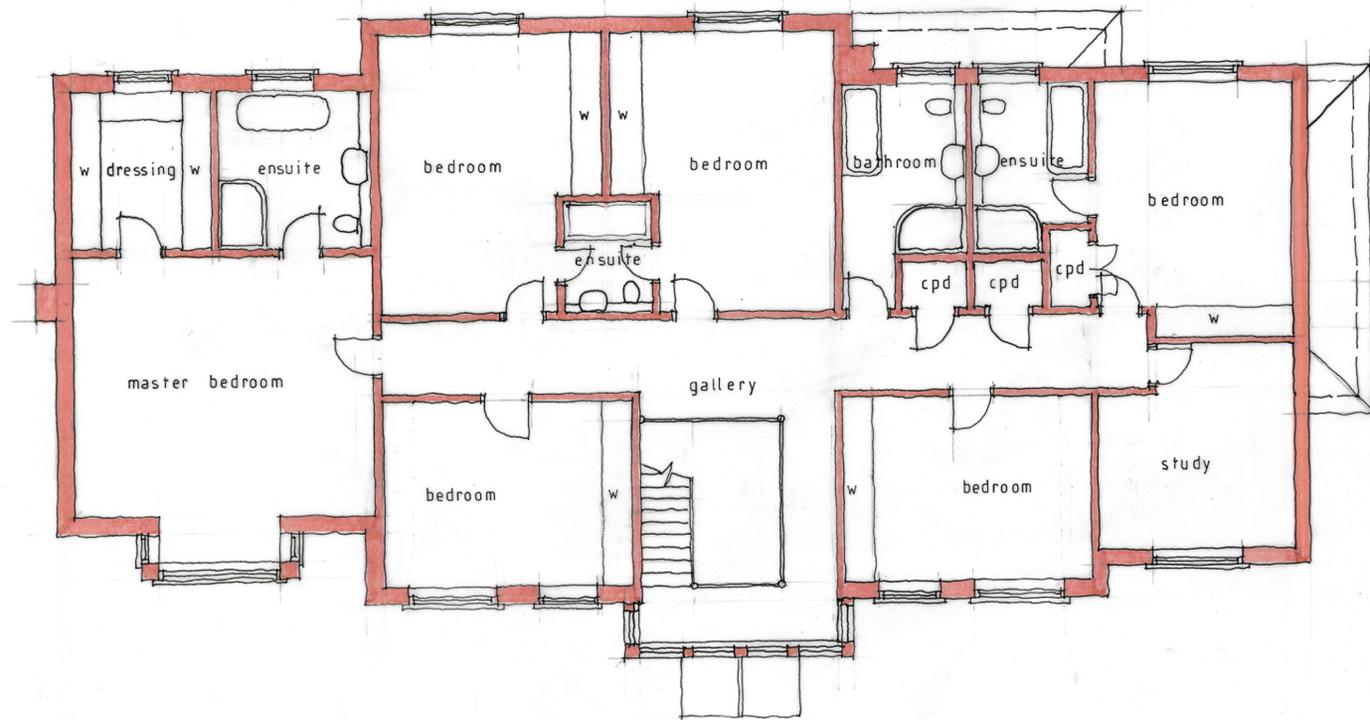
Job 2396	Dwg. 16 A
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**Notes**

All dimensions and levels on site are to be checked prior to commencement of work.

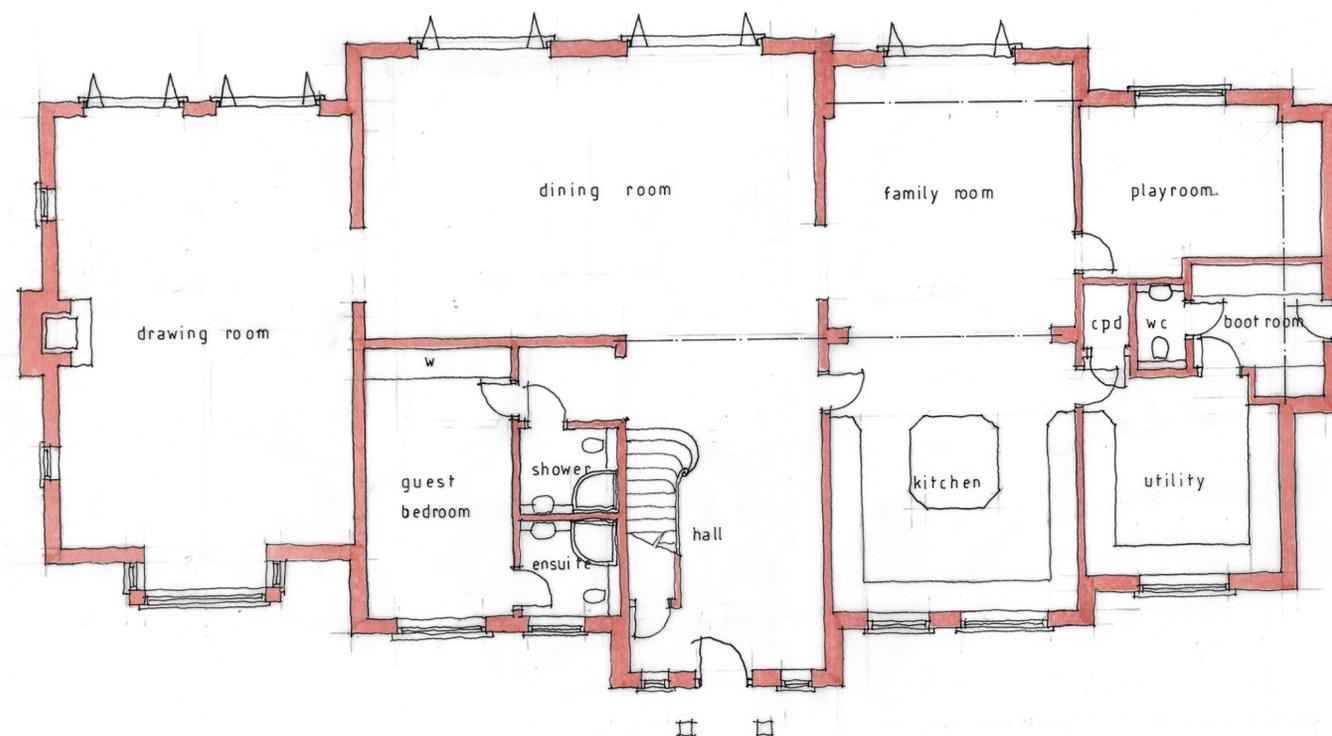
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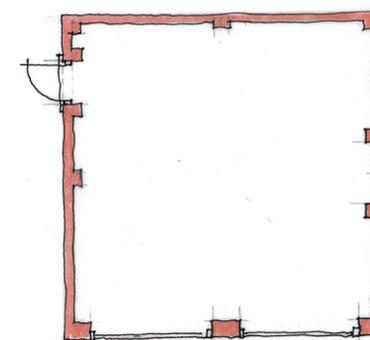
FIRST FLOOR



GARAGE ELEVATIONS



GROUND FLOOR



GARAGE PLAN

A WINDOWS AMENDED TO FRONT ELEVATION 22.2:13

Project Residential development  
Balcombe Nursery Site  
Basingstoke Road  
SWALLOWFIELD  
Berks  
Client Woodridge Developments

Drawing FLOOR PLANS and GARAGE  
PLOT 1

Scale 1:100 at A2 Date November 2017



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Job 2396 Dwg. 15 A

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**Notes**

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FRONT ELEVATION



SIDE ELEVATION

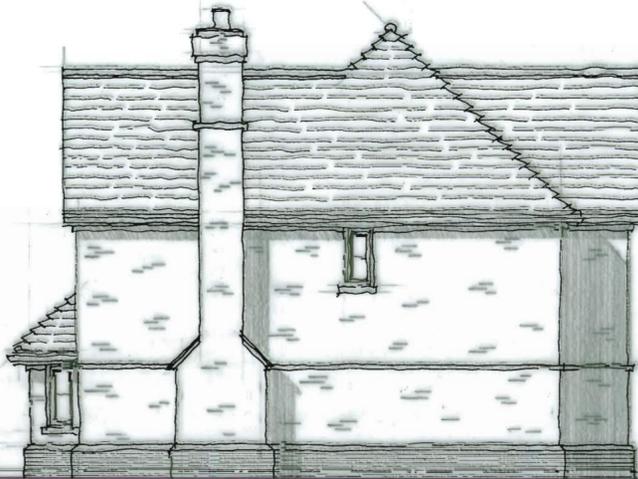
**MATERIALS**

- ROOF : PLAIN CLAY TILES WITH BONNET HP TILES.
- WALLS : RED MULTI-STOCK FACE BRICKWORK WITH CONTRASTING FACE BRICK FLUTED STRING COURSES AND KNUTTLS.
- WINDOWS : WHITE UPVE COTTAGE STYLE WINDOWS.
- EAVES : WHITE UPVE FASCIA SOFFIT AND BRACKETED.

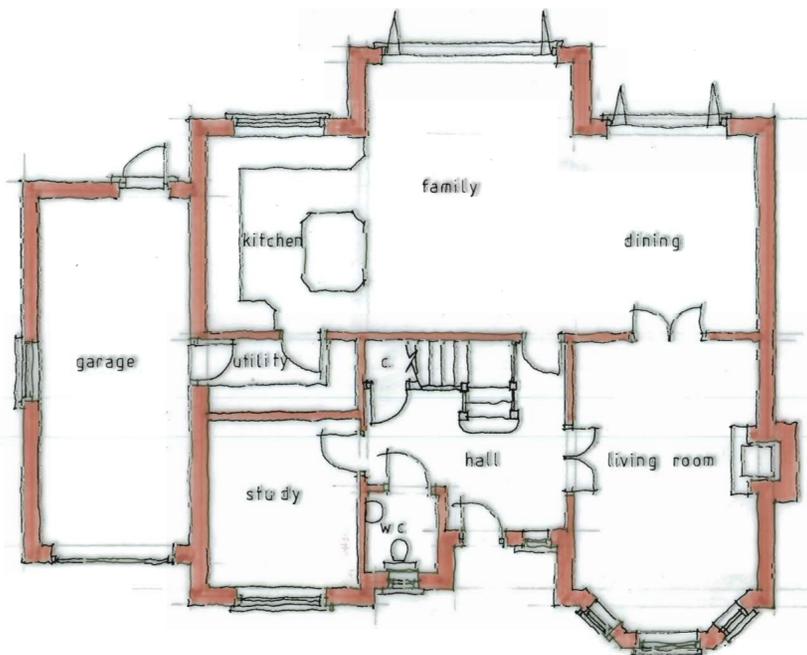
GROSS INTERNAL FLOOR AREA :  
 HOUSE = 215.13m<sup>2</sup> = 2316ft<sup>2</sup>  
 GARAGE = 21.00m<sup>2</sup> = 226ft<sup>2</sup>



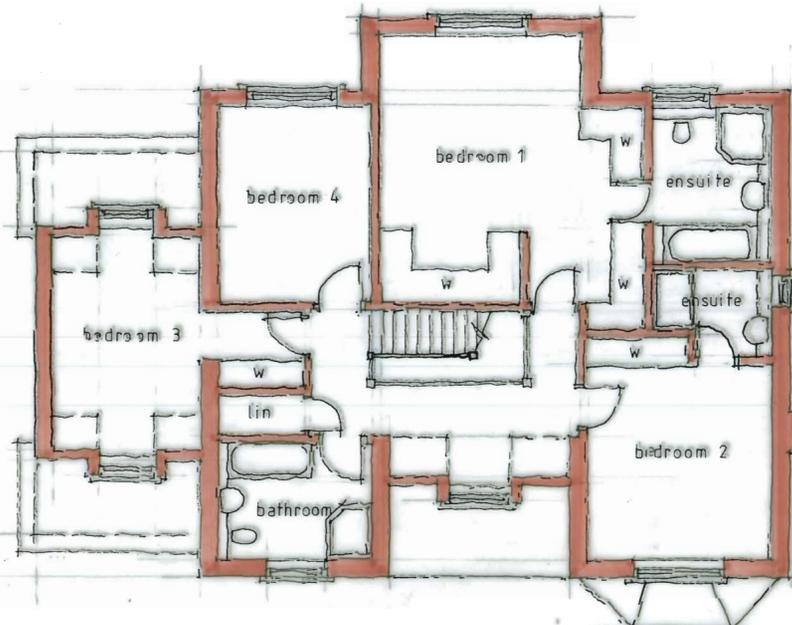
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR



FIRST FLOOR

Project Residential development  
 Balcombe Nursery Site  
 Basingstoke Road  
 SWALLOWFIELD  
 Berks

Client  
 Woodridge Developments

Drawing  
 PLANS and ELEVATIONS  
 Plot 2

Scale 1:100 at A2 Date July 2018



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Job 2396 Dwg. 28

105

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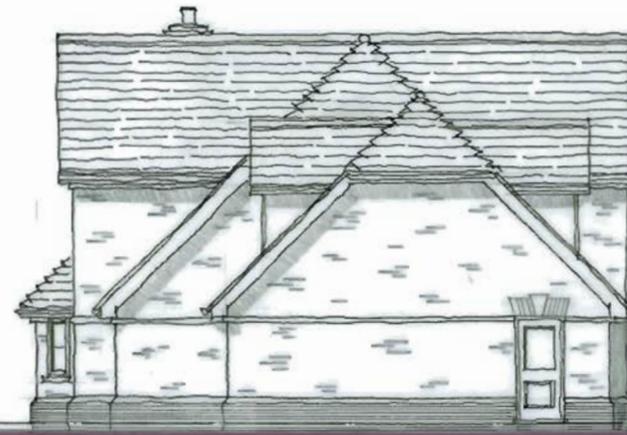
FRONT ELEVATION



SIDE ELEVATION



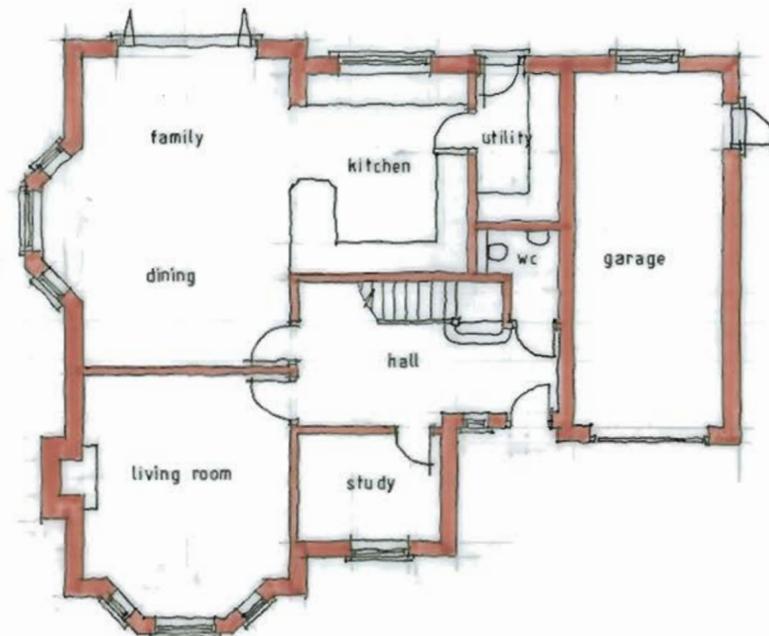
REAR ELEVATION



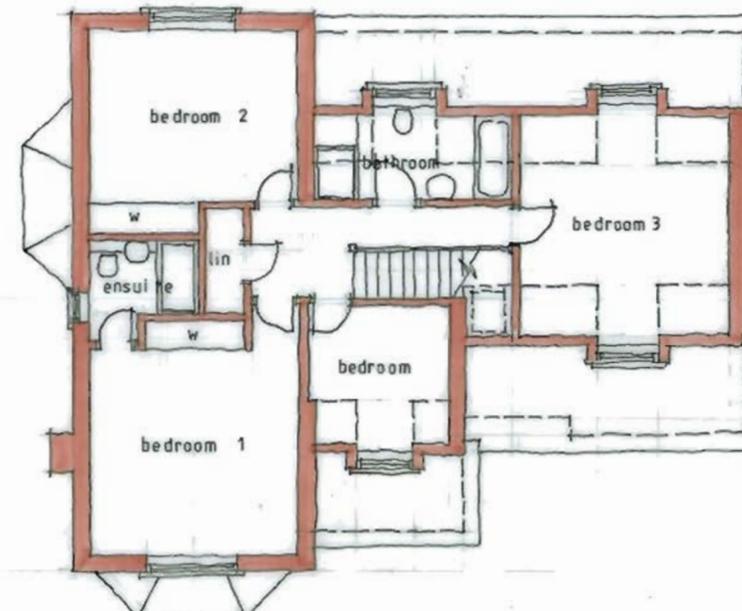
SIDE ELEVATION

**MATERIALS**

- ROOF : PLAIN CLAY TILES WITH BONNET HPD TILES.
  - WALLS : RED MULTI-STOCK FACE BRICKWORK WITH CONTRASTING FACE BRICK PLINTH STRING COURSE AND LININGS.
  - WINDOWS : WHITE UPVC COTTAGE STYLE WINDOWS.
  - LEAVES : WHITE UPVC FASCIA SOFFIT AND BARGEBOARD.
- GROSS INTERNAL FLOOR AREA = 175 HOUSE = 175.58 M<sup>2</sup> = 1890 FT<sup>2</sup>  
 GARAGE = 21.00 M<sup>2</sup> = 226 FT<sup>2</sup>



GROUND FLOOR



FIRST FLOOR

Project Residential development.  
 Balcombe Nursery Site  
 Basingstoke Road  
 SWALLOWFIELD  
 Berks  
 Client Woodridge Developments

Drawing PLANS and ELEVATIONS  
 Plot 3

Scale 1:100 at A2 Date July 2018



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## Notes

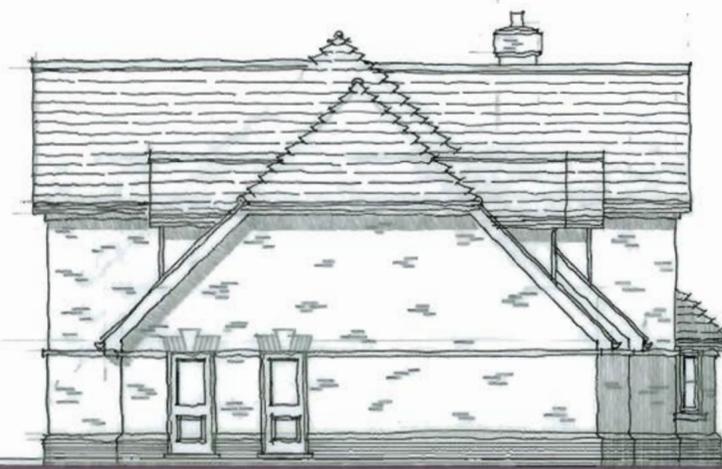
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SCALE  
0 1 2 3 4 5 6 8 10



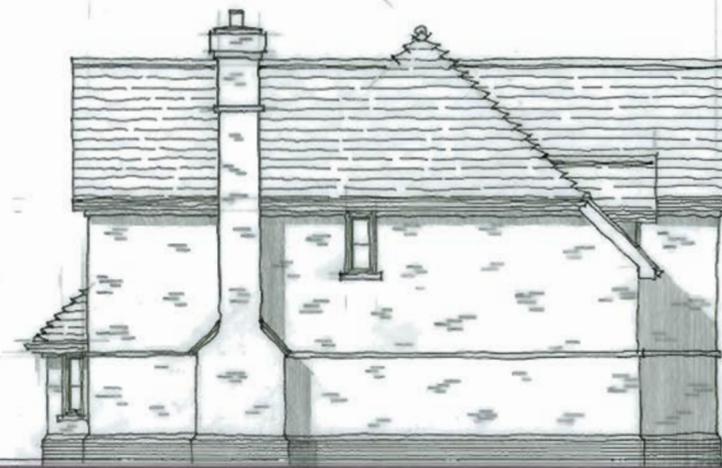
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

## MATERIALS

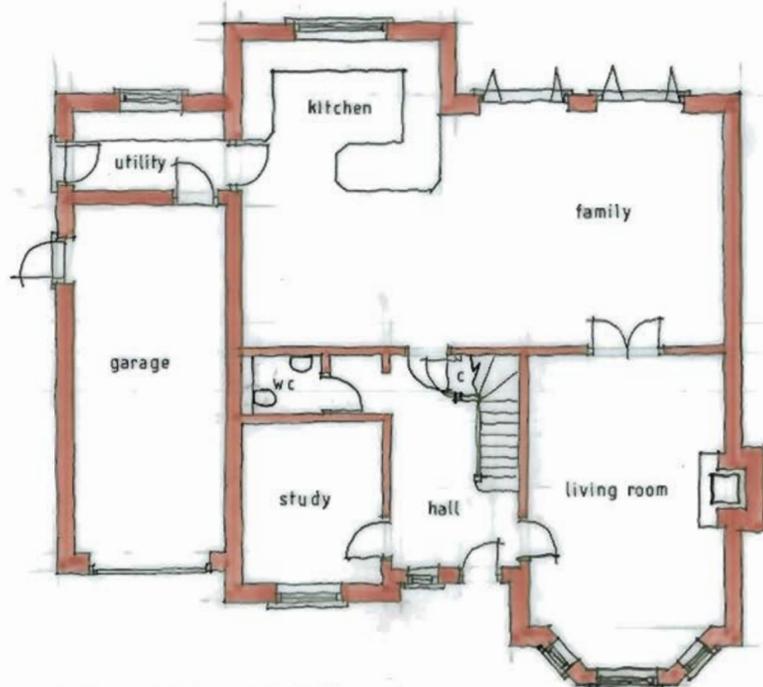
ROOF : PLAIN CLAY TILES WITH BONNET HIP TILES.

WALLS : RED MULTI STOCK FACE BRICKWORK WITH CONTRASTING FACE BRICK PUNTH STRING COURSE AND LINTOLS.

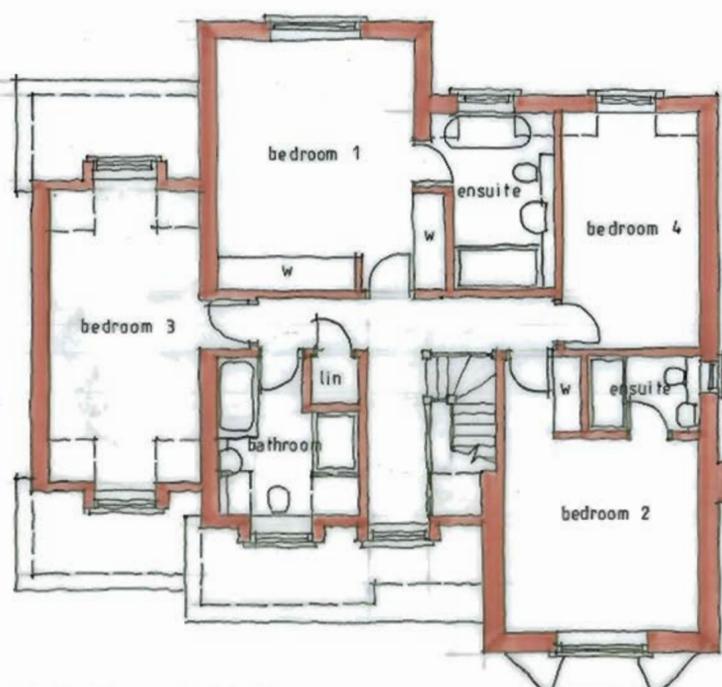
WINDOWS : WHITE UPVC COTTAGE STYLE WINDOWS.

EAVES : WHITE UPVC FASCIA SOFFIT AND BACKBOARD.

GROSS INTERNAL FLOOR AREAS  
HOUSE = 217.04 m<sup>2</sup> = 2336 ft<sup>2</sup>  
GARAGE = 21.00 m<sup>2</sup> = 226 ft<sup>2</sup>



GROUND FLOOR



FIRST FLOOR

Project Residential development  
Balcombe Nursery Site  
Basingstoke Road  
SWALLOWFIELD  
Berks  
Client Woodridge Developments

Drawing PLANS and ELEVATIONS  
Plot 4

Scale 1:100 at A2 Date July 2018



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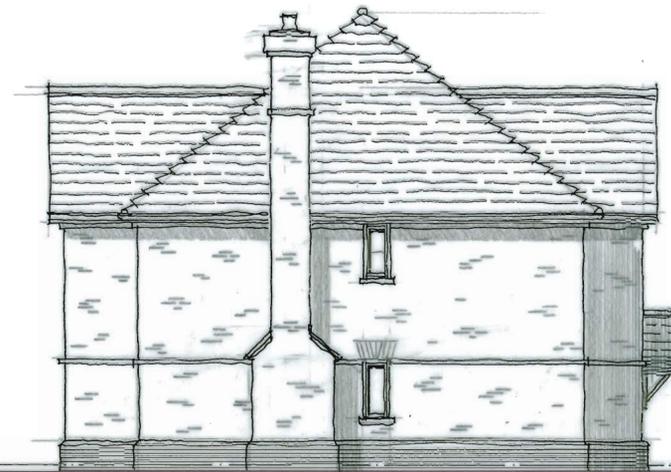
**Notes**

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FRONT ELEVATION



SIDE ELEVATION

**MATERIALS**

- ROOF : PLAIN CLAY TILES WITH BONNET HIP TILES
- WALLS : RED MULTI-STOCK FACE BRICKWORK WITH CONTRASTING FACE BRICK PLINTH STRING COURSES AND LINTOLS
- WINDOWS : WHITE UPVC COTTAGE STYLE WINDOWS
- EAVES : WHITE UPVC FASCIA SOFFIT AND BARGEBOARD
- GROSS INTERNAL FLOOR AREA :
  - HOUSE : 262.20 M<sup>2</sup> = 2822 FT<sup>2</sup>
  - GARAGE : 21.00 M<sup>2</sup> = 226 FT<sup>2</sup>



REAR ELEVATION



SIDE ELEVATION

Project Residential development  
Balcombe Nursery Site  
Basingstoke Road  
SWALLOWFIELD  
Berks

Client  
Woodridge Development Ltd

Drawing  
PLANS and ELEVATIONS  
Plot 5

Scale  
1:100 at A2

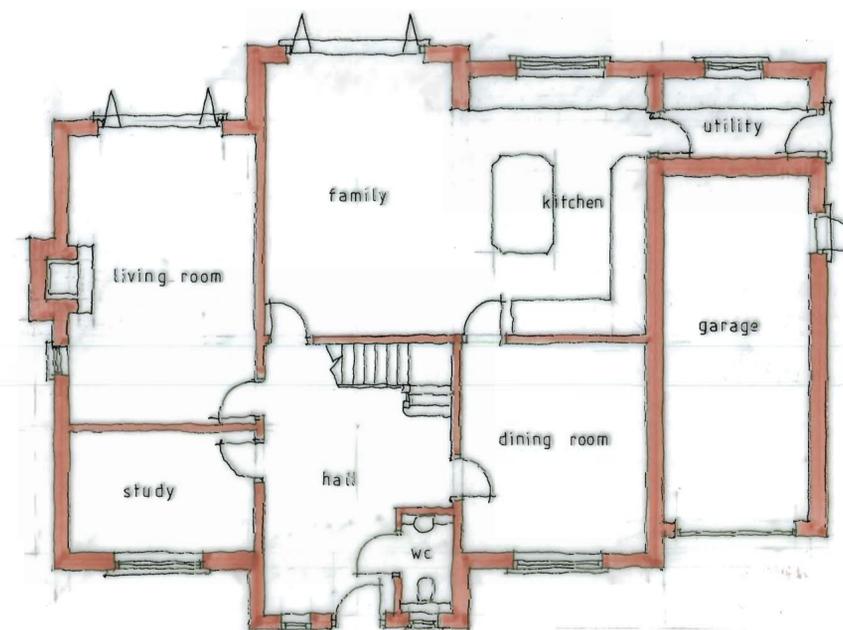
Date  
July 2018

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Architects & Surveyors

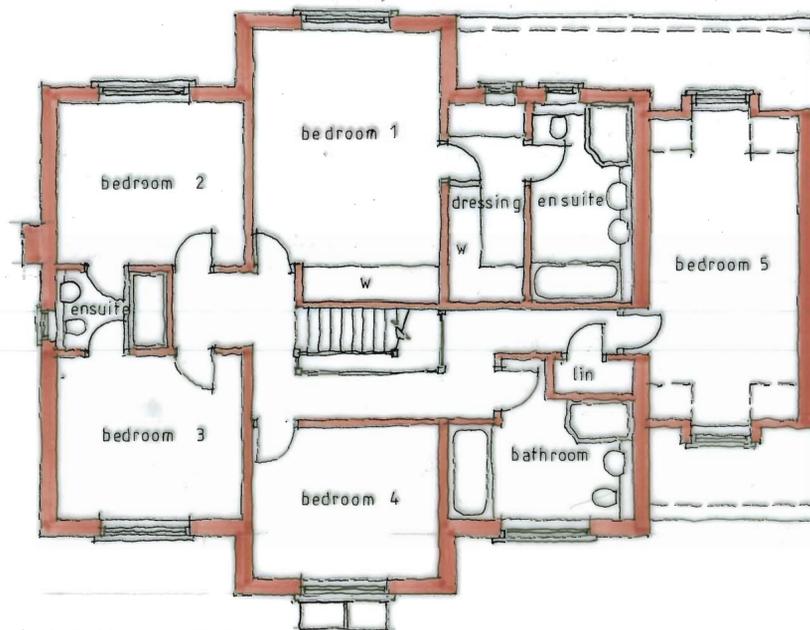
Plot 11, Indigo House, Mulberry Business Park, Fishponds Road,  
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Job 2396 Dwg. 31

111



GROUND FLOOR



FIRST FLOOR

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Application Number	Expiry Date	Parish	Ward
193422	22/05/2020	Wargrave	Remenham, Wargrave and Ruscombe;

<b>Applicant</b>	Mr Justin Fletcher
<b>Site Address</b>	Land adjacent to Lake Lodge, Wargrave Road, Wargrave, RG10 8PH
<b>Proposal</b>	Full planning application for the proposed change of use from agricultural to personal leisure use including erection of summer house. (retrospective)
<b>Type</b>	Full
<b>PS Category</b>	21
<b>Officer</b>	Brian O'Donovan
<b>Reason for determination by committee</b>	Major application

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 13 May 2020
<b>REPORT PREPARED BY</b>	Assistant Director – Place

<b>SUMMARY</b>
<p>The application is before Committee as the application site measures an area of 1 hectare and therefore is within the Major Application site area threshold.</p> <p>The application for the change of use from agricultural to personal leisure use including erection of summer house is considered to be acceptable in principle and would not have a detrimental impact upon the character, appearance or openness of the green belt and countryside. The proposal would enhance the ecological and landscape value of the application site. It has also been demonstrated that the development would not have a detrimental impact on the amenity of neighbouring occupiers and upon highway safety and parking provision. It is therefore recommended that this application is approved as it would accord with the NPPF and development plan policies for Wokingham Borough.</p>

<b>PLANNING STATUS</b>
<ul style="list-style-type: none"> <li>• Countryside Location</li> <li>• Green Belt</li> <li>• Green Route</li> <li>• Bat Roost Habitat Suitability</li> <li>• Local Wildlife Site</li> <li>• River Thames Consultation Area</li> <li>• Landscape Character Assessment</li> <li>• Public Rights of Way</li> <li>• Main Rivers Consultation Zone</li> <li>• Flood Zone 1</li> </ul>

## **RECOMMENDATION**

**That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following:**

### **Conditions and informative:**

#### **A. Conditions and informative:**

##### **1. Approved Plans**

This permission is in respect of the submitted application plans and drawings numbered Site Location Plan, FLE/2019/001 (Layout) and FLE/2019/001 (Plans and Elevations) received by the local planning authority on 24/12/2019. 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.

##### **2. Visibility Splays**

Within 12 weeks of the date of this decision there shall be submitted to and approved in writing by the local planning authority, details of the proposed vehicular access to include visibility splays of 2.4m x 120m. The access shall be formed as so-approved and the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height prior to the occupation of the development. The existing gates are to be removed or set-back 5 from the highway edge. The access shall be retained in accordance with the approved details and used for no other purpose and the land within the visibility splays shall be maintained clear of any visual obstruction exceeding 0.6 metres in height at all times.

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

##### **3. Access surfacing**

Within 12 weeks of the date of this decision the vehicular access shall be 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.

##### **4. Ecology**

The Ecological Management Plan (John Wenman Ecological Consultants - Ref: R2483/a - March 2020) is to be implemented in full unless otherwise agreed in writing by the local planning authority. The works detailed in section 7 of the Ecological Management Plan are to commence in 2020 and the site is thereafter to be managed as per the details given in section 8 of the Ecological Management Plan.

Reason: In the interests of nature conservation policy CP7 of the Core Strategy.

##### **5. Restricted Use**

The development hereby approved shall not be used for any purpose other than that of personal leisure use.

Reason: To protect the openness and character of the green belt and countryside.  
Relevant policies: Core Strategy Policies CP11 and CP12, Management Development Delivery Local Plan Policy TB01 and the NPPF.

**Informative:**

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

**PLANNING HISTORY – No relevant planning history**

**CONSULTATION RESPONSES**

WBC Biodiversity	Requested additional information on initial consultation. Following the submission of an Ecological Management Plan they have stated that they have no objections provided this plan is conditioned to be implemented in full.
WBC Environmental Health	No comments received
WBC Highways	Requested additional information on initial consultation. Concerns outlined in subsequent response in relation to achieving requisite visibility splays and the siting of the gates at the access point.
WBC Tree & Landscape	No objection provided the proposal can be carried out in a manner which is sensitive to the character of the area.

**REPRESENTATIONS**

**Wargrave Parish Council:**

Wargrave Parish Council had no objection to this application. A condition is requested if approved: that any Permitted Development rights be removed and no development allowed without planning permission (Officer note: the grant of this planning permission would not confer any additional permitted development rights).

**Local Members:** No comments received

**Neighbours:**

Two comments have been received from occupiers of neighbouring properties.

One comment has been received from the residents of an adjacent property which states that they support the proposal and would have no objections.

One comment has been received from the resident of a neighbouring property which queries if cut-in on the river bank near the northern boundary to provide a space for a boat is permitted (Officer note: this application does not relate to any works to the riverbank).

## PLANNING POLICY

National Policy	<b>NPPF</b>	National Planning Policy Framework
	<b>NPPG</b>	National Planning Policy Guidance
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>CP11</b>	Proposals outside development limits (including countryside)
	<b>CP12</b>	Green Belt
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>CC09</b>	Development and Flood Risk (from all sources)
	<b>CC10</b>	Sustainable Drainage
	<b>TB01</b>	Development within the Green Belt
	<b>TB23</b>	Biodiversity and Development
Supplementary Planning Documents (SPD)	<b>CIL</b>	CIL Guidance and 123 List

## PLANNING ISSUES

### Description of Development:

1. The proposal is for the change of use from agricultural to personal leisure use including erection of summer house. This is a retrospective application with the development having been completed on 28/04/19. The proposal is for the change of use of 1 hectare of historic agricultural land to personal leisure, it is not to provide any commercial activity. The proposed summer house is to be sited towards the northern boundary in the same location where a pig sty building was previously sited. The summerhouse measures a floor space of 17sqm and includes a narrow pitched roof with a ridge height of 2.6m.

### Principle of Development:

1. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan (MDD) 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.

### Green Belt

2. The application site is within Green Belt. It is not located in or adjacent to any defined settlement boundaries. The NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The NPPF list the five purposes of the Green Belt:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3. The Framework states that certain forms of development and the construction of new buildings should be considered as inappropriate development within the Green Belt apart from the exceptions listed in paragraphs 145 & 146. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The development exceptions listed in paragraph 146 are as follows:

a) mineral extraction;

b) engineering operations;

c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

4. The proposed development is for the change of use of the land from agricultural to a personal leisure use (*sui generis*). The proposed use is for personal leisure such as small scale riparian activities and general enjoyment of the countryside. It is considered that this use falls within exception e) of paragraph 146 of the NPPF. This exception enables the provision for outdoor recreation provided that the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. It is considered that the change of use on its own would have no impact upon the openness of the green belt. Whilst some consideration should be given to the potential movement of people and domestic

paraphernalia on the land, it is considered so long as this is associated with the personal activities of the applicant the harm upon the Green Belt would be negligible. It is evident from the site visit carried out by officers that the site consists of minimal furniture/urbanising impacts however the site retains the majority of vegetation and the feeling of openness. Furthermore, the use of the land in this way would not conflict with the purposes of including land in the Green Belt. There are no new structures on the application site (notwithstanding the summer house – assessed below ) and it is considered that the proposed change of use meets the tests outlined in the NPPF.

5.

The exceptions listed in paragraphs 145 relate specifically to the construction of buildings in the Green Belt and are as follows:

a) buildings for agriculture and forestry;

(b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

(e) limited infilling in villages;

(f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development’.

6. The proposal would include the construction of a summer house (retrospective) which measures a floor area of 17m<sup>2</sup> and is to be sited in the location of the pig sty which was previously on site. It is considered from the degree of historic building foundations evident surrounding the summer house that the footprint of the summer house is sited on the location of the former pig sty. Exception b) of paragraph 145 of the NPPF enables the provision of appropriate facilities for outdoor recreation as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Given the lightweight nature of the summerhouse, it’s very modest footprint and its siting in the location of a previous structure would ensure that the openness of the green belt is not harmed.

7. Therefore the proposal for a change of use to personal leisure (sui generis) and the erection of a summer house would fall within the scope of exception e) of paragraph

146 of the NPPF in relation to the change of use of the land and exception b) of paragraph 145 of the NPPF with regard to the erection of the summerhouse. The proposed use would be categorised as outdoor recreation and given the nature of this as a personal leisure use it is not considered that it would detract from the openness of the green belt. This is not likely to be the case if the proposed use was intensified in any capacity and therefore a condition is to be attached to restrict the use of the development to that of personal leisure use to protect the green belt. Thus, it is considered that the proposal would be acceptable in relation to section 13 of the NPPF, Policy CP12 of the Core Strategy and Policy TB01 of the MDD.

### Countryside

8. Policy CP11 of the Core Strategy states ‘in order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development limits will not normally be permitted except where:
- 1) It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside; and
  - 2) It does not lead to excessive encroachment or expansion of development away from the original buildings; and
  - 3) It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement; or expect for the exceptions listed.
9. In relation to the exceptions in Policy CP11 of the Core Strategy, it is considered that the proposed personal leisure use would constitute an activity that would contribute to the recreation and enjoyment of the countryside. As has been outlined in the “Green Belt” section of this report the proposed change of use would not detract the distinctive character and openness of the green belt and by extension, upon the open countryside. In relation to considerations within Policy CP11 with regard to the proposed summerhouse it is not considered that it would lead to excessive encroachment or expansion of development away from the original structure that was sited within this part of the application site. Thus, the proposal is not considered to have a detrimental impact the countryside and is in compliance with Policy CP11 of the Core Strategy.

### Conclusion on principle of development

10. For the reasons set out, it is considered that the proposed development would provide for outdoor recreation that would preserve the openness of the green belt and the countryside and would not conflict with the purposes of including land within it. This would ensure adherence to exception b) of paragraph 145 of the NPPF, Policies CP11 and CP12 of the Core Strategy and Policy TB01 of the MDD and thus, the principle of development is considered to be acceptable. Given that the scheme is not deemed to be inappropriate development as per paragraphs 145 and 146 of the NPPF, it is not necessary to consider if very special circumstances exist.

**Design and Appearance:**

11. The only proposed structure as part of the application is the erection of a summer house to the northern boundary of the application. As has been outlined already in the report this is to be sited in place of the former pig sty on the application site. The proposed structure is to measure 17sqm in floor space and include a narrow pitched roof with a ridge height of 2.6m. The proposal is a timber structure with a fishing tackle room, a summer room and a small veranda. It is considered that the proposal is acceptable in terms of design and appearance and would adhere to Policy CP3 of the Core Strategy.

**Residential Amenities:**

12. Given the nature of the proposed use for personal leisure it is not considered that the proposal would have any detrimental impacts upon neighbouring properties in relation to noise or any other unacceptable residential amenity impacts. In relation to the proposed summer house, given its modest size and siting a substantial distance away from any neighbouring properties, it is not considered that this would not cause any harm to the current levels of amenity enjoyed by neighbouring properties.

**Access and Movement:**

13. The application site is accessed from the western side of Waragrave Road and there are three car parking spaces provided for on the application site. WBC Highways Officers reviewed the proposal and requested additional information in relation to the anticipated vehicular movements and the achievability of the requisite sight lines.

14. The applicant outlined that the current vehicular movements for use of the site for recreational purposes is once/twice daily up to three times a week and a further two visits for a gardener to maintain the site. It is not anticipated that this will increase further as a result of this application. It is also outlined that achievable sight lines at the access at a point set back 2.4m are 157.00 metres as a result of the fence being no greater than 600mm in height. This allows traffic to be seen approaching from the right coming out of Wargrave towards Henley.

15. Following the submission of this additional information, Highways Officers reviewed this and there are still concerns in relation to the ability to achieve the visibility splay required and the location of the gates adjacent to the highway. Given that the section of Wargrave Road where the access is sited is subject to a 40mph speed limit, a minimum clear horizontal splay of 2.4m x 120m is required to the nearside edge of the carriageway in both directions. Achieving this is complicated by the sloping gradient to the access and the positioning of the gate/wall at the access. It also outlined that there should be nothing within the sight line which exceeds 0.6 metres in height. Therefore, the applicant will need to provide details of the requisite visibility splays. They will also need to remove or set-back the gates to ensure that there is no detrimental impact upon highway safety. A condition is also attached that requires the access to be surfaced with a permeable and bonded material across the entire width of the access for a distance of 5 metres measured from the carriageway edge.

16. Given that the current arrangements and use have been active since at least 28/04/19 it is considered that a limited time condition is included to provide for and for the LPA to determine the acceptability of this information (12 weeks from date of the decision notice). Subject to conditions it is considered that the proposal would not have a detrimental impact upon highway/pedestrian safety and the parking provision is considered to be acceptable.

### **Ecology:**

17. The application site falls within a Local Wildlife Site (LWS). WBC Ecology Officers were consulted and their initial response outlined that an Ecological Management Plan which demonstrates how the proposals will result in the LWS being restored to its former value) should be submitted to the council prior to the application being determined.

18. The applicant subsequently submitted an Ecological Management Plan (R2483/a John Wenman Ecological Consultancy). WBC Ecology Officers reviewed this and provided the following comments:

*The plans include the restoration of species rich grassland on approximately 50% of the application site and the management of marginal vegetation adjacent to the watercourse. These measures will enhance the ecological value of the site and partially mitigate the loss of the habitats that it used to host.*

*Whilst the site's ecological value will not be restored to its previous value, given the fact that it has been a garden for a number of years, this is probably the best outcome for the site, and if it were to revert to agricultural land there would be no mechanism for the council to ensure that it be managed for wildlife. As such, subject to a condition to ensure that the ecological management plan is implemented, there are no objections to this application on ecology grounds.*

19. Given the above assessment of the Ecology Officer it is considered that the proposal would enhance the overall ecological value to the site. A condition is to be included to ensure the ecological management plan is implemented in its entirety and therefore the proposal is considered to adhere to Policy CP7 of the Core Strategy.

### **Landscape and Trees:**

20. The site is a Local Wildlife Site for Chalk downland and marsh, it is in the countryside and located along the Green Route designated under policy CC03 of the Local Plan. The site is in the Green Belt and the landscape character area A1 Thames River Valley – a high quality landscape.

21. WBC Landscape and Tree Officers have reviewed the proposal and outlined that they have “*no objections to the use of the site for recreational purposes as long as this can be sensitive to the character and its restoration to chalk downland be covered in an Landscape and Ecological Management Plan and I understand that this has already been included as part of my colleagues in ecology's comments.*”

22. As has been outlined in the “Ecology” section of the report a detailed Ecological Management Plan has been submitted. As has been outlined with the considerations of that section the proposed measures would enhance the ecological value of the

site. The Ecological Management Plan also outlines that its targets are to enable “chalk grassland management, restoration and re-creation”. Whilst it is acknowledged that the proposal would not see the return to its full previous value, it would create substantial ecological and landscape enhancements that would not otherwise be possible. Therefore the proposal is not considered to have a detrimental impact landscape or trees and would comply with Policy CC03 of the MDD.

#### **Flooding and Drainage:**

23. The application site is located within Flood Zone 1 and Flood Zone 3, with Flood Zone 3 being to the western section of the application site. Given that the only built form as part of the proposal is a non-habitable 17sqm summer house, which is located within Flood Zone 1 (adjacent to flood zone 3) it is not considered that any additional information is required. Thus, there are no concerns in relation to flooding and drainage with regard to the proposed development.

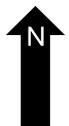
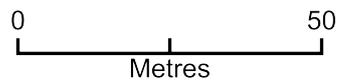
#### **The Public Sector Equality Duty (Equality Act 2010)**

*In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.*

#### **CONCLUSION**

For the reasons set out, it is considered that the proposed development would provide for outdoor recreation that would preserve the openness of the green belt, would not conflict with the purposes of including land within it and would respect the character of the countryside. This would ensure adherence to exception b) of paragraph 145 of the NPPF, Policies CP11 and CP12 of the Core Strategy and Policy TB01 of the MDD and thus, the development is deemed to be acceptable.

# Land at Lake Lodge, Henley Road, Wargave



Plan Produced for: Floor Plans Express

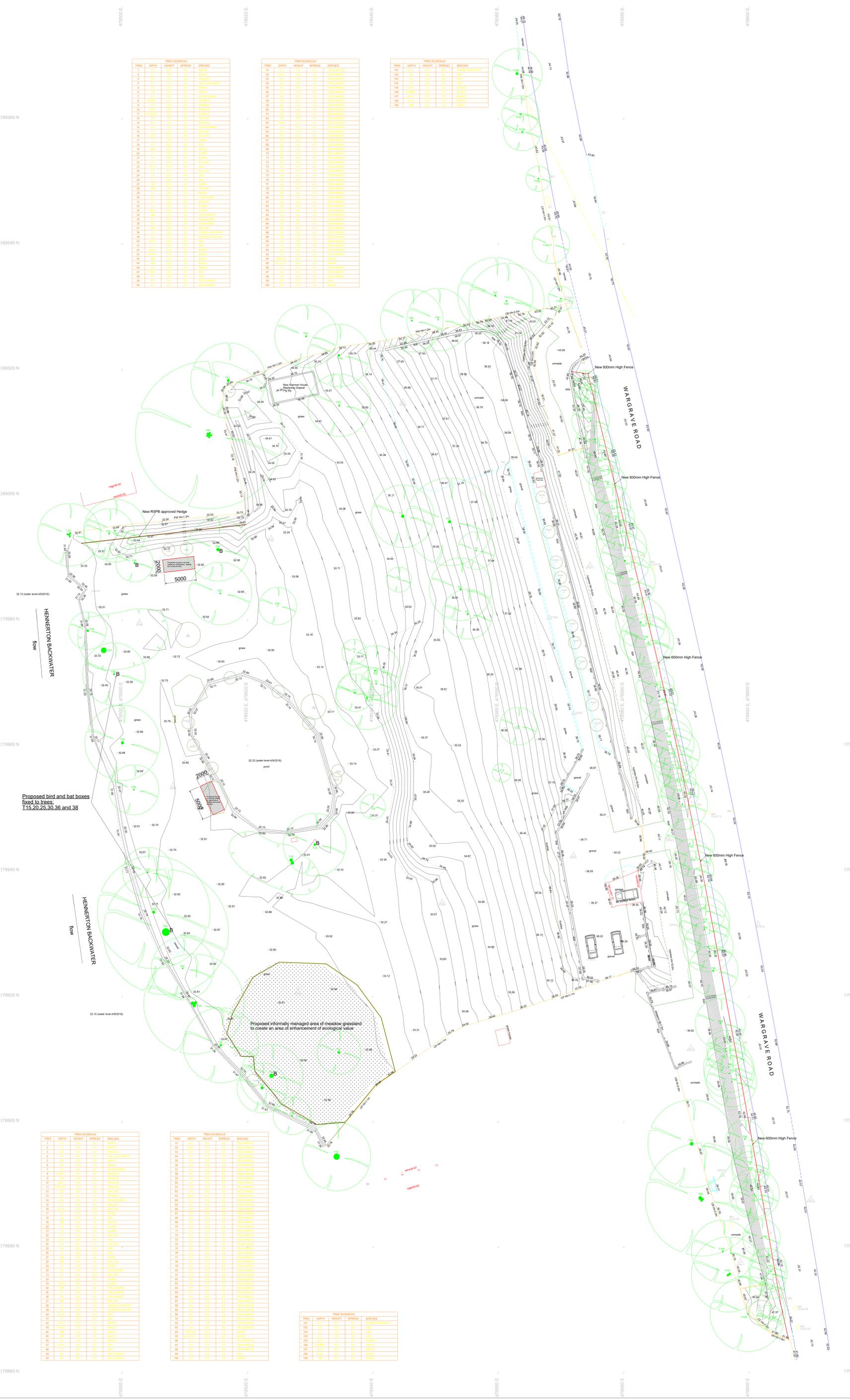
Date Produced: 14 Aug 2019

Plan Number/Project ID: TQRQM19226153638123

Scale: 1:1250 @ A4

## 125

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TREE	GIRTH	HEIGHT	SPREAD	SPECIES
1	1.5	12.0	1.0	MAPLE
2	1.2	10.0	0.8	MAPLE
3	0.8	8.0	0.5	ASH
4	0.4	4.0	0.2	ASH (LAP MAPLE)
5	0.8	10.0	0.8	MAPLE
6	1.5	15.0	1.0	MAPLE
7	0.8	8.0	0.5	ASH
8	1.5	15.0	1.0	MAPLE
9	1.5	15.0	1.0	MAPLE
10	1.5	15.0	1.0	MAPLE
11	1.5	15.0	1.0	MAPLE
12	1.5	15.0	1.0	MAPLE
13	1.5	15.0	1.0	MAPLE
14	1.5	15.0	1.0	MAPLE
15	1.5	15.0	1.0	MAPLE
16	1.5	15.0	1.0	MAPLE
17	1.5	15.0	1.0	MAPLE
18	1.5	15.0	1.0	MAPLE
19	1.5	15.0	1.0	MAPLE
20	1.5	15.0	1.0	MAPLE
21	1.5	15.0	1.0	MAPLE
22	1.5	15.0	1.0	MAPLE
23	1.5	15.0	1.0	MAPLE
24	1.5	15.0	1.0	MAPLE
25	1.5	15.0	1.0	MAPLE
26	1.5	15.0	1.0	MAPLE
27	1.5	15.0	1.0	MAPLE
28	1.5	15.0	1.0	MAPLE
29	1.5	15.0	1.0	MAPLE
30	1.5	15.0	1.0	MAPLE
31	1.5	15.0	1.0	MAPLE
32	1.5	15.0	1.0	MAPLE
33	1.5	15.0	1.0	MAPLE
34	1.5	15.0	1.0	MAPLE
35	1.5	15.0	1.0	MAPLE
36	1.5	15.0	1.0	MAPLE
37	1.5	15.0	1.0	MAPLE
38	1.5	15.0	1.0	MAPLE
39	1.5	15.0	1.0	MAPLE
40	1.5	15.0	1.0	MAPLE
41	1.5	15.0	1.0	MAPLE
42	1.5	15.0	1.0	MAPLE
43	1.5	15.0	1.0	MAPLE
44	1.5	15.0	1.0	MAPLE
45	1.5	15.0	1.0	MAPLE
46	1.5	15.0	1.0	MAPLE
47	1.5	15.0	1.0	MAPLE
48	1.5	15.0	1.0	MAPLE
49	1.5	15.0	1.0	MAPLE
50	1.5	15.0	1.0	MAPLE

TREE	GIRTH	HEIGHT	SPREAD	SPECIES
51	1.5	15.0	1.0	MAPLE
52	1.5	15.0	1.0	MAPLE
53	1.5	15.0	1.0	MAPLE
54	1.5	15.0	1.0	MAPLE
55	1.5	15.0	1.0	MAPLE
56	1.5	15.0	1.0	MAPLE
57	1.5	15.0	1.0	MAPLE
58	1.5	15.0	1.0	MAPLE
59	1.5	15.0	1.0	MAPLE
60	1.5	15.0	1.0	MAPLE
61	1.5	15.0	1.0	MAPLE
62	1.5	15.0	1.0	MAPLE
63	1.5	15.0	1.0	MAPLE
64	1.5	15.0	1.0	MAPLE
65	1.5	15.0	1.0	MAPLE
66	1.5	15.0	1.0	MAPLE
67	1.5	15.0	1.0	MAPLE
68	1.5	15.0	1.0	MAPLE
69	1.5	15.0	1.0	MAPLE
70	1.5	15.0	1.0	MAPLE
71	1.5	15.0	1.0	MAPLE
72	1.5	15.0	1.0	MAPLE
73	1.5	15.0	1.0	MAPLE
74	1.5	15.0	1.0	MAPLE
75	1.5	15.0	1.0	MAPLE
76	1.5	15.0	1.0	MAPLE
77	1.5	15.0	1.0	MAPLE
78	1.5	15.0	1.0	MAPLE
79	1.5	15.0	1.0	MAPLE
80	1.5	15.0	1.0	MAPLE
81	1.5	15.0	1.0	MAPLE
82	1.5	15.0	1.0	MAPLE
83	1.5	15.0	1.0	MAPLE
84	1.5	15.0	1.0	MAPLE
85	1.5	15.0	1.0	MAPLE
86	1.5	15.0	1.0	MAPLE
87	1.5	15.0	1.0	MAPLE
88	1.5	15.0	1.0	MAPLE
89	1.5	15.0	1.0	MAPLE
90	1.5	15.0	1.0	MAPLE

TREE	GIRTH	HEIGHT	SPREAD	SPECIES
91	1.5	15.0	1.0	MAPLE
92	1.5	15.0	1.0	MAPLE
93	1.5	15.0	1.0	MAPLE
94	1.5	15.0	1.0	MAPLE
95	1.5	15.0	1.0	MAPLE
96	1.5	15.0	1.0	MAPLE
97	1.5	15.0	1.0	MAPLE
98	1.5	15.0	1.0	MAPLE
99	1.5	15.0	1.0	MAPLE
100	1.5	15.0	1.0	MAPLE

Proposed bird and bat boxes fixed to trees 11, 5, 20, 25, 30, 36 and 38

Proposed informally managed area of meadow grassland to create an area of enhancement of ecological value

TREE	GIRTH	HEIGHT	SPREAD	SPECIES
1	1.5	15.0	1.0	MAPLE
2	1.5	15.0	1.0	MAPLE
3	1.5	15.0	1.0	MAPLE
4	1.5	15.0	1.0	MAPLE
5	1.5	15.0	1.0	MAPLE
6	1.5	15.0	1.0	MAPLE
7	1.5	15.0	1.0	MAPLE
8	1.5	15.0	1.0	MAPLE
9	1.5	15.0	1.0	MAPLE
10	1.5	15.0	1.0	MAPLE
11	1.5	15.0	1.0	MAPLE
12	1.5	15.0	1.0	MAPLE
13	1.5	15.0	1.0	MAPLE
14	1.5	15.0	1.0	MAPLE
15	1.5	15.0	1.0	MAPLE
16	1.5	15.0	1.0	MAPLE
17	1.5	15.0	1.0	MAPLE
18	1.5	15.0	1.0	MAPLE
19	1.5	15.0	1.0	MAPLE
20	1.5	15.0	1.0	MAPLE
21	1.5	15.0	1.0	MAPLE
22	1.5	15.0	1.0	MAPLE
23	1.5	15.0	1.0	MAPLE
24	1.5	15.0	1.0	MAPLE
25	1.5	15.0	1.0	MAPLE
26	1.5	15.0	1.0	MAPLE
27	1.5	15.0	1.0	MAPLE
28	1.5	15.0	1.0	MAPLE
29	1.5	15.0	1.0	MAPLE
30	1.5	15.0	1.0	MAPLE
31	1.5	15.0	1.0	MAPLE
32	1.5	15.0	1.0	MAPLE
33	1.5	15.0	1.0	MAPLE
34	1.5	15.0	1.0	MAPLE
35	1.5	15.0	1.0	MAPLE
36	1.5	15.0	1.0	MAPLE
37	1.5	15.0	1.0	MAPLE
38	1.5	15.0	1.0	MAPLE
39	1.5	15.0	1.0	MAPLE
40	1.5	15.0	1.0	MAPLE

TREE	GIRTH	HEIGHT	SPREAD	SPECIES
41	1.5	15.0	1.0	MAPLE
42	1.5	15.0	1.0	MAPLE
43	1.5	15.0	1.0	MAPLE
44	1.5	15.0	1.0	MAPLE
45	1.5	15.0	1.0	MAPLE
46	1.5	15.0	1.0	MAPLE
47	1.5	15.0	1.0	MAPLE
48	1.5	15.0	1.0	MAPLE
49	1.5	15.0	1.0	MAPLE
50	1.5	15.0	1.0	MAPLE
51	1.5	15.0	1.0	MAPLE
52	1.5	15.0	1.0	MAPLE
53	1.5	15.0	1.0	MAPLE
54	1.5	15.0	1.0	MAPLE
55	1.5	15.0	1.0	MAPLE
56	1.5	15.0	1.0	MAPLE
57	1.5	15.0	1.0	MAPLE
58	1.5	15.0	1.0	MAPLE
59	1.5	15.0	1.0	MAPLE
60	1.5	15.0	1.0	MAPLE
61	1.5	15.0	1.0	MAPLE
62	1.5	15.0	1.0	MAPLE
63	1.5	15.0	1.0	MAPLE
64	1.5	15.0	1.0	MAPLE
65	1.5	15.0	1.0	MAPLE
66	1.5	15.0	1.0	MAPLE
67	1.5	15.0	1.0	MAPLE
68	1.5	15.0	1.0	MAPLE
69	1.5	15.0	1.0	MAPLE
70	1.5	15.0	1.0	MAPLE

TREE	GIRTH	HEIGHT	SPREAD	SPECIES
71	1.5	15.0	1.0	MAPLE
72	1.5	15.0	1.0	MAPLE
73	1.5	15.0	1.0	MAPLE
74	1.5	15.0	1.0	MAPLE
75	1.5	15.0	1.0	MAPLE
76	1.5	15.0	1.0	MAPLE
77	1.5	15.0	1.0	MAPLE
78	1.5	15.0	1.0	MAPLE
79	1.5	15.0	1.0	MAPLE
80	1.5	15.0	1.0	MAPLE

**LEGEND**

<b>SURVEY CONTROL</b>	AV Air Valve
<b>FENCE</b>	BB Bus Stop
<b>HEDGE</b>	BT British Telecom
<b>PWS</b>	BW Box Wall
<b>SWIS</b>	CB Core Board
<b>POWER LINE (OVERHEAD)</b>	CL Chain Link
<b>TELECOM LINE (OVERHEAD)</b>	CP Chain Post
<b>ELECTRIC MAIN</b>	CPV Chestnut Paving
<b>GAS MAIN</b>	CPW Chicken Wire
<b>EMBANKMENT</b>	EW Interweave
	FL Floor Slab
	OB Open Board
	PR Post and rail
	PW Post and Wire
	AV Air Valve
	BB Bus Stop
	BT British Telecom
	BW Box Wall
	CB Core Board
	CL Chain Link
	CP Chain Post
	CPV Chestnut Paving
	CPW Chicken Wire
	EW Interweave
	FL Floor Slab
	OB Open Board
	PR Post and rail
	PW Post and Wire
	AV Air Valve
	BB Bus Stop
	BT British Telecom
	BW Box Wall
	CB Core Board
	CL Chain Link
	CP Chain Post
	CPV Chestnut Paving
	CPW Chicken Wire
	EW Interweave
	FL Floor Slab
	OB Open Board
	PR Post and rail
	PW Post and Wire

**DATUM**

GRID - ORDNANCE SURVEY NATIONAL GRID (OSN15)

LEVELS - ORDNANCE SURVEY (OSGM15)

SURVEY CONTROL	OSN15	OSGM15
1	47500.00	179880.00
2	47500.00	179880.00
3	47500.00	179880.00
4	47500.00	179880.00
5	47500.00	179880.00
6	47500.00	179880.00
7	47500.00	179880.00
8	47500.00	179880.00
9	47500.00	179880.00
10	47500.00	179880.00
11	47500.00	179880.00
12	47500.00	179880.00
13	47500.00	179880.00
14	47500.00	179880.00
15	47500.00	179880.00
16	47500.00	179880.00
17	47500.00	179880.00
18	47500.00	179880.00
19	47500.00	179880.00
20	47500.00	179880.00
21	47500.00	179880.00
22	47500.00	179880.00
23	47500.00	179880.00
24	47500.00	179880.00
25	47500.00	179880.00
26	47500.00	179880.00
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40	47500.00	179880.00

**NOTES**

Surveyed boundaries are not necessarily the legal boundaries.

Client should refer to the relevant Land Registry document for confirmation of title.

Drainage and service covers that were buried, discovered or not visible at the time of the survey are shown. Sewer covers between manholes are assumed to be straight and only shown where they cross the cover area shown.

The survey is based on the ground surface.

The survey is based on the ground surface.

The survey is based on the ground surface.

**SURVEYED BY**

**groundsurveys Ltd**

land & engineering surveys

**FLOOR PLANS EXPRESS**

**Client**

Mr J Fletcher

**Title**

Proposed Retrospective Change of Use From Agricultural Land to Personal Leisure.

The Land at Lake Lodge Wargrave RG10 8PH

Proposed Layout of Land and Summer House Fishing Lodge

**SCALE**

1/200 (AO)

**DATE**

December 2019

**DRAWING No.**

FLE2019/001

**REV.**

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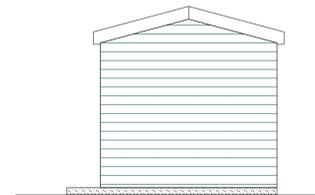
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 3. Any structural work where mentioned on this drawing is subject to a qualified structural and civil engineer calculations before building work commences.  
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 7. All drawings marked preliminary are not to be built or manufactured from.



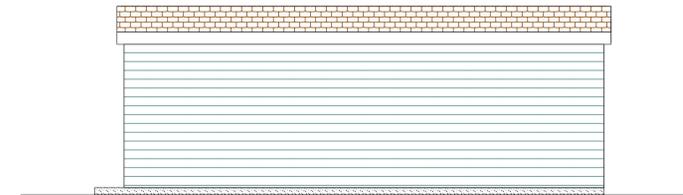
Existing Front Elevation



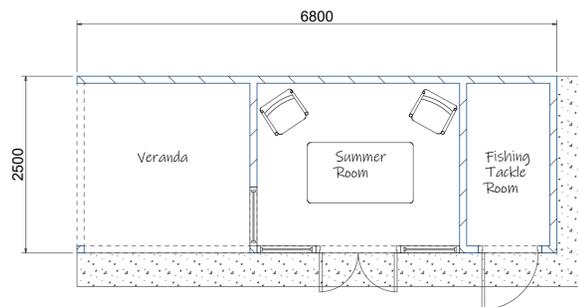
Existing Side Elevation



Existing Side Elevation



Existing Rear Elevation



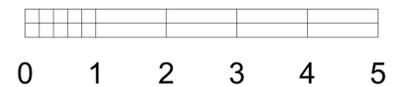
Ground Floor Plan

Please note:  
 The Footprint of the Summer House is Exactly The Same As the Pigsty it Has Replaced.



Summer House and Fishing Tackle Room

SCALE IN METRES 1:50



Existing Summer House and Fishing Tackle Room

Client: Mr Justin Fletcher

The land at Lake Lodge  
 Wargrave Road  
 Wargrave  
 Berkshire  
 RG10 8PH

Drawings: Plan & Elevations

Drawing No FLE/2019/001

Date: 12/2019 Scale 1:50

Drawn by:  
 Mark Seagrove

Page Size - A1

8, Spring Walk  
 Wargrave  
 Reading  
 Berkshire  
 RG10 8DX  
 Tel: 0118 9404274  
 Mob: 07957580355  
 Email: mark@floorplansexpress.net

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PLANNING REF : 193422  
PROPERTY ADDRESS : Council Office  
: Pavilion, Recreation Road, Wargrave, Wokingham  
: RG10 8BG  
SUBMITTED BY : Wargrave Parish Council  
DATE SUBMITTED : 04/02/2020

COMMENTS:

Wargrave Parish Council had no objection to this application.  
A condition is requested if approved: that any Permitted Development rights be removed and no development allowed without planning permission.

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Application Number	Expiry Date	Parish	Ward
200323	14/05/2020	St Nicholas, Hurst	Hurst

<b>Applicant</b>	Ashridge Manor Garden Centre
<b>Site Address</b>	Ashridge Manor Garden Centre, Forest Road, Binfield, RG40 5QY
<b>Proposal</b>	Full planning application for the erection of a single storey extension to the sales area to include 2No roller doors and 2No security doors.
<b>Type</b>	Full
<b>PS Category</b>	21
<b>Officer</b>	Brian O'Donovan
<b>Reason for determination by committee</b>	Major application

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 13 May 2020
<b>REPORT PREPARED BY</b>	Assistant Director – Place

<b>SUMMARY</b>
<p>The application is before Committee as the application site measures an area of 3.74 hectares and therefore is within the Major Application site area threshold.</p> <p>The proposal for the erection of a single storey extension to the sales area to Ashridge Manor Garden Centre (including 2 No roller doors and 2 No security doors) is considered to be acceptable in principle and would not have a detrimental impact upon the character, appearance or openness of the countryside and would contribute positively to a sustainable rural enterprise. It has been demonstrated that no part of the development would have a detrimental impact on the amenity of neighbouring occupiers, upon highway safety and parking provision, biodiversity or trees/landscape. It is therefore recommended that this application is approved as it would accord with the NPPF and development plan policies for Wokingham Borough.</p>

<b>PLANNING STATUS</b>
<ul style="list-style-type: none"> <li>• Green Route</li> <li>• Countryside Location</li> <li>• Landscape Character Assessment</li> <li>• SSSI Impact Risk Zones</li> <li>• Thames Basin Heath Special Protection Area Mitigation Zone (5-7km buffer)</li> </ul>

<b>RECOMMENDATION</b>
<p><b>That the committee authorise the GRANT OF PLANNING PERMISSION subject to</b></p> <p><b>A. Conditions and informative:</b></p> <p><b>1. Timescale</b></p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p>

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

## 2. Approved Plans

This permission is in respect of the submitted application plans and drawings numbered MLP/01, MLP/02, 12083 – 02, 12084 – 02 and 12085 - 02 received by the local planning authority on 07/02/2020. 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. External Materials

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall be of a similar appearance to those used in the existing building unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

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

## 4. Garden Centre Use

No goods shall be sold from the extension other than agricultural, horticultural, forestry produce and other goods associated with domestic garden use, gardening and garden maintenance only. No other goods shall be sold, repaired or maintained in the approved structure.

**Reason:** The site is located in the countryside outside of the defined settlement and the restriction of goods sold is in order to ensure that the development does not lead to loss of or impact on the viability of existing local centres and shops in the locality. Relevant policy: Policy TB18 of the Managing Development Delivery Local Plan.

### Informative:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

PLANNING HISTORY		
Application Number	Proposal	Decision
160345	Full planning application for the erection of new building to provide retail space following demolition of existing building.	Approved 28.04.16
142759	Proposed erection of new building to provide retail floor space and replacement storage following demolition of existing storage buildings and terrapin.	Approved 05/12/14

F/2014/0372	Application for retention of maintenance building	Approved 14/04/14
CLE/2013/2548	Certificate for Lawful Development of land for parking and maintenance of coaches	Approved 03/02/14
F/2002/7332	Proposed erection of canopy over farm shop and sales area	Approved 17/10/02
F/1998/67212	Proposed change of use from farm to garden centre	Approved 19/05/98

<b>CONSULTATION RESPONSES</b>		
WBC Biodiversity		No objection
WBC Highways		No objection
WBC Tree & Landscape		No objection

<b>REPRESENTATIONS</b>		
<b>St Nicholas Hurst Parish Council:</b> No objection		
<b>Local Members:</b> No comments received		
<b>Neighbours:</b> No comments received		

<b>PLANNING POLICY</b>		
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>CP11</b>	Proposals outside development limits (including countryside)
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>CC08</b>	Safeguarding alignments of the Strategic Transport Network & Road Infrastructure
	<b>CC09</b>	Development and Flood Risk (from all sources)
	<b>CC10</b>	Sustainable Drainage
	<b>TB18</b>	Garden Centres and Other Small Rural Units Outside Development Limits

	<b>TB21</b>	Landscape Character
	<b>TB23</b>	Biodiversity and Development
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide – Section 4

## PLANNING ISSUES

### Description of Development:

1. The proposal is for the erection of a single storey extension to the sales area (including two roller doors and two security doors) to Ashridge Manor Garden Centre. The proposal is for a 5.2m deep extension to the southern elevation of the sales area to the Garden Centre. The proposal would create an additional 401sqm of floorspace. The proposal would integrate with the existing pitched roof form, including a continuation of the existing eaves and ridge height. The proposal is to be constructed in profiled sheet steel to match the existing materials to the premises.

### 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 (MDD) 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 application site is outside of any defined settlement boundaries and is located within the countryside. Policy CP11 of the Core Strategy states in order to protect the separate identity of the settlements and maintain the quality of the environment, proposal outside of the development limits will not normally be permitted except where:
  - It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside; and
  - It does not lead to excessive encroachment or expansion away from the original buildings; and
  - It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement
4. The application site is an established garden centre and it is considered that the proposal would contribute to a sustainable rural enterprise. The proposed extension will be set within the existing coalescence of buildings on the application site. The proposal would extend from the southern elevation of the sales area building which was approved under application Ref. 160345.
5. Policy TB18 of the MDD Local Plan states that planning permission for the establishment or expansion of retail development outside development limits may be permitted where they demonstrate that
  - The proposal is connected to or adjacent to the primary holding

- The proposal is economically related to the primary holding and is ancillary to the primary existing use
- There would be no adverse impact on the vitality or viability of retail centres, neighbourhood or village shops within the locality

6. The use of the proposed extension is connected to the primary use of the garden centre, proposing to extend the existing sales area. The existing holding currently operates as a garden centre and therefore sells garden centre products. Thus, the proposal would not have an adverse impact on the vitality or viability of nearby garden centres. A condition is to be imposed to ensure that the proposed use of the extension remains related to the garden centre use.
7. Therefore it is considered that the principle of development is acceptable subject to the material considerations set out below.

**Character of the Area:**

8. Policy CP3 of the Core Strategy states planning permission will be granted if development is 'of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design' and contributes 'to a sense of place in the buildings and spaces themselves and in the way they integrate with their surroundings, including the use of appropriate landscaping'. The supporting text to policy CP3 also sets out that development should be of a high standard of design that can integrate with the character of the area as this is important to achieving sustainable development.
9. The application site is located within the countryside and consists of a number of commercial uses within the wider site. The proposed development would be for an extension to Ashridge Manor Garden Centre. The proposal is for an extension to the southern elevation of the sales area building which was approved Ref. 160345. This building was constructed to replace a previously demolished building and measures a floorspace of 2415sqm. It is a single storey metal clad utilitarian barn style building which includes a shallow pitched roof with a ridge height of 5.8m
10. The proposal is for an extension to the southern elevation of the aforementioned sales area structure. The proposed extension is to measure a depth of 5.2m and would extend across the full width of the existing southern elevation of the sales area building. The proposal is to integrate with the existing building type and roof form and would see a continuation of the existing ridge-line and is to be constructed in materials to match the existing. The proposal would create an additional 401sqm of floorspace to the sales area.
11. It is considered that the proposal would integrate seamlessly with the existing structure and would be a modest addition to the existing structure given the comparable floor spaces. The proposal is to be located within a coalescence of other buildings, is well contained within the application site and wider site and will not be prominent from any distant view. The roller shutters and security would also integrate with the host building to an acceptable degree. Therefore, it is considered that the proposal would not have a detrimental impact upon the character and appearance of the application site and surrounding area. The application is considered to adhere to Policy CP3 of the Core Strategy in this regard.

**Residential Amenities:**

12. The proposed extension is not located within close proximity to any residential properties. Therefore, there are no concerns in relation to any potential impacts upon residential amenity to surrounding properties.

**Highways/Pedestrian Safety and Parking Provision:**

13. The proposed extension is to the existing sales area of the Garden Centre would not lead to the loss of any of the existing car parking provision for the application site. Highways Officers have reviewed the proposal and they have no concerns in relation to the proposal's impact upon the current level of parking provision, nor have they any concerns in relation to highway/pedestrian safety.

**Flooding and Drainage:**

14. The application site is located within flood zone 1. There are no areas in close proximity to the proposed extension which are at high risk of surface water flooding. Thus, it is considered that the proposed extension is acceptable in relation to drainage and flood risk.

**Landscape and Trees:**

15. There are no TPO's within or within close proximity to the application site. WBC Landscape and Tree Officers have reviewed the proposal and they have outlined that they have no objections. Thus, there are no concerns in relation to landscape and tree matters.

**Ecology:**

16. The host building is a metal framed building which is located within the wider garden centre and it is surrounded on all sides by hardstanding. The application site is within a habitat where bat roosts have previously been identified within the borough. However, WBC Ecology Officers have reviewed the proposal and have outlined that the host building is very unlikely to be suitable for use by roosting bats whilst the wider site is of low ecological value as it is predominantly comprised of hardstanding. Therefore, since bats and other protected species are unlikely to be affected by the proposed there are no concerns on ecological grounds.

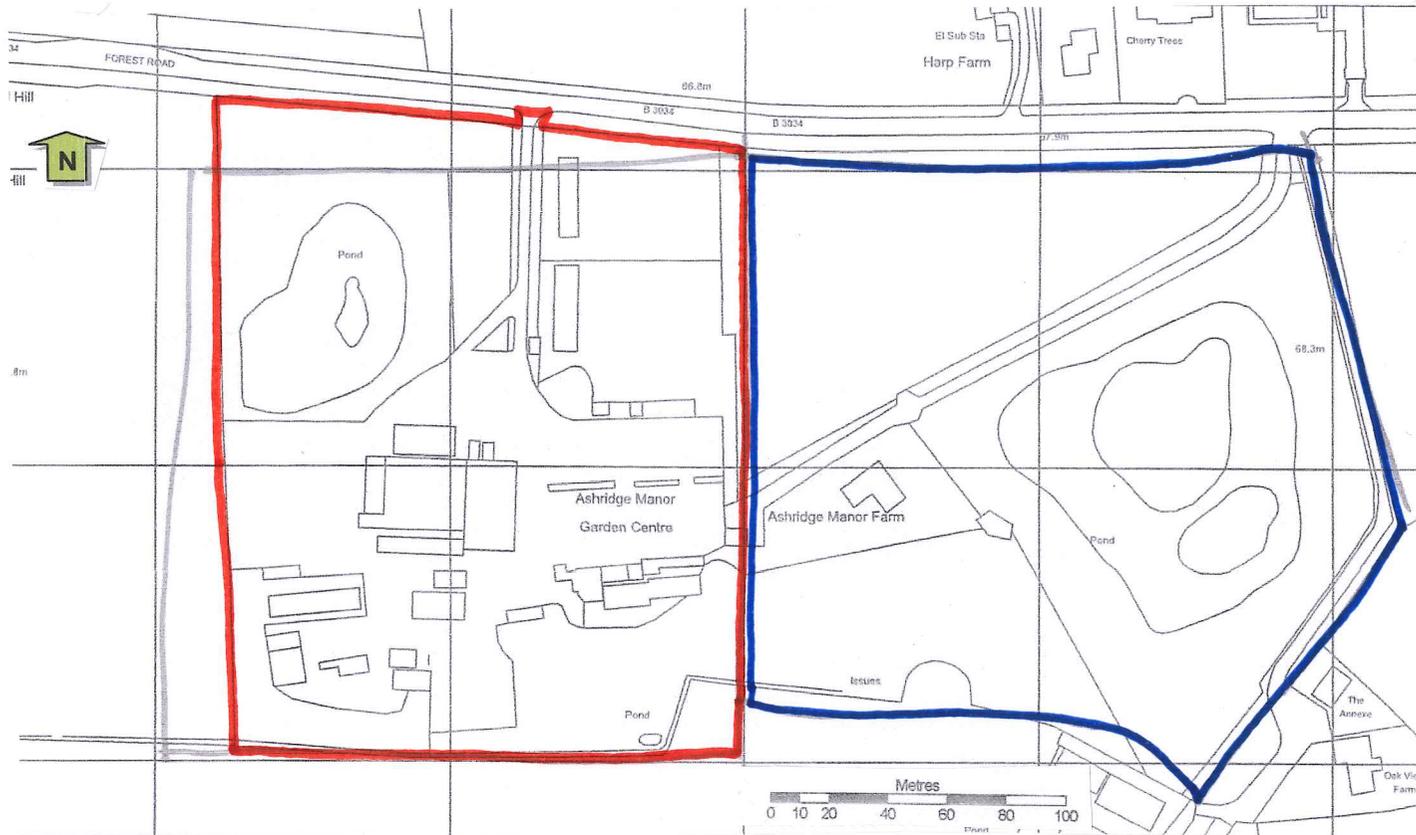
**The Public Sector Equality Duty (Equality Act 2010)**

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.

**CONCLUSION**

The proposed extension is considered to be acceptable in principle and would not have a detrimental impact upon the character, appearance or openness of the countryside and would contribute positively to a sustainable rural enterprise. The proposed development would adhere to Policy CP11 of the Core Strategy, Policy TB18 of the MDD Local Plan and the NPPF. Therefore, the proposal is recommend for approval subject to conditions.

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**Mark Leedale Planning**  
Chartered Town Planning  
Consultants

52 Crondall Lane,  
Farnham,  
Surrey GU9 7DD  
01252 718855 tel/fax  
markleedale@hotmail.com

**Revision notes:**

- A
- B
- C

**Client:**  
Ashridge Manor Garden Centre

**Location:**  
Ashridge Manor Garden Centre, Forest Road, Wokingham RG40 5QY

**Drawing title:**  
Location plan

**Scale:**  
1:2,500@A4

**Date:**  
February 2020

**Drawing number:**  
MLP/01

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143

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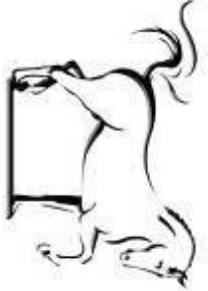
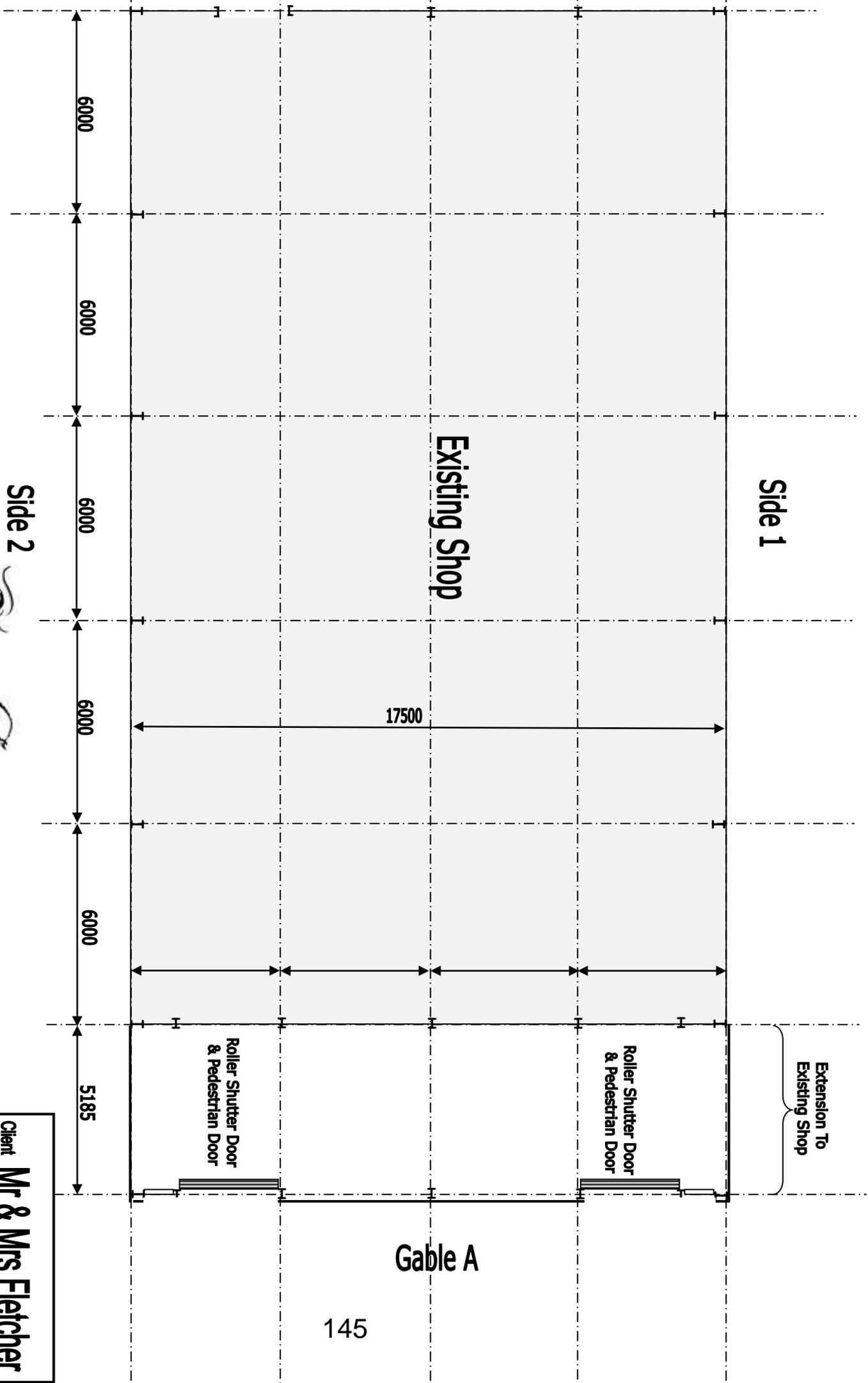
Drawing title:  
Site plan

Scale:  
1:500@A3

Date:  
February 2020

Drawing number:  
MLP/02

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**PHILIP EATON LTD**  
**07774 120666**

Client **Mr & Mrs Fletcher**  
 Drawing No. **12803-02**  
 Date **29th Jan 2020**

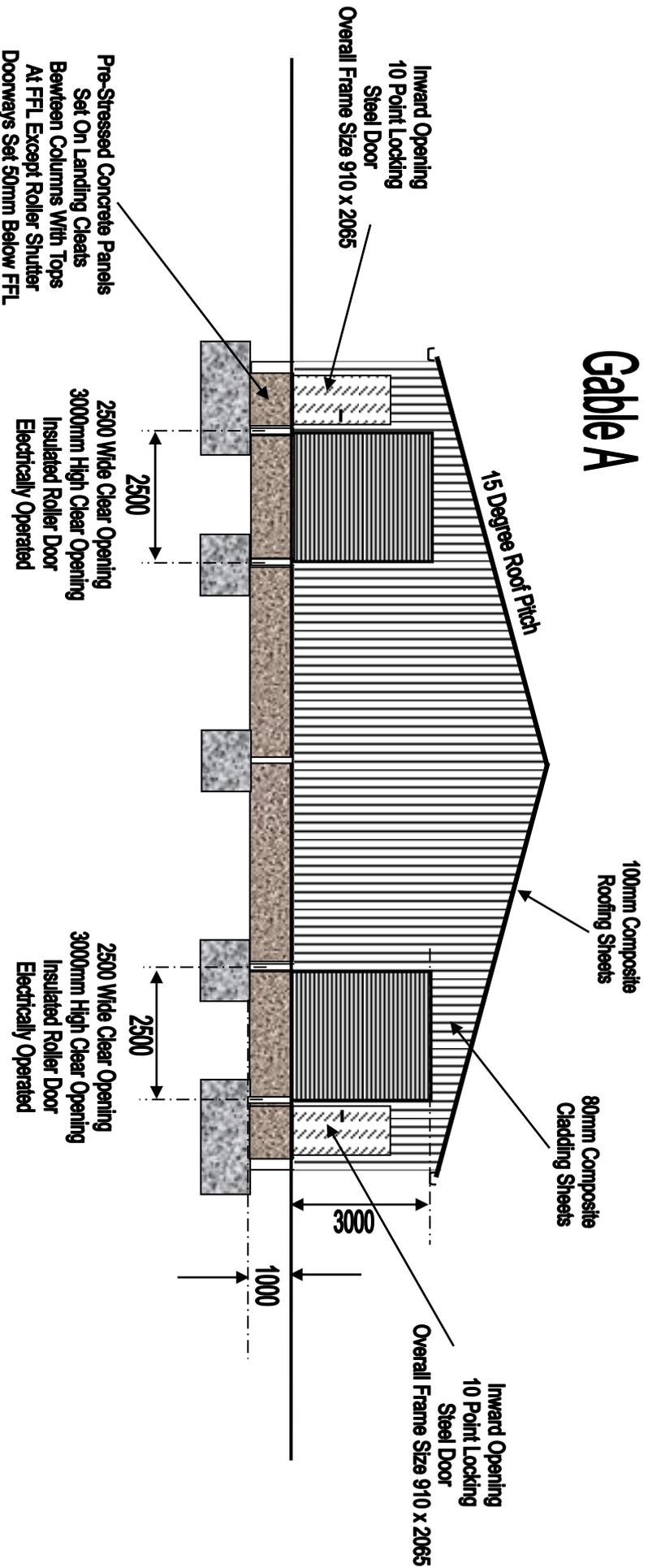
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# Gable A



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PLANNING REF : 200323  
PROPERTY ADDRESS : 9 Primrose Lane  
: Winnersh, Wokingham  
: RG41 5UR  
SUBMITTED BY : St Nicholas Hurst Parish  
DATE SUBMITTED : 09/03/2020

COMMENTS:

St Nicholas Hurst Parish Council has no adverse comments with regards to application 200323.

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Application Number	Expiry Date	Parish	Ward
N/A	N/A	St. Nicholas Hurst	Hurst;

<b>Applicant</b>	St. Nicholas Hurst C of E Primary School
<b>Site Address</b>	St. Nicholas Hurst C of E Primary School, School Road, Hurst, Wokingham, RG10 0DR
<b>Proposal</b>	Diversion Order Hurst Footpath 20
<b>Type</b>	N/A
<b>PS Category</b>	N/A
<b>Officer</b>	Andrew Fletcher
<b>Reason for determination by committee</b>	Scheme of delegation

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 13 May 2020
<b>REPORT PREPARED BY</b>	Assistant Director – Delivery and Infrastructure

<b>SUMMARY</b>
<p>The Council has received an application from St Nicholas Hurst C of E Primary School to divert part of Hurst Footpath 20 under section 119 Highways Act (1980).</p> <p>The grounds for the making of the diversion order are that part of the line of the path should be diverted in the interests of the owner of land crossed by the path and of the public.</p> <p>It is recommended that the order is made.</p>

<b>PLANNING STATUS</b>
<p><b>Legal Framework for the Decision:</b> Orders for the stopping up or diversion of footpaths, bridleways or restricted byways may be made under section 119 of the Highways Act (1980), if the highways authority is satisfied that it is necessary to do so in the interests of the owner of the land and the public.</p> <p>Defra Rights of way Circular 01/09 is also relevant.</p>

<b>RECOMMENDATION</b>
<p><b>That the committee authorise the making of the DIVERSION ORDER:</b></p> <ol style="list-style-type: none"> <li>1. That authorisation is given to the making of an order under s.119 Highways Act 1980 Act to divert part of Hurst Footpath 20 as shown on the plan no. 1, on the basis that the diversion will be in the interests of the public and of the landowner;</li> <li>2. If no objections to the order are received or any such objections are withdrawn, that the order may be confirmed;</li> <li>3. If objections are received and sustained, the order may be sent to the Secretary of State for confirmation.</li> </ol>

4. In addition to the above, that the Diversion Order made on 20<sup>th</sup> August 2007 and referred to in Paragraph 9 below shall be abandoned.

### **CONSULTATION RESPONSES**

Executive Member – Environment and Leisure	No objection
Local Members	No objection
St. Nicholas Hurst Parish Council	No objection
Loddon Valley Ramblers	No objection
Open Spaces Society	No objection
Local Access Forum	No objection

### **BACKGROUND**

#### **Description of existing path and proposed diversion**

1. Hurst Footpath 20 commences on School Road and runs in a southerly direction for 78m, then in a south easterly direction for 95m, ending along Orchard Road to the west of Vine Cottage.
2. The section of the path which is required to be diverted is shown by a solid black line between the points A-B on Plan No.1. The proposed diversion route is shown by a dashed line between the points B-C-D-E on Plan No. 1. St Nicholas Hurst C of E Primary School are the land owners for this section of the path.
3. The surface of the path is a grass path through the playing field. The Council is responsible for the maintenance of the path however as it is part of the playing grounds, no maintenance is generally required. There is no defined width on the ground or the Definitive Statement for the section A-B.
4. There are currently three gates along the path through this section: a gate at the entrance to School Road at Point A, a second gate at point B where the path leaves the playing field and lastly a kissing gate at the boundary of the school land at point B where the path leads into the adjacent field.
5. The proposed diversion route will be to route the path around the playing field, but separated from the field by a wooden rail fence. The proposed diversion route is within the land ownership of the school. This diverted route is already in place and is being used by some members of the public as a permitted alternative route. This route is signed by the School as a permitted alternative route to the existing right of way.
6. The length of Hurst Footpath 20 to be diverted is approximately 77 metres long. The proposed diverted route will be 95 metres long, an increase of 18 metres. The existing section of the route to be diverted has no dog legs; the proposed diverted section has one dog leg along the route.
7. The school are seeking to make the new path as user friendly as possible and have undertaken to carry out the following work as part of the diversion:
  - a. Removal the stile at the entrance to the alterative path on School road (point E on Plan No. 1)
  - b. Cut back the hedge and remove any overhanging branches along the proposed route

- c. Remove the 90 degree part of the fence at point C-D by taking the fence back into the playing field to create a wider and gentler turning point in the path.
- d. Surface along the diverted path with compacted limestone scalplings to provide a surface suitable for all year round use.
- e. Replace the kissing gate which is on the boundary of the school land at point B with a new kissing gate compliant with British Standard BS5709.
- f. Remove the second stile which is on Orchard Road and replace it with a new kissing gate compliant with British Standard BS5709. The adjacent landowner has agreed to this change, should the diversion be approved.
- g. Removal of the top rail of the existing fence adjacent to the proposed diverted route to ensure a more open view from the proposed diverted path.

### **History of the application**

8. A diversion order was made in 2007 to divert this path, however a number of objections were received. The Order was not confirmed (and therefore did not come into effect) pending further discussions between the applicant, the Council and those who had raised objections to the Order. These discussions were further delayed due to staff changes at both the School and the Council.
9. The issue was revisited in 2019 and fresh discussions were carried out with those who had objected previously and other key stakeholders. As a result of these discussions various changes were made to the proposed diversion route to address their concerns (detailed above). Consequently, it is necessary for Members to authorise the case officer to abandon seeking confirmation of the 2007 Order.

### **Purpose of the Order and legal test for a Diversion**

10. The test under s.119 of the Highways Act (1980) to be used to decide whether to make a diversion order is whether the new route is as substantially convenient to the public and in the interests of the landowner and/ or the public.
11. The purpose of the diversion is to alter the definitive line of the path to provide increased security for the school, and to provide an improved path which is more convenient to users.

#### **Benefits to the landowner**

12. The path between A-B runs through the outdoor play area of the school. The existence of the path means that the school is unable to effectively prevent any member of the public from entering the playing ground whilst the children are playing, and are likewise unable to lock the gates to prevent children from accessing the adjacent road or field. This represents a significant safeguarding risk to the school and whilst supervisory staff are deployed during playtimes to monitor the gates and path the risk remains. The school are seeking to divert the path around the playing field so that they are able to properly secure the field and prevent unauthorised access in and out of the school in line with the other security measures in place for the main buildings.

#### **Benefits to the public**

13. The current route crosses a playing field, with a natural grass surface underfoot. During wetter months this path is liable to become muddy and will be more difficult

for the public to use than a surfaced path. The existence of 3 narrow gates along the path also make it less accessible to those with pushchairs or wheelchairs.

14. The effect of the proposed diversion will be to create a new route with a defined width of 2.8 metres, with a surface suitable for all year round use and making the path safer and more accessible to users. The number of gates and barriers along the route will be reduced from 3 to one. The remaining gate is there to prevent livestock from escaping, but as part of the works the gate will be upgraded to the modern standards so improving accessibility to all users. The diverted path will have a higher specification surface suited to use all year round. This will be more accessible to users. Therefore the route will be more convenient to the public. It is thus considered that the proposed diversion order will be in the interests of both the landowner and the public.

15. The difference in length between the length of path to be diverted and the proposed alternative is approximately 18 metres. However, it is considered that any perceived disadvantage as a consequence of the additional length will be outweighed by the improved surface and accessibility, overall the right of way is improved by proposed diversion.

#### **Results of the informal consultation**

16. The first stage of the diversion application process is to informally consult key stakeholders prior to any decision.

17. St. Nicholas Hurst Parish Council, Loddon Valley Ramblers and the Open Spaces Society have been consulted and have made no objections to the proposed diversion. The Local Access Forum has also been consulted and has no objection to the diversion. Local Members have been consulted and have no objections to the diversion.

#### **Next steps**

18. If a decision is made to make a Diversion Order there is a further statutory objection period of 28 days from the date of publication for any representations or objections. If there are no subsisting representations or objections the Council may then proceed to confirm the order. Otherwise the order can only be confirmed by the Secretary of State who may decide to hold a Public Inquiry.

19. Should any objections be received that are not subsequently withdrawn a further report will be made to the Planning Committee for a decision whether to refer the matter to the Secretary of State or to abandon the Order.

#### **Relevant policies**

20. The following policy is relevant to this application: *Rights of Way Improvement Plan 2009* (Statement of Action Policy SOA3) Improve accessibility and quality of life: 'to identify ways to improve access on public rights of way for those with visual or mobility impairments'. The length of the proposed diverted footpath will be accessible for pushchair and wheelchair users.

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

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age,

disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief.

There is no indication or evidence (including from informal consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular public path diversion application and there would be no significant adverse impacts upon protected groups as a result of the proposed diversion.

## **CONCLUSION**

Officers are of the opinion that the proposed diversion satisfies the criteria required under section 119 of the Highways Act (1980) and that it is expedient for the Council to make the order in that:

- 1) It is in the interests of the owner of the land and of the public;
- 2) In general the proposed diversion route will be substantially as convenient to the public.

It is recommended that the order is made.

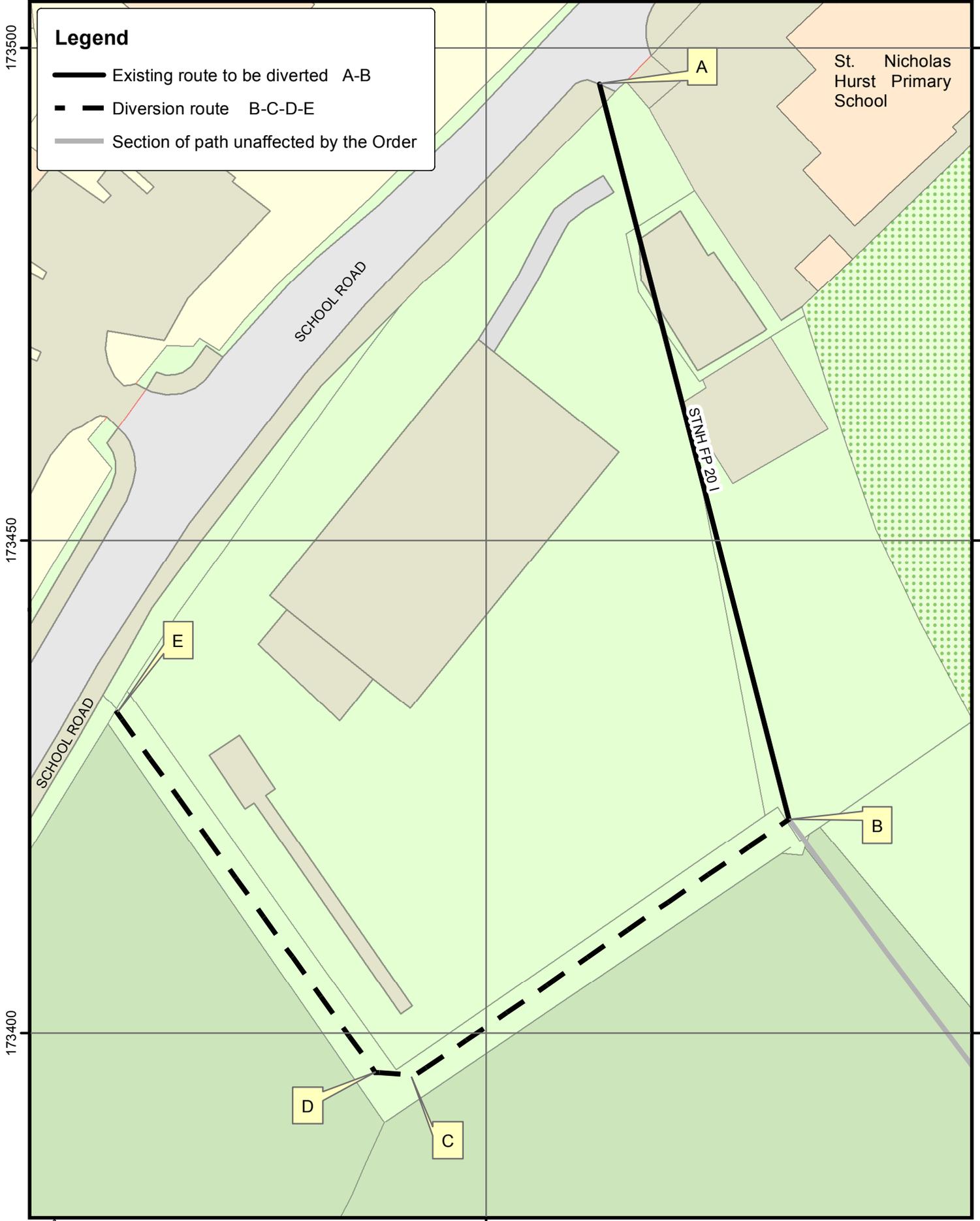
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# Plan No. 1

Highways Act 1980 Section 119

Wokingham Borough Council

Footpath 20 St Nicholas Hurst (part) Diversion Order 2020



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