

Development Management Ref No	No weeks on day of committee	Parish	Ward	Listed by:
171120	5/8	Winnersh	Winnersh	WHL application
Applicant	Wokingham Housing Limited			Postcode RG41 5LD
Location	Grovelands Park, Grovelands Avenue, Winnersh			
Proposal	Application to vary conditions 2, 3 and 9 of planning consent F/2014/2611 for the erection of residential development of 6no two bed dwellings with associated external works. Condition 2, 3 and 9 relate to materials, elevation and boundary treatments respectively			
Type	Variation of condition			
PS Category	13			
Officer	Graham Vaughan			

FOR CONSIDERATION BY Planning Committee on 14th June 2017
REPORT PREPARED BY Head of Development Management and Regulatory Services

SUMMARY

The application site is within a major development location in the settlement of Winnersh and is un-used scrub land (although it is noted that construction has started). It is situated between a mobile home park and commercial units in Grovelands Avenue. The original application on the site was for the development of 6 x 2 bedroom dwellings which would all be provided as affordable housing through Wokingham Housing Limited. The scheme was approved subject to a number of conditions typically requiring further details to be agreed with the Local Planning Authority.

The current proposal seeks to alter parts of the design of the proposal. Specifically, the facing brick to be used would be changed, solar panels are proposed on the roof and a hedgerow is proposed to be replaced by close boarded fencing. None of these changes however are considered to have a harmful impact on the character of the area. Additionally, the changes to the boundary treatments and introduction of solar panels would not impact on the access to the site or residential amenity. As such, the scheme is considered to be compliant with the development plan and is recommended for conditional approval.

PLANNING STATUS

- Major development location
- Allocated sites for employment/commercial development
- Contaminated land consultation zone
- Wind turbine consultation zone
- Sand and gravel extraction
- Mineral consultation zone

RECOMMENDATION

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

A. Conditions and informatives:

Conditions 1, 2, 3 and 9 are varied to read as follows:

1. The development hereby permitted shall be begun before the expiration of three years from the date of planning permission F/2014/2611.
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 materials to be used in the construction of the external surfaces of the buildings and all hardstanding hereby approved shall be in accordance with the submitted 'External Materials Schedule Rev A, pdp architecture, February 2017' unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure that the external appearance of the development is satisfactory. Relevant policies: Core Strategy policies CP1 and CP3.
3. This permission is in respect of the submitted application plans and drawings numbered '27997-ED100 Rev G' and '27997-WD200 Rev C' received by the local planning authority on 10th May 2017 and the revised plan on 17th May 2017. 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.
9. The development hereby approved shall only be constructed in accordance with the submitted boundary treatment details as set out on plan '27997-WD100 Rev G' received by the Local Planning Authority on 10th May 2017 unless otherwise agreed in writing by the Local Planning Authority. The boundary treatments shall be implemented prior to the first occupation of the development and shall be maintained in the approved form so long as the development remains on the site.
Reason: To safeguard amenity and highway safety. Relevant policies: NPPF, Core Strategy policies CP1, CP3 and CP6.

Informatives 6, 7 and 8 are added:

6. It is noted that conditions 2, 4, 6, 9, 11, 12, 15, 17 and 20 have been previously discharged by applications 162580 and 170024.
7. After condition 9, the conditions have been re-ordered to read in numerical order.
8. All birds, their nests and eggs, are protected by law. It is a criminal offence (with certain exemptions) to deliberately or recklessly take, damage or destroy the nest of any wild bird whilst it is in use or being built. The hedgerow is likely to be used by nesting birds and any clearance should take place outside the bird nesting season (March - August inclusive) or areas to be cleared should first be checked for bird nests by an appropriately qualified person. If bird nests are found works that could disturb it must stop until any young have fledged the nest. If there is any doubt whether or not birds are nesting in the vegetation expert ecological advice should be sought and or clearance work should not be undertaken until after the end of the nesting season.

All other conditions of planning permission F/2014/2611 apply to this planning permission and are listed for information:

1. See above.

2. See above.
3. See above.
4. No development shall take place until there has been submitted to and approved in writing a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted. The works approved shall be carried out in the first planting and seeding seasons following the occupation of buildings. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species. *Reason: In the interests of visual amenity. Relevant policies: NPPF, Core Strategy policy CP3 and MDD Policy TB21*
5. No trees or hedges within the site which are shown to be retained shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the Local Planning Authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation. *Reason: To secure the protection throughout the time that the development is being carried out of trees, shrubs and hedges growing within the site which are of amenity value to the area, in the interests of visual amenity. Relevant policies: NPPF, Core Strategy policy CP3 and MDD Policy TB21*
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 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 tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving the use of motor 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 excavation 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 and hedges growing within the site which are of amenity value to the area, in the interests of visual amenity. Relevant policies: NPPF, Core Strategy policy CP3 and MDD Policy TB21

7. No works related to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 8.00am and 6.00pm Monday to Friday and 8.00am to 13.00pm on Saturdays and at no time on Sundays or Bank or National Holidays unless otherwise agreed in writing with the Local Planning Authority.
Reason: To safeguard amenity of neighbouring properties. Relevant policies: NPPF, Core Strategy Policies CP1 and CP3.
8. No deliveries in connection with implementation of this development shall be accepted or dispatched outside the hours of 8:00am and 7:00pm Monday to Friday and 8:00am to 1.00pm on Saturday and at no time on Sundays or bank or national Holidays.
Reason: In the interests of the amenities of neighbouring occupiers.
9. See above.
10. No development shall take place until a measured survey of the site and a plan prepared to scale of not less than 1:500 showing details of proposed finished ground levels in relation to a fixed datum point) and finished floor levels shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented prior to the occupation of the building.
Reason: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape. Relevant policies: NPPF, Core Strategy policies CP1 and CP3
11. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing, the approved Statement shall be in accordance with the "Summary of anticipated vehicle movements "prepared by BDS Surveyors (TCG6360-14) and 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. measures to prevent the deposit of materials on the highway and details of wheel washing facilities;
 - v. measures to inform local residents of commencement of development by letter and provide appropriate contact details for residents to contact the developer if they have concerns or issues;
 - vi. details of vehicle deliveries to and from the site during the construction phase (including site clearance) including the types and size of vehicles used, the number, times and frequency of vehicle movements, and the routes to access the site;
 - vii. measures to ensure that the measures are implemented in accordance with the approved details associated with this condition.*Reason: In the interests of highway safety, safety and convenience and to ensure that neighbourhood amenity is preserved. Relevant policies: Core Strategy policies CP3 and CP6.*

12. No part of the building hereby permitted shall be occupied or used until the vehicle parking spaces have been provided in accordance with the approved plans.
- a) The vehicle parking spaces shall be permanently retained and remain available for the parking of vehicles at all times: and
 - b) The un-adopted spaces shall remain as such at all times and shall not be allocated to any individual resident or household without the prior written approval of the Local Planning Authority.
- Reason: To ensure adequate on-site parking provision in the interests of highway safety, convenience and amenity. Relevant policy: Core Strategy policies CP3 and CP6 and MDD Local Plan policy CC07*
13. The cycle storage/parking shall be implemented in accordance with the approved drawings before occupation of the development hereby permitted and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.
- Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 4 (Sustainable Transport) and Core Strategy policies CP1, CP3 and CP6 and MDD Local Plan policy CC07.*
14. Prior to development of the site, an assessment shall be carried out to determine whether any harmful materials are present and where such materials are found then measures shall be taken to prevent such materials from contaminating the land to be redeveloped. No building shall be occupied until a report detailing the assessment and where necessary mitigation measures undertaken, has been submitted to and approved in writing by the local planning authority.
- Reason: To ensure any contamination on the site is remedied to protect the existing/proposed occupants of the application site and adjacent land. Relevant policy: NPPF, Core Strategy policy CP3*
15. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Any subsequent investigation/remedial/protective works deemed necessary by the LPA shall be carried out to agreed timescales and approved by the LPA in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the LPA upon completion of the development.
- Reason: To ensure any contamination on the site is remedied to protect the existing/proposed occupants of the application site and adjacent land. Relevant policy: NPPF, Core Strategy policy CP3*
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 in accordance with the NPPF*
17. No development shall take place until the Employment Skills Plan has been implemented in full in accordance with the details submitted.

Reason: In the interests of securing sustainable local employment. The development is in a rural location and its benefits to local employment help to justify the development. Relevant policies: NPPF, Core Strategy CP15, MDD Local Plan Policy TB12.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no buildings, extensions, or alterations permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out without the written approval of the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of neighbouring properties, preserve the character of the settlement and to ensure proper planning of the area. Plots are generally at or around the minimum separation distances and amenity space sizes so the Local Planning Authority wishes to assess the potential impact of such development. Relevant policies: NPPF, Core Strategy Policy CP1, CP3 and the guidance set out in the adopted Borough Design Guide.

19. No development shall take place until details of the implementation; maintenance and management of a sustainable drainage scheme have been submitted to and approved by the local planning authority. This shall include details of how prospective owners will be informed of the presence of SUDS structures in their Deed of Sales and what measures will be incorporated to ensure that they are not modified in any way and are maintained in perpetuity. The scheme shall be implemented and thereafter managed and retained in accordance with the approved details. Those details shall include:

- a) a timetable for its implementation, and
- b) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that drainage measures are managed and maintained appropriately. Relevant Policies: NPPF, Core Strategy Policy CP3 and MDD Local Plan policies CC09 and CC10.

20. None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the local planning authority in consultation with the drainage authority.

Reason: To ensure that drainage measures are managed and maintained appropriately. Relevant Policies: NPPF, Core Strategy Policy CP3 and MDD Local Plan policies CC09 and CC10.

Informatives:

1. The applicants' attention is drawn to the conditions of this decision which must be complied with prior to commencement of development. Commencement of development without complying with conditions may place the works outside of the development permitted by this decision and may be liable to enforcement action. The information must be formally submitted to the Council in writing together with the relevant fee. Once the details have been approved in writing the development shall be carried out only in accordance with those details.

2. The applicant is reminded that this permission does not authorise any off-site highway or other works and site access to the public highway. A separate legal agreement (Minor Works Agreement) made with the Council under s184/278 of the Highways Act 1980 is required. No work within or affecting the public highway shall commence until the agreement has been concluded and the Council, as local highway authority, has approved all construction and installation details together including with a programme of works.
3. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
4. The applicant is advised that the scheme would be Liable to the Community Infrastructure Levy (CIL) Schedule which came into effect on 6th April 2015. Therefore, this scheme will be liable to pay the Council's CIL upon commencement of development. Whilst the development may be eligible for social housing relief, the onus is on an applicant to make a claim to the Charging Authority.
5. 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. This planning application has been the subject of positive and proactive discussions with the applicant in terms of: addressing concerns relating to highway safety and residential amenities. The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

PLANNING HISTORY

F/2014/2611	Erection of residential development of 6 no. two bedroom dwellings with associated external works conditionally approved on 23 rd July 2015
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SUMMARY INFORMATION

Site Area	0.20 hectares
Previous use	Undeveloped scrub land
Proposed units	6 (2 bedroom). All affordable.
Existing parking spaces	0
Proposed parking spaces	12
Proposed density	30 dwellings per hectare

CONSULTATION RESPONSES

WBC Ecology	No objection subject to informative
WBC Environmental Health	No objection
WBC Highways	No objection
WBC Trees and Landscape	No comments received
WBC Waste Services	No comments received

REPRESENTATIONS

Winnersh Parish Council: No comments received

Local Members: No comments received

Neighbours: No comments received

APPLICANTS POINTS

- Minor changes required to development to resolve site issues and improve scheme
- Overall, development provides affordable housing in a sustainable location

PLANNING POLICY

National Policy	NPPF	National Planning Policy Framework	
Adopted Core Strategy DPD 2010	CP1	Sustainable Development	
	CP3	General Principles for Development	
	CP4	Infrastructure Requirements	
	CP5	Housing mix, density and affordability	
	CP6	Managing Travel Demand	
	CP7	Biodiversity	
	CP9	Scale and Location of Development Proposals	
	Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
		CC02	Development Limits
CC03		Green Infrastructure, Trees and Landscaping	
CC04		Sustainable Design and Construction	
CC06		Noise	
CC07		Parking	
CC09		Development and Flood Risk	
CC10		Sustainable Drainage	
TB21		Landscape Character	
TB23		Biodiversity and Development	
	SAL07	Sites within Development Limits allocated for employment/commercial development	
Supplementary Planning Documents (SPD)	BDG	Borough Design Guide – Section 4	
	AH	Affordable Housing SPD	

PLANNING ISSUES

Description of Development:

1. Planning application F/2014/2611 was approved in 2015 for the development of the site to provide 6 x 2 bedroom dwellings. The permission was granted subject to a number of conditions, including referencing plan numbers and requiring details of materials and boundary treatments to be agreed with the Local Planning Authority (LPA) as set out below:

Condition 2: Before the development hereby permitted is commenced, samples and details of the materials to be used in the construction of the external surfaces of the buildings and all hardstandings shall have first been submitted

to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

Condition 3: This permission is in respect of the following drawings 'Site and Location Plan - 6360:14:1' and 'Proposed Plans and Elevations - 6360:14:2'.

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

Condition 9: Before the development hereby permitted is commenced details of all boundary treatments shall first be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The scheme shall be maintained in the approved form so long as the development remains on the site.

Reason: To safeguard amenity and highway safety. Relevant policies: NPPF, Core Strategy policies CP1, CP3 and CP6

2. The application proposes alterations to the approved scheme and agreed details through a change in the facing brick to be used, the introduction of solar panels on the roof and the replacement of an existing hedgerow with a close boarded fence. The original application was for six dwellings that would all be provided as affordable housing and this would not change. The proposal is before the planning committee because the applicant is Wokingham Housing Limited; a subsidiary of Wokingham Borough Council.

Principle of Development:

3. The principle of development was considered to be acceptable through application F/2014/2611 even with the loss of allocated employment land. The proposed changes relate to design matters and do not alter the location of the proposal or the use being applied for. As such, the site is still within development limits, would still provide six affordable residential units and therefore is still acceptable in principle.

Character of the Area:

4. The impact on the character of the area was considered acceptable through application F/2014/2611. The proposal does however alter aspects of the scheme that relate specifically to design. Due to lead in times for the production of the main facing brick, it is proposed to use a different type of brick. This would have more colours in the brick but would still maintain a predominant colour of red which would be similar to the approved brick. The introduction of solar panels to the roof would alter the appearance of the roof form to an extent, but it is not considered this would be harmful particularly as the panels would be set away from the roof edges. Although the replacement of hedgerows with close boarded fencing has a greater urbanising impact, there are close boarded fences near and around the site. As such, these impacts are not considered harmful to the extent it would warrant a different decision being taken.

Residential Amenities:

5. The impact on residential amenity was considered acceptable through application F/2014/2611 due to the layout of the proposal and the retention of hedgerows. The alterations to the development in terms of the materials used and the provision of

solar panels would not have any impact on residential amenity. The proposed closed boarded fencing would replace the hedgerow however this would provide an acceptable level of privacy, typical of residential areas. As such, no objection is raised.

Access and Movement:

6. The impact on highways was considered acceptable through application F/2014/2611. The alterations to the development would not result in any changes to the parking provision or traffic generation and as such no harmful impact would occur. Although additional close boarded fencing is proposed this would not detrimentally impact visibility from the site and therefore the Highways Officer does not raise any objection.

Sustainable Design and Construction:

7. The impact on sustainable design and construction was considered acceptable through application F/2014/2611. One of the alterations of the scheme however includes the provision of solar panels. Policy CC04 does not require a proposal of this scale to provide such renewable energy and neither does the scheme meet the requirement of policy CC05 in terms of achieving a 10% reduction in carbon emissions. It is noted however that the applicant requires the solar panel provision for aspects outside of the planning system. Given that the solar panels would provide renewable energy which is a benefit of the scheme, no objection is raised to achieving above and beyond the policy requirement.

Other Issues:

8. The previous application F/2014/2611 considered a range of other issues associated with the development of the site including the impact of noise and disturbance, amenity space and internal space standards, biodiversity and infrastructure mitigation. With the exception of biodiversity, none of these issues are considered to be impacted by the change to the design and appearance of the scheme and therefore no objection is raised. Conditions controlling these elements would also be attached to this permission. With regards to biodiversity, an informative is recommended about nesting birds.

CONCLUSION

The alterations to the scheme relate in the main to the design of the proposal. However, it is considered that no harmful impact would occur on the character of the area. The introduction of solar panels would increase the use of renewable energy sources and would be above and beyond the requirement of planning policy. Given this and the fact the scheme is for affordable housing, the application is considered to accord with planning policy and is recommended for conditional approval.

CONTACT DETAILS

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