

Agenda Item 38.

Development Management Ref No 171944	No weeks on day of committee 10/8	Parish Earley	Ward South Lake	Listed by: Cllr Blumenthal
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Applicant Cala Homes

Location Land to the west of Faringdon Road **Postcode** RG40 1DD

Proposal Full application for the erection of temporary sales and marketing office, with associated parking and landscaping (part retrospective)

Type Minor

PS Category 13

Officer Daniel Ray

FOR CONSIDERATION BY Planning Committee on 13th September 2017
REPORT PREPARED BY Head of Development Management and Regulatory Services

SUMMARY

A marketing suite has been constructed on the site, with landscaping and parking, in the location outlined in the submitted plans. Staff parking is to the south within the site whilst 5 parking bays are present on the eastern boundary off Faringdon Road. The use has yet to commence.

The main element of the marketing suite that comprises a portable building which measures 10.3 in width and a depth of 7.3m. It is flat roofed with an overall height of 3.15m. Planting has been introduced around the suite which is of a white finish.

No concern has been raised by Highways subject to the use of a condition ensuring parking and turning is achieved as per the submitted plans, while, due to the single storey nature of the structure and its position relative to neighbouring properties, there would be no unacceptable impact on neighbouring residential amenity.

It is accepted that the permanent siting of this building has an unacceptable impact on the character and appearance of the site, especially as the area should be laid out as incidental open space (as agreed as part of the landscape masterplan associated with the original applications (O/2012/0155 and F/2014/0875) , however due to the 12month temporary nature of the proposal, the harm that occurs is limited by this definitive time frame and the imposition of condition 1 that requires the use to cease and the site restored as per a scheme and timetable to be agreed.

Overall, the proposed marketing suite is likely to speed up the sale of the remaining residential units on the site and bring a hastier conclusion to the site. As such, the scheme is recommended for approval subject to the conditions attached to this report.

PLANNING STATUS

- Major Settlement Location.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Development to be removed after temporary period

The development hereby permitted shall be removed and the land laid out as incidental open space, as per plan no: 29700 – A-02-103 Rev P03 and as per the details required by Condition 4 of Planning Permission F/2014/0875, on or before 14th September 2018 or upon the sale of the last residential unit (whichever is first).

Reason: The type of building is not one that the local planning authority is prepared to approve other than for a limited period, having regard to the materials and type of structure proposed. Permission is only given because it is important function for the sales of the remaining residential plots.

Relevant policy: Core Strategy policies CP1 and CP3.

2. Approved details

This permission is in respect of the submitted application plans and drawings numbered A-02-102, sheets 1, 2, 3 and 4 of drawings titled LGCHAM063 and received by the local planning authority on 29 July 2017 and 'Sketch Layout' received by the local planning authority on 1 September 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.

3. No Generator

At no time shall a diesel generator, or any other form of power other than what is supplied through a mains connection, be used within the site.

Reason: To clarify the terms of the permission and to ensure neighbouring amenity is retained.

Informatives

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. 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

There is an extensive planning history on the site, however the most relevant applications are listed below:

- O/2012/0155 - Demolition of existing buildings and redevelopment of site to provide up to 216 new residential units (use class C3) a residential care facility of up to 80 beds (use class C2) a local shop of up to 300 sq m (use class A1 A3) and associated landscaping and car parking (outline). Conversion and refurbishment of six halls of residence

blocks including retention and refurbishment of 3 existing residential units to provide a total of 84 residential units and erection of a sports pavilion.

Approved: 06/03/2013

- F/2014/0875 –

Application for the erection of 257 dwellings with associated garaging and parking 60 x 1 & 2 bed Extra Care unit and A1 retail shop including public open space children's play area accesses from Woodlands Avenue tree protection affordable housing and landscaping.

Approved: 17/10/2014

SUMMARY INFORMATION

Site Area	60sqm
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CONSULTATION RESPONSES

Highways	No objection subject to condition.
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Landscape and Trees	No objection
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Town Council	None received
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REPRESENTATIONS

Neighbours:

7 letters of objection were received from neighbouring residents, these concerns are summarised as follows:

- The residents were proposed the play area and green space years ago, this was again promised in January 2017 however no progress was made.
(OFFICER NOTE: The requirement for a children's play space is required by a S106 Agreement that relates to the overall planning consents for the site (O/2012/0155 and F/2014/0875); it stipulates that a play space should be provided when 50% of all dwellings on the site are occupied. As of the current date this trigger has yet to be met (although imminent) and as such there has been no legal requirement for the play space to be installed. Notwithstanding this, a Discharge of Conditions application has just been submitted under ref: 172538, for the design to be agreed and the play space is to be installed within the coming weeks with the equipment already having been ordered.)
- CALA have a functional office for 3 years and the only reason for them to move it is to sell it off. This is not in the interest of residents.
- Continuous construction needs to end so that residents can live without disturbance.
- Use of the area and movement of people have and will continue to affect privacy as bedroom windows face the area. (para's 10 to 12)
- No timescale has been proposed as 'temporary'. (para 1)
- The building is unsightly and out of keeping with surrounding properties. (para's 5 and 6)
- There should be no loss of green space. (para's 7 to 9)
- There will be increased traffic and noise as well as privacy issues as the number of

foot falls would increase. (para's 10 to 13)

- The street is already overcrowded with cars parked on the footpath. (para 13)
- The office would be open 7 days a week and this would bring unacceptable noise and disturbance as well as privacy issues (para's 3 and 4 and 10 to 12)
- The diesel generator has already been used despite it being stated that it won't be used, was used when the suite was installed. The noise could be heard within all rooms of the house even with the windows closed. (para 12)
- Safety of children – the office is right next to the play area, is it appropriate to have it so close? Strangers from all around being drawn into very close proximity of a childrens play area with prospective buyers/staff smoking. (para 8)

Cllr Blumenthal:

I object to the retrospective planning application for the marketing suite building. The increased traffic to the area due to the structure will not only bring noise and disturbance to local residents but also danger. There are often little children playing in the roads as the playpark has not yet been built by CALA Homes. I am always mindful of driving very slowly through these roads as sometimes a small child on a scooter pops out of nowhere. I am worried that new visitors to the marketing building, who are not aware of this, may not drive so carefully. As the playground is due to be built right next to the marketing building this will also bring construction vehicles to the exact same area, creating a bottleneck. The increased density of traffic in this small patch will create access problem for residents as well as increased noise and disturbance. Residents have expressed concern to me about loss of privacy by being overlooked by the marketing suite. They are also worried that visitors to the building will be parking in front of their windows and peering in out of curiosity. Visually, the structure is not in keeping with the rest of the area at all.

APPLICANTS POINTS

- The site is in an area of green space that is not specified for the childrens play space
- The permission is to be on a temporary basis and the land restored to green space upon completion of the development/time frame.
- Sales of properties would be quicker with a dedicated marketing suite closer to the remaining plots.

PLANNING POLICY

NPPF	Chapter 4: Promoting sustainable transport Chapter 6: Delivering a wide choice of quality homes Chapter 7: Requiring good design Chapter 10: Meeting the challenge of climate change, flooding and coastal change Chapter 11: Conserving and enhancing the natural environment
Core Strategy	CP1 Sustainable Development CP3 General Principles for Development CP6 Managing travel demand CP7 Biodiversity CP9 Scale and location of development proposals
MDD Local Plan	CC01 Presumption in Favour of Sustainable Development CC02 Development Limits CC03 Green Infrastructure, Trees and Landscaping

CC06 Noise
CC07 Parking
TB21 Landscape Character
TB23: Biodiversity and Development

PLANNING ISSUES

Description of Development

1. A single storey sales suite has been constructed in the location as identified within the submitted plans. Prospective buyers park to the east of the unit and staff parking to the south (which would be accessed by a separate entrance). Planting and paths have been laid around the suite. Within the structure an attached generator space is provided, however the generator has been decommissioned and shall not be used (Condition 3). Clarification was sought regarding the length of temporary permission that was being sought and this has been confirmed as 12 months.
2. Whilst the structure, landscaping and parking has all been provided, the suite has not come in to use and sales are not currently taking place from this site.

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 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. The site is located within settlement limits within a major development location. The use of a marketing suite is acceptable on a temporary basis in association with the construction of a new housing estate subject to the suite being removed within an agreed time frame or upon the sale of the last unit, whichever is first, and subject to other material considerations being assessed and considered acceptable.

Design and impact on character and appearance of the area

5. The marketing suite is in a location which is intended to be laid out as incidental open space as part of the planning permission for the construction of the houses. The purpose of incidental open space is to provide amenity space for future residents and to provide an attractive and green landscaped character to the new housing estate. Failure to deliver the landscaped area would not be acceptable, however, the developer is only seeking a 12 month permission for the use of the area as a marketing suite and condition 1 will ensure that the suite is removed and the landscaped area delivered within 12 months.
6. It is accepted that the marketing suite is not in keeping with the surrounding area and, should it be permanent, would not be acceptable, however this impact is mitigated by the fact that a temporary consent for 12 months is sought. The white single storey structure does not blend in well with the surroundings, however it is not obtrusive or unattractive and is not unexpected within an active housing development scheme and is softened further by the planting that has taken place.

Amenity space

7. As described above, the marketing suite does reduce the amount of incidental open space for residents by 580sqm however, and importantly, the marketing suite does not impact upon the childrens play space which is required to be delivered following 50% occupation of the site as stipulated within the S106. Through dialogue with the local authority and the applicants the play space details have been agreed with equipment already having been purchased and the layout informally agreed by the WBC Green Infrastructure Officer (an application has now been submitted to discharge this condition on the basis of an agreed layout with the Council). Works to install the play space are imminent.
8. It is accepted that neighbours have concerns regarding childrens safety and individuals and staff would have views over this area, however this is no different to any member of the public being able to view the play space from public paths, roads or spaces. The potential for undesirable activity is not increased by the presence of the marketing suite and indeed informal overlooking from the suite may improve children's safety on a temporary basis.
9. Finally, as conditions (described above) would ensure that the area is laid out as incidental open space within 12 months, the delay in provision of the amenity area would only be temporary and is therefore acceptable as it would speed up the completion/sale of the remaining plots.

Impact on Neighbours

10. The marketing suite structure would have no impact on neighbours in terms of overbearing, overlooking or overshadowing issues. The suite is single storey in nature and there are no windows on the side/rear elevations. The only windows are on the main front which is on the northern side of the building and looks out on to the children's play space and grass public amenity area.
11. Notwithstanding this, the suite is within a residential area with properties to the west (no's 25 and 27 The Orangery) with the nearest elevation approximately 17m from the suite and to the east no's 19 to 27 Faringdon Road is approximately 21m from the eastern elevation. Parking to the east of the building and the paths
12. It has been confirmed that the diesel generator has been decommissioned and shall not be used as the suite is connected to the mains power, this shall all be removed upon cessation of the use of the site as a marketing suite as stipulated in Condition1. Condition 3 ensures that the generator shall not be used and thus shall ensure that there are no noise issues relating to a generator.

Highways and parking

13. No objection has been raised by Highways. Adequate turning within the site would be present for staff whilst visitor parking would ensure that the road would be kept free of cars parking along Faringdon Road. There is clear visibility for cars manoeuvring into and from the parking bays. The increase in traffic on this element of the road would be negligible compared to its capacity and would be temporary in any case. In addition, the development does not reduce the amount of parking available for residents.
14. No objection has been raised regarding highway safety. Highways had requested a condition that the parking be laid as per the submitted details, however as the works

have already been undertaken and completed as per the submitted details, no condition requiring the parking to be constructed as per the submitted details is required.

4.0 CONCLUSION

15. The use of the site as a marketing suite would be for a 12 month period, controlled by condition, with the land restored to public amenity space within a time frame that would also be agreed by condition. There are no overriding issues relating to residential amenity whilst the harm to the character to the area is mitigated by the temporary nature of the consent. As such, the scheme is considered acceptable.

CONTACT DETAILS

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