

MEMBERS' UPDATE Planning Committee – 13 September 2017

Site Address: Parcel Q, Nine Mile Ride, Arborfield Garrison
Application No: 172005, Pages 11-44

Finchampstead Parish Comments (following revised plans): 'We reviewed the revised plans and are happy with the new design. Concerns remain about the parking available to residents, sacrificing car parking for green space means people will park on the green space. We understand an onsite management company will be responsible for management of parking.'

Recommendation: Typographical error amended in the recommendation to reflect a 35% commuted sum for affordable housing – not 30% as originally stated:

Amended Condition: 'Condition 2' has been amended to now include the final plans for the application:

2. Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

• Drawings:
○ 1483-001 Rev M Landscape Masterplan
○ 18117/4114/P2 Proposed Multi Utility Services Layout
○ 60312043/NMRE/S104/003/C5 NMRE Section 104 Drainage General Arrangement Sheet 2 of 3
○ 60312043/NMRE/S104/004/C4 NMRE Section 104 Drainage General Arrangement Sheet 3 of 3
○ 60312043/Q/002 P3 Highway General Arrangement
○ 60312043/Q/003 P2 Highway Longsections
○ 60312043/Q/004 P3 Surface Water General Arrangement
○ 60312043/Q/005 P3 Foul Water General Arrangement
○ 60312043/Q/007 P2 Surface Water Drainage Area Plan
○ 60312043/Q/008 P3 Highway Contours
○ 60312043/Q/009 P2 Highway Cut and Fill
○ 60312043-M001.724-DWG-1301 Rev D Proposed Lighting With Constant Light Output
○ 60312043-M001.724-DWG-1302 Rev D Proposed Lighting Without Constant Light
○ 7538/P100 Application Boundary Plan
○ 7538/P101 Rev D Proposed Site Layout
○ 7538/P102 Rev D Proposed Ground Floor Plan
○ 7538/P103 Rev D Proposed Street Scenes

○ 7538/P110 Rev A Parking Plan
○ 7538/P111 Rev A Refuse Plan
○ 7538/P112 Rev A Cycle and Pedestrian Plan
○ 7538/P113 Rev A Boundary Conditions Plan
○ 7538/P135.1 Rev C Block Type A Proposed Floor Plans
○ 7538/P135.2 Rev C Block Type A Proposed Elevations
○ 7538/P136.1 Rev B Block Type B Proposed Floor Plans
○ 7538/P136.2 Rev B Block Type B Proposed Elevations
○ 7538/P137.1 Rev A Block Type C Proposed Floor Plans
○ 7538/P137.2 Rev A Block Type C Proposed Elevations
○ 7538/P138.1 Rev C Block Type D Proposed Floor Plans
○ 7538/P138.2 Rev C Block Type D Proposed Elevations
○ 7538/P139.1 Rev A Block Type E Proposed Floor Plans
○ 7538/P139.2 Rev A Block Type E Proposed Elevations
○ 7538/P140 Bin Stores Proposed Plans and Elevations
○ 7538/P141 Cycle Stores Proposed Plans and Elevations
○ 7538/P142 Rev C Streetscene Visual
○ 7538/P150 Existing Levels Plan
● Archaeology Evaluation Report and Cover Letter (MOLA, June 2016)
● Arborfield Parcel Q Surface Water Technical Note (AECOM, August 2017)
● Arboricultural Implications Report Rev C (SJA Trees, September 2017)
○ Arboricultural Method Statement
○ Tree Survey Schedules
○ Tree Location Plan
○ Tree Protection Plan
● Bat Mitigation Strategy (AECOM, June 2017)
● Design and Access Statement Rev C (Saunders Architects, July 2017)
● Design Code (Saunders Architects, July 2017)
● Energy/Sustainability Statement (AES Southern, June 2017)
● Environmental Noise Survey and Assessment (noise.co.uk, July 2017)
● Flood Risk Statement (AECOM, July 2017)
● Habitat and Species Strategy Biodiversity Action Plan Rev 2 (AECOM, June 2017)
● Hedgerow Mitigation and Compensation Strategy Rev 2 (AECOM, June 2017)

• Landscape and Ecology Management Plan Rev 2(AECOM, June 2017)
• Lighting Report (AECOM, July 2017)
• Non-Native Invasive Species Management Plan (AECOM, June 2017)
• Planning Statement (Savills, July 2017)
• Reptile Mitigation Strategy (AECOM, June 2017)
• Statement of Community Involvement (Cratus, June 2017)
• Statement on Planning Conditions (Savills, July 2017)
• Surface and Foul Water Drainage Statement (AECOM, July 2017)
• Transport Statement Rev B (i-Transport, July 2017)
• Utilities Statement (Hilson Moran, June 2017)

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.

Amended Condition: 'Condition 9' wording amended.

9. Bus Interchange

Prior to the first occupation of the development, full details of the bus interchange along the site frontage shall be submitted to and approved in writing by the local planning authority, unless otherwise agreed in writing.

Reason: To ensure that there is adequate highway land available for footpath and interchange along the site frontage. Relevant policy: Core Strategy policies CP3 & CP6.

Dead of Variation Heads of Terms reference:

- That all of the 35% target provision for affordable housing is to be provided off-site as a commuted sum of £1,280,000;
- That the 114 Private Rented Sector units within Parcel Q will be transferred and managed by a single management organisation within a Private Rented Sector Scheme and;
- The units will remain within PRS for a minimum period after occupation, this term has yet to be agreed with the Council, if the scheme is changed or units are sold before this period, a financial clawback may be sought by the Council against affordable housing.

Affordable Housing Clarification:

Some further clarification into the justification for the affordable housing provision is that PRS provision has a lower viability than open market dwellings and is valued at around 80% of open market. This takes into management costs, voids, leasing and associated running costs. Taking into account demonstrated open market sales values of £392 per square foot, the Council's commuted sum calculations resulted in a lower figure than the commuted sum that would be normally offered on private market housing of £1.28m in lieu of 39.9 units (35%). Commuted sums are calculated in accordance with Appendix 4 of the Affordable Housing SPD. The

proposals for the commuted sum were considered by officers and members at the meeting of the Affordable Housing Planning Consultation Group on 04/08/17 and deemed acceptable in this instance. Where appropriate, further changes affecting housing provision may require a Viability Assessment. This will be considered on each individual basis.

Site Address: Land to the west of Faringdon Road, Earley, RG6 1HX
Application No: 171944 Pages 45-60

Play Space: the Company whom have been appointed by the applicants to install the play space shall be arriving on site on the 25th September 2017. The fencing is due to be installed on 27th October 2017, the play space shall then open for the public.

To confirm, the site is within the South Lake Ward.

Site Address: Land to the rear of 39 and 41 Lowther Road, Wokingham, RG41 1JB
Application No: 170794, Pages 61-94.

Revised plan

The street scene section plan has been revised following a drafting issue. The front elevation of proposed plot 1 should be 9.5 metres from the flank elevation of number 7 and not 10m. The below sets out the resulting changes required in the officers report as highlighted in bold. Note that the site layout plan and all other measurements are not affected by this.

4. Unit number 1 would measure 8.1 metres to the ridge, 4.8m to its eaves, 11.1 metres wide (excluding the chimney). The garage would measure 5.4m to the ridge, 2.6m to the eaves. Its garage would be located 2.8m from the boundary with number 7 Evesham Place and 4.1 m from the flank wall and boundary fence of the garden of number 7 Evesham Place. The front elevation of unit 1 would measure 8.7m from the boundary of the site or **9.5** metres from the boundary with the flank elevation of number 7. The rear of unit 1 would be 14.8m from the boundary with number 25 Lowther Close.
29. Unit 1 would be located to the side of the rear garden of number 7 Evesham Place and number 36 Commons Road. The garage of unit 1 would be 2.8 metres from the fence / side elevation of number 7 Evesham Place, and the dwelling would be some 8.7 metres away. The dwelling would be **9.5m** from the flank elevation and garden boundary of number 7 Evesham Place, and the garage would be 4.1m away.
42. Unit 1 would have its garage 4.1 metres from the side elevation of number 7 Evesham Place's garden. The façade of unit 1 would also be **9.5** metres from the flank elevation of number 7 Evesham Place. The separation distance of the dwelling would be **0.5 metres below** the Guides requirement for a front to front elevation relationship. The garage is single storey in height with a hipped roof.

This garage would be 4.1 metres away from the garden fence of number 7. Given such the scale and massing of the garage, **and that the separation distance is close to that of the front-front distance set out by the Guide**, the proposal would not appear unduly overbearing to result in harm to residential amenity.

Response to letter to committee

- R22 'Back land development' of the Borough Design Guide is more stringent than the separation distances set out within the Guide, with a particular emphasis on rear windows to the extent that no amount of overlooking or potential overlooking is acceptable.
- The letter goes on to argue that the existing screening between the rear of the site and number 25 is inadequate and have a limited lifetime and no longer term guarantee of them being replaced.

Officer comment:

The Borough Design Guide needs to be read as a whole as the use of the wording 'any overlooking' in policy R22 reflects the way in which 'overlooking' or 'loss of privacy' is defined within the Borough Design Guide.

Distance is the most common way to avoid potential overlooking. What would constitute 'overlooking' – the loss of privacy - has been set out within page 46 and 47 of the Guide (R16) which defines the minimum distance required before such privacy is lost, and therefore when overlooking would occur. These distances are well established in planning and adopted by Inspectors. The Guidance is specific, varying with building relationships and height. Therefore, policy R22 of the Guide is not more stringent than these separation distances, but should be read in conjunction with such distances.

For clarity, in terms of the current planning application, as these defined distances would be met or exceeded and as such there would not be a loss of privacy or 'overlooking' as defined by the Guide.

In terms of landscaping, condition 6 has been amended to more explicitly relate to the retention of landscaping along the boundary with number 25 and 23 Lowther Close. The condition requires any loss of such trees to be replaced within 5 years of the completion of the development. Whilst the council cannot guarantee the existence of these trees for the lifetime of the development, as discussed during the officers report there would not be a loss of privacy as a result of the proposal as the separation distances as required by the Guide.

Additional new comments

- Application F/2006/3095 did not include the gardens of 41 and 49 Lowther Close (Road?) therefore it is not a relevant history for 170794.

- Application O/2006/6679 was omitted from the officers report. This is an outline application for 3 dwellings on 39 and 41 Lowther Road rear gardens. It was refused by the council on the grounds of a lack of amenity, and it was detrimental and out of character of the existing area. It went to appeal, but was withdrawn by the developer. – this is important as it was when backgardens were still classed as brownfield land.
- Residents have *‘the like right until the adoptions of the same as a public highway to pass and repass with or without vehicles at all times and for all purposes over the Estate Road’ and that we do not have to define to anyone the purpose of movement. And we do not have to comply with any warnings, orders or requests aimed at preventing us from using Evesham Place in the defined ways’*

Officer comment: F/2006/3095 is relevant to this application as it relates to the development of Evesham Place, of which the proposal would form part of and contribute to the character of. It is therefore important to understand the planning history of Evesham Place.

Application O/2006/6679 was omitted from the officers report. That reason for refusal also includes that that proposal was cramped and confined. It is reminded that each planning application should be determined on its own merits. That proposal is materially different from this application site in that it proposed 3 dwellings rather than 2, and under a different policy context – policies have changed since this time.

Concern regarding the rights of access and type of use of the entrance to Evesham Place that has been raised by a resident is a Civil matter that is covered by separate legislation and law outside of the Planning System. Enforcement of Rights of Access and issues relating to Covenants that affect the land is not a covered by the Town and Country Planning Act and therefore there is no planning weight given to this issue. Regardless, Condition 9 has been amended to ensure that right of access remains during the construction period for highway safety reasons.

Altered conditions

A condition for tree protection and retention is provided in the form of condition 6. This has been altered to be more specific (changes indicated in bold);

Condition 2: approved plans

This permission is in respect of the submitted application plans and drawings numbered ref:

Landscaping plan

X01 rev J

X02 rev K

04 rev F

X01 rev E

Location Plan

X05 rev K (received by the LPA on the 12th of 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.

Condition 6: Tree retention

No trees, shrubs or hedges **located to the rear of the site (south eastern boundary adjacent to number 25 and 23 Lowther Close)** within the 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 (and TB06 for garden development)

Varied condition 9 to include the wording in bold;

9. 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:

- 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.
- viii) **Ensuring that residents will retain the ability to pass and repass unimpeded with or without vehicles through Evesham Place,**

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

Site Address: 2 Budes Cottages Keephatch Road Wokingham RG41 2YE
Application No: 172013, Pages 95-100

Wokingham Town Council comment received on 06/09/2017.

Objection on the grounds that the proposed extension projects forward of the building line and will cause a loss of light to the front room of the adjoining property.

Whilst this objection has been received since the publication of the officer report, these matters have been covered within para 5 (Character of the area) and para's 8 and 9 (Impact on Neighbours) of the Officer report.

Site Address: 5 Hatchgate Cottages, Hatchgate Lane, Cockpole Green RG10 8NE

Application No: 171187 , Pages 101-108

No updates.

Non-householder appeal decisions

Address	Development	Decision	Main planning issues identified/ addressed
Culverwood House, Shinfield Road, Shinfield	1 no detached dwelling	Dismissed	<ul style="list-style-type: none"> Unacceptable harm to protected trees
Valley Nurseries, Whistley Green, Hurst	16 no dwellings	Allowed	<ul style="list-style-type: none"> Development of reserve site acceptable in principle No significant harm to character and appearance of area Would integrate well with surrounding area
134-146 London Road, Ruscombe	31 no two bedroom retirement apartments	Allowed	<ul style="list-style-type: none"> Development of allocated site acceptable in principle No significant harm to character and appearance of area Scale, bulk and massing of building acceptable Adequate parking provided
Land to the rear of 5 and 7 Rowan Drive, Crowthorne	1 no detached dwelling	Dismissed	<ul style="list-style-type: none"> Harm to character and appearance of area
The Old Pump House, Bath Road, Kiln Green	1 no detached dwelling	Dismissed	<ul style="list-style-type: none"> Harm to the openness of the Green Belt Limited harm to heritage assets Harm to character and appearance of area Development not in a sustainable location