

Agenda Item 94.

Application Number	Expiry Date	Parish	Ward
173675	31/05/2018	Earley	Hawkedon

Applicant	Equity Real Estate Developments Limited
Site Address	Auto Trader House, Danehill, Earley, RG6 4UT
Proposal	Full application for the proposed erection of 76 residential flats in three buildings rising to three stories in height, together with associated surface level and part lower ground floor car parking, open space, landscaping and infrastructure works following demolition of the existing buildings.
Type	Full
PS Category	001
Officer	Katie Herrington
Reason for determination by committee	Major application

FOR CONSIDERATION BY	Planning Committee on 9 May 2018
REPORT PREPARED BY	Assistant Director – Place

SUMMARY
<p>This application is a resubmission of a previous application (162247) for 126 flats on this site.</p> <p>Application 162247 was for 126 flats which was refused and dismissed at appeal following an Informal Hearing held in October 2017. However, the Inspector only dismissed the appeal due to poor outlook. All other matters, including car parking, traffic impacts and separation distances, were considered to be acceptable by the appeal Inspector.</p> <p>This proposal is the result of the appeal decision and extensive pre-application discussions which have taken place since. It not only seeks to overcome the Inspector's concern regarding outlook, but also other concerns raised by Members and residents, including:</p> <ul style="list-style-type: none"> • Significantly reducing the number of units from 126 to 76, and therefore reducing the density of the site and resulting traffic flows. • Increasing the 'unit to car parking space' ratio (was 1.15 and now is 1.5). • Allocating the car parking in the basement and having a shared amenity area between blocks, addressing the Inspectors concern that outlook onto a car park would be harmful to residential amenity. • Reducing the height and bulk and massing of the buildings. • Improving the design and appearance of the buildings • Addressing concerns with the internal layout of corridors and addressing issues of privacy between the blocks. <p>As such, the proposal is considered to represent a significant improvement upon the dismissed scheme (162247) and addresses the concerns raised by the appeal Inspector. Therefore it is recommended for approval is subject to completion of a S106 Agreement and planning conditions.</p>

PLANNING STATUS

- Major development location
- Minerals Consultation zone
- Gas pipeline consultation zone
- Sand and gravel extraction
- Air Quality Management Area
- Special Protection Area 5–7 km
- Bat validation model

RECOMMENDATION

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

A. Completion of a legal agreement to secure Affordable Housing, Travel Plan, Employment Skills Plan, and suitable mitigation to the THBSPA.

B. Conditions and informatives:

- ***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 plans**

2. This permission is in respect of the submitted application plans and drawings numbered;

- a. 3184-DNWR (Schedule of accommodation)
- b. 3184_PL_0010 rev P1 (Proposed Lower Ground Floor)
- c. 3184_PL_0011 rev P2 (Proposed Ground Floor Plan)
- d. 3184_PL_0012 rev P1 (Proposed First Floor Plan)
- e. 3184_PL_0013 rev P1 (Proposed Second Floor Plan)
- f. 3184_PL_0015 rev P1 (Proposed Building Outline Comparison)
- g. 3184_PL_0030 rev P1 (Proposed Building Blocks 1 & 2 Elevations)

received by the local planning authority on 22/03/2018.

- 3184_PL_0014 rev P2 (Proposed Roof Plan)
- 3184_PL_0020 rev P2 (Proposed Site Elevations)

received by the local planning authority on 08/03/2018.

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.

- **Highways**

3. Parking and turning space to be provided

No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space has been provided in accordance with the approved plans.

The vehicle parking and turning space shall be retained and maintained in accordance with the approved details and the parking space shall remain available for the parking of vehicles at all times and the turning space shall not be used for any other purpose other than vehicle turning.

Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road safety and convenience and providing a functional, accessible and safe development and in the interests of amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

4. Cycle parking

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

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

5. 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.

6. Travel Plan

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 encourage the use of all travel modes. Relevant policy: NPPF Section 4 (Sustainable Transport) and Core Strategy policy CP6.

7. Car parking management plan

Prior to the commencement of the development, a car park management plan including long term objectives, management responsibilities, timescales and maintenance schedules shall be submitted to and approved in writing by the local planning authority. The car parking management plan shall be carried out as approved.

Reason: In order to ensure that provision is made to allow satisfactory management of the car park hereby approved. Relevant policy: Core Strategy policy CP3, 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:

- 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.

- **External materials**

9. 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

- **Environmental Health**

10. Pollution

Before the development hereby permitted is first occupied, mitigation methods as set out in section 7 of the 'Equity Real Estate Developments. Land at Lower Earley Way, Reading. Air Quality Assessment. Report no. 442386/AQ/03/(00). November 2017. RSK' shall have been implemented. The so approved mitigation methods shall be retained, operated and maintained in their approved form and in accordance with the approved mitigation methods for so long as the use hereby permitted remains on site.

Reason: To mitigate impact of pollution upon the prospective occupiers of neighbouring properties. Relevant policy: Core Strategy policies CP1 and CP3

11. Contamination

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A) to D) of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D) has been complied with in relation to that contamination.

- A) SITE CHARACTERISATION

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written

report is subject to the approval in writing of the Local Planning Authority. He report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - a) human health
 - b) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - c) adjoining land
 - d) groundwaters and surface waters
 - e) ecological systems
 - f) archaeological sites and ancient monuments.
- (iii) an appraisal of remedial options, and proposal of the preferred option(s)

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of land Contamination CLR 11

B. SUBMISSION OF REMEDIATION SCHEME

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. REPORTING OF UNEXPECTED CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy. Relevant policy: Core Strategy policies CP1 and CP3

12. Road Traffic Noise

Development shall not begin until a scheme for protecting the proposed dwellings from noise from traffic on the surrounding highway network has been submitted to and approved in writing by the local planning authority. Any works which form part of the scheme approved by the authority shall be completed before any permitted dwelling is first occupied unless an alternative period is agreed in writing by the authority.

Reason: To protect future residents of the proposed development from road traffic noise
Relevant policy: Core Strategy policies CP1 and CP3

13. Noise from Construction

Demolition or construction work shall not begin until a scheme for protecting local residents from noise from the development hereby approved has been submitted to and approved in writing by the local planning authority.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area.
Relevant policy: Core Strategy policies CP1 and CP3

14. Construction Working Hours

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 8:00a.m. and 6:00p.m. Monday to Friday and 8:00 a.m. to 1.00p.m. Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: In the interests of the amenities of neighbouring occupiers
Relevant policy: Core Strategy policies CP1 and CP3

15. Dust

Before development commences the applicants shall submit for written approval to the Local Planning Authority a scheme of works that sets out the measures that will be taken to minimise dust arising from the development. The dust mitigation measures identified in the scheme shall be carried out and maintained until construction is complete. The control of dust can also be included in a Construction Environmental Management Plan (CEMP) for the site.

Reason: To protect the amenity of local residents during the construction period
Relevant policy: Core Strategy policies CP1 and CP3

16. Construction Environmental Management Plan

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to the Local Planning Authority. The plan should detail items such as phasing of construction, lorry routing and potential numbers, delivery hours, types of piling rig and earth moving machinery to be utilized and any other measures proposed to mitigate the impact of construction operations. In addition the plan should make note of any temporary lighting that will be used during the construction phase of the development. The plan shall be implemented in full and retained until the development has been constructed. Any deviation from this Statement shall be first agreed in writing with the Local Planning Authority.

Reason: To ensure disruption is minimised as much as possible during construction.

Relevant policy: Core Strategy policies CP1 and CP3

17. Bin store

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.

18. Decentralised energy

Prior to the commencement of development a scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) 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 ensure developments contribute to sustainable development. Relevant policy: NPPF Section 10 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1, Managing Development Delivery Local Plan policy CC05 & the Sustainable Design and Construction Supplementary Planning Document.

- **Trees and landscape**

19. Landscaping

Prior to the commencement of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the local planning authority. These details shall include, as appropriate, proposed finished floor levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and minor artefacts and structure (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc). Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable.

All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.

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

20. Landscape management

Prior to the commencement of the development a landscape management plan, including long term design objectives, management responsibilities, timescales and

maintenance schedules for all landscape areas, other than privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved.

Reason: In order to ensure that provision is made to allow satisfactory maintenance of the landscaping hereby approved. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21

21. Tree protection.

- 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 Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21

• **Ecology**

22. Bat mitigation

Works are to be carried out in accordance with the precautionary bat mitigation measures detailed in Section 5.2 of the bat survey report (Soly Brewster, ref: E1670701, August 2016). Should demolition works not commence prior to August 2018, an updated bat survey is to be undertaken by a suitably qualified ecologist and a report detailing the findings submitted to and approved in writing by the council.

Reason: To ensure that bats, a protected species, are not harmed or disturbed during the works.

Relevant policy: Core Strategy CP7 and Managing Development Delivery Policy TB23

23. Lighting Scheme

Prior to the occupation of the development, a lighting scheme shall be submitted to and approved in writing by the council. The approved lighting plan shall thereafter be implemented as agreed. The scheme should demonstrate how;

- external lighting will not adversely impact upon wildlife and shall include details of the following:
 - A layout plan with beam orientation
 - A schedule of equipment
 - Measures to avoid glare
 - 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.
- The scheme shall also set out the steps that will be taken to ensure that external lighting does not cause a nuisance to local residents including future residents of the site.

Reason: To ensure that wildlife is not adversely affected by the proposed development and to protect the amenity of local residents Relevant policy: Core Strategy policies CP1, CP3 and CP7 and Managing Development Delivery Policy TB23

24. Bird-nesting season

Any vegetation clearance or building demolition is to be undertaken outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

Reason: To ensure that nesting birds are not adversely affected by the proposed development.

Relevant policy: Core Strategy CP7 and Managing Development Delivery Policy TB23

25. Ecological management plan

Prior to the commencement of development, a landscape and ecological management plan shall be submitted to and approved by the council in writing. The plan shall include details of biodiversity enhancements (to include integral bird nesting and bat roosting opportunities on and around the new buildings), long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

Reason: To ensure the provision of biodiversity

Relevant policy: Core Strategy CP7 and Managing Development Delivery Policy TB23

- **Drainage**

26. Drainage

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

1. BRE 365 test results demonstrating whether infiltration is achievable or not.
2. Use of SuDS following the SuDS hierarchy, preferably infiltration.
3. Full calculations demonstrating the performance of soakaways or capacity of attenuation features to cater for 1 in 100 year flood event with a 40% allowance for climate change and runoff controlled at 13.5l/s or better.

4. 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.
5. As connection is to an existing surface water sewer, we need confirmation from the utilities supplier that their system has got capacity and the connection is acceptable.
6. Groundwater monitoring to confirm seasonal high groundwater levels especially as a below ground car park is proposed.
7. A drainage strategy plan indicating the location and sizing of SuDS features, with invert levels and base of any SuDS features located at least 1m above the seasonal high water table level.
8. Details demonstrating how any SuDS for this development would be managed throughout the lifespan of the development and who will be responsible for maintenance.

Reason: To prevent increased flood risk from surface water run-off. Relevant policy: NPPF Section 10 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.

27. Details of Screen

Before development commences details of a privacy screen to the roof garden of block 6 scheme shall be submitted for written approval to the local planning authority. The so approved screen shall be erected before the occupation of block 6 and be retained for the lifetime of the development.

Reason: To protect the amenity of local residents

Relevant policy: Core Strategy policies CP1 and CP3

Informative

1. Positive and proactive

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 the evolving planning policy context;
- a full pre-application process was undertaken by the applicant;
- planning issues relating to ecology;
- addressing concerns relating to highway safety;
- extending the determination period of the application to allow for a bat survey to be undertaken and submitted for consideration;
- amended plans being submitted by the applicant to overcome concerns relating to neighbour amenity;

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.

2. Travel Plan

The requisite Travel plan would need to comply with the latest national and local guidance:

- 1) NPPF Section 4 (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>

Also:

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.

3. CIL

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/>

4. S106

This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated [INSERT], the obligations in which relate to this development.

5. Thames Water informatives

- A.** 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.
- B.** There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
- C.** No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water

utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

PLANNING HISTORY		
Application Number	Proposal	Decision
162247	Full application for the erection of 126 residential flats (Use Class C3) together with associated surface level and basement car parking, open space, landscaping and infrastructure works.	Refused. Dismissed at appeal.
OFF/2015/0882	Prior approval submission for the conversion of existing office building (use class B1 (a)) to residential (use class C3) to include 25 apartments	withdrawn on 14 th May 2015
CLE/2011/1047	Application for a certificate of lawfulness for the existing use of site for Class B1 office space	approved on 16 th June 2011
F/2005/4467	Change of use of office B1 to lifestyle consultancy D1 conditionally approved	14 th June 2005
O/2001/4949	Outline application for the erection of a building for B1A office use (600 square metres floor space)	conditionally approved on 15 th July 2002
F/2001/4181	Change of use from Class B1(c) Light Industrial to B1 Office use	conditionally approved on 15 th July 2002
34823	Bicycle shelter, store and additional car parking	conditionally approved on 8 th January 1990
30051	Change of use from mixed use development to unrestricted B1 use	conditionally approved on 13 th April 1988
26694	Construction of two storey building with ancillary car parking and landscaping for a mixed use development comprising research and development, light industrial, offices and storage	conditionally approved on 17 th December 1986
22395	Industrial building (1858m ²) for design testing and assembly of electronic equipment. Also provision of 56 car parking spaces	conditionally approved on 18 th October 1984

SUMMARY INFORMATION	
For Residential	
Site Area	0.81Ha
Existing units	2 x office blocks (2 storey plus roof)
Proposed units	3 x 3.5 storey residential units (basement, ground, first and roof)
	52 x 1 bed units

	22 x 2 bed units 2 x 3 bed units
Existing density – dwellings/hectare	0
Proposed density - dwellings/hectare	93.9 DPH
Number of affordable units proposed	9 shared ownership units
Previous land use	Office
Proposed parking spaces	116 (78 allocated, 17 visitor and 17 unallocated)

CONSULTATION RESPONSES	
Crime Prevention Design Officer	No comments received
National Grid	No comments received
Royal Berkshire Fire and Rescue	No comments received
Thames Water	No objection. Advised Informative 5
WBC Biodiversity	No objection subject to condition 22, 23, 25, and 26
WBC Economic Prosperity and Place (Community Infrastructure)	No objection.
WBC Drainage	No objection subject to condition 27
WBC Environmental Health	No objection subject to condition 10, 11, 12, 13, 14, 15, 16 and 23.
WBC Highways	No objection subject to condition 3, 4, 5, 6, , and 8
WBC Tree & Landscape	No objection subject to condition 19, 20, 21

REPRESENTATIONS
<p>Town/Parish Council:</p> <p>Ask that if the officers are mindful to approve the application, the following be considered:</p> <ul style="list-style-type: none"> • Floor areas for each apartment comply with the Nationally Described Space Standards. (Officer comment: See paragraph 38) • A parking management plan is agreed as part of the S106 agreement to include security details and guarantee of sufficient parking for the rest of the Danehill Site. (Officer comment: not reasonable to secure this by S106, but a condition has been imposed - condition 7) • The PV roof panels referred to in the DAS do not appear to be represented on the drawings (Officer comment: revised plans now show this) • Full detail on the bin enclosures are located within the central amenity space are approved. (Officer comment: see condition 17) • Consideration is given to individual cage style cycle storage to design out crime rather than the communal cycle parking indicated. (Officer comment: see condition 4) • The constraints of the nine parking bays located against walls with regard to opening/ closing of car doors. (Officer comment: Highways have reviewed the bays and consider them to be acceptable) <p>Parish Cllr. Bill Luck;</p>

- Does the scheme comply with National Described Space Standards (**Officer comment: See paragraph 38**)
- Storage areas show doors opening inwards, requires revision. (**Officer comment: details of the doors on storage areas is outside the control of planning.**)
- Confirm that vertical circulation comply with fire regulations (**Officer comment: this is outside the control of planning and is addressed by other legislation**)
- Will a concierge move the bins to a collection point, or will there be a private collection service – collection distances too great.
- No details of bin enclosures. (**Officer comment: see condition 17**)
- Windows in block 6 are only 22m away from windows in front of block 5
- Top floor flats terrace is only 22m away from blocks 4 and 5 windows. (**Officer comment: see paragraphs 17 - 31**)
- Tree Constraints plan does not show it for groups (**Officer comment: The Council's Tree and Landscape officer has not required this, therefore it is unreasonable to request this**)
- The Building Outline Plan should also show the existing buildings and the RPZ.
- Number of affordable homes is below that required by WBC, Hope the viability report is being scrutinised. (**Officer comment: see paragraph 58**)

Local Members:

Cllr. Michael Firmager:

- I wish to raise concerns over:
 - insufficient affordable housing. (**Officer comment: see paragraph 58**)
 - lack of car parking. (**Officer comment: see paragraph 43**)
 - increased traffic and congestion (**Officer comment: see paragraph 41, and 40**)
 - increased pressure on schools and GPs. (**Officer comment: given the size of the scheme it would not be reasonable to require the provision of a new school and GP infrastructure. Government changes to infrastructure payments means that CIL, which is the scheme is liable for, now covers contributions for services such as schools and GPs.**)

Cllr. Clive Jones:

- Concerned that water table may be too high for the proposed underground car park. (**Officer comment: See paragraph 46**)
- Tight bend into the car park may deter residents from using it, resulting in on street parking (**Officer comment: highways have raised no objection to the car parking layout the road width is sufficient to accommodate the bend**).
- Borough guidelines are out of date – no room for visitors (**Officer comment: It is the council's adopted guidance and it would be unreasonable to require higher standards**).
- Not enough room for commercial vehicles (vans, lorries) to park or turn in. (**Officer comment: Swept path analysis has been carried out which demonstrates that lorries can turn in the area before the car park satisfactorily**).
- Will be an increase of traffic congestion due to increase of 76 vehicles (**Officer comment: See paragraph 41**)

- Nothing is proposed to help improve air quality/ resident's close to M4 could develop respiratory problems. **(Officer comment: See paragraph 36).**
- Local schools and doctors may not cope with additional demand. **(Officer comment: given the size of the scheme it would not be reasonable to require the provision of a new school and GP infrastructure. Government changes to infrastructure payments means that CIL, which is the scheme is liable for, now covers contributions for services such as schools and GPs.)**
- Lack of affordable housing, officers should not accept commuted sums. **(Officer comment: see paragraph 58)**
- Sewers are already over stretched **(Officer comment: Thames Water have been consulted and they have no objection subject to informatives 5)**
- Developer should refurbish the existing offices – are there any covenants on the Danehill Area requiring it to remain in commercial use? **(Officer comment: Committee are tasked with determining the application before them. It is not for the Committee or the LPA to instruct the developer to what they should apply for. Covenants are not considerations material to planning, and as such would have no weight in the determination of this application. They would also have no impact upon or be affected by such application).**
- Development not appropriate for area – lead to significant parking problems for new and existing residents. **(Officer comment: see paragraph 43, and 41)**
- Current residents will have their quality of live hugely impacted for no economic gain which is for the developer. **(Officer comment: see paragraphs 17 - 32, 40 and 41)**
- Lots of reasons why this development should not be allowed – emails from 40 residents. **(Officer comment: The number of objections in itself is not a reason to refuse a planning application).**
- I have been working with Environmental Health to have the current site cleaned up. There is broken glass everywhere and old furniture. Access is also easily gained to the building which are now dangerous and derelict.
- Access to the site is easy there is no security.
- Environmental health have tried to get Equity Real Estate to clear up the site. They swept up the broken glass into huge piles but still left it on site. They have not made the buildings secure. They have not made the site secure.
- How can the Council these developers to be suitable people to develop housing here. If the plans are accepted what guarantees will be in place to make sure the "building site " will not be open to the public and left in a dangerous state.
- I do not think this developer should be allowed to develop this site.

Officer comment: Committee can only determine the application before them and do so without prejudice to the developer involved. Issues such as cleaning up the site and security is not material to the determination of the application.

Neighbours: 45 objections received:

Parking stress (Officer comment: See paragraph 43)

- Existing commercial buildings create significant car parking congestion in Danehill and Cutbush Lane
- Additional dwellings + lack of parking would cause on street parking elsewhere
- Most households have 2 cars, no provision for visitors, tradespeople or deliveries

- Former TVT building didn't have enough parking and parking stress was a problem then.

Congestion (Officer comment: See paragraph 41, 40)

- Additional 76 – 100 vehicles using the area= more congestion
- More congestion to the entry/ exit to Danehill and junction for Lower Early
- Traffic flow would be badly affected
- Transport Statement is out of date – bus 19B and 19C buses no longer operate. The bus is only an hourly service. **(Officer comment: The scheme is still considered to be sustainably located).**

Highway safety (Officer comment: See paragraph 40)

- Issues of highway safety due to more traffic and on street parking
- Vehicles parking along Cutbush lane is an issue – driving schools use this area.
- Cutbush Lane is being used as a race track – needs traffic calming measures

Impact upon infrastructure

- Impact upon schools and surgeries / not enough capacity/ development should add to this. **(Officer comment: given the size of the scheme it would not be reasonable to require the provision of a new school and GP infrastructure. Government changes to infrastructure payments means that CIL, which is the scheme is liable for, now covers contributions for services such as schools and GPs.)**

Drainage/ sewerage (Officer comment: See paragraph 45, and 46)

- Rainworth Close overflows.

Environmental issues and health (Officer comment: See paragraph 36 and 37)

- Traffic would cause more pollution
- Would further impact 'environment' of existing residents (pollution/ vehicle noise)
- Cars parking on the street along Cutbush Lane could park outside my window (don't want to keep the blind down). **(Officer comment: It is unreasonable to require parking control outside the application site where no parking control exists if it not required - the proposal would provide parking provision above the number required for the number of units proposed).**

Amenity of prospective residents (Officer comment: See paragraph 36, and 39)

- Lack of amenity space
- Traffic noise would harm the prospective residents

Affordable housing (Officer comment: See paragraph 58)

- Need to provide 20% affordable housing like other authorities

Loss of offices (Officer comment: See paragraph 7 - 11)

- Loss of business use needed in the borough

Tidying up the site

- To secure the existing site from entry
- Remove or fix the damaged sign
- Tidy up the site
- Left hand side of Danehill – a nature reserve – has become a dumping ground due to neglect along Danehill

Officer comment: The condition of the site is outside of the remit of planning. However, it is understood that Environmental Heath have been working to try to get the site tidied up and secured.

Character (Officer comment: See paragraph 12 - 16)

- High density development out of character with surrounding area consisting of two storey houses with individual gardens and open green spaces.

Noise/ disturbance during construction (Officer comment: See Conditions 8, 12, 13, 14, 15, and 16)

- Noise, and dust pollution/ disturbance during construction
- Highways impacts of lorry movements and workers parking.

Impact upon wildlife (Officer comment: See paragraph 51 - 53)

- Impact upon the nearby nature reserve

Other issues

- If given the go ahead other applications may be submitted

(Officer Comment: It is not material planning consideration that other applications may be submitted. The LPA is required to determine the applications before them.)

APPLICANTS POINTS

- The previous application for 126 units was only dismissed at appeal by the Inspector due to poor outlook. All other matters were considered to be acceptable.
- This has been resolved in this application with all car parking being located in the basement, resulting in a larger shared amenity area.
- This current proposal has a higher unit to parking space ratio than that of the dismissed scheme (which the Inspector found to be acceptable).

PLANNING POLICY

National Policy	NPPF	National Planning Policy Framework
Adopted Core Strategy DPD 2010	CP1	Sustainable Development
	CP2	Inclusive Communities
	CP3	General Principles for Development

	CP4	Infrastructure Requirements
	CP5	Housing mix, density and affordability
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP8	Thames Basin Heaths Special Protection Area
	CP9	Scale and Location of Development Proposals
	CP10	Improvements to the Strategic Transport Network
	CP15	Employment Development
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
	CC05	Renewable energy and decentralised energy networks
	CC06	Noise
	CC07	Parking
	CC08	Safeguarding alignments of the Strategic Transport Network & Road Infrastructure
	CC09	Development and Flood Risk (from all sources)
	CC10	Sustainable Drainage
	TB05	Housing Mix
	TB07	Internal Space standards
	TB11	Core Employment Areas
	TB12	Employment Skills Plan
	TB15	Major Town, and Small Town/District Centre Development
	TB20	Service Arrangements and Deliveries for Employment and Retail Use
	TB21	Landscape Character
	TB23	Biodiversity and Development
	RB25	Archaeology
Supplementary Planning Documents (SPD)	BDG	Borough Design Guide – Section 4
		DCLG – Nationally Described Space Standards

PLANNING ISSUES

Description of Development:

1. It is proposed to demolish the existing buildings and erect 3, three-storey buildings comprising 76 residential flats. Parking spaces would be located in an underground car park accessed from Danehill. Between the blocks of flats would be a landscaped area and the vegetation buffer around the site would be retained.
2. This application is a resubmission of a previous application (162247) for 126 flats on this site.
3. Application 162247 was for 126 flats which was refused and dismissed at appeal following an Informal Hearing held in October 2017. However, the Inspector only dismissed the appeal due to poor outlook. All other matters, including car parking, traffic impacts and separation distances, were considered to be acceptable by the appeal Inspector.
4. This proposal is the result of the appeal decision and extensive pre-application discussions which have taken place since. It not only seeks to overcome the Inspector's concern regarding outlook, but also other concerns raised by Members and residents, including:
 - Significantly reducing the number of units from 126 to 76, and therefore reducing the density of the site and resulting traffic flows.
 - Increasing the 'unit to car parking space' ratio (was 1.15 and now is 1.5).
 - Allocating the car parking in the basement and having a shared amenity area between blocks, addressing the Inspectors concern that outlook onto a car park would be harmful to residential amenity.
 - Reducing the height and bulk and massing of the buildings.
 - Improving the design and appearance of the buildings
 - Addressing concerns with the internal layout of corridors and addressing issues of privacy between the blocks.

The below table details the differences between the current and proposed flats.

	162247 (former proposal)	172675 (current proposal)	Difference
Number of units	126	76	- 50
Height (from existing ground level)	12.7m	9.2m -10m (due to land level slope)	3.5 – 2.7m lower (depending on land level)
Car parking spaces (parking spaces per unit)	1:15	1:5	
Total parking spaces	145	116	- 29
Shared garden area	817 sqm	2,000 sqm	+ 1,183

Principle of Development:

5. 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.

6. The site is located within the major development location of Earley as defined by policy CP9 and therefore development is acceptable in principle subject to any other land use designations as set out in the Core Strategy and MDD Local Plan.
7. Whilst the site is not within a Core Employment Area, policy CP15 of the Core Strategy is relevant as the proposal involves the change of use of the lawful use of the site from B use floor space. Policy CP15 promotes development for business, industry or warehousing and states that any changes of use from B1, B2 or B8 uses should not lead to a net loss of B use floor space across the Borough. It also requires provision within the Borough of employment floor space of different sizes, types, quality and location.
8. The Employment Land Monitoring Report for April 2013 – March 2014 demonstrates that there has been a net gain of 3,649m² of B use floor space in the Borough since 1st April 2006. The report also shows that the borough has 88,099m² of extant permissions for B use floor space as of 1st April 2014, which could be completed in the next six years based on historic completion rates, but the likelihood of this rate of completion being realised is uncertain. Therefore the proposal would result in the loss of a portion of the surplus B use floor space. Furthermore, the site offers an alternative location for office space within the Borough which complies with the qualitative aspect of CP15.
9. The principle of allowing the loss of the office space was established in the previous application on this site. At that time it was considered the Marketing Report demonstrated that the offices had been marketed at a reasonable rate for a reasonable length of time and this did not result in any serious interest. Auto Trader House comprises secondary Grade B standard space, with Hartman House providing Grade C quality space in a poor condition. Both properties are described as requiring substantial work to make them suitable for occupancy. These were material considerations in the previous application that weighed to accept the principle of the loss of the offices. This was accepted by the appeal Inspector, who raised no objection to their loss.
10. The current application is accompanied by an updated report dated November 2017 and likewise prepared by Haslams. Whilst it appears that there has been no additional advertisement campaign in the period since the August 2016 report, the current report still concludes that extensive renovation work would be required to the premises in order for them to be attractive to the market. The report still argues that change of use to residential is required to bring the site back to use and it is considered that the comments provided by the policy team at the time of the previous application remain broadly relevant.
11. On this basis, while there would undoubtedly be a loss of employment floorspace, its loss has been accepted at appeal and the principle of the loss of office space is therefore accepted.

Character of the Area:

12. The site is within a small industrial/office area at the edge of Lower Earley, accessed from Danehill. The site currently comprises of 2, two-storey buildings with a lawful use as an office. The buildings are surrounded by car park bays and landscaping strips. Around the site is a landscaped buffer.
13. To the north of the site are residential roads within Lower Earley and although architecturally there is variation in their design, the properties are two storey in scale and a mix of detached and semi-detached. Immediately to the south of the site is Lower Earley Way which is a main route for vehicles around Lower Earley.
14. The scheme proposes the demolition of the existing buildings and their replacement with 3 x three-storey buildings with associated parking located in the basement. This would result in a high density flatted scheme on an existing office site within a small scale industrial/commercial area, and would present a form of development which is not seen in the surrounding residential area. However, due to the distance from the main residential area of Lower Earley and the substantial vegetation buffer between them a different character and density of development could be accommodated within the site.
15. The blocks would be located around the perimeter of the site, and would have the upper floor with a mansard style roof space, and half of the basement height would be excavated, resulting in a building which is 3.5 storeys in height. However, their height would not appear disproportionate to their footprints or the adjoining blocks. The area is predominantly industrial and the proposal would introduce a residential character to the area. However it is a material planning consideration that the Inspector of the refused scheme, whilst dismissing the appeal, had no objection to either the principle of this or to the detailed design of the proposal which he considered at appeal. The current proposal would appear significantly smaller in its bulk and massing than that of the scheme dismissed at appeal.
16. As such, the proposal would not unduly harm the character of the area and therefore would comply with requirements of the Borough Design Guide and policy CP3 of the Core Strategy.

Residential Amenities:*Overlooking to adjacent residential occupiers*

17. The Borough Design Guide requires a back to back elevation (flats to flats) of 30 metres to avoid a loss of privacy and sense of enclosure.
18. With regard to adjoining land uses, the closest properties to the site are located on Cutbush Close, Bradmore Way, Rainworth Close and Farnsfield Close. These are all located a minimum of 50 metres away and there are vegetation buffers between the properties and the site. As this distance significantly exceeds the recommendation of the Guide no harmful impact upon residential amenity would occur in terms of overlooking, daylight and sunlight or overbearing impacts.

19. There are more immediate land uses are the offices in 'Cutbush Court' and the 'City Limits' building. Prior approval was allowed for the conversion of 3 Cutbush Court into 6 x 1 bedroom units. Whilst it is understood this has not been implemented, it could and as such the impact of the proposal in terms of residential amenity should be considered. The windows fronting 3 Cutbush Court would be located at an oblique angle to the windows of block 1 at a distance of 30 metres meeting Borough Design Guide Standards. In terms of City Limits, the proposal would be around 33m away and as such the proposal would meet the Guides standards for back to back separation distances. As such the proposal would not result in harm in terms of overlooking in this respect.

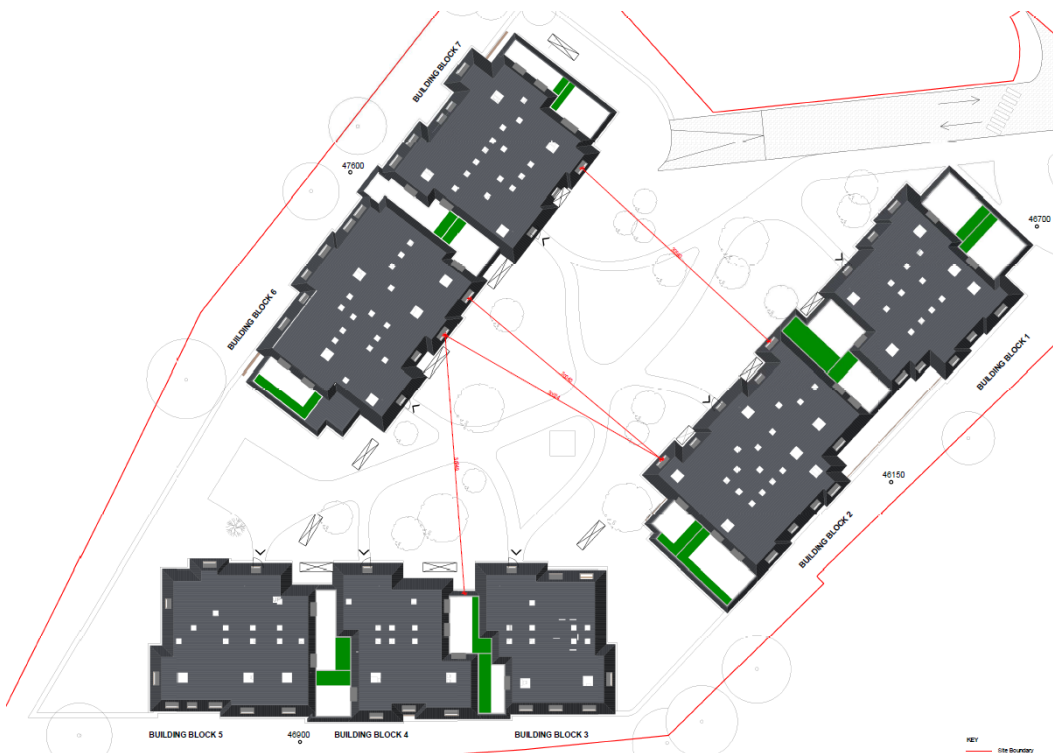
Overbearing and loss of daylight and sunlight to adjacent residential occupiers

20. Given the distance of the separation between proposal and the surrounding buildings, the proposal would not appear overbearing or result in a loss of daylight or sunlight.

Overlooking to prospective occupiers

21. The Borough Design Guide requires flats (where the eaves is over two storeys) should have a back to back separation distance of 30m to avoid a loss of privacy or sense of enclosure.

22. The blocks are arranged around the edge of the site with landscaping in the middle.



23. The rooms and balconies are stacked so that they are the same on ground and first floor levels and therefore these are considered together here. Block 6 would face at an oblique angle to block 5,4, and 3. At ground level block 6 would have side windows that face at an oblique angle to the balconies and windows of block 5. However, the ground floor and top floor windows would fall below the back to

back separation distance of 30m, but would fall within the front-front separation distance of 15m.

24. On the ground floor, the distance between the garden area of block 5 to the window of block 6 would be 21.5m or 22.5 metres to the window. At roof level, the distance between the dormer of block 5 and the roof terrace would be 23m and 24 metres to the window. Block 6 would have one window would be 28m apart from block 3.
25. The council previously refused permission on the basis of separation distances of directly opposite blocks which were only 24 metres apart, but the Inspector did not uphold this as a reason for refusal. In terms of the ground floor flats, the Inspector considered that tree planting between the blocks would diminish the affect for overlooking from one block into the other, but with regard to the other units also reasoned that it would be acceptable as only a limited number of units would be affected.
26. In relation to this proposal, the proposed landscaping scheme could provide suitable planting to diminish the effect of overlooking to the ground floor units. In terms of the second floor, the provision of a screen around the garden terrace, secured by condition, would mitigate the effect of overlooking to block 5 (**Condition 27**). The relationship between the affected windows between block 3 and 6 would be oblique to the extent that views would be limited. The proposal is also lower than the previous scheme, being 3 storeys (plus basement) rather than 4 storeys (plus basement) in the previous scheme. In addition, the number of units affected would be proportionally less than that considered acceptable by the Inspector in the previous application. In this proposal only 5 out of 76 units which is 6% would be below standards compared to around 20/126 of units in the appeal scheme which is 15% of total units. The distance separation for the remaining flats would be greater than what the Inspector considered to be acceptable in the previous application.
27. On the first floor, the side windows in block 6 would be obscure glazed until 2m above first floor level, however no overlooking would occur to block 5 as the windows would be obscured until above head level. The ground and first floor windows of block 6 would be an oblique angle to block 4 and there would not be any directly facing habitable windows. The balconies in block 6 would be 30m or more away from that of block 3.
28. Block 2 would face directly opposite block 6 and part of block 7. Block 1 would face part of block 7. Here there would be a separation distance of 30m between the balconies and further in terms of habitable windows. As such the proposal would comply with the Guide in this respect.
29. In terms of the second (top) floor, the side windows of block 6 would be around 25 metres from the windows of block 5, and the terrace of block 6 around 22.5m from dormer (winter garden) of block 5. However, given that any views would be oblique, any views into the Windows/balconies would be limited and as such no harmful overlooking would occur. All other distances between habitable rooms in the blocks would meet the requirements of the Guide.

30. As such, the proposal would not result in a harmful loss of privacy to the prospective occupants.

Overbearing impacts to residential occupiers

31. Given the distances between the various blocks along with the oblique relationships, that the proposal would not appear unduly overbearing.

Daylight and sunlight

32. The agents have submitted a daylight and sunlight report with this proposal. This demonstrates that each of the habitable rooms will receive adequate daylight and sunlight. The proposed amenity space between the blocks would receive adequate daylight sunlight also. As such proposal would be acceptable in this respect.

Outlook

33. The previous application on this site (162247) was dismissed at appeal as the Inspector considered that it would result in harm to the residential amenity of its prospective occupants in respect of outlook.

34. The previous proposal has car parking in the shared amenity area between the flats. The Inspector stated:

‘...because of the domination of the central space by car parking and the looping access road, the living conditions of future occupiers, in terms of outlook, would be unacceptable.’

35. This proposal has resolved this by removing the parking from ground floor level and replacing it at lower ground floor level. The space between and around the blocks is proposed to be landscaped with a pathway and trees. The outlook of block 6 and 7 to the west, blocks 3 – 5 to the south would be in part the boundary landscaping and of the roads and dwellings of Lower Earley. The outlook from block 1 and 2 would be of the boundary landscaping but also the offices of Cutbush Lane. However, this is consistent with the previous scheme where the Inspector had no objection. As such, the proposal would provide a significantly improved level of outlook between the blocks and is considered to address the Inspectors concerns in this respect.

36. **Noise:** There are noise generators close to the application site. The site is located around 74m from the M4 motorway and around 45m from Lower Earley Way. A noise assessment has been submitted which advises the need for higher specification double glazing with non-opening windows would be required to ensure noise levels within the flats which would not exceed recommended British Standards. High quality ventilation methods have been agreed which would ensure suitable ventilation could be achieved without opening windows. In order to overcome any concern regarding noise from the M4 and Lower Earley Way, revised plans have been received which show the balcony areas being enclosed and therefore suitable levels can be achieved. The Inspector previously considered this solution to be acceptable. As such, subject to **condition 10 and 12** the proposal would be acceptable in this respect.

37. **Air quality:** The site is within an Air Quality Management Area that runs along the M4 motorway. An air quality assessment has been submitted with the application that has assessed the cumulative impact of the proposed site on local air quality and the impact of existing pollutants on future sensitive receptors, i.e. residents. The report concludes that there will be a negligible impact for both factors. The report also assesses the short term impact of construction activity on local air quality and recommends that standard dust control and suppression measures are included in the Construction Environmental Management Plan (CEMP) for the site. The Environmental Health Officer considers that there is no ground to recommend refusal and requires that the mitigation measures as set out are conditioned (see **condition 10**).

Internal space and layout

38. **Internal space and layout:** Internal space requirements are set nationally and this is categorised by number of bedrooms, number of bed spaces and the amount of storeys provided. An accommodation schedule has been submitted and this demonstrates that the each of the flats would meet the minimum standards for internal space and therefore no objection is raised.

39. **Amenity space:** The Borough Design Guide advises that all dwellings should have access to some form of amenity space preferably in the form of private or communal garden space. It is also noted that upper floor dwellers rarely have access to gardens and therefore balconies should be incorporated to provide privacy and receive sunlight. The proposal includes private garden areas for ground floor flats and the flats above have had the balconies enclosed by glazing, which would offer some private space. Shared landscaped garden area, with an area of around 2,000sqm, is provided between the blocks. On this basis, no objection is raised.

Access and Movement:

40. **Highway Safety:** The site would continue to be accessed from Danehill and it is considered suitable visibility splays are already available from this access. Within the site, the road layout is considered satisfactory for both cars and a refuse vehicle. As such, no objections are raised in this respect.

41. **Traffic Generation:** Concerns were raised by residents that the proposal would have a harmful impact upon the local highway network. The council's Highways officer consider that the total traffic that would be generated is less than that if office use was continued and therefore the proposal would not have an adverse impact upon the highway network. This is demonstrated in the below table;

Proposed Development Net Vehicular Trip Generation		
Mode	AM peak Hour (total)	PM Peak hour (total)
Vehicular trip generation	-38	-30

42. It should be noted that in the previous scheme, the Inspector considered that the traffic from the development would not have an adverse impact on the road network.

As such, it would not be reasonable to refuse this application on that ground given that a significantly fewer units are proposed.

43. **Parking:** A number of concerns have been raised with regard to the impact of the proposal upon local parking. This proposal would have a parking ratio of 1.5 (an average of 1.5 parking bays per flat) providing 116 parking spaces and exceed the Council's parking standards, which would require 107spaces. It should be noted that the parking ratio for the last scheme was 1.15 (an average of 1.15 parking bays per flat for 126 units) and the Inspector for the previous appeal decision considered that it *'would be sufficient to meet the parking needs of future occupiers without unacceptably increasing pressure on the street parking'*. The proposed parking bays would be 2.4 x 4.8 rather than 2.5 x 5m. However, this was the case for the previous scheme which was considered acceptable by the Inspector. Highways have no objections to the size of the bays. As such, the proposal would be acceptable in this respect, subject to **conditions 4, 6, 7, 3**.
44. **Sustainability:** The agents have submitted a 'Sustainable Transport Assessment' with their application. The proposal site would be within walking distance of schools, shops, surgeries and buses. As such, subject to a Travel Plan (**Condition 6**), the proposal would be acceptable in this respect.

Flooding and Drainage:

45. The site is located within flood Zone 1 and therefore this form of 'vulnerable development' is acceptable in principle in this location (in terms of flooding). Details of drainage have been submitted and would appear to present an improvement to the current drainage situation on the site. However, additional information is required and this is dealt with by way of **condition 26**.
46. Concern was raised that the basement car park would be subject to groundwater flooding. Whilst no boreholes have been dug within the site, RSK's Flood Risk Assessment and Surface Water Drainage Strategy states that data from a borehole from around 20m away has shown that the area is likely to consist of clay and therefore the site is unlikely to be subject to groundwater flooding. In addition, the basement will be designed to ensure that it is not flooded by groundwater. The council's drainage and flooding officer does not object to the proposal subject to **condition 26** which includes these measures.

Landscape and Trees:

47. The proposal was accompanied by a Landscape Visual Assessment. The Council's Tree and Landscape officer considers that the proposal would have no significant visual effects and would not be of detriment to landscape character.
48. The site has a substantial landscaping buffer around it which separates it from Lower Earley Way and is made up of a large number of trees and shrubs. Whilst this would be cutback to a certain extent, the landscaping buffer would remain and this is considered necessary for the scheme.
49. The proposal includes removal of around 22 trees and 15 'groups' of plants consisting of shrubs and small trees but these are general category C trees (1 B category), and subject to replanting no objection has been raised. The proposed amenity area between the blocks space would be landscaped and further details including tree planting can be secured by way of **conditions 19, 20, and 21**.

Environmental Health:

50. **Contamination:** A phase 1 Geo environmental Assessment has been submitted with the application. The report concludes that there is a low to moderate risk of contamination present at the site and a recommendation is made in respect of a Phase II intrusive investigation. Subject to a condition requiring further survey work (**Condition 11**), the Environmental Health Officer is satisfied no harm would occur in terms of contamination.

Ecology:

51. An Ecological Appraisal of the site has been submitted which identifies a range of habitat types, but acknowledges overall there is little ecological value. The application site comprises two vacant office buildings partially located within habitat that matches that where bat roosts have previously been found in the borough.
52. A single tree at the site entrance (labelled '24' as per the tree protection plan) and the Auto-Trader building have both been assessed as having 'low' potential to host roosting bats (Soltys Brewster, ref: E1670701, July 2016) – all other trees and buildings onsite offer negligible potential to host roosting bats. The tree with low potential is to be retained. The council's ecologist has advised conditioning the precautionary measures outlined in the bat activity survey report, and a condition (**Condition 22, 23**) for the external lighting scheme so to avoid any adverse impact upon light-sensitive species, such as bats.
53. The site is bordered by a small plantation woodland to the north and northeast. The site may be used sporadically by other protected or priority species such as badgers or hedgehogs. The scrub and trees within the site may support nesting birds. A landscape and ecological management plan has been conditioned (**See condition 23, 24, and 25**) to ensure that the woodland, proposed grass areas and other new soft landscaping features are not adversely affected by the development (in the case of the woodland) and are enhanced in the long-term.

Sustainable Design/Construction:

54. Due to the replacement of the Code for Sustainable Homes with national standards in building regulations, the proposal is not required to meet Code 4 in line with Policy CC04 of the MDD. However, the policy does require that all development should incorporate suitable waste management facilities including on-site recycling. It is considered that sufficient internal and external storage could be provided to accommodate this. Details of bin storage can be addressed by way of **condition 17**.
55. Policy CC05 requires residential proposals of more than 10 dwellings to deliver a minimum 10% reduction in carbon emissions through renewable energy or low carbon technology. An Energy Statement has been submitted which states how this would be achieved through the use solar PV panels and air source heat pumps for both buildings. As such, it is considered necessary to condition that the development is carried out in accordance with this statement (**See condition 18**).

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

56. *Community Infrastructure Levy:* 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 was approved, a CIL liability notice would be issued.
57. *Special Protection Area:* The site is within 7km of the Thames Basin Heaths SPA and the proposal is for more than 50 units. Policy NRM6 of the SEP requires that proposals mitigate their impact upon the TBHSPA. Where sites fall within the catchment area of one of Wokingham's own SANGs, such mitigation is in the form of a contribution towards the monitoring / management of such SANG. However in this instance, whilst the proposal site is within 7 kilometres from the TBHSPA, it is not within the catchment of Wokingham's own SANGs, and therefore such contribution would not mitigate the impact of the proposal. The site however falls within the catchment of the site (Langley Mead SANG, Hyde End Road, Shinfield) owned by Reading University. A draft agreement has been received from the agents setting out how the proposal would mitigate its impact upon that SANG and the University has confirmed their acceptance that the developer may use the SANG. This will need to be secured by S106 between the Council, Reading University and the developer. As such, subject to the completion of such agreement, the proposal would comply with NRM6 of the SEP.
58. *Affordable Housing:* The site is within settlement and on brownfield land and therefore, as per policy CP5 of the Core Strategy, provision of 30% affordable housing is required. The development proposes 9 dwellings as being affordable (Shared ownership) which equates to 11.8% which is below the requirement.
59. The previous proposal also had a shortfall of affordable housing (16 units or 12.6%) and this was accepted by the Inspector.
60. As with the previous scheme, this application was submitted with a viability report to justify the proposed amount of affordable housing. This report has been subject to independent assessment. Such assessment includes a review of the figures and assumptions used in assessing the schemes viability. The assessor advised that the viability assessment demonstrates that the proposal would not be viable regardless of the provision of affordable housing. This was also the situation with the previous proposal on this site.
61. The NPPF and NPPG require LPAs to ensure that obligations, such as the provision of affordable housing, do not threaten the viability of the development. However, despite the negative land value, the proposal still offered a provision of affordable housing. This is proposed to be 9 shared ownership units. The Councils Affordable Housing officer has agreed to the 9 shared ownership dwellings.
62. Whilst the proposed amount of affordable housing is below that required by policy CP5, it is a similar proportion to that accepted by the Inspector in the previous proposal, and given the NPPG and NPPG's requirement for affordable housing to not threaten the viability of the scheme, that it would be unreasonable to refuse the application on this ground, subject to securing the affordable housing provision by a legal agreement.

Employment Skills:

63. Policy TB12 of the MDD requires major applications to demonstrate how they will use local skills/employment in the construction of a scheme. This is to be secured by way of S106.

CONCLUSION

If the proposal is a resubmission of a previous proposal which was dismissed at appeal due to poor outlook. Following extensive pre-application discussions, the proposal addresses the Inspector's concerns and goes beyond to address other concerns raised by residents. This includes:

- Significantly reducing the number of units from 126 to 76, and therefore reducing the density of the site and resulting traffic flows.
- Increasing the 'unit to car parking space' ratio (was 1.15 and now is 1.5).
- Allocating the car parking in the basement and having a shared amenity area between blocks, improving outlook.
- Reducing the height and bulk and massing of the buildings.
- Improving the design and appearance of the buildings
- Addressing concerns with the internal layout of corridors and addressing issues of privacy between the blocks.

As such the proposal would accord with the provisions of the development plan and is therefore recommended for **approval subject to a Section 106 Agreement** to secure affordable housing, employment skills plan and to mitigate the impact of the proposal upon the THBSPA and planning conditions.

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