

Agenda Item 91.

Application Number	Expiry Date	Parish	Ward
180753	9 May 2019	Winnersh	Winnersh South

Applicant	Mr Sundeep Saxena
Site Address	Trident House, 2 King Street Lane, Winnersh RG11 5AS
Proposal	Full application for the proposed change of use, raising of the roof, single storey rear extension and alterations to fenestration to provide 12 flats with rear amenity space and onsite parking
Type	Full
PS Category	1
Officer	Simon Taylor
Reason for determination by committee	Major application comprising 12 dwellings

FOR CONSIDERATION BY	Planning Committee on Wednesday, 8 May 2019
REPORT PREPARED BY	Assistant Director – Place

SUMMARY
<p>The subject site is within in a very urban location, situated alongside a side road to King Street Lane, very near the main intersection with Reading Road and surrounded by several non-residential uses, including Sainsbury's supermarket and carpark opposite.</p> <p>There is an existing two storey office building on the site, which was granted prior approval for conversion to five residential flats in 2014 (OFF/2013/2542). Despite suggestions to the contrary, the Council is satisfied that the works were never commenced and were indeed never completed within the required timeframe. A subsequent application for the conversion of the existing building with extensions to create 18 units (162148) was refused in 2017 for reasons of overdevelopment, impacts upon neighbour amenity, substandard internal and external accommodation and lack of affordable housing. An appeal against this decision was dismissed on all grounds.</p> <p>The subject application is a resubmission of the appealed application, with a reduction in the built form resulting in a 12 unit scheme, with a mix of one and two bedroom units across three levels. It has also been amended twice since its original submission to address the concerns of Council's Highways Officer, Landscape Officer and Planning Officer.</p> <p>One neighbour submission was received against the proposal, citing neighbour amenity concerns, over development and pollution issues associated with the car parking at the rear of the site. Winnersh PC have also objected on the grounds of a lack of parking.</p> <p>As amended, the scheme represents an appropriate reuse of an existing brownfield office building in a highly sustainable location with ready access to public transport and facilities. The extensions to the building are modest in nature and are a significant reduction from that proposed in the previous scheme. By reducing the scale of the building, the neighbour amenity concerns have also been resolved.</p> <p>Furthermore, the Council's Highways Officer is satisfied with the on-site parking provision although vehicular and pedestrian access to and from the site remains subject to further details (Condition 7) and a Car Parking Management Plan (CPMP) (Condition</p>

8). Other relevant pre commencement conditions relate to landscaping details and the protection of a veteran Oak tree on the front boundary (Conditions 3 and 4) and a Construction Management Plan (given the location on a busy intersection) (Condition 6).

A viability report was submitted in relation to the provision of affordable housing. It was externally reviewed and a commuted sum of £2,504 was agreed, which is the equivalent of the developer return in excess of 17.5%. This will be secured by legal agreement (see Informative 1).

PLANNING STATUS

- Major Development Location
- Winnersh District Centre
- Secondary shopping frontage
- Flood zone 1
- Veteran tree 6803 (English Oak on front boundary)
- Wind turbine safeguarding zone
- Sand and gravel extraction consultation zone
- Potentially contaminated land consultation zone
- Non-classified road

RECOMMENDATION

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

- A. Completion of a legal agreement to secure the contributions associated with Affordable Housing (see Informative 1); and**
- B. Conditions and informatives:**

Conditions

1. Timescale

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

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

2. Approved plans

This permission is in respect of the submitted plans numbered TRIDENT/PL07L, TRIDENT/PL20H and TRIDENT/PL21F, all dated April 2019 and received by the local planning authority on 25 April 2019. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

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

3. Landscaping details

No development shall commence until full details of both hard and soft landscape proposals have been 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 a 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. It must include trees and hedges with adequate space to thrive, and access for maintenance. The hedges should be a mix of native and ornamental but pollinator friendly species. Trees must be planted with adequate space to thrive and according to current guidance. Tree planting details are required to demonstrate the how the trees will be planted in the different areas across the site, e.g. depending on the site constraints for the particular location, if planted in open ground, street etc. but must include as standard irrigation. Small areas of lawn should be avoided and where such spaces exist be replaced with shrub planting.

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.

4. Protection of trees

No development or other operation shall commence on site until an Arboricultural Method Statement and Scheme of Works, which provides for the retention and full protection of the veteran Oak tree at the front boundary in accordance with BS5837: 2012, has been submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in complete accordance with the details as so-approved (hereinafter referred to as the Approved Scheme). The updated details are to include the provision of subterranean services connecting to each of the dwellings.

No operations shall commence on site in connection with development hereby approved (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) until the tree protection works required by the Approved Scheme are in place on site.

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.

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 in writing of the local planning authority has first been sought and obtained.

Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence

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

5. Drainage details

No development shall commence until drainage details have been submitted to and approved in writing by the local planning authority. It must ensure that surface water from the vehicular access does not discharge onto the highway and include the following:

- a) BRE 365 test results demonstrating whether infiltration is achievable or not.
- b) Full calculations demonstrating the performance of soakaways.
- c) Groundwater monitoring to confirm seasonal high groundwater levels.
- d) A drainage strategy plan indicating the location and sizing of SuDS features, with the base of any SuDS features located at least 1m above the seasonal high water table level.
- e) Details demonstrating how any SuDS for this development would be managed throughout the lifespan of the development and who will be responsible for maintenance.

Such details as may be approved shall thereafter be installed and operational prior to first use and thereafter maintained.

Reason: This is to prevent increased flood risk from surface water run-off.

Relevant policy: NPPF Section 10, Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.

6. Construction Management Plan

No development shall commence until a Construction Management Plan and Construction Method Statement has been submitted to and approved in writing by the local planning authority. The plan should include the following details:

- a) Phasing of construction
- b) Lorry routing and potential numbers
- c) Types of piling rig and earth moving machinery
- d) Temporary lighting
- e) Parking of vehicles of site operatives and visitors
- f) Estimation of the excavated soil and concrete rubble removed from the site
- g) Loading and unloading of plant and materials
- h) Storage of plant and materials used in constructing the development
- i) Erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- j) Wheel washing facilities,
- k) Measures to control the emission of dust, dirt and other matters during construction,
- l) A scheme for recycling/disposing of waste resulting from demolition and construction works.

The plan shall be implemented and adhered to 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: In the interests of highway safety and convenience and neighbour amenities.

Relevant policy: Core Strategy policies CP3 and CP6.

7. Parking and access details

No development shall commence until additional car parking details have been submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing by the local planning authority, this should include the following details:

- a) Vehicle turning space within the site (allowing vehicles to turn so that they may enter and leave the site in a forward gear)
- b) Secure and covered bicycle storage
- c) Unimpeded pedestrian access to the cycle storage
- d) Methods to be used to manage the potential for in/out vehicle conflict along the single width driveway and allow for a vehicle waiting area
- e) Defined pedestrian access from the street kerb to the rear of the site, including delineated markings and surfacing on the roadway
- f) An Electric Vehicle (EV) charging strategy, including on-site infrastructure, installation of charging points and future proofing of the site

None of the residential units shall be occupied until the above aspects have been provided in full accordance with the approved details and shall thereafter be so-retained.

Reason: To ensure a satisfactory form of development, to avoid adverse impact on the public highway in the interests of highway safety and to encourage the use of sustainable modes of travel.

Relevant policy: NPPF Section 9 and Core Strategy policies CP1, CP3 and CP6 and Managing Development Delivery Local Plan policy CC07.

8. Car Parking Management Plan

No development shall commence until a Car Park Management Plan (CPMP) has been submitted and approved in writing by the local planning authority. As a minimum, the CPMP shall detail the following:

- a) Provision of unallocated parking and methods of ensuring that the spaces remain unallocated and will remain in force for the life of the development
- b) Arrangements for access to the carpark at the rear of 4 King Street Lane
- c) Details of gate operations
- d) Signage to direct residents to park front into the spaces on the northern side of the site

Reason: To ensure adequate on-site parking provision in the interests of highway and pedestrian safety, convenience and amenity.

Relevant policy: Core Strategy policies CP3 and CP6 and Managing Development Delivery Local Plan policy CC07.

9. Bin storage details

No development shall commence until details of bin storage areas for each dwelling have been submitted to and approved in writing by the local planning authority. The storage area 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.

10. Access details

No development shall commence until a scheme indicating the provision of at least two dwellings being made adaptable for disabled people to gain access has been submitted to and approved in writing by the local planning authority. The Scheme so-approved shall be implemented before the development hereby permitted is brought into use, and shall thereafter be retained.

Reason: To ensure the needs of the general population are met.

Relevant policy: Core Strategy policy CP2.

11. Renewable energy details

No development shall commence until 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) has been 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 14 (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.

12. Project Community Liaison Group

No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority which specifies the provisions and details to be made to establish a Project Community Liaison Group for the duration of the construction works. The scheme shall include details of dates of meetings and a name and telephone number for residents to contact should any issues arise during the construction period. The scheme shall be implemented as approved.

Reason: In order to minimise disturbance to neighbours during construction works.

13. Contamination details

In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Any subsequent investigation/remedial/protective works deemed necessary by the LPA shall be carried out to agreed timescales and approved in writing by the local planning authority. If no contamination is encountered during the development correspondence confirming this fact shall be submitted to the LPA upon completion of the development

Reason: To ensure that any contamination on the site is remediated to protect the existing/proposed occupants of the application site and adjacent land.

Relevant policy: Relevant policy: NPPF paragraphs 170, 178 and 179.

14. Car parking

None of the residential dwellings hereby permitted shall be occupied until the vehicle parking has been provided in accordance with the approved plans. The parking be retained and maintained in accordance with the approved details and remain available for the parking of vehicles at all times.

Reason: To provide adequate off-street vehicle parking 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.

15. Bonded surface

None of the residential dwellings hereby permitted shall be occupied until the vehicular access has been surfaced or is retained 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.

16. Permeable paving

None of the residential dwellings hereby permitted shall be occupied until all new hard surfacing is constructed from porous materials or provision made to direct water run-off from the hard surface to a permeable or porous area within the curtilage of the development. The hard surfacing shall thereafter be so-maintained.

Reason: To prevent increased flood risk from surface water run-off.

Relevant policy: NPPF Section 14 and Managing Development Delivery Local Plan policies CC09 and CC10

17. Hours of construction work and deliveries

Unless otherwise agreed in writing by the local planning authority, the hours of work and deliveries and vehicle movements to and from the site for all contractors for the duration of the construction of the development shall be limited to 8am-6pm, Mondays to Fridays and 8am to 1pm on Saturdays. No work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenity of neighbouring occupiers.

Relevant policy: CP3 of the Core Strategy

18. Retention of trees and shrubs

No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation.

Reason: To secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of amenity value to the area.

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

Informatives

1. Section 106 Agreement

This permission should be read in conjunction with the legal agreement under Section 106 of the Town and Country Planning Act dated # May 2019, the obligations of which relate to the securing affordable housing contributions for the scheme.

2. Pre Commencement Conditions

The applicant is reminded that this approval is granted subject to conditions which must be complied with prior to the development starting on site. Commencement of the development without complying with the pre-commencement requirements may be outside the terms of this permission and liable to enforcement action. The information required should be formally submitted to the Council for consideration with the relevant fee. Once the details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear please contact the case officer to discuss.

3. Changes to the Approved Plans

The applicant is reminded that should there be any change from the approved drawings during the build of the development this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.

4. Protected Species

This permission does not convey or imply any approval or consent required under the Wildlife and Countryside Act 1981 for protected species. The applicant is advised to contact Natural England with regard to any protected species that may be found on the site.

Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

5. Thames Water

There are water mains crossing or close to your development. Thames Water do not permit the building over or construction within 3m of water mains. If you are planning significant works near our mains (within 3m) we'll need to check that your development does not reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. Refer to <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

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.

6. Community Infrastructure Levy

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/>.

7. Proactive and Positive Discussion

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 extending the determination period of the application to allow for consideration at the Planning Committee and amended plans being submitted by the applicant to overcome planning concerns.

PLANNING HISTORY

App No.	Description	Decision/Date
1979/1973	Warehouse, offices and service depot (outline)	Refused 14 January 1974
-	Appeal against refusal of 1979/1973	Dismissed 28 February 1975
03418	CoU of residential to offices	Approved 30 October 1975
14442	Continued used as offices	Approved 26 November 1982
22802	Office extensions and car parking	Approved 7 March 1985
BR 24070	Office extension	Approved 28 January 1985
40591	Two storey extension and eight car parking spaces	Approved 5 March 1993
FP96/5582	Loading bay	Approved 7 August 1996
F/2003/9652	Relocation of access and ground floor infill extension for additional office floorspace, new entrance canopy, fence and gates	Approved 5 September 2003
OFF/2013/2542	Conversion of offices to create five residential units (prior approval)	Approved 13 February 2014
162148	CoU and extension to create 18 flats	Refused 28 April 2017
W/17/3177248	Appeal against refusal of 162148	Dismissed 28 November 2017

SUMMARY INFORMATION

Site Area	1,200m ²
Previous land use	Two storey office building
Proposed units	12 dwellings (nine x 1-bedroom units and three x 2-bedroom units)
Proposed density	100 dwellings per hectare
Number of affordable units	Nil (Reduced commuted sum in lieu of on site provision)
Existing parking spaces	Informal parking for up to 22 spaces
Proposed parking spaces	12 spaces

CONSULTATION RESPONSES

WBC Highways	No objection, subject to conditions requiring additional parking details (Condition 7), turning details (Condition 7) and a Construction Management Plan (Condition 6) and Car Parking Management Plan
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	(Condition 8). Refer to 'Highway Access and Parking Provision' for further assessment.	
WBC Trees and Landscaping	The lack of landscaping to the side boundary treatment is unacceptable and there is no space or plans to provide landscaping in the rear garden. <u>Officer comment:</u> Refer to further comments in 'Landscaping and Trees' and Conditions 3 and 4.	
WBC Environmental Health	No objection, subject to conditions relating to contamination and remediation and construction working and delivery hours. See Conditions 13 and 17.	
WBC Affordable Housing	No objection, subject to a commuted sum totalling £140,393.50 in lieu of the provision of 2.4 on site affordable housing units. <u>Officer comment:</u> A viability report was submitted and reviewed, with an agreed affordable housing contribution of £2,504. Refer to 'Housing Affordability' for further assessment.	
WBC Drainage	No objection, subject to additional drainage details being provided as a pre commencement Condition 5.	
WBC Cleaner and Greener	No objection.	
WBC Education		
WBC Growth and Delivery	No comments received.	
WBC Property Services		
WBC Sports Development		
Fire Service		
Fire Service		
SSE Power Distribution		
Southern Gas Networks		
National Grid		
Crime Prevention Officer		
Thames Water		No objection in terms of capacity within the waste and water network.

REPRESENTATIONS	
Winnersh Parish Council	Opposition is raised on the grounds of a lack of parking. <u>Officer comment:</u> The level of parking provision is acceptable, as noted in 'Highway Access and Parking Provision'.
Ward Member	Councillor Prue Bray initially raised concerns with some of the documentation but raises no in-principle objection.
Neighbours	The application was initially consulted to neighbours from 11 April to 7 May 2018 and the revised plans were then reconsulted from 15 February to 1 March 2019. One submission was received in relation to both the original and revised scheme. It raised the following issues:

	<ul style="list-style-type: none"> • Out of character with the area <p><u>Officer comment:</u> The building is acceptable in terms of its relationship with the surrounding built form, as noted in 'Character of the Area'.</p> <ul style="list-style-type: none"> • Overlooking, loss of sunlight and daylight and overbearing form as viewed from 404 Reading Road • Noise, dust and air pollution from car parking <p><u>Officer comment:</u> The level of amenity afforded to the neighbouring property and all other neighbouring properties is acceptable, as noted in 'Neighbour Amenity'.</p>
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APPLICANTS POINTS	
	<ul style="list-style-type: none"> • There have been many flat developments and conversions to this area • All areas modified if required, with ramps low level switches, stair lifts/main lift and main door openings at 1m wide • There are green areas within a 200m radius of the site • An affordable housing report has been submitted with the application

PLANNING POLICY	
National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy 2010 (CS)	Policy CP1 – Sustainable Development Policy CP2 – Inclusive Communities Policy CP3 – General Principles for Development Policy CP5 – Housing Mix, Density and Affordability Policy CP6 – Managing Travel Demand Policy CP7 – Biodiversity Policy CP9 – Scale and Location of Development Proposals Policy CP13 – Town Centres and Shopping Policy CP17 – Housing Delivery
Managing Development Delivery Local Plan 2014	Policy CC01 – Presumption in Favour of Sustainable Development Policy CC03 – Green Infrastructure, Trees and Landscaping Policy CC04 – Sustainable Design and Construction Policy CC06 – Noise Policy CC07 – Parking Policy CC09 – Development and Flood Risk Policy CC10 – Sustainable Drainage Policy TB05 – Housing Mix Policy TB07 – Internal Space Standards Policy TB15 – Major Town, and Small Town/District Centre development Policy TB16 – Development for Town Centre Uses Policy TB21 – Landscape Character Policy TB23 – Biodiversity and Development
Other	Borough Design Guide Supplementary Planning Document Affordable Housing Supplementary Planning Document DCLG – National Internal Space Standards

PLANNING ISSUES

Description of Development

1. The proposal, as amended on 15 February 2019 and 24 April 2019, involves the following works:
 - Change of use of the existing building from offices to residential
 - Removal of the existing roof and addition of a new second floor over part of the existing building
 - Single storey rear extension
 - Provision of nine x 1-bedroom units and three x 2-bedroom units, with five units on the ground floor, four units on the first floor and three units on the second floor
 - New access and parking arrangements, comprising two parking spaces at the front of the site (including one accessible space), use of the existing access to ten parking spaces at the rear of the site and provision for two motorcycle spaces at the front of the site
 - Provision of a communal open space area at the rear of the building and private amenity space for Unit 1 at the front of the site
 - Provision for cycle storage and bin storage and other ancillary site works

2. This application is a resubmission of the refused planning application 162148, which was also dismissed at appeal (APP/0360/W/17/3177248) and incorporates the following amendments:
 - Reduction in the number of units from 18 to 12 (including the loss of two studio units and four x 1-bed units)
 - Reduction in the overall ridge height from 10.9m to 8.6m and the deletion of the third floor in its entirety
 - Deletion of the external roof terraces at the front of the third floor and rear of the second floor
 - Deletion of the rear extension at first floor level and reduction in the length of the new second floor
 - Reduction in the number of car spaces from 18 to 12, including the reduction in the number of accessible spaces from 2 to 1
 - Provision of 90m² of communal open space at the rear of the building
 - Provision of shared pedestrian access to the rear of the site
 - Provision of motorcycle parking

Site Description

3. The site is located on the western side of King Street Lane, just south of the intersection of Reading Road. It is a narrow 1,200m² block with a plot frontage of 15m and depth of 71m. On the site is a two storey office building with hard surfacing across most of the site.

4. The site forms part of the Winnersh District Centre, with Sainsbury's supermarket to the east, an office building and warehouse containing Magnet Kitchens to the south, a car wash to the immediate north and retail buildings lining Reading Road further to the north. Beyond this, residential dwellings predominate the wider area.

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. Policy CC01 of the MDD Local Plan 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. Policy CC02 of the MDD sets out the development limits for each settlement as defined on the policies map and therefore replaces the proposals map adopted through the Core Strategy, as per the requirement of policy CP9. Policy CP9 sets out that development proposals located within development limits will be acceptable in principle, having regard to the service provisions associated with the major, modest and limited categories. As the site is within a major development location, the proposal is acceptable in principle.

Sustainability

7. Policies CP1, CP6, CP9 of the Core Strategy permit development where it is based on sustainable credentials in terms of access to local facilities and services and the promotion of sustainable transport. The site is well located in terms of access to services and facilities, including a variety of retail shops in the immediate proximity, including a major supermarket. It is also 100m from a bus stop with regular services throughout peak, non-peak and evening hours between Reading and Bracknell, 250m from Winnersh Train Station, which serves Reading to London Waterloo and Gatwick and 1.5km from Winnersh Triangle Business Park. It is within a major development location and is acceptable in terms of the sustainability principles stated in the Core Strategy.

Prior approval fallback position

8. A prior approval was granted for the conversion of the existing office building to create eight residential units (reference OFF/2013/2542). The Design and Access Statement submitted with this planning application suggests that '*the works are being carried out for this conversion at present.*'
9. This contradicts the findings of the Inspector in the appeal decision in paragraph 3, where it states that '*on my internal inspection of the site, I saw little evidence of that other than the clearance out of office furniture*' and more recent correspondence submitted as part of discussions with this application where it was indicated that '*the owners currently have a couple of temporary office tenants in the building*'. Regardless of the above, the residential conversion is required to be completed within three years from the date of the decision, or no later than 13 February 2017. As the works have clearly not been completed, there is currently no fallback option associated with the prior approval.

Loss of office floorspace

10. Policy CP15 of the Core Strategy (in addition to Policy TB21 of the MDD Local Plan) states that any change of use from Class B1/B2/B8 should not lead to an overall net loss of Class B floorspace. The basis behind this is outlined in paragraph 4.70, which refers to an Employment Land Study (2006) which sets out that the supply of floor space for industry and warehousing needs to increase by 51,000m² to meet forecast Class B use growth in the borough over the Development Plan period to 2026. The Council's most recent Employment Land Monitoring Report (ELMR) for April 2013–March 2014 demonstrates that there was a net gain of 3,649m² of Class B use floor space in the borough from 1 April 2006.
11. Paragraph 4.71 also states that the creation of additional floorspace on existing and new sites would allow for the reuse of some existing employment sites for other uses where there is a demand for other uses and/or a lack of demand for business uses without a net loss in employment floorspace.
12. The site is currently B1(a) office space and its location in Winnersh and outside a Core Employment Area offers an alternative location, site and size of employment. The retention of existing sites is an integral part of ensuring borough wide variety. Were such sites allowed to be lost unchecked, without appropriate justification, this would clearly run contrary to the qualitative policy aim to ensure variety in provision across the borough. The proposed loss of this alternative site without appropriate justification is, in the Council's view, contrary to Policy CP15.
13. There is generally a lack of supporting justification advanced by the applicant, whether in the form of marketing and or viability evidence or in any other appropriate form, for a proper consideration to be given to whether a departure from policy was appropriate.
14. Section 8 of the Affordable Housing Variability Report states that there is a general lack of demand for offices of this type and location. There has also been correspondence stating that there are temporary office tenants currently occupy the building but they are not paying rent and only paying ongoing rates. At the request of the planning officer, comment was provided which referred back to the history of the site and the fallback nature of the lawful development certificate. In short, the previously refused and dismissed application was submitted whilst the previous lawful development certificate was extant and the offices were still occupied. The subject application represents a resubmission of this application but it was lodged after the lawful development certificate expired. It was also submitted in March 2018. The site is now unoccupied and has been for the past few months.
15. The previous planning application did not raise any concerns on the grounds of loss of office floorspace and it was not raised at appeal stage. It would not be in the spirit of the planning process to pursue this avenue under this application and for this reason, the issue is not raised as an objection.

Character of the Area

General form

16. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and

must be of high quality design. R1 of the Borough Design Guide SPD requires that development contribute positively towards and be compatible with the historic or underlying character and quality of the local area.

17. The existing office building is an elongated structure on a narrow plot although it sits amongst a varied mix of building types and uses on an irregular arrangement of plot sizes and proportions. The most prominent of these features include a car wash building on the south western corner of the main intersection, the Sainsbury's supermarket opposite the subject site and a 9.5m high office building to the south and a warehouse on a backland site to the south with a large floorplate of 1340m².
18. Amongst these buildings, the existing building has a volume of 1665m³ and the proposed building will have a volume of 2540m³ – a 52% increase. The additional floor area comprises an infill extension to the south eastern corner or front of the building, a single storey, flat roof extension to the rear of the building and a new second floor level. However, it also includes a net reduction in bulk at the rear, with a lowering in the roof form.
19. The extensions and additions to the building would be visible within the street scene but it would still sit below the height of the office building to the south and well below the height of the Sainsbury's supermarket to the east. Views of the whole depth of the structure would be available between dwellings on Reading Road.
20. However, the majority of the extensions are at or near the rear and the proposed development provides for a more sympathetic building in the streetscene, with the additions comprising an attractive art deco form with a low roof pitch softening the overall bulk. Materials will match existing. The additional bulk and scale of the development is not excessive when taking account of the surrounding built form. At three storeys in height, it is compatible with the character of the area and suits its district centre and major development location.
21. The previous refusal on the site, which comprised an additional floor and depth was considered to be an overdevelopment of the site with a cramped appearance and would have a detrimental impact upon visual amenity and character of the area. The changes made under this application have resolved these concerns.

Density

22. Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan require an appropriate dwelling density and R10 of the Borough Design Guide SPD seeks to ensure that the development achieves an appropriate density in relation to local character.
23. The density measures 100 dwellings per hectare, which is not out of character with the wider area. There are several examples of flat buildings and aged care buildings within a 250m radius, including a 35 unit aged care facility at 405-411 Reading Road to the north, an 18 unit flat building at Hunters Court on Reading Road and a 21 unit Council owned housing development on Churchill Drive to the west. In this case, given the accessible district centre location, sustainable public transport connections and mix of uses in the surrounding area, the density is appropriate and entirely consistent with paragraphs 106 and 127 of the NPPF, which support higher densities in accessible locations.

Building line

24. R7 of the Borough Design Guide SPD requires a consistent building line relative to existing buildings. With the aforementioned mix of building types and plot arrangements, there is no real established building frontage to King Street Lane. Nonetheless, the front building line remains unchanged, which is acceptable in terms of R7. The rear setback measures 22m, which represents 31% of the site depth, which is also acceptable in terms of its relationship with surrounding properties, including the properties to the north fronting Reading Road, which are perpendicular to the subject site.

Height

25. R9 of the Borough Design Guide SPD note that height, bulk and massing should respond to the local context and the prevailing heights in the area.

26. In relation to height, paragraph 5 of the Inspector's decision for the previous scheme stated that '*the difference in height would be sufficiently substantial for the proposed development to appear overbearing and out of keeping in its immediate context. The existence of some larger buildings in the wider area would not negate this harm.*'

27. This application proposes to lower the overall height from 10.9m to 8.5m across its entire length (a 22% reduction), such that it will be 100mm above the height of the existing ridge. The rear third of the building is also proposed to step down to two storeys or 6.35m in height, which is 2.0m lower than the ridge of the existing office building. The proposed extension to the very rear is single storey with a flat roof, with a height of 3.4m. In the middle third of the building, the eaves are increasing in height from 5.6m to 7.4m front of the building but lowered by 200mm within the rear third.

28. Overall, the three storey height of the building is acceptable in terms of being consistent with surrounding development and appropriate for the context of the area. It is 1.0m below the ridge and 300mm above the eaves of the adjoining office building to the south, 500mm below the flat building at 400 Reading Road and significantly below the 10.9m height of the Sainsbury's supermarket to the east. It will not be overly apparent in views from King Street Lane because it is setback behind the side road running parallel to King Street Lane and is acceptable.

Outbuildings

29. R20 of the Borough Design Guide SPD requires consideration of external elements including the bin and cycle storage to avoid proliferation of clutter. The proposal initially proposed separate cycle and bin storage area at the front of the building, which had the potential to detract from the landscape setting of the site and impact upon the root system of the veteran Oak at the front of the site. Revised details have resolved this issue, with the waste storage relocated to the southern side boundary and the cycle storage at the rear. This achieves an appropriate streetscape presence.

Parking

30. P2 of the Borough Design Guide SPD ensures that parking is provided in a manner that is compatible with the local character. The existing site is mostly paved, including at the front of the site. The proposed development is considered to represent a net improvement in the provision of soft landscaping and the parking arrangement, where two spaces are provided at the front of the site and sufficient soft landscaping is provided at the rear, is seen as a suitable outcome for the site and appropriate for the area.

Materials and design

31. R11 of the Borough Design Guide SPD requires that housing ensure a coherent street character, including materials and colour. The materials will match existing where relevant, with the generous use of glazing and contrasting materials below the windows. On this basis, no objection is raised.

32. R6 of the Borough Design Guide SPD requires that building frontages provide surveillance and activation of the street. The proposal includes a front lobby to the front corner of the building and a large expanse of glazing to the front elevation, such that it is acceptable in terms of R6.

33. R19 and R23 of the Borough Design Guide SPD require a coherent and well-designed approach that influences and responds to the original building whilst paragraph 130 of the NPPF states that *'where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.'*

34. The existing office building has limited architectural relevance and the proposed alterations and additions will achieve an art deco form, with a curved corner frontage, a continuous bay window with a large expanse of glazing and an asymmetrical gable roof form to the front elevation. It is not typical of the immediate area but is nonetheless supported from a design and architectural perspective.

Dwelling Mix

35. Policy CP5 of the Core Strategy requires an appropriate mix of dwelling types, tenures and sizes so that the housing needs of the community are met. Policy TB05 of the MDD Local Plan requires an appropriate housing mix which reflects a balance between the underlying character of the area and both the current and projected needs of households.

36. The Berkshire (including South Bucks) Strategic Housing Market Assessment (February 2016) identified future housing need for the Wokingham Borough. Table 107 (on page 295) identifies the following:

No of beds	1 bed	2 bed	3 bed	4+ bed	Total
Dwellings required	934	3488	5605	2862	12889
	7.2%	27.1%	43.5%	22.2%	100%
Subject application	9	3	0	0	12
	75%	25%	0%	0%	100%

37. The intent of Council's policies are to provide a mix of accommodation to cater for the varied needs of the community and to ensure that it is provided where it is

needed. In this case, there is a significantly higher proportion of smaller units, which is contrary to the need for 3 and 4-bed units. However, paragraph 4.30 of the Core Strategy also states that '*Depending upon the character and needs of the area, it may not be necessary to include a mix of dwellings in every residential scheme, especially smaller ones.*'

38. In this case, it is in close proximity of Winnersh Train Station and bus services on Reading Road as well as being within walking distance of Winnersh Triangle Business Park, which is supportive of commuting workers and the provision of smaller units. The site is also constrained in terms of plot width, which limits the ability to provide larger dwellings and a lack of usable open space is not overly conducive to family units. As such, the provision of nine x 1-bed units and 3 x 2-bedroom units is not unreasonable. Furthermore, the issue of dwelling mix was not raised in the previous refused planning application or appeal proceedings (which included 15 x 1-bed units and 3 x 2-bed units) and it would be unreasonable to raise it now.

Housing Accessibility

39. Policy CP2 of the Core Strategy seeks to ensure that new development contributes to the provision of sustainable and inclusive communities, including for aged persons and the disabled. 10–20% of all dwellings should be to Lifetime Homes standards in accordance with Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan. In this case, it equates to 1-3 units.

40. The Design and Access Statement suggests that the units are adaptable or accessible. The open plan layout of the main living areas and the circulation space within the bathrooms and bedrooms is likely to allow for easy conversion for accessible use and the side pathway along the northern side of the building will allow for level access. Condition 10 requires further details in relation to ensuring that two of the units are easily adaptable for disabled use.

41. There is one disabled car space at the front of the site. Representing 8% of the total number of units within the building, it is an appropriate compromise for the site and is consistent with the 6% requirement specified by government guidance.

Housing Amenity

Internal amenity

42. Policy TB07 of the MDD and R17 of the SPD require adequate internal space to ensure the layout and size achieves good internal amenity. In accordance with the Technical housing standards – nationally described space standard, a minimum standard of 50m² applies for 1-bed/2-person units and 61m² for 2-bed/3-person units.

Unit	Bedrooms	Occupancy	Area	Required	Complies
1	1	2	49.6m ²	50m ²	No
2	1	2	50.0m ²	50m ²	Yes
3	1	2	49.4m ²	50m ²	No
4	2	3	78.1m ²	61m ²	Yes
5	2	3	62.7m ²	61m ²	Yes
6	2	3	78.1m ²	61m ²	Yes

7	1	2	49.4m ²	50m ²	No
8	1	2	50.0m ²	50m ²	Yes
9	1	2	49.6m ²	50m ²	No
10	1	2	49.6m ²	50m ²	No
11	1	2	50.0m ²	50m ²	Yes
12	1	2	49.4m ²	50m ²	No

43. Six of the units achieve compliance with the minimum standard and the remaining six units are near compliant or within a 1% margin of error. In terms of providing for sufficient internal amenity, the proposal is acceptable.

44. A dwelling with more than one bedroom should have a main bedroom, which is to have a minimum area of 11.5m² and minimum width of 2.75m. Secondary or single bedrooms should have a minimum area of 7.5m² and width of 2.15m, Living spaces should have a minimum area of 23-25m² and there should also be provision for storage.

House	Bedrooms	Occupancy	Main bedroom	Secondary bedroom	Living Space	Storage
1	1	2	11.9m ² /2.15m	N/A	24m ²	Yes
2	1	2	11.9m ² /2.8m	N/A	24m ²	Yes
3	1	2	11.9m ² /2.8m	N/A	23m ²	Yes
4	2	3	14.1m ² /2.6m	8.6m ² /2.3m	37m ²	Yes
5	2	3	11.5m ² /3.0m	8.0m ² /3.0m	27m ²	Yes
6	2	3	14.1m ² /2.6m	8.8m ² /2.3m	37m ²	Yes
7	1	2	11.8m ² /2.8m	N/A	23m ²	Yes
8	1	2	11.8m ² /2.8m	N/A	24m ²	Yes
9	1	2	11.9m ² /2.15m	N/A	24m ²	Yes
10	1	2	11.9m ² /2.15m	N/A	24m ²	Yes
11	1	2	11.8m ² /2.8m	N/A	24m ²	Yes
12	1	2	11.8m ² /2.8m	N/A	23m ²	Yes

45. All of the bedrooms meet the minimum area standard but the three units at the front of the building (Units 1, 9 and 10) have narrow bedrooms. On balance, there is no objection raised because of the sufficient length of the rooms and compliant total area and because it relates to a single bed unit with an adequate main living space. Main living spaces vary between 23m² and 37m², which is largely consistent with the minimum requirement.

46. R18 of the SPD requires sufficient sunlight and daylight to new properties, with dwellings afforded a reasonable dual outlook and southern aspect. This is reiterated in Paragraphs 127 and 130 of the NPPF, which seek to promote development that has good architecture and layout with a high standard of amenity for existing and future users and Paragraphs 150 and 153 of the NPPF state that new development to should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

House	Orientation	Elevations	Outlook	Ceiling Height
1	SE	2	Front garden	2.5m
2	SW	1	Driveway	2.5m
3	SW	2	Driveway	2.5m
4	SW	2	Driveway	2.5m
5	SW	3	Rear garden	2.5m
6	SW	1	Elevated	2.3m
7	SW	2	Elevated	2.3m
8	SW	1	Elevated	2.3m

9	SE	2	Front garden	2.3m
10	SE	2	Front garden	2.3m
11	SW	1	Elevated	2.3m
12	SW	2	Rear roof	2.3m

47. The development is constrained in some respects, partly because the proposal aims to retrofit an existing building. However, overall, there is a satisfactory level of amenity.

48. The outlook for Units 2-4 on the ground floor are onto the side driveway. The Inspector addresses this at paragraph 13 of the previous appeal decision:

'The outlook from windows in the proposed development would, on one side, be onto the adjoining office building and its car park. However, that would not result in so unattractive a view as to cause unacceptable living conditions. Ground floor windows looking out in this direction would give views directly onto the proposed access road to the rear car park. However, such views are not uncommon in residential schemes and would not result in unacceptable living conditions.'

49. Paragraph 13 continues by noting that other the units look *'onto the petrol filling station, the proximity of the side elevation to the site boundary has the potential to result in a severely reduced outlook from ground floor flats to a degree which would make them unpleasant live in'*. However, the revised scheme has eliminated all single aspect units along this elevation such that no issue is raised. Indeed, windows to the north eastern elevation are openable above 1.7m, which allows cross ventilation and light from this elevation, which has measurable benefits for these units.

50. Four of the units are single aspect, which is 33% of the total units, which is generally acceptable. Moreover, each of the units are afforded a southern aspect with good sized window openings and there is adequate ceiling height within each unit.

51. On this basis of the above, no objection is raised.

External amenity

52. R16 of the Borough Design Guide SPD stipulates that each unit should have amenity space and it should retain and protect privacy, benefit from sunlight and be able to accommodate 2–4 chairs and a small table. Aside from private amenity space for Unit 1 at the front of the ground, there is no private amenity for the remainder of the development, including any external balcony areas. The proposal instead relies upon a communal garden area at the rear of the site. It has a total area of 90m².

53. The minimum depth for rear gardens is 11m and it should receive direct sunlight and be capable of accommodating play, clothes drying and storage.

54. Paragraph 14 of the previous appeal decision addresses the issue of communal amenity space although in that scheme, it involved a roof garden at the rear of the second floor:

'Whilst I note the Council's concern on the amount of space provided, I have been provided with no clear documentation of any specific standard adopted by the Council and it seems to me that the elevated position of the open space would provide quite an attractive area. In the circumstances it is not been shown that there is an inadequacy of open space provision that should stand against the proposal.'

55. The Inspector is correct in noting that there is no specific standard for communal open space. In the case of the subject application, the provision of 90m² of open space to be shared by 11 units (or 14 bedrooms) is generally acceptable. Being at ground level, it is more accessible and more likely to be utilised than the elevated roof terrace and it is supported by soft landscaping and tree coverage. On balance and when considering the opinion of the Inspector in the previous appeal decision, the amenity space provided is satisfactory and no objection is raised.

Acoustic amenity

56. Policy CC06 and Appendix 1 of the MDD Local Plan requires that development protect noise sensitive receptors from noise impact. The units are well designed in terms of grouping or stacking bedrooms and high noise sources (such as kitchens and living areas) within units. This will minimise the potential for noise disturbance between floors and walls of units and reduce the reliance upon insulation required by the Building Regulations.

57. The bedrooms open onto the side driveway or the front parking area and the site is opposite the intersection of Reading Road and King Street Lane, which is busy throughout the day. However, it is not sufficient to warrant concern on acoustic grounds given the low level of traffic movements within the site and as the building will be subject to acoustic measures within the Building Regulations.

Residential Amenities

Overlooking

58. R15 of the Borough Design Guide SPD requires the retention of reasonable levels of visual privacy to habitable rooms, with separation of 22m to the rear (increasing to 30m on the second floor) and 10m to the street (increasing to 15m on the second floor). R23 notes that the side walls must not contain windows, especially at first floor level.

59. In paragraph 9 of the appeal decision for the previous refusal, the Inspector noted that *'the rear extension of the proposed development would also give rise to 3 bedroom windows facing out onto the garden of No. 400. Given their proximity to the garden this would result in an unacceptable loss of privacy to the occupants of that property.'*

60. The issue of overlooking is now resolved with the provision of 1.7m sill heights to the northern side elevation, the inclusion of only one above ground window to the rear elevation (being a lobby) and a significant reduction in the depth of the second floor extension.

61. There is 40m separation to the carpark to the east, a carwash (with a large expanse of parking) to the north and two non-residential properties to the south, which

include large areas of servicing and parking. The only residential properties are at 400-406 Reading Road to the north and west of the site. The proposal will retain an adequate level of visual privacy to these properties, with separation to the rear boundary of 22m at ground level, 30m at first floor level and 40m at second floor level. To the northern side boundary, ground floor windows will look onto the existing boundary fence and obscure glazing is proposed to all above ground windows.

Sunlight and Daylight

62. R18 of the Borough Design Guide SPD aims to protect sunlight and daylight to existing properties, with no material impact on levels of daylight in the habitable rooms of adjoining properties. Habitable windows of adjoining properties must not be obstructed by a 25 degree angle.
63. In paragraph 10 of the appeal decision for the previous refused application, the Inspector noted that *'there is a potential for an unacceptable loss of light to the garden of that property as a result of the added height to the building. I consider this to be a legitimate concern and the appellant has provided no technical evidence to show that the development would be acceptable in this respect.'*
64. Despite no technical information being provided as part of this application, the issue of loss of light and shadowing is now resolved. The modest increase in ridge height and the lowering of the building at the rear third of the building, where it corresponds with the rear boundary of 400 Reading Road to the north, will ensure that there is no adverse reduction in daylight to the rear elevation of the adjoining flat building and the adequate retention of sunlight through the afternoon. It accords with the requirement to not affect any windows within the 25 degree line and if anything, the lowering of the building at the rear will improve the penetration of light and direct sunlight, including to the rear gardens of 400-404 Reading Road. On this basis, it is acceptable.

Overbearing and Sense of Enclosure

65. R16 of the Borough Design Guide SPD requires separation distances of 1.0m to the side boundary and 11m to the rear boundary.
66. In paragraph 8 of the appeal decision for the previous refused application, the Inspector noted that *'where it abuts the rear garden of flats at No. 400 Reading Road it would for half the width of that garden be 3 stories high to eaves height. In addition there would be a 2-storey flat roof rear extension similarly close to the boundary and extending across the remaining width of the garden at No. 400. This would be taller than the eaves height of the existing building. Development of this height and proximity to the rear garden boundary of No. 400 would appear unacceptably overbearing when seen from that property.'*
67. The issue of dominance is resolved with the deletion of the third floor, the reduction in the depth of the second floor and by limiting the rear extension to single storey only. More generally, a side setback of 1.0m is maintained to the northern side boundary and 5.0m to the southern side boundary, which matches the existing boundary setbacks. A 22m rear setback is also achieved. Despite an increase in the eaves height on the boundary of 1.8m to 7.4m, this occurs alongside the car wash,

with a lower eaves height of 5.2m adjacent to the boundary with 400 Reading Road and 3.4m alongside 400 and 402 Reading Road, which is entirely reasonable

Noise disturbance

68. Policy CC06 and Appendix 1 of the MDD Local Plan requires that development protect noise sensitive receptors from noise impact. There are no adverse noise implications arising from the proposed development, particularly given the high level of background noise from traffic on Reading Road.

Light Spill

69. There are no light spill concerns. There are limited window openings along the northern side of the building and it adjoins non-residential uses on its southern side. Traffic movements along the driveway will not affect any habitable windows within the development or across the side boundary.

Dust and air pollution

70. The area is hard paved such that there are no adverse dust issues. The carpark at the rear of the site is hard against the rear boundary with 404 and 406 Reading Road but in the context of the surrounding highly trafficked areas of Reading Road and King Street Lane (including idling cars at the intersection) as well as the non-residential uses and the expansive Sainsbury's car park, there are no objections on air pollution grounds. More locally, there is at least 12m separation to the nearest dwelling and the level of traffic movements is not sufficient to warrant concern and likely to be sufficiently different from the existing office use. As an additional safeguard, however, Condition 8 is imposed to ensure that signage is installed within the car park to direct residents to park front into the spaces on the northern side of the site.

Access and Movement

Car Parking

71. Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum off street parking standards, including provision for charging facilities.

72. The proposal makes provision for 12 car spaces, with two spaces at the front of the site and ten spaces at the rear. The car spaces measure 2.5m x 5.0m which meets the guidelines in the Borough Design Guide.

73. A 12 unit development will generate a requirement for 12 spaces where each space is unallocated. Subject to the spaces being unallocated (with the exception of the one disabled car space) and a car parking management plan being submitted (see Condition 8), there is no objection to the application on parking grounds, particularly given the excellent public transport connections.

74. Charging facilities are outlined in Condition 7.

Cycle Parking

75. Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum cycle parking standards and Policies P2 and P3 of the Borough Design Guide SPD ensure that it is conveniently located, secure and undercover and provided where it is compatible in the streetscene.
76. A total of 12 spaces are required and space has been provided alongside the car parking at the rear of the site. This is satisfactory in terms of providing safe and secure storage and whilst it is not the most accessible location for all unit owners, it is the most appropriate location when balancing the constraints of the site. No specific details have been provided and as such, these are required by Condition 7.
77. Two PTW (motorcycle) spaces are proposed adjacent to the main entrance. This exceeds the requirement for one space per 20 car parking spaces as required by Appendix 2 of the MDD Local Plan. However, it is an efficient use of space in an accessible location and complements the compliant parking at the front and rear of the site.

Access

78. The proposal relies upon the existing street entrance, which is acceptable in terms of two way access and visibility. However, the maximum driveway width is 3.6m, which is not sufficient for two cars to pass. Given the length of the single lane is at least 55m long and there is a lack of visibility around the building and because the driveway is shared with 4 King Street Lane, there is the potential for vehicle conflict throughout the day. However, the proposal also includes a net reduction in parking spaces as part of the change of use and works to the rear of the site. As such, there is a reduction in traffic movements along the driveway. On balance, as part of a wider scope of pre commencement information in Condition 7, further details of how this will be managed will be required. This could include the installation of lights and the provision of vehicle waiting areas.
79. Gates are shown on the elevation drawings and it would appear that they are the same as the existing gates on the site. There is sufficient waiting space in front of the gates at the top of the driveway. However, in the absence of any further detail, including whether they will be mechanically operated, Condition 8 requires further information.
80. Pedestrian access is via the northern side of the building but it is somewhat unappealing because of its narrowness. In this respect, there is also shared pedestrian access along the side driveway. There is generally no objection to this arrangement because of there is sufficient width to allow vehicles to pass without impeding pedestrian access. However, further details of how this area will be delineated is required by Condition 7.
81. Elsewhere on the site, there is unimpeded pedestrian access to the bin and cycle storage areas and to the amenity space at the rear, which is satisfactory.

Traffic Generation

82. The Council's Highways Officer notes that it is unlikely that the proposal would have an adverse impact on the highway network. However, due to the location at a busy

intersection and the limitations posed by the existing site, a Construction Management Plan is required by Condition 6.

Landscape and Trees

83. Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, promote linkages between public open space and the countryside, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character. R14 of the Borough Design Guide SPD requires well-designed hard and soft landscaping that complements housing.
84. The plot size is narrow and there is a small parking area to the rear, the size of which will be reduced with the extension to the rear. However, there is a net increase in soft landscaping and opportunities for tree planting across the site, including at site boundaries and at the street frontage. There is a communal garden at the rear of the ground floor, which is generally acceptable, subject to additional details relating to planting to complement the space and soften the building bulk.
85. On this basis, and subject to further details in Conditions 3 and 4, it represents a positive outcome for the streetscene and adequate amenity for future occupiers. On this point, in paragraph 8 of the appeal decision for the previous refused application, the Inspector noted that '*although only limited landscaping would be provided within the site fairly substantial roadside verges and planting would result in a reasonably well landscape setting to the development.*'
86. There is some landscaping to the street boundary which will retain some screening and landscape setting to the streetscene. There are some minor groundworks at the front of the site associated with pedestrian access and a veteran Oak on the Council verge remains in a susceptible position immediately alongside the existing vehicular entrance. Condition 4 requires arboricultural information and Condition 7 requires additional access details, which combined will ensure its protection.

Ecology

87. Policy TB23 of the MDD Local Plan requires the incorporation of new biodiversity features, buffers between habitats and species of importance and integration with the wider green infrastructure network. Given the densely populated and high trafficked location and expanse of hard surfacing across the site, there are no ecological issues with the proposal.

Sustainable Design/Construction

88. Policy CC04 of the MDD Local Plan and the Sustainable Design and Construction SPD require sustainable design and conservation and R21 of the Borough Design Guide SPD requires that new development contribute to environmental sustainability and the mitigation of climate change.
89. The proposal involves the retrofitting of an existing building, which is supportive of reuse principles. An Energy Statement was submitted as part of the application. It refers to building fabric thermal details, A rated boilers and energy efficient lighting and appliances, in terms of its compliance with Part L of the Building Regulations. The proposal is considered to be acceptable in terms of Policy CC04 and R21.

90. The Energy Statement also notes the use of a photovoltaic system on the south eastern roof plane, generating 10.5% of the energy requirements for the development. This meets the requirements of Policy CC05 of the MDD Local Plan, which encourages renewable energy and decentralised energy networks, with encouragement of decentralised energy systems and a minimum 10% reduction in carbon emissions. Compliance with this requirement would be applied by Condition 11.

Boundary Treatments

91. R12 of the Borough Design Guide SPD states that boundary treatments contribute positively to the character of the area. The Council's Trees Officer has objected to the application because of a lack of hedgerow to the property boundaries. However, where the site is located within a densely populated area and is surrounded by several non-residential uses and because of the minimal side boundary setback on its northern boundary, there is limited opportunity to provide such landscaping. Where opportunities exist, the site plan shows hedges mostly to the rear of the site and subject to the provision of additional landscaping details, this is a satisfactory outcome and not worthy of refusal of the application.

92. Vehicular gates are shown on the elevation drawings, which appear to be the existing gates. They are setback behind the front building line and are not obtrusive in the streetscene.

Waste Storage

93. Policy CC04 of the MDD Local Plan requires adequate internal and external storage for the segregation of waste and recycling as well as provision for green waste and composting and an appropriate area for ease of collection. Waste storage facilities have been noted at the front of the site to the southern side of the driveway, which is acceptable in terms of providing access for residents and for ease of collection by Council's refuse vehicles. Notwithstanding this, further details will be required to ensure that the area is adequately sized to accommodate general waste, recycling and green waste bins for 12 units and that it fits within the streetscape. This is outlined in Condition 9.

Flooding

94. Policy CC09 of the MDD Local Plan requires consideration of flood risk from historic flooding. The site and access thereto is located within Flood Zone 1 and the proposal represents no additional flood risk or vulnerability. It is therefore acceptable in terms of Policy CC09.

Drainage

95. Policy CC10 of the MDD Local Plan requires sustainable drainage methods and the minimisation of surface water flow. The Council's Drainage Engineer has reviewed the proposal and raises no objection, subject to details of the drainage system via a pre commencement Condition 5. It is therefore acceptable in terms of Policy CC10.

96. R23 of the Borough Design Guide SPD notes that parking spaces in front gardens must be paved with permeable surfaces to avoid any increase in surface water run-off and should include for soft landscaping. This is required by Condition 16.

Housing Affordability

97. Policy CP5 of the Core Strategy, Policy TB05 of the MDD Local Plan and the Affordable Housing SPD specify an affordable housing rate of 20% for any development involving five dwellings or more or where it is located on land with a total area of 0.16 hectares or more.

98. Whilst there is prior approval from 2013 for the conversion of the office building to create eight residential units, this consent has not been enacted and Class O of the GPDO requires that the conversion works need to be completed within three years. This has not occurred and the Inspector's decision from the 2017 appeal noted that there was no evidence of works commencing. As such, the proposal represents a net increase of 12 residential dwellings on a 0.12 hectare site and this equates to a requirement for 2.4 affordable units.

99. The only practical means of delivery for the affordable housing is through a commuted sum. This is because of the nature of the scheme (being an office conversion) and potentially high service charges and management constraints associated with a small affordable housing scheme. Based on the Viability Study undertaken by Levvel Ltd, the Council's approach to calculating commuted sums for affordable housing is based on the difference in the residual development value of a scheme without on-site affordable housing and the same scheme with on-site affordable housing. The commuted sum sought in-lieu of 2.4 units is £140,393.50.

100. The applicant submitted a Viability Assessment dated February 2019 arguing that the scheme was not viable. A review was undertaken by the Council's consultant, where the following discrepancies were noted:

- At £411.37, the gross development value was under-estimated even when accounting for new build uplift. The more appropriate figure used by the Council's consultant was £450
- The build costs were over-estimated at £1,369,386, with a more appropriate figure of £1,236,052 used instead
- At £725,000, the benchmark land value is over estimated (because the quality of the internal fit-out was of poorer quality to the examples cited and there is a lack of demand for office accommodation) and even when accounting for a developer incentive uplift and a more appropriate figure is £578,963
- At £104,317, CIL has been under-estimated, with the Council adopting a figure of £111,436
- Capitalised ground rents (£300-£350 per annum), a build cost contingency (7.5%), professional fees (10%) and sales and legal fees (£57,703) are all reasonable
- The finance rate (7%) was accepted and the timescales (9 month construction and total of 18 months)

101. The accepted developer's profit is acknowledged at 17.5% and when taking account of the above findings, the review undertaken by the Council's consultant concluded that the proposal would bring about a profit of 17.58%, with the excess 0.08% equating to a total affordable housing contribution of £2,504. The appellant is agreeable to making this contribution and this forms part of a legal agreement as noted in Informative 1.

102. It is acknowledged that the applicant chose to accept a commuted sum of £425,440 within the appeal proceedings for the previous refused planning application but that was in relation to a larger 18 unit scheme and where no viability assessment was undertaken. As such, this is of no consequence to this application.

Community Infrastructure Levy

103. The application is liable for CIL payments because it involves additional floor area in excess of 100m². It is payable at £365/m² index linked.

Employment Skills

104. Policy TB12 of the MDD Local Plan requires an employment skills plan (ESP) for this development. ESPs use the Construction Industry Training Board (CITB) benchmark based on the value of construction. The Council's Policy Officer has reviewed the proposal and notes that the cost of works would not trigger a requirement for an ESP.

CONCLUSION

The proposed development represents a measured infill development that reuses an existing brownfield building. It is acceptable in terms of visual and neighbor amenity and conditions have been applied to address parking, access and tree protection issues. The social, economic and environmental benefits that arise from additional housing in a highly sustainable location outweigh the minimal harm posed to the immediate area. The application is therefore recommended for conditional approval.

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