

Agenda Item 55.

Application Number	Expiry Date	Parish	Ward
191570	15 November 2019	Wargrave	Remenham, Wargrave and Ruscombe;

Applicant	Mr and Mrs Ramsey
Site Address	8 Victoria Road, Wargrave RG10 8AB (Plot 2)
Proposal	Full planning application for the proposed erection of one 6no. bedroom dwelling with attached double garage and ancillary annex, provision of new access, gates, bike storage and bin storage
Type	Full
Officer	Simon Taylor
Reason for determination by committee	Listed by Councillor Halsall

FOR CONSIDERATION BY	Planning Committee on Wednesday 13 November 2019
REPORT PREPARED BY	Assistant Director – Place

SUMMARY
<p>8 Victoria Road is a corner plot at the intersection of Victoria Road and School Hill and comprises a two storey, late 19th century arts and crafts dwelling sited towards the eastern boundary, with an expansive garden to its west that is framed by a collection of 13 TPO protected trees around the perimeter. The site area is 1685m² in an area that consists of a variety of detached, semi-detached and terraced dwellings.</p> <p>Permission has been granted for the demolition of the existing dwelling under prior approval application 191536 but demolition has not occurred. The proposal involves the subdivision of the plot into two and the erection of a 2.5 storey, five bedroom dwelling house with an attached garage partly within the footprint of the demolished house, use of the existing access onto Victoria Road and landscaping. It was submitted at the same time as application 191554, which involves the erection of a 2.5 storey, six bedroom dwelling house on plot 1 immediately to the west.</p> <p>12 submissions have been received – seven for and five against. The primary concerns are that the access will result in a loss of on-street parking, increased traffic and pose safety concerns, unreasonable amenity outcomes, over development and potential harm to existing trees. Wargrave Parish Council have objected and the Ward Member has listed the application on similar grounds.</p> <p>The Council officer raises no in-principle objections to the proposal. There is no new access proposed and therefore no loss of on street parking, the level of traffic generation is typical of an infill dwelling and is acceptable, it relates appropriately to neighbouring properties, it does not create an overwhelming impression of bulk in the street and the trees are protected. The Council's Trees Officer and Highways Officer raise no objection and the proposal represents a satisfactory response to the streetscene. Condition 4 requires full protection of existing trees and Conditions 6 and 7 relate to ecology measures. Condition 15 also prohibits deliveries of materials during school drop off and pick up times as Robert Piggot CoE Junior School is less than 200m to the south on School Hill. Affordable housing requirements are secured by legal agreement.</p>

Footnote: Planning application 191554 is also for consideration at the Planning Committee. Whilst the two dwellings are proposed as part of two separate planning applications, there are no immediate implications between the two applications.

PLANNING STATUS

- Modest Development Location
- TPOs 1474/2014 and 1277/2008 comprising 13 protracted trees to the northern, western and southern boundaries
- Classified road (School Hill) and non-classified road (Victoria Road)
- Flood zone 1
- Bat consultation zone
- Groundwater zone 2
- Potentially contaminated consultation zone
- Wind turbine safeguarding zone
- Radon affected area

RECOMMENDATION

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

This permission is in respect of the plans numbered 2-0-01 Rev C, 2-01 Rev D and 2-05 Rev B, all received by the Local Planning Authority on 4 October 2019, plan numbered 2-02 Rev B, received 30 August 2019 and plans numbered 2-03 Rev A, 2-04 Rev A, 2-06 Rev A and 2-07 Rev B, received 11 June 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

Prior to the commencement of the development hereby approved, 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 structures, including boundary treatments.

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.

4) Protection of trees

a) Prior to the commencement of the development hereby approved, an Arboricultural Method Statement and Scheme of Works which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site in accordance with BS5837: 2012 shall be submitted to and approved in writing by the local planning authority.

b) 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.

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

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).

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) Sustainable drainage details

No construction shall take place until details of the drainage system for the site have been submitted to and approved in writing by the LPA. The details shall include how the site currently drains and will be drained after proposed development with consideration to SuDS.

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

Relevant policy: NPPF Section 14, Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.

6) Lighting details

Prior to the commencement of the development, a lighting scheme and how this will not adversely affect wildlife shall be submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:

- a) A layout plan with beam orientation
- b) A schedule of equipment
- c) Measures to avoid glare
- d) An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified that could be of importance for commuting and foraging bats.

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the NPPF and upon neighbouring properties in accordance with Policies CP1 and CP3 of the Core Strategy.

7) Biodiversity details

No part of the dwelling hereby permitted shall be occupied until details of biodiversity enhancements, to include bird and bat boxes, tiles or bricks on and around the new buildings and native and wildlife friendly landscaping (including gaps at the bases of fences to allow hedgehogs to traverse through the gardens), have been submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved.

Reason: To ensure that the ecological value of the site is enhanced post development in line with paragraphs 170 and 175 of the NPPF.

8) Parking and turning space

No part of the dwelling hereby permitted shall be occupied 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.

9) Access surfacing

No part of the dwelling hereby permitted 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 five metres measured from the carriageway edge or drained in a manner that runoff discharges to permeable areas within the plot.

Reason: To avoid spillage of loose material onto the highway, in the interests of road safety.

Relevant policy: Core Strategy policy CP6.

10) Cycle parking

No part of the dwelling hereby permitted shall be occupied until secure and covered parking for cycles has been provided in accordance with the approved drawing(s)/details. The cycle parking/ storage shall be permanently so-retained 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 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

11) Bin store

No part of the dwelling hereby permitted shall be occupied until the bin storage area has been provided in full accordance with the approved details. It 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.

12) Obscure glazing

The bathroom and ensuite windows to the first floor side elevations of the development hereby permitted shall be fitted with obscured glass and shall be

permanently so-retained. The window shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level of the room in which the window is installed and shall be permanently so-retained.

*Reason: To safeguard the residential amenities of neighbouring properties.
Relevant policy: Core Strategy policy CP3.*

13) Hours of work and deliveries

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 8am-6pm Monday to Friday and 8am-1pm Saturdays and at no time on Sundays or Bank or National Holidays. Deliveries of materials or collection of building materials associated with the development hereby approved shall not occur via any vehicle larger than 8m in length during the hours of 8am-9pm and 2:30pm-4pm Monday to Friday.

*Reason: To protect the occupiers of neighbouring properties, including the nearby school, from noise and disturbance and to manage safe traffic movement.
Relevant policy: Core Strategy policies CP1, CP3 and CP6 and Managing Development Delivery Local Plan policy CC06.*

14) 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.*

15) Restriction of permitted development rights

Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) and except for any which may be shown on the approved drawing(s), the following is restricted:

- a) No additional windows or similar openings shall be constructed in the side elevations
- b) No gates or barriers within the vehicular access
- c) The garage accommodation shall be kept available for the parking of vehicles ancillary to the residential use of the site at all times

Reason: To safeguard the character of the area, retain sufficient parking on the site and protect the amenity of neighbouring properties.

Relevant policy: Core Strategy policies CP1, CP3 and CP6, and Managing Development Delivery Local Plan Policies CC07 and TB21.

Informatives

1) Legal agreement

This permission should be read in conjunction with the legal agreement under Section 106 of the Town and Country Planning Act dated [TBC], the obligations in which relate to the provision of affordable housing for the development.

2) Protected species (including nesting birds and bats)

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.

All birds, their nests and eggs, are protected by law. It is a criminal offence (with certain exemptions) to deliberately or recklessly take, damage or destroy the nest of any wild bird whilst it is in use or being built. The buildings and vegetation on the site are likely to be used by nesting birds and any works to buildings with bird nests or vegetation clearance should take place outside the bird nesting season (March - August inclusive). If this is not practicable areas to be cleared should first be checked for bird nests by an appropriately qualified person. If bird nests are found works that could disturb it must stop until any young have fledged the nest.

The ecology report details several recommendations that the Council strongly recommends be implemented. All species of bats receive special protection under UK law and it is a criminal offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (The Habitat Regulations) to deliberately or recklessly to destroy or damage their roosts, or to disturb, kill or injure them without first having obtained the relevant licence for derogation from the regulations from the Statutory Nature Conservation Organisation (the SNCO - Natural England in England).

3) Pre commencement details

Where this permission requires further details to be submitted for approval, the information must formally be submitted to the Council for consideration with the relevant fee. Once 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.

4) 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.

5) Mud on the road

Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on adjacent highways. For further information contact the Highway Authority on tel.: 0118 9746000.

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) 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 planning issues relating to ecology and amended plans being submitted by the applicant to overcome tree issues.

The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

PLANNING HISTORY		
App Number	Proposal	Decision
709/1956	Conversion of room to habitable space	Approved 9 October 1956
753/1956	Part conversion of garage to bathroom	Approved 31 August 1956
R/190/1963	Double garage	Approved 5 September 1963
191536	Demolition of existing house	Approved 8 July 2019
191554	Five bedroom dwelling house	Undetermined

SUMMARY INFORMATION	
Existing site area	0.25 hectares
Proposed site area	0.0685 hectares (remainder of site considered in 191554)
Existing units	Single dwelling (demolition of dwelling approved by 191536)
Proposed units	Single dwelling (additional dwelling proposed on adjacent plot as part of 191554)1/.25
Existing density	4 dwellings per hectare
Proposed density	15 dwellings per hectare (8 dwellings per hectare when accounting for 191554)
Existing parking spaces	> 3

Proposed parking spaces	> 3, including double attached garage
Affordable units	Commuted sum in lieu of on site provision. See informative 1

CONSULTATION RESPONSES	
WBC Ecology	No objection, subject to Conditions 6 and 7 requiring details of lighting and biodiversity measures at pre commencement stage and Informative 2 for obligations relating to the protection of bats.
WBC Drainage	No objection, subject to Condition 5
WBC Env. Health	No objection.
WBC Highways	No objection, subject to Conditions 8-10 relating to car and cycle parking and surfacing of access.
WBC Affordable Housing	No objection, subject to payment of a commuted sum in lieu of on site affordable housing
WBC Tree and Landscape	No objection, subject to Conditions 3 and 4 relating to a full landscape plan and protection of the existing protected trees at pre commencement stage.
Thames Water	No comments received.

REPRESENTATIONS	
Wargrave Parish Council	<p>Objections are raised on the following grounds:</p> <ul style="list-style-type: none"> Siting, bulk and overbearing form <p><u>Officer comment:</u> The scale and form of the proposed dwelling is appropriate for the streetscene, as detailed in 'Character of the Area'.</p> <ul style="list-style-type: none"> Impact upon neighbour amenity <p><u>Officer comment:</u> There are no unreasonable amenity concerns to neighbouring properties, as outlined in 'Neighbour Amenity'.</p> <ul style="list-style-type: none"> Incorrect red line plan (it relates to the entire site when the proposal includes the subdivision of the original site) <p><u>Officer comment:</u> The red line plan has been updated to correct the anomaly.</p>
Ward Member	<p>The application has been listed by Councillor Halsall. It is noted that the listing is partly in relation to the proposal within plot 1. Nonetheless, the listing is for the following reasons:</p> <ul style="list-style-type: none"> Will detract from neighbouring amenity Harm to the character of the area <p><u>Officer comment:</u> See comments above.</p> <ul style="list-style-type: none"> Loss of on street parking <p><u>Officer comment:</u> This application does not involve a new access point and therefore does not represent any net loss of on street</p>

	<p>parking. Regardless, this issue on its own would not warrant refusal of the application.</p> <ul style="list-style-type: none"> • Risk to health of existing protected trees <p><u>Officer comment:</u> The dwelling is well removed from the protected trees and the Council's Trees Officer raises no objection, subject to tree protection measures in Condition 4.</p>
Neighbours	<p>The application was consulted to neighbours from # to #. Submissions were received from the following properties:</p> <ol style="list-style-type: none"> 1) 6 School Lane, Wargrave RG10 8AA 2) School Lane, Wargrave RG10 8AA (no number specified) 3) 59 Ridgeway, Wargrave RG10 8AS 4) 22 Purfield Drive, Wargrave RG10 8AP 5) Pegasus Group, on behalf of 10 Victoria Road, Wargrave R10 8AB <p>The submissions raised the following issues:</p> <ul style="list-style-type: none"> • Pressure on existing on street parking <p><u>Officer comment:</u> See comments above.</p> <ul style="list-style-type: none"> • Increased traffic, which poses a safety risk <p><u>Officer comment:</u> When accounting for the dwelling approved to be demolished, the application involves no net increase in dwellings and therefore will not result in any adverse increase in traffic movements.</p> <ul style="list-style-type: none"> • Risk to health of existing trees <p><u>Officer comment:</u> The Council's Trees Officer has reviewed the proposal and raises no objection, subject to additional construction method details in Condition 4. See 'Trees and Landscaping' for further comment.</p> <ul style="list-style-type: none"> • Infill represents over development <p><u>Officer comment:</u> The scale and form of the proposed dwelling is appropriate for the streetscene. See comments in 'Character of the Area'.</p> <ul style="list-style-type: none"> • Restricted delivery hours outside of school times should be applied <p><u>Officer comment:</u> Because of its proximity to the nearby Junior School, restrictions to delivery hours are appropriate during school drop off and pick up times. See Condition 13.</p> <ul style="list-style-type: none"> • Detracts from neighbouring amenity • Loss of outlook, sunlight, daylight to 10 Victoria Road

- Overlooking of 10 Victoria Road

Officer comment: The amenity afforded to the occupants of 10 Victoria Road is compromised but not to the extent that is unreasonable or would warrant refusal of the application. See comments in 'Neighbour Amenity'

- Inadequate setbacks to the boundary
- Inadequate building separation

Officer comment: The setbacks and separation are acceptable and provide for an appropriate level of amenity and a positive streetscape presentation, as outlined in 'Character of the Area'.

- No affordable housing
- The separation of the applications avoids affordable housing and this consideration should be taken into account

Officer comment: Affordable housing is required by legal agreement in Informative 1. See 'Housing Affordability'.

- Disruption from construction

Officer comment: This is an unavoidable consequence of redevelopment and is not a relevant planning consideration.

- Existing dwelling is not proposed to be demolished and the relationship with this dwelling is problematic

Officer comment: Demolition of the dwelling was approved in a prior approval application 191536. Demolition will need to occur prior to construction.

- There are ramifications if only one dwelling is constructed

Officer comment: Subject to affordable housing being imposed in 191570, there are no foreseeable implications of only approving one of the two applications. No other immediate examples were provided by the objector.

- CIL forms are incorrect (floor area not specified, proposed by a charity)

Officer comment: The inconsistencies in the CIL form have been rectified in a revised CIL form.

- There are inconsistencies in the streetscene elevation and sections

Officer comment: The perceived inconsistency in the plans relates to the location of the section through the proposed dwelling being drawn at a different point to the elevation.

	<ul style="list-style-type: none"> • Selective street viewpoints have been used <p><u>Officer comment:</u> Whilst this is perceived to be a subjective interpretation, the viewpoints submitted in support of the application have not affected the assessment of the proposal and do not form part of the approved documents.</p> <p>Letters of support were received from the following properties:</p> <ol style="list-style-type: none"> 6) Corner House, School Hill, Wargrave RG10 8DY 7) Meadow Lodge, School Hill, Wargrave RG10 8DY 8) Middle House, School Hill, Wargrave RG10 8DY 9) The Gables, School Hill, Wargrave RG10 8DY 10) Asana Cottage, 3 Victoria Road RG10 8AD 11) 5 Victoria Road, Wargrave RG10 8AD 12) Farthings, 11 Victoria Road, Wargrave RG10 8AD <p>The submissions raised the following issues:</p> <ul style="list-style-type: none"> • Design is sensitive • Safeguards against larger scale development • Retention and protection of the protected trees is required <p><u>Officer comment:</u> These comments are noted.</p> <ul style="list-style-type: none"> • Trees should be cut down • Driveway access improves line of sight <p><u>Officer comment:</u> There is no proposal for the trees to be removed or to change driveway access.</p>
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APPLICANTS POINTS		
<p>The brief has been to use a strong contemporary architectural design creating a very high standard of development and one which fits in with neighbouring dwellings. The dwellings seek to maintain minimal massing and volumes with projections, gables and single storey elements to maintain sufficient distances between the dwellings and to the immediate neighbours. The main house is set back from School Lane in order to be consistent with the large front garden of the existing dwelling and has been re-designed from the pre-application proposals to respect the rear building line of Victoria Road, as well as being re-positioned on the plot to give greater separation distances between No. 10 Victoria Road and the proposed new dwelling. It has also been relocated further forward at the request of the planners to improve the relationship to other properties on Victoria Road.</p> <p>Suitable external amenity areas, driveway spaces, garaging and access/egress points to Victoria Road are provided to satisfy and meet National Planning Policy guidance.</p>		

PLANNING POLICY		
National Policy	NPPF	National Planning Policy Framework
Core Strategy 2010	CP1	Sustainable Development
	CP2	Inclusive Communities

	CP3	General Principles for Development
	CP5	Housing Mix, Density and Affordability
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP9	Scale and Location of Development Proposals
Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
	CC03	Green Infrastructure, Trees and Landscaping
	CC04	Sustainable Design and Construction
	CC06	Noise
	CC07	Parking
	CC09	Development and Flood Risk
	CC10	Sustainable Drainage
	TB06	Development of Private Residential Gardens
	TB07	Internal Space Standards
	TB21	Landscape Character
	TB23	Biodiversity and Development
Other	BDG	Borough Design Guide Supplementary Planning Document (Section 4)
	SDC SPD	Sustainable Design and Construction Supplementary Planning Document
	AH SPD	Affordable Housing Supplementary Planning Document
	DCLG	National Internal Space Standards

PLANNING ISSUES

Description of Development

1. The proposal involves the following:
 - Subdivision into a plot of 685m²
 - Construction of a dwelling house consisting of two storeys with loft space with five bedrooms and an attached single garage
 - Fencing between the two plots and new gates to the front boundary
 - Associated landscaping and site works, including bin storage
2. Demolition of the existing dwelling has been approved via the prior approval process (191536) and does not form part of this application.

Site Description

3. The site is located in a modest development location in the village of Wargrave, east of the high street. The subject site is large at 0.25 hectares and is positioned within a prominent corner location. It is a good example of the late 19th century arts and crafts style of the development in the immediate area, which also includes the 'Police House' property opposite. TPO protected trees line the northern and western street frontages as well as the southern side boundary. Surrounding development comprises a mixture of development styles and plot sizes, with terraces and small plots to the west and larger dwellings and plots to the south and east.

Principle of Development

4. 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.
5. The site is located within a modest development location and an infill dwelling house on this plot is acceptable in principle, including with respect to it representing development of a residential garden and being sustainably located close to local facilities and services as well as schools and public transport. It is also acceptable in terms of the principles stated in the Core Strategy and also accords with the relevant policies in the MDD Local Plan, as outlined in this report.

Character of the Area

General form

6. 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 BDG requires that development contribute positively towards and be compatible with the historic or underlying character and quality of the local area. It is reinforced in RD1-RD5, which states that development should adhere to the characteristics, setting and built form of the village.
7. With no perceived harm to the protected boundary trees, the dwelling is sited whereby they will retain a suitable landscape setting. It is relatively modest proportions and does not present as an overwhelming form in a street predominated by two storey dwellings. It has a footprint of 136m² and maximum height of 8.9m, which is not overly excessive for the surrounding area.

Development of a Residential Garden

8. Policy TB06 of the MDD Local Plan seeks to avoid inappropriate development of residential gardens where there is harm to the local area. Permission would only be granted where there is a positive contribution to the built form and surrounding spaces, integration with the layout of the surrounding area, appropriate hard and soft landscaping, amenity space, building separation and compatibility with the general building height.
9. R22 of the BDG also notes that backland development must not harm the existing character of the local area, relate positively to the existing layout and urban form, maintain the quality of environment for existing residents and create a satisfactory living environment.
10. The proposal is not viewed as backland development because of its corner location but it is still, in effect, development of an existing residential garden, one that is expansive in size, prominent in appearance and framed by protected trees.
11. At 0.25 hectares, the plot size is large for the area, particularly when compared with other properties in Victoria Road. There is therefore little doubt that the site can accommodate a replacement and additional infill development without

interrupting the rhythm in plot sizes or the consistency in building line. There is ample provision for amenity space, landscaping and parking but most significantly, the siting of the dwelling can be achieved without harm to the protected trees that frame the boundary.

12. There are also no concerns in terms of security risk, overlooking or building separation and an adequate level of consistency in terms of building height. The dwelling has an appropriate footprint and is sited appropriately to relate to neighbouring properties and without resulting in any dominance from the required parking and access.
13. As such, the proposal achieves a satisfactory outcome in terms of TB06 and R22 and the principle of the infill dwelling is acceptable. The same conclusions are reached in relation to the proposed replacement dwelling at Plot 1 in application 191554.

Siting

14. R2 of the BDG requires development to respond to context, including relating to neighbours, R3 and R4 require housing to relate to the existing network of streets and spaces and R7 requires a consistent building line relative to existing buildings.
15. The building is setback 2.5m from the boundary with 10 Victoria Road and 2.9m from the common boundary with Plot 1. Coupled with the setback within the neighbouring properties, there is adequate building separation within the site and it is entirely consistent with the pattern of development in the street.
16. The dwelling is sited over 10-12.5m from the front boundary, which is a departure from the predominant building line, which varies between 6.5m and 7.5m. However, when considered in the context of the proposed dwelling on Plot 1, it would establish a degree of consistency because the dwelling on Plot 1 is setback about 10m from the street. Even if the dwelling were to be refused, it would adopt a corner location in which it would be acceptable. Furthermore, it is worth noting that the dwelling sits forward of the existing dwelling and that any further projection towards the street would reduce the outlook afforded to a side bedroom window in 10 Victoria Road, even though the impact has been considered as acceptable.

Height

17. R9 of the BDG note that height, bulk and massing should respond to the local context and the prevailing heights in the area. The dwelling has an eaves height of 6.4m and ridge height of 8.2m. The additional ridge height arises because of an 800mm projection above the main ridge to accommodate habitable space within the roof space. This part of the building is not readily interpreted in the streetscene because it is set 5m behind the front elevation and would be obscured in views from the pavement on either side of Victoria Road.
18. More generally, it is equivalent to a 2.5 storey building, which would exceed the predominant height of two storeys in Victoria Road. However, in terms of overall form, the departure is modest and the perceived height of the dwelling it is not unreasonably out of character in the street and is therefore acceptable.

Parking

19. P2 of the BDG ensures that parking is provided in a manner that is compatible with the local character. The parking arrangement is acceptable, with the gravel driveway allowing for a minimisation of hard surfaces and the parking layout not out of character with the wider streetscene that is largely characterised by parking forward of the dwelling.

Materials

20. R11 of the BDG requires that housing ensure a coherent street character, including materials and colour, RD6 states the elevations are to be well composed, proportioned and detailed and RD7 requires that materials, colours and details respond to the distinctive elements of the locality. The materials schedule suggests the use of standard brick and tiles with aluminium windows and timber doors. There is nothing striking in the use of these materials but they are not opposed.

Design

21. 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.'*
22. The distinctive elements of the proposed design include a double gable frontage, full height glazing to the first floor between the gables and a protecting roof. All aspects of the dwelling are acceptable on design grounds and it is not out of character with the variety of architectural forms and styles in the streetscene and wider area.

Accessibility

23. Policy CP2 of the Core Strategy seeks to ensure that new development contributes to the provision of sustainable and inclusive communities. The dwelling is afforded level access with sleeping and bathroom facilities within the ground floor such that no objection is raised.

Housing Amenity

Internal amenity

24. Policy TB07 of the MDD Local Plan and R17 of the BDG 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 134m² applies for a three storey, five bedroom, 8+ person occupancy dwelling. The dwelling exceeds this standard. It also satisfies minimum standards for main and secondary bedrooms, living spaces and storage as required by the above policies.
25. R18 of the BDG requires sufficient sunlight and daylight to new properties, with dwellings afforded a reasonable dual outlook and southern aspect. The dwelling

has a good aspect and orientation such that no objection is raised, including with respect to the level of amenity provided within the loft bedroom.

External amenity

26. R16 of the BDG requires a minimum depth of 11m for rear gardens and it should receive direct sunlight and be capable of accommodating play, clothes drying and storage. The site layout allows for sufficient amenity space for the dwelling, with rear garden space of at least 11m, supplemented by an additional side garden to the rear of 10 Victoria Road.

Neighbour Amenity

Overlooking

27. R15 of the BDG requires the retention of reasonable levels of visual privacy to habitable rooms, with separation of 11-15m to the rear and 10-15m to the street. R23 notes that the side walls must not contain windows, especially at first floor level.
28. The proposal retains a suitable level of privacy to surrounding properties. Front and rear facing windows easily accord with the minimum standard of 10m to the street and 22m to the rear. In addition, the rooflights are in excess of 15m, which is compliant.
29. Some side windows are proposed. On the ground floor, all side facing windows are non-habitable windows with the exception of a study facing Plot 1, which regardless would be screened by boundary treatments between the two plots. Windows at first floor levels are also non-habitable and are obscure glazed by Condition 12. There are two loft rooflights to the western roof plane facing Plot 1 although the minimum sill height of 1.6m is such that no real overlooking would eventuate.

Sunlight and Daylight

30. R18 of the BDG aims to protect sunlight and daylight to existing properties, with no material impact on levels of daylight in the habitable rooms of adjoining properties. Despite a submission from the neighbour from 10 Victoria Road raising concerns on these grounds, there are no concerns in relation to loss of daylight or sunlight whether between the two dwellings or across the boundary.
31. Because the rear elevations of properties on this side of Victoria Road have a good southerly aspect, only afternoon sunlight would be affected and even then, it is almost entirely confined to the side elevation of 10 Victoria Road. The habitable windows to the rear elevation will continue to receive sunlight and daylight through the vast majority of the day. Any impact to side windows is largely unavoidable and not unreasonable given there is a 2.5m setback to the boundary and 4.0m to the dwelling. The same conclusions are provided in relation to any impact towards the proposed dwelling on Plot 1, with good building separation and uninterrupted access to sunlight to the rear and western side elevations where the majority of the habitable windows are located.

32. The submission against the proposal from the neighbour refers to a kitchen window at the rear and a bedroom window on the middle of the first floor within this side elevation. The kitchen includes an open plan dining area and it enjoys large window openings to the rear elevation where light will be unaffected throughout the day. The bedroom window on the first floor will be partly affected but this is largely unavoidable because it is side facing and is the only window to this room. Even then, it benefits from the increased setback of the proposed dwelling from the front boundary, which allows for increased light to the window. On this basis, no objection is raised.

Overbearing and Sense of Enclosure

33. R16 of the BDG requires separation distances of 1.0m to the side boundary and 11m to the rear boundary. The proposal complies with both requirements, with side setbacks measuring 2.5m to the existing dwelling at 10 Victoria Road and 1.8m to the proposed dwelling on the adjacent plot and a minimum of 14m to the rear boundary. The proposal is therefore considered to be reasonable on these grounds. Any increased setback beyond this would be considered unreasonable and unnecessary.
34. The neighbour at 10 Victoria Road has raised concerns with the loss of outlook from side facing windows. However, the windows are side facing, with a reduced expectation or right to an outlook over a side boundary. This is particularly relevant given the setback of the proposed dwelling exceeds the setback of the corresponding elevation within 10 Victoria Road. As noted above, a first floor bedroom will have a partial interruption to its outlook but there is no unreasonable dominance, particularly given the openness afforded by an increased front setback. Any harm is largely a consequence of the fact that the window already overlooks the side boundary.

Noise disturbance

35. Policy CC06 and Appendix 1 of the MDD requires that development protect noise sensitive receptors from noise impact. The proposal involves the establishment of a five bedroom dwelling in a residential neighbourhood of similar scale development. No objection is raised on acoustic grounds.

Highway Access and Parking Provision

Car Parking

36. Policy CC07 and Appendix 2 of the MDD stipulates minimum off street parking standards. The proposal makes provision for at least three car spaces, with three uncovered spaces and a single garage, which includes compliant internal dimensions. On this basis, the proposal is acceptable.

Cycle Parking

37. Policy CC07 and Appendix 2 of the MDD stipulates minimum cycle parking standards and P2 and P3 of the BDG ensure that it is conveniently located, secure and undercover and provided where it is compatible in the streetscene. Cycle storage for at least two bicycles is located at the front of the property with a

maximum height that is below the existing fence and hedge line. This is satisfactory.

Access

38. The proposal will utilise the existing access to the site, with the driveway remodelled to reflect the new dwelling and no new changes to the location or width of the dropped kerb. It will be bonded by Condition 9 and existing splays are satisfactory. No objection is raised on access grounds.

Traffic Generation

39. It is unlikely that the proposal would have an adverse impact on the highway network as it would replace the existing dwelling that is approved for demolition.

Landscaping and Trees

40. Policy CC03 of the MDD aims to protect green infrastructure networks, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character. R14 of the BDG requires well-designed hard and soft landscaping that complements housing.
41. The site is surrounded with TPO 1277/2008 and 1474/2014 comprising of a number and variety of trees to the site boundary with Victoria Road and School Hill. The site itself is an extensive corner plot that is characterised by mature trees mostly to its perimeter, creating a prominent landmark in the neighbourhood. There are no protected trees within this plot although the root protection areas of the trees extend into it, and the appropriate protection measures are shown on the Tree Protection Plan.
42. The Arboricultural Impact Assessment is acceptable and the findings are not disputed by the Council's Trees Officer. Appropriate protection measures are shown on the Tree Protection Plan and it is envisaged that the proposed dwelling can be accommodated without undue harm, including in terms of its relationship with Tree 25 in the rear garden of 10 Victoria Road to the east. On this basis, no objection is raised, subject to the submission of an Arboricultural Method Statement in Condition 4.
43. A Landscape Plan is also required in Condition 3, which is to include boundary treatment.

Ecology

44. Policy TB23 of the MDD requires the incorporation of new biodiversity features, buffers between habitats and species of importance and integration with the wider green infrastructure network.
45. A bat survey report was submitted with the planning application. It was prepared by Crossman Associates and dated May 2019. It concludes that the existing house contains features suitable for use by roosting bats and they could be disturbed or harmed by the demolition of the house. The report recommends a

further two surveys be carried out to establish whether the existing house hosts a bat roost.

46. However, demolition of the house was granted under prior approval application 191536, which included an informative about roosting bats because the Council was not in a position to impose such a condition within the prior approval. Similarly, the Council is not in a position to impose conditions requiring that the applicant undertake further surveys, and if necessary, establish a mitigation scheme or obtain a Bat Licence from Natural England because the demolition of the house is unrelated to this application. Rather, the Council is limited to recommending that further surveys be undertaken. Not following this advice as part of the demolition of the house would potentially be contrary to the relevant legislation and subject to prosecution. This forms Informative 2.

47. Trees are unlikely to host roosting bats but vegetation clearance is conditioned in Informative 1 so that it does not affect nesting birds.

Building Sustainability

48. Policy CC04 of the MDD and the Sustainable Design and Construction SPD require sustainable design and conservation and R21 of the BDG requires that new development contribute to environmental sustainability and the mitigation of climate change. The proposal is required to satisfy building regulations and in this respect, no objection is raised.

Boundary Treatments

49. R5 of the BDG requires a clear distinction between the public and private areas and R12 states that boundary treatments contribute positively to the character of the area.

50. The existing timber fence and hedge to the street frontages is largely retained and it is apparent that there is no new proposed fencing, with the exception of fencing between the two plots. This is satisfactory, subject to clarification of any additional boundary treatments in Condition 3 and the continued protection of the boundary trees in Condition 4.

Waste Storage

51. Policy CC04 of the MDD requires adequate external storage for the segregation of waste and recycling. The bin storage area is adjacent to the main driveway entrance and will be screened behind the front boundary fencing and landscaping. This is satisfactory.

Flooding and Drainage

52. Policy CC09 of the MDD 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.

53. Policy CC10 of the MDD requires sustainable drainage methods and the minimisation of surface water flow. The footprint of the dwelling remains appropriate when considered against the predominant form of development in the area and the amount of soft landscaping retained on the site. Soakaways are intended to be used and there are no in-principle objections on drainage and water infiltration grounds, subject to the submission of a drainage strategy report prior to the commencement of works. See Condition 5.
54. R23 of the BDG notes that parking spaces in front gardens must be paved with permeable surfaces to avoid any increase in surface water run-off. A gravel driveway is noted on the submitted plans and this ensures adequate on site infiltration.

Contamination

55. The area is listed as potentially contaminated on the Council's inventory of potentially contaminated sites. The listing relates to a historic use located approximately 70m to the west of the application site. Given there is no change in the use of the site and the distance from the source, it is unlikely to pose any adverse impact and no objection is raised.

Housing Affordability

56. Policy CP5 of the Core Strategy, Policy TB05 of the MDD and the Affordable Housing SPD specify an affordable housing rate of 20% for any development involving five dwellings or more or where it is being undertaken on land with a total area of 0.16 hectares or more. The application site measures 682m² following subdivision of the original site into two plots. However, given there are two applications, consideration would need to be made against the total site area of 0.25 hectares to ensure there is no intended or unintended circumvention of the affordable housing requirements.
57. The two applications cumulatively involve a net increase of one dwelling on land that is greater than 0.16 hectares, which triggers the need for 0.2 affordable units.
58. Paragraph 63 of the NPPF notes that the '*provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).*'
59. It is acknowledged that there is a conflict between NPPF policy for affordable housing (applied where the proposal is for ten or more dwellings) and local policy (applied for sites larger than 0.16 hectare). In this instance, Council's view is that there is an acute need for affordable housing in the area and this is highlighted in the 2016 Berkshire Housing Market Assessment, which shows a need of 441 affordable homes (net) per annum.
60. As it involves only one additional dwelling, the only practical means of delivery for the affordable housing is through a commuted sum. 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 0.2 dwellings would total £28,291.64 and this forms part of the section 106 agreement in Informative 1.

61. The applicant has requested that the affordable housing obligation be applied to this application. This is a reasonable outcome because the subject application necessitates the demolition of most of the existing dwelling (whereas the dwelling on Plot 2 can be accommodated by demolishing the garage and some other minor elements) and the applicant advises that the dwelling on Plot 1 is to be built first. Accordingly, there is no net increase in dwellings within the subject application and no affordable housing obligation although the legal agreement will cover any scenario where the opposite occurs such that no objection is raised.

Community Infrastructure Levy

62. The intended purpose behind the submission of two separate planning applications (in addition to the prior approval for demolition) was to separate CIL obligations into the two plots/proposed dwellings. This application is for Plot 2, which is liable for CIL payments and is payable at £365/m² index linked. An application for self-build exemption accompanies the application for a new dwelling house on the adjoining plot (Plot 1).

The Public Sector Equality Duty (Equality Act 2010)

63. In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.

CONCLUSION

64. The proposal involves an appropriate infill dwelling house within the plot that reflects the character and scale of other development in the street. The subdivision and dwelling adequately reflects the character and scale of other development in the street and responds and respects its corner location. It ensures adequate protection for existing protected and non-protected trees, retains neighbour amenity and allows for adequate car parking. It is recommended for approval, subject to pre commencement conditions relating to landscaping (Conditions 3 and 4) as well as other ecology conditions (Conditions 6 and 7) and a site specific limitation upon deliveries to protect the amenity of the neighbouring school (Condition 13), amongst other conditions.