

Agenda Item 65.

Application Number	Expiry Date	Parish	Ward
192713	13 January 2019	Charvil	Charvil

Applicant	Mr M Bicknell
Site Address	The Homestead, Park Lane, Charvil RG10 9TR
Proposal	Full application for the proposed erection of 1no. commercial storage building (Use Class B8) (retrospective)
Type	Full
Officer	Simon Taylor
Reason for determination by committee	Major application (>1 hectare)

FOR CONSIDERATION BY	Planning Committee on Monday, 16 December 2019
REPORT PREPARED BY	Assistant Director – Place

SUMMARY
<p>The site lies in designated countryside to the south of Charvil with the main western railway corridor forming the southern boundary, a brook forming the northern boundary and woodland defining the rear boundary. It has operated with a commercial use since the 1960s but has operated as A Better Service (trade waste collection) since 1992. Additional uses include storage for several other businesses, a dwelling at the front of the site and six caravans on the northern side boundary which are used by workers of the business.</p> <p>The application is retrospective in nature and relates to the erection of a commercial warehouse building in the middle of the site and its use for Class B8 storage. It is currently used by Rabbit Vehicle Hire Limited. The company provide vehicles for hire from their premises in Calcot and Didcot. The building is used for the storage of their historic paperwork as well as storage of vehicles when not required at the above mentioned premises. Vehicles are not hired from this site and no customers visit the site. Parking and turning space is proposed at the rear of the building.</p> <p>The building is of modest proportions and centrally located in the site and the use is appropriate in terms of the surrounding commercial uses. There are minimal impacts upon the character of the countryside and the traffic implications are viewed as acceptable. Hours of use are controlled by Condition 5 to protect neighbour amenity, external storage is prohibited by Condition 4 to prevent the accumulation of clutter, formal parking arrangements are required by Condition 3 and additional landscaping details are required by Condition 2. Subject to these stipulations, the proposal is acceptable and no objection is raised.</p>

PLANNING STATUS
<ul style="list-style-type: none"> • Designated Countryside • Adjacent to Local Wildlife Site (Sandpit Copse) • Adjacent to Priority Habitat (Broadleaved and mixed deciduous woodland) • Adjacent to Biodiversity Opportunity Area (Loddon Valley Gravel Pits) • Wind turbine safeguarding zone • Contaminated land consultation zone • Historic contaminative land use • Minerals consultation zone • Sand and gravel extraction consultation zone

- Groundwater protection zone
- Adjacent o Railway Corridor
- Flood Zone 1
- Adjacent to Archaeological site
- Bat consultation zone
- Non-classified road

RECOMMENDATION

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

Conditions

1) Approved details

This permission is in respect of the unnumbered plans titled Location Plan, Bock Plan, Side, Side, Rear and Front, all received by the local planning authority on 14 October 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.

2) Landscaping details

Within one month of the date of this planning permission, a scheme of landscaping for the purposes of softening the development along the boundary with the railway corridor, shall be submitted to and approved in writing by the local planning authority. It shall include species, planting sizes, spacing and numbers of trees/shrubs to be planted.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons. Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority.

Reason: To ensure adequate planting in the interests of visual amenity and character within the countryside.

Relevant policy: Core Strategy policy CP3 and CP11 and Managing Development Delivery Local Plan policies CC03 and TB21.

3) Parking and turning details

Within one month of the date of this planning permission, vehicle parking, HGV parking, cycle parking and turning space shall be annotated on a plan submitted to and approved in writing by the local planning authority. The vehicle parking and turning space so-approved shall be retained in accordance with the approved

details and the parking space remain available for the parking of vehicles at all times and the turning space shall not be used for any purpose other than vehicle turning.

Reason: To provide adequate off-street parking and turning space. Relevant policy: Core Strategy policies CP3 and CP6 and Managing Development Delivery Local Plan policy CC07.

4) External storage

No materials, plant, machinery, containers, equipment or vehicles shall be stored outside buildings either within the site defined by the Block Plan or within the wider site as noted on the Location Plan.

*Reason: In order to safeguard the visual amenities of the area.
Relevant policy: Core Strategy policies CP1 and CP3*

5) Hours of use

The storage use hereby permitted shall not operate other than between the hours of 7am and 8pm Monday to Saturday and shall not operate at all on Sundays or Bank or National Holidays.

*Reason: To safeguard residential amenities.
Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.*

Informatives

1) 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 amended plans being submitted by the applicant to overcome character concerns. 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 No.	Description	Decision/Date
0/120/1960	Detached bungalow (outline)	Approved 23 March 1961
50/1961	Construction of detached bungalow (outline)	Approved 1961
O/83/1967	Construction of a workshop to be used for the repair of commercial vehicles and plant	Refused 5 March 1967
R/106/1969	Construction of a workshop to be used for the repair of commercial vehicles and plant	Refused 1969

R/13/1970	Construction of a workshop to be used for the repair of agricultural implements and vehicles	Refused 29 January 1970
24004	Retention of buildings and yard for the storage of building materials.	Refused 29 August 1985
	Appeal against planning ref 24004 dismissed and enforcement notice upheld	Dismissed 18 December 1986
BRA1921	Addition of a bedroom to the detached bungalow	Approved 3 December 1986
29042	First floor extension to the detached bungalow	Approved 27 November 1987
37039	Loft conversion of dwelling	Approved 8 February 1991
CB/WD/PLEA/CHA/7	Enforcement action seeking the removal of touring caravans and trailers	Issued 21 August 1990
C/90/H0330/16/P6	Appeal against enforcement notice CB/WD/PLEA/CHA/7	Dismissed 19 April 1991
41110	CoU of an agricultural buildings for maintenance and repair of commercial vehicles	Approved 23 August 1993
F/1995/60388	Installation of three storage tanks for effluent	Refused 13 June 1995
96/64483/VAR	Variation of Condition 1 of 64483 to allow continued use	Refused 6 March 1997
97/64873/VAR	Extension of time period for 64483	Refused 6 March 1997
VAR/2000/1626	Variation of Condition 6 of 41110 to allow the parking of nine vehicles on site.	Approved 19 October 2000
RTP/2001/4983	Renewal of VAR/2000/1626 to allow the parking of nine vehicles on site.	Approved 4 December 2001
F/2009/0164	Retrospective change of use of land for the storage and distribution of empty skips and portable WCs	Approved 25 March 2009
F/2014/0703	Retrospective application for the erection of a building for B8 (storage) use.	Approved 1 August 2014
083397	Enforcement action relating to caravans/mobile homes on site and additional building erected	Commenced 27 February 2017
171283	Certificate of existing lawful development for the use of part of the land for the siting of no more than three caravans for human habitation	Approved 21 September 2017
173248	Expansion of the existing caravan site	Approved 2 January 2018
180471	Variation to Conditions 10 and 11 of 173248 by modifying occupation restrictions of caravans	Approved 17 April 2018
190674	3no. commercial storage buildings (retrospective)	Refused 3 May 2019
192648	3no. commercial storage buildings (retrospective)	Pending

SUMMARY INFORMATION	
Site Area	1.24 hectares (A Better Service site)
Floor space	120m ²
Parking spaces	Informal parking within 185m ² of external area
Employment	Unknown

CONSULTATION RESPONSES	
WBC Highways	No objection, subject to details of car and cycle parking (not including HGVs). <i>Officer comment:</i> See comments in 'Highway Access and Parking Provision' and Condition 3.

REPRESENTATIONS	
Charvil Parish Council	No comments received in relation to subject application.
Woodley Town Council	No objection.
Local Members	No comments received.
Neighbours	

APPLICANTS POINTS
<p>There has been a long standing permission for business use of the site. Recent planning permissions have helped support sustainable growth and expansion of various businesses within this discrete commercial enclave.</p> <p>The additional building is sited adjacent to an existing building within a small well screened area of this commercial site. As such it is visually discrete and there is no material intensification in terms of traffic movements. The visual impact and impact in terms of residential amenity and traffic cause no material harm, particularly when judged in relation to the already authorised commercial use.</p> <p>The use provides a valuable service and additional jobs within the locality. Such small businesses are encouraged by both national and local policies.</p> <p>The officer's report for the last storage building approved on this site (F/2014/0703) concluded as follows:</p> <p><i>"The detached building has been erected within the main site of an established business use and is well screened from the wider countryside. The building will be used for storage only and would not result in a significant increase in the use of the site. The position and use of the building is therefore considered to not cause significant harm to the countryside or to the character of the area. There are no other matters of concern and therefore this application is recommended for approval."</i></p> <p>There are considered to be no new material considerations raised by this application which could lead to a different conclusion.</p>

PLANNING POLICY		
National Policy	NPPF	National Planning Policy Framework
Core Strategy 2010	CP1	Sustainable Development
	CP2	Inclusive Communities
	CP3	General Principles for Development
	CP6	Managing Travel Demand
	CP9	Scale and Location of Development Proposals
	CP11	Proposals outside development limits (including countryside)
	CP15	Employment Development
	CC01	Presumption in Favour of Sustainable Development

Managing Development Delivery Local Plan 2014	CC03	Green Infrastructure, Trees and Landscaping
	CC06	Noise
	CC07	Parking
	CC09	Development and Flood Risk (from all sources)
	CC10	Sustainable Drainage
	TB11	Core Employment Areas
	TB20	Service Arrangements and Deliveries for Employment Use
	TB21	Landscape Character
Borough Design Guide	BDG	Sections 6-8

PLANNING ISSUES

Description of Development

1. The proposal involves retrospective approval for the construction of a commercial warehouse buildings (with a footprint of 128m²) on the southern side of the existing commercial site operated by A Better Service, which is a waste removal and drainage services business. The use is Class B8 (storage and distribution) and it is currently occupied by a car rental business for storage purposes (Rabbit Vehicle Hire Limited). It includes an area of 185m² to the west of the building for parking and turning (not storage). Access will be via the existing access onto Park Lane.

Site Description

2. A two storey detached dwelling house fronts Park Lane to the east or front of the property. Behind the house (and a high gated fence) is a commercial waste disposal company with a permanent office building towards the front of the site, one large storage shed/workshop in the centre of the site and six other sheds of varying sizes interspersed across the property, including the three attached sheds. A row of six fixed caravans line the northern side boundary. There is likely to be in excess of fifty parked vehicles, with waste collection trucks making up the bulk of these vehicles.
3. The surrounding area is countryside, with woodland to the west and east, the main western railway line to the south and Charvil Primary School to the north. The southern settlement edge of Charvil lies 225m north of the site with the northern part of the area between the settlement edge and the subject site currently under construction for 25 dwellings, which was approved at appeal (planning reference F/2014/2503).

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.

Principle of Development

5. There has been gradual encroachment of development over the years since the original change of use of buildings from agricultural to business in 1992. Much of it has been undertaken without planning permission, including the subject warehouse building, three warehouses at the rear of the site and the caravans along the northern boundary, the latter of which have now been formalised and granted a licence.
6. Policy CP15 of the Core Strategy allows for minor extensions of buildings in employment use and paragraph 83 of the NPPF seeks to encourage the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. The use of the building would be broadly supportive of both of the above policies.
7. However, the site is located outside the settlement boundary and Policy CP11 of the Core Strategy does not permit development outside of development limits unless it represents a sustainable rural or recreational enterprise, where it does not lead to excessive expansion away from the original building and is contained within a building suitable for conversion. The retrospective proposal does not fall within any of the above categories as it relates to a business operation. However, the building is sited within an approved and established commercial operation and is well contained within the middle of the site, with development on three sides and the embankment of the railway line to the south.
8. In this respect, whilst there is a departure from countryside policy, there is no immediate harm to the wider area and enforcement action to require the removal of the building is considered to be unnecessary. On this basis, the principle of the development is acceptable.

Sustainability

9. Policies CP1, CP6, CP9 and CP11 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. Expanding on this, paragraph 4.57 in the Core Strategy aims to prevent the proliferation of development in areas away from existing development limits as they are not generally well located for facilities and services and would lead to the increase in use of the private car.
10. The site is outside settlement limits but is contained within an existing business on the immediate southern outskirts of Charvil. There are eastbound and westbound bus stops on Old Bath Road to the north, which is within 840m walking distance. It allows for good morning and afternoon connections to Reading, High Wycombe and Wokingham. Furthermore, there is also a pub, petrol station and convenience store within 850m.
11. The sustainability credentials are modest but otherwise acceptable when accounting for paragraph 84 of the NPPF, which states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these

circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Character of the Area

12. Paragraph 170(b) of the NPPF requires that planning applications enhance the natural and local environment by '*recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.*'
13. Policy CP3 of the Core Strategy also 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. Policy NR1, NR5, NR8 and NR9 of the Borough Design Guide also aim to ensure that development respond to the site and local context, including in the use of materials.
14. The building is well contained within the site and is of modest proportions and because of its location behind other existing buildings, it is not readily visible from Park Lane. Whilst it is apparent in views from the railway line, this are obtained in fleeting glances in a backdrop of the other commercial buildings and activities. The character and form of the building is commercial in nature and not inappropriate in the context of other surrounding buildings.
15. Notwithstanding this, it is prudent to impose Condition 2, which requires details of landscaping along part of the southern boundary with the railway line to soften (rather than screen) the building and the wider site. In doing so, the proposal would be satisfactory in terms of the above policies.

Residential Amenities

16. Policy CP3 of the Core Strategy aims to protect neighbouring amenity. The site does not adjoin any neighbouring residential properties. It is 270m to the settlement edge in Charvil and 100m from the edge of the approved residential scheme to the north of the site. Accordingly, by virtue of this separation distances, the high noise levels of the railway line to the south and low noise generation that arises from the vehicle storage business, there are no foreseeable adverse amenity concerns.
17. There are six caravans on the northern boundary and a dwelling at the front, both of which form part of the site. Previous planning applications have acknowledged the mixed use nature of the site and the land use conflict but it was acceptable on the basis of the circumstances of the on-site accommodation being used by workers. The warehouse is unlikely to exacerbate this issue, particularly given the application is retrospective.

Highway Access and Parking Provision

Car parking

18. Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum off street parking standards. The warehouses comprises 120m² of Class B8 floorspace, which requires a total of five car spaces. It is clear in indicative drawings that these spaces can be achieved within the specified 187m² of parking area to the rear of the building and Condition 3 requires these details within one month of the planning permission. In doing so, the Council's Highways Officer raises no objection.

Cycle parking

19. Cycle parking is required at a rate of one long term space per 200m² and consistent with the justification provided in paragraph 11 above, the cycle parking is required in order to address the modest sustainability credentials. The space can be accommodated within the building without compromising the internal usability of the space. See Condition 3.

Access

20. Access will be via the existing entrance at Park Lane, which is afforded adequate splays and turning and forward movement is assured.

Traffic generation

21. VAR/2000/1626 has granted approval for the operation of nine six wheel gully and cesspool emptying vehicles and nine staff cars associated with A Better Service, which is an increase from six vehicles as approved in planning permission 41110, dated 23 August 1993. There has been no change since that time but Condition 8 of F/2009/0164 also states that the maximum number of vehicle movements associated with the development (storage and distribution of empty skips and portable WCs) shall not exceed 14 (7 in and 7-out) Monday to Saturday.
22. There are an abundance of vehicles across the site and it is possible that A Better Service no longer complies with this condition although this is a separate matter for enforcement and there are also several other business within the site that would not be constrained by this condition. Notwithstanding this, likely traffic generation is varied because of the variable movement of vehicles associated with the occasional use of the building as a vehicle storage depot for an off site storage business.
23. More generally, the Class B8 use implies low traffic movements and this is reflected in a low parking generation rate. With limitations imposed upon external storage in Condition 5, the number of vehicles will remain low and it is reasonable to conclude that traffic movements will be accommodated within the surrounding road network. On this basis, it is not considered necessary to limit the number of movements by condition.

Landscaping and Trees

24. Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character. The site adjoins woodland to the west but has been built on cleared land. As such, there are no implications for existing landscaping and trees and no objection is raised. Condition 2, however, does require additional landscape screening along the boundary with the railway line, which is intended to soften the commercial nature of the building rather than screen it given the railway lies on an embankment.

Ecology

25. 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.
26. The site adjoins Sandpit Copse to the west, which is a Local Wildlife Site and Priority Habitat. The Council's Ecology Officer has reviewed the proposal and has suggested that an ecological assessment would have been needed to be undertaken to ensure that there were no adverse impacts of the adjacent LWS. However, as it is a retrospective application and the works have been carried out, there are no objections to this application on ecological grounds.

Building Sustainability

27. Policy CC04 of the MDD Local Plan and the Sustainable Design and Construction SPD require sustainable design and conservation. The buildings are generic warehouse construction and despite the fact that they have already been constructed, no real sustainability measures would be necessary.

Waste Storage

28. Policy CC04 of the MDD Local Plan requires adequate internal and external storage for the segregation of waste. The use of the warehouse is unlikely to generate any excessive amount of waste and where it does, it would be accommodated within the existing operations of the site. On this basis, no objection is raised.

Flooding and Drainage

29. 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.
30. Policy CC10 of the MDD Local Plan requires sustainable drainage methods and the minimisation of surface water flow. The additional footprint of the buildings would pose some drainage impact but because of its retrospective nature, no objection is raised.

Contamination

31. The area is listed as potentially contaminated on Council's inventory but the use of the site is not changing. As such, no objection is raised.

Community Infrastructure Levy

32. Not applicable.

The Public Sector Equality Duty (Equality Act 2010)

33. 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

34. The retrospective infill proposal represents an acceptable form of development (both in terms of the structure and the use) within an existing commercial site. It is also supportive of NPPF guidelines in supporting business growth. Subject to Conditions 2 and 3 requiring additional landscaping and parking details and Conditions 4 and 5 limiting the hours of use and external storage, there will be satisfactory traffic, amenity and character outcomes for the site and no objection is raised.

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