

# Agenda Item 77.

Application Number	Expiry Date	Parish	Ward
192852	27 January 2019	Wokingham	Evendons

<b>Applicant</b>	Mr P Smith
<b>Site Address</b>	Sorbus House, Mulberry Business Park, Fishponds Road, Wokingham RG41 2GY
<b>Proposal</b>	Outline application with for the proposed erection of 38 dwellings to include one and two bedroom dwellings, landscaping, bike store and bin store (access to be considered)
<b>Type</b>	Outline
<b>Officer</b>	Simon Taylor
<b>Reason for determination by committee</b>	Major application (>10 dwellings)

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday 8 January 2020
<b>REPORT PREPARED BY</b>	Assistant Director – Place

<b>SUMMARY</b>
<p>The application site is currently vacant but was previously occupied by an office building before it was damaged by fire and then demolished. It is surrounded by office buildings within the wider Molly Millars Industrial Area (Core Employment Area), although several neighbouring properties are undergoing prior approval conversions to residential accommodation.</p> <p>The proposal involves the construction of a four storey flat building comprising 38 units (six x 1-bed and 32 x 2-bed) on a building footprint of 1005m<sup>2</sup>, with 59 car spaces, vehicular access, cycle storage, bin storage and landscaping around the perimeter of the site. The application is outline only, with consideration of the principle of development and access only and all other matters forming part of a future reserved matters application.</p> <p>No submissions were received during the consultation period although the ward member has raised concern with a lack of facilities and services, failure to address mitigation for the Thames Basin Heaths Special Protection Area, lack of parking and a proposal to provide off site affordable housing. The application is acceptable on account of the above.</p> <p>The proposal would result in the loss of land assigned for business use within the Molly Millars Core Employment Area, which would be contrary to policy in the Development Plan. However, when accounting for the recent prior approvals for office to residential conversions on surrounding sites (some of which have commenced) and when acknowledging the identified marketability issues with the office use of the site, the principle of establishing residential development on the site is acceptable. Furthermore, vehicular and pedestrian access to the site is acceptable and approval is recommended, subject to Conditions 3-12 requiring pre commencement details as part of a reserved matters application, including relating to contamination, construction, drainage, ecology, landscaping, parking, materials and waste storage.</p>

## PLANNING STATUS

- Major development location
- Combined Core Employment (Molly Millars Industrial Area)
- Thames Basin Heaths Special Protection Area (7km zone)
- Bat consultation zone
- Flood zone 1
- South East Water consultation zone
- Nitrate vulnerable zone (surface water)
- Landfill gas consultation zone
- Heathrow Aerodrome wind turbine safeguarding zone
- Farnborough Aerodrome consultation zone
- Non-classified road

## RECOMMENDATION

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

- A) A legal agreement to secure the off site commuted sum for affordable housing and an Employment Skills Plan**
- B) Conditions and informatives:**

### Conditions

1) Outline approval

No development shall commence until all remaining details aside from access, including but not limited to appearance, scale, landscaping, internal and external layout, unit numbers and mix and affordable housing (hereinafter called 'the reserved matters') have been submitted to and approved in writing by the local planning authority and the development shall be carried out as approved.

An application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

*Reason: In pursuance of s.92 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 plans numbered 076 OP 001 Rev D, 076 OP 003 Rev D, 076 OP 011 Rev D, 076 OP 012 Rev D, 076 OP 013 Rev D, 076 OP 014 Rev D, 076 OP 015 Rev D and 076 OP 016 Rev D, all received by the local planning authority on 28 October 2019 and plans numbered 076 OP 005 Rev E, 076 OP 010 Rev E, received 23 December 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) Contamination details

No development shall take place until a scheme to deal with contamination of the site has been submitted to and approved in writing by the local planning authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk when the site is developed. Development shall not commence until the measures approved in the scheme have been implemented.

*Reason: To ensure that any contamination of the site is identified at the outset to allow remediation to protect construction workers and proposed occupants of property on the site.*

*Relevant policy: NPPF Section 15 and Core Strategy policies CP1 and CP3.*

4) Construction method statement

No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials
- d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- e) Programme of works, including measures for traffic management and operating hours
- f) Details of measures to prevent mud from vehicles leaving the site during construction (eg wheel washing facilities)
- g) Measures to control the emission of dust and dirt during construction
- h) A scheme for recycling/disposing of waste resulting from demolition and construction works
- i) Provision of boundary hoarding
- j) Details of any site construction office, compound and ancillary facility buildings
- k) Lighting on site during construction
- l) Monitoring and review mechanisms

*Reason: In the interests of highway safety and convenience and neighbour amenities.*

*Relevant policy: Core Strategy policies CP3 and CP6.*

5) Sustainable drainage details

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

- a) Calculations indicating the existing/greenfield runoff rate from the site
- b) BRE 365 test results demonstrating whether infiltration is achievable or not
- c) Use of SuDS following the SuDS hierarchy, preferably infiltration
- d) Full calculations demonstrating the performance of soakaways or capacity of attenuation features to cater for 1 in 100 year flood event with a 40% allowance for climate change and runoff controlled at Greenfield rates, or preferably better
- e) If connecting to an existing surface water sewer is proposed, we need to understand why other methods of the SuDS hierarchy cannot be implemented and see confirmation from the utilities supplier that their system has got capacity and the connection is acceptable
- f) A demonstration of how surface water runoff is going to be catered for, given that parts of the development site already suffer from surface water flooding.
- g) A description of how any overland flow routes will be catered for
- h) Groundwater data confirming seasonal high groundwater levels
- i) 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
- j) Details demonstrating how any SuDS for this development would be managed throughout the lifespan of the development and who will be responsible for maintenance
- k) Details of permeable and bonded materials within the car park area

*Reason: 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) Energy and water saving details

The reserved matters application(s) shall include a scheme to reduce water consumption to achieve internal potable water consumption targets of 105 litres or less per person per day and 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), which shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.

*Reason: To ensure developments contribute to sustainable development.*

*Relevant policy: NPPF Section, Core Strategy policy CP1, Managing Development Delivery Local Plan policy CC05 and the Sustainable Design and Construction Supplementary Planning Document.*

7) Lighting details

The reserved matters application(s) shall include a report detailing the lighting scheme and how this will not adversely impact upon wildlife, which shall be submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:

- l) A layout plan with beam orientation
- m) A schedule of equipment
- n) Measures to avoid glare
- o) An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of importance for commuting and foraging bats.

The approved lighting plan shall thereafter be implemented as agreed.

*Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with para 180 of the NPPF.*

8) Landscaping details

The reserved matters application(s) shall include full details of both hard and soft landscape proposals, which shall be submitted to and approved in writing by the local planning authority. These details shall include, as appropriate, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials, refuse or other storage units, signs, lighting and external services. 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 should also include a landscape management plan, including management responsibilities, timescales and maintenance schedules for all landscape areas.

It should take account of car parking to meet (and not exceed) the parking standards in Appendix 2 of the Managing Development Delivery Local Plan in consultation with Condition 9, with the remaining excess spaces assigned as soft landscaping and tree/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.*

9) Parking details

In consultation with Condition 8 and as part of a reserved matters application(s), no development shall take place until full details of visitor and unallocated parking (total of 16 spaces), disabled parking (minimum of four spaces), an Electric Vehicle Charging Strategy (including on-site infrastructure, installation of charging points and future proofing of the site) and bicycle parking have been submitted to and approved in writing by the local planning authority:

All parking shall be implemented in accordance with such details as may be approved before occupation of the development hereby permitted, and shall be permanently retained in their approved form and used for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided, to encourage the use of alternative and sustainable modes of travel, to meet the future requirements of disabled users and to ensure that secure electric vehicle charging facilities.*

*Relevant policy: NPPF Section 9 and Core Strategy policies CP1, CP2, CP3 and CP6 and Managing Development Delivery Local Plan policy CC07.*

10) Travel Plan

The reserved matters application(s) shall include a revised Travel Plan which shall be submitted to and approved in writing by the local planning authority. The travel plan shall include a programme of implementation and proposals to promote alternative forms of transport to and from the site, other than by the private car and provide for periodic review. It shall also include reference to the Council's MyJourney scheme and include targets, mode share and action plans. The travel plan shall be fully implemented, maintained and reviewed as so-approved.

*Reason: To encourage the use of all travel modes.*

*Relevant policy: NPPF Section 9 and Core Strategy policy CP6.*

11) Materials and finishes details

The reserved matters application(s) shall include details of the materials to be used in the construction of the external surfaces of the buildings, including to the courtyards of ground floor units, which shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

*Reason: To ensure that the external appearance of the building is satisfactory.*

*Relevant policy: Core Strategy policies CP1 and CP3*

12) Refuse storage details

The reserved matters application(s) shall include details of bin storage, which shall be submitted to and approved in writing by the local planning authority. The bin storage area and facilities shall be permanently so-retained and used for no purpose other than the temporary storage of refuse, recyclable and compost 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.*

13) Biodiversity enhancement details

No occupation of the development shall take place until details of biodiversity enhancements, to include swift bricks, bird, and bat boxes on and around the new buildings and native and wildlife friendly landscaping, has been submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved prior to occupation of the development.

*Reason: To incorporate biodiversity in and around developments in accordance with paragraph 175 of the NPPF.*

14) Site clearance

All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

*Reason: To ensure that wildlife is not adversely affected by the proposed development in line with Policy CP7 of the core strategy and wildlife legislation.*

15) Working hours

No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 8am and 6pm Monday to Friday and 8am to 1pm on Saturday and at no time on Sunday or Bank or National Holidays.

*Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.*

*Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.*

**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 #/#/#/#/#/#, the obligations in which relate to this development.

2) Southern Gas Networks

Gas mains are located within the site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes. Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground

Services” must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used.

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) Travel plan

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

- a) NPPF Section 9 (Sustainable Transport)
- b) The Essential Guide to Travel Planning (DfT, March 2008)
- c) Delivering Travel Plans Through the Planning Process (DfT, April 2009)
- d) A Guide on Travel Plans for Developers (DfT)
- e) Making Residential Travel Plans Work (DfT, June 2007)

Documents, covering workplace travel plans and residential travel plans provide local guidance and are available on the Borough’s website.

5) 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.

6) 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.

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 a full pre-application process being used and amended plans being submitted to overcome 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.



<b>PLANNING HISTORY</b>		
<b>App Number</b>	<b>Proposal</b>	<b>Decision</b>
25379	Hi tech buildings (outline)	Approved 24 April 1986
28081	Employment marketing office	Approved 9 July 1987
32351	Internal partitions and fire escape	Approved 24 February 1989
33232	Illuminated signage	Approved 2 June 1989
161475 (outline)	Three storey office building with parking (access, layout and scale considered)	Approved 18 August 2016

<b>SUMMARY INFORMATION</b>	
Site Area	0.3 hectares
Existing use	Vacant land but the site has approval for and was previously occupied by an Class B1 office building
Proposed use	Class C3 Residential
Proposed units	38 units (six x 1-bed and 32 x 2-bed)
Proposed density	126 dwellings per hectare
Existing parking spaces	79 spaces
Proposed parking spaces	59 spaces

<b>CONSULTATION RESPONSES</b>	
WBC Sports Development	No comments received.
WBC Environmental Health	No comments received.
WBC Drainage	No objection, subject to a pre commencement condition requiring additional drainage details in Condition 5.
WBC Growth and Delivery	No objection.
WBC Highways	<p>No objections are raised on the grounds of traffic generation, trip rates, on-site parking provision, internal manoeuvrability (to most spaces) and car space dimensions. Concerns are raised in relation to the location of the cycle parking, swept path access to six of the car spaces and the adequacy of the Travel Plan.</p> <p><u>Officer comment:</u> A Construction Method Statement would be required by Condition 4 and additional parking details are required in Condition 9. The Travel Plan is updated by Condition 10 and swept path access details have been submitted as part of revised details, which are acceptable.</p>
WBC Tree and Landscape	<p>Objections are raised on the grounds of inadequate landscaping and substandard external amenity.</p> <p><u>Officer comment:</u> Refer to comments in support of the proposal in paragraphs 59-60 and 45-48 respectively and Condition 8.</p>
WBC Economic Prosperity and Place	No objection is raised in relation to the reliance upon a commuted sum in lieu of on-site provision for affordable housing. The total commuted sum is £714,701.34 and this is secured by legal agreement.

WBC Ecology	No objection, subject to Conditions 7 and 13 relating to external lighting and biodiversity enhancements and Condition 14 relating to timing of the clearing of the site.
WBC Cleaner and Greener	No objection.
WBC Education	No comments received.
WBC Green Infrastructure	No comments received.
National Grid	No comments received.
SSE Power Distribution	No objection, subject to Informative 2.
Southern Gas Networks	No objection, subject to Informative 2.
Royal Berkshire Fire and Rescue	No comments received.
Wildlife Trust	No comments received.
NHS Wokingham	No objection.
Crime Prevention	No comments received.

<b>REPRESENTATIONS</b>	
Wokingham Town Council	<p>The building is of excessive height and there is a lack of amenity space.</p> <p><u>Officer comment:</u> The proposal is acceptable on both accounts, as detailed in paragraph 33 onwards and in paragraphs 45-48 respectively.</p>
Local Members	<p>Councillor Sarah Kerr raised the following concerns:</p> <ul style="list-style-type: none"> <li>• There are a lack of facilities and services in the area</li> </ul> <p><u>Officer comment:</u> It is noted that the site is located within a core employment area where the level of facilities and services is limited. However, the site retains a suitable level of sustainability to services and facilities in surrounding areas and is within a major development location, as noted at paragraphs 5-6.</p> <ul style="list-style-type: none"> <li>• Inadequate parking provision</li> </ul> <p><u>Officer comment:</u> The proposal makes provision for a complaint amount of on-site parking, as noted at paragraphs 21-23.</p> <ul style="list-style-type: none"> <li>• An off site commuted sum for affordable housing is unacceptable</li> </ul> <p><u>Officer comment:</u> The Council's Housing Policy Officer accepts that a commuted sum is acceptable in this case, as noted at paragraph 78.</p> <ul style="list-style-type: none"> <li>• The proposal fails to secure mitigation for the Thames Basin Heaths Special Protection Area</li> </ul> <p><u>Officer comment:</u> The proposal does not trigger the requirement for mitigation for the Thames Basin Heaths SPA, as noted at paragraph 76.</p>
Neighbours	No submissions were received.

## APPLICANTS POINTS

The principle of development should be considered acceptable for the following main reasons:

- a) The site is not in employment use
- b) There would be no net loss of employment floorspace
- c) The existing consent has lapsed
- d) Sorbus House is surrounded on all sides within the estate with residential consents that either have or are shortly to be implemented;

Despite extensive and ongoing marketing since 2011 there has been no appetite from commercial developers to develop the site for employment use. The appetite for employment development is now non-existent in light of the residential context. Policy CP15 and paragraph 4.71 of the Core Strategy allow alternative needed uses, where a case is demonstrated, including reference to this particular estate.

There is a very real and demonstrated need for market and particularly affordable housing in the Country, Borough and in Wokingham specifically. This proposal would contribute significantly to this need and should attract very significant weight in the overall planning balance.

The proposal will make a valuable contribution to the provision of smaller accommodation, assisting Wokingham to achieve its housing targets. The site is easily accessible via a choice of transport modes and as a brownfield site within the urban area, comprises a sustainable location and type of development, without causing significant impacts on the character of the area or amenity.

The design and siting of the proposed development (although only outline at this stage), is demonstrated to be in keeping with the existing buildings adjacent to the site. There will be no detrimental impact on amenity or the character of the area that could warrant refusal of planning permission. The proposed development will be seen either against a backdrop of the existing buildings or associated landscaping.

The accompanying Transport Assessment has demonstrated that the surrounding road network is able to accommodate the associated traffic movements and that the proposed access to the site is acceptable.

## PLANNING POLICY

National Policy	NPPF	National Planning Policy Framework
	NPPG	National Planning Policy Guidance
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
	CP8	Thames Basin Heaths Special Protection Area
	CP9	Scale and Location of Development Proposals
	CP15	Employment Development
	CP17	Housing Delivery
	CC01	Presumption in Favour of Sustainable Development

Managing Development Delivery Local Plan 2014	CC03	Green Infrastructure, Trees and Landscaping
	CC04	Sustainable Design and Construction
	CC05	Renewable Energy and Decentralised Energy Networks
	CC06	Noise
	CC07	Parking
	CC09	Development and Flood Risk
	CC10	Sustainable Drainage
	TB05	Housing Mix
	TB07	Internal Space Standards
	TB11	Core Employment Areas
	TB12	Employment Skills Plan
	TB21	Landscape Character
	TB23	Biodiversity and Development
Supplementary Planning Documents	BDG	Borough Design Guide (Sections 4 and 5)
	AH SPD	Affordable Housing
	SDC	Sustainable Design and Construction
Other	DCLG	National Internal Space Standards

## PLANNING ISSUES

### Description of Development

1. The proposal involves the following outline proposal:
  - Regrading/levelling of the site
  - Construction of a four storey flat building, comprising the following:
    - Ground floor: Two lobby entrances with ten x 2-bedroom units (with ground floor amenity space to eight units)
    - First and second floors: Ten x 2-bedroom units on each level (with private balconies to six units on each floor)
    - Third floor: Six x 1-bed and two x 2-bed units (with private balconies to six units)
    - Two passenger lifts and two communal staircases serving each floor
  - 59 parking spaces surrounding the building, interspersed with cycle parking and refuse storage
  - New pedestrian access
  - Associated landscaping

### Site Description

2. The site is located at the rear of Mulberry Business Park, on the southern side of Fishponds Road. It measures 0.3 hectares in area and is currently vacant, having been cleared following fire damage to the previous building. The area is characterised by multi storey office buildings, surrounded by car parking, with several in the immediate vicinity undergoing conversion to residential units. The closest residential property is 20m to the west at 2 Reeves Way.

### Principle of Development

3. 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 Managing Development Delivery 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.

4. Policy CC02 of the MDD Local Plan sets out the development limits for each settlement and Policy CP9 of the Core Strategy outlines the hierarchy of development locations, having regard to the service provisions associated with the major, modest and limited categories. The site is located within the major development location and would be acceptable in terms of the principles stated in the Core Strategy and the relevant policies in the MDD Local Plan, subject to a consideration of other outline factors.

#### Sustainability

5. Policies CP1, CP6 and 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. Expanding on this, paragraph 4.57 in the CS 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.
6. Whilst the site lies at the south eastern end of Molly Millars Industrial Area (or Core Employment Area) amongst buildings originally constructed for office use, it is still suitably located within relatively short walking distance of several retail facilities (such as Lidl supermarket at the end of Fishponds Close). It is also within walking distance of regular bus services to Reading from a bus stop on Barkham Road or Molly Millars Lane and is 15 minutes' walk from Wokingham Train Station. Cycling use is also realistic, particularly given the 30mph speed limit on surrounding roads. The fact that it is located within the Core Employment Area does not negate this conclusion and on balance, the site exhibits satisfactory sustainability credentials and is acceptable on this basis.

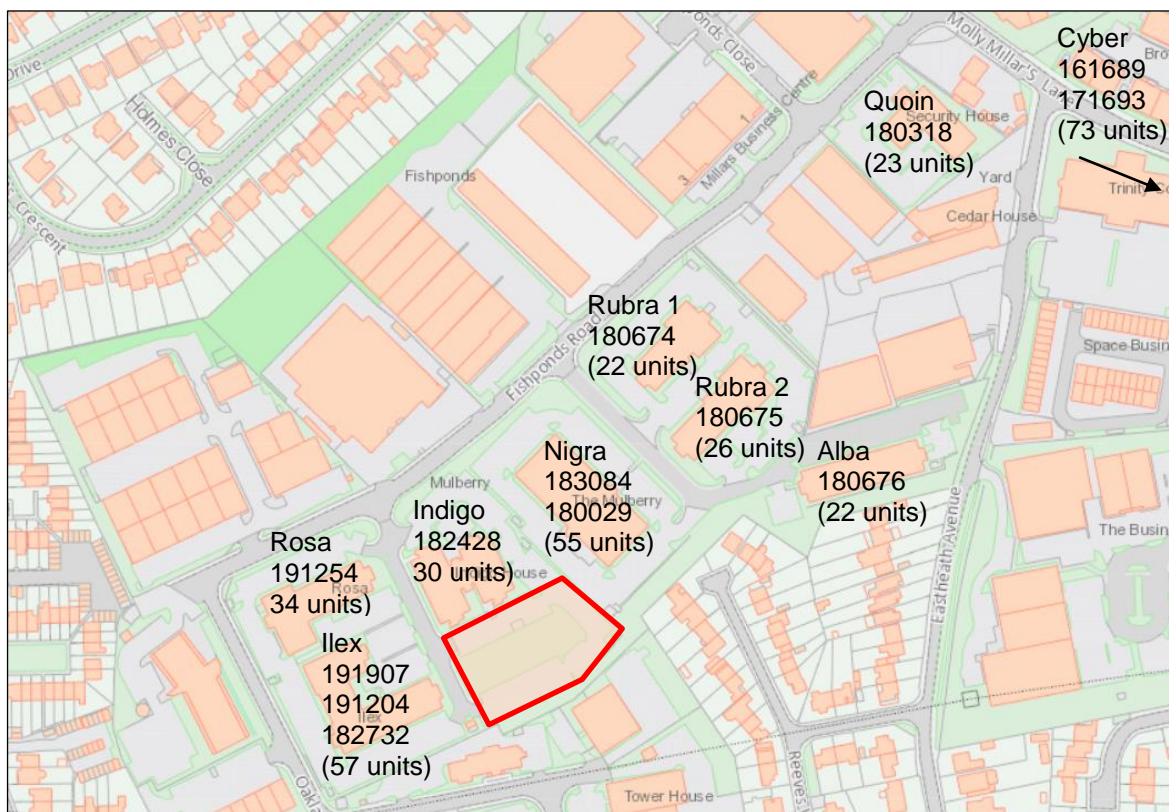
#### Core Employment Area

7. The site is within the Milly Millars Core Employment Area (CEA) and Policy CP15 of the Core Strategy aims to accommodate Class B floorspace (business, industry or warehousing) in this area (and other designated areas). More particularly, though, there should not be a net loss of Class B floorspace and Policy TB11 of the MDD Local Plan also states that the majority of employment growth is to occur in the Core Employment Areas. The primary basis behind this is outlined in paragraph 4.70 of the Core Strategy, which points to a forecast need for increased supply of industry and warehouse floor space leading up to 2026 of 51,000m<sup>2</sup> to meet forecast Class B use growth in the borough.
8. The Council's Employment Land Monitoring Report for April 2013 to March 2014 demonstrated that there was a net gain of 3,649m<sup>2</sup> of Class B use floor space in the borough from 1 April 2006. The Central FEMA (Functional Economic Market Area) Economic Development Needs Assessment dated October 2016 identified a recommended net office space requirement for 2013-2036 of at least 93,305m<sup>2</sup> based on the labour supply approach. At last review, there was a total of 88,099m<sup>2</sup> of extant permissions for Class B use floor space but there has and will be

significant additions through permissions for the Science Park development at Shinfield supported by Policy CP16 of the Core Strategy. However, the implementation rate of all of the current permissions remains uncertain. What is certain, however, is that the Council's most recent monitoring data from the Annual Monitoring Report (published February 2017) shows further on-the-ground losses of floor space, to the extent that a deficit of 790m<sup>2</sup> existed at April 2016 (and a loss of some 4,439m<sup>2</sup> in two years).

9. As is immediately evident within the Mulberry Business Park, Class O of the GPDO also allows for the conversion of existing Class B1(a) office space to residential use through the prior approval process, with the primary intention being to boost housing supply. There has been significant uptake of such planning permissions throughout the borough.
10. The site was originally occupied by a two storey office building that was destroyed by fire in 2011 and approval for a replacement three storey office building was granted in 2016 (application 161475) although it has since lapsed. As such, it is currently vacant and does not result in the loss of any floorspace.
11. The proposal would, however, result in the loss of part of the CEA to a non-employment use and introduce sensitive residential receptors in a location which is promoted for commercial and industrial uses. This is contrary to the spatial strategy of Policies CP15 and TB11. 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.
12. However, paragraph 4.71 of the Core Strategy 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.
13. The supporting documentation relies upon the changing character of the immediate area and in particular within Mulberry Business Park itself. Prior approvals for office to residential conversions under Class O of the GPDO have been granted and/or are currently under construction at all of the sites surrounding the site and at a total of eight sites on the southern side of Fishponds Road. Some buildings have also had additional full planning approval for roof extensions to accommodate additional units. In short, more than 50% of the buildings and the vast majority of the existing floorspace on the southern side of the road have approval to be converted to create at least 269 units across eight buildings, including all of the existing buildings within Mulberry Business Park.
14. Of these examples, the residential conversions at Ilex and Nigra are underway and Mulberry and Quoin are unoccupied and boarded up in anticipation of the commencement of construction. In addition, Indigo House is currently subject to two further prior approval applications which would increase the number of units from 30 to 54. There are also two other prior approvals in the wider area – Cyber House comprises 73 units (360m to the east) and a prior approval application is under assessment at 12 Oaklands Park (175m to the south) for 25 units. This brings the net total to 367 units.

15. On the basis of the above, it is reasonable to conclude that the immediate area (and to a lesser degree, the wider area of the Molly Millars Industrial Area) is undergoing change to residential use and this application is consistent with the future characteristics of the area.



16. The application was also accompanied by a marketing report. It noted that the office building had a 25% vacancy prior to the fire and marketing of the site in the 12 months following the approval of the replacement office building (application 161475) in October 2016 resulted in no offers being registered. Following a listing with another agent, it was eventually withdrawn from sale. The marketing report also offers the following additional justification:
- The site is of limited size, has poor access and traffic issues and Reading, Bracknell and Winnersh offers better connectivity
  - Occupants tends to prefer areas within larger commercial centres outside of industrial estates and with a greater variety of services and facilities
  - As of October 2019, there is a high vacancy rate of office accommodation of varied sizes in Wokingham, with a total of 29 offices and 84,000 square feet of floorspace. This is evidence of Wokingham acting as a secondary destination
17. To resist the application is likely to result in the site remaining vacant and were it to be developed for Class B use, it could result in conflicting land uses posing potential amenity issues with the residential units surrounding the site. Accordingly, there is no objection to the proposal for residential development on the site despite the clear departure from Policies CP15 and TB11 and the principle of residential accommodation is supported.

## Density

18. 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.
19. The residential density would equate to 126 dwellings (or 233 bedrooms) per hectare, which is greater than the surrounding converted office buildings, whether under construction or with extant permission. These buildings generally do not exceed 100 dwellings per hectare.
20. The 38 units would be accommodated over four storeys but the overall height of the building is not unreasonably out of context with the surrounding built form. It does, however, have the effect of increasing the parking requirements for the site, which limits the amount of soft landscaping within the site as a result. However, as the site currently has no landscaping of any retainable merit and in the context of the surrounding area and the Core Employment Area as a whole, where landscaping is confined to the site boundaries, there is no unreasonable impact. Moreover, additional or denser landscaping can be achieved in balancing parking requirements as part of Condition 8 and in the reserved matters application. In this respect, the density of the development is acceptable in principle.

## **Access and Movement**

### Car Parking

21. Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum off street parking standards, including provision for charging facilities.
22. There are a total of 59 car parking spaces surrounding the proposed building, made up of 38 allocated spaces (one per unit) and 21 unallocated spaces on site. With dimensions of 5m x 2.5m, the car parking spaces accord with the Council's standards.
23. The total requirement is 54 spaces, which results in an excess of five spaces although additional space would be required to account for enlarged and relocated cycle storage and provision for disabled parking (see Condition 9) and a potential resign of the refuse storage to increase capacity. Of the 54 spaces, 16 would be assigned as visitor and unallocated parking spaces and the remainder would be reassigned for additional landscaping as part of Condition 8.

### Cycle Parking

24. 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, undercover and compatible.
25. One cycle storage space (measuring 2m x 0.9m) is required for each unit and two storage areas are proposed at the eastern and western ends of the building. The areas appear sufficient to accommodate 12 bicycles, which is a significant departure of 26 bikes. Enlargement of the cycle storage, its relocation to be



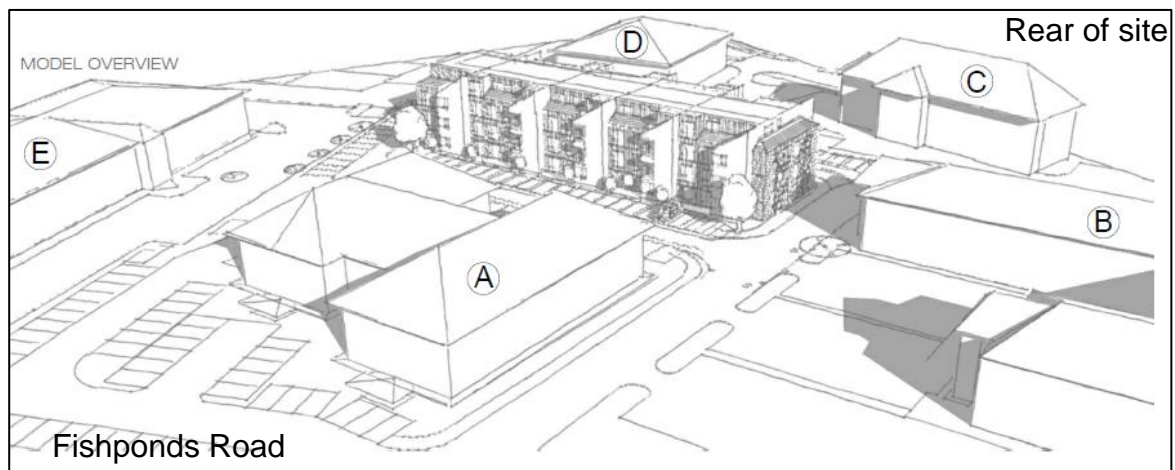
secure and undercover and further details of the storage would form part of Condition 9 and in a reserved matters application.

### Access and Traffic

26. The site benefits from existing access from Fishponds Road, which is shared with Ilex House, Rosa House and Indigo House, all of which are currently undergoing or shortly expected to be converted to residential use. It allows two way movement and has sufficient splays such that there are no immediate concerns with the proposal for additional residential development on the site and the use of a shared access.
27. The Transport Statement submitted with the application demonstrates an overall generation of 9 two-way vehicle movements in the morning peak and 9 two-way vehicle movements in the evening peak. The Council's Highways Officer has reviewed the details and noted that these are less than those approved in the strategic model. However, due to the level and type of the development, the difference is marginal and the trip rates are otherwise acceptable. On this basis, it is unlikely that the proposal would have an adverse impact on the highway network. Moreover, when accounting for the trip movements associated with other nearby residential flat buildings, it remains acceptable.
28. A Travel Plan was also submitted with the application but is not acceptable in its current form as it does not refer to the Council's MyJourney nor does it include targets, mode share and action plans. Changes are required in Condition 10.
29. Car park access within the site is via either side of the building, which minimises vehicle conflict. The aisle width within the car park measures 6.0m, which allows sufficient space for safe manoeuvring, two way passing and forward movement to and from the site from all spaces, including space 47 which is somewhat compromised. Part of the aisle width to the north of the building is shared with Indigo House and this is to be retained in the approved prior approval plans for application 182428 such that no further concerns are raised. There is adequate space and manoeuvrability for refuse vehicles (which will involve on site collection as currently occurs) and emergency vehicles such as fire engines.
30. 2.0m wide footways are provided on both sides of Fishponds Road, leading into Mulberry Park and onto the subject site. There is a reliance upon a shared surface within the site, but with access to the building on both sites of the building, the likelihood of conflict is low. Measures would need to be adopted in the design stage as part of the reserved matters application to ensure that vehicles and pedestrians can co-exist safely.
31. To protect the amenity of surrounding properties and to co-exist with other surrounding construction sites, a construction method statement is required in Condition 4. However, there are no in-principle concerns with construction access at outline stage given the site is currently vacant.

## Character of the Area

32. 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.
33. To accommodate 38 units, the building comprises four storeys with a flat roof and a total height of 12.1m. The area is predominated by two storey office buildings with some of the prior approvals accommodating residential units within a third floor within the roofspace. The eaves heights of surrounding properties vary between 6.3m and 8.3m and the ridge heights extend to 11.3m-14.1m. As such, the subject dwelling is not the tallest structure in the immediate vicinity as measured to the ridge height. Regardless, however, the floor to ceiling height of each of the floors in the proposed building would be no more than 2.7m and the building design includes a flat roof form. This contrasts with the significantly greater ceiling heights and pitched roofs within surrounding buildings.
34. The footprint measures 1005m<sup>2</sup>, which is less than or equal to the other surrounding buildings. It also equates to about 1/3 of the site, which is broadly consistent with the ratio of building footprint to site area on surrounding properties. It is also centrally located within the centre of the site and largely in alignment with the demolished building and with ample setbacks to property boundaries. There are no immediate concerns with the footprint or siting of the development.
35. As a result, whilst the subject application exhibits greater building bulk than surrounding existing buildings, it is not unreasonably out of context with the surrounding area, in terms of bulk, scale and height. It also benefits from its backland location, which limits its visibility in wider views. These factors are illustrated in the overview submitted by the applicant.



36. P2 of the Borough Design Guide SPD ensures that parking is provided in a manner that is compatible with the local character. The proposed car parking dominates the perimeter of the site, although this is improved from the current arrangements, which a net reduction of 20 car spaces and greater opportunities for soft landscaping centrally within the site. This is reinforced further in Conditions 8 and 9, which require additional landscaping. In doing so, it is also entirely compatible with the surrounding area, which comprises similar car parking

arrangements to the front and rear of buildings that are being converted for residential use.

37. The building design includes a contrast in materials and articulation to the long elevations. However, these matters are for consideration under a reserved matters application in Condition 11 but there are no glaring concerns with the design of the building as depicted in the plans submitted with this outline application.
38. Accordingly, insofar as it relates to the outline application, the proposal achieves a satisfactory character outcome in terms of Policy CP3 of the Core Strategy and the Borough Design Guide and is acceptable.

### **Dwelling Mix**

39. 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.
40. The dwelling mix does not address the identified future housing need for more than 65% of all new units to be 3 or more bedrooms, as established in the Berkshire Strategic Housing Market Assessment (February 2016):

	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4+ bed</b>	<b>Total</b>
SHMA requirements	934	3488	5605	2862	12889
	7.2%	27.1%	43.5%	22.2%	100%
Subject application	6 units	32 units	0 units	0 units	38 units
	16%	84%	0%	0%	100%

41. Paragraph 4.30 of the Core Strategy 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. This is the case in this location where the surrounding developments have a high concentration of one bed units. The supporting documentation acknowledges that the mix is indicative only and would be subject to change (and should be altered) in a reserved matters application. While this is the case and a greater variety of unit types would be supported, the outline application demonstrates that the unit mix would not be a reason for refusal of the application given the neighbourhood and good public transport connections that are generally supportive of smaller unit types.

### **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 50m<sup>2</sup> applies for the 1-bed units and 70m<sup>2</sup> for the 2-bed units. The proposal accords with these minimum standards.
43. Paragraphs 127 and 130 of the NPPF seeks 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 should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. R18 of the SPD also requires sufficient sunlight and daylight to new properties, with dwellings afforded a reasonable dual outlook and southern aspect.

44. Because of the narrow nature of the site, the building design includes a high number of single aspect units (24 or 63% of the total development). Of these, 12 of the units (31%) face north and will receive no sunlight across the day although conversely, the remaining 12 units face almost due south and will receive sunlight throughout the day. Despite the clear reduction in amenity afforded to the north facing units through reduced access to sunlight, the design and layout of the units does provide for an open plan form within the main living areas, there is a complaint minimum floor area and provision for outdoor amenity space (subject to comments in paragraph 46 of this report) and there is an adequate uninterrupted outlook of 18m. Moreover, the level of amenity arising from a new build is vastly superior to that afforded to other prior approval units within surrounding buildings and given the elongated nature of the site and the constraints that this imposes, a degree of single aspect units is unavoidable. On balance, it does not warrant refusal of the outline application.

#### External amenity

45. 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.
46. There is no communal amenity space and 10 of the 38 units (26%) have no private amenity space, whether in the form of a private courtyard or balcony. The ground floor units have courtyards of 7-11m<sup>2</sup> with a maximum depth of 1.8m, which is generally acceptable although two of the units have no amenity space, presumably because it would conflict with vehicular access. Most of the above ground floor units have balconies of no more than 3-4m<sup>2</sup> in area, which is only marginally capable of accommodating chairs and a table.
47. All units in a new build development should have access to good sized outdoor amenity space (in terms of depth and total area) and it should take account of site context. As such, improvements should and can be made as part of the reserved matters application(s) without compromising the ability of the site to accommodate the scale of development depicted on the outline application plans. For instance, courtyards can be added to the ground floor units that currently have no private amenity space, above ground balconies can be enlarged where they are already proposed and added to the end units on the first and second floors where they do not. For this reason, the extent of private amenity space is unfavourable to a degree but does not form in-principle justification for the refusal of the outline application.
48. The planning statement suggests that Leslie Sears Field would be used for outdoor amenity space. Whilst it is 190m south of the site as the crow flies, the walking distance is in excess of 1km and would prove undesirable for most occupants for regular use. Nonetheless, this does not influence the conclusion

that the proposed outdoor amenity space, as required to be amended in a reserved matters application, would be acceptable.

#### Acoustic amenity

49. Policy CC06 and Appendix 1 of the MDD Local Plan requires that development protect noise sensitive receptors from noise impact. The units are stacked appropriately across all four floors although bedrooms do adjoin living rooms within the centre units on each of the four floors. Whilst this is not preferred, the development will need to be built to building regulations and this would ensure that noise transfer between common walls of units is unlikely.
50. The site will remain within the Molly Millars Core Employment Area, which brings with it potential acoustic privacy issues. However, the existing office buildings are not high noise emitters and the evolving nature of the immediate area from office to residential development is such that no objection is raised.

#### **Residential Amenities**

51. Policy CP3 of the Core Strategy aims to protect neighbouring amenity. In this instance, consideration of acoustic and visual privacy, dominance and access to light are relevant considerations for the reserved matters application but it is also relevant for outline consideration to determine the relationship with existing land uses. The relevant guidelines of the Borough Design Guide SPD are:
  - R15 requires the retention of reasonable levels of visual privacy to habitable rooms, with separation of 22m (ground and first floor) to 30m (second and third floor) to the rear
  - R16 requires separation distances of 1.0m to the side boundary and 11m to the rear boundary
  - R18 aims to protect sunlight and daylight to existing properties, with no material impact on daylight in the habitable rooms of adjoining properties
  - Policy CC06 and Appendix 1 of the MDD Local Plan also requires that development protect noise sensitive receptors from noise impact

#### Overlooking

52. To the south, there is 12m separation to the boundary and 22-24m separation to the two nearest buildings, both of which have office uses. There is a departure with the 30m standard when measured from the second and third floors but when accounting for the non-residential use of the neighbouring buildings, the level of privacy is acceptable. Even if the offices are converted to residential use (which is not a matter for consideration under this application), there is a change in ground level and extensive buffer of existing landscaping between the two properties (the landscaping lies outside the boundaries of both properties) such that no adverse concerns are raised.
53. There is less separation to the north (minimum 17.6m) and no landscaping such that there is a heightened degree of overlooking towards Indigo House to the north. It is currently in office use but has extant prior approval permission for residential use with at least eight units facing the subject site. Despite departures with the 30m standard of up to 12.4m and clear opportunities for overlooking

between properties, the issue has arisen more from the prior approval process at Indigo House than anything with the subject scheme. Rather, the subject building adopts some positive design measures in preventing overlooking and the degree of overlooking can be considered as mutual between the buildings such that no objection is raised.

54. There is even greater overlooking to the west where there is 11.1m separation between Ilex House (which is currently being converted to residential use) and the subject building. It would represent a departure with the 30m standard of 18.9m on the upper levels and the degree of overlooking would be even more pronounced. However, the same prior approval scenario exists here and the subject application takes adequate account of this situation whereby there is only one bedroom window and part of a living room window within each of the seven units along the corresponding elevation facing Ilex House. To the east, there is no immediate neighbouring building and at least 30m separation such that no concern is raised.
55. In conclusion, the prior approval process within surrounding buildings has resulted in a planning outcome that would be contrary to the guidelines in the Borough Design Guide and would not be supported in terms of the policies in the Development Plan. This is because the prior approval process does not take account of neighbouring amenity as a planning consideration and the scope of works does not allow for changes to fenestration. Instead, the subject application involves a new build and it has adopted sufficient measures to minimise but clearly not alleviate privacy concerns. Overall, it does not form the basis for refusing the development on in-principle grounds.
56. Internally within the development, the building exhibits good design such that there are no immediate opportunities for unreasonable overlooking.

#### Sense of enclosure/Loss of light

57. Despite its 12m height, the aforementioned separation distances to the property boundaries are such that there is no adverse or unreasonable levels of enclosure, dominance or loss of sunlight and daylight to neighbouring properties. There is likely to be some loss of light to the eastern elevation of Ilex House to the west where the separation is only 11.1m but at this distance, it still does not warrant refusal of the outline application, particularly in the context of surrounding built form.

#### Noise disturbance

58. The density of the scheme would bring about a degree of noise conflict between residential neighbours and within the development itself but it when accounting for the high density of surrounding development, it is not unreasonable and does not form a reason of concern at outline stage.

#### **Landscaping and Trees**

59. 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.

60. The Council's Trees Officer raises no in principle objection to development of the site, noting that there is little landscaping of merit on the site and the corridor of landscaping along the southern boundary will be retained and not impacted by the proposed scheme. The footprint of the building and the expanse of hardstanding does preclude any significant landscape planting being established within the site. However, in the context the surrounding built form, no objection is raised. Additional landscaping can be accommodated as part of Condition 8, which requires landscaping details as part of the reserved matters process.

### **Ecology**

61. 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.
62. The plot is covered in rough grass, shrub and tall ruderal vegetation and is isolated from the immediate surrounding landscape by hardstanding (car parks). The surrounding landscape contains large office blocks and hardstanding with some scattered shrubs and trees, including a thin strip of woodland adjacent to the south of the site which has connections to gardens and fields in the wider landscape. The site is also located in habitat where bat roosts have previously been found and the strip of woodland provides habitat suitable for use by foraging and commuting bats.
63. The Council's Ecology Officer notes that although the site contains habitat suitable for use by protected species such as reptiles, it is too isolated from surrounding suitable habitat to be utilised by these protected species. However, to protect any foraging and commuting bats within the adjacent woodland, lighting details are required in Condition 7 as part of the reserved matters application(s) in addition to details relating to biodiversity enhancements (Condition 13) and limitations upon site clearance (Condition 14).

### **Building Sustainability**

64. Policy CC04 of the MDD Local Plan and the Sustainable Design and Construction SPD require sustainable design and conservation and Policy CC05 encourages renewable energy and decentralised energy networks, with encouragement of decentralised energy systems and a minimum 10% reduction in carbon emissions. There is no suggestion that the proposal would not be able to meet the above obligations and this is outlined in Condition 6 as part of the reserved matters application(s).

### **Waste Storage**

65. Policy CC04 of the MDD Local Plan requires adequate internal and external storage for the segregation of waste, recycling and food waste. A bin store has been provided and whilst it may need to be enlarged to accommodate waste, recycling and compost arising from a 38 unit development, it is appropriately located for ease of access for residents and for collection by refuse vehicles. Additional details would be sought as part of Condition 12 as part of the reserved matters application(s).

## **Flooding and Drainage**

66. 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 and the principle of development on this site is satisfactory.
67. Policy CC10 of the MDD Local Plan requires sustainable drainage methods and the minimisation of surface water flow. The amount of hardstanding on the site is likely to be reduced as part of this application and natural discharges to Emm Brook are likely to be improved as part of the redevelopment. The Council's Drainage Engineer has reviewed the proposal and raises no objection, subject to full drainage details in Condition 5, including permeable materials for the car park.

## **Environmental Health**

### Contamination

68. Section 78A(2) of Part 2A of the Environmental Protection Act 1990(a) states that 'contaminated land' is any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that (a) significant harm is being caused; or (b) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused.
69. The site falls within contaminated land consultation area as well as landfill gas consultation zone and therefore there may be risks to the proposed residential use. It is located on the site of a former Brickworks and partly located on a landfill site known as Molly Millars Lane Filled Ground. The site may therefore potentially be affected by ground contamination and migrating and toxic/flammable gases which could pose a risk to the sensitive residential end users.
70. An assessment of potential contamination and any remediation and validation considered necessary is required to ensure the site is suitable for its end use as residential and to protect workers during the construction phase. This forms a pre commencement requirement in Condition 3 because it deals with the principle of development on the site. However, given prior approvals have been granted for residential uses on surrounding sites and the GPDO requires the Council to consider these risks in the assessment of prior approval applications, it is concluded that the risks would not prevent future redevelopment of the site and on this basis, the proposal is acceptable.

### Construction activities

71. The recommendation for approval is subject to conditions relating to construction activities, including but not limited to noise amelioration, dust suppression and working hours. This is outlined in Condition 4.



### **The Public Sector Equality Duty (Equality Act 2010)**

72. 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.
73. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as 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 as a result of the development.
74. On this aspect, 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, children and the disabled.
75. 10–20% of all dwellings (up to eight units) should be to Lifetime Homes standards in accordance with Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan. This is achievable, with open plan floor layouts and lift access within the building design. However, four disabled parking spaces to meet resident and visitor needs would need to be provided amongst the existing 59 space car park and this would form part of a redesign of the site layout in Condition 9 as part of a reserved matters application.

### **Thames Basin Heaths Special Protection Area**

76. Policy CP8 of the CS states that where development is likely to have an effect on the Thames Basin Heaths Special Protection Area (TBH SPA), it is required to demonstrate that adequate measures to avoid and mitigate any potential adverse effects are delivered. The subject property is located more than 5km of the TBH SPA and the trigger relates to any development of 50 dwellings or more. Given this threshold is not met, there are no perceived adverse effects and no objection is raised.

### **Housing Affordability**

77. Policy CP5 of the Core Strategy, Policy TB05 of the MDD Local Plan and the Affordable Housing SPD specify an affordable housing rate of 30%, which equates to 11.4 units.
78. The applicant has indicated an intention to meet the affordable housing obligations but via an off-site financial contribution in lieu of on-site provision. The Council's Housing Policy Officer is not averse to this approach on the basis of the location and type of units proposed. The sum would be £714,701.34 index-linked, to be used on other affordable housing in the borough. This forms part of the section 106 legal agreement.

## **Employment Skills**

79. Policy TB12 of the MDD Local Plan requires an employment skills plan (ESP) for major development to provide opportunities for training, apprenticeship or other vocational initiatives to develop local employability skills. The scale of the development triggers the major threshold.
80. ESPs use the Construction Industry Training Board (CITB) benchmark based on the value of construction. This is calculated by multiplying the total floor space (approximately 3416m<sup>2</sup>) by £1025, which is the cost of construction per square metre as set out by Building Cost Information Service of RICS and the methodology as set out in the Council's Employment and Skills Guidance. In this case, it totals £3,501,400.
81. The ESP would require a total of three community skills support jobs and the creation of one job. If for any reason the applicant is unable to deliver the plan or elects to pay the contribution, the employment outcomes of the plan will be borne by the Council at a cost of £3,750. Measures to secure this arrangement form part of a section 106 legal agreement.

## **Community Infrastructure Levy**

82. The application is liable for CIL payments but the obligations are calculated and applied at reserved matters stage.

## **CONCLUSION**

83. Mulberry Business Park is currently undergoing change from business use (offices) to residential via the prior approval process in Class O, Part 3 of the GPDO. Upwards of 300 units are likely to be accommodated within the existing buildings on surrounding properties in the next three years. The subject application seeks to capitalise on this change of building use by establishing a new residential flat building on a vacant site. The principle of residential development is satisfactory on account of this change to residential. It will largely utilise the existing access arrangements such that the primary consideration of access is addressed. The design, form and siting of the building, as depicted on the outline plans, is such that it indicates that up to 38 units can satisfactorily be accommodated on the site. On this basis, approval is recommended.