

Application Number	Expiry Date	Parish	Ward
192280	15/05/20	Twyford	Twyford;

Applicant	Mr Ray Cook
Site Address	Land to the rear of 20 & 22 Station Road, Twyford, Berkshire, RG10 9NT
Proposal	Full application for the erection of a 1No bed two storey dwelling following demolition of existing workshop.
Type	Full
PS Category	13
Officer	Natalie Jarman
Reason for determination by committee	Listed by Councillor Conway

FOR CONSIDERATION BY	Planning Committee on Wednesday, 13 th May 2020
REPORT PREPARED BY	Assistant Director – Place

ADDENDUM REPORT
<p><u>Background:</u></p> <p>1. The determination of this application was deferred by the Planning Committee on 11th March 2020 in order that a site visit could be made to assess the relationship of the proposed dwelling to the existing dwellings, and assess whether the proposed dwelling was appropriate for a conservation area. The application was originally listed by Councillor Conway in the event the application was recommended for approval.</p> <p><u>Additional Information:</u></p> <p>2. As part of the Member’s update for the March 2020 Planning Committee, the recommendation included updates to following conditions (March Committee Report Committee Numbers) to omit Condition 17, a minor amendment of Condition 20 and the addition of conditions 21 and 22. The update also noted a comment from Twyford Parish Council, objecting to the proposals and supporting the residents’ viewpoints.</p> <p>3. Following the deferral of the application additional information has been supplied. Revised plans have been received (revised proposed site plan, proposed ground floor plan and proposed side elevation) showing the height of the wall at the front of the site reduced in height to 0.6m. Accordingly, the recommended approved plan set has been updated and the condition requiring their submission has been omitted.</p> <p>4. The Agent has highlighted in a submission “I note that the Planning Team Leader at last week’s meeting (referring to the March Planning Committee) referred to the Inspector making some very positive comments regarding the design of this application subject to amendments and that as the Inspector gave the applicant clear guidance, which was followed, the Inspectors judgments should be viewed as the <u>main consideration</u>.”</p>

5. The Agent also refers to the Planning Practice Guidance, which sets out the government's planning policies and how these are expected to be applied. The Agent refers to the section relating to appeals which states "a persistence in objections to a scheme which an Inspector has previously indicated as acceptable as constituting one such circumstance of such unreasonable behaviour. This relates to both design (where clear recommendations were made by the Inspector and have been followed) and the proposed amenity space that was identified as entirely appropriate".

6. The agent provided an extract of paragraph 50 of the PPG:

"What type of behaviour may give rise to a substantive award against a local planning authority?

Local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal, for example, by unreasonably refusing or failing to determine planning applications, or by unreasonably defending appeals. Examples of this include:

persisting in objections to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable."

7. The reason for deferral was to assess the relationship of the proposed dwelling to the existing dwellings, and assess whether the proposed dwelling was appropriate for a conservation area. Following this the application is recommended for approval.

RECOMMENDATION

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

Conditions and informatives:

Conditions:

Timescale

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

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

Approved Details

2. This permission is in respect of the submitted application plans and drawings numbered Letter from Woolf Bond Planning dated 27th August 2019 received by the local planning authority on 27th August 2019, Letter from AA Environmental Limited dated 14th November 2019 received by the local planning authority on 18th November 2019, Existing Plan (16.111 PL102 Rev D), Existing Front Elevation (16.111 PL103 Rev D), Existing Side

Elevation (16.111 PL104 Rev D), Existing Rear Elevation (16.111 PL105 Rev D), Existing Side Elevation (16.111 PL106 Rev D), Proposed First Floor Plan (16.111 PL109 Rev D), Proposed Rear Elevation (16.111 PL112 Rev D), Proposed Side Elevation (16.111 PL113 Rev D) received by the local planning authority on 29th January 2020, Location and Site Plan (16.111 PL101 Rev E) received on 3rd February 2020 and Proposed Site Plan (16.111 PL107 Rev E), Proposed Ground Floor Plan (16.111 PL108 Rev E), Proposed Front Elevation (16.111 PL110 Rev E) and Proposed Side Elevation (16.111 PL111 Rev E) received by the local planning authority on 20th March 2020. 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.

External materials details

3. No works of development shall be undertaken above the level of footings/foundation footings until details and samples of the external materials (bricks, mortar mix, coping etc.) and finishes for the hereby approved development have been submitted to and approved in writing by the Local Planning Authority. Development shall then be undertaken in accordance with the materials and finishes as approved.

Reason: To ensure that the external appearance of the building is satisfactory and to ensure highway safety. Relevant policy: Core Strategy policies CP1, CP3 and CP6.

Brickwork Sample

4. No works of development shall be undertaken above the level of footings/foundation until an onsite brickwork sample panel has been built on site and the brick, brick bond and mortar mix have been approved in writing by the Local Planning Authority. The brickwork sample panel shall be no smaller than 1x1 metre in size and is to show the bricks, brick bond and mortar mix to be used for the Brook Street elevation of the hereby approved dwelling. The sample panel shall be maintained on site until completion of building works. The development shall then be undertaken in accordance with the details as approved.

Reason: To ensure that the external appearance of the building is satisfactory. Relevant policy: Core Strategy policies CP1 and CP3.

Hours of work

5. 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 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays 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.

Obscure Glazing

6. The first floor window in the side elevation facing Number 49 Brook Street and all windows shown as obscure glazed on the approved plans of the development hereby permitted shall be fitted with obscured glass and shall be permanently so-retained. The windows on the first floor side elevations shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level of the room in which the window is installed and shall be permanently so-retained.

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

Restriction of permitted development rights – windows

7. Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional windows or similar openings shall be constructed in the north-east and south-west elevations at first floor level, except for any which may be shown on the approved drawing(s).

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

Restriction of permitted development rights

8. Notwithstanding the provisions of Classes A, B, D, E and G of Part 1 of the Second Schedule the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no buildings, enlargement or alterations permitted shall be carried out without the express permission in writing of the local planning authority.

Reason: To safeguard the character of the area and neighbouring amenities. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy TB21.

Construction Method Statement

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

- i) the parking of vehicles of site operatives and visitors,
- ii) loading and unloading of plant and materials,
- iii) storage of plant and materials used in constructing the development,
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- v) wheel washing facilities,
- vi) measures to control the emission of dust and dirt during construction,
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

*Reason: In the interests of highway safety & convenience and neighbour amenities.
Relevant policy: Core Strategy policies CP3 & CP6.*

Drainage Details

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

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

Noise and Vibration from Railway

11. The applicant shall submit to the local planning authority, for approval, a scheme for protecting the proposed development from noise and vibration from the nearby railway lines. Any works which form part of the approved scheme shall be completed before the development the dwelling is occupied.

Reason: To protect occupiers of the proposed development from noise and vibration from rail traffic. Relevant Policy: Core Strategy Policy CP1 and Managing Development Delivery Local Plan policies CC06.

Land contamination

12. Before development commences the applicant shall carry out a contamination risk assessment of the application site commencing with a preliminary risk assessment (desk top study and walk-over survey) followed by intrusive sampling if found to be necessary. The applicant shall then, if necessary, prepare and submit to the Local Planning Authority for written approval a remediation scheme that follows the guidelines set out in BS10175 'Code of Practice for the Investigation of Potentially Contaminated Sites' and CLR11 Model procedures for the management of Land Contamination.

Reason: To protect neighbours and future occupiers of the site from the harmful effects of contamination. Relevant Policy: Core Strategy policies CP1 and CP3.

Remediation Works

13. Before buildings on the application site are occupied the remediation works to make the land suitable for its intended use, as set out in the approved remediation scheme

submitted to comply with condition 12 above shall be completed and a validation report shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that future users of the site are protected from the harmful effects of contamination. Relevant Policy: Core Strategy policies CP1 and CP3.

Window and roof light details

14. No works shall be undertaken to install the windows and/or roof lights of the hereby approved dwelling until full details for the windows, the full height glazing /glazed doors of the first floor (including the Juliette balcony feature) and the roof lights, have been submitted to and approved in writing by the Local Planning Authority. Details will need to specify the materials and finishes to the frames, and include, as appropriate cross sections, with moulding details. Installation of the windows, first floor glazing and the roof lights shall then be undertaken in accordance with the materials and finishes as approved.

Reason: To ensure that the external appearance of the building is satisfactory. Relevant policy: Core Strategy policies CP1 and CP3.

Gate / Door Details

15. Notwithstanding the details submitted the Brook Street gate/door is to be of a timber ledge and braced timber fabricated, with a corresponding timber gate/door frame and retained as such.

Reason: To ensure that the external appearance is satisfactory. Relevant policy: Core Strategy policies CP1 and CP3.

Details of flue, vents, pipework and rainwater goods

16. Notwithstanding the details submitted, there are to be no flues, vents, pipework or rainwater goods to the exterior elevations of development other than those shown on the plans as approved, unless written approval from the Local Planning Authority is obtained before works are undertaken.

Reason: To ensure that the external appearance of the building is satisfactory. Relevant policy: Core Strategy policies CP1 and CP3.

Parking to be provided

17. No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking space has been provided in accordance with the approved plans. The vehicle parking space shall be permanently maintained and remain available for the parking of vehicles at all times

Reason: To ensure adequate on-site parking provision in the interests of highway safety, convenience and amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

Cycle parking to be provided

18. No building shall be occupied until secure and covered parking for cycles has been provided in accordance with the approved drawing(s)/details. The cycle parking/ storage

shall be permanently so-retained for the parking of bicycles and used for no other purpose.

Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

Visibility splays

19. Prior to occupation of the development the access shall be formed as so-approved and the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height prior to the occupation of the development. The access shall be retained in accordance with the approved details and used for no other purpose and the land within the visibility splays shall be maintained clear of any visual obstruction exceeding 0.6 metres in height at all times.

Reason: In the interests of highway safety and convenience. Relevant policy: Core Strategy policies CP3 & CP6.

Bin store

20. No building shall be occupied until details of bin storage area / facilities have been submitted to and approved in writing by the local planning authority. The bin storage area and facilities shall be permanently so-retained and used for no purpose other than the temporary storage of refuse and recyclable materials.

Reason: In the interests of visual and neighbouring amenities and functional development. Relevant policy: Core Strategy CP3 and Managing Development Delivery Local Plan policy CC04.

Informatives:

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see –

<http://www.wokingham.gov.uk/planning/developers/cil/cil-processes/>

2. The Head of Highways at the Council Offices, Shute End, Wokingham [0118 974 6000] should be contacted for the approval of the access construction details before any work is carried out within the highway (including verges and footways). This planning permission does NOT authorise the construction of such an access or works.

3. Any works / events carried out by or on behalf of the developer affecting either a public highway or a prospectively maintainable highway (as defined under s.87 New Roads and Street Works Act 1991 (NRSWA), shall be co-ordinated and licensed as required under

NRSWA and the Traffic Management Act 2004 in order to minimise disruption to both pedestrian and vehicular users of the highway.

Any such works or events, and particularly those involving the connection of any utility to the site must be co-ordinated by the developer in liaison with the Borough's Street Works team (0118 974 6302). This must take place AT LEAST three months in advance of the intended works to ensure effective co-ordination with other works so as to minimise disruption.