

Agenda Item 114.

Application Number	Expiry Date	Parish	Ward
193339	22 May 2020	Winnersh	Winnersh;

Applicant	Mr S Barley
Site Address	Nirvana Spa Mole Road Sindlesham Wokingham RG41 5DJ
Proposal	Full application for the proposed erection of a two storey detached building to provide 70 no. bedroom hotel accommodation ancillary to spa (Use Class C1) incorporating replacement gym, ancillary facilities and outside swimming pool, with associated car parking and soft landscaping, following demolition of existing 'Pulse 8' gym building.
Type	Full
PS Category	1
Officer	Kayleigh Mansfield
Reason for determination by committee	Major application

FOR CONSIDERATION BY	Planning Committee on Thursday 21 st May 2020
REPORT PREPARED BY	Assistant Director – Place

SUMMARY
<ul style="list-style-type: none"> • This proposal follows the refusal of application 183535 for the demolition of the existing 'Pulse 8' gym building and the erection of a 74 bedroom hotel with replacement gym and outdoor swimming pool. The previous proposal also included internal ancillary facilities, parking and landscaping. • The previous reasons for refusal relate to the principle of development, character and appearance of the area, residential amenity and highway safety. The previous application (183535) also failed to provide adequate information relating to noise, light and flooding impacts. • This latest application is supported by the required sequential test, which adequately demonstrates the delivery of a hotel in this location will not unduly impact the vitality and viability of Wokingham's town and district centres. • The basement level of the hotel is now proposed to be used entirely for the replacement gym. This floor space together with the floor space proposed for the outdoor swimming pool is sufficient to adequately compensate for the loss of Pulse 8 and D2 floor space. • The first reason for refusal of 183535 is considered to be sufficiently addressed. The principle of the proposed development is therefore accepted by officers. • Alternations to the design include the removal of the third storey bedroom accommodation and greater detailing of the buildings elevations. The proposed design changes, together with an improved soft landscaping scheme gains the support of officers, subject to condition and therefore the second reason for refusal is considered to be addressed.

- The application is also now supported by the required technical information relating to Noise, Lighting, Flood Risk and Highways. No objections have been raised, subject to conditions outlined in the recommendation section of this report.
- This proposal is now considered by officers to overcome all previous reasons for refusal 183535, subject to completion of a signed legal agreement as outlined below.

PLANNING STATUS

- Contamination Land
- Bat Roost Habitat Suitability
- GC News Consultant Zone
- Minerals Site Consultation Area
- Replacement Mineral Local Plan
- Tree Preservation Orders
- Complete PRow
- SSSI Impact
- Thames Basin Heath SPA
- Ordinary Watercourse
- Limited development location

RECOMMENDATION

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

A. Completion of a legal agreement for:

Employment Skills Plan – Details to be provided in the members update

B. Conditions and informatives:

Conditions:

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).

2. This permission is in respect of the submitted application plans and drawings names and numbered:

Location plan

Proposed Site Plan 218051 08 REVA

Existing Floorplans and Elevations 218051 07 RevA

Proposed Basement and Ground Floorplan 218051 03 RevD

Proposed First Floor and Roof Plan 218051 04 RevD

Existing and Proposed SW and NE Elevations 218051 05 RevD

Existing and Proposed SW and NE Elevations 218051 06

Proposed part site plan 01 rev A

Proposed site plan 02 rev D

received by the local planning authority on 17 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. External materials – Prior to commencement of the commencement of superstructure works, samples and details of the materials to be used in the construction of the external surfaces of the building/s shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details.

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

4. Demolition required - No part of the proposed building is to be occupied by customers or membership holders until the existing Pulse 8 building is demolished.

Reason In the interests of the amenity of the area. Relevant policy: Core Strategy policies CP1 and CP3, and Managing Development Delivery Local Plan policies TB01.

5. No development shall take place until details of a scheme (Construction Method Statement) to control the environmental effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
 - (i) the control of noise
 - (ii) the control of dust, smell and other effluvia
 - (iii) the control of rats and other vermin
 - (iii) the control of surface water run-off
 - (iv) the proposed method of piling for foundations (if any)
 - (v) proposed construction and demolition working hours
 - (vi) hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of the amenities of the area: Core Strategy policies CP3 & CP6.

6. 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.

7. Prior to commencement of the superstructure works full details of ventilation/air conditioning plant has been submitted to and approved by the local planning authority. The works shall be carried out in full accordance with the details so-approved.

Reason: In the interests of the amenities of the area

8. No development shall commence until a report detailing a revised lighting scheme and demonstrating how this will not adversely affect wildlife has been submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:
- A layout plan with beam orientation
 - A schedule of equipment
 - Measures to avoid glare
 - Isolux contour maps 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

9. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following
- a) Risk assessment of potentially damaging construction activities.
 - b) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (should include a Great Crested Newt precautionary method statement).
 - c) The location and timing of sensitive works to avoid harm to biodiversity features, such as great crested newts or nesting birds.
 - d) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - e) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise impacts on biodiversity in accordance with Paragraphs 170 And 175 of the NPPF.

10. Prior to the occupation of the development, details of biodiversity enhancements, to include bird and bat boxes, tiles or bricks on and around the new buildings and native and wildlife friendly landscaping, shall be submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved.

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

11. Prior to the commencement of the superstructure works, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the local planning authority. These details shall include mitigation planting and the net increase in trees on the site and , as appropriate, proposed finished floor levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and minor artefacts and structure (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external

services, etc). Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.

Reason: In the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21 (and TB06 for garden development).

12. a) No development or other operation shall commence on site until an Arboricultural Method Statement and Scheme of Works which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site in accordance with BS5837: 2012 has been submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in complete accordance with the details as so-approved (hereinafter referred to as the Approved Scheme).

b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.

c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.

d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

Reason: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

13. Prior to the commencement of the superstructure works a landscape management plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, other than privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved.

Reason: In order to ensure that provision is made to allow satisfactory maintenance of the landscaping hereby approved. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

14. Prior to the commencement of the development, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

i) a timetable for

its implementation; and

ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

iii) Appendix 12 SuDS and drainage strategy ref no. 71621.01R2 report states that Once the SuDS strategy has been approved in principle and once all Site Investigation has been undertaken, a full design of the proposed SuDS strategy will need to be submitted to LLFA.

iv) Infiltration results of intrusive ground investigation demonstrating seasonal high groundwater levels for the site and infiltration rates in accordance with BRE365.

v) Full calculations demonstrating the performance of capacity of attenuation features to cater for 1 in 100 year flood event with a 40 per cent allowance for climate change and runoff controlled at Greenfield rates, or preferably better.

vi) A drainage strategy plan for the proposed development with demonstration that the base of SuDS features are at least 1m above seasonal groundwater level. A maintenance management plan for the SuDS features throughout the lifetime of the development and who will be responsible for the maintenance.

Reason: To prevent increased flood risk from surface water run-off. Relevant policy: NPPF Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.

15. No development, other than demolition to ground level (i.e. excluding the grubbing out of foundations) shall take place within the application area until the applicant has secured the implementation of a programme of archaeological works, which may comprise more than one phase of investigation, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site lies within an area of archaeological potential; specifically relating to the prehistoric and Roman settlement of the Loddon valley. A programme of works is required to mitigate the impact of development and to record any surviving remains so as to advance our understanding of their significance in accordance with national and local plan policy

16. Prior to the occupation of the development details of the waste water infrastructure need for the site are submitted to and approved in writing by Thames Water. the development a Drainage Report until confirmation has been provided that either

1. Capacity exists off site to serve the development, or

2. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development

17. Between the hours of 21.00-11.00 the rooftop garden hereby permitted will be vacated and not accessible to customers or membership holders.

Reason: Reason: To protect the amenity of neighbouring residential development.

18. 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.

19. Prior to the occupation of the development, full details of the opaque glazed rooftop garden screening facing onto Harrow Way shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details and shall be retained thereafter.

Reason: To ensure the opaque glazing provides adequate privacy screening for adjacent residents.

20. Car park and parking details

Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority, details of the off-street parking spaces within the site. The vehicle parking spaces shall be permanently maintained and remain available for the parking of vehicles at all times. Details should include pedestrian routing through the site and the locations of the Electric Vehicle Charging points and be delivered and retained as approved.

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

21. Cycle parking details required

Prior to the commencement of the development hereby permitted details of secure and covered bicycle storage/ parking facilities for the occupants of [and visitors to] the development shall be submitted to and approved in writing by the local planning authority. The cycle storage/ 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 the approved form 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 and CP6 and Managing Development Delivery Local Plan policy CC07.

22. Visibility splays to be approved

Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority, details of the proposed vehicular access to include visibility splays of 120m x 2.4. 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 and CP6.

23. 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) Construction access,
- b) Details of any site construction office, compound and ancillary facility buildings. These facilities shall be sited away from woodland areas,
- c) The parking of vehicles of site operatives and visitors,
- d) Programme of works / phasing / lorry routing and potential numbers (including measures for traffic management and operating hours),
- e) Loading and unloading of plant and materials,
- f) Storage of plant and materials used in the construction of the development,
- g) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- h) Details of measures to prevent mud from vehicles leaving the site during construction to include wheel washing facilities,
- i) Measures to control the emission of dust, dirt and noise during construction,
- j) A scheme for recycling/disposing of waste resulting from construction works,
- k) Lighting on site during construction (including temporary)
- l) Measures to ensure no on site fires during construction
- m) Monitoring and review mechanisms
- n) Appointment of a Construction Liaison Officer

Reason: To protect occupants of nearby dwellings from noise and disturbance during the construction period, in the interest of highway safety and convenience and to minimise the environmental impact of the construction phase in accordance with Wokingham Borough Core Strategy Policies CP1, CP3, CP6 and CP7 and TB23 of the Managing Development Delivery Local Plan Policy

24. Travel Plan

Prior to the occupation of the development a Travel Plan 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. 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 Sustainable Transport and Core Strategy policy CP6.

25. Delivery and Servicing Plan

Prior to occupation a Delivery and Servicing Plan be submitted to and approved in writing by LPA

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

26. Electric Vehicle Charging

Prior to commencement of the development (excluding demolition), details for an Electric Vehicle Charging Strategy serving the development shall be submitted for approval in writing by the Local Planning Authority. This strategy should include details relating to on-site infrastructure, installation of charging points and future proofing of the site unless otherwise agreed in writing by the Local Planning Authority

Reason: In order to ensure that secure electric vehicle charging 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 and Appendix 2 and the Council's Parking Standards Study Report (2011)

Informatives:

1. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
2. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on adjacent highways. For further information contact the Highway Authority on tel. 0118 9746000.
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.
4. 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.

5. The applicant's attention is drawn to the presence of a c.2m wide service strip running adjacent to the surfaced roadway. The service strip forms part of the adopted public highway. It is an offence for any works to be undertaken within this service strip without express permission in writing from the highway authority. The Head of Technical Services at the Council Offices, Shute End, Wokingham (0118 9746000) must be contacted for the approval of any such works.
6. This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated 1990, the obligations in which relate to this development.
7. This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated [INSERT], the obligations in which relate to this development.S106 informative

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 and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

PLANNING HISTORY		
Application Number	Proposal	Decision
183535	Refusal for demolition of existing 'Pulse 8' gym building and erection of 74 bedroom hotel extension with replacement gym, ancillary internal facilities and outside swimming pool plus ancillary car parking and landscaping	18 March 2019
180039	Approval for electric charging points	14 February 2018
171888	Approval for single storey extension	31 August 2017
171889	Approval for infill extension	31 August 2017
F/2013/1790	Approval of single and two storey extension over existing tennis courts to form salt therapy room and celestial spa, with soft landscaping and revisions to car park layout	18 December 2013
F/2012/0719	Approval for the erection of two single storey extensions to provide staff offices and staff restroom	24 May 2012
F/2012/0461	Approved for the alteration to existing gardens to provide an external swimming pool with hot spas plant room structure gardens and relaxation areas. (Retrospective)	19 April 2012
F/2011/2425	Proposed installation of solar panels to main gym hall roof.	29 December 2011

F/2010/2606	Approval for the erection of front extension to existing Nirvana Spa Gymnasium.	18 January 2011
F/2000/3073	Approval for the erection of building for use as security post.	01 February 2001
F/1998/67215	Approval for the erection of two storey extension to health club	10 June 1999
F/1997/65163	Approval for a new roof, mezzanine floor, new windows and Fire Escape stairs	24 March 1997
F/1995/63180	Approval for the erection of a single storey extension to Health Club and construction of external Fire Escape	07 February 1996
F/1995/61312	Approval for the erection of a single storey extension to Private Club to form Gymnasium, Aerobics Studio, Hydro Crèche and associated parking	25 December 1996

SUMMARY INFORMATION	
For Commercial:	
Site Area	3.71ha
Previous land use(s) and floor space(s)	D2 (Assembly and leisure) 3681 m2
Proposed floor space of each use	C1 (Hotels) 12289 m2
Change in floor space (+/-)	D2 (Assembly and leisure) - 3681 m2
	C1 (Hotels) + 12289 m2
Number of jobs created/lost	100 proposed employees equivalent number of full-time
Existing parking spaces	622
Proposed parking spaces	703

CONSULTATION RESPONSES

Highways	<p>No objection subject to the following conditions:</p> <ul style="list-style-type: none"> • Parking as approved • Car Park Details to be approved • Details of Cycle Parking to be approved • Visibility splays to be approved • Construction Method Statement • Travel Plan to be approved • Delivery and Servicing Plan • Electric Vehicle Charging <p>No objection and no suggested conditions</p>
Planning Policy	<p>No objection subject to the following conditions:</p> <ul style="list-style-type: none"> • Sustainable Drainage details
Drainage	<p>No objection subject to the following conditions:</p> <ul style="list-style-type: none"> • Hard and Soft Landscape Proposal • Tree Protection • Landscape Management Plan • Sustainable Drainage
Landscape and Trees	<p>No objection subject to the following conditions:</p> <ul style="list-style-type: none"> • Construction Management Plan • Permitted Hours of Demolition and Construction • Details of ventilation/air conditions plant
Environmental Health	<p>No objection subject to the following conditions:</p> <ul style="list-style-type: none"> • Revised lighting scheme • Construction Environmental Management Plan • Details of biodiversity enhancements <p>No objection subject to signed legal agreement.</p>
Biodiversity	<p>No objection subject to informatives.</p>
Employment and Skills	<p>No objections and no suggested conditions.</p>
Thames Water	<p>No objections and no suggested conditions.</p>
Public Right of Way	<p>No comments received</p>
Royal Berkshire Fire and Rescue	<p>No comments received</p>
Southern Gas Networks	<p>No comments received</p>
SEE Power Distribution	<p>No comments received</p>

NHS Wokingham Clinical Commissioning Group	No comments received
WBC Education (School Place Planning)	No comments received
WBC Cleaner & Greener (Waste Services)	No comments received
WBC Property Services	No comments received

REPRESENTATIONS

Parish Council:

Winnersh Parish Council - Object

1. Noise pollution

Officer comment: The proposal is supported by a noise impact assessment which has been assessed by the Environmental Health team who determine the level of noise resulting from the development is acceptable, in terms of neighbour amenity impacts.

2. Light pollution

Officer comment: The proposal is additionally supported by a light impact assessment which has also been assessed by Environmental Health. As with the noise impacts Environmental Health are satisfied the development will not result in unacceptable light spillage on the adjacent residential development.

3. Hours of construction and demolition

Officer comment: The application has been conditioned to set out the permitted demolition and construction hours which the applicant must abide to.

Local Members:

Councillor Prue Bray: Requests further clarity how the loss of the Pulse8 and D2 floor space has been adequately compensated for.

Officer Comment: The proposal now includes the whole of the basement for the Gym by removing the previously proposed hotel storage area. This floor space area, together with the proposed outdoor swimming pool area is now considered to compensate for loss of Pulse8 and D2 floor space. This is supported by the Planning Policy team who confirm:

“The proposal incorporates an enlarged gymnasium at basement level which, when including the external swimming pool, amounts to a total of 3747sqm. Such provision equates to a substantial increase relative to the existing Pulse 8 gym which amounts to 2786sqm.”

Neighbours:

A total of 21 objections were received from 17 individual residents:

- There is not a requirement for another hotel:

Officer comment: The proposed 70 bedroom hotel would not compete with hotels located in the Town Centre, as supported by the sequential test and Planning Policy comments. It would instead encourage people outside of Wokingham into the Borough.

- Out of keeping with the character of the area:

Officer comment: The proposed reduction in height and elevation detailing is considered an improvement on the previously refused building and contributes to the overall character of the Nirvana Spa site. These design changes, together with an improved landscaping scheme across the proposal site is considered, by officers, to maintain the character of the area.

- The proposal will result in increased noise and light pollution:

Officer comment: This proposal is supported by the noise and light impact assessment which confirm the level of spillage would be acceptable. This is further supported by the environmental health officer, subject to condition.

- The proposal will result in increased flooding of the River Loddon:

Officer comment: This proposal is supported by a Flood Risk Assessment which has been assessed by the Councils' flood risk officer who provides no objection to the proposal, subject to condition.

- Increased traffic resulting from the development

Officer comment: The assessment has shown that there would only be an increase of traffic in the AM peak but that this would be less than the daily variation.

- Roof garden/terrace to be vacated by 9pm not just closed.

Officer comment: Should the proposal be approved the rooftop garden has fixed opening times, controlled by planning condition. The space will not be accessible to customers or members outside the hours of 11.00 to 21.00

- Harrow Way should not be used for Construction Traffic. Vehicles should not be permitted to wait in Mole Road

Officer comment: This will be included in the construction method statement which has been secured by planning condition.

- Regular resident updates are requested with a dedicated point of contact. Access to an escalation path should also be provided in event of no contact from Nirvana.

Officer comment: Residents should engage with the Councils enforcement team if a breach in planning condition, such as working outside of permitted hours, is identified. All other communications regarding the site will be escalated to the relevant officers, to include the allocated Construction Liaison officer.

- Increased disturbance from vehicles parked closer to Harrow Way:

Officer comment: The proposal includes a 2.5m high timber acoustic fence along the site boundary to reduce noise impacts from the parking design. This 2.5 metre fence will additionally obstruct headlight spillage out of the site.

- Increased trade traffic on Harrow Way resulting from deliveries into the site

Officer comment: This will be secured through a Delivery and Servicing Plan which would be secured by condition.

APPLICANTS POINTS

The proposal accords with Local Development Plan policies, and gains further support from national guidance in the NPPF, specifically through the increase in local employment opportunities and further supporting a successful and sustainable local business. It is therefore respectfully requested that planning permission for the proposed hotel extension at Nirvana Spa be granted.

PLANNING POLICY

National Policy	NPPF	National Planning Policy Framework
Adopted Core Strategy DPD 2010	CP1	Sustainable Development
	CP2	Inclusive Communities
	CP3	General Principles for Development
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP9	Scale and Location of Development Proposals
Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
	CC02	Development Limits
	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 (from all sources)
	CC10	Sustainable Drainage
	TB08	Open Space, sport and recreational facilities standards for residential development
	TB12	Employment Skills Plan
	TB15	Major Town, and Small Town/District Centre Development
	TB16	Development for Town Centre Uses
	TB21	Landscape Character
	TB23	Biodiversity and Development
Supplementary Planning Documents (SPD)	BDG	Borough Design Guide

PLANNING ISSUES

Development Description:

1. The application is located in the village of Sindlesham, a limited development location. The existing gym building to be demolished is located to the south west of the site, adjacent to Harrow Way.
2. The application site comprises a detached gym building (formerly Pulse 8) which is proposed to be demolished and a new hotel building erected on the site. The new building will be erected to the north of Pulse 8, in closer proximity to the Spa building.
3. The Nirvana Spa and Pulse 8 gym have predominantly functioned independently from one another and the proposal seeks to unify the offering across the site. As per the current situation, the gym would comprise private member facilities and not be open to the general public.
4. The previous application (193339) was refused for the following reasons:
 1. The application fails to demonstrate the principle of development is acceptable, by reason of the absence of a Sequential and Impact Test demonstrating the effect of the new hotel, outside of a town centre location, on the vitality and viability of the Borough's town/district centres. The development also fails to demonstrate that the loss of an individual gym (a community and recreational facility) and D2 floor space would be adequately compensated for. The development is contrary to policy CP2 and CP3 of the Core Strategy, CC01, TB08 and TB16 of the MDD Local Plan and section 7 of the NPPF.
 2. The proposed development would result in an incongruous form of development that would detrimentally impact the character and appearance of the area, by reason of the large scale, monolithic form, size and poor design of the building and the loss and limited provision of soft landscaping. The development would be contrary to policy CP1 and CP3 of the Core Strategy, CC01, CC03 and TB21 the MDD Local Plan, the Borough Design Guide SPD and section 12 of the NPPF.
 3. In the absence of a Noise Impact Assessment; Lighting Assessment and details regarding the operation/open hours of the hotel and ancillary uses, it has not been demonstrated that the proposed development would have an acceptable impact with regard to noise, disturbance and light pollution on the amenity of the neighbouring residents. The proposal is contrary policy Core Strategy policy CP1 and CP3; MDD Local Plan Policy CC01 and section 12 of the NPPF.

In the absence of Flood Risk Assessment, the application fails to demonstrate that this Major Development for a More Vulnerable Use in areas that experience Surface Water Flooding would have an acceptable impact with regard to sustainably managing Flood Risk. The application is contrary to CP1 and CP3 of the Core Strategy, CC01, CC09 and CC10 of the MDD Local Plan and section 14 of the NPPF.

4. In the absence of sufficient information, it has not been demonstrated that the proposed development would have an acceptable impact on highway safety; adequate parking capacity; internal layout for pedestrians or would promote sustainable transport options via a Framework Travel Plan. The proposal is

contrary to Core Strategy policy CP1, CP2, CP3 and CP6, MDD Local Plan policy CC07 and section 9 &12 of the NPPF.

5. In the absence of a completed legal agreement, the proposal fails to secure opportunities for training, apprenticeships and other vocational initiatives to develop local employability skills contrary to Core Strategy Policies CP1 and CP4 and MDD Local Plan policy TB12.

5. The latest application varies from the previous application in that the hotel is now proposed to accommodate 70 rooms and no longer seeks to include conference rooms on the ground floor or storage space in the basement. The full area of the basement is now afforded to the replacement gym. The scale of the building has been reduced by the removal of the third storey and improvements have been made to the design of the elevations and soft landscaping scheme.

6. The application is also supported by the required sequential test and technical information such a Highways details and noise, light and flood risk assessments.

Principle of Development:

7. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan (MDD) Policy CC01 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.

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

Impact of town centre use and sequential test:

9. The previous application (183535) for the demolition of Pulse 8 gym and erection of 74 bedroom hotel rooms was previously refused for the absence of sequential test and the loss of gym and D2 floorspace as outlined above.

10. This latest application is supported by a sequential test which assessed potential alternative hotel and spa sites, greater than 1.65ha, within a defined town or district centre, or edge of centre locations. Planning Policy confirm the test satisfactorily demonstrates that there are no alternative sites in sequentially preferable locations, which are available, suitable and commercially viable.

11. Accordingly, the proposed use of the application site for the proposed hotel and spa, satisfies the sequential test and complies with Policy TB16 of the MDD Local Plan and Section 7 of the NPPF (updated Feb 2019). It is therefore considered that the basis for the current sequential test is more robust.

12. The application is further supported by a Leisure Impact Assessment which states the proposal will transform the existing leisure-based spa facility, which relies mostly

on local custom, into a luxury Spa Hotel that draws a range of visitors from further afield to an out of town setting. The expansion of the business proposed in the application concerns the addition of the hotel, not any expansion of the Spa. The facility would be marketed nationally to inbound tourists, meaning new custom would arise from hotel guests rather than people residing in the local area.

13. From the information provided Planning Policy confirm the proposal would not compete with town centre uses; rather competition would arise from other regional Spa Hotels.
14. The applicants have now provided additional information and a greater level of clarity on how the loss of existing facilities will be compensated for. The proposal incorporates an enlarged gymnasium at basement level which, when including the external swimming pool, amounts to a total of 3747sqm. Such provision equates to a substantial increase relative to the existing Pulse 8 gym which amounts to 2786sqm.
15. By way of comparison to the previously refused scheme, the revised proposal sees the enlargement of the gymnasium at basement level and the removal of the 'hotel storage' area. The ground floor level has also been substantially reconfigured through the removal of the conference facilities and banquet room, with only a single guest restaurant and small coffee shop/bar remaining. A large proportion of the ground floor would instead be given over to guest accommodation.
16. The applicants have confirmed that as per the current situation, the gym would comprise private member facilities only and would not be open to the general public. The additional information and clarity provided by the applicants in support of their application in this regard is considered to satisfactorily to comply with Core Strategy Policy CP3 and MDD Policy TB08.
17. The supporting information accompanying this planning application is considered to overcome the first reason for refusal and the principle of development is therefore accepted by officers.

Character of the Area:

18. Policy CP1 of the Core Strategy states that planning permission will be granted for development proposals that 'maintain or enhance the high quality of the environment'. Policy CP3 of the Core Strategy states planning permission will be granted if development is 'of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design' and contributes 'to a sense of place in the buildings and spaces themselves and in the way they integrate with their surroundings (especially existing dwellings) including the use of appropriate landscaping'. The supporting text to policy CP3 also sets out that development should be of a high standard of design that can integrate with the character of the area as this is important to achieving sustainable development
19. The proposed development has been reduced in height and one storey of the building is now removed. This has resulted in a wider structure and an increased amount of ground level floor space. The reduction in height and widening of the proposed structure towards the existing spa facilities results in the building being read as one coherent development and overall, has an improved relationship with the existing development on the site.

20. The proposed design also now benefits from a greater level of fenestration and elevation detailing, which relieves the impact of the buildings bulk and mass on character of the area. The inclusion of soft landscaping across the site will also assist in the development assimilating into the wider verdant character.
21. The proposed design alterations, in particular, relocation of the building closer to existing facilities and reduction in height, results in a more inclusive and coherent development across the site. The proposal is now considered by officers to be of an appropriate scale and design which contributes to the Nirvana Spa site and wider character of the area in accordance with Policies CP1 and CP3. As such, the proposal addresses reason for refusal no 2 of the previous application 183535.

Residential Amenities:

22. The amended proposal no longer includes a third storey of guest accommodation which is considered to be an improvement in terms of the proposals relationship with the residential properties on Harrow Way. The building has also shifted closer towards the Spa building further improving this relationship.
23. The proposal moves the built form further from the residents from the existing development which is sited close to the boundary. The proposed rooftop garden will remain in excess of 60 metres from the nearest residential garden on Harrow way. This is in line with the requirements of the Borough Design Guide which sets out the minimum separation distance to maintain privacy over 2 storeys is 30metres. The proposal also retains the 1.8m high opaque glazed screen for this space to ensure the continued privacy of existing residents. This arrangement remains acceptable and samples of the proposed glazing is requested by condition, as is the retention of this screening.
24. The previous proposal was refused due to concerns raised by Environmental Health with respect to noise and light impacts on existing residential properties. The previous application was not supported by noise and light impact assessments and as such officers could not be satisfied the development could be delivered without detriment to residential amenity.
25. An External Lighting Impact Report was undertaken by T16 Design, who concluded the hotel would not represent a risk for light pollution to neighbouring dwellings. The report outlines that advanced software has been used to understand the distribution of light under night-time conditions. This demonstrated that no increase in light at the boundary of the site will occur.
26. The Noise Impact Assessment undertaken by Walnut Acoustics concluded the proposed removal of the Pulse 8 gym complex and the development of a new hotel next to the Nirvana Spa site would have no additional impact in terms of noise levels in the context of the existing noise climate.
27. The environmental health officer has been consulted on these two documents and is satisfied with the development can be delivered without detriment to residential amenity. Reason for refusal no. 3 of application 183535 relating to Noise and Light impacts on existing residential development is therefore now considered to be overcome and is acceptable subject to condition.

Flooding and Drainage:

28. Core Strategy Policy CP1 and MDD Policies CC09 and CC10 establish that new development should avoid increasing and where possible reduce flood risk (from all sources) by first developing in areas with lowest flood risk, carrying out a Flood Risk Assessment (FRA) where required and managing surface water in a sustainable manner.
29. The site is located in Flood Zone 1. The footprint of the building will be predominantly located in an area at risk from surface water flooding areas with a high and medium risk of surface water flooding are located on the site close to the proposed location of the building. As the site is over 1ha a Flood Risk Assessment (FRA) is required.
30. The previous application was not supported by the required Flood Risk Assessment and could therefore not be supported. The application is accompanied by a Flood Risk Assessment undertaken by GeoSmart which outline the mitigation measures proposed as part of the development. The assessment has been reviewed by the flood risk and drainage officer who confirms support of the proposal, subject to suggested conditions. As such, the proposal addresses reason for refusal no 4 of the previous application 183535.

Access and Movement:

31. *Highway Safety:* The existing access will be used for the hotel and assessments have been carried out to prove that vehicles can access and egress the site safely. In addition, the gateway has been widened to enable a separate pedestrian access to be provided. Moreover, within the site, a pedestrian route will be marked out with dropped kerbs and on road markings to segregate pedestrians from vehicles. Details of which have been secured by condition
32. *Traffic Impact:* There would be an increase in traffic in the morning peak from the hotel however this would be less than the daily variation on traffic and this is acceptable. The management of deliveries to the hotel would be secured through a Delivery and servicing plan
33. *Parking:* The level of parking proposed for the hotel would be 4 less than Borough Standards, however these 4 spaces and spaces for staff parking can easily be accommodated within the proposed 703 spaces on site. There will be 6 electric vehicle charging spaces which is welcome and the details of these will be secured by condition. An additional 5 disabled spaces will be provided which is in line with Borough Standards.
34. *Sustainability:* Whilst this location is poorly served by buses, Winnersh Station is within an acceptable walking distance providing services to Reading, Wokingham and Guildford for example. The hotel does operate a shuttle bus service to and from the station on request. A travel plan for the hotel (guests and staff) has been secured by condition and this will assist in encouraging more sustainable forms of travel to and from the hotel.

Landscape and Trees:

35. Core Strategy Policy CP1 and CP3 and MDD Policies CC03 and TB21 seeks to ensure development does not have a detrimental impact on the landscape character and its features, and enhances the high quality of the environments in the borough

36. The site abuts the countryside to the south, east and west. The site is mostly located in Wokingham District Landscape Character Area J2 'Arborfield Cross and Barkham Settled and Farmed Clay' a moderate quality landscape with a modest capacity for change.
37. However, the far eastern edge of the site and the land opposite is part of the high quality landscape of L1 'Bearwood Wooded Sands and Gravel Hills' and has a limited capacity for change, comprising of wood pasture visible on the east side of Mole Road. Key issues affecting the areas are loss of native hedgerow, over maturity of veteran hedgerow trees, and loss of structure and species diversity of woodland cover. The landscape strategy is to retain and enhance the positive landscape character and seek to improve their condition.
38. The site is subject of an Area TPO 48/1971 which applies to the S and SW site boundaries, and TPO 582/1993 that applies to the E and N of the site. The species within the TPOs are broadly Oak, Holly, Maple, Cedar, Ash, Sycamore and Hawthorn. The protected trees are to the edges of the site and these are mature native species of character and form a significant element of the site and is its defining landscape feature.
39. The application is supported by a revised Arboricultural Survey, Impact Assessment and Draft Protection Plans including Heads of Terms Method Statement. In addition to this a 'Detailed Soft Landscape Proposals' Dwg. No. BHA_330_05_LS' has been received, seeks to introduce and acceptable level of soft landscaping across the site.
40. The proposal results in the removal of 20 moderate quality-trees and 15 low-quality trees will be required. All of these trees are young or semi-mature and located in the existing car park area. Many of these trees also have a history of unsympathetic pruning. None of the trees to be removed are protected by Tree Preservation Order.
41. On the basis that appropriate mitigation planting is proposed and a net increase in trees on the site will be provided, the arboricultural losses associated to the proposed development are considered acceptable. The landscape and tree officer has reviewed the submitted information and has no objection to the proposal, subject to condition.

Ecology:

42. Core Strategy Policy CP7, carried forward by MDD LP Policy TB23, requires appropriate protection of species and habitats of conservation value. Design Principle 1b (i-ii) is concerned with protection of ecological habitat and biodiversity features, together with mitigation of any impacts that do arise. The biodiversity officer has reviewed the submitted information regarding ecology and biodiversity and provides the following observations.
43. The site is located in habitat which matches that where bat roosts have previously been found in the borough and is within the borough council's great crested newt (GCN) consultation zone. The site largely comprises building and hardstanding with some scattered trees and small patches of amenity grassland. Tree lines border the site. To the northwest are agricultural fields and to the southeast is a small woodland (across the B3030). There is a pond known to host GCN within the site boundary, approximately 140 meters from the proposed new hotel.

44. The ecology report (Derek Finnie Associates, August 2018) has been undertaken to an appropriate standard and concludes the current gym building is unlikely to host roosting bats. Likewise, the trees scheduled for removal are unlikely to host roosting bats. However, the surrounding tree lines and adjacent woodland provide suitable habitat for use by foraging and commuting bats. The ecology report states that no lighting is proposed within the new car parking area which is contrary to the lighting report which states the car park indeed benefit from a variety of lighting across the proposal site.
45. Whilst the Lighting report adequately addresses the impact of light on existing residential development the lighting in the car park and the use of uplighting is likely to result in unacceptable levels of light spillage into the night sky and onto the surrounding trees and adjacent woodland. This could adversely affect foraging and commuting bats, their prey, and other nocturnal wildlife. The biodiversity officer therefore requests an updated lighting report which considers the ecological assets across the site by condition.
46. The ecology report concludes that the habitats to be immediately affected by the development are unsuitable for use by Great Crested Newts and isolated from the pond by further unsuitable habitat. It concludes that GCN are unlikely to be affected by the proposals. However, due to the extent of the works and the proximity of the proposed works to a known GCN pond a Construction Environmental Management Plan (CEMP) for biodiversity is requested by planning condition.

Sustainable Design/Construction:

47. Policy CP1 and the Council's Sustainable Design and Construction SPD requires proposals to maintain or enhance the high quality of the environment through contributions toward sustainable development.
48. In line with these requirements the proposed development incorporates the following sustainability measures, which are considered acceptable, subject to Building Regulations:
- a) Roof, wall and fenestration materials controlled by condition, to match or complement the existing building materials.
 - b) High quality insulation.
 - c) 'A' rated electrical appliances and energy saving light fittings.
 - d) Sustainable water use through utilisation of on-site aquifer as per the existing Spa facility.
 - e) 'A' rated double glazed windows with south and east facing windows for solar gain.
 - f) A combination of conventional gas and use of existing onsite Combined Heat and Power Heating system.
 - g) Proposed solar panels on the flat roof of the proposed hotel extension.
49. The sustainably measures proposed are considered suitable and appropriate for the site, subject to the approval of Building Control.

Archaeology

50. Core Strategy Policy CP3 and MDD Policy TB25 require the archaeological impact of development to be taken into consideration.

51. There are potential archaeological implications with this proposal as evidenced by Berkshire Archaeology's Historic Environment Record (HER). The application site lies on a terrace of the River Loddon, a tributary of the River Thames. There is now ample evidence that the Loddon valley was settled and farmed from prehistory to the present day and recent archaeological investigations have revealed the remains of several important settlement and industrial sites in proximity to the application area.

52. This application proposes a development on a reasonable scale and in view of the archaeological potential of the application site, the applicant is requested to secure the implementation of a programme of archaeological works by planning condition.

Employment Skills

53. The application is for Major Development. Policy TB12 of the MDD Local Plan states proposals for major development should be accompanied by an Employment and Skills plan to show how the development would provide opportunities for training, apprenticeship or other vocational initiatives to develop local employability skills required by developers, contractors or end users of the proposal. This would be secured via a section 106 agreement. Completion of such an agreement would address reason for refusal no 6 of the previous application 183535.

The Public Sector Equality Duty (Equality Act 2010)

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

It is considered by officers that all previous reasons for refusal have been overcome by this proposal, subject to conditions and signed legal agreement. The application is therefore considered to be compliant with the Council's adopted policies and the objectives of the National Planning Policy Framework.

This page is intentionally left blank