

Application Number	Expiry Date	Parish	Ward
193248	01 st June 2020	Shinfield	Shinfield South;

Applicant	Southern Electric Power Distribution
Site Address	Land North of Church Lane, Church Lane, Three Mile Cross
Proposal	Full application for the proposed erection of a temporary compound to facilitate infrastructure works, including hardstanding, parking, fencing and gates, cabins and storage units. (Part retrospective)
Type	Full
PS Category	21
Officer	Brian O'Donovan
Reason for determination by committee	Major application

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

SUMMARY
<p>The application is before Committee as the application site measures an area of 1.6 hectares and therefore is within the Major Application site area threshold.</p> <p>The application for the change of use for the proposed erection of a temporary compound to facilitate essential infrastructure works, including hardstanding, parking, fencing and gates, cabins and storage units is considered to be acceptable as it would not have an unacceptable long term impact upon the character and environment of the countryside due to its temporary nature. The proposal would not have a detrimental impact upon the objectives of the South of the M4 Strategic Development Location. It has also been demonstrated that the development would not have a detrimental impact upon the amenity of neighbouring occupiers, upon highway safety and parking provision or upon trees and landscape. It is therefore recommended that this application is approved.</p>

PLANNING STATUS
<ul style="list-style-type: none"> • Countryside location • Strategic Development Location (South of M4) • Wind turbine safeguarding zone • Landscape Character Assessment • Special Protection Area – 5 and 7 km • Groundwater protection zone • Nuclear consultation zone • Bat Roost Habitat Suitability • Overhead Electricity Cable Consultation Zone • Contaminated land consultation zone

RECOMMENDATION

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

Conditions and informative:

A. Conditions and informative:

1. Temporary Use Period

The use hereby permitted shall be discontinued within 24 months of the date of this planning permission in accordance with a scheme of work that shall have first been submitted to and approved in writing by the local planning authority. The land shall be restored to its former condition within 6 months of the cessation of the use hereby approved.

Reason: To ensure the maintenance of the long term quality of the countryside environment. Relevant policy: Core Strategy Policies CP1, CP3 and CP11.

2. Personal Permission

The temporary use hereby permitted shall be carried on only by Southern Electric Power Distribution (or any such successor organisation that may occupy the compound similarly for the provision of essential electrical supply infrastructure), unless otherwise agreed in writing with the local planning authority.

Reason: In granting this permission the local planning authority has had regard to the special circumstances of the case, being the need to ensure the provision of essential infrastructure supply and maintenance. Relevant policy: Core Strategy policies CP1.

3. Approved Plans

This permission is in respect of the submitted application plans and drawings numbered 19.1_A, 20.1_A, 21.1_A, 21.2, 21.2, 21.3, 21.4, 22.1, 23.1 and 24.1 received by the local planning authority on 13/01/2020. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by 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.

4. Visibility Splays

Within 12 weeks of the date of this decision 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 120 x 2.4m. 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.

5. Cycle Parking

Within 12 weeks of the date of this decision details of secure and covered bicycle and motor 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 and motor cycle storage/ parking shall be implemented in accordance with such details as may be approved and shall be retained in the approved form for the parking of bicycles and used for no other purpose as long as the approved development is in use.

Reason: In order to ensure that secure weather-proof bicycle and motor cycle 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.

6. Routing Plan

Within 12 weeks of the date of this decision details of the lorry routing plan shall be submitted to and approved in writing by the LPA. The routing plan shall be implemented in accordance with such details as may be approved and shall be retained in the approved form as long as the approved development is in use.

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

7. Drainage Details

Within 12 weeks of the date of this decision details of the drainage system for the site have been submitted to and approved in writing by the LLFA. The LLFA requires the submission of drawings which show the drainage details for surface and foul water. 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.

8. Contamination

Should any unforeseen contamination be encountered during the development, the developer shall inform the LPA immediately. Any subsequent investigation/remedial/protective works deemed necessary by the LPA shall be carried out to agreed timescales and approved by the LPA in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the LPA upon completion of the development.

Reason: To protect future occupiers and users of the site from the harmful effects of contamination.

Informative:

1. 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.

2. In relation to condition 1 these details shall include a method statement for the removal of Type 1 MOT surface, reinstatement of topsoil, reseeding of site, investigating the possible mitigation measures for TPO trees and timescales. The restoration plan shall be carried out as approved within six months of finishing on site.

PLANNING HISTORY

173046 - Full application for the proposed erection of a 1.8m high green mesh fence and gates to existing field entrance, replacing existing palisade fence – Approved 13.12.2017

CONSULTATION RESPONSES

National Grid	No comments received
Thames Water	No comments received
SSE Power Distribution	No comments received
WBC Drainage	No objection subject to condition
WBC Environmental Health	No objection subject to condition
WBC Highways	No objection subject to conditions
WBC Tree & Landscape	No objection subject to condition
WBC Property Services	No comments received
WBC Growth and Delivery	No comments received

REPRESENTATIONS

Town/Parish Council: No comment

Local Members: No comments received

Neighbours: No comments received

PLANNING POLICY

National Policy	NPPF	National Planning Policy Framework
Adopted Core Strategy DPD 2010	CP1	Sustainable Development
	CP3	General Principles for Development
	CP4	Infrastructure Requirements
	CP6	Managing Travel Demand
	CP8	Thames Basin Heaths Special Protection Area

	CP9	Scale and Location of Development Proposals
	CP11	Proposals outside development limits (including countryside)
	CP19	South of the M4 Strategic Development Location
Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
	CC02	Development Limits
	CC03	Green Infrastructure, Trees and Landscaping
	CC06	Noise
	CC07	Parking
	CC09	Development and Flood Risk (from all sources)
	CC10	Sustainable Drainage
	TB04	Development in vicinity of Atomic Weapons Establishment (AWE), Burghfield
	TB21	Landscape Character
Supplementary Planning Documents (SPD)	BDG	Borough Design Guide – Section 4

PLANNING ISSUES

Description of Development:

1. The proposed development is for the construction of a temporary compound that is to assist the maintenance and upgrade works to local and regional electrical supply. The application site is proposed to function as a hub for deliveries and transport of materials necessary to support the upgrade works locally. The application site is used to house temporary office space/welfare units and for the storage of non-hazardous materials for distribution to the surrounding construction sites. The application is retrospective with the use and development having already commenced
2. Top soil from the application site has been stripped across the entire area and stored in bunds in the North West corner of the application. Type 1 MOT sub-base has been laid across the application site to provide a suitable running surface for vehicles. A section of the southern side of application has been laid with asphalt to allow for an area of car-parking.
3. Five temporary cabins for office space and two secure storage units have been placed on the asphalt section of the application towards the southern boundary, adjacent to Church Lane. The office/welfare cabins are to individually measure 9.76m in depth, 3m in width and 2.45m in height. , with there being 6 of these sited on the application site. There are to be 8 storage cabins sited on the application site of varying sizes, 6 of these are to be located towards the western boundary and two adjacent to the office cabins by the southern boundary.

4. The application site is secured with a security fence around the entire perimeter. Temporary tower lighting is utilised along the perimeter of the Site during operational hours, when required. Access to site for all vehicles and pedestrians is via the existing access off Church Lane.

Principle of Development:

5. 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.
6. The application site is located within the South of the M4 Strategic Development Location (SDL) This SDL is allocated under Core Strategy Policy CP19 for a development of up to 2,500 new homes and associated infrastructure, including extensive open space. South of the M4 Strategic Development Location Supplementary Planning Document has not identified the application site for any type of development or enhancement. Thus, the proposed temporary change of use of the land would not have a detrimental impact upon the overarching objectives of the SDL. In fact the proposal would assist in delivering development in the SDL, Wokingham Borough and the wider region as it would enable essential local and regional electrical supply to be maintained and upgraded (Scottish and Southern Electrical would operate the site).
7. The application site is also within the designated countryside, with the lawful use of the site being agricultural. Policy CC02 of the MDD Local Plan and CP9 of the Core Strategy define development limits across the Borough including a hierarchy of major, modest and limited locations which typically relates to access to services and the density of the area. The proposed development is located in the countryside and therefore is limited by principles outlined in CP11 of the Core Strategy DPD which relates to proposals outside development limits. It is a restrictive policy designed to protect the separate identity of settlement limits and maintain the quality of the environment. CP11 states that development will not normally be permitted outside development limits except where:
 - It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside; and
 - It does not lead to excessive encroachment or expansion of development away from the original buildings; and
 - It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement; or
 - In the case of residential extensions, does not result in inappropriate increases in the scale, form or footprint of the original building;
 - In the case of replacement dwellings the proposal must:
 - i) Bring about environmental improvements; or
 - ii) Not result in inappropriate increases in the scale, form or footprint of the original building.

- Essential community facilities cannot be accommodated within development limits or through the re-use/replacement of an existing building;
- Affordable housing on rural exception sites in line with CP9.

8. Whilst, the proposed development does not fall neatly into any of the above exceptions, it should be noted that the overarching objective of Policy CP11 is to protect the separate identities of the settlement limits and maintain the quality of the environment of the countryside. In this regard, it is considered that the proposal would not result in a coalescence of different settlement boundaries.
9. The proposal would not strictly comply with the exceptions of Policy CP11, however the proposed use of the site by a statutory undertaker of essential infrastructure on a temporary basis would cause some degree of limited temporary harm. Whilst the impacts upon the environment and character are considered in more detail in the proceeding report, given the temporary nature of the proposal for essential infrastructure works, provided the longer term environment and character is not detrimentally impacted upon (see condition 1), the limited harm upon the countryside would be acceptable in this instance.
10. The proposal is considered to be acceptable on a temporary basis to facilitate delivery of essential utilities infrastructure to support existing and future development but permanent retention would cause an unacceptable impact upon the environment and would not be compatible with Policy CP11 of the Core Strategy. As such, a condition is to be included to ensure that the proposed use can only be carried out by Southern Electric Power Distribution.

Character of the Area:

11. 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, including the use of appropriate landscaping'
12. The application site is located within the designated countryside. The northern side of Church Lane is visually characteristic of the countryside with little in the form of development. It is acknowledged that an application Ref. 172941 was recently granted to the west of the application site for a mixed use of the land for agriculture and the storage of building equipment and the associated erection of a storage building, means of enclosure to land and access gates to road plus retention of existing bund. Implemented or not. It is also noted that opposite the application is Pulleyns Transport Yard.
13. The proposal includes 5 portacabin style temporary structures for office/welfare use and 8 storage containers. It also includes the majority of the site being surface of Type 1 MOT hardstanding, with a smaller section of an asphalt parking area close to the entrance for parking. The application is to include a mix of timber fencing and heras fencing to the boundaries. Whilst the proposal is not typical of the characteristics of the open countryside on the northern section of Church Lane and would generally be resisted, it is noted that the use is for an essential utility infrastructure project for a

limited time period. As noted in the principle of development section of the report, this use is to cease after a period of 24 months and the land is to be returned to its former use (agricultural), this is secured by way of condition. Thus, it is not considered that the proposal would have a long term detrimental impact upon the character and appearance of the area and therefore, on balance, is considered to be acceptable with regard to Policies CP1 and CP3 of the Core Strategy.

Residential Amenities:

14. Policy CP3 of the Core Strategy aims to protect neighbouring amenity. Policy CC06 of the MDD seeks to ensure that proposals must demonstrate how they have addressed noise impacts to protect noise sensitive receptors
15. The application site is located approximately 150m from the closest residential properties to the south west. Therefore, there are no concerns in relation to sunlight/daylight/privacy and in terms of the proposal being overbearing.
16. In relation to potential noise impacts, Environmental Health Officers requested that additional information be submitted by the applicant to justify the assertion within the Planning Supporting Statement that *noise levels are negligible and not considered to be audible above background noise levels by the M4 to the north of the Site.*
17. Additional information has been submitted that outlined that when existing noise baseline based on proximity to the M4 was taken into account with the noise potential of the proposal and the separation from any sensitive receptors that it was not necessary to undertake a noise impact assessment. Environmental Health Officers reviewed the updated information and they have stated that they are satisfied that noise impact assessment would not be required and there are no concerns in relation to noise pollution as a result of the proposal. Thus, the proposal is considered to adhere to Policy CP3 of the Core Strategy and Policy CC06 of the MDD.

Access and Movement:

18. Core Strategy Policies CP1, Sustainable Development and CP6, Managing Travel Demand seek to manage travel demand by a variety of measures. New development to be located to minimise the need to travel and where there are (or will be at the time of development) a choice of modes of transport available. It should also improve the existing infrastructure network, mitigate adverse impacts on the network, enhance road safety and avoid highway or traffic related environmental problems.
19. The application site is accessed from the northern side of Church Lane and provides 13 car parking spaces, with scope for additional parking if required. In their original consultation response WBC Highways Officers have outlined that it is unlikely that traffic from this site would have an adverse impact on the highway network and there are no concerns with the car parking provision. However, they have requested additional information in relation to the siting of the gates, visibility splays, heavy good vehicles access to the site and cycle/cycle motor cycle parking. Given that the application site is located within the countryside and there are no bus or train routes within the immediate vicinity, it is considered that the application is not located in a sustainable location. However, given the fact that the proposal is for use

for essential infrastructure purposes and is only for a 24 month period, it is considered that the lack of sustainable transport would have a limited impact and would be acceptable in this instance.

20. Following the submission of additional information in relation to the above points, Highways Officer have outlined that there are no concerns in relation to the position of the gates and that additional information in relation to visibility splays, cycle/motor cycle parking and a routing plan can be conditioned. As the application site has been in use since approx. 06/07/19, these conditions will be required to be submitted and approved within a limited time-frame (12 weeks). Thus, subject to conditions, the proposal is considered to adhere to Policies CP1 and CP6 of the Core Strategy.

Flooding and Drainage:

21. In accordance with the sequential approach established by the NPPF, Core Strategy Policy CP1 and MDDL 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 (Flood Zone 1).
22. The application is within Flood Zone 1 and WBC Drainage Officers have reviewed the submitted information, stating that they have no objection to the proposed development in principle. As there is a small increase in impermeable area and as drainage details have not been provided, Drainage Officers have requested a condition is included to provide details of the proposed drainage system for the site. As the application site has seemingly been in use since 06/07/19, the condition will be required to be submitted and approved within a limited time-frame (12 weeks).

Landscape and Trees:

23. Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, promote linkages between public open space and the countryside, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character
24. The application site is located within the countryside with the Oak trees on the south-western boundary of the site protected by a TPO (1577/2017). There have been no trees removed to facilitate the development which has already taken place.
25. WBC Landscape and Tree Officers have reviewed the submitted information and they have welcomed the fact that no further works will be undertaken in this area during the 24 month use period. Therefore, WBC Landscape and Tree Officers have no objections to the proposal in relation to harm upon trees or the landscape and requested a condition to ensure the proper restoration of the site is included (see Condition 1). This is to be included and requires the submission of a restoration plan which may need to assess the condition of the TPO trees and include details of mitigation works following removal of the temporary hard surfacing. Subject to conditions, the proposal is considered to adhere to Policies CC03 and TB21 of the MDD.

Environmental Health:

26. Core Strategy policy CP1 requires development to avoid areas where pollution may impact upon amenity.
27. Whilst the Council holds no specific information to indicate that the application site or the area surrounding the site may be contaminated, on a precautionary basis Environmental Health Officers have requested that a condition pertaining to contamination is included. This requires the applicant to report any contamination to the LPA if it is encountered during operations. In the event that this occurs subsequent investigation/remedial/protective works deemed necessary by the LPA shall be carried out to agreed timescales and approved by the LPA in writing

Community Infrastructure Levy (CIL), Special Protection Area (SPA) & Affordable Housing:

28. *Community Infrastructure Levy:* Mitigation is now secured through the Community Infrastructure Levy (CIL) the rate of which is set out in the council's charging schedule. As the proposal is for a temporary compound for essential infrastructure the fee payable is £0.
29. *Special Protection Area:* This application is outside the 5km buffer zone of the SPA however it is within the 7km buffer. As the proposal is for a temporary compound an Appropriate Assessment would not be required to be carried out.
30. *Affordable Housing:* The proposal does not meet the threshold for the provision of affordable housing as per Policy CP5 of the Core Strategy. Therefore no affordable housing is required.

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

The application for the change of use for the proposed erection of a temporary compound to facilitate essential infrastructure works, including hardstanding, parking, fencing and gates, cabins and storage units is considered to be acceptable as it would cause limited harm upon the character and environment of the countryside due to its temporary nature. The proposal would not have a detrimental impact upon the objectives of the South of the M4 Strategic Development Location. It has also been demonstrated that the development would not have a detrimental impact upon the amenity of neighbouring occupiers, upon highway safety and parking provision or upon trees and landscape. It is therefore recommended that this application is approved as it would accord with the NPPF and development plan policies for Wokingham Borough.