

Agenda Item 16.

Application Number	Expiry Date	Parish	Ward
200378	13/08/2020	Hurst	Hurst;

Applicant	Wokingham Borough Council, Shute End, Wokingham, RG40 1BN		
Site Address	Dinton Activity Centre, Sandford Lane, Hurst, RG10 0SU		
Proposal	Full application for the erection of an activity centre, with activity hall, changing facilities, classroom facility, ancillary offices and café, landscaping and parking following demolition of the existing Dinton Activity Centre.		
Type	Full		
PS Category	6		
Officer	Stefan Fludger		
Reason for determination by committee	Applicant is Wokingham Borough Council. Application is a major Application.		

FOR CONSIDERATION BY	Planning Committee on Wednesday, 12 th August 2020
REPORT PREPARED BY	Assistant Director – Place

SUMMARY

The applicant is Wokingham Borough Council. The proposal is for a replacement activity centre at Dinton Pastures Country Park, with ancillary teaching space and café.

The proposal has been altered throughout the application process due to the removal of a pedestrian bridge over the Emmbrook, which drew objection from the Environment Agency on flooding and biodiversity grounds. These objections have now been withdrawn.

While the proposal is in the Countryside, it is considered acceptable in principle. The proposal is larger than the existing building and contemporary in design but is not considered harmful to the character of the area. Subject to conditions, no harmful impacts on neighbouring properties would occur. No other issues are raised.

PLANNING STATUS

- Countryside
- Public Rights of Way
- Landfill Gas Consultation Zone
- Sand and gravel extraction
- Flood Zones 2 and 3
- Groundwater protection zone
- Local Wildlife Site
- SSSI Impact Risk zones.
- Water vole consultation zone
- Bat roost consultation zone.

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 landscape plans and drawings numbered:

DAC-MAC-00-00-DR-L-1001 REV P06
DAC-MAC-00-00-DR-L-1002 REV P05
DAC-MAC-00-00-DR-L-1003 REV P06
DAC-MAC-00-00-DR-L-1004 REV P04
DAC-MAC-00-00-DR-L-1005 REV P03

received by the Local Planning Authority on 27/02/2020 and other plans and conditions numbered:

DAC-HLM-00-00-DR-A-0000-P04
DAC-HLM-00-00-DR-A-0001 REV P07
DAC-HLM-00-00-DR-A-0002 REV P19
DAC-HLM-00-XX-DR-A-0020 REV P02
DAC-HLM-00-XX-DR-A-0003 REV P03
DAC-HLM-00-XX-DR-A-0021 REV P07
DAC-HLM-01-00-DR-A-0010
DAC-HLM-01-XX-DR-A-0020
DAC-HLM-02-00-DR- A-0010 REV P11
DAC-HLM-02-01-DR-A-0011 REV P13
DAC-HLM-02-XX-DR-A-0021 REV P10
DAC-HLM-02-XX-DR-A-0022 REV P10
DAC-HLM-02-XX-DR-A-0020 REV P10
DAC-HLM-02-RF-DR-A-0012 REV P08
DAC-HLM-02-XX-DR-A-0023 REV P10

Received by the local planning authority on 22/07/2020.

And drainage drawings numbered

DAC-CONSI-00-XX-DR-C-1510 REV P01 (final version – marked by planning officer)

3219-CONSI-00-00-DR-C-1530 REV P1 (final version – marked by planning officer)

received by the local planning authority on 22/07/2020. 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.

Buffer Zone

3. No development shall take place until additional details for the provision and management of a 10 metre wide buffer zone alongside the Emmbrook have been submitted to and approved in writing by, the local planning authority. This shall be in addition to and in accordance with the landscaping details already approved and outlined on plans numbered DAC-MAC-00-00-DR-L-1001 REV P06, DAC-MAC-00-00-DR-L-1002 REV P05, DAC-MAC-00-00-DR-L-1003 REV P06, DAC-MAC-00-00-DR-L-1004 REV P04 and DAC-MAC-00-00-DR-L-1005 REV P03.

Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The additional details shall include:

- Details demonstrating how the already approved buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

Reason: Land alongside watercourses particularly valuable for wildlife and it is essential this is protected. This is in accordance with TB23 of the Adopted Managing Development Delivery Local Plan 2014.

This approach is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

CEMP and LEMP

4. No development shall take place until a construction environmental management plan & a landscape and ecological management plan has been submitted to, and

approved in writing by, the local planning authority. The CEMP shall deal with the treatment of any environmentally sensitive areas, detailing the works to be carried out showing how the environment will be protected during the works. The CEMP shall include the following elements:

- The timing of the works
- The measures to be used during the development in order to minimise environmental impact of the works (considering both potential disturbance and pollution)
- The ecological enhancements as mitigation for the loss of habitat resulting from the development
- A map or plan showing habitat areas to be specifically protected (identified in the ecological report) during the works.
- Any necessary mitigation for protected or notable species
- Construction methods
- Any necessary pollution protection methods
- Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrate they are qualified for the activity they are undertaking.

The LEMP shall include:

- long-term design objectives
- details of maintenance regimes
- details of any new habitat created on-site, including the creation of scrapes in the floodplain
- details of treatment of site boundaries and buffers around water bodies
- details of management responsibilities

The construction environmental management plan and the landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

Reason: The development within the floodplain, buffer zone and watercourse proposed as part of this development could have an unacceptable effect on the ecological value at this site. The Emm Brook and the riparian zones are key habitats and act as important wildlife corridors. The ecological enhancements that have been proposed will require a management plan to be in place. This will ensure the landscape provides a maximum benefit to people and the environment.

The River Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote their recovery. Without a landscape and ecological management plan, the proposal's ecological impact may lead prevent a water body quality element from attaining good status in the Emm Brook. This is because it could contribute to reduced water quality, the spread of invasive, non-native species and fail to address morphological reasons for poor biological quality elements.

This approach is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and

enhance the environment by minimising impacts on and providing net gains for biodiversity.

Employment Skills Plan

5. The development shall not be commenced until an Employment and Skills Plan has been submitted to and approved in writing by the local planning authority. The Employment and Skills Plan shall show how the development hereby permitted provides opportunities for training, apprenticeship or other vocational initiatives to develop local employability skills and shall be implemented in accordance with the approved details.

Reason: To ensure training opportunities are available for local workers. Relevant policy: Managing Development Delivery Local Plan policy TB12

Landscape Management Plan

6. Prior to first use of the development development a landscape management plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, 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.

External Materials

7. Before the development hereby permitted is commenced above ground works, samples and details of the materials to be used in the construction of the external surfaces of the building/s and hard ground surfacing, decking, fencing and terracing materials 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.

Environmentally Friendly Lighting Strategy

8. No development shall be occupied until a report detailing the internal and external lighting scheme and 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
- An isolux contour map showing light spillage to 1 lux both vertically and horizontally within and outside the application site

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.

Biodiversity Net Gain

9. No development hereby permitted shall be occupied, including any site clearance or preparatory works, until a Biodiversity Impact Assessment calculation for the application site using the most up to date (at the time of the submission of the application to discharge this condition) Defra Biodiversity Metric, with supporting documentation, to demonstrate that there will be a 10% net increase in Habitat and River Biodiversity Units, has been submitted to and approved in writing by the council. This shall include a net gain in the number of trees planted (in addition to those shown on the approved landscaping plans).

The calculator shall be based upon the detailed landscaping scheme already approved and the landscape and ecological management plan agreed under Condition 6.

If the calculator shows that off-site habitat provision or enhancement is required to demonstrate that there will be a 10% increase in biodiversity units, full details of any off site habitat creation (within Dinton Pastures) or enhancement, including its management in perpetuity, shall be submitted to and approved in writing by the council.

Reason: To ensure that a net gain in biodiversity is achieved in accordance with paragraphs 170, 174 & 175 of the NPPF and policy.

Parking

10. No part of any building hereby permitted shall be occupied or used until the vehicle parking and turning spaces have been provided in accordance with the approved plans. These need not be formally demarcated. The vehicle parking and turning spaces shall be retained and maintained in accordance with the approved details and the parking space shall remain available for the parking of vehicles at all times and the turning space shall not be used for any other purpose other than vehicle turning.

Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road safety and convenience and providing a functional, accessible and safe development and in the interests of amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

Electric Vehicle Charging

11. Prior to first use of the new activity centre, 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 and

shall be implemented in accordance with the approved details, 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).

Parking Management Strategy

12. Prior to the first use of the development, a Parking Management Strategy for the management of the parking arrangements shall be submitted to and approved in writing by the local planning authority. The submitted Parking Management Strategy shall include details of the management of all parking spaces and the monitoring and the delivery of additional electric vehicle charging spaces when required.

Reason: To ensure satisfactory development in the interests of amenity and highway safety in accordance with Wokingham Borough Core Strategy Policies CP1, CP6, CP13 and CP21 and MDDLDP policies CC07 and TB20.

Travel Plan

13. Prior to the first use of the new activity centre, 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 4 (Sustainable Transport) and Core Strategy policy CP6.

Ground Gas

14. Before any buildings hereby approved are occupied, the gas protection measures as identified in report (Preliminary Ground Gas Monitoring, Assessment and Remedial Strategy Report number IN19568 CL 001 dated February 2020) submitted with the planning application shall be installed and validated by a suitably competent person. A copy of the validation report shall be provided to the Local Planning Authority for written approval.

Reason: To protect future occupiers of the site from the risks associated with landfill gas

Demolition

15. a) Within three months of the first use of the new activity centre, the existing structure(s) shown to be demolished on the approved plan shall be so demolished.

b) Within three months of the new activity centre, all materials arising from the demolition of buildings on the site shall be permanently removed from the site.

Reason: To protect neighbouring properties from additional noise from activities, in the interests of the character of the area/Countryside and to ensure that enough parking is available.

Arboricultural Method Statement

16. a) No development or other operations shall take place except in complete accordance with the Arboricultural Method Statement (rev A) dated 11th February 2020 and accompanying Tree Protection Plan (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.

Delivery Times

17. No deliveries shall be taken in or dispatched from the site outside the hours of 9:00am to 17:00 Monday to Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard residential amenities. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policies CC06 and TB20.

Noise

18. The level of noise emitted from all activities on the premises shall not exceed 33dB when assessed at the nearest noise sensitive receptor between the hours of 08:00 and 23:00 Monday to Sunday.

Reason: To protect future residents of the site and the occupants of nearby

residential properties from noise.

Hours of Use

19. The use hereby permitted shall not operate other than between the hours of 09:00 and 23:00 Monday to Sunday and shall not operate at all on between the hours of 23:00 to 09:00am Monday to Sunday.

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

Hours of Construction

20. 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.

Landscaping:

21. All hard and soft landscape works shall be carried out in accordance with the approved details the first planting season following completion 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).

FRA:

22. The development shall be carried out in accordance with the submitted Flood Risk assessment (2370), dated July 2020 and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 37.85 metres above Ordnance Datum (AOD)
- Compensatory storage as shown in Drawing SK01 Rev F

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

BREEAM

23. The new building shall be constructed in accordance with BREEAM level ‘Very Good’ in accordance with the requirements of BREEAM [or such national measure of sustainability for non-residential design that replaces that scheme].

Reason: To ensure developments contribute to sustainable development. 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 policy CC04.

Informatives:

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. This is a matter for the developer. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. 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. Any business/local authority development in the area of the Reservoir Inundation map need to have an emergency plan in place to respond to an incident involving a reservoir covered by the Reservoirs Act. The emergency plan should be bespoke to the building and its occupants and should cover sheltering, rapid evacuation and Business Continuity (long term closure).
3. The proposed development is located within 5m of a strategic water main. Thames Water do NOT permit the building over or construction within 5m, of strategic water mains. It is recommended that the developer contacts Thames Water regarding how they intend to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

PLANNING HISTORY		
Application Number	Proposal	Decision
02314	Sports and Leisure facilities.	Approved - 15/05/1975
02987	Golf course	Approved – 04/09/1975
03518	Farm buildings to club site	Refused – 30/10/1975

06052	Car park for 20 fishermen's cars and surfacing of farm track.	Approved – 14/04/1977
06053	Building for use of fishermen	Approved – 14/04/1977
06054	Temp hut for fishing bailiffs	Refused – 18/02/1977
16902	Public bar for golf course and club house.	Approved – 11/02/1982
18252	Extension of existing car park	Approved – 21/10/1982
13745	Renewal of use as club house	Approved - 31/07/1983
29659	Extension of boat car park and fencing	Approved - 08/01/1984
35996	Overflow golf course car park	Approved – 22/08/1990
14766	Club house, water sports facilities, country park centre, car and boat park, bridge, demolition of barn and earth mound as sound barrier.	Approved – 31/01/1991
40600	Retention of existing clubhouse and extension to clubhouse to form breakfast bar.	Approved – 30/03/1993
F/1996/63366	Erection of a boat and equipment store.	Approved – 30/04/1996
180159	Full planning application for the erection of a high ropes climbing tower	Approved – 27/04/2018
191852	Pre application advice for the proposed replacement of Dinton Activity Centre.	Replied – 15/08/2019
192823	Screening opinion application for an Environmental Impact Assessment for a proposed redevelopment of Dinton Activity Centre.	Approved – 27/11/2019

192987	Pre-application advice for the demolition of the existing Dinton Activity Centre and erection of a replacement activity centre, with activity hall, changing facilities, conference/classroom facility, ancillary offices and café along with the provision of a new pedestrian bridge, landscaping and parking	Replied – 20/12/2019
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SUMMARY INFORMATION	
For Commercial	
Site Area	1.69 ha
Previous land use(s) and floorspace(s)	Activity centre – 322 m ²
Proposed floorspace of each use	622 m ²
Change in floorspace	+300 m ²
Number of jobs created/lost	N/A
Existing parking spaces	66
Proposed parking spaces	86

CONSULTATION RESPONSES	
Crime Prevention Design Officer	No comment.
Southern Gas Networks	Standing Advice
SEE Power Distribution	Standing Advice
Thames Water	No comments received
WBC Biodiversity	No objection, subject to conditions.
Environment Agency	No objection.
WBC Drainage	No objection.
WBC Environmental Health	No objection, subject to conditions.
WBC Highways	No objection, subject to conditions.
WBC Tree & Landscape	No objection, subject to conditions.

REPRESENTATIONS
<p>Town/Parish Council: - Welcomes the benefits of this proposal, however questions the amount of parking proposed. Additionally they state that the proposed café area is too small to serve the development.</p> <p><i>Officer note: The amount of parking available is 86 spaces, in line with standards and this is discussed in the relevant section of this report. The size of the café is not a material planning consideration and this is and should remain ancillary to the activity centre use.</i></p> <p>Local Members: No comments received</p> <p>Neighbours:</p> <p>3 objections received regarding the following:</p>

Without permit only parking on Davis Street, Davis Way, Little Hill Road, Dunt Lane, Lodge Road and Sandford Lane, car parking would not be under control. This will block access for residents and landowners. This could be controlled by the Council by parking attendants.

Officer Note: The parking requirements have been addressed in the relevant section of this report.

1 Comment in support received:

It is positive that energy efficiency has been given a high priority in line with the WBC climate change emergency and that no gas will be used. Has ground source heating been considered instead of air source? Has rainwater harvesting been considered?

Officer Note: Air source heating is proposed, however this is considered acceptable. Rainwater harvesting has not been proposed, however it is considered that the proposal achieves the aims set out in the relevant policies and is acceptable.

1 other comment received:

Generally supportive of the scheme, however the building is plain looking and bland. A more dramatic scheme would be more appropriate.

The dragonfly is not a public work of art and a piece of sculpture should be installed.

Officer Note: The impact on the character of the area is discussed in the relevant section of this report. The Borough Design Guide indicates that public art can help create a distinctive sense of place and local character. This is guidance and art has not been proposed. It is not considered that this substantiates a reason to refuse this application.

APPLICANTS POINTS
<ul style="list-style-type: none"> • The new facility will continue to operate in the same way as existing, offering a range of outdoor activities including various non-motorised water sports, climbing and ziplining activities. Whilst the offer provided by the Dinton Activity Centre will not change, the improved facilities will allow the centre to operate during winter months which is currently very difficult given the limited internal space at the existing site. • The proposal comprises the significant improvement and redevelopment of a long-established facility to bring the centre up to modern standards and allow it to be used year-round. It will therefore not give rise to any impacts on any other centres throughout the Borough, nor the surrounding area. • Pre-application discussions have been carried out, along with an Environmental Impact Assessment Screening opinion. • It is considered that the building and its design will be viewed as an isolated piece of architecture and design, which providing a sympathetic approach is taken to the immediate locality, will have little impact on the character of the area. • No harm would arise to neighbouring dwellings. • Whilst not a requirement of the project, due to it being below the threshold on Policy CC05, the building will utilise an array of passive measures in relation to heating, cooling, ventilation and lighting, which will lead to an approximately 20% reduction in CO2 emissions. Furthermore, the construction of the building will be undertaken having regard to the principles of BREEAM.

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
	CP4	Infrastructure Requirements
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP9	Scale and Location of Development Proposals
Adopted Managing Development Delivery Local Plan 2014	CP11	Proposals outside development limits (including countryside)
	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
	TB12	Employment Skills Plan
	TB16	Development for Town Centre Uses
	TB21	Landscape Character
	TB23	Biodiversity and Development
Supplementary Planning Documents (SPD)	BDG	Borough Design Guide – Section 4
		DCLG – National Internal Space Standards

PLANNING ISSUES

Description of Development:

1. The proposed development would comprise the demolition of the existing Dinton Activity Centre and the construction of a new 2 storey activity centre and additional hall block on land immediately to the north of the existing activity centre. The new activity centre would be a larger modern replacement of the existing centre. A new secure compound would also be constructed adjacent.
2. The proposal has been altered throughout the application process due to the removal of a previously proposed pedestrian bridge over the Emmbrook, which drew objection from the Environment Agency on flooding and biodiversity grounds. These objections have now been withdrawn.
3. The new facility would continue to operate in the same way as existing, offering a range of outdoor activities including various non-motorised water sports, climbing and ziplining activities. At ground floor, the activity centre would comprise a full suite of changing facilities, along with wet suit storage, reception area and WCs. The first floor of the building would contain a classroom suite with moveable wall to provide adaptable working space, café and associated kitchen, WCs and staff breakout zone. An outdoor spectator terrace would be provided to the first floor, providing views over the lakes.
4. The proposal would provide an enhanced community facility, to replace old and dated buildings. The details submitted with this application suggest that the number of visitors is expected to increase from just under 15000 visitors annually to approximately 26000. However, it is not intended that the replacement centre would increase the number of people on a day to day basis, rather the expanded inside spaces would allow the centre to remain operational for more of the year outside the peak summer season. During the peak summer season it is envisaged that the majority of the visitors would continue to do activities on the lake or external climbing wall and peak daily numbers would remain similar to the existing centre.

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. 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. However, the proposal is in the Countryside and therefore outside of settlement limits. Paragraph 83 of the NPPF indicates that sustainable tourism and leisure developments which respect the character of the Countryside should be supported. Additionally, all types of business should be supported in rural areas.
 - Similarly, Policy CP11 of the Core Strategy does not permit development outside of development limits unless it falls within the following exemption criteria:
 - **A sustainable rural or recreational enterprise, where it does not lead to excessive expansion away from the original buildings.**
 - Residential extensions or replacement dwellings where it does not result in inappropriate increases in scale, form or footprint or would bring about environmental improvement
 - **Essential community facilities which cannot be accommodated within development limits or through the re-use or replacement of an existing building.**
 - Affordable housing on rural exception sites adjacent to modest or limited development locations and a localised need is demonstrated
7. The proposal would involve the re-building of an existing community facility. While it is not within settlement limits, the nature of the use of the site requires it to be close to the lakes and therefore the location in the Countryside is considered acceptable. In any case, CP11 of the Core strategy provides for the replacement of existing facilities. As the use already exists on the site and the expansion of businesses is supported outside of settlement limits by government policy, it is considered that the determining factor as to the acceptability of the scheme in principle is whether it represents inappropriate expansion away from original buildings. The original buildings on the site appear to be the existing clubhouse with various amendments/extensions to car parking and boat storage areas, neither of which were present in 1947.
8. The original buildings can be considered those present in 1947, or if built since then, the original buildings on the site. Dinton Pastures has a long and complex planning history, however it is clear that nothing was present in this area in 1947.

The original buildings on the site appear to be the existing clubhouse with various amendments/extensions to car parking and boat storage areas. As the two new buildings would be located in a similar position to the existing building it is not considered that the position is unacceptable in principle, subject to the demolition of the existing club hut within a reasonable time frame. Additionally, there does not appear to be any expansion of the car parks and therefore this would not represent additional spread into the countryside. Nor would the re-location of the existing storage containers, which would be placed in a new secure compound.

9. The proposed building is quite bulky and angular and has moved across the site in relation to the existing buildings, however these would be removed. Also, the height of the building would only be approximately 10 metres. Additionally, the bulk of the structure is split across two buildings, lined with walkways in between and the building is set back from and at an angle to the lake (from where the most prominent views would be).
10. The centre would not be only for activities, with a classroom and café area. The applicant has indicated that the classroom in the existing activity centre is used as:
 - an education space for children visiting the centre as part of their ecological / science lessons
 - As a briefing area for children / adults attending the centre for outdoor activities
 - Used by the Winnersh scouts four nights a week
11. A lot of the courses run by the centre require an element of classroom learning, such as junior and adult sailing lessons. The centre also runs instructor training courses which require about a 50-50 split between classroom and outdoor training. In addition, first aid courses are run from the centre, which are 100% classroom based. Currently, the space is too confined for the groups who use the centre and when large groups attend the site this often leads to overspill into the garden areas. The centre lacks space when activities are being carried out simultaneously. The proposed building would allow groups to take part in activities in the hall while other groups can attend more formal education sessions in the classroom, without being impacted by bad weather. When a contained classroom is not required, the space can be enlarged by opening up the moving partition to the café. This would provide space for children to eat during their days at the centre, as well as at other times providing more space to the publicly accessible café when the centre is not being used purely as an education centre.
12. For these reasons it is clear that the café and classroom would be ancillary to the activity centre, despite being relatively large. Given that the building would not significantly encroach beyond existing buildings and represents a community facility for recreation it is considered acceptable in principle.

Character of the Area:

13. Paragraph 130 of the NPPF indicates the following: *'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into*

account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.'

14. Paragraph 170(b) of the NPPF requires that planning applications enhance the natural and local environment by 'recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'

15. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and must be of high quality design.

16. CC03 of the MDD Local plan indicates that development proposals should demonstrate how they have considered and achieved the following criteria within scheme proposals:

a) Provide new or protect and enhance the Borough's Green Infrastructure networks, including the need to mitigate potential impacts of new development

b) Promote accessibility, linkages and permeability between and within existing green corridors including public rights of way such as footpaths, cycleways and bridleways

c) Promote the integration of the scheme with any adjoining public open space or countryside

d) Protect and retain existing trees, hedges and other landscape features

e) Incorporate high quality, ideally, native planting and landscaping as an integral part of the scheme.

Development proposals which would result in the loss, fragmentation or isolation of areas of green infrastructure will not be acceptable.

Development proposals within the River Valley areas shall improve or contribute toward:

a) The establishment of a Loddon/ Blackwater riverside footpath and bridleway, as defined on the Policies Map, to accommodate dual use

b) The establishment of a riverside footpath and cycleway to accommodate dual use along the Emm Brook

c) Opportunities for improvements to green infrastructure to help minimise flood risk

17. With regards development in the Countryside, the Borough Design Guide states:

- RD1 – New development and associated landscape should retain, incorporate and enhance features that contribute towards the landscape character
- RD5 requires that development relates to the building forms in the locality.
- RD6 states that development should be sympathetic to the traditional character of surrounding villages and that elevations should be well composed, well-proportioned and well detailed.
- RD7 requires that materials should be those which are distinctive to the locality, however overall design does not need to be ‘pastiche’.
- RD8 requires the retention of the existing character of the village in the transition between public and private space

18. Regarding non-residential proposals/buildings outside of settlement limits, the Borough Design Guide states the following:

- NR1 – Non-residential development should be designed to respond to and exploit key features or characteristics of the site and the local context.
- NR5 - Building height, bulk and massing should be designed to relate well to the local context.

19. The proposal involves a large geometric building, which is of a different scale to the existing small buildings on site and therefore, while the provision of a community facility weighs in favour of the proposal, its impact on the character of the area needs to be assessed carefully and needs to be adequately justified. The building is also in a prominent location on the edge of the lake and will therefore attract significant views. The applicant has provided evidence that the building would not be harmful to the character of the area within the Design and Access Statement and has also provided a Landscape and Visual Impact Assessment. It should be noted that the scheme has been revised to take account of comments made during pre-application public consultation

20. The applicant has stated that the choice of materials is highly influenced by the centre’s location within the Country Park, the rural character of the site, and the function of the centre. While the proposed building is modern in appearance, it is considered that the significant amount of wood cladding on all elevations of the building does soften its appearance. The differing width of the profiled fins would also vary its appearance and character. After several seasons this cladding will weather and will turn silver-grey, which will further help the building blend into the rural location and it is considered that the silver-grey colour would be complimentary to the often grey colour of the lake. The materials which are harder in appearance such as the fibre cement cladding have been minimised and confined to areas where a hard wearing material is required, such as where they will get wet from outdoor activities. The warmer wood materials are therefore dominant.

21. A number of design inspirations have been given in the details provided, including the River and Rowing Museum at Henley. However, it is important to ground the design of this development in the context of the site its-self. The applicant has indicated that the immediate surroundings have been a source of inspiration for the external appearance of the building and have informed the form of the centre. It is indicated that the roof line of the building will undulate in a similar way to the horizontal planes of the tree lined edges of the lake. Additionally it is indicated that the prominence of woodland in the surrounding area has led to the inclusion of the 'hit and miss' vertical timber cladding, which reflects surrounding vertical tree trunks. The verticality of the different types of timber also reflects the nearby boat masts. Bespoke signage has also been designed into the building, with a dragonfly motif reflecting the wildlife found in the country park.

22. The Borough Design Guide refers to buildings in the locality and that buildings should be sympathetic to the traditional character of surrounding villages. There is no clearly defined character to the area. Additionally, the building would be of such a scale as to create its own character. It is considered that the significant use of timber would reflect the wooded character of the area, especially when weathered. While other materials would also be used and the building would be significantly contemporary, the Borough Design Guide does note that pastiche designs are not necessarily required but that elevations should be well composed, well-proportioned and well detailed. It is also considered that the proposal would bring about environmental improvements as the immediate environment surrounding the activity centre is currently poorly accessed and un-inviting. The proposal clearly addresses the lake and provides a terrace which overlooks it. While this creates a contemporary appearance, it is considered that the position of the building, its relatively long footprint, terrace and new bridge do exploit the lakeside location. While the building is relatively bulky, it is agreed with the applicant that it relates to the views across the lake towards trees – with its variety of roof levels. The building in relation to the wider landscape is discussed in more detail below:

Trees and Landscapes:

23. The site is located within the countryside and identified within the Wokingham District Landscape Assessment (March 2004) as being within landscape character area B1:- Loddon Valley with Open Water. The area around the site and within Dinton Pastures Country Park are very closely related to the intrinsic character of this wider landscape including large expanses of open water relating to flooded former gravel workings and carr (waterlogged wooded terrain) vegetation around the lakes, all of which are important habitats for wildlife.

24. A Landscape and Visual Impact Assessment (LVIA) dated November 2019 has been submitted with the application to assess the impacts of the proposed development on the wider landscape.

25. The existing activity centre lies towards the north-eastern corner of Dinton Pastures Country Park. This area of Dinton Pastures is not especially built up, unlike other areas related to the main car parks, and consequently, there are not many buildings in this area of the Park. To the immediate south lies an old golf course whilst to the west lies Black Swan Lake. The Emm Brook separates the centre from the lake. Sandford Lane bounds the site to the north, with several residential properties located immediately to the east.

26. The LVIA states the following, which aligns with the Officer's view in terms of design:

Willow tree cover and carr (waterlogged wooded terrain) woodland extends continuously around Black Swan Lake, enclosing the lake and creating physical and visual separation from the surrounding landscape. Consequently, views from the Centre tend to focus westwards across the open water of the lake, with woodland and evergreen hedge planting to the immediate east of the parking area restricting views in this direction, such that views of the nearby residential properties to the east are particularly limited. The woodland surrounding Black Swan Lake almost entirely limits views of the surrounding built up areas to the south and west, giving the area a strongly rural, undeveloped character which contributes strongly to a sense of seclusion, particularly in the north of the country park.

...

Whilst the existing building and its outdoor paved terrace faces westwards across the lake, the proposed building would directly and more logically address the lake to its west through its location, organisation and orientation, with proposed pedestrian decking and first storey spectator terracing facing westwards and creating a more positive relationship with the adjacent lake than currently exists. Whilst the proposed building would represent a more prominent built feature on the lakeside than the current centre, its architectural treatment would ensure that it would not appear to encroach into the surrounding countryside character. The architectural approach to material palette, overall building height and importantly the massing of its various components would ensure that the proposed building would generally recede into its wooded background, appearing as a single stand-alone contemporary structure set within a relatively undeveloped landscape context of water, trees and sky. This design approach would assist in reducing the overall bulk of the building, breaking up its roofscape profile and avoiding the new building breaching the skyline above the adjacent tree canopy level, and would contribute positively to minimising the overall impact of the proposed building on the landscape character of the proposed activity centre site and also on the character of the surrounding Country Park.

...

27. The assessment concludes that in overall terms, any changes to the landscape character of the proposed development site are considered to be low, and consequently, the effect on its landscape character would be a slight adverse effect at worst and not significant. This is largely dependent on the flat, wooded and enclosed nature of the site (which largely restricts views of the building) and the fact that the building would be kept below 10 metres, below the tree line – it would not break the wooded skyline. Views from the north, east and south would be screened by intervening woodland and tree belts of the Dinton Pastures Country Park. Views from the west would be across the waters of Black Swan Lake, with the building being seen within and against its wooded backdrop. At the 5 viewpoints where the building is partially visible and is assessed as having slight adverse visual affect, however its visibility within its landscape setting is considered a positive factor in attracting visitors to it. The slight adverse effects would result from only 5 of the assessed viewpoints because of small changes to

the existing views from across the lake and at the entrance of the site. The Council's trees and Landscapes Officer has not objected to the conclusions of this proposal.

28. Trees are an important component of the character of the area. An Arboricultural Method Statement (rev A) dated 11th February 2020 and accompanying Tree Protection Plan have been provided. None of the trees within the site are protected by a TPO and the Trees and Landscapes Officer has no objection to the removal of 12 trees within the existing car park area. These are mainly crack willow. Their contribution to the character of the area is minimal. In any case, 12 new hazel trees would be planted elsewhere on site. A condition has been attached and this will ensure that there is a biodiversity net gain, this has been worded in such a way as to require a net gain in tree planting. The trees and vegetation surrounding the site will be retained as part of the proposals maintaining the wider character of the area. Trees within the car park areas shown to be retained will need to be protected in accordance with the Arboricultural Method Statement and this can be conditioned. Landscaping plans have been provided and are considered acceptable.
29. As identified, there would be some low changes to the visual character of the existing views towards the site from some locations, resulting in a slight adverse effect. However, the LVIA also acknowledges that this is not significant. For this reason and the positive design aspects considered above, it is considered that the design of the proposal and its impact on the character of the area is acceptable and the proposal is in accordance with the relevant policies.

Residential Amenities:

30. Policy CP3 of the Core Strategy aims to protect neighbouring amenity.
31. Overlooking: R15 of the Borough Design Guide SPD requires the retention of reasonable levels of visual privacy to habitable rooms, with separation of 22-30m to the rear and 10-15m across the street. There are nearby residential properties, however these would be approximately 42 metres from the proposed new buildings. It is therefore unlikely that the proposed development would be harmfully overlooking.
32. Sunlight and Daylight: Due to the distance of the proposal from neighbouring properties, it is unlikely to lead to a harmful loss of light.
33. Overbearing and Sense of Enclosure: Due to the distance of the proposal from neighbouring properties, it is unlikely that it would lead to harmful overbearing impacts or a sense of enclosure.
34. Noise disturbance: Policy CC06 and Appendix 1 of the MDD Local Plan requires that development protects noise sensitive receptors from noise impact. The proposal is close to residential dwellings and therefore such noise impacts are an important consideration. A noise impact assessment has been submitted with this application, this concludes:

- Traffic Noise- The potential noise impact of road traffic noise generated by the development is considered to be of negligible significance.
 - Car Park Noise Generation- Noise levels from car parking at Dinton Activity Centre would be expected to have negligible significance at the nearest noise sensitive receptor.
 - Delivery and Refuse Vehicles Noise Generation- Movements would be expected to take place during the centre's opening hours to minimise any potential disturbance to residents.
 - External Seating Noise- There will be no adverse noise impact at the nearest noise sensitive receptor as a result of use of the outdoor terrace area for customer seating.
 - Noise from Hall- Based on the calculations and proposed sound insulation, the noise emissions from the activities within the indoor climbing hall are not expected to have an adverse noise impact on residential amenity.
35. The Council's Environmental Health Officer has not objected to these findings, subject to two conditions, the first restricts the hours of delivery times to between 09:00 and 17:00 Mondays to Saturdays and at no point on Sundays or Bank Holidays. The second condition recommends the restriction of noise emitted from hall activities to a maximum of 33dB when assessed from the nearest noise sensitive receptor between the hours of 09:00 and 23:00 on any day of the week.
36. Additionally, a condition is recommended that restricts operating hours to between 09:00 and 23:00 Monday to Sunday. It is noted in the details submitted with this application that the operating hours of the centre would be normally 09:00-17:00 Monday to Friday from November to the end of March. From April to the end of November the operating hours are generally 08:00-22:00, however the latest the centre would be open would be 23:00. This is considered on the edge of what would be acceptable close to residential properties, however the Council's Environmental Health Officer has not objected to this. It is therefore considered acceptable. It is noted that both conditions allow the commencement of activities from 09:00. The details provided with the application indicate starts at 08:00 and therefore this needs to be amended. This is not considered significantly harmful.
37. It is noted that no hours of operation in terms of construction activities has been recommended by the Environmental health Officer. Due to the size of the project and its proximity to residential properties, it is considered that the application of such a condition would be necessary and reasonable.

Access and Movement:

38. CP6 of the Core Strategy indicates that planning permission will be granted for schemes that provide appropriate vehicular parking, having regard to car ownership, mitigate any adverse impacts upon the local and strategic transport network that arise from the development and do not cause highway problems or lead to traffic related environmental problems. CC07 of the MDD Local Plan includes the Borough Parking Standards.

39. The parking at the existing centre is not formally laid out and is situated within a number of different parking areas across the site. This proposal does not involve formal expansion of the hard surfacing to provide new parking. The Council's Highways Officer has indicated that a total of 86 car parking spaces are required for the new activity centre. The original scheme demonstrated 66 car parking spaces, which was considered unacceptable by the Highways Officer. A revised parking plan has been submitted, which demonstrates 86 spaces. This has been achieved by re-aligning the spaces and opening up an area of boat storage to staff car parking. The proposal now therefore meets the parking standards and the Highways Officer supports it, subject to conditions. It should be noted at this point however, the parking spaces demonstrated will not be formally demarcated and will be accommodated within the existing car parks.

40. The proposal includes electric vehicle charging points. The Highways Officer has recommended a condition to require the submission of an electric vehicle parking strategy to detail on-site infrastructure, installation of charging points and future proofing of the site, prior to occupation. It is considered that this is proportionate and reasonable. The condition recommended is pre-commencement, it is considered that prior to first use would be more reasonable.

Flooding and Drainage:

41. The proposal is in flood zones 2 and 3. Policy CC09 of the MDD Local Plan indicates that all sources of flood risk should be taken into consideration and that inappropriate development in areas at risk of flooding should be avoided. Development proposals in flood zones 2 or 3 should take into account the vulnerability of the proposed development. In exceptional circumstances, new development in areas of flood risk will be supported where it can be demonstrated that:

- i. *The development provides wider sustainability benefits for the community that outweigh the flood risk.*
- ii. *The development would not increase flood risk in any form elsewhere...*
- iii. *The development would incorporate flood resilient and resistant measures...*

Policy CC10 discusses sustainable drainage and surface water. It states that:

All development proposals must ensure surface water arising from the proposed development including taking into account climate change is managed in a sustainable manner. This must be demonstrated through

- a) *A Flood Risk Assessment, or*
- b) *Through a Surface Water Drainage Strategy.*

All development proposals must

- a) *Reproduce greenfield runoff characteristics and return run-off rates and volumes back to the original greenfield levels, for greenfield sites and for brownfield sites both run-off rates and volumes be reduced to as near greenfield as practicably possible.*
- b) *Incorporate Sustainable Drainage Systems (SuDS), where practicable, which must be of an appropriate design to meet the long term needs of the development and which achieve wider social and environmental benefits*

c) Provide clear details of proposed SuDS including the adoption arrangements and how they will be maintained to the satisfaction of the Council [as the Lead Local Flood Authority (LLFA)] d) Not cause adverse impacts to the public sewerage network serving the development where discharging surface water to a public sewer

42. The NPPF indicates that development should be located in sequentially and that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas which a lower risk of flooding. If this is not possible, the exception test will need to be applied. It is noted that this is a replacement structure and that there is already an activity centre on the site. It cannot be located elsewhere as it is reliant on the presence of the lake. It is therefore considered to pass the sequential test.
43. In the proposed development, the 2-storey building, elevated walkway between this building and the Emm Brook and part of the new hall building are all within the 1 in 100 year plus 70% climate change flood extent. Ground and floor levels of these proposed developments will be raised 300mm above the flood level, thereby displacing water from these areas in an extreme event. This means that floodplain compensation is required for the new development, to manage the displaced floodwater. However, floor levels will be sufficiently high as to be above flood levels and therefore the building will be appropriately resilient. Measures to ensure resilience, for example evacuation planning, are included in the FRA and this is acceptable.
44. The flood risk assessment indicates that the development will not increase risk of flooding elsewhere. This is because an area of ground would be lowered to provide compensation for displaced floodwater. This would be in the location of the existing activity centre. The applicant seeks to retain the existing activity centre until the new one is completed. This means that there would be a short overlap where both building are present. However, the Environment Agency has not objected to this approach as long as the additional flood plain storage is implemented prior to occupation of the new building. The proposal is therefore acceptable in relation to flood risk.

Ecology:

45. Paragraphs 170 and 175 of the National Planning Policy Framework recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Opportunities to incorporate biodiversity in and around developments should be encouraged.
46. CP7 of the Core Strategy and TB23 of the MDD Local Plan relate to ecology, biodiversity and development. CP7 states:

Sites designated as of importance for nature conservation at an international or national level will be conserved and enhanced and inappropriate development will be resisted. The degree of protection given will be appropriate to the status of the site in terms of its international or national importance. Development:

A) Which may harm county designated sites (Local Wildlife Sites in Berkshire), whether directly or indirectly, or
B) Which may harm habitats or, species of principle importance in England for nature conservation, veteran trees or features of the landscape that are of major importance for wild flora and fauna (including wildlife and river corridors), whether directly or indirectly, or
C) That compromises the implementation of the national, regional, county and local biodiversity action plans will be only permitted if it has been clearly demonstrated that the need for the proposal outweighs the need to safeguard the nature conservation importance, that no alternative site that would result in less or no harm is available which will meet the need, and:

i) Mitigation measures can be put in place to prevent damaging impacts;

or

ii) Appropriate compensation measures to offset the scale and kind of losses are provided.

47. TB23 states:

Sites of national or international importance are shown and sites of local importance are defined on the Policies Map.

Planning permission for development proposals will only be granted where they comply with policy CP7 – Biodiversity of the Core Strategy and also demonstrate how they:

a) *Provide opportunities, including through design, layout and landscaping to incorporate new biodiversity features or enhance existing*

b) *Provide appropriate buffer zones between development proposals and designated sites as well as habitats and species of principle importance for nature conservation*

c) *Ensure that all existing and new developments are ecologically permeable through the protection of existing and the provision of new continuous wildlife corridors, which shall be integrated and linked to the wider green infrastructure network.*

48. The proposal is within a local wildlife site. Additionally, it would be adjacent the Emmbrook. As a river, this habitat is listed as being of 'principal' importance under s41 of the Natural Environment and Rural Communities (NERC) Act 2006. The Environment Agency are a statutory consultee. England's Biodiversity strategy identifies those priority habitats which are also listed as being of 'principal' importance under section 41 of the NERC Act 2006. This Act states that local planning authorities must consider these habitats in their decision-making, because of their duty to conserve biodiversity (section 40).

49. The Environment Agency originally objected to this proposal due to the impacts of the development on water voles and the riparian environment surrounding the Emmbrook. However, the removal of the pedestrian bridge from the scheme has moved development away from the Emmbrook. The Environment Agency also objected to this proposal on its potential impact on the European Otter. The European otter *Lutra lutra* is a protected species under the Wildlife and Countryside Act 1981 (as amended) and listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. England's Biodiversity

strategy identifies priority species also listed as being of 'principal' importance under section 41 of the NERC Act 2006. Local planning authorities have responsibilities under NERC to have regard to those species in their decision-making because of their duty to conserve Biodiversity (s40). A water vole survey was submitted which indicated that water voles are not present. The Environment Agency have since withdrawn their objections to the scheme, subject to conditions.

50. Details pertaining to the above have been submitted by the applicant, including landscaping plans, levels plans, an ecology report, a Construction Environmental Management Plan and an Ecological Mitigation and Enhancement Plan. The Council's Ecologist and the EA have confirmed that these are not of a sufficient standard to ensure protection of biodiversity during the construction phase, or to manage the protection of biodiversity in the future. They have both recommended conditions which require the re-submission of these documents and this is considered reasonable and necessary given the scale of the scheme and its location within the wildlife site.
51. Paragraph 170 (d) of the NPPF indicates that planning decisions should contribute to and enhance the natural and local environment by '*minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*'. To this end, the applicant has submitted calculations based on DEFRA metrics which purports to show an increase a net increase in habitat units of 3.62%, but no increase in river units and no increase in hedgerow units. However, no map showing measured habitat areas or condition assessments have been provided and as such it is difficult to assess the accuracy of the calculator.
52. The quantum of net gain is not outlined in the NPPF. However, the Environment Bill (if passed) is expected to mandate a 10% increase. The Council's Ecologist has recommended a condition requiring the submission of details which will require demonstration of an increase of 20%, due to its location in the Local Wildlife site, through on and off site enhancements. This is supported by the EA. Considering the likely mandate for a 10% increase, it is considered that a 20% requirement would be excessively onerous in this instance. From a policy perspective while it is considered reasonable to attach a condition requiring a biodiversity net gain, it is considered that a 10% increase is reasonable and therefore a condition has been recommended on this basis.
53. For the above reasons, the proposal is considered acceptable from an ecological perspective, subject to the recommended conditions.

Environmental Health:

54. CP1 of the Core Strategy indicates that planning permission will be granted for proposals that provide attractive, functional, accessible, safe, secure and adaptable schemes. The application site falls into the landfill gas consultation zone. The Ground Gas Monitoring and Remedial Strategy Report (dated Feb 2020) and the Geo- Environmental Investigation Report (dated October 2019) submitted with this application identify that the application site is close to a historic landfill site approximately 165 metres to the north – Whistley Court and Lea Farm historic landfill site.

55. The reports indicate that ground-gas concentrations pose a moderate risk (to users of the site). Specialist gas protection measures will be required for future buildings constructed at the site and specific measures have been recommended, including pressure relief pathways and the provision of a gas resistant membrane. The Council's Environmental Health Officer has indicated that these measures are acceptable and are required to protect users from landfill gas. A condition is therefore recommended to ensure that these measures are carried out. Based on the information submitted with the application and the advice of the Environmental Health Officer, it is considered that the proposal is acceptable, subject to the relevant condition.

Sustainable Design/Construction:

56. Policy CC04 of the MDD Local Plan and the Sustainable Design and Construction SPD require sustainable design and conservation and R21 of the Borough Design Guide SPD requires that new development contribute to environmental sustainability and the mitigation of climate change.

57. Policy CC05 of the MDD Local Plan encourages renewable energy and decentralised energy networks, with encouragement of decentralised energy systems and a minimum 10% reduction in carbon emissions for developments which propose excess of 1000m² of gross floorspace. This is normally a condition applied to any grant of planning permission, however it is advisable to explore these options to incorporate such a scheme within the design of a proposal. The proposal is not more than 1000 square metres in floorspace and therefore this isn't required.

58. The above being said, the applicant has submitted an energy statement and design and access statements make a commitment towards sustainable design and construction through the use of windcatchers and solar panels (which have been shown on the roof plan). An air source heat pump would also be installed and this is considered positive and weighs in favour of the development. The applicant has agreed that the building will be constructed to BREEAM very good standard. The planning policy officer has recommended a condition to require the BREEAM standard and this is reasonable and proportionate.

Employment Skills:

59. Policy TB12 of the Wokingham Borough Council MDD requires planning applications for all major development (both commercial and residential) in Wokingham Borough to submit an employment skills plan (ESP). As this planning application has more than 1,000 sq. m of development it triggers an ESP. The Economic Prosperity and Place Team have advised that the development would result in a requirement to secure 3 Community Skills Support places (E.g. work experience or CSCS training courses) and 1 apprenticeship start.

Water Main:

60. Thames Water have responded to consultation saying that the development is close to a water main. They have recommended a condition requiring details of how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure to be

submitted to and approved in writing by the local planning authority in consultation with Thames Water. This is not considered to be a material planning matter and is for the applicant to agree with Thames Water. It is considered that this should therefore be included as an informative instead.

Town Centre Uses:

61. Policy TB16 requires proposals for retail and leisure uses, including extensions, of 500 sqm (gross) or above outside the defined Wokingham major town centre or the small town/district centres or local centres will be required to satisfy the retail impact test. As the site is located in the countryside and has a gross internal area of over 500 sq m it would normally be subject to this test. However, the proposal in question does not seek to change the established use of the site and relates to the upgrading of the existing facility only. Indeed, the additional floorspace to be provided by the proposed redevelopment falls below the 500sqm threshold of the policy. As such, locational issues are not relevant in this instance and a sequential test need not apply. Additionally, the function of the centre is reliant on the lake. It therefore cannot be reasonably located in another location.

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

This application would result in an enlarged and improved community facility. While in the Countryside, it is considered acceptable in principle and it is not considered harmful to the character of the area or to neighbouring amenities. Issues relating to flooding and ecology have been overcome and conditions are recommended to ensure that risks to users of the building as a result of landfill gas are minimised. The proposal is considered acceptable and is recommended for approval.

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