

## **MEMBERS' UPDATE**

### **Planning Committee – 16 October 2015**

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**Site Address: Hogwood Farm, Sheerlands Road, Finchampstead**  
**Application No: O/2014/2179, Pages 11-120.**

#### **Recommendation A (page 14), Neighbourhood centre description and change to wording of condition 9 (appendix A; page 63)**

The applicant has refused to amend the description of the Neighbourhood centre to “no more than 500sqm” as per Recommendation A of the Officers’ report (page 14).

The concerns of WBC Officers are set out at paragraphs 28-34 of the recommendation report (pages 32-34). In this context control over the future uses of the Neighbourhood centre would be exerted by recommended conditions 9-12 (appendix A). Officers therefore do accept that the description of the development (i.e. including the Neighbourhood Centre with ‘up to 1,900 sqm of non-residential floorspace’) need not be amended subject to the rewording of condition 9 to read as follows:

9. The Neighbourhood Centre (parcel NC1) shall contain no more than 500 sqm (Gross Internal Floorspace) of non-residential floorspace, unless it is evidenced as part of the relevant Reserved Matters planning application pertaining to the Neighbourhood Centre that any provision greater than 500 sqm as is proposed will not: 1) have a significant adverse impact upon the vitality and/or viability of other centres within the hierarchy of main, district and local centres within Wokingham Borough and beyond, including the District centre proposed for the SDL; and 2) significantly prejudice the housing and infrastructure delivery requirements of the SDL as identified in the adopted Development Plan Documents.

Reason: So as to optimise the housing provision within the SDL and, in the absence of a retail impact assessment, the LPA cannot be assured that a provision greater than 500sqm will not have a significant adverse impact upon the vitality and/or viability of other centres within the hierarchy of main, district and local centres within Wokingham Borough and beyond, including the District centre proposed for the SDL - Core Strategy Policy CP18 and Appendix 7 and Policies TB15 and TB16 of the Managing Development Delivery Document (Local Plan).

#### **Amend wording of condition 24 (Appendix A; page 69) to read as follows:**

24. Prior to submission of a reserved matters application for any sub phase of the development a detailed bat mitigation strategy shall be submitted to and approved in writing by the local planning authority for that sub phase of the development. Each detailed bat mitigation strategy shall include an appropriate detailed lighting scheme that maintains the dark corridors as set out in Appendix 1 Recommended Dark Corridor Locations Plan of the submitted Hogwood Garden Village Bat Activity Survey Report - Revision: 02/Final (Royal Haskoning DHV, 10<sup>th</sup> September 2015)

and should be in accordance with the submitted Hogwood Garden Village Bat Activity Survey Report - Revision: 02/Final (Royal Haskoning DHV, 10th September 2015). The mitigation, contingency and enhancement measures contained within each of the submitted detailed bat mitigation strategies shall be implemented in accordance with the approved plan unless otherwise approved in writing by the local planning authority.

**Eversley Parish Council:**

Eversley Parish Council are unable to attend and make representations to the Planning Committee. They have however made further written representation that the further application information received by WBC fails to address their previous objections. Their concerns are three fold:

- The increased traffic through Eversley;
- The increased traffic along access routes to the site, both during construction and the operational phase of the development, and the damaging impact upon heritage assets in Eversley (2 Conservation Areas; one registered Park and Garden, and numerous Listed Buildings). They state that despite this harm no mitigation has been proposed that would adequately offset the recognised harm; and
- The applicant controls land to the north of the junction of Park Lane and Reading Road so could vastly improve the sight-lines for traffic emerging from this dangerous junction. This land could also be used to create a safe off-highway, footway and cycleway to a new access to the south west corner of the SANG land; improving access for residents in Reading Road to the SANG, the Primary Schools and the Secondary School, as well as the new retail and communal facilities being provided.

[Officer Note: The submitted ES addendum does identify that unmitigated the presence and potential increased noise from construction traffic is likely to diminish the historic, communal and aesthetic values of these heritage assets and, although temporary, alter their settings; albeit only on a temporary basis and only to a "low magnitude of effect". It also identifies that increased traffic on surrounding roads and associated noise as a result of the development itself (i.e. during operation) may impact the heritage significance of a number of designated heritage assets by reducing the aesthetic value of their settings; again however only to a "low magnitude of effect".

Importantly however, Historic England have reviewed the application submissions and, despite the ES addendum statements, are content that the proposal would not adversely harm the setting and thus an appreciation of the significance of any nearby Grade I or II\* buildings or Scheduled Ancient Monuments – this would include Warbrook House. Indeed, having reviewed the amended proposals, English Heritage do not acknowledge or identify any harm to the setting of heritage assets within Eversley which require further consideration.

The identified main access routes to the site are already highly trafficked routes; traffic itself which contributes to the existing aesthetic value of these heritage assets.

Hampshire County Council (the Highway Authority for Eversley) have already secured S106 contributions towards environmental improvements along the A327. During construction a Construction Environment Management Plan (CEMP) will be in place, inclusive of construction traffic management measures to coordinate and limit the outward impacts; whilst during the operational phase there will also a range of transport measures in place to discourage car usage and encourage more sustainable forms of transport, including travel plans, public transport initiatives and the implementation of various new greenways, pedestrian and cycle routes. Officers are therefore satisfied that reasonable and proportionate mitigation will be put in place to limit the impacts of the development upon the heritage assets identified by Eversley Parish Council.

Even if Members are of the opinion that despite the mitigation measures residual harm will still occur, any such residual harm will be at worst "less than substantial". In this regard the NPPF (para 134) is explicitly clear that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this instance the subject application would deliver significant and substantial public benefit in accordance with Wokingham's adopted Development Plan.

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**Site Address: Courtyard Offices, Sandford Farm, Mohawk Way, Woodley**  
**Application No: 150595, Pages 121-146.**

#### Changes to conditions

To reflect additional information received regarding contamination the Environmental Health Officer has stated a revised condition should be attached. Condition 7 is therefore altered to read:

*Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.*

#### **A SITE CHARACTERISATION**

*An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:*

- (i) *a survey of the extent, scale and nature of contamination;*

- (ii) *an assessment of the potential risks to:*
  - a) *human health*
  - b) *property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,*
  - c) *adjoining land*
  - d) *groundwaters and surface waters*
  - e) *ecological systems*
  - f) *archaeological sites and ancient monuments.*
  
- (iii) *an appraisal of remedial options, and proposal of the preferred option(s)*

*This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of land Contamination CLR 11*

#### ***B SUBMISSION OF REMEDIATION SCHEME***

*A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.*

#### ***C IMPLEMENTATION OF APPROVED REMEDIATION SCHEME***

*The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.*

#### ***D REPORTING OF UNEXPECTED CONTAMINATION***

*In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.*

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy

Additionally, and to be inserted as condition 8:

*No development shall commence until a detailed investigation, to determine the present and likely future impact of landfill gas on the site, has been submitted to and approved in writing by the local planning authority. The method and extent of this investigation shall be agreed with the local planning authority prior to commencement of work. Where a risk from migrating gas is identified, details of appropriate measures to prevent ingress of landfill gas to inhabited spaces and outdoor areas, including provision for future monitoring, shall be submitted to and approved in writing by the planning authority, before the development commences. The development shall proceed in accordance with the measures approved.*

Reason: To protect the amenities of occupiers of the application site.

As the apartments would be three storeys in height, condition 16 needs to be altered to read "Scale – to be designed to two storey level for the dwellings and three storey level for the apartments"

#### Changes to report

On page 128, the planning history should include the following which relate to the Sandford Farm development adjacent to the site:

**O/2008/1282** - Outline application for the erection of a residential development comprising 492 dwellings a continuing care retirement community a village centre comprising up to 175 sq metres of retail floor space (use class A1) up to 336 sq metres business/restuarant floor space (A2/A3 B1 (a)) a community hall (use class D2) Energy centre new access car parking two new bridges over the old river landscaping and associated works. (Access and Scale to be considered). **Refused on 21<sup>st</sup> January 2009, allowed at appeal on 4<sup>th</sup> March 2010**

**F/2011/1278** - Application for remediation works to remove contaminated material from former landfill site. **Conditionally approved on 22<sup>nd</sup> February 2012.**

**F/2011/1629** - Hybrid application; Full application for 468 residential units with associated road access parking and amenity space a local shop on site open space facilities a new country park and associated on and off site highway works landscaping and boundary treatment. Outline application for a close care community (up to 150 units) with associated supporting facilities. **Conditionally approved on 24<sup>th</sup> May 2012.**

**O/2012/1863** - Outline planning permission for 27 Residential Dwellings with associated access, parking, Landscaping and open space. (Access and Layout to be

considered). Demolition of existing buildings. **Conditionally approved on 31<sup>st</sup> March 2015**

On page 129, the consultation responses incorrectly refer to Woodley Town Council as a parish council.

On page 135, paragraph 32 relates to affordable housing. Since the report went to print, it has been agreed with the applicant that 6 affordable units will be provided on site with the remaining 0.3 units to be provided by a commuted sum. This has been agreed with the Economic Sustainability team.

#### Further clarification

The parking provision is in requirement with the Parking Standards Study and this has been confirmed by the Highways Officer. As all matters are reserved, the parking provision would be considered in more detail at the reserved matters stage but for the purposes of this outline application, no objection is raised.

In terms of density it is acknowledged the density of the proposal is relatively high. However, density is one component of a scheme and should not be used alone in assessing impact. Part of the reason the density is high is due to the apartment block and ultimately the building would be similar to the adjacent Sandford Farm development in terms of scale. In this respect the density level presents a slightly skewed appearance. Additionally, the setting of the site should be taken into context as shown on the plan below:



The site would border open space to the south as well as car parking to the north. Although density does not normally take account of adjoining sites, in this particular instance it can be seen that the proposal would not result in substantial bulk and mass as the “55 dwellings per hectare” would appear to suggest.

In terms of local schools, strategic planning for school places is outside the scope of this planning application. However the impact on local infrastructure is relevant to the decision and this would be mitigated through a financial contribution in accordance with the Community Infrastructure Levy. The CIL regulations state that contributions are collected on the approval of the last reserved matter and not at the outline stage.

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**Site Address: Matthewsgreen Farm, Wokingham Application No: 150093, Pages 161-189.**

Pg. 167 – Summary Information; Parking – parking numbers are compliant with standards (Total 272 spaces). See page 178 under Parking for detailed breakdown of parking.

Emmbrook Residents Association and Wokingham Town Council maintain their objections following submission of revised plans.

Authorise the Head of Development Management to grant planning permission subject to final agreement of plans under Condition 2;  
"The development hereby permitted shall be carried out in accordance with the approved plans outlined on the Drawing Schedule ref."

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**Site Address: Arcadian Waters, Remenham, Wokingham Application No: 150729, Page 190.**

One additional letter of objection has been received. The letter objected on the basis of harm to the green belt, traffic issues, and harm to the character of the area.



**QUARTERLY ENFORCEMENT MONITORING INFORMATION**  
**PLANNING COMMITTEE Oct 2015**

**RFS CASES 1 Jul – 30 Sep 2015**

Number on hand 1 Jul	228
Number received	148
Number closed	130
% closed in 8 weeks	51%
Number on hand on 30 Sep	230

Reasons for closure	Number	%
Other	18	14%
No breach of planning control	70	54%
Not expedient to pursue	1	1%
Voluntary compliance	20	15%
Details submitted (eg minor amendment, details pursuant to conditions, planning application)	16	12%
Notices served*	5	4%

\*In order to monitor the % of cases which result in a notice we have now introduced a new practice whereby a case is closed when the notice is served and a new case opened. This will also enable us to monitor the length of time it takes to investigate a case and serve a notice.

**SUMMARY OF NOTICES/PROSECUTION for period 1 Apr – 30 Jun 2015**

Notice Type	Number Served
Enforcement Notices	2 Silverdale Road –unauthorised hardstanding 44 Falcon Avenue –unauthorised GRT pitches
Stop Notices	0
Temporary Stop Notices	0
Breach of Condition Notices	1 75 Mill Lane –use of outbuilding as dwelling
Section 215 Notices	0
Prosecutions (see below)	1
Direct Action	0
Injunctions (see below)	1 1 Mole Road

### **Prosecutions**

WBC v Caddick, Caddick and Val Marine Ltd. Unauthorised demolition of boathouse in Conservation Area. Each fined £5000 plus £360 victim surcharge plus Council costs £3455. Total £18815

### **Injunctions**

1 Mole Road

Failure to comply with an enforcement notice requiring cessation of the use of a mobile home for residential purposes, removal of the mobile home and hardsurfacing from the site. Injunction granted and full compliance with the notice has been achieved.

### **APPEALS AGAINST ENFORCEMENT NOTICES 1 Jul – 30 Sep 2015**

Number of enforcement appeals lodged: 60 Headley Road, 53 Peach Street

Number of enforcement notice appeals determined: 1 (31 The Drive)

Number of enforcement appeals withdrawn: 0

Enforcement appeals public inquiries pending: Upper Culham Farm (Jan 2016)

Enforcement appeal hearings pending: Misbourne Carters Hill (Nov 2015), Blagrove (Dec 2015)

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Reference: RFS/2015/00001

**Address: 31 The Drive**

Breach of planning control: Unauthorised single storey rear extension

Appeal outcome: Dismissed

Inspector's findings: The Inspector concluded that the unauthorised extension was detrimental to the living conditions of the neighbour.

Report Author: Marcia Head

## **Pre-emptive site visits**

### **150066 - Land adjacent to Norton Road, Wokingham**

Proposal: Erection of 9 residential units following demolition of existing industrial unit

Reason – To view the site in the context of the character of the area.

### **F/2015/0770 – The Lodge, North Court, The Ridges, Finchampstead**

Proposal: Erection of a replacement dwelling

Reason – To view the site in the context of the wider area and countryside setting.

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