

Agenda Item 41.

Application Number	Expiry Date	Parish	Ward
221409	19/09/2022	Wokingham CP	Evendons;

Applicant	Nigra Centre Ltd
Site Address	Nigra House, Mulberry Business Park, Fishponds Road, Wokingham, RG41 2GY
Proposal	Full planning application for the proposed demolition of Nigra House and the erection of 12 no. employment units (Use Classes E (g) (ii) and (iii) and B8) with new vehicular access and associated works including car parking, servicing and landscaping.
Type	Full/Outline/Hybrid
Officer	Mark Croucher
Reason for determination by committee	Major application

FOR CONSIDERATION BY	Planning Committee on Wednesday, 14 September 2022
REPORT PREPARED BY	Assistant Director – Place

SUMMARY

The principle of development is acceptable because the application site is within a Core Employment Area and the proposed redevelopment will provide 12 commercial units with a Research & Development and General Industry use.

The design of the buildings and the layout of the development is appropriate for the proposed use and location of the site within Mulberry Business Park. There would be no detrimental impact on Neighbouring occupiers' amenity.

The site is within an accessible location within Wokingham. Parking, layout and the proposed new access would have a satisfactory impact on highway safety. The level of parking is commensurate to the size of the development proposed.

The tree belt along southern boundary will be maintained and protected. Whilst there would be some loss of soft landscaping around the boundaries of the site, replacement planting will be provided. Biodiversity enhancements will be provided in the form of bat and bird boxes.

The proposal is acceptable in all other aspects and complies with the development plan as a whole subject to the recommended conditions and legal agreement.

PLANNING STATUS

- Major development location
- Core Employment Area

RECOMMENDATION

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

- A. Completion of a legal agreement to secure an Employment Skills Plan providing opportunities for training, apprenticeship or other vocational initiatives to develop local employability skills.**
- B. Conditions and informatives:**

Conditions:

Time Limit

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

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

Approved details

2. This permission is in respect of the submitted application plans and drawings numbered 21821-1000; 21821-1001; 21821-1002; 21821-0300; 21821-0302-P-01; 21821-0310-P-01; 21821-0311-P-01; 21821-0313-P-01; 21821-0320-P-01; 21821-0321-P-01; 21821-0323-P-01; 21821-0330-P-01; 21821-0331; 21821-0333; 21821-0305-P-01; 21821-0306-P-02; 21821-0307; 21821-0340-P-01; W2577 SK01 and 22033-010-Rev A. received by the local planning authority. 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.

Materials

3. Prior to any above ground construction works of the development hereby approved, samples and details of the materials to be used in the construction of the external surfaces of the building/s shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details.

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

Landscaping

4. Prior to the commencement of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the local planning authority. These details shall include, as appropriate, proposed finished floor levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and minor artefacts and structure (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, external services, etc). Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and

grass establishment), schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable.

All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.

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

Protection of trees

5. a) No development or other operation shall commence on site until an Arboricultural Method Statement and Scheme of Works which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site in accordance with BS5837:2012 has been submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in complete accordance with the details as so-approved (hereinafter referred to as the Approved Scheme).
- b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site.
- c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the Approved Scheme.
- d) The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

Reason: 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).

Landscape management

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

Reason: In 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).

Contamination

7. No development shall take place until a scheme to identify and deal with contamination (including risks posed by ground gas) on the site has been submitted to and approved in writing by the local planning authority. The scheme shall include an investigation and assessment by a suitably qualified person in accordance with appropriate standards to identify the extent of contamination and the measures to be taken to avoid risk when the site is developed. Development shall not commence until the measures approved in the scheme have been implemented.

Reason: To ensure that any contamination of the site is identified at the outset to allow remediation to protect existing/proposed occupants of property on the site and/or adjacent land. Relevant policy: NPPF Section 15 (Conserving and Enhancing the Natural Environment) and Core Strategy policies CP1 & CP3.

Construction Method Statement

8. No development shall take place until details of a scheme (Construction Method Statement) to control the environmental and highway effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:-

- (i) the control of noise
- (ii) the control of dust, smell and other effluvia
- (iii) the control of rats and other vermin
- (iii) the control of surface water run-off
- (iv) the proposed method of piling for foundations (if any)
- (v) proposed construction and demolition working hours
- (vi) hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site.
- (vii) The management of site operatives, visitors and construction vehicles loading, off-loading, parking and turning within the site during the construction period.

The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of the amenities of the area.

Construction work hours

9. 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.

Noise

10. All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise therefrom does not exceed at any time a level of 5dB[A] below the existing

background noise level [or 10dB[A] if there is a particular tonal quality] when measured at a point one metre external to the nearest residential or noise sensitive property.

Reason: To ensure that no nuisance or disturbance is caused to the occupiers of neighbouring properties. Relevant policy: NPPF Section 15 (Conserving and Enhancing the Natural Environment), Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy CC06.

Lighting scheme

11. Details of floodlighting and other externally mounted lighting of the site shall be submitted to and approved in writing by the local planning authority. The floodlighting shall be installed, maintained and operated in accordance with the approved details unless the local planning authority gives its written consent to the variation.

Reason: to protect residential amenity, highway safety and ecology.

Drainage

12. No development approved by the permission shall be commenced until a Detail Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy should be supported by evidence of ground conditions and modelling of the scheme to demonstrate it is technically feasible; and where applicable adheres to the NPPF, Non-statutory technical Standards for Sustainable Drainage, Building Regulation H and local policy. The drainage scheme shall be carried out in accordance with the approved details. Applicant should follow SuDS Hierarchy and where surface water requires disposal off site (i.e. not infiltrated) the applicant must provide evidence of consent to discharge/connect through 3rd party land or to their network/system/watercourse.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality

Surface water Drainage

13. Development shall not take place until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall reduce the surface water discharge of that existing. Any attenuation feature should be designed to attenuate all flows up to and including the 1 in 100 year event +40% for climate change. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To reduce the impact of this development on the surrounding surface water infrastructure. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

Biodiversity mitigation/enhancement

14. The development hereby approved shall be carried out in accordance with the mitigation and enhancement recommendations set out in the Preliminary Ecological Appraisal Ref: P.1656.22 dated May 2022. Ecological enhancement should be

implemented prior to the occupation of the building and thereafter retained and maintained in perpetuity.

Reason: To ensure there is no net loss of biodiversity

Parking and Turning

15. No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space has been provided in accordance with the approved plans. The vehicle parking and turning space 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 ensure adequate on-site parking provision in the interests of highway safety, convenience and amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

Access

16. Prior to the commencement of development, full details of the construction of roads and footways, including levels, widths, construction materials, depths of construction, surface water drainage and lighting shall be submitted to and approved in writing by the local planning authority. The roads and footways shall be constructed in accordance with the approved details to road base level before the development is occupied and the final wearing course will be provided within 3 months of occupation, unless otherwise agreed in writing by the local planning authority.

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

Visibility splays

17. Prior to commencement of the development, details of the proposed vehicular access on to Fishponds Road to include visibility splays of 2.4m by 43m shall be submitted to and approved in writing by the local planning authority. The access shall be formed as so-approved and the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height prior to the occupation of the development. The accesses shall be retained in accordance with the approved details and used for no other purpose and the land within the visibility splays shall be maintained clear of any visual obstruction exceeding 0.6 metres in height at all times.

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

Cycle Parking

18. Prior to the commencement of the development hereby permitted details of secure and covered bicycle storage/ parking facilities for the occupants of [and visitors to] the development shall be submitted to and approved in writing by the local planning authority. The cycle storage/ parking shall be implemented in accordance with such details as may be approved before occupation of the development hereby permitted, and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.

Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 4 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

EV Charging

19. The development hereby approved shall not be occupied until active and passive electric vehicle charging points have been implemented in accordance with the approved Electric Vehicle Charging Strategy ref: 21821-0340. These shall be maintained thereafter in full working order.

Reason: To encourage electric vehicle use resulting in carbon reductions.

Ventilation / extraction

20. Before the use hereby permitted is commenced, details fume extraction, mechanical ventilation and filtration equipment shall have been submitted to and approved in writing by the Local Planning Authority. The equipment shall thereafter be retained, operated and maintained in its approved form and in accordance with the manufacturer's recommendations for so long as the use hereby permitted remains on site.

Reason: To ensure smells, fumes and odours have an acceptable impact on neighbouring uses and residents.

BREEAM

21. The buildings hereby approved should achieve no less than a BREEAM rating of Very Good unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve sustainable development and reduce carbon emissions.

Energy efficient buildings

22. Prior to above ground construction works of the development hereby approved, details of the buildings of setting a minimum 10% reduction in carbon emissions through renewable energy or low carbon technology for major developments shall be submitted to and approved in writing by the Local Planning Authority. The details thereby agree shall be implemented and maintained thereafter.

Reason: To achieve sustainable development and reduce carbon emissions.

Deliveries

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

Reason: In the interests of highway safety and convenience in accordance with Core Strategy policies CP3 & CP6.

Travel Plan

24. Prior to the occupation of the development a Travel Plan shall be submitted to and approved in writing by the local planning authority. The travel plan shall include a programme of implementation and proposals to promote alternative forms of transport to and from the site, other than by the private car and provide for periodic review. The travel plan shall be fully implemented, maintained and reviewed as so-

approved.

Reason: to promote sustainable transport and a modal shift away from private car use.

Parking Management Plan

25. Prior to the first occupation 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 MDDL P policies CC07 and TB20.

Informatives:

1. The applicant is reminded that this approval is granted subject to conditions which must be complied with prior to the development starting on site. Commencement of the development without complying with the pre-commencement requirements may be outside the terms of this permission and liable to enforcement action. The information required should be formally submitted to the Council for consideration with the relevant fee. Once the details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear please contact the case officer to discuss.
2. Bats are a protected species under the Conservation of Habitats and Species Regulations 2017 (as amended). Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.
3. This permission does not convey or imply any approval or consent that may be required for the display of advertisements on the site for which a separate Advertisement Consent application may be required. You should be aware that the display of advertisements without the necessary consent is a criminal offence liable to criminal prosecution proceedings through the courts.
4. The developer's attention is drawn to the fact that this permission does not authorise the physical construction of the proposed off-site highway works and site access connections to the public highway. A separate legal agreement made with the Council under s.278 of the Highways Act 1980 is required. No work within or affecting the public highway shall commence until the agreement has been completed and the Council, as local highway authority, has approved all construction and installation details together with a programme of works.
5. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on adjacent highways. For further information contact the Highway Authority on tel.: 0118 9746000.

6. Any works/ events carried out by or on behalf of the developer affecting either a public highway or a prospectively maintainable highway (as defined under s.87 New Roads and Street Works Act 1991 (NRSWA)), shall be co-ordinated and licensed as required under NRSWA and the Traffic Management Act 2004 in order to minimise disruption to both pedestrian and vehicular users of the highway. Any such works or events, and particularly those involving the connection of any utility to the site must be co-ordinated by the developer in liaison with the Borough's Street Works team (0118 974 6302). This must take place AT LEAST three months in advance of the intended works to ensure effective co-ordination with other works so as to minimise disruption.

7. The applicant's attention is drawn to the presence of a c.2m wide service strip running adjacent to the surfaced roadway. The service strip forms part of the adopted public highway. It is an offence for any works to be undertaken within this service strip without express permission in writing from the highway authority. The Head of Technical Services at the Council Offices, Shute End, Wokingham (0118 9746000) must be contacted for the approval of any such works.

8. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant in terms of:

PLANNING HISTORY		
Application No.	Description	Decision & Date
212222	Prior approval submission for the change of use from existing office use to 43no. dwellings.	Refused 3 August 2021
212198	Prior approval submission for the change of use from existing office use to 43no. residential apartments.	Refused 30/7/2021
183084	Prior approval submission for the conversion of existing office to 43no residential flats.	Approved 11/01/2019
183174	Full planning application for the changes to fenestration, replacement of existing roof to flat roof together with provision of cycle, refuse stores and car parking.	Approved 18/01/2019
181168	Application for the submission of details to comply with the following condition of planning consent (180526) 12/04/2018. 1/2. Contamination Assessment Report	Approved 12/06/18
180526	Prior approval submission for the conversion of existing office (use class B1 a) 43no residential apartments (Use Class C3)	Prior Approval Approved 12/04/18

180029	Full application for the proposed raising of the height to create in a second-floor extension to create 14 no self-contained residential apartments including a communal garden and upgraded cycle storage and refuse facilities.	Approved 10 April 2019
162051	Full application for the proposed raising of roof height to create a new second-floor extension to create 9no self-contained residential apartments including a communal garden and upgraded cycle storage and refuse facilities.	Approved 27/02/2017
161809	Prior approval submission for the conversion of existing office (Use Class B1(a)) to 42no residential apartments (Use Class C3).	Prior Approval Approved 27/02/2017
160273	Prior approval submission for the conversion of existing office (Use Class B1(a)) to 42no residential apartments (Use Class C3).	Prior Approval Approved 08/03/16
F/2004/3399	Erection of 6 part two and part three storey buildings to provide class B1(a) offices with associated parking and external works	Approved 02/02/05
F/2005/4624	Erection of 6 detached buildings and 2 storey semi-detached units for office accommodation (B1a)	Approved 09/08/06
O/2001/5282	Outline application for the proposed erection of 3 buildings for b1a office use with associated car parking and external work	Allowed at appeal 13/08/03

SUMMARY INFORMATION	
For Commercial	
Site Area:	0.76ha
Previous land use(s) and floorspace(s):	Offices 3,585sqm
Proposed floorspace of each use	E use 3,198sqm
Change in floorspace (+/-)	- 387sqm
Number of jobs created/lost	No information provided (existing building has been vacant for approximately 5 years)
Existing parking spaces	140
Proposed parking spaces	53

CONSULTATION RESPONSES	
Southern Gas Networks	No objection
Thames Water	No objection subject to conditions
WBC Biodiversity	No comments received
WBC Economic Prosperity and Place (Community Infrastructure)	No objection subject to Employment Skills Plan
WBC Drainage	No objection subject to conditions
WBC Environmental Health	Further information requested
WBC Highways	No objection subject to conditions
WBC Tree & Landscape	No objection subject to conditions

REPRESENTATIONS

Town/Parish Council: No objection: The Committee were pleased to see that this was not a convert to residential and that it will be kept as an industrial site. If any trees are removed, they must be replaced.

Local Members: No comments received

Neighbours: No comments received

APPLICANTS POINTS
<p>The proposed development will deliver a range of benefits:</p> <ul style="list-style-type: none"> • A substantial capital investment in Wokingham; • Redevelopment of a vacant brownfield site in an employment area to provide speculative modern facilities in a location convenient for the local highway network; • An important contribution to the supply of employment floorspace in a location that has been under threat from Prior Approval applications for residential conversion; • The removal of the existing access and all the associated activity and vehicle movements from the south-eastern corner of the site where it is currently closest to the neighbouring residential properties; • The removal of car parking activity and any associated noise from all four boundaries of the site concentrating this into the central part of the plot; • The positioning of new service areas and operational activity on the elevations of the units facing inwards, furthest from local residential areas, thereby enabling the new buildings to provide acoustic screening from activities; • The introduction of electric vehicle parking spaces at the site frontage; • The introduction of features to assist in the delivery of a net gain in biodiversity; • Delivery of a quality and sustainable development designed to a high standard, which respects the character and qualities of the surrounding environment. <p>This previously developed site is situated in an existing employment area where the principle of employment use is in accordance with the aims and aspirations of adopted development plan policy.</p> <p>The redevelopment provides new floorspace of a lesser scale than the existing use of the site with a reconfiguration of the site layout and a new vehicular access which significantly improve the relationship with adjacent residential properties through careful design and building orientation.</p>

The application scheme will deliver significant benefits for the local economy and the immediate area. Accordingly, and for the reasons set out within this document and other supporting reports, the NPPF presumption in favour of sustainable development should be applied. Wokingham Borough Council is therefore respectfully requested to approve this application without delay.

PLANNING POLICY			
National Policy	NPPF	National Planning Policy Framework	
Adopted Core Strategy DPD 2010	CP1	Sustainable Development	
	CP2	Inclusive Communities	
	CP3	General Principles for Development	
	CP6	Managing Travel Demand	
	CP7	Biodiversity	
	CP9	Scale and Location of Development Proposals	
	CP15	Employment Development	
	Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
		CC02	Development Limits
CC03		Green Infrastructure, Trees and Landscaping	
CC04		Sustainable Design and Construction	
CC05		Renewable energy and decentralised energy networks	
CC06		Noise	
CC07		Parking	
CC09		Development and Flood Risk (from all sources)	
CC10		Sustainable Drainage	
TB11		Core Employment Areas	
TB12		Employment Skills Plan	
Supplementary Planning Documents (SPD)	TB20	Service Arrangements and Deliveries for Employment and Retail Use	
	TB21	Landscape Character	
	TB23	Biodiversity and Development	
	BDG	Borough Design Guide – Section 4	
		DCLG – National Internal Space Standards	

PLANNING ISSUES

Description of Development:

1. The site is within Mulberry Business Park which is characterised by a range of commercial and industrial buildings. The application site comprises of a two-storey office building located centrally within the plot, surrounding by a hard surface car park. Trees and other soft landscaping is located around the periphery of the site.
2. The proposal is to demolish the existing office building and construct 12 mixed use commercial units in three separate blocks. The proposed units will comprise of uses falling within use class E(g) (ii) research and development of products or processes and (iii) industrial processes.
3. The buildings will be two-storey (8.20m height) with a flat roof. It will be lower than the existing office which has a range of ridge heights between 9.9m and 12.6m. The development would be inwardly facing with an internal access road and car park. The access will be relocated from the north-eastern part of the site so that it directly adjoins Fishponds Road.

Principle of Development:

4. 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.
5. Policy CC02 of the MDD sets out the development limits for each settlement as defined on the policies map and therefore replaces the proposals map adopted through the Core Strategy, as per the requirement of policy CP9. Policy CP9 sets out that development proposals located within development limits will be acceptable in principle, having regard to the service provisions associated with the major, modest and limited categories. As the site is within a major development location, the proposal is acceptable in principle.
6. The site is within a Core Employment Area and policy TB11 of the MDD Local Plan and CP12 of the Core Strategy sets out development for business, industry or warehousing will be permitted in these areas. The principle of development complies with this policy as it seeks to replace an office building with 12 smaller commercial units with a use for research & development and general industry.
7. The accumulative footprint of the new units will be marginally less than the existing building, but this would not negatively impact opportunities for employment development as the proposal would provide a more flexible use of the site and opportunities for smaller businesses. The re-development of the site would also result in new commercial buildings suitable for the needs of modern businesses.
8. The site has an extant prior approval permission to convert the building into 43 residential flats. Whilst policy CP3 of the Core Strategy resists the loss of residential dwellings, the lawful use of the building is still an office and there would be no loss

habitable properties. In addition, the site is within a Core Employment Area where the development plan seeks to locate business and employment development. For the reasons set out in the preceding paragraphs, the principle of development accords with the development plan as a whole.

Character of the Area:

9. The existing building is two storeys in height and is located centrally on the plot, surrounded by a car park with small areas of soft landscaping around the site periphery.
10. The proposal would invert the current layout, comprising of 3 buildings arranged in a 'U' shape around the boundaries of the site with a car park and access road centrally located. It would create small enclave which is common for developments comprising of small commercial units. The proposed layout does result in the blank rear elevations of the buildings bordering onto parts of an adjacent access road and neighbouring buildings. This is however acceptable in this instance due to the location of the site within an existing employment area / business park. The buildings fronting onto Fishponds Road will also have glazed corners to address the street scene and provide a perception of overlooking.
11. The buildings will be two-storeys and lower in height than the existing office they replace. The design of having three sperate buildings will help to break up the visual mass and scale of the development. The proposed buildings will comprise of metal cladding with glazed elements, and this is suitable for business park. The cladding will be grey and comprise of different textures to break up the mass of the building.
12. Overall, the vernacular and design of the development is appropriate for an existing and established business park and reflective of the building's intended purpose.

Residential Amenities:

13. The nearest residential properties are to the south-west in Reeves Way. There would be no detrimental impact on the amenity of these neighbouring residents by reason of overbearingness, overshadowing, or overlooking. The site is separated from the rear gardens of these houses by a 10m deep belt of trees and vegetation. In addition, the proposed building along the southern boundary will be lower than the existing office and a similar height as the two-storey dwellings in this street.
14. The building to the west, known as Indigo House, has a prior approval permission to be used as residential flats, although this has not yet been implemented. Whilst the proposed development will be visible from this site, it will be two-storey in height and set at least 15 metres away from the flank elevation of Indigo House. The proposal would not have a detrimental impact regarding overshadowing, overbearingness or overlooking to the occupiers of this neighbouring development, in the event that the prior approval is implemented and the building by converted into flats.
15. Considerations of noise, smell and odours is set out in the Environment Health section a paragraphs 30 – 35 of this committee report.

Access and Movement:

Highway Safety:

16. A new access would be provided onto Fishponds Road and the existing access to the northeast would be stopped up. Visibility splays of 2.4m x 43m have been proposed for the new access which is in line with the speed limit of the road (30mph). Off street parking occurs around the entrance of the site and it is recommended that additional parking controls (double yellow lines) are implemented by the access so that parked vehicles do not obscure visibility. This is secured by condition 17.
17. The information submitted sets out that refuse vehicles will stop in-aisle and load refuse from there and there is ample space for the vehicle to wait for short periods, within the site, while they load and unload. A swept path assessment of a 10m rigid vehicle has been submitted. The council's Highway Officer has advised that to control deliveries and servicing, a Delivery and Servicing Plan which will be secured by planning condition 23.
18. A Road Safety Audit has been submitted and this demonstrates the vehicle access is acceptable subject to the recommended conditions.

Traffic Impact:

19. The council's Highway Engineer advises that trip rates are likely to be less, or the same as the existing office use because the proposal has a smaller accumulative floor area and office uses are generally associate with high trip rates and parking requirements. The applicant has calculated trip rates using TRICS data and this shows 56 trips in and 6 trips out in the AM peak and, 6 trips in and 47 trips out in the PM peak. The council's Highway Engineer advises this will have an acceptable impact on the Highway network and safety.

Parking:

20. There will be 53 spaces on-site including 12 disabled bays. Larger spaces for Vans have also been accommodated. The council's Highway Engineer has advised that this is an acceptable level of parking. As this is a mixed-use scheme, where a variety of uses could operate, an assessment has been made using WBC standards and the average level of parking from a variety of commercial uses. The broad average calculated would be a requirement of 52 spaces and the proposal meets this.
21. An Electric Vehicle Strategy has been submitted and this sets out there will be at least 2 active spaces and 2 passive spaces, with the infrastructure in place for these spaces to bring them into operation. This is secured by condition 19.
22. The proposal will provide a total of 2 cycle spaces per unit, 1 internally and one externally. This equates to a total a 24 cycle spaces, which is 6 above the council's standards. Whilst a cycle store is shown at the eastern boundary of the site, further details will need to be submitted showing all the external cycle parking and this is secured by condition 24.

Accessibility:

23. The site is within an accessible location within a Major Settlement and it is close to Wokingham Town Centre, Train station and bus routes. The site is also within a Core Employment Area where the development plan seeks to steer commercial industrial uses. A Framework Travel Plan has been submitted that sets out ways sustainable modes of transport can be promoted. The recommendations in the Travel Plan secured by condition 24.

Flooding and Drainage:

24. The site is in Flood Zone 1, where the risk of flooding is low. The existing car park is liable to risk from surface water flooding. The applicant has submitted a Flood Risk Assessment that states the surface water system will be designed to accommodate runoff for events up to the 1 in 100 year event, including a 40% climate change allowance. This will include underground attenuation tanks. The council's Drainage Engineer has raised no objection to this approach subject to the recommended conditions 12 and 13 which secure the implementation of an agreed drainage scheme.

Landscape and Trees:

25. There is a belt trees along the southern boundary which provides a landscape buffer between the site and residential dwellings to the south and this feature will be retained and protected.
26. Small trees would be removed to facilitate the development, and this would mainly occur at along the north-eastern and western boundaries. The proposed landscaping scheme shows there would be some areas for replacement trees but overall, there would be some loss of soft landscaping along these boundaries. This is however not considered to be detrimental given the commercial character of the area and the fact there will be areas for supplementary planting and landscaping, softening the impact of the development.
27. An Arboricultural Impact Assessment, Tree Survey and Schedule and landscape plan has been submitted. The council's Tree and Landscape Officer raises no objection subject to conditions 4, 5 & 6, which ensure relevant trees are protected and soft landscaping is incorporated.

Environmental Health:

Noise:

28. To the south of the site are residential properties and gardens at Reeves Way, but these are separated from the site by a belt of trees and vegetation which acts as buffer to the business park. Immediately to the west are office buildings that have either had permission to be used for residential flats or are in the process of being converted into flats.
29. A Noise Impact Assessment (NIA) has been submitted demonstrated an acceptable impact to these existing and future residents. The commercial operations would occur within the buildings and the outside areas would only be used for vehicles, access, parking and loading & unloading. The openings to the buildings, including the loading

bays, face centrally into the courtyard, rather than facing outwards towards the surrounding dwellings. The NIA sets out that the proposed layout of the site follows good acoustic design, as the new-build blocks themselves act as barriers between the site and residential properties.

30. The council's Environmental Health Officer has advised that to protect existing noise levels and prevent creeping levels, as a starting point, noise from new sources should be no greater than 5dB below the existing background level at the most sensitive period of the days. The NIA demonstrates that this will be achieved by the proposal.

Contamination:

31. An Environmental Investigation Report recommended a further phase of investigation works. The council's Environmental Health Officer has recommended condition 7 to secure a further investigation report that ensures any contamination risks are suitably mitigated.

Lighting:

32. The layout of the site means any lighting would be largely contained within the internal courtyard of the development. Condition 11 is however recommended to ensure that any proposed lighting does not harmfully impact the amenity of surrounding residents.

Odour and smells:

33. Whilst the future occupants of the site cannot be known, there is the potential that some of the commercial process may result in smells, fumes and odours. Condition 20 is recommended to ensure the buildings are appropriately mechanically ventilated.

Ecology:

34. The existing building is within an area where there is potential for bat roosts. A Preliminary Habitat Survey has been submitted. The existing building has been assessed as having negligible potential for bat. The survey advises that prior to demolition, the building should be re-surveyed for the potential for bats.
35. Biodiversity enhancements such as bat boxes, bird boxes and soft landscaping are secured by condition 14.

Sustainable Design/Construction:

36. Policy CC05 states Planning permission will only be granted for proposals that deliver a minimum 10% reduction in carbon emissions through renewable energy or low carbon technology for major developments. This can be integrated into the design of the buildings and condition 22 ensures this is achieved.
37. Policy CC04 sets out that non-residential development over 100 sqm should achieve the necessary mandatory Building Research Establishment Assessment Method (BREEAM) requirements or any future national equivalent. The Design & Access Statement sets out that a BREEAM Very Good rating is the ambition of the development and this is secured by condition 21.

38. The proposed units will replace a large office building and the modern construction of the buildings will inherently result in a greater energy efficiency through modern construction techniques, materials and internal fit-out compliant with the most up-to-date building regulations.

Employment Skills:

39. Policy TB12 requires Major developments to be accompanied by an Employment and Skills Plan (ESP) to show how the proposal accords opportunities for training, apprenticeship or other vocational initiatives to develop local employability skills required by developers, contractors or end users of the proposal.
40. The applicant has agreed to enter into a legal agreement to secure an ESP which will require 3 Community Skills Support places (e.g work experience or CSCS training courses). If for any reason the applicants/owners bound by the planning obligation is unable to deliver the plan (or elects to pay the ES Contribution) they can provide a contribution in lieu of £3,750. This is based on the cost to WBC supporting the employment outcomes of the plan.

CONCLUSION:

41. The principle of development is acceptable because the application site is within a Core Employment Area and the proposed redevelopment will provide 12 commercial units with a Research & Development and General Industry use. The design of the buildings and the layout of the development is appropriate for the proposed use and location of the site within Mulberry Business Park. There would be no detrimental impact on Neighbouring occupiers' amenity. The site is within an accessible location within Wokingham. Parking, layout and the proposed new access would have a satisfactory impact on highway safety. The proposal is acceptable in all aspects and complies with the development plan as a whole, subject to the recommended conditions and legal agreement.

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.