

Agenda Item 93.

Application Number	Expiry Date	Parish	Ward
222367	20/03/2023	Woodley	Bulmershe and Whitegates;

Applicant	Mr Hardeep Hans
Site Address	Library Parade, Crockhamwell Road, Woodley, Wokingham, RG5 3LX
Proposal	Full application for the proposed creation of a mixed use building consisting of the retention of the existing 3 no. retail stores at ground floor level and the addition of 16 no. apartments on new first, second and third floor levels, including the erection of three and four storey rear extensions with associated car parking, cycle and bin stores, following partial demolition of the existing building.
Type	Full
Officer	Adriana Gonzalez
Reason for determination by committee	Major application (>10 dwellings)

FOR CONSIDERATION BY REPORT PREPARED BY	Planning Committee on Wednesday, 8 March 2023 Assistant Director – Place and Growth
RECOMMENDATION	<p>i) APPROVAL subject to conditions and Informatives & completion of S106 legal agreement to secure the following:</p> <ul style="list-style-type: none"> - Affordable Housing - Employment Skills Plan <p>OR</p> <p>ii) Refuse full planning permission if the legal agreement is not completed within three months of the date of this resolution (unless officers on behalf of the Assistant Director – Place and Growth agree to a later date for completion of the legal agreement)</p> <p>The S106 to include the following heads of terms:</p> <p><u>Affordable Housing</u></p> <p>To secure affordable housing consisting of five units (30% provision) on site, to be 5 no. one-bedroom units, all for social rent.</p> <p><u>Employment, Skills and Training</u></p> <p>To secure a construction phase Employment Skills and Training Plan or equivalent financial contribution in accordance with Policy TB12 of the MDD and based on</p>

the value of the Construction Industry Training Board Benchmark.

SUMMARY

Preamble

The application relates to the Library Parade building within Woodley Town Centre. The proposal seeks to convert the existing first floor offices and extend the existing building to provide 16 residential units – a mix of 5 x 2-bed and 11 x 1-bed apartments – whilst retaining the existing retail units at ground floor.

The application was considered at the 8 February 2023 Planning Committee whereby it was resolved ***“That the application be deferred to allow a site visit to assess the impact of the proposed development on neighbouring properties.”*** The original Committee Report is contained in Appendix 2.

Additional Observations

The supplementary agenda prepared for the Planning Committee on 8 February 2023 can be found in Appendix 3 below.

Additionally, amendment is required on para 32 of the original Committee Report, that the correct affordable housing rate for proposals on Previously Developed Land in Major Development Locations is 30%.

Amendment to para 38 of the original Committee Report, that the proposed 2no accessible units (units 2 & 3) are located on the first and second floors, not on the ground floor.

Clarification that the proposed louvred "PLANT" area will serve the 3 ground retail units with the plant moved from the ground floor. A number of the existing plants on the ground floor serve the now vacant first floor offices and will be removed, as the offices will become flats.

Condition 24 (plant noise) has been included and is necessary to protect neighbouring residential amenities from noise.

Conclusion

As detailed in the original Committee Report (Appendix 2), the principle of development is acceptable because the application site is within a major development location where the proposal for new residential dwellings is supported by policy. The proposal is considered acceptable in all aspects and complies with the development plan as a whole.

Officers are therefore recommending the application for approval, subject to the conditions listed and a S106 legal agreement to secure onsite affordable housing and the employment skills plan.

APPENDICES

Appendix 1: Conditions and Informatives (as revised since 8 February 2023 Committee)
Appendix 2: Original Committee Report (8 February 2023) and associated plans
Appendix 3: Supplementary Agenda (8 February 2023 Committee)

APPENDIX 1 - Conditions / Informatives

APPROVAL subject to the following:

Prior completion of a legal agreement pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) to secure:

- Provision of affordable housing
- Employment Skills Plan.

Conditions and Informatives:

Conditions:

1. **Timescale** – The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).
2. **Approved details** – This permission is in respect of the submitted application plans and drawings numbered PL01 received by the local planning authority on 02/08/2022; PL02 Rev A; PL05 Rev B; PL06 Rev A; PL07 Rev B; PL08 Rev B; PL09 Rev A; PL10 Rev C; PL11 Rev C & PL12 Rev B received by the local planning authority on 23/01/2023. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.
3. **External Materials** – Before the development hereby permitted is commenced, details of the materials to be used in the construction of the external surfaces of the building shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details.
Reason: To ensure that the external appearance of the building is satisfactory.
Relevant policy: Core Strategy policies CP1 and CP3.
4. **Ground and building levels** – No development shall take place until a measured survey of the site and a plan prepared to scale of not less than 1:500 showing details of existing and proposed finished ground levels (in relation to a fixed datum point) and finished roof levels shall be submitted to and approved in writing by the local planning authority, and the approved scheme shall be fully implemented prior to the occupation of the building(s).
Reason: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape. Relevant policy: Core Strategy policies CP1 and CP3 and Managing Development Delivery Local Plan policy TB21.
5. **Landscaping** – Prior to the commencement of the development, details of hard and soft landscape proposals shall be submitted to and approved in writing by the local planning authority. These details shall include, as appropriate, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and minor artefacts and structure, signs, lighting and external

services, etc. Soft landscaping details shall include a 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. It shall include planting within the car park. 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.

6. **Contamination** – No development shall take place until a scheme to identify and deal with contamination of the site has been submitted to and approved in writing by the local planning authority. The scheme shall include an investigation and assessment 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.

7. **Construction Management** – No development shall take place, including any works of demolition, until a Construction Method Statement and Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors,
- ii. loading and unloading of plant and materials,
- iii. storage of plant and materials used in constructing the development,
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- v. wheel washing facilities,
- vi. measures to control the emission of dust and dirt during construction,
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. no deliveries outside the permitted working hours
- ix. Best practice for use of machinery on site e.g. no idling of engines when equipment not in use etc
- x. lorry routing

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

8. **Lighting** – Prior to commencement of development, 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 neighbouring residential amenities.

9. **Electric Vehicle Charging** – Prior to the commencement of the development, 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. The approved details are to be implemented prior to the first occupation of the flats and maintained for the life of the development, unless otherwise agreed with 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 Core Strategy policies CP1, CP3 & CP6.

10. **Energy Statement** – Prior to the commencement of development, an Energy Statement indicating that an absolute minimum of the 10% of the predicted energy requirement of the development will be obtained from decentralised renewable and/or low carbon sources (as defined in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007) or any subsequent version) shall be submitted to and approved in writing by the local planning authority. The Statement shall also investigate the viability of providing electric vehicle charging points at construction. The approved scheme shall be implemented before the flats are first occupied and shall remain operational for the lifetime of the development.

Reason: To ensure developments contribute to sustainable development. Relevant policy: NPPF Section 14, Core Strategy policy CP1, Managing Development Delivery Local Plan policy CC05 & the Sustainable Design and Construction Supplementary Planning Document.

11. **Details of boundary walls and fences** – No development shall commence until details of all boundary treatment(s) shall first be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of amenity and highway safety. Relevant policy: Core Strategy policies CP1, CP3 and CP6.

12. **Noise** – No development shall take place until a full Noise Impact Assessment to BS 4142 2014 has been submitted to and approved in writing by the local planning authority. The assessment shall cover the current acoustic environment and how predicted noise from the development, including all proposed plant and machinery and vehicle delivery options will affect nearby noise sensitive receptors, including the occupiers of the proposed development and any mitigation measures necessary. Development shall not commence until the measures approved in the report have been implemented.

Reason: In the interests of residential amenities. 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.

13. **Noise Insulation** - The residential flats shall be designed and/or insulated so as to provide attenuation against externally generated noise in accordance with a

mitigation scheme to be submitted to and approved in writing by the Local Planning Authority before commencement of development. The scheme shall ensure that all noise implications are mitigated so that internal ambient noise levels for dwellings shall not exceed 35 dB LAeq (16 hour) 07:00-23:00 during the daytime and 30 dB LAeq (8 hour) 23:00-07:00 during the night assuming full road traffic flows at the outset. The design and/or insulation measures identified in the scheme shall ensure that ambient internal noise levels and the noise levels within external spaces for the dwellings meet the BS8233/1999.

Reason: In the interests of residential amenities. 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.

14. **Odour** – No development shall take place until a scheme implementing best practice for protecting future occupiers of the residential flats from commercial odour, including all plant and machinery in connection with any commercial kitchen/extraction/ventilation/flues, shall be submitted to and approved in writing by the local planning authority. The mitigation measures shall be retained and maintained thereafter.

Reason: In the interests of residential amenities.

15. **Cycle parking** – Prior to the commencement of the development, full and final details of secure and covered bicycle storage facilities for the occupants and visitors shall be submitted to and approved in writing by the local planning authority. The cycle storage and parking shall be implemented in accordance with the approved details 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: To ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 9 and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

16. **Parking and turning** – No unit shall be occupied 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 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.

17. **Parking Management Plan** – Prior to the first occupation of the flats, 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 adequate on-site parking provision in the interests of highway and pedestrian safety, convenience and amenity. Relevant policy: Core Strategy policies CP3 and CP6 and Managing Development Delivery Local Plan policy CC07.

18. **Access surfacing** – No residential unit shall be occupied until the vehicular access has been surfaced with a permeable and bonded material across the entire width of the access for a distance of 10 metres measured from the carriageway edge.

Reason: To avoid spillage of loose material onto the highway, in the interests of road safety. Relevant policy: Core Strategy policy CP6.

19. **Bin store** – No residential unit shall be occupied until the bin storage areas for the building have been provided in full accordance with the approved details. The bin storage shall be permanently so retained and used for no purpose other than the temporary storage of refuse and recyclable materials.

Reason: Reason: In the interests of visual and neighbouring amenities and functional development. Relevant policy: Core Strategy CP3 and Managing Development Delivery Local Plan policy CC04.

20. **Drainage** – The development hereby approved shall be carried out in accordance with the details identified in the Drainage Statement (Glanville Consultants, dated 14/09/2022) received by the local planning authority on 15/09/2022.

Reason: To ensure satisfactory drainage of the site and to prevent increased risk of flooding. Relevant policy: NPPF Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Technical Guidance on the NPPF (Flood Risk), Core Strategy policy CP1 and Managing Development Delivery Local Plan policy CC09.

21. **Hours of work and deliveries** – No work relating to the development hereby approved, including preparation prior to building operations, shall take place other than between the hours of 8am and 6pm Monday to Friday and 8am and 1pm Saturdays and at no time on Sundays or Bank or National Holidays.

No deliveries relating to the development hereby permitted shall be taken in or dispatched from the site other than between the hours of 8am and 6pm Monday to Friday and 8am and 1pm 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.

22. **Obscure glazing** – The bathroom windows of units 2 & 3 on the west elevation and the bathroom window of unit 1 on the south elevation shall be fitted with obscured glass and shall be permanently so-retained. The window shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level of the room in which the window is installed and shall be permanently so retained.

Reason: To safeguard the residential amenities of neighbouring properties. Relevant policy: Core Strategy policy CP3.

23. **Window shutter details** – Prior to first occupation of the flats hereby approved, details of the proposed internal window shutters on the north elevation shall be

submitted to and approved in writing by the local planning authority. The window shutters shall be installed in accordance with the approved details and shall be permanently so retained.

Reason: To safeguard the residential amenities of neighbouring properties. Relevant policy: Core Strategy policy CP3.

24. Plant noise – 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 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.

Informatives:

1. This permission should be read in conjunction with the legal agreement under section 106 of the Town and Country Planning Act dated TBC, the obligations in which relate to this development.
2. 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.
3. The applicant is reminded that should there be any change from the approved drawings during the build of the development this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.
4. 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.
5. 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 coordinated 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.

6. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning permission does not authorise you to gain access or carry out any works on, over or under your neighbour's land or property without first obtaining their consent, and does not obviate the need for compliance with the requirements of the Party Wall etc. Act 1996.
7. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. 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, failure to do this will result in penalty surcharges being added. For more information see the Council's website - Community Infrastructure Levy advice page. Please submit all CIL forms and enquiries to developer.contributions@wokingham.gov.uk.
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 and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development.

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