

Agenda Item 58.

| Application Number | Expiry Date | Parish | Ward |
|--------------------|-------------|--------------|----------|
| 223691 | 31/01/2024 | Wokingham CP | Emmbrook |

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| Applicant | Burlington Developments |
| Site Address | "Lee Spring", 10-12 Latimer Road, Wokingham, RG41 2YD |
| Proposal | Full application for the proposed erection of 42 residential apartments in three blocks, including on-site parking, shared amenity spaces, enhanced green spaces to support biodiversity and waste storage facilities. Access for neighbouring garages to be provided by 3.7m wide through-route north of the site. Following demolition of the existing buildings. |
| Type | Full application |
| Officer | Benjamin Hindle |
| Reason for determination by committee | Major application by virtue of scale at over 10 dwellings. |

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| FOR CONSIDERATION BY REPORT PREPARED BY | Planning Committee on Wednesday, 10 th January 2024 Assistant Director – Place and Growth |
| RECOMMENDATION | <p>That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following three-tiered recommendation:</p> <p>A. Completion of a legal agreement (S106) to secure the following HoT (Head of Terms):</p> <ul style="list-style-type: none"> - My Journey - Travel Plan - Car club contribution - Details of estate roads - Employment Skills Plan - Late-stage affordable housing deferred payment mechanism. <p>B. Subject to the conditions outlined in Appendix 1</p> <p>Alternative recommendation: That the committee authorise the Head of Development Management to refuse planning permission in the event of an S106 agreement not being completed to secure appropriate contributions within six months of the date of the committee resolution (unless a longer period is agreed by the Head of Development Management in consultation with the Chairman of Planning Committee).</p> |

Summary

Application 223691 was deferred on the 13th December 2023 following the Planning Committee's request for a site visit to assess the context of the site, bulk and mass, parking provision and commercial unit access. The site visit to the application site is scheduled for the 5th January 2024.

The original Committee report is appended below as Appendix 1 and the adjoining Supplementary Agenda detailing points of clarity requested by Members of the Planning Committee are appended below as Appendix 2.

Further to matters raised during public speaking and debate during 13th December Planning Committee, clarity is provided below in relation to comments relating to bulk, mass and design, parking and commercial unit access (Nisa Local).

Bulk, Mass and Design:

Design Principle R9 of the Wokingham Borough Design Guide states as follows:

- Buildings taller than their surroundings may only be acceptable where they are sited:*
- ***on major routes, where the scale and significance of the street warrants additional height;***
 - *in landmark locations;*
 - ***fronting onto major green open spaces within built up areas (see Section 8: Rural & Settlement Edge);***
 - *fronting key urban public spaces within larger schemes;*
 - ***in settlement centres where there are already other appropriate examples; and***
 - *in local Borough centres, particularly with a mixed-use ground floor*

The application site directly abuts the Southwestern railway line, sits adjacent to the Barkham Recreation Ground, is located within a major development location adjoining a major Borough centre with numerous appropriate examples of 4 storey development.

In terms of bulk and mass, the proposed built form has been successfully broken up both horizontally and vertically through the provision of alternating materials, varying setback roofscapes and elevation detailing. The proposal is predominantly 2 and 3 storey with a set-back 4th floor to the north to reduce its prominence in the street scene whilst ensuring that the limited views afforded from the public realm are positive and respond well to the site's Town Centre periphery location.

The National Design Guide (2021) ("NDG") provides general good practice guidance for planning new development. Given there are no specific Design Codes applicable to the site, the NDG alongside the Wokingham Borough Design Guide ("BDG") provides useful guidance in considering design, scale, bulk and mass.

Paragraph 59 of the NDG states "*Where the scale or density of new development is very different to the existing place, it may be more appropriate to create a new identity rather than to scale up the character of an existing place in its context. New character may also arise from a response to how today's lifestyles could evolve in the future, or to the proposed method of development and construction.*"

It is recognised that the proposals differ in character and appearance from the existing 2-2.5 storey residential vernacular west of the train line. However, difference in scale and design should in certain contexts be viewed as an opportunity. In this case the proposal transitions between the more traditional scale dwelling to the west, via the site's context of being occupied

by existing commercial buildings towards the size and form of the adjoining Queens Gate development.

Building on paragraph 59, paragraph 60 of the NDG states *“Where the character of an existing place has limited or few positive qualities, then a new and positive character will enhance its identity.”* Applying this directly to the application site, which at current features an unsightly commercial building within a residential area, the introduction of more compatible residential development of design, bulk, mass and scale inspired by the mixture of surrounding developments, effectively complements and transitions the site’s nature as a connecting link between Wokingham Town Centre and its periphery.

Paragraph 64 of the NDG states *“Compact forms of development bring people together to support local public transport, facilities and local services. They make destinations easily accessible by walking or cycling wherever this is practical. This helps to reduce dependency upon the private car.”* The proposal by virtue of its sustainable urban location and compact design (whilst still affording internal amenity notably above minimum standards) provides significant environmental and social benefits which are afforded significant weight within the planning balance.

With the above in mind, considering best practice guidance is met and exceeded, the proposal marks sustainable development in accordance with CP3 in that it is of a high-quality design and of an appropriate scale, mass, layout, built form height, materials and positive character. Accordingly, the proposed height, bulk, mass and design are acceptable.

Parking:

The application proposes 34 parking spaces, all of which feature electric vehicle charging outlets. This equates to 0.81 parking spaces per dwelling, in accordance with Town Centre parking standards as expressed by WBC Highways. A parking management plan has been secured to enforce against additional parking on site, and the surrounding areas are protected by a controlled parking zone (“CPZ”) which limits additional vehicle parking. This is enforced by WBC both in terms of the planning condition, and via the CPZ.

The site itself is highly sustainable, is located circa 160 metres from the Wokingham train station, circa 200 metres from the Wokingham bus station and is well connected for both pedestrian and cyclist access to all services within the Wokingham Town Centre (and its periphery) including healthcare, supermarkets and everyday necessities. Therefore, the requirement to own a car is lessened. This in accordance with paragraph 64 of the NDG in that the site would *“support local public transport, facilities and local services”* and would further support the overarching aims of policy CP6 of the Core Strategy in promoting a modal shift away from the use of the private motor vehicle, particularly in sustainable locations such as the application site, with strong access to alternative modes of transport.

Though all applications are considered on their own merits, it is important to note that Town Centre parking standards at 0.8 spaces per unit (and in some locations below this), have been applied successfully to various local residential developments which are notably in further proximity to public transport networks such as Peach Place (141116), West Forest Place (182460), 9 Easthampstead Road (191573), Saxons Court (142770) and The Old Forge (214184). The site given its location is more sustainable in public transport terms than any of the previously consented sites (albeit all highly sustainable) and provides the closest pedestrian/cyclist link.

Notwithstanding the evidence base within CP6 stating that Wokingham has one of the highest car ownership rates nationally, there is a general trend to decrease this, something highly sustainable development in major development locations effectively answers without impeding on the quality of life of its residents.

Commercial Access:

Officers undertook a site visit accompanied by the owner of Nisa Local, Barkham Road on 19/12/2023. This outlined that as existing, Nisa is entirely dependent on adjoining land (of which there is no lawful right of access as shown in title deeds) to facilitate deliveries by virtue of the existing parking layout. Delivery vehicles at current are allegedly driving to the north-eastern extent of the application site and reversing into the side of the bay without entering the bay itself, though the landowner has confirmed they have not evidenced this previously. It further outlined as confirmed by Mr Odedra that by virtue of existing parking arrangements on site and frequency of use, there are times that deliveries cannot be undertaken.

Mr Odedra stated that so long as an artic HGV (16.5 metres) could reverse and unload into the area of Nisa's ownership, no detrimental impact would occur to the business operations. In response to this, whilst the original swept paths showed access and manoeuvring for a 16.5 metre HGV which showed sufficient access Nisa's loading bay, the applicant provided additional plans on 20/12/2023 (Drg No. SK11) to illustrate direct entry to the loading bay, without blocking the access. This sufficiently addresses the objection as concurred by WBC Highways and stands as a betterment of the existing situation.

Other Matters:

The applicant provided a Member's Brochure to visually present Members of the Planning Committee with details of the proposal. This was circulated on 20/12/2023.

On the 19th of December 2023, the government issued a revised National Planning Policy Framework (NPPF). This does not alter the conclusions reached by your Officers.

APPENDIX 1 – Committee Report 13th December 2023

| Application Number | Expiry Date | Parish | Ward |
|--------------------|--|--------------|----------|
| 223691 | 15/12/2023 (to be extended to facilitate completion of S106) | Wokingham CP | Emmbrook |

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| Applicant | Burlington Developments |
| Site Address | "Lee Spring", 10-12 Latimer Road, Wokingham |
| Proposal | Full application for the proposed erection of 42 residential apartments in three blocks, including on-site parking, shared amenity spaces, enhanced green spaces to support biodiversity and waste storage facilities. Access for neighbouring garages to be provided by 3.7m wide through-route north of the site. Following demolition of the existing buildings. |
| Type | Full application |
| Officer | Benjamin Hindle |
| Reason for determination by committee | Major application by virtue of scale at over 10 dwellings. |

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| FOR CONSIDERATION BY | Planning Committee on Wednesday, 13 th December 2023 |
| REPORT PREPARED BY | Assistant Director – Place and Growth |
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RECOMMENDATION

That the committee authorise the **GRANT OF PLANNING PERMISSION** subject to the following three-tiered recommendation:

C. Completion of a legal agreement (S106) to secure the following HoT (Head of Terms):

- **My Journey**
- **Travel Plan**
- **Car club contribution**
- **Details of estate roads**
- **Employment Skills Plan**
- **Late-stage affordable housing deferred payment mechanism.**

D. Subject to the conditions outlined in Appendix 1

Alternative recommendation: That the committee authorise the Head of Development Management to refuse planning permission in the event of an S106 agreement not being completed to secure appropriate contributions within six months of the date of the committee resolution (unless a longer period is agreed by the Head of Development Management in consultation with the Chairman of Planning Committee).

SUMMARY

The proposed application seeks permission to erect a three block, three floor development of 42 apartments of mixed tenure, following the demolition of an existing commercial building 'Lee Springs' off Latimer Road, Wokingham. The proposal further seeks to provide associated parking, cycle parking, access, landscaping, amenity space, biodiversity enhancements and waste storage.

The existing site is unique in its location amongst residential dwellings by virtue of hosting a backland industrial use directly adjoining dwellings along Barkham Road and Latimer Road. This is circa 0.37HA in site area including existing access and substantial hardstanding to accommodate parking and loading.

The existing use on site is a mixture of Class E and B8 forming a part of the Lee Springs and Sampson Springs operation. This existing commercial building itself is a large 2-3 storey building of c1,766² (GIA) backing onto the railway line. It is recognized to be of poor quality and low architectural merit, which is obliquely visible from the train station, Wellington Road, adjoining houses and adjoining public green space adjacent to Latimer Road. The building is currently in a state of poor condition, with part of the building sitting un-used for 6 years due to asbestos concerns.

The existing site layout is shown below, within figure 1:



Figure 1: Existing site layout.

of the site (in particular adjoining residential dwellings) and local vernacular/material palette. The proposal complies with the recommendations within the Wokingham Borough Design Guide and does not detrimentally harm neighboring amenities with regard to overlooking, overbearing or overshadowing.

Whilst the proposed form is larger in scale than an existing commercial building, through the careful use of materials and design cues to break up the form, the development reinforces a more positive relationship with its surroundings and is consistent with its edge of town centre location and other major developments such as the existing Queens Gate apartments, Elms Field and Carnival Pool. As such, the proposal would enhance the character of the area and minimise harm to the amenity of prospective or surrounding residential occupiers. The proposal when assessed against policy and guidance is acceptable in this respect.

The cornerstone of the planning system, as summarised by paragraph 38 of the NPPF is to secure developments that will improve the economic, social and environmental conditions of the area. The application will deliver significant economic, social and environmental benefits to the Wokingham Borough. The proposals will notably contribute to the Borough's 5-year housing land supply with 42 additional homes, provide landscaping and biodiversity net gains, provide high quality design better reflective of Wokingham Town Centre's designation for growth, provide sustainability benefits and provide employment opportunities (secured via ESP), all of which are afforded significant weight.

The proposed development would substantially improve the sustainability performance on site by virtue of the proposal's passive design and notable energy savings, provide outlets for residents to live, work and travel sustainably as well as live within the bounds of the prime Wokingham Town Centre location. In line with Wokingham Town Centre parking standards, the proposal is policy compliant and has no undue impact on highway safety, whilst promoting a variety of transport alternatives in accordance with the development plan. A car club contribution, MyJourney, Travel plan and details of estate roads have been secured via obligations.

Through independent assessment by the Councils viability consultant, it has been adequately demonstrated in accordance with Core Strategy Policy CP5 and NPPF that the provision of affordable housing either on site or through a contribution is not viable.. Notwithstanding, as a financial viability assessment only provides a snapshot in time as to build costs, possible contaminated land remediation and market values, a late-stage review mechanism resulting in a profit share scheme has been negotiated by your officers and agreed by the applicant. This would ensure that the lifetime of the project is assessed in viability terms (late-stage trigger being at 90% completion), and any profit achieved above percentage indication will be shared with WBC on a 60/40 split to contribute to identified affordable housing needs.

With the above in mind, the proposal is recommended for approval subject to conditions (as detailed within appendix 1) and the satisfactory completion of a legal agreement (of which heads of terms are listed above).

NO RELEVANT PLANNING HISTORY**DEVELOPMENT INFORMATION**

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| Site Area | 0.37HA |
| Proposed units | 42 |
| Proposed density - dwellings/hectare | 114 |
| Previous land use | B8 and Class E Commercial/Industrial with ancillary Office Space |
| Proposed parking spaces | 34 total (7 car free units, 7 allocated spaces (inc 1 visitor), 27 unallocated spaces |

CONSTRAINTS

- Major development location (Wokingham)
- Affordable Housing Threshold
- Bat Roost Habitat Suitability
- Tree Preservation Order 1877/2022
- Thames Basin Heaths SPA Mitigation Zones – 7Km
- Potentially contaminated land consultation zone
- Local Plan Update proposed allocated site (5WK053)

CONSULTATION RESPONSES

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| Highways | No objection subject to conditions/ obligations |
| Trees and Landscape | No objection subject to conditions |
| Environmental Health | No objection subject to conditions |
| Drainage | No objection subject to conditions |
| WBC Ecology | No objection subject to conditions |
| WBC Economic Prosperity and Place (Community Infrastructure) | No objection subject to obligation |
| WBC Planning Policy | No objection |
| Ecology (Newts) | No objection |
| Green Infrastructure | Comments received |
| Property Services | No comments received |
| Sports Development | No comments received |
| Education | No comments received |

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| Health and Wellbeing | No comments received |
| Cleaner and Greener | No comments received |
| Community Safety | No comments received |
| NHS Wokingham | No comments received |
| Design and Crime Prevention | No comments received |
| Great Western Railway | No comments received |
| Royal Berkshire Fire and Rescue | Advisory comments received |
| Network Rail | Advisory comments received |
| Thames Water | No objection |
| National Grid | No comments received |
| SSE Power Network | No comments received |

| REPRESENTATIONS | |
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| Parish/Town Council | <p>Objection received from Wokingham Town Council on the following grounds:</p> <ul style="list-style-type: none"> - Loss of industry (<i>Officer note: Wokingham have a deliverable supply of industrial floorspace in excess of 2040 projections when assessed against industrial balance.</i>) - Bulk and mass excessive, particularly the 4 storey form (<i>Officer note: addressed within the report</i>) - No affordable housing proposed (<i>Officer note: This has been subject to 3rd party viability review, and in this respect complies with CP5 of the Core Strategy.</i>) - Absence of rear access (<i>Officer note: considering the scale of development, a singular access is appropriate as concurred by WBC Highways. This would not substantiate refusal.</i>) <p>Notwithstanding objection, Wokingham Town Council acknowledge:</p> <ul style="list-style-type: none"> - The poor architectural merit of the exiting buildings on site resulting in an 'eye sore'. - The amount of cycle storage provision, electric charging points and the use of solar panels within the development are welcomed. |
| Ward Member(s) | <p>Though no response was received following the receipt of revised plans, objection was originally received from Cllr Imogen Shepherd-Dubey on the following grounds:</p> <ul style="list-style-type: none"> - Scale of development resulting in 'Massing' (<i>Officer note: This is considered within the report.</i>) - Insufficient parking for the number of dwellings and worse still, unallocated parking (<i>Officer note: WBC Highways have considered the parking layout and allocation of spaces, raising no objection.</i>) |

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| Neighbour(s) | <p>14 objections and 1 comment of observation has been made by residents and the Wokingham Society, however Officers note that since revisions and subsequent re-consultation 7 objections have been received. The objections are summarised as follows:</p> <ul style="list-style-type: none"> - Inappropriate bulk and mass at 4 stories (<i>Officer note: This is considered within the report.</i>) - Design does not reflect residential dwellings adjoining (<i>Officer note: This is considered within the report.</i>) - Harm to neighbouring amenities (overlooking, overshadowing, overbearing) (<i>Officer note, the proposal complies within the Borough Design Guide in terms of neighbouring amenity.</i>) - Increase in pollution (<i>Officer note: considering the existing traffic movements aligned with the commercial use on site, the increase in road pollution caused by residential development is negligible and would not substantiate refusal. Further, the proposals achieved c85% carbon saving above baseline</i>) - Lack of affordable houses (<i>Officer note: This has been subject to 3rd party viability review, and in this respect complies with CP5 of the Core Strategy.</i>) - Access issues (<i>Officer note: this has been assessed by WBC Highways who do not object to the proposal.</i>) - Highway impacts (<i>Officer note: this has been assessed by WBC Highways who do not object to the proposal.</i>) - Objection to un-allocated parking provision (<i>Officer note: this has been assessed by WBC Highways who do not object to the proposal.</i>) - Delivery and servicing impacts (<i>Officer note: this has been assessed by WBC Highways who do not object to the proposal.</i>) - Failure to improve existing residents parking situation (<i>Officer note: this is not a material planning consideration</i>) - Existing parking issues (<i>Officer note: this is not related to the proposal and therefore is not a material planning consideration.</i>) - Existing rights of access (<i>Officer note: No lawful rights of access are infringed by the proposal.</i>) - Failure to retain trees and landscape features (<i>Officer note: landscape retention is secured by condition and the proposal would enhance existing landscape provision.</i>) - Impact to ecology (<i>Officer note: the proposal was assessed by WBC Ecology who do not object to the application subject to conditions.</i>) - Drainage and flood risk (<i>Officer note: the proposal was assessed by WBC Drainage who do not object to the application subject to conditions.</i>) - Construction impact when considering the adjacent Jewson's site (<i>Officer note: construction management details are reserved by condition.</i>) - Pedestrian safety during construction (<i>Officer note: construction management details are reserved by</i> |
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| | <i>condition.)</i> |
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| PLANNING POLICY | | |
|---|-------------|---|
| National Policy | NPPF | National Planning Policy Framework |
| Adopted Core Strategy DPD 2010 | CP1 | Sustainable Development |
| | CP3 | General Principles for Development |
| | CP4 | Infrastructure Requirements |
| | CP5 | Housing mix, density and affordability |
| | CP6 | Managing Travel Demand |
| | CP7 | Biodiversity |
| | CP8 | Thames Basin Heaths Special Protection Area |
| | CP9 | Scale and Location of Development Proposals |
| | CP10 | Improvements to the Strategic Transport Network |
| | CP14 | Growth and Renaissance of Wokingham Town Centre |
| | CP15 | Employment Development |
| | CP18 | Arborfield Garrison Strategic Development Location |
| Adopted Managing Development Delivery Local Plan 2014 | CC01 | Presumption in Favour of Sustainable Development |
| | CC02 | Development Limits |
| | CC03 | Green Infrastructure, Trees and Landscaping |
| | 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 |
| | TB05 | Housing Mix |
| | TB07 | Internal Space standards |
| | TB12 | Employment Skills Plan |
| | TB21 | Landscape Character |
| | TB23 | Biodiversity and Development |
| Supplementary Planning Documents (SPD) / other | | Borough Design Guide Planning Practice Guidance National Design Guide |

Description of Development:

1. The application site is located c18 metres from the edge of Wokingham Town Centre, in the major development location of Wokingham.
2. The site borders the strategic rail network at Wokingham station and sits adjacent to the train tracks, opposite the Macarthy and Stone assisted living 'Queen's Gate' development which lays to the east and facing a line of terrace dwellings to the north along Barkham Road. To the south-west of the site sits adjacent to maisonettes along Latimer Road. To the south of the site sits the Latimer Road public open space, allotments and Men's shed.
3. This application proposes the demolition of the existing industrial unit (comprising of Class B8 and E industrial, office and distribution uses), to be replaced by a three block, joined apartment block of 42 individual units with parking, cycle parking, access, landscaping, amenity space, biodiversity enhancements and sustainability measures.

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, in particular adjacent to a transport hub the proposal is acceptable in principle.

Wokingham Town Centre:

6. Core Strategy CP14 outlines that Wokingham as a major town centre in Berkshire is considered suitable for growth. Proposals should retain and enhance the historic market town character of Wokingham and maintain its position in the Berkshire retail hierarchy by:
 - 4) ensuring development cumulatively provides and maintains
 - b) housing
 - h) appropriate car parking to facilitate a viable and sustainable town centre;
 - i) enhanced environmental and design quality
7. The proposed use of the site is residential (CP14 4(B)), provides appropriate parking (CP14 4(H)) and enhance the existing environmental and design quality (CP14(I)). Therefore, Officers conclude that the proposal complies with CP14 of the Core Strategy.

8. Though Officers note that the application site is located c18 metres outside of the identified boundary of the Wokingham Town Centre (as communicated in figure 1 of the Wokingham Town Centre SPD (2010)), as outlined in CP14, Wokingham Town Centre is considered suitable for growth and therefore it is reasonable to conclude that given the original SPD boundaries were established 13 years ago, appropriate sites bordering the Town Centre, in particular those sustainably located adjacent to major transport networks are appropriate to facilitate such growth.
9. Accordingly, sustainable expansion to the eastern end of the existing Town Centre boundary, is considered logical and sustainable response to future growth needs.

Emerging Local Plan Update (LPU):

10. The Local Plan Update (LPU), the plan which will supersede the adopted Core Strategy and MDD local plans, is at the consultative stage of preparation. To date the council has consulted on two draft strategies for the LPU: the Draft Plan (2020) and the Revised Growth Strategy (RGS) (2021).

11. Policy ER3 of the Draft Plan relates to 'Employment Uses Outside Core Employment Areas'. With regard to the loss of employment floorspace, ER3 states:

"1. Development proposals involving the loss of employment land outside of Core Employment Areas will only be acceptable where:

- a. It is beneficial to the local economy and community; and*
- b. It is appropriate to the character of the area; and*
- c. It does not have unacceptable impact on nearby uses; and*
- d. There is strong evidence that there is no market interest for employment purposes, following genuine, active and effective marketing; and*
- e. It would not lead to an unacceptable piecemeal change."*

12. The application site has recently been promoted into the LPU process (site reference 5WK053). The promotion is for housing development with an indicative capacity of 50 dwellings. With the site being promoted subsequent to the most recent published Housing and Economic Land Availability Assessment (HELAA), an assessment of the site has yet to be completed. The site will be assessed as part of the next HELAA update.

13. Notwithstanding the above, given the LPU is at a consultative stage, the draft strategy and related draft policies have very limited weight in determining planning applications, although the sites consideration within the LPU is a useful indicator of its potential suitability.

NPPF and Housing Land Supply:

14. The latest published assessment of housing land supply concluded a deliverable supply of 3.95 years as of the 31 March 2022.

15. The National Planning Policy Framework (NPPF) states under paragraph 11 that where a local planning authority is unable to demonstrate a five-year supply of deliverable housing sites, the most important policies relating to the application may be viewed as being out of date. It continues to advise that unless there are specific policies in the

NPPF protecting the land subject to the application, that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF. This presumption in favour of sustainable development outlined in paragraph 11 of the NPPF is commonly referred to as the 'tilted balance' as harm and benefits are not weighed equally but tilted according to paragraph 11(d)ii).

16. This shortfall is not as a result of non-delivery of housing but due to the significant over delivery in recent years, reducing the bank of land with extant planning permissions.
17. In this context, the tilted balance engaged under paragraph 11 of the NPPF is tempered to reflect this. This reflects the approach taken in recent appeal decisions.
18. Firstly, in considering 11(d)i), it must be recognised that the proposed site is not located within any protected areas or assets of particular importance (as outlined above and within footnote 7 and paragraph 181 of the NPPF).
19. Acknowledging the requirements of paragraph 11(d)ii) and the titled balancing exercise which must be undertaken the LPA are required to consider the proposal against the policies in the NPPF taken as a whole.
20. The NPPF sets out the Government's objective of significantly boosting the supply of homes. Paragraph 69 recognises the important role small and medium sized sites can make in contributing to meeting the housing requirement of an area and are often built out relatively quickly. This goes on to encourage LPAs to support the development of windfall sites through their decisions and give **great weight** [Officer emphasis] to the benefits of using suitable sites within existing settlements for homes. This includes working with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.
21. Paragraph 105 identifies the importance of development being focused within locations which are sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health which is key objective in responding to the Borough's declared 'Climate Emergency'.
22. Paragraph 119 is clear that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 124 goes on to state that *"decisions should support development that makes efficient use of land, taking into account: a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;"*
23. In light of the above, this proposed development which is located on previously developed land, adjoining a sustainable transport hub, within a major development location supports the overarching aims of sustainable housing delivery, sustainable transport and the efficient use of land as identified within the framework, and this is afforded significant weight in the overall planning balance.

Loss of Commercial Floor Space:

24. Core Strategy Policy CP15 relates to employment development in general. CP15 defines Core Employment Areas, where the majority of employment development is located and the majority of growth will occur.
25. Additionally, CP15 states *“any proposed changes of use from B1, B2 or B8 should not lead to an overall net loss of floorspace in B Use within the borough”* therefore requiring a quantitative assessment. It is acknowledged that B1 was revoked from 1 September 2020 and replaced with new Class E(g).
26. CP15 supporting paragraph 4.71 supports the re-use of existing employment sites for other uses in locations where there is a demand for alternate uses and/or lack of demand for business uses, providing no net loss in employment floor space results. This is consistent with paragraph 123 of the NPPF which offers conditional support for the reuse of retail and business use for homes where this would not undermine key economic sectors or sites (amongst other issues) and would be compatible with other policies in the NPPF.
27. In addition to the quantitative aspect of the policy, CP15 also includes a qualitative element: *“Provision will be made for a range of sizes, types, quality and locations of premises and sites in order to meet incubator/start up, move on, expansion and investment accommodation needs and having regard to the needs of specific sectors of the business community.”*
28. As supporting paragraph 4.70 states a *“good supply of a range of sizes, types and location of available sites and buildings is a pre-requisite to a thriving economy”*.
29. The site is located close to (around 300m away), but outside of, the Molly Millars Industrial Estate Core Employment Area (CEA) as defined by Core Strategy Policy CP15 (Employment Development). It is also 320m west of Elms field which contain multiple flexible commercial units.
30. The application site contains a 1960s (circa 1965) building comprising 1,766sqm employment floorspace in the following uses: 434sqm office space; 490sqm industrial; and 842sqm distribution use. It therefore comprises a mix of class E and B8 uses which would be lost through the provision of C3 residential apartments.
31. The existing commercial use therefore contributes to the mix envisaged by CP15 notwithstanding location outside of a Core Employment Area... As a general principle, were such alternative sites to be lost without adequate justification, this would run contrary to the qualitative policy aim to ensure variety in provision across the Borough.
32. The policy position is therefore that the redevelopment of such employment sites outside CEA for alternative uses is capable of being acceptable, subject to their being no overall net loss and appropriate justification in line with the Economic Needs Study data as described above.
33. To address both the qualitative and quantitative aspects of CP15, an Employment Evidence Report has been submitted with the application. This adopts the position that there is no policy requirement to demonstrate active marketing. Instead, it discusses market signals across the borough more generally, finding in summary that there is around 15,350 sqm of industrial floorspace currently on the market, which accounts for roughly 9 times greater than the existing provision at the application site, and also that 40,000sqm office space across the borough is currently advertised as available.

Therefore, at current, the Borough can demonstrate both deliverable supply and vacant supply.

34. This approach in policy terms is acceptable, as the development plan contains no requirement for marketing proof to demonstrate demand (under test 1), this is only a snapshot in time and test 2, given the time constraints associated with a planning application this may not adequately prove demand. The report also recognises that both industrial and office stock has decreased within the borough over the last 5-10 years which indicates a constrained market and limited demand. This approach was acknowledged by WBC Policy Team who do not object to the loss of commercial floorspace in principle.
35. Given the availability of existing units, and future units planned both existing occupiers within the application site plan on remaining within the Wokingham Borough with Sampson Springs moving to a new location in Finchampstead and Lee Springs currently looking for a more appropriate, modern fit for purpose site locally. There would be no principle objection on the basis of the quantitative or qualitative elements of Policy CP15.
36. In March 2023, Stantec on behalf of the Council prepared an Employment Land Needs Review, which should be read in conjunction with CP15 as above. This document details a minimum of 18HA and maximum of 53HA of industrial floorspace required between 2022-2040.
37. This degree of industrial floorspace loss proposed within this application is, based on latest monitoring information from WBC Policy, unlikely to lead to a net loss of industrial use floorspace across the Borough in light of recent permissions including Bridge Farm Bound Oak Industrial Estate and Molly Millars Lane (Unit 1). Therefore, the loss of commercial would not be resisted in principle.
38. In terms of the quality of the existing units, the applicant submitted a report prepared by Lichfields which summarises the 'Condition Survey' undertaken by Thames Valley Surveying. This outlines that the quality of the building is considered poor and identifies the following concerns:
 - Little to no insulation
 - Crumbling window sills
 - Dilapidated interior fixtures and fittings.
 - Notable Asbestos contamination in parts of the premises that have been vacant for at least 6 years.
39. Based on the accompanying Conditions Survey, a budget of £1.05 million to £1.10 million will be required in order to refurbish the existing units to a modern standard. Such an upfront investment (greater than the site's value) is significant and it impacts on the commerciality of the units as well as limits overarching demand from future occupiers who at current cannot occupy the units immediately.
40. Demand has been proven to revolve around modern, energy efficient and adaptable commercial units, and the conversion of the proposal taking into account the following whilst not deemed un-viable, is considered as a detractor away from potential occupation. This, when combined with the existing deliverable supply of industrial floorspace weighs in favour of exploring alternative uses in this circumstance.
41. Overall, though the proposal would decrease commercial floorspace, it would not lead to

a Borough wide 'net loss' as per CP15. Therefore, the proposals would not contravene the quantitative or qualitative element of CP15.

Affordable Housing:

42. Policy CP5 of the Core Strategy requires all residential proposals of at least 5 dwellings or a net site area of at least 0.16 within development limits has to provide a minimum of 35% affordable housing where viable. The Planning Practice Guidance (PPG) states specifically that planning obligations for affordable housing should only be sought for residential developments that are major developments.
43. The Council's Affordable Housing Supplementary Planning Document (SPD) July 2013 provides further guidance on its approach to securing affordable housing through the planning process. It sets out, subject to viability, the minimum percentages of affordable housing sought on site by land type and location. It also explains that, for the avoidance of doubt, any application for dwellings exceeding the thresholds in Policy CP5, including mobile home sites, will need to deliver affordable housing in line with the Core Strategy.
44. The application site is brownfield, previously developed land within a major development settlement which proposes 42 units of residential development. It is noted that the minimum requirements for affordable housing is lower (30%) for previously development land and as such, to meet the requirements of Policy CP5 of the Core Strategy, a minimum of 13 units (net) should be provided as affordable housing (12.6 rounded up) subject to viability.
45. Following the submission of a Financial Viability Assessment (FVA) by the applicant, WBC commissioned an independent viability review prepared by Trebbi Continuum. In assessing the submitted FVA, the Council's valuers have taken full consideration of RICS Guidance Note – Assessing viability in planning under the National Planning Policy Framework, National Planning Policy Framework (NPPF) and National Planning Policy Guidance for Viability (NPPG) and RICS Professional Statement Financial viability in planning: conduct and reporting 2019. Account been taken specifically of the effect that planning obligations and other requirements have on the viability of the proposed development, whilst maintaining an appropriate Site Value for the landowner and a market risk adjusted return (17.5%) to the developer in delivering the project. This return is consistent with the 15%-20% contained within the NPPG (middle ground).
46. The Council's valuers concluded that by deducting the costs of the development from the Gross Development Value and then assessing the resulting Residual Land Value against the Benchmark Land Value, the proposed scheme would be in deficit. Hence, the proposed scheme is not currently in a position to provide affordable housing.
47. In this context and considering the identified shortfall in the supply of affordable housing within the borough resulting in a net demand of circa 407 dwelling per year, Officers and the Council's Valuer still have a responsibility to explore all available mechanisms in order to allow the scheme to recover policy compliance should viability improve over time.
48. Accordingly, a deferred payment mechanism was negotiated for an affordable housing commuted payment be secured via legal agreement under S106 should the profitability of the scheme improve in the future. This would be in the form of a 'late stage' viability review, to forecast any excess profits over and-above the developer's 17.5% profit for the whole scheme, would be produced and submitted by the developer and considered

by the LPA. The applicant has accepted this as an obligation.

49. The 'late stage' review would be triggered at the point of 90% sale/lettings for this development, i.e. after the 38th unit was sold and/or let as part. If the viability of the scheme had positively changed at that point in time, the Council would then get 60% of all the 'excess' profit as a financial contribution towards affordable housing in the Borough. The full detail of the deferred payment mechanism would be drafted as a clause within a legal agreement should a positive decision be reached by planning committee.

Re-use of Brownfield Land:

50. Paragraph 120(c) of the NPPF states planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.
51. Paragraph 120(d) of the NPPF states that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
52. The proposal would efficiently utilise previously developed, brownfield land within a major development settlement and meets an identified shortfall in housing delivery. The proposal in this respect complies with paragraph 120 of the NPPF, and significant weight is afforded to the re-use of a redundant and under-utilised site to provide housing.

Conclusion:

53. The proposal is sustainably located within a major development location, on the edge of Wokingham Town Centre which is an identified area of growth. The proposal would notably improve the sustainability performance of the site, utilising a brownfield land, replace buildings of poor condition, increasing landscaping and biodiversity provision whilst being of high-quality design and positively contributing to meeting the Borough's housing need. Accordingly, the proposal is acceptable in principle.

Design and Character of the Area:

54. Core Strategy Policy 1 states that planning permission will be granted for development proposals that enhance the high quality of the environment.
55. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and must be of high quality design.
56. Paragraph 130 of the NPPF outlines that planning decisions should ensure development:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
57. The Building Better, Building Beautiful Commission notes that new development should be designed to fit into the life and texture of the place where it occurs and should also aim to be an improvement of that place.

Design and Townscape Visual Impact Assessment (TVIA):

58. To accompany the application, a Townscape Visual Impact Assessment (TVIA) was submitted for consideration. This document through the aid of CGI visuals, depicted the proposed form and how it would integrate with its surroundings, including important viewpoints from the Town Centre, train station and surrounding residential roads.
59. Following initial review of the TVIA, by reason of preliminary concern with bulk and mass, through negotiation with the applicant, Officers secured a notable set-back of the 3rd floor which resulted in a decrease in the overall number of units from 45 to 42, as well as additional amendments to design, layout, materials and landscaping to best integrate the proposal into its surroundings.
60. The subsequent revisions to the design and layout of the proposal provided greater opportunity for integrated landscaping, a varied locally complimentary material palette and horizontal and vertical breaks in form which in turn decreases the proposal's massing and creates a more visually appealing and interesting development when visible from the few public vantage points in which the site can be seen.
61. The following improvements are noted by Officers with this updated layout, design and form:

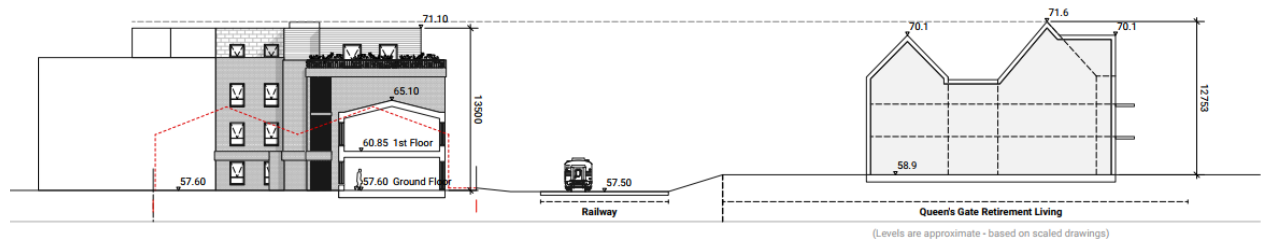
- The top floor has been set back from the rear elevation and features a stratified, lighter coloured cladding to reduce its visual dominance resulting in the loss of 3 units.
- Greater space for integrated planting at rooftop level as indicatively shown.
- In assessing the local vernacular and materials, changes have been made to the types of materials and overall appearance of the residential block. The use of a red brick is now being proposed as the main material to reflect the surrounding area rather the previously proposed brown and light brown brick.
- The main building is vertically divided with notable cladded sections which visually reduce the perception of the overall massing of the building.
- The northern elevation has been broken up and tiered, with heritage inspired fenestration reducing the bulk and mass.

62. Although not directly reflective of the form of adjacent dwellings adjoining and further from the Town Centre, there are limited wider visual impacts, with those limited attainable view of high-quality design and contain features that pay ode to the traditional local vernacular, whilst providing an attractive, contemporary approach that transitions between the more conventional form of development opposite at Queens Gate, and the suburban character beyond to the southwest.

63. Though the materials indicated within the submitted 'Design Update' are of high-quality appearance and respect the site's location and surrounding character, a condition is appended to the recommendation which require detailed samples of the cladding and brickwork to be submitted to the LPA for approval in writing prior to commencement of development.

Heights:

64. The application site is located directly adjacent to the Queen's Gate, Macarthy and Stone apartments, allowed at appeal under application 130178 which provided 3 stories of 32 assisted living accommodation with steep pitch rooves. This sits at approximately 12.7 metres in height and is located on notably higher ground than the application site (as depicted below). Notwithstanding the current proposal featuring 4 stories of residential accommodation at 13.5 metres in height, when contrasting both developments including elevations, the resulting form as built would sit comparably in height to the proposal, with Queen's Gate sitting marginally higher. Therefore, the proposal's height positively responds to its decreased topography.



65. Located on the other side of Barkham Road to the north of the application, are 14 traditionally designed apartments approved under application 200700 (not yet under construction). These apartments have been approved to sit at c12.6 metres from ground level. Alike to Queens Gate, when contrasted to the application site at Latimer Road, the Barkham Road apartments would be sited on higher ground than the proposal and therefore the resulting scale when viewed from the street scene would be comparable to that proposed, albeit at a smaller scale.
66. It is noted that the surrounding vernacular west of the railway line in the vast majority lays at 2-2.5 stories (accounting for loft conversions) bar the existing industrial building on the application site itself (which is up to 3 stories) and the recently approved Barkham Road apartments also at 3 stories. When viewed in isolation, the proposal would depart from the immediate vernacular to the south and west. However, the proposal has been designed to visually accommodate the bulk and mass on the 4th storey into a building effectively the same height as the 3-storey buildings opposite the railway at Queens Gate. This is further reinforced by a contemporary approach to materials matching the surrounding vernacular as well as an enhanced landscaping scheme. The site also benefits from lower ground than adjoining sites, which further mitigates the impact on having a 4-storey development in this location. Finally, the railway line acts as a unique manmade intervention effectively allowing a more ambitious scale of development without any corresponding visual harm.

67. Therefore, whilst the number of storeys is recognised as being greater than those properties to the southwest, this former industrial site has a fundamentally different context to the areas beyond, not only is it occupied by a large industrial building at present, but directly backs onto the railway line and taller buildings beyond. This is reflective of its indicative site capacity as described in the principle section above. Therefore, the fact it performs a visual role more closely associated with those taller buildings opposite at Queens Gate and the Town Centre beyond, rather than the more suburban form to the southwest, is not itself considered to cause any substantial harm on the immediate area.

Design:

68. RD6 of the Borough Design Guide SPD states the elevations are to be well composed, proportioned and detailed and RD7 requires that materials, colours and details respond to the distinctive elements of the locality.
69. The site is irregular and relatively constrained, being located adjacent to the railway, residential dwellings and being triangular in shape. The proposal has been subject to a number of design iterations (as detailed above) so that the development integrates as successfully as possible with the surrounding area.
70. The scheme results in three blocks in a recessed irregular 'L' configuration, providing an active frontage addressing the access and street scene beyond on Latimer Road, the adjacent public open space and the un-surveilled (as existing) rears of the dwellings along Barkham Road and Latimer Road, whilst providing an enclosed overlooked private amenity area towards the railway.
71. The blocks are varied in scale maintaining the established urban grain, as well as a modest point of interest from various viewpoints as outlined within the submitted TVIA. The blocks vary from 2 stories to the south of the site in response to the maisonettes along Latimer Road, to 3 stories centrally, to 4 stories at the north of the site in response to site's relationship with the Town Centre and taller buildings opposite. The site is considered to positively respond to its constraints in this respect.
72. By virtue of the development making the most efficient use of previously developed land adjoining a strategic rail network and Town Centre, it is unreasonable to expect the site to directly reflect the lower density surroundings along Barkham and Latimer Road which includes roof form and mass (a point of objection noted by the Town Council, Cllr Shepherd-Dubey and residents).
73. Accordingly, the scale of the proposal is considered acceptable, in particular with the significant amendments achieved by your Officers in regards to reducing bulk and mass, design, landscaping and materials.

74. Concerning roof form and design, the proposal features a tiered flat roof that reflects the character of the majority of larger backland-built form abutting the railway. A contextual analysis undertaken by the Councils shows that the prevailing character on this western edge shows a variety of flat roof variation, whereby the proposal is consistent in this regard. This is acceptable in design terms, and accords with CP1, CP3, paragraph 130 of the NPPF and the Borough Design Guide. This consistent vernacular is illustrated below in figure 3:



Figure 3: Flat roof form highlighted in yellow west of the railway lines.

75. In terms of landscape character and design, the site is adjacent to the Barkham Ride Recreation Ground, which is relatively verdant for an urban area. The proposed built form takes the bordering public open space (POS) into account, providing elevated landscaping integrated into the design of the design of the apartment blocks themselves. Details of this are secured by condition.

76. This is particularly important from the nodal point of view north-east of the site (identified as view point 7 within the submitted TVIA), when as existing views are afforded of the tops of the trees within the adjoining public open space. Carefully situated landscaping and green roofing within the design of the building replicates these views and features and provides essential visual buffering. This in part mitigates the bulk and mass of the proposal and eases the proposal into its surroundings.

Density:

77. Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan require an appropriate dwelling density and R10 of the Borough Design Guide SPD seeks to ensure that the development achieves an appropriate density in relation to local character.
78. Though generally applied to proposal's outside of settlement limits, paragraph 85 of the NPPF outlines that the use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist. The site is clearly located within a major development location, however is physically well related to Wokingham Town Centre being just 18 metres from its defined boundary.
79. The proposal achieves a density of 114 dwellings per hectare, which is modest considering the site's adjacency to the Wokingham Town Centre which is an identified area of growth. By means of comparison, the current open application to 19-21 Market Place proposes 150 D/P/H (60 units over a 0.5 HA site area).
80. The proposed density, though higher than the surrounding single residential dwellings makes the most efficient use of previously developed brownfield land adjacent to an identified area of growth, which in accordance with the NPPF is supported.
81. With the above in mind, the proposal is suitably scaled for its location, designed to a high quality and effectively responds to an area of outlined growth. There is no objection in regards to impacts to character and design.

Residential Amenities (Existing):

82. Core Strategy Policy CP1 (point 8) states that planning permission will be granted for development proposals that avoid areas where pollution (including noise) may impact upon the amenity of future occupiers.

Daylight and sunlight:

83. R18 of the Borough Design Guide SPD requires sufficient sunlight and daylight to new properties, with dwellings afforded a reasonable outlook, preferably dual aspect (with the avoidance of north facing, single aspect flats) and no material impact on levels of daylight in the habitable rooms of adjoining properties.
84. Given the distance between the proposed blocks and the surrounding residential occupiers and the orientation of the buildings, it is considered that the proposal would not result in a harmful loss of daylight and sunlight to these occupiers. The applicant has submitted an overshadowing report by EB7, which uses BRE Guidance to assess the proposal. There are no objections in terms of overshadowing to adjoining neighbouring dwellings.

Overlooking:

85. R15 of the Wokingham Borough Design Guide (Figure 4.25) outlines minimum separation distances that prevent unacceptable overlooking or harm to neighbouring amenities. This distances ranges from 22-30m to the rear and 10-15m to the street. The proposal has been sensitively designed in this effect, with the careful location of habitable windows preventing any direct overlooking notwithstanding compliance with recommended separation distances.
86. Applicable separation distances and compliance with the Borough Design Guide are assessed below. Where the BDG is silent on separation distances such as front to back and front to flank, a cautious approach has been taken applying either back-to-back or back-to-flank distances. These read as follows:

| Address | Separation Distance | BDG Guidance | Compliant |
|------------------------------|---------------------|--------------|---|
| 1 Wellington Road | 28m | 15m | Yes |
| 5 Wellington Road | 31m | 30m | Yes |
| Queen's Gate (closest point) | 27m | 22m | Yes |
| 4 Barkham Road | 36m | 15m | Yes |
| 6D Barkham Road | 22m | 15m | Yes |
| 6E Barkham Road | 17m | 15m | Yes |
| 6 Barkham Road | 24m | 15m | Yes |
| 8 Barkham Road | 26m | 15m | Yes |
| 10 Barkham Road | 24m | 15m | Yes |
| 12 Barkham Road | 25m | 15m | Yes |
| 14 Barkham Road | 25m | 15m | Yes |
| 22 Barkham Road | 18m | 15m | Yes |
| 4 Latimer Road | 45m | 30m | Yes |
| 6 Latimer Road | 42m | 30m | Yes |
| 8 Latimer Road | 42m | 30m | Yes |
| 14/16 Latimer Road | 31m | 30m | Yes |
| 18/20 Latimer Road | 30m | 30m | Yes |
| 22/24 Latimer Road | 21m | 22m | No to B2B, however, this sports a F2B relationship. |
| 26/28 Latimer Road | 16m | 22m | No to B2B, however, this sports a F2B relationship. |

87. Officers note that when cautiously applying a back-to-back separation distance from the 2 storey Block C to the dwellings at 22/24 and 26/28 Latimer Road, there is a shortfall, however, as these feature a front to back relationship which the Borough Design Guide is silent on, and would not be unreasonable for an inner urban location they are acceptable.

88. To mitigate any potential overlooking between 26/28 Latimer Road and Block C, the development has been carefully designed to prevent any habitable windows facing westwards. Further, a condition has been appended to the recommendation which requires the second floor south-west facing window to be obscurely glazed to protect the amenities of 26/28 Latimer Road.

89. With the above in mind, there are no objections in regard to overlooking.

Overbearing:

90. Though the proposal is larger than the existing commercial building in height, its articulation, the separation distances expressed above, combined with the orientation of the proposal would not give rise to unacceptable overbearing impacts.

Residential Amenities (Future):

Daylight and sunlight:

91. In terms of shadowing, all of the units would receive some degree of shadowing throughout the day as the sun moves from east to west, however, this would not be to the extent that it would be harmful to residential amenity. The apartment blocks have been carefully designed in this respect to comply with BRE Guidance.

92. The proposal would deliver overhanging balconies that are not stratified, rather positioned in uniform alignment. This by reason of its positioning would have a degree of impact on the VSC (visual sky component), meaning that the corresponding units would not have full light when the sun is at its highest. In any case, in terms of skylight, the proposal would not result in any of the units having a harmfully low level of skylight penetration, with all units falling within the 25 degree tolerance as expressed by the BRE.

93. In terms of daylight and sunlight within the building, all of the units would have long windows to make sure of available light which has been designed to passive standard. This is an essential design feature than not only increases access to daylight, but also promotes solar heating.

Overlooking and Overbearing:

94. The proposed internal layout and window positioning has been designed to avoid direct window to window overlooking and a harmful sense of enclosure and loss of privacy to occupiers of the units.

95. The proposal would retain adequate separation distances from adjoining residential occupiers, that would not give rise to any overlooking or overbearing impacts for future occupiers within the application site.

Internal Space Standards:

Dwelling Mix:

96. Policy CP5 of the Core Strategy requires an appropriate mix of dwelling types, tenures and sizes so that the housing needs of the community are met. Policy TB05 of the MDD Local Plan requires an appropriate housing mix which reflects a balance between the underlying character of the area and both the current and projected needs of households.
97. The Berkshire (including South Bucks) Strategic Housing Market Assessment (February 2016) identified future housing need for the Wokingham Borough. Table 107 (on page 295) identifies the following:

| No of beds | 1 bed | 2 bed | 3 bed | Total |
|----------------------------|--------------|--------------|--------------|--------------|
| Dwellings required | 934 | 3488 | 5605 | 12889 |
| | 7.2% | 27.1% | 43.5% | 100% |
| Subject application | 13 | 25 | 4 | 42 |
| | 1.4% | 0.7% | 0.07% | 0.33% |

98. The intent of Council's policies are to provide a mix of accommodation to cater for the varied needs of the community and to ensure that it is provided where it is needed. It must take account of a variety of living arrangements including but not limited to families, extended families, couples, single parents, first homeowners, aged residents (including those looking to downsize) and those on low income. On the whole, the application provides a range of smaller units of accommodation suitable for its sustainable urban location.

Accessibility:

99. Policy CP2 of the Core Strategy seeks to ensure that new development contributes to the provision of sustainable and inclusive communities, including for aged persons, children and the disabled. 10–20% of all dwellings should be to Lifetime Homes standards in accordance with Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan. In this case, it equates to a maximum of 8 units.
100. Although the Lifetime Homes standard has been replaced by the new national technical housing standards, the need to design and build accessible and adaptable accommodation remains integral to future neighbourhood planning.
101. The proposal shows level internal access, and motorized lift leading to upper levels with 7 of the 42 apartments proposed being considered accessible and adaptable, which is near the maximum policy requirement in excess of the minimum. The amenity space is shown to be level which will facilitate wheelchair access. All proposals must comply with Building Regulations Part M (Access) which have informed the access gradients as well as the window/ balcony openings which are in excess of 850mm. There are no objections in regards to accessibility.

Housing Amenity - NDSS:

102. Internal amenity: Policy TB07 of the MDD and R17 of the SPD require adequate internal space to ensure the layout and size achieves good internal amenity. In accordance with the Technical housing standards – nationally described space standards and the proposal's compliance with this are referred to below:

| Unit | Bedrooms | Occupancy | Area | Required | Complies |
|------|----------|-----------|-------------------|------------------|----------|
| 0.01 | 1 | 2 | 50m ² | 50m ² | Yes |
| 0.02 | 2 | 4 | 76m ² | 70m ² | Yes |
| 0.03 | 3 | 5 | 110m ² | 86m ² | Yes |
| 0.04 | 3 | 5 | 102m ² | 86m ² | Yes |
| 0.05 | 2 | 4 | 73m ² | 70m ² | Yes |
| 0.06 | 2 | 4 | 73m ² | 70m ² | Yes |
| 0.07 | 2 | 4 | 78m ² | 70m ² | Yes |
| 0.08 | 1 | 2 | 51m ² | 50m ² | Yes |
| 0.09 | 2 | 3 | 69m ² | 61m ² | Yes |
| 0.10 | 3 | 4 | 79m ² | 74m ² | Yes |
| 0.11 | 3 | 4 | 79m ² | 74m ² | Yes |
| 1.01 | 1 | 2 | 50m ² | 50m ² | Yes |
| 1.02 | 2 | 4 | 71m ² | 70m ² | Yes |
| 1.03 | 2 | 4 | 72m ² | 70m ² | Yes |
| 1.04 | 1 | 2 | 56m ² | 50m ² | Yes |
| 1.05 | 1 | 2 | 51m ² | 50m ² | Yes |
| 1.06 | 2 | 4 | 75m ² | 70m ² | Yes |
| 1.07 | 2 | 4 | 73m ² | 70m ² | Yes |
| 1.08 | 1 | 2 | 50m ² | 50m ² | Yes |
| 1.09 | 2 | 3 | 76m ² | 61m ² | Yes |
| 1.10 | 1 | 2 | 51m ² | 50m ² | Yes |
| 1.11 | 2 | 3 | 66m ² | 61m ² | Yes |
| 1.12 | 2 | 4 | 75m ² | 70m ² | Yes |
| 1.13 | 2 | 4 | 75m ² | 70m ² | Yes |
| 2.01 | 1 | 2 | 50m ² | 50m ² | Yes |
| 2.02 | 2 | 4 | 71m ² | 70m ² | Yes |
| 2.03 | 2 | 4 | 72m ² | 70m ² | Yes |
| 2.04 | 1 | 2 | 56m ² | 50m ² | Yes |
| 2.05 | 1 | 2 | 51m ² | 50m ² | Yes |
| 2.06 | 2 | 4 | 75m ² | 70m ² | Yes |
| 2.07 | 2 | 4 | 73m ² | 70m ² | Yes |
| 2.08 | 1 | 2 | 50m ² | 50m ² | Yes |
| 2.09 | 2 | 3 | 76m ² | 61m ² | Yes |
| 2.10 | 1 | 2 | 51m ² | 50m ² | Yes |
| 2.11 | 2 | 3 | 66m ² | 61m ² | Yes |
| 3.01 | 2 | 3 | 70m ² | 61m ² | Yes |
| 3.02 | 1 | 2 | 51m ² | 50m ² | Yes |
| 3.03 | 2 | 3 | 65m ² | 61m ² | Yes |
| 3.04 | 2 | 4 | 77m ² | 70m ² | Yes |
| 3.05 | 2 | 4 | 77m ² | 70m ² | Yes |
| 3.06 | 2 | 4 | 76m ² | 70m ² | Yes |
| 3.07 | 2 | 3 | 64m ² | 61m ² | Yes |

103. The apartment proposals comply with the NDSS and TB07 in that the minimum GIA complies with the required for both 1 and 2 bed apartments. Other than 2 of the 42 units that are aligned with the NDSS, 40 units (95% of the proposal) exceed these targets (some by over 25%), providing high quality internal amenity for future occupiers.

Internal Amenity – NDSS:

104. The NPPF seeks to promote development that has good architecture and layout with a high standard of amenity for existing and future users and Paragraph 157 of the NPPF state that new development should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. The proposal has achieved this.

105. An apartment with more than one bedroom should have a main bedroom, which is to have a minimum area of 12m². Secondary of single bedrooms should have a minimum area of 7.5m² and 2m² – 2.5m² storage. The relevant apartments have been assessed in this regard below:

| House | Bedrooms | Occupancy | Main bedroom | Secondary bedroom | Storage | Compliant |
|--|----------|-----------|--------------------|---------------------|--------------------|-----------|
| Units 0.09, 1.09, 1.11, 2.09, 2.11, 3.01, 3.03 and 3.07 | 2 | 3 | > 12m ² | > 7.5m ² | >2m ² | Yes |
| Units 0.02, 0.05, 0.06, 0.07, 1.02, 1.03, 1.06, 1.07, 1.12, 1.13, 2.02, 2.03, 2.06, 2.07, 3.04, 3.05 and 3.06. | 2 | 4 | > 12m ² | > 7.5m ² | >2m ² | Yes |
| Units 0.10 and 0.11 | 3 | 4 | >12m ² | >7.5m ² | >2.5m ² | Yes |
| Units 0.03 and 0.04 | 3 | 5 | >12m ² | >7.5m ² | >2.5m ² | Yes |

106. The proposal complies with the nationally described space standards for internal amenity in the above respects, exceeding them in every unit proposed which is

supported by the Council.

Sustainability:

Sustainable Location:

107. Sustainability Policies CP1 and CP6 of the Core Strategy require that development be sustainable, with a reduction in the need for travel and the promotion of sustainable transport. Policy CP4 requires the provision of infrastructure, services and community facilities relative to the scale of the development and Policy CP9 states that the scale of development must reflect the existing or proposed levels of facilities, services and accessibility at or in the location.
108. The site is on the outside edge of Wokingham Town Centre and is in easy walking distance of a variety of retail and leisure facilities and services. It is also in immediate proximity of bus and train services at Wokingham Railway Station. Provision for the charging of electric cars is provided in two of the parking spaces. The site is therefore located in a highly sustainable location and the scheme provides facilities which promote sustainable travel choices.

Building Sustainability:

109. In terms of building sustainability, Policy CC05 of the MDD Local Plan requires residential proposals of more than 10 dwellings to deliver a minimum 10% reduction in carbon emissions through renewable energy or low carbon technology.
110. An Energy Statement has been submitted which states how this would be achieved through the use of photovoltaic panels, passive design and efficient measures. In terms of photovoltaics, the application proposes to utilise the available roof space to install a 142 panel PV array, a total 62.48kWp array generating some 51,376.80kWh/annum.
111. The use of passive design and solar heating, creates an estimated 85.02% reduction in regulated emissions over and above the baseline model, therefore significantly exceeding the policy requirement as established within MDD Local Plan Policy CC05. This energy strategies delivery is afforded significant weight in the overall planning balance and can be secured by a condition appended to the recommendation.

Sustainable Construction:

112. In terms of sustainable construction, Policy CC04 of the MDD Local Plan requires that all development should incorporate suitable waste management facilities including on-site recycling.
113. Officers note that CC04 provides an outdated reference to the Code of Sustainable Homes, which was superseded in 2015 by national standards in building regulations, however, the fundamental aims of the policy still apply. These are met on site through the provision of bin stores which are sited in 4 different locations around the site. Details of the appearance of the bin stores and secured via a hard landscaping condition appended to the recommendation.

Access and Movement:

114. Core Strategy Policy CP6 states that planning permission will be granted for schemes that:
- a) Provide for sustainable forms of transport to allow choice;
 - b) Are located where they are or will be at the time of development choice in the modes of transport available and which minimise the distance people need to travel
 - d) Provide appropriate vehicular parking, having regard to car ownership;
115. CP5 echoes paragraph 110 of the NPPF, which seeks to promote sustainable travel in decisions with consideration of:
- a) The opportunities for sustainable transport modes that have been taken up depending on the nature and location of the site to reduce the need for major transport infrastructure;
 - b) Safe and suitable access to the site that are achieved for all users;
 - c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
116. This is reinforced in Paragraph 124, which refers to the 'availability and capacity of infrastructure and services...and the scope to promote sustainable travel modes that "limit future car use"'.
117. Given to the sustainability of the application site adjoining the Town Centre and next to a strategic rail network, it is proposed that for the 42 flats there will be 34 parking spaces, this would result in a parking ratio of 0.81 spaces per dwelling. It is proposed that there would be 3 allocated spaces for the 3 x 3 bed units and for the 3 accessible units.
118. It is proposed that there would be 7 car free units, and these would not be eligible for Borough Parking Permits. Due to the sustainable location of the site close to the Wokingham Town Centre and the railway station this is an appropriate solution to promoting sustainable transport choices in accordance with Core Strategy Policy CP6. It is also proposed that there will be 2 spaces for motor-cycle parking which provides opportunity for transport choice.

119. A parking plan showing the location of the unallocated and allocated parking has been submitted which is welcome. However, highways would recommend that access ways to entrances to the flats are surfaced with different material to better define these areas. This revised plan would need to be submitted. This has not been provided but can be secured through the hard landscaping condition.
120. All spaces are 5m x 2.5m and there is ample space behind the spaces to allow for safe maneuvering. An initial parking management plan has been submitted which sets out who is responsible for the management and control of the parking. This is especially important considering the presence of car free units on site and has been secured by condition.

Cycle Parking:

121. Secure and covered cycle stores for 48 cycles have been proposed which is in line with Borough standards which provides for sustainable transport options on site. There will be 8 further visitor spaces situated close to the accesses. Details of the appearance and layout has been secured by condition.

Electric Vehicle Parking:

122. It is proposed that all spaces will be provided with EVC charging which incentivizes the use of the most sustainable modes of private vehicle. The details of the charging system have been appended to the recommendation as a condition.

Access:

123. In terms of access, the existing private access off Latimer Road would be used to access the site. It is proposed that this will continue to be a shared surface which is acceptable in highway safety terms.
124. The existing lawful rights of access will be maintained for the properties on Barkham Road which has been shown in plan form.

Swept path assessment:

125. Swept path assessments for large cars, refuse vehicles and a fire tender have been submitted with acceptable dimensions. This allows safe access in case of emergency/ for waste collection.
126. The swept paths show adequate manoeuvring for a large 16.5m articulated lorry into the Nisa Local delivery area. The proposal in this respect will not hinder the existing neighbouring commercial use.

Walking and Cycling:

127. Though the site is sustainably located, and has logical pedestrian and cyclist links, Officers note that no assessment was carried out on the walking or cycling environment. A Walking and Cycling strategy has been secured by condition accordingly.

Travel Plan:

128. A framework travel plan has been submitted, however, Officers note that there is no mention of the Borough's MyJourney or travel plan guidance. Notwithstanding, the objectives set out in the plan are acceptable which are informed by the use of the census data as an initial mode share. This has been secured via Planning obligation.
129. Membership to a car club for each resident has been included to mitigate the car free units, and provide an alternative sustainable transport choice as per CP6. This has been secured by planning obligation.

Framework Demolition and Construction Management Plan:

130. A Framework Demolition and Construction Management Plan has been submitted which provides an overview on the anticipated construction phase and details any limitations.
131. The provided document shows some detail including that deliveries on site will be managed to avoid peak hours/ anti-social hours and construction traffic would access site from the south avoiding the Town Centre. The document further states that deliveries would be managed by a banksman and that wheel washing facilities are offered on site to prevent mud on the road. Though the above is acceptable at high level, Officers recognise that it will be the duty of the contractor/s to submit the full method statements to WBC which should further include monitoring of the public highway. The requirement of the submission of a demolition/ construction management plan is secured by condition.

Flooding and Drainage:

132. Core Strategy Policy CP1 states that planning permission will be granted for schemes that ensure the provision of adequate drainage and avoid increasing (and where possible reduce) risks of or from all forms of flooding (including from groundwater).
133. MDD Local Plan Policy CC09 states that all sources of flood risk, including historic flooding, must be taken into account at all stages and to the appropriate degree

at all levels in the planning application process to avoid inappropriate development in areas at risk of flooding.

134. Paragraphs 152-173 of the National Planning Policy Framework (NPPF) covering planning for flooding and climate change. Paragraph 154 specifically mentions that new development should avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.
135. The Environment Agency (EA) Flood Map shows the Site is within Flood Zone 1, which features a low risk of surface water flooding.
136. The applicant submitted a Drainage Strategy to accompany the submission, which states in paragraph that flooding in the area is present adjacent to the north of the site which originated due to the railway. This does not directly have any significant drainage impact to the proposal, and the proposed works would not have a direct impact on any future flooding.
137. Further details of on-site drainage with this in mind, will be considered as part of the detailed drainage design and the levels of the proposed site.
138. Although the site is Brownfield /previously developed and hard-surfaced, it is best practice, in order to improve the current situation, surface water discharge from the Site will be restricted to 2l/s which is understood to be the lowest possible discharge rate which does not have the likeliness for blockage, and therefore creating a maintenance problem.
139. This rate restriction will apply for all storm events up to the 1 in 100-year event with 40% allowance for climate change, therefore ensuring no practicable change in downstream flood risk with increase in Site run-off volume.
140. To achieve the restrictions in discharge rate without undue flood risk to the Site, a total storage volume of not less than 253m³ and 590m³ will be provided. This volume of storage will be predominately provided through near source cellular storage, with green roof SuDS to aid in the slowing down of the surface water to the geo-cellular storage.
141. To this effect, there are no objections in regards to flooding or surface water discharge subject to a drainage strategy (including SuDS and infiltration) which has been secured by condition.

Landscape and Trees:

142. MDD Local Plan Policy CC03 states in point 2 that Development proposals should demonstrate how they have considered and achieved the following criteria within scheme proposals:
- a) *Provide new or protect and enhance the Borough's Green Infrastructure networks, including the need to mitigate potential impacts of new development*
 - b) *Promote accessibility, linkages and permeability between and within existing green corridors including public rights of way such as footpaths, cycleways and*

bridleways

- c) *Promote the integration of the scheme with any adjoining public open space or countryside*
- d) *Protect and retain existing trees, hedges and other landscape features*
- e) *Incorporate high quality, ideally native planting and landscaping as an integral part of the scheme.*

Landscaping and Design:

143. To accompany the application, a Townscape Visual Impact Assessment (TVIA) was submitted for consideration. This document through the aid of CGI visuals, depicted the proposed form and how it would integrate with its surroundings, including how the proposal would relate to existing landscape features on and adjacent to the site.
144. Following review of the originally submitted LVIA, WBC Trees and Landscape working with Officers requested amendments to indicate a high-quality landscaping scheme, and to protect and retain important landscape features on site. These amendments and their results are summarised as follows:
- Block C at the southern end has been reduced in size and is now 2.3m further from the TPO tree so that there is now no requirement to reduce the canopy of the tree in order to construct the new building.
 - There is now a clearly defined pedestrian route into the site which enhances connectivity.
 - Some additional planting has been proposed within the car park to break up the large areas of hard surfacing, as several parking spaces have now been removed. This planting in detail as well as precise location is reserved to condition.
 - The northern community garden has been redesigned in association with the internal layout of the ground floor flats so that there is now greater natural surveillance of this space by the ground floor flats which is positive in urban design terms.
 - Cycle storage in northern garden has been moved so that they are also overlooked and there is easy access to this area without hindrance on the use of the adjoining amenity space.
 - The garden itself has been redesigned to be more open and formal so that the proposed planting is not compromised by the underground attenuation tanks, but also the redesign should lead to less anti-social behaviour as there are fewer places to hide within the space.
 - The southern community garden has also been redesigned to reduce the impact of the garden proposals and access, on the TPO tree by now providing a raised boardwalk in the root protection area of the tree.
 - Wildlife planting is proposed on the edges of the space.
145. Though landscape details, specifics and management are reserved by condition, it is noted that adequate space is retained for tree/hedge planting within the car park layout and communal gardens as shown within the indicative submitted landscape plans. The updated TVIA demonstrates this to an adequate level.
146. Considering the relatively confined nature of the site, there may be some restriction within the car parking area for landscaping to develop and therefore tree pits

are required to incorporate underground soil cells to ensure large structural trees can be appropriately included and their health safeguarded in the long-term.

147. Subject to conditions to secure appropriate management, planting species/location, retention and protection, boundary treatments and levels there is no objection in regards to landscape and design.

Arboricultural Impact:

148. There are very few landscape features within the application site itself, however, there is a mature Oak tree in the southern corner of the site, which has recently been protected by a TPO (1877/2022). This is a visually significant tree which can be seen from Latimer Road and Wellington Road through gaps in between dwellings as well as obliquely from the train station.
149. As above, the amendments achieved create a notable buffer between the built form and RPA of TPO (1877/2022), further integrating it into the southern amenity space through the provision of a boardwalk. This retains the mature oak in an identical condition to existing which accords with CC03(d).
150. A condition has been applied which protects TPO (1877/2022) and other existing landscape features on site during the construction phase

Environmental Health:

151. Proposals must demonstrate how they have addressed noise impacts to protect noise sensitive receptors (both existing and proposed) from noise impacts in line with Appendix 1 of the MDD Local Plan which assesses the acceptability of a proposed development that emits noise. The Council will determine the effect the noise will have on nearby NSRs taking into account both daytime and night-time noise levels.
152. The site is located adjacent to a railway line, which at times of use will have some impact on future NSRs (Noise Sensitive Receptors) in the form of noise and vibration. Accordingly, the applicant has submitted a Noise and Vibration Impact Assessment Report by KP Acoustics updated on 07/12/2022 which provides suggestion regards to glazing, ventilation and fencing that should be included in the final design schematics for the proposed buildings. This protects future neighbouring amenity from any vibration or noise impacts arising from the site's location adjacent to a strategic rail network. A condition has been applied to the recommendation to secure acceptable acoustic mitigation measures in accordance with the submitted document and a further condition applied to ensure the dwellings are noise insulated up to British Standards.
153. The Demolition and Construction Management Plan by Yes Engineering Ltd Dated December 2022 covers the extent of demolition, life cycle of the project as well as intended construction schedule.
154. Due to absence within the Demolition and Construction Management Plan, a further condition has been applied which controls working hours, including times that contractors may arrive on site as well as the submission of a contractor specific DEMP to provide further information on the demolition and construction process.
155. In terms of Asbestos, the inclusion of a separate Asbestos Survey is noted. (Management asbestos survey by Artisan Environmental) that shows that there is significant asbestos to be removed as part of the demolition plan. Further information will be sought via the submission of a DEMP, which as above is reserved by condition.
156. The Council holds information that the site has the potential of being contaminated. As the proposed residential use is sensitive, in accordance with the NPPF and the principles of sustainable development, the applicant will be required to carry out a contamination risk assessment of the site followed by remediation works if found to be necessary. This is appended to the recommendation as a condition.
157. There are no objections on Environmental Health grounds concerning existing and future occupier health, subject to the conditions expressed above.

Ecology:

158. Core Strategy Policy CP7 states that development will be only permitted if it has been clearly demonstrated that the need for the proposal outweighs the need to safeguard the nature conservation importance, that no alternative site that would result in less or no harm is available which will meet the need, and:

- i) Mitigation measures can be put in place to prevent damaging impacts; or
 - ii) Appropriate compensation measures to offset the scale and kind of losses are provided.
159. MDD Local Plan policy TB23 states that planning permission will only be granted for proposals where they comply with policy CP7 – Biodiversity of the Core Strategy and also demonstrate how they:
- “Provide opportunities, including through design, layout and landscaping to incorporate new biodiversity features or enhance existing*
- a) Provide appropriate buffer zones between development proposals and designated sites as well as habitats and species of principle importance for nature conservation*
 - b) Ensure that all existing and new developments are ecologically permeable.”*
160. Paragraph 174(d) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
161. Officers note that a metric has not been submitted alongside the application to confirm appropriate BNG, however, the application has been valid since December 2022 and the date BNG becomes mandatory on major applications. This would be a more pertinent issue should the site contain strong ecological features, however, as acknowledged within the submitted ecological appraisal, the site featured mass clearance in early 2022 which has led to the existing features of value being negligible.
162. Notwithstanding the lack of a formal metric, or formal BNG itself by the same respect, the proposals seek to introduce a high quality and dense landscaping scheme and eco-mosaic green rooves which by their nature will provide opportunities for ecological enhancement on site. These features have been conditioned respectively.
- Bats:**
163. The site is located in an area that in accordance with WBC’s Ecological Mapping holds potential for bat roosting and foraging.
164. The proposals would involve the entire demolition of the existing building, which has shown evidence within the submitted ecological survey to feature roosting bats.
165. In terms of lighting, given the nature of the existing commercial use, the corridor along the railway line is dark outside of working hours which provides an opportunity for foraging bats. The proposed residential use which would introduce consistent light (at least in part) facing this existing dark corridor. To prevent any significant impacts on a protected species, a condition has been attached to the recommendation that requires the submission of a lighting plan prior to occupation.

Great Crested Newts:

166. The development falls within the amber impact risk zone for great crested newts, which indicates that there is suitable habitat and a high likelihood of great crested newt presence.
167. The site itself largely comprises buildings, hardstanding and bare ground, which do not provide suitable habitat for great crested newts, and there are only 2 ponds within 500m of the site, with the nearest located 200m east. There is poor connectivity between the ponds and the site.
168. The applicant has provided a Preliminary Ecological Appraisal report (Land at Latimer Road, Wokingham, RG41 2WA; Phlorum; August 2022). Within this report it states that: *“Aerial photographs and maps show 1 pond within 250m of the site, and a further pond and 2 drainage ditches within 500m”*
169. By virtue of the built-up nature of the site, the submitted report considered that the site offered negligible potential for breeding newts and negligible potential for foraging and commuting newts. This point was concurred by Nature Space upon consultation. Therefore, with the above in mind, there are no objections in regards to the proposals impacts on Great Crested Newts.

Amenity Space:

170. The Borough Design Guide sets out that in areas with an urban character, for instance, Wokingham Town Centre, more compact gardens may be appropriate to create a more urban development form that relates to the local character. In these cases, it may be possible to compensate for the loss of rear garden space by providing balconies.
171. The proposal would provide all of the proposed elevated units with a balcony of a size that would accommodate activities normally associated with an urban garden, as well as the ground floor units with private enclosed garden that are appropriate and adequate for an urban area. In addition, the proposal would provide a communal landscaped amenity area of c458m² which provides opportunities for play and exercise.

Employment Skills:

172. Policy TB12 of the 2010 Core Strategy states that proposals for major development must be accompanied with an Employment Skills Plan to show how the proposal accords opportunities for training, apprenticeships, or other vocational initiatives to develop local employability skills required by developers, contractors or end users of the proposal.
173. An employment skills plan (ESP) will be secured via S106.

Community Infrastructure Levy (CIL):

174. As the proposal is for new residential floor space, it would be CIL liable development. The applicant should liaise with WBC CIL for further details.

Special Protection Area (SPA):

175. The site is located within 7km of the Thames Basin Heath Special Protection Area. Policy CP7 of the Core Strategy requires that proposals of more than 50 units are required to mitigate their impact upon the Thames Basin Heaths. However, as only 42 units are proposed, no such mitigation is required in this instance.

Planning Balance:

176. This section details the assessment of the planning balance which weigh up the benefits and negatives afforded by the scheme.
177. In terms of the proposed loss of employment space outside of a Core Employment Area, it is concluded that the proposal is unlikely to lead to a Borough wide 'net loss' of industrial. In this regard the principle of residential development in this location is accepted.
178. The proposal introduces 42 new dwellings which will provide a meaningful and welcome contribution to addressing the Borough's shortfall in housing land supply (3.95 years). The creation of 42 homes in close proximity to jobs, services and leisure opportunities available in the Town Centre allows the site to perform an overwhelmingly positive social and economic role. This is afforded significant weight.

179. Considering the fact that the application site as existing constitutes under-utilised, previously developed land, significant weight is also afforded in favour of the proposal to the efficient use of this land in delivering housing within a major development location.
180. The site is sustainability located within a major development location and adjoining transport hub which provides public transport options and opportunities to reduce the usage of the private car. This is further promoted via the 7 car free units on site and contribution to a car club. The site's sustainable location and promotion of the lesser usage of the private car is afforded significant weight.
181. The proposal would lead to an c85% carbon reduction in emissions from passive design, renewable energy, solar heating and ventilation. Considering the dilapidated form of the building on site currently, this improvement in on-site sustainability is afforded significant weight and allows the proposal to perform a positive environmental role.
182. Considering the site as existing hosts minimal landscaping and opportunities for biodiversity, the provision of an eco-mosaic roof and increased landscaping will provide an element of ecological enhancement. This is also afforded weight in favour of the proposal.
183. The proposals are of high-quality design and provide a point of architectural interest whilst being sensitive to its surroundings. The improvements in architectural form when contrasted with the existing building of poor design merit, is also afforded positive weight.
184. Finally, it is recognised that the proposed building is taller than surrounding houses to the southwest, and this weighs against the proposal moderately.
185. In returning to Paragraph 11(d) of the NPPF, when applying the tilted balance, those limited identified adverse impacts of granting permission would not significantly and demonstrably outweigh those benefits as identified above. When assessed against the policies in the NPPF as taken as a whole the proposal performs a notable economic, social and environmental role. Accordingly, the application is recommended for approval subject to the conditions listed within Appendix 1, and the HoTs listed within the recommendation.

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.

**APPENDIX 2 – Supplementary Planning Agenda, extract from Agenda item 51 - 13
December 2023**

**Agenda Item: 51
Site Address: "Lee Spring", 10-12 Latimer Road, Wokingham
Application No: 223691
Pages: 93-189**

General

Paragraph 1, page 94 at current reads:

*"The proposed application seeks permission to erect a three block, **three floor** development of 42 apartments of mixed tenure, following the demolition of an existing commercial building 'Lee Springs' off Latimer Road, Wokingham. The proposal further seeks to provide associated parking, cycle parking, access, landscaping, amenity space, biodiversity enhancements and waste storage."*

For the purpose of clarity, this should read:

*"The proposed application seeks permission to erect a **three block, four storey (GF, FF, SF, TF)** development of 42 apartments of mixed tenure, following the demolition of an existing commercial building 'Lee Springs' off Latimer Road, Wokingham. The proposal further seeks to provide associated parking, cycle parking, access, landscaping, amenity space, biodiversity enhancements and waste storage."*

Paragraph 6, page 95 at current reads:

"The policy compliant enhancement of further greenspace, recreation and allotments have been secured by obligation."

Following further assessment, given the viability position of the scheme, CIL liability, alongside the proposed on-site greenspace provision of two communal gardens and private amenity space/ on-site open space enhancements, the planning obligation to secure further greenspace, recreation and allotments has not been agreed by the applicant. In instance, officers have determined that withholding planning permission for failure to provide such an obligation considering the on-site improvements is unlikely to be a defensible position and therefore at this stage is not considered sufficiently necessary to make the proposal acceptable in planning terms. As such, based on the site-specific circumstances and current evidence presented to support TB08, this obligation is no longer being pursued at this time.

Paragraph 11, page 122 at current reads:

*"**CP5** echoes paragraph 110 of the NPPF, which seeks to promote sustainable travel in decisions..."*

For the purpose of clarity, this should read:

*"**CP6** echoes paragraph 110 of the NPPF, which seeks to promote sustainable travel in decisions..."*

Financial Viability

Additional clarity on the financial viability of the proposal was sought by the Chair and Vice Chair for the benefit of committee members.

The submitted financial viability appraisal (FVA) set out that the proposed scheme is in notable deficit based on the agreed figures/ inputs provided. This is as a result of current high construction costs, borrowing rates, level of sustainability enhancements proposed and modest current residential sales values in this peripheral Wokingham Town Centre location. The proposal would therefore not be financially viable to build and subsequently unable to support any affordable housing.

Whilst the precise figures within the FVA remain confidential, the notable contributors to the site's viability position are as follows:

- Circa 82% carbon savings from minimum requirement and highly sustainable design;
- Modest apartment sales prices based on updated market information from Haslams;
- High construction costs (increases in material cost/ labour/ logistics);
- Remediation of previously developed land (inc removal, management and remediation of toxic building materials I.e. Asbestos);
- Finance costs (borrowing and interest);
- Unit Gross Internal Areas (GIA) exceeding Nationally Described Space Standards;

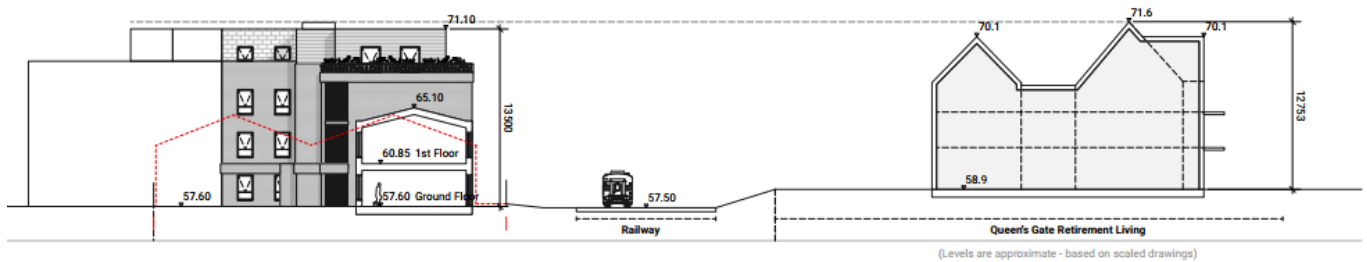
Given viability is a material consideration expressed both within CP5 and the NPF, notwithstanding the above affordable housing position at this stage, the proposals are in accordance with the Development Plan and national policy.

Members are advised that whilst at the current stage there is no policy requirement to do so and the proposals in terms of affordable housing complied with the viability requirements within local and national policy, the applicant has agreed to accept a late-stage viability review (with profit share), to assess the 'as-built' viability of the proposal. 60% of any profit achieved over the percentage agreed within the originally submitted FVA, will contribute to off-site affordable housing provision via contribution in lieu. This is secured via S106.

Building Heights

Further clarity was requested on the height of the proposed building, and how this is approached by the Wokingham Borough Design Guide.

The building height, at 4 storeys (up to third floor) sits at c13.5 metres. By virtue of the lower land level of the site, the proposal would sit lower in height than the adjoining Queens Gate development as shown below:



In terms of the application of the Wokingham Borough Design Guide, R9 states as follows:

- Buildings taller than their surroundings may only be acceptable where they are sited:*
- **on major routes, where the scale and significance of the street warrants additional height;**
 - *in landmark locations;*
 - **fronting onto major green open spaces within built up areas (see Section 8: Rural & Settlement Edge);**
 - *fronting key urban public spaces within larger schemes;*
 - **in settlement centres where there are already other appropriate examples; and**
 - *in local Borough centres, particularly with a mixed-use ground floor*

The application site directly abuts the Southwestern railway line, sits adjacent to the Barkham Recreation Ground, is located within a major development location adjoining a major Borough centre with numerous appropriate examples of 4 storey development.

It is noted that since the inception of the Wokingham Borough Design Guide in 2012, numerous developments of similar height to that proposed (and exceeding this) have been approved in accordance with the Development Plan locally to the site, for example Premier Inn, Carnival Pool, Elms Field, Queens Gate and Peach Place which is ode to Wokingham Town Centre's location (and Major Development Location on the periphery) identified for sustainable growth.

Considering the above, the proposal is considered to accord with the guidance within the Wokingham Borough Design Guide which when combined with accordance with the Development Plan (as expressed within the Officer's Committee Report) justifies the proposed height.

APPENDIX 3 - Conditions / informatives

APPROVAL subject to the following conditions and informatives:

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 named and numbered:

Existing Topographical Survey – Drg No. 101

Proposed Location Plan - Drg No. 190

Proposed Site Plan - Drg No. 200

Proposed Ground Floor Plan - Drg No. 220

Proposed 1st Floor Plan – Drg No. 221

Proposed 2nd Floor Plan – Drg No. 222

Proposed 3rd Floor Plan – Drg No. 223

Proposed Roof Plan – Drg No. 224

Proposed Section 01 – Drg No. 300

Proposed Section 02 – Drg No. 301

Proposed Section 03 – Drg No. 302

Proposed Section 04 & 05 – Drg No. 303

Proposed Section 06, 07 & 08 – Drg No. 304

Proposed Elevation 01 & 02 – Drg No. 310

Proposed Elevation 03 & 04 – Drg No. 311

Proposed Elevation 05 & 06 – Drg No. 312

Proposed Elevation 07 – Drg No. 313

Swept Paths – Drg No. Figure 4.1

Swept Paths – Drg No. SK11

Letter from YES Engineering dated 24.03.2023

Proposed Building Heights Plan – Drg No. 501

Accommodation Schedule prepared by Alistair Downie

Design Update – Revision A

Daylight and Sunlight Assessment – prepared by EB7

Energy and Sustainability Report – prepared by the PES

Transport Assessment (including Parking Management Plan)- prepared by YES Engineering Group Ltd

Demolition and Construction Management Plan- prepared by YES Engineering Group Ltd

Noise Report- prepared by KP Acoustics

Asbestos Management Survey Report- prepared by Artisan Environmental

Condition Survey Report- prepared by Thames Valley Surveying

Ecological Appraisal Report and Bat Survey- prepared by Phlorum

Flood Risk Assessment and Drainage Strategy- prepared by Ardent

Employment Evidence Report- prepared by Lichfields V3

Fire Statement- prepared by London Bridge Associates

Land Contamination Report- prepared by Brownfield Solutions Ltd

Received by the local planning authority on 12/12/2022, 14/12/2022, 24/04/2023, 03/11/2023 and 17/11/2023. 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 above slab level, 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.

4. Obscure glazing – The most south-westerly window at first floor in the western elevation of block 3 hereby permitted 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: In the interests of protecting the amenities of No.28/28 Latimer Road. Relevant Policy CP1, CP3 and the Wokingham Borough Design Guide.

Trees and Landscape:

5. Details of boundary walls and fences - Before the development hereby permitted is commenced above slab level 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. Relevant policy: Core Strategy policies CP1, CP3 and CP6.

6. Hard and Soft Landscaping - Prior to the commencement of the development above slab level, 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).

7. Protection of trees – 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: To secure the protection throughout the time that the development is being carried out of trees shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, and to allow for verification by the local planning authority that the necessary measures are in place before development and other works commence Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

8. Landscape management - Prior to the commencement of the development above slab level, 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 order to ensure that provision is made to allow satisfactory maintenance of the landscaping hereby approved. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21.

Ecology:

9. Bat License - No works affecting bat roosts shall commence until a licence for development works affecting bats has been obtained from the Statutory Nature Conservation Organisation (Natural England) and a copy (or an email from Natural England that the site has been registered under the bat mitigation class licence) has been submitted to the local planning authority. Thereafter mitigation measures approved in the licence shall be maintained in accordance with the approved details. Should conditions at the site for bats change and / or the applicant conclude that a licence for development works affecting bats is not required the applicant is to submit a report to the council detailing the reasons for this assessment and this report is to be approved in writing by the local planning authority prior to commencement of work.

Reason: To ensure that bats, a material consideration, are not adversely affected by the development.

10. Ecological Lighting - Prior to occupation, a "lighting design strategy for biodiversity" in line with the recommendations given in section 4.9 of the Bat Survey Report (Phlorum, ref: 11582 Rev0, September 2022) for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that bats, a material consideration, are not adversely affected by the development.

Drainage:

11. No development shall take place until full details of the drainage system for the site have been submitted to and approved in writing by the LPA. The details shall include:

1. BRE 365 test results demonstrating whether infiltration is achievable or not.
2. Use of SuDS following the SuDS hierarchy, preferably infiltration.
3. Full calculations demonstrating the performance of soakaways or capacity of attenuation features to cater for 1 in 100-year flood event with a 40% allowance for climate change and runoff controlled at 2l/s as proposed.
4. As connection is proposed to an existing surface water sewer on Latimer Road (Appendix G), we need to understand why other methods of the SuDS hierarchy cannot

be implemented and see confirmation from the utilities supplier that their system has got capacity and the connection is acceptable.

5. Groundwater monitoring confirming seasonal high groundwater levels in the area.

6. A drainage strategy plan indicating the location and sizing of SuDS features, with the base of any SuDS features located at least 1m above the seasonal high water table level.

The approved scheme shall be implemented prior to the first occupation of the development and shall be maintained in the approved form for as long as the development remains on the site.

Reason: This is to prevent increased flood risk from surface water run-off. Relevant policy: NPPF (2019) Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.

Highways:

12. Hours of work - 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.

13. Parking and turning space to be provided - 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 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.

14. Cycle parking details required - Prior to the occupation 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 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.

15. Construction method statement - No development shall take place, including any works of demolition, until a Construction Method Statement 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.

Reason: In the interests of highway safety & convenience and neighbour amenities.

Relevant policy: Core Strategy policies CP3 & CP6.

16. Walking and Cycling - Prior to commencement of development, an audit to consider pedestrian and cycle infrastructure and connections from the development to Wokingham town centre, Wokingham Station and to the hospital shall be submitted for approval by the local planning authority. If any improvements are deemed as necessary, the measures shall be implemented in accordance with the approved details prior to occupation of the first dwelling.

Reason: To ensure that roads and footpaths are constructed to a standard that would be suitable for adoption as publicly maintainable highway, in the interests of providing a functional, accessible and safe development. Relevant policy: Core Strategy policies CP3 & CP6.

17. Prior to commencement of development, an Electric Vehicle Charging Strategy shall be submitted to, and approved in writing by the Local Planning Authority. This strategy shall include details relating to onsite electric vehicle charging infrastructure in accordance with Building Control Regulations Approved Document S and details of installation of charging points. The development shall be implemented in accordance with the agreed strategy thereafter.

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 and Managing Development Delivery Local Plan policy CC07.

18. 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.

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 policies CC07 and TB20.

Environmental Health

19. Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of that phase shall be submitted to and approved in writing by the local planning authority:
1. a preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site;
 2. a site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those offsite;
 3. the site investigation results and the detailed risk assessment (2) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
 4. a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The development of each phase shall be carried out in accordance with the approved details.

Reason: In the interests of future residential amenity and health. Relevant policy CP1 and CP3.

20. A verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation for each phase of the development shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long term monitoring and maintenance plan") for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: In the interests of future residential amenity and health. Relevant policy CP1 and CP3.

21. If, during development, contamination not previously identified is found to be present at the site then no further development within that phase, unless otherwise agreed in writing by the local planning authority, shall be carried out until the developer has submitted to

and received written approval from the local planning authority for an amendment to the remediation strategy detailing how this unsuspected contamination is to be dealt with.

Reason: In the interests of future residential amenity and health. Relevant policy CP1 and CP3.

22. Noise and Vibration - The development hereby approved is to be carried out in strict accordance with the hereby approved "Noise and Vibration Impact Assessment Report 25168.NVA.01 by KP Acoustics" submitted in support of this application.

Reason: to protect the amenity of the area and to ensure that premises are protected from noise nuisance and disturbance, in accordance with Wokingham Borough Core Strategy Policy CP1, the Managing Development Delivery Local Plan Policy CC06.

23. Noise Insulation for Dwellings - The dwellings hereby approved shall be designed and/or insulated to provide attenuation against externally generated noise, the design should ensure that all noise implications are mitigated so that internal ambient noise levels for dwellings meet the BS8233/1999 sound insulation and noise reduction for buildings design range 'good' for living accommodation.

Reason: to protect the amenity of the area and to ensure that premises are protected from noise nuisance and disturbance, in accordance with Wokingham Borough Core Strategy Policy CP1, the Managing Development Delivery Local Plan Policy CC06.

24. Plant/Machinery to be attenuated - 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 the nearest residential or noise sensitive property. Any recommended noise mitigation measures should be retained and maintained thereafter.

Reason - To ensure that no nuisance or disturbance is caused to the occupiers of 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.

25. The development hereby approved is to be carried out in strict accordance with the hereby approved "The PES Energy & Sustainability Statement 22nd November 2022 V2" submitted in support of this application to deliver an 85.02% CO2 saving above baseline. Prior to first occupation of the hereby approved development, sustainability measures are to be implemented on site and shall remain operational for the lifetime of the development.

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

26. No building shall be occupied until details of bin storage area and facilities for recycling have been submitted to and approved in writing by the local planning authority. The bin storage and recycling facilities shall be permanently so-retained and used for no purpose other than the temporary storage of refuse and recyclable materials.

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.

Informatives

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

- addressing the evolving planning policy context;
- planning issues relating to design, character and materials
- addressing concerns relating to highway safety;
- extending the determination period of the application to allow for a multiple consultations concerning plan revisions

The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

2. 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.

3. 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.

4. 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 Benjamin Hindle to discuss.

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. Records indicate a public sewer beneath or in close proximity to the proposed development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

8. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via <https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=05%7C01%7Cplanning.enquiries%40wokingham.gov.uk%7Cd98b945dcd5c426873f808dbdf834d2a%7C996ee15c0b3e4a6f8e65120a9a51821a%7C0%7C0%7C638349527249602466%7CUnknown%7CTWFpbGZsb3d8eyJWl%7CjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haW%7CwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=Bon2Y2H3x9wdStGoGyiNrR2rqrl%2F%2FnFGNqabJQz7eAl%3D&reserved=0>. Please refer to the Wholesale; Business customers; Groundwater discharges section

9. The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/or encroaching upon Network Rail's adjacent land and air-space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. a l l possession, site safety, asset protection presence costs). However, Network Rail is not required to grant permission for any third party access to its land.

10. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

11. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.
12. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.
13. Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.
14. In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point during or post construction should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation within Network Rail's land boundary must not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.
15. Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers' vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.
16. The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway should be made aware to the future occupiers of the site. It must also be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night-time train running and heavy freight trains. The appropriate building materials should be used to reduce any potential noise disturbance from the railway.
17. Where a proposal calls for hard standing area/parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

18. Any trees/shrubs to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. Network Rail wish to be involved in the approval of any landscaping scheme adjacent to the railway. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. If required, Network Rail's Asset Protection team are able to provide more details on which trees/shrubs are permitted within close proximity to the railway.

19. Whilst not a planning matter, we would like to remind the applicant of the need to identify and comply with all existing rights on the land. Network Rail request all existing rights, covenants and easements are retained unless agreed otherwise with Network Rail.

20. Notwithstanding the above, if any property rights are required from Network Rail in order to deliver the development, Network Rail's Property team will need to be contacted.

21. The applicant should note that the works hereby approved involve the removal and disposal of asbestos cement roofing. Should only be removed by a licensed contractor Asbestos waste is classified as 'special waste' and as such, can only be disposed of at a site licensed by the Environment Agency. Any contractor used must also be licensed to carry 'special waste'.

22. This permission is to read in conjunction with the S106 legal agreement dated X (to be amended upon completion of S106 agreement).

APPENDIX 4 - Town Council Comments

PLANNING REF : 223691
PROPERTY ADDRESS : Town Hall Market Place
: Wokingham
: RG40 1AS
SUBMITTED BY : The Wokingham Town Council P&T Committee
DATE SUBMITTED : 16/11/2023

COMMENTS:

The Committee feel that the previous objections have not been addressed, particularly regarding height and mass, so will be objecting to this application as before;

The Committee could understand a development in this location as the exiting site is a bit of an eyesore, however there is a concern at a loss of industry in the Town.

The amount of cycle storage provision, electric charging points and the use of solar panels within the development were welcomed.

The main concerns were regarding the size and mass of the development. Four storeys is out of proportion.

That no affordable housing is being offered and that the developer can bypass the level of required affordable housing. How is this justified?

There seems to be the absence of rear access to the site that is required.

The amount of parking spaces is not adequate for the development, and this will overflow onto local roads which are already full. This will impact road safety. There also needs to be allocated parking spaces.

The committee therefore object to this application

CP3 - Principles for development - a) Mass

CP6 - Managing Travel Demand - e) adverse effects on transport network