

Item No	Application No. and Parish	13 week date	Proposal, Location and Applicant
(1)	10/01735/FULEXT	1 <sup>st</sup> November 2010	Demolition of the existing buildings forming the Underwood Road Shopping Centre (including the former public house, supermarket and doctors surgery) and the construction of 74 no residential dwellings in the form of 1 and 2 bedroom apartments, a retail unit and doctors surgery and the reconfiguration of the car parking for the Kennet Valley Free Church. Underwood Shopping Centre, Underwood Road, Calcot. Bellway Homes Limited.

An Environmental Impact Assessment Screening Opinion has been undertaken in relation to this proposal. The Local Planning Authority considers that a formal EIA will not be required in this case.

**Recommendation Summary:** To **DELEGATE** to the Head of Planning and Countryside to **REFUSE PLANNING PERMISSION**.

**Ward Members:** Councillor B Bedwell  
Councillor P Argyle  
Councillor M Gopal

**Reason for Committee determination:** Level of Public Interest

**Committee Site Visit:** 13<sup>th</sup> December 2007

#### Contact Officer Details

**Name:** Katherine Goodchild  
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## 1. Site History

There have been numerous applications on this site since records began but many are not considered relevant for the purposes of this redevelopment scheme. Therefore only the original permission and the most recent development applications are listed below.

100284 – Erection of a retail supermarket 6 no shop units and public house. Approved 22<sup>nd</sup> July 1974.

01/01474/FUL – Redevelopment of the Underwood Shopping Centre with a new supermarket, shops, health centre, flats and houses. Withdrawn 3<sup>rd</sup> January 2002.

02/0008/FUL – Redevelopment of the Underwood Centre with a new supermarket for Budgens, shops, health centre, flats and houses. Refused 26<sup>th</sup> May 2004.

06/0009/FULMAJ – Demolition of existing two storey building and felling of 10 no. existing trees. Erection of a 3-4 storey mixed used development with new car parking facilities and public open space. The New development comprises of 78 residential units, 2no A1 Retail Units, doctor's surgery, car parking, cycle spaces and bin store. Withdrawn (before being formally validated) 5<sup>th</sup> March 2007.

07/00619/FULEXT – Demolition of the existing 2 storey retail block and two storey public house. Also the felling of two trees. There erection of a 3 and 4 storey mixed use development with new parking provision and amenity space. The new development will comprise 65 residential units (4 x 3 bed duplexes, 6 x 3 bed flats, 10 x 2 bed duplexes, 19 x 2 bed flats, 26 x 1 bed flats), 1 x A1 retail unit 119 sqm and 1 x D1 doctor's surgery 300 sqm. Also 82 parking spaces and 65 cycle spaces and bin stores. Approved 16<sup>th</sup> October 2008.

## 2. Publicity of Application

Original Site Notice Expired	16 <sup>th</sup> September 2010
Original Neighbour Notification Expired	23 <sup>rd</sup> August 2010
Press Notice Expired	26 <sup>th</sup> August 2010

Amended Plans Site Notice Expired	24 <sup>th</sup> November 2010
Amended Neighbour Notification Expired	23 <sup>rd</sup> November 2010

## 3. Consultations and Representations to Original Plans

**Parish Council:** Object. The full response by Holybrook Parish Council is contained on the following pages.



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Holybrook Parish Council Response to Planning Application  
10/01735/FULEXT by Bellway Homes dated 21<sup>st</sup> July 2010

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Definitions: 'We' refers to the members of Holybrook Parish Council, residents of Holybrook Parish and supporters.

The site or proposed development refers to the planning application number 10/01735/FULEXT dated 21<sup>st</sup> July 2010

**We object to the above planning proposals in the strongest possible terms for the reasons which follow and respectfully recommend West Berkshire Council Planning Committee reject this planning application.**

It should be noted that we do not object to a development *per se* of the (former) Underwood Road Shopping Precinct. Indeed, the site has decayed and been allowed to decay for a period of 10 years, **but object** to the particular application submitted by Bellway Homes dated 21<sup>st</sup> July 2010 for the following reasons:

In summary we consider that the proposed development is contradictory and in conflict with the layout, design and construction of existing properties and amenities. In particular, the introduction of 3 and 4 story buildings is unacceptable given the immediate surroundings which include a primary school and public children's playground.

Now that we have an opportunity to re develop and regenerate this area it should and must be done with full consideration and consultation with residents, many of whom have lived here for more than 20 years and many since the area was first developed in the 1970's. We deserve more.

The construction materials and design proposed are considered to be 'cheap' and 'unsympathetic' to the location. We consider that a development using traditional construction materials and design (brick and tile) would be commensurate and more acceptable. Also, they would be longer lasting and relatively maintenance free compared with the materials and construction proposed.

We understand from Green Issues that the RSL (yet to be appointed) is responsible for the buildings it occupies.\* Given the current economic climate, regular announcements of funding being withdrawn and the poor public perception of RSLs we, the community, will be subject to the same cycle of build, decay and neglect.

(\*see note regarding the position of designated affordable units within Density Section of addendum).

The development should use quality materials and not necessarily look to be wholly contemporary. Whilst the local architecture may not 'be of merit' (Barton Wilmore), the design of Fords Farm won prizes for its layout and style. It may not have listed buildings, be of Georgian or Victorian design, but it does have a style.



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We consider that a development which has a greater mix of commercial units and residential accommodation (than the proposed development) affords opportunity for urban renewal, economic development and employment and a higher standard of living for a sustainable community. The extrapolated maximum occupancy could be 234. This is far from the implied occupancy of 74.

We consider that a lower density of residential units, better quality materials and design will afford a better price per unit and the loss of number of units will be gained in better selling price, faster sales and higher occupancy.

Over time, this will afford better value on capital investment.

**Therefore we urge Bellway Homes to withdraw this application and revise and renew their schedule to reflect the needs and wishes of this long-established community. It would be extremely remiss of the Planning Committee to ignore and dismiss the strength and feeling of the local populous to this proposal.**





## **ADDENDUM 2**

Holybrook Parish Council Response to Planning Application  
**10/01735/FULEXT** by Bellway Homes dated 21<sup>st</sup> July 2010

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### **CONSTRUCTION**

- Number of storeys – 3 and 4 storey buildings are out of keeping with surrounding dwellings and community facilities.
- The four storey block A in particular will overlook the Holybrook playground
- The side elevation of Block B overlooks Kennet Valley primary school.
- The East elevation overlooks Underwood Road.
- This will mean loss of privacy on all four sides of the development.
- There is nothing else of this height in the area.
- If this is approved this will set a precedent for other three or four storey buildings in the area.
- The development will completely dominate the area.
- It is an urban scheme shoehorned into a suburban residential area.
- The materials proposed are not commensurate with either private dwellings or community buildings in the immediate vicinity.
- The proposed single pitch sedum roofs are at total odds with the rest of the area.



- The cladding and boarding are in stark contrast to the brick facades of the church, community centre and school.
- We consider that these materials will be resource and maintenance intensive. We have lived with existing buildings being clad and boarded for ten years. New cladding will be no less of an eyesore.
- The provision of private balconies has been questioned as being a method of not providing proper private community space and balconies give the potential for satellite dishes to be installed.
- It is not clear from the drawings that the walkways on the fourth level on block A are partitioned or not.
- Also the provision of the balconies raises concern over possible public nuisance, excessive noise, washing and invasion of privacy to residents opposite.
- We note that the fire officer has not yet commented.
- Potential for crime does not appear to have been significantly designed out.

#### **PARKING AND TRAFFIC**

- The provision of 81 parking spaces is inadequate to accommodate the possible number of residents' cars and visitors to the shop and surgery let alone residents' visitors as well.
- Potentially 234 residents on this development will have a severe and unacceptable impact on parking, public access and traffic.
- The implications of displacement parking particularly on Underwood Road, Carters Rise and other side roads will cause congestion, create potential hazards and therefore accidents and unnecessary stress to the residents of those roads.
- The potential for car related burglary and crime is exacerbated.



- We question the figures and methodology for the 'trip generation tables' given in Bellway Homes Transport document dated 2010.
- A full and proper traffic survey on the impact on every road affected by the development has not, but should be carried out as a matter of urgent importance.
- There is concern regarding illegal use of the bus lane and the already implemented reduced bus frequency and capacity. The increased demand for access to public transport and the volume of traffic to and from the estate will only add to the already stretched capacity and services along with people creating short-cuts.
- The community centre, church and Kennet Valley School have large numbers of visitors every day and parking provision once the site is developed will be totally inadequate.

#### **ACCESS TO THE DEVELOPMENT**

- There is no vehicular access to the site from Underwood Road.
- Residents are particularly concerned that those people living in block B will not wish to travel the extra distance down the A4 and through Fords Farm to use their allocated parking space and will therefore use Underwood Road to park in.
- The potential single access to the development will mean 100% use of Calcot Place Drive so the increased traffic on Calcot Place Drive and impact on already congested egress onto the A4 can only get worse.
- The access for large delivery vehicles to the retail unit is also a concern as the lorries will block the single access road to the site in general.
- Furthermore the implications of displacement parking and general traffic congestion will certainly have an impact on access by emergency services onto the estate in general and to the development.



- There is inadequate provision specified for shop and surgery.

#### **DENSITY AND DESIGN**

- The number and size of apartment blocks is overdevelopment for the site especially as the ground area available is severely restricted because of the tree preservation.
- Although we cannot predict the demographics and age mix of the potential residents it is likely that there will be significant impact on the need for and provision of spaces at our local schools.
- We consider that a more varied mix of residential dwellings and commercial premises would be better particularly in regenerating the economic development and growth of this area which has been in serious decline for the last ten years.
- It is stated that the affordable housing and social housing will be pepper-potted throughout the development.
- This implies that they will be mixed i.e. adjacent to privately owned apartments. The floor plans clearly show that this is not the case. The West facing section of block A is entirely designated to one bed affordable units. Sections 1 and 2 of East facing block B are entirely designated 2 bed affordable units. So whilst we appreciate that a percentage has to be given to affordable housing we question most strongly the number and siting of those designated for social housing:

#### **CONSTRUCTION TRAFFIC**

- Construction traffic will be an obvious necessity for any development however there has been concern raised in the past and currently about the ability about the road surface being able to cope with the weight of traffic.

#### **OTHER**

- The site plan and documentation stipulates the trees to be preserved and there is concern that given the density of site that such a preservation will not be achievable and enacted.



<b>Environment Agency:</b>	No reply received.
<b>Berkshire West PCT:</b>	Berkshire West PCT has decided it will no longer support continued provision of a GP surgery at Underwood Road. Further detail is provided in the main report.
<b>Reading Borough Council:</b>	<p>Object. In summary, the proposal would result in significant additional on street parking on Carters Rise and Underwood Road thereby adversely affecting road safety and the flow of traffic contrary to Policies OVS2 and TRANS1 of the WBDLP and with national planning guidance contained within PPG13, PPS3 and PPS1.</p> <p>In addition to the formal objection, Southcote Ward Councillors also raise concerns about the impact on local schools. There is significant movement of children across authority borders in this area at both primary and secondary level, and members would seek an assurance that in the event of this development going ahead, the two education departments jointly consider the provision required for the additional children expected and allocate any resultant S106 resources accordingly.</p>
<b>Crime Prevention Design Advisor:</b>	Strongly object. Lack of information regarding crime prevention.
<b>Thames Water:</b>	<p>Waste Comments:</p> <p>Surface Water Drainage – Informative Recommended.</p> <p>Sewerage Infrastructure – No objections.</p> <p>Water Comments:</p> <p>Water – No objections</p>
<b>Fire Service:</b>	No additional fire hydrants required.
<b>Highways:</b>	<p>In summary, a number of matters raised: the pedestrian route through the site should be provided as per the previous planning application; a 2 metre pedestrian route should also be provided fronting Blocks C and D; access road should be designed and built to adoptable standard; the footway should be continued through the communal parking area across the bellmouth to the Community Centre to link onto the existing footway; accesses into communal parking area and Community Centre should be a drop kerb access; all corners on footways should be chaffered to reduce the likelihood of hiding places that could encourage crime; content with overall level of car parking; trip rates used for existing uses should be revisited with updated data submitted to determine traffic flows; access off Carters Rise is preferable rather than Underwood Road as the A4/Mill Lane junction is less congested than A4 Burghfield Road junction; traffic</p>



congestion near schools is common, however, Traffic Management are to review safety within the vicinity of Carters Rise/Carston Grove – if improvements necessary this could be an option for use by s106 monies; developer contributions will be sought.

**Rights of Way:**

The development affects the part of Theale Footpath 2 which runs between Underwood Road and Carters Rise. The footpath is a very well used urban footpath linking two residential roads, adjacent to the local primary school. Pleased to note that unlike previous applications for this site, it is intended to keep the footpath in situ.

On the ground the route is restricted to 3.5 - 4 metres in width, however the legal width of the footpath is much wider, varying at between 6.5 and 7.5 metres.

The developer needs to apply for a partial extinguishment of width, to legally reduce the width of the footpath to the width that the public have accepted and used for many years, i.e. to regularise the situation on the ground.

With regard to the impact of the development on the footpath, the nearest building to the footpath is "side on" and also only 2 storeys high so this will reduce its impact. No windows appear to look out onto the footpath. (If it is proposed to add any at any stage in the negotiations they should be of frosted glass). Would like to see a landscaping strip or hedge planted between the car parking area and the footpath and it will also be necessary to ensure that it is not possible to drive vehicles from the parking area onto the footpath, so a low fence or bollards may be appropriate.

The proposed paving slabs are not considered an appropriate surfacing material for the footpath. They are notoriously high maintenance and can very easily deteriorate and cause trip hazards for walkers - recommend that the tarmac surface is replaced instead.

Is the developer intending to maintain the surface of the footpath in the future? If so, this needs to be secured through a maintenance agreement with the Council.

**Planning Policy:**

No reply received.

**Transport Policy:**

No reply received.

**Tree Officer:**

No objections. Conditions recommended.

**Housing:**

30% provision of affordable housing required.



<b>Ecologist:</b>	Details on the proposed roof are sketchy, but it would seem that green (Sedum) roofs are not being proposed. Given that they can help with the SUDs scheme and are an ecological enhancement as required by PPS 9, would like to know why this aspect of the original permission has been dropped.
<b>Archaeologist:</b>	<p>I have reviewed the application using the approach set down in PPS 5 and have checked the proposed development against the information we currently hold regarding the heritage assets in this area. This evidence suggests that there will be no major impact on any features of archaeological significance.</p> <p>I do not, therefore, believe that any archaeological assessment or programme of investigation and recording will be necessary in relation to the current proposal.</p>
<b>Public Protection:</b>	No objections. Conditions recommended.
<b>Access Panel:</b>	Queries raised regarding surface of church car park and that surgery has first floor access with no details on toilets. Further query whether there is a lift in this unit.
<b>Correspondence:</b>	<p>276 representations making objections to the scheme have been received. In summary, the concerns raised include:</p> <ul style="list-style-type: none"> <li>• increase in traffic;</li> <li>• increase in cars parked on roads;</li> <li>• increase in accidents given increase in traffic;</li> <li>• small retail unit will not provide sufficiently for elderly;</li> <li>• out of character;</li> <li>• bus service would become busier;</li> <li>• no parking for school leading to more congestion;</li> <li>• no parking for community centre;</li> <li>• whilst in favour of site being redeveloped, must be in line with surrounding area;</li> <li>• four storeys is two storeys too many;</li> <li>• too many properties proposed;</li> <li>• lack of parking;</li> <li>• height not in keeping;</li> <li>• modern design;</li> <li>• impact to local community;</li> <li>• need for more than one retail unit;</li> <li>• do not need additional housing “by the back door”;</li> <li>• cladding inappropriate;</li> <li>• noise pollution increase;</li> <li>• loss of green space;</li> <li>• Fords Farm infrastructure cannot cope with such large increase in residents;</li> </ul>



**Correspondence  
Continued:**

- no mention of keeping Post Office open – closing it unacceptable;
- overlooking of primary school and play area;
- understand need for redevelopment but Council should not accept application “at any cost”;
- materials/cladding out of keeping;
- proportion of social housing too high;
- area would benefit from more community provisions;
- inadequate parking proposed;
- will permanently remove possibility of local amenities;
- will significantly decrease sense of “quality of life” in the area;
- increased traffic accessing A4 Bath Road;
- inadequate facilities being provided;
- increase in already unacceptable levels of crime;
- plans not in interest of community on almost any ground;
- doctors surgery should be on ground floor;
- four spaces for doctors inadequate;
- prefer to see area developed with more retail units;
- change to social nature of area;
- draft planning brief states “development should respect the character of the existing residential area and to be no more than two-and-a-half storeys in height”;
- impact on school – increase in numbers;
- proposal significantly larger than previous which limited the building height to 3 storeys;
- potential problems to sewage network;
- already considerable surface flooding in this area;
- impact during construction;
- loss of parking for school by parents who currently use the car park;
- loss of privacy;
- overdevelopment;
- three pluses to development – trees to remain, footpath to remain in existing place, grass verges on Underwood Road to remain;
- looking forward to redevelopment of this run down area – plans are a great improvement on what is currently there, however concerns re parking and traffic;
- community centre hires out hall for functions – where will cars park;
- density – too many houses in too small an area;
- application should be withdrawn or rejected in favour of proposal that better fits wishes of local people with supporting infrastructure;



**Correspondence  
Continued:**

- vital to engage local residents at an early stage of design;
- fire safety in entire Fords Farm area;
- lack of amenity space for residents;
- retention of footpath adjacent to school causes real and present danger to pupils during and after construction;
- past application – rerouting of path was agreed to go around development in more open area.
- A number of identical submissions received citing concerns on grounds relating to traffic, lost amenities and loss of community.

**Consultations and Representations to Amended Plans:**

<b>Parish Council:</b>	Since the revised plans do not address the real substance of the Parish Councils original objections, members have asked that views expressed earlier are restated.
<b>Environment Agency:</b>	No reply received.
<b>Reading Borough Council:</b>	No reply received.
<b>Crime Prevention Design Advisor:</b>	Objects. The full response by the Crime Prevention Design Advisor is contained on the following pages





**Dave STUBBS MA PG Cert Ad Cert ED&CP**  
Crime Prevention Design Adviser (Berks West)

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Date 2<sup>nd</sup> December 2010

Ms. K. Goodchild  
Planning Services  
West Berkshire Council  
Council Offices  
Market Street  
Newbury  
RG14 5LD

For 'Secured by Design' standards and application  
forms, visit the 'SBD' website at :-  
[www.securedbydesign.com](http://www.securedbydesign.com)

Your Ref. 10/01753/FULEXT

Dear Ms. Goodchild

## **Planning Application – Underwood Shopping Centre, Calcot**

Although the crime figures for the wider area of Fords Farm are average, the risk of criminal damage, anti-social behaviour across the spectrum from low level noise and incivility to drug use, assault and intimidation, with resulting fear of crime in the immediate Underwood locality is high. For the reasons set out below, Thames Valley Police do not feel the current planning application has adequately understood the issues underlying this site or appropriately addressed them as part of the design process as required by 'Information requirements for validation .....etc. and would therefore formally object to the granting of planning consent for the current application.

It is fully accepted that the current owners have picked up the site after a number of previous iterations and it is also clear that the neighbourhood is in desperate need of remediation. However, despite the long gestation of this site and the previous clearly expressed concerns about the need to create a safe and resilient development that would take the opportunity to improve this locality, there was no indication that the serious issues of crime and disorder affecting the Underwood Precinct had been considered as part of the Design and Access statement process for the current application. The small revisions to the proposal and the supplemental report on Safer Places and its assessment of the proposal against the 7 attributes has been prepared following a brief site meeting with the applicant's agent and with no subsequent meeting to discuss whether the document addresses the site specific issues. The resulting document therefore is a statement of how the policy wording can be fitted around the proposal, rather than a clear indication that the PPS1



requirement to deliver safe sustainable neighbourhoods has influenced the design process for this highly stressed environment from the start.

### **Access and Movement**

The key issue for this site, which currently straddles a sort of “no man’s” land between two residential neighbourhoods, is access and movement – from which a number of other weaknesses in respect of robustly meeting the attributes of safer places also flow.

The lack of ‘ownership’ or community stakeholding in the site, means that it has become a gathering place where anti-social behaviour has not been challenged and where the run down appearance and multitude of access and escape opportunities have contributed to the spiral of decline. Simply locating two new blocks of residential flats astride such a landscape will not of itself alter the perceptions of the anti-social minority who have become used to disrespecting the environment here and who will see any development – especially where boundaries are weak and permeability high, as a challenge, with ongoing detriment to the residential amenity, perceptions of safety and fear of crime among new occupants.

The applicant’s supplemental document itself acknowledges (para 2.1) that ‘existing pedestrian access to the site is provided from a large number of informal routes along every boundary’. This is in clear contravention of the Safer Places guidance that ‘successful places have a well defined movement framework’. The design concept for the proposal was clearly not conceived using the access and movement checklist to examine whether:-

- The consequences of the number and nature of all connections have been considered.
- Whether all routes lead to somewhere that people want to go and whether are all necessary.
- Whether routes provide potential offenders with ready and unnoticed access to potential targets.
- Whether routes are segregated when they could be integrated.
- Whether users will be able to understand which route they should use.

The public footpath running along the boundary between the site and the school grounds has been an issue of concern almost since the original development was built. It was always poorly integrated and the current proposal does nothing to either orientate new buildings to give it some purpose and appropriate surveillance, or isolate it completely to avoid it continuing to create vulnerability to the new development. (This of course would not accord with the PPS1 duty to improve poor environments or create safe sustainable movement). The need to address the longstanding environmental, social and economic issues this site suffers from, *must* take the opportunity to grasp this fundamental aspect of the site and the legal conundrums the history of the path has created.

The strategy of creating a second pedestrian route through the centre of the site, which the applicants state is intended as the primary pedestrian access into and across the site would have much to commend it in principle. Unfortunately, while the existing path remains, this not only reduces the potential footfall that should all be focussed on to one main well designed path, but will create a central well lit and well overlooked route that will be favoured by legitimate users, while leaving the other segregated path as a conduit for the anti-social element.

With the site layout and building footprints as proposed, the central path has a feeling that it is running through the private amenity space of the two flat blocks, even dividing the cycle and bin stores from the buildings they relate to.

Features such as this, even in less stressed urban environments, undermines residents sense of control and ownership of *their* space.

At para 2.3 the supplemental document states that the central path will have low level landscaping to either side to provide legibility and deter access across adjacent public open space. This itself raises some



contradictions! Why if it is public open space, should access be deterred? Desire lines *will* develop as short cuts and there is some naivety if it is felt that low hedging will stop some of the few in this locality that would think nothing of walking, let alone riding pedal cycles, if not motor cycles and mini motor bikes across such space and its boundary planting!

Again, at para 2.4 the intention to provide low level planting to the existing path to indicate that it is not a link into the site, will not provide any deterrence to those who wish to use the path either as access or escape for criminal or anti-social activity.

The improved security to the path outlined in para 2.5 created by enhancing surveillance by windows in habitable rooms overlooking the route relies on those giving such surveillance having some sense of ownership or responsibility *and* taking action if crime or incivility is observed. This again reveals a fundamental misunderstanding of the motivation of capable guardians. Those seeing a problem on a route which is not part of their demesne or over which they have no influence, where such behaviour is commonplace or where generating some response may render them liable to reprisal, will simply ignore and draw the curtains.

### **Structure**

The structure of the proposed layout will do little to address the stresses affecting this site and will certainly not protect residents from conflict. Where residents have to cross public footpaths in their carpet slippers to take their refuse to a store on the far side and where private residential rooms are divided from public open space by little more than low hedges, the potential for conflict and friction is high in any urban landscape and given the recent history of Underwood, any vulnerability is likely to be rapidly tested.

### **Ownership**

The chief issue for ownership of the current proposal is the lack of any hierarchy of privacy from public to private space. The proximity of public open space to dwelling walls and the soft nature of dwelling landscape boundaries will invariably mean loss of privacy and even if public space is under the supervision of local residents, if a resident is affected by noise, litter or offensive behaviour immediately outside their window, there is little likelihood of effective personal intervention and the whole purpose of designing safe environments is that they should not need constant supervision by other capable guardians such as wardens, caretakers or police.

### **Physical Protection**

Although understandably early in the design process for detail of physical security, there is no indication of awareness of the vulnerability of communal entrances – which do not in themselves provide robust physical protection as stated, the need for robust visually verified access control, the use of laminated glazing, highly robust security for bin and cycle stores – and again the reliance on completely inappropriate low level planting to create secure residential boundaries.

### **Management and Maintenance**

The presence of a management company is increasingly common and beneficial to flatted developments and community wardens are also commonly encountered in urban areas.

However, these should be supplemental to the safety and security created by good design and the defensible space and ownership under the direct control of residents and not to compensate for its lack or inappropriate robustness. Invariably, where management costs rise due to high vandalism and maintenance / repair charges, residents begin to complain, and often opt for cheaper services with consequent reduction of care and environmental degradation. The future of many community services such as warden provision cannot be relied on with local authority budgets shrinking and neighbourhood police team priorities do not extend to 'keep off the grass' patrols of housing developments.



## **Conclusion**

PPS1 is explicit (at para 34) that good design should contribute positively to make places better for people. Design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted.

It would not be the place of Thames Valley Police to make any comment on the appearance, massing or density of the proposed buildings. However, in respect of the context of this highly dilapidated and stressed environment, it is contended that the proposal fails to fully engage with and implement the seven attributes of Safer Places.

These will be a fundamental component of regenerating this run down locality, and it is clear that the opportunity presented is not being fully utilised and if approved, this development and its occupants will continue to suffer the depredations that have afflicted it for so long.

**In the light of the duty on local authorities to do all that they reasonably can to prevent crime & disorder under Section 17 of the Crime & Disorder Act 1998, the crime risks facing this proposal include arson, criminal damage, burglary, theft, assault, vehicle crime, casual intrusion, anti-social behaviour, alcohol and drug related offending, trespass, loss of amenity and resulting fear of crime.**

**The council can help to discharge its duty in respect of its planning & development function under Sec. 17 together with meeting the requirements of PPS1 (para 36) to create safe environments where crime and disorder and fear of crime do not undermine quality of life and community cohesion, and of other policies such as PPG3 (para 5.6) to promote designs and layouts which are safe and take account of crime prevention and community safety considerations by giving the above comments appropriate weight when deciding this matter.**

I trust these comments will be of help when deciding this matter. Please do not hesitate to contact me should you require further information.

Yours sincerely.

Dave STUBBS MA PG Cert. Ad. Cert. ED & CP  
Thames Valley Police  
CPDA. (Berks.)

**Secured by Design**  
placing design between  
crime & the community





<b>Thames Water:</b>	Comments as before.
<b>Fire Service:</b>	Comments as before.
<b>Highways:</b>	Concerns raised, revisions to scheme required. The full comments of the Highways Officer are set out in Section 6.6 below.
<b>Rights of Way:</b>	<p>Pleased to note the addition of the landscaping buffer strip, albeit narrow, between the Public Footpath (FP 2 Theale) and the remainder of the development - would like further details about what is proposed. Welcome the proposed 1.2 metre high looped top railing fence which will prevent vehicles overshooting car parking spaces. Note the comments detailed under "surveillance" in paragraphs 2.4 and 2.5 of the "Safer Places Report". Whilst I welcome the setting back of the boundary wall of Block C from the footpath, would have preferred to see at least 2 gaps in the above fencing for pedestrian access between the footpath and the site and for there to be no windows looking directly onto the footpath. However, understand the reasoning put forward for these and raise no objection. Disappointed that the surfacing material of the footpath has not been addressed. The most important issue regarding the public footpath is the need to extinguish that part of its legal width that has not been used for several years. Recommend the developer make contact at the earliest opportunity to progress an application for partial extinguishment of width under section 116 Highways Act 1980 which is considered to be the most appropriate way of dealing with the matter.</p>
<b>Transport Policy:</b>	<p>No objections to the proposals, but would like to have confirmation that the cycle storage provided is in line with our cycle parking guidance. There should be 1 cycle parking space per 1 bed dwelling and 2 cycle parking spaces per 2 bed dwellings. Residential cycle parking should be covered and secure as should the staff parking for the retail unit and doctors surgery. All cycle stands should be provided using Sheffield Stands. 1 Sheffield stand allows 2 bikes to be secured to it. Am happy for all the cycle parking to be dealt with by condition. Possibility that the residential cycle storage could be reorganised to take account of some changes to the bin store layout which would allow for more cycle parking spaces to be included. Currently the residential cycle parking level provided is slightly below our recommended level, but as cycle parking is provided for each residential unit happy for this to be sorted out by condition alongside the need for secure covered staff parking for the retail unit and doctors surgery.</p>



<b>Planning Policy:</b>	<p>I have looked at the proposal and would conclude from a policy viewpoint that the application would appear to conform with local policies in terms of the saved policies and the emerging policies.</p> <p>My only hesitation is potential over development of the site and in light of the changes to PPS3, it could be argued that 74 units on this site is over development and therefore contrary to Saved Policy OVS.2 (a) High standard of design.</p>
<b>Tree Officer:</b>	To be reported.
<b>Housing:</b>	No reply received.
<b>Ecologist:</b>	Unconvinced to reply regarding green roofs although at this late stage it is not now an issue I wish to pursue. Condition recommended regarding the incorporation of swift nest boxes into the design.
<b>Archaeologist:</b>	No reply received.
<b>Public Protection:</b>	<p>The scientific officer has reviewed the site investigation report and made the following comments. "Investigation looks fine with good coverage of boreholes. Offsite to the east there is an unknown filled pit identified from the desk study. This has not been investigated properly with regard to gas issues. The fact that houses have been built on it doesn't make this source low risk. CL regs only came in early 2000 these houses are much older. I refer the applicant back to Ciria 665 re: number and frequency of gas monitoring requirements." Further requirement requested within the contaminated land condition. In addition, excess levels of contaminants were found in the northern part of the site, believed to be from poor quality tarmac. To remove the risk caused by this, it is suggested to implement a cover layer of 'clean growing media to the gardens and landscaped areas' in the northern part of the site. The depth of which specified in the report is acceptable. Part 2 and 3 of the recommended condition relate to remediation and the need for a verification report to be submitted to the LPA demonstrating the effectiveness of the remediation carried out.</p>
<b>Access Panel:</b>	No reply received.
<b>SPG Contributions:</b>	<p>Highways: £46,880  Education: £83,846  Public Open Space: £56,595  Libraries: £12,792  Adult Social Care: £36,841  Waste Management (recycling): £19,613.70  Health Care: £8,122</p>



**Correspondence:**

207 representations making objections to the scheme have been received further to the notification regarding amended plans. Some of the representations received have been submitted by original objectors to the application. In summary, similar concerns in response to the original plans have been raised however additional points raised include:

- Revised plans do not address original objections;
- difficulties in accessing upper floors for surgery;
- additional windows to southern elevation of block C appears to exacerbate possibility of overlooking to school;
- ancient right of way – ensure no encroachment on the existing footpath;
- other non-planning matters raised.

**4. Policy Considerations**

Planning Policy Statement 1: 'Delivering Sustainable Development'

Planning Policy Statement 3: 'Housing'

Planning Policy Statement 5: 'Planning for the Historic Environment'

Planning Policy Statement 9: 'Biodiversity and Geological Conservation'

Planning Policy Guidance Note 13: 'Transport'

Planning Policy Guidance Note 17: 'Planning for Open Space, Sport and Recreation'

The South East Plan - Regional Spatial Strategy for the South East of England – Policies

CC1, CC4, CC7, H1, H2, H3, H4, H5, T4, T5, BE2, BE3

West Berkshire District Local Plan 1991-2006 – Policies OVS1, OVS2, OVS3, OVS5,

OVS11, HSG1, HSG8, HSG9, TRANS1

Supplementary Planning Guidance 4/04 – 'Delivering Investment from Sustainable Development'

Supplementary Planning Document – 'Quality Design'

Circular 5/2005

Community Infrastructure Levy Regulations 2010

**5. Description of Development**

- 5.1 This is a full planning application for the demolition of the existing buildings on the site formerly comprising the Underwood Shopping Centre (remaining units are a newsagents, takeaway and doctors surgery) and the erection of 74 no. residential units together with a retail unit and a doctor's surgery. The units are proposed to consist of 31 x 1bed apartments and 43 x 2bed apartments. The retail unit is proposed to be 222 square metres in area with a doctor's surgery of 210 square metres. 81 car parking spaces are proposed to serve this development.
- 5.2 In addition, the existing car park serving the Kennet Valley Free Church is proposed to be reconfigured to provide for 49 no. car parking spaces serving the Church.
- 5.3 Amended plans have been received during the course of this application making changes as follows:
  - Inclusion of a new 2m wide footpath through the central area of the site;



- Relocation of part of Block A (part of block which fronts onto Underwood Road) by 1m to the north;
- Revision to siting of parking bay 39;
- Relocation of landscaping to front of blocks A, B and C;
- Revision of entrance doorways to Blocks A, B and C to provide a small recess;
- Repositioning of bin store to Block B and addition of landscaping to perimeter;
- Addition of landscaping buffer along the northern edge of the existing footpath;
- Relocation of Block C to the north;
- Addition of windows in southern elevation of Block C;
- Addition of cladding panels to the western elevation of Blocks C and D;
- Addition of cladding panels to the recessed areas on the northern elevation of Block D;
- Addition of cladding panels to eastern elevation of Blocks A and B;
- Addition of balconies to the western elevation of Blocks C and D;
- Inclusion of wrap around balconies to Blocks A and B on floor plans;
- Amendment to roof design of Block C;
- Additional windows in the northern and southern elevations of Block A, and northern and southern elevations of Block B;
- Redesign of Block D northern elevation.

5.4 A traffic count survey has been undertaken and a supplemental note prepared by Transport Planning Practice following the survey and entitled “Note of Traffic Distribution” has been submitted. This has been reviewed by the Highways Officer.

## **6. Consideration of the Proposal**

The main issues raised by this proposal are:

- 6.1 Planning History**
- 6.2 The Status of the Existing Footpath**
- 6.3 The Principle of Development**
- 6.4 The Density of the Proposed Development**
- 6.5 Design – Scale, Layout, Appearance, Amenity Space**
- 6.6 Highway Matters**
- 6.7 Impact on Trees**
- 6.8 Impact on Neighbours and Surrounding Uses**
- 6.9 The Existing and Proposed Facilities**
- 6.10 Affordable Housing**
- 6.11 Developer Contributions**
- 6.12 Other Matters**

### **6.1 Planning History**

- 6.1.1 There have been a number of comprehensive redevelopment proposals for the whole of the site over recent years, since a fire destroyed the supermarket in 2000, and only one of which has resulted in planning permission being granted. Of the applications listed above in the Site History at Section 1, two have been withdrawn, one was refused with one being approved.



- 6.1.2 Application 02/0008/FUL proposed a replacement Budgens supermarket, four new retail units, a health centre, 6no 1 bed flats, 4no 2 bed flats and 10no 3 bed dwellings. 91 car parking spaces were proposed along with a central landscaped corridor.
- 6.1.3 The scheme was recommended for approval by officers, subject to the completion of a s106 legal agreement. Members agreed this recommendation at the Eastern Area Planning Sub Committee in July 2002. However, despite numerous extensions of time and attempts by officers to resolve the legal agreement, it was not completed. The application was subsequently refused in May 2004 for that sole reason.
- 6.1.4 Application 07/00619/FULEXT proposed the demolition of the existing 2 storey retail block and two storey public house and the felling of two trees together with the erection of a 3 and 4 storey mixed use development with new parking provision and amenity space. The new development comprised 65 residential units (4 x 3 bed duplexes, 6 x 3 bed flats, 10 x 2 bed duplexes, 19 x 2 bed flats, 26 x 1 bed flats), 1 x A1 retail unit 119 sqm and 1 x D1 doctor's surgery 300 sqm together with 82 parking spaces and 65 cycle spaces and bin stores.
- 6.1.5 By way of comparison, this previous scheme consisted of 4 separate blocks. Blocks A and B sit adjacent to each other and are located towards the west of the application site, but centrally within the area between Carter's Rise and Underwood Road. Block A is essentially 3 storey sloping down to 2 storey portions. Block B is also a 3 storey block. Block C in the southern part of the site and block D to the north of this are formed by 4 storey central portions which step down to a 3 storey return fronting Underwood Road. (It should be noted that the Blocks are annotated differently within this current application).
- 6.1.6 The scheme was recommended for approval by officers, subject to the completion of a s106 legal agreement. Members agreed this recommendation at the Eastern Area Planning Committee on 5<sup>th</sup> December 2007. Following an extension of time to resolve the legal agreement, the agreement was completed and planning permission was issued on 16<sup>th</sup> October 2008.
- 6.1.7 This approved application would constitute a valid fall back permission which is potentially capable of implementation until October 2011, however, the agents now advise that "irrespective of the layout of the development, it is not possible to extinguish the footpath running along the southern boundary as there are a number of established rights over the path, including the school and the church, which we are not able to revoke". Clearly, this casts some doubt over whether the previous scheme can be successfully implemented. This matter will be discussed in more detail in section 6.2 below.

## **6.2 The Status of the Existing Footpath**

- 6.2.1 An existing public footpath (Theale Footpath 2) lies to the south of the site and connects Underwood Road with Carters Rise, and will be affected by the proposed development. The existing footpath is a very well used urban footpath linking two residential roads, adjacent to the local primary school.



- 6.2.2 On the ground the route is restricted to 3.5 – 4 metres in width, however the legal width of the footpath is much wider, varying at between 6.5 and 7.5 metres.
- 6.2.3 As such, and notwithstanding any decision that might be made on this planning application, before any development can be undertaken on this part of the site, the developer will have to apply for a partial extinguishment of the footpath to legally reduce the width of the footpath to the width that the public have accepted and used for many years, i.e. to regularise the situation on the ground. An application for partial extinguishment of the width of the public right of way under section 116 of the Highways Act 1980 (and outside of the planning process) will therefore be required to be submitted which may or may not be approved.
- 6.2.4 A further issue has also arisen relating to the existence of private rights of way across the path. Whilst an application to extinguish (in whole or in part) the public rights of way could in theory be approved, the private rights of way would still exist. At this stage it is not clear as to how far the private rights extend, however, it must be recognised that the existence of these private rights is a civil matter.
- 6.2.5 It is understood that there may be problems with the existence of these private rights of way which may hinder the implementation of a development scheme and indeed the agents now advise that “irrespective of the layout of the development, it is not possible to extinguish the footpath running along the southern boundary as there are a number of established rights over the path, including the school and the church, which we are not able to revoke”. Again, it must be said that is not clear as to how far the private rights extend and it is quite possible that they extend further than the line of the footpath on the ground to affect any scheme being proposed, as do the public rights.
- 6.2.6 Again, this does cast some doubt over whether a development scheme over all or even part of this path can be successfully implemented. However, the reason that a scheme may not be implemented is related to private rights of way, and in a similar way to covenants, this is not a planning matter for consideration - planning permission could still be granted for a development where private rights of way are in existence. This would be a matter for the developer to resolve.
- 6.2.7 Further matters relating to the footpath and how it relates to the proposed development will be discussed in more detail in 6.5 below.

### **6.3 The Principle of Development**

- 6.3.1 The application site lies within a settlement boundary, as defined within Policy HSG1 of the West Berkshire District Local Plan 1991-2006 (WBDLP). The site also lies within a predominantly residential area. The principle of residential development is therefore considered acceptable. However, notwithstanding, there are other matters to consider which may or may not render the overall scheme acceptable. These are considered in detail below.

### **6.4 The Density of the Proposed Development**

- 6.4.1 The application proposes the erection of 74 dwellings on a site of approximately 0.73 hectares. This results in an approximate density of 101 dwellings per hectare.



- 6.4.2 Planning Policy Statement 3 – Housing (PPS3) was amended in June 2010 to remove the national target densities for residential development. The revised PPS3 places the responsibility for setting density targets with Local Planning Authorities, but maintains the need for efficient use of land.
- 6.4.3 Part 2 (Residential Development) of Supplementary Planning Document “Quality Design” emphasises that design, character and context are primary considerations and that targets are only indicative. It states that densities of around 30-50 dwellings per hectare (dph) will generally be achievable within towns, where development reflects existing character.
- 6.4.4 At paragraph 1.3.1 of the SPD, it also states that “The Government’s strategy of securing higher density development within existing residential areas can, in some cases, cause concerns about erosion of character, increased traffic congestion, impact upon services and facilities and loss of biodiversity. It is therefore important to ensure higher densities are only secured by using the right designs in the right locations, in a manner which respects and enhances the valued character of areas.”
- 6.4.5 The existing residential development surrounding the site is predominantly characterised by two storey semi-detached houses and small rows of terraced dwellings creating a low rise, low density residential estate. The Committee report written for the previous application set out a very approximate comparison of densities of similar sized areas to the application site immediately to the north, east and west where the density figures were in the region of 30-40 dwellings per hectare.
- 6.4.6 The level of 101 dwellings per hectare as proposed within this current application clearly exceeds both the indicative density targets of the SPD and the density of the surrounding area. The density of the development is also exacerbated by the level of built form and hard surfacing across the site and the limited areas of green space within the development.
- 6.4.7 Having regard particularly to the change in national policy on density since the time of considering the previous application, but also importantly having regard to local context, it is considered on a stand-alone basis that the proposed density of the current scheme is unacceptable.
- 6.4.8 However, there is an extant planning permission on the site for the erection of development including 65 no. residential units and regard must be had to this permission as a material consideration in assessing the current proposals.
- 6.4.9 The previous scheme in proposing 65 units resulted in an approximate density of 90 dwellings per hectare. At the time of considering that application, the proposal was not considered to be an overdevelopment of the site, notwithstanding the arithmetic density, given the open nature of land outside the site to the south and north, the grass verge fronting Underwood Road to the east, the central landscaped and tree lined boulevard and the variety in private and communal gardens and balconies and taking account of the government guidance on density extant at the time.



- 6.4.10 As stated above, this permission does currently constitute a valid fall back position which is potentially capable of implementation until October 2011. Whilst there are doubts over whether the scheme can be successfully implemented given the existence of the private rights of way, this is not a planning matter, and therefore the extant planning permission can still be regarded as a valid fall-back position.
- 6.4.11 It should be recognised that PPS3 advises that when considering applications relating to sites for which planning permission has been previously granted for a similar proposal, but where the development has not been implemented, the Local Planning Authority should consider, based on robust evidence provided by applicants, whether the site is likely to be developed. It goes on to say that there is no presumption that planning permission should be granted because of a previous approval, particularly if the original permission proposal did not deliver the policy objectives of PPS3.
- 6.4.12 Notwithstanding, and having considered the proposal in detail against the policy objectives set out in PPS3, given the extant permission still in place and given the similarities between the schemes in terms of scale and density, a finely balanced conclusion is made that the density of the currently proposed development is acceptable. It must be noted that if there was no similar valid fall-back position, the conclusions on this matter might be different.

## **6.5 Design – Scale, Layout, Appearance, Amenity Space**

- 6.5.1 The site lies within a defined settlement boundary in a predominantly residential area although other uses are in close proximity to the site. The Kennet Valley Primary School lies to the south-east of the site, the Kennet Valley Free Church lies to the south-western corner of the site, the Holybrook Community Centre lies to the north-west of the site and an existing play area lies to the north of the site.
- 6.5.2 Underwood Road runs along the north-eastern boundary of the site with Carters Rise running along the south-western boundary of the site. The access to the site will be taken off Carters Rise.
- 6.5.3 Residential properties lie opposite and adjacent to the site along Underwood Road and Carters Rise. The existing residential development surrounding the site is predominantly characterised by two storey semi-detached houses and small rows of terraced dwellings creating a low rise residential estate. They are constructed of brick, render and tile with pitched roofs and have no particular distinctive architectural merit.
- 6.5.4 The existing site is predominantly covered by hard surfacing although there are a number of trees within the site. The site also contains a two storey commercial block which currently houses a retail unit, a takeaway and a doctor's surgery. Other units in the block are unoccupied. A Public House also existed on the site until recently although this has since been demolished.
- 6.5.5 Overall, PPS1 promotes high quality design. A key principle is that planning policies should promote high quality inclusive design in the layouts of developments and individual buildings in terms of impact over the lifetime of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted.



- 6.5.6 PPS3 also regards good design as fundamental to the development of high quality housing and that good design should contribute positively to making places better for people. PPS3 also makes it clear that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area should not be accepted.

## **Scale**

- 6.5.7 The scale of development proposed is essentially the same as the previous planning permission on this site. The proposed development is contained in 4 no. blocks across the site. Blocks A and B are three storey blocks where they front onto Underwood Road, rising to four storeys in the central portion of the site. Block C, backing onto the Church, is a three storey block lowering to two storeys where it meets the public footpath at the south of the site. Block D is a three storey block.
- 6.5.8 The previously approved scheme also consisted of 4 separate blocks. Blocks A and B sit adjacent to each other and are located towards the west of the application site, but centrally within the area between Carter's Rise and Underwood Road. Block A is essentially 3 storey sloping down to 2 storey portions. Block B is also a 3 storey block. Block C in the southern part of the site and block D to the north of this are formed by 4 storey central portions which step down to a 3 storey return fronting Underwood Road. (It should be noted that the blocks are annotated differently within this current application).
- 6.5.9 Again, as with considering the density of the development, regard must be had to the extant planning permission as a material consideration in assessing the current proposals which has already been noted as currently constituting a valid fall back position.
- 6.5.10 The scale of the proposed development is clearly at odds with the surrounding low rise nature of development. However, given the extant permission still in place and the similarities between the schemes in terms of scale, a balanced conclusion is made that the scale of the currently proposed development is acceptable. It must be noted that if there was no similar valid fall-back position, the conclusions on this matter might be different.

## **Layout**

- 6.5.11 The application site occupies a central position between two areas of residential development, which form a single community. There is no road link for private vehicles between the two areas, but a bus route is provided to the north.
- 6.5.12 Given its central location, there is a strong desire for a permeable site which provides good public connections between the two residential areas. This is unequivocally supported by national and local design policies which seek well connected and accessible places.
- 6.5.13 Presently the site is highly permeable due to its undeveloped informal nature meaning that people can freely cross the site. Moreover the public footpath to the south of the site is an important and well used route between the two areas.



- 6.5.14 The existing public footpath connects Underwood Road to Carters Rise. It has materialised that the existing layout already encroaches on the legal width of the footpath as discussed earlier and the partial extinguishment of the path needs to be resolved through a separate process. The footpath currently runs along the back of the church and boarding around the site of the former public house and then along a more open section of path which connects to the car parking area, and then past a two storey commercial building containing a takeaway and convenience store which front onto but set back from, the footpath. Along the entire length of the south-eastern boundary is the school, with continuous palisade fencing and vegetation behind.
- 6.5.15 On the proposed layout the relationship with the church and school boundary would remain the same. In place of the pub, the side elevation of Block C would lie in close proximity to the footpath. The footpath would then run adjacent to a row of parking spaces with Block B set back from the footpath. At the Underwood Road end of the path, the existing trees would be retained and provide a landscaped area adjacent to the footpath. A narrow planted boundary is shown on the amended plans to run the length of the footpath from the end of the Church boundary to the end of parking spaces nearest to Underwood Road.
- 6.5.16 However, whilst the current plans indicate that the majority of the development will be separated from the path by some sort of landscaping, there is an area within the development towards Underwood Road where access into the site from the path entrance off Underwood Road can be gained.
- 6.5.17 The previous application proposal incorporated the area of the path within the development and it was proposed to be removed in its entirety. A new separate boulevard/path was proposed through the central area of the site.
- 6.5.18 With regard to the retention of the existing public footpath to the southern boundary of the site which runs along the boundary between the site and the school grounds, it has to be recognised that this path has been an issue of concern almost since the original development was built. In line with the concerns raised by the Crime Prevention Design Advisor, the path is poorly integrated and the current proposal does not orientate the new buildings to give it some purpose together with enabling appropriate surveillance nor do the proposals isolate it completely to avoid it continuing to create vulnerability to the new development.
- 6.5.19 Having regard to this particular aspect of the proposal, it is considered that the application fails to take forward the opportunity to improve this poor environment or create a safe sustainable movement as required by PPS1. In addition the proposal fails to take the opportunities available for improving the character and quality of an area and the way it functions, as also required by PPS1.
- 6.5.20 The amended plans submitted now detail a second path through the central area of the site, the intention of which is to be the primary pedestrian access into and across the site, as stated in the Supplemental Report on Safer Places.
- 6.5.21 Firstly, it must be noted that this proposed footpath does not connect to a public footway outside of the application site and instead the proposed path abuts an area of highway verge with no mechanism proposed of how to cross the highway verge to meet the existing path running along Underwood Road.



- 6.5.22 There is an existing access and path sweeping into the site, however, the plans have been reviewed and the proposed path does not link into this existing path. It must also be noted that the existing access and path sweeping into the site is to be removed in its entirety. This is confirmed by the Transport Assessment dated July 2010 which states at paragraph 3.4 that “The access into the existing car park from Underwood Road will be closed and the existing bellmouth junction removed with a section of footway and grassed area implemented to match the surround.”
- 6.5.23 In addition, the footpath does not link to another path at the end of the route within the site, and instead pedestrians are expected to walk through parked cars and across the access road to reach another path. Overall, insufficient consideration has been given to pedestrian routes through the site.
- 6.5.24 In addition, the proposed path does not create a clearly defined public space and instead creates an ambiguous public/private space. The Crime Prevention Design Advisor also considers that with the site layout and building footprints as proposed, the central path has a feeling that it is running through the private amenity space of the two blocks of flats, even dividing the cycle and bin stores from the buildings they relate to which undermines residents sense of control and ownership of their space.
- 6.5.25 Furthermore, the siting of the path within the site is considered inappropriate. The path is sited close to the side elevation of Block A separated only by minimal low level landscaping rather than sited more centrally between Blocks A and B to create a more functional space, as the previous application proposal did. The siting of the path also adds to the ambiguity of who has a right to use the space. It is also considered that the path being this close to the residential units may result in a loss of privacy to those occupiers.
- 6.5.26 In conclusion on this particular aspect of the proposal, the proposed footpath is sited inappropriately, fails to connect with a footway outside the site or show any mechanism of how to achieve this and also fails to meet the challenge of good design.

## **Appearance**

- 6.5.27 The proposed scheme, as with the previous permission, is distinctly different to and breaks from the immediately prevailing character of the area and conventional form of residential development surrounding the site, in terms of design, height, density and materials.
- 6.5.28 However, the area immediately surrounding the application site comprises a 1970's single storey school with some playing fields, a recently developed church with a bulky roof of varying heights up to approximately 10 metres high, a two storey community centre on raised ground and a small area of open space. As such it is considered, as previously, that this site does have elements of a stand alone nature and capable of taking a different design (appearance) solution to that which currently exists in the area, although the residential dwellings immediately beyond clearly need to be respected.



- 6.5.29 Consequently it is still considered that the principle of a different design philosophy, breaking away from the conventional architecture of the area, can, in principle, be accommodated on this site.
- 6.5.30 The current design proposed is considered to be a modern design which can assist in promoting local distinctiveness. Whilst the previous permission included sedum roofs, these are not considered necessary to make the principle of the design of this proposed scheme acceptable, although their loss is regretted in terms of sustainability and ecological concerns.
- 6.5.31 The currently proposed buildings are designed with a band of blue brickwork containing the ground floor of each block. The remainder of the buildings are predominantly rendered with sections of cladding to break up the massing of the buildings and to provide elements of visual interest within the elevations. Recessed stairwells also break up the elevations from some aspects into smaller sections to further reduce the massing and to provide interest.
- 6.5.32 It is acknowledged that the proposal is distinctly different from the surrounding architecture, however, as suggested above, the site does have a stand alone element to it to enable, in principle, such a development with a self contained character to be acceptable on this site. Furthermore, the surrounding architecture, whilst not unattractive, has no particular outstanding architectural merit and to mimic that would be a disappointing proposal. On balance, the design proposed is considered in principle to be acceptable, notwithstanding the concerns which have been raised relating to the overall development.

### **Amenity Space**

- 6.5.33 Within the Design and Access Statement it is detailed that this “scheme aims to maximise communal and private amenity space for residents use” and that “Landscaped gardens will surround blocks A and B for general use of all residents and the ground floor of block C will be provided with private gardens.”
- 6.5.34 The proposed parking and amenity plan is considered to be disingenuous as this plan shows large areas of green spaces surrounding the buildings, however, it must be borne in mind that not all of this space is for sole use by or even accessible to residents. In particular there is an area of space to the north of block A which is shown on the plans to be entirely enclosed by landscaping. No access is possible to this area as an outdoor space or even for maintenance. This space could clearly be utilised as part of the development scheme to assist in creating a pleasant environment for occupiers of the development and a “sense of place”, however, the current proposals do not achieve this.
- 6.5.35 Other than the ground floor units of block C and for those upper floor units which are served by balconies, there is no accessible private/semi-private communal outdoor space for use by residents of this development. There are some flats with ‘pockets’ of green space enclosed around their windows however these are not accessible by the occupiers of the development. There are areas of land to the eastern boundary of the site towards Underwood Road, however, these areas adjoin highway land to the east and with no mechanism proposed to control access or use of these spaces, they cannot be considered to be communal space for the development. Another area of ‘open space’ does exist between blocks A and B in



the centre of the site. This area is broken up by the main pedestrian thoroughfare through the site and adjacent to the parking spaces on two sides with the bin store and bike store also in the middle of this area. Again, it is not considered that this area can be successfully utilised as communal open space for occupiers of the development.

6.5.36 Whilst it is accepted that levels of amenity space with a unit can vary and indeed the choice of whether to purchase a flat with limited access to outdoor space can be down to a buyer beware situation, the availability of accessible green space can assist in creating a pleasant environment for those living within the development and creating a sense of place for the development as a whole to be read within the surrounding area. Without this provision, the current proposals are considered unacceptable.

6.5.37 In conclusion, whilst, on balance, the scale and, in principle, the appearance of the proposed development is considered to be acceptable, the layout of the development having particular regard to the existing footpath, the proposed footpath and the level of amenity space across the site is considered unacceptable.

## **6.6 Highway Matters**

### **Site Layout**

6.6.1 It is understood that the applicant is unable to extinguish the footpath along the southern boundary of the site. It therefore needs to be open and overlooked as possible. From a previous meeting, it was understood that an opening was to be provided from the footpath into the site adjacent block C, but it seems to be obstructed by a hedge. There should be the opening, to open up the footpath to improve safety along it. To link the footpath into the site, a 2.0 metre pedestrian route should also be provided fronting block C and block D, either a physical footway or a contrasting surface fronting the car parking spaces. However there are concerns with the latter option, as pedestrians will be passing behind long lines of parked cars.

6.6.2 The previous proposal had the route passing through amongst the proposed blocks. I am pleased that a route has now been reinstated, but it needs to continue to link in with existing footways within Underwood Road. It also needs to link onto the proposed footways within the site especially around the bend in the proposed access road where currently pedestrians will be forced to walk in the access road.

6.6.3 It is recommended that the footway be continued through the communal parking area across the bell mouth to the Community Centre to link onto the existing footway. The access into the communal parking area and the Community Centre should be provided as a dropped kerb accesses.

6.6.4 All corners on footways should be chafferred to reduce the likelihood of hiding places that could encourage crime.

### **Refuse Storage and Collection**

6.6.5 It is likely that large bulk bins will be required to serve the proposed blocks. Such bins will need to be located within stores within 10 metres of the refuse vehicle. I



understand that the developer has liaised with Waste Services to determine the amount of storage required, however, the stores need to be within 10 metres of the refuse vehicle as outlined within the Manual for Streets.

## Traffic Generation

6.6.6 To estimate traffic levels for the proposed and existing uses within the site, reference has been made to the Trip Rate Information Computer System (TRICS), which is a national database of traffic surveys from many different land uses. For each use, a number of sites from across the UK have been selected from TRICS for making projections. I have checked the sites used.

6.6.7 For the AM 08.00 to 09.00 peak, the existing and proposed traffic flows to and from the site are projected as follows:

	Existing / permitted			Proposed		
	Area (sqm) & flats	Traffic flows		Area (sqm) & flats	Traffic flows	
		Arrive	Depart		Arrive	Depart
Retail	625	17	16	222	6	6
Public house	372	0	0			
GP Surgery	120	7	4	210	19	14
Residential	1	0	1	74	8	22
		24	21		33	42

*AM peak projected daily traffic flows for existing and proposed uses*

6.6.8 With the revised floor areas, contrary to what was originally stated within the Transport Statement, there is an increase in traffic within the AM peak of some 9 vehicles arriving and 21 vehicles departing. Much concern has been raised regarding the A4 / Mill Lane junction. I consider that a traffic count needs to be undertaken at Mill Lane between The Chase and the A4 to establish the percentage increase in traffic that this development will produce. This information will inform whether more detailed assessments are required for this junction. I do expect the percentage increase will be small; however, I still consider that the survey is required to provide some reassurance.

6.6.9 For the PM 17.00 to 18.00 peak, the existing and proposed traffic flows to and from the site are projected as follows:

	Existing / permitted			Proposed		
	Area (sqm) & flats	Traffic flows		Area (sqm) & flats	Traffic flows	
		Arrive	Depart		Arrive	Depart



Retail	625	20	20	222	7	7
Public house	372	26	17			
GP Surgery	120	10	12	210	18	21
Residential	1	1	0	74	14	11
		57	49		33	42

*PM projected daily traffic flows for existing and proposed uses*

6.6.10 The above figures suggest a reduction within the PM peak. In my judgement the projection for the public house is too high, however even if we reduced this projection by 50 %, the existing / permitted traffic flows would still be similar to the proposed.

6.6.11 It is apparent that some of the existing retail units are closed and the public house was in situ when the planning application was received, however, under planning law the uses could be reopened without any further consent, and therefore I am obliged to take the potential traffic generation for the site into consideration.

6.6.12 On November 25<sup>th</sup> 2010, the Transport Planning Practice undertook a traffic survey on Mill Lane south of the A4 to determine the increase in traffic from the proposal. Between 08.00 and 09.00 the following was observed:

436 vehicles northbound with 188 southbound

The proposal is projected to increase traffic by 22 vehicles (5%) northbound and 8 vehicles (5%) southbound.

6.6.13 It is not considered that these increases are significant enough to sustain an objection on traffic grounds, but nevertheless there is additional travel impact that should be mitigated along with measures to encourage sustainable travel.

### **Traffic Mitigation and Encouraging Sustainable Travel**

6.6.14 Concern has been raised by some local residents regarding additional traffic onto Carters Rise and that consideration should be given to access onto Underwood Road. As explained above overall daily traffic levels will be decreased by this proposal. I also consider that Carters Rise is preferable as the A4 / Mill Lane junction is less congested than the A4 Burghfield Road junction that would be accessed from Underwood Road.

6.6.15 Concern has also been raised regarding existing traffic congestion at the nearby school. It should be noted that congestion near schools is common, however, as a result of concerns raised my colleagues within Traffic Management are to review safety within the vicinity of Carters Rise / Garston Grove. Should any improvements be considered necessary then this could be an option for use by Section 106 monies that will be sought from the proposal.



6.6.16 Concern has also been raised regarding the overlong cul-de-sac of Fords Farm. An investigation could take place to improve the bus gate for buses and emergency vehicles.

6.6.17 The promotion of alternatives to car travel would accord with the principles of sustainable development. In line with government policy, the Council seeks to reduce reliance on the private car and to encourage the use of alternative forms of transport. A proportionate contribution would enable the use of sustainable travel modes and offset harm from travel demands in accordance with SPG4/04, Local Plan Policy OVS.3 and PPG 13. The developer should therefore be prepared to procure highway improvements to a level as outlined within the Supplementary Planning Guidance 4/04 The following table updates the calculations supplied on September 25<sup>th</sup> 2007:

Use	Area (m <sup>2</sup> ) or number of bedrooms	Rate of contribution (£) per sqm or bedroom	Contribution sum requested (£)
<b>Proposed Uses</b>			
A1 Retail	222	120	26,640
C3 Residential	117	1000	117,000
D1 Doctors Surgery	210	40	8,400
		Sub Total	152,040
<b>Minus Existing Uses (As agreed with previous planning application)</b>			
A1 Retail	501	120	60,120
A3 PH	372	80	29,760
A5 Takeaway	124	80	9,920
D1 Doctors Surgery	84	40	3,360
Residential	2	1000	2,000
		Sub Total	105,160
		<b>Final Total</b>	<b>46,880</b>

6.6.18 Therefore in this case, an overall contribution of £46,880 should be sought.

6.6.19 In conclusion, there are a number of concerns raised by the Highways Officer who considers overall that insufficient consideration has been given to pedestrian routes through the site, particularly having regard to the proposed new footpath. In addition, the siting of the proposed bin stores is not acceptable. These concerns are reflected in the proposed reasons for refusal.

## 6.7 Impact on Trees

6.7.1 The application has been supported by a tree report by Ian Keen Limited (IJK.7417/VF), and a tree protection plan also by Ian Keen 7417/02 July 2010. The overall design and layout for the site is very similar to the previously approved application in terms of the impact to trees.



- 6.7.2 Some of the trees at the site are covered by a tree preservation order, as identified in part 2 of the tree report, and the tree report and protection plan provides details on the trees to be retained and protected throughout the development. Those trees which will be lost are T2/T3 both Silver maple in poor condition, and T9 Gold false acacia. All the trees can be mitigated by new landscaping.
- 6.7.3 As the majority of the exiting trees to be retained are surrounded by existing hard surfaces, it is proposed to retain these throughout the development, and then remove the fencing to allow access to change the surfaces within the tree protection areas. There is no objection to this approach and it is considered to be a better approach so there is no change around the trees during the development phase. It must be noted that all of the no dig methods proposed for the parking bays and tree protection requirements will have to be supervised by a suitable qualified Arborist to ensure they are undertaken with care.
- 6.7.4 The application has also provided details on the proposed landscaping for the site in the form of 3 plans for the main site (2119/L(9-)911-913 P2) this shows the proposed level of landscaping around the building including species and densities, it also includes the proposed replacement tree planting for the trees to be lost and is supported by a planting schedule (2119/L(9-)914 P2) which shows the size and numbers of trees and shrubs to be planted.
- 6.7.5 As the application also covers the Kennet Valley Free Church a landscaping scheme has also been provided (2119/L(9-)915 P2) which shows the proposed landscaping for the open spaces between the parking bays, which looks suitable for the location.
- 6.7.6 In conclusion, the Tree Officer considers that the layout for the site, as originally submitted in this current application, is generally acceptable and has identified the retention of most of the trees at the site but more importantly the retention of the trees covered by the tree preservation order. Some additional information will be required to cover the arboricultural supervision of the site, but all of this information can be covered by the conditions for the site.
- 6.7.7 It must be noted that the above comments are made in response to the scheme as originally submitted. The comments of the Tree Officer in response to the amended plans are awaited and will be reported on the Update.

## **6.8 Impact on Neighbours and Surrounding Uses**

- 6.8.1 The application site lies within a residential area. The properties to the east are separated by Underwood Road and properties to the west are separated by the Kennet Valley Free Church and Carters Rise.
- 6.8.2 The end portions of Blocks A and B towards the north-eastern boundary face onto Underwood Road. These parts of the blocks are three storey. A number of balconies are proposed within the eastern elevation serving some of the first and second floor units. Block A has 3 no. balconies each at first and second floor level on this elevation whilst Block B has 4 no. balconies each at first and second floor level. The previously approved scheme has 4 no. balconies in total across the elevations each at first and second floor level facing Underwood Road although 2 no. of these were proposed to span across the whole of individual units.



- 6.8.3 The distance between the eastern elevation of Block B from the properties on the opposite side of Underwood Road varies between approximately 28 metres at its closest point to approximately 34 metres at its widest point. The distance between the eastern elevation of Block A varies between approximately 40 metres at its closest point to approximately 42 metres at its widest point. The balconies to these outward facing elevations are approximately 1.4 metres in depth (the previous approval proposed balconies of 2 metres wide). This is a similar relationship to the existing properties on Underwood Road from the previous approved proposal.
- 6.8.4 These distances are in excess of the distances normally expected in such relationships of dwellings fronting each other on either side of the road, however, in this case it has to be borne in mind that the upper levels of these units will contain living accommodation and balconies serving the living spaces.
- 6.8.5 However, on balance and taking the extant permission into consideration where it was considered that any overlooking was not significant enough to warrant refusal and that trees of the verge would assist in screening views, it is considered that there are again no significant amenity issues to include overlooking resulting from the siting of residential properties fronting onto Underwood Road to those properties lying on the other side of Underwood Road given the orientation of the existing residential properties and the distances involved. The distances and orientation to properties lying off Carters Rise are also not considered to give rise to any unacceptable levels of overlooking.
- 6.8.6 With regard to the potential for increased noise and disturbance from the units, the buildings lie within an area of other existing residential dwellings and it is considered that the addition of these units would not result in sufficient harm to warrant refusal on this ground.
- 6.8.7 A number of objections have been received regarding the potential overlooking of the school to the south and the play area to the north of the site. With regard to Block A where it faces north to the play area, there are a number of windows at 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floor level which overlook towards the area. It is accepted that there will be overlooking from these windows, primarily serving bedrooms but with some serving living areas, however, the overlooking that will result is not considered to be sufficiently harmful to warrant a refusal of the application on this basis.
- 6.8.8 With regard to Block B where it faces south towards the school and playing field, there are again, a number of windows at 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floor level which overlook towards the area. At its closest point (the end part of Block B facing onto Underwood Road), the Block is set back approximately 15 metres from the boundary of the school where it meets with the footpath and at its widest point the Block is set back approximately 17.5 metres from the same boundary.
- 6.8.9 Again, it is accepted that there will be some windows (primarily serving bedrooms but with some serving living areas) overlooking towards the school. However, potential for overlooking is not considered to be sufficiently harmful to warrant a refusal of the application on this basis. It must also be noted that there are existing trees around the boundary of the school together with three trees within/or close to the application site which will all assist in screening any views. Furthermore, it must be recognised that overlooking of the school was not raised during the



consideration of the previous application which proposed the same scale of development.

- 6.8.10 In conclusion on this matter and given the extant consent, the potential for overlooking from the proposed development to the surrounding neighbours and different land uses is, on balance, not considered to be sufficiently harmful to warrant a refusal of the application on this basis.

## **6.9 The Existing and Proposed facilities**

- 6.9.1 A number of objections have been received regarding the loss of existing facilities on site and the lack of provision of new facilities within the redevelopment scheme. At the present time, the existing facilities in use on the site comprise a surgery, take-away and newsagent with sub post office. A public house which had been boarded up has been demolished since this application was submitted. A number of other existing retail units are not in use and have been boarded up for some time.
- 6.9.2 The current proposals include one replacement retail unit and a replacement doctor's surgery. No provision for a replacement take-away unit is being proposed.
- 6.9.3 A particular concern has been raised regarding the possible loss of the existing post office. It does not necessarily mean that the sub post office will be lost as it could be incorporated within the proposed new retail unit should an occupier such as a newsagents come forward. However, the Local Planning Authority cannot dictate exactly what business occupies a unit as its controls only involve the land use and therefore the provision of a post office cannot be insisted upon through this application.
- 6.9.4 It must be noted that the decision of whether a sub post office can be retained on site is not in the control of the developer or the Council yet will be a decision for the Government and the Post Office. At the time of considering the previous application there were plans by the then Government and the Post Office to close 2,500 sub post offices, however, a policy statement issued recently by the new coalition Government on 9<sup>th</sup> November 2010 gave further details on its plans to secure the long term future of the Post Office.
- 6.9.5 In the statement, the Minister of Postal Affairs was quoted as saying "We're determined to turn the Post Office network around and end the years of decline. The Post Office is a tremendous national asset. It will not be for sale and there will be no programme of closures." The Government has also announced a £1.34 billion funding package over the next four years to maintain and modernise the Post Office network. This funding will enable a number of measures to include: "the 'Post Office Local' model to be extended to 2000 smaller branches across the UK" and "continuing subsidy for those branches that provide a vital social service but which could never be profitable."
- 6.9.6 Whilst this is interesting news, what this means for the future of a post office at Underwood Road is unclear at this time but the saga surrounding its retention or not will go on, however, for the purposes of assessing this planning application, a post office can neither be sought or conditioned as the provision of a post office on the site cannot be controlled by the Council or through the planning system.



- 6.9.7 With regard to the doctor's surgery, Berkshire West PCT undertook a public consultation on the future provision of a GP surgery at Underwood Road which ended on 4<sup>th</sup> October 2010.
- 6.9.8 Confirmation has now been received from the PCT to say that the Berkshire West PCT Board have agreed that the surgery at Underwood Road should not be re-commissioned when the site is developed. It must be noted that this decision was made by the PCT and was not a Council decision.
- 6.9.9 Notwithstanding the decision made by the PCT, the application has been submitted to propose a doctor's surgery and it is not possible at this late stage to amend the scheme in any way to address the fact that this is no longer required by PCT. For the purposes of this application, the scheme must be assessed with a doctor's surgery as part of the scheme, however, should the application be approved, the applicants are likely to make a later submission to change the use of the unit. Until such time as that application is made, there is no certainty what proposal that might entail and such an application would be considered on its own merits at the time of submission.
- 6.9.10 In conclusion on this matter, the loss of the existing facilities cannot be objected to and the proposed provision of a retail unit and doctor's surgery is considered acceptable on this site.

## **6.10 Affordable Housing**

- 6.10.1 Planning Policy Statement 3 enables local authorities to seek affordable housing on suitable sites as a material planning consideration. The Council's policy for affordable housing provision is set out in Policy HSG.9 of the West Berkshire Local Plan 1991-2006 Saved Policies 2007. It enables the Authority to seek affordable housing either on site or as a financial contribution in lieu of on site provision on sites of 15 units or more or 0.5 hectares or more.
- 6.10.2 The Council has also adopted Supplementary Planning Guidance (SPG) 'Delivering Investment from Sustainable Development' (SPG 04/4), which sets out the Council's approach to securing affordable housing contributions. It states that affordable housing should be provided on site unless there are exceptional circumstances, or where alternatives, such as replacement provision on a separate site would better meet the Council's strategic objectives.
- 6.10.3 The applicant is proposing 74 one and two bed apartments on site. A provision would be expected of 70% rented units and 30% homebuy in line with the Council's SPG Topic Paper 1 on affordable housing.
- 6.10.4 In the Design and Access Statement, the applicants state that they will be providing 23 units of affordable housing on site: 8 no 1 bed flats and 15 no 2 bed flats. Having checked the plans, the Housing Enabling Officer is pleased to note that the applicants have endeavoured to disperse the affordable units around the site.
- 6.10.5 All affordable housing units should be developed to Lifetime Home standards and conform to the latest Design and Quality Standards published by the Homes & Communities Agency and Code for Sustainable Homes level 3. The Council also



encourages developers to consider sustainable features and methods of construction to reduce energy consumption and conserve resources. The Council expects all affordable housing to be developed to a minimum level of three stars under the Code for Sustainable Homes or subsequent guidance.

6.10.6 It should be noted that the delivery requirements outlined in Topic Paper 1 of the SPG state that the affordable units should be delivered grant free.

6.10.7 Preference would be for a registered social landlord to work with the developer on site to deliver and then manage the affordable housing units.

6.10.8 In conclusion, the Housing Enabling Officer is satisfied with the provision of 30% affordable dwellings on this site and the precise details and requirements for this provision would need to be sought through any legal agreement. However, given the concerns raised in response to the application, no progress has been made with regard to securing such affordable housing through a legal agreement. Clearly, without a mechanism to secure the necessary affordable housing, the application is considered unacceptable.

## **6.11 Developer Contributions**

6.11.1 The application proposes 31 x 1bed apartments and 43 x 2bed apartments together with a retail of 222 square metres and a doctor's surgery of 210 square metres.

6.11.2 In line with the guidance contained within the Council's Supplementary Planning Guidance Note 4/04 (SPG 4/04) entitled 'Delivering Investment from Sustainable Development', the following developer contributions would be required in relation to this application (based on an assessment of the proposal against the current policy requirements):

- **Highways: £46,880**
- **Education: £83,846**
- **Public Open Space: £56,595**
- **Libraries: £12,792**
- **Adult Social Care: £36,841**
- **Waste Management (recycling): £19,613.70**
- **Health Care: £8,122**

6.11.3 The Community Infrastructure Levy (CIL) must also be taken into consideration in assessing this planning application. The CIL came into force in April 2010. It allows local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development.

6.11.4 The regulations place into law for the first time the Government's policy tests on the use of planning obligations. The statutory tests are intended to clarify the purpose of planning obligations in light of the levy and provide a stronger basis to dispute planning obligations policies, or practice, that breach these criteria. This seeks to reinforce the purpose of planning obligations in seeking only essential contributions to allow the granting of planning permission, rather than more general contributions which are better suited to use of the levy.



6.11.5 From 6 April 2010 it has been unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, that is capable of being charged the levy, whether there is a local levy in operation or not, if the obligation does not meet all of the following tests:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

6.11.6 It is considered that having regard to the tests set out in Circular 5/2005 and those within the CIL Regulations 2010, that the contributions requested meet those tests and any subsequent obligation would also meet the tests as required by the Regulations.

6.11.7 However, given the concerns raised in response to the application, no progress has been made with regard to securing such contributions through a legal agreement. Clearly, without these contributions, the application is considered unacceptable.

## **6.12 Other Matters**

6.12.1 As set out above amended plans have been submitted to correct a number of discrepancies between the plans and to vary a number of aspects across the scheme to include the layout of some of the development.

6.12.2 However, the amended plans have not addressed all the discrepancies identified and there are still discrepancies between windows and cladding panels on the floor plans and on the elevations, in particular relating to Block A on the south elevation and to Block B on the second floor east and west elevations. The lack of accurate plans is clearly unacceptable.

6.12.3 In addition, a number of the originally submitted plans have not been updated to take account of the changes made to the scheme. As such the details contained on those original plans cannot be considered since they do not relate to the scheme as amended. Again, the lack of accurate plans is unacceptable. This is applicable to the following plans:

- 911 P2 – Planting Plan Sheet 1 of 3
- 912 P2 – Planting Plan Sheet 2 of 3
- 913 P2 – Planting Plan Sheet 3 of 3
- 7417/02 – Tree Protection Plan
- 400 A – Section AA
- 1000 A – Church Parking Plan
- 2000-500 A – Proposed Finished Floor Levels, Drainage Strategy and Lighting Arrangement.

6.12.4 In response to the comments made by Reading Borough Council regarding education contributions, the following two paragraphs have been provided by West Berkshire Council's Education Department:

*With respect to Education provision, it is our position that the duty to educate pupils who move into this development resides with West Berkshire Council.*



*There is insufficient space available within the catchment primary school, using the method of calculation laid out in our topic paper, therefore a contribution has been sought. We would seek to spend this contribution in the manner in which it was requested, as required by the relevant legal and planning processes.*

*It is not our policy to seek contributions from developers for developments outside our administrative boundary. We do not have the duty to educate these pupils, do not include these areas in our school place planning and could not guarantee that places would always be available. This would make it difficult to justify the need for a contribution and to meet the tests of the planning circulars. It would also be contrary to our policy of seeking contributions based on the position and need of the catchment area concerned. The reverse is also true and would make it unlikely that we would pass contributions over to another authority”.*

- 6.12.5 A reference has been made to the development brief that was produced in May 2001 for this site and that this proposal is contrary to that as it states that any development should be in character with the area and not exceed 2 ½ storeys. This issue was also referred to in the committee report for the previous application and it is considered that the conclusions on this matter have not altered.
- 6.12.6 The development brief was produced at officer level as a result of rising concern about the state of the site after the supermarket had burnt down. There was some public consultation and it set out a number of basic design principles that should be adhered to in any redevelopment. It was formally adopted as Supplementary Planning Guidance and was therefore a material planning consideration. However, since the brief was written, planning policy, both locally and nationally, has changed significantly.
- 6.12.7 As a result of all the changes in local policy and national guidance since May 2001, the development brief has effectively been superseded and now has little weight in planning terms and cannot be confidently relied upon to inform the redevelopment of this site. Consequently little weight can be placed on it when considering the merits of this or any future application.
- 6.12.8 The proposal has also been considered having regard to the serious issue of crime and disorder affecting the Underwood Road Precinct. The comments received from the Crime Prevention Design Advisor are set out in full above in Section 3 which are also considered within Section 6.5. However further considerations are required having particular regard to the way such matters have been addressed in the submission.
- 6.12.9 Despite the long gestation of this site and the previous clearly expressed concerns about the need to create a safe and resilient development that would take the opportunity to improve this locality, there is no indication that the serious issues of crime and disorder affecting the Underwood Road Precinct have been considered as part of the Design and Access Statement process for the current application. The supplemental report on Safer Places and its assessment of the proposal against the 7 attributes is a statement of how the policy wording can be fitted around the proposal, rather than a clear indication that the PPS1 requirement to deliver safe sustainable neighbourhoods has influenced the design process for this



highly stressed environment from the start. In respect of the context of this highly dilapidated and stressed environment, the proposal fails to fully engage with and implement the seven attributes of Safer Places. The application is also considered unacceptable on this basis.

## **7. Conclusion**

- 7.1 Whilst there is a clear desire of many to see the site redeveloped, there are numerous concerns from local individuals regarding the proposals currently put forward and the impression is that the development should not be “at any cost”.
- 7.2 Notwithstanding the existence of the extant planning permission for a similar development, Officers have undertaken a full review of the currently proposed scheme and find a number of aspects of the proposal to be unacceptable. Again, there is a desire at all levels to redevelop the site however any proposals should not be at the expense of good planning and the redevelopment should be appropriate to its context and take the opportunity available for improving the character and quality of an area. Other matters relating to the scheme where they are found to be acceptable are also balanced in their conclusions.
- 7.3 Overall, the application is considered unacceptable and contrary to the relevant policies of the Development Plan.
- 7.4 Accordingly the application is recommended for refusal.

## **8. Full Recommendation**

**DELEGATE** to the Head of Planning and Countryside to **REFUSE PLANNING PERMISSION** for the following reasons:

- 1) The existing footpath to the south of the site connects Underwood Road to Carters Rise. The path has been poorly integrated into the site and the development does not orientate the new buildings to give it some purpose together with enabling appropriate surveillance, nor do the proposals isolate it completely to avoid it continuing to create vulnerability to the new development. The retention of the existing footpath in the current scheme runs contrary to the guidance within Planning Policy Statement 1 has an objective to ensure that developments create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion. The application is also contrary to the guidance in PPS1 and Planning Policy Statement 3 which requires that good design should contribute to making places better for people and requires that development which is inappropriate in its context, or which fails to take the opportunities for improving the character and quality of an area and the way it functions, should not be acceptable. Furthermore, the application is contrary to the guidance in Policy OVS2 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) which seeks development proposals, among other criteria, to achieve a high standard of design and with Policy OVS11 which seeks development schemes to be designed so as to reduce the potential for criminal activity and anti-social behaviour by, among other measures, be designed to maximise natural surveillance of public spaces and be designed to include a limited number of access points.



- 2) The proposed footpath, which is noted in the application to be the primary pedestrian access into and across the site, does not connect to a public footway outside of the application site where it meets with Underwood Road and instead the proposed path abuts an area of highway verge with no mechanism proposed of how to cross the highway verge to meet an existing path running along Underwood Road. Insufficient consideration has also been given to pedestrian routes through the site including routes from the footpath to the south and where the proposed footpath from Underwood Road meets the proposed access road and onto Holymead Road. The application is therefore contrary to Policy OVS2 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) which seeks, among other criteria, to comply with highway standards in respect of pedestrian movement including where appropriate links to adjoining land.
- 3) The proposed footpath, which is noted in the application to be the primary pedestrian access into and across the site, does not connect to a public footway outside of the application site where it meets with Underwood Road and instead the proposed path abuts an area of highway verge with no mechanism proposed of how to cross the highway verge to meet an existing path running along Underwood Road. Without a suitable mechanism or proposal in place of how to access the path, the proposed footpath is unacceptable. Furthermore, the proposed footpath does not link to another path at the end of the route within the site with pedestrians expected to cross a parking area and access road to reach another path. Insufficient consideration has been given to pedestrian routes through the site and the application is therefore contrary to Policy OVS2 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) which seeks, among other criteria, to comply with highway standards in respect of pedestrian movement including where appropriate links to adjoining land.
- 4) The proposed parking and amenity plan is misleading as this plan shows large areas of green spaces surrounding the buildings, however not all of this space is for use by or even easily accessible to residents as some areas are fully enclosed by landscaping. Furthermore, there are limited opportunities for access to communal outdoor space by residents of the development other than those residing in the ground floor units of Block C and those residents whose flats include balconies. Whilst it is accepted that levels of amenity space with a unit can vary and that flexibility of standards is required, the availability of accessible green space can assist in creating a pleasant environment for those living within the development and creating a sense of place for the development as a whole to be read within the surrounding area. The proposed development is therefore contrary to the guidance contained in Planning Policy Statement 1 and Planning Policy Statement 3 which supports the provision of or access to outdoor space and with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) which seeks, among other criteria, to ensure development proposals achieve a high standard of design.
- 5) Despite the long gestation of this site and the previous clearly expressed concerns about the need to create a safe and resilient development that would take the opportunity to improve this locality, there is no indication that the serious issues of crime and disorder affecting the Underwood Road Precinct have been considered as part of the Design and Access Statement process for the current application. The supplemental report on Safer Places and its assessment of the proposal against the 7 attributes is a statement of how the policy wording can be fitted



around the proposal, rather than a clear indication that the PPS1 requirement to deliver safe sustainable neighbourhoods has influenced the design process for this highly stressed environment from the start. In respect of the context of this highly dilapidated and stressed environment, the proposal fails to fully engage with and implement the seven attributes of Safer Places. The application is therefore contrary to the guidance contained in Planning Policy Statement 1 which requires proposals to create safe environments where crime and disorder and fear of crime do not undermine quality of life and community cohesion, and the guidance set out in 'Safer Places – The Planning System and Crime Prevention', together with Policy OVS11 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) which seeks to ensure that development schemes are designed so as to reduce the potential for criminal activity and anti-social behaviour.

- 6) The proposed site layout does not make the proper provision for bin stores which would need to be located within 10 metres of the refuse vehicle. As such the application is contrary to the requirements within Manual for Streets and with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) which requires development proposals to comply with highway standards.
- 7) The proposal fails to make provision for affordable housing contrary to Policy OVS3 and Policy HSG9 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 which requires developments of 15 houses or more and sites of 0.5 hectares or more to provide a range and type of tenure and affordable housing units on sites not allocated through the local plan.
- 8) The development fails to provide an appropriate scheme of works or off-site mitigation measures to accommodate the impact of the development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to government advice contained in Circular 05/05, the Community Infrastructure Regulations 2010, Policy CC7 of the South East Plan Regional Spatial Strategy for the South East of England 2009 and Policy OVS3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) as well as West Berkshire Council's adopted SPG4/04 'Delivering Investment from Sustainable Development'.
- 9) The application cannot be considered without accurate plans clearly indicating all aspects of the proposed development, as amended, and the application cannot also be considered without accurate plans that fully accord with each other in terms of layout and elevations. As such the proposal is contrary to Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and the guidance contained in PPS1.