

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242141
Site Address:	59 Station Road, Wokingham, RG40 2AD
Expiry Date:	17 October 2024
Site Visit Date:	29 August 2024
Proposal: Full application for proposed installation of 1no new communications kiosk.	

PLANNING CONSTRAINTS/STATUS

Water Utility Consultation Zones
Scale and Location of Development Proposals – Major Development Location (Wokingham)
District Town and Local Centres
Major Transport Schemes
Nuclear Consultation Zone
Landscape Character Assessment Area
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones
Great Crested Newt Consultation Zone Minor

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP2 – Inclusive Communities CP3 – General Principles for Development CP6 – Managing Travel Demand CP8 – Thames Basin Heaths Special Protection Area CP9 – Scale and Location of Development Proposals CP13 – Town Centres and Shopping CP14 – Growth and Renaissance of Wokingham Town Centre
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping TB21 – Landscape Character
Other	Borough Design Guide Supplementary Planning Document

PLANNING HISTORY

Application No.	Description	Decision & Date
242142	Application for advertisement consent for 1 no. digital advertisement display within proposed new communications kiosk.	Under consideration

CONSULTATION RESPONSES**Internal**

WBC Highways – No objection

WBC Environmental Health – No objection

External

Crime Prevention Design Advisor – Amendments to proposal required

REPRESENTATIONS

Parish/Town Council	Objection: The Committee object to this proposed installation. It is not required as there is an existing phone box very close by. The structure is just a large, illuminated advertising board that will be susceptible to vandalism and has no real benefit to the community. CP 1 - Sustainable development 10 - attractive, safe, secure CP3 - General Principles for development - f) sense of place <i>Officer comment: The above is noted and will be discussed within the report.</i>
Ward Member(s)	No comments received
Neighbours	No comments received

APPRAISAL**Site Description:**

The application site is sited on Council highway land. It is located on the northern side of Station Road. In the vicinity is Wokingham train station and some commercial uses.

Proposal:

Planning permission is sought for the installation of a communication kiosk measuring 2.5m in height, 0.84m in depth and 1.15m in width. On one side of the structure, the kiosk will incorporate a telephone (which will enable free calls mobiles, landlines,

emergency services and various charities; the only paid service is to international calls, which will be made by card payment), a defibrillator, interactive wayfinding information USB charging points and Wi-Fi. On the reverse will be a digital advertising screen. The screen will be able to be used to display Council public information, public health information and emergency incident messaging. However, primarily it would be used for private advertising.

It should be noted that two separate applications have been submitted for this scheme; this FUL application for the kiosk structure and an associated advertisement consent application for the digital advertisement screen (WBC ref. 242142). This report will only assess the kiosk and physical structure; the advertisement consent application will discuss the acceptability of the digital screen.

Principle of Development:

The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

The site is located within settlement limits and as such the development should be acceptable providing that it complies with the principles stated in the Core Strategy.

Design and impact on character of the area:

Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high-quality design.

The proposed location for the kiosk is near Wokingham station; a busy transport interchange and not an overly sensitive location. The functional elements of the kiosk may lend themselves to being used by users of the station, and this could be seen as a benefit. The objection of the Town Council is noted, and it is acknowledged that a defibrillator is already in close proximity; on the corner of Station Road with Barkham Road. However, the kiosk will provide wider functions above and beyond this. These are considered to be public benefits. It is not for officers to consider the 'need' of developments.

It is acknowledged that at present this side of Station Road is relatively free of street clutter and furniture and spacious in nature. Whilst this would see the addition of a piece of street furniture, it would not compromise the quality of the public realm to a degree that would warrant refusal of the application. It would leave a substantially

wide pavement so as to not result in an unduly cramped addition on the pavement.

Attention now turns to policy CP1 of the Core Strategy states that proposals should provide attractive, functional, accessible, safe, secure and adaptable schemes.

The Thames Valley Police Crime Design Prevention Officer (CDPO) raised the following concerns with the design of the kiosks with particular emphasis on safety:

- Concern over criminal damage
- Misuse of emergency 999 line
- Street clutter and pinch points – the structures would conceal people behind them
- Drug offences and anti-social behaviour within the kiosks

Officers make the following comments in response to the above:

Concern over criminal damage

A management plan has been provided by the applicant and advises that the kiosks will be subject to bi-weekly inspections. Concern over criminal damage and misuse of emergency numbers cannot be reasons to resist this application as they are speculative. The benefits of having access to free calls to a range of telephone calls at no cost is also a benefit of the scheme.

Drug offences and anti-social behaviour

Is noted that the kiosk is not enclosed, being open sided one end and having a transparent screen the other side and so will not be enclosed spaces for offences or anti-social behaviour.

Concealment

The kiosk would be located in an urban area that is subject to existing natural surveillance from good levels of footfall. The structure would not be located in an area of open space as opposed to being located in close proximity to another structure to create a hiding place for individuals. Whilst it is acknowledged that due to the height of the structure that it would conceal individuals located behind them, the built environment is not level or open at all times. It is not considered this would pose a substantial risk such that it would warrant refusal of the application in its own right.

To overcome the above concerns, the CPDO recommended that CCTV be installed both sides of the kiosk structure. Within the submission, the applicant has highlighted that an integrated camera has the potential to be installed on the side of the digital screen. Installing on both sides would provide a greater level of formal surveillance. However, Officers do not consider this to be a requirement to make the development acceptable given the natural surveillance that would occur, Thames Valley Police not highlighting this as an area of high crime and because it is not clear who would

monitor such CCTV. Therefore, although the applicant has advised that integrated CCTV on one side of the structure may be possible (subject to agreement with the Police and Council), this will not form part of the planning permission in the form of a condition and will be down to separate agreement between those parties as to whether it can and will be installed. A condition would not meet the required 6 tests as outlined in paragraph 56 of the NPPF:

- Necessary
- Relevant to planning
- Relevant to the development permitted
- Enforceable
- Precise
- Reasonable in all other respects

The installation of CCTV cameras would not be considered necessary to make the development acceptable (as described above) and reasonable in all other respects as the installation of CCTV cameras will require agreement from 3rd parties.

Tactile paving was recommended to avoid individuals loitering or sitting up against the kiosk. However, the installation of tactile paving would be outside of the application site and on highway land. It is not considered that this would be required to make the development acceptable. Nevertheless, this could still be carried out outside of the planning process subject to a minor highway works agreement. No concerns have been raised by the Parish Council regarding the structure's impact on CCTV camera sightlines as Officers understand it is the Parish Councils that are responsible for CCTV surveillance in their areas.

As such, Officers consider that on balance, the proposal is acceptable in light of comments from the CPDO. It will be conditioned that the development is carried out in accordance with the maintenance plan which includes measures to help combat the issues raised by the CPDO. The public benefits of the kiosk along with the acceptability of the kiosk within the street scene mean the proposal is considered acceptable in relation to policies CP1 and CP3 of the Core Strategy.

Neighbouring Amenity:

Policy CP3 states that development should not detriment the amenities of adjoining land users and occupiers.

The kiosk would not be located immediately next to residential neighbours and there would be no concerns over loss of light or overbearing.

Impact on Highways:

Policy CP6(g) of the Core Strategy states that proposals should not cause highway

problems or lead to traffic related environmental problems.

WBC Highways were consulted on the application.

Visibility

This section of Station Road is a one-way road, situated after a crossing point and is not at a bend. It is unlikely to have negative impacts on sight lines and pedestrian visibility, which is acceptable.

Footway Clearance

The reduced effective width of the footway is circa 8.7m, which is considered acceptable. The proposed distance between the kiosk and the carriageway is 750mm, which is acceptable.

As such, the siting of the kiosk is acceptable in relation to Highways considerations and therefore in relation to CP6 of the Core Strategy. It should be noted that a separate application and licence are required to be made and obtained from the Council's Highway Asset team to install the kiosk on highway land. This would be reminded to the applicant via an informative.

Trees:

Policy CC03 states that proposals should protect and retain existing trees, hedges and other landscape features and incorporate high quality, ideally, native planting and landscaping as an integral part of the scheme.

No trees or landscaping will be removed or affected by this proposal.

In terms of new planting, the applicant, in their submission, states that they are partnered with charity 'Trees for Cities'. The applicant has proposed the planting of a street tree in locations agreed with the Council, to be delivered via condition or a S278 Highways agreement or for trees to be delivered via the partner charity.

The Council's Tree Officer was contacted to discuss the above and the potential of including a Grampian (off site) condition to secure an off-site tree. However, the Officer advised that a sum of money towards off site planting would be preferred (the amount not specified). Officers noted this request and have to assess whether it would meet the tests outlines in the CIL (2010) regulations. To secure the obligation, the following tests have to be met:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

It is not considered that off-site planting would be necessary to make this specific

development acceptable, nor would it be directly relevant to the proposal given the proposal would not see a loss of trees or landscaping. As such, a contribution would not be fairly and reasonably related in scale and kind to this type of development.

It is welcomed that the applicant would plant trees in connection with their partner charity, albeit this could not be formally controlled or insisted upon under this planning application.

Community Infrastructure Levy (CIL): When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

The Public Sector Equality Duty (Equality Act 2010): In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

Conclusion: It is noted that this form of street furniture is not commonplace within the vicinity. However, owing to the public benefits of the kiosk and the location not being overly sensitive and being near a busy transport interchange, on balance the development would not be unduly harmful to the surrounding area to a degree that would warrant refusal of the application.

RECOMMENDATION	
Conditions agreed:	Not required
Recommendation:	Approve subject to the following conditions: 1. Time Limit 2. Approved Plans 3. In accordance with management plan
Date:	16 October 2024
Earliest date for decision:	19 September 2024

Recommendation agreed by: (Authorised Officer)	
Date:	16/10/24