

**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON 13 FEBRUARY 2019 FROM 7.00 PM TO 9.55 PM**

Committee Members Present

Councillors: Tim Holton (Chairman), Chris Bowring (Vice-Chairman), Carl Doran, John Jarvis, Malcolm Richards, Angus Ross, Rachelle Shepherd-DuBey, Wayne Smith and Bill Soane

Councillors Present and Speaking

Councillors: Abdul Loyes and Anthony Pollock

Officers Present

Connor Corrigan, Service Manager – Strategic Development Locations, Planning Delivery
Judy Kelly, Highways Development Manager
Mary Severin, Borough Solicitor
Callum Wernham, Democratic & Electoral Services Specialist

Case Officers Present

Laura Callan
Christopher Howard
Kayleigh Mansfield
Simon Taylor

69. APOLOGIES

There were no apologies for absence.

70. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 9 January 2019 were confirmed as a correct record and signed by the Chairman.

MEMBERS' UPDATE

There are a number of references to the Members' Update within these minutes. The Members' Update was circulated to all present prior to the meeting. A copy is attached.

71. DECLARATION OF INTEREST

John Jarvis declared a personal prejudicial interest in agenda items 73 and 74, on the grounds that he was involved in an ongoing personal dispute with the developer, Bellway Homes. He stated that he would leave the room for the duration of these items and would take no part in the discussions or votes.

Chris Bowring declared a conflict of interests in agenda item 76, on the grounds that he was the Deputy Executive Member for Regeneration. He stated that he would leave the room for the duration of this item and would take no part in the discussion or vote.

72. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

Following the decision to refuse planning permission for application number 181631, it was decided that agenda item 73 (application number 181499) be deferred.

73. APPLICATION NO 181499 - LAND SOUTH OF CUTBUSH LANE, SHINFIELD

The decision was taken to hear agenda item 74 prior to this application. Following the decision to refuse planning permission for agenda item 74 (application number

181631), it was decided that agenda item 73 (application number 181499) be deferred.

74. APPLICATION NO 181631 - LAND SOUTH OF READING ROAD AND ARBORFIELD ROAD, EAST OF CHESTNUT CRESCENT, WEST OF THE RIVER LODDON

John Jarvis left the room for the duration of this item.

Proposal: Full planning application for the change of use of 21.7ha of land from agricultural use to informal recreational land (Suitable Alternative Natural Greenspace SANG) and associated infrastructure including pedestrian and vehicle access, a car park, footpath network and landscaping.

Applicant: University of Reading.

The Committee received and reviewed a report about this application, set out in agenda pages 105 to 120.

The Committee were advised that the Members' Update included:

- An updated set of head terms with regards to the legal agreement;
- A set of conditions and informatives;
- An updated part C, 'Reasons for Refusal';
- Clarification that the Parish Council had not provided any further comments on the application.

Nina Sharp, Agent, spoke in support of the application. She stated that the application was for a change of use of 21.7 hectares of agricultural land to a Suitable Alternative Natural Greenspace (SANG). Nina added that the nearby Langley Mead SANG had a high visitor count and was popular with local residents. Nina stated that the proposed application was situated in flood zones 1, 2 and 3, however Natural England had assessed the overall viability of the land and had deemed it to be acceptable with a variety of 'must have' features including a variety of environments, a circular walkway, an easy to access car park and space suitable for dog walking (without leads). Nina added that Natural England had given their full support for the proposed scheme.

Anthony Pollock, Ward Member, spoke in objection to the application. He stated that the proposed development site was currently under water due to flooding, and was of the opinion that local residents were becoming increasingly frustrated with local SANGs being placed adjacent to rivers prone to flooding. Anthony added that the river was six foot higher than the base of the land towards the edge of the proposed SANG, and that this stretch of the river had always been prone to overflowing and flooding. Anthony stated that the applicant could not use the land for housing developments, so had instead opted to develop the land as a SANG. Anthony was of the opinion that the proposed 13 car parking spaces were insufficient, and that local residents needed a much higher quality SANG provision in the area.

Connor Corrigan, Service Manager for Strategic Development Locations and Planning Delivery, responded to a number of points raised by the speakers. He stated that it was acknowledged that the proposed development site was prone to flooding (being in flood zones 2 and 3) however this was acceptable as the SANG would not be in constant use especially during times of more extreme weather and had links to a wider SANG. Connor

added that the site had a one in twenty year flood level, and acknowledged that some of the footpaths and part of the proposed car park would flood in 'extreme' events. Connor stated that flooding was accepted to occur on the site and that Natural England supported to proposals to create the SANG in a semi-rural setting with links to a wider SANG. With regards to car parking, Connor stated that people were not encouraged to drive to SANGs as they were designed to meet the needs of local residents in surrounding housing developments. He added that the proposed parking plans were supported by Natural England.

A number of Members were concerned with the flooding risks associated with the proposed site and queried how much of the site would be available for use throughout the year. Connor Corrigan stated that it was very difficult to calculate how much the site would flood in the future (citing 2013/14 being an extremely heavy rainfall year where most of the site was flooded for example), but stated that the vast majority of the site should be useable during a normal year, most of the year-round. Connor added that at least half of the land should be useable even during times of flooding, reiterating that this was subject to the specific weather pattern of that year with conditions being worse during the winter.

Wayne Smith queried whether the proposed SANG was based on the original strategic development location (SDL) housing number, or the increased number as result of appeal. Connor Corrigan stated that the proposed SANG was sufficient for the proposed housing developments that would form a part of the SDL and would also provide capacity for future housing provision.

Carl Doran queried why the SANG was proposed to be developed in two phases. Connor Corrigan stated that the SANG would come forward in a two phased approach to accommodate more potential housing developments in the future. He added that the Council had an obligation to judge each proposed scheme on its own merits.

Angus Ross stated that the proposed SANG was in addition to other open spaces for public use. He felt that the benefit of this scheme was to promote walking to a local SANG rather than travelling to an area such as the Thames Basin Heath. Angus added that a large quantity of car parking was not necessary for the proposed SANG as it was intended to be used by local residents (predominantly arriving at the SANG on foot).

In response to Member queries regarding whether this application was linked to agenda item 73, Mary Severin (Borough Solicitor) stated that agenda item 73 required a SANG as a condition of development. Mary emphasised that the application for the SANG stood alone on its own merits. Mary stated that agenda item 73 and 74 were linked in practical terms, however they were not linked in planning terms.

The drainage consultant on behalf of the applicant stated that the site was currently flooded, however during a normal year the vast majority of phase one of the proposed SANG would remain dry. He added that the footpaths would be useable the majority of the time and mechanisms such as board walks could be used in more flooding prone areas to elevate the footpaths.

Wayne Smith proposed that the application be deferred so that a site visit could be conducted to assess the current flooding issues on the site. This was seconded by Carl Doran and upon being put to a vote the motion fell.

Connor Corrigan reiterated to the Committee that Natural England had supported the application after assessing the flooding risk, the land around the proposed SANG and other features of the land. He added that the majority of the footpaths, which include those connecting into the adjacent SANG, would be outside of the flood zones and would remain useable.

Angus Ross stated that this SANG would be an expansion of the existing SANG, and added that parts of the proposed SANG would be further away from the flood zone than the existing Loddon SANG.

Mary Severin asked the Planning Officer to explain the likely outcomes at appeal, should the application be refused. Connor Corrigan was of the opinion that Wokingham Borough Council (WBC) would have very little chance of defending a refusal decision for this application at appeal based on flooding risks, as flooding was intermittent and Natural England should have assessed the risks from the information submitted as part of the application and they supported the proposal. Connor added that there would be significant costs made payable by WBC should a refusal decision be overturned at appeal.

Chris Bowring queried what could be done if the SANG became unsuitable after a period of time. Connor Corrigan stated that appropriate action could be taken, as not doing so would be contrary to European Regulations.

Malcolm Richards queried who would be liable for costs to make the SANG fit for purpose should it be deemed not up to standard after some time. Connor Corrigan stated that the applicant would be liable for the costs as they would be managing it.

Wayne Smith proposed that the application be refused, based on insufficient information presented to the Committee regarding flooding issues and the usability of the land for SANG during flood events. This was seconded by Carl Doran.

Upon being put to a vote it was:

RESOLVED: That application 181631 be refused, based on insufficient information presented to the Committee regarding flooding issues, and the usability of the land for SANG during flood events.

75. APPLICATION NO 180988 - PITT WORKS, COLEMANS MOOR ROAD, WOODLEY

John Jarvis re-entered the room.

Proposal: Full application for the proposed erection of 17 dwellings together with associated vehicular accesses, car parking and landscaping following demolition of the existing dwelling and outbuildings once associated with a former scrapyard use.

Applicant: The Owner and/or Occupier, Copperwood Developments Ltd.

The Committee received and reviewed a report about this application, set out in agenda pages 121 to 200.

The Committee were advised that the Members' Update included:

- Amended conditions 2, 10, 23 and 31;

- Additional conditions 36 and 37;
- Clarification of paragraph 37 (page 148);
- Clarification of paragraph 113 (page 159);
- Clarification of trip rates.

Darren Smith, Woodley Town Council, spoke in objection to the application. Darren stated that the application before the Committee was an improvement on the previous plans for 20 dwellings (now down to 17 dwellings). Darren added that the proposed dwellings were too high at two and a half storeys, and that the proposed development was too dense. Darren was of the opinion that the top windows should be obscurely glazed. He added that there were existing issues with parking in the surrounding area, and that the area suffered from flooding issues which would need to be addressed by a suitable flooding protection plan. Darren raised the Town Council's concern that although the parking provision at the proposed development would meet the Council's regulations, some overspill on to the already congested main road could occur. Darren was of the opinion that the two and half storey height of the proposed developments was overbearing compared to the surrounding area.

Chris Mason, Resident, spoke in objection to the application. He stated that he was the resident of one of the neighbouring properties which backed on to the proposed development site. He was of the opinion that it was logical to develop the site, however he was concerned with the density of the application. Chris stated that car parking in the area was already overwhelmed, and that an increase in traffic and car parking from the proposed development would only add to this issue. Chris added that there would be an increase in noise and pollution (compared to its current state of usage), and the development would apply more pressure to local resources such as GP surgeries. Chris was of the opinion that the two and a half storey description of the development was 'clever' as the roof sloped down from its peak height. Chris added that he was concerned about the potential for the proposed dwellings to overlook existing dwellings, and stated his concerns regarding the ground and building contaminants.

Andrew Bandosz, Agent, spoke in favour of the application. He stated that the Case Officer's report had detailed and addressed many of the concerns raised by the Town Council and residents. Andrew added that the proposed development sought to redevelop a former scrapyards, replacing it with 17 residential dwellings. Andrew stated that removal of the contaminated and polluted concrete and earth was positive in planning terms. Andrew added that a scrapyards was not recommended to be situated within a residential area, however there were existing planning rights on the site for extended hours of use as a scrapyards due to the age of site. Andrew stated that the proposed development would be situated within a sustainable urban location, would not harm the local area and was in line with the NPPF.

Abdul Loyes, Ward Member, spoke in objection to the application. He stated that the former use of the site as a scrapyards could have contaminated the site. He added that he was not aware of any tests to identify potential contaminants that had been carried out. Abdul stated that there were flood risks associated with the site, and the proposed development could exacerbate this issue for the surrounding area. Abdul asked that should the application be approved, that appropriate soil (contaminant) testing be conducted and a flood prevention scheme implemented.

Simon Taylor, Case Officer, clarified a number of points raised by speakers. He stated that the height of the proposed dwellings were higher than other properties in the area,

however they were deemed to be acceptable and would not be overdevelopment. Regarding contamination of the site, Simon stated that limited testing could currently be completed as the majority of the site was concrete based. He added that safe disposal of contaminated waste was conditioned. Simon stated that additional details regarding the drainage plans for the site would be submitted at a later date and were conditioned. Simon stated that the site was currently vacant and was therefore not producing noise. He added that there was planning permission to continue its use as a scrapyard. Simon stated that a construction management plan would be implemented to minimise noise and disruption during construction, and that the noise levels from residential use were deemed to be acceptable.

Judy Kelly, Highways Development Manager, stated that the parking provisions at the proposed development met the Council's parking standards, and that the site was estimated to generate approximately nine vehicle movements during peak hours which was deemed acceptable.

Bill Soane stated that a large perimeter fence could be constructed to help obscure possible overlooking to existing properties.

Bill Soane queried whether the concrete base of the site would be disposed of, and whether the sewer below the proposed development could cause any issues. In response Connor Corrigan, Service Manager for Strategic Development Locations and Planning Delivery, stated that any contaminated concrete would be disposed of after testing. Connor stated that the sewer could be potentially moved by Thames Water if it affected development and was suitable to do so. Simon Taylor added that a £60,000 budget had been allocated by the developer for the removal of the existing concrete at the proposed development site.

The Committee made it clear that they were concerned with the lack of affordable housing provision at the proposed development. Connor Corrigan stated that an independent viability assessment had been carried out, which took in to account expenses such as demolition and safe disposal of contaminated waste. Connor added that this assessment had been conducted by a specialist and had been thoroughly checked. Officers relied on this professional assessment to make a decision. The assessment concluded that the developer would make approximately 10% profit on the proposed development, which was low compared to most developments and therefore it was not viable to provide affordable housing on site.

Carl Doran stated that the National Planning Policy Guidance stated that a viability assessment (or an executive summary thereof) should be published publically. Mary Severin, Borough Solicitor, stated that the assessment was conducted by a professional in that field, and that confidential financial information could form a part of the assessment, which could affect future contracts for the developer. Simon Taylor stated that Wokingham Borough Council's (WBC) review of the assessment had been published online, however the applicant's initial report had not. Carl Doran was of the opinion that this was contrary to the NPPF.

Malcolm Richards queried whether the developer could have provided a smaller percentage of on-site affordable housing than the standard 30%. Connor Corrigan stated that the assessment concluded that the profits would fall under the accepted rate of return, which allowed the developer to make a case that they could not afford to provide any affordable housing.

Bill Soane queried whether there was room for emergency vehicles to access the proposed development. Judy Kelly stated that there were no concerns that vehicles such as fire response vehicles would not be able to access the site.

Rachelle Shepherd-DuBey queried whether the roads would be adopted by WBC. Judy Kelly stated that the roads would be built to an adoptable standard, but that it was the developer's decision as to whether they became adopted roads or not.

Members reiterated their concerns regarding the lack of affordable housing provisions within the proposed development. Connor Corrigan clarified that a professional viability assessment had been carried out and had concluded that the development site was not financially viable for the developer to provide affordable housing.

Angus Ross suggested that Bill Soane's request for additional fencing height be conditioned. Connor Corrigan stated that boundary treatment was already a consideration and conditioned, and added that this would be revised and agreed by the Head of Development Management, the Chair of Planning Committee and the Ward Members when finalised.

RESOLVED: That application 180988 be approved, subject to the conditions and informatives set out in agenda pages 122 to 136, amended conditions 2, 10, 23, 31 and additional conditions 36 and 37 as set out in the Members' Update, and the condition of boundary treatment being agreed by the Head of Development Management, the Chair of Planning Committee and the Ward Members when finalised.

76. APPLICATION NO 182460 - WEST FOREST GATE WELLINGTON ROAD/ FINCHAMPSTEAD, WOKINGHAM

Chris Bowring left the room for the duration of this item.

Proposal: Full planning application for demolition of existing B1(office) building and the erection of 2 buildings to provide 49 apartments, car parking, vehicular and pedestrian access and landscaping.

Applicant: Webb Core Offices.

The Committee received and reviewed a report about this application, set out in agenda pages 201 to 246.

The Committee were advised that the Members' Update included:

- Additional clarification regarding parking provision;
- Replacement of condition 18 (travel plan) with a condition regarding electric vehicle charging;
- Additional clarification regarding the car club.

The Committee raised concerns over the lack of affordable housing provision at the proposed development. Laura Callan, Case Officer, clarified that a viability assessment had been undertaken and had concluded that it was not financially viable for the developer to provide affordable housing on site.

Carl Doran was of the opinion that the application was contrary to CP15 (loss of floor space), and felt that the parking was insufficient. Laura Callan stated that part of the existing office buildings were vacant, and the owner had struggled for some time to find a permanent occupier for the entirety of the building, and therefore there would not be a real terms loss of floor space.

In response to Member questions regarding the viability of a car club, Judy Kelly, Highways Development Manager, stated that the site was considered a sustainable location for a car club to be implemented. Laura Callan added that a full car parking management strategy would be secured by condition.

In response to further Member queries regarding the car club, Judy Kelly stated that a similar scheme was available in Montague Park and was currently working well. Judy added that financial contributions from the developer would be put towards extending and improving the car club provision. Judy stated that more detail on the car club would be developed at a later date.

Malcolm Richards raised concerns regarding congestion in the area, particularly at a local roundabout. Judy Kelly stated that the increased number of vehicle movements as a result of the proposed development were deemed acceptable.

RESOLVED: That application 182460 be approved, subject to the conditions and informatives as set out in agenda pages 202 to 210 and replaced condition 18 as set out in the Members' Update.