

**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON 13 SEPTEMBER 2023 FROM 7.00 PM TO 7.45 PM**

Committee Members Present

Councillors: David Cornish (Chair), Andrew Mickleburgh (Vice-Chair), Alistair Neal, Wayne Smith, Michael Firmager, Stuart Munro, Rachelle Shepherd-DuBey, Tony Skuse and Bill Soane

Councillors Present and Speaking

Councillors: Gary Cowan

Councillors Present

Councillors:

Officers Present

Gordon Adam, Principle Highway Development Control Officer
Neil Allen, Head of Legal Services
Brian Conlon, Operational Lead – Development Management
Callum Wernham, Democratic & Electoral Services Specialist

Case Officers Present

Tariq Bailey-Biggs
Baldeep Pulahi

23. APOLOGIES

There were no apologies for absence.

24. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 9 August 2023 were confirmed as a correct record and signed by the Chair, subject to the correction of a typographical error with regards to one spelling of Councillor Michael Firmager's name.

At the cessation of the meeting, the Chair proposed a vote of thanks to Callum Wernham, who was leaving the Council after nearly 6 years of service. The Committee thanked Callum for his service to the Council, and specifically his clerking of the Planning Committee for over 5 years. The Committee wished Callum well in his future endeavours.

25. DECLARATION OF INTEREST

Alistair Neal declared a personal interest with regards to agenda item 27, application number 231869, on the grounds that he was a member of the Earley Town Council Planning Committee. Alistair added that he was not present at the meeting where this application was discussed, and came to the meeting with an open mind and would listen to and consider all representations prior to forming a judgement.

Andrew Mickleburgh declared a personal interest with regards to agenda item 27, application number 231869, on the grounds that he was the Chair of the Children's Services Overview and Scrutiny Committee, which had responsibility for scrutinising the delivery of Children's Services in the Borough. Andrew added that he came to the meeting with an open mind and would listen to and consider all representations prior to forming a judgement.

26. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

No applications were recommended for deferral, or withdrawn.

27. APPLICATION NO.231869 - MAIDEN ERLEGH SCHOOL, SILVERDALE ROAD, EARLEY

Proposal: Full application for the proposed change of use of building to educational use, including internal and external alterations (part retrospective).

Applicant: Wokingham Borough Council

The Committee considered a report about this application, set out in agenda pages 15 to 32.

The Committee were advised that updates contained within the Supplementary Planning Agenda included:

- Comments from Earley Town Council, received after the publication of the Committee agenda;
- Officer commentary with regards to the query from Earley Town Council regarding the absence of a Transport Statement;
- Officer commentary regarding potential wording for a BREEAM (or equivalent) 'Excellent' condition.

Andrew Mickleburgh commented that he had reservations with the implications of installation of a gas boiler, however the wording within the Supplementary Planning Agenda regarding potential BREEAM 'Excellent' satisfied his concerns.

Michael Firmager queried whether the building would be insulated to an exceptional standard, given that historically the building had lacked such insulation. Baldeep Pulahi, case officer, stated that the internal works did include insulation, and there was a Building Control application which was pending a decision. Michael Firmager asked that a copy of the Building Control report be circulated to the Committee once it was finalised. Brian Conlon, Operational Lead – Development Management, stated that it depended if the school was using the Council owned Building Control Service. In addition, accommodation of children was required to meet other certain standards separate from the Planning or Building Control requirements.

Rachelle Shepherd-DuBey queried whether the school contained any asbestos or RAAC. Baldeep Pulahi stated that the school did not have any asbestos or RAAC to her knowledge, however this was a Building Control matter

Alistair Neal noted that this would be the second community facility lost in the locality since 2018, neither of which had any proposals to be replaced. Alistair added that he understood that this was not a Planning matter.

Wayne Smith raised concern that as this was a part retrospective application, it would be very difficult to achieve a BREEAM 'Excellent' standard, given that the roof had already been completed. Brian Conlon stated that it may be advisable to defer to officers to confirm if such a condition was able to be achieved given the current wording within the

Supplementary Planning Agenda. Brian added that officers could seek a compromise in the event that such a condition was not possible. Brian noted that similar conditions had been applied to other schools which had completed refurbishment of historical parts of the site. Wayne Smith reiterated that it was very easy to achieve such standards when building from scratch, however fulfilling them when retro-fitting was an entirely different matter.

David Cornish proposed that officers be delegated, in conjunction with the Chair, Vice Chair and Wayne Smith, to assess whether a condition requiring BREEAM 'Excellent' was able to be achieved given the current wording within the Supplementary Planning Agenda. This was seconded by Andrew Mickleburgh.

Alistair Neal proposed that the application be approved in line with the officer recommendation and delegation of assessment of potential BREEAM 'Excellent' condition as outlined above. This was seconded by Bill Soane.

RESOLVED That application number 231869 be approved, subject to conditions and informatives as set out in agenda pages 24 to 25, and delegation to officers in conjunction with the Chair, Vice Chair and Councillor Wayne Smith, to assess whether a condition requiring BREEAM 'Excellent' was able to be achieved given the current wording within the Supplementary Planning Agenda.

28. APPLICATION NO.231148 - LAND AT MOLE ROAD, SINDLESHAM, BERKSHIRE

Proposal: Full application for the creation of a vehicular access including erection of boundary wall features and gates. (Retrospective)

Applicant: Mr Gareth Jones

The Committee considered a report about this application, set out in agenda pages 33 to 52.

The Committee were advised that there were no updates contained within the Supplementary Planning Agenda.

Gareth Jones, agent, spoke in support of the application. Gareth stated that the application sought provision of access including a gate and fence, which would provide access to the sub divided site. Gareth added that the wider site remained as agricultural use. Gareth stated that the fallback position would allow the vast majority of the scheme to be built under permitted development. Gareth noted and appreciated the concerns raised by the local Ward Member, however added that the development was of high quality and constructed from brick and timber which was consistent with the character of the area. Gareth added that the fallback position would place no limit on the materials used, whilst a landscaping condition softened the visual appearance of the development and respected the rural setting. Gareth stated that the Highways officer felt that the development was sufficiently setback from the junction and would not impact on the highway or public right of way. Gareth thanked officers for their work and for the Committee report, and asked that the Committee approve this appropriate and considerate development.

Gary Cowan, Ward Member, spoke in objection to the application. Gary stated that the case officer used the word vernacular and suggested that there were several examples of brick walls and gates within the locality. Gary felt that this was misleading as the only other

example was situated in advance of a Grade 2 listed building from the 17th century. Gary noted Wokingham Borough Council's Statement of Community Involvement consultation document stated that a material consideration was a matter that had to be taken into account when deciding a planning application, which could include previous planning decisions. Gary was of the opinion that approval of this application could therefore be used as a precedent anywhere in the Borough, and any similar application which was refused would be lost at appeal with cost awards made against the Council. Gary felt that this application was not typical of a usual agricultural operation, and noted that the Council's trees and landscape officer felt that the boundary wall was out of keeping with the character of the area. Gary asked that the application be refused to stop such a damaging precedent being set, thereby protecting the countryside.

Wayne Smith noted that the Committee had been given 3 plans to consider, whilst the photographs indicated that the wall had not been finished. Wayne sought clarity as to how the dimensions had been measured and whether the drawings had been scaled off, and if so, how. Tariq Bailey-Biggs, case officer, stated that the wall had been measured on site whilst the front elevation drawings had been used to confirm that the heights matched. Wayne Smith raised concern that as the wall had not been finished, the Committee may not necessarily know what they were actually granting approval of.

David Cornish stated that he had visited the site and had noticed that the wall did not appear to be completed. David raised concern that approving this application could prove problematic as it could give officers a lack of information in the event of future enforcement.

Brian Conlon, Operational Lead – Development Management, stated that permission was being sought for the details as set out on the plan on agenda page 43. Brian added that the plans replicated what was currently on the site, and whilst the finish may not be to the standard expected by the Committee this was not a planning consideration. Should the wall change in height, a further planning application would be required whereby officers could consider if that caused harm.

David Cornish stated that it was difficult to class the development as overbearing given the fallback position, and he would be minded to approve the application if the Committee could be assured as to the specifics of what they were approving.

Wayne Smith stated that he had the greatest of sympathies for the case officer who had carried out a considerable amount of work to provide answers for the Committee, however he expected more from the agent with regards to specifics and dimensions.

Rachelle Shepherd-DuBey queried what dimensions would be allowed under permitted development. Tariq Bailey-Biggs stated that a gate of up to 2m in height would be allowed, whilst the wings of the structure would be allowed up to 1m in height. The application before the Committee included a small portion of the gate, 20cm, in excess of the permitted development limits. The boundary wall would be in accordance with permitted development apart from the small section outlined in red on agenda page 37.

Tony Skuse questioned the need for such a structure for the entrance to an agricultural field, and queried whether a condition could be applied to prevent an application for a change of use of the wider site. David Cornish clarified that the Committee were not allowed to presuppose any future planning application, or application for a change of use.

Brian Conlon clarified that the plan on page 43 included a small black line on either side of the wall close to the gate, which indicated the point that the wall must not exceed 1m in height in the direction of the highway. Brian added that the applicant would be fully aware of the risks should they deviate from what was on site, as officers could scale from the drawings provided.

Bill Soane stated that the 1:100 scaling of the structure on pages 37 and 43 could not both be correct. Tariq Bailey-Biggs confirmed that the scale was only for illustrative purposes.

Andrew Mickleburgh stated that he did not see any planning reasons why this application should be refused. Andrew asked that the minutes reflect the concern of the Committee with regards to the very advanced stage of this retrospective application.

David Cornish stated that in future he would expect clearly defined detail on submitted plans.

Andrew Mickleburgh proposed that the application be approved in line with the officer recommendation. This was seconded by David Cornish.

RESOLVED That application number 231148 be approved, subject to conditions and informative as set out on agenda page 40.