

**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON 8 NOVEMBER 2023 FROM 7.00 PM TO 8.35 PM**

Committee Members Present

Councillors: David Cornish (Chair), Andrew Mickleburgh (Vice-Chair), Alistair Neal, Wayne Smith, Michael Firmager and Tony Skuse

Councillors Present and Speaking

Councillors: Gary Cowan and Rebecca Margetts

Officers Present

Gordon Adam, Principal Highways Development Control Officer
Brian Conlon, Operational Lead - Development Management
Lyndsay Jennings, Legal Services
Madeleine Shopland, Democratic and Electoral Services Specialist

Case Officers Present

James Fuller
Kieran Neumann
Sarah Castle

38. APOLOGIES

Apologies for absence were submitted from Councillors Stuart Munro, Rachelle Shepherd-Dubey and Bill Soane.

39. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 11 October 2023 were confirmed as a correct record and signed by the Chair.

40. DECLARATION OF INTEREST

Councillor David Cornish declared a Personal and Prejudicial Interest in item 44 Application 236143 206 Nine Mile Ride, Finchampstead, on the grounds that he knew one of the speakers who would be speaking against the application. He indicated that he would withdraw from the meeting for this item, and that Councillor Mickleburgh would chair this item.

41. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

There were no items to be withdrawn or deferred.

42. APPLICATION NO 223083 - LAND SOUTH OF BRIDGE FARM, READING ROAD, ARBORFIELD, RG2 9HT

Proposal: Outline application for the erection of up to 11 No commercial units to provide 6,986sqm GIA commercial / employment development predominantly within Class B8 and/or Class E(g) uses with supporting facilities within Class E uses comprising ancillary offices, trade counters and food/drink facilities with highway works and strategic landscaping. Matters of Access, Siting and Scale to be considered only.

Applicant: Angle Property (Arborfield) LLP and Farley Farms Partnership

The Committee considered a report about this application, set out in agenda pages 14 to 145.

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

- Amended paragraph 29 to include reference to Class E(g).
- Amended paragraph to clarify that it was considered that the scale, massing, and form of the proposed commercial units would not cause any significantly adverse effect on the character of the nearby residential properties.
- Clarification of the status of the site in the current Local Plan.
- Clarification of status of the site in the emerging Local Plan Update and amendment of paragraph 56.
- Clarification of the status of the Ancient Woodland.
- Additional condition 35 regarding foul water drainage.
- Annotation of distances.

All Members present had attended a site visit.

Vanessa Starkey, Arborfield and Newland Parish Council, spoke in objection to the application. The scale and the location of the industrial units would cause change to the rural setting next to the Ancient Woodland, Pound Copse. She indicated that the Parish Council did not believe that the mitigations put in place by the applicant could offset the harm which would be caused. Vanessa added that the siting of the industrial units on the Ancient Woodland would have a detrimental effect on the wildlife due to the light, noise, and pollution. She commented that there were no demonstrable benefits to siting the industrial units on the site, as there was already several existing, nearby small and medium industrial estates, such as Hogwood Industrial Estate, which had vacancies. Vanessa Starkey commented that the development contravened policies stated in the Neighbourhood Plan. Finally, she indicated that the Parish Council objected to the locating of a commercial development on a greenfield site that was situated on a green route enhancement area.

James Good, applicant, spoke in support of the application. He stated that he and his co-applicant had worked positively with the Planning officers over the last 12 months to submit a deliverable and flexible scheme that would suit the needs of modern businesses. He referred to the parameter plan which showed the building location which were fixed and of a fixed height. Observer Way Relief Road had cut off the site from the wider agricultural area, and it had been used as the contractor compound during construction. It no longer felt like open countryside.

James Good indicated that the site was only one of two identified by the Council for employment use in the recent Housing and Employment Land Assessment. The site would be located adjacent to the commercial Bridge Farm and would benefit from existing bus services and good transport links. A new connection would be made the existing cycleway and footpath along Observer Way. He was of the view that it was a sustainable and well-located development and emphasised that the Ancient Woodland and footpath to the east of the site would be unaffected. A new amenity area for the wider community would be created at the south of the site. Efforts had been made to include extensive landscaping proposals to minimise the visual impact of the development over time and enhance biodiversity, which would be considered as part of a later application. Buildings would be constructed to the highest level of energy efficiency, include solar panels, and minimise carbon emissions. James commented that the initial marketing campaign had

suggested that there was significant demand for the type of development. The application would provide employment opportunities.

Councillor Gary Cowan, ward member, spoke in objection to the application. He stated that the National Planning Policy Framework and the Management Development Delivery sought to restrict development outside of development limits and did not encourage countryside development. He was of the view that the need for B8 floor space had not been evidenced and referred to vacancies in similar nearby industrial units. Class E allowed for industrial processors provided that they were judged not to be a detriment to the amenity by virtue of noise, smell and vibration. Councillor Cowan commented that the residential properties in Greensward Lane and at Bridge Farm would suffer should the application be allowed.

Councillor Cowan was of the view that the wildlife in Pound Copse would be negatively impacted, particularly given that Classes B8 and E allowed for outside storage, lighting, and vehicle movement, which would create light and noise pollution. He emphasised that the Forestry Commission, National Planning Policy Framework and Natural England stated that development resulting in the loss or deterioration of habitat such as Ancient Woodland and veteran trees, should be refused. The Council's Ecology Officer had expressed concern regarding light spill into the Ancient Woodland and biodiversity net gain. Councillor Cowan commented that harm would also be caused to the local landscape, and it was unclear how new planting would reduce the impact of noise and sound on Arborfield Village.

Councillor Andrew Mickleburgh asked about settlement boundaries. It was stated that the application site was within the countryside and was located outside the of the settlement limits. He sought clarification from officers as to where the settlement boundaries lay in relation to the site.

Councillor Mickleburgh sought clarification as to whether local and national planning policies, including Neighbourhood Plans were statements of wide principles or rules that must be applied to all localities. He went on to question what criteria would need to be satisfied should the Committee be minded to grant planning permission, should the application conflict with the Neighbourhood Plan. Brian Conlon, Operational Lead – Development Management, explained that the starting point for any application was an assessment against the Development Plan, as required by the Town and Country Planning Act. Where there was conflict, due regard had to be given to any material planning considerations. Officers had to consider whether there was compliance and if any conflict, to what degree, and if any material planning considerations would outweigh these conflicts. The specific application had several clear conflicts as well as several clear benefits.

In response to a question from Councillor Mickleburgh as to the purpose of designating a core employment area, Brian Conlon stated that core employment areas were areas in which the Local Authority wished to support, focus, and consolidate economic development. However, this did not preclude economic development elsewhere. There was no requirement to consider alternative sites within the Plan.

Councillor Mickleburgh noted that the site had been promoted for inclusion in the Local Plan Update but had ultimately not been included. He queried if there were any reasons for non-inclusion which were relevant to the application. Brian Conlon commented that the site had been considered potentially suitable within the Housing and Economic Land

Availability Assessment (HELAA) for employment development. However, this did not identify or determine individual sites for development proposals. Exercises such as the HELAA were useful indicators as to the appropriateness of a site.

The location of the site next to one with existing commercial use was a material planning consideration. Councillor Mickleburgh noted that every application was considered on its own merits and went on to ask about potential for precedence, possible development creep and whether granting permission on the basis of its location by an existing commercial site, could possibly be used as a material factor in any future applications. Officers indicated that the individual site specific circumstances and context was important. The proposal under consideration was unlikely to be replicated elsewhere because of several man made and physical interventions which would limit and visually enclose the site.

Councillor Mickleburgh asked what status the green route enhancement area had in planning. Brian Conlon commented that the Observer Way development was accompanied by structural landscaping which had not yet fully matured and would look different over time. The objective of the Council along transport corridors and areas with natural features such as the Ancient Woodland was to ensure that those routes were environmentally enhanced. Officers were of the view that this would not necessarily conflict with requirements. It was clarified that the green route was along Reading Road to the north and did not extend south past the site.

In response to a question from Councillor Michael Firmager around flooding mitigation, Sarah Castle, Case Officer, provided clarification around drainage and foul water. The site was in Flood Zone 1 and the Environment Agency had not raised objections. Councillor Firmager went on to ask about run off. Gordon Adams, Principal Highways Development Control Officer, emphasised that developments had to have drainage strategies to mitigate against increased flooding.

Councillor Firmager referred to paragraph 127 of the report. It was clarified that the Drainage Officer had no objections to the proposal on drainage or flood risk grounds. He asked that all future planning application reports be checked carefully to avoid any confusion potentially caused by typos.

Councillor Alistair Neal asked about HGV access to the site and the potential for rat running in the surrounding Arborfield Village area. Gordon Adam responded that vehicles would likely access the site from Observer Way or the A237. This access was already in place.

Councillor Neal asked about contributions to cycling and walking to Shinfield. Gordon Adams indicated that it was covered by the CIL regulations around infrastructure. Brian Conlon indicated that the Borough's CIL requirements did not list this type of development as requiring CIL except where it was retail development, so there might be some CIL liability in the future.

Councillor David Cornish noted that the application contravened a number of core policies, such as that around development in the countryside, and several policies within the Barkham Neighbourhood Plan. He asked about the assessment of policies within the Neighbourhood Plan. Officers referred to the overarching principles of the National Planning Policy Framework which due regards had to be given to, such as around economic development. There were occasions when such developments needed to be

provided outside settlement boundaries. Officers were of the view that the identified potential benefits of the scheme would outweigh the identified harm.

Councillor Cornish noted that the Landscape and Trees Officer had recommended that the application be refused and questioned whether this recommendation had been made prior to conditions being suggested. Brian Conlon indicated that this recommendation for refusal remained. The objection had been made on the basis of the likely level of harm to the landscape.

In response to a question regarding the weight of the Neighbourhood Plans, Officers indicated that the Neighbourhood Plan had the same weight as any other development plan.

Councillor Wayne Smith asked about the level of need and asked how far the statement that there were lots of vacancies in industrial areas elsewhere in the Borough could be tested. Brian Conlon responded that identified need was normally only a requirement where there was a policy that required the particular use or the loss of a particular use to be considered, for example the loss of a community asset. In terms of economic development being proposed most Local Plans acknowledged that there was a general need over a planned period, and this was usually supplemented by reviews into employment land such as HELAA, which identified the level of need at a particular time. Policies were not necessarily as responsive as more recent studies which highlighted a continued need. There was no requirement to consider whether an alternative site elsewhere in the Borough which had vacancies or was being lost to development, made the development under question more or less acceptable.

Councillor Smith went on to comment that the application was very finely balanced. He questioned whether the Landscape Officer had raised concerns only regarding the visual impact and not the proximity of the site to the Copse. Sarah Castle commented that their main concern had been around the visual impact on the character and any landscape as the site changed over the years. In addition, the Landscape Strategy stated that the aim was to integrate new development. It was a question of how the scheme could be integrated into a site which was now contained by the road and woodland.

Councillor Smith queried whether an informative could be added so that HGVs must turn left when entering the site, to stop traffic going back through the village. Brian Conlon indicated that officers had considered this when looking at logical desire routes from this site to the west and east, and every route took vehicles out to junction 11 of the M4. Nevertheless, there were a number of conditions which dealt with the construction phase and a travel plan. The site was off the same access road as the existing site. Gordon Adam added that there was an example of a similar banned left turn at a distributor site in Three Mile Cross. Routings could be set as part of the Construction Management Plan. However, a banned left turn would be voluntary on the applicant and would be difficult to enforce and monitor at the operational stage.

Councillor Mickleburgh asked about the level of certainty that the ecological impacts identified could be mitigated, and if a condition could be included should this level of certainty not be able to be provided. Sarah Castle indicated that the applicant had submitted an Ecological Impact Assessment which would have included surveys of flora and fauna and wildlife species on the site. This has been accepted by the Ecology Officer. Several conditions relating to ecology during the construction phase, environmental management and enhancements were proposed.

Councillor Mickleburgh proposed that the application be approved. The application conflicted with several national and local planning policies. It was situated outside the settlement limits and was surrounded by countryside. However, he had considered the extent to which the resultant harms could be satisfactorily mitigated and had felt that the benefits provided, particularly around employment, outweighed these harms. This was seconded by Councillor Skuse.

RESOLVED: That application 223083 be approved subject to conditions and informatives as set out in agenda pages 57 to 69 and additional condition 35 as set out in the Supplementary Agenda, and amended condition 1 as detailed in the Officer presentation.

43. APPLICATION NO 231809 - UNIT 34, SUTTONS BUSINESS PARK, SUTTONS PARK AVENUE, RG6 1AZ

Proposal: Full application for the proposed change of use of the existing building to a mixed use including use classes B2, B8 and E(g), creation of additional hardstanding and internal and external refurbishments to include installation of drainage, a dock leveller ramp, 2 no. additional vehicle doors, 6 no. EV charging stations and 286 no. roof-mounted PV panels, plus erection of boundary fencing and access gates, following demolition of an existing two storey side element, generator housing and removal of an external stairway to the rear.

Applicant: Mr Steven Rafferty

The Committee considered a report about this application, set out in agenda pages 95 to 146.

RESOLVED: That 231809 be approved subject to conditions and informatives as set out in agenda pages 107 to 110.

44. APPLICATION NO 231643 - 206 NINE MILE RIDE, FINCHAMPSTEAD

(Councillor Cornish left the meeting for this item, which was chaired by Councillor Mickleburgh)

Proposal: Full application for the erection of a detached dwelling and outbuilding following demolition of the existing property

Applicant: Mr C Lucanu

The Committee considered a report about this application, set out in agenda pages 147 to 180.

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

- To note that a revised parking layout had been received at a late stage. This had been to accommodate the request from the Highways Officer for increased parking and turning in order for the front driveway to accommodate three vehicles. The scale of this alteration had not warranted a re-consultation of the application.

Roger Marshallsay, Finchampstead Parish Council, spoke in objection to the application. He indicated that the Parish Council did not object to the development of the site, but it did

object to the bulk and overbearing nature of the application. In addition, it contravened the recently adopted Finchampstead Neighbourhood Development Plan. Policy D1 stated that building heights should reflect the character of the Parish. The development of three storey housing would generally only be supported within the area of the Strategic Development Location and the Gorse Ride regeneration area, which the site was not. Roger Marshall went on to comment that this was the first planning application which had come forward since the adoption of the Neighbourhood Plan which had contravened it around the building heights, and it would be a shame that if in the first instance the Plan was applied, it was ignored.

Pauline Grainger, resident, spoke in objection to the application. She commented that the application contravened D1 and D2 of the Finchampstead Neighbourhood Plan, and also impacted her property in respect to various WBC considerations for planning applications. Pauline Grainger stated that the dormer windows on the second floor would deprive her property of privacy in the garden, representing a loss of residential amenity. She felt that the dormers would not have an oblique view. The scale of the three-storey dwelling would overshadow her property and significantly reduce the light on her east elevation. Pauline Grainger indicated that her property was not two storeys as described in the report, but a single storey building. Her current outlook was a low wall, a low roof and sky. This would be replaced by a wall which was at least twice as high and a large roof. The windows on the side of the property would look down into her bathroom. She went on to state that the footprint of the house, because of the single-story protruding at the back and side of the building, and the outbuilding represented a large increase on the existing footprint, considerably reducing the size of the garden. This was against design policy within the Finchampstead Neighbourhood Plan. In addition, the site plan from July showed the site sitting 821cm from 204 Nine Mile Ride and 1m from 206A Nine Mile Ride, and not 1.2m and 1.8m as set out in the officer report, thereby contravening design principal R16. The revised site plan dated October showing a revised driveway had not corrected these measurements. Pauline Grainger stated that the excavations were likely to disturb the roots of long-standing shrubs, hedging and trees along the shared boundary line, 1m from the property. The loss of these would be detrimental to the street scene.

Councillor Rebecca Margetts, ward member, spoke in objection to the application. She emphasised that the application went against core policies in the Finchampstead Neighbourhood Plan and was not in keeping with the street scene of the Wokingham Borough Design Guide. The proposed application would replace a single-storey bungalow with a three-storey dwelling, altering the street scene and causing harm in the neighbouring area by dominating the other properties. It would also be out of keeping visually, and its character would not reflect that of the surrounding area. Rebecca Margetts indicated that the surrounding properties were either two-storeys or chalet style bungalows. She commented that the application went against the general principles of the Borough Design Guide relating to context and character.

Councillor Margetts was of the view that the proposed dwelling did not respond positively to the existing context or relate well to neighbouring properties. Planning officers had identified that it was a three-storey dwelling and there were no other examples in the immediate surrounding area. She also referred to policy D1 of the Finchampstead Neighbourhood Plan which related to building heights, which she felt the application did not meet. She emphasised that the application would also not meet Policy D2 which related to the rural character of the Parish. Neighbouring properties would be dominated by the proposed dwelling. Councillor Margetts referred to D3 of the Neighbourhood Plan, which stated that whilst the Neighbourhood Plan encouraged innovation and design, this

needed to be sympathetic to, and complement existing styles, which was not the case. Whilst development of the site had been expected, the proposed dominating style had not. Finally, she urged the Committee to undertake a site visit should they have any doubts.

Councillor Wayne Smith proposed that the application be deferred to enable a site visit to assess bulk, scale, mass, and street scene. This was seconded by Councillor Michael Firmager.

Brian Conlon clarified that the site visit would enable the Committee to see the relationship of the adjoining properties and their scale in relation to the information provided in Plan 4.

RESOLVED: That application 231643 be deferred to allow the Planning Committee to undertake a site visit to assess bulk, scale, mass, and street scene.

(At this point in the meeting, Councillor Cornish returned to the meeting).