

SUPPLEMENTARY UPDATE AGENDA Planning Committee – 10 APR 2024

Planning Applications

Agenda Item: 83

Application No: 233168

Site Address: Former Travis Perkins Site, Woodley Green, Woodley RG5 4QP

Pages: 17 - 49

Developer contributions

The officer report makes note of requests for NHS funding from the Integrated Care Board. An additional response has been received since the publishing of the report, which requests a contribution of £58,752 to deliver on capital projects to improve patient services. However, the request still hasn't been qualified with adequate reasoning to meet the tests of the Community Infrastructure Levy Regulations 2010 which require that the development is:

- 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.

No Planning Obligation is therefore recommended.

Housing Land Supply contribution

Clarification was sought on the equivalent number of dwellings which would be 'freed up' by this development, thereby contributing to the borough's housing land supply. The 'Housing for Older people and disabled people' section of the Planning Practice Guidance indicates that the ratio is the net increase in number of bedrooms divided by the average number of adults in households in England (which is 1.8 people as per the latest census data). In this instance, the proposal is for 68-bed care home that would be counted as 38 dwellings equivalent.

Agenda Item: 84

Application No: 240459

Site Address: 20 Old Bath Road, Charvil, RG10 9QR

Pages: 63-83

Update:

Neighbour Consultations

The consultation period has now expired, and five further objections have been received (25/03/2024). Concerns include:

- Wrong application type due to the extent of demolition.
- Loss of light to neighbouring property.
- Application is similar to previous applications.
- Proposal is not in keeping with the character of the road.
- Excessive bulk and height and incongruous design.

Additional Condition

Condition:

Boundary Treatment

Before the development hereby permitted is commenced details of all boundary treatment(s) shall first be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.

Reason: In the interests of amenity in accordance with Core Strategy policies CP1 and CP3.

Pre-emptive site visits

None confirmed

Non-Householder Appeal Decisions

Non-Householder Appeal Decisions will be reported quarterly prior to the following meetings as part of the Supplementary Planning Agenda:

- April 2024
- July 2024
- October 2024

App No.	Address and Description	Committee (Y/N)	Decision	Main Issues Identified/Addressed
222146	Harts Leap Farm, New Mill Road, Finchampstead,	N	Dismissed	The main issues in this appeal are the effect of the appeal development on:

	<p>Wokingham RG27 0RB</p> <p>Full planning application for the proposed erection of an agricultural building and stables with associated hardstanding and access.</p>			<ul style="list-style-type: none"> • the Thames Basin Heaths Special Protection Area; • the character and appearance of the area; and, • highway safety. <p>The Thames Basins Heath Special Protection Area is designated under the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations). The proposal has the potential to give rise to increased recreational pressures on the SPA. Habitat Regulations set out that the competent authority may only agree to the project if there are no alternative solutions, and the project must be carried out for imperative reasons of overriding public interest. No alternative solutions were put forward, the evidence did not indicate that the proposal meets the test of overriding public interest, and therefore under the Habitat Regulation the inspector could not agree to the proposal.</p> <p>It was deemed that the appeal development would not harm the character and appearance of the area.</p> <p>It was deemed that the appeal proposal would not be harmful to highway safety.</p> <p>The appeal proposal would conflict with the development plan as whole and there are no other material considerations, including the provisions of the Framework, which outweigh this finding. Therefore, the appeal is dismissed.</p>
230291	1 Wheelton Close, Earley, Wokingham RG6 7YD	N	Dismissed	The main issue is the effect of the proposed development on the character and appearance of the area.

	<p>Full application for the proposed change of use of amenity land to residential garden and erection of a 1.8m high brick wall.</p>			<p>The site is a corner plot which features verdant landscaping, albeit partly overgrown. Nonetheless, its undeveloped green nature contributes to the landscape qualities of the area and a sense of spaciousness. These features provide relief from the wider developed character of the locality.</p> <p>The erection of a hard boundary adjacent to the highway would significantly erode the openness of the existing undeveloped and verdant strip of land when viewed from public vantage points. Consequently, the proposed development is unacceptable and would not sympathetically respond to the existing character and appearance of the area.</p> <p>The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. It therefore was concluded that the appeal should be dismissed.</p>
<p>223239</p>	<p>Land at Hill House Cottages, Milley Lane, Hare Hatch RG10 9TH</p> <p>Full application for landscaping works including infilling of the pond and levelling of land. (Part retrospective)</p>	<p>N</p>	<p>Dismissed</p>	<p>The main issue is the effect on great crested newts (GCNs).</p> <p>The site lies within 150m of an identified GCN breeding pond. It is also in an area where the habitat is highly suitable for GCNs with appropriate terrestrial links to 12 local ponds. These factors indicate that GCNs may be present on the site.</p> <p>There is insufficient information to show the development has avoided or would avoid a harmful effect on GCNs. Furthermore, it has not been shown that any harm caused to</p>

				<p>GCNs could be mitigated against or compensated for.</p> <p>The overall benefits of the scheme are of insufficient weight to justify granting planning permission contrary to the development plan policies that prevent harm to protected species.</p>
222590	<p>5A, 5B and 5C Mayfields, Sindlesham, Wokingham RG41 5BY</p> <p>Application to vary conditions 2-11-17-18 and 19 of planning consent F/2014/2581 for the Proposed erection of 3 detached dwellings with associated access and parking and access following the partial demolition of the existing dwelling. Condition 2 refers to Approved details and the variation is to supply new plans. 11 Landscaping and the variation is for new plans supplied. 17 garage to be retained and the variation is to amend wording.18 Cycle parking variation is to be removed. 19 Bin store variation to be removed.</p>	Y	Dismissed	<p>The main issues are:</p> <ul style="list-style-type: none"> • The effect of the proposed revised landscaping scheme and parking layout on the character and appearance of the area; • Whether appropriate parking provision and arrangements would be provided; and • Whether adequate provision would be provided for the storage of bicycles. <p>A landscaping scheme has been approved, the appellant has not implemented it, but rather seeks to amend it and has submitted a revised landscaping scheme. The revised proposed landscaping scheme would result in a material reduction in the overall amount of soft landscaping, and it would unacceptably harm the underlying character and appearance of the area.</p> <p>It was deemed that the proposed amendments to the parking layout would not cause any highway or pedestrian safety concerns.</p> <p>It was deemed that the proposal would result in the inadequate provision of cycle parking/storage, and it would thereby conflict with the relevant development plan policies, the SPD and the Framework.</p> <p>The proposal is contrary to the development plan and there are</p>

				no material considerations which indicate that a decision should be made other than in accordance with it. Therefore, the appeal was dismissed.
223802	<p>Belamie Gables, 210 Hyde End Road, Spencers Wood, Wokingham RG7 1DG</p> <p>Full application for the proposed erection of a two storey front extension with porch canopy roof and ramp following demolition of existing front porch and ramp, single storey side extension, part single part two storey rear extension to form new stairwell, single storey extension to existing outbuilding, changes to fenestration. Removal of a shed and external staircase to existing residential care home.</p>	N	Dismissed	<p>The main issue in this case is whether appropriate provision has been made for parking, turning and manoeuvring space and for emergency vehicle access.</p> <p>The proposed parking plan shows 16 car parking spaces. However, these are below the standard parking dimensions. There is lack of adequate information on the submitted plans about ambulance parking, visitor parking, cycle parking or the additional overflow parking outside the wall, but within the appellant's land boundary.</p> <p>It is concluded that based on the available evidence, insufficient information has been provided to satisfy that appropriate parking provision or adequate turning and manoeuvring space for fire tenders or delivery vehicles would be provided.</p> <p>Consequently, the proposal would not comply with Policy CP6 of the Council's adopted Core Strategy Development Plan Document January 2010 and Policy CC07 of the Council's adopted Managing Development Delivery Local Plan, February 2014, which among other things seek to ensure that development provides appropriate vehicle parking and does not cause highway problems.</p>
223612	<p>Foxhaven, Church Lane, Remenham, Wokingham RG9 3EX</p>	N	Dismissed	<p>The main issue are:</p> <ul style="list-style-type: none"> • Whether the proposal would be inappropriate in the Green Belt having regard to the National Planning Policy Framework, any other relevant

	<p>Full application for the proposed demolition of the existing dwellings and erection of a replacement 5 bedroom dwelling with basement.</p>		<p>development plan policies and taking account of the effect of the proposed development on openness;</p> <ul style="list-style-type: none"> • the effect of the proposal on the character and appearance of the area; and • whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development. <p>Visually, notwithstanding any associated landscaping proposals that would help to screen the proposed development, given its height, scale and mass it would have a significant presence in public views from both the road and from the public footpath that runs to the side of the appeal side. Overall, taking account of both spatial and visual aspects, there would be considerable harm to openness to which is given substantial weight.</p> <p>Subject to the imposition of an appropriately worded condition the proposal would not have an unacceptably harmful impact on the character and appearance of the area. Consequently, the proposal would not conflict with Policies CP3 and CP11 of the CSDPD of the LP which among other things seek to ensure that development has an appropriate character and integrates with its surroundings.</p> <p>Subject to the imposition of an appropriately worded condition, the proposal would not have an adverse impact on the character and appearance of the area. However, overall, the inspector found that there are no considerations in this case</p>
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				that clearly outweigh the harm the proposal causes to the Green Belt by virtue of its inappropriateness and its impact on openness.
231698	<p>Brick Barns, White Hill, Remenham Hill, Wokingham RG9 3HN</p> <p>Without planning permission, the unauthorised change of use of the Land to residential garden including, the erection of five buildings; changing of ground levels; and formation of hardstanding.</p>	N	Dismissed and Enforcement Notice Upheld	<p>The main issues are:</p> <ul style="list-style-type: none"> • Whether the development constitutes inappropriate development in the Green Belt, having regard to the development plan and the Framework; • The effect of the development on the openness and purposes of the Green Belt; • The effect of the development on the character and appearance of the surrounding area taking into account the grade II* Registered Park and Garden; • The effect of the development on biodiversity; • Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, whether this amounts to the very special circumstances required to justify the development. <p>The development as part of Option A or Option B is inappropriate development in the Green Belt and results in a modest harmful impact to openness and limited conflict with Green Belt purposes. This attracts substantial weight. Both Option A and Option B would result in less than substantial harm to the RPG and the valued landscape would not be protected and enhanced.</p> <p>Subject to the corrections and variations the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act.</p>

<p>231306 & 231307</p>	<p>12 Butler Road, Crowthorne RG45 6QY</p> <p>Without planning permission, the erection of an outbuilding and the provision of hardstanding.</p>	<p>N</p>	<p>Dismissed</p>	<p>Appeal A Subject to the variations, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under Section 177(5) of the Act.</p> <p>Appeal B Subject to the variations, the appeal is dismissed.</p> <p>No information has been provided to show when the hardstanding was provided and that it is not part of the outbuilding which it serves. The hardstanding provides a link between the original hardstanding that covers the wider garden area and the outbuilding. The appellant has not shown on the balance of probabilities that the hardstanding benefits from permitted development rights under Class F of the GPDO. The appeal under ground (c) therefore fails.</p> <p>The main issue is the effect of the development on the character and appearance of the area particularly its effect on protected trees.</p> <p>The outbuilding the subject of this appeal has adverse effects on the future health of the preserved trees due to the foam collars and the interruption of water reaching the roots of the trees. This may lead to the loss of the trees and which in turn would impact upon the character and appearance of the area. On the basis of the evidence before the inspector, they were unable to conclude that a building constructed under Class E would be similar or worse to the effect of the outbuilding on the trees. As</p>
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				<p>such, the inspector can only give this fallback limited weight.</p> <p>For the reasons given above, the inspector concludes that the appeals should not succeed. The inspector upheld the enforcement notice with variations and refused to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (Appeal A).</p>
230208	<p>Land off Watmore Lane, Winnersh, Berkshire</p> <p>Outline application with all matters reserved except access for the proposed erection of up to 234 dwellings.</p>	N	Allowed	<p>A planning obligation pursuant to s106 of the Town and Country Planning Act 1990, in the form of a legal agreement between the Council and appellant, was submitted after the inquiry closed. It is common ground¹ between the appellant and Council that the s106 Agreement would secure adequate provision for an employment skills plan, affordable housing and several items of infrastructure, the details and necessity of which I discuss later. As there is common ground on these points, I have not considered them as main issues. Accordingly, the main issues in this appeal are:</p> <ul style="list-style-type: none"> • Whether the appeal site is an appropriate location for the proposed development with reference to 1) the spatial strategy for housing in the development plan; 2) permeability and integration with pedestrian and cycle routes; and 3); the accessibility of services and facilities. • The effect of the proposed development on the landscape character and visual amenity of the countryside; and • The effect of the proposed development on the character and appearance of the area, with particular reference to 1) the settlement pattern and

				<p>townscape; 2) the legibility of any local street hierarchy and 3) the usability and sense of place of Maidensfield.</p> <p>The appeal scheme would conflict with the development plan taken as a whole. However, in this instance material considerations, namely the Framework, indicate that the appeal should be determined otherwise than in accordance with the development plan. Accordingly, when having regard to all issues raised, the inspector concluded that the appeal should be allowed.</p>
Multiple	Fairview, Forest Road, Binfield, RG40 5SA		<p>Appeals A, B, C, D and N are dismissed and the enforcement notices (“Notice A” and “Notice D”) are upheld. In respect of Appeals A and N, planning permission is refused on the applications deemed to have been made under section 177(5) of the 1990 Act as amended.</p> <p>Appeals P, Q and R are dismissed.</p>	<p>Appeals A, B, C and D; ground (d) Notwithstanding the concealment arguments made, it was not too late for the Council to take enforcement action on 13 May 2022 as regards all matters constituting the alleged breach of planning control. Ground (d) does not succeed in respect of Appeals A, B, C and D.</p> <p>Appeal A ground (a) and deemed planning application; Appeal P; Appeal Q The appeal developments in respect of Appeals A, P and Q do not comply with the development plan as a whole and there are no other considerations which outweigh those findings. Accordingly, ground (a) fails in respect of Appeal A and planning permission shall not be granted in respect of Appeals A, P or Q.</p> <p>Appeal N ground (a) appeal and deemed planning application; Appeal R The appeal developments in respect of Appeals N and R do not comply with the development plan as a whole</p>

				and there are no other considerations which outweigh those findings. Accordingly, ground (a) fails in respect of Appeal N and I shall not grant planning permission in respect of Appeals N or R.
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