

**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON 13 APRIL 2022 FROM 7.00 PM TO 8.22 PM**

Committee Members Present

Councillors: Angus Ross (Vice-Chairman, in the Chair), Sam Akhtar, Stephen Conway, Pauline Jorgensen, Andrew Mickleburgh, Rachelle Shepherd-DuBey and Bill Soane

Councillors Present and Speaking

Councillors: Maria Gee

Officers Present

Brian Conlon, Operational Lead – Development Management
Lyndsay Jennings, Senior Solicitor
Callum Wernham, Democratic & Electoral Services Specialist
Kamran Akhter - Principal Highways Development Management Officer

Case Officers Present

Senjuti Manna
Baldeep Pulahi

88. APOLOGIES

Apologies for absence were submitted from Councillors Chris Bowring, Gary Cowan, and Rebecca Margetts.

89. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 9 March 2022 were confirmed as a correct record and signed by the Vice Chairman in the Chair.

90. DECLARATION OF INTEREST

There were no declarations of interest.

91. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

No applications were recommended for deferral, or withdrawn.

92. APPLICATION 214184 - 43-47 PEACH STREET, WOKINGHAM

Proposal: Full application for the proposed creation of 24No residential units consisting of 10 x 1 bedroom, 10 x 2 bedroom and 4 x 3-bedroom units with ground floor foyer, communal roof terrace, addition of balconies and dormers, changes to fenestration and provision of parking and bin storage following demolition of existing roof structures and link between No 47 and the main building

Applicant: Mr Bryan Naftalin

The Committee considered a report about this application, set out in agenda pages 19 to 76.

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

- Correction to the first line of agenda page 30 to state a contribution of £520 per unit to MyJourney;

- Point of clarification in relation to car parking;
- Point of clarification in relation to the commuted sum.

Angus Ross commented that listed building consent would be required at a later stage, and was noted as such within an informative. Angus added that the building to the rear of the site had permission to be demolished and replaced, and noted that application 211977 was granted planning permission for this site in July 2021 and the Committee needed to take this in to account when considering the application in front of them.

Stephen Conway queried whether there was any requirement for on-site affordable housing as part of the prior approval application for 27 units. Senjuti Manna, case officer, confirmed that there was not a requirement for on-site affordable housing as part of the prior approval application. Stephen Conway commented that it was unfortunate that there was no affordable housing provided on site, and added that whilst he had some concerns with the proposals there was a long and complex planning history which constrained what the Committee might consider as reasons to refuse the application.

Andrew Mickleburgh commented that he was pleased to see that a number of concerns had been addressed following on from the prior approval application in July 2021. Andrew queried whether access to the roof terrace for persons with disabilities had been addressed and whether the units designed to be accessible would have access to a balcony to ensure amenity space for those persons who could not access the roof terrace. Senjuti Manna confirmed that the roof terrace would not have any lift access, whilst accessible units would be required by condition to provide balconies.

Andrew Mickleburgh queried whether the disabled car parking spaces could be moved closer to the building via condition, rather than being dealt with via the parking management plan. Brian Conlon, Development Management Operational Lead, stated that condition 7 included a strategy to provide the disabled spaces on-site which would give the local planning authority the ability to control where the disabled spaces were to be provided. Kamran Akhter, Principal Highways Development Management Officer, stated that the provision of disabled spaces would be managed via the car parking management plan. The Committee insisted that every effort be made to situate the disabled car parking spaces closer to the proposed units.

Andrew Mickleburgh sought clarity regarding the decision to keep all car parking spaces as unallocated, and queried whether there would be any parking for the remaining retail units on the site. Senjuti Manna stated that the site was located within a sustainable town centre location, and no retail parking was proposed as retail users could park in a number of public car parks including Easthampstead Road car park, whilst cycle storage was proposed for staff of retail units. The 10 one-bedroom units were proposed to be car free, whilst the remaining 14 units would have access to 15 unallocated spaces which was deemed acceptable by highways officers due to the sustainable location. Visitors could make use of public car parks such as the Easthampstead Road car park. Kamran Akhter stated that unallocated parking provided flexibility and would help ensure that spaces could be used efficiently.

Pauline Jorgensen stated that she was very concerned that providing unallocated parking could mean that everyone who purchased a flat might expect a parking space whilst half of residents would miss out each day. Pauline added that she would prefer if spaces were allocated, and this was made clear to people when purchasing units. Brian Conlon stated that unallocated spaces provided more flexibility and could serve different users at

different times of the day, for example if someone worked at night whilst the other person worked in the day. Brian added that this development was in a sustainable location, and noted that highways officers had looked at the scheme in detail and had not raised an objection. A number of nearby developments had been supported by the Council at levels below the Council's car parking standards, whilst developments which promoted less car use met the Council's climate emergency and sustainability ambitions. Pauline Jorgensen commented that she was very concerned with the approach to allocation given that the development was 55 car parking spaces adrift on the Council's standards.

Bill Soane queried where the stairways would be situated within the development and sought assurances that these were adequate for fire evacuation purposes. Senjuti Manna stated that there was one stairway in the main lobby area, whilst there was a second stairwell which could be used in the event of a fire. Bill Soane queried whether a communal fire alarm might be considered on a development of this nature. Senjuti Manna stated that this would be a building control consideration, and details would be submitted and reviewed by officers. Angus Ross commented that this would be an ideal building to include sprinklers, whilst noting that this was not a planning consideration.

Rachelle Shepherd-DuBey commented that she was concerned to see that only two accessible car parking spaces were to be provided when 5 accessible units were proposed. Rachelle queried whether the units would all meet the internal space requirements. Senjuti Manna stated that all units would meet the national space standards, whilst a roof terrace was also proposed, and all balconies would include a protection screen which would remove the issue of overlooking.

Rachelle Shepherd-DuBey commented that sprinklers would be desirable within the development, and queried whether the commuted sum would go towards new affordable units or towards renovating existing units. Senjuti Manna confirmed that commuted sums went to a central pool where affordable housing officers allocated funding towards a variety of projects. Rachelle Shepherd-Dubey commented that she was very concerned with the unallocated car parking proposals, and added that public transport was not always convenient within the Borough, whilst many of the flats may own two vehicles.

Pauline Jorgensen felt that a condition which required spaces to be allocated to individual units would be appropriate as it would provide transparency to the potential future owners of the units.

Sam Akhtar was pleased to see that forty percent of the units would be one-bedroom flats, which would be sought after by first time buyers. Sam was concerned that even the one-bedroom units might have two vehicles if purchased by young professionals, and felt that allocated parking would be more appropriate and transparent.

Stephen Conway stated that the Committee needed to be mindful that problems relating to car parking would occur whether the spaces were unallocated or not, as considerably less spaces would be provided than parking standards would normally require. Until more sustainable transport solutions were readily available, Stephen was of the opinion that the professional view with regards to the flexibility provided by unallocated spaces was more appropriate in this case.

Andrew Mickleburgh understood that the opportunity to request additional parking spaces had now passed, and there would be positives and negatives to allocating all of the car

parking spaces. On balance, Andrew was content to side with the officer recommendation to retain the car parking spaces as unallocated.

Brian Conlon stated that there was a good deal of control within condition 7 for a car parking management plan to be provided, which would include measures to make future occupants aware of the car parking situation. Brian added that any prospective occupant would only consider a one-bedroom car free unit within the town centre if that met their needs. The professional view of highways officers was that unallocated car parking was more appropriate for the number of car parking spaces at the site whilst providing greater flexibility for occupants. Additional wording could be inserted into condition 7, or provided as a standalone informative, which would encourage the developer to make occupants aware of the car parking situation.

Pauline Jorgensen proposed an additional condition requiring details of parking to be submitted, including which spaces were to be allocated to which units, with the final wording to be agreed in consultation with the Chairman and the Vice Chairman. This proposal was seconded by Rachelle Shepherd-DuBey, carried, and added to the list of conditions.

Brian Conlon noted that condition 7 would have to be amended to remove the reference to unallocated parking.

RESOLVED That application number 214184 be approved, subject to conditions and informatives as set out in agenda pages 20 to 28, additional condition requiring details of parking to be submitted, including which spaces were to be allocated to which units, with the final wording to be agreed in consultation with the Chairman and the Vice Chairman as resolved by the Committee, and amended condition 7 to remove the reference to unallocated car parking, and subject to legal agreement.

93. APPLICATION 220228 - EASTHAMPSTEAD ROAD, WOKINGHAM

Proposal: Application to vary condition 2 of planning consent 203223 for the proposed erection of 1 no. five bedroom dwelling, following demolition of existing dwelling. Condition 2 refers to the approved details and the variation is to lower the approved site levels and lower approved drainage cover levels (Retrospective)

Applicant: Mr Ian Scott

The Committee considered a report about this application, set out in agenda pages 77 to 96.

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

John Staves, agent, spoke in support of the application. John stated that the reasons for the changes to the original application were due to a survey error in relation to the vertical levels, and subsequently a decision was taken to lower the building into the ground rather than increasing the ridge height. The building as designed was taller, due to a survey error, than it was originally intended to be. John added that a chartered structural engineer assessed issues in relation to retention via the lowering of the ground levels, and reassurance was provided to the neighbour and a written undertaking was provided by the applicant to undertake any retaining structure that might be needed. The mass of the house and its position on the site had not changed from the original application, and as

such there was no additional impact on the street scene, which had been confirmed by officers. John requested that planning permission be granted.

Maria Gee, Ward Member, commented on the application. Maria was of the opinion that the property now looked quite out of place on the street scene, whilst adding that it appeared to have been lowered more than 225 millimetres. Maria was not convinced that property in its current design would have been approved, and questioned the decision to continue with the development despite the issue being raised with planning enforcement officers. Maria was of the opinion that residents had the right to have their boundary supported throughout the building process, and was concerned that this was not carried out for this planning application. Maria stated that highways officers had not agreed the driveway opening being wider, whilst the property was opposite double yellow lines and a junction whilst also being situated within zig-zags which appeared to contradict Wokingham Borough Council's crossover policies. Maria added that she was very concerned that a delivery management plan had not been included for this development, as lorries had been parked within the zig-zag zone throughout development, causing a lot of stress for parents using the crossing and for drivers who did not have a lot of space to pass or turn off at the junction.

Angus Ross commented that although it was regretful to see a retrospective planning application, it did give the Committee the opportunity to see the built form of the proposals. Angus queried whether the issue relating to the supporting neighbouring boundary was a planning matter or a building control consideration. Baldeep Pulahi, case officer, confirmed that this would be a civil issue between two parties and not a planning matter.

Angus Ross queried whether access to the site was any different to that proposed within the original application. Baldeep Pulahi stated that the proposals before the Committee contained no variation to the parking arrangements that were proposed within the original application, whilst highways officers had also raised no objections to the proposals.

Angus Ross queried whether a construction management plan would ordinarily be required for the construction of a single property. Baldeep Pulahi confirmed that a construction management plan would not ordinarily be a requirement for the construction of a single dwelling.

Sam Akhtar sought clarity on whether the application property had a lower ridge height than the neighbouring property. Brian Conlon, Development Management Operational Lead, confirmed that the ridge height of the application property was almost identical to that of the neighbouring property.

Andrew Mickleburgh stated that he was very unhappy to see a retrospective planning application of this nature, and asked that this comment be included within the minutes and fed back to the applicant, as the issue should have been identified and taken to planning officers prior to continuing with construction. Andrew queried why the increased risk of subsidence to the neighbouring property was not considered a planning matter, queried whether any restraining structures had been found necessary and if so, why this was not considered a planning matter. Angus Ross commented that retrospective planning applications put developers at risk, as they could be required to take structures down if retrospective planning permission was not subsequently granted. Brian Conlon stated that the development was substantially complete, and the issue had arisen after works had started and the site levels were found to be different. Where there were changes to ground levels or major physical alterations to what had been originally approved, planning

permission would have to be sought as was the case with this application. Brian added that the Committee's sentiment towards retrospective planning applications had been noted, however it did present an opportunity for officers and Committee Members to assess the built form and decide whether the changes were harmful. In this case, the changes to the ground levels were not deemed as harmful. Brian stated that planning dealt with the physical impact of a development on areas such as neighbours and amenity in terms of a physical design perspective, whereas the safety of construction, the types of materials used and whether it was structurally sound was a separate matter to the planning process.

Stephen Conway thanked the planning officer for his summary on what, and was not, a planning consideration. Stephen was of the opinion that there was very little difference in terms of visual appearance between this application and the application which had previously been granted planning permission, whilst noting that there were concerns raised in terms of digging down further than originally agreed. Stephen sought clarity as to whether the drive opening had been widened compared to the previous application. Baldeep Pulahi confirmed that paragraph 13 of the officer report stated that whilst the access had been widened in accordance with condition 9 of the original approval, the existing dropped crossing had not been widened.

RESOLVED That application number 220228 be approved, subject to conditions and informatives as set out in agenda pages 78 to 81.