

**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON 13 JULY 2022 FROM 7.00 PM TO 9.03 PM**

Committee Members Present

Councillors: Rachelle Shepherd-DuBey (Chairman), Andrew Mickleburgh (Vice-Chairman), Chris Bowring, Stephen Conway, Gary Cowan, John Kaiser and Wayne Smith

Committee Members in Attendance Online: Councillor David Cornish

Councillors Present and Speaking

Councillors: Rachel Bishop-Firth

Officers Present

Callum Wernham, Democratic & Electoral Services Specialist
Kamran Akhter, Principal Highways Development Management Officer
Brian Conlon, Operational Manager - Development Management
Connor Corrigan, Service Manager - Planning and Delivery
Mary Severin, Borough Solicitor

Case Officers Present

Andrew Fletcher
Stefan Fludger
Christopher Howard

19. APOLOGIES

An apology for absence was submitted from Rebecca Margetts.

David Cornish attended the meeting virtually, which meant that he could participate in the discussion but not vote on any items.

20. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 8 June 2022 were confirmed as a correct record and signed by the Chair, subject to removal of duplicate attendance of the Chair and Vice-Chair.

21. DECLARATION OF INTEREST

Stephen Conway declared a prejudicial interest in item number 25, on the grounds that he was now the Executive Member for Housing and he had been in discussions with officers and other Executive Members about this application. Stephen added that he would take no part in this item, and would leave the room for its duration.

22. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

No applications were recommended for deferral, or withdrawn.

23. SHINFIELD FOOTPATH 3 DIVERSION ORDER

Proposal: Application for the diversion of part of Shinfield Footpath 3 under Section 119 Highways Act 1980

Applicant: University of Reading

The Committee considered a report about this Footpath Diversion Order, set out in agenda pages 25 to 32.

Whilst no updates were contained within the Supplementary Planning Agenda, the Committee were verbally advised that the route would contain a gate on point C to stop cattle from reaching the road.

John Kaiser queried whether any substantial trees would be lost as a result of the proposals. Andrew Fletcher, case officer, confirmed that two very small trees would be lost, which had been identified as low value within the tree survey.

Chris Bowring queried whether assurances could be given that the University of Reading would take good care of the kissing gate, and queried alongside John Kaiser whether the upkeep of the new A to C route had been accounted for in the budget. Andrew Fletcher stated that the maintenance of the route would be picked up within the standard public rights of way maintenance budget, whilst maintenance would likely not be required for between three and five years, and a growth bid could be placed in year 3. The kissing gate was owned by the University of Reading and under the Highways Act they were responsible for its maintenance.

David Cornish stated that he always had a cautious approach to moving public rights of way, as they were one of the most ancient civil rights. David queried why a gate could not be placed along a fence in the existing A to B position to allow the landowner to access their land, and queried why a 1.8m security style fence was required if the concern was with regards to the ingress of cattle. Andrew Fletcher stated that the landowner was entitled to fence either side of the footpath so long as they did not encroach upon it, however the landowner felt that this was impractical in its current location as it would not allow them to use the land as effectively. With regards to the fencing, the applicant wished to keep the land secure and were entitled to choose such a design of fence.

RESOLVED That the order be made, subject to no further objections being received, or if objections were received that the order be sent to the Secretary of State for confirmation.

24. APPLICATION NO.220175 - HOGWOOD FARM, SHEERLANDS ROAD, ARBORFIELD, RG40 4QY

Proposal: Application for approval of Reserved Matters pursuant to Outline Planning Consent O/2014/2179 (as varied by 181194, dated 14/11/2018). The Reserved Matters comprise details of 157 dwellings across parcels P14 and P15 with access via the Nine Mile Ride Extension (NMRE), associated internal roads, provision of Public Open Space (PG2 and AGS5), sports facilities land and allotments land, together with parking, cycleways, footpaths, landscaping and sustainable urban drainage systems (SuDS). Details of access, appearance, landscaping, layout and scale to be considered.

Applicant: CALA Homes Thames Ltd

The Committee considered a report about this application, set out in agenda pages 33 to 72.

The Committee were advised that updates contained within the Supplementary Planning Agenda included an update to condition 1 to insert updated planning reference numbers.

John Richards, on behalf of the applicant, spoke in support of the application. John stated that this reserved matters application continued the progress of the Finchwood Park site, whilst phase one was nearing full occupation and phases two and three were under construction. John added that this application for phases fourteen and fifteen would open up the eastern part of the site, allowing delivery to significantly advance. John stated that there was a real community at Finchwood Park, with over 150 occupations across both private and affordable tenures, with critical infrastructure including a SANG which would be transferred to Wokingham Borough Council (WBC) and the Nine Mile Ride being delivered. John added that this application sought to deliver a further 157 new homes, with 52 being affordable. A mix of housing types including 3-, 4-, and 5-bedroom family homes would continue the establishment of a diverse new community within the Arborfield SDL. Over 2.5 hectares of open space would be delivered as part of this application, including an area of the highest quality and diversity which would include a trim trail, bridleway, wildflower planting, play area, BMX facility and a pocket park. This application would also unlock strategic sport and recreation provision to be delivered by WBC via CIL, including sports hubs and new allotments. Ten percent of the site's energy requirements would be delivered through the installation of photovoltaic panels, whilst electric vehicle charging points would be installed at every property. John stated that each home would include an incorporated bat box, insect brick, hedgehog hole and native tree planting.

John Kaiser stated that whilst he was supportive of the development at Arborfield, he was concerned by the number of four-bedroom homes being delivered. John added that the strategic market assessment carried out in 2016 stated that no more than twenty-two percent of any homes should be four-bedroom dwellings. John noted that the proposed Toutley development later on in the agenda proposed just seventeen percent of four-bedroom dwellings, whilst this development proposed thirty-three percent. John felt that this was not what the Borough needed. Connor Corrigan, Service Manager - Planning and Delivery, stated that the wider site was delivering 1,500 units and the delivery of affordable units and unit types was looked at across the wider site. As this was an edge of settlement development, it was deemed that the proposed mix was acceptable. John Kaiser queried what guarantees were available that only twenty-two percent of four-bedroom homes would be delivered across the wider site. Connor Corrigan stated that calculations were carried out throughout the development of the wider site, and this also depended on what the market was requiring. Connor added that officers accepted the need for a certain type of housing within the Borough, however this site would be delivered over a period of time and officers assessed each parcel as they came forwards to ensure the right balance was reached. John Kaiser commented that more two and three-bedroom homes were required in the Borough for people who already lived here, as four-bedroom homes tended to attract people from outside the Borough.

Stephen Conway commented that two and three-bedroom homes were clearly needed within the Borough, however this application was part of a much wider site where checks and balances would be carried out. Stephen commented that market housing would help to secure delivery of affordable housing.

David Cornish echoed comments made by John Kaiser, and added that the whole SDL was designed in a different time and the current needs of the Borough needed to be addressed through delivery of such developments. David queried how the landscape management plan would be supervised and enforced. Connor Corrigan stated that the SDL team carried out landscape audits on an annual basis, and the developers were required to replant where issues were found. Connor added that there was not enough resource to check more regularly, whilst some Local Authorities carried out no checks.

Connor stated that WBC's approach was quite successful, and developers had been required to replant trees and in some cases an entirely different species when the wrong species was planted originally.

Andrew Mickleburgh echoed comments made by John Kaiser, however in this particular instance Andrew felt that the reasons given within the public documentation with regards to housing mix were acceptable. Andrew queried whether the access to the allotments and sports facilities would be solely through the residential development, queried whether any emergency access would be provided, and suggested an informative to request that the developers included fruit trees outside of the orchard and additional hedgerows which could include fruit bearing plants. Connor Corrigan stated that officers were trying to avoid vehicles parking towards the south of the allotments and the sports areas, whilst the roads had been built with the expectation people from outside of the development would be using some of the facilities. The developer could not deliver over 100 dwellings without providing emergency access, which was hoped to be delivered when parcels to the northwest were taken forwards.

Gary Cowan asked that officers provide current and up to date figures for the SDL sites with regards to housing mix and affordable housing. Gary welcomed the uplift of 340 trees and the charging points being placed on the site. Gary commented that from his experience on the trees and biodiversity task and finish group, officers had been clear that trees were not checked after planning permission was issued. Gary sought additional details in relation to the link between the A327, Park Lane, and the new Nine Mile Ride extension. Connor Corrigan confirmed that a schedule of SDL delivery could be provided to members, and added that the SDL team checked landscaping compliance in house whereas the development management team did not have the resources to carry out such checks. Kamran Akhter, Principal Highways Development Management Officer, stated that the traffic assessment had been checked at the outline planning stage for the junction at Nine Mile Ride, whilst condition 5 required a second emergency access after the occupation of the 100th unit.

Rachelle Shepherd-DuBey commented that she knew of developments where a large percentage of trees had not survived. Connor Corrigan stated that these checks were carried out on SDL developments, and cited £0.75m worth of trees being replanted in the North Wokingham SDL. Rachelle queried what would determine the emergency access being made into a full access road at a later date. Connor Corrigan stated that policy required an emergency access after the occupation of the 100th units, whilst officers would look at parcels to the north of this site to see if access could be gained.

John Kaiser commented that he would abstain on the vote as he felt that this development was a missed opportunity to meet the current housing needs of the Borough.

Andrew Mickleburgh proposed an additional informative, requesting the developer to include fruit trees outside or in addition to the community orchard, whilst also encouraging the planting of hedgerows which might include fruiting plants. This proposal was seconded by Stephen Conway, carried, and added to the list of informatives.

RESOLVED That application number 220175 be approved, subject to conditions and informatives as set out in agenda pages 34 to 41, updated condition one as set out within the Supplementary Planning Agenda, and additional informative requesting additional fruit trees and hedgerows as resolved by the Committee.

25. APPLICATION NO.211777 - TOUTLEY EAST, LAND ADJACENT TO TOUTLEY DEPOT, WEST OF TWYFORD ROAD, WOKINGHAM, RG41 1XA

Stephen Conway declared a prejudicial interest in this item and subsequently left the room and took no part in the discussion or vote.

Proposal: Outline application for up to 130 residential units and a 70-bed care home (all matters reserved except access to the site).

Applicant: Wokingham Borough Council

The Committee considered a report about this application, set out in agenda pages 73 to 138.

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

- Reference to an additional neighbour comment;
- Extract from the minutes of the meeting held on 11 May 2022 in relation to this application.

Matt Pope, on behalf of the applicant, spoke in support of the application. Matt stated that he was reading out a statement prepared by David Hare, the Executive Member for Health, Wellbeing and Adult Services, who was running late. Matt stated that Toutley East was included as part of the North Wokingham SDL when the Core Strategy was adopted in 2010, and had been expressly promoted for housing within the recent Local Plan Update. The proposals would deliver a positive number of truly affordable housing which would help to meet the projected housing need of the Borough in a very sustainable location with good access to facilities and close to Wokingham Town Centre. Matt added that opportunities would be explored to reduce the carbon footprint of the site in line with the Council's declared climate emergency, in addition to exploring options to improve biodiversity. Matt stated that David Hare was primarily passing comment to champion the proposed specialist dementia care home which was required by Wokingham Borough Council (WBC) immediately. The long-term term trend for those who would require long-term dementia care was set to increase from 160 to 190 in 2025, and to 265 in 2035. Matt added that the impending reforms to adult social care in addition to increasing demand were a storm waiting to happen, and provisions needed to be made to meet this demand. Matt stated that David Hare had a constituent who was asked to leave his care home as he could become violent with staff and other patients, whilst no other care home would want to take him, whereas a WBC dementia care home could meet this type of need. The proposed care home would provide a modern and flexible type of care designed to support personalised care enabling residents to live healthy lives whilst providing better value than current provisions and ensuring enhanced in-Borough service provision for our residents. Matt stated that officers had been working hard to mitigate the problems, and added that David was confident that this facility would provide for the needs of our residents. Away from the prepared statement from David, Matt added that there was nothing of a higher priority for him than providing high quality dementia care ran by WBC.

Rachel Bishop-Firth, Ward Member, spoke in objection to the application. Rachel stated that whilst she was in support of additional social and affordable housing, issues including access and noise still remained unresolved. Rachel stated that residents tended to agree that issues remained, as 36 comments of objection had been received whilst no comments of support had been submitted. Rachel felt that those with the least choice of where to live

should not be placed adjacent to a motorway whereby they could not even open their windows due to excess noise. Rachel added that some gardens would see noise levels over and above acceptable levels, whilst there was currently no bus service in operation. Rachel stated that she would prefer to see the dementia care home and affordable housing placed at a more appropriate site, and added that if the Committee were minded to approve the application that the highways and access issues be made safe.

John Kaiser was of the opinion that this application was a breath of fresh air, with eighty-five percent of homes being one, two, and three bedrooms, with profits re-invested to deliver a much-needed dementia care home.

Wayne Smith felt it was disappointing that not all members managed to attend the site visit, which had proved to be informative. Wayne stated that his concerns had been eased with the suggestion of a 3m high noise bund with tree planting on top. Wayne was of the opinion that work needed to be carried out to the junction of the road in order to reduce speeds, as simply changing the speed limit was very difficult. Wayne commented that a local bus service would be accessible via the new bridge. Connor Corrigan, Service Manager – Planning and Delivery, commented that there would be enough funding for approximately 7 years of a bus service, after which the development should be built out and occupied which could provide the income for the route.

David Cornish applauded the scheme, which made use of a defunct piece of land to provide a high-quality dementia care home. David felt that private purchasers of homes could make their own decision with regards to whether this was the right location for them, whilst the care home was in the hands of expert officers who supported the scheme and felt that it would meet the needs of residents. David sought clarity that the speed limit restriction would be in place on the north side of the bridge. Stefan Fludger, case officer, stated that the extent of the 40MPH limit had not been formalised, however the application rested on reducing the speed limit across the site. There was a condition which required the speed to be reduced, and the extent of where this reduction would occur would be decided upon at that point. Connor Corrigan stated that the 40MPH zone would be pushed back north, most likely past the motorway and this would be finalised at the detailed design stage. Kamran Akhter, Principal Highways Development Management Officer, stated that the new speed limit sign would go on the north side of the bridge under condition 48, whilst a road safety audit would also be required.

Andrew Mickleburgh noted that officers had confirmed that the designation of this site within the draft Local Plan Update and the employment needs assessment were material considerations. Andrew queried whether the 62-bed care home in Winnersh located next to the M4 had seen any concerns raised, and whether any needs of future residents and staff at Toutley could be compromised by its location. Matt Pope, Director of Adult Services, stated that no issues had been raised in relation to the Winnersh site, which was a well-used care home. In relation to Toutley, there were no specific issues identified and the design of the care home would mitigate against any such issues. Matt added that it was a key priority to deliver a brand-new specialist dementia care home within the Borough.

Andrew Mickleburgh queried whether, if approved this evening, actions taken at the reserved matters stage would adequately address issues including noise levels, and queried what would be done to ensure that the junction would be made safe for users from the time that construction began. Stefan Fludger confirmed that condition 13 would require additional details to be submitted with regards to the noise bund if this was deemed to be

required. Stefan added that at present the noise bund was part of the indicative scheme. Each phase of development would require the applicant to submit noise protection measures for the living rooms, bedrooms, and dining rooms. Stefan confirmed that condition 48 required speed limit reduction to be in place prior to commencement of the development. Connor Corrigan stated that this was an outline application which had proposed the upper limits of the residential property number. These number could be reduced if additional space was required for noise suppression measures, or if those properties sat inside an area of unacceptable noise. Noise levels would be checked and monitored throughout development.

Rachelle Shepherd-DuBey commented that whilst a dementia care home was needed, forcing occupants of flats to have their windows closed due to noise levels would not be ideal. Connor Corrigan stated that mitigation measures would be put in place to reduce noise levels, and there were examples of new development within the Borough at a similar distance to the motorway which had mitigation measures in places including noise bunds.

Chris Bowring sought assurances that if in the first instance speed reduction measures were not adequate that they would be fully addressed. Connor Corrigan stated that a road safety audit would be required to be passed. Kamran Akhter stated that this condition was covered by both a road safety audit and a separate traffic regulation order.

Gary Cowan stated that the report made reference to the current Local Plan allocating the site for employment use whilst the Draft Local Plan Update had allocated the site for residential development. Gary emphasised that the Draft Local Plan Update had limited weight against the weight afforded to the existing policy. Garry questioned how there was compelling material consideration to change the usage of the site given that the Draft Local Plan Update carried less weight, and the Planning Committee were not privy to the information regarding the assessment of the site for employment use. Gary stated that as Councillors, members could look beyond the limited scope of planning considerations and ensure the health and wellbeing of residents. Gary raised concerns that this application was being recommended for approval against the current core strategy and prior to a decision being taken by the Executive, which he felt could limit their options for other uses of the site. Gary stated that whilst other developments had been approved next to motorways, those properties were for private buyers whilst families of dementia patients would not have such a choice. Gary felt that approval of this application would undermine the Executive and put the health and wellbeing of residents at risk, and felt that the application should be deferred until such time that the Executive had made a decision. Connor Corrigan confirmed that the planning decision being made was entirely separate from any Executive decision. From a planning policy point of view, officers felt that the site could be built out and issues such as noise could be mitigated against. Advice had been given from care providers that similar sites had been developed and operated successfully, and it was now down to the planning Committee to make a judgement on the suitability of this application based on its planning merits.

Gary Cowan commented that when looking at a planning application on land which WBC owned, the application should be looked at in its entirety. Gary was of the opinion that approving this application would undermine the Executive's ability to make a decision on the use of the land. Gary felt that it would do no harm to defer this decision by one to two months to allow the Executive to make a decision. John Kaiser noted that the Executive Member for Health, Wellbeing and Adult Services and the Director for Adult's Services had spoken in support of this application, and the Executive could still reject the business case should they wish.

Gary Cowan stated that under the Town and Country Planning Act allowed members to have this debate, as this was WBC determining a planning application on its own land. Mary Severin, Borough Solicitor, clarified that the rule that Gary Cowan had read out was in relation to considering information under Part 2 (private) papers, where there was an exemption for the Council's own applications. Mary added that deferral for non-material planning reasons, for example waiting until the Executive had made a decision on the business case, was not an appropriate reason. Gary Cowan stated that the Planning Committee could make any decision that it wished, whether that was based on a material planning decision or not. It would then be up to the applicant, in this case WBC, to decide whether they wished to appeal the decision and allow the Planning Inspectorate to make a judgement. Brian Conlon, Operational Lead – Development Management, stated a material planning reason needed to exist now which did not exist when this application was previously deferred in order for a deferral to be legitimate.

Gary Cowan stated that he would resign from the Planning Committee after the vote on this item.

Wayne Smith felt issues including bollards, lighting, ventilation and the noise bund should return to the Chair and the Vice-Chair for approval.

John Kaiser commented that it was the decision of the Council to change speed limits on roads.

RESOLVED That application number 211777 be approved, subject to conditions and informatives as set out in agenda pages 74 to 92.