

**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON 8 FEBRUARY 2023 FROM 7.00 PM TO 10.27 PM**

Committee Members Present

Councillors: Rachelle Shepherd-DuBey (Chair), Andrew Mickleburgh (Vice-Chair), Chris Bowring, Stephen Conway, David Cornish, John Kaiser, Rebecca Margetts and Alistair Neal

Councillors Present and Speaking

Councillors: Shirley Boyt, Michael Firmager, Maria Gee and Charles Margetts

Officers Present

Kamran Akhter, Principal Highways Development Control Officer
Neil Allen, Head of Legal Services
Brian Conlon, Operational Lead – Development Management
Connor Corrigan, Service Manager - Planning and Delivery
Callum Wernham, Democratic & Electoral Services Specialist

Case Officers Present

Tariq Bailey-Biggs
Andrew Chugg
Adriana Gonzalez
Sophie Morris
Marcus Watts

75. APOLOGIES

An apology for absence was submitted from Councillor Wayne Smith.

76. MINUTES OF PREVIOUS MEETING

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

77. DECLARATION OF INTEREST

David Cornish declared a personal interest in agenda item 83, on the grounds that his daughter was a resident of Sandford Court, however she had not responded to the consultation on this application nor had she discussed the application with David.

Al Neal declared a personal interest in agenda item 82, on the grounds that he received communications from the WATCH Wokingham Group who had made representations regarding this item. Al added that he had only advised the group on the procedures of the Planning Committee, and stated that he came to this meeting with an open mind and would consider all evidence prior to making a judgement.

Stephen Conway declared a personal interest in agenda item 81, on the grounds that he had objected to the inclusion of this site in the draft Local Plan Update. The site had subsequently been included in the update, and Stephen commented that he was approaching this application as a fresh exercise with an open mind, and would consider all evidence prior to reaching a decision.

78. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

Agenda item 84, Land to the South of Cutbush Lane, was withdrawn from the agenda.

79. APPLICATION NO.220663 - LAND SOUTH OF OLD BATH ROAD, SONNING, RG4 6GQ

Proposal: Outline planning application for the proposed erection of 57 dwellings suitable for older persons accommodation following demolition of the existing dwellings (Access, Layout, Scale and Appearance to be considered).

Applicant: Arlington Retirement Lifestyles

The Committee considered a report about this application, set out in agenda pages 25 to 162.

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

- Revised wording in relation to the deferred payment mechanism;
- Clarification that the S106 agreement was well-advanced and would be completed in the coming weeks should planning permission be granted;
- Clarification that the current viability issues were largely as a result of the existing use and structures on the site, resulting in a relatively high site value.

Trefor Fisher, Sonning Parish Council, spoke in objection to the application. Trefor stated that the Parish Council wished to reiterate their very strong objection to this application, including that the site was situated within an unsustainable location. Trefor added that the previous application required £1.6m of affordable housing contributions, whilst this application would only require a fraction of that amount which could set a dangerous precedent for future applications. Trefor stated that the Parish Council hoped that a timely policy change would be implemented by Wokingham Borough Council (WBC) with regards to affordable housing contributions. Trefor thanked WBC Planning officers for their work on this application, in particular for calculating the deferred payment mechanism which appeared to ensure fair affordable housing contributions going forwards should profit uplift occur. Trefor stated that in addition to this application, there were a variety of proposed developments, and developments with planning permission in the locality, which represented massive overdevelopment in what was a historic area.

Michael Firmager, Ward Member, spoke in objection to the application. Michael concurred with the points raised by Sonning Parish Council, and noted the views of local residents and local MP in objecting to this application. Michael questioned who had the final say on whether a development was unprofitable, and was of the opinion that the original application would have been refused if it only offered an affordable housing contribution of £100k. Michael was of the opinion that that this was a substandard and inappropriate development, and asked that the applicant withdraw the application or that the Committee refuse planning permission.

John Kaiser noted that the deferred payment mechanism essentially met the Committee's request from the previous meeting, ensuring that profit uplift made an appropriate contribution to affordable housing payments.

David Cornish commented that Sonning was one of the most expensive parts of the country, and as such property development should be profitable if an appropriate amount was paid for the land. David added that the Committee had pursued this line of enquiry, and were bound by prevailing Government Policy. David urged the Committee, Parish

Council and residents to respond to the Government's ongoing consultation on the NPPF to change how such calculations were carried out for future applications.

Stephen Conway stated that the Committee had taken the issue of viability as far as they could, and subject to the deferred payment mechanism he was minded to support the officer recommendation.

Andrew Mickleburgh queried whether the deferred payment mechanism allowed for up to £1.6m to be paid as affordable housing contributions, and how issues might be resolved throughout the life of the deferred payment mechanism. Andrew Chugg, case officer, confirmed that up to £1.6m of affordable housing contributions could be delivered via the deferred payment mechanism, whilst WBC and the independent valuers would scrutinise the detail regarding any profit uplift.

Al Neal queried if this application would be recommended for approval if it was submitted as a fresh application. Andrew Chugg stated that the situation had changed since the original application was submitted, as WBC could no longer demonstrate a five-year housing land supply. An independent valuation had demonstrated that the development would not be viable in line with the original affordable housing contribution.

David Cornish queried if this application could set a precedent where an application would be approved with full affordable housing contributions, only to be resubmitted at a later date with a lesser contribution and the principle of development established. Andrew Chugg stated that this application did not set a precedent, as each application would be assessed on its own merits at a particular point in time based on all relevant planning policy.

Stephen Conway commented that the built form of this application was very similar to that previously approved, and noted that a deferred payment mechanism was in place which was in accordance with national planning policy.

John Kaiser stated that a sixty-percent share in any profit uplift could prove to be a positive precedent for the Borough going forwards.

John Kaiser proposed that the application be approved as per the officer recommendation, the updated deferred payment mechanism as set out in the Supplementary Planning Agenda, and subject to legal agreement. This was seconded by Stephen Conway.

RESOLVED That application number 220663 be approved, subject to conditions and informatives as set out in agenda pages 29 to 38, the updated deferred payment mechanism as set out in the Supplementary Planning Agenda, and subject to legal agreement.

80. APPLICATION NO.223592 - LAND TO REAR OF 6 JOHNSON DRIVE, FINCHAMPSTEAD

Proposal: Full application for the erection of 5no. dwellings with double garages following removal/demolition of the existing outbuildings

Applicant: Mr Patrick Bancroft

The Committee considered a report about this application, set out in agenda pages 163 to 264.

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

Patrick Bancroft, applicant, spoke in support of the application. Patrick stated that the developer had been building local houses for over 30 years, and the officer report was substantively the same as that previously considered by the Committee. Patrick added that no additional objections had been received, and instead only a costly delay had been realised as a result of the previous deferral. Patrick stated that the application would end the existing brownfield use of the site, provide wildlife corridors, whilst being a significantly different application to the previously refused application for 25 houses. Patrick added that the previous Inspector's decision noted that the site was unsustainable as it was 1000m from the California Crossroad shops, which was marginal when compared to the recommended 800m, with other properties on the road having to travel the same distance. Patrick commented that the proposal would make a meaningful contribution to Wokingham Borough Council's five-year housing land supply, and added that he hoped not to have to appeal the decision in the event of a refusal.

Charles Margetts, Ward Member, commented on the application. Charles stated that the application was outside of the settlement boundary, did not feature within the Finchampstead Neighbourhood Plan, and a previous Inspector had made a very clear statement that the site was unsustainable. Charles contested the statement that 5 houses would make a meaningful difference to WBC's five-year housing land supply. Charles stated that he had previously raised concerns that residents had not been consulted on this application, and he was still in contact with 32 residents who had yet to receive a letter and only knew of this application as it was in the local press. Charles commented that residents deplored the behaviour of the applicant and the blight he had placed on their lives over the past 20 years, however they were realistic that WBC's local plan was on hold, and residents had decided with great reluctance not to oppose the application. Charles asked that the set of conditions put forwards by residents were applied to this application, and expected all conditions to be strictly implemented and monitored.

David Cornish commented that the limited weight applied to the Finchampstead Neighbourhood Plan was not consistent with similar plans within neighbouring Boroughs, and noted that the Parish Council may wish to consider legal advice on this matter. David stated that he had not appreciated a letter from the applicant, which was written in a slightly threatening tone. David added that he respected the view of the residents and would support the proposal.

Rebecca Margetts echoed comments raised by Charles Margetts and David Cornish, and added that she had not found it appropriate for the applicant to consistently remind the Committee of the lack of a five-year housing land supply, which in her opinion was being used as leverage. Rebecca stated that residents had been blighted by the applicant in the past, and this application alongside the associated set of conditions represented a favourable outcome for local residents. Rebecca urged officers to carefully monitor the development of the site and ensure that conditions were being strictly adhered to.

John Kaiser queried if five houses would be of interest to an Inspector in relation to the five-year housing land supply. Andrew Chugg, case officer, stated that it would depend on the situation at that specific point in time, and currently this would be a significant consideration.

Chris Bowring queried if the status of the Finchampstead Neighbourhood Plan had changed, and if so had officers taken this into account. Andrew Chugg stated that the status of the plan had not changed, and the previous statement that the plan attracted moderate weight was an inaccurate statement. Andrew added that the plan currently attracted limited weight, which had been confirmed with the planning policy team.

Chris Bowring proposed that the application be approved as per the officer recommendation. This was seconded by John Kaiser.

RESOLVED That application number 223592 be approved, subject to conditions and informatives as set out in agenda pages 165 to 177, subject to legal agreement.

81. APPLICATION NO.212720 - LAND AT BRIDGE FARM, TWYFORD

Proposal: Outline application (all matters reserved except access to the site) for the development of up to 200 dwellings, including 40% affordable housing and associated infrastructure, open space, biodiversity enhancements, landscaping and green infrastructure, following demolition of existing agricultural buildings. (Means of access into the site from New Bath Road to be considered.)

Applicant: Croudace Homes

The Committee considered a report about this application, set out in agenda pages 265 to 392.

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

- Minor correction to paragraph 2.1;
- Summary of new points raised by an additional letter of objection, and associated officer responses.

Bridget Datcham, Twyford Parish Council, spoke in objection to the application. Bridget stated that whilst the Committee could not fully consider the draft Local Plan Update or Twyford Neighbourhood Plan, the policies within the neighbourhood plan were worthy and did not support this application. Bridget stated that the forty-percent affordable housing would be welcome, however there was no mention of working with a housing association, whilst it was also critical that the first homes policy within the neighbourhood plan was adhered to. Bridget added that Twyford needed expanded facilities to meet the needs of existing and future residents in addition to residents of surrounding areas. There was a serious concern that properties to the south of Twyford would be seriously restricted in terms of gaining a place at the Piggott School as a direct result of this development. Bridget stated that the proposed roundabout would cause congestion at peak times, whilst present traffic may prefer to use an east to west route which conflicted with the Parish Councils plans to regenerate the village centre to create a more pedestrian friendly environment. Bridget added that the amendments to the access routes to the south of the proposed development would aid pedestrians and cyclists, however this would not resolve the difficulties they would experience once they existed onto the south of the Wargrave Road where pavements were narrow and the sight lines were difficult. Bridget felt that whilst the proposed crossing on the A4 was an improvement, it was not an adequate solution for the safety of students at peak traffic times. Bridget urged the Committee to take note of comprehensive submissions from residents regarding flooding and mineral deposits on the site. Bridget noted that there was no mention of re-wilding within the plans.

Lilian Pearson Bishop, resident, spoke in objection of the application. Lilian was of the opinion that the development would bring 200 houses, 400 cars and 800 people to the area, and added that the Bridge Farm site was neither safe nor suitable for such a development, and would be detrimental for residents of surrounding villages. Lilian stated that the traffic modelling suggested that the A4/321 roundabout would have spare capacity, and referenced images of the roundabout being heavily congested whilst children were walking alongside the congested road, breathing in emissions. Lilian stated that this development would only worsen the existing congestion, whilst more accidents would be commonplace as drivers would get frustrated and take more risks. Lilian referenced a young boy who had his jaw broken by a vehicle with a large wingmirror on this stretch of road. Lilian stated that there had been over 250 road accidents within a ten-year period between Charvil and Hare Hatch, the majority of which had occurred on the A4. Lilian stated that additional vehicle emissions would cause more respiratory illnesses and asthma, and questioned where additional GPs would be located to deal with these increased cases. Lilian was of the opinion that this development would result in additional emissions, which would be detrimental for existing residents. Lilian added that the proposed drainage strategy relied on water naturally draining through the ground, whilst much of the site had a high water table especially near the Rover Loddon. Lilian asked that the Committee refuse the application.

Chris Roberts, agent, spoke in support of the application. Chris stated that each reason for deferral had been thoroughly addressed, and the applicant had collaborated with the Council in a positive manner. The proposals now included widening of existing and proposed pedestrian and cyclist infrastructure on the A4 in accordance with LTN 1/20, taking into account existing constraints. The pinch point on the bridge was proposed to be addressed, representing an improvement to the current situation which had been endorsed by highways officers as a sensible approach. A range of footpath, signage and speed control improvements were proposed along the southern Wargrave Road pedestrian access into the site, which was also endorsed by highways officers. Chris stated that all new homes would be built to the future homes standard in accordance with the interim position statement adopted by the Council in December, and would represent the most sustainable homes ever built by the developer. Chris added that the S106 contribution of £20,000 could be used at the Council's discretion for air quality monitoring or anti-idling campaigns. Chris stated that all traffic modelling had been carried out in accordance with the Council's strategic transport modelling, and had been endorsed by highways officers. Clarification had been provided that the development was unlikely to deprive existing pupils within the Piggott catchment a place at the school. All of these benefits were in addition to benefits previously highlighted in December, including a thirty-percent biodiversity net gain, planting of 350 trees, and forty-percent affordable housing to be managed from an association on the approved list.

Stephen Conway thanked the case officer for a thorough report and for their engagement with the applicant to resolve a number of concerns. Stephen added that most of the remaining concerns related to the cumulative impact of development along the A4 corridor, leading to pressure on schools, GPs and other infrastructure. Many statutory consultees had not objected to this development, and the Committee were constrained by the planning system and the expert testimony provided in support of many aspects of this application. Stephen noted that whilst this site was included within the draft Local Plan Update, this was not adopted and the officer report stated that the site should be regarded as unallocated and judged against the existing policies within the Local Plan. Whilst policies CP9, CP11 and MD CC02 all emphasised the avoidance of development outside

of settlement boundaries within the countryside, the tilted balance as a result of a lack of demonstrable five-year housing land supply was now in effect. Stephen referenced NPPF 11D, which tilted the balance in favour of development unless the site was a protected site or the harm done would demonstrably outweigh the benefits. Stephen stated that the site was not a protected site, and whilst most of the site sat in flood zone 3A the Environment Agency had not objected to the proposals which meant that this could not be pursued as a reasonable reason for refusal. The application would deliver two key benefits, those being delivery of affordable housing and carbon neutral homes. Stephen felt that whilst these benefits were very welcome, they were not tangible compared to the harm of the development. Stephen stated that this development would preclude future extraction of minerals which was contrary to NPPF 210C, whilst the site also featured within the minerals and waste local plan as a mineral safeguarding area. Stephen stated that NPPF 174B required planning decisions to recognise the economic and other benefits of best and most versatile agricultural land. Stephen stated that the site included grade 2 and grade 3a land, which were very good and good land. As such, Stephen was of the opinion that the application was contrary to NPPF sections 210C and 174B, which was especially pertinent as the application was now being assessed against the NPPF due to the lack of a five-year housing land supply.

Andrew Mickleburgh thanked the case officer and registered speakers, and noted the responses given to the previous six reasons for deferral. Andrew hoped that other developers would apply the future homes standard, and noted the photographs showing congestion on the A4. Andrew sought details regarding the impact of the loss of agricultural land, and sought details regarding the mineral safeguarding area. Sophie Morris, case officer, stated that the site consisted of 8.7 hectares of best or most versatile agricultural land, and Natural England had not objected to the development on that basis. Sophie stated that the loss of agricultural land was not so significant given the lack of a five-year housing land supply, and recent appeal decisions had highlighted the weight placed on additional housing numbers by Inspectors. With regards to mineral extraction, the applicant had provided details regarding the possibility of prior extraction of minerals, however the site was too small to be economically viable for this sole purpose. Local mineral operators had been approached and they had indicated that they may be interested in taking minerals and processing elsewhere but they would not set up on the site. Policy DM9 in the minerals and waste plan acknowledged the process of extraction of minerals could be harmful, and as such a minimum buffer zone of 100m was required. Taking into account a 100m buffer zone to the nearest residential property, the operational area for extraction would be approximately one hectare which was not commercially viable.

Rebecca Margetts felt that the application should encourage the use of green travel, and questioned the traffic modelling data. Rebecca sought clarification regarding the access to the site. Connor Corrigan, Service Manager - Planning and Delivery, stated that there was access via the roundabout and a secondary access point. The access met the transport tests whilst the modelling was based on the most current datasets. Connor added that whilst there was some congestion in the locality and this development would add a number of vehicles, these vehicles would disperse throughout the site which would minimise the impact. Kamran Akhter, Principal Highways Development Control Officer, stated that the modelling showed that fifty-percent of traffic would go via the roundabout, with 44 AM peak trips as the worst case scenario. The threshold for congestion had not been met, and showed that there would be capacity at the roundabout to accommodate these additional vehicles.

Rachelle Shepherd-DuBey queried how the tilted balance impacted this application, and what impacts on air quality had been considered as a result of the proposed development. Sophie Morris stated that any scheme would have some harmful elements, and the tilted balance meant that these harmful elements needed to demonstrably outweigh the benefits of the scheme. The officer view was that any harm would not outweigh the benefits delivered by the scheme. Sophie added that the scheme would not solve the issue of a lack of five-year housing land supply, but it would contribute towards a solution. The air quality assessment was reviewed by the environment officer who had concluded that the impacts of the proposed development would not result in demonstrably harmful impacts, whilst the £20,000 S106 contribution could be used to assist with air quality monitoring.

John Kaiser queried whether approving this site could impact on other sites who were expecting to be included within the local plan update. Connor Corrigan stated that the tilted balance required local authorities to get back to a position where they could demonstrate a five-year housing land supply, and other much less sustainable locations had been granted planning permission by Inspectors on this basis.

David Cornish commented that it was unfortunate that the Twyford Neighbourhood Plan did not oppose this particular site. David stated that any development would only contribute to a small percentage increase in vehicular traffic, however there were a number of new developments using the same road infrastructure including the application for 57 flats approved earlier this evening. David queried where was the trigger point for the cumulative impact on the road network from developments. Connor Corrigan stated that industry standard modelling had been used, and had demonstrated that this development would not impact the road network to the extent where a refusal would be warranted. Kamran Akhter stated that in addition to the traffic modelling, the applicant had undertaken a traffic survey to validate the model. Kamran added that the modelling indicated that the development would not breach the threshold for congestion at the junction, meaning that the junction was under capacity.

Stephen Conway questioned the sustainability of the site as residents of dwellings towards the north of the site were very unlikely to walk or cycle to the railway station, and would instead get a lift which would generate four trips through congested roads from each property. Stephen noted that if the application was refused an appealed, all interested parties would have the opportunity to present evidence for the Inspector to make a judgement on. Stephen noted that NPPF 11D II stated that applications were required to be assessed against the policies within this framework, which included the previously mentioned NPPF 210C and NPPF 174B.

Chris Bowring commented that the Committee were required to demonstrate the harm against the benefits of the proposed development, and was of the opinion that the case officer had covered the points regarding mineral extraction and use of agricultural land.

John Kaiser sought clarity regarding the loss of agricultural land and the use of the site as a safeguarded mineral extraction site. Connor Corrigan stated that the site would only allow for a very small area of mineral extraction, which could possibly incur an objection from Network Rail, and would necessitate the need for large HGVs to facilitate extraction. 8.7 hectares of best or most versatile agricultural land was available, and it was questionable as to whether this would be a viable site for agricultural purposes. Balanced against this were the tilted balance, provision of affordable housing, and the point that this site had featured in both Local Plan Updates.

Stephen Conway proposed that the application be refused as it was contrary to NPPF 210C and NPPF 174B. This proposal was not seconded, and as such the motion fell.

Andrew Mickleburgh proposed that the application be approved as per the officer recommendation. This was Seconded by Rachelle-Shepherd-DuBey.

Stephen Conway asked that his vote, against the motion to approve the application, be recorded in the minutes.

RESOLVED That application number 212720 be approved, subject to conditions and informatives as set out in agenda pages 276 to 297, subject to legal agreement.

82. APPLICATION NO.223493 - TAN HOUSE FOOTBRIDGE, WOKINGHAM

Proposal: Application for Prior Approval under Part 18, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the erection of a single span footbridge following demolition of 2 existing footbridges.

Applicant: Network Rail

The Committee considered a report about this application, set out in agenda pages 393 to 418.

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

- Minor correction to paragraph 9, to include the word 'not';
- Reference to a supplementary statement received from the Applicant;
- An updated statement from Wokingham Borough Council's (WBC's) Highways department.

Imogen Shepherd-DuBey, Wokingham Town Council, spoke in objection to the application. Imogen stated that the Town Council would support measures to include ramped access within the final designs. Imogen added that the Town Council still had concerns over the use of perforated steel, which was notoriously hard to clean graffiti from.

Alex Cran, resident, spoke in objection to the application. Alex thanked the Committee for raising issues relating to the design and appearance of the bridge at the previous meeting, which had encouraged the applicant to consider a more suitable design. Alex stated that Members had represented the strong community feelings on this issue, and had proved that differences could be made even when faced with restrictive legislation. Alex hoped that additional progress could be made if the Council could acquire additional land to enable ramped access to be installed, and asked that Wokingham Borough Council (WBC) undertake all possible works to enable the right bridge to be delivered within tight timescales.

Natalie Wilson, resident, spoke in objection to the application. Natalie thanked the Committee for their support at the previous meeting, and felt that the deferral had allowed for meaningful differences to be made to this application. Natalie was of the opinion that the existing temporary structure should not be the baseline used to determine whether the new structure was an improvement in terms of design and accessibility. Natalie implored all parties to deliver the correct bridge at the first attempt within tight timescales, and

stated that she and other residents were dreaming of more active travel facilitated by the delivery of an accessible bridge.

Damian Haynus, applicant, spoke in support of the application. Damian stated that the position of the applicant was that there were no permissible reasons to refuse prior approval. Damian added that Network Rail had agreed to the previous deferral to allow the opportunity to address some of the concerns raised at the previous Committee. Damian stated that Network Rail were an arm's length public body, and contrary to some of the views expressed the applicant was not required to take positive steps towards equality but to have due regard to protected characteristics. In the exercise of this duty, a diversity impact assessment had been carried out to estimate the level of detriment to users via the provision of a footbridge in place of the level crossing. To the fundamental question of should crossings over the railway be accessible, the answer would always be yes. Damian stated that the memorandum of understanding entered into between WBC and Network Rail set up the framework for collaboration between the two parties, and a subsequent diversity impact assessment had been undertaken for the impacts as a result of a move from two bridges to a single span footbridge. Damian stated that a single span footbridge was a material improvement compared to the current arrangement, and the design would allow for retrofitting of ramps whilst a feasibility study was underway to see if this was possible. Damian asked that the Committee grant prior approval.

David Cornish was of the opinion that the Planning Committee was working at their best when considering this item at the last Committee. David hoped that an accessible bridge could be delivered in very tight timescales with each party working towards this goal.

John Kaiser stated that the Committee had gone as far as they could on this issue, and urged WBC, Network Rail and Wokingham Town Council to continue engagement to deliver an accessible footbridge.

Al Neal commented that if the bridge was not delivered and the right of way was lost, that would be a devastating situation.

John Kaiser proposed that the application be approved as per the officer recommendation and subject to ongoing engagement between Wokingham Borough Council, Wokingham Town Council and Network Rail. This was seconded by David Cornish.

RESOLVED That application number 223493 be approved, subject to informatives as set out on agenda pages 397 to 398, and subject to ongoing engagement between Wokingham Borough Council, Wokingham Town Council and Network Rail.

83. APPLICATION NO.222367 - LIBRARY PARADE, CROCKHAMWELL ROAD, WOODLEY

Proposal: Full application for the proposed creation of a mixed use building consisting of the retention of the existing 3 no. retail stores at ground floor level and the addition of 16 no. apartments on new first, second and third floor levels, including the erection of three and four storey rear extensions with associated car parking, cycle and bin stores, following partial demolition of the existing building.

Applicant: Mr Hardeep Hans

The Committee considered a report about this application, set out in agenda pages 419 to 470.

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

- Clarification to paragraph 64 to note that all 10 car parking spaces would have facilities for electric vehicle charging;
- Clarification that the applicant's energy consultants had indicated that the development could achieve CO₂ savings of approximately 65 percent over the Building Regulations Part L (2021) baseline, exceeding Council policy requirements;
- Comment that re-commencement conditions 3, 5 and 11 would cover materials, landscaping and boundary treatments, and would include CGI images;
- Clarification regarding the 'wind tunnel' effect referred to by third parties;
- Additional condition 23 in relation to window shutter details.

Bill Soane, Woodley Town Council, spoke in objection to the application. Bill stated that the four storey building would overlook the neighbouring Beechwood Primary School, whilst all but five of the dedicated car parking spaces would be removed. At present, there was space for 18 car parking spaces for five retail units. Bill added that only having five spaces for the retail units could result in staff of the retail units having to pay for public parking, at a considerable cost per day. Bill felt that this proposal would therefore have a negative impact on local businesses, and noted that a 'wind tunnel' effect was still possible to increase as a result of this application. Bill asked that the application be approved, as it was not in the best interests of local businesses or residents.

Bruce Chappell, resident, spoke in objection to the application. Bruce stated that he lived in one of the flats above the Lidl building with his daughter, directly opposite Library Parade. Bruce added that one of reasons he purchased his property was due to the amenity space and privacy offered due to the building's height, in addition to a quiet balcony. Bruce stated that he was shocked to see the addition of an extra floor at the proposed development, with windows directly opposite both his and his daughter's bedroom, which would result in a total invasion of their privacy. Bruce added that whilst the distance between two dwellings was within planning guidelines, in his opinion the separation between the existing building and the proposed development was inadequate. Bruce commented that he would have been happy for a planning officer to visit his property and assess the impact of the potential development, however this had not happened. Bruce noted the potential detrimental impact on the value of his property in the future as a direct result of the proposed development, whilst he would also be subject to loss of light and additional noise pollution. Bruce stated that as a shift worker, peace and quiet were very important to him and this development would be harmful in that regard. Bruce concluded that he was not opposed to development however this application represented overdevelopment in his view.

Paul Butt, agent, spoke in support of the application. Paul stated that he had been impressed by the town centre offering in Woodley, and was of the opinion that the height of the proposed development was not out of keeping with the surrounding area. Paul added that there had been recent investment into the existing retail units which would be retained as part of this development, whilst the height of the development would be comparable to the height of the building opposite as that building and the flats above it were commercial in height. Paul stated that there were two flats set back on top of the Lidl building, and the internal relationship between those and the proposed development had been carefully considered. Paul thanked planning officers for their engagement on this matter following a site meeting and internal viewing, which resulted in the amended plans

being considered this evening. Paul added that benefits of the development included delivery of 16 flats on a brownfield site including 5 affordable units, including two wheelchair accessible flats each with a disabled car parking space. Paul commented that all 10 of the car parking spaces for residential use would include facilities for electric vehicle charging, whilst the 5 retail units were as a result of the lease with the applicant. Paul stated that the energy consultant for the application had commented that CO₂ savings of sixty-five percent over and above building regulations could be achieved, which was in excess of Council policy.

Shirley Boyt, Ward Member, spoke in objection to the application. Shirley stated that it was vital for dwellings to provide generous living space, especially where private amenity space was in short supply. Shirley added that only 9 of the 16 proposed apartments had a balcony, which was not in accordance with R16 of the Borough Design Guide. Shirley felt that the quality of life for future residents would be greatly improved if there were fewer apartments, each having access to a balcony. Shirley stated that the proposed lift was to be located at the opposite end of the building to the accessible apartments, meaning wheelchair users would need to navigate the entire length of the building in an area mostly exposed to the elements. Shirley hoped that the inclusion of bathrooms on the plans for the accessible units was a mistake, as these should be fitted with level access wet rooms. Shirley was of the opinion that car parking provision was inadequate, with 16 apartments only attracting 10 resident car parking spaces, two of which were to be allocated to the accessible units. Shirley felt that the remaining units would not be car free, and residents would be forced to park in adjacent streets to the detriment of existing residents. Shirley added that retail staff would also be forced to find alternative parking, possibly in residential streets, and questioned where large delivery vehicles would park to unload for the shops on Library Parade. Shirley queried why the extraction, heating and cooling units servicing businesses at Library Parade were not shown on the plans as there would be required to relocate as part of this development. Shirley asked that the application be deferred to allow the aforementioned issues to be addressed.

Andrew Mickleburgh queried whether there would be an offsite contribution to affordable housing as forty-percent of the proposed 16 dwellings should result in 6.4 units rather than the proposed 5, queried whether the affordable units should reflect the housing mix of one and two bedroom units, queried the parking requirements for the three retail units, and queried when would be a sound case for moving against car parking standards for residential units. Adriana Gonzalez, case officer, stated that Wokingham Borough Council's (WBC's) affordable housing team had assessed the proposals for the amount and mix of units and had found them to be acceptable, whilst the details of affordable housing contribution would be contained within the S106 agreement. Adriana stated that the car parking was informally used by retail staff and the public, whilst there was already a departure of 27 spaces currently for the existing use of the building. Adriana added that car park free units were not uncommon in very sustainable locations, and noted that all of the flats above the Lidl building were car free. Kamran Akhter, Principal Highways Development Control Officer, stated that this was a very sustainable location with public car parking available in the locality, whilst a car parking management plan would be conditioned.

Stephen Conway commented that the WBC housing team would most likely have considered the two accessible units as part of the applicant's affordable housing contribution. Stephen felt that a site visit may prove informative to Members to assess the context of the site in relation to its surroundings.

Stephen Conway proposed that the application be deferred to allow a site visit to assess the impact of the proposed development on neighbouring properties. This was seconded by Andrew Mickleburgh.

RESOLVED That the application be deferred to allow a site visit to assess the impact of the proposed development on neighbouring properties.

84. APPLICATION NO.222906 - LAND SOUTH OF CUTBUSH LANE, WEST OF OLDHOUSE FARM LANE AND GATEWAY PLOT 4 AT TVSP

This item was withdrawn from the agenda.

85. APPLICATION NO.223348 - "ADDINGTON SCHOOL", WOODLANDS AVENUE, WOODLEY, WOKINGHAM

Proposal: Full planning application for a single-storey modular building erected on hard standing(94m2 footprint)with external access ramp and steps. For a period of up to three years including minor alterations to landscaping.

Applicant: Wokingham Borough Council (WBC)

The Committee considered a report about this application, set out in agenda pages 509 to 540.

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

Stephen Conway commented that this application would increase the provision of Special Educational Needs places within the Borough, which was very positive.

Stephen Conway proposed that the application be approved in line with the officer recommendation. This was seconded by John Kaiser.

RESOLVED That application number 223348 be approved, subject to conditions and informatives as set out in agenda pages 516 to 517.

86. APPLICATION NO.223565 - 14 PARK ROAD, WOKINGHAM

Proposal: Householder application for the proposed part single storey rear extension and part first floor front extension, including the conversion of the garage into habitable accommodation, additional fenestration and cycle storage.

Applicant: Mr Alex Moore

The Committee considered a report about this application, set out in agenda pages 541 to 558.

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

Stephen Conway stated that this application was only at Committee to provide complete transparency regarding the grant of planning permission for an officer or the relative of an officer of the planning department. Stephen added that he saw no planning issues with the proposal, and noted that neither the Town Council nor residents had objected.

Stephen Conway proposed that the application be approved as per the officer recommendation. This was seconded by John Kaiser.

RESOLVED That application number 223565 be approved, subject to conditions and informatives as set out in agenda page 546.

87. APPLICATION NO.223023 - "BUCKHURST COURT", LONDON ROAD, WOKINGHAM

Proposal: Full application for the proposed change of use from office (Class E) to private school (Class F1), including installation of playground, play equipment and erection of additional fencing.

Applicant: Mrs Kashyap

The Committee considered a report about this application, set out in agenda pages 559 to 590.

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

Tariq Bailey-Biggs, case officer, advised the Committee that an additional condition was proposed, requiring a remediation scheme in the event that contamination was found on the site at any time during development.

Charu Kashyap, applicant, spoke in support of the application. Charu thanked the planning officer for visiting the site and producing a comprehensive report. Charu stated that the applicant had instructed their legal team to work alongside the Council to agree the S106 agreement should approval be granted. Charu added that the proposal would propose a small and unique learning environment for children who had experienced poor educational experiences within mainstream settings. Charu stated that they were committed to make a significant financial investment to deliver a warm, nurturing, unique and high quality learning environment. Over 50 consultations had been received for places at the school, and a waiting list was already in operation for September. This school would be both a private school and an independent school for children who had no other education options or who were in provisions where their needs were not being met. Charu stated that at least thirty percent of student referred to them were of compulsory school age and were not currently within education. Charu noted the points of objection raised by a local Ward Member, and clarified that the school would only be able to being operation once OFSTED were satisfied that the school could be operated safely. Charu added that she would welcome an opportunity to meet with the Ward Member on site, to allay and remaining concerns. Charu asked that the application be approved.

Maria Gee, Ward Member, spoke in objection to the application. Maria stated that there had been a statutory consultee objection from Wokingham Town Council. Maria added that there were issues in relation to pedestrian access and car pollution for those accessing the site by foot. Maria questioned whether the application should have been validated in the first instance by Wokingham Borough Council (WBC), and raised concern as to the lack of detail on dimensions which made it difficult to assess how children would be catered for. Maria queried whether the applicant had considered that should the site have been over one hectare then it would have required a flood risk assessment. Maria felt that this site should have been assessed via a land contamination assessment as it was one of 840 potentially contaminated sites within the Borough. Maria felt that the statement

within the planning application that outlined that there were no users of the site who were particularly vulnerable to contamination was incorrect. Maria added that there was a considerable amount of confusion as to how staff and pupils might access the site, as the access statement had shown that only one pupil lived within a walkable distance. Maria stated that correspondence with the planning consultant had clarified that no pupils would be walking or cycling along this road, suggesting that the site was unsustainable. Maria questioned whether the proposal would enhance and maintain the vitality of the local community and economy, as there were no local facilities. Maria raised concern regarding the transport management proposals, which appeared to rely on temporary measures to control vehicle and pedestrian access to the site. Maria was of the opinion that the site was not safe for pupils to access, and commented that this stretch of London Road was an adopted highway and she had found no evidence that the Council was in discussion with the applicant. Maria asked that the application be refused, due to inaccuracies within the application and a lack of a land contamination assessment.

At this point of the meeting, Stephen Conway proposed that the end time of the meeting be extended by a maximum of 30 minutes until 11pm. This was seconded by Andrew Mickleburgh, and upon being put to the vote the motion was carried.

Rachelle Shepherd-DuBey commented that the Borough needed additional Special Educational Needs (SEN) capacity, and hoped that pupils of the Borough would be accepted.

Rebecca Margetts queried what would happen if the air quality management results came back as unsuitable. Tariq Bailey-Biggs stated that the development could not commence until a mitigation strategy was in place, which was also the case for any instances of contamination.

David Cornish noted the clear need for additional SEN places within the Borough, and sought officer insight as to which of the issues raised by Maria Gee were valid. Tariq Bailey Biggs stated that the Council's SEN officer had not objected to the proposals, whilst the applicant would be required to adhere to planning policies, separate SEN statutory legislation, and OFSTED requirements. Tariq added that many of the issues raised during public speaking were matters for Building Control, and would be dealt with via that separate function.

Stephen Conway stated that there was a real need for additional SEN places within the Borough as a result of under provision, and was confident that issues raised during public speaking would be addressed via conditions, Building Control Regulations, and separate legislation specific to SEN schools and OFSTED requirements.

Stephen Conway proposed that the application be approved in line with the officer recommendation, including the additional condition in relation to a remediation scheme in the event that contamination was found on the site at any time during development, and subject to legal agreement. This was seconded by John Kaiser.

RESOLVED That application number 223023 be approved, subject to conditions and informatives as set out in agenda pages 569 to 574, additional condition in relation to a remediation scheme in the event that contamination was found on the site at any time during development, and subject to legal agreement.

88. EXCLUSION OF THE PUBLIC

The Committee did not move into a Part 2 session.