

**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON 12 JANUARY 2022 FROM 7.00 PM TO 9.10 PM**

Committee Members Present

Councillors: Chris Bowring (Chairman), Angus Ross (Vice-Chairman), Sam Akhtar, Stephen Conway, Carl Doran, Pauline Jorgensen, Andrew Mickleburgh, Rachelle Shepherd-DuBey and Bill Soane

Councillors Present and Speaking

Councillors: Peter Dennis and David Hare

Officers Present

Connor Corrigan, Service Manager - Planning and Delivery
Chris Easton, Head of Transport, Drainage, and Compliance
Lyndsay Jennings, Senior Solicitor
Callum Wernham, Democratic & Electoral Services Specialist

Case Officers Present

Joanna Carter
Baldeep Pulahi
Simon Taylor

63. APOLOGIES

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

64. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 8 December 2021 were confirmed as a correct record and signed by the Chairman.

65. DECLARATION OF INTEREST

Bill Soane stated that he had listed item number 69, application number 213520, as residents have raised concerns regarding access to and from the proposed development site. Bill added that he had an open mind with regards to the proposal and would consider it purely based on its planning merits, what is said at the Committee meeting by the parties and by the members of the Planning Committee.

Andrew Mickleburgh stated that Earley Town Council's Planning Committee had considered item number 70, application number 213457, who had made a recommendation of refusal. Andrew added that he had not taken any part in that particular discussion or vote, and had not formed a view with regards to this application.

66. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

No applications were recommended for deferral, or withdrawn.

67. APPLICATION NO.203544 - LAND TO THE WEST OF ST ANNES DRIVE AND SOUTH OF LONDON ROAD, WOKINGHAM, RG40 1PB

Proposal: Full application for the proposed erection of 54 units (including 19 affordable homes) with associated access road from St Anne's Drive, landscaping and open space.

Applicant: Beaulieu Homes

The Committee considered a report about this application, set out in supplementary agenda pages 3 to 4.

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

Peter Dennis, Ward Member, commented on the item. Peter stated that the minutes of the previous meeting made note of impact on the visual amenity should the proposals go ahead, and Peter felt that this should be reflected in the reasons for refusal. Peter added that this area was indicated as greenspace within the Southern Development Land Opportunity, which went against the principle of the SDL.

Joanna Carter, case officer, stated that one of the agreed reasons for refusal stated that the adverse impact on protected trees and the loss thereof would also lead to the adverse impact on the visual amenity of the green route and the local area.

RESOLVED That the additional reasons for refusal as set out on page 4 of the supplementary agenda be agreed.

68. APPLICATION NO: 212350 - THE SAPPHIRE CENTRE, FISHPONDS ROAD, WOKINGHAM, RG41 2QL

Proposal: Full application for the proposed erection of a new 3No storey commercial building following partial demolition of existing building and reconfiguration of site to include additional parking

Applicant: Apacor Ltd

The Committee considered a report about this application, set out in agenda pages 17 to 56.

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

- Amendment to condition 12;
- Updated paragraph 30 in relation to car parking.

Tom Sadler, on behalf of the applicant, spoke in support of the application. Tom stated that the applicant was the owner and occupier of the premises, and manufactured a range of diagnostic equipment which were key in the fight against Covid-19. Tom added that the company was at critical capacity and required additional space in order to increase production capabilities. Tom stated that the proposals were in accordance with planning policy, and the quicker the extension works could be carried out the better outcome for everybody.

Carl Doran queried whether any additional jobs would be created or lost as a result of the proposals, and queried the height of the surrounding buildings. Baldeep Pulahi, case officer, stated that there were no proposed changes to the numbers of full time equivalent staff. Baldeep added that given the context and location of the area, the increase in building height of the proposal would not be a detriment to the surrounding area.

Andrew Mickleburgh queried where the intended entry and exit points would be located as this may have implications on the location on the bin storage area, in order to allow refuse vehicles to be able to exit the site without the need to reverse onto Fishponds Road. Baldeep Pulahi confirmed that the bin storage was secured by condition, and the final location had not been finalised and the ease of collection would be a consideration when deciding this. Chris Easton, Head of Transport, Drainage, and Compliance, stated that some swept path analysis had been provided, and the site would be serviced via a private refuse collection service. Chris added that the likely location would not be too dissimilar to now, and the refuse vehicles currently reversed into the site.

Rachelle Shepherd-DuBey queried how many local apprentices would be employed at the site. Baldeep Pulahi stated that these details would be secured by the employment skills plan.

Angus Ross queried why the proposals included an additional 27 car parking spaces whilst staff numbers were not proposed to increase. Chris Easton stated that the proposed increase in car parking spaces complied with the typical use for a B2 use case. Tom Sadler commented that the proposals would not lead to any loss of staff, and there were possibilities to increase staffing number once the expansion had been approved and completed. Tom added that the additional car parking space would future proof the site.

Rachelle Shepherd-DuBey commented that she was pleased to see the site being retained as an employment space.

Stephen Conway commented that he was not in favour of any restrictions to the number of employees allowed to work on the site. Stephen added that he was pleased with the proposals, and felt that the building was located in a sustainable location and the proposals were in keeping with the surrounding area.

RESOLVED That application number 212350 be approved, subject to conditions and informatives as set out in agenda pages 18 to 25, and amended condition 12 as set out in the Supplementary Planning Agenda.

69. APPLICATION NO.213520 - 99 COLEMANS MOOR ROAD, WOODLEY

Proposal: Full application for the proposed erection of 2 no. three bedroom dwellings with associated parking, following demolition of the existing dwellinghouse.

Applicant: David and Carol Row

The Committee considered a report about this application, set out in agenda pages 57 to 92.

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

Andy McKinnon, resident, spoke in objection to the application. Andy stated that the road where access was proposed was not adopted, and residents paid for the upkeep of the road. Andy added that there was no footpath to the property as shown within the planning documentation, where a grassed area was situated. Andy stated that residents' main objection was in relation to the increased construction traffic which had never been planned for in addition to increased vehicle movements via the creation of two properties which could accommodate 5 vehicles.

Baldeep Pulahi, case officer, commented that condition 4 required a construction management plan in the event of approval of the application.

Bill Soane stated that construction vehicles parked on Colemans Moor Road during the development at the rear which had caused chaos, and residents feared that this may continue with the approval of this application. Bill added that the bus stop had been moved during the construction phase of the development to the rear of the application, and queried whether this could occur should approval be granted for this application. Bill queried how construction vehicles would access the proposed site. Chris Easton, Head of Transport, Drainage and, Compliance, stated that the development to the rear was much larger in scale which resulted in the bus stop being temporarily relocated. Chris stated that rights of access to the private road was a civil matter, and added that construction management was secured by condition.

Pauline Jorgensen queried whether there was any significance to the 3rd room being classed as a study rather than as a bedroom. Baldeep Pulahi stated that all rooms including the study met space requirements for a bedroom, and it was not reasonable to condition the room to be kept as a study. Baldeep added that the scheme in front of the Committee was based off of the plans as submitted. Connor Corrigan, Service Manager – Planning and Delivery, stated that the studies could be converted into a bedroom, and the properties had sufficient car parking to meet the standards should the applicant or future owners wish to do so.

Rachelle Shepherd-DuBey suggested that the future owners strongly consider joining the association to contribute to the upkeep of the road, should the application be approved.

Stephen Conway commented that the planning application was for two dwellings, and access to a private road was a civil matter. Stephen added that the Committee had to judge the application based on its planning merits.

Andrew Mickleburgh queried whether Wokingham Borough Council (WBC) could be challenged by the owners of the private road for granting planning permission where access was not controlled by WBC, and queried what was meant by the statement that notice (certificate B) had been served to the developer of Loddon Gardens in relation to access requirements. Lyndsay Jennings, Senior Solicitor, stated that the NPPF was clear that development should only be refused on highways grounds if there was an unacceptable impact on highway safety, and the ability to actually access to and from this development site was a private issue as it was a private road. As such, it was very unlikely that WBC would become involved in a private civil matter. Baldeep Pulahi stated that certificate B had been serviced as it was a private road and the developer did not own the road.

Andrew Mickleburgh sought confirmation that the access road was no narrower than similar residential roads to enable safe reversing into the properties, queried why sustainability measures were suggested rather than committed to, and queried whether an energy statement should be required for a development of this scale. Chris Easton stated that the proposed parking bays would be off of the carriageway, and the design was not atypical from other similar developments. Chris added that the Highway Code suggested that road users reversed in to their driveways. Baldeep Pulahi clarified that the scale of the development did not require an energy statement. Baldeep added that sustainability measures had been suggested and were subject to building control regulations, and there

was no policy available to enforce such measures over and above what the applicant wished to provide.

Andrew Mickleburgh proposed an informative encouraging the applicant to follow through with the suggested sustainability measures. This was seconded by Carl Doran, carried, and added to the list of informatives.

Carl Doran commented that many properties in the area were two storeys rather than three storeys, and queried what the heights of surrounding properties were. Baldeep Pulahi stated that the proposals were higher than that of existing properties to the west, however the proposals would complement the dwellings within the Loddon Garden development. Baldeep added that the front elevations were not south facing, and therefore the height was comparable to other dwellings and would therefore not be detrimental to the character of the area. Bill Soane commented that the nearby Bridges Resource Centre was three storeys in height.

RESOLVED That application number 213520 be approved, subject to conditions and informatives as set out in agenda pages 58 to 64, and additional informative encouraging the applicant to follow through with the suggested sustainability measures as resolved by the Committee.

70. APPLICATION NO.213457 - LIBERTY HOUSE, STRAND WAY, LOWER EARLEY

Proposal: Full planning permission for the erection of three 2No storey buildings each comprising of six apartments (18 in total), together with associated ancillary development, hardstanding, landscaping and footpaths

Applicant: Mrs Kate Bessant

The Committee considered a report about this application, set out in agenda pages 93 to 140.

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

- Correction to the expiry date to read 17 January 2022;
- Detailed clarification in relation to the proposal seeking 6 of the 18 units as affordable, rather than the 100 percent mentioned within the report;
- Amendment to part A of the recommendation to delete the reference to 100 percent affordable housing.

Alf Wojtasz, neighbour, spoke in objection to the application. Alf stated that there were a total of 16 objections from residents living in proximity of the proposed development in addition to an objection lodged by Earley Town Council, whilst there were no submissions of support. Alf was of the opinion that the designs were out of character and the stylistic context did not resemble the existing housing stock in the local area or that of Liberty House. Alf added that the roof designs were of cross gable design and not box gable design like other houses locally. Alf added that Liberty of Earley House was a purpose built house for multiple occupation, and was of the opinion that the new development resembled houses of multiple occupation (HMOs) and not a home such as Liberty of Earley House. Alf stated that the proposals were inconsistent with the housing stock in the area, however local residents would accept a single building but not multiple HMOs. Alf felt that the two new access points proposed on an S-bend presented traffic hazards and

traffic risks onto Strand Way, and was out of keeping as no other house on the road had a driveway opposite another driveway across the road. Alf stated that the S-bend on the road was a blind spot after Wokingham Borough Council (WBC) granted planning permission for number 20 to move the fence to the pavement line, which residents objected to, and residents had also suggested that car parking was provided at the rear of the proposed development and an internal roadway be created from the existing Liberty of Earley House access point on Strand Way. Alf was of the opinion that the proposal would introduce unwanted traffic and safety issues on this S-bend. Alf stated that some residents of Liberty of Earley House parked on Strand Way as some of the occupants owned two vehicles, and there was no guarantee that the proposals would not lead to additional on road parking in front of existing driveways. Alf stated that no considerations had been given to net zero, COP 26, or WBC's 'let's talk climate' project, whilst no electric vehicle charging points were proposed and the roof design would not allow for photovoltaic panel installation. Alf stated that additional light pollution as a result of the proposals would directly impact one resident who was a member of the British Astronomical Association who had telescopes in his garden, had written academic papers, and undertook professional research for the association in the southern sky which would affect organisations such as NASA, and could halt his research which Alf felt was unreasonable. Alf stated that an elderly resident of number 20 would be negatively affected by the shutting of car doors and the security lights of the car park switching on and off, and suggested that the car park be relocated to the rear of the development with an internal road created. Alf added that the development would look directly into number 20's ground floor bedroom, garden and bathroom, and asked that high hedgerow be planted along Strand Way and that no new access points be constructed on Strand Way. Alf stated that none of the objections raised by residents had been considered, and residents had felt disregarded.

John Cornwell, agent, spoke on support of the application. John stated that he was stunned by some of the public speaking comments, and dismissed that this was an application for HMOs as it was instead a proposal for small affordable flats which was in line with WBC's housing strategy, as this was the type of accommodation required in the area. John was of the opinion that the fact that an astronomer lived next door should not warrant a reason for refusal. John stated that the charity had operated for over 300 years, and had the sole remit of providing housing for those in need. John stated that officers had given unequivocal advice which had been strictly followed by the applicant. John concluded by stating that the proposals met all local and national planning policies, and urged the Committee to approve the application.

David Hare, Ward Member, spoke in objection to the application. David stated that the trustees of Liberty House had not appeared to have given due consideration to local residents, which was regrettable. David added that the access points contained within the proposal would cause issues for entry and exit of vehicles to the site, which would be exacerbated should residents park on Strand Way. David stated that the eastern flats would not have car parking incorporated next to their building, whilst no electric vehicle charging points nor heat pumps would be provided. David was of the opinion that the proposals were not in keeping with Liberty of Earley House or with other properties on Strand Way, and he felt that one purpose built building would be more efficient. David commented that it would be a great shame should the work of the resident involved in astronomical studies be required to stop as a result of this development.

Chris Bowring sought clarification on a number of points raised by public speakers. Chris queried whether the properties would be classed as HMOs, sought more details with

regards to the sustainability points raised, and sought additional clarification with regards to the proposed car parking arrangements. Simon Taylor, case officer, confirmed that the proposals would not be classed as HMOs. With regards to sustainability measures, Simon stated that the current version of the Local Plan was behind the current standards, however there was a condition requiring ten percent reduction in energy use. Simon added that the highways officer had not insisted on electric vehicle charging points as this was an affordable scheme. In relation to car parking, Simon stated that he had visited the site and had not noticed additional on-street car parking, however he noted that on-street car parking could occur at other times of the day. Simon added that this development would effectively double the provision of car parking per unit when compared with the recent approval at Liberty of Earley House.

Andrew Mickleburgh sought assurances that the measures within the condition relating to drainage were sufficient to deal with any issues as the WBC drainage officer had objected due to a lack of detail. Simon Taylor stated that the NPPF required a sequential approach in terms of drainage, and the site was greenfield. Simon added that officers were confident that the condition would deal with issues related to flood risk. Simon added that the comment made by Thames Water was fairly standard, and officers felt that the sequential approach would address issues, whilst waste water was a matter for Thames Water to address.

Andrew Mickleburgh commented that it was rare to secure significant numbers of affordable housing in one location, and queried whether any future changes to the affordable rent status of the units would be required to return to the Planning Committee for approval. Simon Taylor stated that the application was subject to legal agreement which conditioned 6 units to be affordable housing and delivery outside of this would require a new legal agreement. The applicant operated as a charitable alms house, and should they not deliver the scheme in line with their operational model then they could encounter issues with regards to their charitable status. Lyndsay Jennings, Senior Solicitor, stated that the S106 agreement required 6 units to be delivered as affordable housing, with any amendments to this agreement required via the usual deed of variation route. Lyndsay confirmed that the S106 agreement did not secure 100 percent of the units as affordable housing.

Andrew Mickleburgh queried why electric vehicle charging points were not being installed on this site. Simon Taylor stated that the electric vehicle comments followed on from the 2019 application for the adjacent site. Simon added that there was no local policy requirement to provide electric vehicle charging points for this application. Connor Corrigan, Service Manager – Planning and Delivery, commented that there would be a building regulations requirement to install electric vehicle charging points at developments going forwards.

Andrew Mickleburgh proposed an additional informative reminding the applicant that they would be required to meet all building control regulations including those related to electric vehicle charging points in future. This proposal was seconded, carried, and added to the list of informatives.

Carl Doran commented that the applicant required heavily on the premise of 100 percent of the units to be delivered as affordable housing, as the housing mix was a departure from policy. Carl queried why it was acceptable to allow this proposal on the basis of only 35 percent of units being delivered as affordable housing. Simon Taylor stated that the affordable housing documentation referred to delivery of 100 percent of the units as

affordable housing which was slightly misleading. Notwithstanding, the proposals were policy compliant and the applicant operated the existing units next door as affordable housing. Simon stated that the alternative of requiring 100 percent affordable housing could result in the bank not providing the financing to the applicant for the scheme, which would result in no units being delivered and consequently no affordable housing being delivered. Simon stated that delivery of one and two bedroom units were consistent with Liberty of Earley House next door.

Carl Doran queried how the requirement for this space to be retained as open space had been removed. Simon Taylor stated that his understanding was that the land was not required as a public open space, and the application was in part a change of use from open space to residential accommodation. Simon added that the space was currently fenced off, and as such there would be no loss of open space to the public.

David Hare commented that from his discussions with the applicant, some units may be required to be charged at market rate, or the eastern unit may have to be sold to a housing association in order to pay for the overall scheme.

Stephen Conway sought additional details regarding the comments raised by the crime prevention officer, and queried whether headlight spill would have negative effects on dwellings on the opposite side of the road. Simon Taylor stated that the crime prevention officer had been fairly thorough in their assessment of this application, and they generally find objection to some aspects of many applications. The main issue raised was in relation to the lack of habitable windows to the side of the development, however this had not been considered as a major issue due to the length of the access point to the building. In relation to the impact of headlights on residents within opposite dwellings, the property in question had fencing along the roadside which would minimise the impacts of the headlights.

Rachelle Shepherd-DuBey commented that she liked the idea of electric charging infrastructure being installed to allow for easy future operational installation. Rachelle added that she would prefer to see 100 percent affordable housing provided, however she understood the issue in doing so.

Sam Akhtar commented that he would like to see installation of electric vehicle infrastructure, and queried whether the cycle storage could be moved any closer to the units. Simon Taylor stated that a better location for the cycle storage would be agreed in conjunction with condition 9.

Angus Ross queried whether any consideration had been given to off-site biodiversity contributions to make a more substantial impact. Simon Taylor commented that officers felt that condition 6 was as far as what could be sought.

Pauline Jorgensen commented that the fence along Cutbush Lane had never allowed access to the site. Pauline queried whether retrospective CIL would be required should units not be classified as affordable units in future. Simon Taylor stated that should all units be 100 percent affordable housing, they would not be CIL liable, and an exemption would apply should the units be operated by a charity for charitable purposes. Simon stated that the legal agreement could be modified to make any market rate units retrospectively CIL liable in future, in a similar way to a self-build exemption where the owner would be required to live in the property for three years to claim the exemption.

A number of Members raised concerns related to access being granted off of Cutbush Lane to the application site on an unrestricted basis, in part due to the vulnerability of some of the residents who may reside within the proposed dwellings. Members agreed that the option for residents of the dwellings to use the access point as a more pleasant route to walk and cycle sustainably to and from their homes was beneficial, however this access should only be available to residents of the units via a number lock mechanism. Connor Corrigan stated that the ability to restrict access from Cutbush Lane to residents of the units could be incorporated into condition 14.

Stephen Conway proposed an informative, urging the applicant to restrict access from Cutbush Lane to the residents of the dwellings. This was seconded by Pauline Jorgensen, carried, and added to the list of informatives.

Chris Easton provided some additional detail with regards to comments made by Alf Wojtasz regarding access. Chris stated that Strand Way had been in place for some time with an S-bend, and no accidents had been reported on the road within the last five years. Chris added that access was being sought for a low level car park, and access would require highways safety audits throughout development.

Carl Doran sought additional details with regards to issues relating to headlight glare. Chris Easton stated that any vehicle travelling eastbound along Strand Way would pose much greater head on light spill to number 20 from the carriageway than from vehicles entering and exiting the proposed car park.

Bill Soane queried whether there was any opportunity to link the two proposed car parks. Chris Easton stated that this would reduce the total amount of car park spaces provided on the site. Chris added that the current proposals would allow for some over provision of car parking, which opened up the opportunity for the neighbouring property, Liberty of Earley House, which was also owned by the applicant to allow some of their residents to park within the unallocated car parking spaces to reduce any instances of on-street parking. Chris added that the proposals were not dissimilar to other similar developments.

RESOLVED That application number 213457 be approved, subject to conditions and informatives as set out in agenda pages 94 to 103, amendment to part A of the recommendation as set out in the Supplementary Planning Agenda, additional informative reminding the applicant that they would be required to meet all building control regulations including those related to electric vehicle charging points in future as resolved by the Committee, and additional informative urging the applicant to restrict access from Cutbush Lane to the residents of the dwellings as resolved by the Committee.

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