

Supplementary Planning Agenda Planning Committee – 9 March 2022

Planning Applications

**83. Site Address: Land South East of Finchampstead Road, South Wokingham
Strategic Development Location Wokingham (SDL)
Application No: 192325, Pages 13-142**

Additional representation

Since publication of the agenda, one additional representation has been received from a correspondent who had also responded to the original and first re-consultation. No new planning issues were raised: the issues and responses to them are covered in the summary of representations.

Correction

Paragraph 9 has not been updated to reflect the reduction in the number of dwellings proposed by 19 from 190 to 171: the total dwellings approved in the SDL would be 2,456 rather than 2,475. This does not alter the assessment that the proposals are consistent with the Core Strategy requirement for around 2,500 dwellings.

Conditions

There is a cross-reference missing from **Condition 3 xii)** on page 8 of the agenda (Report with Correct Cross-References – Application 192325). It should read

*xii) on and off-site highway works necessary to mitigate the impact of the development pursuant to conditions **44**, 45 & 46;*

Explanation of **Condition 20**: where the development would affect very high distinctiveness lowland fen habitat, it is proposed to move (translocate) the affected habitat to another location, where the right conditions exist/can be created for it to establish successfully. In this case the drainage strategy creates to an on opportunity to deliver a suitably damp habitat in the SANG. The donor site is where the habitat is currently and the receptor site is where it would be moved to.

An **additional condition** is recommended as follows

60. No dwelling shall be occupied until the foul drainage capacity to serve it has been provided.”

Reason: to avoid sewage flooding and/or potential pollution incidents in accordance with Core Strategy policies CP1 & CP4 and MDDL policy CC09.

together with an informative

35. With regard to condition 60, early engagement with Thames Water is recommended to establish either that there is sufficient foul water capacity to serve the development or

that any necessary wastewater network upgrades required to accommodate the additional flows from the development are programmed.

84. Site Address: Land At 1040 And 1100 Series Eskdale Road, Winnersh Triangle Business Park, RG41 5TS
Application No: 214183, Pages 143-174.

Since publication of the agenda, one additional representation has been received from Winnersh Parish Council on 3 March 2022 in response to the notification of Planning Committee meeting. The response re-stated comments provided by Parish Council on 16 February 2022 where it confirmed it had no objections and no observations to make in respect of revised plans. These comments should be read in conjunction with the original comments from 18 January 2022 where Winnersh Parish Council noted that “*Given the significant economic benefits, both direct (including employment) and indirect through the supply chain, that would arise from the development of facilities to facilitate the filming creative arts sector, Winnersh Parish Council is supportive of the application.*”

Corrections and clarification

Condition 1:

Substitute the *Transport Statement prepared by Motion* reference as follows:

Drawing/Document Title	Drawing Number	Revision
<i>Proposed Sound Stages 1 & 2 Floor Plans and Elevations</i>	<i>2697-TP-102</i>	<i>P1</i>
<i>Proposed Workshops 1 & 2 Floor Plans and Elevations</i>	<i>2697-TP-103</i>	<i>P1</i>
<i>Proposed Workshops 3 & 4 Floor Plans and Elevations</i>	<i>2697-TP-104</i>	<i>P1</i>
<i>Proposed Workshops 5 & 6 Floor Plans and Elevations</i>	<i>2697-TP-105</i>	<i>P1</i>
<i>Proposed Workshops 7 & 8 Floor Plans and Elevations</i>	<i>2697-TP-106</i>	<i>P1</i>
<i>1040 Security Hut Proposed Plans and Elevations</i>	<i>2697-TP-107</i>	<i>/</i>
<i>1100 Security Hut Proposed Plans and Elevations</i>	<i>2697-TP-108</i>	<i>/</i>
<i>Site Layout</i>	<i>2697-TP-101</i>	<i>P7</i>

Summary Information Table

Update to the detailed floorspace figures of each structure as shown in Summary Information table. When added, these figures now match the total 7,242m² of E use class floorspace stated:

- reduction of 25m² for each of two sound stages,
- reduction of 13m² for each of workshops 1-4
- increase of 36m² for each of workshops 5-7

SUMMARY INFORMATION		
Site Area	1.97 hectares	
Previous land use(s)	Hardstanding, overflow car park	
Proposed floorspace of each use	7,242m ² of E use class comprising:	
Change in floorspace (+/-)	Sound Stage 1	1,775m ²
	Sound Stage 2	1,775m ²
	Workshop 1	437m ²
	Workshop 2	437m ²
	Workshop 3	437m ²
	Workshop 4	437m ²
	Workshop 5	486m ²
	Workshop 6	486m ²
	Workshop 7	486m ²
	<u>Workshop 8</u>	<u>486m²</u>
	Total	7,242m ²
Number of jobs created/lost	250 direct jobs (including those arising from associated occupation of other buildings) and 250 indirect jobs	
Proposed parking spaces	95 proposed, 59 lost	

Paragraph 16:

The first sentence of paragraph 16 should read:

"Each of the proposed eight workshops is a rectangular structure; workshops 1-4 have a footprint of 450m² (20m x 22.5m) whilst workshops 5-8 have a footprint of 500m² (20m x 25m)."

Additional condition

Additional condition added:

External materials

17. Within three months of the date of this planning permission, details of materials to be used in the construction of roofs of buildings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be so-implemented prior to the development being brought into use.

Reason: To ensure that the external appearance of the building is satisfactory and to safeguard the building. Relevant policy: Core Strategy policies CP1 and CP3

85. Site Address: Hare Hatch Sheeplands, London Road, Twyford RG10 9RS
Application No: 214108, Pages 175-221

2019 appeal decision

The officer report refers to the 2019 appeal decision. For assistance, this is included.

Additional submissions

Further submissions in support of the proposal have been received following the publishing of the agenda. The submissions were received from:

- 1) 12 Weir Pool Court, Twyford RG10 9GY
- 2) 156 Reading Road, Woodley RG5 3AA
- 3) 18 Hilltop Road, Twyford RG10 9BL
- 4) 2 Penfield Drive, Wargrave RG10 8AP
- 5) 2 Red Cottage, Marlow Road, Bourne End SL8 5PW
- 6) 20 St Ronan's Road, Reading RG30 2QE
- 7) 28 Munro Avenue, Woodley RG5 3QY (x2)
- 8) 31 Willowside, Woodley RG5 4HJ
- 9) 4 Snowdrop Grove, Winnersh RG41 5UP
- 10) 4 Stanton Close, Earley RG6 7DX
- 11) 4 Troutbeck Close Twyford RG10 9DA
- 12) 40 Chalklands, Bourne End SL8 5TJ
- 13) 40 Copse Drive, Wokingham RG40 1LX (x2)
- 14) 45 Warblington Close, Tadley, Basingstoke RG26 3YW
- 15) 48 Ridgeway, Wargrave RG10 8AS
- 16) 7 Llewellyn Park, Twyford RG10 9NB
- 17) 9 Springfield Park, Twyford RG10 9JG
- 18) 94 Drovers Way, Woodley RG6 3PS
- 19) Blakes Lane, Hare Hatch RG10 9TA (no number supplied)
- 20) Colemansmoor Road, Woodley (no number supplied)
- 21) Hurley Lodge, Hurley SL6 5ND
- 22) Longfield Road, Twyford (no number supplied)
- 23) Ridgeway, Wargrave RG10 8AS (no number supplied)
- 24) The Manse, 119 Emmer Green, Reading RG4 8TR
- 25) No address supplied
- 26) No address supplied
- 27) No address supplied
- 28) No address supplied

- 29) No address supplied
- 30) No address supplied
- 31) No address supplied
- 32) No address supplied
- 33) No address supplied

Additional submissions were also received from those that had previously written in support:

- 34) 49 Wessex Gardens, Twyford RG10 0BA
- 35) 51 New Road, Bourne End SL8 5BT
- 36) 65 New Wokingham Road, Crowthorne RG45 6JG
- 37) 78 Broadwater Road, Twyford RG10 0EU
- 38) 8 Morton Place, Theale RG7 5QW (x2)
- 39) 9 Paddock Heights, Twyford RG10 0AP

All of the submissions recommend overturning of the recommendation and the specifics of the comments have already been addressed in the officer report. However, for completeness, officer consideration of the comments is contained below:

- Recommendation is illogical and without justification
- Proposal meets Section 13 of the NPPF
- Improvement to the Green Belt
- Would allow for a visual improvement to the site
- Openness of the site will be improved

Officer comment: The officer report notes a visual improvement through redevelopment of dilapidated structures and a net reduction in openness (in terms of numerical volume calculations) but also refers to an increase in building bulk closer to the road. This forms part of the basis for Reason for Refusal 1 and the departure from Green Belt policy in the NPPF and the Council's Development Plan.

- Provides employment and other economic benefits
- Refusal would lead to a loss of employment
- There are no adverse landscape, ecological, arboricultural or transport impacts
- The woodlands, allotments, increased biodiversity and energy efficient building are a positive aspect that should be supported
- Removal of buildings would benefit local wildlife
- Views of the residents should be given due weight
- Provides good retail and café facilities as well as allotments and play area for the community
- Customer service and range and quality of the products is excellent
- Allotments have mental health benefits

Officer comment: The above factors, including employment, landscape and ecological benefits, community support and community benefit are noted in the main body and the conclusion of the report and given due consideration in the planning balance.

- Business assistance rather than hindrance should be provided

Officer comment: Paragraph 84 of the NPPF is supportive of developing rural businesses and this has been given due consideration. See paragraph 49 of the officer report.

- Refusal will result in the business folding and the land being made derelict or redeveloped for alternative purposes such as housing

Officer comment: This is not a relevant planning consideration. The scheme is to be assessed on its merits and theoretical alternative outcomes for the site are not part of the assessment.

- There is a vendetta against the Council
- Sheeplands is not being treated fairly

Officer comment: The application is assessed against planning policy in the NPPF and the Development Plan only.

- Provides local independent alternative to chain centres

Officer comment: The application relates to the site and not the operator and so whether it relates to an independent business or a national chain is not relevant to the planning consideration of the proposal.

- Refusal will result in a reduction in trade in surrounding businesses

Officer comment: There is no specific evidence provided to support this statement.

- Other businesses have not been affected by the existing retail trade

Officer comment: The Council does not oppose the development on retail impacts, as noted from paragraph 56 of the officer report.

- Other development in the area has been allowed on greenfield sites

Officer comment: Each application is assessed on its merits, including its location within the settlement limits, Green Belt or countryside.

Agent response

The planning agent has submitted a lengthy rebuttal to the recommendation, arguing that the Council's assessment is flawed and that an appeal with an application for costs would be submitted in the event of a refusal. The primary concern turns on the Council's interpretation of previously developed land (PDL) at paragraphs 29-45 of the officer report and the implications that this poses for the assessment of whether the development is inappropriate development in the Green Belt.

The letter in full is attached but a summary is contained herein. Given the length of the rebuttal, the limited time period in which to respond and as the supplementary agenda is not the most appropriate mechanism to undertake further planning assessment, the Council's response is not intended as a full response.

The comments include:

- The test for whether it is previously developed land (PDL) has been incorrectly applied, as asserted in the Wheeler Street appeal decision
- The test for PDL in paragraph 149 of the NPPF cannot be applied to the definition in Annex 2 of the NPPF
- It is wrong to ignore consents for non-horticultural uses, their curtilage and fixed infrastructure or extant permissions. Curtilage of the farm shop or café (kitchen, service, access) has not been included (or even for the outdoor retail, animal housing, exhibition space)
- The site would only not constitute PDL if it were solely in agricultural or horticultural use
- The Council agrees that the site is one planning unit and it follows that it is previously developed land
- While the definition of PDL does not reference mixed use, it also does not reference any other 'acceptable' uses which constitute PDL either, so this point is not clear
- Just because it is in horticultural use does not mean that it is not PDL
- Car park and service yard has not been included in PDL
- Farm shop could benefit from mezzanine floorspace
- Approved car park extension area has not been included
- The definition of PDL is that what was in last use allows for temporary uses to be included as PDL
- The table at paragraph 19 is inaccurate as it does not include extant permissions, the car park or office block, creating a misleading picture of the facts

Officer comment: There remains a difference in opinion in the approach taken in considering previously developed land. The Council maintains that the approach taken at paragraphs 29-45 is an entirely valid approach. By way of brief summary, the contention relates to when the whole site is considered the planning unit, whether the definition of previously developed land would allow consideration of specific uses and buildings on the site or whether the whole site should be considered as a whole.

For clarity, paragraph 39 of the officer report makes clear that PDL includes the farm shop, café and offices. It would, by extension, include other areas such as curtilage and the car park. However, the Council concludes that the curtilage around these buildings is tightly constrained because of the physical nature of the buildings and their uses. Further, the extent of the PDL as specified in the plan after paragraph 39 relates to that part of the site that is to be redeveloped and this is done as a comparative tool. Extant permissions have not been considered because at this point, they have not been enacted.

The Council does not believe that Wheeler establishes an appropriate test for considering previously developed land as applied on the subject site. Paragraph 32 of the officer report explains why.

- There is no consistency with the 2019 appeal decision because they are assessed under different paragraphs of the NPPF

Officer comment: Paragraph 40 of the officer report is drawing the conclusion that the Inspector also considered the 2019 proposal as inappropriate development. This should not be interpreted as implying that the assessment in reaching this conclusion was the same.

- The development is not unsustainable when considering the conclusions of the report, particularly when considered against out-of-date policies

Officer comment: Reference to unsustainable in Reason for Refusal 2 is a broad summary of the proposal in terms of Green Belt policy band.

- There is a lack of weight and consideration of the very special circumstances
 - No consideration of economic benefits despite reference these benefits in paragraph 149 of the report. Paragraph 81 of the NPPF requires significant weight to be applied to economic growth
 - Little weight has been given to viability and abandonment of site is tied to this assessment and should be relevant
 - No weight has been applied to community, social and environmental benefits or community support
 - Abuse of process is relevant as it has led to the current circumstances
 - Business competition is dismissed, contrary to 2019 appeal decision
 - Biodiversity net gain should be a VSC as legislation has not been enacted
 - Other benefits such as public sector equality and footpath access have not been considered

Officer comment: The concern seems to be the detail of which the Council has provided in reaching the conclusion as to whether very special circumstances would outweigh any harm. Paragraphs 48-51 are intended merely as a summary of these considerations. To clarify, paragraph 51 is an acknowledgement that the very special circumstances that have not been disputed in the preceding paragraphs are relevant to this consideration. Appropriate weight has been provided in the conclusion of the report.

- Reason for Refusal 2 is contradictory in that it says there is not closer to the A4 but would result in additional bulk

Officer comment: The premise behind Reason for Refusal 2 is that although the new building does not extend any closer than the existing structures, there is still additional building bulk extending north from the existing farm shop in an area that is either currently devoid of any built development or has a much lower height.

- The reduction in footprint figures at paragraph 79 do not include the glasshouses and this implies a 725% increase and it is not explained why

Officer comment: For clarity, paragraph 79 excludes the glasshouses because the intention is to illustrate the increased footprint of the permanent retail footprint.

- Reliance upon past conditions to require glasshouses to be removed cannot be justified as these buildings are immune from enforcement

Officer comment: There is no suggestion that this is the case.

- The comparison to the height of Dobbies at paragraph 79 does not account for retaining walls and ground level differences

Officer comment: The comparison in height of Dobbie is used to illustrate the difference in building heights as would be appreciated from the road. Changes in levels or retaining walls are not sufficiently significant to be appreciable in this appreciation.

- Council's landscape officer supports the proposal and it is not explained why there is a contradiction of this advice

Officer comment: Paragraph 76 of the officer report makes this distinction. For clarity, the landscape officer has assessed the visual impact in landscape terms. The assessment at paragraphs 78 and 79 of the officer report are a planning assessment of bulk and scale of built development.

- No assessment of intensified activity impacting upon the Green Belt and there are contradictory statements at paragraph 88

Officer comment: Paragraph 45 makes this assessment under consideration of the impact upon the Green Belt. This harm extends to the character of the area at Reason for Refusal 2.

- Increase in employment allows significant opportunities in the Employment Skills Plan

Officer comment: There is agreement that in the event of an approval, Reason for Refusal 3 would not apply.

- Appendix 2 offers several other clarifications in the officer report to demonstrate the arguments presented by the agent.

Officer comment: It is not the intention to respond to each and every specific point as part of this supplementary agenda, many of which are comments.

**86. Site Address: Auto Trader House and Hartman House, Danehill, Lower Earley
RG6 4UT
Application No: 214046, Pages 241-267**

No update.

**87. Site Address: Indigo House, Mulberry Business Park, Wokingham, RG41 2GY
Application No: 213975, Pages 279-296**

No update.

Pre-emptive site visits

None.