

**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON 10 MAY 2023 FROM 7.00 PM TO 9.05 PM**

Committee Members Present

Councillors: Rachelle Shepherd-DuBey (Chair), Andrew Mickleburgh (Vice-Chair), Stephen Conway, David Cornish, Rebecca Margetts, Alistair Neal and Wayne Smith

Councillors Present and Speaking

Councillors: Pauline Jorgensen and Caroline Smith

Officers Present

Brian Conlon, Operational Lead – Development Management
Lyndsay Jennings, Senior Solicitor and Team Leader
Roger Johnson, Senior Assistant Engineer - Highways
Callum Wernham, Democratic & Electoral Services Specialist

Case Officers Present

Mark Croucher
Stefan Fludger
Benjamin Hindle
George Smale
Marcus Watts

109. APOLOGIES

There were no apologies for absence.

110. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 12 April 2023 were confirmed as a correct record and signed by the Chair.

The Committee shared their sincere thanks to Chris Bowring, who had served on the Committee for many years in addition to serving as Chair and Vice-Chair of the Committee. The Committee had always benefitted from his thorough understanding of the planning system. The Committee wished him well in his future endeavours.

111. DECLARATION OF INTEREST

David Cornish declared a Personal Interest in Item 113, Application 211335 Land Adjourning Lynfield House, White House Lane, and Item 115, Application 222805, High Barn, Church Lane, on the grounds that he was a Member of the Planning Committee for Finchampstead Parish Council and he had previously made comments in relation to these applications based on preliminary information. Since then, more detailed information had become available and David stated that he would consider all information and representations before forming a view, and approached the meeting with an open mind.

Rebecca Margetts declared a Personal Interest in Item 113, Application 211335 Land Adjourning Lynfield House, White House Lane, on the grounds that she had listed the application as Ward Member for Finchampstead South. Rebecca added that she would view the application with an open mind and consider it on its merits. In addition, her son had received cricket coaching in the past from Phil West who would run the cricket net.

Alistair Neal declared a personal interest in Item 221797, "Crookers", Rushey Way, on the grounds that the application site was situated within his Ward and he was a Member of the Earley Town Council Planning Committee which had discussed this application. Alistair stated that that he would consider all information and representations before forming a view, and approached the meeting with an open mind.

112. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

Agenda Item 117, Application 213610, was withdrawn from the agenda.

113. APPLICATION NO.211335 - LAND ADJOINING LYNFIELD HOUSE, WHITE HORSE LANE, FINCHAMPSTEAD, BERKSHIRE, RG40 4LX

Proposal: Full application for the proposed change of use of a section of agricultural land to a recreational all-weather cricket track and wicket with mobile cricket cage, plus fencing, parking and associated works.

Applicant: Mr R Bishop

The Committee considered a report about this application, set out in agenda pages 15 to 40.

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

Nicola Greenwood, British Horse Society, spoke against the application. Nicola stated that there was genuine concern for the safety of road users should this application be approved, with the nearest corner of the proposed nets to be situated between 8m and 10m from the road boundary, in very close proximity to a blind bend and a single-track lane which enjoyed heavy recreational use. Nicola added that the British Horse Society conducted an equine census in 2021 with the help of DEFRA, which showed that there were 3938 horses living within the Wokingham Borough and 2024 horses living within an hour's ride of White Horse Lane. Whilst the Council's appointed equine expert suggested that the applicant could inform horse owners when cricket sessions were due to run, this would be unfeasible given the 117 commercial and private venues located within an hour's ride of the site. Nicola stated that whilst police and military horses could be trained and conditioned to be resilient to sudden noises, this took an enormous amount of training, and many horses would not be able to reach this level of resilience even if such training opportunities were available. Nicola added that the bridleway network in the Borough was fragmented, and the noise of a bat on ball was not a predictable noise for equines when compared to something like a car engine. Nicola stated that horses could more easily accept sounds where they could see its origin, whilst a horse walking at 4MPH could easily spook to 54MPH. Nicola requested that should the application be approved, that a condition be added requiring the installation of additional horse rider signs 150m either side of the site, and to place the nets a minimum of 60m from the White Horse Lane boundary to follow the trend in the Borough.

Rebecca Margetts stated that she had hoped to see the precise details of exactly where the net would be situated, however this was still not clear. Rebecca added that she was compelled by the representations made by the equine expert, with regards to safety of horses, riders and the general public.

David Cornish was of the opinion that the plans before the Committee were still opaque, and felt that none of the additional information presented on the evening had made it any

clearer as to precisely where the net would be situated. David felt that safety of all users of the lane had to be a top priority, and queried whether the change of use would be from agricultural land to commercial land. Mark Croucher, case officer, stated that the change of use would be from agricultural land to sui generis, given the bespoke and unique use of the site.

Andrew Mickleburgh stated that whilst the site visit had allayed some of his concerns in relation to noise, access, parking, and the relationship to the wider area, he still had concerns that this application would be a further incursion into the designated agricultural area, without sufficient justification.

Stephen Conway stated that it would be unusual for a cricket net to be situated next to a house and fence, and was of the opinion that this was not a good location for such a development. Stephen noted that the development would also be situated next to a highway which was well used by pedestrians, riders and vehicles.

Rachelle Shepherd-DuBey queried what grade the agricultural land was. Mark Croucher stated that he did not have the land grading to hand, however this development would represent a small incursion which would be hard to justify as a reason for refusal.

Wayne Smith was of the opinion that the key issue was whether there was sufficient justification for the development to further encroach on designated agricultural land. Mark Croucher stated that policy CP11 stated that applications had to demonstrate that they would not lead to excessive incursion. Mark added that any reference to 'very special circumstances' usually referred to the green belt, which this site was not situated within.

Rachelle Shepherd-DuBey queried what constituted excessive encroachment into designated agricultural land. Mark Croucher confirmed that this was a planning judgement.

Alistair Neal commented that the Committee had refused a previous application at a different site citing policy CP11 as the office building in that application had no relationship with the farm. Alistair felt that the same logic should be applied here for consistency. Mark Croucher stated that policy CP11 allowed for diverse and sustainable enterprises which would not lead to excessive encroachment in the countryside.

Andrew Mickleburgh proposed that the application be refused as the development would lead to further encroachment into designated agricultural land. This was seconded by Rebecca Margetts.

RESOLVED That application number 211335 be refused, as the development would lead to further encroachment into designated agricultural land.

114. APPLICATION NO.222906 - LAND SOUTH OF CUTBUSH LANE, SHINFIELD (WEST OF OLDHOUSE FARM) AND GATEWAY PLOT 4 TVSP

Proposal: Full planning application for the proposed erection of a temporary Film Studio Backlot (for a period of 5 years).

Applicant: Shinfield Studios Ltd.

The Committee considered a report about this application, set out in agenda pages 41 to 78.

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

- Amendment to the address name;
- Removal of condition 15 following provision of an Archaeological Evaluation Report;
- Addition of approved plans;
- Amendment to the consultation responses table, to confirm that the Environment Agency had no objection subject to conditions.

Nick Paterson-Neild, agent, spoke in support of the application. Nick stated that this application was for a five-year temporary permission for a film studio backlot, adjacent to the existing studios, following successful use of part of the land via permitted development. Nick added that there had been no objections received with regards to this application. Nick added that the proposal would facilitate the filming of outdoor scenes, and would be surrounded by landscaping to further screen the development. Nick stated that the application was supported by a S106 agreement, facilitating further renewable energy provision on the main site and a twenty-percent biodiversity net gain in excess of the Council's requirements. Nick added that the application would help meet the pressing demand for film studio space production, whilst providing economic benefits for the local economy. Nick stated that the application supported the University of Reading's ambitions for the expansion of Thames Valley Science Park's 'creative cluster'. Nick asked that the application be approved.

Andrew Mickleburgh noted that there were no objections to the application whilst the development would bring with it a number of merits. Andrew added that he was inclined to support the application.

David Cornish was of the opinion that this was a good quality application with a number of merits. David queried what would happen in practice with regards to restoration of the site and the end of the temporary permission. Benjamin Hindle, case officer, stated that standard practice remediation measures would be required, which may include removing the temporary surfacing, re-seeding and additional planting.

Stephen Conway commented that much of the site had prior approval, whilst the development would bring with it a number of merits and very minor and temporary harms, whilst contributing to the local economy.

Rachelle Shepherd-DuBey commented that she was very supportive of additional local jobs within the creative industries sector within the Borough.

Wayne Smith echoed comments raised with regards to restoration of the site, and urged officers to work with the applicant to ensure that suitable restoration took place once the temporary permission had ceased.

Andrew Mickleburgh proposed that the application be approved as per the officer recommendation within the agenda pack, and revisions contained within the Supplementary Planning Agenda. This was seconded by Stephen Conway.

RESOLVED That application number 222906 be approved, subject to conditions and informatives as set out in agenda pages 67 to 72, removal of condition 15 and addition of approved plans as contained within the Supplementary Planning Agenda.

115. APPLICATION NO.222805 - HIGH BARN, CHURCH LANE, FINCHAMPSTEAD, RG40 4LR

Proposal: Full application for the change of use of agricultural paddock with proposed shed and part of private woodland to commercial land to be used for the provision of dog walking services. (Retrospective)

Applicant: Mr G Capes

The Committee considered a report about this application, set out in agenda pages 79 to 108.

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

Brian Bidston, resident, spoke in objection to the application. Brian stated that whilst the application was referred to as for dog walking, this usually referred to individuals going into a field with up to 6 dogs. Brian was of the opinion that the dogs were being picked up, mostly from Camberley, and transported in lorries. The dogs were then moved through woodland around a blocked pathway. Brian stated that his main concern was one of safety, as people working on the adjacent farm would be working in close proximity to the site. Brian quoted the recommendations of the British Dog Fields Association, via which the existence of 27 dogs and only three handlers was inherently dangerous. Brian stated that there was originally a 1.5m high mesh fence to be installed as part of a previous application, however this application had been withdrawn. The subsequent application included a 1.2m high mesh fence, however this element of the application was removed after the consultation period as the existence of the agricultural fence was thought to be adequate. Brian asked that if the application be approved, a 1.5m-1.8m fence be conditioned as recommended by the British Dog Fields Association.

David Pearce, agent, spoke in support of the application. David stated that the dogs arrived at the site in a van onto the owner's land, with no access to the sports field. The van was parked next to a holding pen whereby the dogs were then moved into the holding pen and then taken towards the footpath. David added that once the dogs reached the footpath the applicant had installed a gate either side of the footpath, to be used whilst the dogs were moved into a further holding pen. The dogs then proceed to cross a field, again owned by the applicant, to the middle field where they are then cared for by the dog walkers. David stated that at no time during this process is there any public interaction. David added that he had witnessed 18 dogs being walked by the public along the footpath over a number of hours, with 16 off the lead and some barking or being out of control. David felt that this was normal behaviour and did not pose a concern. David raised concern over the rights of the public to walk their dogs on the applicant's land should this application be refused. David stated that this application provided an essential service to care for and look after dogs whilst people worked, went to school, went to an appointment or travelled on holiday. David added that the dog walking activity was primarily restricted to private land, with no public interaction, whilst the application would benefit the general community. David concluded by stating that the application was sound regarding its planning merits, and licensing would cover concerns raised by objectors.

David Cornish queried the operating hours of the service. Marcus Watts, case officer, stated that the hours of operation would be from 10.30am until 2.30pm, Monday to Thursday, which was the same as the current operation of the site.

David Cornish stated that the 'right of way' referred to was in fact owned by the Parish Council and leased to the memorial hall playing fields. Whilst the applicant had permission to cross that land, it was not a right of way. David queried whether vehicles would be required to park and turn on the applicant's land, queried why additional fencing was not being implemented given this was a very well used footpath, and sought clarity regarding the proposed change of use from agricultural to commercial land. Marcus Watts confirmed that vehicles would have to be parked in their designated area, as secured by condition. With regards to fencing, Marcus stated that this fell under environmental protection regulations and was not a material planning consideration. Marcus added that paragraph 16 of the officer report explained why it was not felt appropriate to erect such a fence in a rural setting. Brian Conlon, Operational Lead – Development Management, stated that there were many types of commercial use, and agricultural use was a type of commercial use and was usually considered the 'default' use. Brian added that this application represented a sustainable rural enterprise according to policy. Brian confirmed that planning permission was required to change the classification from agricultural to commercial land, and should the business cease, the land would not become a different type of commercial, however another dog walking business could in theory operate on the land immediately after this business ceased. Wider commercial uses, which were not dog walking, would require planning permission in their own right.

Rebecca Margetts sought reassurance in relation to the licensing of the site, and raised concern that the dogs could get underneath the existing agricultural fencing. Brian Conlon stated that the planning system did not insist on regulating other aspects of the use of the site as this would result in duplication with the licensing process, which would take precedence in any case. In relation to fencing, Brian stated that public rights of way were designed for a range of users, and to insist of infrastructure for one particular user type could set precedent and it was not for the planning system to base such a requirement on the use of the land without a technical understanding of what was safe, or not safe.

Stephen Conway commented that safety issues sat outside of the remit of the Planning Committee, whilst access was a civil matter. Stephen queried whether there was any precedent that could be established by changing the use of the site from agricultural land to commercial land. Brian Conlon confirmed that no precedent would be set, as the description of development referred to use of dog walking services.

David Cornish commented that he had a lot of sympathy for the applicant, and felt that sustainable commercial ventures should be encouraged. David questioned whether a condition could be implemented to require the land to revert back to agricultural should the dog walking business cease operation.

Wayne Smith sought clarity regarding the significance of describing the paddocks as 1, 2, 3 and 4, and queried the relation of the application site and the nearby church conservation area. Marcus Watts confirmed that each of the paddocks was owned by the applicant, and were named as such as the site had historically housed sheep. Marcus added that the site fell outside of the conservation area, which at its closest point was approximately 70m away.

Wayne Smith commented that such enterprises were opening up across the Borough, and conditioning for such sites needed to be proportionate and consistent. Wayne added that such sites could pose problems for planning enforcement as they were usually located in quiet areas away from frequent public view.

Stephen Conway proposed an additional informative, expressing the Committee's request regarding the need to ensure that safety concerns were properly addressed via the assessment of the license for the site. This was seconded by Andrew Mickleburgh, carried, and added to the list of informatives.

Stephen Conway proposed that the application be approved, subject to the officer recommendation and additional informative as resolved by the Committee. This was seconded by Andrew Mickleburgh.

RESOLVED That application number 222805 be approved subject to conditions and informatives as set out in agenda page 88, and additional informative regarding the need to ensure that safety concerns were properly addressed via the assessment of the license for the site as resolved by the Committee.

116. APPLICATION NO.221797 - "CROCKERS", RUSHEY WAY, EARLEY, WOKINGHAM

Proposal: Outline application with all matters reserved for the proposed erection of 9 no. dwellings following demolition of the existing dwelling.

Applicant: Mrs C Burrows

The Committee considered a report about this application, set out in agenda pages 109 to 146.

The Committee were advised that updates contained within the Supplementary Planning Agenda included clarification with regards to access, amount of development and trees and landscape issues.

Sandra Shaw, resident, spoke in objection to the application. Sandra was of the opinion that moving from one property to 9 properties was an example of overdevelopment, and whilst the plans were indicative, they failed to address a number of concerns raised by residents and the Council. Sandra felt that the application failed to demonstrate how a suitable and safe access could be achieved, whilst a 30m junction spacing, as outlined in Wokingham Borough Council's (WBC's) 'Manual for Streets', had not yet been addressed. Sandra stated that Tiptree Close, opposite the application site, was a key entrance to Hillside Primary School and was in constant use. Sandra added that the existing angled decline into the drive at Crockers made it a dangerous blind spot to exit from. Sandra felt that the proposal contravened WBC's Climate Emergency Action Plan by not engaging with the local community and stakeholders, whilst policies CP3, CC03, TB21 and TB06 required development to protect and retain existing landscaping features. Sandra added that the proposals was contrary to policy TB06 in that it would result in the loss of residential garden with relatively little provision of replacement of soft or green landscaping. Sandra commented that a TPO was applied to the site in 2022, requiring seven important trees and an important group of trees be retained. Sandra added that there was no protection for the existing essential hedgerow which provided screening, whilst the TPO of several trees could not effectively be protected from damage via construction work to the driveway. The existing hedgerow provided habitat, shelter, corridors, rest spaces and safety for a wide range of wild birds and animals in addition to providing screening for neighbours, and destruction of this green corridor would result in wildlife not returning for many years. Sandra stated that 14 properties bordered the quiet site, and the addition of 9 dwellings would lead to an unacceptable intrusion of privacy and

amenity for existing residents. Sandra felt that the development of 9 properties, some of which could be up to three storeys in height, would radically alter the character of the area. Sandra asked that the Committee defer the application in order to conduct a site visit.

Daniel Thompson, agent, spoke in support of the application. Daniel stated that many of the issues raised by objectors would be considered in detail at the reserved matters stage, should outline permission be granted. Daniel added that the WBC highways team had initially objected to the application, however this had been withdrawn following a revision to the scheme and suitable conditions, subject to further detail at the reserved matters stage. Daniel stated that the density of the proposed development sat at the lower end of the scale of the density of the surrounding developments. Daniel was of the opinion that three storey properties were found within the surrounding area, and could be viewed via 'street view'. Regarding landscaping, Daniel commented that this was to be dealt with at the reserved matters stage. However, to validate the application, a tree survey was carried out which identified Grade B trees on the site, and the focus of the landscaping solely focussed on those elements specifically required for this outline application. Daniel added that removal of any Grade B tree would result in its replacement with two good quality trees and a management plan to ensure their survival. Daniel stated that all other landscaping decisions, including the fantastic existing hedgerow, had not been resolved as this was only an outline application. Daniel added that access to the site was existing, with development taking place around the site. Daniel concluded by stating that all relevant details would be presented at the reserved matters stage, subject to approval of this outline application.

Pauline Jorgensen, Ward Member, spoke in objection to the application. Pauline stated that a reduction in the proposed amount of properties from 10 to 9 was welcome, however serious concerns still remained that this area could not accommodate this level of development. Pauline stated that the planned access did not meet highways standards and had not changed as it was almost directly opposite to Tiptree Close rather than having a 30m offset, whilst it also appeared to be very narrow with no pavement, which would make it difficult for cars to pass or refuse vehicles to access the site. Pauline noted that the landscaping officer had raised concerns regarding the loss of TPO trees when the access was widened. Due to the proximity of the site to Hillside Primary School, the area already experienced issues relating to parking. Pauline felt that it would not be necessary to remove the TPO tree should the proposed number of dwellings be further reduced, allowing more space to access the site. Pauline was of the opinion that the site was cramped, would not provide a public open space, and would leave residents with an unattractive and largely hardstanding fronting. Pauline stated that plots 1, 9, and 6 did not meet standards, whilst she did not understand how one plot having a longer plot mitigated other gardens with smaller spaces. Pauline felt it essential that existing hedging was retained, whilst the development should not be allowed to accommodate three storey dwellings.

Caroline Smith, Ward Member, spoke in objection to the application. Caroline asked that the Committee undertake a site visit during school pickup time to understand issues relating to access, parking and safety. Caroline added that permanent traffic calming measures had recently been installed on this busy road outside of Hillside Primary School. Caroline stated that if this was a new estate, creation of a crossroad with no refuge on a busy road would not be acceptable. Caroline added that the site had mature hedgerows and TPO trees, and the tree at the entrance to the site would have to be removed in addition to much of the greenery at the site. Caroline commented that much of the wildlife inhabiting the site, which at present was very vibrant, would be lost as a result of this

development. Caroline raised concerns regarding the proposed proximity of the new dwellings in relation to existing properties, especially if some of the proposed dwellings were to be three storeys in height.

Andrew Mickleburgh stated that there were a number of concerns in relation to this application, including access, TPO trees and landscaping, site elevation and its relation to surrounding properties, and whether up to 9 homes could be accommodated on site. Whilst some of these issues would be considered at the reserved matters stage, should outline approval be granted, Andrew suggested that a site visit would allow the Committee to more fully appreciate the context of the site.

Stephen Conway regretted that this was an outline application, as it would facilitate the principle of development in the absence of detail.

David Cornish stated that whilst he had sympathy for residents, this site was located within a major development area and WBC was required to deliver more homes. David queried whether 9 homes was the maximum that could be built on the site if the application was approved. Benjamin Hindle, case officer, stated that a maximum of 9 homes could be delivered via this outline permission should it be granted.

Wayne Smith commented that approval of this outline application, and establishment of a principle of development, could make it easier for a future application to be lodged to propose an increase over and above 9 dwellings.

Alistair Neal was of the opinion that 9 dwellings may constitute overdevelopment of the site.

Andrew Mickleburgh proposed that the application be deferred, to allow a site visit to be undertaken to facilitate a better understanding of the context of the site. This was seconded by Stephen Conway.

RESOLVED That application 221797 be deferred, to allow a site visit to be undertaken to facilitate a better understanding of the context of the site.

117. APPLICATION NO.213610 - HATCHGATE AND KENTONS, KENTONS LANE, UPPER CULHAM, RG10 8NU

This application was withdrawn from the agenda.

118. APPLICATION NO.213587 - STROWDES, UPPER CULHAM LANE, REMENHAM, RG10 8NU

Proposal: Proposed erection of 1no. detached dwelling with associated landscaping.

Applicant: C/O Avison Young, Bristol.

The Committee considered a report about this application, set out in agenda pages 185 to 228.

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

Stephen Conway stated that whilst, in his opinion, the proposals were not a particularly attractive design, they constituted the same elements as the previously approved scheme.

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

RESOLVED That application number 213587 be approved, subject to conditions and informatives as set out in agenda pages 205 to 209.

119. APPLICATION NO.230219 - UNIT 31-33, SUTTONS BUSINESS PARK, SUTTONS PARK AVENUE, EARLEY, WOKINGHAM

Proposal: Full planning application for the demolition of existing building and erection of new building to provide new class B2/B8 industrial unit with ancillary office space plus associated storage areas, car parking, access and landscaping.

Applicant: ABRDN

The Committee considered a report about this application, set out in agenda pages 229 to 258.

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

- Removal of condition 4, and renumbering of conditions thereafter;
- Amendment of condition 6 (former condition 7);
- Amendment of condition 11 (former condition 12).

Andrew Mickleburgh commented that this application would help to rejuvenate an important business park. Andrew sought clarity regarding provision of electric vehicle charging points. Graham Smale, case officer, stated that information provided by the applicant indicated that electric vehicle charging points would be provided, however the highways statement stated that this would fall under building control regulation.

Stephen Conway proposed that the application be approved as per the office recommendation, and updates contained within the Supplementary Planning Agenda. This was seconded by David Cornish.

RESOLVED That application number 230219 be approved, subject to conditions and informatives as set out in agenda pages 243 to 249, removal of condition 4 (and renumbering of conditions thereafter), amendment of condition 6 (former condition 7), and amendment of condition 11 (former condition 12) as set out within the Supplementary Planning Agenda.