

## SUPPLEMENTARY UPDATE AGENDA Planning Committee – 11 OCT 2023

### Planning Applications

**Agenda Item: 33**

**Site Address: Arborfield Green District Centre, Arborfield Green, RG2 9GB**

**Application No: 230872**

**Pages: 11-52**

It is proposed to amend the wording of informative 17 (page 51) to clarify that the CEMP will need to refer to pedestrian and cycle access to Bohunt School. Amendment as follows (clarification denoted in **bold**):

17. The Construction Environment Management Plan (CEMP) required for the site in accordance with outline condition 65 shall include provisions to maintain safe **pedestrian and cycle** access / egress to Bohunt School via the existing California Greenway / Hazebrouck SANG route. It is the expectation of the LPA that the developer will consult Bohunt School and the Finchampstead ward councillors on its strategy prior to the submission of a CEMP.

**Agenda Item: 34**

**Site Address: 2 Wormstall Cottages, Greensward Lane, Reading, RG2 9JP**

**Application No: 231900**

**Pages: 81 - 98**

To clarify, the reason for determination of this application by committee is that the applicant is Wokingham Borough Council, and the application will result in an increase in staff members.

Comments have been received by Cllr Cowan on 03/10/2023. A summary of the comments is provided below:

- i. Is the rural nature of the site, with no facilities or amenities, appropriate for young people, especially if they are not old enough to go out unsupervised.

*Officer comments: This is not a material planning consideration however, the applicant has advised that just because this is a quiet rural location, it does not make it an unsuitable location to place and raise children. There is no doubt a number of families have chosen to locate here because of the quiet and rural nature of the location. Moreover, this would provide a pleasant, calm and welcoming home for the children placed here; who will be well supervised within the home and in the local community. Further to this, the home is very well located for access to Wokingham and Reading.*

- ii. Public transport is very limited, property users will be dependent on cars, thus increasing traffic, pollution and noise pollution.

*Officer comments: This would be no different to a family moving into the property who would also rely on independent modes of travel.*

- iii. Residents commented that Wokingham Borough Council (WBC) should have notified all residents of Greensward Lane, as all residents will be impacted in some form or other.

*Officer comments: Standard consultation protocol was followed which resulted in the direct neighbours being consulted. It would have been excessive to consult all properties along the road, it is deemed that the change of use to a children's home would be no more impactful than a family moving into the property.*

- iv. Off road car parking for 2, with staff of 10/12 is excessive for a small country lane.

*Officer comments: Ordinarily there will only be 2 or 3 staff at the home at one time as they run shift patterns over the week. Handovers are staggered so there will only be an additional car for very limited periods. If required, there is ample non-obstructive road parking.*

- v. As children can be up to 18 years old, the residents of Greensward Lane need more information as to who might occupy the house.

*Officer comments: The usual maximum permitted age by regulation is 17 years. The information that WBC will be able to divulge about the children is obviously limited; but these children will be supervised, and lines of communication for the immediate neighbours can be established to ensure any concerns are dealt with.*

- vi. A rural location like this is completely inappropriate to older children and in particular the next-door neighbour who lives alone and considers themselves vulnerable.

*Officer comments: Please see the response to point (i) above. It is the intention to provide a pleasant, calm and welcoming home for vulnerable children who, through no fault of their own, find themselves in need of care. The perception that the placement of these children will place the existing neighbour and other elderly residents along Greensward Lane at risk is unfounded. These are children who effectively will have a continuous level of care / supervision. As set out above, it is the intention of WBC to contact and engage with neighbouring residents and to set up lines of communication for the immediate neighbours. Hopefully, these measures will help change perceptions and allay concerns.*

- vii. Cllr Cowan concludes by stating his support for the concept, however, he does not find the property suitable and understands that the Borough Council is not committed financially. A more active sustainable community property would be appropriate for such children.

*Officer comments: For information, completion of the purchase is intended to take place on 6<sup>th</sup> October 2023. However, whether WBC are financially committed to the property or not is irrelevant to the consideration as to whether the change of use of the property to a children's home is acceptable in planning terms and should have no influence on the Committee's decision. If planning permission is secured, WBC will proceed with the children's home. If planning permission is refused, then the Council will need to find an alternative occupier / use for 2 Wormstall Cottages, whilst at the same time, identifying an alternative property elsewhere to provide the children's home.*

**Agenda Item: 35**

**Site Address: Land Adjacent to Lane End House, Shinfield Road, Shinfield  
RG2 9BB**

**Application No: 222304**

**Pages: 99 - 149**

Officers have further considered the proposed planning obligations to be secured via s106 with the applicant. To clarify, the Infrastructure Financial Contributions for South of M4 SDL and 'My Journey' initiative is to be secured for payment upon commencement of development rather than being considered as part of the late-stage viability review. Hence, the application remains in compliance with the Council's highways policies. For clarity, the following updated recommendation is provided below:

Revised recommendation:

*That the committee authorise the **GRANT OF PLANNING PERMISSION** subject to the following:*

*A. Completion of a legal agreement pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) to secure the provision of:*

- i. A deferred payment mechanism for an Affordable Housing commuted payment should the profitability of the scheme allow it,*
- ii. Infrastructure Financial Contributions for South of M4 SDL and 'My Journey' initiative (total £5,328.00) payable upon commencement of development, and*

- iii. *An Advance Payments Code (APC) bond to ensure creation of a management company to maintain the site road.*

*Administrative clauses:*

- iv. *Section 106 Monitoring fee being the amount of reasonable fees in monitoring the performance and discharge of the Section 106 obligations,*
- v. *The Council's reasonable legal fees in relation to the completion of the Section 106 agreement (whether or not the matter goes to completion),*
- vi. *Indexation (all contributions and payments to be index-linked from the date of the decision to grant planning permission to the date of which payment is made, using BCIS index).*

*B. The recommended Conditions and Informatives listed at Appendix 1.*

**OR**

- ii) Refuse full planning permission if the legal agreement is not completed within three months of the date of this resolution (unless officers on behalf of the Assistant Director – Place and Growth agree to a later date for completion of the legal agreement)*

Also, please note the typographical error at the end of para. 12. Text “as part” is erroneous and should be ignored.

**Agenda Item: 36**

**Site Address: Land at Building 810, Eskdale Road, Winnersh Triangle**

**Business Park, Wokingham, RG41 5TS**

**Application No: 231602**

**Pages: 151 – 192**

Pages 151-152

The recommendation (Part A) is updated as follows to reflect the correct categorisation of the monitoring fee (being an administrative cost) and to include it in the “administrative” category, in conjunction with other appropriate administrative costs. The Heads of Terms have been corrected to include Employment Skills Plan (in addition to Employment Skills Contribution).

**That the Planning Committee authorise the GRANT OF PLANNING PERMISSION subject to the following:**

- A. *Prior completion of a S106 legal agreement inclusive of the following Heads of Terms:***

- i) *Employment Skills Contribution and/or Employment Skills Plan (at the election of the applicant/developer); and*

**Administrative clauses:**

- ii) *Section 106 Monitoring fee being the amount of reasonable fees in monitoring the performance and discharge of the Section 106 obligations,*
- iii) *The Council's reasonable legal fees in relation to the completion of the Section 106 agreement (whether or not the matter goes to completion),*
- iv) *Indexation (all contributions and payments to be index-linked from the date of the decision to grant planning permission to the date of which payment is made, using BCIS index).*

**B. Conditions and informatives as set out in Appendix 1 (subject to any additions and updates agreed with the Assistant Director – Place and Growth between the date of the resolution and the issue of the decision)**

**C. Alternative recommendation:**

*That the Planning Committee authorise the Head of Development Management to refuse planning permission in the event of a S106 legal agreement not being completed within three months of the date of the committee resolution (unless longer period is agreed by the chairman of the Planning Committee and confirmed in writing by the Local Planning Authority) for the following reason:*

- 1) *In the absence of a completed Section 106 legal agreement, the Local Planning Authority is unable to secure the implementation of an Employment Skills Plan or an Employment Skills Contribution in lieu that would otherwise enable the Council to secure the equivalent employment outcomes. Therefore, the applicant failed to provide a suitable mechanism to encourage the use of local labour and ensure that local people have the skills and abilities to compete for local jobs, contrary to Policy TB12 of the Managing Development Delivery Local Plan.*

Page 156

Councillor Prue Bray provided the following comments:

*“I have no objection to this application but I would like the committee to note the planning history in the report. This history includes 222366, also an application for sound stages at Winnersh Triangle, and says it is “under consideration”. It has been stuck in the system as “decision pending” for over a year. The Planning Committee did give approval, but it has not proved possible to finalise the S106 agreement. With that in mind, I would like to point out that tonight’s application, 231602 ,has two alternative recommendations, both of which include approval, but one of which is a*

*general one about completing a S106 agreement, and the other, C, that permission is dependent on a S106 agreement being completed within 3 months. I would ask the committee to choose the option which includes the 3 month time limit, in an effort to convey to the applicant that the council would prefer to get S106 agreements signed so that development can commence. It is not a good look for the council to have applications stuck in limbo, even if the circumstances are not our fault.”*

*[Officer note: to clarify, application 222366 was presented at Planning Committee in November 2022. The associated Section 106 Legal Agreement is still being negotiated. The officer recommendation for the current application is inclusive of all parts (A, B and C), which means that in the event that Members resolve to approve application 231602, the permission will not be granted until the associated Section 106 Legal Agreement is completed. It should be noted that if the permission is granted, the applicant will still have a choice whether to commence the development or not, in this instance we are advised that the applicant still wishes to proceed with the scheme.]*

Page 176

The original triggers for Conditions 11 and 12 (within three months of the grant of planning permission) have been corrected to require relevant information to be submitted prior to development being brought into use. Conditions 11 and 12 should read:

#### **Travel Plan**

11. No part of the development hereby approved shall be brought into use until a Travel Plan has been first submitted to the Local Planning Authority for a written approval. The submitted Travel Plan shall be in general accordance with the principles of the Framework Travel Plan Rev v1.1 dated 18 August 2023 prepared by Motion and include a programme of implementation and proposals to promote alternative forms of transport to and from the site, other than by a private car, and provide for periodic review for monitoring purposes. The approved Travel Plan shall be fully implemented in accordance with the approved details before the development hereby approved is first brought into use and shall be maintained thereafter and reviewed as so approved.

*Reason: To encourage the use of all travel modes. Relevant Policy: NPPF Section 9 (Sustainable Transport) and Core Strategy Policy CP6*

#### **Parking Management Plan**

12. No part of the development hereby approved shall be brought into use until a Parking Management Strategy for the management of parking arrangements, in conjunction with any other phases used for the purpose associated with the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The submitted Parking Management Strategy shall be in broad accordance with Car

Parking Management Plan Rev v1.1 dated 18 August 2023 prepared by Motion and shall include details of management of all parking spaces and the monitoring and the delivery of the passive electric vehicle charging spaces. The Parking Management Strategy shall be implemented in accordance with the approved details before the development hereby approved is first brought into use.

*Reason: To ensure satisfactory development in the interests of amenity and highway safety in accordance with Wokingham Borough Core Strategy Policies CP1 and CP6, and MDDL Policies CC07.*

**Agenda Item: 36**

**Site Address: Gateway 4 Plot Thames Valley Science Park Shinfield  
RG2 9LH**

**Application No: 231837**

**Pages: 93 – 216**

Page 193:

Change applicants name from University of Reading to Shinfield Studios

Pages 194, 201

Update building height from 5 stories to 4 stories with plant room above

Page 198

Southern Gas Networks have confirmed that they have withdrawn their objection

Page 217 Annex A

The recommendation (Part A) is updated as follows to reflect the correct categorisation of the monitoring fee (being an administrative cost) and to include it in the “administrative” category, in conjunction with other appropriate administrative costs.

That the committee authorise the **GRANT OF PLANNING PERMISSION** subject to the three-tiered recommendation as set out below:

*A. Completion of a legal agreement within 6 months of the committee resolution (unless a longer date is agreed by the Assistant Director of Planning and Chairman of Planning Committee) to:*

- i. Amend the S106 pursuant to 211841 for flexibility with regards to the location and mechanism for the delivery of the community use screening facility which will be available for use by the local community at weekends. Officer note: The applicant is committed to delivering this for the community, but the S106 for 211841 needs to be varied to allow the community use screening facility to be provided outside of the 211841 studios planning permission boundary.*
- ii. Secure Employment Skills Plan contributions and link it to the post occupation Employment Skills obligations identified in the Section 106 Agreement for 211841.*

- iii. *Amend the Gateway Policy for the Science Park to include digitalcreative sector including film and television studios and workshops and innovative digital media companies as occupants of the Science Park*

*Administrative clauses:*

- iv. *Section 106 Monitoring fee being the amount of reasonable fees in monitoring the performance and discharge of the Section 106 obligations,*  
 v. *The Council’s reasonable legal fees in relation to the completion of the Section 106 agreement (whether or not the matter goes to completion),*  
 vi. *Indexation (all contributions and payments to be index-linked from the date of the decision to grant planning permission to the date of which payment is made, using BCIS index).*

Page 205 add in as paragraph 25 the following:

Due to the nature of the use of the proposed building which is better suited in a clustered approach and the designation of the site as a core employment area, in this instance a sequential test is not required.

Number up following paragraphs accordingly

## Pre-emptive site visits

None

## Non-Householder Appeal Decisions

Non-Householder Appeal Decisions will be reported quarterly prior to the following meetings as part of the Supplementary Planning Agenda:

- January 2024
- April 2024
- July 2024

## Non-Householder Appeal Decision October 2023

App No.	Address and Description	Committee (Y/N)	Decision	Main Issues Identified/Addressed
220049	327a Hyde End Road, Spencers Wood, Wokingham  APPLICATION FOR WORKS TO PROTECTED TREE(S) TPO 1776/2021, T1	N	Dismissed	One of 3 oak trees on neighbouring properties protected under TPOs. They contributes significantly to public amenity.  All the evidence



	T1, Oak - Fell			suggests that they are the result of inadequate design, and were entirely foreseeable. That would not normally justify the crown reduction or removal of a protected tree.
221218	Scarletts Farm Cottage, Scarletts Lane Hare Hatch RG10 9XF  Application for a certificate of lawfulness for the proposed erection of a garage/garden store/domestic workshop and hardstanding.	N	Dismissed	The main consideration is whether permitted development rights under Classes E and F have been removed, and whether the development required for the purpose of enjoyment of the dwellinghouse.  It was concluded that the development would be required for a purpose incidental to the enjoyment of the Cottage as a residential dwellinghouse
220086, 220087, 220088, 220091, 211549	Appeals A and B Refs: APP/X0360/C/21/3289909 & 3289910 Land to the South of Twin Oaks, Longwater Lane, Finchampstead  Appeals C and D Refs: APP/X0360/C/21/3289912 & 3289913 Land to the South of Twin Oaks, Longwater Lane, Finchampstead RG40 4NX  Appeal E Ref: APP/X0360/W/21/3283104 Caravan at Twin Oaks, Longwater Lane, Finchampstead RG40 4NX	N	A, B, C & D: Dismissed and the enforcement is upheld with a variation  E: Dismissed	Appeal A & B: On the balance of probability, the Council was in a position to take enforcement action against the breach of planning control constituted by those matters stated in the notice, specifically the use of the land as a use as a caravan site for residential purposes. Accordingly, the appeals on ground (d) fail.  The period for compliance specified in the notice is twelve months. Complying with the notice could detract from the appellant's ability to travel for economic purposes but, given that the appellants accept that the steps required to comply with notice could be achieved in half the time stated in the notice. Not persuaded that this provides justification for extending the period of compliance. The appeals on ground (g) fail.  Appeal C & D: It would found there was no justification for

				<p>extending the period of compliance. Accordingly, the appeals on ground (g) fail.</p> <p>Appeal A, B, C &amp; D: The proposed development would unacceptably harm the character and appearance of the surrounding area as the proposed development introduces urban influences into this valued landscape.</p> <p>The proposed development would result in a net loss of biodiversity on the appeal site itself.</p> <p>Appeal E: The proposed development is contrary to the development plan.</p> <p>There is no imperative to grant planning permission for a proposal that does not accord with the development plan and which causes environmental harm in order to meet any shortfall in the need for such pitches.</p>
222515	<p>"Rear Of", 1 Mole Road, Sindlesham, Wokingham</p> <p>Outline application with all matters reserved for the proposed erection of a single storey dwelling.</p>	N	Dismissed	<p>The adverse impacts on the character and appearance of the area would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As such, the presumption in favour of sustainable development does not apply.</p>
221892	<p>544 Wokingham Road, Reading</p> <p>Full application for the proposed subdivision of the site and erection of a detached 2 no. bedroom dwelling and car port following demolition</p>	N	Dismissed	<p>The proposal would adversely affect the character and appearance of the area.</p> <p>The proposal would not provide suitable living conditions for future residence in terms of the provision of outdoor amenity space.</p>

	of existing outbuildings, with associated access, storage and parking.			
214173	<p>Sonning Golf Club, Pound Lane, Sonning, RG4 6GJ</p> <p>Full application for the proposed development of a specialist dementia residential care home (Use Class C2) with the creation of new pedestrian, cycle and vehicular access, plus landscaping and associated works.</p>	N	Dismissed	<p>The proposed building's substantial size, massing and design would harm the character of the area and appearance of the immediate area. It would not respect the character and quality of the area so as to satisfactorily integrate into its setting.</p> <p>The proposal would also have a negative impact with regard to wider landscape character and the proposed loss of trees.</p> <p>The proposal would materially conflict with national and local climate change objectives.</p>
222846	<p>"Land Adjacent to Elephant &amp; Castle public house", Broadwater Lane, Wokingham, Hurst</p> <p>Prior approval submission for the proposed erection of a 15m telecommunications monopole mast and wrap-around cabinet plus additional 3 cabinets and 10 No. paving slabs.</p>	N	Dismissed	<p>The large size and utilitarian appearance of the proposed mast would appear out of scale and overly prominent from the residential properties along Lodge Road.</p> <p>The siting and appearance of the proposed installation would lead to harm to the character and appearance of the area. This harm would not be outweighed by the other material considerations of the identified need for the installation, or the alternative sites put forward.</p>
210777	<p>"Woodlands Farm", Wood Lane, Arborfield</p> <p>The breach of planning control as alleged in the notice is:</p> <p>i. Without planning permission, the material change of use of 'the Land' to a sui generis use of a contractor's yard (including the storage of materials, equipment associated paraphernalia</p>	N	Dismissed	<p>The Enforcement Notice was upheld following an informal hearing.</p> <p>The Inspector agreed with the council that the unlawful development had resulted in a detrimental impact on highway safety; the character &amp; appearance of the area and local residents' amenity due to noise &amp; disturbance.</p> <p>The appellant has 6 months to comply.</p>

	<p>and parking of vehicles) and offices.</p> <p>ii. Without planning permission, the erection of two office buildings, the laying of hard surfacing, engineering operations to level the land, erection of security gates and fences</p>			
223382 & 223383	<p>112 Silverdale Road, Earley, Wokingham</p> <p>Without planning permission, the erection of a rear extension, and the erection of a raised platform comprising decking, railings, supporting stilts and stairs on the Land.</p> <p>Linked appeal: APP/X0360/C/22/3310837</p>	N	<p>A: Allowed</p> <p>B: Dismissed</p>	<p>Appeal A: The appeal was allowed insofar as it relates to the erection of the rear extension and planning permission was granted on the application deemed to have been made under section 177 (5) of the 1990 Act as amended, for the erection of the rear extension at 112 Silverdale Road, Earley, Reading RG6 7LU referred to in the notice. The appeal is dismissed and the enforcement notice is upheld for the erection of a raised platform comprising decking, railings, supporting stilts and stairs and planning permission is refused in respect of the application deemed to have been made under section 177 (5) of the 1990 Act as amended, for the erection of a raised platform comprising decking, railings, supporting stilts and stairs at 112 Silverdale Road, Earley, Reading RG6 7LU.</p> <p>Appeal B: The appeal was dismissed and the enforcement notice upheld.</p>
192988 & 201463	<p>"Heartwood Lodge", Sandhurst Road Wokingham</p> <p>192988: Full application for the change of use to a mixed use of storage of agricultural products, forestry products and green waste and forestry use.</p>	N	Allowed	<p>Appeal A (201463): Subject to the corrections, Appeal A was allowed, the enforcement notice was quashed and planning permission granted as the Inspector reasoned that it was more likely than not that the material change of use had taken place from a forestry use to a mixed use for forestry and for the</p>

	<p>Linked appeal 201463: Without planning permission the change of use of the land for the storage, distribution and transfer of arboricultural waste.</p> <p>Both of the above appeals will be heard at this hearing.</p> <p>201463: Breach alleged without planning permission the change of use of the land for the storage, distribution and transfer of arboricultural waste.</p> <p>Linked appeal 192988: Full application for the change of use to a mixed use of storage of agricultural products, forestry products and green waste and forestry use.</p> <p>Both of the above appeals will be heard at this hearing.</p>			<p>storage and transfer of arboricultural waste forestry products. They found this to be a materially different use to the use that is alleged in the enforcement notice. For this reason, the matters alleged in the enforcement notice were deemed not to have occurred.</p> <p>Appeal B (192988): The appeal was allowed and planning permission is granted. The Inspector concluded that the development would not conflict with the requirements relating to reducing the need to travel, particularly by private car, and the zero-carbon goal, would not have an unacceptable effect on the character and appearance of the site and the surrounding area, trees on site, living conditions of nearby occupiers.</p>
222270	<p>12 Culver Lane, Earley, Wokingham</p> <p>Enforcement Appeal: Without planning permission, the erection of a building and associated hardstanding as shown hatched blue in the approximate location on the attached plan.</p>	N	Allowed	<p>There would be substantial prejudice if the appeal were to proceed without giving the owners and occupiers of No 10 an opportunity to take part in the proceedings. It followed that it would not be appropriate for the Inspector to disregard the failure to serve all of the owners and occupiers of the land to which the notice relates.</p>
222256	<p>1 Yeosfield, Riseley, Wokingham</p> <p>Full application for the proposed subdivision of the site and erection of 2 no. three bedroom detached dwellings with</p>	N	Dismissed	<p>The proposed development would cause unacceptable harm to the character and appearance of the area. The proposed development would cause unacceptable harm to the safety of users of Bull Lane.</p>

	associated amenity space, parking and access, including extension of existing ditch crossover, new ditch crossover onto Bull Lane, erection of new footbridge following removal of existing concrete bridge and extension to the dropped kerb.			
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