

P24-0702

12th December 2024

Development Management
Wokingham Borough Council
Shute End
Wokingham
Berkshire
RG40 1BN

Dear Sir/Madam,

Land South of Bridge Farm, Reading Road, Arborfield, Wokingham, RG2 9HT
Section 73 Application to vary condition 2 related to Planning App No. 223083
Planning Portal Reference: PP-13065742

Please find enclosed an application to vary condition 2 of planning permission ref. 223083 for the Outline application for the erection of up to 11 No. commercial units to provide 6,986sqm GIA commercial / employment development predominantly within Class B8 and/or Class E(g) uses with supporting facilities within Class E uses comprising ancillary offices, trade counters and food/drink facilities with highway works and strategic landscaping. Matters of Access, Siting and Scale to be considered only. Outline consent was approved on 2nd February 2024 and this application has been submitted on behalf of Tungsten Properties, Angle Property (Arborfield) LLP and Farley Farms Partnership. The application has been submitted via the Planning Portal (reference number: PP-13065742).

Following consent in February this year, a Section 96A application was later submitted to the Local Planning Authority (LPA) for minor alterations to the scheme approved at outline. The LPA issued their response on 25 April 2024, confirming that they were unable to accept the alterations as shown on the amended site plan as non-material amendments and therefore advised that the changes require a further planning permission. The proposed amendments are considered by the LPA to be material on siting, highways and landscaping grounds.

Section 73 of the Town and Country Planning Act 1990 allows an LPA to vary or remove planning conditions attached to a previous planning permission, without the need to apply for an entirely new planning application with all supporting documentation.

This application seeks to vary condition 2 which relates to the approved list of documents attached to the outline consent in order to allow an amended scheme. The principle of development has therefore been established and hence the LPA's assessment should take into account only the matters which are relevant to the conditions concerned. As such the main issues central to the determination of this application are as follows:

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1. Layout and Siting

This Section 73 application submitted includes an Illustrative Masterplan (Drawing No. P403 Rev H) and Access, Land Use & Height Parameters Plan (Drawing No. P402 Rev D) as produced by HTC Architects, these replace the Illustrative Masterplan (Drawing No. SK18 Rev U) and Parameters Plan (Drawing No. 18959-SK24 Rev P) as previously approved under the outline consent.

The proposed layout indicates a minor alteration to the siting of the buildings and the parking layout and a re-configuration of the internal floor space, which is now proposed across 7 units rather than 11 units as shown on the Illustrative Masterplan. Condition 3 of the outline consent requires the scheme to not exceed 11 units and therefore provides some flexibility and the proposal description specifies the development will provide 6,986 sq m GIA. Matters of appearance and landscaping were not considered under the outline consent and therefore this level of detail has not been provided under this application and only updates to the Illustrative Masterplan and Parameters Plan are required. The changes to the layout presented under this application are required in order to make the scheme more commercially viable in the current market for employment buildings of this nature.

The proposed site plan indicates that the proposed GIA would measure 6,982 sq m, which does not exceed that approved under the outline consent and as specified in the proposal description. A comparison plan (Drawing No. P404 Rev B) has also been submitted, it shows the extent of the developable areas approved under the masterplan as indicated by a solid pink line and the layout of the buildings shown by the hatched pink lines, on the amended masterplan, this provides a clear comparison between the two layouts. As can be seen, the changes to the site layout and the siting of the buildings are minimal and it strongly reflects the design of the outline consent. These changes would not result in a change to the orientation of the buildings, they would have broadly the same footprint on the site and the access to the site and to each unit remains the same and as such there is no increased visual harm. The proposed parameters plan also indicates that there would be no changes to the building heights. The changes to the layout would have no increased visual impact in terms of views from the public realm or on the residential amenity of properties on Greenward Lane to the east, as the buildings are not being moved closer or increased in height and there are no changes to the surrounding landscape buffer.

2. Highways

In terms of the internal access road along the western boundary of the site, this is shown as per the previously approved Parameters Plan, with a 6 metre wide access road and footway throughout. In terms of vehicle parking, the site plan indicates that as a result of the change in layout and number of separate units, changes to the parking provision and how spaces are laid out is now required. The previous outline consent had a total parking provision of 149 spaces, the Illustrative Masterplan now indicates 128 spaces.

The application is supported by a Parking Assessment Letter as produced by my client's transport consultant for the project, ADC Infrastructure and demonstrates that that changes to



the layout as shown on the Illustrative Masterplan would still provide a suitable parking provision within the site and for each unit to accommodate the proposed development and therefore the proposals are acceptable in highway safety terms.

3. Landscaping and Biodiversity

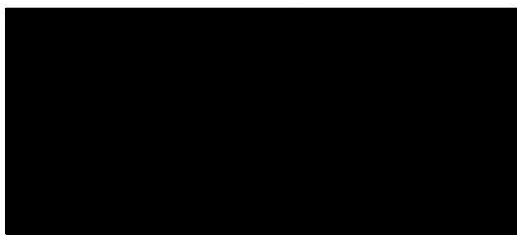
The proposed alterations to the site layout as shown on the Illustrative Masterplan would not significantly impact the layout of landscaping previously shown, with the changes shown predominantly impacting the developable area only. Given that the land that surrounds the developable areas has been retained for landscaping there should be no concerns in terms of landscaping when assessing against the outline consent. It should be noted that the proposal description does not specify the total area of land required for landscaping.

In terms of biodiversity, the application is supported by updated biodiversity metric figures and calculations as detailed in the Biodiversity Net Gain Report, these figures are based on an updated Landscape Strategy Plan (1628-L-D-PL-200 Rev V5), all of which has been produced by BLADE Ecology, this would replace the previous Landscape Strategy Plan (Drawing No. ANG23850 09F) as detailed on the outline consent. It is important to note that there is no requirement for the proposals to meet the new mandatory 10% Biodiversity Net Gain requirements. Paragraph: 016 Reference ID: 74-016-20240214 of the Government's Guidance on Biodiversity states, 'An application to vary a condition of a planning permission under section 73 which is made after 12 February 2024 (the commencement of the statutory framework for biodiversity net gain) is not in scope if the original permission (to which the section 73 application relates) was either granted or the application for the original permission was made before this date.' Given the outline consent was submitted well before 12th February 2024 the 10% requirement would not be applicable to this Section 73 application. A more detailed landscaping plan would be submitted as part of the reserved matters application given that landscaping was not approved at outline, but the updated landscaping strategy plan reflects the changes to the site layout as shown on the Illustrative Masterplan and demonstrates that an overall biodiversity net gain can still be achieved on site, with the updated landscaping strategy providing a +12.70% gain. By comparison, the landscaping strategy provided under the outline consent provided a +3.13% net gain, so the amended scheme shows a significant enhancement in terms of the landscaping to be provided on site and the impact on biodiversity.

The application fee of £293 has been paid online through the Planning Portal. I trust the above is sufficient for you to validate the application. Please do not hesitate to contact me if you have any queries or require any additional information.

Yours

Tom Beardsmore



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