

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	252712
Site Address:	10-12 Latimer Road, Wokingham
Expiry Date:	23 March 2026
Site Visit Date:	24 November 2025
Proposal: Application to vary condition 2 of planning consent 223691 for the Full application for the proposed erection of 42 residential apartments in three blocks, including on-site parking, shared amenity spaces, enhanced green spaces to support biodiversity and waste storage facilities. Access for neighbouring garages to be provided by 3.7m wide through-route north of the site. Following demolition of the existing buildings. Condition 2 refers to Approved Details, and the variation is proposed changes to meet the current legislation and Building Regulations.	

PLANNING POLICY	
National Policy	National Planning Policy Framework (NPPF)
Core Strategy (CS)	CP1 – Sustainable Development CP3 – General Principles for Development CP4 – Infrastructure Requirements CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP9 – Scale and Location of Development Proposals CP14 – Growth and Renaissance of Wokingham Town Centre
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction CC05 – Renewable Energy and Decentralised Energy Networks CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB05 – Housing Mix TB07 – Internal Space Standards TB15 – Major Town, and Small Town/District Centre development TB16 – Development for Town Centre Uses TB21 – Landscape Character
Joint Minerals and Waste Plan	DM1 - Sustainable Development DM2 - Climate Change – Mitigation and Adaptation DM3 - Protection of Habitats and Species DM7 - Conserving the Historic Environment DM8 - Restoration of Minerals and Waste Developments

(JMWP)	DM9 - Protecting Health, Safety and Amenity DM10 - Flood Risk DM11 - Water Resources DM12 - Sustainable Transport Movements DM13 - High Quality Design of Minerals and Waste Development DM14 - Ancillary development
Wokingham Borough Local Plan Update (LPU)	SS1 – Sustainable development principles SS2 – Spatial strategy and settlement hierarchy SS3 – Development within or adjacent to major and modest settlements SS15 – Securing infrastructure SS16 – Safeguarded routes SS17 – Transport improvements CE1 – Design principles for efficient buildings CE2 – Environmental standards for non-residential development CE3 – Environmental standards for residential development CE4 – Supporting a circular economy CE5 – Embodies carbon CE6 – Reducing energy consumption in existing buildings CE7 – Low carbon and renewable energy generation CE8 – Protecting renewable energy generation C1 – Active and sustainable transport and accessibility C2 – Mitigation of transport impacts and highway safety and design C3 – Active travel C4 – Green and blue infrastructure and public rights of way C5 – Parking and electric vehicle charging ER8 – Wokingham town centre H3 – Affordable housing FD1 – Development and flood risk (from all sources) FD2 – Sustainable drainage NE1 – Biodiversity and geodiversity NE5 – Landscape and design DH1 – Place making and quality design DH2 – Safeguarding amenity
Other	National Planning Policy Guidance (NPPG) Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Affordable Housing Supplementary Planning Document Sustainable Design and Construction Supplementary Planning Document Wokingham Town Centre SPD

PLANNING HISTORY		
Application No.	Description	Decision & Date
223691	Full application for the proposed erection of 42 residential apartments in three blocks, including on-site parking, shared amenity spaces, enhanced green spaces to support biodiversity and waste storage facilities. Access for	Approved (Committee) -

	neighbouring garages to be provided by 3.7m wide through-route north of the site. Following demolition of the existing buildings.	
241788	Application to vary condition 2 of planning consent 223691 for the proposed erection of 42 residential apartments in three blocks, including on-site parking, shared amenity spaces, enhanced green spaces to support biodiversity and waste storage facilities. Access for neighbouring garages to be provided by 3.7m wide through-route north of the site. Following demolition of the existing buildings. Condition 2 refers to the approved details and the variation is to amend the Accommodation Schedule to reflect the revised provision of affordable housing.	Approved 15/01/2025 –
250265	Application to vary conditions 2, 11, 16, 17 and 25 of planning consent 223691 for the proposed erection of 42 residential apartments in three blocks, including onsite parking, shared amenity spaces, enhanced green spaces to support biodiversity and waste storage facilities. Access for neighbouring garages to be provided by 3.7m wide through-route north of the site. Following demolition of the existing buildings. Condition 2 refers to approved plans, 11 to drainage, 16 to walking and cycling, 17 to electrical vehicles charging strategy, 25 to sustainability. The variation is to allow demolition to be achieved and update the sustainability strategy.	Approved 02/05/2025 –

CONSULTATION RESPONSES

Internal

WBC Property Services – No response received
 WBC Environmental Health – No objection
 WBC Drainage – No objection
 WBC Highways – Request additional information (information provided)
 WBC Growth & Delivery (Planning Policy) – No response received
 WBC Economic Prosperity & Place (Community Infrastructure) – No response received
 WBC Landscape and Trees – No objection
 WBC Health and Wellbeing – No response received
 WBC Community Safety – No response received
 WBC CIL – Advice provided
 WBC Education (School Place Planning) – No response received
 WBC Ecology Newts – No response received
 WBC Ecology – No objection

WBC Sports Development (Places and Neighbourhoods) – No response received
WBC Cleaner and Greener– No response received
WBC Green Infrastructure– No response received

External

Southern Gas Networks– No response received
Thames Water Utilities Ltd– No response received
Great Western Railway– No response received
Network Rail – Advice provided
South East Water– No response received
Royal Berkshire Fire & Rescue – Advice provided
NHS Wokingham CCG– No response received
Crime Prevention Design Advisor – Advice provided

REPRESENTATIONS

Parish/Town Council	An objection has been received by Wokingham Town Council on the following grounds: Lacking natural surveillance (<i>Officer note: As concurred by the Crime Prevention Design Advisor, this submission features greater natural surveillance than that originally consented</i>) Concerns raised with respect with the loss of the initially proposed solar panels. Concerns raised with respect to parking provision (<i>Officer note: the parking provision is not amended in quantum to that initially consented</i>). Concerns raised with respect to character harm, namely in that the proposal does not improve the aesthetics of the building.
Ward Member(s)	No comments received
Neighbours	Objections have been received by three residents on the following grounds: Conflicting with land registry boundary for garage access (<i>Officer note: this is a legal matter and not a material planning consideration</i>). Concerns with the character and appearance arising from the variations. Concerns raised with respect to harms to neighbouring amenities.

APPRAISAL

Site description:

The application site is located c18 metres from the edge of Wokingham Town Centre, in the major development location of Wokingham.

The site borders the strategic rail network at Wokingham station and sits adjacent to the train tracks, opposite the Macarthy and Stone assisted living 'Queen's Gate' development which lays to the east and facing a line of terrace dwellings to the north along Barkham Road. To the south-west of the site sits adjacent to maisonettes along Latimer Road.

The site has permission under application 223691 to demolish the existing commercial buildings, to replace these with 42 residential apartments. Furthermore, application 241788 was granted in January 2025 to provide an optional approach to affordable housing, either 100% or a policy compliant 30%. Finally, application 250265 was granted in May 2025 for amendments to the sustainability strategy, approved plans and condition triggers. Whilst site investigation works have begun, the development has not commenced and this S73 is determined on this basis. It is understood the proposal will be delivered as 100% affordable housing.

Proposal:

This is an application made pursuant to Section 73 of the Town and Country Planning Act 1990 (as amended) to vary condition 2 (approved plans). This reflects amendments to the internal and external appearance and function of the building to reflect the future occupier's intended needs, updated building regulations requirements as well as to reflect those needs by Abri and anticipated tenants.

Procedure:

S73 of the Town and Country Planning Act 1990 provides the ability to vary a condition on a planning permission. The Town and Country Planning (Development Management Procedure) (England) Order 2010 streamlined the procedure to enable local planning authorities to use its discretion on which statutory consultees should be consulted when such an application is submitted.

Section 73 of the Act instructs the Local Planning Authority to consider the variation to, or relief of conditions that are applied for which can be applied to retrospective development, stating that *"if they [the LPA] decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted....they shall grant permission accordingly"* (s.73(1)(a)). As such, the Local Planning Authority can grant permission unconditionally or subject to different conditions or alternatively refuse the application if it is deemed that the original condition(s) should remain in place.

Section 73 of the Act cannot be utilised to amend the description development as per the high court judgement of *Finney v Welsh Minsters* [2019] EWCA Civ 1868, which ruled "the planning authority cannot use section 73 to change the description of development". The original description of application 223691 was *"Full application for*

the proposed erection of 42 residential apartments in three blocks, including on-site parking, shared amenity spaces, enhanced green spaces to support biodiversity and waste storage facilities. Access for neighbouring garages to be provided by 3.7m wide through-route north of the site. Following demolition of the existing buildings.”

The proposed amendments to the approved plans under condition 2 does not alter the original description of development nor significantly change the substance of the application. Accordingly, the Section 73 mechanism is procedurally appropriate to consider the proposed amendments having regard for *Finney v Welsh Minsters* [2019] EWCA Civ 1868.

Principle of Development:

The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

Nothing herein varies the principle of development that was granted under application 223691 – there have no material changes in policy or site circumstances that would warrant a different conclusion from being reached.

Character of the Area and Landscape Character:

The proposal seeks to amend the design, height, elevational form and material palette whilst retaining three blocks as per the description of development. Therefore, whilst the form remains predominantly the same in its bulk and mass, amendments proposed will be assessed in isolation.

Core Strategy Policy 1 states that planning permission will be granted for development proposals that enhance the high quality of the environment.

Core Strategy Policy 3 states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and must be of high quality design.

RD6 of the Borough Design Guide SPD states the elevations are to be well composed, proportioned and detailed and RD7 requires that materials, colours and details respond to the distinctive elements of the locality.

Design and elevations:

The design of the proposed building is substantially similar to that initially approved in terms of its tri-block construction and recessed top floor. This submission proposes additional of brick detailing, lintels, recessed elevations, projecting fenestration and changes in material to break up the bulk and mass. Further to a review of the originally approved and amended plans, it is noted that additional detailing is added than that originally consented which is a benefit of the submission.

Turning to elevational form, the main differences alongside the changes to fenestration are the addition of a west facing façade, amendments to entrance canopies and bricking up the formerly exposed balconies on the north and east elevations.

The proposed development seeks to decrease the height of the fourth floor, on account of lowered ceiling heights for energy efficiency within the units proposed. This is materialised through a recessed elevation with west facing raised façade to cover the elevator shaft and roof top plant. This adds a point of architectural interest and whilst being flush with the lower floors, the use of alternating materials creates the impression of a recessed elevation.

The bricked-up balconies were proposed for both structural reasons further to detailed design, as well as to prevent intervisibility that may have arisen from the original proposal (though no objection or concerns were raised in this respect during original assessment). This is less attractive in visual terms than the corner balconies originally proposed, however, enclosing the balconies as proposed will visually screen any domestic clutter that may occur in a visually sensitive spot (with views afforded from Station Road). Mitigation has been secured through corner brick detailing which will be visible from the public realm.

The approved plans show canopies beyond the main building line and the internal wall clad in timber, which are proposed to be reduced, relocated and recessed with the timber elements removed. This was informed by maintenance in future and fire risk. Whilst the revised canopies are less visually appealing than those originally put forward, this is a minor amendment in the context of the development and therefore no objections are raised in this respect. The entrance points remain legible and differentiated from the main bulk of the building, and as such they are acceptable.

Ancillary Elements:

This submission proposes the erection of a sub-station within the car park area to the south-west of the site. This is a standard GRP unit and whilst not necessarily a positive feature in the context of the street scene, is equally of neutral appearance given its shielded location and dark material palette chosen. It is understood that formerly a brick built substation was proposed, however, further to dialogue with SSE it was understood that the easements for brick structures are larger and could interfere with parking/ access. Accordingly, a neutral GRP unit has been accepted in lieu to aid the delivery of the development.

Whilst views of the substation will be afforded from the entrances of Blocks B and C, this will be buffered with landscaping and seen within the context of a car park and thus is not significantly harmful to the character and appearance of the area.

The applicant further proposes the erection of a refuse and cycle store within the car park area, directly on the southern boundary. Whilst these elements do provide an element of clutter, they can be successfully assimilated into the site and furthermore are not uncommon features within the parking court of apartment buildings. It is noted that conditions 14 and 26 of the parent permission 223691 and subsequent variations control the appearance of the refuse and cycle stores. Re-location of these elements

to the southern boundary of the site would be therefore acceptable in spatial terms subject to well designed elevations coming forward via condition.

Changes to fenestration:

This submission proposes the reduction in window sizes, and the additional of further windows. Officers note that the approved windows serving each apartment were 450mm to cill and 2400 or 2700 to head. The proposal seeks to amend these to 450/600mm cill & 2100 or 2250 head, which whilst retaining width considerably decreases their height which in turn broke up the bulk and mass of a larger building.

In justifying the proposed amendment, the applicant has outlined that the windows have been reduced in size to mitigate Part O overheating/ solar gain issues which in turn contributes to the proposed development's efficiency. Further the applicant has outlined that reducing head heights of windows allows for curtain track space that was formally not accounted for. In addition, opening lights have been added to balcony doors to allow natural ventilation without having to open the balcony doors.

To mitigate the loss of larger windows, it is appreciated that the application has integrated brick detailing further to officer request. This in turn successfully breaks up the bulk and mass and results in a reasonably-proportioned development. In light of the above, the proposed changes to fenestration do not stand contrary to CP1 or CP3 of the Core Strategy, nor the guidance within the Borough Design Guide.

Removal of Green Roof and Solar Array:

Officers note that whilst green roofs and photovoltaic panels were shown indicatively on some of the plans submitted with the original application, these features were not specifically secured by condition nor required by the approved Energy Strategy and therefore do not form part of the formally approved development.

It is understood that the initially proposed photovoltaic panels have been removed from the proposal. The applicant outlines that this is their response to long-term maintenance and management considerations. As will be discussed separately, removal of the initially proposed solar array will not result in any material harm to the scheme's overall energy performance.

In character terms, the removal of these features does not detrimentally harm the appearance of the area given limited visibility would be afforded of them from the street scene, even within areas of higher topography (Station Road). Accordingly, they form no significant conflict with the development plan.

Internal amendments:

The proposal seeks to amend the finished floor levels and amend room areas/ widths to meet the NDSS requirements as well as re-locate the accessible M4(3) units to the ground floor. These internal amendments have a negligible impact on the character and appearance of the area, and will not impact how these areas function reflecting a logical amendment. Accordingly, no objections are raised in this respect.

Materials:

Whilst materials are subject to a pre-commencement condition which has been secured within the parent permission, the proposed s73 indicates a rationalised approach whilst retaining valuable variations in material (cladding and multiple types of brick utilised). As indicated, this remains successfully breaking up the bulk and mass of the building and therefore are acceptable, subject to details submitted to a similar effect pursuant to the condition.

Neighbouring Amenity:

The proposed amendments, including provision of additional windows and fenestration of varying sizes and a reduction in height of the 4th floor are re-assessed.

Core Strategy Policy CP1 states that planning permission will be granted for development proposals that avoid areas where pollution (including noise) may impact upon the amenity of future occupiers.

Existing occupiers:

Daylight and sunlight:

R18 of the Borough Design Guide SPD requires sufficient sunlight and daylight to new properties, with dwellings afforded a reasonable outlook, preferably dual aspect (with the avoidance of north facing, single aspect flats) and no material impact on levels of daylight in the habitable rooms of adjoining properties.

Given the distance between the proposed blocks and the surrounding residential occupiers and the orientation of the buildings, it is considered that the proposal would not result in a harmful loss of daylight and sunlight to these occupiers. The applicant has submitted an overshadowing report, which uses BRE Guidance to assess the proposal. There are no objections in terms of overshadowing to adjoining neighbouring dwellings.

Overlooking:

R15 of the Wokingham Borough Design Guide (Figure 4.25) outlines minimum separation distances that prevent unacceptable overlooking or harm to neighbouring amenities. This distances ranges from 22-30m to the rear and 10-15m to the street. The proposal retains adequate separation distances given the proposed footprint is not proposed to change within this variation submission. With the above in mind, there are no objections in regard to overlooking.

Overbearing:

The proposal would not give rise to unacceptable overbearing impacts, and in fact would appear less visually dominant in contrast to the originally approved scheme given a reduction in height proposed.

Noise:

The proposal seeks to add a GRP substation to the southern boundary of the site, buffered by existing brick-built stores to the neighbouring properties. This will be located circa 14 metres from the rear of No.12 Latimer Road. Condition 24 of the permission requires all external plant to not exceed at any time a level of 5dB[A] below the existing background noise level [or 10dB[A] if there is a particular tonal quality. Subject to compliance with this condition, no objections are raised by WBC Environmental Health with respect to noise pollution to adjoining occupiers. .

Residential Amenities (Future):

Daylight and sunlight:

In terms of shadowing, all of the units would receive some degree of shadowing throughout the day as the sun moves from east to west, however, this would not be to the extent that it would be harmful to residential amenity. The apartment blocks have been carefully designed in this respect to comply with BRE Guidance, as bolstered by the submitted daylight/sunlight assessment.

Overlooking and Overbearing:

The proposed internal layout and window positioning has been designed to avoid direct window to window overlooking, including bricking up balconies to prevent any intervisibility from amenity space.

The proposal would retain adequate separation distances from adjoining residential occupiers with the development, that would not give rise to any overlooking or overbearing impacts for future occupiers within the application site.

Internal Space Standards and Mix:

Dwelling Mix:

Policy CP5 of the Core Strategy requires an appropriate mix of dwelling types, tenures and sizes so that the housing needs of the community are met. Policy TB05 of the MDD Local Plan requires an appropriate housing mix which reflects a balance between the underlying character of the area and both the current and projected needs of households.

The intent of Council's policies are to provide a mix of accommodation to cater for the varied needs of the community and to ensure that it is provided where it is needed. It must take account of a variety of living arrangements including but not limited to families, extended families, couples, single parents, first homeowners, aged residents (including those looking to downsize) and those on low income. On the whole, the application continues to provide a range of smaller units of accommodation suitable for its sustainable urban location.

Accessibility:

Policy CP2 of the Core Strategy seeks to ensure that new development contributes to

the provision of sustainable and inclusive communities, including for aged persons, children and the disabled. 10–20% of all dwellings should be to Lifetime Homes standards in accordance with Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan. In this case, it equates to a maximum of 8 units.

Although the Lifetime Homes standard has been replaced by the new national technical housing standards, the need to design and build accessible and adaptable accommodation remains integral to future neighbourhood planning.

The proposal remains showing level internal access, and motorized lift leading to upper levels with 7 of the 42 apartments proposed being considered accessible and adaptable, which is near the maximum policy requirement in excess of the minimum. The amenity space is shown to be level which will facilitate wheelchair access.

All proposals must comply with Building Regulations Part M (Access) which have informed the access gradients as well as the window/ balcony openings which are in excess of 850mm. There are no objections in regards to accessibility notwithstanding the relocation of the M4(3) units logically to the ground floor.

Housing Amenity - NDSS:

Policy TB07 of the MDD and R17 of the SPD as well as the NDSS require adequate internal space to ensure the layout and size achieves good internal amenity.

The proposal complies with the nationally described space standards for internal amenity in the above respects, exceeding them in every unit proposed which is supported by the Council.

Highway Access and Parking Provision:

Parking

The approved layout consists of a total of 34 no. car parking spaces (including 6 no. allocated spaces for accessible units and 3 x 3-bed units), and 2 motorcycle spaces. The remaining car parking spaces are unallocated.

The revised site plan has redistributed the parking allocation to retain the approved number of allocated parking (3 no. allocated accessible bays and 3 no. allocated bays), which is acceptable and raises no objection from WBC Highways.

Cycle Provisions

The approved plans include 46 no. secured cycle parking and 8 no. additional visitor cycle spaces. The proposed level of cycle provision remains unchanged.

It is noted that the minimum numbers of numbers of cycle parking required for Block A is 29 and Blocks B & C is 15. The revised cycle provisions accessible to Block A are 30 and that of Blocks B & C are 16, which are acceptable and exceed minimum standards to incentivise active travel.

Refuse Stores

According to Manual for Streets and council's waste collection guide, the maximum carrying distances for households (30m) and refuse collection operators (10m) from the collection point. Such standards will apply to all plots within the site.

The applicant clarifies that multiple 360L bins, instead of 1100L bulk bins, will be used for the site. This is acceptable, and when approached by Officers, WBC Cleaner and Greener had no objections to this.

Sustainability:

The applicant has provided a supplementary energy statement to build on that previously approved and later varied. This outlines that notwithstanding the loss of the PV panels and green roof, through improvements in building fabric, ventilation and sustainable/ renewable energy the proposal will achieve a 54.55% reduction in regulated CO₂ emissions vs Part L baseline. In combination this exceeds the originally secured carbon reductions (which did not account for Part L's default 31%) and thus marks a benefit of the variation.

Amenity Space:

No amendments are proposed that would change the levels or quantum of amenity space offered. The amenity space proposed was considered by Members of the Planning committee under application 223691. Nothing within this submission seeks to vary this.

Flooding and Drainage:

No amendments are proposed that would change the impact of the previously approved building on flooding and drainage grounds. The impacts and mitigation measures provided were considered by Members of the Planning committee under application 223691.

Aboricultural Information:

No amendments are proposed that would change the impact landscaping protection. The landscape impacts and mitigation were considered by Members of the Planning committee under application 223691. Nothing within this submission seeks to vary this. No objections were received by WBC Trees and Landscape.

Ecology:

No amendments are proposed that would change the impact of the previously approved building on ecology. The impacts to biodiversity and protected species were considered by Members of the Planning committee under application 223691. No objections were received by WBC Ecology.

Community Infrastructure Levy (CIL):

When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

Conclusion:

There have been no significant changes in policy or site circumstances that warrant a departure from the original grant of permission and subsequent variations. The proposed elevational, design and sustainability amendments are acceptable, and compliant with the Development Plan.

The Public Sector Equality Duty (Equality Act 2010): In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION	
Conditions agreed:	Not required.
Recommendation:	Approval subject to conditions
Date:	9 March 2026
Earliest date for decision:	2 March 2026

Conditions agreed:	Not required.
Recommendation:	Approval subject to conditions
Date:	9 March 2026
Earliest date for decision:	2 March 2026

Recommendation agreed by: (Authorised Officer)	<i>MC</i>
Date:	11.03.2026

PLANNING CONSTRAINTS/STATUS

Water Utility Consultation Zones

Contaminated Land Consultation Zone

Affordable Housing Thresholds

Bat Roost Habitat Suitability

Scale and Location of Development Proposals

Great Crested Newt Consultation Zone

Nuclear Consultation Zone

Railways

Tree Preservation Orders

Landscape Character Assessment Area

SSSI Impact Risk Zones

Thames Basin Heaths SPA Mitigation Zones

Local Plan Update Submitted Sites

Great Crested Newt Consultation Zone Minor