

**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON 13 NOVEMBER 2024 FROM 7.00 PM TO 9.30 PM**

Committee Members Present

Councillors: Carol Jewell (Chair), Martijn Andrea (Vice-Chair), Sam Akhtar, Greg Bello, Moses Iyengunmwena and Andy Ng Siu-hong

Councillors Present and Speaking

Councillors: Joseph Barley

Officers Present

Gordon Adam, Highways Development Control
Neil Allen, Head of Legal
Brian Conlon, Operational Lead - Development Management
Liam Oliff, Democratic and Electoral Services Specialist

Case Officers Present

Mark Croucher
Connie Davis

29. APOLOGIES

Apologies for absence were submitted by Councillor Munro, Councillor Shepherd-Dubey and Councillor Smith.

30. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 9th October 2024 were confirmed as a correct record and signed by the Chair.

31. DECLARATION OF INTEREST

Councillor Jewell declared a prejudicial interest in application 242147 as she had made various public comments on this matter, she had taken advice on whether this could constitute an appearance of bias and therefore decided to not take part in the discussion or decision and leave the room when this matter is reached.

32. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

There were no applications to be deferred or withdrawn

33. APPLICATION NO 242147 LAND OUTSIDE 145 CROCKHAMWELL ROAD, WOODLEY, RG5 3JP

Having declared an interest in this item Councillor Jewell left the room for this item and did not participate in the debate or vote. Councillor Andrea took over the chair.

Proposal: Full application for the proposed installation of 1 no. new communications kiosk.

Applicant: Mr Thomas Johnston of New World Payphones

The Committee considered a report on this application, set out in agenda pages 15 to 36.

Brian Fennelly, resident, spoke in objection to the application. He mentioned that the adverts that would be displayed on the kiosk would be to attract attention and that this could distract drivers, which could affect public safety. He added that the increased street furniture would lead to issues with pedestrian flow, he felt that the applicant had not highlighted the issues around street furniture. He explained that the current phone box in the town centre was only being used 40 times per year and that another one was not needed. He added that there were already 11 defibrillators in Woodley and that they had never been used in 6 years, he felt that this application was only for the applicant to gain advertising revenue.

Councillor Iyengunmwena questioned how the kiosk would be wired. Connie Davis, case officer, explained that there was a foundation box underneath, and that it would be wired into the ground, it was added that it wasn't self-powered. Councillor Iyengunmwena asked what the relative size of the kiosk was compared to the street furniture. Connie Davis stated that the closest item to the kiosk was a bench and that the kiosk was substantially higher. Councillor Iyengunmwena sought clarity on the dimensions compared to existing kiosks in Woodley. Connie Davis clarified that the new kiosk had similar dimensions to the existing one, but that this one was not totally closed. It was added by Brian Conlon, Operational Lead, Development Management, that the standard height was 2.1m and this kiosk was 2.5m. Councillor Iyengunmwena asked whether the existing kiosk had Wi-Fi, it was confirmed that it did not.

Councillor Bello commented that this application was unnecessary as Woodley town already had a telephone kiosk. He added that the precinct had too much street furniture and the new kiosk would be in the way if pedestrians try to move around. He felt there was no benefit to the kiosk and that it caused clutter.

Councillor Akhtar commented that he felt the kiosk was unnecessary and that it was just an advertising screen, he made points that it cluttered the high street and could lead to Anti-Social Behaviour (ASB).

Councillor Ng Siu-hong mentioned that there was no demand for setting up another phone kiosk in Woodley, he felt that the large screen would be an obstruction to large vehicles. It was clarified by Connie Davis that it wasn't for officers to consider the need for a development. She added that the phone would be free except for international calls, which was a benefit and not the case with the existing phone in the town. She told the committee that the view of officers was that the precinct had no distinct character and therefore the kiosk was not out of keeping with the character of the area. There was no objection from Highways in terms of issues for pedestrians and there was sufficient clearance. Gordon Adam, Highways Development Control, explained that as was the case in any pedestrian area, there would be street furniture, but it was set out so it didn't impede the flow. He added that there was 3.5m of clearance to the side of the kiosk which meant it wouldn't impede pedestrian flow or impede emergency vehicles from passing.

Councillor Iyengunmwena asked why this kiosk was needed when most people now use mobile phones. Connie Davis explained that because this kiosk was free unlike the other one in Woodley that it could be used when people's mobiles run out of battery. Brian Conlon added that there had been a huge reduction in the use of the nearby payphone and that there was no market for paid phones now. All modern kiosks across the country had advertisements over them. He explained that the other payphone may be removed so therefore the fact that there is another one now is not a material consideration.

Councillor Andrea commented that there were some positives and felt that comments from the highways officer had addressed highways concerns. He felt the balance came down the clutter in the precinct against the amenities the kiosk could provide.

Councillor Iyengunmwena referred to officer comments on residents not having access to their mobile phones, and if that was the case, and they still needed to make a call, this would most likely be an emergency, in which case calls are free anyway. Brian Conlon told Members that roughly 25,000 calls were made from phone kiosks in 2020 to non-emergency numbers. He added that it can be used by people where it is not safe for them to make the call at home.

Councillor Akhtar commented that the free calls were a positive for the community but that the potential for ASB was a negative. Connie Davis provided comments on the ASB aspect, saying that there would be an integrated camera in the kiosk but the decision on who will monitor it would not be decided as part of this planning application but instead it is part of a separate conversation.

Councillor Andrea noted that the application needed approval from the Wokingham Borough Council Street Works team and asked what that entailed. Gordon Adam explained that the applicant would need to obtain a license to do works on the highway, it would need to go through a different approval process to get that license. He added that this would control when the application would be done and what traffic management systems needed to be in place to allow the kiosk to be built.

Councillor Iyengunmwena questioned points made in paragraph 4.14 of the agenda and specifically ASB as it said that 'Wi-Fi could be switched off if abused', it was felt that this meant there were fears of abuse of the kiosk. Connie Davis explained that the applicant built a lot of similar kiosks and had a strong working relationship with the police. She added that this was a mitigation measure and was precautionary.

Councillor Iyengunmwena asked if it was correct that Town and Parish Councils monitored the CCTV cameras. Connie Davis confirmed that this was the case. Brian Conlon added that Thames Valley Police didn't erect CCTV cameras as this would be seen as a surveillance issue, whereas the Parish councils did it for the public benefit. It was added that if the kiosk was damaged, the owner would have to deal with that.

Councillor Bello highlighted ASB, Highways, cluttering the street scene and the kiosk not being in keeping with the character of the area as the main concerns. Brian Conlon made comments regarding these concerns, he mentioned that officers had provided factual information regarding ASB, including the fact that the kiosk was free, had CCTV, and how it would be used and managed had been mentioned. He added that there had been no objection in terms of public safety from any consultee including Thames Valley Police. He explained that regarding Highways, there was no technical objection. In terms of visual clutter and the kiosk not being in keeping with the area, Brian Conlon commented that phone kiosks didn't ever tend to be in keeping with any area because they are there for their intended purpose. He added that there was sufficient clearance from surrounding street furniture.

Councillor Andrea didn't see grounds for refusal on Highways concerns and felt that ASB was a hard refusal reason to argue but that he did think there were issues regarding clutter. Brian Conlon referred members of the committee to page 31 of the agenda, which showed the street scene, which he felt was not cluttered. He added that the committee

needed to identify specific harms that would be caused by the visual clutter. He mentioned that members had referred to ASB that had occurred previously but that this was not relevant to the application itself.

Councillor Iyengunmwena felt that the opinion of the committee regarding ASB was different to that of the officers.

Councillor Bello told the committee that large vehicles had to pass through the area and that the kiosk would be in the way. Gordon Adam clarified that the Highways team had to look at applications in everyday scenarios, rather than special events.

Councillor Ng Siu-hong commented that the screen was not in keeping with the quiet precinct and that it would harm the area. Connie Davis explained that the advertising screen itself was not part of this application and was a separate application.

Councillor Iyengunmwena made the point that members were concerned about future ASB rather than existing ASB and he felt that this was sufficient grounds for refusal. Brian Conlon explained that a refusal reason on ASB needed to refer to planning policy, crime was a material consideration, if the proposal had no surveillance or created an unsafe environment then this was material, but this was not the case with the phone kiosk.

Councillor Bello raised three points as a reason for refusal, these were a perceived increase in ASB, the kiosk not being in keeping with the character of the area and the fact that the kiosk was an obstacle. Brian Conlon felt the Highways objection had been covered by technical comments from the highways officer. He was also concerned by Members raising a perceived increase in ASB as 'perceived' was not evidenced.

Councillor Iyengunmwena asked why paragraphs 4.10 to 4.15 were included in the report if there were no concerns regarding ASB as they included measures to mitigate ASB. Connie Davis explained that Thames Valley Police had no objection to the application and that these measures were not recommended because any ASB had been identified, it was instead so that all mitigations had been covered.

It was proposed by Councillor Bello and seconded by Councillor Akhtar that this application be refused due to the application adding to the visual clutter of the area and being out of character with the area.

RESOLVED That application 242147 be refused on the grounds of:

1. The proposed development would be out of character with the openness of the street causing harmful visual clutter and cumulatively adding to existing street furniture, contrary to policy CP3 of the Core Strategy (2010).

At this point in the meeting Councillor Jewell returned to the meeting and took over the chair.

34. APPLICATION NO 232490 LAND OFF LANGLEY COMMON ROAD, ARBORFIELD, WOKINGHAM

Proposal: Outline planning application for a proposed residential development of up to 50 dwellings together with open space and associated works. Means of Access to be considered (with Appearance, Landscaping, Layout and Scale to be reserved).

Applicant: Anwyl Land Limited

The Committee considered a report on this application, set out in agenda pages 37 to 92.

The Committee were advised that updates contained within the supplementary agenda included:

- Nine additional representations had been received from residents.

Mark Croucher, case officer, provided a verbal update that a further 7 representations had been received.

Pam Stubbs, Barkham Parish Council, spoke in objection to the application. She told the committee that there been no updates on this plan for a year and then all of a sudden there was a recommendation for approval. She mentioned that this was quality land and that this application was against the Neighbourhood Development Plan (NDP). She felt that the 50 houses provided no benefit to the area, with more than 2000 houses due to be built on Arborfield Green and no improvement to the infrastructure. She commented that the entrance to the site would cause highways issues and that Rickman Close was already dealing with extra traffic. She added that the only nearby supermarket was the Co-op and that there was no other benefit to this application besides houses. She felt that this application would spoil lives of existing residents.

Hannah Slade, resident, spoke in objection to the application. She told the committee that this application would have negative consequences on the residents of Rickman Close. She explained that during rush hour, it was difficult to turn right out of Rickman Close. She added that with 1.6 cars per household within the Borough, there could be 80 cars on the proposed site. There was a lack of bus connections, and the extra cars would lead to pollution. She felt that Local Services should be improved before building more houses, such as more shops. She added that there was harm on wildlife, and no provision to stop negatives.

Beverley Moss, Agent, spoke in support of the application. She acknowledged that the application was in contrary to the spatial strategy in the adopted Local Plan but that this needed to be weighed up against the Council's shortfall in housing supply and the benefits of the scheme. She added that the application would not fill the gap between settlements. The site was within walking distance of a shop and a school. The site was not in the valued landscape area in the emerging Local Plan Update (LPU). The site was contained by trees. She explained that the benefits of the scheme were 50 new homes, a children's play area, a biodiversity area, the right of a way being retained and 20 affordable homes. There was no impact on drains, highways or flooding. The application would secure funding for improvements to the bus service and an employment and skills plan.

Joseph Barley, ward member, spoke in objection to the application. He told the committee that this application would cause damage due to overdevelopment and that it encroached out of the Strategic Development Location (SDL). He added that the application decreased the separation between Arborfield Green and Arborfield Cross and that this set a precedent for more applications in this area. He commented that this was not a site designated for development in the LPU. He mentioned that the site was not sustainable and that the thousands of homes planned in the area would put further strain on local services. This would mean that new school children would have to travel out of the area to go to school and they would also need to travel far to get to a GP. He felt that the LPU should be given significant weight and that this application was contrary to a number of local planning policies.

Councillor Iyengunmwena referred to paragraph 69 of the agenda that mentioned that there would be a delay of 16 seconds turning right out of the site, but when he had attended the site visit, it had taken him 5 minutes to turn left, so how had this been modelled? Gordon Adam explained that it had been modelled using software and that the 16 second number was an additional delay of 16 seconds that would be caused by the additional 50 houses. He added that they had estimated an additional 20 vehicles coming out of the access at the AM peak which was currently 1200 across the peak hour, this was roughly a 2% increase.

Councillor Andrea commented that this application was in contrary to the NDP and that there was a negative impact on the separation. He added that the housing was outside the SDL and that the NDP had mentioned that if this was the case, then 50% of the site should be open space. Mark Croucher wasn't aware of the 50% open space policy and that there would be encroachment into the open space but that the retention of the open space was sufficient.

Councillor Iyengunmwena questioned how the additional housing would affect the local schools, which were already oversubscribed. Mark Croucher explained that the School Place Planning Manager hadn't objected. He added that Farley Hill primary school was at capacity but there were other local primary schools with places. He commented that Bohunt School was at capacity but that it took several children from Shinfield who could go to Oakbank, which did have places. He stated that the site was relatively small when Arborfield is considered as a whole, and Community Infrastructure Levy (CIL) contributions would be secured through the application, and some would go to schools for additional school places. Brian Conlon added that educational provision had been planned for Finchwood Park. Councillor Iyengunmwena asked that looking at the potential number of new children, did Bohunt take enough from Shinfield to mitigate the extra children in Arborfield wanting places? Mark Croucher explained that it was rare to have a secondary school child at every house and that the Admissions team raised no objection based on the future occupants of the development and school places that would generate.

Councillor Bello asked whether the other developments in the area was a material planning consideration. Mark Croucher confirmed that this was a material planning consideration. Brian Conlon added that the development in Arborfield meant that the number of local facilities would increase and connectivity would be improved.

Councillor Andrea questioned whether this was the right timing for the application because it wasn't clear how sustainable Arborfield was at the moment with the amount of development taking place. Mark Croucher explained that Arborfield was considered a sustainable location in the adopted Local Plan, with 3500 houses set out for development

and considered acceptable, the extra 50 proposed was a 1.5% increase. He added that it wasn't material to say that certain facilities were not coming for a couple of years so we could delay development.

Councillor Jewell noted that facilities not being finished yet wasn't a material consideration but felt that there was a difference between what facilities were expected in the area and what had been delivered. Mark Croucher clarified that it was on the council to deliver the facilities and that it was a certainty that they would be delivered. Brian Conlon added that 600 homes had been allocated in the LPU nearby at Barkham Square and mentioned that this should give confidence to Members that infrastructure should be delivered.

Councillor Iyengunmwena commented that the report stated that the application was in breach of planning policies CP1 and CP11. He added that there would be pressure on school places and even though new schools had been promised they were not always delivered.

Councillor Iyengunmwena asked how these homes would positively impact the area. Brian Conlon explained that we were seeing an application for 50 new homes at a Council that can't currently meet the identified housing need on a site that was across the road from an SDL. He added that there had been mention of the loss of field but that the site didn't occupy much land between the settlements as it was not a deep site. He mentioned that the committee needed to decide if they understood the benefits which were not just the number of homes, but the social, environmental and economic benefits. He stated that as the council could not demonstrate a 5 Year Housing Land Supply, the tilted balance was engaged and that there was a presumption in favour of development in the National Planning Policy Framework. He added that for these reasons, the starting point when looking at a development was the positives rather than the negatives.

Councillor Akhtar commented that the negatives were the urbanisation of the area and the loss of separation, but he was worried that if this were to be refused then the decision would be overturned at appeal. He added that if this were to be refused then the committee was turning down 20 affordable homes in an area that needed them.

Neil Allen, Head of Legal, explained that the committee could go to a vote on the recommendation in front of them at any time if they had a proposer and seconder.

It was proposed by Councillor Akhtar and seconded by Councillor Bello that the application be approved. Due to an equal number of votes for and against the proposal, Councillor Jewell was given casting vote as Chair of the Committee and the proposal was approved.

RESOLVED That:

- i) APPROVAL subject to conditions and informatives outlined in Appendix 1 of this report and the completion of a S106 legal agreement to secure the following:
1. Affordable Housing – 40% on site affordable Housing.
 2. Employment and Skills Plan – Employment and Skills Plan or in lieu contribution to be provided – this is determined by floorspace and so will be calculated at Reserved Matters.
 3. Thames Basin Heaths SPA – Off site mitigation to be secured (via Langley Mead) and contribution to be calculated following Reserved Matters as it is dependent on number of bed spaces per dwelling
 4. Roads – Details of road status – either to remain as private or to be adopted by the Council and to be built to adoptable standards

5. Establishment of Management Company – to be responsible for drainage, roads (the latter if not adopted by the Council)
6. Contributions in accordance with Policy TB08 for open space, sport and recreational facilities standards.
7. Offsite Highway works – Relocating bus stop.
8. Bus Service Contribution - £914 per dwelling will be required to improve the sustainability of the site.
9. Biodiversity – A Landscape Ecological Management Plan (LEMP) to be submitted demonstrating no overall loss of ecology/biodiversity and offsite compensation where necessary.

Or ii) That the committee authorise the Head of Development Management to REFUSE full planning permission if the legal agreement is not completed within six months of the date of this resolution (unless officers on behalf of the Head of Development Management agree to a later date for completion of the legal agreement).