



## Woolf Bond Planning

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7<sup>th</sup> December 2021

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Sent by email to [development.control@wokingham.gov.uk](mailto:development.control@wokingham.gov.uk).

Dear Sir,

### Land west of Kingfisher Grove, Three Mile Cross

**OUTLINE PLANNING APPLICATION FOR THE CONSTRUCTION OF 49 DWELLINGS, INCLUDING 22 UNITS OF AFFORDABLE HOUSING WITH NEW PUBLICLY ACCESSIBLE OPEN SPACE, AND ACCESS FROM GRAZELEY ROAD. LPA Ref 201002**

FAO Mr Mark Croucher

On behalf of our clients, JPP Land Ltd, I can confirm your request for an extension to the timeframe for determining the application is acceptable. Can I suggest 31<sup>st</sup> January 2022.

Three matters arise in relation to the determination of the application and events that have occurred since its submission. The first relates to the Council's continued reliance on sites being released within designated countryside beyond defined built up areas in order to demonstrate a five -year housing land supply. Secondly, and since submission of this application, including very recently, the Council has supported the principle of residential development within the countryside beyond settlement boundaries despite the Council's claim of a five-year housing land supply, a further change in circumstance since the submission of this application. Thirdly, the issue of the DEPZ remains outstanding. The purpose of this letter is to highlight the first two points which suggest that the application can be determined without objection to development in designated countryside beyond a defined built-up area. The third point, as highlighted below, addresses the DEPZ matter. In conclusion, the letter confirms that the Council can adopt two alternative approaches. The first, is that the application can be supported

and approved. The second alternative is that the application is determined on the basis that the only outstanding matters are the DEPZ and holding objections concerning section 106 obligations.

### The Issues

As outlined in the Planning Statement (paragraph 7.48), to ensure that the Council was able to demonstrate a five-year supply of housing land, it was reliant upon sites which had been approved beyond the settlement boundary. A number of the schemes listed were approved by the authority (Keephatch Beeches (LPA ref O/2014/2435 approved on 27<sup>th</sup> March 2015) and land off Bell Foundry Lane (LPA ref 161839)) as a result of the benefits arising from these proposals outweighing the harm, notwithstanding that the Council's position was it could demonstrate a five-year supply of housing land.

Although it is recognized that these sites lay within the North Wokingham Strategic Development Location, the authority has subsequently either approved or has resolved to approve further schemes for residential development on sites both within and outside Strategic Development Locations, where the dwellings envisaged in the applications were also outside of settlement boundaries. This includes the following sites:

- Hogwood Park, Park Lane, Barkham (LPA ref 163547 approved 31<sup>st</sup> March 2021) which lies adjoining the Arborfield Garrison SDL up to 140 dwellings); and
- Land at Ashridge Farm, Warren Road, Wokingham (LPA ref 201515 approved on 25<sup>th</sup> June 2021) within the North Wokingham SDL (153 dwellings)

Furthermore, at the Council's most recent Planning Committee on 8<sup>th</sup> December 2021, there is a further application which is recommended for approval notwithstanding that it entails residential development outside of settlement boundaries, although it is within an SDL, whilst at the same time the Council is maintaining it has a five-year housing land supply. This is an application for 54 dwellings on land west of St Anne's Manor, London Road, Wokingham (LPA ref 203544).

These all indicate that where the benefits are significant (as proposed in the application on land west of Kingfisher Grove, Three Mile Cross), the Council nevertheless accepts in the first place the principle of development in the countryside and approves them, irrespective of its housing land supply position. As indicated above, this has applied irrespective of whether a site is inside or outside of a Strategic Development Location.

It is consequently clear that the same principles (development within the countryside) can apply for the pending application west of Kingfisher Grove. This is notwithstanding the implications of the Detailed Emergency Planning Zone (DEPZ) associated with AWE Burghfield, which is a separate matter.

Both the applicant and ourselves recognise that the application site lies within the extended DEPZ which arose following the review by West Berkshire Council (as detailed in the report to that authority's Corporate Board on 12<sup>th</sup> March 2020). We are also aware that a number of residential schemes have been refused on the basis of the extended DEPZ and that this decision has been upheld on appeal.

You will also be aware that our company's offices lie within the extended DEPZ. Within the report considered by West Berkshire's Corporate Board on 12<sup>th</sup> March 2020, there is a recognition that an updated off-site emergency plan had to be prepared by 21<sup>st</sup> May 2020 (paragraph 5.2.3). This need for an updated off-site emergency plan is confirmed in Section 5.11 within the wider next steps to be undertaken. This confirms:

**5.11.1 Revising the AWE Off-Site Emergency Plan in order to mitigate the impact for those people/properties now included in the DEPZ. This requires a substantial piece of work in relation to confirming the number of residential and commercial units existing within the area and those locations where planning permission has already been granted and the application is still valid. Thereafter work is required to confirm the best countermeasures to be put in place after the initial Urgent Protection Action of shelter is in place, taking into account the fact that the protective value of sheltering in a building beyond 48hrs reduces. This would include undertaking a coordinated movement of people from homes and workplaces, road closures and supporting those who may have been out of their homes at the time of an incident. REPPIR 19 makes it clear that where neighbouring authorities are to be involved in the process they must make their own arrangements to meet the requirements of the Off-Site Plan. It is not for the Council to underwrite that risk.**

**5.11.2 Informing the community within the DEPZ that they are in it and what they should do in the event of an incident at either of the sites. This will need to be undertaken sensitively, in particular for those who have not been within the DEPZ before, hence the detailed Communications Plan. It would also take into account guidance for businesses and specific risk sites such as the Madjeski stadium which is an open area site which can hold a large number of people.**

Since both the application site and the company's offices lie within the extended DEPZ, the contents of the Updated off-site Emergency Plan are relevant, especially as it will detail the measures which need to be available at The Mitfords.

Can you therefore please provide a copy of this (which West Berkshire was obligated to have updated last year<sup>1</sup>), as without this there is no evidence that the cumulative impact of existing and committed development within the area, alongside that proposed in the application, cannot be safely accommodated. It was a lack of the ability to demonstrate that blue light services could address the cumulative impact of proposals, rather than those generated by individual proposals, that resulted in the appeal for residential development at Diana Close, Spencers Wood, being dismissed (paragraph 36 of decision<sup>2</sup>).

Given that the Council has accepted residential development in locations outside settlement boundaries, irrespective of their inclusion within an SDL, the same would apply to the land west of Kingfisher Grove site. As you will be aware, the application would generate significant material planning benefits, including the provision of affordable housing, as well as open space (including enhanced access for the existing residents in Three Mile Cross to reach the SANG approved and to be provided at Stanbury Park). In such a case, these benefits are consistent with those which the Council confirmed when approving residential development at the Hogwood Park site, although as with the current site it also lay outside an SDL. This was acknowledged on the second page of the Planning Committee Agenda of the Hogwood Park application which stated:

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<sup>1</sup> Pursuant to Regulation 11 (4) of The Radiation (Emergency Preparedness and Public Information) Regulations 2019. As the consequences report was released to West Berkshire Council on 21<sup>st</sup> November 2019, the eight months specified expired on 21<sup>st</sup> July 2020.

<sup>2</sup> PINS ref APP/X0360/W/19/3240232 dismissed on 1<sup>st</sup> February 2021

**As advised, the site is considered to be well connected with the adjoining SDL, and would bring about significant public benefits to the area, including the provision of 40% (56 units) of on-site affordable housing, additional SANG and other open space in addition to providing better pedestrian and cycle links to the new district centre and school. This is in addition to help meeting Wokingham's housing requirements which assist the Council in defending less sustainable proposals at appeal. The provision of public open space in connection with the proposals would see parts of the site being brought into public use for recreational enjoyment. This was not possible whilst the site was in private use for the training facilities of RFC, with a gated entrance, accessible only to authorised persons. The proposals would bring the site back into public use, while also providing additional affordable housing, on-site recreational facilities such as a play area, an informal playing pitch and an attractive SANG provision, all of which would benefit a wider population than just those residing on the site and providing improved connections with the SDL. It is also likely that an increase in the population in this location would help assist with the viability of the planned District Centre.**

Consistent with the approach of the authority which has accepted residential development in locations outside settlement boundaries (irrespective of whether they lay within an SDL), this confirms that where they provide significant benefits (as arise in the current scheme), they can consequently be approved. In the absence of clear evidence that the updated off-site Emergency Plan cannot accommodate the proposal, this is also not a reason for refusal and therefore the scheme should be approved.

As indicated, a copy of the Updated Off-Site Emergency Plan is also requested so that Woolf Bond Planning can understand its impacts for staff and the measures that it needs to implement so that it does not detract or hinder the actions of the blue light services.

Can you therefore confirm the extension to the period of application determination and take account of the matters above? I would also be grateful if you could provide the Updated Off-Site Plan which West Berkshire prepared before 21<sup>st</sup> July 2020, for the reasons explained.

In the alternative, the application should be determined but without reference to an objection to development within the countryside in light of the above points with the DEPZ as the only outstanding issue together with holding objections relating to section 106 obligations.

Yours faithfully,

*Woolf Bond Planning*

Douglas Bond  
Woolf Bond Planning

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