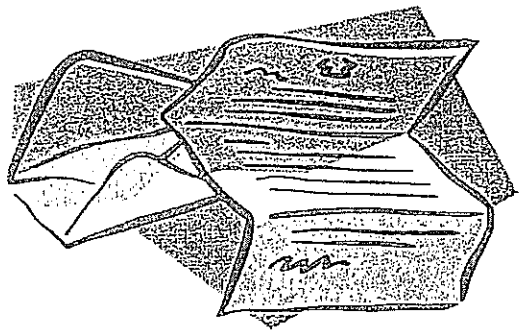
DATE: 11 January 2008

SCANNING INFORMATION SHEET

DECISION NOTICE



F/2002/6400

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Approval of Permission

David Wilson Homes S & Bellway Homes SE
C/O Barton Willmore P/Ship
Beansheaf Farmhouse
Bourne Close
Calcot
Berks
RG31 7BW

Application Number: F/2002/6400

Parish:	**SHINFIELD**
Location:	**Land At Church Farm & Cattle Breeding Centre, Church Lane, Shinfield, Reading.**
Proposal:	**Proposed erection of 145 dwellings. Amendment to consent 2001/5188 with revised layout and additional 5 dwellings.**

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Approve Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

Conditions

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. Before the building operations hereby permitted are commenced, samples and details of the proposed external materials, including ground surface materials, shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

3. The development shall not commence until details of all boundary treatment(s) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The approved scheme shall be maintained in perpetuity.

4. The proposed weldmesh fencing on the outer boundaries of the site shall be maintained in perpetuity and shall not be altered without the prior written approval of the Local Planning Authority.

5. . Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows or similar openings shall be constructed in the first floor level or above of the dwellings as specified in Schedule 1 attached except for any which may be shown on the approved drawings.

6. The bathroom, ensuite and landing windows in the elevations of the dwellings specified in Schedule 2 attached shall not at any time be glazed other than with obscure glass.

7. Works related to the construction of the development hereby granted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 8 am and 7 pm Monday to Friday and 8 am to 1.30 pm Saturdays and at no time on Sundays or Bank or National Holidays.

8. Prior to the commencement of development, details of the slab levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The constructed development shall not vary from the approved levels.

9. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development; the approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of any of the building(s) hereby approved and retained.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

11. No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local Planning Authority during development and for a period of five years after completion of the development hereby approved. The branch structure and trunks of the trees to be retained and their root systems shall be protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing), before the end of the first available planting season (1st November to 31st March) following their loss or removal.

12. Surface water source control measures shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before development commences.

13. Before the development is commenced a detailed site investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this site investigation shall be agreed with the Planning Authority prior to commencement of the work. Details of an appropriate remedial strategy and measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Planning Authority before development commences. The development shall then proceed in strict accordance with the approved measures and remedial strategy and works.

14. Before development commences details of proposed mitigation measures in relation to bats shall be submitted and approved by the Local Planning Authority and English Nature. The approved mitigation measures shall be implemented in accordance with the approved details.

15. The proposed protective fencing around the badger sett shall be installed before any development or ground preparation works commence on any of plots 98 - 116 inclusive or 143 in accordance with details (to include method of installation) to be agreed by the Local Planning Authority and English Nature.

16. Before any of the dwellings on plots 98 - 116 or 143 are occupied, an interpretation board about the badgers shall be installed at the entrance to the badger reserve in accordance with details to be submitted and approved by the Local Planning Authority and English Nature.

17. Before the proposed church car parking is brought into use direction signs from this car park to the graveyard shall be installed in accordance with details to be submitted and approved by the Local Planning Authority.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the garage accommodation on the site shall be kept available for the parking of vehicles ancillary to the residential use of the site at all times. The garages shall not be used for any business nor as habitable space.

19. No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space herein approved has been provided. The vehicle parking and turning space shall be permanently maintained and used for no other purposes.

20. The dwelling/building shall not be occupied until visibility splays of 2.4 metres by 2.4 metres have been provided at the intersection of the driveway and the adjacent footway. (Dimensions to be measured along the edge of the drive and the back of the footway from their point of intersection). The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres.

21. Prior to commencing work on site, provision shall be made to accommodate all site operatives, visitors and construction vehicles loading, off-loading, parking and turning within the site during the construction period, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The provision should be maintained and used at all times.

22. Precautions shall be taken for the duration of the construction period to prevent the deposit of mud and similar debris (including blown litter) on the adjacent public highways, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

23. No other development of the site shall take place until the access has been constructed in accordance with the approved plans.

24. All shared drives shall be a minimum of 4.0 metres wide.

25. All garage doors shall be a minimum of 5.5 metres from the highway boundary.

26. Before any other part of the development hereby permitted is commenced, all bends and junctions shall be formed with forward visibility and visibility splays in accordance with details to be submitted to and approved by the Local Planning Authority. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height and maintained clear of any obstruction exceeding 0.6 metres in height at all times.

27. The road shall be constructed to adoptable standards.

28. Details of proposed haul routes and access for construction traffic shall be submitted to and approved by the Local Planning Authority before development commences. All construction traffic shall then use the approved haul routes and access only.

29. No restrictions shall be made at any time on the use of the car parking spaces shown on the approved plan by occupiers of, or visitors to, any of the dwellings on plots Nos. 28 - 43, 108 - 119 and 143.

30. Before development commences details of lighting and surfacing of the public rights of way footpaths where they pass through the site shall be submitted to and approved by the Local Planning Authority. The approved lighting and surfacing shall be provided in accordance with the approved details before any of the dwellings hereby approved are occupied.

31. Before development commences details of the proposed balancing pond and pumping station (including means of enclosure) shall be submitted to and approved by the Local Planning Authority. The balancing pond and pumping station shall then be installed in accordance with the approved details before any of the dwellings hereby approved are occupied.

32. The proposed bus track shall be constructed and bollards installed (in accordance with details to be approved by the Local Planning Authority) as shown on the approved

plan before more than 68 dwellings on the whole site are occupied. The bus track shall then be made available for use by buses only in perpetuity.

Reasons

1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2. To ensure that the external appearance of the building is satisfactory.

3. To safeguard the visual amenities of neighbouring properties and the locality.

4. To safeguard the visual amenities of neighbouring properties and the locality.

5. To safeguard the residential amenities of the occupiers of neighbouring properties.

6. To safeguard the residential amenities of the occupiers of neighbouring properties.

7. To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.

8. In order to ensure a satisfactory form of development relative to surrounding buildings and landscape.

9. In the interests of visual amenity.

10. In the interests of visual amenity.

11. The existing trees/hedgerows/shrubs represent an important public visual amenity in the area.

12. To prevent the increased risk of flooding and to improve water quality.

13. To ensure any contamination of the site is remedied, to protect existing/proposed occupants of the application site and/or adjacent land and to prevent pollution of the water environment.

14. To provide satisfactory mitigation measures for bats.

15. To provide satisfactory protection for badgers.

16. To assist understanding of and respect for the badgers and their habitat.

17. To assist visitors to find the graveyard.

18. To ensure that adequate parking space is available on the site, and reduce the likelihood of roadside parking.

19. To ensure a satisfactory form of development and to avoid adverse impact on the public highway.

20. In the interests of highway safety and convenience.

21. To prevent queuing and parking off site, in the interests of highway safety and convenience.

22. In the interests of highway safety and convenience.

23. In the interests of highway safety and convenience.

24. In the interests of highway safety.

25. To ensure a vehicle can be parked in front of the garage doors without encroaching onto the adopted highway.

26. In the interests of highway safety and convenience.

27. In the interests of highway safety and convenience.
28. In the interests of highway safety and residential amenity.

29. To reduce the likelihood of roadside parking, and to maintain the Local Planning Authority's car parking standards in the interests of highway safety and amenity.

30. In the interests of the safety and convenience of users of the public rights of way.

31. To ensure satisfactory drainage is provided.

32. To ensure the bus track is made available for buses.

Informatives
Informatives;
You are advised, in compliance with The Town & Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:
Berkshire Structure Plan policies LD3, LD5, LD6, H2, H9, EN1, EN3, EN4 and EN8.
Loddon Area Local Plan policies LH1, LH8, LBE1, LBE2, LBE5, LC10, LPS1, LPS2 and LPS3.
Deposit Draft Wokingham District Local Plan policies WOS2, WOS3, WOS4, WH1,WH2, WH6, WBE1, WHE8, WHE11, WNC3, WT6, WT7 and WIC16.

Informative
The details required under condition No. 3 above should take into account the comments of Crime Prevention Design Adviser, and include proposed colour of the weldmesh fencing.

Informative
The details required under condition No. 9 above should include planting details within the proposed badger reserve and take into account the comments of Crime Prevention Design Adviser.

Informative
The details required under condition No. 14 above should include a timetable in relation to progress of development.

Informative
The applicants are advised that some of the work required under condition 14 above may require a licence from English Nature.

Informative
This permission relates to the application as amended with revised layout drawing number 10981/10 Rev.E submitted to the Local Planing Authority on 18 June 2002 and does not approve the proposals as originally submitted.

T. G Watson

Trevor Watson
Development Control Manager
Date: 14/05/2003

Notice checked by: _____

If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations.

WOKINGHAM DISTRICT COUNCIL

SUPPORT SERVICES DEPARTMENT
LEGAL SERVICES

MEMORANDUM

TO: Kerrin Lithgow
Development Control

MY REF: CJL/CEM/
EXT 6524

FROM: Colin Lawley
Principal Solicitor

YOUR REF:

DATE: 14 May 2003

RE: SECTION 106 AGREEMENT F/2002/6400
CHURCH FARM, CHURCH LANE, SHINFIELD

I refer to my e-mail dated 13th May. I enclose for your information a copy of the completed Section 106 Agreement.

Colin Lawley

Enc.

DATED 13TH MAY 2003

WOKINGHAM DISTRICT COUNCIL

-and-

DAVID WILSON HOMES LTD.

-and

BELLWAY HOMES LIMITED

AGREEMENT

under Section 106 Town and Country Planning Act 1990
Planning Application Number F/2002/6400
relating to Church Farm, Shinfield

cj

Church Farm

THIS AGREEMENT is made the 13TH day of MAY Two Thousand and Three BETWEEN WOKINGHAM DISTRICT COUNCIL of Council Offices, Shute End, Wokingham, Berkshire ('the Council') and DAVID WILSON HOMES LIMITED Company number 830271 of Wilson Bowden House Leicester Road Ibstock Leicestershire LE67 6WB ("the Applicant") and Bellway Homes Limited Company number 670176 of Seaton Burn House Dudley Lane Seaton Burn Newcastle upon Tyne NE13 6BE ("Bellway")

WHEREAS:

A. The Applicant and Bellway are the estate owners in fee simple of the land shown edged with a thick black line on the plan annexed hereto and known as land at Church Farm and Church Lane, Shinfield, Reading ("the Site")

B. On the 1st May 2002 the Applicant made an application for planning permission ("Application No. F/2002/6400) for the erection of 145 dwellings at the Site ("the Development")

C. The Council is the District Planning Authority for the administrative district of Wokingham

D. On the 19th December, 2000 the University of Reading and Wokingham District Council completed an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of the Site and Planning Application No. 0/2000/1891 (the 2000 Agreement) and on the 10th January 2001 the University of Reading and Wokingham District Council completed a Deed of Variation of the 2000 Agreement pursuant to Section 106 of Town and Country Planning act 1990 in respect of the Site (the 2000 Variation Agreement)

E. The Council has resolved that SUBJECT to the Applicant and Bellway entering into this Agreement planning permission should be granted in respect of Application No. F/2002/6400 and the Applicant has agreed to enter into this Agreement conditionally upon the planning permission being granted in respect of Application No. F/2002/6400

F. This Agreement is entered into pursuant to the provisions of Section 106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972 whereby the Council is empowered to enter into Agreement for various purposes in connection with the development of land and otherwise as more particularly set out in the Statutory Provisions

NOW THIS DEED WITNESSETH AND IT IS HEREBY AGREED AND DECLARED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:-

1. This Agreement is made in pursuance of the Statutory Provisions and all other powers enabling the Council in this behalf and is a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as substituted) which planning obligation is enforceable by the Council

2. The Applicant and Bellway so as to bind each and every part of the Site into whosoever hands the same may come hereby jointly and severally covenant and agree with the Council:

   a) that the terms, conditions and obligations set out in the 2000 Agreement and 2000 Variation Agreement shall apply fully in all respects (except as varied below) to Planning Application and subsequent planning consent F/2002/6400 and for the avoidance of doubt, all index linking referred to in the 2000 Agreement shall be from the date of the 2000 Agreement i.e. 19th December 2000 which shall include the increased highway contribution referred to below

b) that all references to 28 Affordable Dwellings in the 2000 Agreement shall be amended to 29 Affordable Dwellings

c) that the Highway Contributions referred to in the 2000 Agreement shall be increased by £5000 to £79,296

d) to pay to the Council within 28 days of receiving written notice the full cost of installation of bus gates in the approximate positions shown marked on the attached Plan.

(i) The Council shall consult the Applicant and Bellway about the specification and cost of the proposed bus gates and shall give the Applicant and Bellway the opportunity of tendering for the provision of the same and in any event the said bus gates may be to the specification attached in annex 1 to this Agreement or such other specification as may be agreed between the Applicant Bellway and the Council and shall complete the construction of the bus gates within five years of the date hereof.

(ii) the cost shall not exceed £25,000 index linked as set out in the 2000 Agreement but from the date hereof

c) (i) The Council the Applicant and Bellway hereby agree to the variation of the 2000
Agreement and 2000 Variation Agreement by:

(ii) the deletion of clauses 5.3 and 5.4 of the Agreement

(iii) the addition of a new clause 6 to the Agreement as follows:

6. MORTGAGEE EXCLUSION

6.1 The following persons are to be excluded from the provisions of Schedule 1 hereto:

6.1.1 a mortgagee of the Registered Social Housing Landlord or a subsequent Registered Social Landlord in possession or the receiver of such mortgagee;

6.1.2 a shared ownership tenant or their mortgagee who has acquired 100% of the equity in their Affordable Dwelling;

6.1.3 a tenant of the rented unit who has exercised a right to acquire

and in all cases all successors in title and assigns of such persons in 6.1, 6.2 and 6.3 above

~~(iv) The Council and the First Owner hereby confirm that the covenants, conditions, obligations and rights contained in the Transfer will continue in full force and effect.~~

(d) to pay the Council's reasonable legal fees for the preparation of this Agreement

IN WITNESS whereof the parties hereto have affixed their Commons Seals the day and year first before written:

15487

THE COMMON SEAL OF
WOKINGHAM DISTRICT COUNCIL
was hereunto affixed in the presence of:

Solicitor

THE COMMON SEAL OF
DAVID WILSON HOMES LIMITED
was hereunto affixed in the presence of

Director

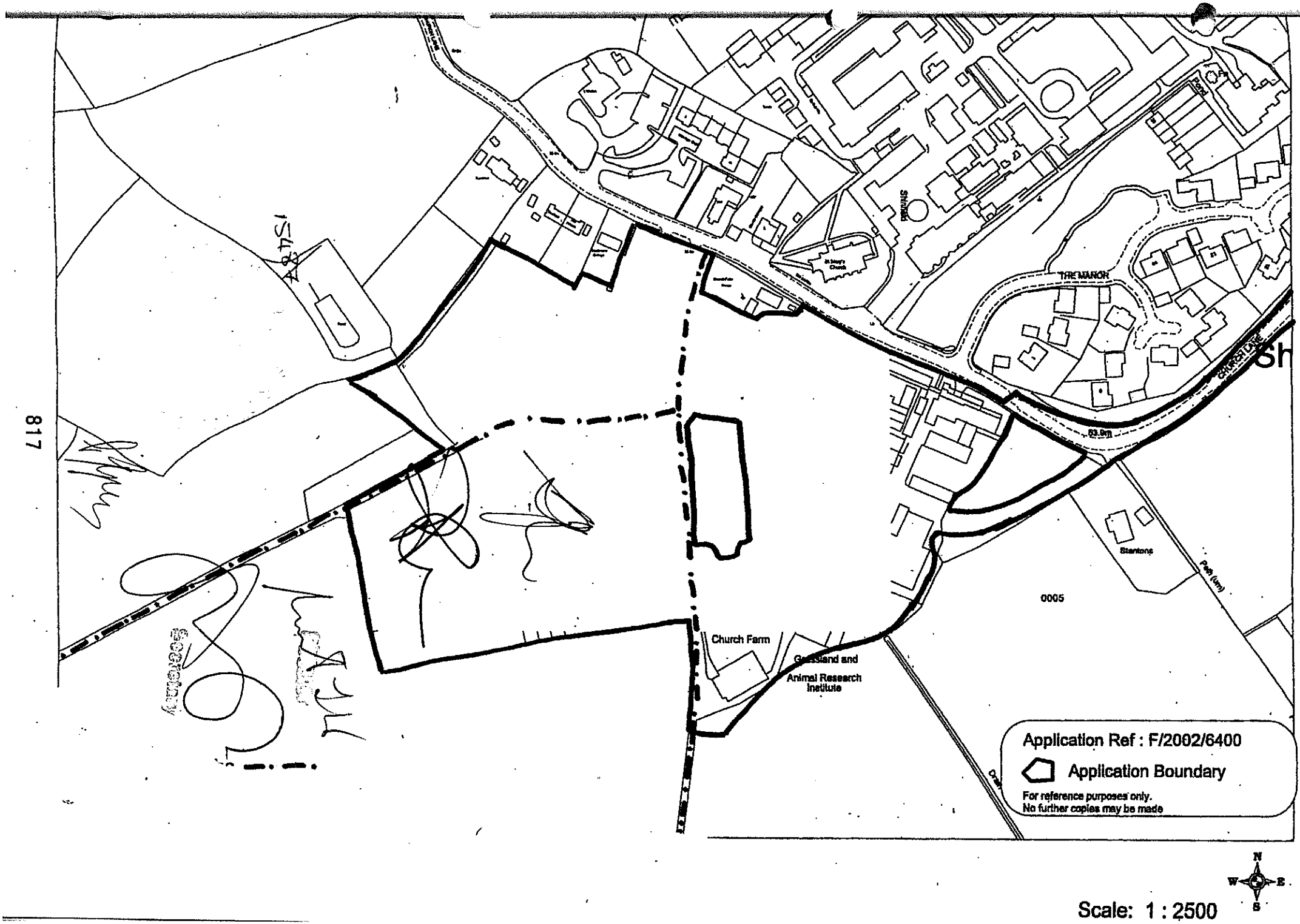
~~Secretary~~

AUTHORISED SIGNATORY

THE COMMON SEAL OF
BELLWAY HOMES LIMITED
was hereunto affixed in the presence of:

Director

Secretary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THE MANOR
Church Farm
Grassland and
Animal Research
Institute
Stantons
0005
Application Ref : F/2002/6400
Application Boundary
For reference purposes only.
No further copies may be made
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Scale: 1 : 2500

Memo to: Colin Lawley, legal services **30.7.02**

From: Angela Odell, Planning

PLANNING APPLICATION F/2002/6400
ERECTION OF 145 DWELLINGS AT CHURCH FARM, CHURCH LANE, SHINFIELD

This application was approved at Committee on 3.7.02 subject to a legal agreement for the attached (which is extract from minutes). I also attach a coy of the draft decision notice and application form and site location plan.

Schedule 1 – No additional windows etc. in first floor level or above

House type	Plot No./elevation(s)
David Wilson	
282	12/N&S, 13/S, 14/N, 15/S, 17/N, 21/S, 24/E, 25/W, 105/NW, 122/SE, 144/NW
304	4/E&W, 67/E&W, 98/NW, 99/NW&SE, 103/NE&SW, 104/SW
315	6/S, 18/E&W, 19/E&W, 26/E&W, 27/E
345	7/N&S, 20E&W, 100/NE, 101/NE&SW, 102/NE&SW, 123/E&W
407	5/E&W, 71/E
421	2/S, 3E&W, 86/E&W, 124/W, 125/N&S
464	1/N, 126/N&S
571	83/N&S, 87/E&W
575	68/E&W, 69/E&W, 70/E&W, 80/N&S, 81/N, 82/N&S, 84/N&S, 141/E&W
596	78/E&W, 79/N, 85/S
SH20	33/S, 35/S, 37/N, 38/N, 40/S, 43/S, 116/SE, 143/NW
SH30	28/W, 30/E, 108/SW, 110/NE, 111/SW, 113/NE, 117/NE, 119/SE
Bellway	
CF1&1A	59/S, 60/N, 61/S, 62/N
CF3	127/N, 131/W, 145/S
CF4	139/NW, 140/SE
CF5&5A	51/SE, 53/NW, 54/SE, 136/NW, 138/SE
CF6	9/E&W, 10/E
CF7	8/E&W, 64/NE
CF8	50/NW&SE
CF9	65/NE&SW, 88/E&W, 89/E&W, 92/S, 95/E&W, 142/N&S

CF10	49/NW
CF11	66/NE&SW, 91/N&S, 94/E&W
CF12	72/N&S, 74/W
CF14	73/N, 75/W&E, 76/E&W, 77/E&W, 90/N&S, 93/E&W, 96/E&W, 97/E&W

Note: E = East, N = North, S = South, W = West, NE = North-east, NW = North-west, SE = South-east, SW = South-west

Schedule 2 – Bathroom, en-suite and landing windows obscure glazed only

House type	Plot No./elevation(s)
David Wilson	
282	12/N(L),13/S(L), 14/N(L), 15/S(b), 21/S(L), 24/E(L), 25/W(L), 105/NW(b)
304	4/E(e)&W(L&b), 67/E(L&b), W(e), 98/NW(L&b), 99/SE(L&b)&NW(e), 103/NE(L&b)&SW(e), 104/SW(L&b)
315	18/W(b&e), 19/E(b&e), 26/W(b&e)
345	123/E(L)
407	5/W(e)
571	83/N(b&e), 87/E(b&c)
575	68/W(b&e), 69/W(b&e), 70/E(b&e), 141/W(b&e)
Bellway	
CF4	139/NW(e), 140/SE(e)
CF5&5A	51/SE(b&e), 54/SE(b&e), 136/NW(b&e), 138/SE(b&e)
CF7	8/E(e)
CF8	50/SE(e)
CF10	49/NW(b)
CF12	72/S(b&e), 74/W(b&e)

Landing & en-suite obscure glazed and non-opening only

17/N(L), 7/S(L), 89/E(e), 100NE/(L), 101/NE(L), 102/NE(L), 145/S(Lv)

Note: b = bathroom, e = en-suite, L = landing, Lv = living room