

Formal Planning Objection: Reserved Matters Application (Ref: 253071)

PROPERTY ADDRESS:

22 Canberra Lake Way

Charvil

RG10 9DH

SUBMITTED BY : Mr Mike Cordrey

I am writing to formally register my objection to the proposed development. While I do not oppose the principle of residential development on this site, and I acknowledge there have been some improvements since the applicant's previous submission, the current proposal still fails to respect the existing character of the area, ignores the previously submitted landscaping plan, and negatively impacts the residential amenity of neighboring properties.

I request that the following material considerations be taken into account, and in particular point 5, "The Legal Materiality of a Deliverable Alternative Layout".

1. Statutory Development Plan Framework & The "Sensitive Interface" Principle

The application must be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

The proposal directly intersects with the following policies:

- **Wokingham Borough Core Strategy (2010):** Policy CP3 (General Principles for Development)
- **Managing Development Delivery (MDD) Local Plan (2014):** Policy CC03 (Green Infrastructure) and Policy TB21 (Landscape Character)
- **Charvil Neighbourhood Plan (2026):** Policy CHARVIL 3 (Design of New Development) and Policy CHARVIL 4 (Character of Charvil) - these have full weight following the successful local referendum on **7 May 2026**.
- **Wokingham Borough Design Guide Supplementary Planning Document (SPD):** Section 4.7 and Requirement R15.

The Privacy Standard is a Floor, Not a Ceiling

The applicant appears to treat the Council's standard 22-metre back-to-back separation distance as an absolute maximum allowable constraint. However, Section 4.7 of the SPD states:

"These distances will generally be considered adequate for the relationships within new developments but may not be appropriate in relation to existing properties. ... The relationships between existing properties and new development can be particularly sensitive. In such cases ... it will be necessary to provide a greater distance or to incorporate additional design features to minimise any harm caused by perceptions of loss of privacy or other potential impacts at the rear of properties."

The shared boundary between the application site and the established homes of Canberra Lake Way is precisely the type of "particularly sensitive" interface targeted by the SPD. It demands heightened protective measures and increased separation—yet the submitted layout provides the opposite.

2. Layout Defects, Angled Massing, and Harm to Residential Amenity

The current layout creates an intrusive, overbearing relationship that violates **Core Strategy Policy CP3(a)**, **CNP Policy CHARVIL 3**, and **SPD Requirement R15**.

Loss of Outlook and Overbearing Relationships

The footprints of the dwellings on **Plots 25 and 26** are awkwardly angled relative to the common boundary, presenting their sharp building corners directly toward the rear windows and private patio spaces of Nos. 22 and 23 Canberra Lake Way.

- This creates an oppressive visual massing and a loss of outlook, acutely felt at the corner plots.
- Because all primary living spaces for No. 22—including the main living areas and three principal bedrooms—are rear-facing, this configuration guarantees direct overlooking into habitable rooms from the upper floors of the proposed dwellings.
- **Policy CHARVIL 3** and design code **MS02** require new developments to maintain a sympathetic relationship to existing properties regarding scale, building orientation, building line, and setback. Turning angled corners toward established rear boundaries completely fails to "step down" the development form as required.

Unacceptable Regression from Pre-Application Layouts

Compounding this issue, the physical separation between the proposed built form and our boundary has actually *decreased* since the pre-application consultation stage. Instead of responding constructively to resident feedback, Bellway has shifted the built form closer to the existing homes, ignoring the protective parameters mandated by the WBC SPD.

3. Design Imbalance: Over-Provision of Private Gardens vs. Buffer Deficit

The applicant argues that there is insufficient space to provide a meaningful landscape buffer. However, the applicant's own *Garden Depths and Areas Plan* proves that the necessary space exists entirely within their own layout boundaries—it has simply been misallocated.

BELLWAY GARDEN DEPTH ALLOCATION ANALYSIS		
Standard Class	Dimensional Metric	Spatial Imbalance & Design Fix
WBC Minimum Standard	~11 metres	Fully compliant for domestic amenity.
Proposed Plots 25, 26, and 41–43	14+ metres	- Significantly exceeds local standard. - Allocates excess land to private lawns, where the communal buffer belongs

This represents a critical failure of design balance under **Policy CP3**. The developer has granted excessive, non-standard garden depth to future private occupiers at the direct expense of established neighbours. Reducing these over-deep gardens to a still-generous, fully compliant 11-metre depth releases the exact physical footprint required to establish a continuous, adequately dimensioned communal landscape buffer zone.

4. Inadequate Landscape Specifications, Ownership Ambiguity, and Structural Risk

Inappropriate Landscape Specifications and Absence of Explicit Ownership and Maintenance Frameworks

A landscape buffer cannot be an incidental, residual by-product of a squeezed layout; it must be a functional green infrastructure zone. The submitted Overall Landscape Plan is highly ambiguous and violates **MDD Local Plan Policy CC03** and **Tree Strategy Policy NE4**.

- **Omission of Shielding:** The spatial mapping lacks basic planning precision. Plot No. 22 is left entirely exposed with zero screening, fully defeating the purpose of an environmental buffer.
- **The Overhang and Shading Substitution:** For the landscape buffer as it is *currently* proposed, the large canopy forest species—*Alnus glutinosa* (Common Alder, mature

spread 4–8m), and *Acer campestre* (Field Maple, mature spread 4–8m)—are completely inappropriate for the constrained space. They will replace building massing with an equally oppressive, unmanaged tree canopy that will cause extensive horizontal branch overhang into our private gardens, scrape roofs/gutters, and block low-angle daylight, violating **Policy NE4**. However, if the buffer size is increased to something nearing that proposed by Hicks Development Ltd in the original landscaping plans for Planning Application 143292, then the proposed tree species may now be appropriate.

- **Subsidence Risks in Clay Soils:** Introducing expansive, water-seeking forest canopies within close proximity of established foundations on Wokingham's shrinkable clay soil matrix presents an unacceptable long-term risk of foundation lifting and structural subsidence, violating the structural integrity protections of **Policy CP3**. Again, if the buffer size is increased to something nearing that proposed by Hicks Development Ltd in the original landscaping plans for Planning Application 143292, then the proposed tree species may now be appropriate.
- **Empirical Species Failure:** Local soil conditions have already proven hostile to these specifications: every single Silver Birch previously planted by Hicks Developments in the gardens of Canberra Lake Way (Nos. 23–26) has died. This is not an appropriate species for this site, yet it is one of the species proposed by the plan.
- **Absence of Management and Maintenance Frameworks:** The submission contains zero detailed, scaled landscaping specs regarding soil depths or planting densities. Future maintenance is relegated to a brief, non-binding mention in Appendix 3 of a covering letter, stating the buffer will be "*gated and maintained by the ManCo.*" Therefore, the current layout locks this narrow buffer strip entirely behind the private, fenced back gardens of the new Bellway plots. It will be logistically impossible for a management company to service, water, and keep these trees alive during dry periods - and the buffer will suffer total dehydration and failure within its first summer.

5. The Legal Materiality of a Deliverable Alternative Layout

In advancing objections to the current layout, a fully articulated, alternative layout has been prepared on behalf of the residents of 22 and 23 Canberra Lake Way by **Planning Voice**.

The full Planning Voice report has been uploaded to the planning portal - a screenshot is included here as a guide - please see the full report to be able to view it properly.



This alternative scheme demonstrates complete planning feasibility:

1. **Density Retention:** It retains the full development of **75 dwellings** and preserves the entire developable area of the scheme, causing no commercial detriment to the applicant.

2. **Continuous Buffer:** It minorly adjusts internal road lines and reallocates the surplus garden depth of Bellway Plots 25, 26, and 41–43 back down to a compliant 11-metre depth, creating a continuous, adequately dimensioned green buffer zone along the eastern and northern boundaries.
3. **Net Environmental Gain:** It results in substantial additional green space and tree planting. It requires the removal of only a small number of low-category trees, which is heavily outweighed by the new mitigation canopy cover.
4. **Highway and Access Compliance:** The alternative internal road geometry has been fully assessed against vehicle tracking requirements, showing adequate swept paths for emergency vehicles and refuse trucks.

The *Mount Cook* Planning Principle

In planning law, the relative merits of an alternative scheme become directly material when the submitted proposal gives rise to clear planning conflicts, and the alternative is concrete, non-speculative, and holds a real prospect of implementation (**R v Westminster City Council ex parte Mount Cook Land Ltd [2003] EWCA Civ 1346**).

Because Bellway's submitted plan causes demonstrable conflict with **Core Strategy Policy CP3, MDD Local Plan Policy CC03, CNP Policies CHARVIL 3 & 4**, and the **Borough Design Guide SPD**, and because the Planning Voice alternative layout rests entirely within the applicant's site control while maintaining full housing delivery, this alternative is a material consideration of substantial weight. The Council is fully empowered at this Reserved Matters stage to require layout amendments based on this viable alternative.

Conclusion and Explicit Actions Requested

The submitted layout entrenches avoidable planning harms: it compromises residential privacy via angled massing, fails to provide an operationally sound landscape buffer, and displaces high-density parking stress onto private infrastructure.

I request that Wokingham Borough Council **defer or refuse approval** of the Reserved Matters application in its current form until the applicant submits amended plans securing the following modifications:

1. **Enforce a Layout Realignment:** Direct the applicant to implement the structural adjustments demonstrated in the *Planning Voice Revised Layout*, shifting the internal road loop and housing rows away from the eastern boundary, and reducing over-deep private gardens to the 11-metre minimum to establish a continuous, wide communal landscape buffer.
2. **Mandate a Binding Boundary Management Plan:** Impose a pre-commencement condition requiring a comprehensive, legally binding Boundary Management Plan. This must detail the exact legal access easements, unconstrained maintenance

paths, and specific irrigation systems the Management Company (ManCo) will use to maintain the green buffer without invading private residential boundaries.

3. **Condition Non-Invasive, High-Performance Screen Planting:** Reject the use of destructive, wide-canopy forest trees and failed species (Silver Birch). Consider the deployment of **alternative evergreen tree varieties (such as Pleached Photinia)**. This provides an immediate, space-efficient, 365-day privacy shield at window level, prevents structural root damage to foundations, and eliminates horizontal canopy overhang.

Yours faithfully,

Mike Cordrey