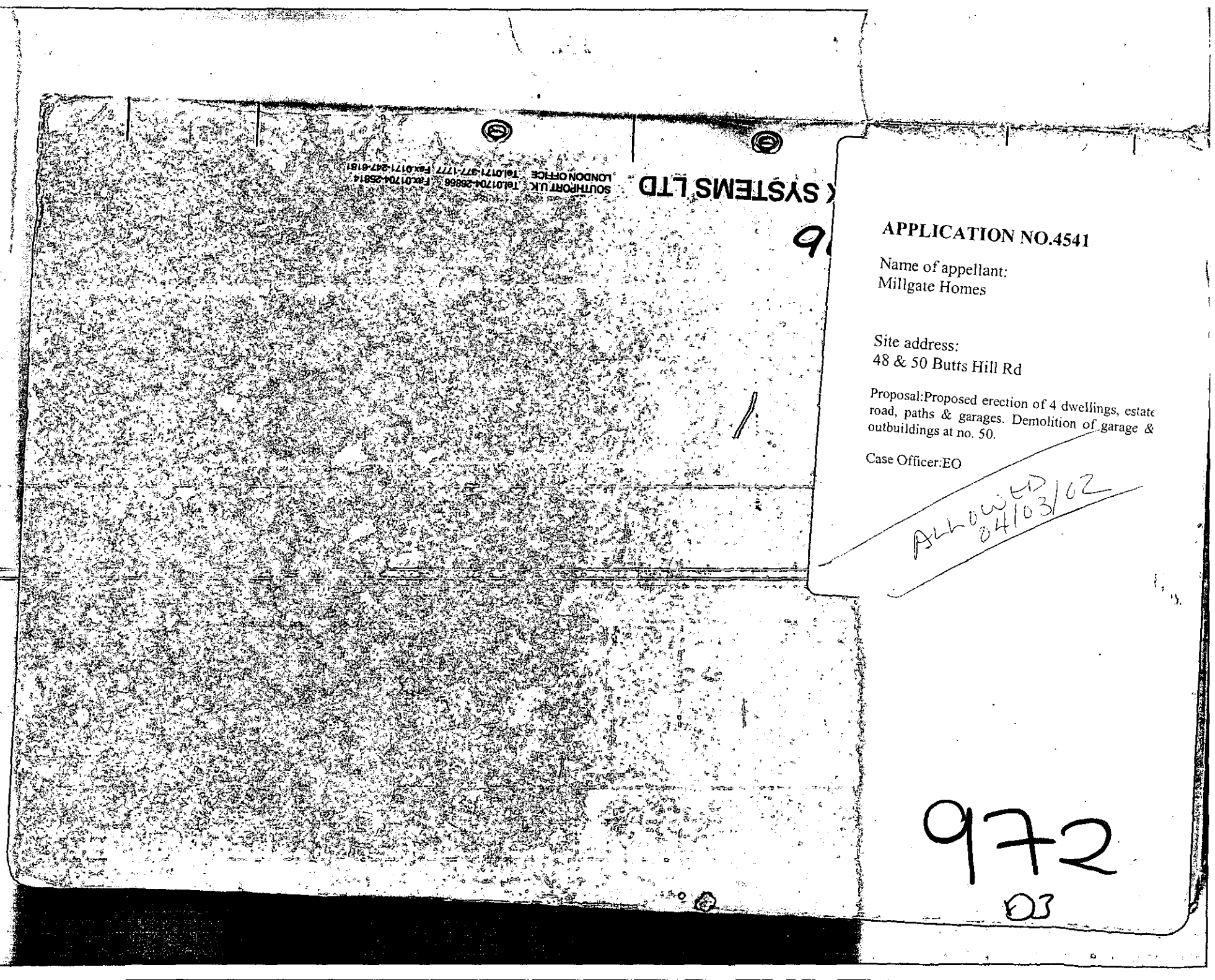
SOUTHPORT U.K. Tel.01704-26866 Fax.01704-25814
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SYSTEMS LTD
APPLICATION NO.4541
Name of appellant:
Millgate Homes
Site address:
48 & 50 Butts Hill Rd
Proposal:Proposed erection of 4 dwellings, estate road, paths & garages. Demolition of garage & outbuildings at no. 50.
Case Officer:EO
ALLOWED 04/03/02
972
03

INFORMAL HEARING APPEAL

CASE OFFICER: EO

APPLICATION NUMBER: 4541

APPELLANT: Millgate Homes

SITE: 48 & 50 Butts Hill Rd, Woodley

APPEAL REF: APP/X/0360/A/01/1077137

START DATE: 12/11/01

DATE OF HEARING 05/02/02 — Committee Room 4

Allowed 07/03/02

Progress Record	Date Actioned	Initials
Appeal Logged:	13/11/01	
Entered on Access:	26/11/01	DG
Notification Letters Due:	**26/11/01**	
Notification Letters Sent:	26/11/01	DG
Questionnaire Due:	**26/11/01**	
Questionnaire Sent:	26/11/01	DG
Venue Booked: ✓	CR4	
Statement Due:	~~15th~~ 03/12/01	
Checked by Team Leader:	—	
Statement Sent:	3/12/01	DG
Comments Due:	14/01/02 ~~24/12/01~~	
Comments Sent:		
Hearing Date Notification sent:	22/01/02	DG
Decision Letter circulated:	07/03/02	DG
Decision entered on Access.	07/03/02	DG

Appeal Decision

Hearing held on 5 February 2002

by S D Whitfield BA DipTP MRTPI

an Inspector appointed by the Secretary of State for Transport, Local Government and the Regions

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Date
- 4 MAR 2002

Appeal A: APP/X0360/A/01/1074046
Land at Nos. 48 and 50 Butts Hill Road, Woodley, Reading, Berkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Millgate Homes against the decision of Wokingham District Council.
- The application (Ref. F/2000/2862), dated 17 November 2000, was refused by notice dated 11 July 2001.
- The development proposed is to demolish existing garage and outbuildings at No. 50 Butts Hill Road and construct estate road, paths and 4 No. 3 & 4 bed houses and garages, including replacement garage.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Appeal B: APP/X0360/A/01/1077137
Land at Nos. 48 and 50 Butts Hill Road, Woodley, Reading, Berkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Millgate Homes against Wokingham District Council.
- The application (Ref. F/2001/4541), is dated 26 July 2001.
- The development proposed is to demolish existing garage and outbuildings at No. 50 Butts Hill Road and construct estate road, paths and 4 No. 3 & 4 bed houses and garages, including replacement garage.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Appeal C: APP/X0360/A/01/1077138
Land at Nos. 48 and 50 Butts Hill Road, Woodley, Reading, Berkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Millgate Homes against Wokingham District Council.
- The application (Ref. F/2001/4573), is dated 26 July 2001.
- The development proposed is to demolish existing garage and outbuildings at No. 50 Butts Hill Road and construct estate road, paths and 8 No. 2 & 3 bed houses, garages, including replacement garage and parking bays.

Decision: The appeal is dismissed.

Procedural Matters

1. The Council considered the applications now subject to **Appeals B** and **C** at a meeting of its Development Control Committee on 24 October 2001. However, before the decision notices were issued the applicant made appeals against the Council's failure to give such notice within the prescribed period. The following 'reasons for refusal' given on the decision

notices that the Council issued form the basis of its case in respect of **Appeals B** and **C**. The bracketed non-italicised words in the second 'reason' apply to **Appeal C** only.

1. The proposal represents piecemeal development of a backland nature in an area characterised by substantial rear gardens. The proposed access would result in the loss of a number of silver birches which contribute positively to the character. As a result the development would have detrimental impact upon the character of the surrounding area. As such, the proposal is contrary to policy EN1 of the Berkshire Structure Plan, policies LH1, LBE1 and LBE2 of the Loddon Area Local Plan and to policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) as modified.

2. The proposal, by reason of the number [and type] *of units and their siting represents a cramped form of development constituting overdevelopment of the site. It would* [therefore] *have a detrimental impact upon the character of the area. As such, the proposal is contrary to policy EN1 of the Berkshire Structure Plan, policies LH1, LBE1 and LBE2 of the Loddon Area Local Plan and to policies WOS3 and WBE1 of the Wokingham District Local Plan.*

2. I shall take the above into account in determining **Appeals B** and **C**.

3. At the Hearing the appellant submitted a completed unilateral undertaking, which would require a financial contribution to be made to the Safe Routes to School Scheme in the district if any of the appeal proposals go ahead. The Council confirmed that it had no objections to this undertaking. I shall return to this matter later.

Main Issue

4. I consider the main issue in all cases is the effect of the proposal on the character and appearance of the area, with regard to trees, layout, siting, openness and previously developed land.

Planning Policy

5. The development plan for the area includes the Berkshire Structure Plan (SP) 1991-2006 Incorporating Alterations adopted in 1997 and the Loddon Area Local Plan (LP), adopted in 1995. Policy LD3 of the SP only allows proposals where they do not give rise to an unacceptable impact on the environment, including serious harm to the character or appearance of an area or the amenities of neighbouring land uses. Policy EN1 seeks to protect the character and quality of the environment in built-up areas through the application of a number of general design criteria.

6. Policy LH1 of the LP generally favours housing development on sites within identified settlements, subject, among other matters, to local environmental constraints, including the protection of open and wooded areas, gaps and garden areas that are important to the character of the settlement concerned. Also there should be no significant adverse effect on the character of the area. Policy LTV6 protects open areas, including gardens, which contribute significantly to the character of settlements. Design issues are addressed in Policies LBE1 and LBE2, which generally require development to be appropriate to its setting and the character of the area.

7. The Council also draws attention to the Wokingham District Local Plan Deposit Draft 2000. Policies WOS3 and WBE1 set out a number of design criteria, both requiring assessment of development in its local context. This emerging plan is at a fairly advanced stage in the

process towards its final adoption in that it has undergone a Public Local Inquiry and the Council is considering the Inspector's Part 2 Report.

8. National advice in Planning Policy Guidance (PPGs) 1 – *General Policy and Principles* and 3 – *Housing* encourage good quality design that is informed by the wider context. PPG 3 also seeks the efficient use of land in urban areas, including previously developed land, and encourages higher densities in sustainable locations.

Appeals A and B

Reasons

Character and Appearance

9. In 1988 two schemes, each for 3 dwellings, at the rear of 46 and 48 Butts Hill Road were dismissed on appeal. In both cases the Inspector considered that the removal of trees near the southern boundary of the site and between 46 and 48 Butts Hill Road would harm the character of the area.

10. However, the current proposals differ from these earlier schemes in that the means of access would be taken between Nos. 48 and 50, not Nos. 46 and 48. Therefore the mature vegetation that the previous Inspector referred to, including a number of silver birches, would not be affected by the current proposals. Whilst a another line of silver birches would have to be removed in these cases, the appellant's arboricultural survey, which the Council did not dispute, indicates that these trees are generally not in good condition. I note that, when consulted on the applications, the Council's Landscape Officer considered them, together with a cherry tree, to be of poor quality and of little long-term value. On site I saw nothing that would lead me to a different view and I further note that none are subject to tree preservation orders. Also the submitted plans indicate that replacement trees would be planted in the front garden of No. 50.

11. With regard to the trees along the southern boundary of the site, I consider that under the current proposals the dwellings would be sited clear of their canopies. Furthermore, the appellant's arboricultural survey indicates that some trees, including a large mature oak in the south-west corner of the site, would require removal. My site visit confirmed that this oak's trunk is split below a fork.

12. In all the above circumstances I consider that the imposition of landscaping conditions would be sufficient to protect that element of the area's character derived from the presence of mature vegetation.

13. Under both schemes the main parts of three dwellings proposed to the rear of 46 and 48 Butts Hill Road would be set back from the boundaries with the back gardens of these houses and others in Rochester Avenue and Ravensbourne Drive. This gives a minimum separation distance of at least 30m at first floor level between the proposed dwellings and the backs of houses in Ravensbourne Drive, at least 45m to houses in Rochester Avenue and comparable distances to houses fronting Butts Hill Road. The other dwelling, which would be to the rear of 50 Butts Hill Road, would be sited nearer to that road than the other houses, but No. 50 itself is closer to Butts Hill Road than Nos. 46 and 48. I consider that this spacing, siting and layout would help to reduce to an acceptable level the loss of openness that would follow from this built form, which I consider would be consistent with

local and national design policies. It would also ensure that the proposals would not appear as cramped or otherwise incongruous backland development.

14. In respect of the latter, the Council's objection that the proposals would be piecemeal is not in my opinion consistent with the site characteristics. Under both schemes most of the built development would be sited within part of the large back garden to 48 Butts Hill Road, which is L-shaped and wraps around the end of the shorter back garden to No. 46. It forms an identifiable parcel of land larger than other neighbouring back gardens and has well-defined boundaries marked by mature trees and hedges.

15. Related to the matter of piecemeal development are local residents' fears about the proposals setting a precedent for further development in the back gardens of houses on Butts Hill Road. Indeed, the plans for **Appeal B** would allow such access to be taken in the future. However, if an application were to be submitted for development of the other back gardens it would be a matter for the Council to consider at the appropriate time. Moreover, I have treated the proposals before me on their own merits. The fact that the **Appeal B** scheme would not physically prevent the development of adjoining land would not mean that any favourable consideration by me would bind the Council to further permissions in this area.

16. As the appeals site is part of two residential curtilages it is previously developed land for the purposes of PPG3. To promote the efficient use of land there is a presumption in favour of developing such sites ahead of greenfield locations, and at higher densities than before. The proposals fall short of the minimum of 30 dwellings per hectare in PPG3, which is a net site density is intended to exclude major distributor roads, primary schools, open spaces serving a wider area and significant landscape buffer strips. However, these appeals are not examples of estate development or urban expansion, but involve a relatively small backland site where a number of site constraints are present that limit the appropriateness of such density calculations. Instead, I note the curtilages that would be sub-divided currently accommodate 2 dwellings, whereas either proposal would result in a total of 6. I consider that a threefold increase in the number of dwellings within these curtilages would strike a reasonable balance between the need to make efficient use of urban land and the prevention of unacceptable harm to the character and appearance of the area.

17. For the above reasons I conclude that the proposals subject to **Appeals A** and **B** would not significantly harm the character or appearance of the area. Nor would they conflict with Policies LD3 and EN1 of the SP, Policies LH1, LTV6, LBE1 and LBE2 of the adopted LP, Policies WOS3 and WBE1 of the draft LP, or the advice in PPGs 1 and 3.

Other Considerations

18. Local residents argued that the traffic generated by four houses would interfere with the free flow of traffic and generally worsen local highway conditions, which, they considered, were already unsafe. With regard to the new access onto Butts Hill Road, the submitted plans show that visibility splays could be provided in both directions that would meet the standards set out in *Places, Streets & Movement – A companion guide to Design Bulletin 32 – Residential roads and footpaths.* Following my site visit, I see no reason to disagree. However, local residents complained that traffic regularly exceeds the 30mph speed limit on Butts Hill Road and they contended that conditions are particularly difficult at peak periods and when schoolchildren have to cross Butts Hill Road. The appellant estimated that the proposals would generate around 32 daily vehicle movements, up to 4 during the peak hour.

No one disputed these estimates at the Hearing, which appear to me to be reasonable. On site I saw nothing to suggest that local highway conditions are significantly worse than might be expected in a busy suburban area such as Woodley. Furthermore, I consider that the appellant's unilateral undertaking would make a tangible contribution to the improvement of local highway conditions during the school run. Therefore, in my opinion the additional vehicles that 4 dwellings would generate is of little significance in terms of prejudicing the safe and free flow of traffic. In reaching this view I have taken account of a recent housing development to the north at Pound Lane.

19. The previous Inspector considered that the earlier schemes would have harmed local residents' living conditions by reason of a loss of privacy and outlook, and increased noise and disturbance. However, the siting of the dwellings and means of access would be different under the current proposals. Not only would the separation distances between new and old help to protect the character and appearance of the area, but also I consider that they would assist with preventing undue overlooking, loss of privacy or outlook and noise and disturbance for the nearest neighbours. This is not to say that the proposal would have no effect on neighbour's living conditions, but I do not consider it would be enough to warrant dismissing **Appeals A** and **B**. Moreover, a landscaping condition could be imposed to strengthen the boundary treatment, which I consider would further reduce the potential for such problems.

20. I noted that Butts Hill Road is on the bus network and a number of local facilities are within a reasonable distance of the appeals site. As such I consider that the proposals comply with the advice in PPG3 on sustainable locations for housing, which I consider weighs in the balance in their favour.

21. Compared with current the lack of public access to the existing rear garden areas, local residents also argued that the new road and fencing would be an invitation to criminal behaviour. Whilst crime in relation to the design of development is capable of being a material consideration, I consider that the presence of four houses off the new access road would to a degree have a self-policing effect. Nor do I find that there is any aspect of the design of the proposals that would make adjoining residents particularly vulnerable to criminal activity.

22. Some residents are concerned about the effect of the proposals on local wildlife. But the appeals site has no nature conservation designation and I neither read nor heard any technical evidence to suggest that significant harm would be caused in this respect.

Human Rights

23. With regard to **Appeal A,** Mr Redman of 28 Ravensbourne Drive, on behalf of residents of Rochester Avenue, made submissions relating to article 8 of the European Convention on Human Rights. I recognise that allowing **Appeal A** would result in an interference with the homes and private and family lives of residents in Rochester Avenue living near the appeal site. However, that interference must be balanced against the public interest in pursuing the legitimate aims stated in article 8, particularly the economic well-being of the country (which includes the preservation of the environment) and the protection of the rights and freedoms of others. In all the circumstances, I consider that the grant of planning permission is necessary in a democratic society in furtherance of the legitimate aims stated. It does not place a disproportionate burden on the occupiers of houses in Rochester Avenue, particularly if a condition controlling boundary treatment is imposed. I therefore consider

that allowing the appeals would not result in a violation of their rights under article 8 of the Convention.

24. Also in respect of **Appeal A**, representations were made to the effect that Mr and Mrs Matthews's rights under article 1 of the First Protocol would be violated if the appeal were allowed. I do not consider that a succession of planning applications made on a site adjoining their property at 22 Ravensbourne Drive amounts to a significant interference with the right to peaceful enjoyment of it. Therefore I do not consider the representations to be well founded because the degree of interference is insufficient to give rise to a violation of Mr and Mrs Matthews's rights under the article.

Conclusions

25. For the reasons given above and having regard to all other matters raised, I conclude that **Appeals A** and **B** should be allowed.

Conditions – Appeals A and B

26. At the Hearing the Council stated that conditions recommended by officers to be imposed on the development subject to **Appeal A** should be treated as the suggested conditions. As I consider it is necessary, in the interests of visual amenity, for the Council to control the appearance of the buildings I shall impose suggested condition 2, amended to reflect the wording of model condition 64 in Circular 11/95 – *The Use of Conditions in Planning Permissions*.

27. The Council suggests a separate condition dealing with boundary treatment. In view of the importance of ensuring adequate privacy I shall impose model condition 30 from the Circular, not the Council's version.

28. The Council wishes to remove permitted development rights for the formation of windows at first floor level. However, I do not consider this condition to be necessary as I have found that the proposed houses are sufficiently distant from the sensitive areas of neighbouring properties and the trees and hedges on the boundary, if strengthened through a landscaping condition, would help to screen the dwellings.

29. Suggested condition 5 would require the garage accommodation to be kept available for the parking of vehicles. However, each dwelling would have substantial hardstandings in front of the garage where at least two cars could be parked. Therefore I do not consider this condition is necessary. But in my opinion it is reasonable to require that those areas that are available for parking should be provided before any of the dwellings are occupied. I shall impose the Council's suggested condition 8, with some amendments for clarity.

30. The Council considered that hours of site preparation and construction work should be controlled to prevent noise and disruption for residents in the evenings and at weekends. But I am not satisfied that a condition would be reasonable as this may unduly inhibit flexibility in an industry prone to the vagaries of the weather. I shall not impose it.

31. I consider it is important on a backland site that the Council is able to control the overall height of the dwellings and so I shall impose the suggested condition regarding details of slab levels, with minor revisions to the wording.

32. The Council is seeking to ensure that all services are placed underground, with no overhead wire cables or other forms of overhead servicing. This could affect the erection of TV aerials and in general I consider that this condition would be so restrictive as to be unreasonable. I take the same view with regard to suggested condition 10, which would appear to remove some of the permitted development rights granted to construction sites.

33. I consider that the matter of mud and debris being deposited on the public highway during construction is a matter for the local highway authority, should it become a problem. Therefore I regard suggested condition 11 as unnecessary.

34. Suggested conditions 12 and 13 would respectively require the new access to be constructed before any other development takes place and the existing vehicular access nearby to be stopped up within one month of the new access being completed. In my opinion these would be reasonable conditions to impose in the interests of highway safety.

35. Both proposals would involve the removal of mature trees and shrubs on the site. It is essential in my view to require the retention of healthy species, suitable replacements for others and the landscaping of the site, with planting maintained for a reasonable period. I shall redraft suggested condition 14 to reflect model condition 25, to take account of the proposed hard landscaping, and I shall revised parts of 15 and 16 for clarity.

36. The Council also suggests two conditions recommended by the Environment Agency (EA). However, I do not consider that surface water source control measures need the Council's consent as local planning authority as other statutory controls could address this matter. Therefore I shall not impose suggested condition 17. The other condition that the EA recommends would help to prevent the pollution of groundwater, which I consider is capable of being a material planning consideration.

37. To meet national guidelines the visibility splays should be 2.4m x 90m. The Council's suggested condition seeks a higher standard in both directions. I shall impose a condition that takes account of the national guidance instead of the Council's suggestion.

Formal Decision – Appeals A and B

Appeal A:

38. In exercise of the powers transferred to me, I allow the appeal and grant planning permission is to demolish existing garage and outbuildings at No. 50 Butts Hill Road and construct estate road, paths and 4 No. 3 & 4 bed houses and garages, including replacement garage on land at Nos. 48 and 50 Butts Hill Road, Woodley, Reading, Berkshire, in accordance with the terms of the application Ref. F/2000/2862, dated 17 November 2000, and the plans submitted therewith, subject to the following conditions:

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

    2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

    3) No development shall take place until details of all boundary treatments have been submitted to and approved in writing by the local planning authority. The approved

details shall be implemented prior to the first occupation of the development or as may otherwise be agreed in writing by the local planning authority.

4) No dwelling shall be occupied until the garage or parking space for that dwelling has been constructed and made available for use.

5) No development shall take place until details of the slab levels of the proposed buildings have been submitted to and approved in writing by the local planning authority. The constructed development shall not vary from the approved levels.

6) No other development shall take place until the means of access shown on the submitted plans has been constructed and made available for use.

7) The existing vehicular access to 50 Butts Hill Road shall be stopped up within one month of the completion of the new access to that property shown on the submitted plans.

8) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include hardstandings; other vehicle and pedestrian access and circulation areas; hard surfacing materials; full details of new tree planting and planting along the boundaries of the site.

9) All planting, seeding or turfing comprised in the approved details of landscaping, including the replacement trees indicated on the arboricultural plan no. 3469/01B, 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 development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

10) No trees, hedges or shrubs within the curtilage of the site, except those shown on the approved plans 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 permitted. These retained trees, shrubs and hedges shall be protected from any damage in accordance with the measures shown on the arboricultural plan no. 3469/01B. Any that are 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 permitted shall be replaced with new trees, hedges or shrub species (of such size, species and in such number and position as may be agreed in writing with the local planning authority) before the end of the first available planting season following their loss or removal.

11) No soakaways shall be constructed that penetrate the water table and they shall not in any event exceed 3m in depth below the existing ground level.

12) No development shall take place other than the construction of the means of vehicular access until visibility splays of 2.4m x 90m in both directions have been provided at its junction with Butts Hill Road. The visibility splays shall be retained in their approved form for so long as the access remains in use and no structure or erection shall be placed, or vegetation be allowed to grow, that exceeds 0.6m in height within the areas where vision should be unobstructed.

Appeal B:

39. In exercise of the powers transferred to me, I allow the appeal and grant planning permission to demolish existing garage and outbuildings at No. 50 Butts Hill Road and construct estate road, paths and 4 No. 3 & 4 bed houses and garages, including replacement garage on land at Nos. 48 and 50 Butts Hill Road, Woodley, Reading, Berkshire, in accordance with the terms of the application Ref. F/2001/4541, dated 26 July 200, the plans submitted therewith as clarified under the procedural matters above and subject to the following conditions:

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

2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

3) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

4) No dwelling shall be occupied until the garage or parking space for that dwelling has been constructed and made available for use.

5) No development shall take place until details of the slab levels of the proposed buildings have been submitted to and approved in writing by the local planning authority. The constructed development shall not vary from the approved levels.

6) No other development shall take place until the means of access shown on the submitted plans has been constructed and made available for use.

7) The existing vehicular access to 50 Butts Hill Road shall be stopped up within one month of the completion of the new access to that property shown on the submitted plans.

8) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include hardstandings; other vehicle and pedestrian access and circulation areas; hard surfacing materials; full details of new tree planting and planting along the boundaries of the site.

9) All planting, seeding or turfing comprised in the approved details of landscaping, including the replacement trees indicated on the arboricultural plan no. 3469/01B, 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 development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

10) No trees, hedges or shrubs within the curtilage of the site, except those shown on the approved plans 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 permitted. These retained trees, shrubs and hedges shall be protected from any damage in accordance with the measures shown on the arboricultural plan no. 3469/01B. Any that are 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 permitted shall be replaced with new trees; hedges or shrub species (of such size, species and in such number and position as may be agreed in writing with the local planning authority) before the end of the first available planting season following their loss or removal.

11) No soakaways shall be constructed that penetrate the water table and they shall not in any event exceed 3m in depth below the existing ground level.

12) No development shall take place other than the construction of the means of vehicular access until visibility splays of 2.4m x 90m in both directions have been provided at its junction with Butts Hill Road. The visibility splays shall be retained in their approved form for so long as the access remains in use and no structure or erection shall be placed, or vegetation be allowed to grow, that exceeds 0.6m in height within the areas where vision should be unobstructed.

Information – Appeals A and B

40. These decisions do not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

41. An applicant for any approval required by a condition attached to these permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.

42. Attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970, as amended.

Appeal C

Reasons

Character and appearance

43. Nos. 44 to 50 Butts Hill Road are individually designed detached properties, a pattern of development that continues to the north. To the west of the appeal site the houses in Rochester Avenue and Ravensbourne Drive are semi-detached. In my opinion the visual distinction between the areas of detached and semi-detached properties is further emphasised by their common boundaries, which are marked by mature trees and hedges that limit the views from one area to another. The siting of the proposed dwellings would be similar to **Appeals A** and **B**. Therefore my earlier comments on the other appeals with regard to the effect on trees apply equally to this case.

44. However, in contrast to the neighbouring detached houses, including those within whose curtilages the proposal would be sited, the 8 dwellings would take the form of two semi-detached pairs and a terrace of 4. The latter would have a parking and turning area for 6 cars between the front elevation of the terrace and the end of the back gardens to No. 46 Butts

Hill Road. The semi-detached pairs would have a staggered relationship with each other on either side of the main turning area serving the development. I consider that these types of housing would appear as an incongruous built form at the rear of the detached properties fronting Butts Hill Road, especially as the new access would, in visual terms, align the appeal site more closely with the detached houses to the east and north. In particular, I saw nothing near the appeal site like the terrace of 4 houses and its parking area, either among the semi-detached properties in Ravensbourne Drive or on Butts Hill Road. In failing to respect the surrounding character of the area, I consider that the proposal would not meet the design criteria set out in local policies.

45. In its favour, the proposal would have a net density consistent with the advice in PPG3. However, PPG3 also emphasises that considerations of design and layout must be informed by the wider context. I do not consider that higher densities are inimical to good design, but in this case, taking account of my foregoing comments, the proposal fails to comply with the design advice in PPG3 and PPG1.

46. My conclusion on this issue is that the proposal subject to **Appeal C** would harm the character and appearance of the area, contrary to Policies LD3 and EN1 of the SP, Policies LH1, LTV6, LBE1 and LBE2 of the adopted LP, Policies WOS3 and WBE1 of the draft LP and the design advice in PPGs 1 and 3.

Other Considerations

47. Applying the appellant's traffic generation estimate to **Appeal C**, it could be expected that there would be 64 daily vehicle movements. However, I consider that the smaller size of some of dwellings proposed in this case would be likely to attract households with lower levels of car ownership. Indeed, I note that the terrace of 4 houses would be provided with only 6 parking spaces. Consequently I do not consider that traffic generation would necessarily be doubled in comparison with **Appeals A** and **B**. I have already found that visibility would be satisfactory at the proposed junction, but although more vehicles would be using it, there would still be relatively few movements during the peak hours, when Butts Hill Road is at its busiest. Therefore I do not consider that 8 dwellings would significantly prejudice the safe and free flow of traffic. Also the financial contribution under the unilateral undertaking would be increased accordingly to reflect the additional dwellings compared with **Appeals A** and **B**.

48. As the siting of the proposed dwellings in relation to adjoining properties is similar when compared to **Appeals A** and **B**, I do not consider that local residents would experience any unacceptable overlooking, loss of privacy or outlook. With 8 as opposed to 4 dwellings there would inevitably be an increase in noise and disturbance, although the smaller size of the dwellings in this case indicates that it would not be doubled. Overall, in view of the similar degree of separation from existing houses, I do not consider that the domestic activity associated with 8 dwellings, including the comings and goings of vehicles, would cause significant harm to neighbours' living conditions.

Conclusions

49. Nevertheless, for the reasons given above in respect of the main issue and having regard to all other matters raised, I conclude that **Appeal C** should be dismissed.

Formal Decision – Appeal C

50. In exercise of the powers transferred to me, I dismiss the appeal.

Information – Appeals A, B and C

51. A separate note is attached setting out the circumstances in which the validity of any of these decisions may be challenged by making an application to the High Court within 6 weeks from the date of the decision.

S D Whitfield

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mark Sitch BSc(Hons) DipTP MRTPI	Agent; The Barton Willmore Planning Partnership, Beansheaf Farmhouse, Bourne Close, Calcot, Reading
Dermot McCaffery Eng Tech MIHIE	Agent; Buchanan Consulting Engineers, Newcombe House, 43-45 Notting Hill Gate, London

FOR THE LOCAL PLANNING AUTHORITY:

Edward Oteng BA (Hons) DipUPI MRTPI	Planning Officer, Wokingham District Council

INTERESTED PERSONS:

Peter Redman	On behalf of Rochester Drive Petitioners; 28 Ravensbourne Drive, Woodley, Reading
Mr M and Mrs C Matthews	Local residents; 22 Ravensbourne Drive, Woodley, Reading
Mr O'Donnell	Local resident; 16 Ravensbourne Drive, Woodley, Reading
Pauline Bentley	40 Butts Hill Road, Woodley, Reading
Mr M C Powell	24 Ravensbourne Drive, Woodley, Reading
Councillor Terry Dredge	Ward Councillor; Wokingham District Council

DOCUMENTS

Document	1	List of persons present at the Hearing
Document	2	Letter of notification and persons notified
Document	3	Bundle of letters in response to Document 2
Document	4	Appeal B: Drawing No. 08 (submitted by the appellant)
Document	5	Appendix 12 to Mr Sitch's statement (submitted by the appellant)
Document	6	Unilateral undertaking dated 5 February 2002 (submitted by the appellant)
Document	7	Land to the rear of 48 Butts Hill Road; Appeal Decision dated 1 November 1988

PLANS

Appeal A Plans	A to L	Nos. 01J, 02, 05, 06, 11A, 12A, 13 (double garage plans & elevations), 13 (house type D1 plans), 14, 15 and 3469/01B
Appeal B Plans	1 to 10	Nos. 100, 02, 05, 06, 07, 08, 11, 12, 13 and 3469/01B
Appeal C Plans	I to XI	Nos. 02, 200, 201, 202, 203, 204, 205 (sheet 1), 205 (sheet 2), 206, 207 and 3469/01D

NL OBB

PLANNING SERVICES	HPD
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24 AUG 2001	
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16, Ravensbourne Drive
Woodley
Reading
Berks
RG5 4LH
22 Aug '01
Phone: 0118 9692321

Nicola Lake
Planning Officer
Wokingham District Council.

Dear Miss Lake,

Planning Application F/2001/4541 - 48 and 50 Butts Hill Road, Woodley.
Proposed erection of 4 dwellings, estate road, paths and garages
Demolition of garage and outbuildings at no. 50.

References:

1. D. of E. Planning Inspectorate Letter T/APP/H0 330/88/019101/0544/6/P2 of 1 Nov '88 - Dismissal of appeals for applications 29444 and 3024.

2. Application F/2000/0956 of March '00

3. Letter GFT/-/WDC 2000/0956 of 14 April '00 from NSP to the Barton Willmore partnership.

4. Wokingham District Council Notification of Refusal of Permission of 1 Aug '00 for Application F/2000/0956

5. Application F/2000/2862 of Nov '00.

6. Minutes of the Development Control Committee meeting held on 11 July '01

7. Wokingham District Council Notification of Refusal of Permission of July '01 for Application F/2000/2862

1. I note that reports to the Development Control Committee quote such comments of earlier reports as may serve to make a point. The following notes do the same.

2. It is obvious that F/2001/4573 is the virtual twin of the F/2000/2862 proposal of November '00 F/2000/2862 was refused permission on 11 July 01 (ref 7). Because the differences between F/2001/4573 and F/2000/2862 plans are so small it would be extraordinary if F/2001/4573 was given approval. The reasons for refusal of F/2000/2862 were:

a) "The proposal represents piecemeal development of a backland nature in an area characterised by substantial rear gardens. The proposed access would result in the loss of a number of silver birches which contribute positively to the character. As a result the development would have detrimental impact upon the surrounding character of the area"

b) "The proposal, by reason of the number of units and their siting represents a cramped form of development constituting overdevelopment of the site. It would have a detrimental impact on the character of the area."

Taken together these restraints echo PPG3 (Planning Policy Guidance note 3) in so far as they safeguard against development compromising the quality of the environment.

3. In view of the foregoing, and having replied at length to previous proposals and reports, my continued objections to F/2001/4573 are summarised as follows.

a) The proposed backland development will cause severe loss of privacy, outlook and amenity because of its closeness, particularly of plots 2, 3 and 4 houses, to the boundary with Ravensbourne Drive. The loss is compounded by overlooking from a total of 17 windows and 5 double patio doors. There will also be disturbance from use of the new access and the day to day activities of the occupiers of the new properties. Resulting from the developers intention to cram as much new property on the site as possible the separation distance between Ravensbourne Drive dwellings and plots 2, 3 and 4 houses depends on the length of Ravensbourne Drive gardens. The developers plots are much shorter. There is still a case for improving the site layout to reduce this dependency.

b) The access road, because of its close proximity to Ravensbourne Drive junction with Butts Hill Road (42 m) and its check by-pass entrance drive to 30 Butts Hill Road, is a traffic hazard as described by the developers

consultant in ref. 3. Butts Hill Road is a notorious traffic rat race devoid of calming measures in the long stretch of road past the access road. It would be folly to worsen the situation by design as may well be the result of the current proposal. On a point of detail, the site plan shows an extended sight line along Butts Hill Road to the South of the access road but the exit sight line in the northerly direction will be hindered by a 1.8m high close boarded fence.

c) F/2001/4573 will have a detrimental effect on the character of the area as a whole. Loss of trees in the construction of the access road and elsewhere on the site will contribute substantially to this effect. Also the scale, form and massing on the site would be less than ideal being framed primarily to produce maximum profit from the site. As presented the proposal shows little interest by the developer in using infill development such as this to create added visual interest and raising the architectural quality of the area - as espoused in several policy documents.

d) The way in which plots 2, 3 and 4 of the proposal have been set full face on to the opposite Ravensbourne Drive dwellings shows indifference to the need for integration of new housing into the local context without detriment to the amenities of existing, adjoining occupiers on all sides of the proposed estate.

e) I have repeatedly, and to no avail, drawn attention to the way in which plans have omitted a significant screen of conifer hedging at the end of plot 1. The screen comprises a double line of conifers at right angles to the conifer line along the Southern boundary of the site. I seem to have been mistaken in thinking that one function of planning staff was to ensure completeness of plans with regards to existing features of sites. It would also be useful if the future of oak tree T24 was clarified. The arboricultural plan seems to indicate removal whilst the outline on the site plan indicates retention. If such a major feature is to be removed its loss will create a wide open space in need of dressing to reduce overviews. The developer should be required to indicate either suitable replacement plantings or fencing on the plans.

f) As it is the developer who is proposing to make radical changes to the outlook and amenity of surrounding properties, and since there is no assurance that occupiers of the new houses will keep existing boundary plantings in their small gardens, it should be incumbent on the developer to install appropriate boundary

screening e.g. close boarded fencing along the ends of all plots. That would not only assist in affording privacy to both sides but would also reduce concerns about security. The plan shows that 48 and 50 Butts Hill Road have been well provided for in this respect. Why not elsewhere? The dent in profit margins would be quite small.

g) The line of the access road in front of plots 2,3 and 4 has potential for extension Northwards with the intention of more development in gardens along the length of Butts Hill Road. That potential is a matter of concern to many local residents. It should not be difficult to eliminate this possibility by design and the developer should be encouraged to do so. Alternatively the problem could be contained by covenant for a suitable period of time.

4. The reasons for refusing permission for F/2000/2062 were reduced to two compared to three for F/2000/0996 in August '00. The omitted reason, which reflected the opinion of the Development Control Committee after a site visit was that:

> "The proposed development, by reason of siting of the units would result in overlooking and loss of privacy to the detriment of the residential amenity of the occupants of Ravensbourne Drive."

Nothing in the F/2001/4541 plan invalidates that view which was arrived at when the foliage screen between the site and Ravensbourne Drive was at much the same density as now. The Committee noted that because all the plantings on the site side are deciduous they would be bare throughout the winter months leaving the Ravensbourne side open to overviews from both ground and first floor levels for much of the year. The record of the meeting on 11 July '01 which refused permission for F/2000/2062 gives no reason for dropping the previously valid condition. Nor does there seem to be a record of majority approval for doing so. On enquiring by 'phone whether the minute secretary's notes could shed light on the matter I was told that it was unlikely that they were still available. If that is the case that there is no record of Committee discussion then, since evaluation of likely degrees of oversight of one property on another turns on a matter of opinion with no specific guidance available, re instatement should be implemented when F/2001/4541 is put before the Committee for decision. Ideally a decision should be the result of an on site review by the Committee.

Yours sincerely

Mrs. F. O'Donnell (Mrs. F. O'Donnell)

NL 065

11

23 AUG 2001
COPIE ✓

28 Ravensbourne Drive
Woodley
READING
RG5 4LH

Date 20th August 2001

Miss N. Lake
Planning Officer
Wokingham District Council

Planning Application F/2001/4541 – 48/50 Butts Hill Road

Dear Miss Lake,

This letter is to object to Planning Application F/2001/4541 on the following grounds,

1. That you have already REFUSED this type of plan (F/2001/4541) which has the same footprint and mass as the plan REFUSED on 11th July 2001. The only difference between F/2001/4541 and F/2001/2862 (which was REFUSED), is that the last house on the proposed mini estate (Plot 4) blocks off the mini estate road to accommodate the Rochester Avenue petitioner's requirement.

In other words Planning Application F/2001/4541 still contravenes: -

Policy EN1 of the Berkshire Structure Plan and policies LH1and LBE1. LBE2 of the Loddon Area Plan as well as policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) as modified. All these Policies and Draft being updated in accordance with PPG3.

Still causes: -

1. Piecemeal development of a backland nature in an area characterised by SUBSTANTIAL rear gardens.
2. Access to the estate would result in the loss of a number of silver birches, which contribute positively to the SUBSTANTIAL character of the area. As a result the proposed development would have a detrimental impact upon the character of the area.

   I consider the silver birch to be synonymous with woodland; grand trees in their own rights, and as such contribute SUBSTANTIALLY to garden character.

3. This proposed development by reason of the unit siting would result in the overlooking and loss of privacy of the occupants in Ravensbourne Drive. No attempt has been made by the developers to alter unit siting consequently a similar proposal F/2001/2862 was REFUSED.

Based on similar proposals and history of REJECTIONS from 1988 and July 2001, please do not GRANT planning permission.

Yours sincerely

P. Redman

NL OBS

10

23 AUG 2001

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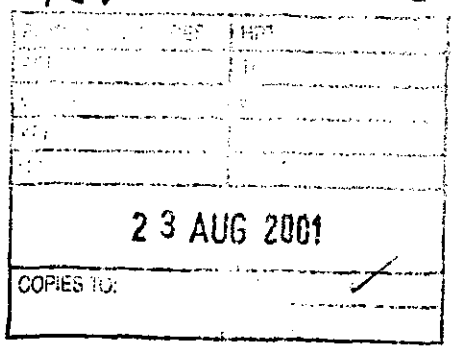

28 Ravensbourne Drive
Woodley
READING
RG5 4LH

Date 20th August 2001

Miss N. Lake
Planning Officer
Wokingham District Council

Planning Application F/2001/4541 – 48/50 Butts Hill Road

Dear Miss Lake,

As a spokesperson for the Rochester Avenue petition I request that you contact Millgate Homes to ask them to amend the above proposed plan so that the estate road is blocked off, thus preventing further development between houses of Rochester Avenue and Butts Hill Road. I suggest the best way to do this is to :-

1. Turn the last unit (plot 4) 90 degrees thus terminating the road. This will increase the garden size of plot 4 at the expense of road area.

2. Do not GRANT planning permission; a decision based on REJECTION of similar proposals from 1988 to July 2001.

The Development Control Committee did give Millgate Homes and the objectors the opportunity to liaise by DEFERRING F/2000/2862 on Wednesday 21st March 2001. I myself went into Millgate Homes' conclave to organise such a meeting. All I got was accusation.

I feel that the proposed plan could be laid out in a more sympathetic manner thus preventing overlooking and loss of privacy to the surrounding community.

Yours sincerely

P A Redman

23 AUG 2001

Petition **Date AUGUST 2001**

We, the undersigned, object to **any** proposed development, at 48/50 Butts Hill Road, where the mini estate road is not blocked off by the final house in the estate, to stop further development continuing on between houses in Rochester Avenue and Butts Hill Road.

Name----------	Address --Rochester Avenue--
[illegible]	26
	26
Paul Grist	34
[illegible]	38
A DeFaveri	38
G Bloomfield	40
L Bloomfield	40
T Bloomfield	40
R. Bram	42
John M Bram.	42

Petition **Date AUGUST 2001**

We, the undersigned, object to **any** proposed development, at 48/50 Butts Hill Road, where the mini estate road is not blocked off by the final house in the estate, to stop further development continuing on between houses in Rochester Avenue and Butts Hill Road.

Name----------	Address L-Rochester Avenue--
Andrea Swan	10
Dan Smith	10
C Blackwell	14
K Blackwell	14
L Dawson	18
	20
	20
	20
	20

Petition **Date AUGUST 2001**

We, the undersigned, object to **any** proposed development, at 48/50 Butts Hill Road, where the mini estate road is not blocked off by the final house in the estate, to stop further development continuing on between houses in Rochester Avenue and Butts Hill Road.

Name	Address --Rochester Avenue--
D L Tomsett	48
J. C. Tomsett	48
J. Dickens	50
A Dickens	50
M. C. Tomsett	46
N A Tomsett	46
E. M. McDonald	54
P. Livesey	4
J Willis	4

PAGE 4

Petition **Date AUGUST 2001**

We, the undersigned, object to **any** proposed development, at 48/50 Butts Hill Road, where the mini estate road is not blocked off by the final house in the estate, to stop further development continuing on between houses in Rochester Avenue and Butts Hill Road.

Name	Address	Rochester Avenue
R. Bergen	22	Rochester Ave.
[illegible]	24	" "
L C Tubbs	24	" "
L. Ford	28	" "
S Ford	28	" "
R. Pagan	32	" "
Barbara Pagan	32	" "
[illegible]	38	Rochester Av
[illegible]	38	Rochester Av.

FROM: Nicola Lake

DATE: 07 August 2001

DELEGATED

WOODLEY TOWN CONSULTATION SHEET

Application Number: F/2001/4541

Proposal: Proposed erection of 4 dwellings, estate road, paths and garages. Demolition of garage and outbuildings at no 50..

Site Address: 48 & 50, Butts Hill Road, Woodley, Reading.

Applicant: Millgate Homes C/O The Barton Wilmore Partnership Reading Ltd.

Your observations are required in respect of this application **by 30/08/2001** .

Sixteen residents were present and the Chairman adjourned the meeting to enable them to express their views.

The general consensus was that this application was almost identical to the previously refused application and residents considered that the reasons for refusal of F/2000/2862 were still relevant.

A number of concerns were expressed about the implications on the existing highway, and reference was made to at least three recently witnessed incidents which had occurred as a result of heavy and fast traffic. Butts Hill Road was a continually busy cut through between the A329(M) and South Oxfordshire. A further tragic accident had happened only the previous day.

After the meeting was reconvened, the committee supported the residents' concerns and recommended that the application be refused based on the reasons for refusal of Plan No. F/2000/2862.

SIGNED: _____ DATE: 23.8.07.

Clerk To Woodley Parish/Town Council.

WOKINGHAM DISTRICT COUNCIL
ENVIRONMENTAL PROTECTION AND HOUSING

MEMORANDUM

To: Nicola Lake
Development Control

Your Ref: F/2001/4541

From: Dave Purton
Environmental Health

My Ref: DGP/LMW/20013618

Date: August 16,2001

PROPOSAL: ERECTION OF 4 DWELLINGS WITH GARAGES AND CONSTRUCTION OF ESTATE ROADS AND PATHS AND GARAGE

ADDRESS: 48 AND 50 BUTTS HILL ROAD, WOODLEY

I have no environmental health objections to this proposal with the imposition of the following conditions:-

1 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 8.00 a.m. and 7.00 p.m. Monday to Friday and 8.00 a.m. to 1.30 p.m. Saturdays and at no time on Sundays, Bank or National Holidays.
Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.

D G PURTON
TECHNICAL OFFICER

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17 AUG 2001	
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TO: **DEVELOPMENT CONTROL**
Nicola Lake

FROM: Environmental Design

DATE: 19th October 2001

Location: 48 and 50 Butts Hill Road, Woodley

Proposal: Proposed erection of 4 dwellings, estate road, paths and garages. Demolition of garage and outbuildings at no. 50.

Application Number: F/2001/4541

In response to your consultation dated 7th August 2001for the above application, the arboricultural comments are as follows:

The proposals are acceptable in relation to trees. The 4 Silver Birch and 1 Cherry shown to be removed are poor quality trees of little long-term value. They are of insufficient merit to warrant including in a Tree Preservation order.

The tree protection measures shown on drawing number 3469/01B are acceptable. The area within the protective fences must be treated as sacrosanct and no works of any kind carried out within these areas without the prior consent of the District Council.

Details of the proposed landscape planting must be submitted and approved prior to demolition and development commencing.

Neil Etherington
Senior Arboriculturist

NL OK

9.

Mrs P. Hardy
38 Butts Hill Road
Woodley
Reading
RG5 4NH

21/8/2001



PLANNING SERVICES
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23 AUG 2001
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Dear Madam.

I wish to object to the applications F/2001/4541 by Millgate Homes to build houses behind 48 & 50 Butts Hill Road This is just going to add more Traffic to this busy and dangerous Road also add danger leading near to the foot path and eventually the builders will try and extend to the rest of the Gardens and I will ADD That no dwellings will be built on my land

Yours Faithfully

Pat Hardy (Mrs)

NL 0858

PLANNING SERVICES	HPT
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22 AUG 2001	
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	FILE:

Ann-Marie and Nigel Paterson
56 Butts Hill Road
Woodley
Reading RG5 4NH
Berkshire
Home Phone 0118 9441534
Email ann-marie.nigel@buttshill.freeserve.co.uk

20 August 2001

Ms Nicola Lake
P.O. Box 157
Shute End
Wokingham
RG40 1WR

Dear Ms Lake

Re: Application Number F/2001/4541 – 48-50 Butts Hill Road

We wish to notify you of our objections to the above planning application. The basis of our objections are:

- The access road to the development would be dangerous. Butts Hill Road is already an extremely busy highway, an additional junction so close to Ravensbourne Drive and Glendevon Road would be hazardous. (Wilmington Close was blocked off to Butts Hill Road in1962 for safety and amenity reasons)
- We consider the development would be an over development of the area, and would be detrimental to the character of the area.
- We consider that should planning permission be granted it would open the door for further applications of a similar nature in the other large back gardens on Butts Hill Road. This would further exacerbate the above two problems.
- Similar applications have already been refused for this site recently and we suggest that the same sound reasons for refusal are still applicable.

We request that you consider our objections carefully and urge you to refuse planning permission for this proposed development.

Yours sincerely,

Ann-Marie and Nigel Paterson

cc. Woodley Town Council

16th AUGUST, 2001.

To: Miss N. Lake,
PLANNING OFFICER,
WOKINGHAM DISTRICT COUNCIL,
SHUTE END,
WOKINGHAM, BERKS. RG40 1WQ

PLANNING SERVICES	HPT	FROM:
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		TEL.

20 AUG 2001

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	FILE:

Ron F. WEEDEN,
85, BUTTS HILL ROAD,
WOODLEY,
READING, BERKSHIRE,
RG5 4NN.

0118-9699167

7

Dear Miss Lake,

I have been a resident of this address for the past 26 years and I wish to register my objections to planning application No F/2001/4573 in respect of proposed developments at 48/50 Butts Hill Road. My objections are the same as those of Mr P. Redman of 28 Ravensbourne Drive, which are already known to you.
I also support the council in its objections to this plan.

With respect to F/2001/4541, I sincerely hope that the plans are such that no single 'T' junction effect would be produced on Butts Hill Road in close proximity to the Ravensbourne Avenue and Glendevon Road junctions. Separate 'drive in' & 'drive out' facilities would probably be safe enough provided they were spaced as far apart as possible.

I have already made my views known to Kate Fuller (& also to Terry Dredge) regarding road safety in this vicinity on 2 occasions earlier this year (once in connection with NTL maintenance vans dangerously parking on the corner of the junction of Glendevon Road /Butts Hill Road and their potential threat to the safety of the proposed schools cycle path; & once in connection with the Duffield Road closure proposals which would have enormously increased the traffic turning in and out of the Glendevon Road/Butts Hill Road junction and thus pose more threats to the safety of the pedestrian crossing located within about 10 yards of that junction on Butts Hill Road, right outside my bungalow which is on the corner of Glendevon Road/Butts Hill Road; that crossing being used very greatly by school children going between Waingels Copse school & the other local primary school to & from the Ravensbourne Avenue complex of roads. The speed of traffic using Butts Hill Road is very great (taking traffic to & from the M4 which uses Sonning Bridge for access to & from Caversham and South Oxfordshire) and the single existing speed camera in Butts Hill Road is no deterrent. As I am sure that you are aware, the 'lollipop lady' who used to supervise the pedestrian crossing for the school children, was knocked down and severely injured by a speeding vehicle going too fast to stop, a few years ago).

YOURS SINCERELY

Ron F. Weeden
(Retired Computer Systems Engineer)

6

R. E. JUDD
55 BUTTS HILL ROAD, WOODLEY,
READING, BERKS RG5 4NJ
PHONE/FAX: (44)(0118)9695683
E-MAIL:ROGER_JUDD@TOTALISE.CO.UK

NL 085

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21 AUG 2001
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FILE:

19 August, 2001

Chief Planning Officer
Wokingham District Council

FAO Miss N Lake

Dear Miss Lake

OBJECTION TO PLANNING APPLICATIONS NO. F/2001/4541 AND F/2001/4573

We understand that further consideration is being given to the above applications and wish to reinforce our objections to the proposals.

The proposals represent piecemeal development of a backland nature in an area characterised by substantial rear gardens.

The proposals would be detrimental to the character of the area.

The proposals are contrary to Policy EN1 of the Berkshire Structure Plan and Policies LH1 LBE1 and LBE2 of the Loddon Area Local Plan as well as Policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) as modified, these being update from PPG3.

The proposals would have a detrimental effect on road safety by creating an additional junction close to existing junctions and a Pelican crossing. Butts Hill Road is already identified as a road with safety problems evidenced by the need to install speed cameras and the pelican crossing.

Sincerely,

Roger E. Judd

Christine Judd

NL OBS

Ref f/2001/4541

4 Dwelling Butts Hill Rd.

53 Butts Hill Rd
Woodley
Reading
Berks
RG5 4NJ.

21 AUG 2001

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To whom it may concern

Once again we are being asked to allow planning permission of above with entrances onto Butts Hill Rd, How many times do we have to say NO'. you have already got all the right reasons to turn it down on record,

There has been several accidents within a 100yds of this property My Neighbour 55(Butts) stationery to turn Right into her drive and a car pushed her 30yds up the rd. my husband signalling to turn into our drive 53. and a car decides to overtake on the RHS causing £100 damage to our car, remember Mary lollipop lady, young boy knocked off bike, Ambulance called (no 54) also what about the Telephone junction box they often have a van parked there also letter box are these having to be moved? 25yr ago I always escourted my children & friend children across this road as the traffic always speeds down this road, the traffic volume has increase immensley as you can appreciate this road has now become a main road through from Caversham Henley to reach the A329. or the Wokingham road. we have become a race track motor bike excellerate from one end to the other you can hear them coming before you see them and then there gone. whoosh!!. also we have a contin stream of lorry's + delivery vechicals, also if they ever get planning permission it will disrupt this road even more large lorry's of Building Materials plus workmen cars vans etc,

Surely you can not allow any more access into Butts Hi
a neighbour of ours wanted access 25y's ago and you to
it down so he access into what is now Willowside you
wouldnt allow it then why Now!

We heard of Monies changing hands
and the donations to road transport seems a lot of dodgy
dealings, Has this land already been sold to Builders
and they are pursueing this case. Woodley Council
Keep turning it down. Why then should W.C.C. allow it
they pop up look at the property middle morn when ~~the~~
~~quiter~~ quieter (have seen them) OK it and LEAVE
we are the ones who have to live with it
NO. THANK YOU. NOT. 1 HOUSE 2 HOUSES OR GOD FORBID
8 HOUSES.

rather sneaky this two applications?
is it a ploy. to have 1 accepted and 1 ~~pass~~ regell ~~fail~~
I Hope this is not the case rather devious don
you think? !!

Mr & Mrs W. J. Vickery

10 Rochester Avenue
Woodley
Reading
Berks
RG5 4NA

19th August 2001

Dear Madam

Re: Planning Application F/2001/4541 – 48 & 50 Butts Hill Rd, Woodley

With reference to the above revised application, we wish to register the same objections to this development as we had to the original plan, our objections being:

- Similar applications were refused by Wokingham District Council and at appeal in recent times.
- We believe the development to be out of character to the surrounding area.
- We feel that this would be an over development of the area in question.
- If permission was granted for this particular development, it could set a precedent for further applications for similar developments in other large gardens in Butts Hill Road.
- And most importantly the access road to the development would create a potential hazard, as the new junction would be close to the existing junction of Ravensbourne Drive and Butts Hill Road, which is already busy and dangerous.

We trust that you will note and consider our objections when making your decision regarding this application.

Yours faithfully

Ian & Andrea Smith

Development Control Manager
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
WOKINGHAM
RG40 1WR

CC Woodley Town Council

40 Rochester Avenue
Woodley
Reading
Berkshire
RG5 4NA

Nicola Lake
Development Control Officer
Wokingham District Council

18 August 2001

Dear Ms Lake

Re: PLANNING APPLICATION NO. F/2001/4541

We are writing to you to state our objections to the above planning application. We believe that if planning permission is given, the character of the area will be damaged and the local residents' quality of life will be affected. At the moment the garden areas between Rochester Avenue and Butts Hill Road have an abundance of trees and wildlife, making a very pleasant living environment. This is one of the prime reasons for wanting to live in this road.

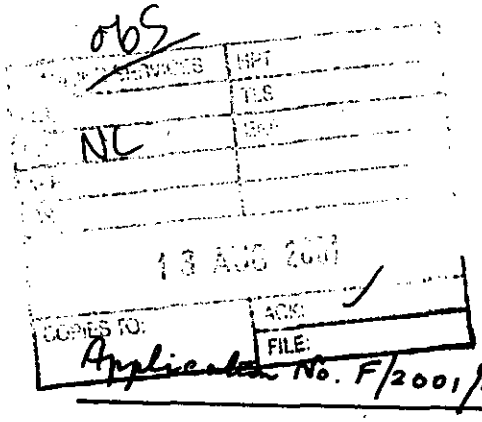
We feel that any development would completely destroy this atmosphere and have a considerable detrimental affect on property values. It does not seem at all appropriate that houses are built in people's back gardens so that a few may profit whilst the majority of residents will suffer loss of privacy, peace and quiet, and beauty of the area, and we urge that planning permission is refused.

Thank you for your consideration.

Yours sincerely

G J & S J Bloomfield

Copy to: Woodley Town Council



065

... SERVICES	HPT
	TLS
NC	

13 AUG 2001

COPIES TO:	ACK: ✓
	FILE:

Application No. F/2001/4541

30, Ravenshowne Drive
Woodley
Reading
RG5 4LH
9th August 200

Dear Madam.

✓ wish to object to this proposed development at 48 & 50 Butts Hill Road, Woodley, as it would mean another road opening on to Butts Hill Road which is already very busy, and would create a further traffic hazard.

Yours faithfully

T.E.F. Coulson

(Rev. T.E.F. COULSON)

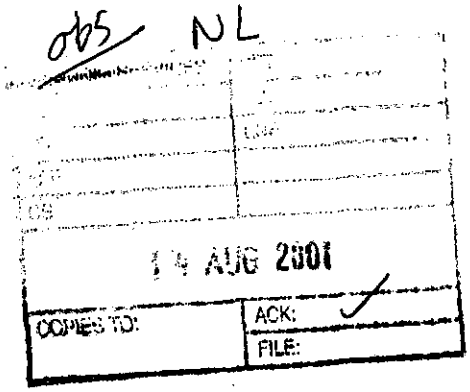
52, Butts Hill Road

Woodley

Berkshire RG5 4NH

9 August 2001

Your ref: Nicola Lake
F/2001/4541



Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End, Wokingham
RG40 1WR

Dear Sirs

Application No F/2001/4541

Site Address ***48 & 50 Butts Hill Road,Woodley, Berkshire***

Proposal ***Proposed erection of 4 dwellings with garages and construction of estate roads and paths,. Demolition of existing garage and outbuildings at no 50.***

We are writing for the fourth time to object most strongly to the above amended development. As before we are immediate neighbours of the proposed development and any revised plans that are submitted do not alter the fact that if the plans were approved it would have a devastating effect on our lives. Our reasons for you not granting planning consent are as follows:

1 *We live on an extremely busy main road and when we leave our drive we have to negotiate not only all the traffic leaving Ravensbourne Drive but a letter box, cherry tree, lamp post and we have to get our car positioned just right to see the traffic moving up and down Butts Hill Road. The consequences of another road so near to our property would make our movements in and out of our drive even more dangerous.*

2 *The proposal represents piecemeal development of a backland nature and would have a detrimental impact upon the character of the surrounding area and would be the tip of the ice-berg with further applications for development in the rear gardens of other properties down Butts Hill Road creating even more traffic flowing into Butts Hill Road.*

3. *This similar proposal was refused in July 2001.*

We trust you will take into consideration the views of all concerned parties and reject the application in full on safety and environmental grounds.

Yours faithfully,

Mr M V & Mrs E M Dyer

-py from

The Barton Willmore Planning Partnership - Reading
Beansheaf Farmhouse, Bourne Close, Calcot,
Reading, RG31 7BW.
Tel 0118 943 0000 Fax 0118 943 0002
e-mail: planning@reading.bartonwillmore.co.uk

Barton Willmore
Planning

Planning Inspectorate,
Hawk Wing,
Temple Quay House,
2 The Square,
Temple Quay,
Bristol. BS1 6PN

11032/A3/ACJ

RECORDED DELIVERY

6th November, 2001

Dear Sir/Madam,

LAND AT 48 & 50 BUTTS HILL ROAD, WOODLEY, READING
APPEALS BY MILLGATE HOMES

We are instructed on behalf of Millgate Homes to lodge the two enclosed planning appeals against Wokingham District Council's failure to give notice of its decision within the appropriate period on applications for full planning permission on land at 48 & 50 Butts Hill Road, Woodley, Reading:

i) The first planning application (LPA Ref: F/2001/4541) was for the demolition of existing garage and outbuildings at no. 50 Butts Hill Road and construction of estate road, paths and **4** no. and bed houses and garages, including replacement garage.

ii) The second planning application (LPA Ref: F/2001/4573) was for the demolition of existing garage and outbuildings at no. 50 Butts Hill Road and construction of estate road, paths and **8** no. and bed houses and garages, including replacement garage.

Accordingly, we enclose the completed planning appeal forms and supporting documentation (see attached schedules). We confirm a copy of the appeal forms and schedules of appeal documentation have also been sent to Nicola Lake, Planning Officer at Wokingham District Council by cover of this letter.

We refer to our telephone conversation with Simon Campbell and confirm that an appeal has already been lodged on this site your reference APP/X0360/A/01/1074046. The proposals in this appeal and the two enclosed appeals relate to the same site and are of a very similar nature and as such would benefit from being co-joined and heard together on the 5th February, 2002 (Hearing). Whilst the two enclosed appeals are against non-determination, these applications were considered at Wokingham District Council's Development Control Committee on the 24th October, 2001 where it was resolved that both applications should be refused, for the same reasons as given on the previous application at this site (the appeal mentioned above). There was only a slight amendment in the wording to the second reason for refusal on the application

Certificate No. FS 29637

Town Planners • Environmental Consultants
Architects • Master Planners • Project Services

Contact: Gareth Capner, Ian Tant, Roger Turnbull, Mark Sitch, Angela Doone

A list of partners can be inspected here and at our associated offices in:
Bristol Cambridge Edinburgh Leeds London West Malling (Kent)

...ons are as follows, with the additional words to be used on the application

1: The proposal represents piecemeal development of a backland nature in an area characterised by substantial rear gardens. The proposed access would result in the loss of a number of silver birches which contribute positively to the character. As a result the development would have detrimental impact upon the character of the surrounding area. As such, the proposal is contrary to policy EN1 of the Berkshire Structure Plan, policies LH1, LBE1 and LBE2 of the Loddon Area Local Plan and to policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) as modified.

2: The proposal, by reason of the number **and type** of units and their siting represents a cramped form of development constituting overdevelopment of the site. It would **therefore** have a detrimental impact upon the character of the area. As such, the proposal is contrary to policy EN1 of the Berkshire Structure Plan, policies LH1, LBE1 and LBE2 of the Loddon Area Local Plan and to policies WOS3 and WBE1 of the Wokingham District Local Plan.

Due to the Local Planning Authority's failure to give notice of its decision on the two applications, it will not be possible to prepare a Hearing Statement considering all three appeals by Monday 12th November, 2001, (which is when the Hearing Statement is due on the first appeal). We would ask that the submission date be put back say, by three weeks to Monday 3rd December, 2001, which would enable the Hearing date to remain on the 5th February 2002. It would be appreciated if you could confirm this at your earliest convenience due to the time scales involved.

We trust you have sufficient information to register these appeals. If you require any further information or wish to discuss the enclosed please do not hesitate to contact Mark Sitch at this office.

Yours faithfully,

Alyson C Jones.

MARK SITCH
Director

cc: S Campbell - The Planning Inspectorate, 3/03 Kite Wing (letter only)
Ms. N. Lake - Wokingham District Council

11032/A3/ACJ

6th November, 2001

APPEAL DOCUMENTATION

LAND AT 48 & 50 BUTTS HILL ROAD, WOODLEY, READING
LPA REF: F/2001/4541 (4 UNITS)

1. Planning application form, covering letter dated 26 July, 2001 and drawing nos. 9522/02, 100, 05, 06, 07, 08, 11, 12, 13 (double garage plans and elevations) and 3469/01B (see application covering letter).

2. Agricultural Holdings Certificate and Ownership Certificate B.

3. Wokingham District Council's Notice of Registration dated 7th August, 2001 .

4. Barton Willmore Architecture's letter to Wokingham District Council dated 9th October, 2001.

5. Millgate Homes' letter to Wokingham District Council dated 18th October, 2001.

For the avoidance of doubt, the appeal drawings are as follows:

9522/02, 100, 05, 06, 07, 08, 11, 12, 13 (House Type D1 Plans) and 3469/01B.

Our ref: SP\2001\004264\001
Your ref: F/2001/4541
Date: 30th August 2001

ENVIRONMENT AGENCY

NL A7274

FAO: Nicola Lake
District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
Po Box 157
Wokingham
Berkshire
RG40 1WR

Dear Madam

PROPOSAL: Erection Of 4 Dwellings, Estate Roads, Paths And Garages Following Demolition Of Garage And Outbuildings At No. 50
LOCATION: 48 And 50 Butts Hill Road, Woodley, Reading

Thank you for your letter dated 07th August 2001, which was received on 09th August 2001. You are asked to quote the following reference in any correspondence: **SU77SE/17/13**. The Environment Agency has no objection, in principle, to the proposed development provided that the following conditions are imposed on any planning permission granted:

Planning Conditions

CONDITION: No soakaways shall be constructed such that they penetrate the water table, and they shall not in any event exceed 3 metres in depth below existing ground level.
REASON: To prevent pollution of groundwater.

CONDITION: 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.
REASON: To prevent the increased risk of flooding and to improve water quality.
(Note: The Environment Agency asks to be consulted on any details submitted in compliance with the above condition)

Planning Informatives

The following planning informatives should be attached to any planning permission granted:

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is currently required for any discharge of sewage or trade effluent onto or into ground and for surface runoff into groundwater. Such consent may be withheld. If there is an existing discharge consent the applicant should ensure that any increase in volume is permitted under the present conditions.
Contact Ian Doyle on 01276 454365 for further details.

Advice To Planning Authority

Cont/d..

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 7SQ
Telephone : 01276 454300 Fax : 01276 454301

Land Drainage

Surface Water Control

In order to manage the disposal of surface water in a more sustainable manner, taking into account flood risk and other environmental factors, the Environment Agency is likely to recommend that restrictions are imposed on the discharge of surface water from the site. Particular care must be exercised where there is an increase in the impermeable area. The developer will be required to accommodate excess water and control its release into local watercourses, whether directly or by means of the local surface water sewerage system.

Our general criteria is:
- The discharge from the developed site should mimic that from an existing green-field site as far as practical. Thus in a 1 year event the discharge should be the same as for the green-field site, and in a 10 year event, and similarly in a 100 year event. So across the range of return periods the natural green-field runoff is simulated; and
- Storage should be provided to protect from a 1 in 100 year storm.

There are alternatives to conventional storage for the control of surface water run-off that are favoured by the Environment Agency. These techniques not only cater for flood peak attenuation, but may also improve water quality and enhance the environment. Such systems include permeable pavements, grassed swales, infiltration trenches, ponds and wetlands. We enclose some of our published guidance on sustainable drainage techniques.

Watercourses

We are not aware of any watercourses on the site, but should there be any, we advise that:
(1) they should not be culverted; and
(2) a buffer zone is left on either side of any watercourse, and
(3) culverted watercourses should not be built over, but should ideally be opened up and made a feature of the site.

In any case, you should note that culverting of a watercourse requires the prior written approval of the local authority under the terms of the Public Health Act 1936, and the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Agency seeks to avoid culverting, and its consent for such works will normally be withheld.

Landfill Gas Risk

According to our records, there are no landfill sites, operational or closed, within 250 metres of the site.

Advice To Applicant

Groundwater Protection

Surface Water

Surface water from hard standing areas, walkways and access roads should discharge via deep seal trapped gullies incorporating a minimum water seal of 85mm or similar.

Roof Water

Roof water down-pipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.

Cont/d..

Foul Water
All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

Conservation

Pre-Development Advice
Essential tree felling, branch lopping or scrub clearance should avoid the bird nesting season (generally March to August inclusive). This avoids disturbing wild birds during a critical period and will help to prevent possible contravention of the Wildlife and Countryside Act 1981, which protects nesting wild birds and their nests.

Trees to be felled should be inspected for bats prior to felling. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside Act 1981. If bats are found, English Nature must be contacted for advice.

Landscaping
Tree and shrub removal from the site should be minimised if works proceed. Professional tree surgery should be carried out in preference to felling wherever possible so that trees can be made safe and retained on site. Any retained trees must be protected during construction. Appropriate replacement planting should be provided for any vegetation lost, disturbed or degraded during works.

Planting should comprise of native species only. Use of locally native species in landscaping plans is essential in order to benefit local wildlife and to help maintain the region's natural balance of flora. It will also help to prevent the spread of invasive, alien species within the region.

Wildlife Enhancements
Bird nesting and roosting sites should be built into the development through the incorporation of ledges, crevices and boxes, where possible. The incorporation of bat roosts into the design of buildings should also be considered.

Wildlife Protection
The developer should avoid gaining access, storing materials and spoil spreading on adjacent areas of important wildlife habitat. Such areas include hedgerows, woodland pockets and patches of tall grassland.

Natural Drainage
The development should incorporate Sustainable Drainage (SuDs) utilising surface water for landscape irrigation and water features. This should include making use of permeable surfaces and other similar measures to reduce the risk of non-point source pollution or excessive surface water run-off. This might include the use of gravel surfaces in paths, parking spaces and driveways.

Water Conservation

Household Use
Water is one of our most precious natural resources, and the Environment Agency is keen to ensure it is used wisely:

- Water use for WC flushing can represent 35% of all household use. The applicant should consider installing low (6 litres or less) or dual flush toilets.

Cont/d..

The Planning Inspectorate

For offical use only
Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSEN

APPEAL REF: APP/X0360/A/01/1077137 **GRID REF:**

APPEAL BY: MILLGATE HOMES

SITE: 48 + 50 Butts Hill Rd, Woodley

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks from the 'starting date' given in our letter. You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan. Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

1.	Do you agree to the written representations procedure?			~~YES~~ / NO
OR	Do you wish to be heard by an Inspector at:	a.	a local inquiry?	~~YES~~ / NO
	or	b.	a hearing?	YES / ~~NO~~
2.	If the written procedure is agreed, could the Inspector make an unaccompanied site visit?			YES / NO
	(It is our policy that Inspectors make an unaccompanied site visit whenever practicable e.g. the site can be seen clearly from a road or other public land. You must only indicate the need for an accompanied visit when it is necessary to enter the site e.g. to view or measure dimensions from within it.)			
3.	Does the appeal relate to an application for approval of reserved matters?			~~YES~~ / NO
4.	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?			~~YES~~ / ~~NO~~ / NA
5.	Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?			~~YES~~ / NO

6. Is the appeal site within an approved Green Belt or AONB? Please specify which	~~YES~~ / NO
7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)	~~YES~~ / NO
8. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State? If YES, please attach details and, where necessary, give our reference numbers. Refs: 1077138 + 1074046.	YES / NO
b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.	~~YES~~ / NO
9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)	~~YES~~ / NO
10. Does the appeal relate to an application for conservation area consent?	~~YES~~ / NO
11.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?	~~YES~~ / NO Grade I / II* / II
b. Would the proposed development affect the setting of a listed building?	~~YES~~ / NO
If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)	
12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	~~YES~~ / NO
13.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	~~YES~~ / NO
b. If YES, was English Heritage consulted? Please attach a copy of any comments.	YES / NO
14.a. Is the appeal site in or adjacent to or likely to affect an SSSI? If YES, please attach the comments of English Nature.	~~YES~~ / NO
b. Are any protected species likely to be affected by the proposals? If YES, please give details.	~~YES~~ / NO

15. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:

		Number of Documents Enclosed	N/A
a	Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	~~YES~~ / NO Sch1 Sch 2 col 1	
b.	Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	~~YES~~ / NO	
c.	Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.	~~YES~~ / NO	
d.	Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	2	
e.	Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f.	A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g.	Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h.	Details of any other applications or matters you are currently considering relating to the same site; (BUT SEE Q8a)		✓
i.	**For all appeals, including those against non determination, you must provide details of all relevant development plan policies.** ***Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.***	3	
j.	Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k.	Any other relevant information or correspondence you consider we should be aware of.		✓

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?	24/12/01	
b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application	29	
ii) the planning officer's report to committee	1	
iii) any relevant committee minute	1	
17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY		
Do you intend to send another statement about this appeal? If NO, please send the following information:-	YES / NO ●	
a. In non-determination cases:		
i) what the decision notice would have said;		
ii) how the relevant development plan policies relate to the issues of this appeal.		
b. In all cases:		
i) the relevant planning history;		
ii) any supplementary reasons for the decision on the application;		
iii) matters which you want our Inspector to note at the site visit.		
18. THE MAYOR OF LONDON CASES ONLY		
a. Was it necessary to notify the Mayor of London about the application? If YES, please attach a copy of that notification.	YES / NO	
b. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction.	YES / NO	

I confirm that a copy of this appeal questionnaire and any enclosures have been sent today to the appellant or agent.

Signature: Dllynell on behalf of Wokingham Unitary ~~Council~~

Date sent to us and the appellant 26/11/01 OUR Ref: F1200/4541

Please tell us of any changes to the information you have given on this form.

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Norwich NR3 1BQ

HIGHWAYS CONSULTATION SHEET

From: Nicola Lake **Date:** 07 August 2001

Application Number: F/2001/4541

Proposal: Proposed erection of 4 dwellings, estate road, paths and garages. Demolition of garage and outbuildings at no 50.

Parish: WOODLEY TOWN

Site Address:
48 & 50, Butts Hill Road, Woodley, Reading.

Applicant:
Millgate Homes C/O The Barton Wilmore Partnership Reading Ltd.

Your observations are required in respect of this application within **7 days** of the above date.

✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☐ Recommend approval but with condition(s) & reason(s) **stated below**;
3) ☐ Recommend approval with **no** condition(s) or reason(s).

Comments as per application no. F/2000/2862.

Signed: _____ **Print name:** Adam Coggins 9/8/01

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 23 January, 2003
My ref. AO/F/2001/4541
Your ref. GM/SC/322

Millgate Homes
Millgate Court
Terrace Road North,
Binfield, Berks
RG142 5HZ

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Dear Mr Meier

PLANNING APPLICATION F/2001/4541
PROPOSED ERECTION OF 4 DWELLINGS AT 48 & 50 BUTTS HILL ROAD, WOODLEY – CONDITION 8 – PROPOSED LANDSCAPING

Thank you for your letter of 20 January and enclosed drawing No. MILL/14802 Rev.A. I confirm the proposals are acceptable for compliance with Condition 8.

I trust the above is clear, but meanwhile if you wish to discuss the above further please contact me.

Yours sincerely

AO

MRS A ODELL
Planning Officer

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 17 January, 2003
My ref. AO/F/2001/4541
Your ref. GM/SC/322

Millgate Homes
Millgate Court
Terrace Road North,
Binfield, Berks
RG142 5HZ

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Dear Mr Meier

PLANNING APPLICATION F/2001/4541
PROPOSED ERECTION OF 4 DWELLINGS AT 48 & 50 BUTTS HILL ROAD, WOODLEY – COONDITION 8 – PROPOSED LANDSCAPING

Thank you for your letter of 3 December and enclosed drawing No. MILL/14802. I confirm the proposals are acceptable for compliance with Condition 8, except that replacement trees should also be proposed for the two trees that have been removed (sycamore on plot 4 and oak on plot 10). Our tree officer Neil Etherington recommends either Birch (Betula pendula) or Hornbeam (Carpus betulus) to be planted as replacement trees to a size 12-14 cm. Heavy standard. Please confirm in writing that you will comply with this requirement.

I trust the above is clear, but meanwhile if you wish to discuss the above further please contact me.

Yours sincerely

Ao

MRS A ODELL
Planning Officer

F/2001/4541 - 48.50 Butts Hill Road, Woodley

A mature Sycamore on plot 4 had to be removed (dying) and an Oak on plot 1 (split in stem). These trees are not shown to be replaced as part of the landscape scheme. I would recommend that either Birch (Betula pendula) or Hornbeam (Carpinus betulus) are planted, size 12-14cm heavy standard, ~~are~~ to replace these two trees.

Other than this the landscape proposals are acceptable.

Neil Ethernington
16/1/03.

MILLGATE COURT, TERRACE ROAD NORTH, BINFIELD, BERKSHIRE RG42 5HZ
Telephone: 01344 489966 Fax: 01344 489967 or 301930
www.millgatehomes.co.uk

PLANNING SERVICES	HPT 60398
POL	TLS
DC NL	ENF
30 AUG 2002	
COPIES TO	ACK:
	FILE:

Nicola Lake
Senior Planning Officer
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Ref: GM/SC/246
29th August 2002

Dear Ms Lake,

RE: TOWN & COUNTRY PLANNING ACT 1990, REF NO: F/2002/6409. REAR OF 48 AND 50 BUTTS HILL ROAD, WOODLEY, READING.

Further to our telephone conversation yesterday morning, I have pleasure in enclosing three copies of our amended drawing nos. 9522/100B to be attached with the above planning consent.

This drawing has been altered to show the two trees being removed to the rear of plot 1 and 4 as agreed on site with Neil Etherington. We look forward to receiving the planning consent at your earliest convenience.

Yours sincerely

G. Meier

GREG MEIER Dip Arch RIBA
Chief Architect

MILLGATE COURT, TERRACE ROAD NORTH, BINFIELD, BERKSHIRE RG42 5HZ
Telephone: 01344 489966 Fax: 01344 489967 or 301930
www.millgatehomes.co.uk

Nicola Lake
Senior Planning Officer
Wokingham District Council
Shute End
Wokingham
Berkshire
RG40 1WR

PLANNING SERVICES	HPT 63946
POL	TLS
DC	ENF
APP	
CS	
04 DEC 2002	
COPIES TO	ACK
	FILE:

Ref:GM/SC/322
3rd December 2002

Dear Ms Lake,

RE: TOWN & COUNTRY PLANNING ACT 1990 – PLANNING REF N° F/2001/4541 – 48 &50 BUTTS HILL ROAD, WOODLEY, BERKSHIRE

Further to the above planning approval being given, please find enclosed to discharged condition 8, six copies of drawing n° MILL/14802 showing our landscape proposals.

Please would you as a matter of urgency confirm your approval to this so that works on site can commence within the current growing season.

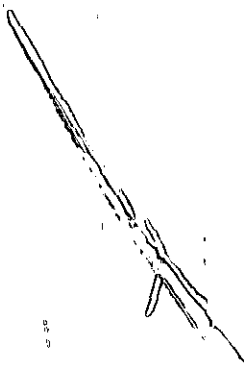
Should you have any comments or queries with the enclosed, then please do not hesitate to contact me.

Yours sincerely

GREG MEIER Dip Arch RIBA
Chief Architect

Condition 8 - 6409

+ 4541.



MILLGATE HOMES

MILLGATE COURT, TERRACE ROAD NORTH, BINFIELD, BERKSHIRE RG42 5HZ
Telephone: 01344 489966 Fax: 01344 489967 or 301930
www.millgatehomes.co.uk

PLANNING SERVICES | HR 65210
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22 JAN 2003
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Mrs A Odell
Wokingham District Council
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Ref:GM/SC/26
20th January 2003

Dear Mrs Odell,

RE: TOWN & COUNTRY PLANNING ACT 1990, PLANNING REF N^{O} F/2001/4541, PROPOSED SITE TO THE REAR OF 48 & 50 BUTTS HILL ROAD, WOODLEY, BERKSHIRE

Thank you for your letter dated the 17th January 2003, confirming your acceptance to Condition 8 for the above planning application.

We would confirm that we will provide two new additional trees, to the rear of plot 1 and 4. Please find attached three copies of drawing n^{o} MILL/14802 Revision A, showing these two new trees.

We hope that the enclosed is to your satisfaction, and that an approval to this condition can be discharged.

Yours sincerely

G. Meier

GREG MEIER Dip Arch RIBA
Chief Architect

Tel. 0118 974 6481 (Direct Line)
E-mail: Nicola.Lake@wokingham.gov.uk
Date. 3 September, 2002
My ref. BC/DC/F/2001/4541
Your ref.

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Millgate Homes
C/o The Barton Wilmore Partnership Reading Ltd
Beansheaf Farmhouse
Calcot
READING
Berkshire RG31 7BW

Dear Sirs

PLANNING PERMISSION F/2001/4541
SITE: R/O 48-50 BUTTS HILL ROAD, WOODLEY

I note that you have submitted an application for Building Regulations approval.

I would like to take this opportunity to remind you that Planning Permission Number F/2001/4541 has condition(s) attached to it. Some of these condition(s) may require approval prior to work commencing on site.

The Council considers that it is important that planning conditions are fully complied with to ensure that development proceeds in the manner it was intended. Consequently, I must point out that failure to comply with the condition(s) could result in a Breach of Condition Notice being served. If the Notice is not complied with your client could be liable to a £1,000 fine.

Any work carried out prior to these conditions being formally discharged is undertaken at your own risk and expense.

If you have already complied with these conditions, please disregard this letter.

If you have any queries regarding this matter please do not hesitate to contact me on the above telephone number.

Yours faithfully

NICOLA LAKE
Senior Planning Officer

IN THE MATTER OF AN APPEAL BY

MILLGATE HOMES

UNDER SECTION 78 OF THE TOWN & COUNTRY PLANNING ACT 1990

LOCAL PLANNING AUTHORITY STATEMENT OF CASE

1.0 Introduction

This appeal is against the refusal of the Wokingham District Council, the Local Planning Authority (Ipa) to grant planning permission at Nos. 48 and 50 Butts Hill Road, Woodley for the erection of four dwellings with garages and construction of estate roads and paths plus garage at No. 50 including the demolition of the existing garage and outbuildings at No. 50. The application was made on 21 November 2000 and was for full planning permission for the development shown in the accompanying drawings 3469/01C,9522/01/J, 9522/11A, 9522/12A, 9522/13, 952214, 952215, 952216. The application was recommended for approval by officers, but refused by the Ipa Development Control Committee on 21 March 2001 for the following grounds:

a) The proposal represents piecemeal development of a backland nature in an area characterized by substantial rear gardens. The proposed access would result in the loss of a number of silver birch trees which contribute positively to the character. As a result the development would have detrimental impact upon the character of the surrounding area. As such, the proposal is contrary to policy EN1 Of the Berkshire Structure Plan, policies LH1, LBE1 and LBE2 of the Loddon Area Local Plan and policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) as modified.

b) The proposal, by reason of the number of units and their siting represents a cramped form of development constituting overdevelopment of the site. It would have a detrimental impact upon the character of the area. As such, the proposal is contrary to policy EN1 of the Berkshire Structure Plan, policies LH1, LBE1 and LBE2 of the Loddon Area Local Plan and policies WOS3 and WBE1 of the Wokingham District Local Plan.

2.0 The Appeal Site

The appeal site relates to the side and rear garden area of Nos. 46,48 and 50 Butts Hill Road, Woodley. Butts Hill Road is a residential road comprising of substantial sized houses set behind generous front gardens and drives. The area is a desirable residential area consisting mainly of detached properties, set within the identified settlement of Woodley.



3.0 Planning History

There have been three relevant planning applications within the area. The first was an outline application (O/30866) for a dwelling to the rear of num,ber 46, 48, which was refused planning permission in 1967. A second application (29444) was also refused permission 1988. This application was for the erection of three detached dwellings with garages. The grounds for refusal were impact on neighbouring dwelling, junction

substandard, and inadequate service vehicle turning on site. An appeal against the refusal of planning permission was later dismissed on appeal.

Finally an application was submitted for planning permission for the erection of 5 dwellings on the land to the rear of 46,48 and 50. The application was refused permission by the Development Control Committee of the 19 July 2000, on the following three grounds; 1. that the proposal would result in piecemeal development of a backland nature in an area characterized by substantial gardens and the loss of Silver Birch trees due to the access, which would have a detrimental impact upon the character of the surrounding area. 2. That the number of units and their sitting represented a cramped form of development constituting overdevelopment of the site and 3. That the siting of the units would result in overlooking and loss of privacy to the detriment of the residential amenity of the occupants in Ravensbourne Drive.

The proposed development is an amendment of the previously refused scheme. The posposed access road would be located between the existing dwellings on number 48 and 50, resulting in the demolition of number 50's existing garage and outbuilding. Some of the rear garden area of numbers 46 and 48 would be used to locate three detached dwellings and part of the rear garden area of number 50 would be used to a site a single four bed detached dwelling. This has been revised since the previous application which showed the rear of No. 50 occupied by a pair of semi detached dwellings. The alteration to the proposed scheme accounts for the reduction in the proposed number of dwellings from 5 to 4. There would be 3 four-bed and one three-bed dwellings.

4.0 **Issues raised by the Refusal Notice**

As noted above, the issues raised by the lpa's refusal concern local plan policy issues. Firstly that this particular development is unacceptable in detail. The proposals c onstitutes a piecemeal form of development which runs counter to policy EN1 of the Berkshire structure plan.

Berkshire structure plan policy EN1 states that:

"The character and quality of the environment in the towns, villages and other built-up areas will be protected and enhanced. Within these areas development must be appropriate in scale, form, impact, character and sitting to its location. In particular:

i. development should embody a high standard of design, layout and landscaping, and help maintain and , where possible, enhance the character of its surroundings;

ii. town and village greens and all open land important to the character of settlements will be protected from development and where necessary enhanced;

iii. the existing tree cover, important areas of vegetation and wildlife habitats will be conserved, and additions to them encouraged;

iv. special attention will be paid to the maintenance and improvement of the character of town and village centers;

Where appropriate, to achieve optimum use of land and buildings in built-up areas, the re-use of vacant buildings and redevelopment of derelict or genuinely under-used urban land will be supported".

The appeal proposals is further contrary to Local Plan policies LH1, LBE1 and LBE2 of the Loddon Area Local plan and policies WOS3 and WBE1 of the Workingham District Local Plan (Deposit Draft) as modified.

5.0 The appellant has sought to argue that as the proposal provides for the re-use of previously developed land for housing purposes within the defined urban area of Woodley it should therefore be considered by the 1pa as an acceptable form of development. The 1pa cannot merely support a proposal on the sole preference of its site location been within a defined urban area, ignoring all other local plan policy considerations. Whilst the 1pa accepts that in principal developing housing in existing large rear residential gardens may be an acceptable form of development, in this particular case it views the intrinsic piecemeal nature of the appeal proposal as resulting in demonstrable harm that the appellant's could not overcome.

A comprehensive development scheme would have potentially overcome these problems. What the 1pa is presently faced with is a development scheme which is not comprehensive and fails to address the following concerns:

a) The appeal proposal's access route would result in the loss of a number of silver birch trees, a deteriment to the character of the surrounding area's visual amenities.

b) The piecemeal nature of the development scheme combined with the large size of the proposal dwellings would result in a visually cramped form of development and consequently overdevelopment of the site.

The lpa considers that these features could be appropriate in a more densely built-up urban street, where piecemeal developments may seem less unattractive where terraces may predominate. In an area with a fairly open character such a proposal is far more less acceptable. The loss of trees and the cramped form of development would be unacceptably harmful to the pleasant appearance of what may be essentially seen as a leafy suburban lane.

Overall the appeal proposals would not improve the appearance of their surroundings nor would they incorporate existing landscape features. Consequently they would not accord

b) The piecemeal nature of the development scheme combined with the large size of the proposal dwellings would result in a visually cramped form of development and consequently overdevelopment of the site.

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Overall the appeal proposals would not improve the appearance of their surroundings nor would they incorporate existing landscape features. Consequently they would not accord with the relevant policies of the development plan or Government Policy. The presumption embodied in section 54A of the 1990 Act should therefore apply. This is sufficient reason on its own to withhold planning permission.

For the purposes of section 54A of the 1990 Act the development plan comprises the Berkshire structure plan 1991-2006 and the Loddon Area Local Plan 1995 and the Wokingham District Plan Deposit Draft (as amended) February 2000. These documents should therefore carry a great deal of weights and the appeal should be determined in accordance with the objectives of local planning policy.

6.0 The appellant sought agreement from the lpa to have two further appeals on the same site combined with the subject of this current appeal

The 1pa held no objection to this request and agreed to have the following two planning applications referenced respectively as follows: lpa application no: F/2001/4541 and lpa application no: F/2001/4573 been combined with the current appeal.

Application referenced F/2001/4541 is the same as the original plans that were submitted on application F/2000/2862, but do not include the subsequent alteration made on application F/2001/4541, which block any future access to the remaining adjoining gardens. Therefore the current access road on this application would terminate in a turning head. All other aspects of the development would remain unchanged. The proposed access road would be located between the existing dwellings on number 48 and 50, resulting in the demolition of number 50's existing garage and outbuilding. The land to the rear of number 46 and the rear garden area of number 48 would be used to locate three detached dwellings and part of the rear garden area of number 50 would be used to site a four bed detached dwelling. There would be 3 four- bed and one three-bed dwellings.

The application proposal was recommended for approval by officers but refused planning permission by the lpa on the 24th October 2001 for the following reasons:

1. The proposal represents piecemeal development of a backland nature in an area characterised by substantial rear gardens. The proposed access would result in the loss of a number of silver birches which contribute positively to the character. As a result the development would have detrimental impact upon the character of the surrounding area. As such , the proposal is contrary to policy EN1 of the Berkshire Structure Plan, policies LH1, LBE1 and LBE2 of the Loddon Area Local Plan and to policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) as modified.
2. The proposal, by reason of the number of units and their siting represents a cramped form of development constituting overdevelopment of the site. It would have a detrimental impact upon the character of the area. As such, the proposal is contrary to policy EN1 of the Berkshire Structure Plan, policies LH1, LBE1 and LBE2 of the Loddon Area Local Plan and to policies WOS3 and WBE1 of the Wokingham District Local Plan.

Although the site is in an area which would be designated, as previously used land as it is currently garden area and the principal of development may be acceptable in principal, the development schemes resultant effect, as clearly pointed by the second reasons for refusal shows that the appeal proposal are in conflict with policy and could not be reasonably supported. The surrounding dwellings and the piecemeal nature of the proposed development indicate a cramped form of development. The appellant has not taken into full consideration the reasons for the first refusal and is justifiably given another refusal. The first refusal provided an opportunity for the appellant to enhance the second submission's usefulness by addressing the issues that were causing harm to the lpa interest of acknowledged importance.

The second submission's proposal runs counter to established policies and the appeal should be dismissed.

The application with the lpa reference F/2001/4573 is for the erection of 8 additional dwellings. The proposed development would create a terrace row of four two bedroom dwellings located on the furthest north area of the site, which backs on to the rear gardens of numbers 2 and 4 Rochester Avenue and two sets semi-detached dwellings, each with three bedrooms. One set of the semi-detached dwellings would be located on the land to the rear of number 50 Butts Hill Road, while the second pair would be located to the rear of number 48 on land which backs onto number 22 to 26 Ravensbourne Drive.

The proposed dwellings would again be accessed via a road that would pass between numbers 48 and 50, resulting in the demolition of number 50's garage and outbuildings. The access road would not be terminated by a structure and would end in a turning head.

The appellant's third submission was again refused planning permission on the 24th October 2001 on the same grounds as the first and second applications reasons for refusal. The third submission again does not present the lpa with sympathetic alterations that satisfies the lpa. Butts Hill Road is an area that has a pleasant established atmosphere, formed by mostly substantial detached dwellings occupying generous plots within a mature and very well landscaped setting the majority of houses have not been subjected to forms of backland development. The third development proposals does not harmonise with its surroundings and indicates a new development that does not complement or improve the amenity and character of the area. With the third submission there is a degree of emphasised grandeur so out of place which merits a rejection. The proposal as a whole would cause the loss of rear gardens which have a function in enhancing the quality of the living environment and therefore conflicts with policies of the lpa and the objectives of PPG3.

7.0 In accordance with the presumption embodiedin section 54A of the 1990 Act the appeal should dismissed as it conflicts with policies of the lpa.

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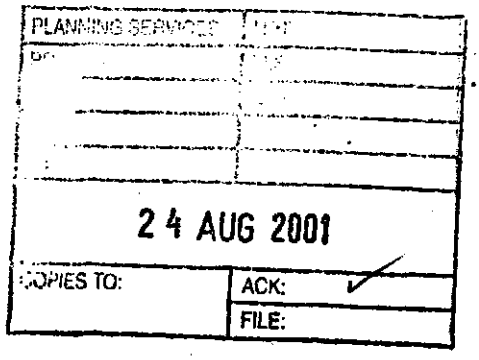

40 Butts Hill Road
Woodley
Reading
Berkshire
RG5 4NH

Your Reference F/2001/4541
F/2001/4573

Nicola Lake
Environmental Services Department
Planning Services
P.O.Box 157
Shute End, Wokingham
Berkshire RG40 1WR

22 August 2001

Dear Ms Lake,

RE: Planning Applications F/2001/4541 and F/2001/4573

I am in receipt of the two above planning applications dated 7th August and 9th August 2001 respectively.

I would make the following comments on the applications: -

1. My understanding is that previous applications of a similar design have been refused planning permission by your office, based on safety issues concerning access from the dwellings to a busy main road. I have been advised that access from Wilmington Close to Butts Hill Road was blocked in 1962 for similar safety and amenity reasons. From the plans submitted the occupants of either eight or four dwellings would create a high density of traffic onto Butts Hill Road, adjacent to both Glendevon Road and Ravensbourne Drive. This will be emphasised even more at peak traffic times during the day.

2. I would state that the proposed development represents a commercial benefit from utilisation of substantial rear gardens, without consideration of neighbouring properties. It could also have detrimental impact upon the character of the surrounding area.

2. Based on information received can you please confirm whether the following statements are correct and if so please advise how the current proposed development differs from the 28th June 2000 statement by the Planning Officer, in particular in respect of Application No F/2001/4573

"Such a proposal is contrary to Policy EN1 of the Berkshire Structure Plan and Policies LH1 LBE1 and LBE2 of the Lodden Area Local Plan as well as Policies WOS3 WBE1 of the Wokingham District Local Plan (Deposit Draft) as modified, these being an update from PPG3." The above statement was I understand quoted by the Wokingham District Council.

As stated by the planning officer, at the Development Control Committee on Wednesday 28th June 2000, under the agenda heading PPG3, "A dense development of smaller dwellings would be considered out of character with the surrounding area". Could this not apply to Application No F/2001/4573?

To summarise, I am totally against any development of rear gardens in this area, primarily for the reasons as stated above. However, I would appreciate a reply to my comments and I would question whether if either of the planning applications were successful, could further extensions of the then approved permission be extended to adjacent properties in the future, i.e. without supplementary or additional future planning permission?

Yours sincerely,

JNL Bentley

From: Mr.&Mrs. J.Miszke
12,Ravensbourne Drive,
Woodley,Reading,Berks.
RG5 4LH.

NL

PLANNING SERVICES	HPT
	TLG
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20Th. August 2001	
22 AUG 2001	
COPIES TO:	

To; Wokingham District Council,
Environmental Services Dept.
Planning Services,
P.O. Box 157,Shute End,
Wokingham,Berks, RG40 1 WR

Dear Madam,

Re: APPLICATION NO.F2001/4541 and F2001/4573
48-50 BUTTS HILL ROAD,WOODLEY,READING,BERKS

1) With reference to the above,I strongly object to the proposal on safety issues(another road into very busy Butts Hill road. The development would be dangerous on highway grounds,as there would be an additional junction very close to Ravensbourne Drive.

2) The proposal represents piecemeal development of a backland nature in an area characterised by substantional rear gardens.

3) The above proposal would have deterimental impact upon the character of the surraunding area.

4) The application is an over development of the area.

Yours faithfully,

J.Miszke

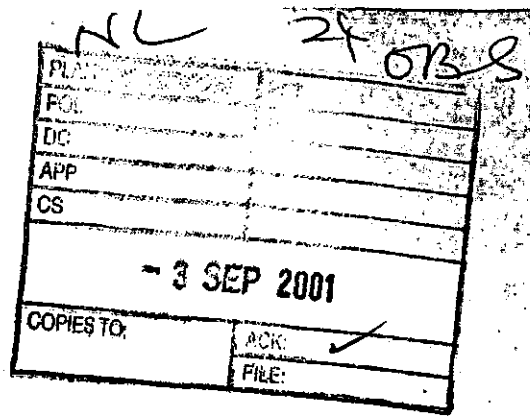
J.Miszke

S.Miszke,(Mrs.)

Pat Livesey

4 Rochester Avenue
Woodley
Reading
RG5 4NA

Tel: 0118 9618017
Mobile: 07711 2984986
E.Mail J.W.Toys@btinternet.com



28th August 2001

Miss N Lake
Planning Services
Environmental Services Dept
Wokingham District Council
Shute End
Wokingham
[redacted]0 1WR

Dear Miss Lake,

Planning Application F/2000/~~4561~~ 4541

I am writing to comment on the above application, which I object to for the following reasons –

- This is very similar to Applications F/2000/0996 and F/2000/2862 that were recently rejected. In view of this I do not see how this application could be approved.
- The proposal would have a detrimental impact on the character of the surrounding area.
- The proposal is contrary to Policy EN1 of the Berkshire Structure Plan and Policies LH1 LBE1 and LBE2 of the Loddon Area Local Plan and Policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) as Modified.
- The development would be out of character with the surrounding area, which comprises houses, which are at least 40 years old, all of which are laid out on spacious plots.
- The development would cause loss of privacy to houses in both Ravensbourne Drive and Rochester Avenue due to overlooking from first floor windows.
- It would be dangerous on highway grounds as there would be an additional road junction very close to Ravensbourne Drive. In addition Millgate Homes have disregarded their highway consultants who informed them that entries to Butts Hill Road should be kept to a minimum to avoid an increase in accidents.
- Should this application be successful it could open the door for similar applications in other large gardens in the area which could destroy the character of this part of Woodley. It would appear from the plans that the developers have laid out the site in such a way that they could extend into the other gardens along Butts Hill Road at some stage in the future.

Yours faithfully

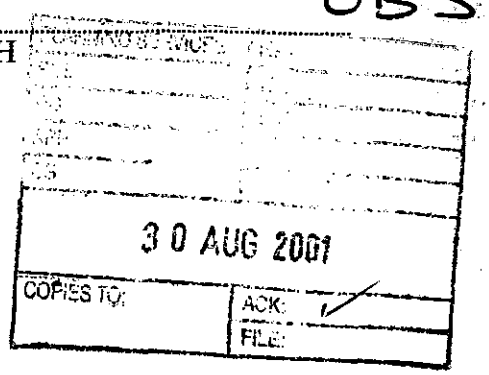
P. Livesey

Pat Livesey

22

NL OBS

STEVE HAVERCAN
58 Butts Hill Road, Woodley, Reading, Berkshire, RG5 4NH
0118 961 8396
Stevehavercan@aol.com



Nicola Lake
Wokingham District Council
Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
RG40 1WR

28th August 2001

Dear Ms. Lake

Re: Planning Application Number F/2001/4541
Proposed erection of 4 dwellings at 48 & 50 Butts Hill Road

I was stunned and amazed when I received your letter of 7th of August regarding the above. I had thought that this application had already been refused on two occasions.

There is now not only this application but also another F/2001/4573, which I have written to you about separately.

I object strongly to this application for the following reasons:

Vexatious Applications

Similar applications have already been refused planning permission. It is vexatious and a waste of time and money to persist in these applications.

Increased Traffic

The development would increase traffic in Butts Hill Road with the following consequences:

Greater danger of traffic accidents

There was a fatality on Butts Hill Road some years ago and more recently a driver collided with the Railway Bridge and subsequently had his leg amputated by a passing train. Increase in traffic can only add to the danger.

Greater nuisance from noise

My bedroom and lounge face Butts Hill Road and despite installing Double-Glazing the noise is still significant. If the proposal is accepted this will get worse.

Increased difficulty in joining Butts Hill Road

Every resident of this area faces the daily challenge of getting out of their house or out of Ravensbourne or Haddon Drive. This can only get worse if the application is accepted.

Piecemeal Development

The addition of this housing in the back gardens of two present properties is out of character with the rest of the surrounding properties and will lead to the following:

Over development of the area

This will put an increased burden on already over committed resources such as schools and doctors etc.

Reduction in the value of present properties

This proposal will have a deleterious effect on the value of neighbouring properties.

Opening the floodgates.

Acceptance of this proposal would set a precedent for other applications that would harm the area.

Environmental considerations

The large gardens in Butts Hill Road are an attractive feature of the area. Reduction in their size would lead to the following:

Decrease in wildlife habitat

The gardens represent a haven for many forms of wildlife. This proposal would destroy this habitat which has developed over many years.

A room with a view

Many houses in Butts Hill Road, Ravensbourne Drive and Rochester Avenue overlook the centre of this area, which is particularly attractive and secluded because of the presence of the large area of garden at the rear of 48 & 50 Butts Hill Road. If the proposal is accepted this would ruin the view at the rear of these properties and increase the likelihood of being overlooked.

Overall, I feel this proposal is extremely harmful to the area and should be rejected.

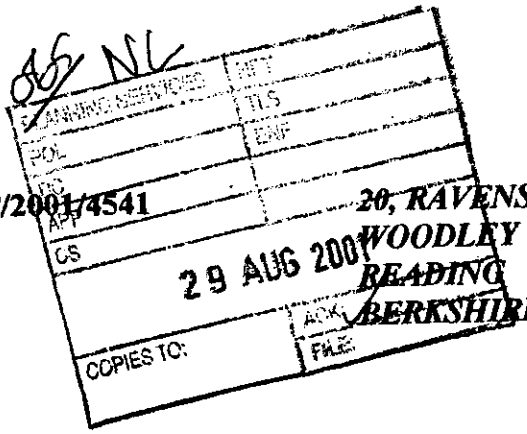
I hope that I have expressed my objections clearly.

Yours sincerely,

Steve Havercan

Steve Havercan

23



20, RAVENSBOURNE DRIVE
WOODLEY
READING
BERKSHIRE RG5 4LH

Your Ref. Nicola Lake F/2001/4541

Date 19th August 2001

Dear Sir

Re. PLANNING APPLICATION F/2001/4541 - 48 & 50, BUTTS HILL ROAD

We are yet again faced with a planning application and which differs very little from the several previously refused applications. I remain totally opposed to such development and I request that you note in the strongest terms my objection to this application.
In July 2001 Wokingham District Council Planning Committee unanimously rejected a similar planning application, and I find it incredible that yet another virtually identical application has been filed. With such united opposition against building here surely there can be no grounds for approving this latest scheme.
It would appear to me that the applicants are making a mockery of the planning laws and are set on a course of saturating the system with applications in the hope that they are eventually successful.
The proposal still represents piecemeal development of a back land nature, and such proposals have always been contrary to the planning policies:
These policies were not adopted lightly and were made for sound and valid reasons, not least for the protection of local residents in similar situations as I now find myself.

It should also be noted that this application again favours a road layout and which could so easily be extended further northwards at the rear of the housing along Butts Hill Road.
Furthermore, should this road layout be permitted, then the way would be opened to allow the whole of the garden areas to the rear of the many properties on Butts Hill Road to be similarly developed. It is also certain that by allowing this initial development, any further applications will be almost impossible to disallow.

If this application were to be approved the development would have a detrimental impact upon the character of the surrounding area for the following reasons.

1. **OVERDEVELOPMENT:** The character of this area will be significantly and irrevocably altered, by creating a density of housing that was never contemplated during the original planning and development of this attractive part of Woodley. Questions must be raised concerning the capacity of the existing infrastructure and services, and whether they can be further loaded without serious detrimental effect.

2. **ACCESS**: I would urge you to consider the implications of adding a further road junction in Butts Hill Road: Such a junction would be not only extremely poorly sighted due to the limitation imposed by the adjacent properties, but would also be very close to the Ravensbourne Drive junction. Butts Hill Road is the main route through Woodley from the north to the M4, and is an extremely busy road carrying fast moving traffic. To form another road junction along this road would add significantly to the risk of traffic accidents occurring. Surely the simplest and safest method by which to address this risk is prevention, and this can be achieved by not adding yet another road junction in Butts Hill Road.
   The introduction of an access road from Butts Hill Road would result in disturbance from vehicle headlights using the road at night, and by exposing my rear garden to easy access, a very much-increased risk to the overall security of my property.

3. **LOSS OF PRIVACY AND AMENITY:** The amount of rear facing windows and the proximity of the building to my boundary would create for me a significant loss of privacy and amenity. Neither the rear of my property, or the garden is overlooked at present, the garden being particularly secluded
   My family has lived here for 35 years and the property was bought largely on the strength of its secluded rear garden and the fact that further development directly adjacent was considered to be not possible.
   I contend that individual privacy is a basic and fundamental human right, and if this development with its overbearing buildings is approved, ours will be unacceptably compromised.

4. **ADDITIONAL NOISE LEVEL:** It is entirely reasonable to suppose, that general noise levels would significantly rise over and above those enjoyed at present. There would be a significant increase in the number of vehicles introduced into the area by this development. This will create additional disturbance from engine noise, slamming doors etc. The peace and quietness currently found in the garden by my family will disappear forever.

5. **ENVIRONMENTAL:** Another small area of green habitat will disappear, together with the wildlife that it supports. Several large trees will have to be felled in order to make way for this development.

Other than for the financial gain of a few individuals I strongly suggest that there is no requirement or need to build houses in the rear gardens of these properties. There are after all, many well-balanced housing developments under construction locally, all with available housing, and which have been styled and planned to blend acceptably into their surrounding area.

The Wokingham District overall plan has always been against such back garden development and similar planning applications made in 1988, 2000 and 2001 were disallowed both by the WDC planning committee and by The Department of the Environment at appeal.

I would urge you, having considered all the facts and the views of the overwhelming majority of local residents, to refuse this latest application.

Yours faithfully

C R Hayward

cc. Woodley Town Council

NL OBS

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CS	

30 AUG 2001

COPIES TO:	ACK: ✓
	FILE:

16 Rochester Avenue
Woodley RG5 4NA

Nicola Lake
Development Control Officer
Planning Services
PO Box 157
Shute End
Wokingham RG40 1WR

28 August 2001

Dear Ms Lake

Application Number: F/2001/4541
Site Address: 48 and 50 Butts Hill Road Woodley

I object most strongly to the proposed application for the following reasons:

1) The proposed development is out of character with the surrounding area and an over development of the area.

2) Similar applications have previously been refused by Wokingham District Council and at Appeal and to allow such development now would only encourage further similar applications from other properties with large gardens in Butts Hill Road.

3) The potential loss of trees in gardens behind my property and their replacement with a housing development would reduce my privacy and completely alter the character of my garden. My garden is not over looked at the moment and this is considered to be valuable feature of my property. The proposed developments would therefore reduce the value and marketability of my property.

4) The proposed development would result in another road junction very close to Ravensbourne Drive. This is potentially unsafe as Butts Hill Road is already a very busy and dangerous stretch of road.

Please consider the above in determining the outcome of this application.

Yours faithfully

Wendy Peatey

Wendy Peatey

Carol Hurst

30 AUG 2001
COPIES TO: ACK: ✓ FILE:

From: Ian Jordan
Sent: 29 August 2001 21:10
To: Carol Hurst
Subject: FW: Comments on Planning Applications

From: WebComments@wokingham.gov.uk[SMTP:WEBCOMMENTS@WOKINGHAM.GOV.UK]
Sent: Wednesday, August 29, 2001 9:15:38 PM
To: ian.jordan@wokingham.gov.uk
Subject: Comments on Planning Applications
Auto forwarded by a Rule

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NatureofEmail: Comment
ApplicationNumber: F/2001/4541
Correspondent_FullName: Kerry and Ian Harrison
Correspondent_StreetAddress: 46 Butts Hill Road
Correspondent_Address2: Woodley
Correspondent_Town: Reading
Correspondent_County: Berks
Correspondent_PostCode: RG5 4NH
Correspondent_Telephone: 0118 944 2795
Correspondent_Email: harrisons.woodley@virgin.net

Comments:

A major cause for concern with the proposed plan is the impact on traffic on Butts Hill Road. Living at number 46 we appreciate the huge amount of traffic using the road often at dangerously high speeds. The siting of another entrance into Butts Hill Road in close proximity to the existing one into Ravensbourne Drive can only make the situation worse. The committee should reconsider the highways impact.
However, if the plans are approved, the financial contribution to be made by Millgate Homes must be used specifically to improve the safety of this stretch of Butts Hill Road.

01256 428389

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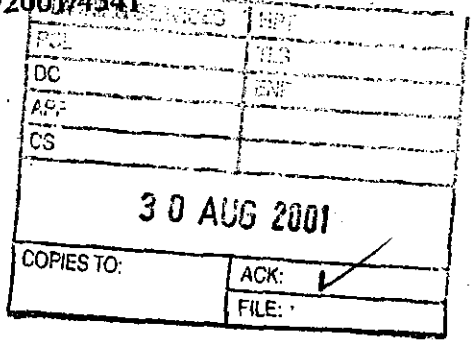
NL ORB

Your Ref: Nicola Lake F/2001/4541
Fax No: 0118 974 6484



Mr & Mrs Gidman
54 Butts Hill Road
Woodley
Reading
Berkshire
RG5 4NH

29th August 2001

Wokingham District Council
Development Control Officer – Nicola Lake

Re: APPLICATION NO: F/2001/4541
Proposed erection of 4 dwellings, estate road, paths and garages.
Demolition of garage and outbuildings at no 50.

We were very surprised to receive yet again another application regarding the above development.

Our objections have not changed since the first application was rejected.

As we have stated before we are thoroughly disappointed that the application for the development is even considered.

There is still a danger of another junction in Butts Hill Road for emergency service to access there safely.

Emergency services use Butts Hill Road for access to the 329M and M4. With a junction so close to Ravensbourne Drive and Glendevon adds greatly to the danger of people on Butts Hill Road.

Given permission for this type of backland development would open the door for further applications in other large gardens in Butts Hill Road.

If permission is given once it would be difficult to turn down similar applications in future.

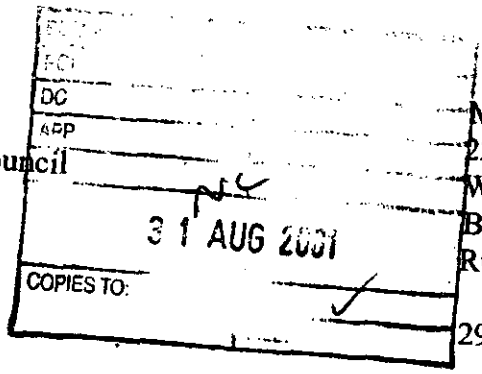
Thank you.
MR & MRS K. GIDMAN.

A. Gidman
K. Gidman

Rec'd 1.00PM 30.8.01

839

Nicola Lake
Case Officer
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
RG40 1WR



Mr. & Mrs. M Matthews
22 Ravensbourne Drive
Woodley
Berkshire
RG5 4LH

18

29th August, 2001

Dear Nicola Lake,

Re: Planning Application F/2001/4541 – 48 & 50 Butts Hill Road, Woodley

We are writing to express our strong objections to the proposed development at the above address.

Personally, we would ask you to consider fully our rights under Article 8 and Protocol 1 Article 1 of the Human Rights Act 1998. Especially after your recent visit to our property where you could see at first hand the validity of the following points. Our property at present is totally secluded and has no rear access. By approving this current development it would be opening up direct access to our property, with a road being built metres from the bottom of our garden. This will severely impair the security of our property and infringe our rights to enjoy our home peacefully. We will be writing to you further on this issue once we have had time to talk to the local Crime Prevention Officer. Secondly, under the current proposal the house on plot 2 is in direct line with the end of our garden. No other house is affected in this way, as you were able to observe on your visit.

Having viewed the latest planning application we feel the following points are relevant and ask that you take them into consideration:

- **This would severely affect our quality of life, particularly when the trees lose their leaves.**
- The position of the proposed road would mean that all traffic entering the development would have their headlights shining straight into the back of our house.
- We would lose our privacy, as we would be overlooked by two of the proposed dwellings. Although the plans show the existing trees may or may not be removed at the time of building, we have been informed that the occupants may remove them at any time in the future, thus losing the existing screening and seclusion.
- With an increase in people, cars, children and pets, there will inevitably be an increase in the noise, disturbance and pollution levels. At the moment it is a very peaceful and charming place to live. (We do have three children of our own and they have waited a long time, as we have, to enjoy a nice garden and pleasant surroundings).
- At the moment when we look out of our bedroom window we see lots of greenery, (trees, lawns and flowers). The outlook would be totally different should these plans go ahead. We would see other houses, (straight into the bedrooms of some, as they would us), a road, cars, streetlights etc. **Please note we have a second floor extension so the effect would be catastrophic.** Also the established wildlife that inhabits the surrounding areas would be lost. At the moment in the trees behind us we have many resident squirrels, an immense variety of birds, and

we also see hedgehogs. All of this is a great learning curve for our children in their own back garden and it would all vanish!

Aside from these personal issues there are a number of other **Important** reasons why we feel strongly that this proposed development should not go ahead:

- This proposal would create as **large / larger 'footprint'** than planning applications F/2000/2862 & F/2000/0996, which were **rejected** due to the size of footprint they created!
- Such a proposal would have a detrimental impact upon the character of the surrounding area.
- Such a proposal is contrary to policy EN1 of the Berkshire Structure Plan and Policies LH1 LBE1 and LBE2 of the Loddon Area Local Plan as well as a Policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) as modified.
- Having increased traffic on Butts Hill Road would exacerbate the danger to pedestrians on Butts Hill Road Bridge, where there is currently no footpath!
- Another road leading out onto the already very busy Butts Hill Road would be a nightmare in the mornings to traffic and a danger to children crossing the road to nearby Schools and extremely dangerous being so close to Ravensbourne Drive!
- It would be a further burden on already over-stretched public resources i.e. schools – Waingels Copse is already very over subscribed.
- It is a piecemeal development of backland and if this should be approved then future plans would be very difficult to turn down.
- Many previous applications for development at 48 & 50 Butts Hill Road have been turned down by Wokingham District Council and at Appeal, for less than the current application.
- The environmental impact is misleading as many trees have been conveniently removed prior to previous applications, which were refused.
- This application is an over development of the area.

As you observed, our lives in this house would totally change should these plans be approved. This application has not remedied any of the reasons for refusal of previous applications by Wokingham District Council.
We hope you can understand our viewpoint on this proposed application and our reasons be considered before the decision is made.
As previously mentioned we will write again once we have taken advice from the Local Crime Prevention Officer.

Yours Sincerely,

Mr. & Mrs. M Matthews

NL OBS

14 Ravensbourne Dr
WOODLEY
Reading
29 August 200

17.

POL	TLS
DC	ENF
APP	

31 AUG 2001

COPIES TO: ACK ✓ FILE:

Dear Nicola Lake,

Re Application No: F/2001/4541

We would like to take this opportunity to register our objections to the above proposal to build 4 new houses in the back gardens of 48 & 50 Butts Hill Road.

We believe that the objections we sucessfully raised on the occasion of a previous planning application remai valid with respect to this current application, regardless of the number houses proposed, & would, therefore, like to re-iterate our three strongest concerns:

* SAFETY - we believe another traffic access onto Butts Hill Road would be

unsafe given the current volume of traffic.

* ENVIRONMENT - the gardens in this area provide a rich & mature habitat for many plant & animal species & should not be sacrificed lightly.

* LOCAL SERVICES - infil development is not only against Liberal Democrat policy but puts a strain upon already stretched local services & resources.

We trust you will take note of our concerns & refuse this application.

Yours sincerely

Faulkner

S. FAULKNER

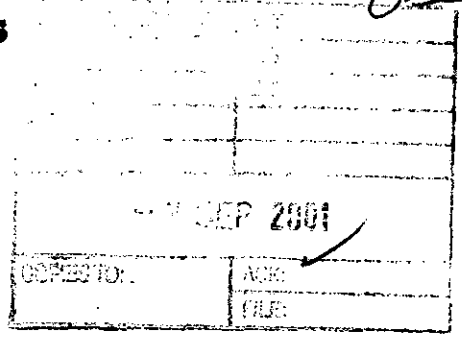
J. FAULKNER

NC 0838 16.

John Willcocks

4 Rochester Avenue
Woodley
Reading
RG5 4NA

Tel: 0118 9618017
Mobile: 07711 2984986
E.Mail J.W.Toys@btinternet.com



28th August 2001

Miss N Lake
Planning Services
Environmental Services Dept
Wokingham District Council
Shute End
Wokingham
RG40 1WR

4541

Dear Miss Lake,

Planning Application F/2000/4561

I am writing to comment on the above application, which I object to for the following reasons –

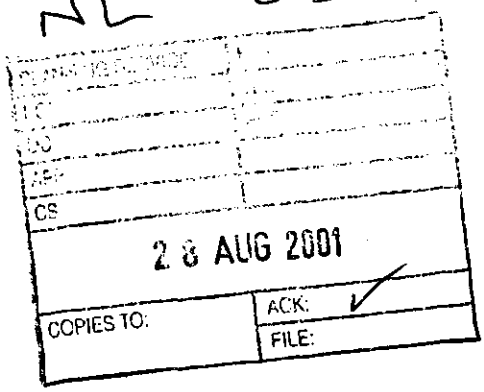
- This is very similar to Applications F/2000/0996 and F/2000/2862 that were recently rejected. In view of this I do not see how this application could be approved.
- The proposal would have a detrimental impact on the character of the surrounding area.
- The proposal is contrary to Policy EN1 of the Berkshire Structure Plan and Policies LH1 LBE1 and LBE2 of the Loddon Area Local Plan and Policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) as Modified.
- The development would be out of character with the surrounding area, which comprises houses, which are at least 40 years old, all of which are laid out on spacious plots.
- The development would cause loss of privacy to houses in both Ravensbourne Drive and Rochester Avenue due to overlooking from first floor windows.
- It would be dangerous on highway grounds as there would be an additional road junction very close to Ravensbourne Drive. In addition Millgate Homes have disregarded their highway consultants who informed them that entries to Butts Hill Road should be kept to a minimum to avoid an increase in accidents.
- Should this application be successful it could open the door for similar applications in other large gardens in the area which could destroy the character of this part of Woodley. It would appear from the plans that the developers have laid out the site in such a way that they could extend into the other gardens along Butts Hill Road at some stage in the future.

Yours faithfully

John Willcocks

NL 088

15



26 Butts Hill Rd
Woodley
Berks RG5 4NH

Dear Sirs,

Re: 48/50 Butts Hill Road and F2001/4541 & 4573

I would like to object to the latest planning application as listed above. I feel that the scale of dwellings being placed in a back garden are totally out of keeping with this neighbourhood and would create a precedent for this road whereby anyone with enough space will start to build in this manner. In fact if this proposal is approved then I will make similar proposals to do the same!
The density of the housing and the impact of all the cars trying to enter Butts Hill Road (which you may well know is a very busy and fast road) from this development will cause a major problem.
This proposed development has been denied on all previous occasions and I hope that it will be similarly denied this time.

Yours faithfully,

T.J.Barlow

OBS NL

MR & MRS J BOLUS
67 BUTTS HILL RD
WOODLEY
READING
BERKSHIRE RG5 4NJ

14

28-8-01

PLANNING SERVICES
POL
DC
APP
CS
29 AUG 2001
COPIES TO: M/S Luke
FILE:

REF: PLAN No: F/2001/4573
4541

ERECTION OF DWELLINGS
48 & 50 BUTTS HILL RD

With regard to the above applications, I can only re-iterate my previous concerns.

This is a long and well established residential area which

certainly does not require development on this scale.

A further access road in such close proximity to Ravensbourne Dve would lend itself to a higher risk of accidents upon what is already a very fast and busy road (BUTTS HILL RD).

I sincerely hope that my objections will be noted, and that common sense will prevail.

Yours faithfully

John Bates

Acorns
35 Butts Hill Rd,
Woodley, Reading
RG5 4NJ

NL OBS
DS
28 AUG 2001
COPIES TO:
FILE:

Dear Mrs Cole,

Re planning application no. F/2001/4573 & 4541

On behalf of a number of local ratepayers may I add my objections to the development plans for 40/50 Butts Hill Rd.

Butts Hill Rd carries an increasingly high volume of fast (despite a 30 mph limit) traffic and to put additional junctions on to it in very close proximity to other junctions seems to be a major safety problem.

Additionally the density of proposed houses is out of character with the locality.

Yours faithfully,

Roger M Nuttall.

WOKINGHAM UNITARY
Aiming for Excellence

MEETING OF THE DEVELOPMENT CONTROL COMMITTEE

WEDNESDAY 14 NOVEMBER 2001

AT

7.00 PM

AGENDA

Civic Offices
Shute End
Wokingham
Berkshire

Jane Earl
Chief Executive

Mr. O'Donnell, a local resident attended the meeting and spoke in opposition to the proposal.

Mr. M Fitch, representing the applicant attended the meeting and spoke in favour of the proposal.

In discussing the application, Members noted the recent planning history of the site and that a similar application was also before the Committee for determination at this meeting.

During the debate on the application Members commented that whilst the application had to be considered on its own merits, a number of concerns existed regarding the current application that had been expressed during the consideration of a previous application and therefore it was appropriate for the Committee to apply a consistent approach.

Members expressed concerning regarding the density and type of proposed housing and that a terracing effect would be created by the proposal.

RESOLVED: That Application No: 2001/4573 be refused on the grounds that;

1) The proposal represents piecemeal development of a backland nature in an area characterised by substantial rear gardens. The proposal would result in the loss of a number of silver birches which contribute positively to the character. As a result the development would have a detrimental impact on the character of the surrounding area;

2) The proposal by reason of the number and type of units and their siting, represent a cramped form of development constituting over-development of the site and would therefore, have a detrimental impact upon the character of the area.

104. APPLICATION NO: 2001/4541, PROPOSED ERECTION OF 4 DWELLINGS WITH GARAGES AND CONSTRUCTION OF ESTATE ROADS AND PATHS PLUS GARAGE AT NO.50. DEMOLITION OF THE EXISITING GARAGE AND OUTBUILDING AT NO 50, 48 & 50 BUTTS HILL ROAD WOODLEY, FOR MILLGATE HOMES

The Committee considered a report about this application set out on Agenda pages 1237 to 1252.

In explaining the report , Officers informed Members that the density of the proposed development would be approximately 13 dwellings per hectare and that the applicant had offered an additional financial contribution of £10,000 towards the Woodley Shopping Centre Enhancement Scheme.

Mrs C Jewell, representing Woodley Town Council attended the meeting and gave that authority's views in opposition to the proposal.

Mr. O'Donnel, a local resident attended the meeting and spoke in opposition to the proposal.

Mr. M Fitch, representing the applicant attended the meeting and spoke in support of the proposal.

RESOLVED: That Application No: 2001/4541 be refused on the grounds that;

1) The proposal represents piecemeal development of a backland nature in an area characterised by substantial rear gardens. The proposal would result in the loss of a number of silver birches, which contribute positively to the character. As a result the development would have a detrimental impact on the character of the surrounding area;

2) The proposal by reason of the number of units and their siting, represent a cramped form of development constituting over-development of the site. It would have a detrimental impact upon the character of the area.

105. APPLICATION NO: 2001/4713, PROPOSED DEMOLITION OF 3, 3A, 13, AND 15 POND HEAD LANE AND ERECTION OF 23 DWELLINGS (AMENDMENT TO CONSENT F/2000/1514) , LAND TO THE REAR OF 1-11 POND HEAD LANE EARLEY, FOR BANCROFT DEVELOPMENTS

The Committee considered a report about this application set out on Agenda pages 1262 to 1284.

RESOLVED: 1) That a Legal Agreement be entered into under Section 106 of the Town & Country Planning Act 1990, and other statutory powers to secure;

a) a financial contribution of £20,000 towards off-site improvements to either Safer Routes to School initiatives or to the improvement of local sustainable transport initiatives and local traffic management schemes;

b) a financial contribution of £5,000 towards off-site leisure provision;

c) a financial contribution of £1,242 towards library provision;

d) a financial contribution of £13,480 towards secondary education provision;

e) to secure the provision of a replacement noise barrier along the boundary of the site and A329(M);

2) That subject to the registration and execution of the Agreement referred to in 1) above, Application No: 2001/4713 be approved subject to the conditions set out on Agenda pages 1264 to 1267 with the following amendments

a) Condition 17 be amended to read that "Each house be provided with a garden area which has a predicted noise level of less than or equal to L(AEQ) 55dB (measured over any 1 hour period) within the first 5 metres from at least one building façade".

b) Addition an informative to read that "Condition 17 does not apply to the proposed maisonettes (units 8-11).

106. APPLICATION NO: 2001/4669, TWO STOREY SIDE EXTENSION TO DWELLING (RETROSPECTIVE) 1 SNOWDROP GROVE WINNERSH, FOR MR & MRS NAHEED

The Committee considered a report about this application set out on Agenda pages 1285 to 1292.

Mr. Hopper, a local resident attended the meeting and spoke against the proposal.

Mrs. P Bray, a local Member attended the meeting and spoke against the proposal.

RESOLVED: That Application No: 2001/4669 be approved subject to the conditions set out on Agenda pages 1287 to 1288 with an the addition of a condition requiring the submission by the applicant to the Planning Authority of a parking plan;

107. APPLICATION NO: 2001/4768, PROPOSED ERECTION OF TWO DWELLINGS (AMENDMENT TO CONSENT F/2000/2298 FOR THE INCREASED SIZE OF BUILDING), 194 READING ROAD WOKINGHAM, FOR LUFF HOMES LTD

The Committee considered a report about this application set out on Agenda pages 1293 to 1313.

In explaining the report, officers drew Members attention to plan 1588/4F and 1588/5D which had been omitted from the agenda. In addition, officers informed



MEETING OF THE DEVELOPMENT CONTROL COMMITTEE

WEDNESDAY 24 OCTOBER 2001

AT

7.00 PM

AGENDA

Civic Offices
Shute End
Wokingham
Berkshire

Jane Earl
Chief Executive

Application No **Received** **Woodley.**
F/2001/4541 **30.07.01**

Applicant: **Millgate Homes**
Location : **48 & 50 Butts Hill Road, Woodley.**
Proposal : **Proposed erection of 4 dwellings with garages and construction of estate roads and paths plus garage at No.50. Demolition of the existing garage and outbuilding at No.50.**

1. **Planning History** – The relevant planning history on this site has been outlined at the start of the previous report. However, the most recent application (F/2000/2862) was for the erection of 4 detached dwellings. The application had an officer's recommendation for approval and was refused planning permission at the Development Control Committee of the 11 July 2001. The grounds for the refusal were stated as: 1.) The proposal represents piecemeal development of a backland nature in an area characterised by substantial rear gardens. The proposal would result in the loss of a number of silver birches which contribute positively to the character. As a result the development would have detrimental impact upon the character of the surrounding area. 2.) The proposal by reason of the number of units and their siting represents a cramped form of development constituting overdevelopment of the site. It would have a detrimental impact upon the character of the area. An appeal has been recently lodged against this refusal.

2. **Proposal** – The proposed development is the same as the original plans that were submitted on application F/2000/2862, but do not include the subsequent alteration to this application, which block any future access to the remaining adjoining gardens. Therefore the current access road on this application would terminate in a turning head. All other aspects of the development would remain unchanged. The proposed access road would be located between the existing dwellings on number 48 and 50, resulting in the demolition of number 50's existing garage and outbuilding. The land to the rear of number 46 and the rear garden area of number 48 would be used to locate three detached dwellings and part of the rear garden area of number 50 would be used to site a four bed detached dwelling. There would be 3 four-bed and one three-bed dwelling.

3. **Consultations** -
   - ***Woodley Town Council:*** Recommend refusal. (See attached comments.)
   - ***Highways:*** No objection subject to conditions.
   - ***Environmental Health:*** No objection subject to conditions.
   - ***Environment Agency:*** No objection subject to conditions.
   - ***Ecologist:*** No objection.
   - ***Landscaping:*** The proposal is acceptable as the trees which are shown for removal are poor quality trees of little long-term value. Therefore no objection subject to condition.
   - ***Letters:*** There have been 25 letters of objection received, plus a petition with 36 signatures. These objections can be summarised as follows:
     - The new junction would be a highway hazard.
     - Overdevelopment.
     - Precedent for further development.

the size of the dwellings are comparable to those within the surrounding area and in the light of recent appeal decisions relating to small sites of this nature, it is considered that a refusal could not be substantiated on the basis of housing mix or density.

C. Impact upon the residential amenity of the neighbouring dwellings.
The proposed development would have a similar layout to that of the previous scheme. The three dwellings shown to be located across the rear of the site would be located a minimum of 14m from the rear boundary of the site and a minimum of 33m from the rear of the nearest dwelling in Ravensbourne Drive. This would be the same relationship as the previously refused scheme.

The proposed dwelling on plot 1 would be a detached four-bed dwelling, which would be located a minimum of 15m from the rear boundary fence and a minimum of 31m from the rear of the closest dwelling. There would also be a gap of 5m from the south side elevation and the boundary. As such the dwelling would be a minimum of 32m from the rears of the dwellings in Ravensbourne Close.

Therefore the proposed development would not overshadow, overlook or be overbearing. Hence there would be no material adverse impact upon the residential amenity of the neighbouring dwellings and the proposed development would be in accordance with the policies of the district's development plans.

D. Impact upon the character and appearance of the surrounding area.
The proposed development would result in the removal of a number of trees from the site. However the landscape officer is satisfied that the 4 Silver Birch and 1 Cherry Tree which are shown for removal from the front of the site are of a poor quality and of little long-term value. The plans also show the location of a protective fence which would surround the trees to the rear of the site during construction. The landscape officer considers these details to be acceptable on the condition that the area within the fencing is not intruded upon and that no work should be carried out within these areas without first gaining approval in writing from the Local Planning Authority.

The area to the north of the application is characterised by detached dwellings located well within substantial garden areas, which continue back from the dwellings for approximately 65m. However the garden areas of number 46, and dwellings 52 through to 58 are considerably smaller, with lengths of around 20m. This is also true of the dwellings along Ravensbourne Drive. Therefore the proposed dwellings would be in keeping with the size and design of the dwellings within the surrounding area and would have no significant detrimental impact upon the character and appearance of the surrounding area.

E. Highway Safety.
The Highway officer is satisfied that subject to the imposition of a number of conditions and the signing of a legal agreement for a £12,000 financial contribution towards improving sustainable transport initiatives and local traffic management schemes, that the proposed development including the creation of the new accessway would have no detrimental impact upon the highway safety of the existing surrounding highway network.

F. Concerns of Residents and Woodley Town Council.
The concerns of the local residents and the Parish Council have been noted and some of these concerns have been addressed in the above appraisal. However it has been raised that should the proposed development be granted planning permission it would set a precedent for further such development within the area. However, each application must be considered on its own merits.

Some of the local residents have commented on the proposed development's impact upon the existing services and infrastructure of the surrounding area. The proposal is for 4 additional dwellings, which is below the Council's threshold for seeking contributions toward education and leisure. However as stated above, the development would contribute towards sustainable transport initiatives and local transport management schemes.

The issue of the potential loss of Green Habitats for wildlife has also been raised. The Council's Ecologist has been consulted on this application and there are no protected species which would be adversely effected by the proposed redevelopment of these rear garden areas.

The issues of loss of view and loss of value of existing dwellings are not material planning considerations.

5. **Conclusion** – The proposed development is almost the same as the previously refused application (F/2000/2862). Officers have weighed the application against the national guidance and local planning policy and are of the opinion that the proposed development would have no significant detrimental impact upon the residential amenity of the adjacent dwellings or the character and appearance of the surrounding area.

6. **Recommendation** – To GRANT planning permission subject to the signing of a legal agreement to safeguard the financial contribution of £12,000 towards improving local sustainable transport initiatives and local traffic management and the following 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 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 treatments have 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. 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 or above hereby permitted except for any which may be shown on the approved drawing(s).

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) 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. It shall not be used for any business nor as habitable space.

6. Works related to the demolition and 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

7. 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.

8. 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.

9. Provision shall be made for services, including cable TV pre-ducting, to be placed underground. 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 overhead wire cables or other form of overhead servicing shall be placed over or used in the development of the application site or subsequently.

10. 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.

11. Precautions shall be taken for the duration of the construction period to prevent the deposit of mud and similar debris 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.

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

13. Before any other part of the development hereby permitted is commenced, the vehicular access proposed shall be formed and provided with visibility splays shown on the approved drawing number 9522/200. 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.

14. 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.

15. 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.

16. 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.

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

18. No development shall be commenced until visiblity splays of 2.5m by 90m to the left and 4.5m by 90m to the right have been provided at the junction of Butts Hill Road. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

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 residential amenity of the neighbouring dwellings.

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

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

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

8. To ensure a satisfactory form of development and to avoid adverse impact on the public highway in the interests of highway safety.

9. To safeguard visual amenities.

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

11, 12 & 13. In the interests of highway safety and convenience.

14 & 15. In the interests of visual amenity.

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

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

18. In the interest of highway safety.

Informatives.

1. You are advised, in compliance with the Town and 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: H5, H9.
   Loddon Area Local Plan: LH1, LH8, LBE1, LBE2, LBE5, LT5, LT6.
   Wokingham District Local Plan: Housing Density Policy, WH6, WOS3, WBE1, WBE11, WT6, WT7.

2. No soakaways shall be constructed such that penetrate the water table and they shall not in any event exceed 3 metres in depth below existing ground level.

Nicola Lake.

FROM: Nicola Lake

DELEGATED

DATE: 07 August 2001

WOODLEY TOWN CONSULTATION SHEET

Application Number: F/2001/4541

Proposal: Proposed erection of 4 dwellings, estate road, paths and garages. Demolition of garage and outbuildings at no 50..

Site Address: 48 & 50, Butts Hill Road, Woodley, Reading.

Applicant: Millgate Homes C/O The Barton Wilmore Partnership Reading Ltd.

Your observations are required in respect of this application **by 30/08/2001** .

Sixteen residents were present and the Chairman adjourned the meeting to enable them to express their views.

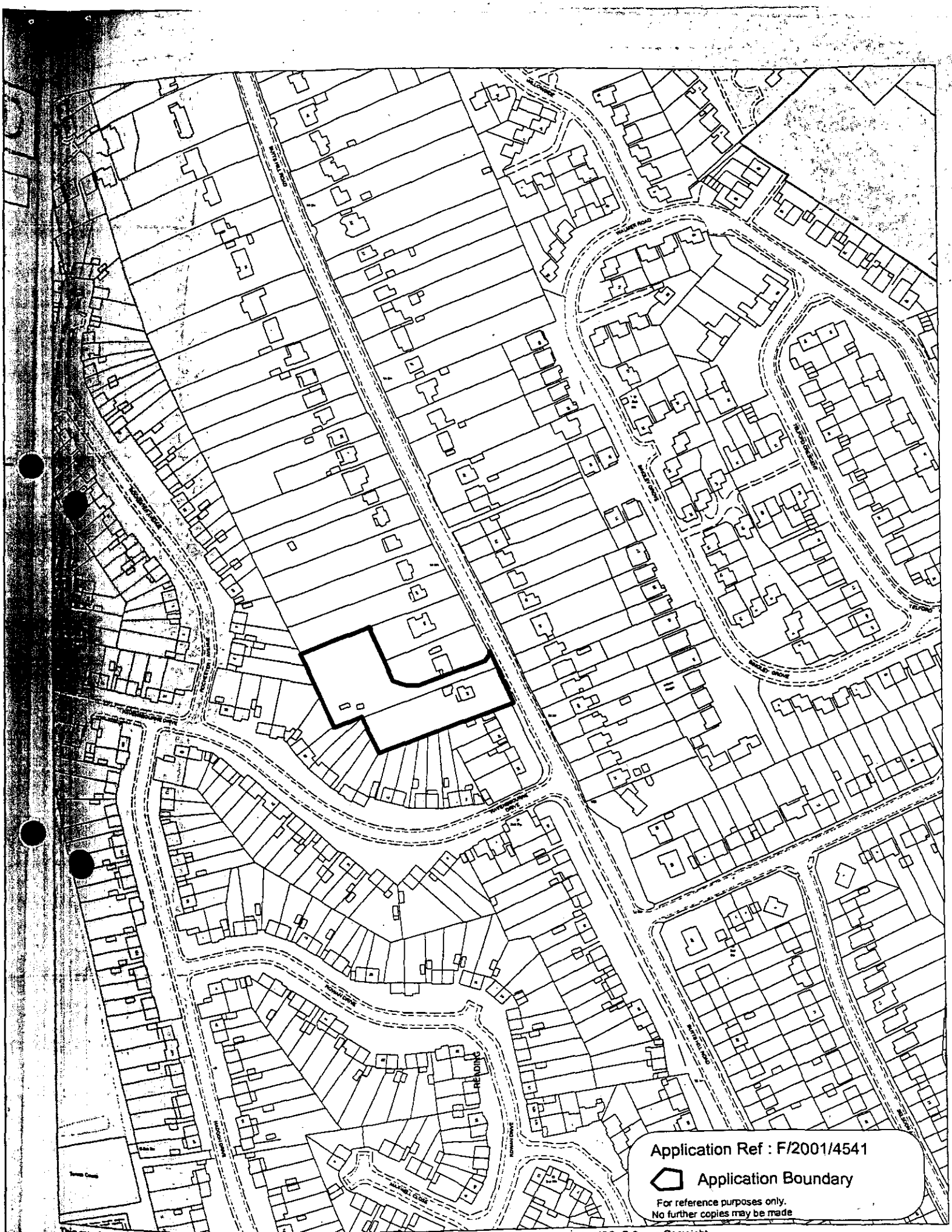
The general consensus was that this application was almost identical to the previously refused application and residents considered that the reasons for refusal of F/2000/2862 were still relevant.

A number of concerns were expressed about the implications on the existing highway, and reference was made to at least three recently witnessed incidents which had occurred as a result of heavy and fast traffic. Butts Hill Road was a continually busy cut through between the A329(M) and South Oxfordshire. A further tragic accident had happened only the previous day.

After the meeting was reconvened, the committee supported the residents' concerns and recommended that the application be refused based on the reasons for refusal of Plan No. F/2000/2862.

SIGNED: _____ DATE: 23.8.01.

Clerk To Woodley Parish/Town Council.



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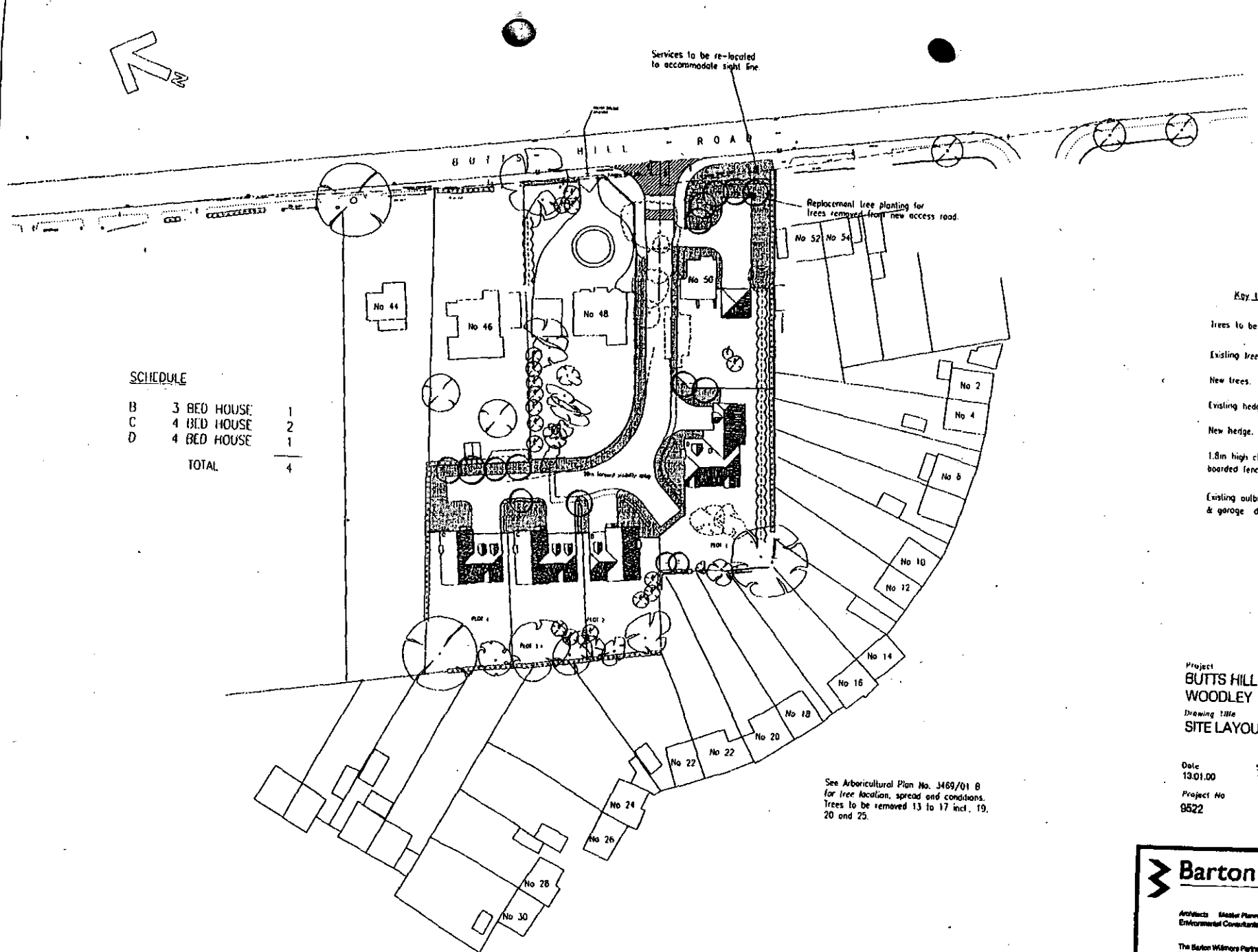
Development Control Section, Environmental Services, Wokingham District Council.

24 October 2001

Scale: 1 : 2500

N
W E
S



SCHEDULE

B	3 BED HOUSE	1
C	4 BED HOUSE	2
D	4 BED HOUSE	1
	TOTAL	4

Key to features

- Trees to be removed.
- Existing trees retained.
- New trees.
- Existing hedge retained.
- New hedge.
- 1.8m high close boarded fencing.
- Existing outbuilding & garage demolished.

30 JUL 2001 4541

1246

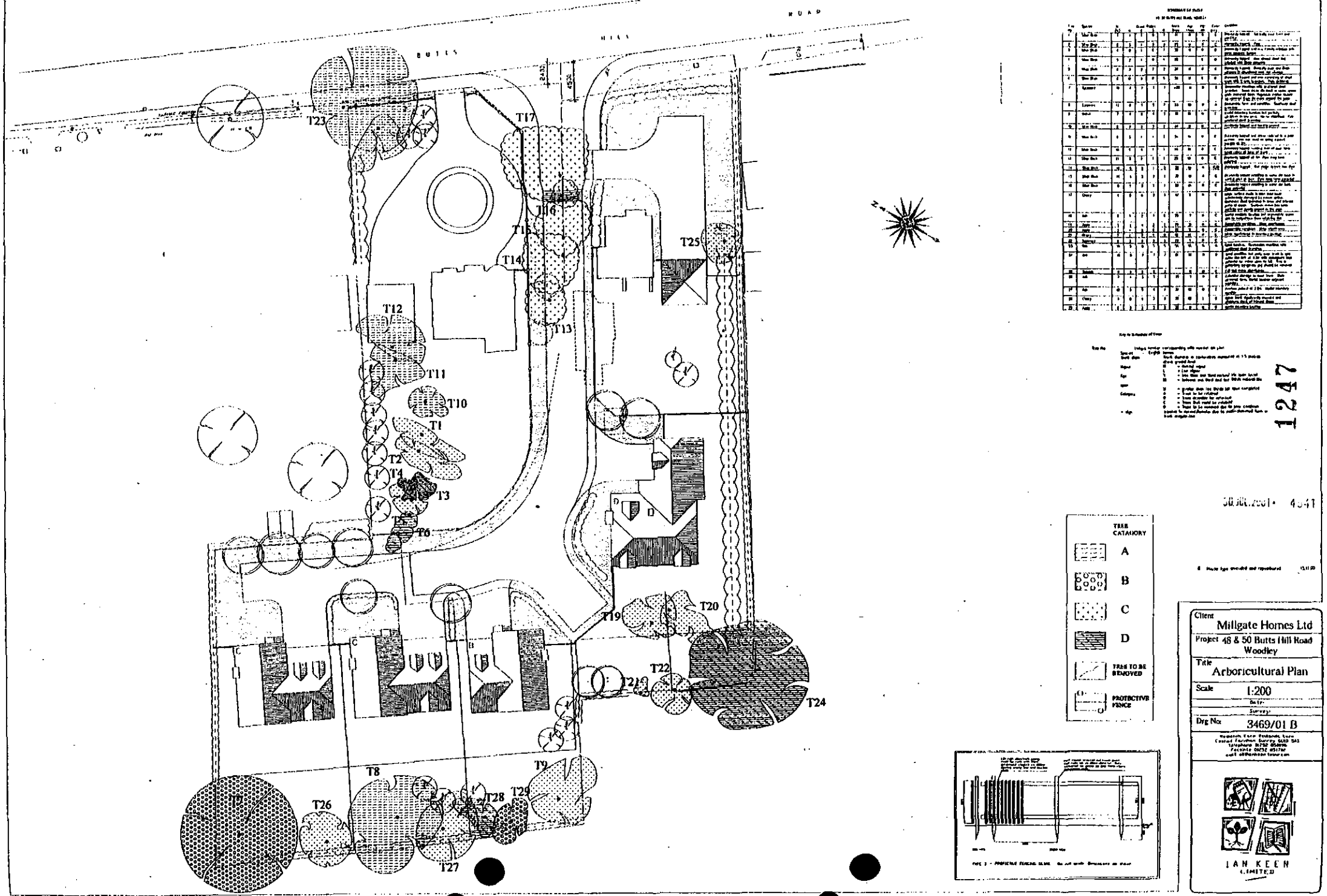
See Arboricultural Plan No. 3469/01 B for tree location, spread and conditions. Trees to be removed 13 to 17 incl., 19, 20 and 25.

Project
BUTTS HILL ROAD
WOODLEY

Drawing title
SITE LAYOUT

Date	Scale	Drawn by
13.01.00	1:600	TJ
Project No	Drawing No	Revision
9522	100	-

Barton Willmore
Architecture
Architects Master Planners Town Planners
Environmental Consultants Project Services
The Barton Willmore Partnership Reading Limited
Blagrave Farmhouse, Bourne Close,
Calcot, Reading, RG31 7BW.
Tel: 0118 943 0000 Fax: 0118 943 0001



1247

Client: Millgate Homes Ltd

Project: 48 & 50 Butts Hill Road Woodley

Title: Arboricultural Plan

Scale: 1:200

Drg No: 3469/01 B

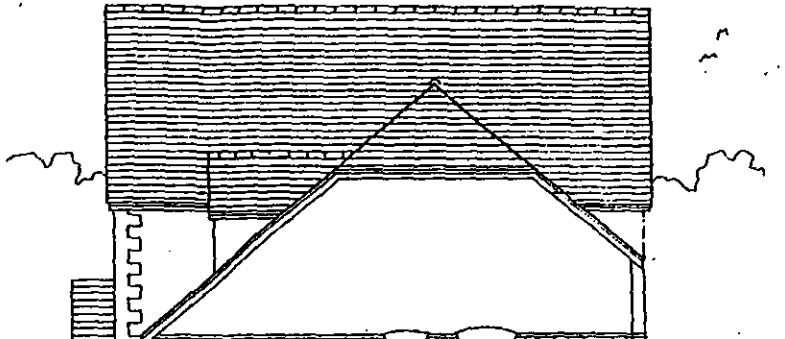
IAN KEEN LIMITED

Revision Date By

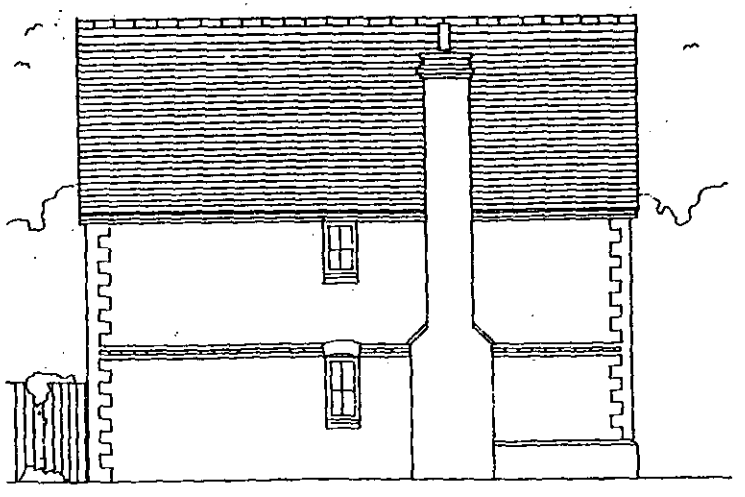
30.JUL.2001* 4541



FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION

1243

Project
BUTTS HILL ROAD WOODLEY

Drawing Title
HOUSE TYPE B ELEVATIONS

Date	Scale	Drawn by
01.02.00	1:100	TJ
Project No	**Drawing No**	**Revision**
9522	06	-

Barton Willmore
Architecture

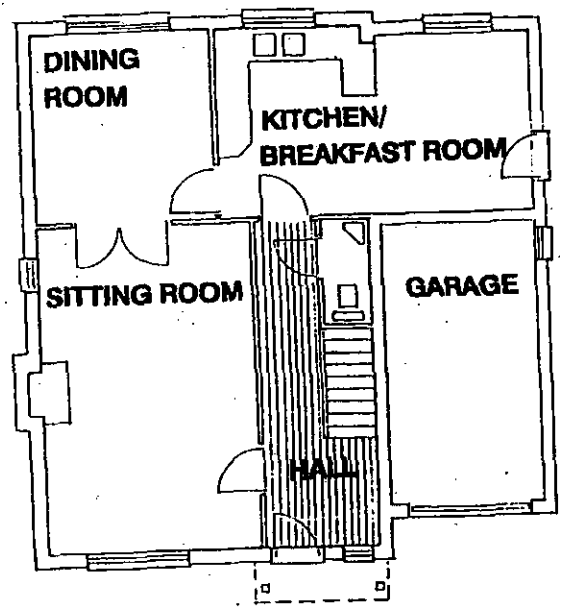
Architects Master Planners Town Planners
Environmental Consultants Project Services

The Barton Willmore Partnership Reading Limited
Beansheaf Farmhouse, Bourne Close,
Calcot, Reading, RG31 7BW.
Tel: 0118 943 0000 Fax: 0118 943 0001

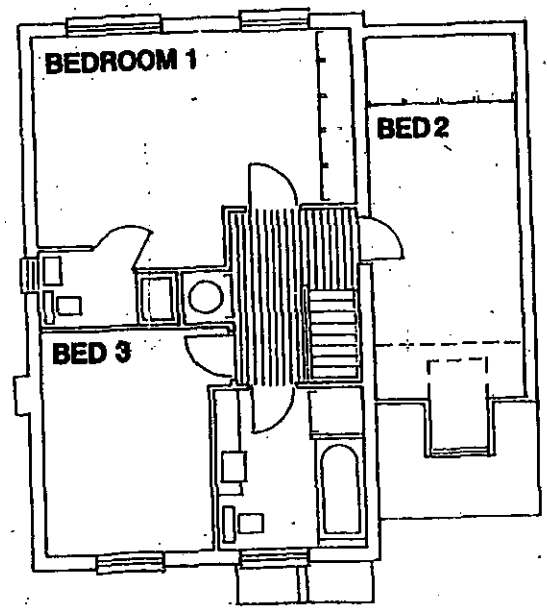
Date By

Revision Date By

30.JUL.2001 4541



GROUND FLOOR



FIRST FLOOR

Project
BUTTS HILL ROAD WOODLEY

Drawing Title
HOUSE TYPE B PLANS

Date	Scale	Drawn by
01.02.00	1:100	TJ
Project No	**Drawing No**	**Revision**
9522	05	-

Barton Willmore
Architecture

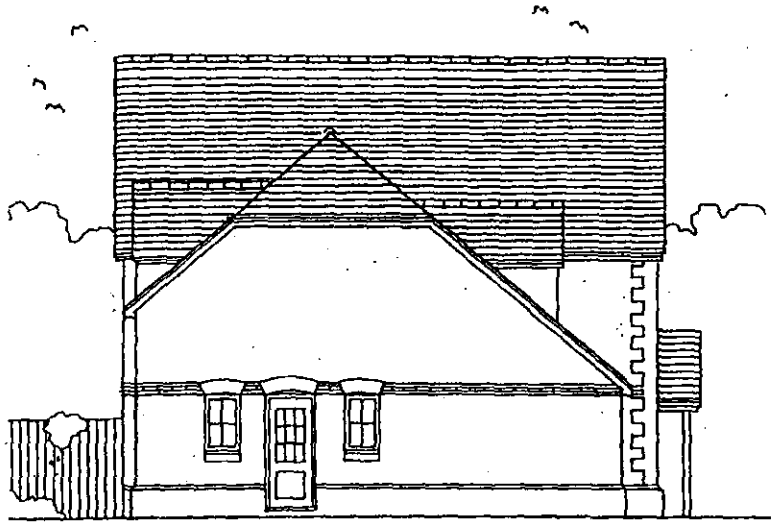
Architects · Master Planners · Town Planners
Environmental Consultants · Project Services

The Barton Willmore Partnership Reading Limited
Beansheaf Farmhouse, Bourne Close,
Calcot, Reading, RG31 7BW.
Tel: 0118 949 0000 Fax: 0118 949 0001
[illegible]
Associated offices at Bristol Cambridge Edinburgh Leeds London West Malling (Kent)

1249

Revision Date By

30 JUL 2001* 4541



SIDE ELEVATION

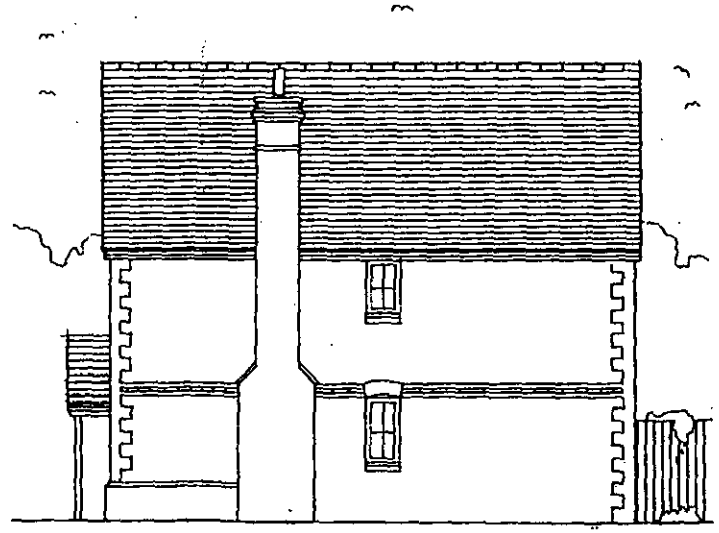


FRONT ELEVATION

1230



REAR ELEVATION



SIDE ELEVATION

Project
BUTTS HILL ROAD WOODLEY

Drawing Title
HOUSE TYPE C ELEVATIONS

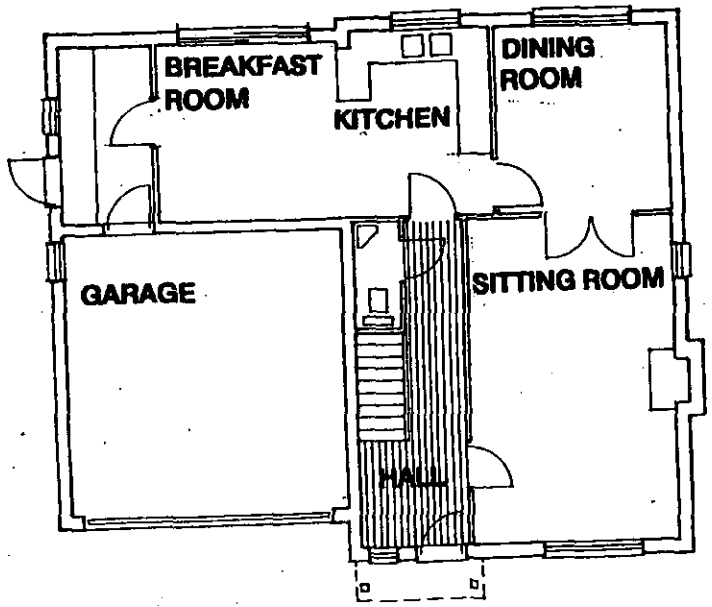
Date	Scale	Drawn by
01.02.00	1:100	TJ
Project No	**Drawing No**	**Revision**
9522	08	-

Barton Willmore
Architecture

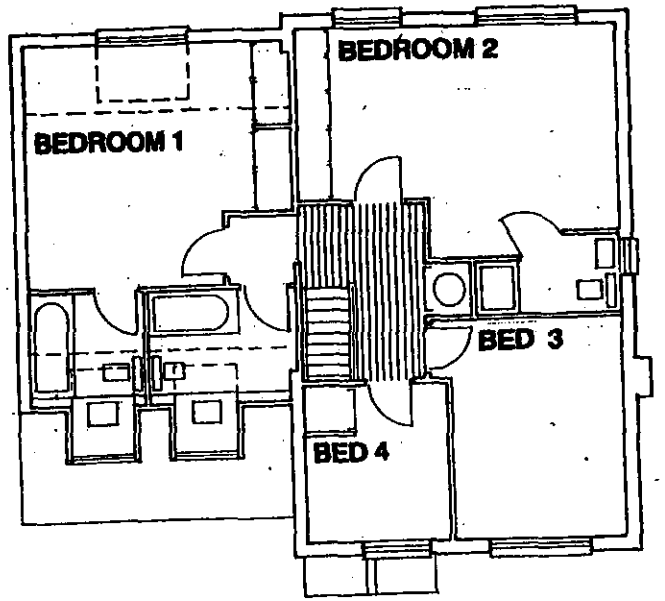
Architects Master Planners Town Planners
Environmental Consultants Project Services

The Barton Willmore Partnership, Reading Limited
Beansheaf Farmhouse, Bourne Close,
Calcot, Reading, RG31 7BW.
Tel: 0118 943 0000 Fax: 0118 943 0001

30.JUL.2001* 4541



GROUND FLOOR



FIRST FLOOR

Project
BUTTS HILL ROAD WOODLEY

Drawing Title
HOUSE TYPE C PLANS

Date	Scale	Drawn by
01.02.00	1:100	TJ

Project No	Drawing No	Revision
9522	07	-

123

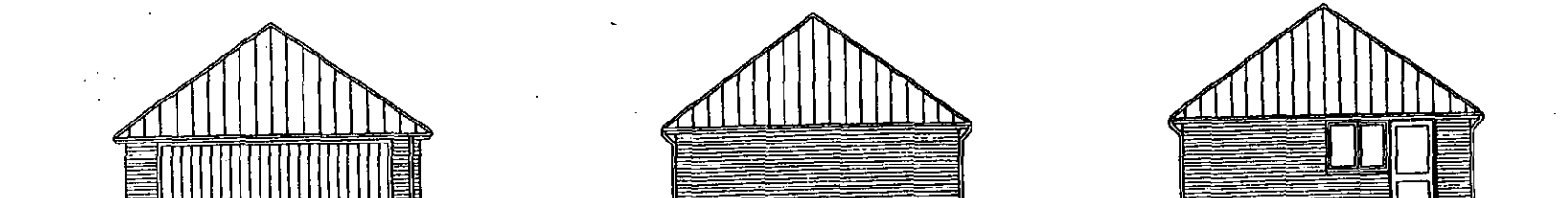
Barton Willmore
Architecture

Architects Master Planners Town Planners
Environmental Consultants Project Services

The Barton Willmore Partnership Reading Limited
Beansheaf Farmhouse, Bourne Close,
Calcot, Reading, RG31 7BW.
Tel: 0118 943 0000 Fax: 0118 943 0001

Revision	Date	By

30.JUL.2001 4541

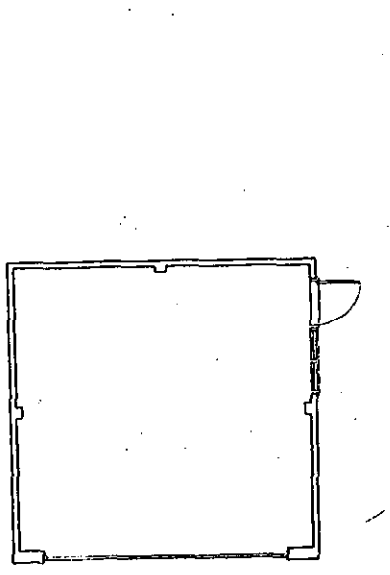


Front Elevation (No. 50 Butts Hill Road)

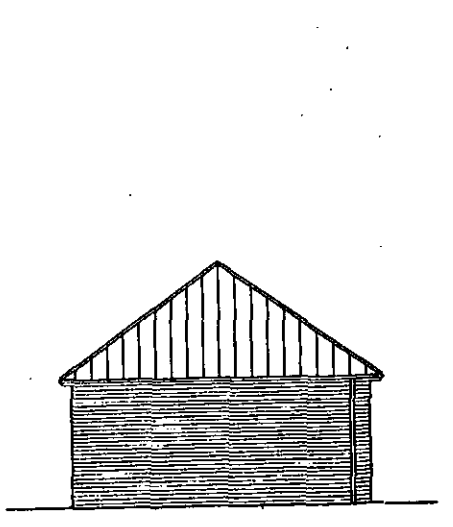
Side Elevation

Side Elevation

12172



Plan (No. 50 Butts Hill Road)



Rear Elevation

Project
BUTTS HILL ROAD
WOODLEY

Drawing Title
DOUBLE GARAGE
PLANS & ELEVATIONS

Date	Scale	Drawn by
01.02.00	100	TJ
Project No	*Drawing No*	*Revision*
9522	13	

Barton Willmore
Architecture

Architects Master Planners Town Planners
Environmental Consultants Project Services

The Barton Willmore Partnership Reading Limited
Beansheaf Farmhouse, Bourne Close,
Calcot, Reading, RG31 7BW.
Tel: 0118 943 0000 Fax: 0118 943 0001

Tel. (0118) 974 6448 (Direct Line)
Date: January 22, 2002
My ref: F/2001/4573 4541
Your ref: APP/X0360/A/01/1077137

Mrs M Pocock
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Mrs Pocock

APPEAL BY: Millgate Homes
SITE: 48 & 50 Butts Hill Road, Woodley

With reference to this appeal, I enclose 2 copies of the Hearing notification letter.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. January 22, 2002
My refs: F/2001/4541/4573/2862
Your ref:

WOKINGHAM UNITARY
Aiming for Excellence

Rev. Coulson
30 Ravensbourne drive
Woodley
RG5 4LH

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Sir/Madam

NOTICE OF INFORMAL HEARING

APPEALS BY: Millgate Homes
SITE: 48 & 50 Butts Hill Road
PROPOSALS: Proposed erection of 4/8 dwellings, estate road, paths & garages. Demolition of garage & outbuildings at No. 50

This is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into these Appeals at the Civic Offices, Shute End, Wokingham starting at 10.00 on Tuesday February 5,2002.

If you wish, you may attend the Hearing and,at the Inspector's discretion, take part in the discussion.

Documents relating to the appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (8:30 –17:00 Mondays to Thursdays & 8:30 – 16:00 on Fridays).

Anyone with a disability who wishes to attend the Hearing is advised to contact the Council to check that suitable provisions are available.

If you wish to be notified of the decision, you should write to Mrs M Pocock, The Planning Inspectorate, Room 3/03 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Please quote reference numbers APP/X0360/A/01/1077137, 1077138. & 1074046.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Tel. (0118) 974 6448 (Direct Line)
Date: December 3, 2001
My ref: F/2001/4573 4541
Your refs: APP/X0360/A/01/1077137
1077138
1074046

Mrs M Pocock
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Mrs Pocock

APPEAL BY: Millgate Homes
SITE: 48 & 50 Butts Hill Rd, Woodley

With reference to this appeal, I enclose 2 copies of the Authority's statement of case.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: November 26, 2001
My ref: F/2001/4541 & 4573
Your ref: APP/X0360/A/01/1077137 & 1077138

Copy

Mrs M Pocock
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Mrs Pocock

APPEALS BY: Millgate Homes
SITE: 48 & 50 Butts Hill Rd, Woodley

With reference to these appeals, I enclose copies of the questionnaires & associated documents.
I have also sent copies to the appellant's agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

P.S. Please note decision notice refers to TL5 & 6.
These should be LT 5+6

Tel. (0118) 974 6448 (Direct Line)
Date. November 26 2001
My ref: F/2001/4541 & 4573
Your ref: 11032/A3/MXS

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Barton Willmore Planning
Beansheaf Farmhouse
Bourne Close
Calcot
Reading
RG31 7BW

Dear Sirs

APPEAL BY: **Millgate Homes**
SITE: **48 & 50 Butts Hill Rd, Woodley**

With reference to these appeals, I enclose copies of the questionnaires & associated documents.

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

P.S. Please note: Decision notice refers to TL 5 + 6. These should be LT 5+6.

The Planning Inspectorate

(H)

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624
GTN 1371-6079

49778

DC
13 NOV 2001

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/2862 F/2001/4541

Our Ref: APP/X0360/A/01/1074046
APP/X0360/A/01/1077137-4.
APP/X0360/A/01/1077138

Date: 12 November 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEALS BY MILLGATE HOMES
SITE AT 48 & 50 BUTTS HILL ROAD, WOODLEY, READING

I refer to my telephone conversations with your office concerning the above appeals.

I can confirm the appeals reference APP/X0360/A/01/1077137 and APP/X0360/A/01/1077138 will be linked to appeal reference APP/X0360/A/01/1074046 to be heard together at the hearing arranged for Tuesday 5 February 2002.

You must **submit** the following documents within the revised timetable:

Within 2 weeks from the date of this letter -

You must notify any statutory parties and interested persons who were consulted at application stage and those who made comments that the appeals reference APP/X0360/A/01/1077137-1077138 have been made. You should tell them that:-

i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies by
ii) **24 December 2001**. If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned.
ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
iii) if they want to receive a copy of the appeals decision they must write to me asking for one.

You must submit a copy of completed appeal questionnaires and supporting documents, including relevant development plan policies to the appellant and me. The questionnaire for appeal reference APP/X0360/A/01/1074046 has already been submitted.

By 3 December 2001 -

You and the appellant must submit 2 copies of your hearing statement, for all the appeals, to me. I will send a copy of your hearing statement to the appellant and send you a copy of their hearing statement. You and the appellant must send a copy of your hearing statements to any statutory parties. I will send you and the appellant a copy of any comments submitted by interested parties after 24 December 2001.

By 14 January 2002 -

You and the appellant must submit 2 copies of any final comments on each other's statement and on any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement and no new evidence is allowed. I will forward the appellant's final comments to you at the appropriate time.

You **must keep to the timetable** set out above and ensure that your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. As I have given details of the timetable, I will not send you reminders.

Withdrawing the appeals

If you hear that the appeals are to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant, I will write to you.

Further information about the terms we use in this letter and appeal procedures is on the attached sheet.

Yours faithfully

Mrs M Pocock

H4B(BPR)

Questionnaire

The appeal questionnaire must be sent complete with copies of all necessary documents referred to in it. It is particularly essential to us that details of all relevant development plan policies are included with the questionnaire at this early stage.

Hearing Statement

In your hearing statement you will need to give full details of the case which you will put forward at the hearing. You must include copies of any documents, including copies of maps and plans, to which you intend to refer. Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. The format of a statement for hearing cases is in Annex 2(i) of DETR Circular 05/2000.

Statutory parties

'Statutory parties' are owners or tenants of the appeal site who made comments within the time limit on the applications or appeals. You must give details of any statutory parties at application stage in reply to question 15e of the questionnaire. I will tell you about any statutory parties at appeal stage, before your hearing statement is due.

Late Representations

Comments or representations received after any of the time limits will normally be disregarded and we will send them back. Late representations will only be considered in extraordinary circumstances.

Costs

Costs can be awarded in hearing cases. If a hearing is subsequently adjourned because of the submission of late evidence, there is the possibility of a successful claim of costs. DOE Circular 8/93 gives more advice.

Planning obligations - Section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land', or a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation, a final draft must be submitted at least 10 working days before the date of a hearing. Obligations should be completed by the close of a hearing. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

The Planning Inspectorate

Further information about us and the planning appeal system is available on our website www.planning-inspectorate.gov.uk

For official use only
Date received

PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language, please contact our diversity helpline on 0117 372 8939

Please use a separate form for each appeal

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING: If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

A. APPELLANT DETAILS

The name of the person(s) making the appeal must be the same as on the planning application form.

Name MILLGATE HOMES

Address C/O AGENT

Daytime phone no

Fax no

Postcode

E-mail address

B. AGENT DETAILS *(if any)*

Name BARTON WILLMORE PLANNING

Address BEANSHEAF FARMHOUSE,
BOURNE CLOSE,
CALCOT, READING,

Postcode RG31 7BW

Your reference 11032/A3/MXS

Daytime phone no 0118 943 0000

Fax no 0118 943 0002

E-mail address planning@reading.bartonwillmore.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM D.C.

LPA's application reference no F/2001/4541

Date of the planning application 26TH JULY, 2001

Date of LPA's decision notice (if issued)

D. APPEAL SITE ADDRESS

Address LAND AT 48 & 50 BUTTS HILL ROAD, WOODLEY, READING

Postcode

If the whole site can be seen from a road or other public land and there is no need for the Inspector to enter the site e.g. to take measurements or to enter a building, please tick the box. ☐

E. DESCRIPTION OF THE DEVELOPMENT

(This must be the same as on the application sent to the LPA, unless minor amendments were agreed with the LPA)

TO DEMOLISH EXISTING GARAGE AND OUTBUILDINGS AT NO.50 BUTTS HILL ROAD AND CONSTRUCT ESTATE ROAD, PATHS AND 4 NO. 3 & 4 BED HOUSES AND GARAGES INCLUDING REPLACEMENT GARAGE

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

1. Refuse planning permission for the development described in Section E. ☐
2. Grant planning permission for the development subject to conditions to which you object. ☐
3. Refuse approval of details required by a previous outline planning permission. ☐
4. Grant approval of details required by a previous outline planning permission subject to conditions to which you object. ☐
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

or

6. The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval. ☑

G. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

Appeals dealt with by written representations are usually decided more quickly than by the hearing or inquiry methods. It is important that you read our booklet 'Making your planning appeal' about the various procedures used to determine planning appeals.

Please note that when we decide how the appeal will proceed, we take into account the LPA's views

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☐

The written procedure involves an exchange of written statements followed by a site visit by the Inspector. The grounds of appeal should make up your full case.

2. HEARING ☑

A hearing is a discussion of the appeal proposals. The Inspector leads the discussion. Hearings give everyone concerned the chance to give their views in a more relaxed and informal atmosphere than at a public inquiry. Hearings have many advantages, but they are not suitable for appeals that:

- are complicated or controversial;
- have caused a lot of local interest;
- involve cross-examination (questioning) of witnesses.

Although you may prefer a hearing, the Inspectorate must consider your appeal suitable for this procedure. Hearings are open to the public.

3. INQUIRY ☐

This is the most formal of the procedures, because it usually involves larger or more complicated appeals. These are often cases where expert evidence is presented, and witnesses are cross-examined. An inquiry may last for several days, or even weeks. It is not a court of law, but the proceedings will often seem to be quite similar and the appellant and LPA usually have legal representatives. Inquiries are open to members of the public.

An inquiry is held if you or the LPA decide that you cannot rely on the written procedure and a site visit, and we have decided that a hearing is unsuitable. Sometimes we decide that an inquiry is necessary. If we do, you will be given reasons for our decision.

H. GROUNDS OF APPEAL

If you have requested the written procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, please provide a brief outline of your grounds.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

THE FAILURE OF THE LPA TO GIVE NOTICE OF ITS DECISION WITHIN THE APPROPRIATE PERIOD.

H. GROUNDS OF APPEAL (continued)

Please turn over

I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES. Please read the enclosed *Guidance Notes* if in doubt.

If you are the sole owner of the whole appeal site, Certificate A will apply: *Please tick* ***one*** *box only* ✔

CERTIFICATE A ☐

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates;

OR

CERTIFICATE B ☑

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which the notice was served	Date the notice was served
A. SMITH	No.50 Butts Hill Road, Woodley	6th November, 2001
G & C ELLIOTT	No.48 Butts Hill Road, Woodley	6th November, 2001

CERTIFICATES C and D ☐

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b) **If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'.**

✔

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding: ☑

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below: ☐

Tenant's name	Address at which the notice was served	Date the notice was served

J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1–6 below, must be sent with your appeal form; 7–10 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

		✔
1.	A copy of the original **planning application** sent to the LPA.	☑
2.	A copy of the **site ownership certificate and ownership details** submitted to the LPA at application stage (this is usually part of the LPA's planning application form).	☑
3.	A copy of the **LPA's decision notice** (if issued).	☐
4.	A **plan showing the site outlined in red**, including two roads clearly named (preferably on a copy of a 1:10,000 Ordnance Survey map).	☑
5.	Copies of all **plans, drawings and documents** sent to the LPA as part of the application.	☑
6.	Any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes).	☑

Copies of the following must also be sent, if appropriate:

7.	**Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here:	☐
8.	Any relevant ***correspondence*** with the LPA.	☑
9.	If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:	
	(a) the relevant outline application;	☐
	(b) all plans sent at outline application stage;	☐
	(c) the original outline planning permission;	☐
10.	A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).	☐
11.	If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.	☑

APPEAL REFERENCE: APP/X0360/A/01/1074046

IN ADDITION A FURTHER APPEAL ON THIS SITE

HAS BEEN SENT ON THE SAME DAY AS THIS (LPA REFERENCE: F/2001/4573)

PLEASE TURN OVER AND SIGN THE FORM – UNSIGNED FORMS WILL BE RETURNED

K. PLEASE SIGN BELOW

(Signed forms together with all supporting documents must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and relevant documents to the LPA *(if you do not, your appeal will not normally be accepted)*.
2. I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature Alyson C Jones pp MARK SITCH (on behalf of) MILLGATE HOMES

Name (in capitals) BARTON WILLMORE PLANNING Date 6th NOVEMBER, 2001

The Planning Inspectorate is registered under the Data Protection Act to hold personal data supplied by you.

NOW SEND:

- **1 COPY to us at:**
  The Planning Inspectorate
  Customer Support Section
  Temple Quay House
  2 The Square
  Temple Quay
  BRISTOL
  BS1 6PN

  We do not currently accept appeals by e-mail or fax.

- **1 COPY to the LPA**
  Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid and who is dealing with it.
2) Tell you and the LPA the procedure for your appeal.
3) Tell you the timetable for us receiving further information or representations.

   YOU MUST KEEP TO THE TIMETABLE
   If information or representations are received late we may disregard them. They will not be seen by the Inspector but will be sent back to you.

4) Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

Published by the Planning Inspectorate March 2001

Printed in the UK March 2001 on paper comprising 25% post consumer waste and 100% ECF recycled paper.

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Site Plan, Scale: 1 to 1250

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Date: 26 November 2001

N
W E
S

Tel. (0118) 974 6448 (Direct Line)
Date. November 26, 2001
My refs: F/2001/4541 & 4573
Your ref:

Rev. T E F Coulson
30 Ravensbourne Drive
Woodley
Reading
Berks
RG5 4LH

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Sir

NOTICE OF INFORMAL HEARING

APPEAL BY: Millgate Homes
SITE: 48 & 50 Butts Hill Rd, Woodley
PROPOSAL: Proposed erection of 4 or 8 dwellings (2 appeals), estate road, paths & garages. Demolition of garage & outbuildings at No. 50

This is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into these Appeals at the Civic Offices, Shute End, Wokingham on a date to be advised.

Comments already made, following the original application for planning permission, will be forwarded to The Planning Inspectorate .

If you wish to make further representations, you should, if possible, send three copies to Mrs M Pocock, The Planning Inspectorate, Room 3/03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, quoting reference APP/X0360/A/01/1077137/8. Comments received after 24/12/01 will not normally be seen by the Inspector & will be returned.

The applications, decision notices, and the appellant's grounds of appeal can be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 Mondays to Thursdays, & 08.30 to 16.00 Fridays).

A free booklet, "Guide to taking part in planning appeals" is available from this office.

If you would like a copy of the decision on this Appeal, you should write to Mrs Pocock & ask for one.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant