SOUTHPORT LONDON OFFICE

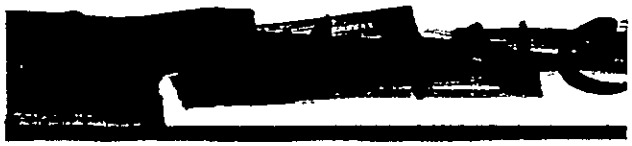
SYSTEMS LTD

APPLICATION NO:
F/2001/3536

LOCATION:
69 Oxford Road, Wokingham.

APPLICANT:
Mrs J Clark

PROPOSAL:
Proposed erection of timber building for use as cattery.





EARLIEST DATE FOR DECISION: **12/04/2001**

APPLICATION WILL HAVE EXPIRED ON:
04/05/2001

CASE OFFICER: **Joss Miller**

REFUSED



Appeal Decision

Site visit made on 15 January 2002

by D F Harris BSc(Econ) DipTP MRTPI

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

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 01117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date
27 FEB 2002

Appeal Ref: APP/X0360/A/01/1075654
Site at 69, Oxford Road, Wokingham

- 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 Janet Clark against the decision of the Wokingham District Council.
- The application ref: F/2001/3536, dated 7 March 2001, was refused by notice dated 3 July 2001.
- The development proposed is a timber building for use as temporary accommodation for cats.

Summary of Decision: The appeal is dismissed.

Preliminary Matters

1. The application the subject of this appeal follows an earlier appeal decision relating to a proposal for a cattery (APP/X0360/A/00/1051889). In that case the accommodation proposed was 15 single pens with 3 parking spaces provided for customers at the front of the house. In dismissing the appeal, the Inspector considered that the effect on the living conditions of neighbouring residents of noise and disturbance from the cattery would not be sufficient in itself to warrant the withholding of planning permission. However, he considered that the narrow width of the front garden (approximately 9.1m) would discourage many visitors from attempting to turn around on the site, whatever layout was adopted. The appeal failed on grounds of road safety. In determining the present appeal, I am not bound by this decision, but it is a material consideration.

Main Issues

2. I consider the main issues to be first, the effect of the proposed cattery on the living conditions of neighbouring residents, particularly in terms of noise and disturbance; and secondly, the effect on highway safety of customers' car parking.

Development Plan and other Planning Policies

3. The Development Plan includes the Berkshire Structure Plan (1991-2006) and the South East Area Local Plan, adopted in 1994. Policies in the Development Plan promote road safety and seek to protect the amenities of neighbouring land uses when development is proposed. Not part of the Development Plan is the emerging Wokingham District Local Plan, but as this is at an advanced stage, I give it weight. Again, it includes policies concerning road safety and neighbourly development. Appendix 7 sets out parking and turning dimensions.

Reasoning

4. On the first issue, I note that the accommodation of the proposed cattery is limited to 5 double pens and that it would be fully enclosed, with ventilation provided through the roof. This would be a small-scale operation at the end of the garden. The length of the gardens of the dwellings on this side of Oxford Road indicates that it would be unlikely for there to be a problem of noise from the cats heard from inside the dwellings. But in my view people in the gardens nearby would from time to time be likely to notice some noise from inside the building and noise and disturbance from cats being brought to and taken away from it. There could also be a problem for the occupiers of the dwellings nearby in St Paul's Gate, which have smaller back gardens, although they would be less aware of the comings and goings. On balance, I consider that the harm to the living conditions of neighbouring residents would not be such as to warrant refusal of planning permission.

5. As regards the issue of customers' car parking and its implications for highway safety, I note that Oxford Road is a local distributor road giving access to Wokingham railway station, schools and business premises. In the vicinity of the appeal site, it is subject to parking restrictions and traffic calming measures; and there is a sharp bend about 60m. to the north-west. In these circumstances, it is in my view particularly important that vehicles calling at the site should park within it, turn around and leave in forward gear, irrespective of the time of day.

6. The scale of the operation requires only one parking space to be made available; and the whole of the front garden could be used for customers' parking given that the 2 spaces required for the occupants of the dwelling are at the side of the house (i.e. the garage and the space in front of it). This would enable a wide parking space to be provided and a consequent reduction in the length of the space required to turn around within the site. The space available is some 9.1m.long, which is the width of the plot. However, the minimum length required by what I consider to be the appropriate standard (Diagram 4 of Appendix 7 to the emerging Local Plan and its associated text) is 9.8m., comprising a parking space 4.8m. long and a forecourt depth of at least 5.0m.

7. This shortfall is not great and I have no doubt that the appellant and others who regularly enter the site have no great difficulty in turning around within it (provided it is free from parked vehicles). However, the potential customers would not be so familiar with the site; and it is with this point in mind that I have decided that it would be inappropriate to relax the standard. In my view, a proportion of the potential customers would attempt to park on the carriageway or reverse into or out of the site, either of which would be dangerous.

8. I note that the appellant relies on Diagram 8 of Appendix 7, which indicates a plot width of 8m. plus any land required for a visibility splay. However, I do not consider Diagram 8 appropriate as a guide, as it refers to a car turning area which must be kept free of parked vehicles so that other vehicles can use it for turning. Even if the turning needs of other vehicles – in this case those of the occupants of No. 69 - were ignored, and the turning area depicted in Diagram 8 were used for customer parking, a space extending for 15m. from the carriageway edge would be required. The distance to the front building line of No.69 is stated to be 12m., so there would be a shortfall on this dimension. Whichever diagram is used, the space available is inadequate.

9. I appreciate that the appellant has made great efforts to devise an acceptable development for this small business on the site; among other measures, its scale has been reduced, the building has been designed to minimise noise, a lamp post has been re-located and restricted hours of business are proposed. Yet the crucially inadequate dimensions of the plot at the front cannot be remedied; the appeal therefore fails because of the adverse effect on road safety resulting from the likelihood that some customers will not park within the site, turn around and leave in forward gear. Also counting against the development, although not in itself sufficient to justify refusal of planning permission, is the effect of noise and disturbance from the cattery on the living conditions of neighbouring residents, particularly when using their gardens.

Conclusion

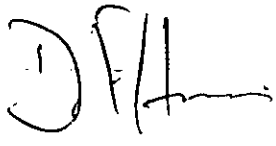
10. For the reasons given above and having regard to all other matters raised, including evidence about catteries established elsewhere and representations from nearby residents and others (some of whom support the proposal), I conclude that the appeal should be dismissed.

Formal Decision

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

Information

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



INSPECTOR

(EXC)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mrs J Clark
69, Oxford Road
Wokingham
Berkshire
RG412YH

Application Number: F/2001/3536

Parish: **WOKINGHAM**

Location: **69, Oxford Road, Wokingham.**

Proposal: **Proposed erection of timber building for use as cattery.**

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Refuse Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council, the reason for which is specified hereunder.

Reason

1. There is insufficient space within the curtilage of the site to allow adequate provision for vehicle parking and turning, and the development if approved would be likely to result in vehicles either reversing onto the highway or parking on-street to the detriment of highway safety. The proposal would, therefore, be contrary to policy ST3 of the South East Area Local Plan and to policy WT7 of the Wokingham District Local Plan (Deposit Draft).

Informative

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 Policy EN1.
South East Area Local Plan Policies STV1, SBE1, SBE2, SBE8, SBE9 and ST3.
Deposit Draft Wokingham District Local Plan Policies WOS2, WOS3, WBE1, WBE10, WBE11 and WT7.

John Mitchell
Development Control Manager
Date: 03/07/2001

Notice checked by: 

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

The Cottage
67 Oxford Road
Wokingham
Berkshire
RG41 2YH

PLANNING SERVICES	HPT 42720
POL	TLS
DC E+C	ENF
APP	
CS	
27 APR 2001	
COPIES TO:	ACK:
	FILE:

Emi, this doesn't seem to be a planning matter

Ian

Mr John Hiscock
Highways Department
Wokingham County Council
P.O. Box 157
Council Offices
Shute End
Wokingham
Berkshire
RG40 1WR

26 April 2001

Dear Mr Hiscock,

Application Number: **F/2001/3536**
Site Address: **69 Oxford Road, Wokingham**

Having spoken to you on Tuesday 17th April 2001, I thought it advisable to follow up with a letter with regard to the moving of a lamp post which is currently situated outside the garden of 69, Oxford Road.

As discussed at our meeting, you will be aware that residents in the vicinity of this lamp post are very unhappy at the idea of it being moved for a number of reasons.

- Lamp posts are normally set so far apart, and this would mean that there will be a black area around the vicinity of the removed lamp post. The resident of 73 is very concerned about this dark area as it will be outside her property and she is already prone to vandalism, e.g. graffiti on her wall and so would not want it any darker than it now is which would be the result.

- Moving this lamp post would bring it much closer to the one outside the white bungalow opposite, making it very light in that area - equally undesirable.

- Although we appreciate that you may want to change the lamp post from a concrete one to a metal one, there is no need for it to be moved, other than the fact the there is a proposal for a cattery at no. 69 and as, up to now, the plans for a cattery has been turned down, we see no need for the removal of this lamp post.

I think everyone would be of the opinion that had the cattery not raised its ugly head, then there would be no question as to the removal of this lamp post, and as the council tax payer, I would be interested to know how the cost of this removal will be covered. I'm aware that no. 69 would have to pay something, but from what I have been told it would be very little.

I can, together with the residents in the vicinity of 69, only say we are very concerned with what is happening.

I understand that a meeting is to be arranged with our councillor to discuss this overall matter, and I shall look forward to hearing from you as to when the meeting will be taking place.

Yours sincerely,

Barbara Bench (Mrs)
cc: Planning Department

LETTER 2

Holly Tree House
off Heathlands Road
Wokingham
Berks
RG40 3AS

09.MAR2001* 3536

6 October 2000

To Whom it may concern.

Dear Sirs,

Re: Mrs J Clark - Oxford Road, Wokingham

I am more than happy to confirm that I have lived for 11 years, a few houses away from the Kimberdale Cattery, during that time I have not been aware of any excess noise as a result of the cats stay at the cattery.

I trust this may help in your decision to grant permission for this cattery to go ahead.

Yours faithfully,

J Bradley

J L Bradley (Mrs).

LETTER 1

09 MAR 2001 * 35536

178 Nine Mile Rd
Finchampstead
Berks.
RG40 4JB

3.10.2000

Dear Mrs Clark,

I am writing to you as requested regarding the local cattery.

We live two houses along from the cattery and I must say it doesn't really affect us at all.

On occasion we might hear the cats flask thier in the morning but it couldn't be regarded as a problem. The cattery owners have sufficient driveway for client to park. All in all, one would barely know that there is a cattery so close to where we live.

I hope I have answered your queries well enough and I wish you good luck in your venture!

yours sincerely

P. Monkhall

Mrs. P. Monkhall

F/2001/3536

Olwin C Clift and Geoffrey A Clift
1 Villiers Mead
WOKINGHAM
Berkshire
RG41 2UB

Application refused

Letter sent 05/07/01

Applicationo	Name & Address
F/2001/3536	Kennedy 65 Oxford Road WOKINGHAM Berkshire RG40 5QL
F/2001/3536	Mrs J Andrews 4 Rook Close Woosehill WOKINGHAM Berkshire RG41 5SQ
F/2001/3536	Miss H. C. Jenkins 30 St Pauls Gate WOKINGHAM Berkshire RG41 2YP
F/2001/3536	Mr P Beatttie 75 Oxford Road WOKINGHAM Berkshire RG41 2YH
F/2001/3536	Barbara Bench The Cottage 67 Oxford Road WOKINGHAM RG41 2YH
F/2001/3536	Peter and Margaret Royle 2 Villiers Mead WOKINGHAM Berkshire RG41 2UB
F/2001/3536	Mrs P Howard St Abbs 71 Oxford Road WOKINGHAM Berkshire RG41 2YH
F/2001/3536	Janet Fedrick 73 Oxford Road WOKINGHAM Berkshire RG41 2YH

WORK SHEET FOR : ~~Joss Miller~~

Application Number : F/2001/3536

Applicant : Mrs J Clark .

Location : 69, Oxford Road, , Wokingham.
Proposal : Proposed erection of timber building for use as cattery.

Site Notice Displayed ? :	YES	NO	DATE
	✓		27 March 2001

Date of Neighbour Notifications : .....

Date of Site Visit : 27 March 2001

Date Registered : 09/03/2001

Earliest Date for Decision : 12/04/2001

Latest Consultation Date/Site Notice Expiry Date : 12/04/2001

This application will have expired on: 04/05/2001. You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses :

Highways - conditions ; revised ☆ recommend refusal .

Neighbours - support - II – no problem, proposal will not contribute significantly ☆ traffic, support small enterprise

- objections - ~~III~~ II – some inc in use of Oxford Rd / highway safety/ increase in beech trees should be retained
distance from house ⇒ disturbance
noise / nuisance / intrusive
no of cars would increase – to not viable.
proximity to 2 schools - highway safety.
boundary treatments.
other character / commercial use
comments on letters from neighbours ☆ existing catteries

Planning Issues :

Within identified settlement .

- character and amenities of the area
- highway issues.

Application No	F/2001/3536
Applicant	Mrs J Clark
Proposal	Erection of a timber building for use as a cattery
Location	69 Oxford Road, Wokingham

1. Planning History

69 Oxford Road is a detached dwelling, located on a 0.05 hectare site, within the Identified Settlement of Wokingham. The area is predominantly residential although there are two schools and existing businesses in the vicinity, the nearest business being a sign writers to the rear of 65 Oxford Road.

Planning permission for the erection of buildings for use as a boarding cattery (15 pens to accommodate one cat each) was refused in August 2000, as it was considered that the proposal would result in increased noise and disturbance, detrimental to residential amenity and the character of the area. The Highway Officer had requested additional information and, as this was still outstanding, there were no highway comments/reasons for refusal. In January 2001, the proposal was dismissed at appeal. The Inspector took the view that, while there would be some harm to the amenities of neighbouring residents, this would not be sufficient to warrant refusal of the proposal. However, three parking spaces were required, in addition to those for the dwelling, and it was considered that the narrow width of the plot would discourage visitors from turning vehicles within the site, leading to vehicles reversing in or out of the site, to the detriment of highway safety and the free flow of traffic in Oxford Road.

2. Proposal

The proposal is for the erection of a timber building 4.5 metres wide and 5.4 metres deep, with a shallow pitched roof, ridge height 2.4 metres. It would be located in the back garden of the property, 1.8 metres from the rear boundary, 0.8 metres from the boundary with 67 Oxford Road and 3.5 metres from the boundary with No 71. Within the building would be five cat pens, each of which could accommodate two cats. The existing shed, adjacent to the proposed cattery, would provide an isolation unit and two sinks in the existing garage would also be used for the cattery.

The applicant intends to operate an appointment system for visitors, with 20-30 minute appointments available between 09:30 and 14:00 and 18:00 to 19:00 Monday to Friday, 10:00 to 16:00 on Saturdays and no appointments on Sundays and Bank Holidays. A free collection and delivery service would also be provided.

3. Consultations

Highway Officer – recommends refusal

Environmental Health Officer – no objection subject a condition regarding waste disposal

Landscape Officer – has concerns regarding the impact on the beech trees on the north-eastern boundary of the site but considers their protection could be ensured by condition

Environment Agency - no objection subject to conditions/informatives
Wokingham Town Council – "recommend refusal on grounds of: operating a business in a residential area; the proposed building is too close to neighbouring properties and would cause a nuisance; environmental health concerns."
Local Residents – 10 letters have been received, 2 in support of the proposal and 8, from residents of 7 addresses, in objection.

The points raised by supporters are:

- a cattery would not be a problem
- the impact on traffic in Oxford Road, which is already very busy, would not be significant, particularly compared to that generated by residential developments in the area
- the proposal would be small scale, enterprising and would provide a useful service

Objectors have raised the following concerns:

- the use would be out of character in this predominantly residential, urban area and would be more appropriate to fringe/rural location with larger gardens
- highway safety due to increased use of Oxford Road, on street parking, turning and reversing onto the road, close to a bend - the road is already busy, especially at school start and finish times - the inspectors arguments remain valid despite reduction in number of cats
- disturbance due to noise and smell
- number of cats would be increased to make enterprise viable
- comments were also made regarding property prices, the level of community charge and relocation of a lamppost and the costs involved (*officer comment* – these are not planning issues)

4. Appraisal

The main issues are:

A. the impact on the character and amenities of the area (BSP EN1; SEALP SBE1, SBE2, SBE8 & SBE9 and WDLPDD WOS3, WBE1, WBE10 & WBE11)
B. highway issues (SEALP ST3; WDLPDD WT7)

A. The impact on the character and amenities of the area

The scale, design and siting of the proposed building would be similar to that proposed previously. The number of pens would be reduced from fifteen to five. However, these would be larger, enabling two cats to be accommodated in each. Thus, at any time, up to ten cats could be housed (a reduction of five) but as only cats from the same home would be accommodated in each pen, there would be a maximum of five clients at any time. Since the Inspector considered that the harm to the amenities of nearby residents cause by fifteen cats would not be sufficient to justify refusal of the proposal, it is not felt that refusal on these grounds could be justified.

There are three beech trees close to the rear boundary of the site and landscape officer initially raised concerns regarding the proximity of the proposed cattery building to these. Following further consideration it was concluded that providing the base of the building was constructed appropriately the proposal would not harm the trees. Conditions relating to this are proposed.

The proposed parking layout (plan 3)indicates that the whole frontage would be block paved. However, it is considered that some planting should be retained to prevent the property appearing out of character. Oxford Road is a residential street and the majority of dwellings have some form of boundary treatment and planting/lawns in at the front. Since the need to pave the frontage has arisen as a result of this proposal it would be reasonable to require a submission of a landscaping plan to include the parking/turning shown on plan 3 but also some landscaping, which it appears could be achieved without prejudicing the parking plan.

B. Highway issues

The dwelling is a three bedroom property and, hence, two parking spaces would normally be expected. As the number of clients at any time would be five, one additional space would be required for the proposed business use.

There is an existing drive at the side of the dwelling leading to a parking space and garage at the rear of the property, which would provide the two spaces required for the dwelling. The narrow width of the drive is a cause of some concern as the distance between the side of the dwelling and boundary would be too narrow to allow vehicular access to the rear of the property but this is the existing situation and the applicant has indicated that this is a joint access that they are entitled use.

Parking for visitors would be at the front of the property and this has been arranged to facilitate on site turning (plan 3). The width the plot is narrower than would usually be required to enable access to a parking space.

The Highway Officer initially took the view that the parking and turning arrangements may be acceptable, subject to conditions, but following further consideration concluded that the proposal would result in reversing onto Oxford Road and on street parking, which would be detrimental to Highway safety. Therefore, refusal is recommended on grounds of highway safety.

C. Issues raised by local residents

The concerns raised by local residents have been noted. While the appeal Inspector considered that the previous proposal for a cattery for fifteen cats would have some impact on the living conditions of neighbours, they concluded that this would not be sufficient to warrant refusal of the proposal. Therefore, refusal of the current proposal, for fewer cats, on grounds of residential amenity could not be justified. With regard to highway issues, the traffic generation resulting from the current proposal would be less than that resulting from the previously approved scheme but the Highway Officers comments indicate that reversing onto Oxford Road and on street parking remain concerns. These issues have been addressed in B above.

5. Conclusion

The application is for a smaller scheme than the previous proposal that was the subject of an appeal and, since the appeal was dismissed on highway grounds alone, this is the main consideration in determining the current application.

6. Recommendation

REFUSE planning permission for the following reason:

There is insufficient space within the curtilage of the site to allow adequate provision for vehicle parking and turning, and the development if approved would be likely to result in vehicles either reversing onto the highway or parking on street to the detriment of highway safety. The proposal would, therefore, be contrary to policies ST3 of the SEALP and WT7 of the WDLPDD.

INFORMATIVES

1. You are advised, in compliance with The Town & Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:

   Berkshire Structure Plan policies EN1
   South East Area Local Plan policies STV1, SBE1, SBE2, SBE8, SBE9 & ST3
   Deposit Draft Wokingham District Local Plan policies WOS2, WOS3, WBE1, WBE10, WBE11 & WT7

RECORD OF SITE VISIT

SITE ADDRESS: 69 Oxford Road Wokingham.

APPLICATION NUMBER: F/2001/3536

OFFICER: ~~Joss Miller~~ Emy Currell

DATE OF SITE VISIT: 27 March 2001

1 SITE/STATUTORY NOTICE DISPLAYED ? on post at front of site

2. DESCRIPTION OF SURROUNDINGS

residential - 2sr chalet style dwellings fronting Oxford Rd
2sr dwellings at rear.

3. DESCRIPTION OF SITE/BUILDING

dwelling with garden at rear

4. RELATIONSHIP TO ADJOINING PROPERTIES

See attached.

5. SITE CONSTRAINTS

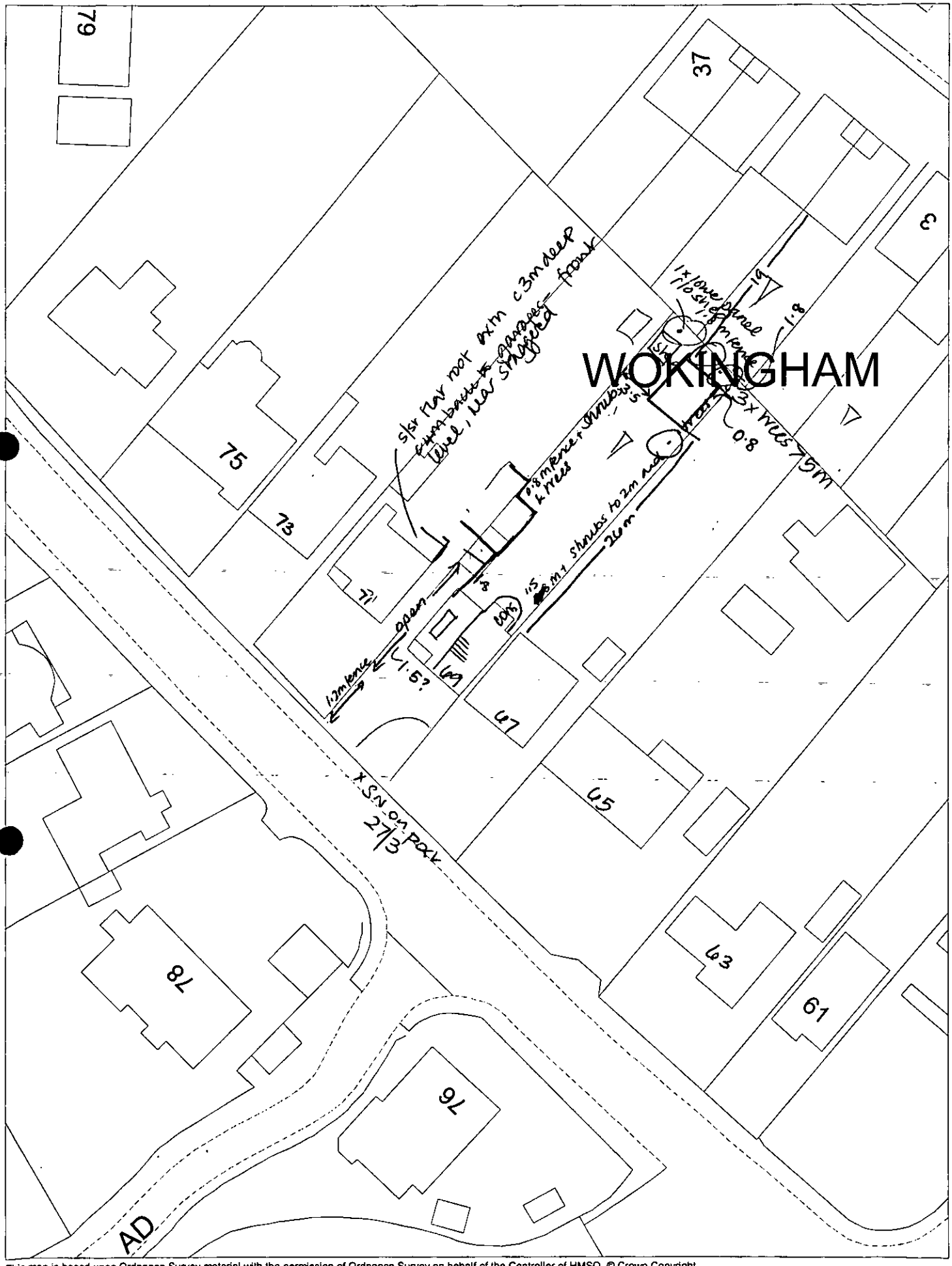
TREES

ACCESS/PARKING drive + garage + at front.

LEVELS

BOUNDARY TREATMENT

OTHERS



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO. © Crown Copyright.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.Wokingham District Council Licence LA086134

Development Control Section, Environmental Services, Wokingham District Council.

26 March 2001 Scale: 1 : 500

N W E S

~~1749~~
1749

Appeal Decision

Site visit made on 08 January 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Michael Hill BSc MSc CEng MICE FGS

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

Date
16 JAN 2001

Appeal Ref: APP/X0360/A/00/1051889
69 Oxford Road, Wokingham, Berkshire RG41 2YH

- 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 J Clark against the decision of Wokingham District Council.
- The application (ref:F/2000/1749), dated 13 June 2000, was refused by notice dated 30 August 2000.
- The development proposed is a small boarding cattery.

Summary of Decision: The appeal is dismissed.

Introduction

1. The Council refused planning permission for the proposed cattery because it considered that the noise and disturbance that would be generated by a cattery would be unacceptable at this location. In addition, I am mindful that a number of objectors to the scheme are concerned about its impact on highway safety and traffic conditions in Oxford Road.

Main Issues

2. I consider that the main issues in this case are, firstly, the impact of the development upon the living conditions of neighbouring residents with regard to noise and disturbance and, secondly, the effects on the safety and free flow of traffic on Oxford Road from the proposed on-site parking arrangements.

Planning Policy

3. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan adopted in 1994. Development plan policies seek to ensure that new development contributes positively to the character of its surroundings and to the creation of a safe and attractive environment in which to live. The emerging Wokingham District Local Plan has reached an advanced stage in its progress towards formal adoption and therefore its policies carry some weight in my deliberations. Policy WOS3 of the emerging Local Plan requires, amongst other things, that new development should not harm the amenities of the occupiers of adjoining land and should not have a significant detrimental effect on road safety.

Reasons

4. With regard to the first issue, I agree with the Council that dwellings in the vicinity of the appeal site enjoy a reasonably quiet residential environment. The long rear gardens of the appeal site and adjacent dwellings in Oxford Road are no doubt enjoyed as tranquil areas by the occupiers of those properties. Although an existing building at the rear of No 65 Oxford

Road is used in connection with a sign writing business, I have no evidence to suggest that the operation of this business unduly disturbs the peacefulness of the area.

5. The proposed cattery building would be sited at the rear of the back garden at No 69 Oxford Road, approximately 23metres from the dwelling. Bearing in mind that there would be an open wire mesh area on the front elevation of the proposed building, it seems to me that some noise from the cats occupying the building may be heard in adjacent gardens. This noise and the general comings and goings associated with the business are likely to have some detrimental impact on the living conditions of neighbouring residents particularly whilst enjoying the relative tranquillity of their gardens. However, bearing in the mind the substantial length of the rear gardens in Oxford Road, the close boarded fencing and sections of mature vegetation along the boundaries of the appeal site, and the proposed arrangements for housing the cats, I consider that the impact of noise emanating from the cattery on the living conditions of neighbouring residents in Oxford Road would not be so great as to justify withholding planning permission for this reason alone.

6. I note that the proposed cattery would be close to the boundary with the rear gardens of dwellings in St Paul's Gate. The rear gardens of these dwellings, being about 18m long, are somewhat shorter than those in Oxford Road and, in my judgement, noise from the cattery would cause some harm to the amenities of residents of adjacent dwellings in St Paul's Gate. However, there is a tall close-boarded fence along the boundary of the appeal site with the properties in St Paul's Gate, and a number of large trees at the rear of the appeal site. Again, it should be possible to restrict the noise and disturbance emanating from the site to a level which would ensure that the harm to the amenities of residents of St Paul's Gate was not so great that it justified withholding planning permission for this reason alone. In reaching this conclusion, I am mindful that the occupier of No 34 St Paul's Gate, the property adjoining most of the rear boundary of the appeal site, has indicated that he has no objection to the proposed development. Moreover, the appellant has produced written evidence from a number of persons living close to catteries elsewhere in Berkshire who claim that those catteries do not cause undue noise and disturbance.

7. Turning to the second issue, a number of objectors to the scheme refer to traffic problems on Oxford Road and the harm that would be caused by additional vehicles visiting the site. Although the road was not particularly busy at the time of my visit around midday on a Monday, I note that the road serves a nearby school and it has been necessary to introduce traffic calming measures and parking restrictions on the highway. Moreover, there is a sharp bend in the highway approximately 60 metres from the site. Clearly it would be detrimental to highway safety if the development resulted in visitors to the site parking on the highway at this location.

8. The application drawings show a proposal for three new parking bays in the front garden of the appeal site. However, I am concerned about the narrow width of the site, which is approximately 9.1 metres, and I do not agree with the appellant that customers would be able to turn their vehicles around with ease on the site. If all the parking spaces shown on the application plans were occupied, it seems to me that there would be insufficient space for a vehicle to turn around on the site. It may be possible to redesign the parking layout so that turning movements could take place on site, but whatever design was adopted, it seems to me that the narrow width of the front garden would discourage many visitors from attempting to turn around on the site. This would lead to vehicles either reversing in or out of the site, to the detriment of highway safety and the free flow of traffic in Oxford Road.

9. The appellant has indicated an intention to operate an appointment system and a pick up and delivery service for the cattery. However, I do not consider that this would reduce the number of customers visiting the site to an acceptable level. In my judgement, any material increase in the need to reverse on the highway on this part of Oxford Road should be resisted and I conclude that the appeal proposal would have a seriously detrimental impact on highway safety for this reason, and thereby conflict with the aims of local planning policies in this respect.

10. I have taken account of all other matters raised in the representations, including the fact that there are other businesses operating elsewhere in Oxford Road. However, it appears to me that the guest-house and dental surgery referred to are situated on wider plots where turning movements can be more easily undertaken on site. Moreover, these sites are further away from the bend in Oxford Road, referred to above. I consider that this and the other matters raised do not outweigh the factors that have led to my conclusions on the main issues in this case.

Conclusions

11. For the reasons given, I conclude that the appeal should be dismissed.

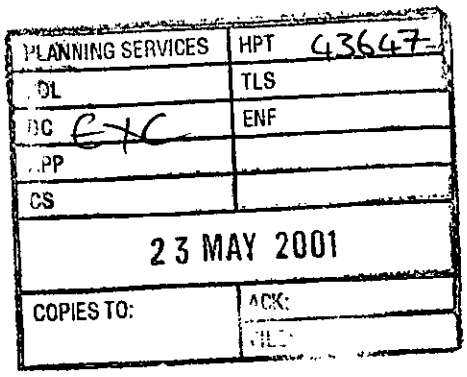
Formal Decision

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

M.P. Hill

INSPECTOR

NEIL & JANET CLARK
69 OXFORD ROAD
WOKINGHAM
BERKS
RG41 2YH
TEL: 01189 629091
E-MAIL janclark@ntlworld.com



Wokingham District Council,
Planning Dept,
Shute End,
Wokingham,
Berks,

22.5.01

Dear Miss Circuit,

RE: PLANNING APPLICATION REF F/2001/3536

Although not a planning matter in itself, I feel the need to address the issue of the joint access way between 69 and 71 Oxford Road The occupant of 71, is of the belief that she gives permission for us to access our own garage.

This is not at all so, as both parties have used the joint access way for a considerable number of years, we use it as we are entitled to do so and not by this occupants consent.

Legally, a fence cannot be erected to deny us this right of way.

I have not mentioned this matter before, as it is entirely irrelevant. There is adequate space on the frontage for additional or alternative private parking, which will not affect the designated visitors space or turning area when in use.

I have marked this on the enclosed copy of plan 3. These areas would be for private parking only. We therefore have the choice of four spaces for our own **one** vehicle including the space to the rear and garage.

I hope this clarifies the matter,

Yours faithfully,

Janet Clark

Enc.

VIEW OF PARKING + TURNING PLAN 3

(SHOWING MORE DETAIL)

TO GARAGE + HARDSTAND FOR PRIVATE USE ONLY

House

4.8m

ADDITIONAL PRIVATE PARKING.

2.4m

3M

VISITORS SPACE

WILL BE KEPT VACANT DURING APPOINTMENT TIMES

3M

PLANNING SERVICES	HPT
POL	TLS
DC	
APP	
CS	
23 MAY 2001	
COPIES TO:	ACK:
	FILE:

9.1m

WHOLE AREA TO BE BLOCK PAVED:

PARKING/TURNING AREA TO BE OUTLINED IN BLOCKS OF A CONTRASTING COLOUR TO EMPHASISE POSITIONING

ALL BLOCKS FLUSH LEVEL

6M

4.8

ADDITIONAL PRIVATE PARKING

2.4

ENTRANCE

ALTHOUGH VISITORS WILL ENTER HERE: - THEY HAVE A CHOICE OF EXIT POINTS AFTER TURNING - AS THE DROPPED CURB COVERS THE WHOLE WIDTH - TO THE LAMPOST

NEW POSITION OF LAMPOST

SCALE 1:50

LISTING FORM

Case officer: **Joss Miller** Application Number: **F/2001/3536**

69, Oxford Road, , Wokingham.

Proposed erection of timber building for use as cattery.

Transfer: Yes ☑ No ☐

Reason for Transfer:

THE ORIGINAL APPLICATION WAS SUBJECT TO APPEAL & REJECTION. ALL ITEMS ON APPEAL HAVE NOT BEEN MET — ACCESS FROM OXFORD ROAD - CATTERY IN BUILT UP AREA

Signed: [signature] Date: 02 05 2001.

Councillor Eke

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

PLANNING SERVICES	HPT
POL	
DC	FNF
CS	
08 MAY 2001	
COPIES TO:	ACK:
	FILE:

spoke to all 3 councillors 12/13 June - all happy for appn to be delegated if for refusal re.

Tel: (0118) 974 6463

Date: 30/4/01

My ref: F/2001/3536

CONFIDENTIAL

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

Councillor Eke
55 Lowther Road
Wokingham
RG41 1JB

Dear Councillor

Application Number: F/2001/3536
69, Oxford Road, , Wokingham.
Proposed erection of timber building for use as cattery.

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☑ REFUSAL: ☐ under delegated powers.

Enforcement 6479

If you have any questions please do not hesitate to contact ~~**Joss Miller**~~ on **(0118) 974 ~~6463~~**. If you then feel the application needs to be transferred to the next available Development Control Committee for decision please fill in the form below.
This form must be received no later than 10 May 2001

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM
Case officer: **Joss Miller** Application Number: **F/2001/3536**
69, Oxford Road, , Wokingham.
Proposed erection of timber building for use as cattery.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor Eke

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

Tel: (0118) 974 6463

Date: 30/4/01

My ref: F/2001/3536

CONFIDENTIAL

Councillor Malvern
98 Woosehill Lane
Wokingham
RG41 2TS

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 Councillor

Application Number: F/2001/3536
69, Oxford Road, , Wokingham.
Proposed erection of timber building for use as cattery.

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☑ REFUSAL: ☐ under delegated powers.

If you have any questions please do not hesitate to contact ~~Joss Miller~~ Emy Civil on **(0118) 974 ~~6488~~** 6479. If you then feel the application needs to be transferred to the next available Development Control Committee for decision please fill in the form below.
This form must be received no later than 10 May 2001

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Joss Miller** Application Number: **F/2001/3536**
69, Oxford Road, , Wokingham.
Proposed erection of timber building for use as cattery.

Transfer: Yes ☐ No ☐
Reason for Transfer:

Signed: _____ Date: _____

Councillor Malvern

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

Tel: (0118) 974 6463

Date: 30/4/01

My ref: F/2001/3536

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

CONFIDENTIAL

Councillor Malvern
98 Woosehill Lane
Wokingham
RG41 2TS

Dear Councillor

Application Number: F/2001/3536
69, Oxford Road, , Wokingham.
Proposed erection of timber building for use as cattery.

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☑ REFUSAL: ☐ under delegated powers.

If you have any questions please do not hesitate to contact ~~Joss Miller~~ Emy Civiant on **(0118) 974 ~~6468~~** 6479. If you then feel the application needs to be transferred to the next available Development Control Committee for decision please fill in the form below.
This form must be received no later than 10 May 2001

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Joss Miller** Application Number: **F/2001/3536**
69, Oxford Road, , Wokingham.
Proposed erection of timber building for use as cattery.

Transfer: Yes ☐ No ☑
Reason for Transfer:

Signed: _____ Date: 1/5/01

Councillor Malvern

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

Tel: (0118) 974 6463

Date: 30/4/01

My ref: F/2001/3536

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

CONFIDENTIAL

Councillor Earnshaw
30 Copse Drive
Wokingham
RG41 1LX

Dear Councillor

Application Number: F/2001/3536
69, Oxford Road, , Wokingham.
Proposed erection of timber building for use as cattery.

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☑ REFUSAL: ☐ under delegated powers.

If you have any questions please do not hesitate to contact ~~Joss Miller~~ Emy Circuit on **(0118) 974 ~~6463~~** 6479. If you then feel the application needs to be transferred to the next available Development Control Committee for decision please fill in the form below.
This form must be received no later than 10 May 2001

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM
Case officer: **Joss Miller** Application Number: **F/2001/3536**
69, Oxford Road, , Wokingham.
Proposed erection of timber building for use as cattery.

Transfer: Yes ☐ No ☐
Reason for Transfer:

Signed: _____ Date: _____

Councillor Earnshaw

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

Tel: (0118) 974 6463

Date: 30/4/01

My ref: F/2001/3536

WOKINGHAM DISTRICT COUNCIL

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

CONFIDENTIAL

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	
09 MAY 2001	
COPIES TO:	ACK:
	FILE:

Councillor Earnshaw
30 Copse Drive
Wokingham
RG41 1LX

Dear Councillor

Application Number: F/2001/3536
69, Oxford Road, , Wokingham.
Proposed erection of timber building for use as cattery.

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☑ REFUSAL: ☐ under delegated powers.

If you have any questions please do not hesitate to contact ~~Joss Miller~~ Emy Circuit on **(0118) 974 ~~6463~~** 6479. If you then feel the application needs to be transferred to the next available Development Control Committee for decision please fill in the form below.
This form must be received no later than 10 May 2001

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM
Case officer: **Joss Miller** Application Number: **F/2001/3536**
69, Oxford Road, , Wokingham.
Proposed erection of timber building for use as cattery.

Transfer: Yes ☑ No ☐
Reason for Transfer:
Highway Concern

Signed: [signature] Date: 8/5/01

Councillor Earnshaw

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

Emy Circuit
From: Jan Clark [janclark@ntlworld.com]
Sent: 23 April 2001 11:48
To: Emy.Circuit@wokingham.gov.uk
Subject: App F/2001/3536 Proposed erection of timber building for use as a cattery

Dear Miss Circuit,
With reference to the trees.
After reading the concern from the consultant landscape architect, we have sought independant advice. We have been assured that this proposal will not have any adverse impact on the mature beech trees and most certainly not kill them(we can obtain this in writing if you feel it neccessary).
While anyone can appreciate that major constuction foundations with sewers etc would need to be a good distance from trees it would seem that this does not apply to our proposal. Maybe the architect did not realise that we only have to go to a depth of 6ins max. for the hardcore. A test dig this deep and around a spades width, has been dug out already the length of the proposed rear wall , no roots were encountered this close to the surface. The hardcore will be covered with a layer of sand to stop it penetrating the sheet of damp-proof membrane that will cover it before the raft of concrete. This will protect the soil from any contamination by the concrete. The raft of concrete base will be above ground and neither hardcore nor this need to infact be any thicker than 4 ins each. The levelling can be done by building up the soil at the slope rather than digging down. As for the hard covering of the root bed, there are countless examples all around Wokingham of mature trees surrounded by paving, tarmac ,next to roads, under playgrounds, patios sheds etc. A good example is outside the front of the Council Offices where there are mature trees between pavement and road and on the roundabout island and St Pauls School which has mature trees within the playground and between the bike sheds and school buildings on a very narrow strip of land. These all seem to be thriving well and are well short of the suggested limit of 6 to 8 metres. Our proposal is a relatively small area of shallow hard surface over one aspect of the root bed, leaving a large percentage of the root system in as it exists.
If anyone wishes to inspect the sight they are most welcome.

Please would you contact me with your comments regarding this.

Thank you,

Janet Clark

Shallow - concave ok, not if compacting hardcore, steel grid

Sharp sand not builders sand.

Anyway - surface water run off - we drying out.

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: Tom Callaghan, Highways

My Ref: 0/2001/3536

To: Emy Circuit, Planning

Your Ref: 0/2001/3536

Date: 27th June 2001

PLANNING APPLICATION O/2001/3536
PROPOSED ERECTION OF TIMBER BUILDING FOR USE AS CATTERY
69 OXFORD ROAD, WOKINGHAM

Further to our recent discussions regarding this application and the planning Inspectors decision to dismiss the previous appeal on highway grounds, I would like to amend the previous comments dated 29th March 2001, to a recommendation for refusal. The reason for refusal supports the conclusions reached by the Inspector, in that the future customers could not park and turn on the site with ease, which would be likely to result in vehicles either reversing onto the highway or parking on street to the detriment of highway safety.

There is insufficient space within the curtilage of the site to allow adequate provision for vehicle parking and turning, and the development if approved would be likely to result in vehicles either reversing onto the highway or parking on street to the detriment of highway safety.

Many thanks

Tom Callaghan

HIGHWAYS CONSULTATION SHEET

From: ~~Jess Miller~~ AMY CIRCUIT **Date:** 19 March 2001

Application Number: F/2001/3536

Proposal: Proposed erection of timber building for use as cattery.

Parish: WOKINGHAM TOWN

Site Address:
69, Oxford Road, , Wokingham.

Applicant:
Mrs J Clark .

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).

1/ Driveway to be block paved, as indicated on plan no. 3.

2/ Visitors by appointment only and one space, as indicated on plan no. 3, to be kept free for visitors during these times.

3/ C122, R122.

4/ C137, R137.

Signed: _____ **Print name:** Adam Coggins

29/05/01

WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Joss Miller

Application Number: F/2001/3536

Proposal: Proposed erection of timber building for use as cattery

Site Address: 69, Oxford Road, Wokingham

Applicant: Mr J Clark

Your observations are required in respect of this application **by 12/04/01**

Recommend refusal on the grounds of:

- **Operating a business in a residential area**
- **The proposed building is too close to neighbouring properties and would cause nuisance**
- **Environmental Health concerns**

IKM

PLANNING SERVICES	HPT 43552
POL	TLS
DC JM	ENF
APP	
CS	
22 MAY 2001	
COPIES TO:	ACK:
	FILE:

SIGNED: _____ **DATE:** 18/05/01

CLERK TO Wokingham Town Council

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: John Mullaney
Environmental Health

My Ref: JRM

To: Joss Millar
Development Control

Date: 21/03/01

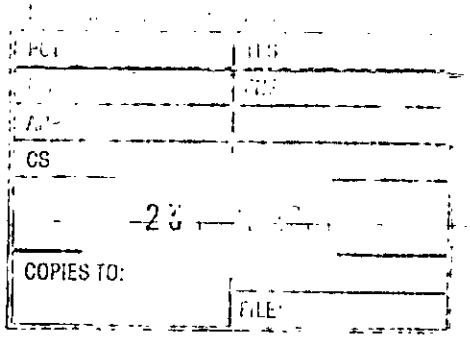
69 OXFORD ROAD, WOKINGHAM, RG11 2YH F/2001/3536

Having regard to the above application I recommend the following conditions be attached should planning permission be granted :

All waste materials produced as a result of operations on site shall be removed in a hygienic and safe manner.

John Mullaney

JOHN MULLANEY
SENIOR ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL PROTECTION AND HOUSING



PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	
17 APR 2001	
COPIES TO:	ACK:
	FILE:

TO: DEVELOPMENT CONTROL FROM: Environmental Design

Joss Miller DATE: 12th April 2001

Location:	69 Oxford Road, Wokingham
Proposal:	Proposed erection of timber building for use as a cattery
Application Number:	F/2001/3536

In response to your consultation dated 19th March 2001 for the above application, the tree and landscape comments are as follows:

I wish to object to the above proposal due to impact on existing trees. The applicants drawing (Plan 7) shows that the proposed timber building would be sited very close to 3No existing mature Beech Trees.

Although the proposed building is of a timber construction it is to be sited on an area of hard standing which will require construction works such as digging out to reduce level and the casting of a concrete slab or laving paving slabs. British Standard BS 5837 : 1991 - Trees in Relation to Construction recommends that a minimum distance of between 6 to 8 metres should be considered if the trees are to be successfully retained on development sites. The proposal illustrated on Plan 7 would require construction works to within 2m of these trees. The requirement to reduce levels and covering the rooting area with hard surfaces will affect the condition of the root system and ultimately kill the trees.

I therefore recommend that the application is refused.

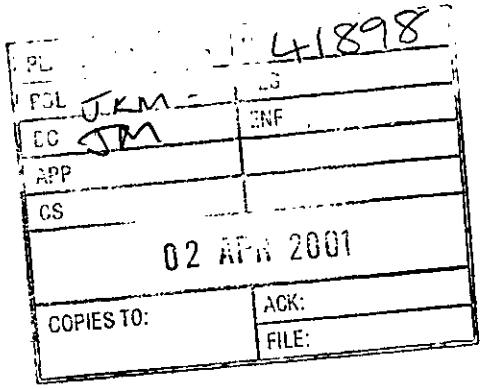
ROBERT PETROW
Consultant Landscape Architect

25/4/01 discussed with Neil Etherington - due to shallow depth of foundations

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	
17 APR 2001	
COPIES TO:	ACK:
	FILE:

Our ref: SP\2001\003419\001
Your ref: F/2001/3536
Date: 29th March 2001

ENVIRONMENT AGENCY



FAO: Joss Miller
District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
PO Box 157
Wokingham
Berkshire
RG11 1BN

Dear Sir

PROPOSAL: Erection Of Timber Building For Use As A Cattery
LOCATION: 69 Oxford Rd, Wokingham

Thank you for your letter dated 19 March 2001, which was received on 22 March 2001. You are asked to quote the following reference in any correspondence: **SU86NW/16/39**.The Environment Agency has the following comments:

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: The construction of the Cattery's drainage system shall be carried out in accordance with details submitted to and approved in writing by the Planning Authority before the development commences.
REASON: To prevent pollution of the water environment.
(Note: The Environment Agency asks to be consulted on any details submitted in compliance with this 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.

Cont/d..

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

Advice To Planning Authority

Land Drainage: Contact Amanda Reed On 01276 454331

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.

Advice To Applicant

Scientific Support: Contact Ian Doyle On 01276 454365

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

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.

No soakaways shall be constructed to a depth exceeding 3 metres below existing ground level, and under no circumstances shall the water table be intersected.

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.

Decision Notice

Would you please forward a copy of the decision notice to this office quoting our reference. If you have any further queries please do not hesitate to contact Sarah Paxman on 01276 454323, quoting the reference cited at the beginning of this letter.

Yours faithfully

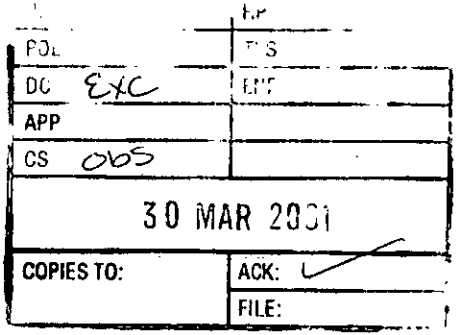
M. Rose

Matt Rose
Development Planning Team

873

Cancel□da

From: WebComments@wokingham.gov.uk
Sent: 25 March 2001 10:46
To: ian.jordan@wokingham.gov.uk
Subject: Comments on Planning Applications



****

NatureofEmail: Support
ApplicationNumber: f/2001/3536
Correspondent_FullName: kennedy
Correspondent_StreetAddress: 65 oxford rd
Correspondent_Address2:
Correspondent_Town: wokingham
Correspondent_County: berks
Correspondent_PostCode: rg40 5ql
Correspondent_Telephone: 0585047420
Correspondent_Email: pkrg12@yahoo.com

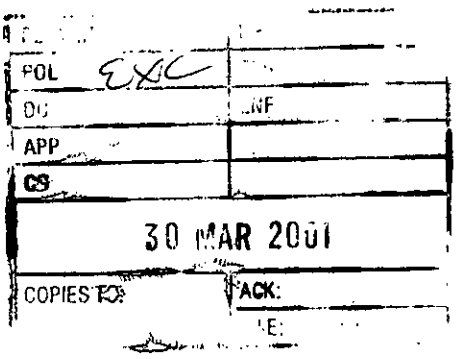
Comments:

i live at 65 oxford rd and see no problem with a cattery some people complain for the sake of it take no notice of them

Cancel□da

From: WebComments@wokingham.gov.uk
Sent: 25 March 2001 10:46
To: ian.jordan@wokingham.gov.uk
Subject: Comments on Planning Applications

8m 5



****

NatureofEmail: Support
ApplicationNumber: f/2001/3536 (on oxford Rd.
Correspondent_FullName: kennedy
Correspondent_StreetAddress: 65 oxford rd
Correspondent_Address2:
Correspondent_Town: wokingham
Correspondent_County: berks
Correspondent_PostCode: rg40 5ql
Correspondent_Telephone: 0585047420
Correspondent_Email: pkrg12@yahoo.com

Comments:

i live at 65 oxford rd and see no problem with a cattery some people complain for the sake of it take no notice of them

BY HAND 8TH APRIL 2001

73 Oxford Road
Wokingham
Berks
RG41 2YH

POL
DC
APP
CS Obs
09 APR 2001
COPIES TO:
ACK:
FILE:

Environmental services Department
Planning Services
PO Box 17
Shute End
Wokingham
Berks RG40 1WR

F.A.O. Joss Miller

Dear Sir

Re: Planning Application No F/2001/3536 69, Oxford Road, Wokingham

I am writing in response to your letter dated 19th March 2001 (but not received until 24th March 2001) to object to the above application.

I am deeply disappointed that, following the refusal, on appeal, of an earlier application, Mr. And Mrs. Clark are determined to pursue this matter again, which is highly stressful to those who just want to enjoy living in Oxford Road and don't want any extra traffic, noise, smell, waste, airborne particles or other environmental pollution to reduce the quality of our lives still further.

We pay such a high level of community charge that we might be forgiven for thinking that our quality of life in Oxford Road was going to be improved and not constantly eroded, as it already is by a greater density of population and a clear increase in traffic, which, in recent months, with the large development close to the station and the commencement of the in-fill houses being constructed behind Nos. 80-86, Oxford Road, has brought the situation to an almost unbearable state.

Surely it is now time to refuse any application which risks adding any further vehicles whatsoever to this already overburdened road?

Individually, my objections are as follows:

1. **Site location**: Oxford Road is close to the town centre and is an urban residential location, which not suitable for animal establishments which are generally sited in fringe and rural areas where gardens are larger and the population less dense so that the number of people likely to be adversely affected is far smaller. The use that is sought in the application would lower the amenity value of the area and is not in line with the Local Plan. The applicant's garden is not particularly large and is less than 30' wide as is my own. My neighbour at No.71 also has a garden which is no more than 35' feet wide and this means that when I sit out in my favourite garden seat I would be little more than 40' feet from the proposed timber cattery. Additionally, I would only be some 60-70 from this cattery in my

bedroom and would have a view of it from my bedroom window. I I enclose a photo taken from the location of my garden seat, to show just how close it would be i.e. too close for comfort!

2. **Noise and other Environmental Pollution**:Whatever is claimed by the applicants about the level of noise, I am afraid that I do not agree that residents would be unaffected. We already suffer, as does any residential area, from the intermittent noise of other residents' domestic pets, notably dogs and I know that cats, away from their owners, would add to this problem. I have spoken to friends who use a cattery on Henley road, Caversham and they say that although it is very well run, there is always a lot of howling and wailing when they go to take or fetch their pet. This cattery is, however, sited in a very large garden and approached through an orchard so we are not talking about a location which would inconvenience many people, unlike Oxford road.
   Mrs. Clark has enclosed two letters from ladies living in the vicinity of local catteries in support of her application.
   The first from a Mrs. P. Mondahl in Nine Mile Ride says she isn't 'really' inconvenienced by the cattery just one door away from her but she does hear the cats in the morning. This actually seems to say although the gardens in that area back on to woodland and are, presumably, a lot bigger and longer than those in Oxford Road and the area is generally more rural, this lady is still aware of the cattery. The house frontages are also bigger, have more depth to the road and the 'Cats' Whiskers' cattery has a wider frontage than No. 69 Oxford Road. I enclose a photo of the location and a photo of Oxford road Wokingham.
   The second letter from Mrs, J.L. Bradley of Holly Tree House, off Heathlands Road, Wokingham is, quite frankly, a joke. Holly tree House is a very large house in a very large plot behind a laurel hedge and is situated on the opposite side of a rural, leafy and un-adopted lane to the cattery (which backs on to open fields). I would estimate the distance from Holly Tree House to the cattery to be at least 125yards and it is clear that the residents could not possibly be affected by it. If I lived in such a location and at that distance from the cattery I can honestly say I wouldn't object either. I am enclosing two photos of the lane showing the nature of the area and the distance perspective, taken by me.
   There are also the potential problems of odour at such close quarters, airborne pollution which is worry to those with allergies and cat waste, since this proposed building cannot, for ventilation reasons, be entirely enclosed. I am also aware from a friend who lived close to a cattery that flies are a problem in summer.
3. **Traffic and Highway Considerations:** The applicants are trying to persuade the Authority that with a bit of manipulation e.g. moving a lamppost and marking parking bays on their limited frontage, that this will increase their capacity or make it possible to turn safely to come out frontwards. As those of us who have similar problems know only too well it only takes two vehicles on the frontage to make it impossible to manoeuvre and necessitate reversing out on to a very busy road close to a bend and a school and full of pedestrians especially at peak times. The applicants have two vehicles and only one of those goes to the rear of their property. The other one is a pick-up truck, which my next door neighbour at No. 71 will not want passing over her property to get to the rear and is always parked on the front when not in use.
   I feel that whatever Mr. And Mrs. Clark intend at this stage will not be adhered to should they be granted planning consent and the likelihood is that there will be

cars coming and going. What is more, they have reduced the number of cat runs in their application to 5 doubles (from 15). Are we really expected to believe that they would be satisfied with just 5? I am sure they would not because 5 cat runs would not be financially viable . It would be a case of establishing a consent for a cattery in principle and then gradually eroding the original consent by adding cat runs. I would like to know what the residents' rights would be in such a situation. In any event however even one run would be too many for a lot of local residents as would any more vehicles! We are at saturation point!!!

I would ask you kindly to consider seriously the points outlined above. They are the genuine views and fears of a long-standing Wokingham resident who would like to continue to enjoy living in Oxford Road and believes that the grant of this application would seriously hamper this.

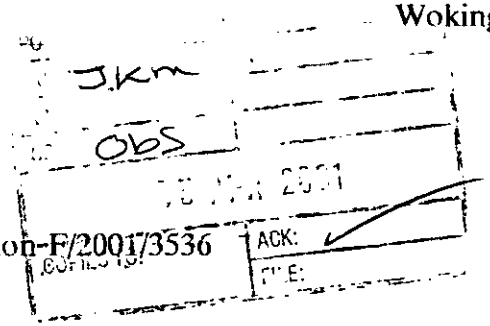
Yours faithfully

Janet Fedrick

Janet Fedrick

30, St. Paul's Gate,
Wokingham, Berks.,
RG41 2YP

OBS



2. 04. 01

Planning Application F/2001/3536

Although the scale of this development has been reduced, there will be some increase in road use of Oxford Road. With the associated increase from the building of new houses almost opposite the site, which is close to the sharp bend in the road, this cannot aid safety in the area.

The planning application mentioned trees being removed; on the plan there appeared to only one - a conifer. I hope the mature beech trees are not also involved. They form a considerable part of the outlook from first floor rooms, screening buildings when in leaf.

Access by customers seems to be through the house. If the cattery is as quiet and troublefree as we are led to believe, why is it not being sited close to the house ?

Hilary C. Jenkins

Miss H.C. Jenkins

The Cottage
67 Oxford Road
Wokingham
Berkshire
RG41 2YH

EXC
005

COPIES TO: | ACK: ✓ | FILE:

Mr John Mitchell
Development Control Manager
Environmental Services Department - Planning Services
Wokingham County Council
P.O. Box 157
Council Offices
Shute End
Wokingham
Berkshire
RG40 1WR

5 April 2001

Dear Mr Mitchell,

Application Number: **F/2001/3536**
Site Address: **69 Oxford Road, Wokingham**
Proposal: **Proposed erection of timber buildings for use as a cattery**

In response to your letter dated 19 March 2001, regarding the above, I ask again for the council to use their common sense in this matter. I would also like to refer to the previous application no. F/2000/1749 for a cattery which was turned down by the Wokingham Council and also by appeal and I do not think anything has changed as a cattery for 10 cats would not be viable.

I am, therefore, of the opinion that this makes the plan null and void unless they have plans for enlarging. After all from my own experience what people say and do can be very different. I'm sorry, but in the end it wouldn't be the council that would suffer it would be the surrounding neighbourhood.

As in previous letters that I have written to the council on this matter I still feel very strongly that Oxford Road is a most unsuitable area for this type of business and despite Mr and Mrs Clark feeling their frontage is suitable for the number of cars that will be using it, and that's only on the basis of 10 cats, I know eventually that customers would still be backing out onto the road. I also understand that Mrs Howard of 71 Oxford Road is writing to you with up-to-date information regarding the fence on her boundary line.

I would also remind the council that there are two schools very close to this vicinity and cars backing out onto Oxford Road could create an accident, and one accident involving a child will be one too many. I always drive forward from my drive for this very reason. And I would also say that customers are very often in a hurry and, maybe, won't give the same due care and attention that is normally given.

With regard to the appeal statement, I would like it duly noted that although there is some vegetation at the boundary fence it does not extend to the bottom of the garden, and as we know vegetation can die off and I doubt very much whether it would be replaced. The reason I say this is because they have done nothing regarding the boundary fence at the front which is on their boundary. It was a fence my husband erected some 25 years ago, but which still

looks very good, but now needs some repair doing to it. I did offer to do this repair but, unfortunately, due to the fact that there was a tree stump at the back of it in their garden I was told to have it temporarily repaired until the tree stump was removed. That was 8 months ago and the fence is now getting that at any time it could fall down. And did they offer to do a small temporary repair, bearing in mind it is in all our interests to keep our properties in a decent state? No. I landed up having to put my wheelbarrow in front of it to try to keep it in place until such time as I can have it repaired. Also, I have it on very good authority that if the work to remove this stump isn't done correctly, it could affect my whole garden as the roots will have gone right across. You can imagine how this makes me feel. And again, with regard to their back garden it's worth noting that while it may be fairly long it is not very wide.

Again, taking into account the comments made in my letter of the 6th July 2000 which I enclose, I would say that as a residential area with a with very high traffic volume on the road plus houses that are relatively close to each other, this does make it an extremely unsuitable area for this type of business. I think we live in a very strange world today that allows people the right to think they can set up such an intrusive business in such a built up area.

I also note that they have, in previous letters, mentioned people who think it is an excellent idea, well it's easy to talk some people into an idea. On my side I can say that when I have talked to people they look aghast at the idea of a cattery in Oxford Road.

Yours sincerely,

Barbara Bench

cc: Mr John Mullany - Environmental Health Department
Highways Department

The Cottage
67 Oxford Road
Wokingham
Berkshire
RG41 2YH

Mr John Mitchell
Development Control Manager
Environmental Services Department - Planning Services
Wokingham County Council
P.O. Box 157
Council Offices
Shute End
Wokingham
Berkshire
RG40 1WR

DC
APP
CS
06 APR 2001
COPIES TO:
ACK:
FILE:

6 July 2000

Dear Mr Mitchell,

Dead copy of this original letter received 17/4/01

Application Number: **F/2000/1749**
Site Address: **69 Oxford Road, Wokingham**
Proposal: **Proposed erection of timber buildings for use as a cattery**

In response to your letter dated 23 June 2000 regarding the above, I offer below my serious comments as to why this cattery cannot be carried forward.

- This is a residential and highly built up neighbourhood, with houses close enough to feel the affects from a cattery.

- This is also a very heavily congested area. As you will be aware, the traffic in Oxford Road is extremely heavy and, therefore, having a business of this nature will only add to this already extremely busy road. There would also be a great threat of danger where other people's animals are concerned

- The volume of noise from a cattery is high, particularly at night, when these animals will be crying for their owners, and this would effect not only adults in the vicinity but children also, making this a very irresponsible thing to do.

- The smell from a cattery is unpleasant and would affect any properties in the area.

- I think if my neighbours were to consult the deeds of their property they would find a clause stating that live stock cannot be kept on their land and I regard this as live stock as they are not there as living in-house animals.

The frontage of No 69 is so small that they cannot have one car parked out there without it affecting either my frontage or their own drive.

I cannot imagine what possessed my neighbours to consider doing such a thing as the land at the back of their house is not very large. I would suggest a more suitable plan would be for them to move to a small holding out in the country. I consequently trust in your good judgement and common sense that these plans will be carried no further.

As an after thought I might also mention that the wife runs a business from home, making sandwiches, which I feel would not fit in well with a cattery.

Yours sincerely,

Barbara Bench

cc: Mr John Mullany - Environmental Health Department
Highways Department

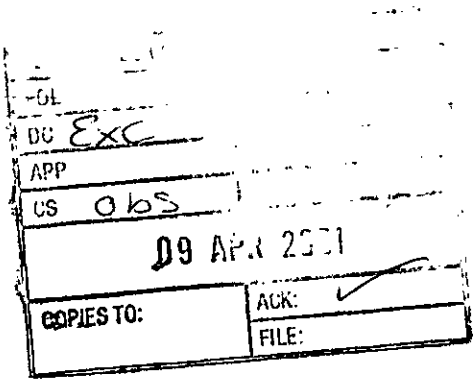
Rec'd PH 6.4.01

St Abbs
71 Oxford Road
Wokingham
Berkshire
RG41 2YH

April 5, 2001

RE: Application Number F/2001/3536

Mr. John Mitchell
Development Control Manager
Environmental Services Department
Planning Services
P.O. Box 157
Shute End
Wokingham
Berkshire
RG40 1WR



Dear Mr. Mitchell,

Planning Application Number F/2001/3536 does not differ materially from Application Number F/2000/1749.

Application Number F/2000/1749 was rejected last year. The appeal against this decision, APP/X0360/A/00/1051889, was dismissed in January of this year. Application Number F/2001/3536, should also be rejected.

I object to Mr. + Mrs. Clarke's application, to erect and run a cattery, on the grounds of: excess noise, nuisance and the additional traffic generated in Oxford Road. In his Appeal Decision, the Inspector made the point that increased reversing onto or off Oxford Road would have 'a seriously detrimental impact on highway safety'

It seems quite clear to me that, should this application succeed, the number of cats boarded at 69 Oxford Road would rapidly increase toward that number initially envisaged! If only to make the enterprise economically viable.

Sincerely,

P. Howard

Mrs P Howard

① Appeal Decision

Enc ② My letter of objection to Application Number F/2000/1749

(Please see note)

71 Oxford Road
Wokingham
Berkshire
RG41 2YH

Mr John Mitchell
Development Control Manager
Environmental Services Department - Planning Services
Wokingham County Council
P.O. Box 157
Council Offices
Shute End
Wokingham
Berkshire
RG40 1WR

3 July 2000

Dear Mr Mitchell,

Application Number: **F/2000/1749**
Site Address: **69 Oxford Road, Wokingham**
Proposal: **Proposed erection of timber buildings for use as a cattery**

I am replying to your letter dated 23 June 2000 regarding the above and wish it to be placed on record that I strongly oppose the above planning application.

As you know, this is a residential and highly built up area, with houses close enough that the affects of a cattery would be felt for the following reasons.

a through traffic on Oxford Road is very heavy and a cattery would, therefore, pose an additional hazard, bearing in mind the close proximity of St. Paul's Junior School and the existing difficulties with parking and access.

b The volume of noise from a cattery can be high, particularly at night when animals are crying for their owners, and the effect on the surrounding area where, apart from adults, there are a number of children, would be unbearable.

c The smell from a cattery can be very unpleasant and would affect any of the neighbours living in the area.

d. It would inevitably attract vermin and flies.

e. A business of any type is detrimental to a residential area, a cattery would be even worse and would lower the tone of the area and almost certainly affect property prices.

Kindly also note that the application states that there are 3 parking bays to the front of the property. I would point out that the household at No. 69 has 2 vehicles of its own. At present, the residents of No. 69 are able to access their garage to the rear of the property. This is only possible because my late husband and I took down a fence between the properties and allowed them to have use of part of our land for access, as good neighbours. I would like you to note that as a direct result of this application, I shall be re-erecting the fence along my original boundary which will deny the applicants vehicle access to their garage and will hence reduce the amount of space available for parking and turning at the front of No. 69 very considerably.

I am an 80 year old woman, who has lived in Oxford Road for the past 18 years and am immediately next door to No. 69. I would be very reluctant to move, but at the same time I would not want to live my life out next door to a cattery that is in a very confined area. I do feel, if this couple are so keen to have a cattery, that they move to a small holding somewhere out in the country.

It should also be noted that the residents of No. 69 have already been keeping fowl in the rear garden in contravention of their property covenant.

It might be worth mentioning that the applicant already runs a sandwich business from home which, in itself, already adds to the traffic chaos.

I have just seen the letter that the residents of No. 69 sent to you, and for them to have 2 metres of land they will have to move onto my land by approximately 6 inches.

I sincerely hope that you will give this your consideration and that common sense will prevail on this issue.

Yours sincerely,

P Howard

Pat Howard (Mrs)

cc: **Mr John Mullany** - Environmental Health Department
Highways Department

NOTE: WITH REFERENCE TO THE FENCE BETWEEN 69-71 OXFORD RD.
MR CLARKE AND HIS "UNCLE" PREVENTED FENCING CONTRACTORS FROM ERECTING THE SAID FENCE.
AFTER AN EXCHANGE OF SOLICITORS LETTERS AND A VISIT TO MR+MRS CLARKE BY OUR COMMUNITY POLICE OFFICER CONSTABLE THOMAS (SH 3627) INTIMIDATION OF MYSELF HAS ALL BUT CEASED.
THE PRESENT SITUATION IS:-
MR+MRS CLARKE HAVE PERMISSIVE ACCESS OVER A PART OF MY DRIVE, FOR A PRIVATE CAR, IN ORDER TO REACH THEIR GARAGE. THIS PERMISSION, AMONGST OTHER THINGS, DOES NOT EXTEND TO OTHER VEHICLES OR PARKING IN FRONT OF THEIR GARAGE.
THIS PERMISSION CEASES ON MY DEATH OR IF EITHER PARTY VACATES THEIR PROPERTY. P.H.

Appeal Decision

Site visit made on 08 January 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Michael Hill BSc MSc CEng MICE FGS

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

Date
16 JAN 2001

Appeal Ref: APP/X0360/A/00/1051889
69 Oxford Road, Wokingham, Berkshire RG41 2YH

- 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 J Clark against the decision of Wokingham District Council.
- The application (ref:F/2000/1749), dated 13 June 2000, was refused by notice dated 30 August 2000.
- The development proposed is a small boarding cattery.

Summary of Decision: The appeal is dismissed.

Introduction

1. The Council refused planning permission for the proposed cattery because it considered that the noise and disturbance that would be generated by a cattery would be unacceptable at this location. In addition, I am mindful that a number of objectors to the scheme are concerned about its impact on highway safety and traffic conditions in Oxford Road.

Main Issues

2. I consider that the main issues in this case are, firstly, the impact of the development upon the living conditions of neighbouring residents with regard to noise and disturbance and, secondly, the effects on the safety and free flow of traffic on Oxford Road from the proposed on-site parking arrangements.

Planning Policy

3. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan adopted in 1994. Development plan policies seek to ensure that new development contributes positively to the character of its surroundings and to the creation of a safe and attractive environment in which to live. The emerging Wokingham District Local Plan has reached an advanced stage in its progress towards formal adoption and therefore its policies carry some weight in my deliberations. Policy WOS3 of the emerging Local Plan requires, amongst other things, that new development should not harm the amenities of the occupiers of adjoining land and should not have a significant detrimental effect on road safety.

Reasons

4. With regard to the first issue, I agree with the Council that dwellings in the vicinity of the appeal site enjoy a reasonably quiet residential environment. The long rear gardens of the appeal site and adjacent dwellings in Oxford Road are no doubt enjoyed as tranquil areas by the occupiers of those properties. Although an existing building at the rear of No 65 Oxford

Road is used in connection with a sign writing business, I have no evidence to suggest that the operation of this business unduly disturbs the peacefulness of the area.

5. The proposed cattery building would be sited at the rear of the back garden at No 69 Oxford Road, approximately 23metres from the dwelling. Bearing in mind that there would be an open wire mesh area on the front elevation of the proposed building, it seems to me that some noise from the cats occupying the building may be heard in adjacent gardens. This noise and the general comings and goings associated with the business are likely to have some detrimental impact on the living conditions of neighbouring residents particularly whilst enjoying the relative tranquillity of their gardens. However, bearing in the mind the substantial length of the rear gardens in Oxford Road, the close boarded fencing and sections of mature vegetation along the boundaries of the appeal site, and the proposed arrangements for housing the cats, I consider that the impact of noise emanating from the cattery on the living conditions of neighbouring residents in Oxford Road would not be so great as to justify withholding planning permission for this reason alone.

6. I note that the proposed cattery would be close to the boundary with the rear gardens of dwellings in St Paul's Gate. The rear gardens of these dwellings, being about 18m long, are somewhat shorter than those in Oxford Road and, in my judgement, noise from the cattery would cause some harm to the amenities of residents of adjacent dwellings in St Paul's Gate. However, there is a tall close-boarded fence along the boundary of the appeal site with the properties in St Paul's Gate, and a number of large trees at the rear of the appeal site. Again, it should be possible to restrict the noise and disturbance emanating from the site to a level which would ensure that the harm to the amenities of residents of St Paul's Gate was not so great that it justified withholding planning permission for this reason alone. In reaching this conclusion, I am mindful that the occupier of No 34 St Paul's Gate, the property adjoining most of the rear boundary of the appeal site, has indicated that he has no objection to the proposed development. Moreover, the appellant has produced written evidence from a number of persons living close to catteries elsewhere in Berkshire who claim that those catteries do not cause undue noise and disturbance.

7. Turning to the second issue, a number of objectors to the scheme refer to traffic problems on Oxford Road and the harm that would be caused by additional vehicles visiting the site. Although the road was not particularly busy at the time of my visit around midday on a Monday, I note that the road serves a nearby school and it has been necessary to introduce traffic calming measures and parking restrictions on the highway. Moreover, there is a sharp bend in the highway approximately 60 metres from the site. Clearly it would be detrimental to highway safety if the development resulted in visitors to the site parking on the highway at this location.

8. The application drawings show a proposal for three new parking bays in the front garden of the appeal site. However, I am concerned about the narrow width of the site, which is approximately 9.1 metres, and I do not agree with the appellant that customers would be able to turn their vehicles around with ease on the site. If all the parking spaces shown on the application plans were occupied, it seems to me that there would be insufficient space for a vehicle to turn around on the site. It may be possible to redesign the parking layout so that turning movements could take place on site, but whatever design was adopted, it seems to me that the narrow width of the front garden would discourage many visitors from attempting to turn around on the site. This would lead to vehicles either reversing in or out of the site, to the detriment of highway safety and the free flow of traffic in Oxford Road.

9. The appellant has indicated an intention to operate an appointment system and a pick up and delivery service for the cattery. However, I do not consider that this would reduce the number of customers visiting the site to an acceptable level. In my judgement, any material increase in the need to reverse on the highway on this part of Oxford Road should be resisted and I conclude that the appeal proposal would have a seriously detrimental impact on highway safety for this reason, and thereby conflict with the aims of local planning policies in this respect.

10. I have taken account of all other matters raised in the representations, including the fact that there are other businesses operating elsewhere in Oxford Road. However, it appears to me that the guest-house and dental surgery referred to are situated on wider plots where turning movements can be more easily undertaken on site. Moreover, these sites are further away from the bend in Oxford Road, referred to above. I consider that this and the other matters raised do not outweigh the factors that have led to my conclusions on the main issues in this case.

Conclusions

11. For the reasons given, I conclude that the appeal should be dismissed.

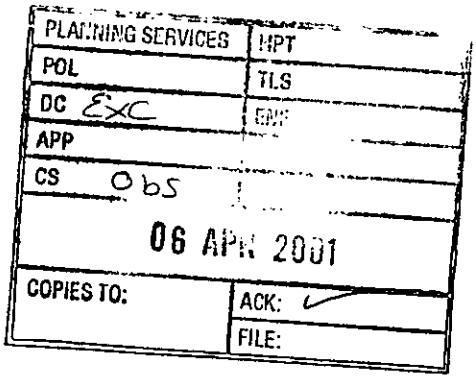
Formal Decision

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

M. P. Hill

INSPECTOR

Mr P Beattie
75 Oxford Road
Wokingham
Berkshire
RG41 2YH



5 April 2001

Dear Sir

Re: Planning Application for Cattery at 69 Oxford Road
Ref: F/2001/1536

I am amazed at having to object again to plans for a cattery at the above address. I understood that this idea had been turned down both locally and at an appeal in Bristol. Furthermore, I thought that the appeal judgement could not be challenged just because someone did not agree with it. I would have thought that submitting a similar application albeit for a slightly different number of cats was much the same as challenging the appeal judgement.

Considering the new application (F/2001/3536) I believe that the points put forward by the inspector in Bristol at appeal (see attached) are still valid. The noise and disturbance to neighbouring properties were recognised as issues albeit not sufficient each on their own to result in the withholding planning permission.

The key issues remain, parking, traffic and safety. I do not believe the change to the number of cats which can be housed makes a difference to the arguments put forward by the Inspector and indeed the additional residential development now taking place behind 80 – 86 Oxford Road will only add to the traffic problems on the road.

I remain convinced that there will be disturbance to this relatively quiet residential environment and combined with the traffic, safety and parking issues there is sufficient reason for withholding planning permission.

Yours faithfully

Philip Beattie

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

Mrs J Fedrick
73 Oxford Road
Wokingham
Berks
RG41 2YH

Your Ref:

Our Ref: APP/X0360/A/00/1051889

Date: 16 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY J CLARKE
SITE AT 69 OXFORD RD, WOKINGHAM, BERKS, RG41 2YH

I enclose a copy of our Inspector's decision on the above appeal.

The attached leaflet explains the right of appeal to the High Court against the decision and how the documents can be inspected.

If you have any queries relating to the decision please send them to:

The Complaints Officer
The Planning Inspectorate
Room 14/04
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Phone No. 0117 987 8927 Fax No. 0117 987 6219

Yours faithfully

Miss A Groves

COVERDL1

Appeal Decision

Site visit made on 08 January 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Michael Hill BSc MSc CEng MICE FGS

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

Date 16 JAN 2001

Appeal Ref: APP/X0360/A/00/1051889
69 Oxford Road, Wokingham, Berkshire RG41 2YH

- 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 J Clark against the decision of Wokingham District Council.
- The application (ref:F/2000/1749), dated 13 June 2000, was refused by notice dated 30 August 2000.
- The development proposed is a small boarding cattery.

Summary of Decision: The appeal is dismissed.

Introduction

1. The Council refused planning permission for the proposed cattery because it considered that the noise and disturbance that would be generated by a cattery would be unacceptable at this location. In addition, I am mindful that a number of objectors to the scheme are concerned about its impact on highway safety and traffic conditions in Oxford Road.

Main Issues

2. I consider that the main issues in this case are, firstly, the impact of the development upon the living conditions of neighbouring residents with regard to noise and disturbance and, secondly, the effects on the safety and free flow of traffic on Oxford Road from the proposed on-site parking arrangements.

Planning Policy

3. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan adopted in 1994. Development plan policies seek to ensure that new development contributes positively to the character of its surroundings and to the creation of a safe and attractive environment in which to live. The emerging Wokingham District Local Plan has reached an advanced stage in its progress towards formal adoption and therefore its policies carry some weight in my deliberations. Policy WOS3 of the emerging Local Plan requires, amongst other things, that new development should not harm the amenities of the occupiers of adjoining land and should not have a significant detrimental effect on road safety.

Reasons

4. With regard to the first issue, I agree with the Council that dwellings in the vicinity of the appeal site enjoy a reasonably quiet residential environment. The long rear gardens of the appeal site and adjacent dwellings in Oxford Road are no doubt enjoyed as tranquil areas by the occupiers of those properties. Although an existing building at the rear of No 65 Oxford

Road is used in connection with a sign writing business, I have no evidence to suggest that the operation of this business unduly disturbs the peacefulness of the area.

5. The proposed cattery building would be sited at the rear of the back garden at No 69 Oxford Road, approximately 23metres from the dwelling. Bearing in mind that there would be an open wire mesh area on the front elevation of the proposed building, it seems to me that some noise from the cats occupying the building may be heard in adjacent gardens. This noise and the general comings and goings associated with the business are likely to have some detrimental impact on the living conditions of neighbouring residents particularly whilst enjoying the relative tranquillity of their gardens. However, bearing in the mind the substantial length of the rear gardens in Oxford Road, the close boarded fencing and sections of mature vegetation along the boundaries of the appeal site, and the proposed arrangements for housing the cats, I consider that the impact of noise emanating from the cattery on the living conditions of neighbouring residents in Oxford Road would not be so great as to justify withholding planning permission for this reason alone.

6. I note that the proposed cattery would be close to the boundary with the rear gardens of dwellings in St Paul's Gate. The rear gardens of these dwellings, being about 18m long, are somewhat shorter than those in Oxford Road and, in my judgement, noise from the cattery would cause some harm to the amenities of residents of adjacent dwellings in St Paul's Gate. However, there is a tall close-boarded fence along the boundary of the appeal site with the properties in St Paul's Gate, and a number of large trees at the rear of the appeal site. Again, it should be possible to restrict the noise and disturbance emanating from the site to a level which would ensure that the harm to the amenities of residents of St Paul's Gate was not so great that it justified withholding planning permission for this reason alone. In reaching this conclusion, I am mindful that the occupier of No 34 St Paul's Gate, the property adjoining most of the rear boundary of the appeal site, has indicated that he has no objection to the proposed development. Moreover, the appellant has produced written evidence from a number of persons living close to catteries elsewhere in Berkshire who claim that those catteries do not cause undue noise and disturbance.

7. Turning to the second issue, a number of objectors to the scheme refer to traffic problems on Oxford Road and the harm that would be caused by additional vehicles visiting the site. Although the road was not particularly busy at the time of my visit around midday on a Monday, I note that the road serves a nearby school and it has been necessary to introduce traffic calming measures and parking restrictions on the highway. Moreover, there is a sharp bend in the highway approximately 60 metres from the site. Clearly it would be detrimental to highway safety if the development resulted in visitors to the site parking on the highway at this location.

8. The application drawings show a proposal for three new parking bays in the front garden of the appeal site. However, I am concerned about the narrow width of the site, which is approximately 9.1 metres, and I do not agree with the appellant that customers would be able to turn their vehicles around with ease on the site. If all the parking spaces shown on the application plans were occupied, it seems to me that there would be insufficient space for a vehicle to turn around on the site. It may be possible to redesign the parking layout so that turning movements could take place on site, but whatever design was adopted, it seems to me that the narrow width of the front garden would discourage many visitors from attempting to turn around on the site. This would lead to vehicles either reversing in or out of the site, to the detriment of highway safety and the free flow of traffic in Oxford Road.

9. The appellant has indicated an intention to operate an appointment system and a pick up and delivery service for the cattery. However, I do not consider that this would reduce the number of customers visiting the site to an acceptable level. In my judgement, any material increase in the need to reverse on the highway on this part of Oxford Road should be resisted and I conclude that the appeal proposal would have a seriously detrimental impact on highway safety for this reason, and thereby conflict with the aims of local planning policies in this respect.

10. I have taken account of all other matters raised in the representations, including the fact that there are other businesses operating elsewhere in Oxford Road. However, it appears to me that the guest-house and dental surgery referred to are situated on wider plots where turning movements can be more easily undertaken on site. Moreover, these sites are further away from the bend in Oxford Road, referred to above. I consider that this and the other matters raised do not outweigh the factors that have led to my conclusions on the main issues in this case.

Conclusions

11. For the reasons given, I conclude that the appeal should be dismissed.

Formal Decision

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

M. P. Hill

INSPECTOR

The Planning Inspectorate

RIGHT TO CHALLENGE THE DECISION

The attached appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for redetermination. It does not follow necessarily that the original decision on the appeal will be reversed when it is redetermined.

You may wish to consider taking legal advice before embarking on a challenge. The following notes are provided for guidance only.

Under the provision of section 288 of the Town and Country Planning Act 1990, or section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the grounds:

1. that the decision is not within the powers of the Act; or

2. that any of the 'relevant requirements' have not been complied with; ('relevant requirements' means any requirements of the 1990 Acts or of the Planning Tribunals Act 1992, or of any order, regulation or rule made under those Acts).

The two grounds noted above mean in effect that a decision cannot be challenged merely because someone does not agree with the Inspector's judgement. Those challenging a decision have to be able to show that a serious mistake was made by the Inspector when reaching his or her decision; or, for instance, that the inquiry, hearing or site visit was not handled correctly, or that the appeal procedures were not carried out properly. If a mistake has been made the Court has discretion not to quash the decision if it considers the interests of the person making the challenge have not been prejudiced.

It is important to note that such an application to the High Court must be lodged with the Crown Office within 6 weeks from the date of the decision. This time limit cannot be extended.

An appellant whose appeal has been allowed by an Inspector should note that 'a person aggrieved' may include third parties as well as the local planning authority.

If you require further advice about making a High Court challenge you should consult a solicitor, or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London WC2 2LL. Telephone: 020 794 76000.

INSPECTION OF DOCUMENTS

It is our policy to retain case files for a period of one year from the date of the Inspector's decision. Any person entitled to be notified of the decision in an inquiry case has a legal right to apply to inspect the listed documents, photographs and plans within 6 weeks of the date of the decision. Other requests to see the appeal documents will not normally be refused. All requests should be made to Room 14/04, Tollgate House, Houlton Street, Bristol BS2 9DJ, quoting our appeal reference and stating the day on which you wish to visit. Please give at least 3 working days notice and include a daytime telephone number, if possible.

COMPLAINTS TO THE INSPECTORATE

Any complaints about the Inspector's decision, or about the way in which the Inspector has conducted the case, or any procedural aspect of the appeal should be made in writing to the complaints officer in Room 14/04, Tollgate House, Houlton Street, Bristol BS2 9DJ. Telephone: 0117 987 8927, quoting our appeal reference. You should normally receive a reply within 15 days of our receipt of your letter. You should note however, we cannot reconsider an appeal on which a decision has been issued. This can be done following a successful High Court challenge as explained overleaf.

PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION (THE OMBUDSMAN)

If you consider that you have been unfairly treated through maladministration by us you can ask the Ombudsman to investigate. The Ombudsman cannot be approached direct; reference can be made to him only by an MP. While this does not have to be your local MP (whose name and address will be in the local library) in most cases he or she will be the easiest person to approach. Although the Ombudsman can recommend various forms of redress he cannot alter the Inspector's decision in any way.

COUNCIL ON TRIBUNALS

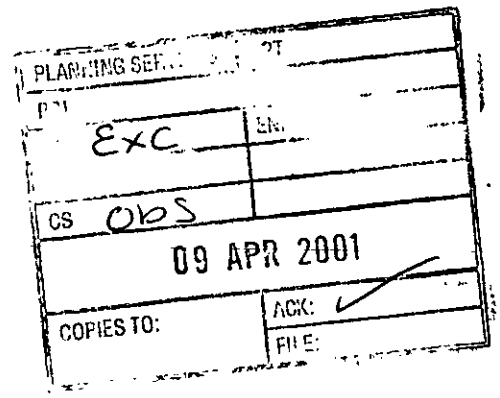
If you feel there was something wrong with the basic procedure used for the appeal, a complaint can be made to the 'Council on Tribunals', 22 Kingsway, London WC2B 6LE. The Council will take the matter up if they think it comes within their scope. They are not concerned with the merits and cannot change the outcome of the appeal decision.

© Crown copyright
405 (September 00)
Printed in Great Britain by the Planning Inspectorate on recycled paper

2, Villiers Mead,
Wokingham,
Berks RG41 2UB

5th April 2001-04-06

Attention of John Mitchell,
Planning Services,
Wokingham District Council,
PO Box 157,
Shute End,
Wokingham,
Berks RG40 1WR



Dear Mr Mitchell,

Ref Application Number F/2001/3536

Thank you for your letter dated 19th March 2001 advising that planning permission is being sought for the erection of a timber building for use as a cattery.

We would wish to object to this application for the following reasons.

Neighbourhood
We consider this proposed commercial activity as out of character for the immediate neighbourhood, which apart from St Paul's School is residential.

Safety
We consider the exit/entrance to Villiers Mead to be hazardous in the mornings and late afternoon when parents collect their children from school. Cars are parked alongside the road at these times whilst depositing or collecting their children resulting in drivers attempting to force their way through from either side. Additionally because of the traffic flow problems across the railway crossing the Oxford Road has become busier as drivers seek a different route. Any extra comings and goings along this stretch of road should be avoided.

Commercial
Although not directly affected by the immediate proximity of the cattery, the establishment of such a business, with the inevitable noise and smell, would have a negative impact on the desirability of houses in closer proximity. This could make these properties more difficult to sell and most certainly affect the price and future financial wellbeing of the neighbours directly affected.

Noise and smell
There will be noise and smell, which will irritate neighbours.

We trust you will consider the above objections on this application.

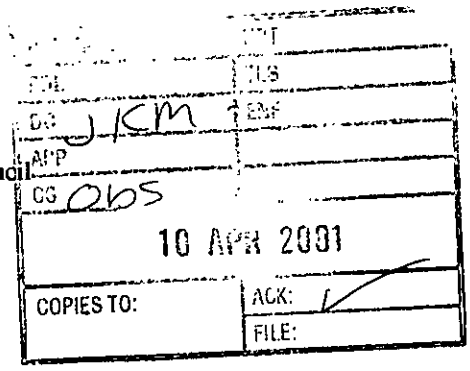
Yours sincerely

Peter and Margaret Royle

Read it. 25th 9.4.01

0118-9793676

1 Villiers Mead
Wokingham
Berkshire RG41 2UB



Planning Services
Wokingham District Council
PO Box 15
Shute End
Wokingham
Berkshire RG40 1WR

Your ref : Joss Miller
F/2001/3536

6 April 2001

Dear Sirs

69 OXFORD ROAD; PROPOSED ERECTION OF TIMBER BUILDING FOR USE AS CATTERY

We are surprised that the application for the establishment of a building to be used as a cattery has arisen again; we were under the impression that the scheme had been rejected both by your Planning Committee and by the Planning Inspectorate in Bristol. Whether or not changes have been made in the detail of the application, we remain firmly against the proposal for the reasons which have been given on two previous occasions. We now repeat these as follows :

1. The concept of a cattery is inappropriate to a road of the nature of Oxford Road, which, particularly in the close neighbourhood of no. 67 69, is essentially residential.

2. The one exception is the presence of St Paul's School, the main entrance to which is but a short distance away on the opposite side of Oxford Road.

3. Despite the discouragement provided by "speed bumps", Oxford Road is busy for most of the day and, indeed, one gains the impression that the amount of traffic is increasing. This is particularly so at the beginning and end of the school day when cars stop and park to see children into school or to collect them. Traffic is frequently held up whilst children are shepherded across the road.

4. Furthermore, no. 67 69 is close to a corner in Oxford Road. Traffic approaching from the direction of Reading Road, even if travelling within the speed limit of 20 m.p.h. (which is all too often not the case), is taken by surprise by vehicles parked in the area of no. 67, 69 or turning into or out of any of the driveways of houses in the vicinity, especially if other vehicles are approaching from the opposite direction.

5. This aspect is now being exacerbated by the building work being carried out in respect of new houses in a roadway being opened up close to the corner referred to above. When these houses have been completed, the builder's vehicles and equipment will be replaced by the cars of the new inhabitants.

6. Although it is unlikely to affect us, we feel that there will be a certain amount of noise made by the cats and also some smell. These aspects would be a cause of considerable irritation to the immediate neighbours.

We trust that due consideration will be given to our objections.

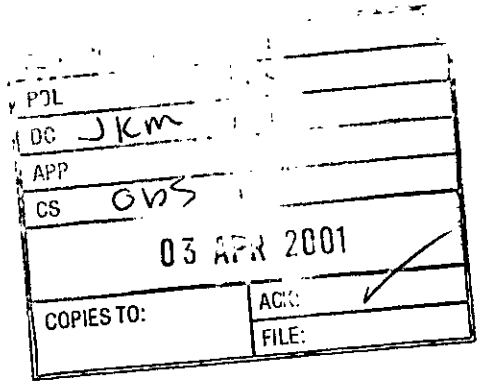
Yours faithfully

Olwen C Clift

Geoffrey A Clift

N.B. Wrong house number written in letter - pointed out by neighbour. Phoned Mr. Clift to confirm this 17.04.01 (Kate Griffiths)

PLANNING SERVICES
SHUTE END
WOKINGHAM
RG40 - 1WR



Mrs J. ANDREWS
4 ROOK CLOSE
WOOSEHILL
WOKINGHAM
BERKS RG41-3SQ

31-3-01

PLANNING APPLICATION F/2001/3536

Dear Ms. Miller,

The whys and wherefores of the planning department have always remained a mystery to many of us, but I felt I must write to you concerning the above numbered proposal.

I find it completly staggering that every piece of open space, every piece of land is earmarked for housing, the plans for which always somehow get approval. However, when someone has an enterprising idea that they have thoroughly researched, investigated and planned in order to build a small successful business, it is rejected.

I do not understand a critia that permits the construction of four "executive" detached houses on land that was once the rear gardens of a few houses on a ratter "iffy" bend, yet won't permit erection of a small, purpose built "shed" type building for use as a boarding cattery in the rear garden of a house fifty yards further along Oxford Road, where the road is straight.

Oxford Road is very congested during school starting

and finishing times - It is a very busy road as a route to Wokingham Station, Molly Millars Industrial Area, Walter School, St Pauls and the new housing in Frederick Place and very new housing on the old A.C Barnes site. I cannot help thinking that a small cattery that will arrange a 'collection and delivery' service and operate considerate opening times will not contribute to the volume of traffic at all. The applicants have lived in the property for many years and will continue to do so, they would naturally have more regard for the immediate environment than an out of town contractor.

The access to the applicants driveway was cited as a possible problem but again I cannot understand the grounds for this. My husband used to park regulay on the driveway and turn without encroaching on the neighbouring property. Infact it will be even more accessable when the lampost is removed from the entrance of the property and resituated somewhere more appropriate.

As a cat owner myself I feel a cattery would be a very useful business. It seems as if the 'little people' have no significance in Wokingham, its all housing, housing and more housing - Why can't someone utilise their resources for a good, small idea. Would they have been successful if they had sold their garden to "Millworth/Simmon" homes to build luxury apartments or a mobile phone shop! I Wonder!

Yours sincerely Janet Andrews.

Received by Wokingham District Council

Application No: F/2001/3536

Proposal:
Proposed erection of timber building for use as cattery.

Location:
69, Oxford Road, , Wokingham.

The application is available for inspection at Wokingham District Council's offices during the following times:

PLANNING DEPARTMENT, SHUTE END, WOKINGHAM TEL (0118) 974 6428
8.30 - 5.00 Monday - Thursday & 8.30 - 4.00 Friday

WOODLEY LIBRARY HEADLEY ROAD WOODLEY (9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday. closed all day Wednesday). If you intend to view this application at Woodley Library (see details above) please allow 4 days from the date of this notice for delivery of plans.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Joss Miller P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 12/04/2001. Written comments submitted will become available for public inspection.

In view of the very large number of planning applications and letters of comment received, it will not normally be possible for an individual reply to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

Head Planning and Transportation

19 March 2001

pre-app N° 1600

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date: 09 MAR 2001	Map No. 75B Site ...O.O.J...
Officer: JM | Application No. F 2001/3536	Easting: ..... Flood Pln .....
	Northing: ..... Mineral .....

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State

☐ Incorrect Fee ☐ Invalid ☐ PD

Description:
(F.) PROPOSED ERECTION OF TIMBER BUILDING FOR USE AS CATTERY

Location: 69 OXFORD ROAD

Parish: WOKINGHAM Ward: Emm Brook 19.3.01 JJ

Applicant: Mrs J CLARK

resubmission fee paid on 2000/1749 refused.

Fee Received 00-00 Required ..... Additional ..... Refund .....

Enforcement Section to be notified ☐ tick if required

Additional information required for validation

		Reason	Requested	Received
1	1:2500 OS location plan showing property edged in blue/red			
2	1:500 block plan showing existing & proposed dev. + adj. Properties			
3	Forms unsigned			
4	Correct S 66 certificate			
5	Elevation plans			
6	Floor plans	Is floor plan good enough? (Plan 5)		
7	Metric scale disclaimer			
8	Encroachment letter			
9	Miscellaneous			

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 19.3.01 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

Building Control : .....
Landscape .....
Trees ✓ .....
Conservation Officer .....
Environmental Health ✓ .....
Housing .....
Leisure & Cultural services .....
Public Rights of Way .....
Property .....
District Secretary (only if called in by SOS) .....
Policy & Plans .....
Strategic Planning (JSPU) .....
Minerals (INTERNAL) .....
Archaeological Site (BABTIE) : .....
Education .....
Social Services .....
Highways ✓ .....

EXTERNAL CONSULTATIONS

Adjacent D P A : .....
Adjacent Parish : .....
Southern Electricity Board .....
British Gas .....
PSA Oil Pipeline .....
Transco : .....
Environment Agency ✓ .....

Rail Track .....
Police Arch. Liaison Officer .....

HERITAGE BODIES

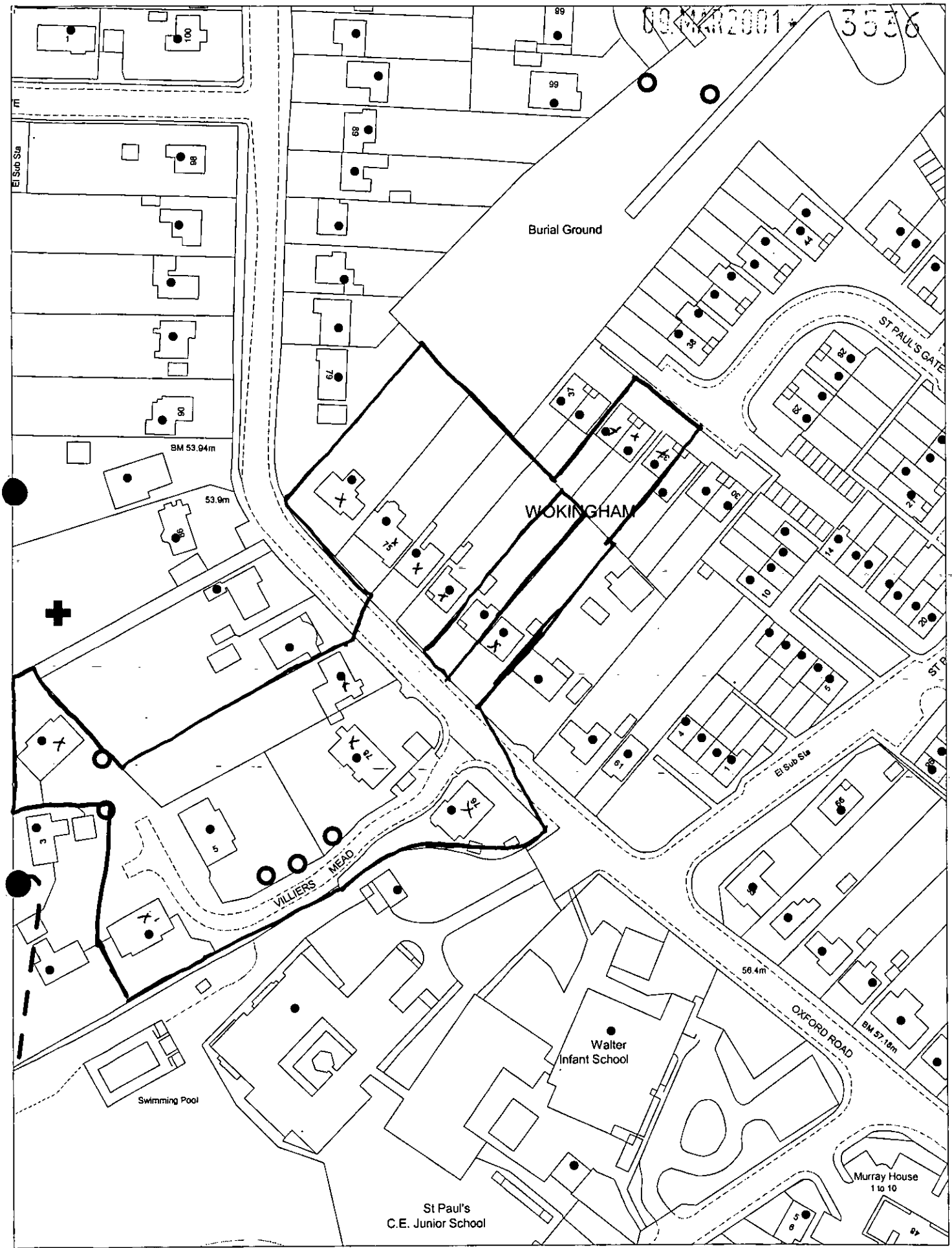
The Georgian Group .....
Ancient Monuments Society .....
Council for British Arch. .....
RCHME .....
Telecommunications (NRPB) : .....
Sport England : .....

OTHERS:

..... See pre app attached .....
.....
.....

NEIGHBOURS:

..... Site notice & see map for neighbour notices &
..... notify all people on attached list .....
.....
.....
.....
.....
.....
.....
.....



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO. © Crown Copyright.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.Wokingham District Council Licence LA086134

Development Control Section, Environmental Services, Wokingham District Council.
12 March 2001

Scale: 1 : 1250

N
W E
S

09.MAR2001 3536

Applicationo	Name & Address
F/2000/1749	Mrs P Howard 71 Oxford Road Wokingham RG41 2YH
F/2000/1749	B Bench The Cottage 67 Oxford Road Wokingham RG41 2YH
F/2000/1749	Mrs J Fredrick 73 Oxford Road Wokingham RG41 2YH
F/2000/1749	P & K Mulvaney 34 St Pauls Gate Wokingham RG41 2YP
F/2000/1749	Mr & Mrs P Beattie 75 Oxford Road Wokingham RG41 2YH
F/2000/1749	Mr V Robson 4 Villiers Mead Wokingham Rg41 2UB
F/2000/1749	O& G Clift 1 Villiers Mead Wokingham RG41 2UB
F/2000/1749	Cllr. R Eke 55 Lowther Road Wokingham RG41 1JB
F/2000/1749	Mrs B Bench The Cottage 67 Oxford Road Wokingham RG41 2YH
F/2000/1749	A Slade 77 Oxford Road Wokingham RG41 2YH

App refused,
Letter sent 05/09/00

document 1

09.MAR2001* 3536

REVISED PROPOSAL FOR A CATTERY AT 69, OXFORD ROAD,WOKINGHAM

(F2000/1749)

Please find enclosed revised plans and drawings for the above:

The current proposal is for 5 pens each of which could accommodate two cats from the same client, allowing maximum of ten cats to stay at any one time. This is a reduction in the scale of the originally proposed scheme which was refused permission.

The maximum number of clients per each period of stay would be reduced from fifteen to five, on this basis, two parking spaces are required for the existing three bedroom dwelling, plus one additional space for visitors to the cattery, as opposed to three additional spaces for the original proposal.

The inspectors reason for dismissing the appeal was the detrimental impact on highway safety, resulting from an increase in the need to reverse onto Oxford Road, which may have occurred with the original proposal. However there are adequate parking and turning facilities for the new proposal as demonstrated in the document "plan 3" enclosed. We are at present able to turn in our driveway with comparative ease, but to gain full access to our drive-way, we are arranging the moving of the lamp-post and road sign outside our drive to a position on the boundary, this will make full use of the entrance to our driveway and make turning a lot easier and more obvious to visitors. This work is due to be carried out within the next few weeks. We shall then block pave the entire frontage.

My hours of appointments will be between 9.30 am – 2.00pm and 6.00 – 7.00pm weekdays. !0.00am – 4.00 pm Saturdays. No hours of appointment Sunday or bank holidays. Telephoned appointment only, or as pre-arranged on last visit. This way visitors will not ever have to overlap and with so few expected even at full capacity, would ensure 20 – 30 minute appointment slots more than adequately spaced. The appointment only system also providing privacy and flexibility of movement for my own family. Also ensuring that visitors are not due at busy times of the day.
The previously mentioned collection and delivery service will operate, whereby I will offer free return of the animals at their owners convenience, this will obviously be favoured by most, to cut out the need to return for their pets.

The wire mesh on the exterior shown in the original plan will be omitted an instead ventilation and daylight will be provided through the centre of the roof, being partially of plastic roofing with mesh for ventilation the length of the apex, the remainder of the roof being insulated ply, with felt. Each outside wall and interior of each sleeping compartment will be fully insulated.

Visitors to the cat units will enter through the front door of the house.

I hope these alterations prove adequate for the proposal to now be accepted, subject to any appropriate conditions.

1789/a

SECTION 66 CERTIFICATE

Application No.

Please fill in both Certificate A, B, C or D and the Agricultural Holdings Certificate. Delete sections not relevant.

09 MAR 2001 * 3536

CERTIFICATE A

I certify that:

at the beginning of the period of 21 days ending with the date of the accompanying application, nobody, except the applicant, was the owner of (a) of any part of the land to which the application relates.

(a) "Owner" means a person having a freehold interest or leasehold interest the unexpired term of which is not less than 7 years.

OR

CERTIFICATE B

I certify that:

I have/The applicant has* given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owner's(a) name	Address at which notice was served	Date on which notice was served

+ See Note (a) to Certificate A

OR

CERTIFICATE C

I certify that

- I/The applicant* cannot issued a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66(1) of the Act in respect of the accompanying application.

- I have/The applicant has* given the required notice to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the application were owners (a) of any part of the land to which the application relates.

Owner's(a) name	Address at which notice was served	Date on which notice was served

(b) Insert description of steps taken.

(c) Name of local newspaper circulating in the area where the land is situated.

(d) Date of publication (which must be not earlier than the beginning of the period of 21 days ending with the date of the application).

- I have/The applicant has* taken all reasonable steps open to me/him/her* to find out the names and addresses of the other owners (a) of the land, or of a part of it, but have/has* been unable to do so. These steps were as follows:

  (b) . . . . . .

  . . . . . .

- Notice of the application as attached to this Certificate, has been published in

  the (c) . . . . . .

  on (d) . . . . . .

1789/b

CERTIFICATE D

I certify that

● I/The applicant cannot issue a certificate in accordance with paragraph (a) of Section 66 of the Act in respect of the accompanying application.

OR

● I/The applicant have/has taken all reasonable steps open to me/him/her to find out the names and addresses of everyone else who, at the beginning of the period of 21 days beginning with the date of application was the owner (a) of any part of the land to which the application relates, but have/has been unable to do so. These steps were as follows:

(b) Insert description of steps taken

(b) . . . . . .

. . . . . .

(c) Insert name of local newspaper circulating in the area where the land is situated.

(d) Insert date of publication (which must not be earlier than the beginning of the period of 21 days ending with the date of the application).

● Notice of the application as attached to this Certificate, has been published in the (c) . . . . . .

on (d) . . . . . ●

ALL APPLICANTS MUST COMPLETE THIS SECTION

If any of the site is part of an area of land which is let or there is an agreement to let the land for agricultural purposes to a tenant, it may be an agricultural holding. Further advice may be obtained from the Department.

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable.

If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

● None of the land to which the application relates is, or is part of, an agricultural holding. ●

OR

● I have/The applicant has given the required notice to every person other than my/him/herself who, at the beginning of the period of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates, as follows:

Tenant's name	Address at which notice was served	Date on which notice was served
	N/A	

Signed . . . . . .

On behalf of . . . . . .

Date . . . . . 7/3/01 . . . . . .

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
Certificate under Section 66

69 OXFORD ROAD

ORD 758

PLAN NUMBERS		DATE REC.	BRIEF DESCRIPTIONS AND REMARKS	DECISIONS		DATE STARTED	DATE COMP.
PLANNING	BUILDING			PLANNING	BUILDING		
	9551M	12.7.73	Installatioh of w.c. on ground floor		13.7.73		
			(Miss E. Fergusson Kelly)				
1	BRA10138		DORMER EXT./HALL/LOANS (MR. A. ABERDEEN)		29.5.91		
F/2000/1749			Erect timber buildings cattery (Mrs J Clark)	Refused 30.08.00			
			Appeal dismissed - 1749 - 16/01/01				

1769d

YOUR PLANNING APPLICATION

WHY DO YOU NEED TO MAKE A PLANNING APPLICATION ?

New buildings, major alterations and enlargement of existing buildings, and many changes in the use of buildings and land need planning permission.
The Town and Country Planning Acts impose a duty on Local Authorities to control these changes, and this means that a balance has to be found between the need and pressure for change, and the desire to protect the character of settlements and the countryside.
The merits of each application are, therefore, carefully examined.

WHAT ELSE MAY YOU HAVE TO DO ?

Listed Building Consent: for works to a Listed Building; or for demolition works on land within the curtilage of a Listed Building or within a Conservation Area.

Advertisement Consent: for the display of advertisements or signs

Building Regulation Approval: for most new building or construction work.

Special forms are available for these types of applications.

You should also check whether there are any other regulations with which you may need to comply.

WHAT HAPPENS TO THE APPLICATION ?

It will first be checked to see if it is complete and if it is, it will be registered.

Consultations will be carried out with public and other bodies, such as the Highway Authority, or Local Parish Councils.

Publicity may be given to allow local people the opportunity to comment on your proposals.

The application will be considered in relation to the Council's planning policies and guidelines, the past history of decisions on that site or in the locality, other standards (such as parking, or visibility at road junctions), and any other material considerations.

The site will be visited by a Planning Officer You may be asked to submit more information, or to amend your application.

The application will then be considered either by a Planning Committee or Sub Committee (made up of Councillors) or by the Chief Officer responsible for planning matters. Objections to an application will be taken into consideration by the Committee or the Chief Officer.

Shortly after the application has been determined, you will receive a Decision Notice.

HOW LONG WILL IT TAKE ?

An application will generally be determined within eight weeks although a longer period may sometimes be required for a complicated application.

WHAT SORT OF DECISION CAN BE MADE ?

Your application may be approved.

Your application may be approved subject to certain conditions. These could impose restictions on the use of land or buildings, or require further details to be approved at a later stage, (e.g. materials or landscaping).
You may appeal against the conditions, but this opens the entire permission to review by the Secretary of State.

Your application may be refused. The reason will be listed on the Decision Notice.

WHAT HAPPENS IF THE APPLICATION IS REFUSED ?

You have the right to appeal against the refusal to the Secretary of State, but you have to do that within six months. Appeals can be dealt with by written representations by both sides, or by a Public Inquiry.
You may ask the Planning Officer whether an amended application would be more likely to receive planning permission.

DATA PROTECTION ACT 1984

'Information contained in this form is likely to be personal data within the terms of the Data Protection Act 1984, and as such will be held by the Council on computer (such as the PLANAPS applications processing system) and may be used by the Council only for purposes registered under the terms of the Data Protection Act.'

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

09.MAR2001 PART 1

APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT - TOWN AND COUNTRY PLANNING ACTS

Please answer ALL QUESTIONS in BLOCK LETTERS. If a question is not applicable, answer N/A in space. Please submit SIX copies of this form and plans to:-

THE DISTRICT PLANNING OFFICER
WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P O Box No. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE, RG40 1WR

FOR OFFICE USE ONLY

1.	APPLICANT'S NAME	JANET CLARK
	ADDRESS	69, OXFORD ROAD WOKINGHAM
	POST CODE	RG41 2YH PHONE 0118 9629091
2. If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	
	ADDRESS	
	POST CODE	PHONE
3. On the plans show the SITE outlined in RED. Show also OTHER land in the applicant's ownership or control in BLUE.	SITE LOCATION	REAR OF 69 OXFORD RD
4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used		TIMBER BUILDING USE AS TEMPORARY ACCOMMODATION FOR CATS.
5. Give the area in hectares or part of a hectare	AREA OF SITE	WHOLE SITE 550.00 SQMTRS - PROPOSED: 24.300
6. State the applicant's interest in the land e.g. owner, prospective purchaser, lessee	OWNERSHIP	OWNER
List all the plans and drawings submitted with the application	PLANS/DRAWINGS	LETTER 1 & 2 PHOTO 1 DOCUMENT 1 PLANS 1-7 INC. SKETCH 1

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ? Tick the boxes(x)	CHANGE OF USE	☐	REDEVELOPMENT	☐
	ERECTION OF NEW BUILDING	☑	ALTERATION or EXTENSION	☐

9. WHAT TYPE OF APPLICATION IS THIS ? Tick one box only	OUTLINE PERMISSION	☐	See question 10
	FULL PERMISSION	☑	
	APPROVAL OF DETAILS/RESERVED MATTERS	☐	State relevant outline permission number. Also complete Question 10
	TEMPORARY PERMISSION	☐	State period required
	RELAXATION OF CONDITIONS	☐	State relevant application number. Conditions to be relaxed

10. IF THIS IS AN OUTLINE APPLICATION OR AN APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of this application ?		N/A	SITING	☐
	EXTERNAL APPEARANCE	☐	DESIGN	☐
	MEANS OF ACCESS	☐	LANDSCAPING	☐

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDING(S) e.g. residential, industrial, etc. If the site is vacant say so, and also state its previous use and when that ceased.

RESIDENTIAL

12. DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS? YES/NO — If yes, show existing route(s) and any proposed alternatives on the plans

13. ARE THERE ANY TREES ON THE SITE? IF YES, ARE ANY TO BE FELLED? YES/NO — If yes, please show their positions, spread and species on the plans and which, if any, are to be felled.

14. STATE EXTERNAL MATERIALS TO BE USED.

SNIPLAP TIMBER

15. HOW WILL THE SITE BE ENCLOSED? Say whether walls, fences or hedges, and give height, colour and materials. If the site is divided into plots, say how each is to be enclosed.

EXISTING 4-6' CLOSE BOARD FENCE.

16. HOW WILL SURFACE WATER BE DISPOSED OF?

N/A

17. HOW WILL FOUL SEWAGE BE DISPOSED OF? To existing system YES/NO N/A

If no, please give details

18. WHAT ARE THE ACCESS ARRANGEMENTS?
AS EXISTING
AS PROPOSED
Give details of pedestrian and vehicular access

AS EXISTING.

19. HAS PROVISION BEEN MADE FOR THE DISABLED? See notes for applicants

N/A

20. IF THIS PROPOSAL INVOLVES RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS, COMPLETE THE FOLLOWING TABLE

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED	TO BE RETAINED	TO BE LOST
HOUSE	/ *	/ *	/ *
BUNGALOW	/ *	/ *	/ *
FLAT/MAISONETTE	/ * N/A	/ *	/ *
OTHER	/ *	/ *	/ *

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE? YES/NO — * STATE No. OF HABITABLE ROOMS — If YES, complete Part 2 of the form

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS: THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS? YES/NO — If YES, please ask for and complete Part 3 of the form

23. STATE THE FEE ENCLOSED WITH THIS APPLICATION
The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.

NO FEE
RE APPLICATION WITHIN 1 YEAR

I hereby apply for permission in respect of the particulars described above and in the attached plans and drawings. If planning permission is granted, the development must be carried out strictly in accordance with the approved plans. Failure to do so could result in enforcement action being taken. Permission under the Town & Country Planning Acts does not obviate the possible need to apply for Building Regulations approval.

SIGNED [signature] ON BEHALF OF DATE 7th March 01

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".

PLANNING APPLICATION

PART 2

This part of the form need only be completed if the application involves non-residential development. Please answer all questions in print or block letters. If the answer is not applicable, write N/A in the space. You may wish to amplify your answers in a covering letter.

24. STATE THE GROSS FLOOR SPACE (by external measurement) OF ALL BUILDINGS TO WHICH THIS APPLICATION REFERS. Please give all floor areas in SQUARE METRES.

	USE CLASS	Existing floor space: Retained in existing use	Existing floor space: Lost by change of use or demolition	Proposed additional floorspace created by: New building	Proposed additional floorspace created by: Change of use
A1	SHOPS				
A2	FINANCIAL AND PROFESSIONAL SERVICES				
A3	FOOD AND DRINK				
B1(a)	OFFICE (other than A2)		N/A		
B1 (b)	RESEARCH AND DEVELOPMENT				
B1 (c)	LIGHT INDUSTRIAL				
B2	GENERAL INDUSTRIAL				
B3-7	SPECIAL INDUSTRIAL		N/A		
B8	STORAGE OR DISTRIBUTION				
C1	HOTELS AND HOSTELS				
C2	RESIDENTIAL INSTITUTIONS				
D1	NON-RESIDENTIAL INSTITUTIONS				
D2	ASSEMBLY AND LEISURE				
OTHER	Please Specify: ANIMAL HOUSING			24.300.	
OTHER	Please Specify:				
	TOTAL			24.300.	

25. IF C1 OR C2 USE IS PROPOSED, PLEASE STATE NUMBER OF BED SPACES

N/A

26. WHAT PROVISION IS BEING MADE FOR PARKING?

	Cars	Lorries
Existing	2 SPACES + 1 EXTRA	—
Proposed		—

27. DESCRIBE THE ACTIVITY OR PROCESSES TO BE CARRIED ON
Please provide details of any equipment, plant or machinery to be installed and any end products. You may wish to amplify your answers in a covering letter.

TEMPORARY ACCOMMODATION FOR CATS.

28. WHO WILL OCCUPY THE PREMISES?
a) Give the name and current operating address of the proposed occupier
b) Will these premises be vacated?

N/A

29. IF KNOWN, HOW MANY PEOPLE ARE LIKELY TO BE EMPLOYED ON SITE AFTER COMPLETION OF THE DEVELOPMENT?

Existing Staff	Transferred Staff	New Staff	Total
			1

30. DOES THE PROPOSAL INVOLVE THE USE OR STORAGE OF ANY OF THE HAZARDOUS SUBSTANCES LISTED IN THE NOTES?
If so, state this material, the quantity and method of storage.

NO

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO. © Crown Copyright.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.Wokingham District Council Licence LA086134

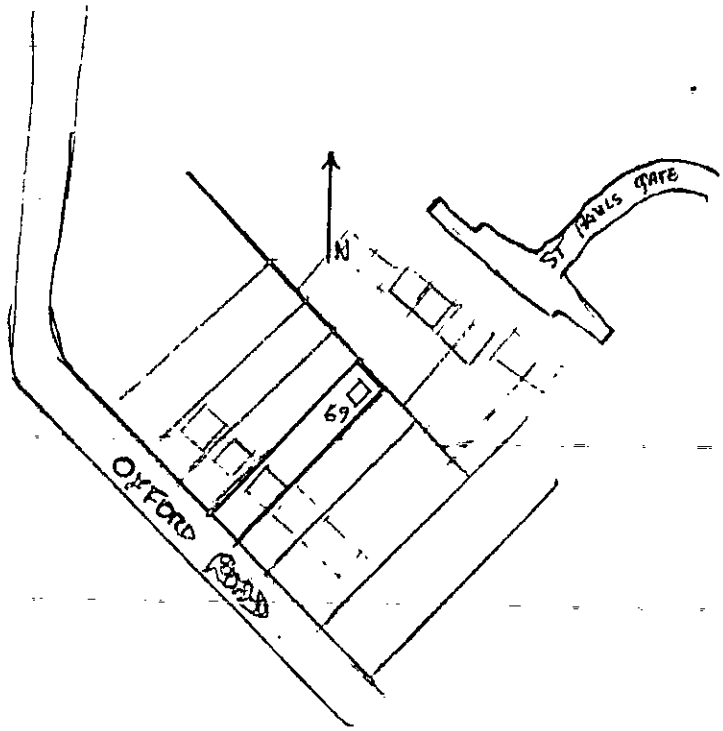
Development Control Section, Environmental Services, Wokingham District Council.

Scale: 1 : 1250

N W E S

09.MAR2001 * 3536

PLAN 1



LOCATION PLAN

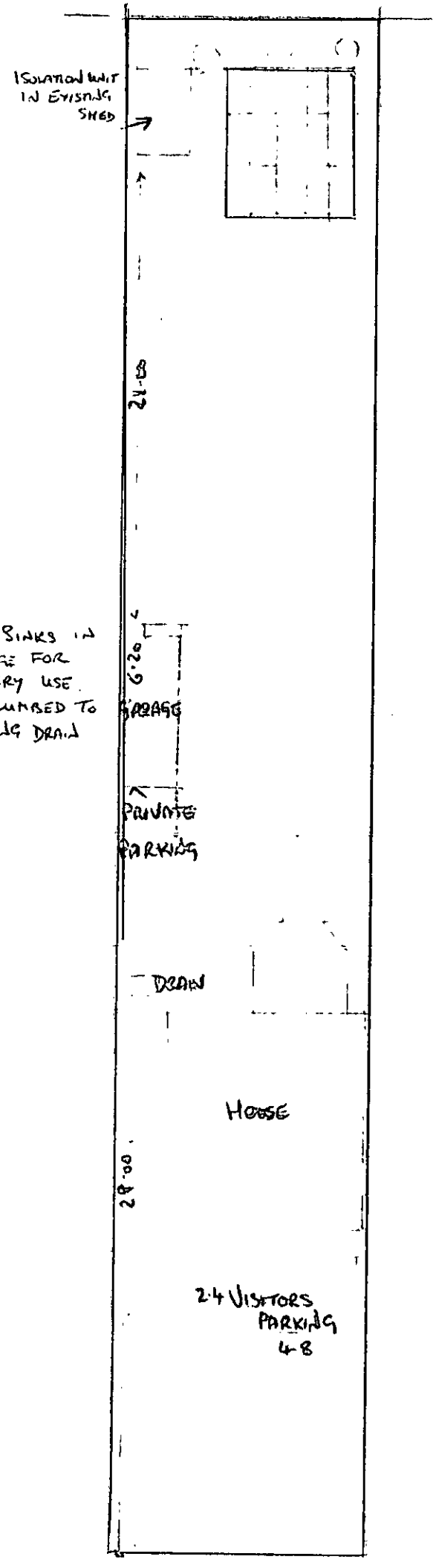
SCALE 1:2500

MRS J. CLARK MARCH 2001

REVISED PROPOSAL FOR TIMBER BUILDING
TO BE USED AS TEMPORARY ACCOMMODATION FOR CATS
REAR OF 69 OXFORD ROAD WOKINGHAM

REFUSED

09.MAR2001* 3536



TWO SINKS IN GARAGE FOR CATTERY USE. TO BE PLUMBED TO EXISTING DRAIN

PLAN 2

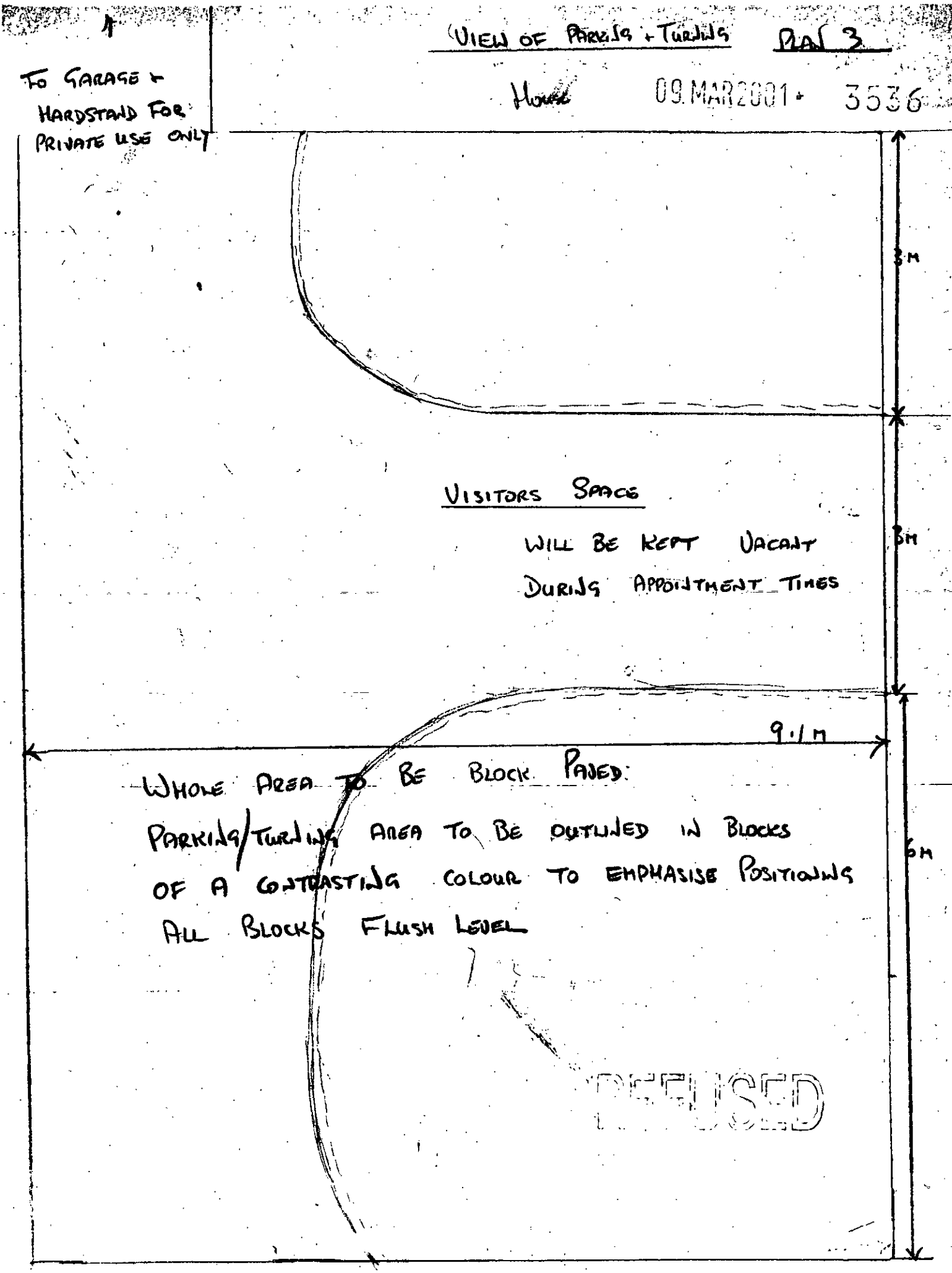
REVISED

SCALE 1:200

PLAN 2

VIEW OF PARKING + TURNING PLAN 3

House 09 MAR 2001 + 3536

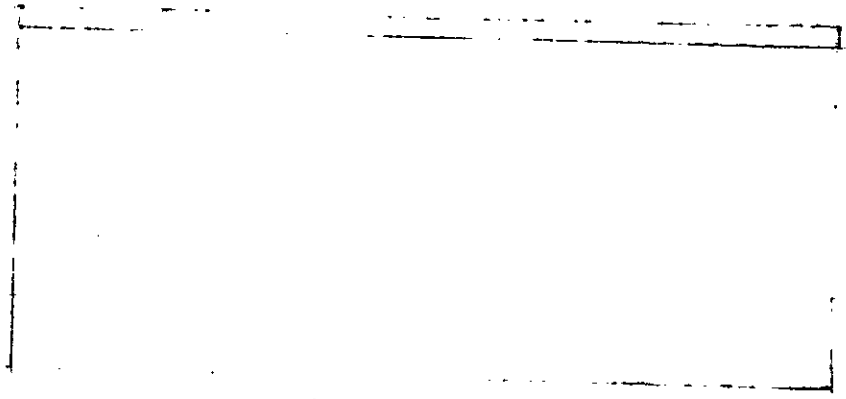


SCALE 1:50

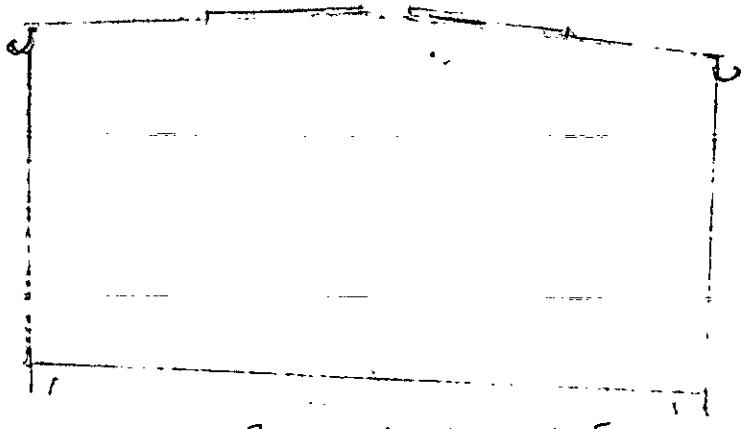
ELEVATIONS

PLAN 4

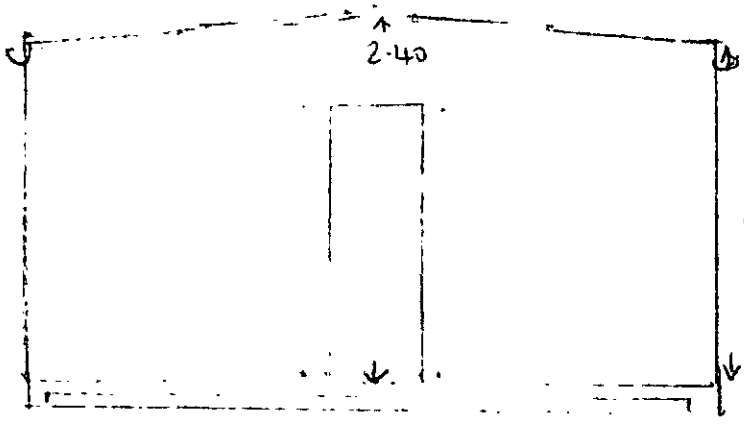
09.MAR2001 * 3536



BOTH SIDES 5.40m



REAR VIEW 4.50m



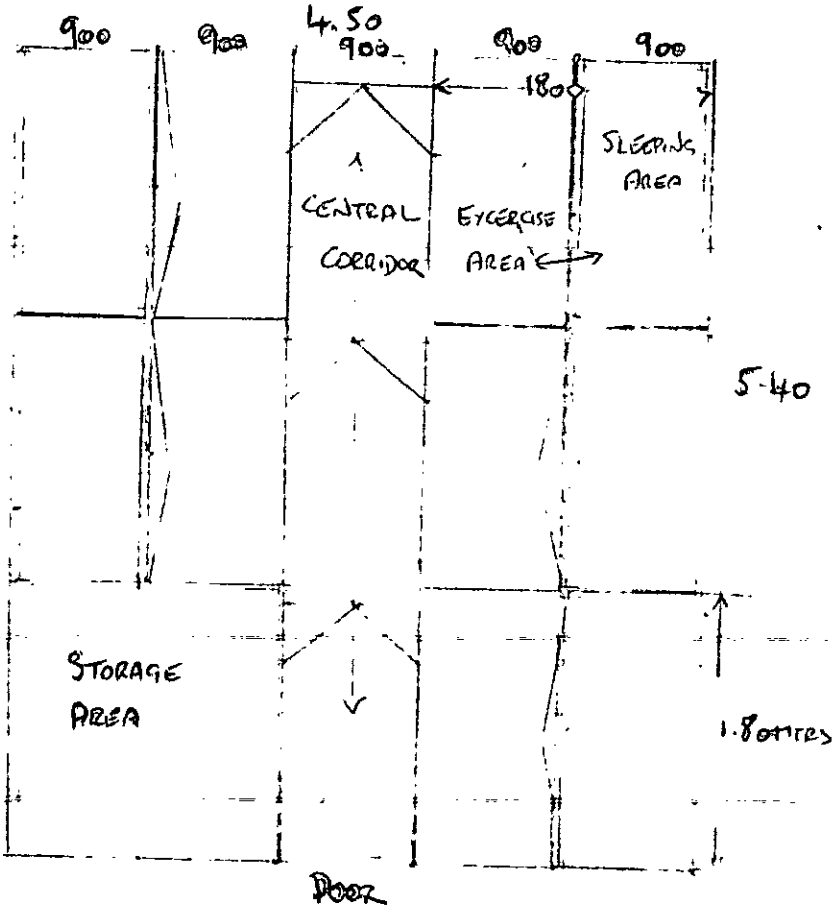
FRONT VIEW 4.50m.

SCALE 1:50

PLAN 4

PLAN 5

09.MAR2001 * 3536



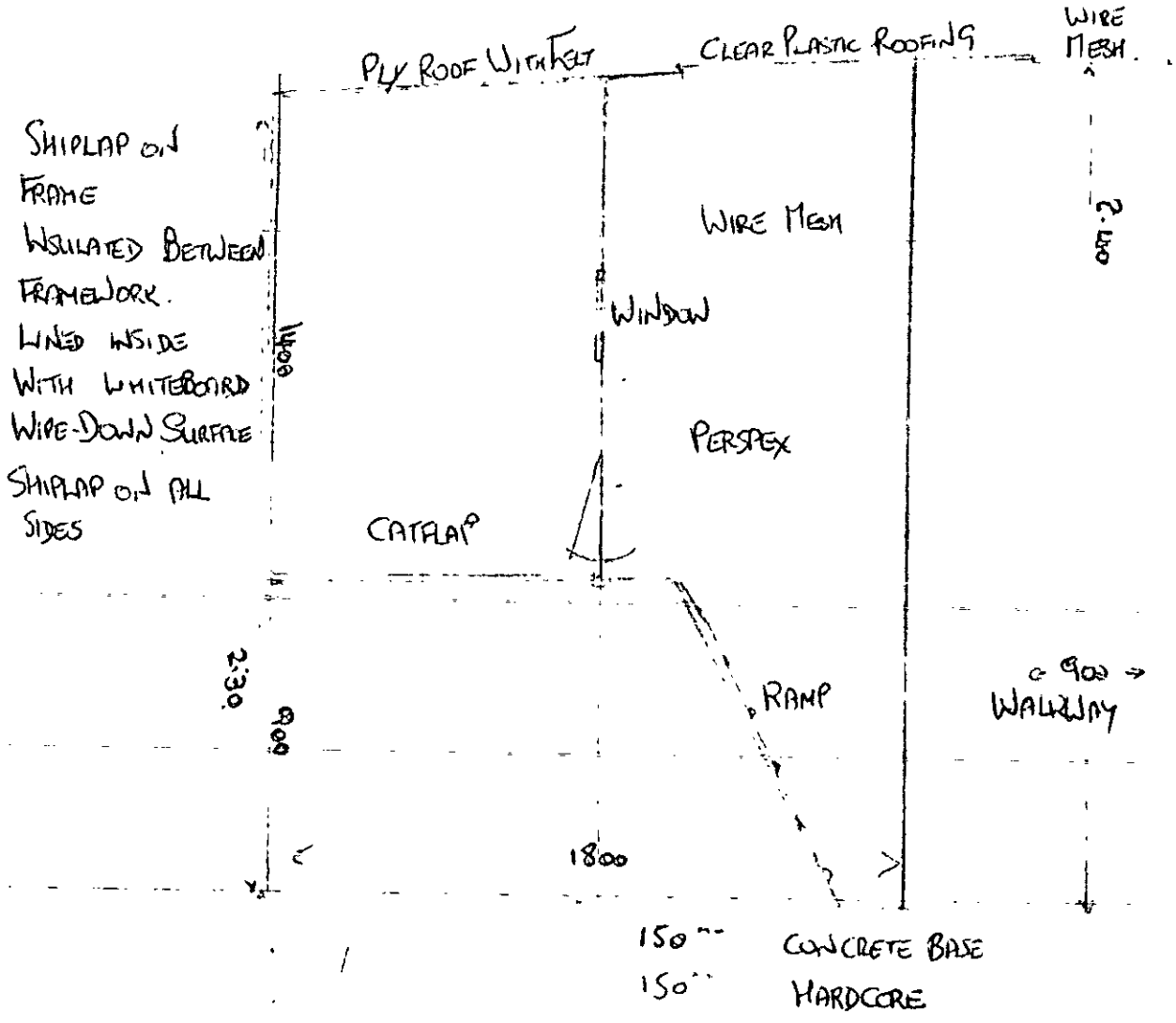
SCALE 1·50

REVISED

Plan 5

09 MAR 2006 3536

CROSS SECTION ONE SIDE



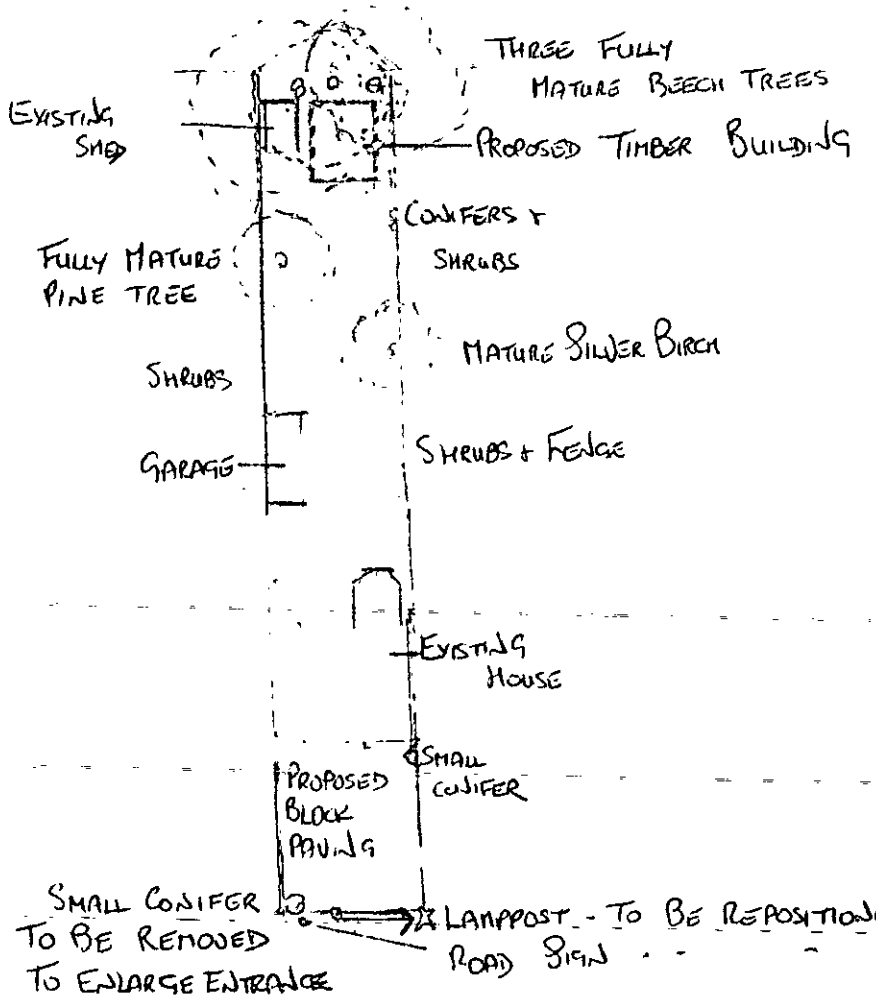
REFUSED

SCALE 1:20

Plan 6

09. MAR 2001 3536

LANDSCAPE



REFUSED

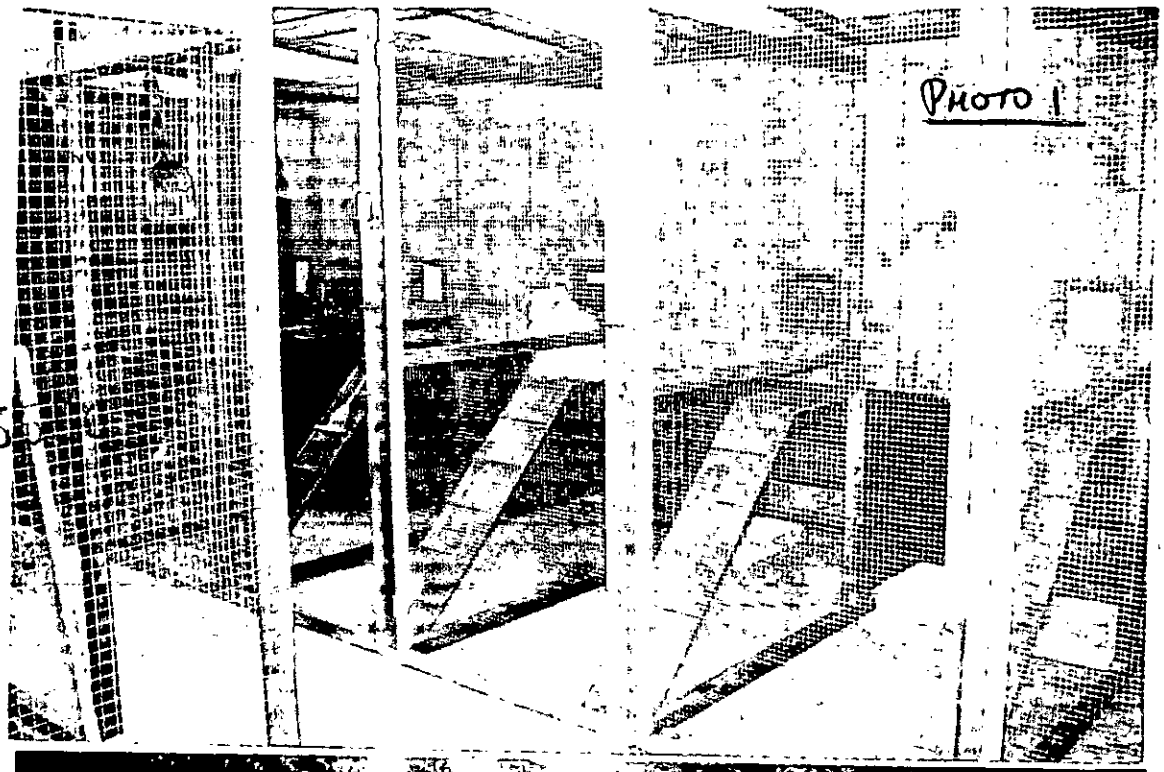
SCALE 1:500

Plan

Little Furs Cattery,
87, Fareham Road,
Gosport,
Hants.

09.MAR2001

PHOTO 1





These are interior and exterior views of my Aunts cattery, which is of a very similar style.Only considerably larger

This is sited in the rear garden of her 3 bedroomed bungalow, which has houses immediately to each side, on a busy road.

This has been operating successfully for more than nine years.

The planning was granted amidst local concerns about noise disturbance smells etc.

None of these problems have ever arisen.

REFUSED

Re 69 Otford Rd.
By Hand
Received 25/4/01



Received by Hand 25/4/01
Re 69 Oxford Rd.



X SYSTEMS LTD
SOUTHPORT U.K.
LONDON OFFICE

APPLICATION NO.3536

Name of appellant:
Janet Clark

Site address:
69 Oxford Rd

Proposal:Proposed erection of timber building fo
use as cattery

Case Officer:EXC

DISM 1585
07/02/02

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: EXC

APPLICATION NUMBER: 3536

APPELLANT: Janet Clark

SITE: 69 Oxford Rd, Wokingham

APPEAL REF: APP/X0360/A/01/1075654

START DATE: 23/10/01

DATE OF SITE VISIT 15/01/02

DISMISSED 07/02/02

Progress Record	Date Actioned	Initials
Appeal Logged:	24/10/01	
Entered on Access:	25/10/01	DG
Notification Letters Due:	**06/11/01**	
Notification Letters Sent:	25/10/01	DG
Questionnaire Due:	**06/11/01**	
Questionnaire Sent:	25/10/01	DG
Statement Due:	**04/12/01**	
Statement Sent:	28/11/01	DG
Comments on Statement Due	25/12/01	
Comments on Statement Sent		
Decision letter circulated:	11/02/02	DG
Decision entered on Access:	11/02/02	DG

Appeal Decision

Site visit made on 15 January 2002

by D F Harris BSc(Econ) DipTP MRTPI

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

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date
27 FEB 2002

Appeal Ref: APP/X0360/A/01/1075654
Site at 69, Oxford Road, Wokingham

- 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 Janet Clark against the decision of the Wokingham District Council.
- The application ref: F/2001/3536, dated 7 March 2001, was refused by notice dated 3 July 2001.
- The development proposed is a timber building for use as temporary accommodation for cats.

Summary of Decision: The appeal is dismissed.

Preliminary Matters

1. The application the subject of this appeal follows an earlier appeal decision relating to a proposal for a cattery (APP/X0360/A/00/1051889). In that case the accommodation proposed was 15 single pens with 3 parking spaces provided for customers at the front of the house. In dismissing the appeal, the Inspector considered that the effect on the living conditions of neighbouring residents of noise and disturbance from the cattery would not be sufficient in itself to warrant the withholding of planning permission. However, he considered that the narrow width of the front garden (approximately 9.1m) would discourage many visitors from attempting to turn around on the site, whatever layout was adopted. The appeal failed on grounds of road safety. In determining the present appeal, I am not bound by this decision, but it is a material consideration.

Main Issues

2. I consider the main issues to be first, the effect of the proposed cattery on the living conditions of neighbouring residents, particularly in terms of noise and disturbance; and secondly, the effect on highway safety of customers' car parking.

Development Plan and other Planning Policies

3. The Development Plan includes the Berkshire Structure Plan (1991-2006) and the South East Area Local Plan, adopted in 1994. Policies in the Development Plan promote road safety and seek to protect the amenities of neighbouring land uses when development is proposed. Not part of the Development Plan is the emerging Wokingham District Local Plan, but as this is at an advanced stage, I give it weight. Again, it includes policies concerning road safety and neighbourly development. Appendix 7 sets out parking and turning dimensions.

Reasoning

4. On the first issue, I note that the accommodation of the proposed cattery is limited to 5 double pens and that it would be fully enclosed, with ventilation provided through the roof. This would be a small-scale operation at the end of the garden. The length of the gardens of the dwellings on this side of Oxford Road indicates that it would be unlikely for there to be a problem of noise from the cats heard from inside the dwellings. But in my view people in the gardens nearby would from time to time be likely to notice some noise from inside the building and noise and disturbance from cats being brought to and taken away from it. There could also be a problem for the occupiers of the dwellings nearby in St Paul's Gate, which have smaller back gardens, although they would be less aware of the comings and goings. On balance, I consider that the harm to the living conditions of neighbouring residents would not be such as to warrant refusal of planning permission.

5. As regards the issue of customers' car parking and its implications for highway safety, I note that Oxford Road is a local distributor road giving access to Wokingham railway station, schools and business premises. In the vicinity of the appeal site, it is subject to parking restrictions and traffic calming measures; and there is a sharp bend about 60m. to the north-west. In these circumstances, it is in my view particularly important that vehicles calling at the site should park within it, turn around and leave in forward gear, irrespective of the time of day.

6. The scale of the operation requires only one parking space to be made available; and the whole of the front garden could be used for customers' parking given that the 2 spaces required for the occupants of the dwelling are at the side of the house (i.e. the garage and the space in front of it). This would enable a wide parking space to be provided and a consequent reduction in the length of the space required to turn around within the site. The space available is some 9.1m.long, which is the width of the plot. However, the minimum length required by what I consider to be the appropriate standard (Diagram 4 of Appendix 7 to the emerging Local Plan and its associated text) is 9.8m., comprising a parking space 4.8m. long and a forecourt depth of at least 5.0m.

7. This shortfall is not great and I have no doubt that the appellant and others who regularly enter the site have no great difficulty in turning around within it (provided it is free from parked vehicles). However, the potential customers would not be so familiar with the site; and it is with this point in mind that I have decided that it would be inappropriate to relax the standard. In my view, a proportion of the potential customers would attempt to park on the carriageway or reverse into or out of the site, either of which would be dangerous.

8. I note that the appellant relies on Diagram 8 of Appendix 7, which indicates a plot width of 8m. plus any land required for a visibility splay. However, I do not consider Diagram 8 appropriate as a guide, as it refers to a car turning area which must be kept free of parked vehicles so that other vehicles can use it for turning. Even if the turning needs of other vehicles – in this case those of the occupants of No. 69 - were ignored, and the turning area depicted in Diagram 8 were used for customer parking, a space extending for 15m. from the carriageway edge would be required. The distance to the front building line of No.69 is stated to be 12m., so there would be a shortfall on this dimension. Whichever diagram is used, the space available is inadequate.

9. I appreciate that the appellant has made great efforts to devise an acceptable development for this small business on the site; among other measures, its scale has been reduced, the building has been designed to minimise noise, a lamp post has been re-located and restricted hours of business are proposed. Yet the crucially inadequate dimensions of the plot at the front cannot be remedied; the appeal therefore fails because of the adverse effect on road safety resulting from the likelihood that some customers will not park within the site, turn around and leave in forward gear. Also counting against the development, although not in itself sufficient to justify refusal of planning permission, is the effect of noise and disturbance from the cattery on the living conditions of neighbouring residents, particularly when using their gardens.

Conclusion

10. For the reasons given above and having regard to all other matters raised, including evidence about catteries established elsewhere and representations from nearby residents and others (some of whom support the proposal), I conclude that the appeal should be dismissed.

Formal Decision

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

Information

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

INSPECTOR

The Planning Inspectorate

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

PLANNING SERVICES | HP 52918
POL | TLS
DC | ENF
APP |
CS |
08 FEB 2002
COPIES TO: | ACK:
FILE:

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

Your Ref: F/2001/3536

Our Ref: APP/X0360/A/01/1075654

Date: 7 February 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY JANET CLARK
SITE AT 69 OXFORD ROAD, WOKINGHAM

I enclose a copy of our Inspector's decision on the above appeal.

If you have any queries relating to the decision please send them to:

Quality Assurance Unit
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

Phone No. 0117 372 8252

Fax No. 0117 372 8139

E-mail: Complaints@pins.gsi.gov.uk

Yours faithfully

C. Nall

PP Mrs Margaret Pocock

COVERDL1

3536

The Planning Inspectorate

3/23 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3728701
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8701

PLANNING SERVICES	HPT 51661
	TLS
DC DC	ENF
APP	
CS	

10 JAN 2002

COPIES TO:	ACK:
	FILE

Your Ref: F/2001/3536

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

Our Ref: APP/X0360/A/01/1075654

Date: 9 January 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY JANET CLARK
SITE AT 69 OXFORD ROAD, WOKINGHAM

I am writing to inform you that the Inspector appointed by the Secretary of State to determine the above appeal is

Mr Don Harris BSc (Econ) MRTPI.

As notified by telephone recently, the Inspector will visit the appeal site at 11:30 on 15 January 2002. It is understood that you will arrange for the Inspector to be met at the site to enable the inspection to be made.

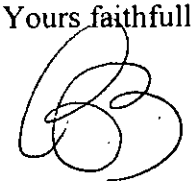
The Inspector will expect to be accompanied by representatives of both parties. If one of the parties fails to arrive, the Inspector will determine the most suitable course of action, which could mean that he will conduct the visit unaccompanied. In other circumstances, the visit might have to be aborted.

At the commencement of the site inspection the Inspector will make it clear that the purpose of the visit is not to discuss the merits of the appeal or to listen to arguments from any of the parties.

The Inspector will ask the parties to draw attention to any physical features on the site and in its vicinity. In turn the Inspector may wish to confirm particular features referred to by interested parties in their written representations.

In general, decision letters are issued within 5 weeks of the date of the inspector's site visit, although we cannot be precise about individual cases. If dispatch of the letter is likely to be significantly delayed, we will let you know.

Yours faithfully



Mr Bill Bowdren

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

209C

The Planning Inspectorate

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

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

Your Ref: F/2001/3536

Our Ref: PLANNING APP/X0360/A/01/1075654

Date: 27 December 2001

POL 51292 TLS
DC
PP
CS
28 DEC 2001
COPIES TO: ACK: FILE:

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY JANET CLARK
SITE AT 69 OXFORD ROAD, WOKINGHAM

I enclose for your information a copy of the appellant's final comments on the above appeal. Normally, no further comments, from any party, will now be taken into consideration.

Yours faithfully

Mrs M Pocock

217L(BPR)

NEIL & JANET CLARK
69 OXFORD ROAD
WOKINGHAM
BERKS
RG41 2YH
TEL : 01189 629091
E-MAIL janclark@ntlworld.com

18.12.01

3/03 Kite Wing
Temple Quay House
2, The Square
Temple Quay
Bristol
BS1 6PN

Ref: APP/X0360/A/01/1075654

For the attention of Mrs Margaret Pocock

Dear Madam,

I would like to take the opportunity to make a few comments on the third party correspondence, although no new major issues have been raised

Much fuss has been made about the boundary between No. 71 and us, this is just to clarify the matter.

The next-door occupant made an attempt in October 2000, to block the access to our garage containing our car at the time, by erecting high panelled fencing between the walls of the houses, on our side of the boundary purely to avenge our plans for a cattery by denying us our two personal parking spaces. This attempt was halted immediately and legal advise sought.

To date the position remains as it has been for many years with open access to both garages as due to its narrowness we have to use the access mutually.
A court injunction stands ready to be used in the unlikely event of further attempts being made to block access, as Mrs Howard has no legal right to do so, regardless of where the boundary lies.
In addition there is a dispute as to where the boundary line actually should be. Mrs Howard does not agree with the land registry documents and for some reason expresses a wish to add two panels to the front and two from the garage. As my letter to Mrs Howard states, this shall not be permitted until the exact boundary is ascertained. This argument has no involvement whatsoever with our planning application and would not affect the plans already submitted.
Once again my next-door neighbours letters are using the planning system to vent their personal grievances and cause trouble.

On the notification of this appeal it was decided to "report" our conservatory, which has been standing for three years as having no planning permission, see resulting letter enclosed, just another waste of council time.
It would be a good idea if the council charged people for wasting their time in this petty vindictive way.

The "lorry" in the photo belongs to the builder named on the side of the vehicle who was very amused to find that it spent most of its day on our drive, when he uses it everyday himself for his own business! We do not own or keep a lorry or any other commercial vehicle of our own. But the photo gives quite a good view of the size of our frontage with this vehicle in place.

The other neighbour, in an attempt to drum up opposition to the cattery called at several of the residents in St. Pauls Gate with pre-typed letters of objection for them to sign. Needless to say these people were livid at the sheer nerve and intrusion into their privacy and having no strong opinion either way tore these letters up immediately, but felt I should be aware of this neighbours actions, as I feel you should too. On our original application this neighbour offered a petition to the same residents but no-one signed.
These "objectors" cause the only conflicts that arise and far from revel in it - we simply will not curtail to bullies.

Getting on to more important matters I have read the LPAs comments and would willingly comply to the conditions the council would impose should the appeal be granted, but will make clear once again that the cattery will not be open during school start and finish time for safety's sake, and I would be more than happy if the council also made this a condition as they have already specified opening times as a condition.

The moving of the lamppost has made a vast difference to the opening space since the previous inspectors visit and shows a clearer path to the visitor's space and turnaround. It is now situated at the start of the raised curb and change of parking restrictions as it should be, instead of within the dropped curb of our drive and across the double lines to the front of our house as it was. It was originally to be repositioned at the boundary between us and No.67, but such a fuss was made in the Highways Dept. by my two neighbours, that we were asked if by way of peace keeping, we would mind it slightly within our own boundary, of course we had no objection to this, but were slightly put out that once again unjustified interfering had taken place.

There is very little street parking and I very much doubt that people would rather use what little there is than park in our adequate parking facilities.
I strongly believe that it is the councils responsibility to prevent any danger by putting double lines all the way along, eliminating street parking near the corner. As they have mentioned we have a 20 mph speed limit which I feel acts in our favour as it reduces danger considerably.

There may be a few other catteries within 10 miles of Wokingham, but there are none within 2 of here and I expect anyone who lives in this vicinity would rather come to the closest and most convenient

Finally, I do not feel that this very minor proposal, if kept within the specified conditions, will in any way affect Oxford Road significantly to be contrary to any local plans or cause any road safety issues at all.

Yours faithfully



Janet Clark

Encs.

Tel: (0118) 974 6449 (Direct Line)
Fax: (0118) 974 6484
E-mail mike.hamlin@wokingham.gov.uk
Date: December 4, 2001
My ref: RFS/4856
Your ref:

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

Mrs J Clark
69 Oxford Road
Wokingham
Berks RG41 2YH

Dear Mrs Clark

CONSERVATORY AT 69 OXFORD ROAD WOKINGHAM

Further to my site visit and our telephone conversation today regarding the above.

I can confirm that the conservatory falls within the parameters of permitted development and therefore does not require planning permission.

I hope this clarifies the situation.

Yours sincerely

M D Hamlin
Senior Planning Enforcement Officer

Tel. (0118) 974 6448 (Direct Line)
Date: November 28, 2001
My ref: F/2001/3536
Your ref: APP/X0360/A/01/1075654

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: Mrs J Clark
SITE: 69 Oxford Rd, Wokingham

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: October 25, 2001
My ref: F/2001/3536
Your ref: APP/X0360/A/01/1075654

Mr S Campbell
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 Mr Campbell

APPEAL BY: Janet Clark
SITE: 69 Oxford Rd, Wokingham

With reference to this appeal, I enclose the questionnaire & associated documents.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. October 25, 2001
My ref: F/2001/3536
Your ref:

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

Mrs J Clark
69 Oxford Rd
Wokingham
Berks
RG41 2YH

Dear Madam

APPEAL BY: **Yourself**
SITE: **69, Oxford Rd**

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

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

(H)

PLANNING SERVICES HPT 49075
APP
CS
24 OCT 2001
COPIES TO: ACK: FILE:

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

Your Ref: F/2001/3536

Our Ref: APP/X0360/A/01/1075654

Date: 23 October 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY JANET CLARK
SITE AT 69 OXFORD ROAD, WOKINGHAM

I have received an appeal form and accompanying documents for this site. I am the case officer. If you have any questions please contact me. Apart from the questionnaire, please always send **2 copies** of all further correspondence, giving the full appeal reference number which is shown at the top of this letter.

I have checked the papers and confirm that the appeal is valid. If it appears at a later stage, following further information, that this may not be the case, I will write to you again.

The appellant has requested the written procedure. Unless you tell me otherwise, I will assume that you do not want an inquiry. The date of this letter is the **starting date** for the appeal.

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

Within 2 weeks from the starting date -

You must notify any statutory parties and interested persons who were consulted at application stage and those who made comments that the appeal has 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 within **6 weeks of the starting date.** 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 appeal decision they must write to me asking for one.

You must submit a copy of a completed appeal questionnaire with copies of all necessary supporting documents, to the appellant and me. It is essential that details of all the relevant development plan policies are included with it at this early stage.

Within 6 weeks from the starting date -

You must submit 2 copies of your statement to me if the appeal questionnaire does not comprise the full details of your case. The appellant must submit 2 copies of any statement to me if it proves necessary to add to the full details of the case made in the grounds of appeal. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, *as recommended in Annex 1(i) of DETR Circular 05/2000.* Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant a copy of any comments submitted by interested parties.

Within 9 weeks from the starting date -

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.

Site visit arrangements

We will arrange for our Inspector to visit the appeal site and we will send you the details. In most cases the visit will be arranged within 12 weeks of the **starting date**.

You **must keep to the timetable** set out above and ensure 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. Inspectors will not accept representations at the site visit, nor will they delay the issue of their decision to wait for them. As I have given details of the timetable, I will not send you reminders.

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, you must submit a completed, signed and dated copy before the date of the site visit. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Yours faithfully

Mr Simon Campbell
102(BPR)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Janet Clark
SITE: 69 Oxford Rd, Wokingham
APPLICATION NO.: 3536
PROPOSAL: Proposed erection of timber building for use as cattery

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Emmbrook

Mr J L Earnshaw

Mr R Eke

Mr K A Malvern

Clerk(s) of Parish / Town Council of Wokingham

Mr K Abnett, Town Hall, Market Place, Wokingham, Berks RG40 1AS.

Environmental Services Department, Engineering Services, Wokingham District Council, PO Box 157, Council Offices, Shute End, WOKINGHAM, Berkshire, RG40 1WR

Environmental Design, WDC

Environment Agency, Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 7SQ
-FAO Matt Rose, Ref: SU86NW/16/39

Environmental Health, WDC
-FAO John Mullaney

Applicationo	Name & Address
F/2001/3536	Mr / Ms Kennedy 65 Oxford Road WOKINGHAM Berkshire RG40 5QL
F/2001/3536	Mrs J Andrews 4 Rook Close Woosehill WOKINGHAM Berkshire RG41 5SQ
F/2001/3536	Miss H. C. Jenkins 30 St Pauls Gate WOKINGHAM Berkshire RG41 2YP
F/2001/3536	Mr P Beattie 75 Oxford Road WOKINGHAM Berkshire RG41 2YH
F/2001/3536	Barbara Bench The Cottage 67 Oxford Road WOKINGHAM RG41 2YH
F/2001/3536	Peter and Margaret Royle 2 Villiers Mead WOKINGHAM Berkshire RG41 2UB
F/2001/3536	Mrs P Howard 71 Oxford Road WOKINGHAM Berkshire RG41 2YH
F/2001/3536	Janet Fedrick 73 Oxford Road WOKINGHAM Berkshire RG41 2YH
F/2001/3536	Olwen C Clift and Geoffrey A Clift 1 Villiers Mead WOKINGHAM Berkshire RG41 2UB

The Planning Inspectorate

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

PLANNING SERVICES 50619
TLS
DC ENF
APP
DG
4 DEC 2001
COPIES TO: ACS FILE

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

Your Ref: F/2001/3536

Our Ref: APP/X0360/A/01/1075654

Date: 4 December 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY JANET CLARK
SITE AT 69 OXFORD ROAD, WOKINGHAM

I enclose third party correspondence relating to the above appeal.

-25/12/01

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. Comments submitted after that deadline may not be seen by the Inspector.

Yours faithfully

Mp Mrs Margaret Pocock

211AL(BPR)

73 Oxford Road
Wokingham
Berks
RG41 2YH

Ref APP/X0360/A/01/1075654

29th Nov 2001

Mr. S. Campbell,
The Planning Inspectorate,
Room 3/03
Kite Wing
Temple Quay House
2, The Square
Temple Quay
BRISTOL, BS1 6PN

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY: Janet Clark
SITE: 69, Oxford Road, Wokingham
PROPOSAL: Proposed erection of a timber building for use as a cattery

I am writing as a resident of Oxford Road to reaffirm my objection to the above planning application.

As stated when the same application was made and refused in 2000, this is an unsuitable location for any animal establishment, being a fairly high density residential urban area. There could be serious environmental implications for those living nearby, not to mention the interference with the human rights of other residents to the quiet enjoyment of their properties. These factors cause stress and concern, which I feel should receive a much higher profile in the consideration of this matter.

However, the greatest worry has to be Oxford road itself, which, in the last year has received an increase in traffic due to the completion of a large housing estate close to the station and receives an ongoing increase in vehicles due to infill building development close by and the 'rat-run' effect from other increases in traffic further away. The applicants, in reality, have very little frontage to their property, which is unlikely to increase despite attempts by them to dispute their boundary line with the owner of No. 71 Oxford Road and already have both a private and a works vehicle regularly on the premises.

In view of all the adjacent hazards namely the sharp bend, the school, the density of vehicles especially at peak times and the general risk to pedestrians, I would ask you to find that, just as last year, this site would be unsuitable for a business which would, inevitably, cause still further, unwanted traffic and danger on Oxford Road.

I would be obliged if I could be informed of the outcome of this matter.

Yours faithfully

Janet Fedrick

Janet Fedrick (Mrs)

Eureka!
Software Training Services

30th October, 2001

FAO The Planning Inspectorate
Wokingham District council
Shute End
WOKINGHAM
Berks RG41 1WR

Dear Sirs

RE: 69 OXFORD ROAD REF: APP/X0360/A/01/1075654

We write on behalf of the occupants of 69 Oxford Road to confirm that on the occasions we visited the above premises, we found that there was sufficient room to manouvre our vehicle.

We have been able to drive in, turn around and then exit without any problem.

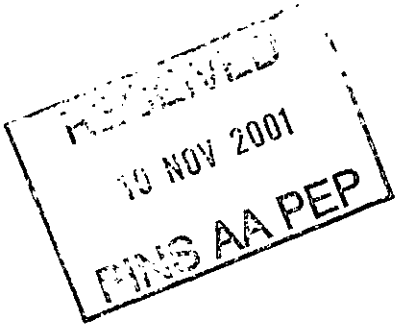
Please feel free to contact on number shown below, should you require any further clarification.

Yours faithfully

Tony Smith
Director

VAT REGISTRATION NO: 641 5387 37
35 EASTHEATH AVENUE, WOKINGHAM, BERKSHIRE RG41 2PP
PHONE/FAX 0118 9789279

The Cottage
67 Oxford Road
Wokingham
Berkshire
RG41 2YH



Mr S Campbell
The Planning Inspectorate
Room 3/03
Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

15 November 2001

Reference: **APP/X0360/A/01/1075654**
Site: **69 Oxford Road, Wokingham**
Proposal: **Proposed erection of timber building for use as cattery**

Dear Mr Campbell,

With regard to the letter received from Wokingham District Council regarding a further appeal for the above cattery, I can only, again, put in my objections for a business of this nature in this area.

As mentioned in my previous letter dated 9th November 2000, I can say, once again, that apart from Oxford Road not being suitable for a cattery, 69 Oxford Road is not, in my opinion, a suitable property for such a business for the following reasons:

- The rear garden to the house although approximately 100ft. long, does back onto houses whose gardens are not so big and as this would be an intrusive business which could cause unnecessary aggravation, created by noisy me-owing cats, who in the day time are bound to be in the open even if they are penned in and, of course, will not be in their normal environment and could be missing their owners. Also, it can be seen very much as a health hazard.

- Also the garden is only approximately 30 - 35ft wide and this would also be an intrusive business for me for the reasons already stated above.

- With regard to the dispute with the fence between Mr and Mrs Clark and Mrs Howard, I would like it noted that I have lived at 67 Oxford Road for the past 30 years, and I can assure you that until Mr and Mrs Howard took their fence down to allow the Clark's to drive their car down the side of their property there had never been a garage built because there was never enough room to get a car down the side of 69. If you check with any estate agent that have sold this house in the past 30 years, and its been on the market at least 4 times since I have lived here, you will find that there has never been a garage, and the reason was it was never worth putting one up. I believe that Martin & Pole was one of the estate agents who were involved at sometime in the selling of 69, if you wish to check. I would also add that Mr and Mrs Howard always had a garage because they had ample room for a car down the side of their property. The pity is that Mr and Mrs Howard ever took the fence down and I can assure you Mrs Howard bitterly regrets their action now. How is it that such a good turn can turn so against you? But I can assure this dispute is far from over.

I still do not regard Oxford Road as suitable for a cattery, as it is a very busy road traffic wise and there are two schools in the vicinity of 69, and I do not consider, whatever they have done, that they will have enough room for cars to drive out rather than reverse, because, apart from a lamp post being put over to the other side of their frontage at about the same distance from the boundary fence as it previously was, they have no more room than they originally had.

I have noticed that they keep talking about me having a flat to let. I think it's time I explained what this is. It is not a flat, it is referred to as a flatlet and it is only for one person. As I live in this house on my own I could hardly say this constitutes a problem with cars. As for visitors, I can assure apart from an odd friend coming from time to time which everyone has, this certainly creates no problem, also I have a much wider plot than 69 giving me a drive up the side of my house, and also a turning area if necessary. I would certainly say that Mr Clark, having a heavy lorry parked on his property on a regular basis, is a greater problem if we want to get silly about this.

I might also add that our local councillors are very against a cattery in Oxford Road for the obvious reason that this area is one of the busiest areas traffic wise in Wokingham due not only to the schools, but also its close proximity to the railway station which brings its own problems plus it is very built up and is very close to the town centre..

I sincerely hope that, once again, common sense will prevail on this matter.

Yours faithfully,

Barbara Bench (Mrs)

RECEIVED
20 NOV 2001
FINS AA PEP

0118-9793676

1 Villiers Mead
Wokingham
Berkshire RG41 2UB

Mr S Campbell
The Planning Inspectorate
Room 3/03, Kite Wing
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

Your ref. APP/X0360/A/01/1075654

19 November 2001

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY : Janet Clark
SITE : 69 Oxford Road, Wokingham
PROPOSAL : Proposed erection of timber building for use as cattery

We wish, again, to object to the above application. This is our fourth letter on the subject, two previously to the Wokingham District and now two to your good selves. We understand that our earlier comments will be taken into consideration but we think it appropriate again to summarise our reasons. Before doing so, however, we would like to ask what the real purpose for a cattery in this area is. According to the "Yellow Pages" there are about 15 catteries within 10 miles of Wokingham and many more not too far beyond. Is there now a need for more? Should it be thought that we have an "anti-cat" prejudice, I could mention that we currently have a cat of our own.

Our reasons for objecting are as follows :

1. The concept is inappropriate to a road of the nature of Oxford Road, which, in the close neighbourhood of no.69, is essentially residential.

2. The exception is the presence of St Paul's School, the main entrance to which is but a short distance away on the opposite side of Oxford Road.

3. Despite the discouragement provided by "speed bumps", Oxford Road is busy for most of the day. This is particularly so at the beginning and end of the school day when cars stop for a time whilst small children are shepherded across the road into school and vice versa in the afternoon.

4. Furthermore, no.69 is close to a corner in Oxford Road. Traffic approaching from the direction of Reading Road, even if travelling within the speed limit of 20 m.p.h, is taken by surprise by vehicles parked outside or near to no.69, or turning into or out of any of the driveways of houses in the vicinity, especially if other vehicles are approaching from the other direction. This aspect has been exacerbated by the building of new houses in a new roadway opening onto Oxford Road close to the corner, work on which is almost complete. The occupation of these houses with the consequent increase in the number of cars moving on to or out of Oxford Road will lead to another hazard. (Incidentally, we note that the map provided by the Wokingham District Council on the reverse of their letter concerning the current appeal is inaccurate inasmuch as it does not show the new cul-de-sac.)

5. Although it is unlikely to affect us, we feel that there will be a certain amount of noise made by the cats and also some smell. These aspects would be a cause of considerable irritation to the immediate neighbours.

We trust that due consideration will be given to our objections.

Yours faithfully

Olwen C Clift

Geoffrey A Clift

Kiran and Paul Mulvaney
34 St Paul's Gate
Wokingham
Berks
RG41 2YP

Mr. S Campbell,
The Planning Inspectorate,
Room 3/03,
Kite Wing,
Temple Quay House,
2 The Square,
Temple Quay,
Bristol,
BS1 6PN

29.11.01

Dear Sir,

Re: APP/X0360/A/01/1075654

We live in the closest proximity to the site and would like to reiterate that we have absolutely no objections to the proposal and are still in support of the above.

Yours sincerely,

P & K Mulvaney

RECEIVED
19 NOV 2001
PINS AA PEP

St Abbs
71 Oxford Road
Wokingham
Berkshire
RG41 2YH

November 14, 2001

Reference: APP/X0360/A/01/1075654
Mr. S Campbell
The Planning Inspectorate
Room 3/03
Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Dear Mr. Campbell,

I object to Mr. + Mrs. Clarke's application, to erect and run a cattery, on the grounds of: excess noise, nuisance and the additional traffic generated in Oxford Road. In the original Appeal Decision and in the rejection of this new application both the Inspector and the LPA made the point that increased reversing onto or off Oxford Road would have "a seriously detrimental impact on highway safety". The new application has done nothing to address this problem.

I am certain that when the inspector calls at 69 Oxford Road the drive will be clear of vehicles. Unfortunately, this is not the usual situation. Commercial vehicles regularly park all day at this address. Mrs. Clark makes much of the supposed ability to turn in the available space. However, she habitually reverses into her own drive, as do many other residents of Oxford Road. As it is far too dangerous, if not impossible, to reverse onto the highway. More so being close to the bend in the road!

Mr. and Mrs. Clark are not the best of neighbours. Indeed, they seem to revel in conflict! I enclose a recent letter I have received, disputing the position of our common boundary. The position of the boundary has not changed since my late husband and I moved into the property some eighteen years ago. Portions of my fence have been removed to allow access that is more convenient to the garages. It was never the intention that a business should be run from the site. I now bitterly regret our largesse.

It seems quite clear to me that, should this application succeed, the number of cats boarded at 69 Oxford Road would rapidly increase toward that number initially envisaged! If only to make the enterprise economically viable.

Sincerely,

P. Howard

Mrs P Howard

NEIL & JANET CLARK
69 OXFORD ROAD
WOKINGHAM
BERKS
RG41 2YH
TEL : 01189 629091

Stabbs,
71, Oxford Road,
WOKINGHAM
BERKS

14.10.01

Mrs Howard

We have noticed that some markings have appeared in the vicinity of the boundary between our properties, this looks as though you intend to erect some fencing. May we remind you of our last letters' contents which still stand.
Additionally according to both your copy BK202189 and ours BK127718 of the land registry the existing odd bit of panelling to the pier at the front is on our land and so is half the pier. This bit of panelling is not proof of the boundary. The measurements of our plot should widen by 1mtr from the top of the rear garden to the road, at the moment it is narrower than it should be which indicates that you have already encroached onto our land. If you intend to attach more panels to the existing bit they will be on our property and we will have the right to remove them. If you do wish to place panels on the **true** boundary here (quite frankly we'd appreciate the privacy), as we are in dispute about the exact position of the boundary, you must firstly have it measured out **according to the land registry dimensions** by a qualified surveyor and provide us with an accurate measurement for the positioning of any new fencing. If you encroach onto our land **at all** this will result in the afore mentioned court action and if this work is attempted **before we see the** accurate measurements I will phone the police immediately .We do not want any more fencing on our land, you cannot just put up fencing where **you think** it goes.
I must add that we had not noticed before that your fencing was on our land until you made us aware of the situation by attempting to obstruct our access and we had it looked into by a surveyor.
Thank you for bringing it to our attention.

Yours faithfully,

N & J. Clark


D.J. WOOD & SON BUILDERS

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT: **Janet Clark**

APPEAL SITE: **69 Oxford Road, Wokingham**

REASON FOR APPEAL: **Refusal of planning permission for the erection of a timber building for use as a cattery**

LOCAL PLANNING AUTHORITY REFERENCE : F/2001/3536

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/01/1075654

1.00 SITE DESCRIPTION

1.01 69 Oxford Road is a detached dwelling, located on a 0.05 hectare site, within the Identified Settlement of Wokingham. The area is predominantly residential although there are two schools and existing businesses in the vicinity, the nearest being a sign writers the rear of 65 Oxford Road.

1.02 A site location plan at scale 1:1250 is contained in Appendix 1.

2.00 RELEVANT PLANNING HISTORY

2.01 Planning permission for the erection of buildings, at the rear of the property, for use as a cattery (15 pens to accommodate one cat each) was refused in August 2000, as it was considered that the proposal would result in increased noise and disturbance, detrimental to residential amenity and the character of the area. The Highway Officer had requested additional information and, as this was still outstanding, there were no highway comments/reasons for refusal.

2.02 In January 2001, the proposal was dismissed at appeal. The Inspector took the view that, while there would be some harm to the amenities of neighbouring residents, this would not be sufficient to warrant refusal of the proposal. However, three parking spaces were required, in addition to those for the dwelling, and it was considered that the narrow width of the plot would discourage visitors from turning vehicles within the site, leading to reversing in or out, to the detriment of highway safety and the free flow of traffic in Oxford Road and the appeal was dismissed. Copies of the Local Planning Authority decision notice, Inspector's decision letter and the parking plan for this proposal are contained in Appendix 2.

2.03 In March 2001 an application for a smaller scheme was received. The scale, design and siting of the proposed building were similar to that refused previously but the number of pens was reduced from fifteen to five. However, these would be larger, enabling two cats to be accommodated in each. Thus, at any time, up to ten cats could be housed (a reduction of five) but as only cats from the same home would be accommodated in each pen, there would be a maximum of five clients at any time. The applicant also indicated the intention to operate an appointment system for visitors and a free collection and delivery service.

2.04 Since the Inspector at the previous appeal considered that the harm to the amenities of nearby residents cause by fifteen cats would not be sufficient to justify refusal of the proposal the same would apply to a smaller number of cats. However, the previous concerns regarding highway safety were not overcome. The dwelling is a three bedroom property and, hence, two parking spaces would normally be expected. As the number of clients at any time would be five, one additional space would be required for the proposed business use. A parking layout for three vehicles, was submitted but it was not demonstrated to the satisfaction of the Highway Authority that satisfactory on site turning

could be provided and in July 2001 the application was refused for the following reason:

"There is insufficient space within the curtilage of the site to allow adequate provision for vehicle parking and turning, and the development if approved would be likely to result in vehicles either reversing onto the highway or parking on the street to the detriment of highway safety. The proposal would, therefore, be contrary to policy ST3 of the SEALP and to policy WT7 of the Wokingham District Local Plan (Deposit Draft)."

3.00 POLICY BACKGROUND

3.01 The development plan for the area comprises of the Berkshire Structure Plan and the South East Area Local Plan. There is also an emerging district wide local plan.

3.02 The South East Area Local Plan was adopted on 15 April 1994 and, on 26 November 1996, the Planning and Transportation Committee resolved that it should continue to carry weight as the most up to date adopted plan, except in relation to housing provision. The following South East Area Local Plan policies are relevant to this appeal.

ST3 Road Safety

A copy of this policy is contained in Appendix 3.

3.03 The emerging local plan is the Wokingham District Local Plan Deposit Draft. Berkshire County Council issued a statement of general conformity with the structure plan in May 1997 and the plan was placed on deposit in 21 October 1997. The first phase of the Public Local Inquiry into the emerging plan took place between October 1998 and October 1999 and the second phase during 2000. The Inspector's report has been received and is currently under consideration by officers. The following policy is relevant to this appeal:

WT7 Road Safety

A copy of this policy is contained in Appendix 4.

4.00 THE COUNCIL'S CASE

4.01 Oxford Road acts as a busy local distributor road providing access to local schools, businesses and Wokingham Train Station. It is traffic calmed and subject to a speed limit of 20 m.p.h. There have been no recorded personal injury accidents in the vicinity of the site during the last three years

4.02 Immediately fronting the appeal property, Oxford Roads has an overall width of 8.9 metres comprising a 5.9 metre carriageway, with 1.5 metre wide footways to either side. Waiting restrictions are also present in the form of single yellow lines, which restrict parking between the hours 0915 – 1115. The parking restrictions however change to double yellow lines with no waiting at any time, some 15 metres to the west and 30 metres to the east of the appeal property.

4.03 The applicant proposes 3 car parking spaces of which 2 would be allocated to the existing residential dwelling, with the one remaining allocated for customers. However, the same concerns raised by the previous planning Inspector still apply, in that either cars will be forced to reverse from the site onto Oxford Road, or actually park within Oxford Road Itself. Given that there are schools nearby, it would not be in the interests of highway safety to increase the potential conflict between vehicles reversing from the site and parents/school children walking to and from school. Furthermore, the presence of on street parking would adversely affect the free flow of traffic and be detrimental to highway safety.

4.04 The impact on the character and amenities of the area were also relevant considerations when determining the application and, although it is not suggested that the appeal should be dismissed on these grounds, it is submitted that these issues would be of relevance if the Inspector were minded to allow the appeal. The proposed parking layout would involve block paving of the whole frontage and the front boundary would be open, as indicated in plan 3. It is considered that this would cause the property to appear out of keeping with the residential character of Oxford Road, where the majority of dwellings have some form of boundary treatment and planting/lawns at the front. It appears that it would be feasible to incorporate some planting, to prevent the appeal property appearing out of character with its surroundings, without prejudicing the proposed parking scheme. Since the need to pave the frontage has arisen as a result of the appeal proposal it is considered reasonable to require submission of a landscaping plan to include the parking/turning shown on plan 3 but also some landscaping.

4.05 There are beech trees along the rear boundary of the property and it is considered that these are important to the character of the area and should be protected. The proposed building would be constructed close to these trees and, while arboricultural advice indicates that it would be possible to implement the appeal proposal without harm to them it would be necessary to consider details of the foundations to ensure that this was not the case.

5.00 CONCLUSION

5.01 For the reasons set out above the proposal is considered to be contrary to the policies cited and the Inspector is respectfully requested to dismiss the appeal. However, should the inspector be minded to allow the appeal, suggested conditions are set out in Appendix 5.

LIST OF APPENDICES

1. Location plan at 1:1250.

2. Details of the previously refused proposal.

3. Extracts from the South East Area Local Plan.

4. Extracts from the Wokingham District Local Plan Deposit Draft.

5. Proposed conditions of appeal if allowed.

Tel. (0118) 974 6448 (Direct Line)
Date. October 25, 2001
My ref. F/2001/3536
Your ref.

Mrs P Howard
71 Oxford Road
WOKINGHAM
Berkshire
RG41 2YH

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 Madam

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY: Janet Clark
SITE: 69 Oxford Rd, Wokingham
PROPOSAL: Proposed erection of timber building for use as cattery

I am writing to inform you, that this appeal has been lodged with The Planning Inspectorate, and will be dealt with by means of written statements by the appellant and the Council.

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 Mr S Campbell, The Planning Inspectorate, Room 3/03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Please quote reference APP/X0360/A/01/1075654. Comments received after 04/12/01 will not normally be seen by the Inspector & will be returned.

The application, decision notice and the appellant's grounds of appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during office hours (08:30- 17:00 Monday to Thursday, & 08:30-16:00 Friday).

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

If you would like a copy of the Appeal decision, please request one from Mr Campbell at the Inspectorate, quoting reference APP/X0360/A/01/1075654.

Yours faithfully

Denise Gumbrell
Appeals Assistant



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO. © Crown Copyright.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.Wokingham District Council Licence LA086134

Development Control Section, Environmental Services, Wokingham District Council.

Scale: 1 : 1250

		Number of Documents Enclosed	N/A
16. a.	What is the date you told those you notified about the appeal that we must receive any further comments by?	04/12/01	
b.	Copies of the following documents must, if appropriate, be enclosed with this questionnaire.		
i)	representations received from interested parties about the original application	13	
ii)	the planning officer's report to committee		✓
iii)	any relevant committee minute		✓
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: _____ on behalf of WOKINGHAM DISTRICT Council

Date sent to us and the appellant ~~25~~ 25/10/01 OUR REF: F/2001/3536

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

This document is printed on a recycled (UK) paper containing 100% post-consumer waste.

© Crown Copyright 1998. Copyright in the printed material and designs is held by the crown. You can use extracts of this publication in non-commercial in-house material, as long as you show that they came from this document. You should apply in writing if you need to make copies of this document (or any part of it) to:

The Copyright Unit
Her Majesty's Stationery Office
St Clements House
2-16 Colgate
Norwich NR3 1BQ

The Planning Inspectorate

For offical use only
Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/01/1075654 **GRID REF:** _____

APPEAL BY: Janet Clark

SITE: 69, Oxford Rd, WOKINGHAM

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.

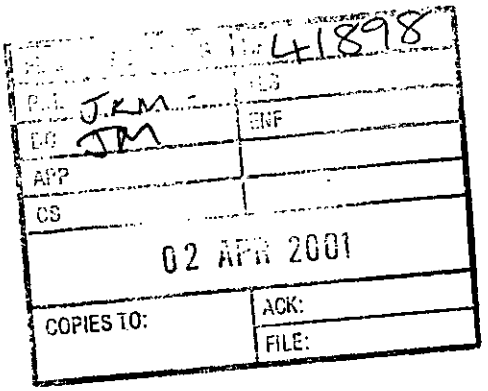
1.	Do you agree to the written representations procedure?	YES / ~~NO~~
OR	Do you wish to be heard by an Inspector at: a. a local inquiry?	~~YES~~ / NO
	or b. a hearing?	~~YES~~ / NO
2.	If the written procedure is agreed, could the Inspector make an unaccompanied site visit?	~~YES~~ / NO
	(It is our policy 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.	~~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:		
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	
	Number of Documents Enclosed	N/A
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;	3	
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;		✓
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.		✓

Our ref: SP\2001\003419\001
Your ref: F/2001/3536
Date: 29th March 2001

ENVIRONMENT AGENCY



FAO: Joss Miller
District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
PO Box 157
Wokingham
Berkshire
RG11 1BN

Dear Sir

PROPOSAL: Erection Of Timber Building For Use As A Cattery
LOCATION: 69 Oxford Rd, Wokingham

Thank you for your letter dated 19 March 2001, which was received on 22 March 2001. You are asked to quote the following reference in any correspondence: **SU86NW/16/39**.The Environment Agency has the following comments:

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: The construction of the Cattery's drainage system shall be carried out in accordance with details submitted to and approved in writing by the Planning Authority before the development commences.
REASON: To prevent pollution of the water environment.
(Note: The Environment Agency asks to be consulted on any details submitted in compliance with this 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.

Cont/d..

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

Advice To Planning Authority

Land Drainage: Contact Amanda Reed On 01276 454331

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.

Advice To Applicant

Scientific Support: Contact Ian Doyle On 01276 454365

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

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.

No soakaways shall be constructed to a depth exceeding 3 metres below existing ground level, and under no circumstances shall the water table be intersected.

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.

Decision Notice

Would you please forward a copy of the decision notice to this office quoting our reference. If you have any further queries please do not hesitate to contact Sarah Paxman on 01276 454323, quoting the reference cited at the beginning of this letter.

Yours faithfully

M. Rose

Matt Rose
Development Planning Team

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: Tom Callaghan, Highways

To: Emy Circuit, Planning

My Ref: 0/2001/3536

Your Ref: 0/2001/3536

Date: 27th June 2001

PLANNING APPLICATION O/2001/3536
PROPOSED ERECTION OF TIMBER BUILDING FOR USE AS CATTERY
69 OXFORD ROAD, WOKINGHAM

Further to our recent discussions regarding this application and the planning Inspectors decision to dismiss ıe previous appeal on highway grounds, I would like to amend the previous comments dated 29th March 2001, to a recommendation for refusal. The reason for refusal supports the conclusions reached by the Inspector, in that the future customers could not park and turn on the site with ease, which would be likely to result in vehicles either reversing onto the highway or parking on street to the detriment of highway safety.

There is insufficient space within the curtilage of the site to allow adequate provision for vehicle parking and turning, and the development if approved would be likely to result in vehicles either reversing onto the highway or parking on street to the detriment of highway safety.

Many thanks

Tom Callaghan

HIGHWAYS CONSULTATION SHEET

From: ~~Joss Miller~~ AMY CIRCUIT **Date:** 19 March 2001

Application Number: F/2001/3536

Proposal: Proposed erection of timber building for use as cattery.

Parish: WOKINGHAM TOWN

Site Address:
69, Oxford Road, , Wokingham.

Applicant:
Mrs J Clark .

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).

1/ Driveway to be block paved, as indicated on plan no. 3.

2/ Visitors by appointment only and one space, as indicated on plan no. 3, to be kept free for visitors during these times.

3/ C122, R122.

4/ C137, R137.

Signed: _____ **Print name:** Adam Coggins

29/03/01

WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Joss Miller

Application Number: F/2001/3536

Proposal: Proposed erection of timber building for use as cattery

Site Address: 69, Oxford Road, Wokingham

Applicant: Mr J Clark

Your observations are required in respect of this application **by 12/04/01**

Recommend refusal on the grounds of:

- **Operating a business in a residential area**
- **The proposed building is too close to neighbouring properties and would cause nuisance**
- **Environmental Health concerns**

JKM

PLANNING SERVICES	HPT 43552
POL	TLS
DC JJM	ENF
APP	
CS	
22 MAY 2001	
COPIES TO:	ACK:
	FILE:

SIGNED: _____ **DATE:** 18/05/01

CLERK TO Wokingham Town Council

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: John Mullaney
Environmental Health

My Ref: JRM

To: Joss Millar
Development Control

Date: 21/03/01

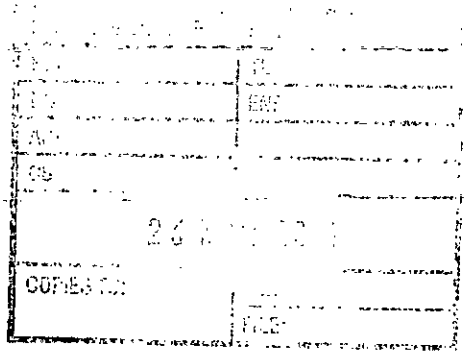
69 OXFORD ROAD, WOKINGHAM, RG11 2YH F/2001/3536

Having regard to the above application I recommend the following conditions be attached should planning permission be granted :

All waste materials produced as a result of operations on site shall be removed in a hygienic and safe manner.

John Mullaney

JOHN MULLANEY
SENIOR ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL PROTECTION AND HOUSING



PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	
17 APR 2001	
COPIES TO:	ACK:
	FILE:

TO: DEVELOPMENT CONTROL FROM: Environmental Design

Joss Miller DATE: 12th April 2001

Location:	69 Oxford Road, Wokingham
Proposal:	Proposed erection of timber building for use as a cattery
Application Number:	F/2001/3536

In response to your consultation dated 19th March 2001 for the above application, the tree and landscape comments are as follows:

I wish to object to the above proposal due to impact on existing trees. The applicants drawing (Plan 7) shows that the proposed timber building would be sited very close to 3No existing mature Beech Trees.

Although the proposed building is of a timber construction it is to be sited on an area of hard standing which will require construction works such as digging out to reduce level and the casting of a concrete slab or laving paving slabs. British Standard BS 5837 : 1991 - Trees in Relation to Construction recommends that a minimum distance of between 6 to 8 metres should be considered if the trees are to be successfully retained on development sites. The proposal illustrated on Plan 7 would require construction works to within 2m of these trees. The requirement to reduce levels and covering the rooting area with hard surfaces will affect the condition of the root system and ultimately kill the trees.

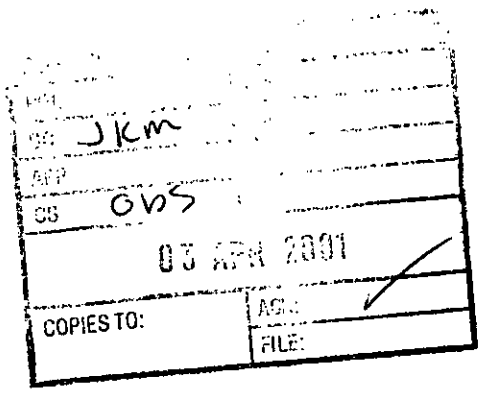
I therefore recommend that the application is refused.

ROBERT PETROW
Consultant Landscape Architect

25/4/01 discussed with Neil Etherington - due to shallow depth of foundations

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	
17 APR 2001	
COPIES TO:	ACK:
	FILE:

PLANNING SERVICES
SHUTE END
WOKINGHAM
RG40 - 1WR



Mrs J. ANDREWS
4 ROOK CLOSE
WOOSEHILL
WOKINGHAM
BERKS RG41-3SQ

31-3-01

PLANNING APPLICATION F/2001/3536

Dear Ms. Miller,

The whys and wherefores of the planning department have always remained a mystery to many of us, but I felt I must write to you concerning the above numbered proposal.

I find it completely staggering that every piece of open space, every piece of land is earmarked for housing, the plans for which always somehow get approval. However, when someone has an enterprising idea that they have thoroughly researched, investigated and planned in order to build a small successful business, it is rejected.

I do not understand a critia that permits the construction of four "executive" detached houses on land that was once the rear gardens of a few houses on a rather "iffy" bend, yet won't permit erection of a small, purpose built "shed" type building for use as a boarding cattery in the rear garden of a house fifty yards further along Oxford Road, where the road is straight.

Oxford Road is very congested during school starting

and finishing times - It is a very busy road as a route to Wokingham Station, Molly Millars Industrial Area Walter School, St Pauls and the new housing in Frederick Place and very new housing on the old AC Barnes site. I cannot help thinking that a small cattery that will arrange a 'collection and delivery' service and operate considerate opening times will not contribute to the volume of traffic at all. The applicants have lived in the property for many years and will continue to do so, they would naturally have more regard for the immediate environment than an out of town contractor.

The access to the applicants driveway was cited as a possible problem but again I cannot understand the grounds for this. My husband used to park regularly on the driveway and turn without encroaching on the neighbouring property. Infact it will be even more accessable when the lampost is removed from the entrance of the property and resituated somewhere more appropriate.

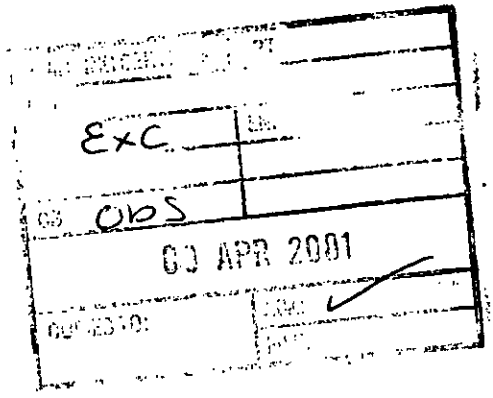
As a cat owner myself I feel a cattery would be a very useful business. It seems as if the 'little people' have no significance in Wokingham, its all housing, housing and more housing - Why can't someone utilise their resources for a good, small idea. Would they have been successful if they had sold their garden to "Millworth/Simmon" homes to build luxury apartments or a mobile phone shop! I Wonder!

Yours sincerely, Janet Andrews

2, Villiers Mead,
Wokingham,
Berks RG41 2UB

5th April 2001-04-06

Attention of John Mitchell,
Planning Services,
Wokingham District Council,
PO Box 157,
Shute End,
Wokingham,
Berks RG40 1WR



Dear Mr Mitchell,

Ref Application Number F/2001/3536

Thank you for your letter dated 19th March 2001 advising that planning permission is being sought for the erection of a timber building for use as a cattery.

We would wish to object to this application for the following reasons.

Neighbourhood
We consider this proposed commercial activity as out of character for the immediate neighbourhood, which apart from St Paul's School is residential.

Safety
We consider the exit/entrance to Villiers Mead to be hazardous in the mornings and late afternoon when parents collect their children from school. Cars are parked alongside the road at these times whilst depositing or collecting their children resulting in drivers attempting to force their way through from either side. Additionally because of the traffic flow problems across the railway crossing the Oxford Road has become busier as drivers seek a different route. Any extra comings and goings along this stretch of road should be avoided.

Commercial
Although not directly affected by the immediate proximity of the cattery, the establishment of such a business, with the inevitable noise and smell, would have a negative impact on the desirability of houses in closer proximity. This could make these properties more difficult to sell and most certainly affect the price and future financial wellbeing of the neighbours directly affected.

Noise and smell
There will be noise and smell, which will irritate neighbours.

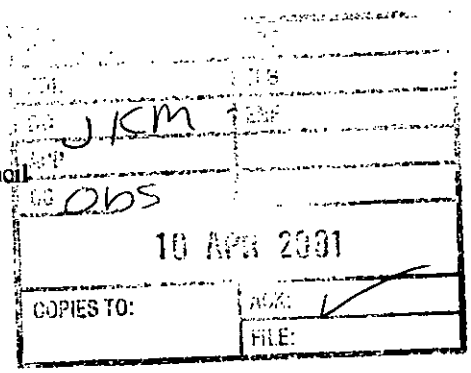
We trust you will consider the above objections on this application.

Yours sincerely

Peter and Margaret Royle

Read 11.25AM 9.4.01

0118-9793676



1 Villiers Mead
Wokingham
Berkshire RG41 2UB

Planning Services
Wokingham District Council
PO Box 15
Shute End
Wokingham
Berkshire RG40 1WR

Your ref : Joss Miller
F/2001/3536

6 April 2001

Dear Sirs

69 OXFORD ROAD; PROPOSED ERECTION OF TIMBER BUILDING FOR USE AS CATTERY

We are surprised that the application for the establishment of a building to be used as a cattery has arisen again; we were under the impression that the scheme had been rejected both by your Planning Committee and by the Planning Inspectorate in Bristol. Whether or not changes have been made in the detail of the application, we remain firmly against the proposal for the reasons which have been given on two previous occasions. We now repeat these as follows :

1. The concept of a cattery is inappropriate to a road of the nature of Oxford Road, which, particularly in the close neighbourhood of no. 67, is essentially residential.
69

2. The one exception is the presence of St Paul's School, the main entrance to which is but a short distance away on the opposite side of Oxford Road.

3. Despite the discouragement provided by "speed bumps", Oxford Road is busy for most of the day and, indeed, one gains the impression that the amount of traffic is increasing. This is particularly so at the beginning and end of the school day when cars stop and park to see children into school or to collect them. Traffic is frequently held up whilst children are shepherded across the road.

4. Furthermore, no. 67 is close to a corner in Oxford Road. Traffic approaching from the direction of Reading Road, even if travelling within the speed limit of 20 m.p.h. (which is all too often not the case), is taken by surprise by vehicles parked in the area of no. 67, 69 or turning into or out of any of the driveways of houses in the vicinity, especially if other vehicles are approaching from the opposite direction.
69

5. This aspect is now being exacerbated by the building work being carried out in respect of new houses in a roadway being opened up close to the corner referred to above. When these houses have been completed, the builder's vehicles and equipment will be replaced by the cars of the new inhabitants.

6. Although it is unlikely to affect us, we feel that there will be a certain amount of noise made by the cats and also some smell. These aspects would be a cause of considerable irritation to the immediate neighbours.

We trust that due consideration will be given to our objections.

Yours faithfully

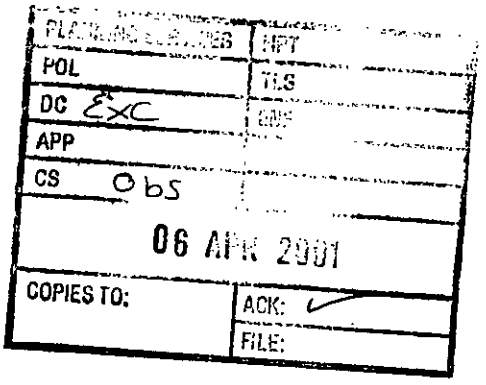
Olwen C. Clift

Olwen C Clift

Geoffrey A Clift

N.B. Wrong house number written in letter - pointed out by neighbour. Phoned Mr. Clift to confirm this 17.04.01 (Kate Gribbitts)

Mr P Beattie
75 Oxford Road
Wokingham
Berkshire
RG41 2YH



5 April 2001

Dear Sir

Re: Planning Application for Cattery at 69 Oxford Road
Ref: F/2001/1536

I am amazed at having to object again to plans for a cattery at the above address. I understood that this idea had been turned down both locally and at an appeal in Bristol. Furthermore, I thought that the appeal judgement could not be challenged just because someone did not agree with it. I would have thought that submitting a similar application albeit for a slightly different number of cats was much the same as challenging the appeal judgement.

Considering the new application (F/2001/3536) I believe that the points put forward by the inspector in Bristol at appeal (see attached) are still valid. The noise and disturbance to neighbouring properties were recognised as issues albeit not sufficient each on their own to result in the withholding planning permission.

The key issues remain, parking, traffic and safety. I do not believe the change to the number of cats which can be housed makes a difference to the arguments put forward by the Inspector and indeed the additional residential development now taking place behind 80 – 86 Oxford Road will only add to the traffic problems on the road.

I remain convinced that there will be disturbance to this relatively quiet residential environment and combined with the traffic, safety and parking issues there is sufficient reason for withholding planning permission.

Yours faithfully

Philip Beattie

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

Mrs J Fedrick
73 Oxford Road
Wokingham
Berks
RG41 2YH

Your Ref:

Our Ref: APP/X0360/A/00/1051889

Date: 16 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY J CLARKE
SITE AT 69 OXFORD RD, WOKINGHAM, BERKS, RG41 2YH

I enclose a copy of our Inspector's decision on the above appeal.

The attached leaflet explains the right of appeal to the High Court against the decision and how the documents can be inspected.

If you have any queries relating to the decision please send them to:

The Complaints Officer
The Planning Inspectorate
Room 14/04
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Phone No. 0117 987 8927 Fax No. 0117 987 6219

Yours faithfully

Miss A Groves

COVERDL1

Appeal Decision

Site visit made on 08 January 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Michael Hill BSc MSc CEng MICE FGS

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

Date 16 JAN 2001

Appeal Ref: APP/X0360/A/00/1051889
69 Oxford Road, Wokingham, Berkshire RG41 2YH

- 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 J Clark against the decision of Wokingham District Council.
- The application (ref:F/2000/1749), dated 13 June 2000, was refused by notice dated 30 August 2000.
- The development proposed is a small boarding cattery.

Summary of Decision: The appeal is dismissed.

Introduction

1. The Council refused planning permission for the proposed cattery because it considered that the noise and disturbance that would be generated by a cattery would be unacceptable at this location. In addition, I am mindful that a number of objectors to the scheme are concerned about its impact on highway safety and traffic conditions in Oxford Road.

Main Issues

2. I consider that the main issues in this case are, firstly, the impact of the development upon the living conditions of neighbouring residents with regard to noise and disturbance and, secondly, the effects on the safety and free flow of traffic on Oxford Road from the proposed on-site parking arrangements.

Planning Policy

3. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan adopted in 1994. Development plan policies seek to ensure that new development contributes positively to the character of its surroundings and to the creation of a safe and attractive environment in which to live. The emerging Wokingham District Local Plan has reached an advanced stage in its progress towards formal adoption and therefore its policies carry some weight in my deliberations. Policy WOS3 of the emerging Local Plan requires, amongst other things, that new development should not harm the amenities of the occupiers of adjoining land and should not have a significant detrimental effect on road safety.

Reasons

4. With regard to the first issue, I agree with the Council that dwellings in the vicinity of the appeal site enjoy a reasonably quiet residential environment. The long rear gardens of the appeal site and adjacent dwellings in Oxford Road are no doubt enjoyed as tranquil areas by the occupiers of those properties. Although an existing building at the rear of No 65 Oxford

Road is used in connection with a sign writing business, I have no evidence to suggest that the operation of this business unduly disturbs the peacefulness of the area.

5. The proposed cattery building would be sited at the rear of the back garden at No 69 Oxford Road, approximately 23metres from the dwelling. Bearing in mind that there would be an open wire mesh area on the front elevation of the proposed building, it seems to me that some noise from the cats occupying the building may be heard in adjacent gardens. This noise and the general comings and goings associated with the business are likely to have some detrimental impact on the living conditions of neighbouring residents particularly whilst enjoying the relative tranquillity of their gardens. However, bearing in the mind the substantial length of the rear gardens in Oxford Road, the close boarded fencing and sections of mature vegetation along the boundaries of the appeal site, and the proposed arrangements for housing the cats, I consider that the impact of noise emanating from the cattery on the living conditions of neighbouring residents in Oxford Road would not be so great as to justify withholding planning permission for this reason alone.

6. I note that the proposed cattery would be close to the boundary with the rear gardens of dwellings in St Paul's Gate. The rear gardens of these dwellings, being about 18m long, are somewhat shorter than those in Oxford Road and, in my judgement, noise from the cattery would cause some harm to the amenities of residents of adjacent dwellings in St Paul's Gate. However, there is a tall close-boarded fence along the boundary of the appeal site with the properties in St Paul's Gate, and a number of large trees at the rear of the appeal site. Again, it should be possible to restrict the noise and disturbance emanating from the site to a level which would ensure that the harm to the amenities of residents of St Paul's Gate was not so great that it justified withholding planning permission for this reason alone. In reaching this conclusion, I am mindful that the occupier of No 34 St Paul's Gate, the property adjoining most of the rear boundary of the appeal site, has indicated that he has no objection to the proposed development. Moreover, the appellant has produced written evidence from a number of persons living close to catteries elsewhere in Berkshire who claim that those catteries do not cause undue noise and disturbance.

7. Turning to the second issue, a number of objectors to the scheme refer to traffic problems on Oxford Road and the harm that would be caused by additional vehicles visiting the site. Although the road was not particularly busy at the time of my visit around midday on a Monday, I note that the road serves a nearby school and it has been necessary to introduce traffic calming measures and parking restrictions on the highway. Moreover, there is a sharp bend in the highway approximately 60 metres from the site. Clearly it would be detrimental to highway safety if the development resulted in visitors to the site parking on the highway at this location.

8. The application drawings show a proposal for three new parking bays in the front garden of the appeal site. However, I am concerned about the narrow width of the site, which is approximately 9.1 metres, and I do not agree with the appellant that customers would be able to turn their vehicles around with ease on the site. If all the parking spaces shown on the application plans were occupied, it seems to me that there would be insufficient space for a vehicle to turn around on the site. It may be possible to redesign the parking layout so that turning movements could take place on site, but whatever design was adopted, it seems to me that the narrow width of the front garden would discourage many visitors from attempting to turn around on the site. This would lead to vehicles either reversing in or out of the site, to the detriment of highway safety and the free flow of traffic in Oxford Road.

9. The appellant has indicated an intention to operate an appointment system and a pick up and delivery service for the cattery. However, I do not consider that this would reduce the number of customers visiting the site to an acceptable level. In my judgement, any material increase in the need to reverse on the highway on this part of Oxford Road should be resisted and I conclude that the appeal proposal would have a seriously detrimental impact on highway safety for this reason, and thereby conflict with the aims of local planning policies in this respect.

10. I have taken account of all other matters raised in the representations, including the fact that there are other businesses operating elsewhere in Oxford Road. However, it appears to me that the guest-house and dental surgery referred to are situated on wider plots where turning movements can be more easily undertaken on site. Moreover, these sites are further away from the bend in Oxford Road, referred to above. I consider that this and the other matters raised do not outweigh the factors that have led to my conclusions on the main issues in this case.

Conclusions

11. For the reasons given, I conclude that the appeal should be dismissed.

Formal Decision

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

M.P. Hill

INSPECTOR

The Planning Inspectorate

RIGHT TO CHALLENGE THE DECISION

The attached appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for redetermination. It does not follow necessarily that the original decision on the appeal will be reversed when it is redetermined.

You may wish to consider taking legal advice before embarking on a challenge. The following notes are provided for guidance only.

Under the provision of section 288 of the Town and Country Planning Act 1990, or section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the grounds:

1. that the decision is not within the powers of the Act; or

2. that any of the 'relevant requirements' have not been complied with; ('relevant requirements' means any requirements of the 1990 Acts or of the Planning Tribunals Act 1992, or of any order, regulation or rule made under those Acts).

The two grounds noted above mean in effect that a decision cannot be challenged merely because someone does not agree with the Inspector's judgement. Those challenging a decision have to be able to show that a serious mistake was made by the Inspector when reaching his or her decision; or, for instance, that the inquiry, hearing or site visit was not handled correctly, or that the appeal procedures were not carried out properly. If a mistake has been made the Court has discretion not to quash the decision if it considers the interests of the person making the challenge have not been prejudiced.

It is important to note that such an application to the High Court must be lodged with the Crown Office within 6 weeks from the date of the decision. This time limit cannot be extended.

An appellant whose appeal has been allowed by an Inspector should note that 'a person aggrieved' may include third parties as well as the local planning authority.

If you require further advice about making a High Court challenge you should consult a solicitor, or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London WC2 2LL. Telephone: 020 794 76000.

INSPECTION OF DOCUMENTS

It is our policy to retain case files for a period of one year from the date of the Inspector's decision. Any person entitled to be notified of the decision in an inquiry case has a legal right to apply to inspect the listed documents, photographs and plans within 6 weeks of the date of the decision. Other requests to see the appeal documents will not normally be refused. All requests should be made to Room 14/04, Tollgate House, Houlton Street, Bristol BS2 9DJ, quoting our appeal reference and stating the day on which you wish to visit. Please give at least 3 working days notice and include a daytime telephone number, if possible.

COMPLAINTS TO THE INSPECTORATE

Any complaints about the Inspector's decision, or about the way in which the Inspector has conducted the case, or any procedural aspect of the appeal should be made in writing to the complaints officer in Room 14/04, Tollgate House, Houlton Street, Bristol BS2 9DJ. Telephone: 0117 987 8927, quoting our appeal reference. You should normally receive a reply within 15 days of our receipt of your letter. You should note however, we cannot reconsider an appeal on which a decision has been issued. This can be done following a successful High Court challenge as explained overleaf.

PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION (THE OMBUDSMAN)

If you consider that you have been unfairly treated through maladministration by us you can ask the Ombudsman to investigate. The Ombudsman cannot be approached direct; reference can be made to him only by an MP. While this does not have to be your local MP (whose name and address will be in the local library) in most cases he or she will be the easiest person to approach. Although the Ombudsman can recommend various forms of redress he cannot alter the Inspector's decision in any way.

COUNCIL ON TRIBUNALS

If you feel there was something wrong with the basic procedure used for the appeal, a complaint can be made to the 'Council on Tribunals', 22 Kingsway, London WC2B 6LE. The Council will take the matter up if they think it comes within their scope. They are not concerned with the merits and cannot change the outcome of the appeal decision.

© Crown copyright
405 (September 00)
Printed in Great Britain by the Planning Inspectorate on recycled paper

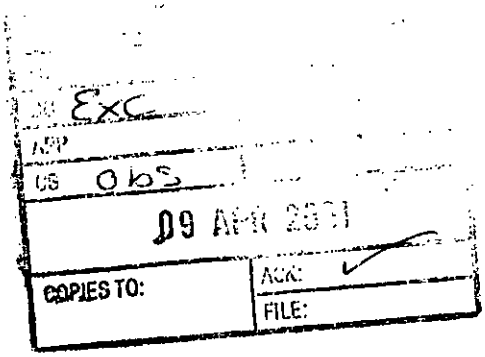
Recd PM 6.4.01

St Abbs
71 Oxford Road
Wokingham
Berkshire
RG41 2YH

April 5, 2001

RE: Application Number F/2001/3536

Mr. John Mitchell
Development Control Manager
Environmental Services Department
Planning Services
P.O. Box 157
Shute End
Wokingham
Berkshire
RG40 1WR



Dear Mr. Mitchell,

Planning Application Number F/2001/3536 does not differ materially from Application Number F/2000/1749.

Application Number F/2000/1749 was rejected last year. The appeal against this decision, APP/X0360/A/00/1051889, was dismissed in January of this year. Application Number F/2001/3536, should also be rejected.

I object to Mr. + Mrs. Clarke's application, to erect and run a cattery, on the grounds of: excess noise, nuisance and the additional traffic generated in Oxford Road. In his Appeal Decision, the Inspector made the point that increased reversing onto or off Oxford Road would have 'a seriously detrimental impact on highway safety'

It seems quite clear to me that, should this application succeed, the number of cats boarded at 69 Oxford Road would rapidly increase toward that number initially envisaged! If only to make the enterprise economically viable.

Sincerely,

P. Howard

Mrs P Howard

① Appeal Decision
Enc ② My Letter Of Objection To Application Number F/2000/1749

71 Oxford Road
Wokingham
Berkshire
RG41 2YH

Mr John Mitchell
Development Control Manager
Environmental Services Department - Planning Services
Wokingham County Council
P.O. Box 157
Council Offices
Shute End
Wokingham
Berkshire
RG40 1WR

3 July 2000

Dear Mr Mitchell,

Application Number: **F/2000/1749**
Site Address: **69 Oxford Road, Wokingham**
Proposal: **Proposed erection of timber buildings for use as a cattery**

I am replying to your letter dated 23 June 2000 regarding the above and wish it to be placed on record that I strongly oppose the above planning application.

As you know, this is a residential and highly built up area, with houses close enough that the affects of a cattery would be felt for the following reasons.

a through traffic on Oxford Road is very heavy and a cattery would, therefore, pose an additional hazard, bearing in mind the close proximity of St. Paul's Junior School and the existing difficulties with parking and access.

b The volume of noise from a cattery can be high, particularly at night when animals are crying for their owners, and the effect on the surrounding area where, apart from adults, there are a number of children, would be unbearable.

c The smell from a cattery can be very unpleasant and would affect any of the neighbours living in the area.

d. It would inevitably attract vermin and flies.

e. A business of any type is detrimental to a residential area, a cattery would be even worse and would lower the tone of the area and almost certainly affect property prices.

Kindly also note that the application states that there are 3 parking bays to the front of the property. I would point out that the household at No. 69 has 2 vehicles of its own. At present, the residents of No. 69 are able to access their garage to the rear of the property. This is only possible because my late husband and I took down a fence between the properties and allowed them to have use of part of our land for access, as good neighbours. I would like you to note that as a direct result of this application, I shall be re-erecting the fence along my original boundary which will deny the applicants vehicle access to their garage and will hence reduce the amount of space available for parking and turning at the front of No. 69 very considerably.

I am an 80 year old woman, who has lived in Oxford Road for the past 18 years and am immediately next door to No. 69. I would be very reluctant to move, but at the same time I would not want to live my life out next door to a cattery that is in a very confined area. I do feel, if this couple are so keen to have a cattery, that they move to a small holding somewhere out in the country.

It should also be noted that the residents of No. 69 have already been keeping fowl in the rear garden in contravention of their property covenant.

It might be worth mentioning that the applicant already runs a sandwich business from home which, in itself, already adds to the traffic chaos.

I have just seen the letter that the residents of No. 69 sent to you, and for them to have 2 metres of land they will have to move onto my land by approximately 6 inches.

I sincerely hope that you will give this your consideration and that common sense will prevail on this issue.

Yours sincerely,

P Howard

Pat Howard (Mrs)

cc: **Mr John Mullany** - Environmental Health Department
Highways Department

NOTE: WITH REFERENCE TO THE FENCE BETWEEN 69-71 OXFORD R

MR CLARKE AND HIS "UNCLE" PREVENTED FENCING CONTRACTOR FROM ERECTING THE SAID FENCE.
AFTER AN EXCHANGE OF SOLICITORS LETTERS AND A VISIT TO MR+MRS CLARKE BY OUR COMMUNITY POLICE OFFICER CONSTABLE THOMAS (SH 3627) INTIMIDATION OF MYSELF HAS ALL BUT CEASED.
THE PRESENT SITUATION IS:-
MR+MRS CLARKE HAVE PERMISSIVE ACCESS OVER A PART OF MY DRIVE, FOR A PRIVATE CAR, IN ORDER TO REACH THEIR GARAGE. THIS PERMISSION, AMONGST OTHER THINGS, DOES NOT EXTEND TO OTHER VEHICLES OR PARKING IN FRONT OF THEIR GARAGE.
THIS PERMISSION CEASES ON MY DEATH OR IF EITHER PARTY

Appeal Decision

Site visit made on 08 January 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Michael Hill BSc MSc CEng MICE FGS

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

Date
16 JAN 2001

Appeal Ref: APP/X0360/A/00/1051889
69 Oxford Road, Wokingham, Berkshire RG41 2YH

- 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 J Clark against the decision of Wokingham District Council.
- The application (ref:F/2000/1749), dated 13 June 2000, was refused by notice dated 30 August 2000.
- The development proposed is a small boarding cattery.

Summary of Decision: The appeal is dismissed.

Introduction

1. The Council refused planning permission for the proposed cattery because it considered that the noise and disturbance that would be generated by a cattery would be unacceptable at this location. In addition, I am mindful that a number of objectors to the scheme are concerned about its impact on highway safety and traffic conditions in Oxford Road.

Main Issues

2. I consider that the main issues in this case are, firstly, the impact of the development upon the living conditions of neighbouring residents with regard to noise and disturbance and, secondly, the effects on the safety and free flow of traffic on Oxford Road from the proposed on-site parking arrangements.

Planning Policy

3. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan adopted in 1994. Development plan policies seek to ensure that new development contributes positively to the character of its surroundings and to the creation of a safe and attractive environment in which to live. The emerging Wokingham District Local Plan has reached an advanced stage in its progress towards formal adoption and therefore its policies carry some weight in my deliberations. Policy WOS3 of the emerging Local Plan requires, amongst other things, that new development should not harm the amenities of the occupiers of adjoining land and should not have a significant detrimental effect on road safety.

Reasons

4. With regard to the first issue, I agree with the Council that dwellings in the vicinity of the appeal site enjoy a reasonably quiet residential environment. The long rear gardens of the appeal site and adjacent dwellings in Oxford Road are no doubt enjoyed as tranquil areas by the occupiers of those properties. Although an existing building at the rear of No 65 Oxford

Road is used in connection with a sign writing business, I have no evidence to suggest that the operation of this business unduly disturbs the peacefulness of the area.

5. The proposed cattery building would be sited at the rear of the back garden at No 69 Oxford Road, approximately 23metres from the dwelling. Bearing in mind that there would be an open wire mesh area on the front elevation of the proposed building, it seems to me that some noise from the cats occupying the building may be heard in adjacent gardens. This noise and the general comings and goings associated with the business are likely to have some detrimental impact on the living conditions of neighbouring residents particularly whilst enjoying the relative tranquillity of their gardens. However, bearing in the mind the substantial length of the rear gardens in Oxford Road, the close boarded fencing and sections of mature vegetation along the boundaries of the appeal site, and the proposed arrangements for housing the cats, I consider that the impact of noise emanating from the cattery on the living conditions of neighbouring residents in Oxford Road would not be so great as to justify withholding planning permission for this reason alone.

6. I note that the proposed cattery would be close to the boundary with the rear gardens of dwellings in St Paul's Gate. The rear gardens of these dwellings, being about 18m long, are somewhat shorter than those in Oxford Road and, in my judgement, noise from the cattery would cause some harm to the amenities of residents of adjacent dwellings in St Paul's Gate. However, there is a tall close-boarded fence along the boundary of the appeal site with the properties in St Paul's Gate, and a number of large trees at the rear of the appeal site. Again, it should be possible to restrict the noise and disturbance emanating from the site to a level which would ensure that the harm to the amenities of residents of St Paul's Gate was not so great that it justified withholding planning permission for this reason alone. In reaching this conclusion, I am mindful that the occupier of No 34 St Paul's Gate, the property adjoining most of the rear boundary of the appeal site, has indicated that he has no objection to the proposed development. Moreover, the appellant has produced written evidence from a number of persons living close to catteries elsewhere in Berkshire who claim that those catteries do not cause undue noise and disturbance.

7. Turning to the second issue, a number of objectors to the scheme refer to traffic problems on Oxford Road and the harm that would be caused by additional vehicles visiting the site. Although the road was not particularly busy at the time of my visit around midday on a Monday, I note that the road serves a nearby school and it has been necessary to introduce traffic calming measures and parking restrictions on the highway. Moreover, there is a sharp bend in the highway approximately 60 metres from the site. Clearly it would be detrimental to highway safety if the development resulted in visitors to the site parking on the highway at this location.

8. The application drawings show a proposal for three new parking bays in the front garden of the appeal site. However, I am concerned about the narrow width of the site, which is approximately 9.1 metres, and I do not agree with the appellant that customers would be able to turn their vehicles around with ease on the site. If all the parking spaces shown on the application plans were occupied, it seems to me that there would be insufficient space for a vehicle to turn around on the site. It may be possible to redesign the parking layout so that turning movements could take place on site, but whatever design was adopted, it seems to me that the narrow width of the front garden would discourage many visitors from attempting to turn around on the site. This would lead to vehicles either reversing in or out of the site, to the detriment of highway safety and the free flow of traffic in Oxford Road.

9. The appellant has indicated an intention to operate an appointment system and a pick up and delivery service for the cattery. However, I do not consider that this would reduce the number of customers visiting the site to an acceptable level. In my judgement, any material increase in the need to reverse on the highway on this part of Oxford Road should be resisted and I conclude that the appeal proposal would have a seriously detrimental impact on highway safety for this reason, and thereby conflict with the aims of local planning policies in this respect.

10. I have taken account of all other matters raised in the representations, including the fact that there are other businesses operating elsewhere in Oxford Road. However, it appears to me that the guest-house and dental surgery referred to are situated on wider plots where turning movements can be more easily undertaken on site. Moreover, these sites are further away from the bend in Oxford Road, referred to above. I consider that this and the other matters raised do not outweigh the factors that have led to my conclusions on the main issues in this case.

Conclusions

11. For the reasons given, I conclude that the appeal should be dismissed.

Formal Decision

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

M. P. Hill

INSPECTOR

The Cottage
67 Oxford Road
Wokingham
Berkshire
RG41 2YH

Mr John Mitchell
Development Control Manager
Environmental Services Department - Planning Services
Wokingham County Council
P.O. Box 157
Council Offices
Shute End
Wokingham
Berkshire
RG40 1WR

EXC
065

COPIES TO:

5 April 2001

Dear Mr Mitchell,

Application Number: **F/2001/3536**
Site Address: **69 Oxford Road, Wokingham**
Proposal: **Proposed erection of timber buildings for use as a cattery**

In response to your letter dated 19 March 2001, regarding the above, I ask again for the council to use their common sense in this matter. I would also like to refer to the previous application no. F/2000/1749 for a cattery which was turned down by the Wokingham Council and also by appeal and I do not think anything has changed as a cattery for 10 cats would not be viable.

I am, therefore, of the opinion that this makes the plan null and void unless they have plans for enlarging. After all from my own experience what people say and do can be very different. I'm sorry, but in the end it wouldn't be the council that would suffer it would be the surrounding neighbourhood.

As in previous letters that I have written to the council on this matter I still feel very strongly that Oxford Road is a most unsuitable area for this type of business and despite Mr and Mrs Clark feeling their frontage is suitable for the number of cars that will be using it, and that's only on the basis of 10 cats, I know eventually that customers would still be backing out onto the road. I also understand that Mrs Howard of 71 Oxford Road is writing to you with up-to-date information regarding the fence on her boundary line.

I would also remind the council that there are two schools very close to this vicinity and cars backing out onto Oxford Road could create an accident, and one accident involving a child will be one too many. I always drive forward from my drive for this very reason. And I would also say that customers are very often in a hurry and, maybe, won't give the same due care and attention that is normally given.

With regard to the appeal statement, I would like it duly noted that although there is some vegetation at the boundary fence it does not extend to the bottom of the garden, and as we know vegetation can die off and I doubt very much whether it would be replaced. The reason I say this is because they have done nothing regarding the boundary fence at the front which is on their boundary. It was a fence my husband erected some 25 years ago, but which still

looks very good, but now needs some repair doing to it. I did offer to do this repair but, unfortunately, due to the fact that there was a tree stump at the back of it in their garden I was told to have it temporarily repaired until the tree stump was removed. That was 8 months ago and the fence is now getting that at any time it could fall down. And did they offer to do a small temporary repair, bearing in mind it is in all our interests to keep our properties in a decent state? No. I landed up having to put my wheelbarrow in front of it to try to keep it in place until such time as I can have it repaired. Also, I have it on very good authority that if the work to remove this stump isn't done correctly, it could affect my whole garden as the roots will have gone right across. You can imagine how this makes me feel. And again, with regard to their back garden it's worth noting that while it may be fairly long it is not very wide.

Again, taking into account the comments made in my letter of the 6th July 2000 which I enclose, I would say that as a residential area with a with very high traffic volume on the road plus houses that are relatively close to each other, this does make it an extremely unsuitable area for this type of business. I think we live in a very strange world today that allows people the right to think they can set up such an intrusive business in such a built up area.

I also note that they have, in previous letters, mentioned people who think it is an excellent idea, well it's easy to talk some people into an idea. On my side I can say that when I have talked to people they look aghast at the idea of a cattery in Oxford Road.

Yours sincerely,

B. W. Bench

Barbara Bench

cc: Mr John Mullany - Environmental Health Department
Highways Department

The Cottage
67 Oxford Road
Wokingham
Berkshire
RG41 2YH

Mr John Mitchell
Development Control Manager
Environmental Services Department - Planning Services
Wokingham County Council
P.O. Box 157
Council Offices
Shute End
Wokingham
Berkshire
RG40 1WR

DD
APP
CS
06 APR 2001
COPIES TO:
ACK:
FILE:

6 July 2000

Dear Mr Mitchell,

Dead copy of this original letter received 17/4/01

Application Number: **F/2000/1749**
Site Address: **69 Oxford Road, Wokingham**
Proposal: **Proposed erection of timber buildings for use as a cattery**

In response to your letter dated 23 June 2000 regarding the above, I offer below my serious comments as to why this cattery cannot be carried forward.

- This is a residential and highly built up neighbourhood, with houses close enough to feel the affects from a cattery.

- This is also a very heavily congested area. As you will be aware, the traffic in Oxford Road is extremely heavy and, therefore, having a business of this nature will only add to this already extremely busy road. There would also be a great threat of danger where other people's animals are concerned

- The volume of noise from a cattery is high, particularly at night, when these animals will be crying for their owners, and this would effect not only adults in the vicinity but children also, making this a very irresponsible thing to do.

- The smell from a cattery is unpleasant and would affect any properties in the area.

- I think if my neighbours were to consult the deeds of their property they would find a clause stating that live stock cannot be kept on their land and I regard this as live stock as they are not there as living in-house animals.

The frontage of No 69 is so small that they cannot have one car parked out there without it affecting either my frontage or their own drive.

I cannot imagine what possessed my neighbours to consider doing such a thing as the land at the back of their house is not very large. I would suggest a more suitable plan would be for them to move to a small holding out in the country. I consequently trust in your good judgement and common sense that these plans will be carried no further.

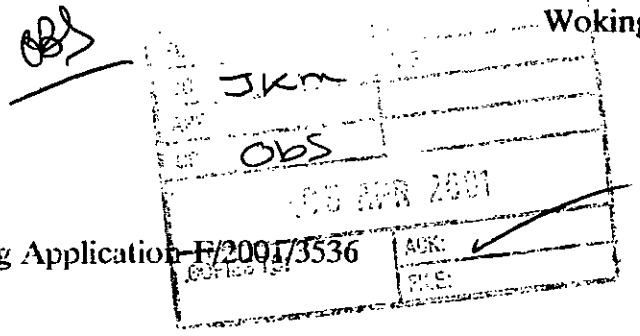
As an after thought I might also mention that the wife runs a business from home, making sandwiches, which I feel would not fit in well with a cattery.

Yours sincerely,

Barbara Bench

cc: Mr John Mullany - Environmental Health Department
Highways Department

30, St. Paul's Gate,
Wokingham, Berks.,
RG41 2YP



2. 04. 01

Planning Application F/2001/3536

Although the scale of this development has been reduced, there will be some increase in road use of Oxford Road. With the associated increase from the building of new houses almost opposite the site, which is close to the sharp bend in the road, this cannot aid safety in the area.

The planning application mentioned trees being removed; on the plan there appeared to only one - a conifer. I hope the mature beech trees are not also involved. They form a considerable part of the outlook from first floor rooms, screening buildings when in leaf.

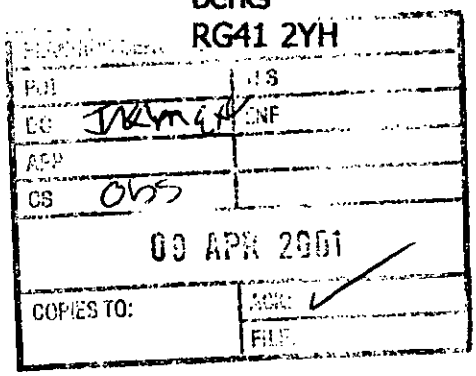
Access by customers seems to be through the house. If the cattery is as quiet and troublefree as we are led to believe, why is it not being sited close to the house ?

Hilary C. Jenkins

Miss H.C. Jenkins

BY HAND 8TH APRIL 2001

73 Oxford Road
Wokingham
Berks
RG41 2YH



Environmental services Department
Planning Services
PO Box 17
Shute End
Wokingham
Berks RG40 1WR

F.A.O. Joss Miller

Dear Sir

Re: Planning Application No F/2001/3536 69, Oxford Road, Wokingham

I am writing in response to your letter dated 19th March 2001 (but not received until 24th March 2001) to object to the above application.

I am deeply disappointed that, following the refusal, on appeal, of an earlier application, Mr. And Mrs. Clark are determined to pursue this matter again, which is highly stressful to those who just want to enjoy living in Oxford Road and don't want any extra traffic, noise, smell, waste, airborne particles or other environmental pollution to reduce the quality of our lives still further.

We pay such a high level of community charge that we might be forgiven for thinking that our quality of life in Oxford Road was going to be improved and not constantly eroded, as it already is by a greater density of population and a clear increase in traffic, which, in recent months, with the large development close to the station and the commencement of the in-fill houses being constructed behind Nos. 80-86, Oxford Road, has brought the situation to an almost unbearable state.

Surely it is now time to refuse any application which risks adding any further vehicles whatsoever to this already overburdened road?

Individually, my objections are as follows:

1. **Site location**: Oxford Road is close to the town centre and is an urban residential location, which not suitable for animal establishments which are generally sited in fringe and rural areas where gardens are larger and the population less dense so that the number of people likely to be adversely affected is far smaller. The use that is sought in the application would lower the amenity value of the area and is not in line with the Local Plan. The applicant's garden is not particularly large and is less than 30' wide as is my own. My neighbour at No.71 also has a garden which is no more than 35' feet wide and this means that when I sit out in my favourite garden seat I would be little more than 40' feet from the proposed timber cattery. Additionally, I would only be some 60-70 from this cattery in my

bedroom and would have a view of it from my bedroom window. I I enclose a photo taken from the location of my garden seat, to show just how close it would be i.e. too close for comfort!

2. **Noise and other Environmental Pollution**:Whatever is claimed by the applicants about the level of noise, I am afraid that I do not agree that residents would be unaffected. We already suffer, as does any residential area, from the intermittent noise of other residents' domestic pets, notably dogs and I know that cats, away from their owners, would add to this problem. I have spoken to friends who use a cattery on Henley road, Caversham and they say that although it is very well run, there is always a lot of howling and wailing when they go to take or fetch their pet. This cattery is, however, sited in a very large garden and approached through an orchard so we are not talking about a location which would inconvenience many people, unlike Oxford road.
   Mrs. Clark has enclosed two letters from ladies living in the vicinity of local catteries in support of her application.
   The first from a Mrs. P. Mondahl in Nine Mile Ride says she isn't 'really' inconvenienced by the cattery just one door away from her but she does hear the cats in the morning. This actually seems to say although the gardens in that area back on to woodland and are, presumably, a lot bigger and longer than those in Oxford Road and the area is generally more rural, this lady is still aware of the cattery. The house frontages are also bigger, have more depth to the road and the 'Cats' Whiskers' cattery has a wider frontage than No. 69 Oxford Road. I enclose a photo of the location and a photo of Oxford road Wokingham.
   The second letter from Mrs, J.L. Bradley of Holly Tree House, off Heathlands Road, Wokingham is, quite frankly, a joke. Holly tree House is a very large house in a very large plot behind a laurel hedge and is situated on the opposite side of a rural, leafy and un-adopted lane to the cattery (which backs on to open fields). I would estimate the distance from Holly Tree House to the cattery to be at least 125yards and it is clear that the residents could not possibly be affected by it. If I lived in such a location and at that distance from the cattery I can honestly say I wouldn't object either. I am enclosing two photos of the lane showing the nature of the area and the distance perspective, taken by me.
   There are also the potential problems of odour at such close quarters, airborne pollution which is worry to those with allergies and cat waste, since this proposed building cannot, for ventilation reasons, be entirely enclosed. I am also aware from a friend who lived close to a cattery that flies are a problem in summer.
3. **Traffic and Highway Considerations:** The applicants are trying to persuade the Authority that with a bit of manipulation e.g. moving a lamppost and marking parking bays on their limited frontage, that this will increase their capacity or make it possible to turn safely to come out frontwards. As those of us who have similar problems know only too well it only takes two vehicles on the frontage to make it impossible to manoeuvre and necessitate reversing out on to a very busy road close to a bend and a school and full of pedestrians especially at peak times. The applicants have two vehicles and only one of those goes to the rear of their property. The other one is a pick-up truck, which my next door neighbour at No. 71 will not want passing over her property to get to the rear and is always parked on the front when not in use.
   I feel that whatever Mr. And Mrs. Clark intend at this stage will not be adhered to should they be granted planning consent and the likelihood is that there will be

cars coming and going. What is more, they have reduced the number of cat runs in their application to 5 doubles (from 15). Are we really expected to believe that they would be satisfied with just 5? I am sure they would not because 5 cat runs would not be financially viable . It would be a case of establishing a consent for a cattery in principle and then gradually eroding the original consent by adding cat runs. I would like to know what the residents' rights would be in such a situation. In any event however even one run would be too many for a lot of local residents as would any more vehicles! We are at saturation point!!!

I would ask you kindly to consider seriously the points outlined above. They are the genuine views and fears of a long-standing Wokingham resident who would like to continue to enjoy living in Oxford Road and believes that the grant of this application would seriously hamper this.

Yours faithfully

Janet Fedrick

Janet Fedrick



Photo taken from garden seat at No 73 Oxford Road – view across garden of No 71 showing location of proposed timber cabin marked X (approx) at No 69.



View of New Mike Ride
at location of 'Cats Whiskers'
Cattery - cattery sign is
the small white mark just
over half way up on extreme
R.H.S. of photo.
Note: no double yellow
lines : plenty of [illegible] parking



Looking West.

From outside Holly Tree House
(entrance closest to cattery marked X)
View towards Heathlands Road
- 'Kimberley' cattery is marked X
in the distance on R. From the
point where the photo is taken
Holly Tree House is set well back
behind hedge & is further away from
this point than I would be from a cattery
at No 69. Oxford Road.



Looking East.

View from Kimberley Cotton
Heathlands, Dokingham. [illegible]
of pictures in foreground to Wolly
Tree House marked X on far
opposite side of the lane.

Cancel□da

From: WebComments@wokingham.gov.uk
Sent: 25 March 2001 10:46
To: ian.jordan@wokingham.gov.uk
Subject: Comments on Planning Applications

POL	
DC EXC	ENF
APP	
CS OBS	
30 MAR 2001	
COPIES TO:	ACK: ✓
	FILE:

****

NatureofEmail: Support
ApplicationNumber: f/2001/3536
Correspondent_FullName: kennedy
Correspondent_StreetAddress: 65 oxford rd
Correspondent_Address2:
Correspondent_Town: wokingham
Correspondent_County: berks
Correspondent_PostCode: rg40 5ql
Correspondent_Telephone: 0585047420
Correspondent_Email: pkrg12@yahoo.com

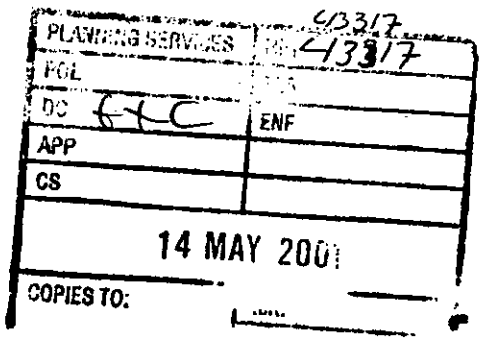
Comments:

i live at 65 oxford rd and see no problem with a cattery some people complain for the sake of it take no notice of them

Cancel□da

The Cottage
67 Oxford Road
Wokingham
Berkshire
RG41 2YH

Mr John Hiscock
Highways Department
Wokingham County Council
P.O. Box 157
Council Offices
Shute End
Wokingham
Berkshire
RG40 1WR



26 April 2001

Dear Mr Hiscock,

Application Number: **F/2001/3536**
Site Address: **69 Oxford Road, Wokingham**

Having spoken to you on Tuesday 17th April 2001, I thought it advisable to follow up with a letter with regard to the moving of a lamp post which is currently situated outside the garden of 69, Oxford Road.

As discussed at our meeting, you will be aware that residents in the vicinity of this lamp post are very unhappy at the idea of it being moved for a number of reasons.

- Lamp posts are normally set so far apart, and this would mean that there will be a black area around the vicinity of the removed lamp post. The resident of 73 is very concerned about this dark area as it will be outside her property and she is already prone to vandalism, e.g. graffiti on her wall and so would not want it any darker than it now is which would be the result.

- Moving this lamp post would bring it much closer to the one outside the white bungalow opposite, making it very light in that area - equally undesirable.

- Although we appreciate that you may want to change the lamp post from a concrete one to a metal one, there is no need for it to be moved, other than the fact the there is a proposal for a cattery at no. 69 and as, up to now, the plans for a cattery has been turned down, we see no need for the removal of this lamp post.

I think everyone would be of the opinion that had the cattery not raised its ugly head, then there would be no question as to the removal of this lamp post, and as the council tax payer, I would be interested to know how the cost of this removal will be covered. I'm aware that no. 69 would have to pay something, but from what I have been told it would be very little.

I can, together with the residents in the vicinity of 69, only say we are very concerned with what is happening.

I understand that a meeting is to be arranged with our councillor to discuss this overall matter, and I shall look forward to hearing from you as to when the meeting will be taking place.

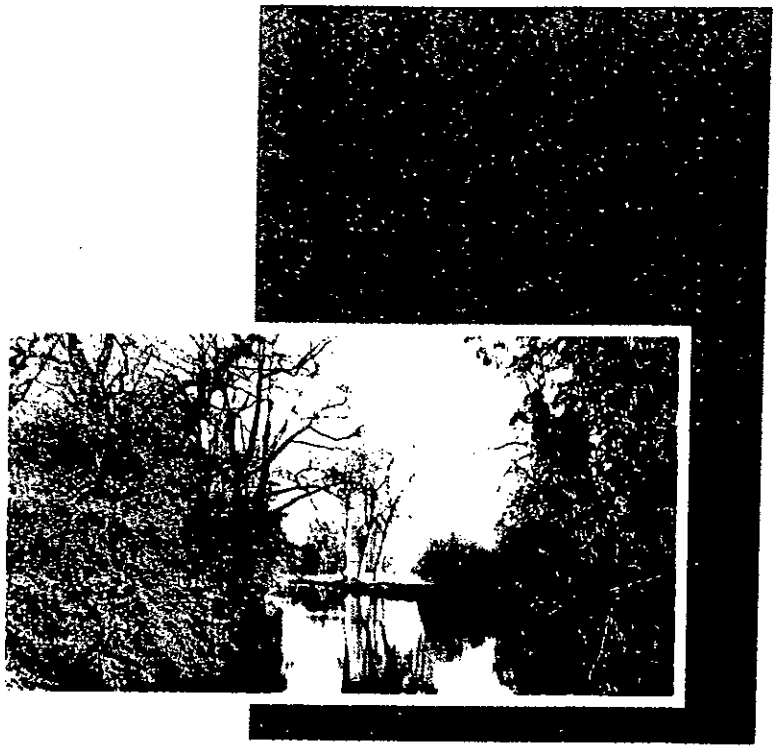
Yours sincerely,

Barbara Bench (Mrs)
cc: Planning Department

HIS.
20003036.

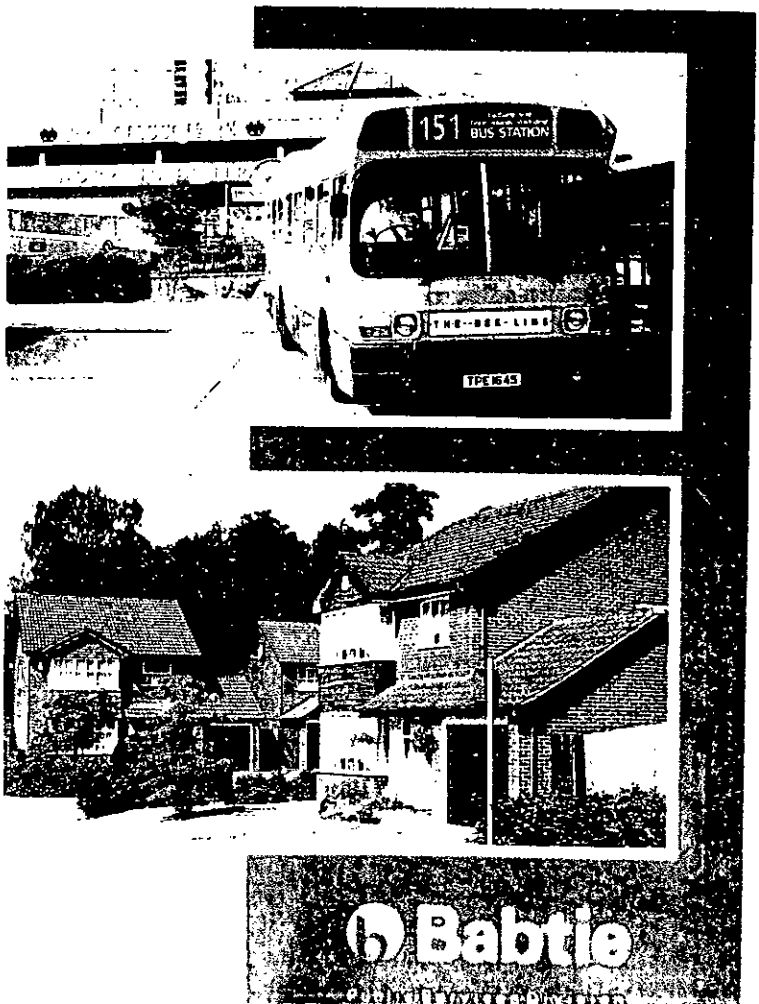
FILED

VJM.



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997



6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

6.1 The quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. These depend partly on care for its environment as a whole, including the countryside (dealt with in Chapter 5) and towns, villages and built-up areas which are considered in this chapter. It also concerns : safeguarding and enhancing a number of specific environmental interests, which together contribute to the character of the County; curbing and controlling a number of specific threats to pleasant living conditions; and the conservation of natural resources.

The Environment of the Built-up Areas

6.2 The density, form and quality of buildings, landscape and other elements of the environment in towns, villages and built-up areas have an important bearing on the overall quality of life in the County, especially as the majority of the population live and work in such areas.

Protection and Enhancement of the Environment of Built-Up Areas

Policy EN1 **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 siting 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 centres.

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.

6.3 In order to secure improvements in the environment of built-up areas, local plans will need to include guidelines on a wide range of matters raised in the policy. Particular public concerns have been raised about the quality of design in new development and about increased densities in the built-up areas. While the latter may help reduce the need for travel and minimise the loss of open countryside, it may also lead to problems of congestion, loss of tree cover and open land, and deterioration in environmental quality in established neighbourhoods.

6.4 Policy EN1 is intended positively to encourage appropriate regeneration in line with Government guidance. It is not proposed that appropriate changes of use of buildings should be restricted whether they are currently vacant or not. Derelict land which has been the subject of contamination may be appropriate for redevelopment, but only if there is no danger created for the new use of the site or through the transport and re-deposit of contaminated matter on a site elsewhere.

Environmental Nuisance

6.5 Certain kinds of development can give rise to nuisance which can affect occupiers of buildings, passers-by or those using outdoor space. There is a need to prevent new problems from arising, and to limit or reduce the nuisance from existing sources. The impact of nuisance may in some circumstances be limited by curbing development in areas affected, and this is appropriate where (as is the case for aircraft noise) little can be done to reduce the nuisance in the short term.

Protection from Environmental Nuisance

Policy EN2 **Development should not give rise to unacceptable levels of noise, smell, dust, fumes, light or noxious emissions affecting areas beyond the site boundary, or to unacceptable levels of air or water pollution. In addition, uses sensitive to disturbance such as new houses, schools and hospitals, should not be located in areas already subject to unacceptable levels of these environmental nuisances.**

6.6 In areas affected by high levels of noise, development should be designed to minimise the nuisance caused to future occupants. Unacceptable levels of environmental nuisance will be defined through the local plan process and by building upon studies such as the County Council's State of the Environment Report. The County Council has also recently published environmental noise planning guidelines to assist with the implementation of Policy EN2 and to help co-ordinate a standardised approach across the County.

Flooding

6.7 Most of Berkshire's rivers have an associated floodplain which is essential for both flood flow and storage. Development within the floodplain would reduce the storage capacity and impede the flow of water, thereby increasing the risk of flooding elsewhere. Therefore in areas at risk from flooding new development or the intensification of existing development will be resisted. It is also necessary to ensure that the surface water run-off from any new development does not exacerbate flooding or drainage problems elsewhere.



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

- **Proposed Amendments April 1999**
- **Additional Proposed Amendments September 1999**
- **Proposed Transport Amendments February 2000**

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

B) GIVE PRIORITY WITHIN a) TO MEETING THE DISTRICT'S ECONOMIC AND SOCIAL NEEDS, INCLUDING THE PROVISION OF LOW-COST HOUSING AND A WIDER RANGE OF EMPLOYMENT OPPORTUNITIES

C) CONSERVING AND ENHANCING THE PATTERN OF TOWN AND PARISH COMMUNITIES BY RETAINING AND EMPHASISING THE BALANCE BETWEEN TOWNS AND VILLAGES, COUNTRYSIDE AND SETTLEMENTS, OPEN RIVER VALLEYS AND ENCLOSED WOODLANDS

D) TO PROVIDE FOR EMPLOYMENT, HOUSING, SHOPPING AND SERVICES IN PLACES THAT MINIMISE THE NEED FOR TRAVEL BY PRIVATE CAR

E) THAT NEW DEVELOPMENT MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER, ENVIRONMENT, LANDSCAPE, HERITAGE WITHIN THE PLAN AREA

F) ~~TO CONSERVE NATURAL RESOURCES TO MINIMISE POLLUTION~~ **(PA 1/3)**

F1) TO CONSERVE NATURAL RESOURCES **(PA 1/3)**

F2) TO MINIMISE POLLUTION ***(PA 1/3)***

G) TO SEEK IMPROVEMENTS TO INFRASTRUCTURE, SERVICES AND AMENITIES.

H) TO ENCOURAGE AND SUSTAIN BALANCED RURAL COMMUNITIES **(PA 1/1)**

I) TO DEVELOP BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES **(PA 1/2)**

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside ~~or has special reason to locate there~~ *OR FOR WHICH A RURAL LOCATION IS ESSENTIAL.* **(PA 1/4)** Although these uses are acceptable in principle, they must also be acceptable in practice.

1.7 In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.

1.8 An 'identified' settlement or built-up area must possess all the following characteristics:

(i) a sizeable amount of development in a compact form (if development is dominated by, or interspersed with, areas of land that are characteristically rural or open, it will not come within this criterion)

(ii) possess a range of basic services, such as a primary school, shop and community facilities, providing a forum for social contact

(iii) be physically and socially cohesive.

1.9 For the purposes of this plan the identified settlements are:

ARBORFIELD CROSS
BARKHAM HILL
CHARVIL
EARLEY/SONNING/WOODLEY
FINCHAMPSTEAD
FINCHAMPSTEAD NORTH
HURST
PINEWOOD
RISELEY
SHINFIELD
SINDLESHAM
SPENCERS WOOD
SWALLOWFIELD
THREE MILE CROSS
TWYFORD
WARGRAVE
WINNERSH
WOKINGHAM.

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

SUBJECT TO THE DETAILED PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN, DEVELOPMENT WILL BE ALLOWED WITHIN THE BOUNDARIES OF THE IDENTIFIED SETTLEMENTS SHOWN ON THE PROPOSALS MAP AND LISTED IN THE TEXT.

OUTSIDE THESE SETTLEMENTS DEVELOPMENT WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN AND STRUCTURE PLAN POLICIES C2 (DEVELOPMENT OUTSIDE BUILT UP AREAS AND SETTLEMENTS) AND C4 (CONTROL OF DEVELOPMENT IN THE GREEN BELT).

Implementation: Through the development control process.

Monitoring: Planning applications determined.

1.11 The most attractive and successful urban environments are those where all the component parts (e.g. buildings, trees, roads, spaces, people, traffic) have been satisfactorily accommodated to create interesting, lively and pleasant places. In order to maintain and enhance the character of the built environment, the appropriateness of the use of existing buildings and the design of new buildings or extensions to existing buildings, are very important.

1.12 The Council is particularly concerned to promote a high standard of design in new buildings, to ensure that new buildings are responsive to their location and to their potential occupants' and/or users' needs. New development needs to be appropriate in terms of function, siting, scale, form, massing, materials, colour and texture in its relationship with adjoining buildings and sites. Accordingly, new development will be expected to make an acceptable and positive contribution to the built environment. In addition new development should be appropriately located so as to reduce the need to travel and to encourage alternative modes of transport to the car.

1.12A LANDSCAPING SCHEMES SHOULD BE COMPRISED PREDOMINANTLY, IF NOT WHOLLY, OF LOCALLY NATIVE SPECIES. **(PA 1/5)**

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

THE COUNCIL WILL REQUIRE ALL DEVELOPMENT PROPOSALS THAT ARE ACCEPTABLE IN PRINCIPLE WHEN ASSESSED AGAINST OTHER POLICIES OF THIS PLAN TO:

A) BE APPROPRIATE IN SCALE OF ACTIVITY AND CHARACTER TO THE AREA IN WHICH THEY ARE LOCATED AND BE INTEGRATED INTO THEIR LOCAL CONTEXT WITHOUT DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS

B) ~~RETAIN~~ *HAVE NO SIGNIFICANT DETRIMENTAL IMPACT UPON (***PA 1/6)** IMPORTANT MAN-MADE, LANDSCAPE AND NATURE CONSERVATION FEATURES AND PROVIDE FOR FURTHER LANDSCAPE TREATMENT WHERE RELEVANT TO THE TYPE OF DEVELOPMENT AND/OR THE PROTECTION OF LOCAL VISUAL AMENITY

C) BE BOTH LOCATED AND DESIGNED SO AS TO REDUCE THE NEED TO TRAVEL AND ENCOURAGE THE USE OF WALKING, CYCLING AND PUBLIC TRANSPORT AS ALTERNATIVES TO THE CAR

D) HAVE NO SIGNIFICANT EFFECT ON ROAD SAFETY OR CAUSE HIGHWAY, TRAFFIC GENERATION OR TRAFFIC RELATED ENVIRONMENTAL PROBLEMS

E) PROVIDE BUILDINGS, FACILITIES AND SPACES THAT ARE CAPABLE OF USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT

F) BE OF HIGH QUALITY OF DESIGN THAT RESPECTS THE LOCAL CONTEXT BY VIRTUE OF SITING, LAYOUT, MASSING, MATERIALS, COLOUR AND TEXTURE.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

1.13 It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to support the development. This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations*). An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life or new and existing residents. Supplementary planning guidance has been produced setting out the implementation of Policy WOS4 below.

POLICY WOS4: SERVICE, AMENITIES AND INFRASTRUCTURE REQUIREMENTS FOR NEW DEVELOPMENT

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, UNDER THE POLICIES OF THIS PLAN, DEVELOPMENT PROPOSALS WILL BE EXPECTED TO HAVE

Cont.

POLICY FRAMEWORK

National Policy

4.5 Advice on design at the national level is limited. There is no Planning Policy Guidance Note purely on design considerations. Paras 13 - 20 and Annex A (paras A1 - A7) of PPG1 refer specifically to the issue of design. Paras 4 - 7 of Planning Policy Guidance Note 3 (PPG 3) *Housing* look at good design in the context of housing development.

4.6 Comprehensive guidance on heritage issues is given in Planning Policy Guidance Note 15 (PPG 15) *Planning and the Historic Environment*. Planning Policy Guidance Note 16 (PPG 16) *Archaeology and Planning* gives advice on archaeology and planning.

Strategic Policy

4.7 The *Berkshire Structure Plan 1991 - 2006* acknowledges that the quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. The plan recognises that these depend partly on care for the built environment, but that also of importance are the maintenance and improvement of interests that have a bearing on the County's character, the limitation and control of specific threats to pleasant living conditions, and the conservation of natural resources.

Supplementary Planning Guidance

4.8 The environmental policies in this plan are augmented by additional guidance in the form of Planning Guidelines, Development Briefs, Design Guides, and Conservation Area Studies. This additional guidance includes detailed advice that is not appropriate for inclusion in the plan. The policies of the plan take precedence over the supplementary planning guidance, and provide the main thrust for environmental policy in the plan area.

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

4.9 Proposed development should be considered in the context of the surrounding area. This will allow vernacular style and any good features to be interpreted in the new development, helping to contribute to its sense of place.

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

THE COUNCIL WILL REQUIRE GOOD CONTEMPORARY DESIGN THROUGHOUT THE PLAN AREA, WHICH RESPECTS ITS LOCAL CONTEXT. WHEN CONSIDERING ANY APPLICATION FOR DEVELOPMENT THE COUNCIL WILL HAVE REGARD TO THE FOLLOWING CONSIDERATIONS:

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

d) LANDFORM AND ANY NATURAL FEATURES, INCLUDING LANDSCAPE TREATMENT AND ENVIRONMENTAL WORKS

e) THE LOCAL TOWNSCAPE

f) THE LAYOUT, FORM, SCALE, MASSING, AND MATERIALS OF DEVELOPMENT

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

Implementation: Use of design guidance in the development control process.

Monitoring: Consider quality of development on the ground, including through design awards.

4.10 Not all of the plan area is of the same visual quality. Some parts of it could benefit from environmental improvement, and in some circumstances, this may be achievable through redevelopment opportunities.

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

IN AREAS WHERE THE EXISTING ENVIRONMENT DOES NOT EXHIBIT ESPECIALLY PRONOUNCED OR HISTORIC ARCHITECTURAL STYLES, ANY PROPOSALS FOR INFILL DEVELOPMENT SHOULD BE USED AS AN OPPORTUNITY TO CREATE ADDED VISUAL INTEREST AND RAISE THE AREA'S ARCHITECTURAL QUALITY.

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

4.11 Because of their extent, large developments are likely to have a greater impact on the environment than smaller scale ones. It is therefore particularly important to ensure a high quality of development within such proposals. Large development areas are probably best considered in terms of a series or pattern of smaller areas, each with its own layout and form of development, and hence its own distinctive character. This should lead to the avoidance of extensive areas of characterless development that bear no relationship to features on the ground.

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

ANY PROPOSALS FOR LARGE SCALE DEVELOPMENT SHOULD PROVIDE A CLEAR AND COHERENT LAYOUT THAT CREATES AREAS OF IDENTIFIABLE CHARACTER WITHIN THE DEVELOPMENT. WHERE DEVELOPMENT IS TO BE CARRIED OUT IN PHASES, THE COUNCIL WILL REQUIRE THE SUBMISSION OF A INDICATIVE LAYOUT FOR THE ENTIRE SITE PRIOR TO THE APPROVAL OF ANY

Cont.

~~4.17 The floodlighting of key buildings can greatly enhance an appropriate environment. However, lighting proposals can cause light pollution, with an adverse impact on the amenities of local residents. Therefore, the Council will give favourable consideration only to those schemes that are energy efficient, where there is no significant impact on the surrounding countryside, and where there is no material effect on the amenity of local residents.~~ **(PA 4/3)**

~~**POLICY WBE8: FLOODLIGHTING**~~

~~THE COUNCIL WILL ENCOURAGE THE FLOODLIGHTING OF KEY BUILDINGS IN THE ENVIRONMENT PROVIDED THAT THE LIGHT IS CAREFULLY CONTROLLED, SO AS NOT TO CAUSE EXCESSIVE LIGHT POLLUTION FROM LIGHT SPILL.~~

~~Implementation: Target key buildings.~~

~~Monitoring: Projects achieved on the ground.~~ **(PA 4/3)**

4.18 Ensuring good accessibility to new developments assists in the creation of a more vital environment, and assists in the promotion of safety and security through good surveillance. The provision of access to development is the subject of Policy WT2, and further policy guidance on provision for pedestrians is given in Policy WT8

POLICY WBE9: ACCESSIBILITY

THE COUNCIL ENCOURAGES ALL NEW DEVELOPMENT AND BUILDING REFURBISHMENTS TO HAVE REGARD TO ISSUES OF ACCESSIBILITY AND WILL:

a) RESIST THE LOSS OF PART OF A PUBLIC RIGHT OF WAY, UNLESS THE COUNCIL IS SATISFIED THAT APPROPRIATE ALTERNATIVE PROVISION CAN BE MADE

b) REQUIRE THE PROVISION OF EASY AND DIRECT ACCESS BETWEEN AREAS BY THE PROVISION OF FOOTPATH LINKS WHERE APPROPRIATE, HAVING REGARD TO SAFETY AND SECURITY

c) SEEK TO LINK OPEN SPACES AND CREATE A SERIES OF OPEN SPACES, WHERE APPROPRIATE, HAVING REGARD TO SAFETY AND SECURITY.

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

4.19 Landscaping and planting can be used to enhance the existing built environment, and to help integrate new development into the wider environment.

POLICY WBE10: LANDSCAPE AND PLANTING

IN ORDER TO MAINTAIN AN ATTRACTIVE PUBLIC REALM ~~ALL APPLICATIONS FOR DEVELOPMENT WILL BE REQUIRED TO BE ACCOMPANIED BY A LANDSCAPE SCHEDULE.~~ *CONDITIONS REQUIRING A LANDSCAPE SCHEME AND SCHEDULE TO BE AGREED AND IMPLEMENTED MAY BE ATTACHED TO PLANNING PERMISSIONS.* **(PA 4/4)** IN CONSIDERING LANDSCAPE SCHEMES THE COUNCIL WILL HAVE REGARD TO THE FOLLOWING:

Cont.

A) PROTECTION OF NATURAL FEATURES

B) THE LAYOUT SHOULD BE APPROPRIATE IN SCALE, FORM, AND CONTINUITY WITH THE LOCAL CONTEXT

C) THE APPROPRIATE USE OF SPECIES OF, *PREDOMINANTLY NATIVE*, **(PA 4/5)** TREES AND SHRUBS TO CREATE CLEARLY IDENTIFIED 'THEMES'

D) THE PROTECTION, ENHANCEMENT AND CREATION OF WILDLIFE CORRIDORS IN ACCORDANCE WITH POLICY WNC6. **(PA 4/6)**

Implementation: Assess the quality of landscape schemes through the development control process, including use of section E of the Planning Guidelines.

Monitoring: Check quality of landscape works and planting on the ground.

4.20 The Council considers it important to protect trees and hedges in the plan area, as they make a fundamental contribution to its character and appearance, and may also have ecological value. Tree preservation orders have already been applied to many individual and groups of trees and areas of woodland, and this approach will be continued as appropriate.

POLICY WBE11: PROTECTION OF TREES AND WOODLAND

THE COUNCIL WILL PROTECT TREES AND AREAS OF WOODLAND BY:

A) RESISTING DEVELOPMENT PROPOSALS THAT WOULD CAUSE THE LOSS OF, OR DAMAGE TO, TREES OR GROUPS OF TREES RECOGNISED AS HAVING AMENITY OR CONSERVATION VALUE.

b) ~~APPLYING TREE PRESERVATION ORDERS AS APPROPRIATE, INCLUDING ON IMPORTANT AREAS OF STRUCTURAL TREE PLANTING ASSOCIATED WITH NEW DEVELOPMENT, AND ON IMPORTANT INDIVIDUAL TREES, PARTICULARLY ON SMALL SITES~~ **[A6]**

B) APPLYING TREE PRESERVATION ORDERS AS APPROPRIATE. **[A6]**

c) ~~REQUIRING TREES THAT ARE TO BE RETAINED ON DEVELOPMENT SITES ARE ADEQUATELY PROTECTED DURING ASSOCIATED WORKS~~ **[A6]**

C) *SEEKING MAINTENANCE OF AREAS OF STRUCTURAL TREE PLANTING AND IMPORTANT TREES.* **[A6]**

d) ~~REQUIRING REPLACEMENT PLANTING OF TREES AS RESULT OF ANY LOST DURING DEVELOPMENT WORKS.~~ **[A6]**

D) *REQUIRING TREES THAT ARE TO BE RETAINED ON DEVELOPMENT SITES ARE ADEQUATELY PROTECTED DURING ASSOCIATED WORKS. DETAILS WILL BE EXPECTED TO ACCOMPANY ANY PROPOSED DEVELOPMENT SUBMISSION THAT INVOLVES TREES AND WOODLANDS* **[A6]**

Implementation: Through the development control process, including use of section E of the Planning Guidelines.

Monitoring: Check quality of tree cover on the ground.

10.37 As well as cars, it is essential that proper provision is made for cycles, motorcycles and lorries. Cycle parking facilities should be well related to cycle tracks. The provision of such facilities will prevent obstruction of footways and assist security. Such facilities should be provided in connection with all retail, business, leisure and educational development.

POLICY WT6: PARKING PROVISION

IN THE CENTRES OF WOKINGHAM, WOODLEY, EARLEY AND TWYFORD ON-SITE PARKING WILL BE LIMITED TO THAT REQUIRED FOR OPERATIONAL NEEDS. ELSEWHERE THE COUNCIL WILL SEEK THE PROVISION IN APPROPRIATE LOCATIONS WITHIN THE DEVELOPMENT FOR CAR, CYCLE, MOTORCYCLE AND LORRY PARKING IN ACCORDANCE WITH THE COUNCIL'S ADOPTED STANDARDS.

~~WITHIN CAR PARKS AND OTHER SUITABLE PUBLIC AREAS PROVISION WILL BE MADE FOR COVERED, WELL LIT AND SECURE CYCLE PARKING.~~

THE COUNCIL WILL SEEK THE PROVISION OF COVERED, WELL LIT AND SECURE CYCLE PARKING WITHIN CAR PARKS AND IN OTHER LOCATIONS WHERE IT IS LIKELY TO BE NEEDED SUCH AS SHOPPING CENTRES, RAILWAY STATIONS, SCHOOLS, LIBRARIES, DOCTORS' SURGERIES, COUNTRY PARKS AND LEISURE FACILITIES. CYCLE STANDS FOR INDIVIDUAL OR PAIRS OF CYCLES WILL BE SITED WHERE LARGER CYCLE PARKS ARE NOT APPROPRIATE. **(PA 10/4)**

THE COUNCIL WILL REVIEW THE NUMBER AND LOCATION OF DISABLED PARKING SPACES AND SEEK TO MEET ANY SHORTFALL IN AVAILABILITY OR LOCATIONAL CONSIDERATIONS, AND INCREASE PROVISION WHERE APPROPRIATE.

WHERE APPROPRIATE, IN ORDER TO PROMOTE ROAD SAFETY, ON-STREET PARKING WILL BE RESTRICTED.

Implementation: Through development control and the annual capital programme of transport investment and environmental improvement *AND THE LOCAL TRANSPORT PLAN PROGRAMME.*

Monitoring: ~~Through surveys of need including problems caused by vehicles parked on street, restricting access particularly by the emergency services, and problems of cycle parking on the pavement and obstruction.~~ *THROUGH THE LOCAL TRANSPORT PLAN PROCESS.* **{T/11}**

Safety

10.38 The Council considers it important to meet the government's targets in relation to safety and the reduction in accidents. Measures to improve safety will have a high priority, particularly in the vicinity of schools. In recent years many improvements for road safety reasons have been implemented.

10.39 For safety and for environmental reasons a number of traffic calming schemes have been implemented in the District. Traffic calming measures aimed at reducing the speed and penetration of traffic, particularly in residential areas, combined with environmental improvements can improve road safety and make the streets a more pleasant place in which to be. There is, however, concern about the detail of some of the traffic calming schemes that have been implemented. Speed humps have been opposed by the emergency services who consider that they increase response times; they are a problem for patients in ambulances. The bus operators have also opposed speed humps for reasons of passenger comfort and safety. Concern has been expressed about the effect of traffic calming measures on roads that are used as an alternative to avoid such measures, particularly road humps, and the lack of alternative approaches to traffic calming. Offset parking areas, for example can reduce the speed of traffic. Other approaches include footway widening, width restrictions and variation in surface treatments. Traffic calming schemes, however modest, do incur a cost. In view of this, and the fact that schemes can arouse opposition, they will only be undertaken where clearly justified.

10.40 Although there has been opposition to traffic calming, the issue of excessive speed is a matter of great public concern, although generally resolution of the problem is outside the scope of land-use planning. Speed is a major influence on the severity of accidents.

POLICY WT7: ROAD SAFETY

THE COUNCIL WILL TAKE APPROPRIATE MEASURES TO PROMOTE ROAD SAFETY FOR ALL ROAD USERS INCLUDING:

a) MONITORING OF ACCIDENT STATISTICS TO IDENTIFY BLACKSPOTS

b) GIVING HIGH PRIORITY TO IMPROVEMENTS THAT WILL REDUCE ACCIDENTS INCLUDING THOSE INVOLVING PEDESTRIANS AND CYCLISTS

c) ENSURING THAT ALL RELEVANT INVESTMENT CONFORMS TO BEST PRACTICE IN RESPECT OF ROAD SAFETY

d) EXAMINING THE ROAD SAFETY IMPLICATIONS OF ALL PROPOSALS FOR DEVELOPMENT, AND

e) THE IMPLEMENTATION OF TRAFFIC CALMING SCHEMES WHERE JUSTIFIED.

Implementation: Through the annual capital programme of transport investment and environmental improvement *AND THE LOCAL TRANSPORT PLAN PROGRAMME*..

Monitoring: Through road safety and accident monitoring and the Road Safety Plan *AS PART OF THE LOCAL TRANSPORT PLAN PROCESS.* **{T/12}**

Street Lighting

10.41 The provision of street lighting is an important aid to safety at night and promotes security and a feeling of well being. It is, however, an extremely sensitive issue in rural areas. There can be strong opposition to the introduction of street lighting into presently unlit rural areas. In considering whether to introduce street lighting it is important to consult the local community and its representatives.

10.42 Any lighting scheme must be well designed taking into account the character of the location. This is particularly necessary in areas of environmental quality and conservation areas. In a number of places street lighting is not continuous leading to problems for motorists arising from the alternation of lit and unlit areas.

POLICY WT8: STREET LIGHTING

THE PROVISION OF STREET LIGHTING IN PRESENTLY UNLIT AREAS WILL BE SOUGHT WHERE JUSTIFIED FOR SAFETY AND SECURITY REASONS HAVING REGARD TO:

a) THE VOLUME OF PEDESTRIAN AND VEHICULAR FLOWS

b) THE EFFECT ON THE CHARACTER OF THE LOCATION, PARTICULARLY IN RURAL AREAS

Cont.

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG11 1WR
Telephone: (0734) 786833
Fax: (0734) 778735

form of narrow leisure plots of considerable depth which penetrated into the open countryside. As land prices have increased with demand for land, the level of development in these areas has intensified. In some instances this has led to tandem development which often detracts from the rural character of the area and results in a loss of privacy. Apart from development on individual plots the area south of Wokingham has also experienced larger scale housing development, reinforced in more recent times by the Secretary of State's requirement, in approving the Structure Plan in 1980, to build an additional 8000 houses in Central Berkshire. Some development that has occurred during the post war period has failed to recognise the importance of retaining tree cover and has not been incorporated into the landscape in a sensitive manner. The policies contained in this plan are aimed at tackling these problems and preventing such damage occurring in the future.

DEFINITION OF IDENTIFIED SETTLEMENTS

1.1.04 The definition of rural areas is dependent on the definition of settlements and vice versa. The South East area is dominated by Wokingham which is surrounded by a number of smaller settlements and areas of ribbon or frontage development. All vary greatly in terms of size, form and character. Some areas of sporadic development involve very few properties and/or are dominated by areas of undeveloped rural land either between or to the rear and in front of properties causing them to be characterised by a loose settlement pattern or to form a narrow strip of development in what is still a distinctly rural area. Such areas may possess a number of basic services, such as a school or church but these are rarely confined to serving the population residing in the immediate vicinity. The open nature of these areas presents many opportunities for further intensification. However, it is considered that if



such development were to occur, the existing special character of these areas or the surrounding countryside would be detrimentally affected. For the purposes of this plan, such areas of development are not synonymous with an identified settlement, the latter being used to define an area where particular planning policies are appropriate. There will therefore be cases where areas of development have not been included within the identified settlement. One example is small groups of development bounded by countryside on the far side of a road that marks the boundary of the main built up area . In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this Plan and as shown on the proposals map.

1.1.05 An 'identified' settlement or built-up area must possess all the following characteristics:-

(i) a sizeable amount of development in a compact form, (if development is dominated by, or interspersed with, areas of land which are characteristically rural or open, this will not come within this criterion);

(ii) possess a range of basic services, such as a school, shop and community facilities, providing a forum for social contact;

(iii) be physically and socially cohesive.

On this basis the following policy is put forward.

❖ STV1 'IDENTIFIED SETTLEMENTS'

WITHIN THE IDENTIFIED SETTLEMENTS AS LISTED BELOW AND AS SHOWN ON THE PROPOSALS MAP, DEVELOPMENT WILL NORMALLY BE ALLOWED, SUBJECT TO THE PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN. THE 'IDENTIFIED' SETTLEMENTS ARE:-

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

1.1.06 The District Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has a special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice. This is particularly important in the case of small scale housing and employment development on the edge of settlements which is dealt with in more detail in policies SH1 and SE2 of this plan.

❖ STV2 DEVELOPMENT IN RURAL AREAS

ALL LAND OUTSIDE THE IDENTIFIED SETTLEMENTS, AS SHOWN ON THE PROPOSALS MAP IS CONSIDERED TO BE RURAL AREA WITHIN WHICH DEVELOPMENT WILL NOT NORMALLY BE ALLOWED. IN ACCORDANCE WITH THE REPLACEMENT STRUCTURE PLAN EXCEPTIONS MAY BE MADE FOR DEVELOPMENT IN THE FOLLOWING CATEGORIES WHICH ARE NOT SPECIFICALLY DEALT WITH BY OTHER POLICIES IN THIS LOCAL PLAN.

(A) DEVELOPMENT FOR HOUSING PURPOSES OF SITES NOT EXCEEDING 0.4 HECTARE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(B) DEVELOPMENT FOR EMPLOYMENT USES NOT EXCEEDING 300 SQUARE METRES OF FLOORSPACE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(C) DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY,

(D) MINERAL EXTRACTION,

(E) PLANT FOR RECEIVING IMPORTED AGGREGATES, OR FOR THE PROCESSING OR DISTRIBUTION OF AGGREGATES,

(F) THE DISPOSAL OF WASTE BY CONTROLLED TIPPING WITHIN EXISTING OR FORMER MINERAL WORKINGS OR ON OTHER DESPOILED LAND,

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

(H) ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA,

THE ACCEPTABILITY OF ALL PROPOSALS WILL ALSO BE JUDGED AGAINST THE PROVISIONS OF THE OTHER RELEVANT POLICIES CONTAINED IN THIS PLAN . FOR THE AVOIDANCE OF DOUBT THE AREAS OF SPORADIC DEVELOPMENT IDENTIFIED ON THE PROPOSALS MAPS ARE INCLUDED WITHIN THE RURAL AREAS.

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

1.4.01 The most attractive and successful urban environments are those where all the component parts (e.g. buildings, trees, roads, spaces, people, traffic) have been satisfactorily accommodated to create interesting, lively and pleasant places. In order to maintain and enhance the character of the built environment, the design of new buildings or extensions to existing buildings and the creation of new spaces within that environment, are very important.

1.4.02 The District Council is particularly concerned to promote a high standard of design in new buildings, and to ensure that new buildings are responsive to their location. This means that new buildings need to be appropriate in terms of their function, siting, scale, form, massing, materials, colour and texture in their relationship with adjoining buildings and sites. Accordingly, new buildings will be expected to make an acceptable and positive contribution to the built environment. In addition, developments that incorporate public access should accommodate sculptures or other works of art to provide visual interest, where this is considered appropriate by the local planning authority. For particularly sensitive areas, design briefs will be prepared to provide a framework for design to guide prospective developers.

1.4.03 In the case of schemes involving more than one building, regard will be paid to the impact of the development over a wider area, involving an assessment of criteria additional to those referred to in paragraph 1.4.02 above. Accordingly, schemes should relate to the "grain" of the area, and take account of their effect on the skyline, pedestrian and vehicular movements in the area, vistas, safety and environmental constraints. Where large sites exist which would significantly affect the urban fabric urban design briefs/appraisals will be prepared/required to establish the wider context within which applications will be considered.

❖ SBE1 DESIGN OF NEW DEVELOPMENT

NEW DEVELOPMENT SHALL BE OF A HIGH STANDARD OF DESIGN APPROPRIATE TO THE CHARACTER OF THE AREA IN WHICH IT IS TO BE SITUATED. IT SHOULD:

(A) MAKE A POSITIVE CONTRIBUTION TO ITS SETTING AND THE CHARACTER OF THE AREA,

(B) CONTRIBUTE TO THE CREATION OF A SAFE AND ATTRACTIVE ENVIRONMENT IN WHICH TO LIVE AND WORK,

(C) RETAIN IMPORTANT NATURAL, MAN-MADE OR LANDSCAPE FEATURES OF THE SITE COMPATIBLE WITH GOOD DESIGN.

❖ SBE2 INAPPROPRIATE DESIGN

PROPOSALS FOR DEVELOPMENT THAT IS INAPPROPRIATE IN TERMS OF ITS RELATIONSHIP WITH ADJOINING SITES AND BUILDINGS, OR WHICH WOULD ADVERSELY AFFECT THE CHARACTER OF AN AREA, BY

VIRTUE OF ITS SITING, SCALE, FORM, MASSING, MATERIALS, COLOUR OR TEXTURE, WILL NOT NORMALLY BE PERMITTED.

ENVIRONMENTAL IMPROVEMENT

1.4.04 Within the built environment it is important not only to safeguard those buildings, undeveloped areas and special features which contribute to the character and attractive qualities of the area but to seek opportunities to enhance the quality of the built environment.

1.4.05 Often the more attractive and successful urban environments have evolved organically over a period of many years and incorporate a variety of architectural styles. In more recent years development in some parts of the District has taken place more comprehensively with little variety in design. In other areas particularly since the war and up to the early 1970's some development has been inserted into an existing area to the detriment of the older urban fabric.

1.4.06 In some areas, local shopping centres in particular, where comprehensive development has taken place, the opportunity may arise for comprehensive refurbishment since a large part of the urban fabric will tend to age and decay simultaneously. In other areas environmental enhancement of the urban fabric surrounding the buildings may be sufficient to rejuvenate the area as a whole.



❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

ENCOURAGEMENT WILL BE GIVEN TO THE REFURBISHMENT OR PARTIAL REDEVELOPMENT OF AREAS OR INDIVIDUAL SCHEMES WHERE A SIGNIFICANT ENVIRONMENTAL ENHANCEMENT WILL RESULT TO THE BENEFIT OF THE COMMUNITY.

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

ENVIRONMENTAL ENHANCEMENT SCHEMES WILL BE ENCOURAGED WITHIN THE PLAN AREA AS OPPORTUNITIES ARISE AND WILL INCLUDE THE AREAS AS SHOWN ON THE PROPOSALS MAP AND AS SET OUT IN PART TWO OF THE PLAN.

SUNLIGHT, DAYLIGHT AND NOISE

1.4.07 Daylight penetration into new buildings, and existing buildings affected by new development, is an important amenity consideration as is sunlight penetration of spaces outside windows. In this respect it should always be the intention to maximise penetration of new development and minimise the impact of new development on old as far as is possible. The orientation of rooms, gardens and both public and private spaces is therefore critical since together the two aspects can provide warmth, comfort and pleasant living and working conditions. They can also have some impact on energy consumption by reducing the dependence on artificial lighting and heating. Further guidance on this matter can be found in the District Council's Development Control Guidelines.

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

appearance of the built environment. The design, quality and materials of items such as bus shelters, rubbish bins, and seating frequently invade the built environment to its detriment. It is essential that due consideration is given to items of street furniture to ensure that they do not adversely affect the character or appearance of the built-up areas. In appropriate cases it may also be necessary to adopt a process of rationalisation of existing street furniture to reduce clutter.

❖ SBE7 STREET FURNITURE

THE DISTRICT COUNCIL WILL SEEK A HIGH STANDARD OF STREET FURNITURE COMPATIBLE WITH THE CHARACTER OF THE AREA IN WHICH IT IS TO BE SITUATED. IN CONSERVATION AREAS PARTICULAR CARE WILL BE TAKEN TO ENSURE THAT STREET FURNITURE IS APPROPRIATE IN TERMS OF MATERIALS, COLOUR, DESIGN AND LOCATION.

TREES AND LANDSCAPING

1.4.13 The built environment can be considerably enhanced by the presence of trees and shrubs. They not only "green" an area but soften and give scale to hard urban environments. In addition they are often features of beauty in themselves and therefore have an important design role to fulfil. In new developments this role is apparent in that trees immediately give some sense of 'establishment' to what are often raw new urban forms, and this helps to integrate the new with the old. Accordingly trees can help create a 'sense of place'. Native species of trees and shrubs are particularly valuable since they help to maintain levels of wildlife in urban areas and they should be retained and introduced in landscaping schemes where possible and appropriate.

1.4.14 Trees which make a significant contribution to the visual scene can be safeguarded by the making of Tree Preservation Orders under Section 198 of the Town and Country Planning Act 1990. Failure to comply with the orders can lead to the imposition of fines as well as requiring replanting with appropriate species. The District Council will require full tree surveys in proposals for the development of sites which currently enjoy tree or hedgerow cover.

1.4.15 Landscaping does not apply only to trees and shrubs. These are the 'soft' components of landscaping which also possesses a 'hard' element e.g. paving schemes (floorscape), boundary features etc. Hard landscaping can be equally important in helping to establish the identity of a locality. Landscaping (hard or soft) should always be considered as an integral part of a development rather than as an afterthought. Thought should be given to landscape design at the outset of the total design process. If treated as an afterthought, landscaping can seem ill- considered and ineffective. Completeness through design is considered as the most appropriate approach. The timing of the provision of landscaping in relation to development will also be an important factor in achieving the integration of new development into its surroundings.

❖ SBE8 LANDSCAPING OF NEW DEVELOPMENT

❖ *THE DISTRICT COUNCIL WHEN CONSIDERING PLANNING APPLICATIONS WILL SEEK TO ENSURE THE ENHANCEMENT OF THE SITE BY APPROPRIATE LANDSCAPING AND WILL HAVE FULL REGARD TO THE NEED FOR CONSERVATION OF EXISTING LANDSCAPE FEATURES ESPECIALLY TREES AND HEDGEROWS. GENERALLY, APPLICATIONS FOR LARGE SCALE DEVELOPMENT MUST BE ACCOMPANIED BY A DETAILED LANDSCAPE SURVEY, TOGETHER WITH A PROPOSED LANDSCAPING SCHEME AND MANAGEMENT PLAN.*

❖ SBE9 EXISTING TREES

WHERE INDIVIDUAL TREES, GROUPS OF TREES OR AREAS OF WOODLAND ARE UNDER THREAT AND ARE CONSIDERED TO BE OF PARTICULAR AMENITY VALUE THE DISTRICT

COUNCIL WILL NORMALLY MAKE TREE PRESERVATION ORDERS.

ADVERTISEMENTS

1.4.16 The presence of advertisements in the urban environment can either enliven or spoil the street scene in which they are displayed. Inappropriately designed and sited advertisements can have a severely detrimental effect on the visual quality of the built environment. Alternatively many signs and advertisements are appropriate to the location in which they are displayed and reinforce the vitality and character of a particular location.

1.4.17 Consequently there is a requirement to control the effect which advertisements have on the built environment. The Town and Country Planning (Control of Advertisements) Regulations 1992 gives District Councils the statutory authority to control the display of certain advertisements. Furthermore, provisions exist under the same regulations for the removal of an advertisement on the grounds of amenity or safety whether it is initially under the control of the Local Authority or not.

1.4.18 There is inevitably a concern on behalf of the District Council to ensure that all advertisements wherever they may be displayed should add to the amenity of the area rather than detract from it. Stricter rules with regard to the erection of "For Sale" signs now apply. Wokingham District Council will seek to ensure that estate agents throughout the District abide by these new regulations.

❖ SBE10 NEW ADVERTISEMENTS

ADVERTISEMENTS WILL BE PERMITTED IF THEY ARE CONSIDERED TO BE WELL SITED AND DO NOT DETRACT FROM THE AREA WITHIN WHICH THEY ARE DISPLAYED. WITHIN CONSERVATION AREAS THE APPLICANT WILL NEED TO DEMONSTRATE THAT THE DESIGN AND LOCATION OF THE ADVERTISEMENT REFLECTS THE CHARACTER OF THE AREA.

1.4.19 Provisions exist within the advertisement regulations for particularly sensitive areas to be declared Areas of Special Control. Such designation requires the confirmation of the Secretary of State and is appropriate in sensitive urban and rural areas in order to afford greater protection to the environment. The District Council will investigate the need for the designation of Areas of Special Control as part of a package of measures aimed at improving advertisement control in areas where problems are perceived.

SHOP FRONTS

1.4.20 The design of a shopfront should relate satisfactorily to that of the rest of the building in which it is set, as well as to nearby buildings and shopfronts where appropriate. Particular care is needed where a building is listed or in a conservation area or is on a conspicuous site. The importance of "house style" to some traders is recognised, but the importance of visual amenity is considered to be greater. House styles may therefore require to be sympathetically adapted, particularly in conservation areas.



❖ SBE11 SHOP FRONTS

NEW SHOP FRONTS WILL BE PERMITTED WHERE THEY RELATE SATISFACTORILY TO THE ARCHITECTURAL FRAMEWORK OF THE BUILDING, ARE COMPATIBLE WITH THE

ELSEWHERE IN THE PLAN AREA THE DISTRICT COUNCIL WILL SUPPORT ROAD AND JUNCTION IMPROVEMENTS WHERE CONSIDERED NECESSARY, AND WHERE LOCALISED OR RESULTANT ADVERSE ENVIRONMENTAL EFFECTS WILL NOT OCCUR

THE FOLLOWING MAY BE SUBJECT TO IMPROVEMENT WORKS:

- *LUCKLEY ROAD/FINCHAMPSTEAD ROAD*
- *HEATHLANDS ROAD ALIGNMENT AT HONEY HILL ROAD*
- *PEACOCK LANE REALIGNMENT*
- *A327/NEW MILL ROAD, VISIBILITY IMPROVEMENT*
- *EVERSLEY BY-PASS*
- *A321, CLOSURE OF JUNCTIONS WITH SOLDIERS RISE AND RANGE ROAD*
- *NINE MILE RIDE, CLOSURE OF JUNCTION WITH HEATH RIDE*
- *A329/FOREST ROAD*
- *A321 FINCHAMPSTEAD ROAD/ EVENDONS LANE*
- *EASTHAMPSTEAD ROAD/OLD WOKINGHAM ROAD*
- *NINE MILE RIDE/OLD WOKINGHAM ROAD*
- *LINK FROM READING ROAD TO WELLINGTON ROAD*
- *SHUTE END/BROAD STREET/RECTORY ROAD JUNCTION IMPROVEMENT*
- *JUNCTION IMPROVEMENT AT A329 READING ROAD/OXFORD ROAD*
- *OXFORD ROAD TRAFFIC CALMING*
- *RANCES LANE/PRIEST AVENUE TRAFFIC CALMING*
- *RANCES LANE/LONDON ROAD SIGNALISATION AND WIDENING*
- *NINE MILE RIDE/HEATHLANDS ROAD, JUNCTION IMPROVEMENT*

❖ *ST3 ROAD SAFETY*

THE DISTRICT COUNCIL WILL URGE THE HIGHWAY AUTHORITY TO TAKE APPROPRIATE MEASURES TO PROMOTE ROAD SAFETY FOR ALL ROAD USERS INCLUDING:

A) MONITORING OF ACCIDENT STATISTICS TO IDENTIFY BLACKSPOTS,

B) GIVING HIGH PRIORITY TO HIGHWAY IMPROVEMENTS THAT WILL REDUCE ACCIDENTS,

C) ENSURING THAT ALL HIGHWAY INVESTMENT CONFORMS TO BEST PRACTICE IN RESPECT OF ROAD SAFETY,

D) EXAMINING THE ROAD SAFETY IMPLICATIONS OF ALL PROPOSALS FOR DEVELOPMENT.

CAR AND MOTORCYCLE PARKING

1.8.15 The provision of car parking facilities forms an essential element of any balanced transport policy. This applies particularly to Wokingham town, the catchment area of which is partially rural and, in part, poorly served by public transport. A shortage of convenient parking spaces may discourage visits to the town centre, and encourage the use of other shopping and service centres. The number of parking spaces in the town effectively limits the capacity of the town centre to absorb car-borne visitors (for whatever purpose). The control over car parking spaces in the Plan area is limited by the relatively large number of spaces in private ownerships, particularly in association with office and commercial development. The total number of parking spaces in the town centre is about 3,220 of which some 840 are private non-residential (the remainder comprising about 700 on-street and 1,130 off-street parking spaces and about 550 customer parking spaces).

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 J Clark (on behalf of) _____

Name (in capitals) JANET CLARK Date 16.10.01

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.

© Crown Copyright 1998. Copyright in the printed material and designs is held by the Crown. You can use extracts of this publication in non-commercial in-house material, as long as you show that they came from this document. You should apply in writing if you need to make copies of this document (or any part of it) to:

The Copyright Unit
Her Majesty's Stationery Office
St Clements House
2-16 Colegate
Norwich NR3 1BQ

48802

For official use only
Date received
17 OCT 2001
COPIES TO:
ACK:
FILE:

The Planning Inspectorate

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

PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language, please ~~contact our 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 JANET CLARK

Address 69 OXFORD ROAD WOKINGHAM BERKS. Daytime phone no 0118 962909

Fax no _____

Postcode RG41 2YH. E-mail address janclark@nthworld.com

B. AGENT DETAILS (if any)

Name _____

Address _____ Your reference _____

_____ Daytime phone no _____

_____ Fax no _____

Postcode _____ E-mail address _____

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT COUNCIL LPA's application reference no F/2001/3536

Date of the planning application 7th MARCH 01 Date of LPA's decision notice (if issued) 3/7/01

D. APPEAL SITE ADDRESS

Address 69. OXFORD ROAD.
WOKINGHAM BERKS

Postcode RG41 2YH.

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)

TIMBER BUILDING. USE AS A TEMPORARY ACCOMMODATION FOR CATS

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. ☐

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: ☑
   DOCUMENTS No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
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. ☐

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

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

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

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.

Please turn over

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.

H. GROUNDS OF APPEAL (continued)

Please turn over

INTRODUCTION

Before reapplication of this reduced, proposal following the dismissal of the appeal for the original proposal, I sought advice from the LPA referring to the size of the car parking area, where we have to now provide just the one visitors space.
I was informed that due to the extra length of the frontage, turning and parking would be acceptable subject to a few easily fulfilled conditions i.e. to keep and maintain this space solely for the visitors to the business at appointment times.
I was advised to make the visitors space wider than the normal 2.4 metres which would compensate for the width of the site and to base it on the guidelines for a turning space as depicted on Diagram 8. The highways dept. then found this acceptable.
The proposal was recommended for approval until it was "lifted" by a councillor. Some weeks after, and just days before the proposal was due to go to the committee meeting, I telephoned to ask a question about speaking at the meeting and was informed that the recommendation to approve was now suddenly thought to be unacceptable (although no further site visits were made to my knowledge, to determine this) and was to be refused before the meeting taking place. Therefore we did not get the chance to demonstrate at the meeting any points that we would have liked to make. As the proposal is within the grounds of our home knowing the situation and the possibility of turning from this visitors space I obviously feel it necessary to appeal.

GROUNDS FOR APPEAL

The inspector who visited the site for the appeal of the original larger application stated when referring to **three** visitors spaces, that if these were all full, it would **discourage** people from attempting to turn. As we now only need **one** visitor's space due to the reduction in proposal size, the initial reason for dismissal seems in the present case to be invalid. I can see that the LPA are supporting the inspector's views, but only for the larger proposal, not the new smaller one, which is a very different case.
Each visitor now has the full area of the frontage to manoeuvre, as there are going to be no obstructions such as raised edgings or lawned areas. When leaving the space, kept solely for clients and marked on the ground, facing forward is achieved simply by pulling back across the drive, up to the boundary and turning to exit onto the road. Something that can be done with plenty of room each side. This could even be achieved with other vehicles on the driveway, due to the extra width of the required space although we will actually be able to leave the **whole** area clear when visitors come. The Little Furs cattery (ref: doc1 to 6) has a total of four 2.4m spaces provided for within their smaller parking area and it would be inconceivable for anyone to risk reversing onto the extremely busy main road there. Proof enough alone that there is **no need** to reverse onto the highway with our proposal either. This thriving business being the precedent I am following as it is in such a similar setting to my own proposal. We have our private parking at the rear of the house and the (present or future) occupant of number. 71, has no legal right whatsoever to deny us access.
. (I can provide you with copies of our solicitor's findings in the matter if you feel it necessary. Any future attempts at blocking our access will result in a court injunction being actioned.)

It seems to me that as we know that turning can be achieved by a visitor with considerably little effort, the main object would be to make this as obvious to new visitors as it is to ourselves and to encourage them to leave in a forward direction. As we agree ourselves that people should not reverse onto the highway. This can be accomplished, as the clients will receive individual appointments, therefore having the whole parking and turning area to themselves, also by pointing out that they must turn by:

Simply **telling** them to make sure they turn

Displaying a notice on the fence at the head of the allotted space with wording such as **"IN THE INTEREST OF ROAD SAFEFTY PLEASE DO NOT REVERSE ONTO THE HIGHWAY** ".

Also it could be stated in the brochure given to clients **"may it be noted in the interest of road safety that clients are requested, on departure, to turn within the car parking area before entering Oxford Road"** along side the map of how to reach us.

Having a young child, we ourselves are very road safety conscious. The decision was made by ourselves to clear, including the re-positioning of the lamppost, and block pave our frontage long before the initial proposal was made, for a good clear view of Oxford Road in both directions and easy manoeuvrability. In fact the block paving would have been undertaken this summer only it has taken since February to get the old lamppost out of our driveway.

We always take utmost care to ensure a safe entrance and exit from our property and are grateful for the ability to park and turn in our driveway as opposed to many of the other properties nearby which have front lawns, shrubs and other obstacles etc which can not be turned upon or seen through, therefore resulting in people blindly reversing onto the highway, most definitely more of a concern for public safety.

Having lived in this house in Oxford Road for 14 years I am well aware of the traffic situation and when the busy times are, noticeably between 8.00 and 9.15 am and then between 3.15 to 5.30pm term-time weekdays. As the previous inspector stated at around midday on his visit the road was not particularly busy, the road is similarly so for the most part of the day. We have a young daughter who attends the school in Oxford Road, as did her older sister, it would be impossible for me to operate at school times as I am walking to and from the school with her.

As for references to this enterprise growing, this is quite simply impossible without council approval, as the number of cats has to be licensed by the environmental health dept. in accordance with the Model Cattery Licensing Laws. This automatically governs the number of visitors. Coupled with a service to "pet sit" (visiting animals in their own homes to feed and water while their owners are away) it would be an adequately viable business for me.

Something I find very worrying is, if you compare this type of business with for example, child minding, (obviously a different animal!) an alternative I have been looking into. A registered minder may look after a maximum of 6 children at any one time, depending on the size of their home, this means 6 parents arriving and departing at probably the same time each day, during busy hours to allow themselves time to get to and from work. Without the need for planning permission regardless of the size of the drive or even the existence of off road parking.
Another worrying example being the situation next-door at 67 Oxford Road, where the house has been converted to incorporate a self-contained flat, which adds the coming and going and long term parking of residents and their guests all at the same time within one driveway, (which in contrast to ours is mainly lawn,) resulting in many of them reversing onto the road, presumably no planning permission was necessary here, certainly there is no consideration for highway safety.
Also our "safety minded" local council have just suspended the crossing patrol for the school, putting the children in added danger with no replacement patrol available as yet.
Another odd thing is if the street parking in Oxford Road is deemed too dangerous to be used why have we not got double yellow lines all along? There seems to be no consistence in the maintaining of the local policies.

I have lived in Wokingham for 23, years my husband all his life. I have successfully run a very small business from home to provide a service to others, for 18 years and am registered with the local council. (This business attracts no clients to the house as my goods are sold from a retail outlet away from the site).
I find it an ideal way to earn a part-time wage without having to join the traffic queues myself at rush hour or find a child-minder. I wish merely to change from one type of home business to another without causing any serious, or even obvious, changes to my neighbourhood or the highway and wish to put to good use a wasted piece of the garden to provide a needed service to others and a small wage for myself.

FURTHER DETAILS OF THE CATTERY AT 86 FAREHAM ROAD GOSPORT HANTS

These are copies of some of the plans submitted to Gosport Council with the application for this cattery.

You can see that the parking and turning area is slightly narrower also shorter, than the Oxford Road proposal.

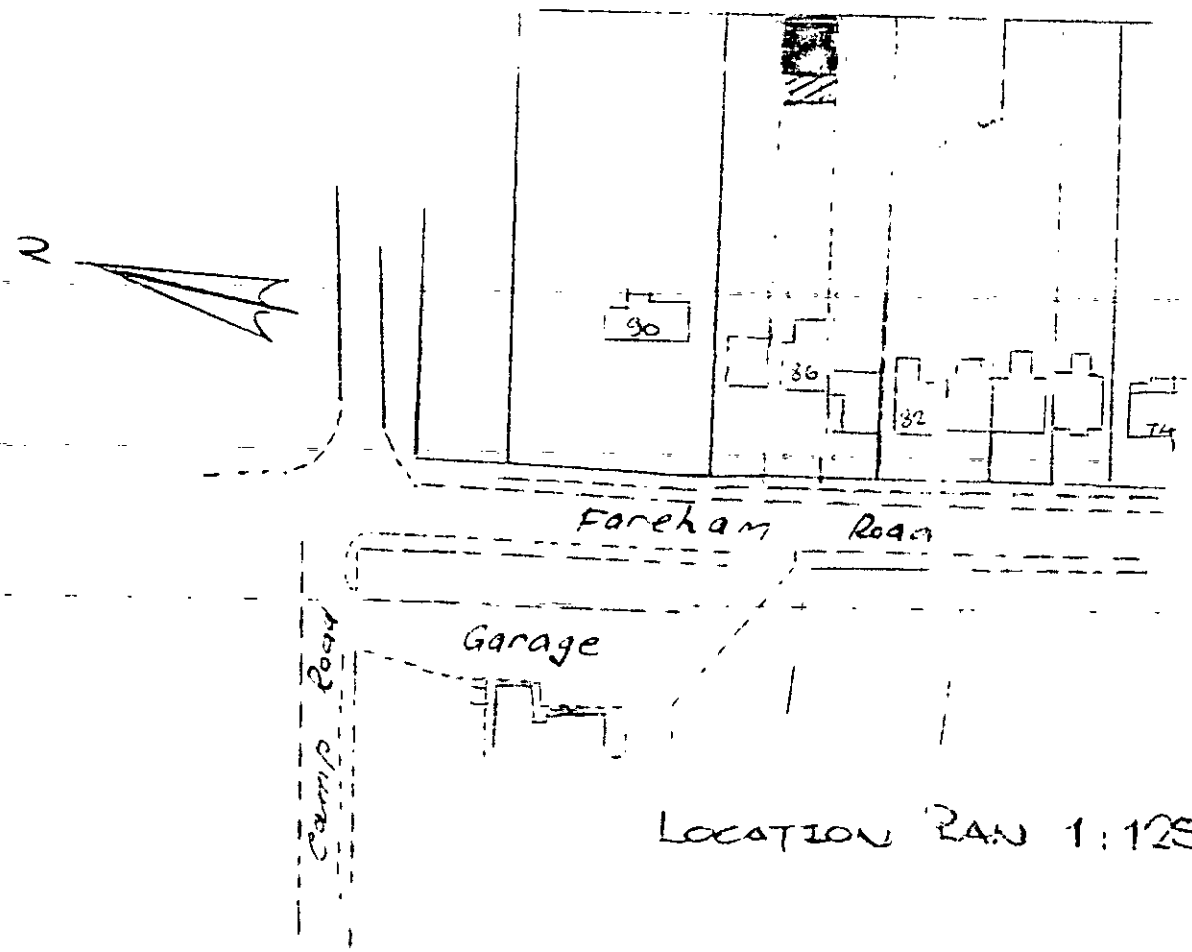
You can also see from the photographs of this parking area also included that the cars in the four allotted spaces are comfortably parked and each can enter the highway from its position in a forward direction by pulling back across the width of the curtilage of this parking area and turning to face the road.

There are residential properties each side of the small house that is no. 86.

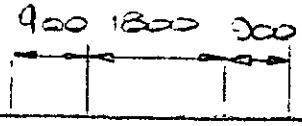
This proposal in layout is very similar to the one at 69 Oxford Road but on a much busier road and with a much larger clientele.

This proposal was approved.

Doc 2



LOCATION PLAN 1:1250



Doc 3

~~No 4 4 [illegible] F~~

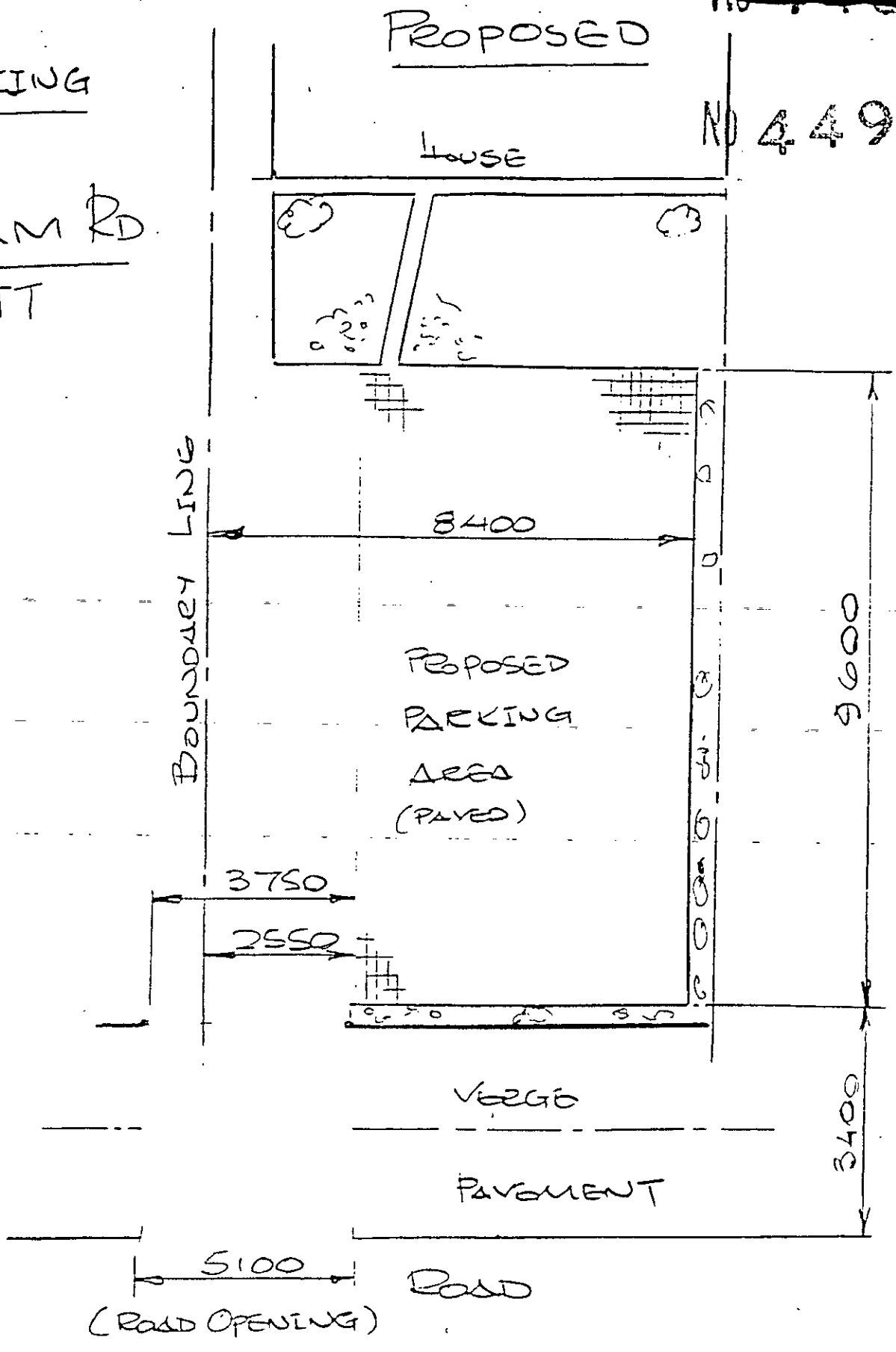
No 4491B

PARKING

ON

-HAM RD

LETT



GOSPORT
BUILDING CONTROL
[illegible] MAR 1990

~~GOSPORT
BUILDING CONTROL
26 JAN 1990~~

Doc 4

H.M. LAND REGISTRY

		TITLE NUMBER	
		HP247258	
ORDNANCE SURVEY PLAN REFERENCE	SU 5803	SECTION O	Scale 1/1250
COUNTY HAMPSHIRE	DISTRICT GOSPORT		© Crown copyright 1976



FILED PLAN
H.M. L.R.O.
2184
REGISTRY

KEY

THE REGISTERED LAND CONSISTING OF THE PART OR PARTS EDGED WITH A THICK LINE REPRESENTING THE RED EDGING ON THE FILED PLAN IS MORE PARTICULARLY DESCRIBED IN THE PROPERTY REGISTER. IF THE THICK LINE ENCLOSES ANY NUMBERED PARTS BEARING LETTERED PREFIXES, THEN THOSE PARTS HAVE BEEN REMOVED FROM THE TITLE.

OFFICE COPY
OF FILED PLAN

ISSUED BY THE WEYMOUTH DISTRICT LAND REGISTRY ON

31 JAN 1990

Doc 5







Doc 6

LITTLE FURS CATTERY

86 Fareham Road, Gosport, Hants. PO13 0AG
Tel. (0329) 285630

For the Attention of the Planning Inspectorate

16th Sept 01

Dear Sirs,

I have been the proprietor of the above cattery for 12 years. The premises are situated on a main road between Fareham and Gosport between two residences within the grounds of my home. This is one of the busiest roads in the area and in the 12 years the cattery has been running we have not had one complaint, regarding the parking - or anything else.

As you can see from my plans which were accepted by Gosport Council, that my own frontage is in fact smaller than the one in question, yet it is possible for us to turn to face the road within our own driveway I was asked to mark the corners of four spaces for my visitors and our own use. We park our own cars on this site alongside those of visitors, as we have no extra space to the side or back of the house. Obviously we leave the easiest spaces for the clients. We have not had any problems with parking.

My cattery is much larger with 32 chalets, I do not allow the visitors to overlap as they are given appointments and I find that a lot of my regular customers use the collection and delivery service which I also offer, to save them the time and journey,. therefore we can transport more than one cat at a time ourselves and over time it actually reduces the amount of clients visiting. I now am in the position of not accepting any new clientele as I have enough regular clients.

I have visited 69 Oxford Road and honestly do not feel that it would result in people reversing onto the highway, as you can turn a car in the driveway.

Gosport Council approved my proposal and have had no complaints and in fact some of the councillors are clients themselves.

Yours sincerely

Mrs S. Hallett

Doc 7

Attention of: The Planning Inspectorate

Re: Mr and Mrs Clark, 69 Oxford Road, Wokingham, Berks RG41 2YH

Dear Sir/Madam,

I would like to inform you that we have many times driven into and out of Mr and Mrs Clark's driveway at 69 Oxford Road, Wokingham, RG41 2YH with no problem at all.

Driving forwards into their driveway and then manoeuvring the car so as to exit front ways presents no problems or hazards and we are normally driving the family car which is a Suzuki Baleno, a reasonable size estate car.

Should you require any additional information then please do not hesitate to contact us by phone on 0118 9892311 or at our home address -

30 Sherwood Road
Winnersh
Wokingham
Berks
RG41 5NJ

Yours Faithfully

Mr J. A. and Mrs S. J. Kelly

MRS J. ANDREWS
4 ROCK CLOSE
WOOSEHILL
WOKINGHAM
BERKS RG41-3SG
9th Oct 01

Dear Sir.

I am writing to you regarding the planning application appeal for the erection of a small purpose-built cattery at the rear of 69 Oxford Road, Wokingham.

The initial proposals were refused by your department on the 2nd grounds that the driveway of the premises is inadequate for turning without encroaching

on the neighbouring property or reversing onto the Oxford Road which is fairly busy and would (in respect of this particular application) be deemed dangerous.

I can assure you that it is NOT necessary to do either. My husband parks on the driveway of 69 Oxford Road when he takes our children to School at Waltec County and St Pauls. He turns on the driveway without ever going onto the neighbours territory or reversing onto the road. This manoeuver is possible when other vehicles are also parked on the driveway. This is not a problem and I feel it shouldn't

be used as a reason to refuse planning permission, particularly if nobody has physically tried to turn on the driveway.

Safety is an issue that is paramount to us, we have children at the schools as does the applicants. In view of this it makes safety a personal issue to us and although your department dispute the safety of the parking provisions it all seems rather unfair when you consider all the passed plans on Oxford Road are for houses, flats and nine houses. These are making the road far less safe than a small carby-

In addition to these points of safety we received letters from the schools advising that there will not be a patrol crossing on Oxford Road and that Wokingham Council could not provide this service at the moment.

Thank you for your consideration

Yours faithfully
Janet Nichols.

These pictures show the red car in the visitors space .

Our own car is also present on the frontage.

The pictures go on to show the red car leaving from this position to face the road.

On this occasion the red car pulled in beyond the space and reversed into it, but the same result can be achieved if you drive into the space and then reverse back to turn to face the road.

Doc 11







APPENDIX 1 -
Location plan at 1:1250.



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO. © Crown Copyright.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.Wokingham District Council Licence LA086134

Development Control Section, Environmental Services, Wokingham District Council.

Scale: 1 : 1250

N W S

APPENDIX 2 –

Details of the previously refused proposal.

Appeal Decision

Site visit made on 08 January 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Michael Hill BSc MSc CEng MICE FGS

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

Date

16 JAN 2001

Appeal Ref: APP/X0360/A/00/1051889
69 Oxford Road, Wokingham, Berkshire RG41 2YH

- 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 J Clark against the decision of Wokingham District Council.
- The application (ref:F/2000/1749), dated 13 June 2000, was refused by notice dated 30 August 2000.
- The development proposed is a small boarding cattery.

Summary of Decision: The appeal is dismissed.

Introduction

1. The Council refused planning permission for the proposed cattery because it considered that the noise and disturbance that would be generated by a cattery would be unacceptable at this location. In addition, I am mindful that a number of objectors to the scheme are concerned about its impact on highway safety and traffic conditions in Oxford Road.

Main Issues

2. I consider that the main issues in this case are, firstly, the impact of the development upon the living conditions of neighbouring residents with regard to noise and disturbance and, secondly, the effects on the safety and free flow of traffic on Oxford Road from the proposed on-site parking arrangements.

Planning Policy

3. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan adopted in 1994. Development plan policies seek to ensure that new development contributes positively to the character of its surroundings and to the creation of a safe and attractive environment in which to live. The emerging Wokingham District Local Plan has reached an advanced stage in its progress towards formal adoption and therefore its policies carry some weight in my deliberations. Policy WOS3 of the emerging Local Plan requires, amongst other things, that new development should not harm the amenities of the occupiers of adjoining land and should not have a significant detrimental effect on road safety.

Reasons

4. With regard to the first issue, I agree with the Council that dwellings in the vicinity of the appeal site enjoy a reasonably quiet residential environment. The long rear gardens of the appeal site and adjacent dwellings in Oxford Road are no doubt enjoyed as tranquil areas by the occupiers of those properties. Although an existing building at the rear of No 65 Oxford

Road is used in connection with a sign writing business, I have no evidence to suggest that the operation of this business unduly disturbs the peacefulness of the area.

5. The proposed cattery building would be sited at the rear of the back garden at No 69 Oxford Road, approximately 23metres from the dwelling. Bearing in mind that there would be an open wire mesh area on the front elevation of the proposed building, it seems to me that some noise from the cats occupying the building may be heard in adjacent gardens. This noise and the general comings and goings associated with the business are likely to have some detrimental impact on the living conditions of neighbouring residents particularly whilst enjoying the relative tranquillity of their gardens. However, bearing in the mind the substantial length of the rear gardens in Oxford Road, the close boarded fencing and sections of mature vegetation along the boundaries of the appeal site, and the proposed arrangements for housing the cats, I consider that the impact of noise emanating from the cattery on the living conditions of neighbouring residents in Oxford Road would not be so great as to justify withholding planning permission for this reason alone.

6. I note that the proposed cattery would be close to the boundary with the rear gardens of dwellings in St Paul's Gate. The rear gardens of these dwellings, being about 18m long, are somewhat shorter than those in Oxford Road and, in my judgement, noise from the cattery would cause some harm to the amenities of residents of adjacent dwellings in St Paul's Gate. However, there is a tall close-boarded fence along the boundary of the appeal site with the properties in St Paul's Gate, and a number of large trees at the rear of the appeal site. Again, it should be possible to restrict the noise and disturbance emanating from the site to a level which would ensure that the harm to the amenities of residents of St Paul's Gate was not so great that it justified withholding planning permission for this reason alone. In reaching this conclusion, I am mindful that the occupier of No 34 St Paul's Gate, the property adjoining most of the rear boundary of the appeal site, has indicated that he has no objection to the proposed development. Moreover, the appellant has produced written evidence from a number of persons living close to catteries elsewhere in Berkshire who claim that those catteries do not cause undue noise and disturbance.

7. Turning to the second issue, a number of objectors to the scheme refer to traffic problems on Oxford Road and the harm that would be caused by additional vehicles visiting the site. Although the road was not particularly busy at the time of my visit around midday on a Monday, I note that the road serves a nearby school and it has been necessary to introduce traffic calming measures and parking restrictions on the highway. Moreover, there is a sharp bend in the highway approximately 60 metres from the site. Clearly it would be detrimental to highway safety if the development resulted in visitors to the site parking on the highway at this location.

8. The application drawings show a proposal for three new parking bays in the front garden of the appeal site. However, I am concerned about the narrow width of the site, which is approximately 9.1 metres, and I do not agree with the appellant that customers would be able to turn their vehicles around with ease on the site. If all the parking spaces shown on the application plans were occupied, it seems to me that there would be insufficient space for a vehicle to turn around on the site. It may be possible to redesign the parking layout so that turning movements could take place on site, but whatever design was adopted, it seems to me that the narrow width of the front garden would discourage many visitors from attempting to turn around on the site. This would lead to vehicles either reversing in or out of the site, to the detriment of highway safety and the free flow of traffic in Oxford Road.

9. The appellant has indicated an intention to operate an appointment system and a pick up and delivery service for the cattery. However, I do not consider that this would reduce the number of customers visiting the site to an acceptable level. In my judgement, any material increase in the need to reverse on the highway on this part of Oxford Road should be resisted and I conclude that the appeal proposal would have a seriously detrimental impact on highway safety for this reason, and thereby conflict with the aims of local planning policies in this respect.

10. I have taken account of all other matters raised in the representations, including the fact that there are other businesses operating elsewhere in Oxford Road. However, it appears to me that the guest-house and dental surgery referred to are situated on wider plots where turning movements can be more easily undertaken on site. Moreover, these sites are further away from the bend in Oxford Road, referred to above. I consider that this and the other matters raised do not outweigh the factors that have led to my conclusions on the main issues in this case.

Conclusions

11. For the reasons given, I conclude that the appeal should be dismissed.

Formal Decision

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

M. P. Hill

INSPECTOR

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mrs J Clark
69 Oxford Road
WOKINGHAM
Berkshire
RG41 2YH

Application Number: F/2000/1749

Parish: **WOKINGHAM**

Location: **69 Oxford Road, Wokingham**

Proposal: **Proposed erection of timber buildings for use as a cattery**

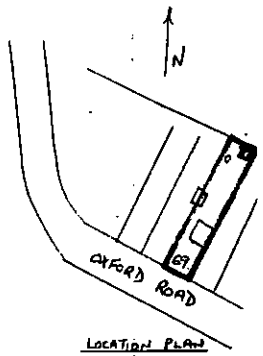
The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Refuse Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions,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

Reason

1. The proposed development would result in a significant increase in the level of noise and disturbance across the site to the detriment of the residential amenity of the adjacent dwellings and the character and amenity of the surrounding area. As such the proposed development is contrary to Policy SBE2 of the South East Area Local Plan and Policies WOS3 and WBE1 of the Wokingham District Local Plan.

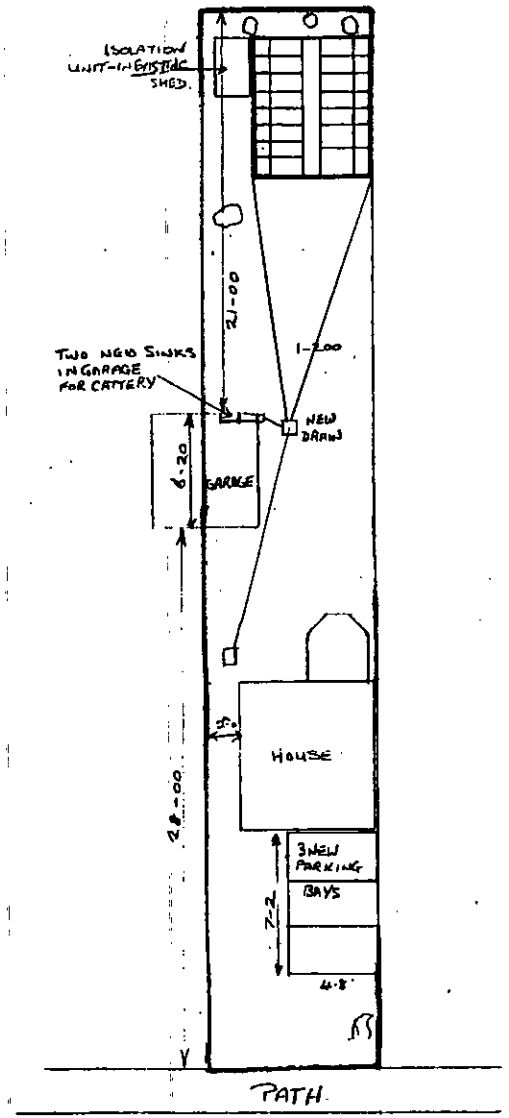
John Mitchell
Development Control Manager
Date: 30/08/2000

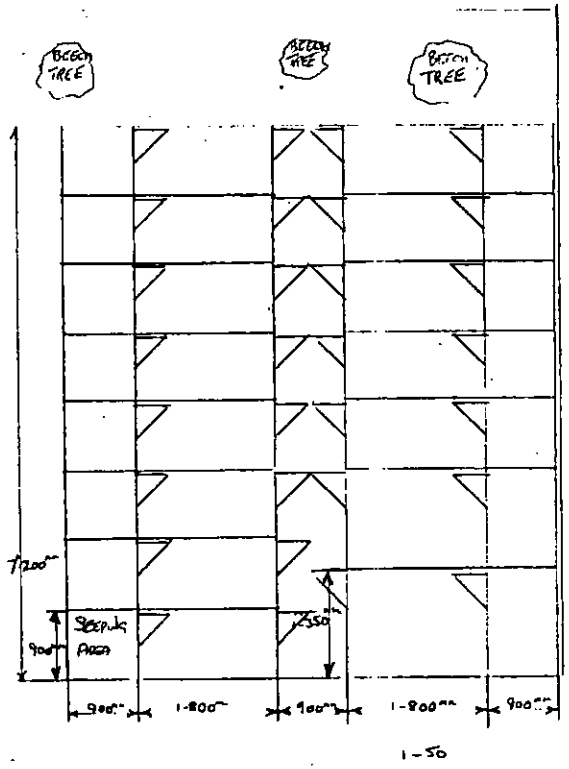
If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations.



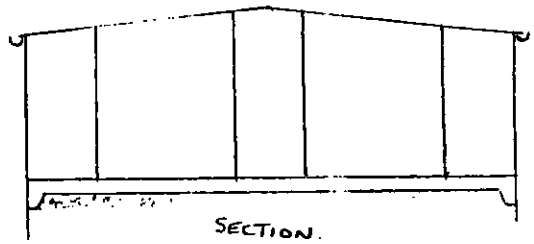
LOCATION PLAN

SECTION





14 JUN 2000 1749



SECTION

SED 15 CATTERYS AT 69 OXFORD ROAD WOKINGHAM

1,000 SCALES 1/20 1/50 1/200 LOCATION 1/1250

CLARK

PLAN 1

APPENDIX 3 -
Extracts from the South East Area Local Plan.

ELSEWHERE IN THE PLAN AREA THE DISTRICT COUNCIL WILL SUPPORT ROAD AND JUNCTION IMPROVEMENTS WHERE CONSIDERED NECESSARY, AND WHERE LOCALISED OR RESULTANT ADVERSE ENVIRONMENTAL EFFECTS WILL NOT OCCUR

THE FOLLOWING MAY BE SUBJECT TO IMPROVEMENT WORKS:

- *LUCKLEY ROAD/FINCHAMPSTEAD ROAD*
- *HEATHLANDS ROAD ALIGNMENT AT HONEY HILL ROAD*
- *PEACOCK LANE REALIGNMENT*
- *A327/NEW MILL ROAD, VISIBILITY IMPROVEMENT*
- *EVERSLEY BY-PASS*
- *A321, CLOSURE OF JUNCTIONS WITH SOLDIERS RISE AND RANGE ROAD*
- *NINE MILE RIDE, CLOSURE OF JUNCTION WITH HEATH RIDE*
- *A329/FOREST ROAD*
- *A321 FINCHAMPSTEAD ROAD/ EVENDONS LANE*
- *EASTHAMPSTEAD ROAD/OLD WOKINGHAM ROAD*
- *NINE MILE RIDE/OLD WOKINGHAM ROAD*
- *LINK FROM READING ROAD TO WELLINGTON ROAD*
- *SHUTE END/BROAD STREET/RECTORY ROAD JUNCTION IMPROVEMENT*
- *JUNCTION IMPROVEMENT AT A329 READING ROAD/OXFORD ROAD*
- *OXFORD ROAD TRAFFIC CALMING*
- *RANCES LANE/PRIEST AVENUE TRAFFIC CALMING*
- *RANCES LANE/LONDON ROAD SIGNALISATION AND WIDENING*
- *NINE MILE RIDE/HEATHLANDS ROAD, JUNCTION IMPROVEMENT*

❖ *ST3 ROAD SAFETY*

THE DISTRICT COUNCIL WILL URGE THE HIGHWAY AUTHORITY TO TAKE APPROPRIATE MEASURES TO PROMOTE ROAD SAFETY FOR ALL ROAD USERS INCLUDING:

A) MONITORING OF ACCIDENT STATISTICS TO IDENTIFY BLACKSPOTS,

B) GIVING HIGH PRIORITY TO HIGHWAY IMPROVEMENTS THAT WILL REDUCE ACCIDENTS,

C) ENSURING THAT ALL HIGHWAY INVESTMENT CONFORMS TO BEST PRACTICE IN RESPECT OF ROAD SAFETY,

D) EXAMINING THE ROAD SAFETY IMPLICATIONS OF ALL PROPOSALS FOR DEVELOPMENT.

CAR AND MOTORCYCLE PARKING

1.8.15 The provision of car parking facilities forms an essential element of any balanced transport policy. This applies particularly to Wokingham town, the catchment area of which is partially rural and, in part, poorly served by public transport. A shortage of convenient parking spaces may discourage visits to the town centre, and encourage the use of other shopping and service centres. The number of parking spaces in the town effectively limits the capacity of the town centre to absorb car-borne visitors (for whatever purpose). The control over car parking spaces in the Plan area is limited by the relatively large number of spaces in private ownerships, particularly in association with office and commercial development. The total number of parking spaces in the town centre is about 3,220 of which some 840 are private non-residential (the remainder comprising about 700 on-street and 1,130 off-street parking spaces and about 550 customer parking spaces).

APPENDIX 4 -
Extracts from the Wokingham District Local Plan Deposit Draft.

10.40 Although there has been opposition to traffic calming, the issue of excessive speed is a matter of great public concern, although generally resolution of the problem is outside the scope of land-use planning. Speed is a major influence on the severity of accidents.

POLICY WT7: ROAD SAFETY

THE COUNCIL WILL TAKE APPROPRIATE MEASURES TO PROMOTE ROAD SAFETY FOR ALL ROAD USERS INCLUDING:

a) MONITORING OF ACCIDENT STATISTICS TO IDENTIFY BLACKSPOTS

b) GIVING HIGH PRIORITY TO IMPROVEMENTS THAT WILL REDUCE ACCIDENTS INCLUDING THOSE INVOLVING PEDESTRIANS AND CYCLISTS

c) ENSURING THAT ALL RELEVANT INVESTMENT CONFORMS TO BEST PRACTICE IN RESPECT OF ROAD SAFETY

d) EXAMINING THE ROAD SAFETY IMPLICATIONS OF ALL PROPOSALS FOR DEVELOPMENT, AND

e) THE IMPLEMENTATION OF TRAFFIC CALMING SCHEMES WHERE JUSTIFIED.

Implementation: Through the annual capital programme of transport investment and environmental improvement *AND THE LOCAL TRANSPORT PLAN PROGRAMME..*

Monitoring: Through road safety and accident monitoring and the Road Safety Plan *AS PART OF THE LOCAL TRANSPORT PLAN PROCESS.* **{T/12}**

Street Lighting

10.41 The provision of street lighting is an important aid to safety at night and promotes security and a feeling of well being. It is, however, an extremely sensitive issue in rural areas. There can be strong opposition to the introduction of street lighting into presently unlit rural areas. In considering whether to introduce street lighting it is important to consult the local community and its representatives.

10.42 Any lighting scheme must be well designed taking into account the character of the location. This is particularly necessary in areas of environmental quality and conservation areas. In a number of places street lighting is not continuous leading to problems for motorists arising from the alternation of lit and unlit areas.

POLICY WT8: STREET LIGHTING

THE PROVISION OF STREET LIGHTING IN PRESENTLY UNLIT AREAS WILL BE SOUGHT WHERE JUSTIFIED FOR SAFETY AND SECURITY REASONS HAVING REGARD TO:

a) THE VOLUME OF PEDESTRIAN AND VEHICULAR FLOWS

b) THE EFFECT ON THE CHARACTER OF THE LOCATION, PARTICULARLY IN RURAL AREAS

Cont.

APPENDIX 5 –
Proposed conditions of appeal if allowed.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The number of clients with cats accommodated in the cattery, at any time, shall not, exceed five and the number of cats accommodated, at any time, shall not exceed ten.
3. The use hereby permitted shall not operate other than between the hours of 08:00 to 18:00 hours Mondays to Saturdays (inclusive) and shall not operate at all on Sundays or Bank or National Holidays.
4. The commercial use of the cattery shall not commence until visitor parking and turning, to enable vehicles to enter and leave the site in forward gear, in accordance with Plan 3, received by the Local Planning Authority on 9 March 2001, has been provided. The vehicle parking and turning space shall be permanently maintained and used for no other purpose. The visitor parking space shall be kept available for use by visitors while the cattery is open for delivery and collection of cats.
5. 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 and details of hard surfacing materials for the proposed parking area; the approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to commencement of the use hereby approved and retained.
6. 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.
7. The building shall be erected in stained timber with felt, plastic and wire mesh roofing and the visitor parking and turning area shall be block paved, as indicated on the approved plans and no other external materials shall be used without the written approval of the Local Planning Authority.
8. The development hereby permitted shall not commence until details of the foundations of the cattery have been submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved details.

REASONS

1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.
2. To safeguard the residential amenities of the occupiers of neighbouring properties
3. To safeguard the residential amenities of the occupiers of neighbouring properties.
4. To ensure a satisfactory form of development and avoid an adverse impact on highway safety and convenience.
5. In the interests of visual amenity.
6. In the interests of visual amenity.
7. To ensure that the external appearance of the building is satisfactory.