EX SYSTEMS LTD
SOUTHPORT U.K.
LONDON OFFICE

APPLICATION NO:
**F/2001/3250**

LOCATION:
**Land At Silchester House Basingstoke Road, Spencers Wood Reading.**

APPLICANT:
**Bryant Homes Technical Services Ltd Slough Properties Ltd C/O HGP Planning Consultancy**

PROPOSAL:
**Proposed erection of ten dwellings with associated access road and parking.**

EARLIEST DATE FOR DECISION: **25/02/2001**

**APPLICATION WILL HAVE EXPIRED ON:**
**27/03/2001**

CASE OFFICER: **Angela Odell**

(AO)

# WOKINGHAM DISTRICT COUNCIL

**TOWN AND COUNTRY PLANNING ACTS**

**Notification of Refusal of Permission**

**Bryant Homes Technical Services Ltd**
**Slough Properties Ltd**
**C/O HGP Planning Consultancy**
**Furzehall Farm**
**Wickham Road**
**Fareham**
**PO16 7JH**

**Application Number: F/2001/3250**

**Parish:** **SHINFIELD**

**Location:** **Land Adjacent To Milestone Cottage, Basingstoke Road, Three Mile Cross, Reading.**

**Proposal:** **Proposed erection of ten dwellings with associated access road and parking.**

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 reasons for which are specified hereunder.

**Reason**
1. The proposed in-depth form of development would have a harmful effect on the character and appearance of the area. The proposal would therefore be contrary to Berkshire Structure Plan Policy EN1, Loddon Area Local Plan Policies LTV6 and LBE2 and to Wokingham District Local Plan (Deposit Draft) Policies WH1 and WBE1.

**Reason**
2. The proposed development would generate additional traffic into and out of a busy local distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic. The proposal would therefore be contrary to Berkshire Structure Plan Policy LD5, Loddon Area Local Plan Policy LT5 and to Wokingham District Local Plan Policy WT7.

**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 Policies H2, H9, EN1, LD5 and LD6.
Loddon Area Local Plan Policies LTV1, LTV6, LH1, LH8, LBE1, LBE2, LBE9 and LT5.
Deposit Draft Wokingham District Local Plan Policies WOS2, WOS4, WBE1, WH2, WH6, WBE11, WLL7 and WT7.

John Mitchell
Development Control Manager
Date: 11/04/2001

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.**

# Appeal Decision

Hearing held on 2 October 2001

**by David Wildsmith BSc(Hons) MSc CEng MICE FIHT**

**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
5 NOV 2001

**Appeal Ref: APP/X0360/A/01/1068463**
**Land adjacent to Milestone Cottage, Basingstoke Road, Three Mile Cross**

- 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 Bryant Homes Technical Services Ltd against the decision of Wokingham District Council.
- The application (Ref. F/2001/3250), dated 15 January 2001, was refused by notice dated 11 April 2001.
- The development proposed is the erection of 6 no. 2 bedroom and 4 no. 3 bedroom houses with associated access road and parking.

**Summary of Decision: The appeal is dismissed.**

## Procedural Matters

1. At the hearing the appellant submitted a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990. I discuss this matter in more detail below.

## Main Issues

2. I consider the main issues in this case are the effect of the proposal on the character and appearance of the surrounding area; on the living conditions of nearby residents with particular reference to visual intrusion, overlooking and noise and disturbance; and finally, on the safety and convenience of users of Basingstoke Road.

## Planning Policy

3. The development plan comprises the Berkshire Structure Plan 1991-2006, with Alterations adopted in 1997, and the Loddon Area Local Plan, adopted in 1995. Structure Plan policy EN1 seeks to protect and enhance the character and quality of the environment in towns, villages, and other built-up areas, and sets out criteria against which development proposals will be assessed. Amongst other matters policy LD5 explains that development will not be permitted where it is likely to give rise to serious problems of access, parking, road safety or traffic congestion. Local Plan policy LTV6 indicates that within defined settlements, areas of open land which significantly contribute to the character of a settlement will not normally be permitted. It also states that any new development will only be permitted if it is sympathetic in scale and character to the environs of the site. Under policy LBE2, development will not normally be permitted if it is inappropriate in terms of its relationship with adjoining sites and buildings, or if it would adversely affect the character of an area. Policy LT5 states that the District Council will urge the Highway Authority to take appropriate measures to promote road safety for all road users by, amongst other matters, examining the road safety implications of all development proposals. Relevant government guidance is mainly in Planning Policy Guidance 3 (PPG3): *Housing*.

4. Reference was also made to policies in the emerging Wokingham District Local Plan. Policy WH1 sets out criteria against which proposals for housing development on unidentified sites will be assessed, whilst policy WBE1 requires development to respect its local context. Finally, policy WT7 generally carries forward the objectives of adopted Local Plan policy LT5. This Plan is at a relatively advanced stage of preparation, with the Inspector's report into objections having recently been published. I therefore regard these policies as material considerations of some importance.

**Reasons**

***Effect on character and appearance***

5. The Council is not opposed to the principle of residential development on this site, which lies just inside the northern settlement boundary of Three Mile Cross, and which used to accommodate a house and outbuilding but now lies vacant and overgrown. Indeed proposals for 6 semi-detached dwellings along the frontage have been approved and renewed in the past, the last occasion being in 1995. It was during discussions arising from a proposal to renew this permission in 1999 that the Council's Landscape Architect requested certain modifications, in order to avoid a number of mature trees along the road frontage which are protected by a Tree Preservation Order (TPO). This prompted the appellant to consider alternative ways of developing the site, and as a result the current scheme was submitted, proposing 10 houses in 3 terraces, with no frontage development, but rather with development extending well to the eastern site boundary served by a new access road. Protected and other important trees within the site would be safeguarded.

6. The Council acknowledged the need to maximise the use of previously developed land, but took the view that the form of development proposed would not relate satisfactorily to the existing residential development to the south, or to the open countryside lying generally to the north and east of the site. In particular it contended that development in depth, as opposed to the frontage style of development always pursued in the past, would constitute an unduly prominent and urbanising feature when viewed from open countryside, particularly as there is a public right of way some 90m north of the site, separated from the site by open fields. Similar opinions were expressed by the local Ward Councillor, and by a representative of the Parish Council. However, whilst I acknowledge that frontage development is indeed the dominant form of development in this part of Three Mile Cross, I am not persuaded that the form of development proposed would be unacceptable.

7. In my opinion the protected trees along the road frontage would provide quite effective screening of any buildings on the site, particularly of the first floor and above, and because of this I consider that there would be a similar impact on the street scene, whether frontage development or development in depth were undertaken. I also saw that there is fairly dense planting, in the form of trees and hedging, along the northern and eastern site boundaries. In my opinion this would provide appreciable screening to the proposed dwellings, and views from the nearby public footpath, which I walked at my inspection, would be shielded both by this boundary planting and also by intervening field boundary planting. Furthermore, it is clear that the principle of development in depth has already been accepted in Three Mile Cross, as I saw that a sizeable area of housing has been completed on what were previously long rear gardens, with a further area of such development still in progress, some little distance away at Grazeley Road. Whilst I acknowledge that this development site is not at the extreme edge of the village in the same way that the appeal site is, it nevertheless abuts open countryside to the south.

8. Taking all the above points together, I have reached the conclusion that the appeal proposal would not have an adverse effect on the character and appearance of the surrounding area. In my opinion it would therefore not be in conflict with the relevant objectives of the adopted and emerging development plan policies to which I have referred.

***Effect on living conditions***

9. The Council maintained that the visual effect of development running to the rear of this deep site would be intrusive to residents of a number of houses along Basingstoke Road. I saw, however, that the boundary between the appeal site and Milestone Cottage, the residential property which lies immediately to the south, comprises lengths of screen wall and wooden fencing, together with fairly tall conifers and other trees and hedging, much of which lies within this neighbouring property. In addition to this relatively dense screening, I noted that there would be an appreciable distance between the new dwellings, and viewpoints from most other houses and gardens. As a result it is my opinion that although the outlook from these other properties would undoubtedly change as a result of this proposal, this change would not be unacceptably harmful.

10. The Council was also concerned that activity associated with the manoeuvring and turning area adjacent to the boundary with Milestone Cottage, coupled with what it described as relatively short rear gardens to plots 1-6, would generate noise and disturbance and thereby adversely affect the quiet enjoyment of existing nearby rear gardens. However, the gardens referred to would be the generally accepted length of 10.5m, and would be backed by a further 3m wide landscape buffer. I accept that the landscaping in this buffer may well take several years to fully mature, but the existing vegetation along this boundary, coupled with the fact that there is only a small, circular obscure-glazed window on the side elevation of Milestone Cottage facing the appeal site, means that in my opinion there would be an adequate separation distance to ensure that no unacceptable overlooking or loss of privacy would arise. For similar reasons it is my judgement that the parking and manoeuvring area associated primarily with plots 6 and 7, would not generate so much activity that it would give rise to a significant increase in noise and disturbance affecting the occupiers of Milestone Cottage, or other nearby dwellings.

11. In view of all the above points I conclude that the proposal would not have an adverse impact on the living conditions of nearby residents, through visual intrusion, noise and disturbance, or loss of privacy. It would not therefore be in conflict with the relevant objectives of the adopted and emerging development plan policies already referred to.

***Effect on safety and convenience***

12. The cul-de-sac serving the appeal site and some 14 other dwellings links to the main section of Basingstoke Road by means of a priority junction, located some 60m south-east of the Mereoak roundabout with the A33 Trunk Road. The speed limit on Basingstoke Road at this point is 40mph, but the road becomes de-restricted some 20m or so to the north. It was accepted by both parties that vehicles seeking to enter the Mereoak roundabout from the south regularly queue past this priority junction, especially in the morning peak period. However, whereas the Council's position is that the additional right-turning traffic generated by the appeal proposal would give rise to problems of highway safety which would make this proposal unacceptable, the appellant contends that as the queueing dissipates quickly, depending on conditions at the roundabout itself, no such problems would arise.

13. I saw that visibility for traffic exiting the cul-de-sac, and the forward visibility for drivers leaving the Mereoak roundabout southwards on Basingstoke Road, is as good as could be expected in view of the proximity of these 2 junctions. Nevertheless, the available visibility of about 70m falls below that generally accepted as advisable for the safe operation of the highway network in situations where such speed limits apply. In addition it is my view that vehicles from the cul-de-sac seeking to enter the stream of queueing traffic may not always complete this manoeuvre smoothly, and may at times impede the southbound lane. These points lead me to conclude that any increased use of this priority junction should be viewed with caution. I have had regard to the traffic count information submitted, and the predictions of traffic likely to be generated by the proposal, and I acknowledge that there would only be a limited volume of traffic wishing to turn right from the cul-de-sac. However, there has to come a point at which incremental increases in activity at a particular junction becomes unacceptable, and in my judgement this proposal would exceed that point. In this regard I have reached a similar decision to my colleague Inspector who recently dismissed an appeal for 2 dwellings on a site a little further south on Basingstoke Road (ref. APP/X0360/A/00/1053452), although I acknowledge that there are distinct differences between the standard of access proposed in these 2 cases.

14. The Council explained that although it had raised no highway objections to proposals for 6 dwellings on the site as recently as 1999, because of historical permissions for this scale of development, it was nevertheless uneasy about such proposals in view of the substantial increases in traffic which have occurred in the area since planning permission was first granted in 1982. It considered that even though the appeal proposal would only increase the number of dwellings by 4 over what had previously been approved, this amounted to an unacceptable intensification of the use of this junction. For the reasons already given I share this view. In coming to this conclusion I have noted the absence of recorded personal injury accidents at this junction, but take the view that whilst such accidents can be a useful indicator of problems with the highway network, the absence of an accident record cannot, in itself, be taken to mean that there are no such problems. I have also noted that there are proposals to significantly alter both the Mereoak roundabout and the M4 Junction 11, which lies about 1km to the north, although the absence of any firm proposals for these improvements means I have given these matters little weight in reaching my decision.

15. In view of the above points I conclude that the proposal would have an adverse effect on the safety and convenience of users of Basingstoke Road. It would therefore conflict with the aims of adopted Local Plan policy LT5, and with policy WT7 of the emerging Plan.

**Summary**

16. Drawing together my findings on the main issues I have had regard to the need to maximise the use of previously developed land, as urged by PPG3, and I have also concluded that there would be no unacceptable harm either to the character and appearance of the surrounding area or to the living conditions of nearby residents. I also accept that the Unilateral Undertaking submitted by the appellant would provide financial contributions to transport facilities, in the form of a proposed nearby Park and Ride site, and to education provision at a nearby primary school. Such contributions clearly relate to the development proposed, and in my opinion would accord with the requirements of Circular 1/97. However, on balance it is my judgement that my unfavourable conclusion on the third main issue makes this proposal unacceptable from a highway safety viewpoint. I have had regard to all other matters raised, but they are not sufficient to outweigh the considerations which have led me to my conclusion.

**Conclusion**

17. For the reasons given above I conclude that the appeal should be dismissed.

**Formal Decision**

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

**Information**

19. 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 from the date of this decision.

David Wildsmith

INSPECTOR

## APPEARANCES

### FOR THE APPELLANT:

| | |
|---|---|
| Mr M Carrington BSc DipTP MRTPI | Hawthorne Kamm Planning Consultancy, Furzehall Farm, Wickham Road, Fareham, Hants, PO16 7JH |
| Mr D McCaffery Eng Tech MIHIE MIHT | Buchanan Consulting Engineers, Newcombe House, 43-45 Notting Hill Gate, London, W11 3QD |
| Mr D Morris BSc(Hons) | Bryant Homes, Venture House, London Road, Staines, Middlesex, TW11 4HF |
| Mrs H Jones MRICS | Slough Estates, 234 Bath Road, Slough, SL1 4EE |

### FOR THE LOCAL PLANNING AUTHORITY:

| | |
|---|---|
| Mr R Maddell MRTPI DMS | Senior Planner, Wokingham District Council |
| Mr T Callaghan MIHT | Highways Officer, Wokingham District Council |

### INTERESTED PERSONS:

| | |
|---|---|
| Councillor M Bryant | District Councillor for Shinfield, Wokingham District Council |
| Coouncillor J Heggadon | Shinfield Parish Council, c/o The Clerk, 36 Ryhill Way, Earley, Reading, Berkshire, RG6 4AZ |

### DOCUMENTS

| | | |
|---|---|---|
| Document | 1 | List of persons present at the hearing |
| Document | 2 | Council's letter of notification of the hearing, and list of persons notified |
| Document | 3 | Unilateral Undertaking submitted by the appellants |
| Document | 4 | Appeal Statement by Mr Carrington, including Appendices A-F and Plans HGP1-HGP3 |
| Document | 5 | Appeal Statement by Mr McCaffery, including Appendices A-B and Figures 1-3 |
| Document | 6 | Appendices 1-9 to Mr Maddell's evidence |
| Document | 7 | Appendices 1-5 to Mr Callaghan's evidence |
| Document | 8 | Proposals for improvements to the Mereoak Roundabout |
| Document | 9 | Consultation brochure for improvements to Junction 11, M4 |
| Document | 10 | Copies of the Council's standard highway conditions |

### PLANS

| | | |
|---|---|---|
| Plans | A(1-4) | Application plans |
| Plan | B | Plan of proposal for frontage development, submitted in 1999, but withdrawn |

3250

HGP PLANNING CONSULTANCY

Town Planning Consultants
to the Private & Public Sector

Mrs Angela Odell
Wokingham District Council
Council Offices
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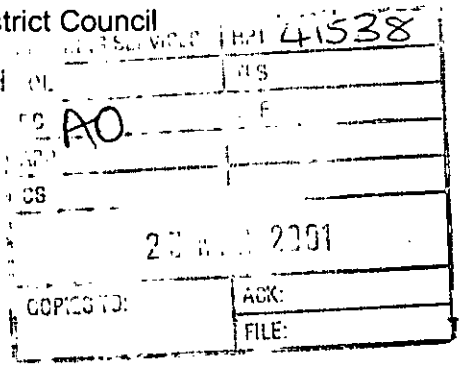



SJ/mp/00.P087
21st March 2001

Dear Mrs Odell

**PLANNING APPLICATION F / 1999 / 0252**
**LAND AT BASINGSTOKE ROAD, THREE MILE CROSS**

With reference to your letter of 9th February I can confirm that the applicants agree to the contributions as stated, which would be secured by a Section 106 Agreement in the event of planning permission being granted.

Yours sincerely

Sylvia Jezeph

**SYLVIA JEZEPH**

cc D Llewelyn Morris Esq Bryant Homes

Furzehall Farm, Wickham Rd, Fareham, Hants, PO16 7JH.
Telephone 01329 220224. Facsimile 01329 282380.
Email: admin@hgppc.co.uk Website: www.hgppc.co.uk

Directors: Jonathan Kamm BA DipTP MRTPI (Managing), Martin Hawthorne BSc(Hons) MRTPI, Paul Evans DipARch (Dist Thes) DipTP RIBA MRTPI Nigel Schoolcraft ACCA
Associates: Sylvia Jezeph, Mark Carrington BSc (Hons) DipTP(Dist) MRTPI, Robin Shepherd BSc (Hons) DipTP MRTPI
BSI Quality Assurance: ISO 9001/BS5750 Registered Firm No: FS26663 VAT Registration No: 582960331
Reg. Office: HGP Planning Consultancy Limited. Furzehall Farm. Registered in England Reg No: 2066641

11 April 2001

App. No. F/2001/3250 Received 30.01.01 Sheffield.

Applicant: Bryant Homes Ltd.

Location: Land at Winchester House, Basingstoke Rd, Three Mile Cross, Shinfield

Proposal: Proposed erection of 10 dwellings, access road and parking.

1 Introduction This 0.36 ha. site is at the north end of a ribbon of dwellings on the northern arm of Three Mile Cross. The site is vacant land with grass, trees and vegetation on it. On the south side Milestone Cottage is a detached house with attached single storey garage up to its side boundary with the application site. There is open land to the west, north and east of the site.

App. No. 44001 for 6 semi-detached houses in a row fronting onto Basingstoke Road was granted permission on 21.04.95. This permission has now lapsed and follows two previous similar permissions; & App. No. 17557 granted permission on 1.7.82 and subsequently renewed by permission No. 29046 granted on 5.11.87. A previous application App. No. 14388 for 12 houses was refused permission on 20.11.80 and the subsequent appeal was dismissed.

App. No. F/1999/0252 for 10 semi-detached houses was submitted on 23.12.99, has not been determined and is deemed to have been withdrawn.

The 1975 O.S. plan shows a house and garage or outbuildings on the site.

2 Proposal - is to erect 10 dwellings: 6 x 2 bedroom and 4 x 3 bedroom houses in 3 terraces. A small children's play area and landscaping are also proposed.

3 Consultations

- Shinfield Parish Council: Comments to be reported.
- 5 letters of objection received from 4 addresses: grounds of:
  - would overlook rear gardens of existing properties adjacent
  - increase flood risk.
  - exacerbate existing traffic congestion and safety problems
  - Lack of local infrastructure and there is already too much development in the area
  - previous refusal of permission and appeal dismissed
- Environmental Health Officer: No objection subject to conditions covering the effects of traffic noise on the proposed dwellings and hours of construction limitation.
- Tree/landscape officer: No objection subject to TPO'd trees should be a satisfactory distance from the proposed dwellings, but there is insufficient room for planting along the northern boundary next to the proposed turning head.
- Highway officer: Recommends refusal on grounds

  The proposed development would generate additional traffic into and out of a busy distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic.

- Environment Agency: No objection subject to conditions.
- Crime Prevention Design Adviser: Would prefer to see windows in the gable ends of plots 6 & 7 to give surveillance to proposed corner parking area. Also has concerns about the proposed play area as such areas can be colonised by older youths during the later evening who cause nuisance.

4 Appraisal - Main issues are:

B ~~A.~~ ~~Principle of Residential development, including density and housing~~ mix: (Berkshire Structure Plan Policies ~~H2~~ and H9; Loddon Area Local Plan Policies ~~LH1 and~~ LH8; Wokingham District Local Plan (Deposit Draft) Policies ~~WOS2, WH2~~ and WH6; PPG3).

~~B.~~ Effect on character and appearance of the area: (Berkshire Structure Plan Policy EN1; Loddon Area Local Plan Policies LBE1, LBE2 and LBE9; Wokingham District Local Plan (Deposit Draft) Policies WBE1, WBE11 and WLL7).

C. Effect on neighbouring properties: (Loddon Area Local Plan Policies LBE2 ~~and LBE5;~~ Wokingham District Local Plan (Deposit Draft) Policy WBE1).

D. Traffic, access and parking: (Berkshire Structure Plan Policy LD5; Loddon Area Local Plan Policies LT5 ~~and LT6;~~ Wokingham District Local Plan (Deposit Draft) Policies ~~WT6 and~~ WT7; PPG13).

F. Services and Infrastructure: (Berkshire Structure Plan Policy LD5; Loddon Area Local Plan Policy LPS1; Wokingham District Local Plan (Deposit Draft) Policy WOS4).

G. Concerns of the Parish Councils and local residents.

A Principle of the Proposed development, including effect on the surrounding countryside

The site is inside but on the edge of the settlement boundary with countryside on three sides of it. ~~However, under PPG3 Annex C the site would not be categorised as 'previously developed' land because it has a greenfield appearance, even though there was a previous dwelling on it.~~

~~However~~ there have been a series of permissions for 3 pairs of semi-detached houses along the frontage. ~~This~~ Such development would continue the existing ~~ribbon~~ pattern of ribbon frontage development ~~on the~~ along the east side of Basingstoke Road. It is considered that there would be no objection in principle to this again. However, the current proposal is for in depth development of the whole site. It is considered that this pattern of development would be out of character with the existing pattern of ~~ribbon~~ frontage development ~~and only~~. As ~~the~~ the site is also ~~on~~ a prominent one on the edge of the settlement, it is ~~also~~ considered that the the proposal would have an obtrusive ~~effect~~ and urbanizing effect on the surrounding countryside. ~~For these reasons~~ the proposed development is considered ~~unacceptable~~ unacceptable.

B. Density and Housing mix

The density of the proposed development would be 27.8 dwellings per ha. This is slightly below the minimum density of 30 dwellings per ha. required to accord with PPG3. However, as the site includes a group of large TPO'd trees along the frontage, only the site is relatively small in size and the proposed density is only slightly below the minimum required, it is considered that this point should not be a reason for refusal.

As the proposal is for 6 x 2 bedroom and 4 x 3 bedroom dwellings it would be considered favourably under policies which encourage the provision of smaller dwellings. The proposal would also contribute 10 dwellings towards the District's housing stock. However, it is considered that the ~~effects~~ advantages do not outweigh the detrimental effect the proposal would have on the character and appearance of the area and surrounding countryside.

C. Effect on neighbouring properties.

The rear elevations of the proposed houses on plots 1-6 would look towards the rear gardens of Milestone Cottage. However, these gardens would be 11 m. deep plus a 3m. Landscape buffer strip. It is considered that this distance is sufficient to avoid unacceptable overlooking.

D. Traffic, access and parking

The proposal is considered unacceptable on grounds of the additional traffic that would be generated into the junction of the cul de sac with Basingstoke Road, which would result in conflicting traffic movements. (This is in relation to the extra 6 dwellings proposed in addition to the previous permissions for 6 dwellings on the site.)

F Services & Infrastructure

~~£15,810 towards~~ The following contributions have been offered: £15,010 towards capital funding at Lambs Lane Primary School and £10,682 towards sustainable transport measures, particularly the proposed Mereoak Park & Ride. These contributions are considered to be ~~the~~ satisfactory.

G. Concerns of the Parish Council and Local Residents.

These have been noted and addressed above.

5 Conclusion

~~Whilst residential development along the frontage of Dustons Lane to residential development along the frontage of the site could be acceptable in principle, the proposed in depth~~ It is considered that the proposed in depth pattern of development ~~is considered~~ would have a harmful effect on the character and appearance of the area, ~~including the~~ and that this objection is not outweighed ~~by the~~ by the provision that 10 modest-sized dwellings on within the settlement would make to the District's housing ~~market~~ stock. The proposal is also considered unacceptable on highway grounds.

6. Recommendation - REFUSE planning permission for the following reasons:-

1. The proposed in-depth pattern of development would have a harmful effect on the character and appearance of the area. The proposal would therefore be contrary to BSP ~~Policies~~ Policy ENI, LALP Policy LBE2 and to WDLP Policy WBE1.

2. & The proposed development would generate additional traffic into and out of a busy distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic. The proposal would therefore be contrary to Berkshire Structure Plan Policy LD5, Loddon Area Local Plan Policy LT5 and to Wokingham District Local Plan Policy WT7.

**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:

**SAI BRIEFING NOTE**

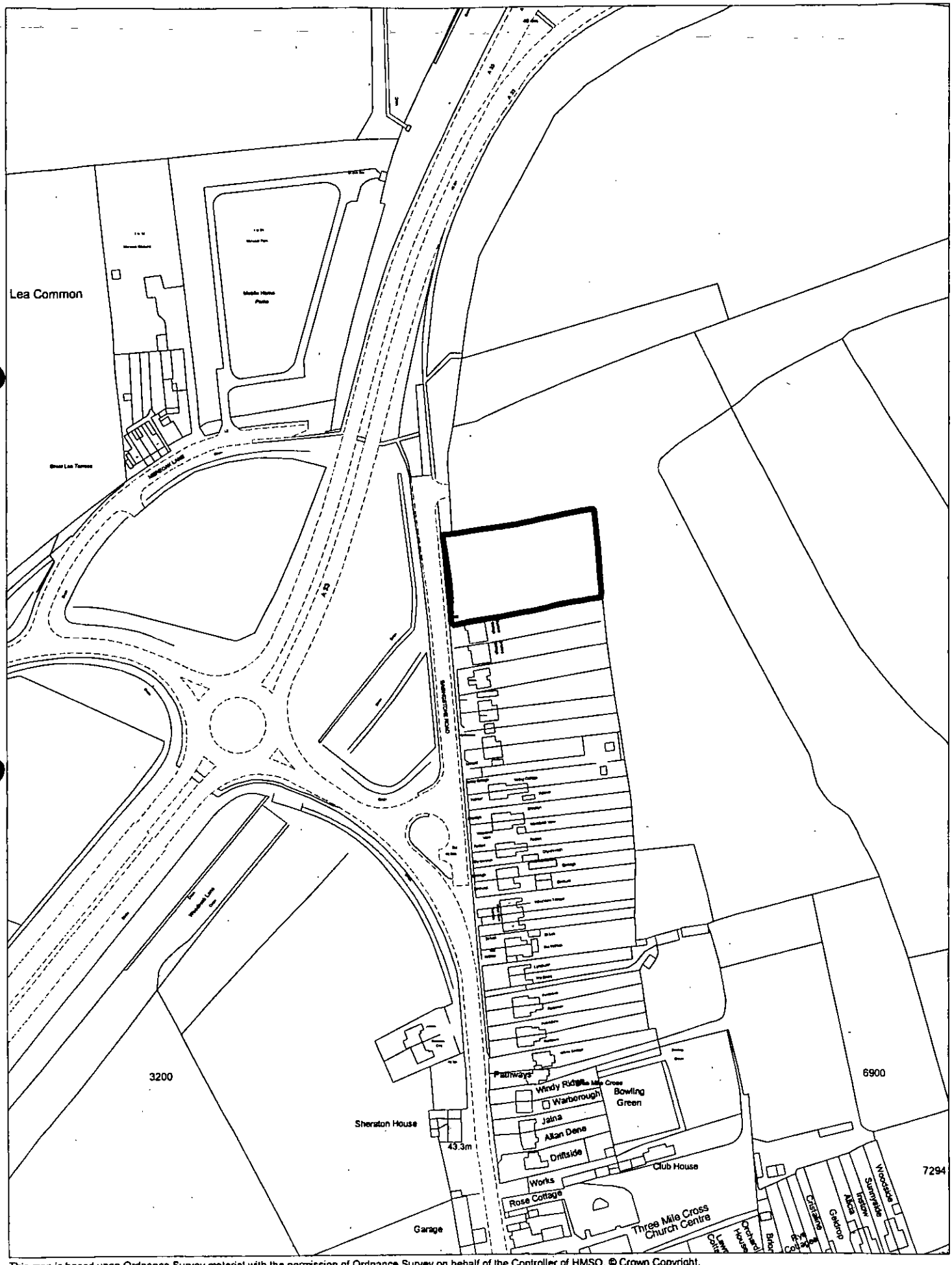
**APPLICATION F/2001/XXXX**
**PROPOSED ERECTIN OF 10 DWELLINGS AT SICHESTER HOUSE, BASINGSTOKE ROAD, THREE MILE CROSS, SHINFIELD**

**APPPLIANT: BRYANT HOMES**

This 0.36 ha. site is within but on the edge of the Three Mile Cross settlement boundary (countryside on 3 sides). The existing house was demolished some time ago. There was a recently lapsed permission for 6 semi-detached dwellings in a row along the frontage. The current proposal is for development in depth into the site which I think is unlikely to be acceptable as the development in the adjoining settlement is ribbon frontage only. 6x2 bedroom and 4x3 bedroom houses are proposed. The site would be too small to expect social housing to be provided.

Please note that any requests for contributions would be expected to be supported by the relevant officer at any subsequent appeal if the application is refused.

Angela Odell

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Development Control Section, Environmental Services, Wokingham District Council.
25 January 2001

Scale: 1 : 2500

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W E
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Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 8 February, 2001
My ref. AO/F/2001/3250
Your ref. SJ/vn/00.P087

HGP Planning
Furzehall farm
Wickham Road
Fareham
Hants
PO16 7JH

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

Dear Ms Jezeph

**PLANNING APPLICATION F/2001/3250**
**PROPOSED ERECTION OF 10 DWELLINGS ON LAND AT SILCHESTER HOUSE, BASINGSTOKE ROAD, THREE MILE CROSS, SHINFIELD**

I refer to the above application. As you are no doubt aware it is the Council's policy to normally require contributions towards services and infrastructure under Circular 1/97 Berkshire Structure Plan policy LD6 and WDLP policy WOS4 for all residential proposals for 10+ dwellings. We consider the following contributions would be required in connection with the above development, to be secured by a section 106 agreement.

Education
£15,010 towards capital funding for primary education as Lambs Lane primary school is full. (This is based on a standard formula.)

Traffic and transport
A contribution of £10,682 towards sustainable transport measures, particularly the Mereoak park & Ride. (This latter amount is based pro-rata on the amount secured for the Linden Homes phase 2 development off Grazeley Road.)

Please confirm in writing that *if* the proposal were to otherwise be considered acceptable you would be willing to offer these amounts.

However, I advise you that the above relates to contributions only, and does not otherwise imply that the proposal is considered acceptable, particularly in view of my previous advice to you in my letter of 6 November. Meanwhile, if you wish to discuss the matter further please contact me.

Yours sincerely

AO.

MRS A ODELL
Senior Planner

15.010

**SAI BRIEFING NOTE**

**APPLICATION F/2001/XXXX**
**PROPOSED ERECTIN OF 10 DWELLINGS AT SICHESTER HOUSE, BASINGSTOKE ROAD, THREE MILE CROSS, SHINFIELD**

**APPPLIANT: BRYANT HOMES**

This 0.36 ha. site is within but on the edge of the Three Mile Cross settlement boundary (countryside on 3 sides). The existing house was demolished some time ago. There was a recently lapsed permission for 6 semi-detached dwellings in a row along the frontage. The current proposal is for development in depth into the site which I think is unlikely to be acceptable as the development in the adjoining settlement is ribbon frontage only. 6x2 bedroom and 4x3 bedroom houses are proposed. The site would be too small to expect social housing to be provided.

Please note that any requests for contributions would be expected to be supported by the relevant officer at any subsequent appeal if the application is refused.

Angela Odell

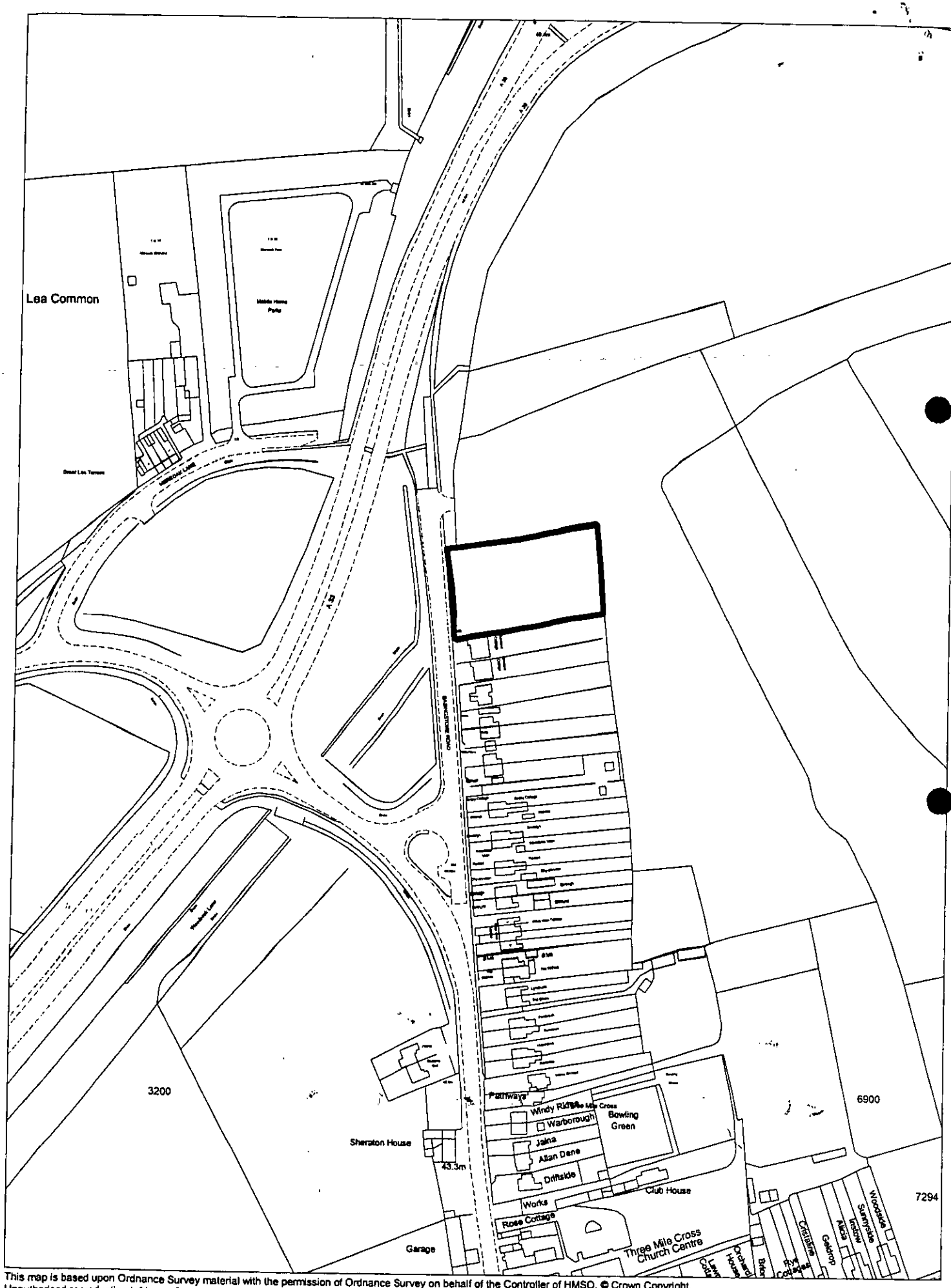
Hsg - below threshold

Highways - Refusal unlikely due to history, no contributions would make ok pro rata as before.

O.S. - may look for contribution for off-site things - £3-4k. Hard to justify - see if the offer ok, if not forget it.

G H Noise survey + remediation measures.

Education ???

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Development Control Section, Environmental Services, Wokingham District Council.
25 January 2001

Scale: 1 : 2500

N
W E
S

**Angela Odell**

**To:** Sylvia Jezeph
**Subject:** RE: Land at Silchester House

re. POS, the children's play area is considered sufficient. As 10 dwellings are proposed and there is no existing dwelling, the net in crease is 10. 'Silchester House' appears to have been demolished quite some time ago. i hope this is clear, but if you wish to discuss please telephone before 1pm today.

Regards

Angela

-----Original Message-----
**From:** Sylvia Jezeph [SMTP:sjezeph@hgppc.co.uk]
**Sent:** 12 February 2001 13:47
**To:** Angela.Odell@wokingham.gov.uk
**Subject:** Land at Silchester House

Dear Mrs Odell

Ref F/2001/3250

Thank you for your letter of 9th February and today's fax.

Apart education and transport will there be a requirement for a contribution towards Public Open Space or is the children's play area sufficient?

With regard to the other contributions, these appear to be based on an net increase of ten, rather than nine dwellings. Could you clarify this please.

Thank you for your assistance.

Yours sincerely

Sylvia Jezeph

**F/2001/3250 – Silchester House**

**Photos**
24 – view from front of site with Milestone Cottage on RHS
22 – From A33 (higher ground) looking east to front of site

(Overheads of location and site plan)

**Rec. Refusal**

Xxxxxxxxxxxxxxxxxxxxxxxxx

Re. views from public footpath to north – there are 2 hedgerows with hedgerow trees and bushes in them between the site and the p.f.p. so the proposed development would not be particularly noticeable from it.

---

P. O. S. not to be adopted but managed by a residents' management committee which would be set up.

# DESIGN STATEMENT

SUPPORTING THE REDEVELOPMENT OF
SILCHESTER HOUSE SITE
OLD BASINGSTOKE ROAD
WITH 10 NO TWO AND THREE BEDROOM HOUSES ,
ASSOCIATED ACCESS ROAD AND PARKING
On behalf of

Bryant Homes

30.JAN.2001* 3250

HGP PLANNING
CONSULTANCY

## SITE LOCATION AND DESCRIPTION

The site which extends to 0.36 hectares lies at the northern end of the identified settlement boundary on the east side of the Old Basingstoke Road (see appendix 1). The settlement boundary follows the line of the rear curtilage boundaries of the properties on the east side of Old Basingstoke Road. Elsewhere in the district, for instance along Finchampsted or Sandhurst Road, it is clearly the intention to maintain ribbon style frontage development and the settlement boundary splits the rear gardens between the built area and countryside.

Old Basingstoke Road and the A33 Swallowfield by-pass to the west, are 'Green routes'. Re-development of the site as proposed would retain the existing trees fronting the Old Basingstoke Road and generally enhance the appearance of the area in land with policy WBE12.

Following the demolition of Silchester House, the site has become overgrown and now supports a dense understorey of nettles and brambles. The survey undertaken by CBA Limited identified and categorised the trees existing on site (see appendix 2). The English oaks along the front of the site are protected by tree preservation orders, as are the crack willow and another oak in the northwest corner. Apart from these particular specimens, a number of other trees were identified as being in good condition generally but in need of some remedial surgery.

Apart from the need to protect the existing trees, the other main consideration governing any re-development proposal was the setting and amenity of Milestone Cottage, which at its closest is only 1 m off the southern boundary of the site.

## THE LAYOUT

The basic design principles and site constraints on which the layout was based were as follows:

1. The retention and protection of the TPOd and 'high or moderately high category' trees.
2. The outlook, amenity and setting of Milestone Cottage.
3. The need to produce a scheme which would enhance the greenroute in line with policy WEB12.
4. To respect the objectives of PPG3 and the Local Plan by making best use of a previously developed site within the settlement boundary by providing a variety of housing suitable for smaller households.

The TPOd trees facing onto Old Basingstoke Road are important to both the amenity and character of the area. To ensure their protection and well being it is essential that any re-development takes place outside the necessary protection zones in line with BS5837. This prevents development on the existing building line. Therefore, the proposed layout seeks to be self contained with the housing forming an 'inward looking' courtyard style development. This will provide a safe securing environment, maximising the opportunity for informal surveillance. By keeping the houses towards the rear of the site some 12 m off the southern boundary, the privacy of Milestone Cottage's rear garden is protected. The elevations (drawing no 00.P087.05) illustrate there are no habitable room windows in the flank wall of plot 7 only a small window which lights the landing and stairwell.

A 3m wide landscape buffer is proposed along the southern boundary. This, together with the standard 10.5 m length gardens of plots 1 to 6, will retain the setting of

Milestone Cottage. It will be noted that overall the layout exceeds accepted general design standards to minimise the impact of development on Milestone Cottage.

It is considered that the removal of the overgrown understorey will improve the appearance of the site and this, together with the proposed landscaping and the retention of the healthy mature trees, will enhance the green route and the area in general.

The layout also incorporates a children's play area and incidental amenity space to soften and 'green' the development.

Having ensured the well being of important individual trees, and taken measures to ensure the protection of the outlook, privacy and amenity of Milestone Cottage, the proposals seek to provide 10 dwellings recognising the Local Plan emphasis on the provision of smaller dwellings and planning policy guidance on densities for previously developed land.

**CONCLUSION**

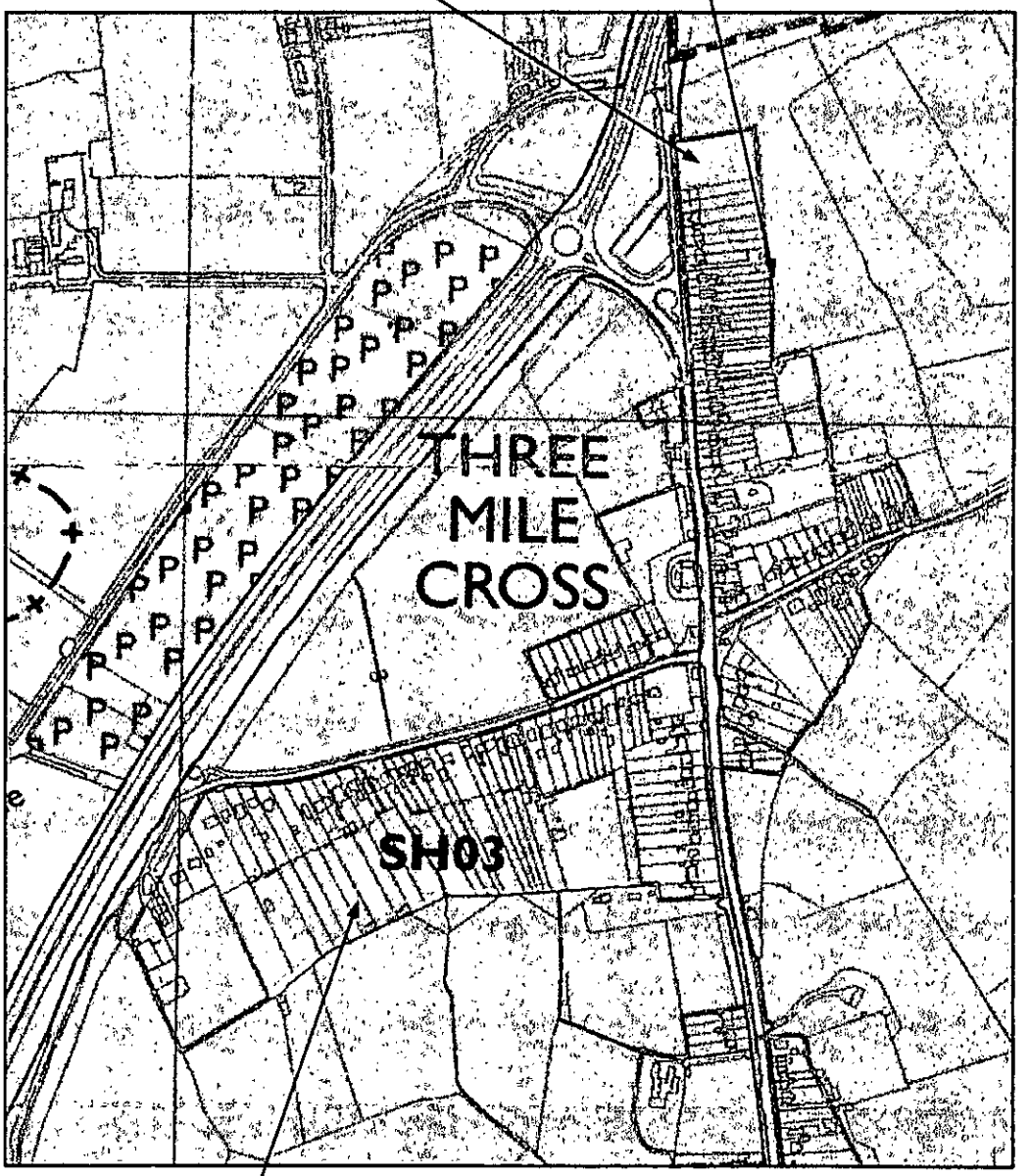
In conclusion, the proposals meet not only the objectives of the Local Plan and Government guidance with regard to re-development sites within the built area, but also seeks to provide a well designed scheme which protects and enhances the character of the surrounding area.

APPENDIX 1

EXTRACT FROM WOKINGHAM DISTRICT LOCAL PLAN PROPOSALS MAP ( SOUTH WEST)

THE SITE

THE SITE IS WITHIN THE IDENTIFIED SETTLEMENT BOUNDARY. THE LPA HAS CHOSEN TO DEFINE THE BUILT UP AREA ALONG THE REAR CURTILAGE BOUNDARY OF THE PROPERTIES IN OLD BASINGSTOKE ROAD




HOUSING ALLOCATION TO THE REAR OF FRONTAGE DEVELOPMENT

# APPENDIX 2

(RING ONE)

REVISED PLANS | ADDITIONAL ~~PLANS~~ Information | MINOR AMENDMENTS | ADDITIONAL / REVISED PLANS TO COMPLY WITH CONDITIONS

App No. F/2002/6536. (Planaps) / (Ludhouse) Date Rec. 1.7.02

Location: Land adjoining Milestone Cottage, Basingstoke Road, Three Mile Cross

Parish Swallowfield

Applicant: Bryant Homes.

Description of attached plans Ecological assessment and novi survey

Drawing No's:

## CONSULTEES

**Copies of plans will automatically be sent to Woodley Library, Part 1 Reg., Parish Council, Ward Councillors and the Case Officer unless specified.**

**Please tick which of the following you wish consulted.**

OTHERS: Andy Clements (ecological an. only)
John Mullaney (EHO - novi survey only)

| | | Drawing No's | |
|---|---|---|---|
| 1. | NK (Landscape & Trees) | | ☐ |
| 2. | NK (Env. Design) | | ☐ |
| 3. | XA (Highways) | Novi survey only. | ✓ |
| 4. | NF (Building Control) | | ☐ |
| 5. | BC/DC Liaison | | ☐ |

**A full set of plans will be sent to all consultees unless particular drawing No's are specified in the spaces above.**

NEIGHBOURS: Milestone Cottage & The Pines, both Basingstoke Road.

Date for Responses 3 weeks

## FURTHER ACTION

Re-advertise App. ~~Y~~ / N (Delete as required)

Redate Application ~~Y~~ / N From _____

New Site Notice ~~Y~~ / N

New Description _____

CASE OFFICER AO.

Consultations Sent by Admin. on 04.07.02

Yellow - Part One Copy
Green - Officer's Copy

ADDITIONAL INFORMATION

6536 "1

Bryant Homes
A Taylor Woodrow Company

PLANNING SERVICES
PO
Amo
01 JUL 2002
COPIES TO
LOG
FILE
58125

Bryant Homes Limited
Popes Manor
Murrell Hill Lane
Binfield
Bracknell
Berkshire
RG42 4DA
Tel +44 (0)1344 426688
Fax +44 (0)1344 485996
DX 33606 Bracknell
bryant.co.uk

Mrs A Odell
Wokingham Unitary
Environmental Services Dept
Planning Services
PO Box 157
Shute End
Wokingham
Berks RG40 1WR

1 July 2002

Our ref PM/vc/Wokingham Unitary

Dear Mrs Odell

**Re: Planning Application F/2002/6536 Proposed Erection of 6 Dwellings and Associated Road on land adjoining Milestone Cottage, Basingstoke Road, Three Mile Cross, Shinfield**

Further to your letters dated the 10th and 20th June 2002 requesting an ecological assessment and noise survey for the abovementioned site, please find enclosed 4 copies of the requested supporting information.

The ecological assessment has been carried out by Conservation Consultancy Ltd, following a site investigation on the 17th June 2002. The noise survey was carried out by Acoustic Design Consultants on the 12th June 2002.

Both reports highlight the findings made together with recommendations relating to the redevelopment of the proposed site.

Should you require any further information relating to these two issues please do not hesitate to contact the undersigned.

Yours sincerely

**Peter Mason**
**Planning Manager**

Direct dial 01344 465418
Fax 01344 485996
peter.mason@uk.taylorwoodrow.com

cc. John Berretta

encl.

# JOHN BERETTA ARCHITECTURE AND PLANNING LTD

DIP.ARCH.D.A.MANC.(HONS.)R.I.B.A.



| PLANNING SERVICES | HPT 58237 |
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| 04 JUL 2002 | |
| COPIES TO | ACK: FILE: |


2nd July 2002

JCB/pjb

Mrs. A. Odell,
Senior Planner,
Wokingham Unitary,
Environmental Services Dept.,
Planning Services, PO Box 157,
Shute, Wokingham, RG40 1WR.

Dear Mrs. Odell,

RE: PLANNING APPLICATION NO. F/2002/6536
LAND ADJOINING MILESTONE COTTAGE
BASINGSTOKE ROAD SHINFIELD

We trust that you have received the environmental and acoustic reports from Peter Mason on Bryant Homes.

As requested, may we please inform you that the developable area for the site is approximately 0.28HA. We are proposing 6 dwellings which we trust will be acceptable to your Highways Department which gives us a density of 21 units/HA which, we understand, is in line with your Highways requirements and the recent planning appeal.

We trust that this concludes the information which you require and we now look forward to your delegated planning approval for our proposals at your earliest convenience.

Yours sincerely,

John Beretta

cc. Peter Mason Bryant Homes Binfield


THE STUDIO FIELDFARE HOOK HILL LANE HOOK HEATH WOKING SURREY GU22 OPT

**TEL. & FAX 01483 740983 MOBILE NO. 07971 849929**

V.A.T. REG. NO. 709338131

**Application No. F/2001/3250** **Received 30.01.01** **Shinfield**

**Applicant:** **Bryant Homes Ltd**
**Location :** **Land at Silchester House, Basingstoke Road, Three Mile Cross, Shinfield**
**Proposal :** **Proposed Erection of 10 Dwellings, Access Road and Parking**

1. **Introduction** - This 0.36 ha. site is at the north end of a ribbon of dwellings on the northern arm of Three Mile Cross. The site is vacant land with grass, trees and vegetation on it. However, the 1975 Ordnance Survey Plan shows a house and garage or outbuilding on the site. On the south side Milestone Cottage is a detached house with attached single storey garage up to its side boundary with the application site. There is open land to the west, north and east of the site.

   Application No. 44001 for 6 semi-detached houses in a row fronting onto Basingstoke Road was granted permission on 21st April 1995. This permission has now lapsed and followed two previous, similar permissions; Application No. 17557 granted permission on 1st July 1982 and subsequently renewed by Permission No. 29046 granted on 5th November 1987. A previous outline Application No. 14388 for 12 houses was refused permission on 20th November 1980 and the subsequent appeal was dismissed.

   Application No. F/1999/0252 for 6 semi-detached houses was submitted on 23rd December 1999, has not been determined and is deemed to have been withdrawn.

2. **Proposal** - Is to erect 10 dwellings: 6 x 2 bedroom and 4 x 3 bedroom houses in 3 terraces. A small children's play area and landscaping are also proposed.

3. **Consultations** -

- ***Shinfield Parish Council*** : "We express concern on the following points:
  - It is sited in a location, which is susceptible to flooding.
  - No provision has been made for vehicle parking within the close.
  - Any Tree Preservation Orders will be respected.
  - The ownership and maintenance of the 3-metre landscape buffer to the south.
  - In respect of any planning obligations the parish council would like the district or parish to be granted ownership of the designated open space, to prevent future development of the backlands."
- ***5 letters of objection received from 4 addresses :*** On grounds of :
  - Would overlook rear gardens of existing properties adjacent.
  - Increased flood risk.
  - Exacerbate existing traffic congestion and safety problems.
  - Lack of local infrastructure and there is already too much development in the area.
  - Previous refusal of permission and appeal dismissed.
- ***Environmental Health Officer :*** No objection subject to conditions covering the effects of traffic noise on the proposed dwellings and hours of construction limitation.

- ***Tree/Landscape Officer :*** Tree Preservation Order (TPO) trees are shown to be a satisfactory distance from the proposed dwellings, but there is insufficient room for planting along the northern boundary next to the proposed turning head.
- ***Highway Officer :*** Recommends refusal on grounds of the proposed development would generate additional traffic into and out of a busy distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic.
- ***Environment Agency :*** No objection subject to conditions.
- ***Crime Prevention Design Advisor :*** Would prefer to see windows in the gable ends of Plots 6 and 7 to give surveillance to proposed corner parking areas. Also has concerns about the proposed play area as such areas can be colonised by older youths during the later evening who cause nuisance.

4. **Appraisal** - Main issues are:

   A. Effect on character and appearance of the area (Berkshire Structure Plan Policies H2 and EN1; Loddon Area Local Plan Policies LTV1, LTV6, LH1, LBE1, LBE2 and LBE9; Wokingham District Local Plan Policies WOS2, WH1, WH2, WBE1, WBE11 and WLL7).

   B. Density and housing mix (Berkshire Structure Plan Policy H9; Loddon Area Local Plan Policy LH8; Wokingham District Local Policy WH6; PPG3).

   C. Effect on neighbouring properties (Loddon Area Local Plan Policy LBE2; Wokingham District Local Plan Policy WBE1).

   D. Traffic, access and parking (Berkshire Structure Plan Policy LD5; Loddon Area Local Plan Policy LT5; Wokingham District Local Plan Policy WT7; PPG13).

   E. Services and Infrastructure (Berkshire Structure Plan Policy LD6; Loddon Area Local Plan Policy LPS1; Wokingham District Local Plan Policy WOS4).

   F. Concerns of the Parish Councils and local residents.

A. Principle of the proposed development, including effect on the surrounding countryside

The site is inside but on the edge of the settlement boundary with countryside on three sides of it. Under Annex C of PPG3, the site would be defined as previously-developed land because it is land that was occupied by a permanent structure and its curtilage. However, PPG3 Paragraph 70, which covers village expansion and infill, requires that the development can be designed sympathetically and laid out in keeping with the character of the village.

There have been a series of permissions for 3 pairs of semi-detached houses along the frontage. Such development would continue the existing pattern of ribbon frontage development along the east side of Basingstoke Road. It is

considered that there would be no objection in principle to this again. However, the current proposal is for in depth development of the whole site. It is considered that this form of development would be out of character with the existing pattern of frontage development only. As the site is also a prominent one on the edge of the settlement, it is considered that the proposal would have an obtrusive and urbanising effect on the surrounding countryside.

A recent application No. O/2000/2388 for the erection of 2 dwellings on a backland site nearby was refused permission and the subsequent appeal dismissed (copy of Inspector's decision letter attached). In this case the Inspector did not object to the effect of the proposal on the character and appearance of the area. However, in his paragraph 8, he noted that the proposed dwellings would be near the bowling clubhouse, which is also in a backland position, and there are already buildings on the site. In his paragraph 10 he considered the proposed development would be seen against the backdrop of the frontage properties. However, in the case of the current application, the scale of proposed houses would project to the rear well beyond the existing frontage development at a more exposed point at the end of the settlement with undeveloped countryside on three sides. A much larger scale of development is also proposed. Therefore, for these reasons, it is considered that this appeal decision does not set a precedent for allowing the current proposal. Indeed, allowing the current application could set a precedent for backland development of the rear gardens of the adjacent row of houses.

B. Density and housing mix

The density of the proposed development would be 27.8 dwellings per hectare. This is slightly below the minimum density of 30 dwellings per hectare required to accord with PPG3. However, as the site includes a group of large preserved trees along the frontage, the site is relatively small in size and the proposed density is only slightly below the minimum required, it is considered that this point should not be a reason for refusal.

As the proposal is for 6 x 2 bedroom and 4 x 3 bedroom dwellings it would be considered favourably under policies which encourage the provision of smaller dwellings. The proposal would also contribute 10 dwellings towards the District's housing land supply.

C. Effect on neighbouring properties

The rear elevations of the proposed houses on Plots 1-6 would look towards the rear garden of Milestone Cottage. However, these gardens would be 11m deep plus a 3m landscape buffer strip. It is considered that this distance is sufficient to avoid unacceptable overlooking.

D. Traffic, access and parking

The proposal is considered unacceptable on grounds of the additional traffic that would be generated into the junction of the cul-de-sac with Basingstoke Road, which would result in conflicting traffic movements. (This is in relation to the extra 4 dwellings proposed in addition to the previous permissions for 6 dwellings on the site). The Inspector dismissed the appeal on the site nearby referred to above, on these highway grounds (paragraphs 17-20 in the attached decision letter).

E. Services and Infrastructure
The following contributions have been offered:

£15,010 towards capital funding at Lambs Lane Primary School, and
£10,682 towards sustainable transport measures, particularly the proposed Mereoak Park and Ride.
These contributions are considered to be satisfactory.

F. Concerns of the Parish Council and local residents
These have been noted and addressed above.

5. **Conclusion** - It is considered that the proposed in depth form of development would have a harmful effect on the character and appearance of the area, and that this objection is not outweighed by the provision that 10 modest-sized dwellings within the settlement would make to the District's housing stock. The proposal is also considered unacceptable on highway grounds.

6. **Recommendation** - REFUSE planning permission for the following reasons:-

1. The proposed in-depth form of development would have a harmful effect on the character and appearance of the area. The proposal would therefore be contrary to Berkshire Structure Plan Policy EN1, Loddon Area Local Plan Policies LTV6 and LBE2 and to Wokingham District Local Plan (Deposit Draft) Policies WH1 and WBE1.

2. The proposed development would generate additional traffic into and out of a busy local distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic. The proposal would therefore be contrary to Berkshire Structure Plan Policy LD5, Loddon Area Local Plan Policy LT5 and to Wokingham District Local Plan Policy WT7.

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 Policies H2, H9, EN1, LD5 and LD6
Loddon Area Local Plan Policies LTV1, LTV6, LH1, LH8, LBE1, LBE2, LBE9 and LT5
Deposit Draft Wokingham District Local Plan Policies WOS2, WOS4, WBE1, WH2, WH6, WBE11, WLL7 and WT7

Angela Odell

# Appeal Decision

Site visit made on 07 February 2001

by Roger Clews BA MSc DipEd DipTP MRTPI

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

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

Date
5 MAR 2001

**Appeal Ref: APP/X0360/A/00/1053452**
**Land rear of The Briars and Pembrook, Basingstoke Road, Three Mile Cross**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Hicks Developments Ltd against the decision of Wokingham District Council.
- The application (ref: O/2000/2388), dated 6 September 2000, was refused by notice dated 16 Oc[redacted] 2000.
- The development proposed is erection of 2 detached houses, garages and access.

**Summary of Decision: The appeal is dismissed.**

## Procedural Matters

1. The planning application was made in outline, but with the means of access and the siting of the buildings to be determined at this stage. I have dealt with the appeal on this basis.

## Main Issues

2. I consider that there are three main issues in this appeal:

   (a) The effect of the proposed development on the character and appearance of the surrounding area.

   (b) The effect of the proposed development on the living conditions of occupants of neighbouring houses, with particular reference to the proposed access arrangements.

   (c) The effect of the proposed development on road safety and the free flow of traffic on the B3349 Basingstoke Road.

## Planning Policy

3. The development plan for the area comprises the Berkshire Structure Plan 1991-2006 (BSP), adopted in November 1995, and the Loddon Area Local Plan (LALP), adopted in May 1995. The BSP contains four policies relevant to this appeal. Policy H5 states that part of the plan's provision for housing development will be met by building on suitable undeveloped land within built-up areas and settlement boundaries. Policy EN1 requires development in built-up areas to be appropriate in scale, form, impact, character and siting to its location. Policy EN2 requires development not to give rise to unacceptable levels of noise or noxious emissions beyond the site boundary. Policy LD5 states that development will not be permitted where it is likely to give rise to serious problems of access, parking, road safety or traffic congestion.

4. The LALP, which pre-dates the BSP, contains three relevant policies. Policy LTV1 states that development within the settlements identified on the proposals map will normally be permitted, subject to the provisions of other policies in the plan. Policy LBE2 states that development that would have an inappropriate relationship to adjoining sites and buildings, or would adversely affect the character of an area, will not normally be permitted. Policy LT5 states that the Council will urge the highway authority to promote road safety by examining the road safety implications of all proposals for development.

5. The Wokingham District Local Plan Deposit Draft (WDLP) was placed on deposit in October 1997 and the Public Local Inquiry has been completed. The consolidated version of the WDLP, published in February 2000, contains proposed amendments made in April and September 1999 and in February 2000. Three policies are relevant to this appeal. Policy WOS2 states that development will be allowed within the boundaries of a list of identified settlements, which includes Three Mile Cross, subject to the detailed provisions of other policies contained in the plan. Policy WBE1 requires good contemporary design in new development, having regard to a number of factors including its environmental and visual impact, the local townscape and the privacy and amenity of the existing environment. Policy WT7 states that the Council will take appropriate measures to promote road safety for all road users. As these policies carry forward principles established in the adopted BSP and LALP and in national planning policy guidance, and as the WDLP has reached a fairly advanced stage, I am able to give its policies significant weight in determining this appeal.

6. PPG3: Housing, published in March 2000, states that the Government is committed to maximising the re-use of previously-developed land for housing. Places, Streets and Movement, published by the Department of the Environment, Transport and the Regions in September 1998, sets out requirements for sightlines at road junctions. Technical Directive 9/93 (TD9/93), published by the former Department of Transport, provides highway design guidance.

**Reasons**

***Character and appearance***

7. Three Mile Cross is identified in both the LALP and the WDLP as a settlement in which development will be permitted provided that it is in accordance with other plan policies. The designated settlement boundary in the WDLP includes the appeal site. The main part of the site lies behind the gardens of a row of houses facing Basingstoke Road, and is accessed between two of these houses. It contains two fairly large buildings close to its northern boundary, a large shed or garage at the head of the access, and a small shed near its western boundary, with the remaining area given over to grass and a few trees. To the north and east the main part of the site adjoins fields, while to the south lie the grounds of a bowling club. The area around Three Mile Cross is largely flat and there are views through the trees and bushes along the eastern boundary, across the adjoining fields.

8. The Council describe Three Mile Cross as characterised by ribbon frontage development along the four arms of the cross formed by the roads, and say that there is no similar backland development behind this frontage. However the bowling club appears to me to constitute similar development behind the properties facing Basingstoke Road. Although the club-house and bowling green themselves lie closer to the road than the proposed houses on the appeal site, the eastern boundary of the bowling club grounds is in line with that of the

appeal site, and is clearly demarcated from the adjoining fields by a hedge. In view of this, and of the fact that there are already buildings on the appeal site, I consider that this boundary, which corresponds to the settlement boundary defined in the WDLP, represents the perceived edge of the settlement. As a result I do not consider that new development on the appeal site would be out of character with the existing pattern of development.

9. Although the proposed development would result in a larger area of the site being taken up with buildings, they would be largely concealed from Basingstoke Road by the frontage development. One of the houses would be visible to passers-by looking directly along the access way, but as this would replace the current view of a somewhat dilapidated shed or garage building, I do not consider that any harm to the appearance of the area would result.

10. From any vantage points to the east the proposed development would be seen against the backdrop of the frontage properties, and, as I have reasoned above, would be perceived as lying within the edge of the settlement. To the north views into and out of the site are largely blocked by the existing buildings and boundary vegetation, while the bowling club gro[redacted] lie to the south. The external appearance of the houses and the landscaping of the [redacted], including the boundaries, could be controlled by the Council as reserved matters to achieve a satisfactory transition between the frontage development and the surrounding countryside. There would also be some benefit from the removal of the unattractive existing buildings on the site. In view of these considerations, in my opinion the proposed development would not detract from the setting of the settlement or the appearance of the adjoining countryside.

11. I therefore conclude on the first main issue that the proposed development would not have a significantly adverse effect on the character or appearance of the area, and would therefore not conflict with BSP policy EN1, LALP policies LTV1 or LBE2, nor with WDLP policies WOS2 or WBE1.

***Living conditions of neighbours***

12. The proposed positions of the houses and garages on the main part of the site would not appear to give rise to any adverse impact on neighbouring occupants. However I observed that the access way between The Briars and Pembrook is currently only some 2m wide. The appellants propose to increase it to 4m in width. As the current access extends right up t[redacted] flank wall of The Briars, this would have to be achieved by using land within the current curtilage of Pembrook. The application drawing indicates that, as a result, the width of the rear garden of Pembrook would be significantly reduced, and the surfaced access way would lie less than 1m from its flank wall.

13. The appellants state that they intend to erect a sound-attenuating wall or fence along either side of the proposed access road, in order to contain vehicle noise and fumes and glare from headlights, and to reduce their impact on the neighbouring properties. However, both gardens are narrow in relation to their length, and the garden of Pembrook, as I have noted, would be reduced in width as part of the proposed development. The erection of a wall or fence, which would need to be fairly high to achieve its intended effect, along their whole length would, in my opinion, have a significantly adverse impact on the openness which these gardens currently enjoy. Without the wall or fence, however, the noise and fumes from passing traffic would have a seriously adverse effect on conditions in the gardens.

14. If the wall or fence were continued along the sides of the two adjoining houses it would have a seriously adverse effect on the outlook from their ground-floor side windows. In addition,

even a high wall or fence would be unlikely to prevent noise and, possibly, headlight glare reaching first-floor rear and side windows in these properties. If, on the other hand, the wall or fence were not built along the sides of the adjoining houses, they would be exposed at very close quarters to passing vehicles. Although the two new houses would be expected to generate no more than 7 to 9 vehicle movements each way per day, the noise, emissions and headlight glare from these vehicles would in my opinion have a significantly adverse effect on living conditions for residents of the neighbouring houses.

15. The appellants argue that the proposed dwellings will not generate significantly more traffic than the existing use, but I have no substantive evidence before me on the current level of traffic or on the level which would arise from uses to which the site could legitimately be put. In any case, as the existing access lies further away from Pembrook than that proposed, any traffic currently using it has a significantly less adverse effect on that property than would arise from the proposed development.

16. I therefore conclude on the second main issue that the proposed development would have a significantly adverse effect on the living conditions of occupants of the adjoining properties, and would therefore conflict with BSP policy EN2, LALP policy LBE2, and WDLP policy WBE1.

***Road safety and the free flow of traffic***

17. The Council and the appellant concur that visibility to the north for motorists emerging from the access would be adequate. To the south visibility would be less than the distance of 120m recommended in Places, Streets and Movement, and the alternative distance of 90m which the appellant states is recommended in TD9/93. I observed, however, that the road alignment is such that only part of the nearside carriageway would be invisible, beyond a distance of approximately 80m, to drivers situated at a set-back distance of 2.4m within the access. The remainder of the nearside carriageway and the whole of the opposite carriageway (along which vehicles would normally be approaching the site) would be clearly visible for a considerably longer distance. As a result, in my opinion, visibility from the access to the south would not significantly prejudice road safety.

18. However, evidence submitted by the Council and not contested by the appellant shows that in the morning peak period northbound traffic queues can extend from the A33 roundabout to the north of the appeal site, back to a distance of 250m beyond the site to the south. I consider that this creates the potential for dangerous conflict between free-flowing southbound traffic, travelling at up to the speed limit of 40mph, and vehicles emerging from the access and waiting to join the northbound queue. This potential conflict, in my opinion, poses a significant risk to highway safety. The fact that at most only one or two such manoeuvres out of the access would be expected in the morning peak period, and that there are already numerous accesses nearby from which similar manoeuvres may take place, does not in my view justify this additional risk to road safety. Although there have been no recorded personal injury accidents within 130m of the site in the past three years, this does not provide conclusive evidence that the present or proposed access arrangements are safe.

19. The Council are concerned at the effect of the proposed development on the free flow of traffic. Although traffic turning in and out of the property might obstruct the traffic flow along Basingstoke Road, I do not think this would happen sufficiently often to be significant in itself, except insofar as it would prejudice road safety.

3126

20. However, in the light of the foregoing considerations, I conclude on the third main issue that the proposed development would prejudice road safety on the B3349 Basingstoke Road, contrary to BSP policy LD5, LALP policy LT5, and WDLP policy WT7.

**Other Matters**

21. The Council and the appellant disagree as to whether the site is previously-developed land as defined in Annex C of PPG3. On the basis of the information before me, I am unable to reach a definite view on this point. However this does not affect my conclusions on the main issues set out above.

22. Neighbouring residents have suggested that the proposed development might put additional stress on endangered species of birds, such as the song thrush. However I have no substantive evidence that this would be the case and I therefore do not consider it to be a significant issue in this appeal.

**Conclusions**

23. I have concluded on the second and third main issues that the proposed development would adversely affect the living conditions of neighbouring residents and prejudice highway safety on Basingstoke Road. These conclusions, in my opinion, outweigh my conclusion on the first main issue that the proposed development would not have a significantly adverse effect on the character and appearance of the area. For the reasons given above and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

**Formal Decision**

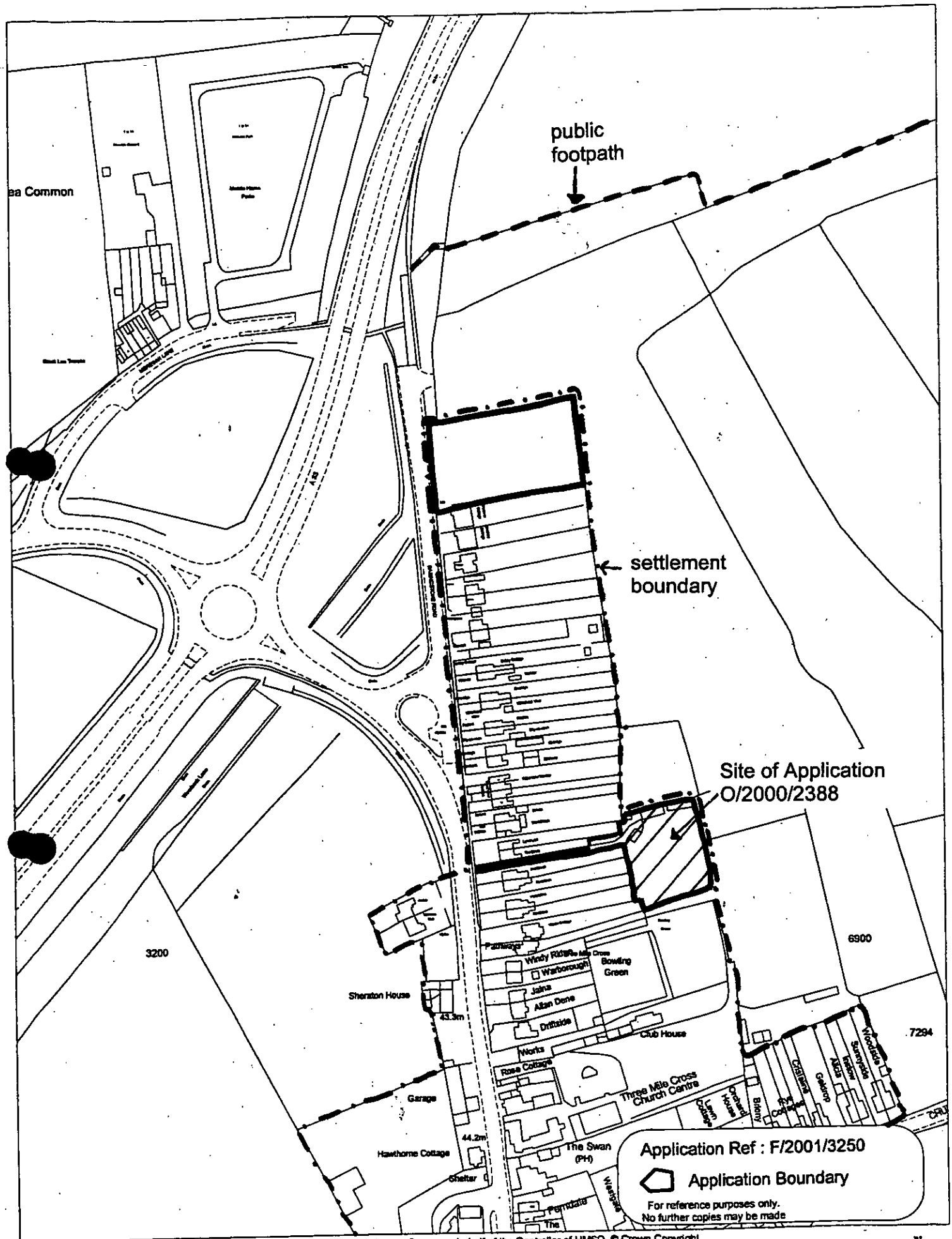
24. In exercise of the powers transferred to me, I dismiss the appeal.

**Information**

25. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.



Inspector

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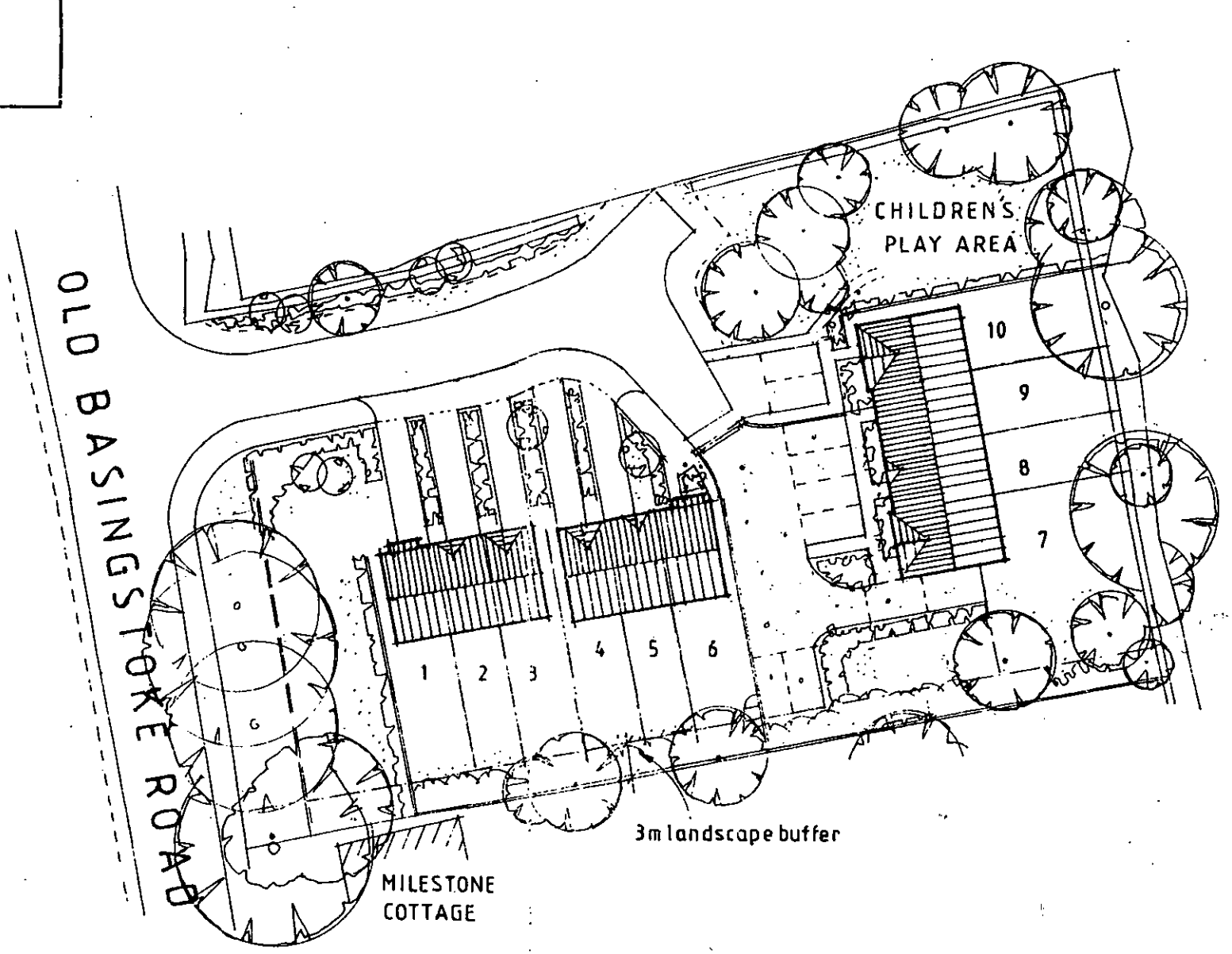
Development Control Section, Environmental Services, Wokingham District Council.

11 April 2001

Scale: 1 : 2500

6no DEIGHTON
4no WELWYN




30.JAN.2001*

3129

RAIL FENCE

SITE PLAN

PLOTS 1, 2 & 3

ELEVATIONS & FLOOR PLANS

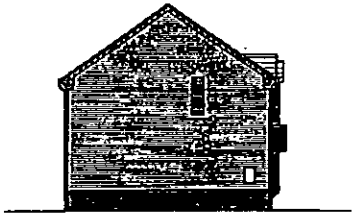
Land at Silchester House
Old Basingstoke Road
Spencers Wood
for

Bryant Homes

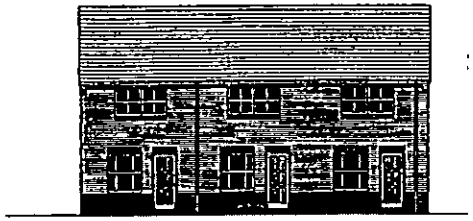
DRG NO 00 P087 04 / 5.10.00 / SJ SCALE 1: 200



FRONT ELEVATION



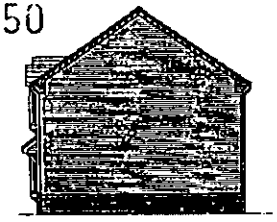
SIDE ELEVATION PLOT 3



REAR ELEVATION

SIDE ELEVATION PLOT 1

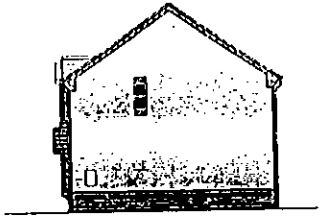
30 JAN 2001 * 3250



PLOTS 4, 5 & 6



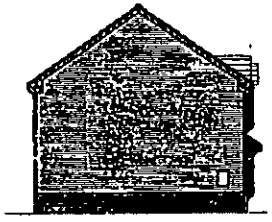
FRONT ELEVATION



SIDE ELEVATION PLOT 4

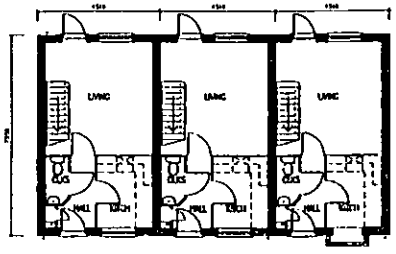


REAR ELEVATION

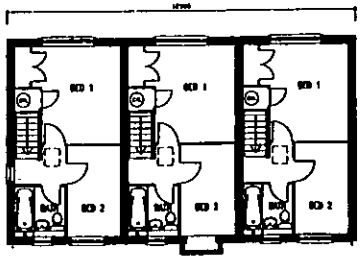


SIDE ELEVATION PLOT 6

PLOTS 1, 2 & 3

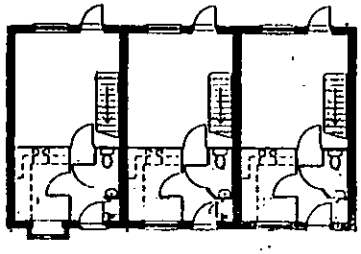


GROUND FLOOR



FIRST FLOOR

PLOTS 4, 5 & 6



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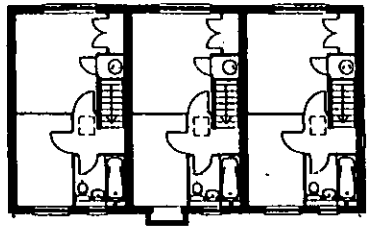


FIRST FLOOR

3130

PLOTS 7, 8, 9 & 10

ELEVATIONS & FLOOR PLANS

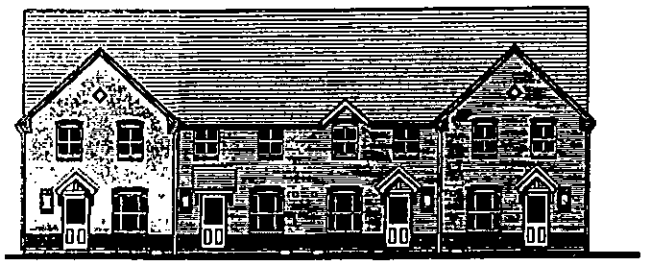
Land at Silchester House
Old Basingstoke Road
Spencers Wood
for

Bryant Homes

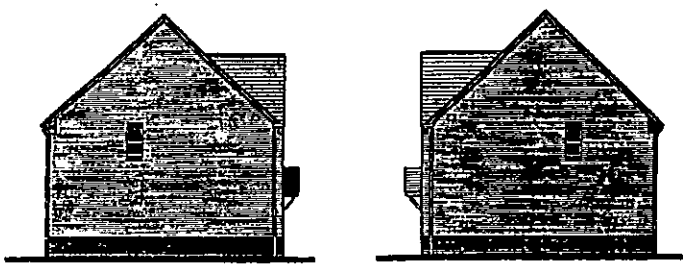
HGP PLANNING CONSULTANCY

DRG NO 00 P087 05 / 5.10.00 / SJ SCALE 1: 200

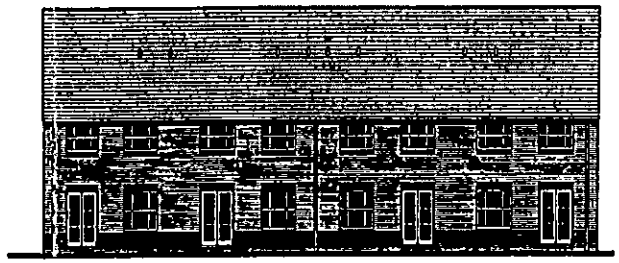
30.JAN.2001* 3250



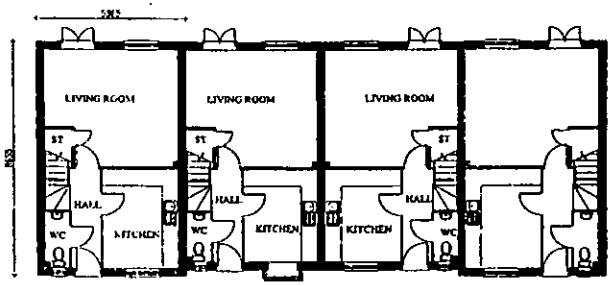
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

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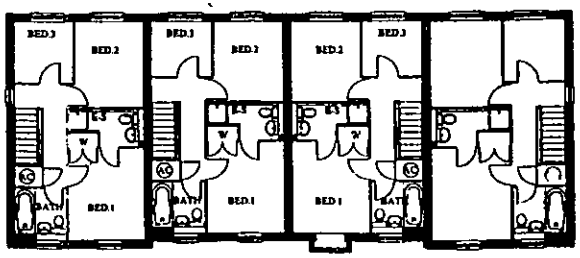


FIRST FLOOR

3131

Angela.

Phone: (0118) 974 6058

Date:

Your Ref:

File Copy

My Ref: F/2001/3250

Mr & Mrs K Baldock
The Pines
Old Basingstoke Road
Three Mile Cross
RG7 1AX

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

Dear Sir

**Application No: F/2001/3250**

**Applicant: Bryant Homes Technical Services Ltd.**

**Proposal: Proposed erection of ten dwellings with associated access road and parking**

**Site address: Land Adjacent to Milestone Cottage, Basingstoke Road, Three Mile Cross**

You wrote making comments on the planning application detailed above which is to be determined at the Development Control Committee meeting on the 11/04/01 and will start at 7.00pm. The application has been recommended for refusal and you can see a copy of the committee report at the Environmental Services Department, Council Offices, Shute End, Wokingham, or at your local library.

You may attend the Committee meeting and speak if you wish. A leaflet explaining the process is enclosed.

All requests to speak must be received no later than 5.00pm on the last working day prior to the meeting and must be arranged by contacting Kevin Jacob on 0118 974 6058

Yours faithfully

***Ian Jordan***

Mr I Jordan
Team Leader - Planning Support Services

Phone: (0118) 974 6058

Date:

Your Ref:

My Ref: F/2001/3250

Mrs C Humphreys
The Withies
Basingstoke Road
Three Mile Cross
RG7 1AT

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
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Yours faithfully

*Ian Jordan*

Mr I Jordan
Team Leader - Planning Support Services

Phone: (0118) 974 6058

Date:

Your Ref:

My Ref: F/2001/3250

P Little
Darbrooke
Basingstoke Road
Three Mile Cross
RG7 1AX

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
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Yours faithfully

***Ian Jordan***

Mr I Jordan
Team Leader - Planning Support Services

Phone: (0118) 974 6058

Date:

Your Ref:

My Ref: F/2001/3250

Mr & Mrs Brinsden
Milestone Cottage
Basingstoke Road
Three Mile Cross
Berks
RG7 1AX

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
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**Applicant: Bryant Homes Technical Services Ltd.**

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Yours faithfully

***Ian Jordan***

Mr I Jordan
Team Leader - Planning Support Services

Tel. (0118) 974 6051

Date: 05 April 2001

Your Ref:

My Ref: **Angela Odell - F/2001/3250**

Bryant Homes Technical Services Ltd
Slough Properties Ltd C/O HGP Planning Consultancy
Furzehall Farm
Wickham Road
Fareham
PO16 7JH

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

Dear Sir/Madam

**Application Number: F/2001/3250**

**Site Address: Land Adjacent To Milestone Cottage, Basingstoke Road, Three Mile Cross, Reading.**

**Proposal: Proposed erection of ten dwellings with associated access road and parking..**

Your application is to be determined at the Development Control Sub-Committee meeting on the 11.04.01 and will start at 7.00pm. The application has been recommended for refusal and you can see a copy of the committee report at the Environmental Services Department, Council Offices, Shute End, Wokingham, or at your local library.

You may attend the Committee meeting and speak if you wish. A leaflet explaining the process is enclosed.

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Yours faithfully,

***John Mitchell***

Development Control Manager

**WORK SHEET FOR :** Angela Odell

**Application Number :** F/2001/3250

**Applicant :** Bryant Homes Technical Services Ltd Slough Properties Ltd C/O HGP Planning Consultancy.

**Location :** Land At Silchester House, Basingstoke Road, Spencers Wood, Reading.

**Proposal :** Proposed erection of ten dwellings with associated access road and parking.

| **Site Notice Displayed ? :** | YES | NO | DATE |
|---|---|---|---|
| | ✓ | | 8. 2. 01 |

**Date of Neighbour Notifications :** .....

**Date of Site Visit :** 8. 2-01

**Date Registered : 30/01/2001**

**Earliest Date for Decision : 25/02/2001**

**Latest Consultation Date/Site Notice Expiry Date : 25/02/2001**

**This application will have expired on: 27/03/2001. 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 :**

**Planning Issues :**

**Application Number: F/2001/3250**

**Appraisal :**

**Recomendation : Approval:** ☐ **Refusal:** ☑ at Committee 11.4.01
(tick appropriate box)

**Application Number F/2001/3250**
**Conditions/Reasons for Refusal**

| No | Std Con | Std Reas | Non Std Conditions / Reasons for Refusal |
|---|---|---|---|
| | | | |

1. The proposed in-depth form of development would have a harmful effect on the character and appearance of the area. The proposal would therefore be contrary to Berkshire Structure Plan Policy EN1, Loddon Area Local Plan Policies LTV6 and LBE2 and to Wokingham District Local Plan (Deposit Draft) Policies WH1 and WBE1.

2. The proposed development would generate additional traffic into and out of a busy local distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic. The proposal would therefore be contrary to Berkshire Structure Plan Policy LD5, Loddon Area Local Plan Policy LT5 and to Wokingham District Local Plan Policy WT7.

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 Policies H2, H9, EN1, LD5 and LD6
   Loddon Area Local Plan Policies LTV1, LTV6, LH1, LH8, LBE1, LBE2, LBE9 and LT5
   Deposit Draft Wokingham District Local Plan Policies WOS2, WOS4, WBE1, WH2, WH6, WBE11, WLL7 and WT7

| | | | |
|---|---|---|---|
| | | | |
| | | | |

| |
|---|
| Informative for approvals |
| N16 |
| LODDON AREA LOCAL PLAN POLICIES: |
| SOUTH-EAST AREA LOCAL PLAN POLICIES: |
| WOKINGHAM DISTRICT LOCAL PLAN POLICIES: |
| GREEN BELT LOCAL PLAN POLICIES: |
| BERKSHIRE STRUCTURE PLAN POLICIES: |
| MINERALS LOCAL PLAN POLICIES: |

RECOMMENDATION AND CONDITIONS/REASONS AGREED: _____
(Development Control Manager)

Date: _____

# RECORD OF SITE VISIT

SITE ADDRESS: Land At Silchester House Basingstoke Road Spencers Wood Reading.

APPLICATION NUMBER: F/2001/3250

OFFICER: Angela Odell

DATE OF SITE VISIT: 8.2.01

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes 8.2.01

2. DESCRIPTION OF SURROUNDINGS Countryside adjacent on N, E & W. sides, with JM11/A33 to N.W. on raised banks

3. DESCRIPTION OF SITE/BUILDING Under. site – grass, scrub etc.

4. RELATIONSHIP TO ADJOINING PROPERTIES Milestone Cottage to S. has S/S attached garage on boundary with app. site.

5. SITE CONSTRAINTS

TREES On front boundary (4 oaks) + side boundaries & smallish trees within site.

ACCESS/PARKING

LEVELS Flat

BOUNDARY TREATMENT On S. side (rear of Milestone Cottage) is

OTHERS fence with trimmed conifers above (their side)

# MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON WEDNESDAY 11 APRIL 2001 FROM 7.00 PM TO 11.00 PM

*Present: Mr KA Malvern (Chairman), Mrs JA Lissaman (Vice-Chairman), Mr MJ Bryant, Mr SR Conway, Mr RH Cundy, Mr TP Dredge, Mr JL Earnshaw, Mr RFN Eke, Mrs MA Long, Mr BJS Patman, and Mrs M Robertson.*

*Also present under Standing Order 39: - Mrs P Bray, Mr FD Browne, Mr AJ Ross, Mrs ELM Siggery and Mr GM Storry*

**PART I**

## 293. MINUTES

The Minutes of the meeting of the Committee held on 21 March 2001 were confirmed as a correct record and signed by the Chairman.

## 294. APOLOGIES

An Apology for absence was submitted from Mrs. DC Beatty.

## 295. ORDER OF BUSINESS

With the agreement of the Committee, the order of business was varied so that those applications where members of the public had indicated a wish to speak could be dealt with first.

**RESOLVED:** That the order of business detailed on the agenda be varied.

**RESOLVED:** That Application No: 2001/3250 be refused on the grounds set out on Agenda page 3122.

**304. APPLICATION NO: 2001/3250, PROPOSED ERECTION OF 10 DWELLINGS ACCESS ROAD AND PARKING, LAND AT SILCHESTER HOUSE BASINGSTOKE ROAD THREE MILE CROSS SHNFIELD, FOR BRYANT HOMES LTD**

The Committee considered a report on this application as set out on Agenda pages 3119 to 3131.

A representative from Shinfield Parish Council attended the meeting and spoke against the proposal.

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

**Application No. F/2001/3250** **Received 30.01.01** **Shinfield**

**Applicant:** **Bryant Homes Ltd**
**Location :** **Land at Silchester House, Basingstoke Road, Three Mile Cross, Shinfield**
**Proposal :** **Proposed Erection of 10 Dwellings, Access Road and Parking**

1. **Introduction** - This 0.36 ha. site is at the north end of a ribbon of dwellings on the northern arm of Three Mile Cross. The site is vacant land with grass, trees and vegetation on it. However, the 1975 Ordnance Survey Plan shows a house and garage or outbuilding on the site. On the south side Milestone Cottage is a detached house with attached single storey garage up to its side boundary with the application site. There is open land to the west, north and east of the site.

   Application No. 44001 for 6 semi-detached houses in a row fronting onto Basingstoke Road was granted permission on 21st April 1995. This permission has now lapsed and followed two previous, similar permissions; Application No. 17557 granted permission on 1st July 1982 and subsequently renewed by Permission No. 29046 granted on 5th November 1987. A previous outline Application No. 14388 for 12 houses was refused permission on 20th November 1980 and the subsequent appeal was dismissed.

   Application No. F/1999/0252 for 6 semi-detached houses was submitted on 23rd December 1999, has not been determined and is deemed to have been withdrawn.

2. **Proposal** - Is to erect 10 dwellings: 6 x 2 bedroom and 4 x 3 bedroom houses in 3 terraces. A small children's play area and landscaping are also proposed.

3. **Consultations** -

- ***Shinfield Parish Council*** : "We express concern on the following points:
  - It is sited in a location, which is susceptible to flooding.
  - No provision has been made for vehicle parking within the close.
  - Any Tree Preservation Orders will be respected.
  - The ownership and maintenance of the 3-metre landscape buffer to the south.
  - In respect of any planning obligations the parish council would like the district or parish to be granted ownership of the designated open space, to prevent future development of the backlands."
- ***5 letters of objection received from 4 addresses :*** On grounds of :
  - Would overlook rear gardens of existing properties adjacent.
  - Increased flood risk.
  - Exacerbate existing traffic congestion and safety problems.
  - Lack of local infrastructure and there is already too much development in the area.
  - Previous refusal of permission and appeal dismissed.
- ***Environmental Health Officer :*** No objection subject to conditions covering the effects of traffic noise on the proposed dwellings and hours of construction limitation.

- ***Tree/Landscape Officer :*** Tree Preservation Order (TPO) trees are shown to be a satisfactory distance from the proposed dwellings, but there is insufficient room for planting along the northern boundary next to the proposed turning head.
- ***Highway Officer :*** Recommends refusal on grounds of the proposed development would generate additional traffic into and out of a busy distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic.
- ***Environment Agency :*** No objection subject to conditions.
- ***Crime Prevention Design Advisor :*** Would prefer to see windows in the gable ends of Plots 6 and 7 to give surveillance to proposed corner parking areas. Also has concerns about the proposed play area as such areas can be colonised by older youths during the later evening who cause nuisance.

4. **Appraisal** - Main issues are:

   A. Effect on character and appearance of the area (Berkshire Structure Plan Policies H2 and EN1; Loddon Area Local Plan Policies LTV1, LTV6, LH1, LBE1, LBE2 and LBE9; Wokingham District Local Plan Policies WOS2, WH1, WH2, WBE1, WBE11 and WLL7).

   B. Density and housing mix (Berkshire Structure Plan Policy H9; Loddon Area Local Plan Policy LH8; Wokingham District Local Policy WH6; PPG3).

   C. Effect on neighbouring properties (Loddon Area Local Plan Policy LBE2; Wokingham District Local Plan Policy WBE1).

   D. Traffic, access and parking (Berkshire Structure Plan Policy LD5; Loddon Area Local Plan Policy LT5; Wokingham District Local Plan Policy WT7; PPG13).

   E. Services and Infrastructure (Berkshire Structure Plan Policy LD6; Loddon Area Local Plan Policy LPS1; Wokingham District Local Plan Policy WOS4).

   F. Concerns of the Parish Councils and local residents.

A. Principle of the proposed development, including effect on the surrounding countryside

The site is inside but on the edge of the settlement boundary with countryside on three sides of it. Under Annex C of PPG3, the site would be defined as previously-developed land because it is land that was occupied by a permanent structure and its curtilage. However, PPG3 Paragraph 70, which covers village expansion and infill, requires that the development can be designed sympathetically and laid out in keeping with the character of the village.

There have been a series of permissions for 3 pairs of semi-detached houses along the frontage. Such development would continue the existing pattern of ribbon frontage development along the east side of Basingstoke Road. It is

considered that there would be no objection in principle to this again. However, the current proposal is for in depth development of the whole site. It is considered that this form of development would be out of character with the existing pattern of frontage development only. As the site is also a prominent one on the edge of the settlement, it is considered that the proposal would have an obtrusive and urbanising effect on the surrounding countryside.

A recent application No. O/2000/2388 for the erection of 2 dwellings on a backland site nearby was refused permission and the subsequent appeal dismissed (copy of Inspector's decision letter attached). In this case the Inspector did not object to the effect of the proposal on the character and appearance of the area. However, in his paragraph 8, he noted that the proposed dwellings would be near the bowling clubhouse, which is also in a backland position, and there are already buildings on the site. In his paragraph 10 he considered the proposed development would be seen against the backdrop of the frontage properties. However, in the case of the current application, the scale of proposed houses would project to the rear well beyond the existing frontage development at a more exposed point at the end of the settlement with undeveloped countryside on three sides. A much larger scale of development is also proposed. Therefore, for these reasons, it is considered that this appeal decision does not set a precedent for allowing the current proposal. Indeed, allowing the current application could set a precedent for backland development of the rear gardens of the adjacent row of houses.

B. Density and housing mix

The density of the proposed development would be 27.8 dwellings per hectare. This is slightly below the minimum density of 30 dwellings per hectare required to accord with PPG3. However, as the site includes a group of large preserved trees along the frontage, the site is relatively small in size and the proposed density is only slightly below the minimum required, it is considered that this point should not be a reason for refusal.

As the proposal is for 6 x 2 bedroom and 4 x 3 bedroom dwellings it would be considered favourably under policies which encourage the provision of smaller dwellings. The proposal would also contribute 10 dwellings towards the District's housing land supply.

C. Effect on neighbouring properties

The rear elevations of the proposed houses on Plots 1-6 would look towards the rear garden of Milestone Cottage. However, these gardens would be 11m deep plus a 3m landscape buffer strip. It is considered that this distance is sufficient to avoid unacceptable overlooking.

D. Traffic, access and parking

The proposal is considered unacceptable on grounds of the additional traffic that would be generated into the junction of the cul-de-sac with Basingstoke Road, which would result in conflicting traffic movements. (This is in relation to the extra 4 dwellings proposed in addition to the previous permissions for 6 dwellings on the site). The Inspector dismissed the appeal on the site nearby referred to above, on these highway grounds (paragraphs 17-20 in the attached decision letter).

E. Services and Infrastructure
The following contributions have been offered:

£15,010 towards capital funding at Lambs Lane Primary School, and
£10,682 towards sustainable transport measures, particularly the proposed Mereoak Park and Ride.
These contributions are considered to be satisfactory.

F. Concerns of the Parish Council and local residents
These have been noted and addressed above.

5. **Conclusion** - It is considered that the proposed in depth form of development would have a harmful effect on the character and appearance of the area, and that this objection is not outweighed by the provision that 10 modest-sized dwellings within the settlement would make to the District's housing stock. The proposal is also considered unacceptable on highway grounds.

6. **Recommendation** - REFUSE planning permission for the following reasons:-

1. The proposed in-depth form of development would have a harmful effect on the character and appearance of the area. The proposal would therefore be contrary to Berkshire Structure Plan Policy EN1, Loddon Area Local Plan Policies LTV6 and LBE2 and to Wokingham District Local Plan (Deposit Draft) Policies WH1 and WBE1.

2. The proposed development would generate additional traffic into and out of a busy local distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic. The proposal would therefore be contrary to Berkshire Structure Plan Policy LD5, Loddon Area Local Plan Policy LT5 and to Wokingham District Local Plan Policy WT7.

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 Policies H2, H9, EN1, LD5 and LD6
Loddon Area Local Plan Policies LTV1, LTV6, LH1, LH8, LBE1, LBE2, LBE9 and LT5
Deposit Draft Wokingham District Local Plan Policies WOS2, WOS4, WBE1, WH2, WH6, WBE11, WLL7 and WT7

Angela Odell

# Appeal Decision

Site visit made on 07 February 2001

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

**by Roger Clews BA MSc DipEd DipTP MRTPI**

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

Date
05 MAR 2001

**Appeal Ref: APP/X0360/A/00/1053452**
**Land rear of The Briars and Pembrook, Basingstoke Road, Three Mile Cross**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Hicks Developments Ltd against the decision of Wokingham District Coun
- The application (ref: O/2000/2388), dated 6 September 2000, was refused by notice dated 16 O 2000.
- The development proposed is erection of 2 detached houses, garages and access.

**Summary of Decision: The appeal is dismissed.**

## Procedural Matters

1. The planning application was made in outline, but with the means of access and the siting of the buildings to be determined at this stage. I have dealt with the appeal on this basis.

## Main Issues

2. I consider that there are three main issues in this appeal:

   (a) The effect of the proposed development on the character and appearance of the surrounding area.

   (b) The effect of the proposed development on the living conditions of occupants of neighbouring houses, with particular reference to the proposed access arrangements.

   (c) The effect of the proposed development on road safety and the free flow of traffic on the B3349 Basingstoke Road.

## Planning Policy

3. The development plan for the area comprises the Berkshire Structure Plan 1991-2006 (BSP), adopted in November 1995, and the Loddon Area Local Plan (LALP), adopted in May 1995. The BSP contains four policies relevant to this appeal. Policy H5 states that part of the plan's provision for housing development will be met by building on suitable undeveloped land within built-up areas and settlement boundaries. Policy EN1 requires development in built-up areas to be appropriate in scale, form, impact, character and siting to its location. Policy EN2 requires development not to give rise to unacceptable levels of noise or noxious emissions beyond the site boundary. Policy LD5 states that development will not be permitted where it is likely to give rise to serious problems of access, parking, road safety or traffic congestion.

4. The LALP, which pre-dates the BSP, contains three relevant policies. Policy LTV1 states that development within the settlements identified on the proposals map will normally be permitted, subject to the provisions of other policies in the plan. Policy LBE2 states that development that would have an inappropriate relationship to adjoining sites and buildings, or would adversely affect the character of an area, will not normally be permitted. Policy LT5 states that the Council will urge the highway authority to promote road safety by examining the road safety implications of all proposals for development.

5. The Wokingham District Local Plan Deposit Draft (WDLP) was placed on deposit in October 1997 and the Public Local Inquiry has been completed. The consolidated version of the WDLP, published in February 2000, contains proposed amendments made in April and September 1999 and in February 2000. Three policies are relevant to this appeal. Policy WOS2 states that development will be allowed within the boundaries of a list of identified settlements, which includes Three Mile Cross, subject to the detailed provisions of other policies contained in the plan. Policy WBE1 requires good contemporary design in new development, having regard to a number of factors including its environmental and visual impact, the local townscape and the privacy and amenity of the existing environment. Policy WT7 states that the Council will take appropriate measures to promote road safety for all road users. As these policies carry forward principles established in the adopted BSP and LALP and in national planning policy guidance, and as the WDLP has reached a fairly advanced stage, I am able to give its policies significant weight in determining this appeal.

6. PPG3: Housing, published in March 2000, states that the Government is committed to maximising the re-use of previously-developed land for housing. Places, Streets and Movement, published by the Department of the Environment, Transport and the Regions in September 1998, sets out requirements for sightlines at road junctions. Technical Directive 9/93 (TD9/93), published by the former Department of Transport, provides highway design guidance.

**Reasons**

***Character and appearance***

7. Three Mile Cross is identified in both the LALP and the WDLP as a settlement in which development will be permitted provided that it is in accordance with other plan policies. The designated settlement boundary in the WDLP includes the appeal site. The main part of the site lies behind the gardens of a row of houses facing Basingstoke Road, and is accessed between two of these houses. It contains two fairly large buildings close to its northern boundary, a large shed or garage at the head of the access, and a small shed near its western boundary, with the remaining area given over to grass and a few trees. To the north and east the main part of the site adjoins fields, while to the south lie the grounds of a bowling club. The area around Three Mile Cross is largely flat and there are views through the trees and bushes along the eastern boundary, across the adjoining fields.

8. The Council describe Three Mile Cross as characterised by ribbon frontage development along the four arms of the cross formed by the roads, and say that there is no similar backland development behind this frontage. However the bowling club appears to me to constitute similar development behind the properties facing Basingstoke Road. Although the club-house and bowling green themselves lie closer to the road than the proposed houses on the appeal site, the eastern boundary of the bowling club grounds is in line with that of the

appeal site, and is clearly demarcated from the adjoining fields by a hedge. In view of this, and of the fact that there are already buildings on the appeal site, I consider that this boundary, which corresponds to the settlement boundary defined in the WDLP, represents the perceived edge of the settlement. As a result I do not consider that new development on the appeal site would be out of character with the existing pattern of development.

9. Although the proposed development would result in a larger area of the site being taken up with buildings, they would be largely concealed from Basingstoke Road by the frontage development. One of the houses would be visible to passers-by looking directly along the access way, but as this would replace the current view of a somewhat dilapidated shed or garage building, I do not consider that any harm to the appearance of the area would result.

10. From any vantage points to the east the proposed development would be seen against the backdrop of the frontage properties, and, as I have reasoned above, would be perceived as lying within the edge of the settlement. To the north views into and out of the site are large[illegible] blocked by the existing buildings and boundary vegetation, while the bowling club gro[illegible]ds lie to the south. The external appearance of the houses and the landscaping of the [illegible]te, including the boundaries, could be controlled by the Council as reserved matters to achieve a satisfactory transition between the frontage development and the surrounding countryside. There would also be some benefit from the removal of the unattractive existing buildings on the site. In view of these considerations, in my opinion the proposed development would not detract from the setting of the settlement or the appearance of the adjoining countryside.

11. I therefore conclude on the first main issue that the proposed development would not have a significantly adverse effect on the character or appearance of the area, and would therefore not conflict with BSP policy EN1, LALP policies LTV1 or LBE2, nor with WDLP policies WOS2 or WBE1.

***Living conditions of neighbours***

12. The proposed positions of the houses and garages on the main part of the site would not appear to give rise to any adverse impact on neighbouring occupants. However I observed that the access way between The Briars and Pembrook is currently only some 2m wide. The appellants propose to increase it to 4m in width. As the current access extends right up t[illegible]e flank wall of The Briars, this would have to be achieved by using land within the current curtilage of Pembrook. The application drawing indicates that, as a result, the width of the rear garden of Pembrook would be significantly reduced, and the surfaced access way would lie less than 1m from its flank wall.

13. The appellants state that they intend to erect a sound-attenuating wall or fence along either side of the proposed access road, in order to contain vehicle noise and fumes and glare from headlights, and to reduce their impact on the neighbouring properties. However, both gardens are narrow in relation to their length, and the garden of Pembrook, as I have noted, would be reduced in width as part of the proposed development. The erection of a wall or fence, which would need to be fairly high to achieve its intended effect, along their whole length would, in my opinion, have a significantly adverse impact on the openness which these gardens currently enjoy. Without the wall or fence, however, the noise and fumes from passing traffic would have a seriously adverse effect on conditions in the gardens.

14. If the wall or fence were continued along the sides of the two adjoining houses it would have a seriously adverse effect on the outlook from their ground-floor side windows. In addition,

even a high wall or fence would be unlikely to prevent noise and, possibly, headlight glare reaching first-floor rear and side windows in these properties. If, on the other hand, the wall or fence were not built along the sides of the adjoining houses, they would be exposed at very close quarters to passing vehicles. Although the two new houses would be expected to generate no more than 7 to 9 vehicle movements each way per day, the noise, emissions and headlight glare from these vehicles would in my opinion have a significantly adverse effect on living conditions for residents of the neighbouring houses.

15. The appellants argue that the proposed dwellings will not generate significantly more traffic than the existing use, but I have no substantive evidence before me on the current level of traffic or on the level which would arise from uses to which the site could legitimately be put. In any case, as the existing access lies further away from Pembrook than that proposed, any traffic currently using it has a significantly less adverse effect on that property than would arise from the proposed development.

16. I therefore conclude on the second main issue that the proposed development would have a significantly adverse effect on the living conditions of occupants of the adjoining properties, and would therefore conflict with BSP policy EN2, LALP policy LBE2, and WDLP policy WBE1.

***Road safety and the free flow of traffic***

17. The Council and the appellant concur that visibility to the north for motorists emerging from the access would be adequate. To the south visibility would be less than the distance of 120m recommended in Places, Streets and Movement, and the alternative distance of 90m which the appellant states is recommended in TD9/93. I observed, however, that the road alignment is such that only part of the nearside carriageway would be invisible, beyond a distance of approximately 80m, to drivers situated at a set-back distance of 2.4m within the access. The remainder of the nearside carriageway and the whole of the opposite carriageway (along which vehicles would normally be approaching the site) would be clearly visible for a considerably longer distance. As a result, in my opinion, visibility from the access to the south would not significantly prejudice road safety.

18. However, evidence submitted by the Council and not contested by the appellant shows that in the morning peak period northbound traffic queues can extend from the A33 roundabout to the north of the appeal site, back to a distance of 250m beyond the site to the south. I consider that this creates the potential for dangerous conflict between free-flowing southbound traffic, travelling at up to the speed limit of 40mph, and vehicles emerging from the access and waiting to join the northbound queue. This potential conflict, in my opinion, poses a significant risk to highway safety. The fact that at most only one or two such manoeuvres out of the access would be expected in the morning peak period, and that there are already numerous accesses nearby from which similar manoeuvres may take place, does not in my view justify this additional risk to road safety. Although there have been no recorded personal injury accidents within 130m of the site in the past three years, this does not provide conclusive evidence that the present or proposed access arrangements are safe.

19. The Council are concerned at the effect of the proposed development on the free flow of traffic. Although traffic turning in and out of the property might obstruct the traffic flow along Basingstoke Road, I do not think this would happen sufficiently often to be significant in itself, except insofar as it would prejudice road safety.

3126

20. However, in the light of the foregoing considerations, I conclude on the third main issue that the proposed development would prejudice road safety on the B3349 Basingstoke Road, contrary to BSP policy LD5, LALP policy LT5, and WDLP policy WT7.

**Other Matters**

21. The Council and the appellant disagree as to whether the site is previously-developed land as defined in Annex C of PPG3. On the basis of the information before me, I am unable to reach a definite view on this point. However this does not affect my conclusions on the main issues set out above.

22. Neighbouring residents have suggested that the proposed development might put additional stress on endangered species of birds, such as the song thrush. However I have no substantive evidence that this would be the case and I therefore do not consider it to be a significant issue in this appeal.

**Conclusions**

23. I have concluded on the second and third main issues that the proposed development would adversely affect the living conditions of neighbouring residents and prejudice highway safety on Basingstoke Road. These conclusions, in my opinion, outweigh my conclusion on the first main issue that the proposed development would not have a significantly adverse effect on the character and appearance of the area. For the reasons given above and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

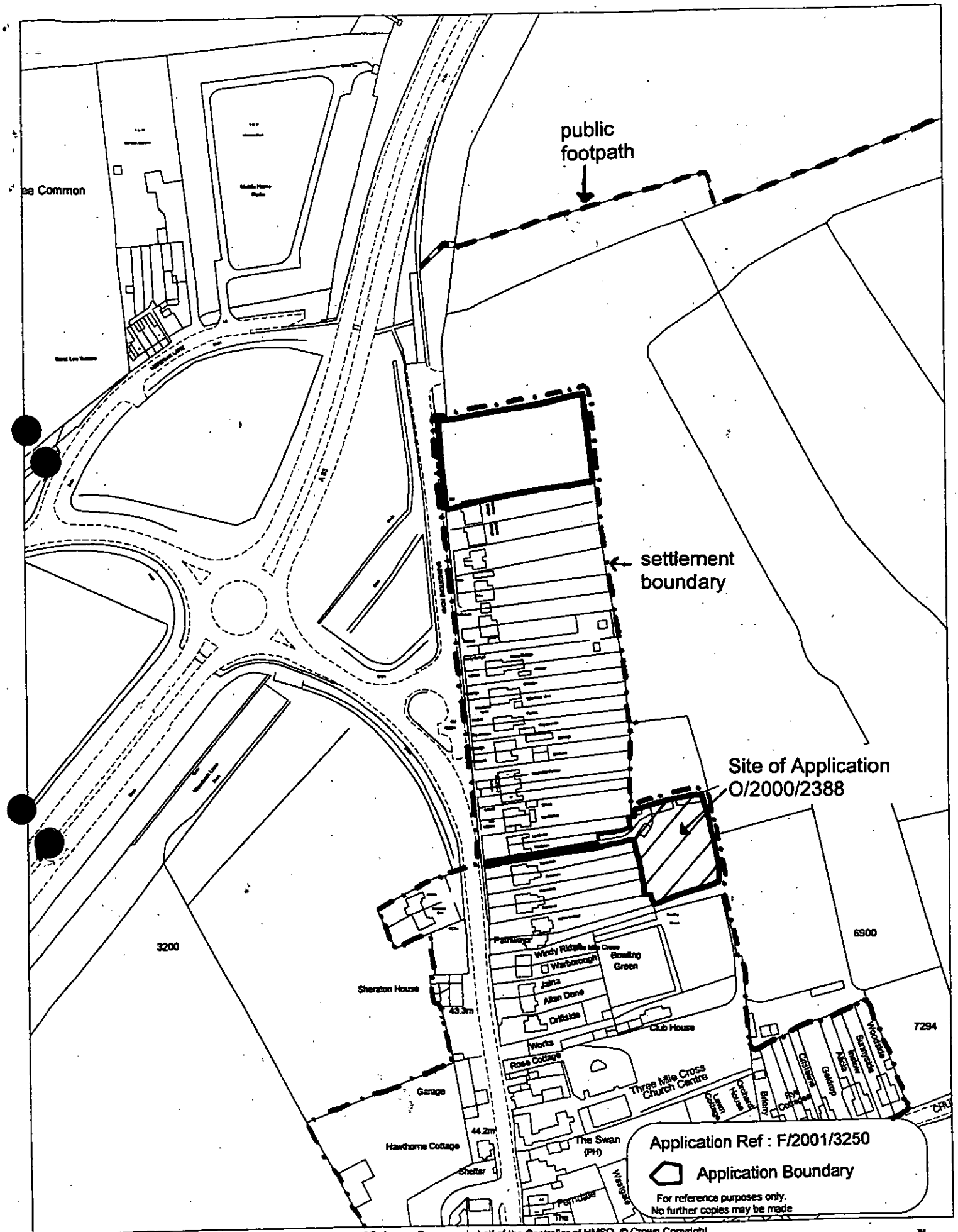
**Formal Decision**

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

**Information**

25. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.

Inspector

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Development Control Section, Environmental Services, Wokingham District Council.

11 April 2001

Scale: 1 : 2500

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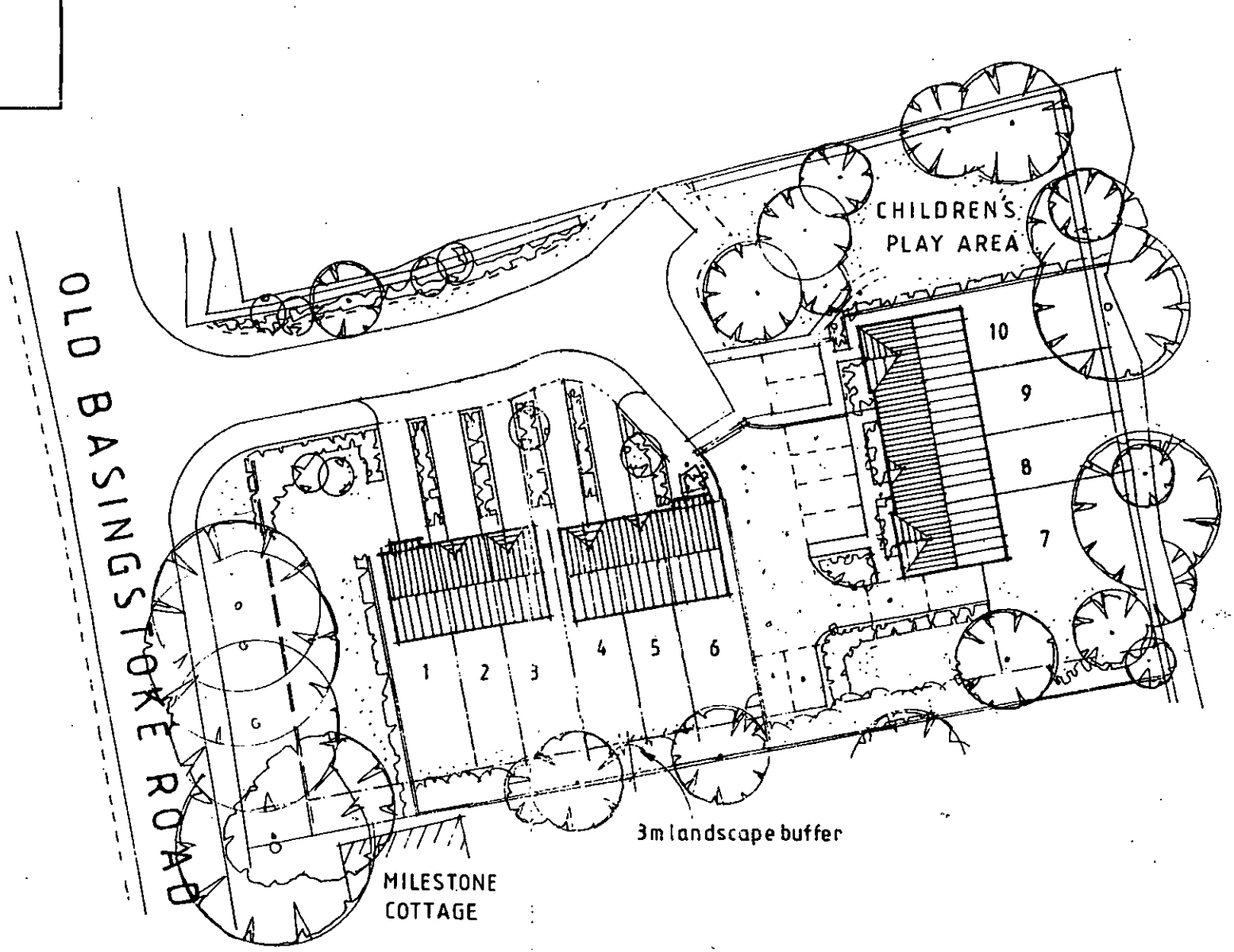



30.JAN.2001*

3129

RAIL FENCE

SITE PLAN

## PLOTS 1, 2 & 3

**ELEVATIONS & FLOOR PLANS**

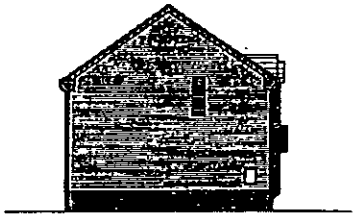
Land at Silchester House
Old Basingstoke Road
Spencers Wood
for

Bryant Homes

DRG NO 00 P087 04 / 5.10.00 / SJ SCALE 1: 200



FRONT ELEVATION



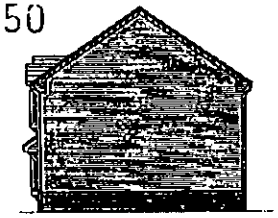
SIDE ELEVATION PLOT 3



REAR ELEVATION

SIDE ELEVATION PLOT 1

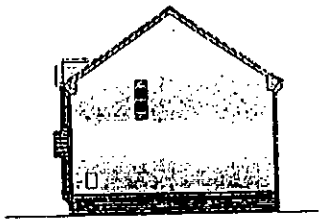
30.JAN.2001* 3250



## PLOTS 4, 5 & 6



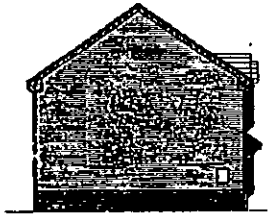
FRONT ELEVATION



SIDE ELEVATION PLOT 4

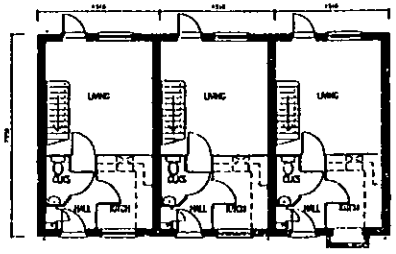


REAR ELEVATION

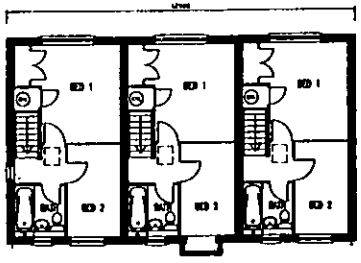


SIDE ELEVATION ' PLOT 6

## PLOTS 1, 2 & 3

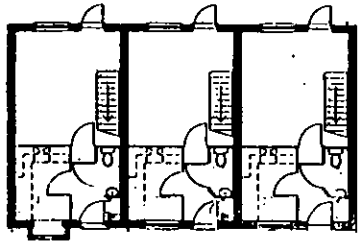


GROUND FLOOR



FIRST FLOOR

## PLOTS 4, 5 & 6



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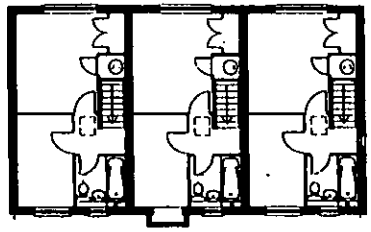


FIRST FLOOR

3130

PLOTS 7, 8, 9 & 10

ELEVATIONS & FLOOR PLANS

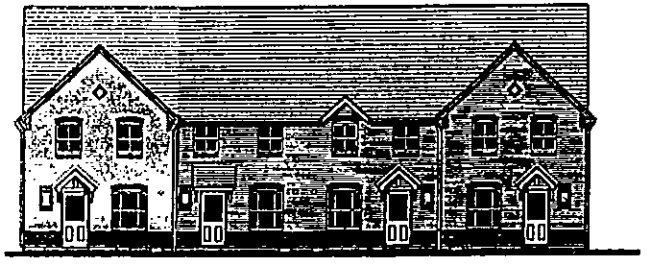
Land at Silchester House
Old Basingstoke Road
Spencers Wood
for

Bryant Homes

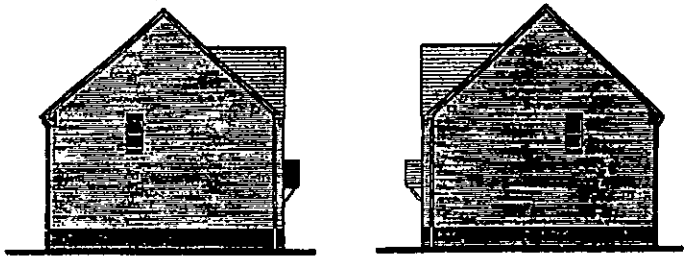
HIGH PLANNING CONSULTANCY

DRG NO 00 P087 05 / 5.10.00 / SJ SCALE 1: 200

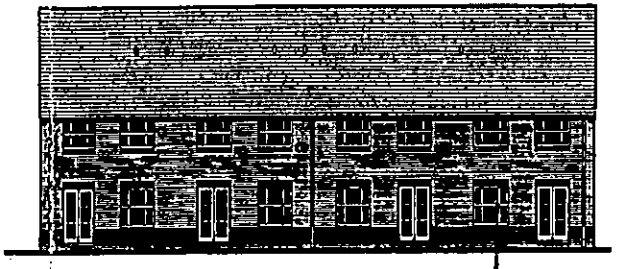
30.JAN.2001* 3250



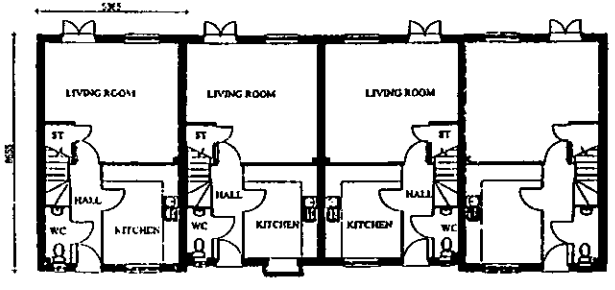
FRONT ELEVATION



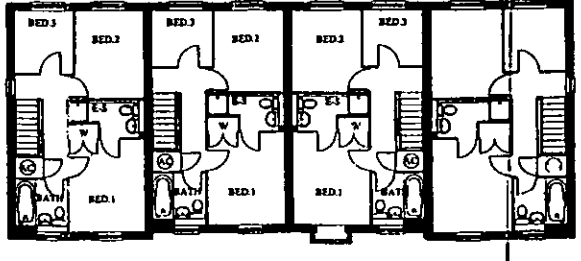
SIDE ELEVATION



REAR ELEVATION




GROUND FLOOR




FIRST FLOOR

31/31

**To:**
**John Leggett** RE: MINERAL SITE CONSULTATION AREA

**From:** Angela Odell

**Date:** 01 February 2001

**Application Number:** F/2001/3250

**Proposal:** Proposed erection of ten dwellings with associated access road and parking..

**Site Address:**
Land At Silchester House, Basingstoke Road, Spencers Wood, Reading.

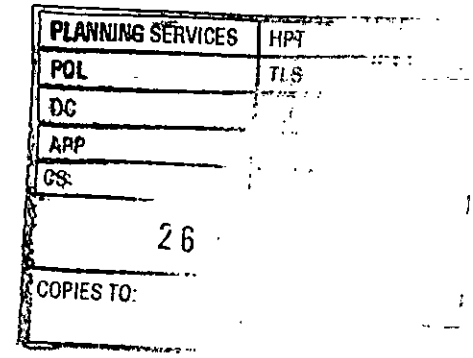
**Applicant:**
Bryant Homes Technical Services Ltd Slough Properties Ltd C/O HGP Planning Consultancy.

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

---

no comments to make, thank you.

**Mr. And Mrs. K. Badcock.**
**The Pines.**
**Old Basingstoke Road.**
**Three Mile Cross.**
**Reading.**
**RG7 1AX**




Ms. Angela Odell.
Planning Department.
Wokingham District Council.
P.O. Box 157.
Shute End.
Wokingham.
RG40 1WR

21st February 2001.

Dear Ms. Odell.

**Planning application number F/2001/3250**

I refer to my letter dated the 13th February and the above planning application.

I have received your letter regarding the amendment of the site address, but it still remains very confusing because the address is still given as Spencers Wood.

I called your office yesterday, I understand you are on leave at the present and so I spoke to your colleague in the Administration Dept. Having spoke to your colleague, I can only assume there is some conspiracy or underhandedness regarding this application. I have drawn to this conclusion because she said that "the computer would not allow the address of Three Mile Cross" on the posted orange and green notices and that Spencers Wood and Three Mile Cross all came under the Shinfield Parish Council anyway. This is not true, well at least the bit about the computer, Darbrook, which is the house adjoining ours, has their planning application posted on their front gate, and it clearly states, Darbrook, Basingstoke Road, Three Mile Cross. So why indeed, cannot the planning application for ten new dwellings be addressed clearly Three Mile Cross.

This may seem tedious, but believe me, having dealt with the planning department on several occasions, I do know just how important you seem to make these trivial things a "big deal" when it suits. There must be guidelines and rules about the way the planning applications are displayed and information given, at present the orange and green notices, I consider do not meet that criteria, but do mislead the public as to where exactly this development is proposed.

Yours sincerely,

K Badcock

Mrs. K. Badcock.

ADR NOW CHANGED TO
READ OLD MILESTONE COTTAGE
BASINGSTOKE RD (THERE IS ONLY 1 MILESTONE
COTTAGE IN THE DISTRICT!)

**Mr. And Mrs. K. Badcock.**
**The Pines.**
**Old Basingstoke Road.**
**Three Mile Cross.**
**Reading.**
**Berkshire. RG7 1AX**

**Telephone 0118 988 5209**

PLANNING SERVICES | HPT
POL | TLS
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APP | RPLO
CS 035
16 FEB 2001
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The Planning Department.
Wokingham District Council.
Shute End.
Wokingham.
Berkshire.

13th February 2001.

Dear Sirs,

**Re: Plans to erect 10 dwellings adjacent to Silchester House, Basingstoke Road, Spencers Wood - Ref. F/2001/3250**

Further to your letter informing us of the planning application as mentioned above.

Firstly, the Application has been wrongly submitted. The applicant has given false information regarding the exact plot that is under review for development.

The letter received from your office and the Orange and Green notices, on the public footpath where the plot in question is, states that it is adjacent/on the grounds to/of Silchester House, on the Basingstoke Road, at Spencers Wood. In fact, it is adjacent to Milestone Cottage, on the Old Basingstoke Road at Three Mile Cross. This has delayed my writing to you with my objections, for the simple reason the wrong information has been given to the residents who this will effect beyond comprehension, I assume, in the hope that permission will be granted to the developers before this error has been highlighted. An amended application should be submitted and the whole process start from the beginning so as to make aware to all of those who are affected, just which plot of land is in question.

As you are aware, there has been a lot of discussion about building new homes on flood plains. With the recent heavy rain and flooding in the local areas, the fields to the side and behind the plot of land in question is low lying and within the flood plain, our garden which is approximately six houses away from where the proposed development is, was under water in November and December when the fields around us could not cope with the deluge. The proposed new development land lays lower than our gardens and that of our neighbours, and will no doubt have serious flooding problems in the future. Some may say that the recent weather has been "freak conditions", but all the environmental advisers and forecasters have predicted more of the same to come in future years due to the global warming. This will lead to more flooding around our homes without adding to the problem by way of more dwellings being built.

The new homes built along Grazeley Road in recent years were also built on and around flood plains. Friends and neighbours we know had to move from their new home in Grazeley Road because the house and it's foundations were not sufficient to compensate for the flood plain and its continual movement and washing away of the sub soils. Surely, from the news reports this winter, lessons must be learnt about where we build our new homes and whether the land really is suitable for such development, without causing the new home owners, some eighteen months to two years down the road the heartache of having their homes "re-stabilised" and under pinned, their insurers paying the costs and then refusing renewal of their insurance because they have realised there will be an ongoing problem with those houses.

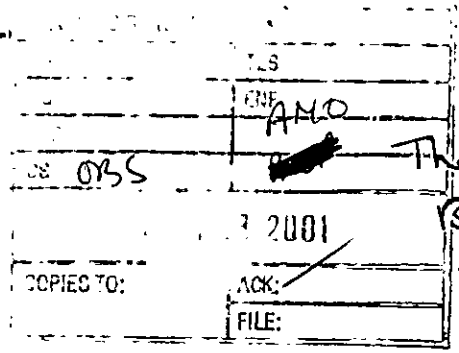
Apart from the location of the development on the flood plains, as residents of the Old Basingstoke Road, we have written to our local councillor, Anthony Pollock with our views and concerns regarding the parking, restrictions and considerable inconvenience to us on days when Reading Football Club are playing at home and supporters use our road as a car park. If more housing is built, then one can assume at least two vehicles per new dwelling, equals 20 more vehicles jockeying for parking, access into their new home, access to and from our road and at the junction with the A33, Basingstoke Road which at the moment is always a congested in the rush hours, and when motorists don't have to slow down for the roundabout because of a "clear road", we have to almost "play chicken" to get out of our junction before the next car comes off the roundabout at such speeds that an accident is just waiting to happen.

There must be more suitable land in and around Spencers Wood, and Three Mile Cross without subjecting us to a further ten new homes in a small cul de sac such as our road is. We would implore the committee to seriously consider the people of our cul de sac and refuse planning permission for this development.

Yours faithfully,

K Badcock

Mr. And Mrs. K. Badcock.




F/2001/3250

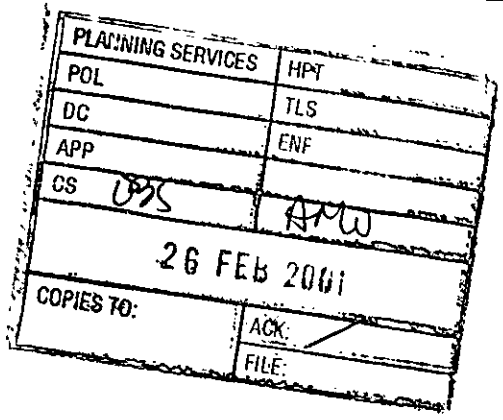
The Withies
Basingstoke Rd
3 Mile K
Reading.

Dear Mr Mitchell,

I thought I would add a little to my husband's letter. You propose to build 10 more houses on the land adjacent to Milestone Cottage. Everyone knows that this piece of land floods everytime we have heavy rain, so if this proposal goes ahead I hope the new residents will be WARNED what they are taking on. However I hope that all this building will stop because I am fed up with how this once small

village is turning into a TOWN.
I chose this area 24 years ago
because it was a village
and I protest strongly ~~and~~ at
the prospect of even more houses
I already have to wait a long
time to get out of my own
drive in the morning and the same
at night. ENOUGH IS ENOUGH.

Yours sincerely
C. Hughes (Mrs)




22 February 2001

The Withies
Basingstoke Road
Three Mile Cross
Reading
Berks RG7 1AT

Re: F/2001/3250

Dear Mr Mitchell

I find it incredible that you are even considering this application for yet more houses.

Since the debate about Grazeley, some 2-3 years ago, I have seen endless houses being built in this area. Take Grazeley Road, some 120 new houses, Basingstoke Road opposite the Hop Inn, a new estate. Everywhere you look there are new houses being built. I'm sure that if I took the time to visit each site and add up the number of new dwellings it would total several hundred.

It seems to be an easy way for the developers to get round the governments planning strategy, just pop in a few at a time and hope no one will notice. But what about the infrastructure, where are the new roads, schools, Doctors, buses etc.

The Basingstoke Road, Three Mile Cross starts to fill up at 7:30 am as cars from all these wonderful new houses join the thousands of other cars queuing along the A33, all attempting to get into Reading before 9am. It's no point putting more buses on, they will only be forced to sit in the same queue. Of course we could all go by train, sorry, forgot, we don't have a station.

At what stage will some one sit down and say enough is enough.

Yours sincerely

A J Humphreys (Mr)

1/

Mr & Mrs P. Little
Darbrook
Basingstoke Road
Three Mile Cross
Reading
Berkshire
RG7 1AX

| PLANNING SERVICES | HPT |
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| 22 FEB 2001 | |
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Attn: Planning Officer

Objections to Planning Application : F2001/3250

- the proposed development is in Three Mile Cross and not Spencers Wood. This may be misleading to residents affected who are not aware that a property named Silchester House was originally on this plot of land and thereby affecting their ability to comment.
- the current building line is very distinct and the layout of the proposed properties is totally out of keeping with the existing properties. Six of the houses will directly overlook the gardens of the existing properties. The exterior design of the properties does not show any evidence of complementing the variety of styles of property already in the area.
- the access road is already used a transient parking place for lorries, commercial vehicles and members of the public requiring a free and safe place to park vehicles for short and long periods of time – and even a convenient dumping area for unwanted vehicles. This is already of considerable inconvenience and annoyance of local residents – especially on match days at the local stadium. The proposed properties have no garages and/or limited off road parking which must result in the existing road being used for overflow parking. Having recently been granted planning permission for a garage conversion subject to providing details of off road parking capabilities this seems to be an anomaly.
- we are aware through a recent conversation with Wokingham District Council that the mains drainage supporting the existing properties is probably inadequate. What are the plans to support the proposed properties?
- during recent periods of heavy rain up to 18-24 inches of water covered the rear garden of both our and the adjoining properties and cut off our side access. The land in question was also flooded as were the fields to the rear. We are concerned that the density of properties planned will aggravate this and could result in flooding of the actual property under similar conditions.
- The junction of the cul-de-sac where it joins the Basingstoke Road does not support additional traffic flow due to the blind corner to the right and the speed of traffic exiting the roundabout at the junction of the A33. In short this is already a dangerous junction.

In summary we do not feel that the proposed development is considerate of the existing residents and detracts from the village environment. It has serious shortcomings regarding both land and mains drainage and parking and traffic requirements.

Yours faithfully,

P. Little

(2) NB Highways Drainage Dept. – Eddie Napper (on a different subject)

* This is becoming an increasing problem, particularly street cleanliness – where are the road sweepers?

F.A.O. ANGELA ODELL / JOHN MITCHELL

PLANNING SERVICES
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DC ODS
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22 FEB 2001
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FILE:

REF : APPLICATION NUMBER : F/2001/3250

SITE ADDRESS : LAND AT SILCHESTER HOUSE, BASINGSTOKE ROAD, THREE MILE CROSS, READING.

PROPOSAL : ERECTION OF TEN DWELLINGS WITH ASSOCIATED ACCESS ROAD AND PARKING.

WITH REFERENCE TO THE ABOVE APPLICATION BY BRYANT HOMES AND SLOUGH PROPERTIES LTD WE WOULD LIKE TO MAKE THE FOLLOWING COMMENTS AND OBSERVATIONS :-

a) A SIMILAR PLANNING APPLICATION WAS PREVIOUSLY REJECTED BY WOKINGHAM DISTRICT COUNCIL AND TAKEN TO APPEAL. AN APPOINTED INSPECTOR FOR "THE SECRETARY OF STATE FOR THE ENVIRONMENT" UPHELD THE REJECTION AND RECOMMENDED FRONTAL DEVELOPMENT ONLY. (PLEASE SEE PREVIOUS APPLICATIONS)

b) A REASON GIVEN BY BRYANT/SLOUGH FOR NOT MAINTAINING FRONTAL DEVELOPMENT REFERS TO BS5837 REGARDING THE MATURE OAK TREES FRONTING THE PLOT.

BS5837 GIVES DISTANCES FROM TREES ON DEVELOPMENT SITES. FROM THIS BRITISH STANDARD AND ASSUMING THE WORST CASE :- ie. MATURE TREE WITH TRUNK DIAMETER 750mm - NEAREST CONSTRUCTION IS TO BE 12 METRES AWAY.

THIS STILL ALLOWS FRONTAL DEVELOPMENT WITH FRONT BUILDING LINE OF NEW HOUSES INFRONT OF BACK BUILDING LINE OF MILESTONE COTTAGE.

c) APPLICATION STATES SURFACE WATER BY SOAKAWAYS. THIS IS NOT ACCEPTABLE FOR PLOTS 7, 8, 9, 10 AND PROBABLY 5 & 6. THERE IS A HIGH WATER TABLE AND THE LAND HAS FLOODED EVERY YEAR, DURING THE WINTER, FOR THE LAST 20 YEARS.

TAKING THIS INTO CONSIDERATION IT IS PROBABLY NOT A GOOD IDEA TO BUILD ON THE PLOT, MORE THAN HALF WAY DOWN.

d) BRYANT/SLOUGH STATE THAT THEY ARE INTENT ON ENSURING THE WELL BEING OF IMPORTANT INDIVIDUAL TREES BUT HAVE ALLOWED THE OAK TREES FRONTING THE PLOT TO DETERIORATE. THE SURVEY

CARRIED OUT LAST YEAR BY BRYANT/SLOUGH STATED THAT THE OAK TREES WERE IN URGENT NEED OF ATTENTION. (8 MONTHS LATER NOTHING HAS BEEN DONE).

e) SHOULD A HOUSING DEVELOPMENT BE BUILT WITHOUT GARAGES?

f) CAN THE COUNCIL SAY WHO WOULD TAKE OWNERSHIP OF THE 3 METRE LANDSCAPED BUFFER AND CHILDRENS PLAY AREA ETC.?

g) HAS THE ROAD LAYOUT BEEN SCHEMED FOR FUTURE DEVELOPMENT?

h) WE WOULD ALSO LIKE TO POINT OUT THAT OAK TREE (1) ON THE PLAN SHOWING TREES, WAS NOT COLOURED GREEN ON THE PRINT WE REVIEWED.

IN CONCLUSION, VERY LITTLE HAS CHANGED SINCE THE SIMILAR APPLICATION WAS REJECTED AND IS STILL UNACCEPTABLE FOR THE SAME REASONS. WE WOULD ALSO LOSE ALL PRIVACY IN OUR BACK GARDEN, CONSERVATORY AND THE REAR OF THE HOUSE.

WE WOULD ASK THE COUNCIL TO CHAMPION OUR QUERIES AND ENSURE THAT ANY PERMISSION, IF GRANTED, TAKES INTO CONSIDERATION ALL POINTS & QUESTIONS RAISED.

YOURS FAITHFULLY

C M Brinsden

Susan D Brinsden

MR & MRS. BRINSDEN
MILESTONE COTTAGE.
BASINGSTOKE ROAD.
THREE MILE CROSS.
READING.
BERKS. RG7 1AX

**Mr. And Mrs. K. Badcock**
**The Pines.**
**Old Basingstoke Road.**
**Three Mile Cross.**
**Reading.**
**Berkshire. RG7 1AX**

**Telephone 0118 988 5209**

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APP | APP10
CS 035
16 FEB 2001
COPIES TO: | ACK: / FILE:

The Planning Department.
Wokingham District Council.
Shute End.
Wokingham.
Berkshire.

13th February 2001.

Dear Sirs,

**Re: Plans to erect 10 dwellings adjacent to Silchester House, Basingstoke Road, Spencers Wood - Ref. F/2001/3250**

Further to your letter informing us of the planning application as mentioned above.

Firstly, the Application has been wrongly submitted. The applicant has given false information regarding the exact plot that is under review for development.

The letter received from your office and the Orange and Green notices, on the public footpath where the plot in question is, states that it is adjacent/on the grounds to/of Silchester House, on the Basingstoke Road, at Spencers Wood. In fact, it is adjacent to Milestone Cottage, on the Old Basingstoke Road at Three Mile Cross. This has delayed my writing to you with my objections, for the simple reason the wrong information has been given to the residents who this will effect beyond comprehension, I assume, in the hope that permission will be granted to the developers before this error has been highlighted. An amended application should be submitted and the whole process start from the beginning so as to make aware to all of those who are affected, just which plot of land is in question.

As you are aware, there has been a lot of discussion about building new homes on flood plains. With the recent heavy rain and flooding in the local areas, the fields to the side and behind the plot of land in question is low lying and within the flood plain, our garden which is approximately six houses away from where the proposed development is, was under water in November and December when the fields around us could not cope with the deluge. The proposed new development land lays lower than our gardens and that of our neighbours, and will no doubt have serious flooding problems in the future. Some may say that the recent weather has been "freak conditions", but all the environmental advisers and forecasters have predicted more of the same to come in future years due to the global warming. This will lead to more flooding around our homes without adding to the problem by way of more dwellings being built.

The new homes built along Grazeley Road in recent years were also built on and around flood plains. Friends and neighbours we know had to move from their new home in Grazeley Road because the house and it's foundations were not sufficient to compensate for the flood plain and its continual movement and washing away of the sub soils. Surely, from the news reports this winter, lessons must be learnt about where we build our new homes and whether the land really is suitable for such development, without causing the new home owners, some eighteen months to two years down the road the heartache of having their homes "re-stabilised" and under pinned, their insurers paying the costs and then refusing renewal of their insurance because they have realised there will be an ongoing problem with those houses.

Apart from the location of the development on the flood plains, as residents of the Old Basingstoke Road, we have written to our local councillor, Anthony Pollock with our views and concerns regarding the parking, restrictions and considerable inconvenience to us on days when Reading Football Club are playing at home and supporters use our road as a car park. If more housing is built, then one can assume at least two vehicles per new dwelling, equals 20 more vehicles jockeying for parking, access into their new home, access to and from our road and at the junction with the A33, Basingstoke Road which at the moment is always a congested in the rush hours, and when motorists don't have to slow down for the roundabout because of a "clear road", we have to almost "play chicken" to get out of our junction before the next car comes off the roundabout at such speeds that an accident is just waiting to happen.

There must be more suitable land in and around Spencers Wood, and Three Mile Cross without subjecting us to a further ten new homes in a small cul de sac such as our road is. We would implore the committee to seriously consider the people of our cul de sac and refuse planning permission for this development.

Yours faithfully,

K Badcock

Mr. And Mrs. K. Badcock.

F/2000/3321
Location: Land Rear of 20-34 Grazeley Road, Three Mile Cross, Reading
Proposal: Proposed erection of 29 dwellings and demolition of 32 Grazeley Road
Observations: We are concerned about the serious drainage problems in the area and feel that measures must be taken to ensure minimum detriment to existing residents.

We are also concerned about the increased generation of traffic onto Grazeley Road and its inadequate junction with the Basingstoke Road, the latter of which at times is heavily congested.

We request information on any planning obligations and conditions in respect of Section 106 agreement and in respect of any planning obligations the parish council would like the district or parish to be granted ownership of the designated open space to prevent development of the backlands.

F/2001/~~3321~~ 3250
Location: Land at Silchester House, Basingstoke Road, Spencers Wood
Proposal: Proposed erection of ten dwellings with associated access road and parking
Observations: We express concern on the following points:

- It is sited in a location, which is susceptible to flooding.
- No provision has been made for vehicle parking within the close.
- Any Tree Preservation Orders will be respected.
- The ownership and maintenance of the 3-metre landscape buffer to the south
- In respect of any planning obligations the parish council would like the district or parish to be granted ownership of the designated open space, to prevent future development of the backlands.
- The site is in Three Mile Cross and not Spencers Wood.

✓ CH
19/2/01

Carol

Pl. can you get this changed - i.e. location to / land adjacent to Milestone Cottage. + servant removed notice re-notify etc. paid etc. also I need a new green notice - see Dan - all to appear before committee on 2/3 at latest. Thanks Angi

7001/3250

Angela,

As everyone seems to be getting there knickers in a knot about this site I've asked for a 3rd lot of neighbour letters to be issued with a map included showing the location as well. The site address will read as follows;

Land adjacent to Milestone Cottage
Basingstoke Road
Three Mile Cross
Reading

Sorry about that

Ian.

# WOKINGHAM DISTRICT COUNCIL

To _____

Date _____ Time _____

## WHILE YOU WERE OUT

Name _____

Of _____

Phone No. _____ Ext. _____

| | | | |
|---|---|---|---|
| Phoned | | Please call back | |
| Called to see you | | Will call back | |
| Wants to see you | | Urgent | |

MESSAGE _____

_____

_____

_____

_____

_____

Signed _____

Tel. (0118) 974 6445

Date: 26 February, 2001

Your Ref:

My Ref: Angela Odell
F/2001/3250

Example letter
Sent to Mr Ingham with map
Ian
26/2/2001

The Owner / Occupier
WALMER
BASINGSTOKE ROAD
THREE MILE CROSS
READING
RG7 1AX

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

Dear Sir/Madam

**Application Number:** F/2001/3250
**Site Address:** Land Adjacent To Milestone Cottage, Basingstoke Road, Three Mile Cross Reading.
**Proposal:** Proposed erection of ten dwellings with associated access road and parking..

There appears to have been some confusion as to the location of the site relating to the above mentioned planning application, the address has been amended and a location plan is also enclosed with this notification.

If you wish to see the plans and other details submitted you can do so at the District Council Planning Services reception at the offices in Shute End, Wokingham from 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.00 Friday, **or** at Woodley Library, Headley Road, Woodley from 9.30am to 7.00pm Monday, Thursday and Friday, 9.30am to 5.00pm Tuesdays and 9.30am to 1.00pm Saturdays. The library is closed all day on Wednesdays. **If you intend to view this application at Woodley Library please allow 4 days from the date of this letter for delivery of plans.**

If you have any comments you would like to make before the application is determined, please reply in writing within 21 days from the date of this letter quoting Application Number **F/2001/3250** . Your comments will be considered by the planning officer before a decision is made and will be summarised in the committee report if the application is decided by committee. Where an application is to go to committee you will be told of the date and given the opportunity to speak at the meeting. All those making comments will be notified of the decision when it is made.

**You can also make comments using the District Councils web site at *www.wokingham.gov.uk* , look under Planning.**

Please note that all comments made will be open to public inspection and should you have any queries regarding this application please contact the planning officer, **Angela Odell**, on **(0118) 974 6445**.

Yours faithfully,

*John Mitchell*

John Mitchell
Development Control Manager

A/2001/3250

26/2/2001

THERESA,

CAN TO RE-NOTIFY ALL NEIGHBOURS ON THIS APPLICATION - DON'T USE THE NORMAL NEIGHBOUR LETTER BUT USE A SPECIAL ONE I'VE SET UP CALLED 3250. CAN YOU ALSO SEND A COPY OF THE LOCATION PLAN (ATTACHED) WITH EACH NOTIFICATION.

To

Ian.

Sam.

26-02-01

B.

1327

# WOKINGHAM DISTRICT COUNCIL

To _____

Date _____ Time _____

## WHILE YOU WERE OUT

Name _____

Of _____

Phone No. _____ Ext. _____

| | | | |
|---|---|---|---|
| Phoned | | Please call back | |
| Called to see you | | Will call back | |
| Wants to see you | | Urgent | |

MESSAGE _____

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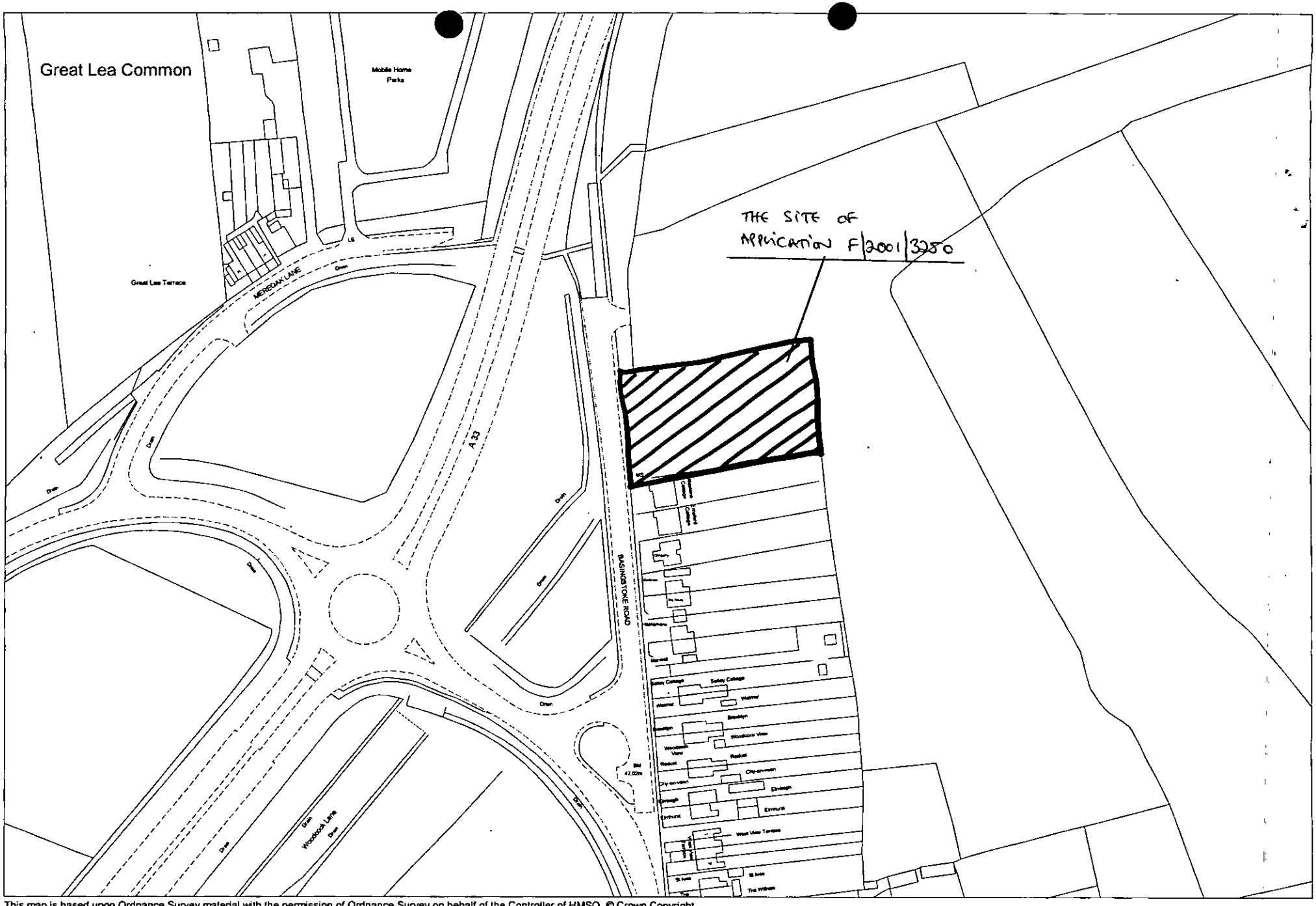
Signed _____

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Central Support Section, Environmental Services, Wokingham District Council.

26 February 2001

Scale: 1 : 2000

N W E S

974-6330

**HIGHWAYS CONSULTATION SHEET**

**From:** Angela Odell **Date:** 01 February 2001

**Application Number:** F/2001/3250

**Proposal:** Proposed erection of ten dwellings with associated access road and parking.

**Parish:** SHINFIELD PARISH

**Site Address:**
Land At Silchester House, Basingstoke Road, Spencers Wood, Reading.

**Applicant:**
Bryant Homes Technical Services Ltd Slough Properties Ltd C/O HGP Planning Consultancy.

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).

Comment

The highway authority are aware of our previous conditional approval for 6 dwellings at this site. However it is considered that a further increase in movements of approximately 67% at the junction Old Basingstoke Road with Basingstoke Road would be unacceptable and therefore detrimental to highway safety. The highway authority therefore recommend refusal for the following reason:-

- The proposed development would generate considerable additional traffic into and out of a busy local distributor road, this would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic.

**Signed:** _____ **Print name:** _____

ADAM COFFINS 20/03/01

**Policy and Plans Consultation**

Location: Land at Silchester House, Basingstoke Road, Spencers Wood.

Proposal: Erection of 10 Dwellings with Associated Access Road & Parking.

Application Number: F/2001/3250

Applicant: Bryant Homes Technical Services Ltd/Slough Properties Ltd c/o HGP Planning Consultancy.

---

Potentially the following policies in the Wokingham District Local Plan Deposit Draft (WDLPDD) could apply to the site:

Policy WOS1: Sustainable Development
Policy WOS2: General Development Principles
Policy WOS3: Development Control Principles
Policy WLL7: Landscape & New Development
Policy WLL8: The Protection & Management of Features in the Landscape
Policy WBE1: Development in its Local Context
Policy WBE11: Protection of Trees & Woodland
Policy WH1: Housing Development – Unidentified Sites
Policy WH6: Variety of Housing
Policy WT1: Location of Development
Policy WT2: Access to Development
Policy WT4: Environmental Aspects of Traffic

The application conforms with Policy WOS2 since the site is located within the 'identified settlement' of Spencers Wood, and therefore there is a general presumption in favour of development. However, it conflicts with Policy WOS1 (i) and WOS5 (a), which encourage development on brownfield sites in preference to greenfield. The proposal is also on the edge of the settlement and should not visually intrude into the adjoining countryside and Green Gap. The development needs to provide measures for the protection and enhancement of the existing settlement boundary through new trees and hedgerow planting in accordance with Policy WLL7.

Furthermore, the proposal should be tested against Policy WOS1, WOS3, WLL8, WBE1, WBE11, WH1, WT1, WT2 and WT4. The application should not lead to an adverse affect on the character and appearance of the area, particularly to the setting of the settlement or result in the loss of trees protected by Preservation Orders. It should have satisfactory access and be well served by public transport, should not effect the flow of traffic along Basingstoke Road and be close to existing local facilities.

In addition, the site lies to the south of the M4 at Reading, and is therefore covered by Policy H3 of the Structure Plan. It is in this area where the Council is examining the capacity of the settlements to accommodate the housing required by Policy H3.

It is also important to consider PPG3 (2000), which stresses the importance of sustainable development, and states that the Government's objective is to '*promote more sustainable patterns of development and make better use of previously-developed land, the focus for additional housing should be existing towns and cities*' (paragraph 1). It goes on to say that local authorities should give priority to re-using previously-developed land in urban areas, empty homes and conversions in preference to the development of greenfield sites (paragraph 2). These aims are repeated at paragraph 21, 22, 26, 30, 31, 32, 40, 41, 65, 67 and 69, indicating the level of importance given to minimising the amount of greenfield land that needs to be developed. Paragraph 30 states that in identifying sites for allocation, local authorities should *'follow a sequence, starting with the re-use of previously-developed land and buildings within urban areas identified by the urban housing capacity study, then urban extensions, and finally new development around nodes in good public transport corridors'*. The site is located within the settlement boundary, however, it would not be classified as re-use of previously developed land.

Followimg the new.PPG3, the Environmental Services Committee resolved, on 12 June 2000, to include the agreed density policy in the District Local Plan, as soon as the local plan process permits, and to adopt that policy for the purpose of development control as soon as possible. In summary the new draft policy on density requires that no residential development shall be permitted at a net density of less than 30 dwellings per hectare on sites over 0.3ha located within the settlement boundary, subject to such a density not compromising the quality of the environment. The development of 10 dwellings on this site produces a lower density than that required by the new policy. However, the proposal conforms with Policy WH6, which encourages small (one, two and smaller three bedroomed) dwellings.

Andrew Astin
Policy & Plans
05/02/01

# WOKINGHAM DISTRICT COUNCIL

## MEMORANDUM

| PLANNING SERVICES | HPT 39728 |
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| DC | ENF |
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| CS | |
| 09 FEB 2001 | |
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| | FILE: |

From: John Mullaney
Environmental Health

My Ref:

To: Angela Odell
Planning

Your Ref:

Date. February 7, 2001

---

**PROPOSED: ERECTION OF 10 DWELLINGS WITH ASSOCIATED ACCESS ROADS AND PARKING**

**LOCATION: LAND AT SILCHESTER HOUSE, BASINGSTOKE ROAD, SHINFIELD**

These proposals have been evaluated and I have no environmental health objections to the application but would recommend the following conditions be attached should planning consent be granted:

Standard planning condition: C070 and C170 and the following condition:

Development shall not begin until a scheme for protecting the proposed dwellings and gardens/private amenity open space from noise from road traffic adjacent to the proposed development has been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be completed before any dwelling hereby approved is occupied. The approved scheme shall be retained and maintained for the duration of the use.
Reason: To ensure that the occupants do not suffer from unacceptable high noise levels within the proposed dwellings and garden areas.

John Mullaney

**JOHN MULLANEY**
**SENIOR ENVIRONMENTAL HEALTH OFFICER**
**ENVIRONMENTAL PROTECTION AND HOUSING**

**Our ref:** SP\2001\003117\001
**Your ref:** F/2001/3250

**Date:** 23rd February 2001

ENVIRONMENT AGENCY

PLANNING SERVICES 40357

POL
DC
APP
CS
26 FEB 2001
COPIES TO:
ACK:
FILE:

District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
Po Box 157
Wokingham
Berkshire
RG11 1BN

For the attention of: Angela Odell

Dear Sir/Madam

**ERECTION OF 10 DWELLINGS WITH ACCESS ROAD & PARKING LAND AT SILCHESTER HOUSE, BASINGSTOKE ROAD, SPENCERS WOOD**

Thank you for your letter dated 1 February 2001 which was received on 5 February 2001. You are asked to quote the following reference in any correspondence: SU76NW/17/7. 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**: Surface water source control measures shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before development commences.
**REASON**: To prevent the increased risk of flooding and to improve water quality.

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

**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 required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from

Cont/d..

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

buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. *Contact Andrea Szabados on 01276 45 4373 for details.*

**ADVICE TO PLANNING AUTHORITY**

**Development Control: Contact Amanda Reed on 01276 45 4331**

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.

There are alternatives to conventional storage for the control of surface water run-off that are favoured by the Environment Agency where ground conditions are suitable and groundwater is not at risk. These techniques not only cater for flood peak attenuation, but may also improve water quality and enhance the environment. Such systems include permeable pavements, grassed swales, infiltration trenches, ponds and wetlands. The developer is advised to discuss with the Agency how these techniques might be applied at this site.

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

**ADVICE TO APPLICANT**

**Environment Protection: Contact Nick Weddell on 01276 454405**

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

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

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. A copy of this letter has been sent to the agent/applicant. If you have any further queries

Cont/d..

please do not hesitate to contact me on 01276 454323, quoting the reference cited at the beginning of this letter.

Yours faithfully

**Sarah Paxman**
**Development Planning Officer**

cc: HGP Planning Consultancy, Furzehall Farm, Wickham Road, Fareham PO16 7JH

THAMES VALLEY
POLICE

P.C. Dave STUBBS
Crime Prevention Design Adviser
(Berks)
Thatcham Police Station
20, Chapel Street
Thatcham, BERKS.
RG18 4QL
Tel 01635 295156
Fax 01635 295126

| | | |
|---|---|---|
| PLANNING SERVICES | HPT | 4045 3 |
| POL | TLS | |
| DC | ENF | |
| APP | | |
| CS | | |
| 28 FEB 2001 | | |
| COPIES TO: | ACK: | |
| | FILE: | |

Date 23rd February 2001

For 'Secured by Design' standards and application forms
Visit the 'SBD' website at :-
www.securedbydesign.com

Mrs. A. Odell
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
BERKS.
RG40 1WR

Your Ref. 3250

Dear Mrs. Odell

## Silchester House, Basingstoke Rd. Spencers Wood.

Thank you for the details of this application.

I would very much like to see windows in the gable ends of plots 6 & 7 (as there are on other gable ends in this development), to give some surveillance over the parking hidden in the corner.

I would also have reservations about the children's play area against the fence of plot 10. Even if this only has equipment for very small children, these areas often become colonised by older youths during the later evening, with consequent noise, litter and loss of amenity to nearby residents and often causing avoidance by the legitimate users due to broken glass, discarded drug debris etc.

**In the light of the duty on local authorities to do all that they reasonably can to prevent crime & disorder under Section 17 of the Crime & Disorder Act 1998, the crime risks that this proposal faces include car crime, burglary and anti-social behaviour related to the 'play area'.**

**The council can help to discharge its duty in respect of its planning function under Sec. 17 by taking the above comments into account when arriving at its decision.**

I trust this will be of assistance and thank you for your consultation.

Yours sincerely.

Dave Stubbs

P.C. Dave STUBBS
Thames Valley Police
CPDA. (Berks.)

**TO:** **DEVELOPMENT CONTROL**
Angela Odell

FROM: Environmental Design

DATE: 8 February 2001

| | |
|---|---|
| Location: | Land at Silchester House, Basingstoke Road, Spencers Wood, Shinfield |
| Proposal: | Proposed erection of ten dwelling with associated access road and parking |
| Application Number: | F/2001/3250 |

In response to your consultation dated 1 February 2001 for the above application, the tree and landscape comments are as follows:

In general I have no objection to the proposals. All the TPO'd trees are shown to be retained with the proposed dwellings being built outside the minimum distances required for tree protection as stated in BS5837. My only concern is that there is insufficient room for planting additional plants or retaining the existing vegetation on part of the northern boundary where the access road turning head appears to be constructed up to this boundary. It is suggested the road is redesigned to allow adequate room for planting along this boundary especially as the site is adjacent to countryside designated as a green gap.

The applicant will need to submit a detailed landscape scheme for the site showing the location of all new planting, existing vegetation to be retained, full species name of trees and shrubs to be planted, planting densities and size of plant at time of planting.

Catherine Brimble

Catherine Brimble
Landscape Architect

**Received by Wokingham District Council**

# Application No: F/2001/3250

**Proposal:**
Proposed erection of ten dwellings with associated access road and parking.

**Location:**
Land Adjacent To Milestone Cottage, Basingstoke Road, Spencers Wood, Reading.

**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 Angela Odell P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 25/02/2001. 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**

**20 February 2001**

# Wokingham District Council
# Planning Application

**Town and Country Planning (General Development Procedure) Order 1995 – Notice under Article 8**

**AND/OR**

**Planning (Listed Buildings and Conservation Areas) Regulations 1990 and Planning (Listed Buildings and Conservation Areas) Act 1990**

## Application No: F/2001/3250

**Proposal:**
Proposed erection of ten dwellings with associated access road and parking.

**Location:**
Land At Silchester House Basingstoke Road Spencers Wood Reading

**This application is being advertised in the Reading Chronicle newspaper on the 16/02/2001 for the following reason(s);**

**PROPOSAL IS A MAJOR DEVELOPMENT**

The application can be inspected 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)

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Angela Odell P.O. Box 157 Council Offices, Shute End, Wokingham, Berkshire, RG40 1WR to arrive before **09/03/2001**. 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 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.**

**Date: 16/02/2001**

**Received by Wokingham District Council**

# Application No: F/2001/3250

**Proposal:**
Proposed erection of ten dwellings with associated access road and parking.

**Location:**
Land At Silchester House, Basingstoke Road, Spencers Wood, Reading.

**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 Angela Odell P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 25/02/2001. 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**

**01 February 2001**

HGP PLANNING CONSULTANCY

Town Planning Consultants
to the Private & Public Sector

30 JAN 2001 * 3250

Mrs Angela Odell
The Planning Department
Wokingham District Council
Council Offices
Shute End
Wokingham
Berkshire
RG40 1BN

SJ/vn/00.P087
15th January 2001

Dear Mrs Odell

**LAND OFF OLD BASINGSTOKE ROAD, SPENCERS WOOD**

Please find enclosed the forms, plans and fee seeking the re-development of the Silchester House site off Old Basingstoke Road. Obviously your comments of the 6th November 2000 on the proposed layout have been carefully considered before submitting this application. However, given that the whole site, rather than just its frontage, is within the settlement boundary and the necessity in both policy and environmental terms of retaining the mature trees on the site's frontage, my clients believe the proposals can be considered consistent with both Local Plan policies and objectives.

The accompanying design statement seeks to clarify the principles upon which the proposals were based, but if further discussions with regard to design or other issues would be of assistance in reaching a favourable decision, I would, of course, be grateful for the opportunity to meet with you.

Yours sincerely

Sylvia Jezeph

**SYLVIA JEZEPH**

enc

cc David Llewelyn Morris Esq – Bryant Homes Limited

Furzehall Farm, Wickham Rd, Fareham, Hants, PO16 7JH.
Telephone 01329 220224. Facsimile 01329 282380.
Email: admin@hgppc.co.uk Website: www.hgppc.co.uk

Directors: Jonathan Kamm BA DipTP MRTPI (Managing); Martin Hawthorne BSc(Hons) MRTPI; Paul Evans DipARch (Dist Thes) DipTP RIBA MRTPI; Nigel Schoolcraft ACCA
Associates: Sylvia Jezeph, Mark Carrington BSc (Hons) DipTP(Dist) MRTPI
BSI Quality Assurance: ISO 9001/BS5750 Registered Firm No: FS26663 VAT Registration No. 582960331
Reg. Office: HGP Planning Consultancy Limited, Furzehall Farm. Registered in England Reg. No: 2066641

HGP PLANNING CONSULTANCY

Town Planning Consultants
to the Private & Public Sector

30.JAN.2001* 3250 30 JAN 2001

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

SJ/vn/00.P087
29th January 2001

For the attention of : Mrs Hurst

Dear Sir

**PLANNING APPLICATION**
**LAND OFF OLD BASINGSTOKE ROAD, SPENCERS WOOD**

With reference to your letter of 24th January 2001, please find enclosed a signed Certificate B to replace that originally issued.

The Notice has been sent under separate cover to your Chief Executive.

Drawing no 00.P087.04 has been revised to show the end of terrace window as requested, and the handed side elevation.

I look forward to receiving confirmation of registration.

Yours faithfully

**SYLVIA JEZEPH**

Furzehall Farm, Wickham Rd, Fareham, Hants, PO16 7JH.
Telephone 01329 220224. Facsimile 01329 282380.
Email: admin@hgppc.co.uk Website: www.hgppc.co.uk

Directors Jonathan Komm BA DipTP MRTPI (Managing) Martin Hawthorne BSc(Hons) MRTPI. Paul Evans DipARch (Dist Thesis) DipTP RIBA MRTPI. Nigel Schoolcraft ACCA
Associates: Sylvia Jezeph, Mark Carrington BSc (Hons) DipTP(Dist) MRTPI, Robin Shepherd BSc (Hons) DipTP MRTPI
BSI Quality Assurance: ISO 9001/BS5750 Registered Firm No: FS26663 VAT Registration No: 582960331
Reg. Office: HGP Planning Consultancy Limited. Furzehall Farm. Registered in England Reg No: 2066641

# WOKINGHAM D.C. DEVELOPMENT CONTROL

| | |
|---|---|
| Start date: ~~17 JAN 2001~~ Valid 30 JAN 2001 | Map No. 71 Site 0.37 |
| Officer: AO / Application No. F/2001/3250 | Easting: ..... Flood Pln ..... |
| | Northing: ..... Mineral ..... |

Level: ☑ Sub Committee ☐ Delegated ☐ Sec. State

☐ Incorrect Fee ☐ Invalid ☐ PD

Description:
(F) PROPOSED ERECTION OF 10 DWELLINGS WITH ASSOCIATED ACCESS ROAD & PARKING

Location: SILCHESTER HOUSE ~~&~~ BASINGSTOKE ROAD

Parish: SHINFIELD Ward: SHINFIELD 01.02.01

Applicant: BRYANT HOMES TECHNICAL SERVICES LTD / SLOUGH PROPERTIES LTD

Fee Received 1900-00 (3) 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 | ~~Section~~ | | ✓ 30 JAN 2001 |
| 5 | Elevation plans | Other side elevation plots 1 – 6.? | 24/1 | ✓ |
| 6 | Floor plans | Windows shown in side elevations but not in floor plans, Plots 1-6. | 24/1 | ✓ |
| 7 | Metric scale disclaimer | | | |
| 8 | Encroachment letter | | | 30 JAN 2001 |
| 9 | Miscellaneous | New access onto Basingstoke Rd. Serve notice on WDC? – Section 66 Cert B ? | 24/1 | ✓ |

APPLN NO. _____

## ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .... Major development ✓ 21.02.01.

---

Date Site Notice Sent : 21.02.01.. Parish Council Informed - YES / NO

### INTERNAL CONSULTATIONS

Building Control .....
Landscape ✓
Trees TPOs on site ✓
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) Mineral Site Consultation Area.
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 – new access road. ✓

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

### HERITAGE BODIES

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

---

**OTHERS:**

.....

.....

No pre-apps.

**NEIGHBOURS:**

S/N + all sites within 60m radius pls. ✓ (A3)

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

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

30 JAN 2001 ★ 3250

| | | |
|---|---|---|
| 1. | APPLICANT'S NAME | Bryant Homes Technical Services Ltd/ Slough Properties Limited |
| | ADDRESS | c/o Agent |
| | POST CODE | PHONE |
| 2. If the applicant has an agent, all correspondence will be sent to the agent | AGENT'S NAME | HGP Planning Consultancy |
| | ADDRESS | Furzehall Farm, Wickham Road, Fareham |
| | POST CODE | PO16 7JH PHONE 01329 220224 |
| 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 | Site of Silchester House, Old Basingstoke Road, Three Mile Cross, Shinfield |
| 4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used. | | Erection of 6 no two bedroom and 4 no three bedroom houses with associated access road and parking. |
| 5. Give the area in hectares or part of a hectare | AREA OF SITE | 0.36 ha |
| 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 | 00.P087.03<br>04.05, 1:1250 location plan |

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 ?

| | | | |
|---|---|---|---|
| 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. | Vacant<br>Site of Silchester House |
| 12. DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS? YES/NO XXX | 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 XX | 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. | To be agreed with LPA |
| 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. | See drawing No 00.P087.03 |
| 16. HOW WILL SURFACE WATER BE DISPOSED OF? | Soakaways |
| 17. HOW WILL FOUL SEWAGE BE DISPOSED OF? | To existing system YES/NO XX<br>If no, please give details |
| 18. WHAT ARE THE ACCESS ARRANGEMENTS?<br>AS EXISTING<br>AS PROPOSED<br>Give details of pedestrian and vehicular access | New vehicular and pedestrian access see drawing no 00.P087.03 |
| 19. HAS PROVISION BEEN MADE FOR THE DISABLED? See notes for applicants | No |

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 | 10/34 * | / * | 1/6 * |
| BUNGALOW | / * | / * | / |
| FLAT/MAISONETTE | / * | / * | / * |
| OTHER | / * | / * | / * |

*STATE No. OF HABITABLE ROOMS

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE? YES/NO XXX — 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 XX — 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. £1,900.00

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 Sylvia Logan ON BEHALF OF Bryant Homes/Slough Properties DATE 15.1.01

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) | | | | |
| B1(b) | RESEARCH AND DEVELOPMENT | | | | |
| B1(c) | LIGHT INDUSTRIAL | | | | |
| B2 | GENERAL INDUSTRIAL | | | | |
| B3-7 | SPECIAL INDUSTRIAL | | | | |
| B8 | STORAGE OR DISTRIBUTION | | | | |
| C1 | HOTELS AND HOSTELS | | | | |
| C2 | RESIDENTIAL INSTITUTIONS | | | | |
| D1 | NON-RESIDENTIAL INSTITUTIONS | | | | |
| D2 | ASSEMBLY AND LEISURE | | | | |
| OTHER | Please Specify | | | | |
| OTHER | Please Specify | | | | |
| | TOTAL | | | | |

30.JAN.2001* 3250

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

26. WHAT PROVISION IS BEING MADE FOR PARKING?

| | Cars | Lorries |
|---|---|---|
| Existing | | |
| 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.

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

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 |
|---|---|---|---|
| | | | |

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.

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".

1789/a

# SECTION 66 CERTIFICATE

Application No. 30.JAN.2001* 3250

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

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

**OR**

+ See Note (a) to Certificate A

**OR**

(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).

## 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.

## 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 |
|---|---|---|
| CHIEF EXECUTIVE WOKINGHAM DISTRICT COUNCIL | PO BOX 150 SHUTE END WOKINGHAM RG40 1BN | 29.1.01 |

## 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 |
|---|---|---|
| | | |

- 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) . . . . . .

. . . . . .

(b) Insert description of steps taken

(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 |
|---|---|---|
| | | |

Signed . . . Sylvia . . . .

On behalf of BRYANT HOMES SLOUGH PROPERTIES LIMITED

Date . . . 29.1.01

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

Site of Silchester House.

EAST SIDE

ADDRESS Basingstoke Road PARISH SHINFIELD

PLOT No. ORD. SHEET No. SU 7068 -71

BUILDER

| Plan No. | Applicant | Description of Development | Date of Decision | Decision |
|---|---|---|---|---|
| 1348/71 | Miss F King | O/L 6 Houses | 6.1.72. | N/A Ref |
| 253/72 | Miss F King | Demolish hse. erect 4 det houses + garages | 16.3.72 | N/A Ref |
| 07481 | Miss King | Dem. dwelling & erect 3 det houses garag | 19.1.78. | N/A CA |
| 14388 | Mr B Watt O/L | 12 houses & 8 garages | 20.11.80 | N/A Re |
| 12557 | " | 3 prs. maisonettes | 1.7.82 | N/A CA |
| 29046 | RENEWAL | " | 5.11.87 | CA |
| 42139 W/DR. | | | | |
| 44001 | BRYANT HOMES | 3 prs. s/det. houses | 21.4.95 | CA |
| 95/60090/X | | (6 units) GARAGES ACCESS | | |

DATE OF COMPLETION

MINISTRY DECISION 14388 - APPEAL DISMISSED - 28.1.82

SPECIAL ORDERS 29046 - LA - ISSUED - 16.1.89 TPO 664/94

DRAINAGE

091074

(2) 1933 Site of Silchester House

East side of

30.JAN.2001* 3250

ADDRESS BASINGSTOKE ROAD PARISH SHINFIELD

PLOT No ORD. SHEET No. 71

BUILDER

| Plan No. | Applicant | Description of Development | Date of Decision | Decision |
|---|---|---|---|---|
| F/1999/0259 | BRYANT HOMES/SLOUGH PROPS. | 6 dwellings x2 garages | | |

MINISTRY DECISION

SPECIAL ORDERS

APPENDIX A

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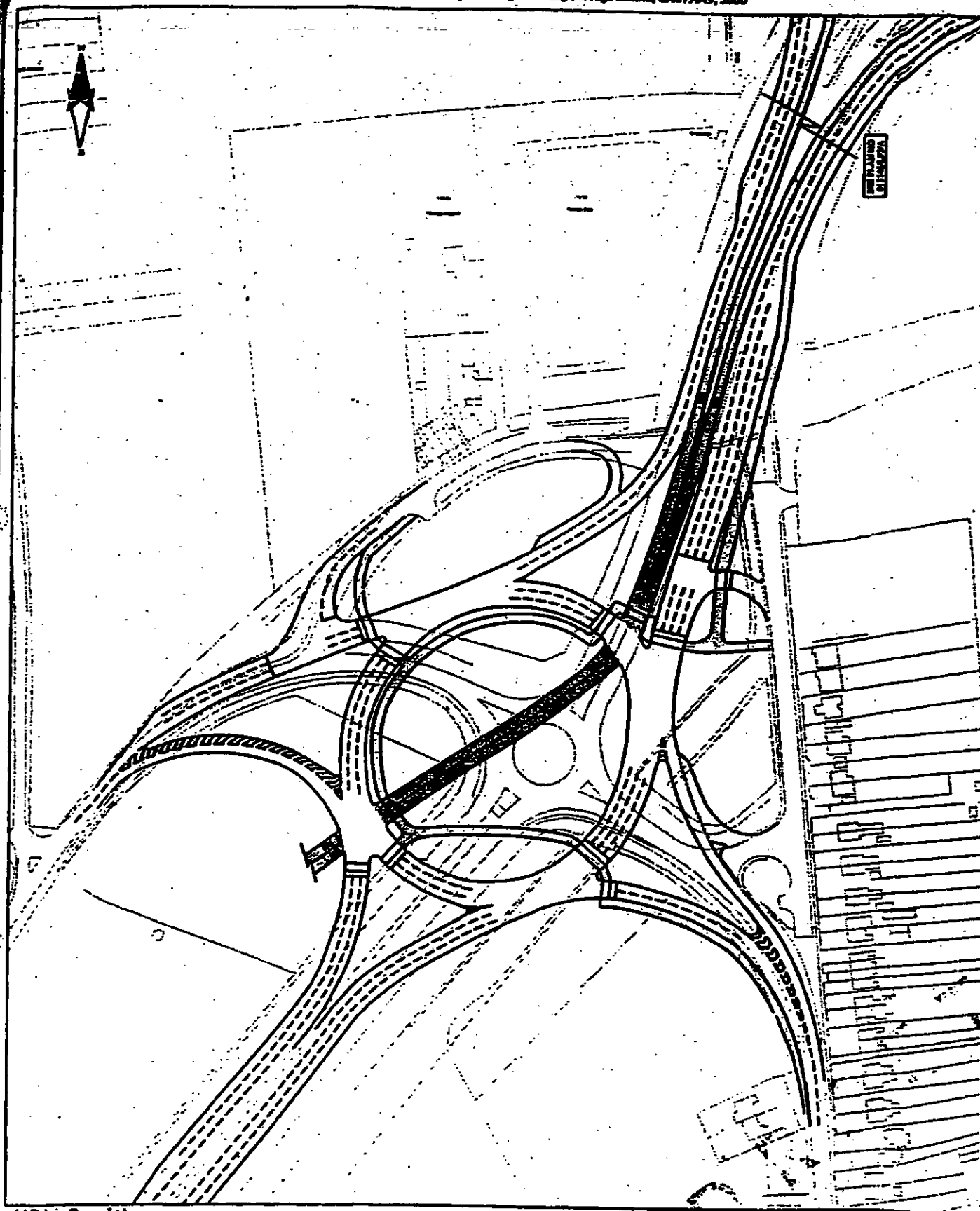
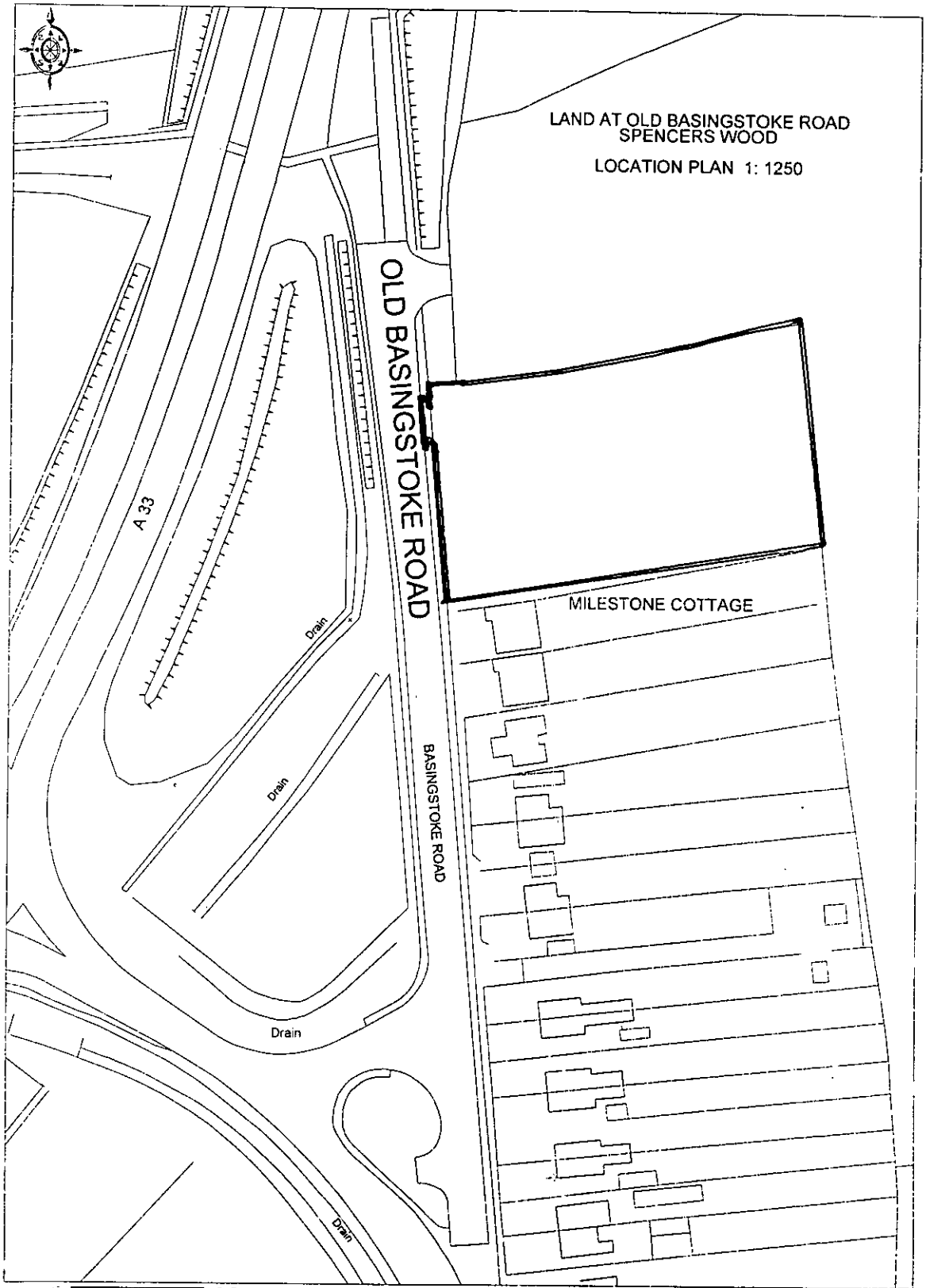


(c) Babtie Group Ltd

| | | | | |
|---|---|---|---|---|
| Client: | | project | M4 JUNCTION 11 IMPROVEMENTS | |
| | | drawing | MEREOAK GYRATORY | |
| Babtie | BABTIE GROUP<br>MULTI-DISCIPLINARY CONSULTANTS<br>SCHOOL GREEN, SHINFIELD<br>READING RG2 9HL | drawn MF | checked | approved | date 18 FEB 2000 |
| Managed Professional Services | | scale N.T.S. | | drawing no. | 013746/LP3/B |

30.JAN.2001* 5250

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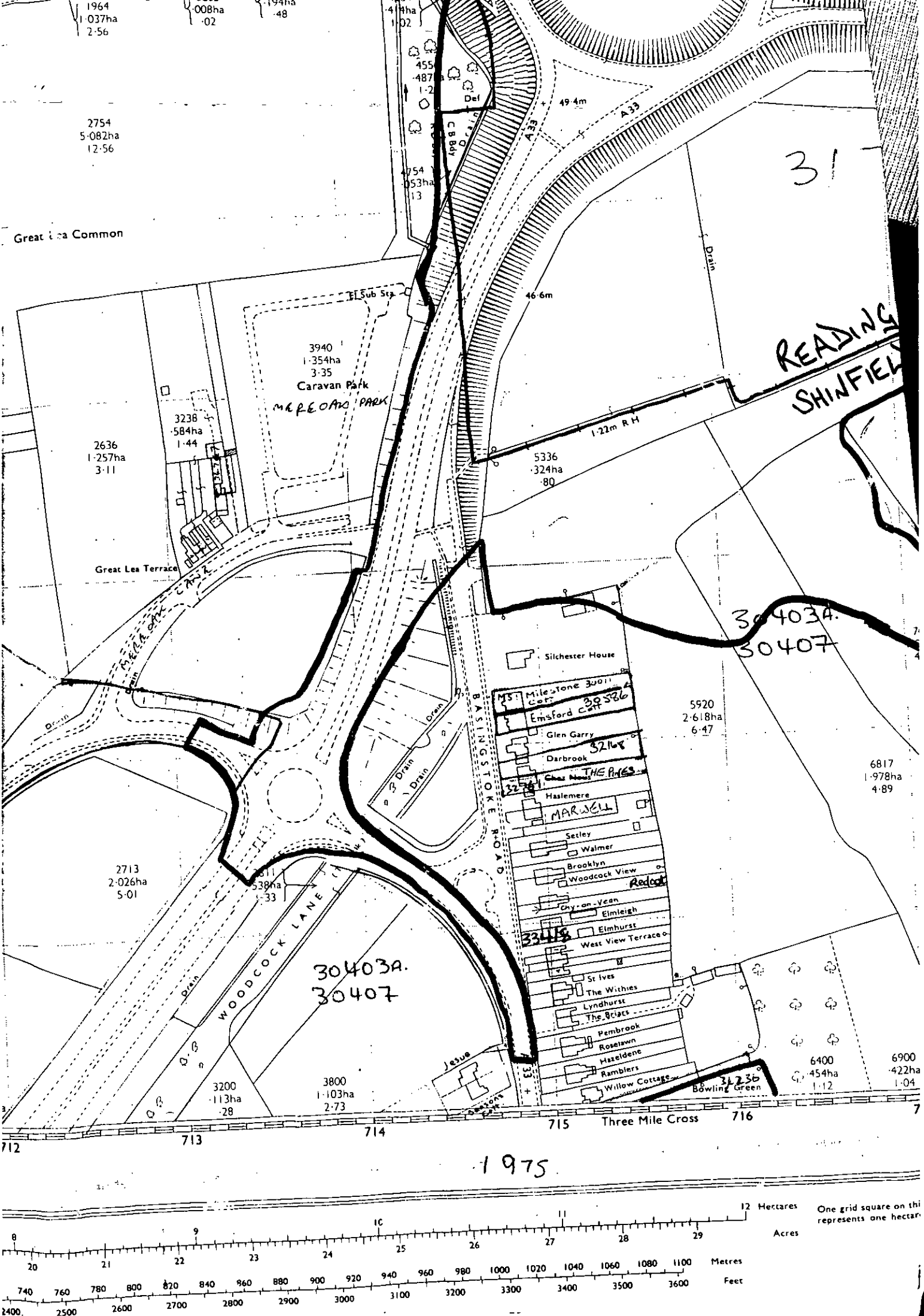
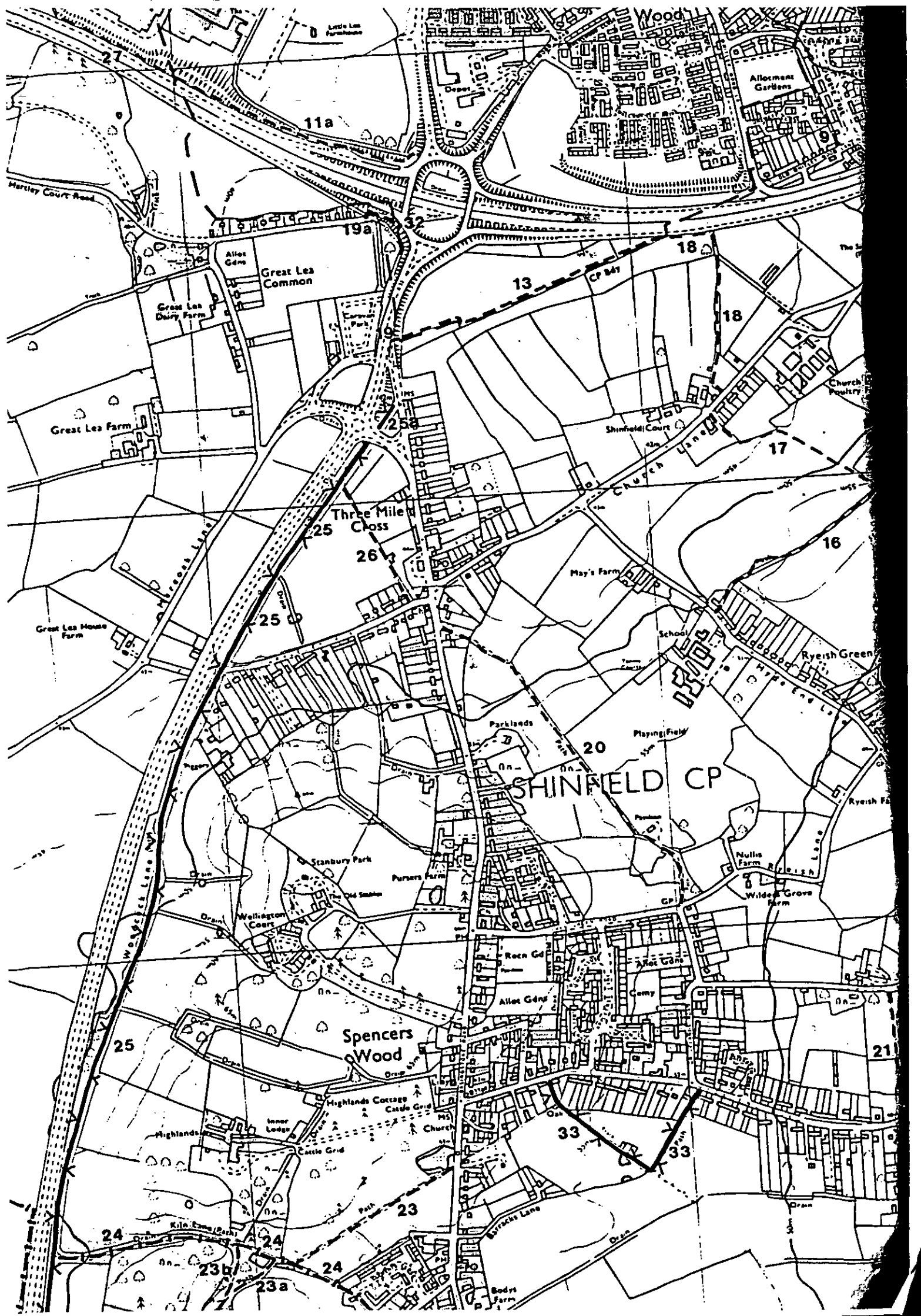
REFUSED


Great Lea Common
2754
5·082ha
12·56
1964
1·037ha
2·56
·008ha
·02
·194ha
·48
455
·487ha
1·2
Def
C B Bdy
49·4m
A33
31
Drain
46·6m
El Sub Sta
3940
1·354ha
3·35
Caravan Park
MAPLE OAK PARK
READING
SHINFIELD
1·22m R H
3238
·584ha
1·44
2636
1·257ha
3·11
5336
·324ha
·80
Great Lea Terrace
MAPLE OAK CLOSE
30403A.
30407
Silchester House
MS
Milestone 30011
Cott
30536
Emsford Cott
Glen Garry
32168
Darbrook
THE PINES
Haslemere
MARJELL
Setley
Walmer
Brooklyn
Woodcock View
Redcot
Chy-an-Vean
Elmleigh
Elmhurst
33418
West View Terrace
St Ives
The Withies
Lyndhurst
The Briars
Pembrook
Roselawn
Hazeldene
Ramblers
Willow Cottage
BASINGSTOKE ROAD
5920
2·618ha
6·47
6817
1·978ha
4·89
2713
2·026ha
5·01
2811
·538ha
1·33
WOODCOCK LANE
30403A.
30407
3200
·113ha
·28
3800
1·103ha
2·73
Jesus
Bowling Green
32236
6400
·454ha
1·12
6900
·422ha
1·04
712
713
714
715
Three Mile Cross
716
1975
12 Hectares
Acres
Metres
Feet
One grid square on thi
represents one hectar


Wood
Allotment Gardens
Little Lea Farmhouse
Hartley Court Road
Great Lea Common
Great Lea Dairy Farm
Great Lea Farm
Great Lea House Farm
Three Mile Cross
May's Farm
Shinfield Court
Church Lane
Church Poultry Farm
Ryeish Green
School
Parklands
Playing Field
SHINFIELD CP
Stanbury Park
Pursers Farm
The Old Stables
Wellington Court
Nullis Farm
Ryeish Lane
Wilder's Grove Farm
Recn Gd
Allot Gdns
Cemy
Spencers Wood
Highlands Cottage
Highlands
Inner Lodge
Castle Grid
Church
Kiln
Brackens Lane
Bodyt Farm
Drain
Path
11a
19a
18
13
CP 847
19
25a
17
25
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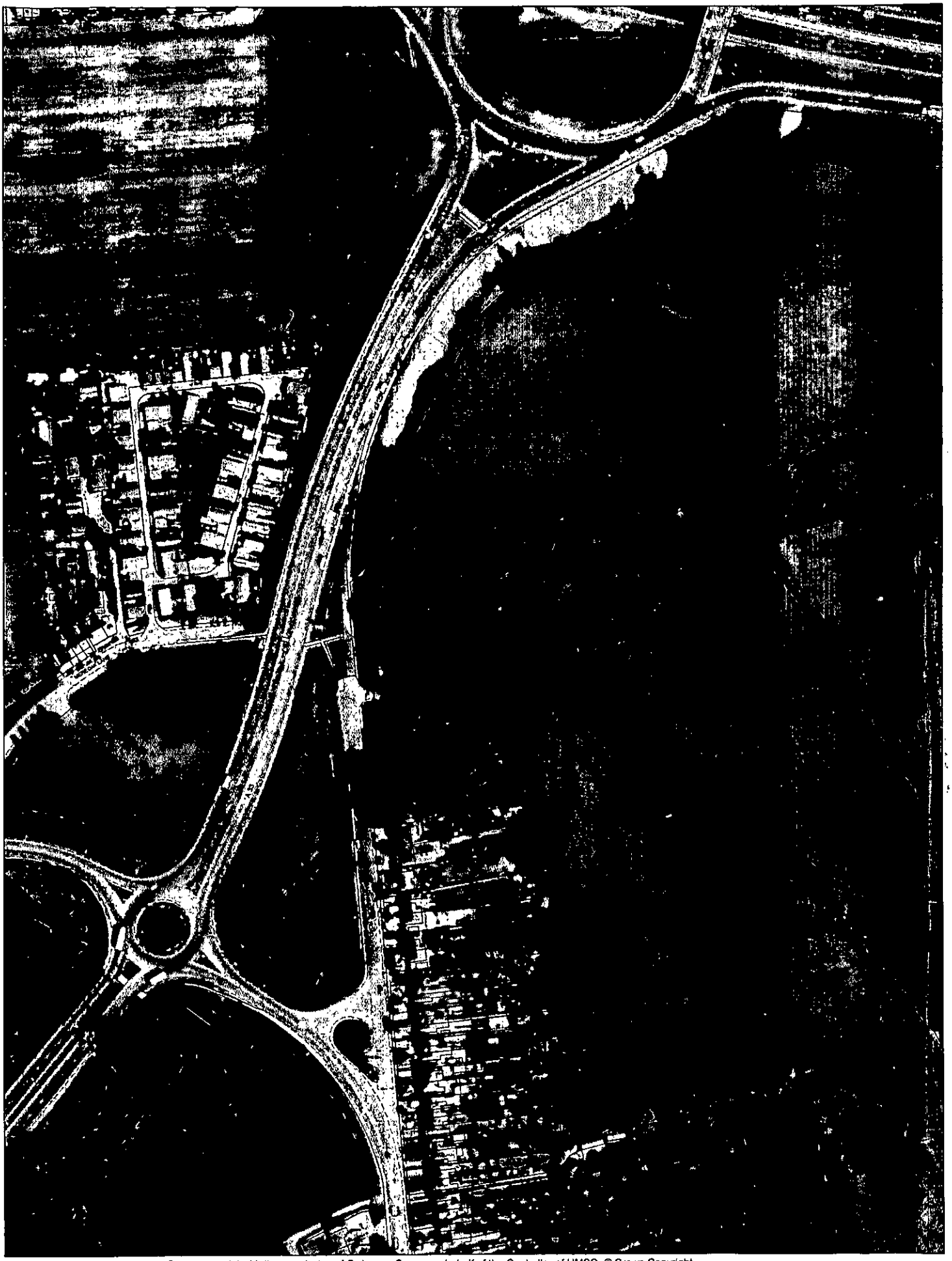
16
20
21
33
23
24
23b
23a



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Development Control Section, Environmental Services, Wokingham District Council.

26 March 2001

Scale: 1 : 2500

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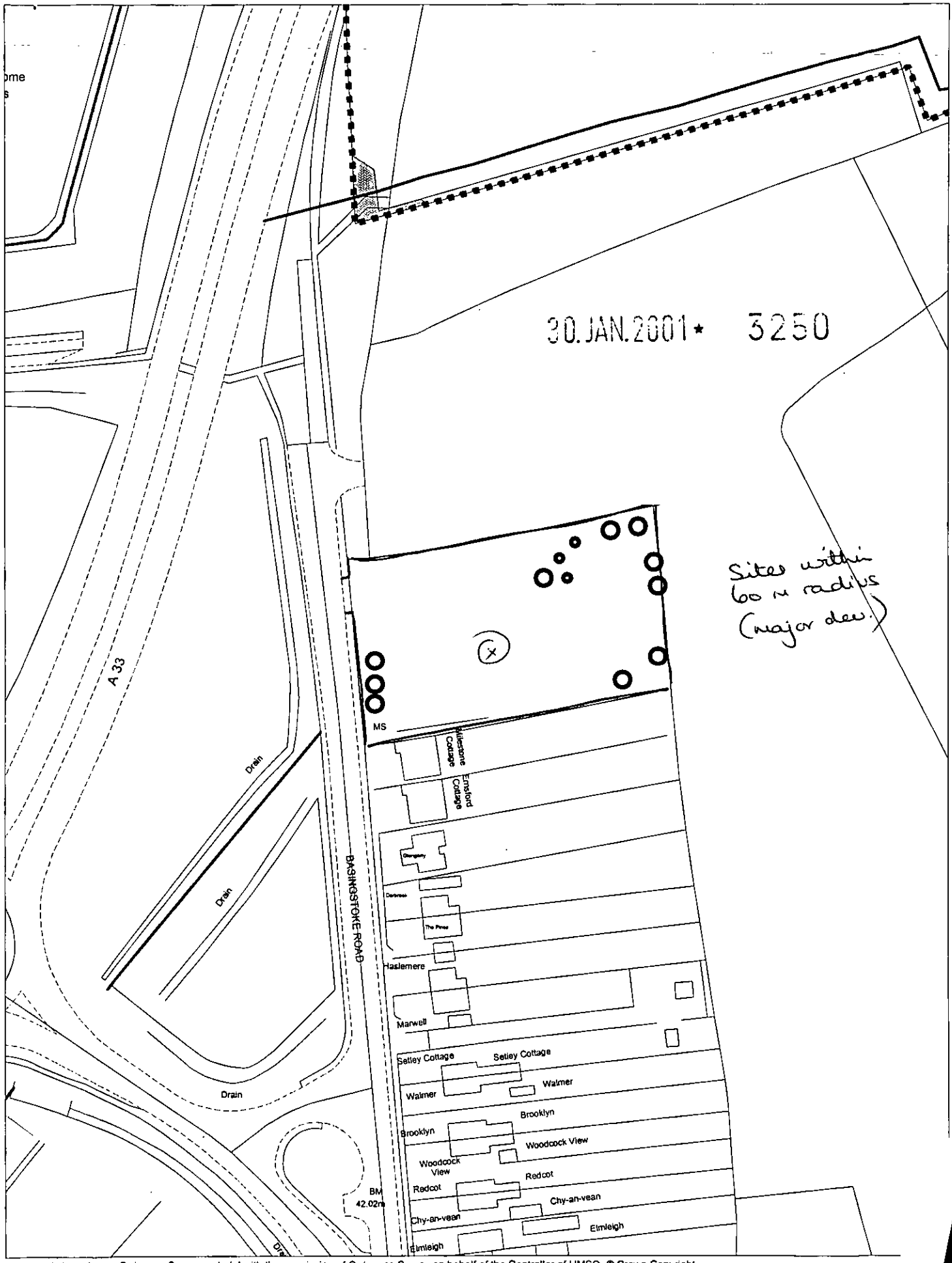
W E
S

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Development Control Section, Environmental Services, Wokingham District Council.

23 January 2001 Scale: 1 : 1250

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F/2001/3250

EDM

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Document Management

# Appeal Decision

Hearing held on 2 October 2001

**by David Wildsmith BSc(Hons) MSc CEng MICE FIHT**

**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
5 NOV 2001

**Appeal Ref: APP/X0360/A/01/1068463**
**Land adjacent to Milestone Cottage, Basingstoke Road, Three Mile Cross**

- 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 Bryant Homes Technical Services Ltd against the decision of Wokingham District Council.
- The application (Ref. F/2001/3250), dated 15 January 2001, was refused by notice dated 11 April 2001.
- The development proposed is the erection of 6 no. 2 bedroom and 4 no. 3 bedroom houses with associated access road and parking.

**Summary of Decision: The appeal is dismissed.**

## Procedural Matters

1. At the hearing the appellant submitted a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990. I discuss this matter in more detail below.

## Main Issues

2. I consider the main issues in this case are the effect of the proposal on the character and appearance of the surrounding area; on the living conditions of nearby residents with particular reference to visual intrusion, overlooking and noise and disturbance; and finally, on the safety and convenience of users of Basingstoke Road.

## Planning Policy

3. The development plan comprises the Berkshire Structure Plan 1991-2006, with Alterations adopted in 1997, and the Loddon Area Local Plan, adopted in 1995. Structure Plan policy EN1 seeks to protect and enhance the character and quality of the environment in towns, villages, and other built-up areas, and sets out criteria against which development proposals will be assessed. Amongst other matters policy LD5 explains that development will not be permitted where it is likely to give rise to serious problems of access, parking, road safety or traffic congestion. Local Plan policy LTV6 indicates that within defined settlements, areas of open land which significantly contribute to the character of a settlement will not normally be permitted. It also states that any new development will only be permitted if it is sympathetic in scale and character to the environs of the site. Under policy LBE2, development will not normally be permitted if it is inappropriate in terms of its relationship with adjoining sites and buildings, or if it would adversely affect the character of an area. Policy LT5 states that the District Council will urge the Highway Authority to take appropriate measures to promote road safety for all road users by, amongst other matters, examining the road safety implications of all development proposals. Relevant government guidance is mainly in Planning Policy Guidance 3 (PPG3): *Housing*.

4. Reference was also made to policies in the emerging Wokingham District Local Plan. Policy WH1 sets out criteria against which proposals for housing development on unidentified sites will be assessed, whilst policy WBE1 requires development to respect its local context. Finally, policy WT7 generally carries forward the objectives of adopted Local Plan policy LT5. This Plan is at a relatively advanced stage of preparation, with the Inspector's report into objections having recently been published. I therefore regard these policies as material considerations of some importance.

**Reasons**

***Effect on character and appearance***

5. The Council is not opposed to the principle of residential development on this site, which lies just inside the northern settlement boundary of Three Mile Cross, and which used to accommodate a house and outbuilding but now lies vacant and overgrown. Indeed proposals for 6 semi-detached dwellings along the frontage have been approved and renewed in the past, the last occasion being in 1995. It was during discussions arising from a proposal to renew this permission in 1999 that the Council's Landscape Architect requested certain modifications, in order to avoid a number of mature trees along the road frontage which are protected by a Tree Preservation Order (TPO). This prompted the appellant to consider alternative ways of developing the site, and as a result the current scheme was submitted, proposing 10 houses in 3 terraces, with no frontage development, but rather with development extending well to the eastern site boundary served by a new access road. Protected and other important trees within the site would be safeguarded.

6. The Council acknowledged the need to maximise the use of previously developed land, but took the view that the form of development proposed would not relate satisfactorily to the existing residential development to the south, or to the open countryside lying generally to the north and east of the site. In particular it contended that development in depth, as opposed to the frontage style of development always pursued in the past, would constitute an unduly prominent and urbanising feature when viewed from open countryside, particularly as there is a public right of way some 90m north of the site, separated from the site by open fields. Similar opinions were expressed by the local Ward Councillor, and by a representative of the Parish Council. However, whilst I acknowledge that frontage development is indeed the dominant form of development in this part of Three Mile Cross, I am not persuaded that the form of development proposed would be unacceptable.

7. In my opinion the protected trees along the road frontage would provide quite effective screening of any buildings on the site, particularly of the first floor and above, and because of this I consider that there would be a similar impact on the street scene, whether frontage development or development in depth were undertaken. I also saw that there is fairly dense planting, in the form of trees and hedging, along the northern and eastern site boundaries. In my opinion this would provide appreciable screening to the proposed dwellings, and views from the nearby public footpath, which I walked at my inspection, would be shielded both by this boundary planting and also by intervening field boundary planting. Furthermore, it is clear that the principle of development in depth has already been accepted in Three Mile Cross, as I saw that a sizeable area of housing has been completed on what were previously long rear gardens, with a further area of such development still in progress, some little distance away at Grazeley Road. Whilst I acknowledge that this development site is not at the extreme edge of the village in the same way that the appeal site is, it nevertheless abuts open countryside to the south.

8. Taking all the above points together, I have reached the conclusion that the appeal proposal would not have an adverse effect on the character and appearance of the surrounding area. In my opinion it would therefore not be in conflict with the relevant objectives of the adopted and emerging development plan policies to which I have referred.

***Effect on living conditions***

9. The Council maintained that the visual effect of development running to the rear of this deep site would be intrusive to residents of a number of houses along Basingstoke Road. I saw, however, that the boundary between the appeal site and Milestone Cottage, the residential property which lies immediately to the south, comprises lengths of screen wall and wooden fencing, together with fairly tall conifers and other trees and hedging, much of which lies within this neighbouring property. In addition to this relatively dense screening, I noted that there would be an appreciable distance between the new dwellings, and viewpoints from most other houses and gardens. As a result it is my opinion that although the outlook from these other properties would undoubtedly change as a result of this proposal, this change would not be unacceptably harmful.

10. The Council was also concerned that activity associated with the manoeuvring and turning area adjacent to the boundary with Milestone Cottage, coupled with what it described as relatively short rear gardens to plots 1-6, would generate noise and disturbance and thereby adversely affect the quiet enjoyment of existing nearby rear gardens. However, the gardens referred to would be the generally accepted length of 10.5m, and would be backed by a further 3m wide landscape buffer. I accept that the landscaping in this buffer may well take several years to fully mature, but the existing vegetation along this boundary, coupled with the fact that there is only a small, circular obscure-glazed window on the side elevation of Milestone Cottage facing the appeal site, means that in my opinion there would be an adequate separation distance to ensure that no unacceptable overlooking or loss of privacy would arise. For similar reasons it is my judgement that the parking and manoeuvring area associated primarily with plots 6 and 7, would not generate so much activity that it would give rise to a significant increase in noise and disturbance affecting the occupiers of Milestone Cottage, or other nearby dwellings.

11. In view of all the above points I conclude that the proposal would not have an adverse impact on the living conditions of nearby residents, through visual intrusion, noise and disturbance, or loss of privacy. It would not therefore be in conflict with the relevant objectives of the adopted and emerging development plan policies already referred to.

***Effect on safety and convenience***

12. The cul-de-sac serving the appeal site and some 14 other dwellings links to the main section of Basingstoke Road by means of a priority junction, located some 60m south-east of the Mereoak roundabout with the A33 Trunk Road. The speed limit on Basingstoke Road at this point is 40mph, but the road becomes de-restricted some 20m or so to the north. It was accepted by both parties that vehicles seeking to enter the Mereoak roundabout from the south regularly queue past this priority junction, especially in the morning peak period. However, whereas the Council's position is that the additional right-turning traffic generated by the appeal proposal would give rise to problems of highway safety which would make this proposal unacceptable, the appellant contends that as the queueing dissipates quickly, depending on conditions at the roundabout itself, no such problems would arise.

13. I saw that visibility for traffic exiting the cul-de-sac, and the forward visibility for drivers leaving the Mereoak roundabout southwards on Basingstoke Road, is as good as could be expected in view of the proximity of these 2 junctions. Nevertheless, the available visibility of about 70m falls below that generally accepted as advisable for the safe operation of the highway network in situations where such speed limits apply. In addition it is my view that vehicles from the cul-de-sac seeking to enter the stream of queueing traffic may not always complete this manoeuvre smoothly, and may at times impede the southbound lane. These points lead me to conclude that any increased use of this priority junction should be viewed with caution. I have had regard to the traffic count information submitted, and the predictions of traffic likely to be generated by the proposal, and I acknowledge that there would only be a limited volume of traffic wishing to turn right from the cul-de-sac. However, there has to come a point at which incremental increases in activity at a particular junction becomes unacceptable, and in my judgement this proposal would exceed that point. In this regard I have reached a similar decision to my colleague Inspector who recently dismissed an appeal for 2 dwellings on a site a little further south on Basingstoke Road (ref. APP/X0360/A/00/1053452), although I acknowledge that there are distinct differences between the standard of access proposed in these 2 cases.

14. The Council explained that although it had raised no highway objections to proposals for 6 dwellings on the site as recently as 1999, because of historical permissions for this scale of development, it was nevertheless uneasy about such proposals in view of the substantial increases in traffic which have occurred in the area since planning permission was first granted in 1982. It considered that even though the appeal proposal would only increase the number of dwellings by 4 over what had previously been approved, this amounted to an unacceptable intensification of the use of this junction. For the reasons already given I share this view. In coming to this conclusion I have noted the absence of recorded personal injury accidents at this junction, but take the view that whilst such accidents can be a useful indicator of problems with the highway network, the absence of an accident record cannot, in itself, be taken to mean that there are no such problems. I have also noted that there are proposals to significantly alter both the Mereoak roundabout and the M4 Junction 11, which lies about 1km to the north, although the absence of any firm proposals for these improvements means I have given these matters little weight in reaching my decision.

15. In view of the above points I conclude that the proposal would have an adverse effect on the safety and convenience of users of Basingstoke Road. It would therefore conflict with the aims of adopted Local Plan policy LT5, and with policy WT7 of the emerging Plan.

**Summary**

16. Drawing together my findings on the main issues I have had regard to the need to maximise the use of previously developed land, as urged by PPG3, and I have also concluded that there would be no unacceptable harm either to the character and appearance of the surrounding area or to the living conditions of nearby residents. I also accept that the Unilateral Undertaking submitted by the appellant would provide financial contributions to transport facilities, in the form of a proposed nearby Park and Ride site, and to education provision at a nearby primary school. Such contributions clearly relate to the development proposed, and in my opinion would accord with the requirements of Circular 1/97. However, on balance it is my judgement that my unfavourable conclusion on the third main issue makes this proposal unacceptable from a highway safety viewpoint. I have had regard to all other matters raised, but they are not sufficient to outweigh the considerations which have led me to my conclusion.

**Conclusion**

17. For the reasons given above I conclude that the appeal should be dismissed.

**Formal Decision**

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

**Information**

19. 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 from the date of this decision.

David Wildsmith

INSPECTOR

## APPEARANCES

### FOR THE APPELLANT:

| | |
|---|---|
| Mr M Carrington BSc DipTP MRTPI | Hawthorne Kamm Planning Consultancy, Furzehall Farm, Wickham Road, Fareham, Hants, PO16 7JH |
| Mr D McCaffery Eng Tech MIHIE MIHT | Buchanan Consulting Engineers, Newcombe House, 43-45 Notting Hill Gate, London, W11 3QD |
| Mr D Morris BSc(Hons) | Bryant Homes, Venture House, London Road, Staines, Middlesex, TW11 4HF |
| Mrs H Jones MRICS | Slough Estates, 234 Bath Road, Slough, SL1 4EE |

### FOR THE LOCAL PLANNING AUTHORITY:

| | |
|---|---|
| Mr R Maddell MRTPI DMS | Senior Planner, Wokingham District Council |
| Mr T Callaghan MIHT | Highways Officer, Wokingham District Council |

### INTERESTED PERSONS:

| | |
|---|---|
| Councillor M Bryant | District Councillor for Shinfield, Wokingham District Council |
| Coouncillor J Heggadon | Shinfield Parish Council, c/o The Clerk, 36 Ryhill Way, Earley, Reading, Berkshire, RG6 4AZ |

### DOCUMENTS

| | | |
|---|---|---|
| Document | 1 | List of persons present at the hearing |
| Document | 2 | Council's letter of notification of the hearing, and list of persons notified |
| Document | 3 | Unilateral Undertaking submitted by the appellants |
| Document | 4 | Appeal Statement by Mr Carrington, including Appendices A-F and Plans HGP1-HGP3 |
| Document | 5 | Appeal Statement by Mr McCaffery, including Appendices A-B and Figures 1-3 |
| Document | 6 | Appendices 1-9 to Mr Maddell's evidence |
| Document | 7 | Appendices 1-5 to Mr Callaghan's evidence |
| Document | 8 | Proposals for improvements to the Mereoak Roundabout |
| Document | 9 | Consultation brochure for improvements to Junction 11, M4 |
| Document | 10 | Copies of the Council's standard highway conditions |

### PLANS

| | | |
|---|---|---|
| Plans | A(1-4) | Application plans |
| Plan | B | Plan of proposal for frontage development, submitted in 1999, but withdrawn |

# 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 49499
POL
APP DC
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0 6 NOV 2001
COPIES TO:
ACK:
FILE:

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

Your Ref: F/2001/3250

Our Ref: APP/X0360/A/01/1068463

Date: 5 November 2001

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**
**APPEAL BY BRYANT HOMES TECHNICAL SERVICES LTD / SLOUGH PROPERTIES LTD**
**SITE AT LAND ADJACENT TO, MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, READING**

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

pp Mrs Margaret Pocock

COVERDL1

## Ron Madell

**From:** Edwina Field
**Sent:** Friday, September 21, 2001 9:15 AM
**To:** Ron Madell
**Subject:** F/2001/3250

Thanks for your memo regarding the above. Unless you have any violent objection (as I find that it is sometimes possible to be successful with this...although I note your comment on Slough Estates), I will try for an earlier date but subject if this results in an immediate problem I will let you know and we will decide whether or not to accept their original payment timing. Have you been able to look at the issue regarding the transport funding. I will see if Tom Callaghan has any observations on this point.

Many thanks
Edwina.

Edwina Field
Solicitor
Legal Services
0118 974 6526 (direct dial)

Tel. (0118) 974 6448 (Direct Line)
Date: September 7, 2001
My ref: F/2001/3250
Your ref: APP/X0360/A/01/1068463

Copy

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

Miss A Groves
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Dear Miss Groves

**APPEAL BY: Bryant Homes Technical Services Ltd / Slough Properties Ltd**
**SITE: Land adjacent to Milestone Cottage, Basingstoke Rd, Shinfield**

With reference to this appeal, I enclose 2 copies of Hearing notification letter. It has been sent to the same people as were originally notified of the appeal.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. September 7, 2001
My ref: F/2001/3250
Your ref:

Mr & Mrs Brinsden
Milestone Cottage
Basingstoke Road
Three Mile Cross
Berks
RG7 1AX


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


Dear Sir/Madam

**NOTICE OF INFORMAL HEARING**

**APPEAL BY:Bryant Homes Technical Services Ltd**
**SITE: Land adjacent to Milestone Cottage, Basingstoke Rd, Shinfield**
**PROPOSAL:** PROPOSED ERECTION OF 10 DWELLINGS WITH ASSOCIATED ACCESS ROAD + PARKING

Further to my letter of 10th July 2001, this is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into this Appeal at the Civic Offices, Shute End, Wokingham commencing at 10.00 on Tuesday 2nd October 2001.

As your interests may be affected, this is to give you notice of the Hearing in order that you may attend, if you wish to do so, and at the Inspector's discretion, take part in the discussion.

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

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

If you wish to be notified of the decision, you should write to Miss Groves , The Planning Inspectorate, Room 3/03 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Please quote reference number APP/X0360/A/01/108463.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Tel. (0118) 974 6448 (Direct Line)
Date: August 17, 2001
My ref: F/2001/3250
Your ref: APP/X0360/A/01/1068463

Miss A Groves
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 Miss Groves

**APPEAL BY: Bryant Homes Technical Services Ltd**
**SITE: Land adjacent to Milestone Cottage, Basingstoke Rd, Shinfield**

With reference to this appeal, I enclose 2 copies each of the Council & Highway Authority's statements of case.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

# 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 0117-3728460
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8460

DC 46093

26 JUL 2001
COPIES TO: Highways
ACK:
FILE:

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

Your Ref: F/2001/3250
Our Ref: APP/X0360/A/01/1068463
Date: 24 July 2001

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**
**APPEAL BY BRYANT HOMES TECHNICAL SERVICES LTD / SLOUGH PROPERTIES LTD**
**SITE AT LAND ADJACENT TO, MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, READING**

I am writing to confirm that the hearing into this appeal will start at 10:00 on Tuesday 2/10/2001 at The Council Offices, Shute End, Wokingham. Please arrange a car-parking space for the Inspector. Could you send the details, together with a location plan of the venue, to the case officer quoting our appeal reference number? — done 26/7/01

We will confirm the Inspector to you at a later date.

Please write to those persons you consider appropriate, telling them about the hearing details at least 2 weeks before the hearing date. Your letter should cover: — drawn 7/9

- An Inspector has been appointed by the Secretary of State for the Environment, Transport and the Regions to determine this appeal;
- the location of the site and a description of the appeal proposals;
- the hearing details;
- where your, and the appellant's statements, and future comments can be inspected;
- that they may attend the hearing, and at the Inspector's discretion, give their views;
- that we will send a copy of the decision letter only to those who ask for one in writing;
- what facilities are available for people with disabilities e.g. parking spaces, access, seating arrangements etc.

If you have not already done so, please send 2 copies of your written statement to the case officer and one copy to any statutory party. We must receive it within 6 weeks of the starting date.

If you consider it appropriate, please notify the press of the hearing. Please also note that people with disabilities who may be concerned about facilities at the hearing venue have been advised to write to, or contact your Council to confirm that proper provisions are in place.

We aim to issue decisions within 7 weeks of the close of the hearing. If there is likely to be significant delay, we will let you know.

Yours faithfully



Miss H Langridge

206J(BPR)

Tel: (0118) 974 6448 (Direct Line)
Fax: (0118) 974 6484
Date: July 26, 2001
My ref: F/2001/3250
Your ref: APP/X0360/A/1068463

copy

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

Miss A Groves
The Planning Inspectorate
Room 3/03
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Dear Miss Groves

**APPEAL BY: Bryant Homes Technical Services Ltd / Slough Properties Ltd**

**SITE: Land adjacent to Milestone Cottage, Basingstoke Rd, Three Mile Cross**

**HEARING DATE: TUESDAY 2ND OCTOBER 2001**

Enclosed with this letter is a leaflet showing the venue for the Hearing & the car park recommended for the Inspector's use. Both are circled in red.

Please forward this letter & the leaflet to the Inspector concerned.

I hope this is helpful, and that the Inspector finds a parking space without a problem.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant
Enc.

Tel. (0118) 974 6448 (Direct Line)
Date: July 17, 2001
My ref: F/2001/3250
Your ref: APP/X0360/A/01/1068463

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:Bryant Homes Technical Services Ltd / Slough Properties Ltd**
**SITE: and adjacent to Milestone Cottage, Basingstoke Rd, Three Mile Cross**

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.
I have also sent a copy to the appellant/ agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. July 17, 2001
My ref: F/2001/3250
Your ref:00.PO87

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

HGP Planning Consultancy
Furzehill Farm
Wickham Rd
Fareham
Hants
PO16 7JH

Dear Sirs

**APPEAL BY:** **Bryant Projects**
**SITE:** **Land adjacent to Milestone Cottage, Basingstoke Rd, Three Mile Cross**

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

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

Direct Line 0117-3728460
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8460

DC 45668

13 JUL 2001

COPIES TO:

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

Your Ref: P/2001/3250

Our Ref: APP/X0360/A/01/1068463

Date: 12 July 2001

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**
**APPEAL BY BRYANT HOMES TECHNICAL SERVICES LTD / SLOUGH PROPERTIES LTD**
**SITE AT LAND ADJACENT TO, MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, READING**

I am writing to tell you that we propose to hold a hearing into this appeal at 10:00 on Tuesday 2 October 2001 at a venue to be arranged.

It is now our policy to allow only one refusal of a hearing date, before we fix a date, time and place for a hearing. If you refuse the date offered you should give a good reason for doing so.

If you cannot accept the date offered you may agree a reasonable alternative with the other party. The availability of the Inspector is a crucial factor in this process. We will let you know whether we can supply an Inspector for any date you agree between yourselves, but it must meet with our general aim of deciding appeals quickly.

You can reply to me by telephone or letter. If I do not hear from you by 23 July 2001, I will assume that the proposed hearing date is acceptable, and that you are not intending to negotiate an alternative hearing date with the other party.

done 13/07/01

You should not assume that the hearing date offered here is the one that will eventually go ahead. We will write to you again to confirm final arrangements.

Yours faithfully

Miss H Langridge

**NB: You should only send letters about the hearing date to the above room. You should send all other correspondence to the case officer mentioned in the initial letter.**

# 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 0117-3728443

GTN 1371-6079

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

DG 4547

Your Ref: F/2001/3250

Our Ref: APP/X0360/A/01/1068463

Date: 6 July 2001

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**
**APPEAL BY BRYANT HOMES TECHNICAL SERVICES LTD / SLOUGH PROPERTIES LTD**
**SITE AT LAND ADJACENT TO, MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, READING**

We have decided that a hearing will be held into this appeal and we will now arrange a date.

I am the case officer and, 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 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 and supporting documents, including relevant development plan policies to the appellant and me.

**Within 6 weeks from the starting date -**

**You** and the appellant must submit 2 copies of your hearing statement to me. I will send a copy of your hearing statement to the appellant and send you a copy of their hearing statement. You and the appellant must send a copy of your hearing statements to any statutory parties. I will send you and the appellant a copy of any comments submitted by interested parties.

**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 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. I will forward the appellant's final comments to you at the appropriate time.

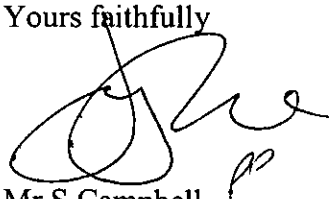
You **must keep to the timetable** set out above and ensure that your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. As I have given details of the timetable, I will not send you reminders.

Withdrawing the appeal

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

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

Yours faithfully



Mr S Campbell

H4B(BPR)

**Questionnaire**

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

**Hearing Statement**

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

**Statutory parties**

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

**Late Representations**

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

**Costs**

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

**Planning obligations - Section 106 agreements**

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

If you intend to rely on an obligation, a final draft must be submitted at least 5 working days before the date of a hearing. Obligations should be completed by the close of a hearing. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

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

*NOW SEND:*

- **1 COPY to us at:**
  The Planning Inspectorate
  Appeals Registry
  Tollgate House
  Houlton Street
  BRISTOL
  BS2 9DJ
  Fax no: 0117 987 8769

- **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 as they will have everything which you sent them at application stage, but send them any supporting documents not previously sent to them 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.

2) Write to you and the LPA and tell you the procedure for your appeal.

3) Tell you the timetable for us receiving further information or representations.
**If your representations are received after the deadline, they will not normally be seen by our Inspector and will be returned to you.**

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

5) Tell you our Inspector's decision.

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



**The Planning Inspectorate**

# PLANNING APPEAL FORM

**For official use only**
Date received

**Please send each appeal on a separate form**

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: Bryant Homes Technical Services Limited/Slough Properties Limited (known as Bryant Projects)
Address: Venture House, 42-54 London Road, Staines, Middlesex
Postcode: TW18 4HF
Your reference:
Daytime phone no:
Fax no:
E-mail address:

## B. AGENT DETAILS (if any)

Name: HGP Planning Consultancy
Address: Furzehall Farm, Wickham Road, Fareham, Hampshire
Postcode: PO16 7JH
Your reference: 00.P087
Daytime phone no: 01329 220224
Fax no: 01329 282380
E-mail address: sjezeph@hgppc.co.uk

## C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA: Wokingham District Council
Date of the planning application: 1.2.01
LPA's application reference no: F/2001/3250
Date of LPA's decision notice (if issued): 11.4.01

## D. APPEAL SITE ADDRESS

Address: Land at Silchester House, Old Basingstoke Road, Three Mile Cross
Postcode: RG7 1AX
National grid reference: SU 715 683
*(Please see the key on an Ordnance Survey map for instructions; this should be 2 letters and 6 numbers, eg TQ 298407)*

## E. DESCRIPTION OF THE DEVELOPMENT

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

Erection of ten dwellings with associated access road and parking

Size of the whole appeal site (*in hectares*)

0.36

Area of floor space of proposed development *(in square metres)*

742

## 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. [X]
2. Grant planning permission for the development subject to conditions which you do not like. [ ]
3. Refuse approval of details listed under a previous outline planning permission. [ ]
4. Grant approval of details listed under a previous outline planning permission subject to conditions which you do not like. [ ]
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). [ ]

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

## G. GROUNDS OF APPEAL

If you want your appeal dealt with by the written procedure, your **FULL STATEMENT MUST** be made, otherwise we will return the appeal form. You should give a clear explanation of why you disagree with each of the LPA's reasons for not granting permission, if appropriate. Please continue on a separate sheet(s) if you need to and attach them to this form. If you have requested a hearing or an inquiry, please provide a brief outline of your case.

Please see attached Grounds for Appeal



## G. GROUNDS OF APPEAL (continued)

## H. CHOICE OF PROCEDURE

**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 tick **one** box only* ✔

1. **WRITTEN REPRESENTATIONS** [ ]

   Can the whole site be seen from a road or other public land and there is no need for the Inspector to enter the site (eg to take measurements or to enter a building)? If yes, please tick the box. If so, we will arrange an unaccompanied site visit. [ ]

2. **HEARING** [X]

   Although you may prefer a hearing, we will decide whether a hearing is suitable for your appeal after consulting the LPA.

3. **INQUIRY** [ ]

   Please give reasons why you think an inquiry is necessary.

## 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* ✔

### 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 notice served | Date the notice was served |
|---|---|---|
| Cheif Executive | PO Box 150 | |
| | Shute End | 29.6.01 |
| | Wokingham | |
| | RG40 1BN | |

### 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 notice served | Date the notice was served |
|---|---|---|
| | | |
| | | |
| | | |

### PLEASE SIGN BELOW

I confirm that this section has been fully completed and the details of the ownership of the appeal site are correct, to the best of my knowledge.

Signed Sylvia Jezeph (on behalf of) Bryant Projects

Name (in capitals) SYLVIA JEZEPH Date 29.6.01



**Please turn over**

## 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. | X |
| 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). | X |
| 3. | A copy of the **LPA's decision notice** (if issued). | X |
| 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). | X |
| 5. | Copies of **plans, drawings and documents** sent to the LPA as part of the application. | X |
| 6. | Any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes). | |

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

| | | |
|---|---|---|
| 7. | **Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: | |
| 8. | Any relevant **correspondence** with the LPA. | X |
| 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. | |

## K. PLEASE SIGN BELOW

**(Unsigned forms will be returned. Signed forms 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 documents to the LPA – ***N.B.*** *if you do not, your appeal will not normally be accepted.*
2. I confirm that section J has been fully completed.
3. I will send 2 copies of any further documents relating to this appeal to the Inspectorate.

Signed Sylvia Jezeph (on behalf of) Bryant Projects

Name (in capitals) SYLVIA JEZEPH Date 29.6.01

APPENDIX 1




# Site Plan, Scale: 1 to 1250

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Date: 10 July 2001

APPENDIX 2

**Application No. F/2001/3250** **Received 30.01.01** **Shinfield**

**Applicant:** **Bryant Homes Ltd**
**Location :** **Land at Silchester House, Basingstoke Road, Three Mile Cross, Shinfield**
**Proposal :** **Proposed Erection of 10 Dwellings, Access Road and Parking**

1. **Introduction** - This 0.36 ha. site is at the north end of a ribbon of dwellings on the northern arm of Three Mile Cross. The site is vacant land with grass, trees and vegetation on it. However, the 1975 Ordnance Survey Plan shows a house and garage or outbuilding on the site. On the south side Milestone Cottage is a detached house with attached single storey garage up to its side boundary with the application site. There is open land to the west, north and east of the site.

   Application No. 44001 for 6 semi-detached houses in a row fronting onto Basingstoke Road was granted permission on 21st April 1995. This permission has now lapsed and followed two previous, similar permissions; Application No. 17557 granted permission on 1st July 1982 and subsequently renewed by Permission No. 29046 granted on 5th November 1987. A previous outline Application No. 14388 for 12 houses was refused permission on 20th November 1980 and the subsequent appeal was dismissed.

   Application No. F/1999/0252 for 6 semi-detached houses was submitted on 23rd December 1999, has not been determined and is deemed to have been withdrawn.

2. **Proposal** - Is to erect 10 dwellings: 6 x 2 bedroom and 4 x 3 bedroom houses in 3 terraces. A small children's play area and landscaping are also proposed.

3. **Consultations** -

- ***Shinfield Parish Council*** : "We express concern on the following points:
  - It is sited in a location, which is susceptible to flooding.
  - No provision has been made for vehicle parking within the close.
  - Any Tree Preservation Orders will be respected.
  - The ownership and maintenance of the 3-metre landscape buffer to the south.
  - In respect of any planning obligations the parish council would like the district or parish to be granted ownership of the designated open space, to prevent future development of the backlands."
- ***5 letters of objection received from 4 addresses :*** On grounds of :
  - Would overlook rear gardens of existing properties adjacent.
  - Increased flood risk.
  - Exacerbate existing traffic congestion and safety problems.
  - Lack of local infrastructure and there is already too much development in the area.
  - Previous refusal of permission and appeal dismissed.
- ***Environmental Health Officer :*** No objection subject to conditions covering the effects of traffic noise on the proposed dwellings and hours of construction limitation.

- ***Tree/Landscape Officer :*** Tree Preservation Order (TPO) trees are shown to be a satisfactory distance from the proposed dwellings, but there is insufficient room for planting along the northern boundary next to the proposed turning head.
- ***Highway Officer :*** Recommends refusal on grounds of the proposed development would generate additional traffic into and out of a busy distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic.
- ***Environment Agency :*** No objection subject to conditions.
- ***Crime Prevention Design Advisor :*** Would prefer to see windows in the gable ends of Plots 6 and 7 to give surveillance to proposed corner parking areas. Also has concerns about the proposed play area as such areas can be colonised by older youths during the later evening who cause nuisance.

4. **Appraisal** - Main issues are:

   A. Effect on character and appearance of the area (Berkshire Structure Plan Policies H2 and EN1; Loddon Area Local Plan Policies LTV1, LTV6, LH1, LBE1, LBE2 and LBE9; Wokingham District Local Plan Policies WOS2, WH1, WH2, WBE1, WBE11 and WLL7).

   B. Density and housing mix (Berkshire Structure Plan Policy H9; Loddon Area Local Plan Policy LH8; Wokingham District Local Policy WH6; PPG3).

   C. Effect on neighbouring properties (Loddon Area Local Plan Policy LBE2; Wokingham District Local Plan Policy WBE1).

   D. Traffic, access and parking (Berkshire Structure Plan Policy LD5; Loddon Area Local Plan Policy LT5; Wokingham District Local Plan Policy WT7; PPG13).

   E. Services and Infrastructure (Berkshire Structure Plan Policy LD6; Loddon Area Local Plan Policy LPS1; Wokingham District Local Plan Policy WOS4).

   F. Concerns of the Parish Councils and local residents.

A. Principle of the proposed development, including effect on the surrounding countryside

The site is inside but on the edge of the settlement boundary with countryside on three sides of it. Under Annex C of PPG3, the site would be defined as previously-developed land because it is land that was occupied by a permanent structure and its curtilage. However, PPG3 Paragraph 70, which covers village expansion and infill, requires that the development can be designed sympathetically and laid out in keeping with the character of the village.

There have been a series of permissions for 3 pairs of semi-detached houses along the frontage. Such development would continue the existing pattern of ribbon frontage development along the east side of Basingstoke Road. It is

considered that there would be no objection in principle to this again. However, the current proposal is for in depth development of the whole site. It is considered that this form of development would be out of character with the existing pattern of frontage development only. As the site is also a prominent one on the edge of the settlement, it is considered that the proposal would have an obtrusive and urbanising effect on the surrounding countryside.

A recent application No. O/2000/2388 for the erection of 2 dwellings on a backland site nearby was refused permission and the subsequent appeal dismissed (copy of Inspector's decision letter attached). In this case the Inspector did not object to the effect of the proposal on the character and appearance of the area. However, in his paragraph 8, he noted that the proposed dwellings would be near the bowling clubhouse, which is also in a backland position, and there are already buildings on the site. In his paragraph 10 he considered the proposed development would be seen against the backdrop of the frontage properties. However, in the case of the current application, the scale of proposed houses would project to the rear well beyond the existing frontage development at a more exposed point at the end of the settlement with undeveloped countryside on three sides. A much larger scale of development is also proposed. Therefore, for these reasons, it is considered that this appeal decision does not set a precedent for allowing the current proposal. Indeed, allowing the current application could set a precedent for backland development of the rear gardens of the adjacent row of houses.

B. Density and housing mix

The density of the proposed development would be 27.8 dwellings per hectare. This is slightly below the minimum density of 30 dwellings per hectare required to accord with PPG3. However, as the site includes a group of large preserved trees along the frontage, the site is relatively small in size and the proposed density is only slightly below the minimum required, it is considered that this point should not be a reason for refusal.

As the proposal is for 6 x 2 bedroom and 4 x 3 bedroom dwellings it would be considered favourably under policies which encourage the provision of smaller dwellings. The proposal would also contribute 10 dwellings towards the District's housing land supply.

C. Effect on neighbouring properties

The rear elevations of the proposed houses on Plots 1-6 would look towards the rear garden of Milestone Cottage. However, these gardens would be 11m deep plus a 3m landscape buffer strip. It is considered that this distance is sufficient to avoid unacceptable overlooking.

D. Traffic, access and parking

The proposal is considered unacceptable on grounds of the additional traffic that would be generated into the junction of the cul-de-sac with Basingstoke Road, which would result in conflicting traffic movements. (This is in relation to the extra 4 dwellings proposed in addition to the previous permissions for 6 dwellings on the site). The Inspector dismissed the appeal on the site nearby referred to above, on these highway grounds (paragraphs 17-20 in the attached decision letter).

E. Services and Infrastructure
The following contributions have been offered:

£15,010 towards capital funding at Lambs Lane Primary School, and
£10,682 towards sustainable transport measures, particularly the proposed Mereoak Park and Ride.
These contributions are considered to be satisfactory.

F. Concerns of the Parish Council and local residents
These have been noted and addressed above.

5. **Conclusion** - It is considered that the proposed in depth form of development would have a harmful effect on the character and appearance of the area, and that this objection is not outweighed by the provision that 10 modest-sized dwellings within the settlement would make to the District's housing stock. The proposal is also considered unacceptable on highway grounds.

6. **Recommendation** - REFUSE planning permission for the following reasons:-

1. The proposed in-depth form of development would have a harmful effect on the character and appearance of the area. The proposal would therefore be contrary to Berkshire Structure Plan Policy EN1, Loddon Area Local Plan Policies LTV6 and LBE2 and to Wokingham District Local Plan (Deposit Draft) Policies WH1 and WBE1.

2. The proposed development would generate additional traffic into and out of a busy local distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic. The proposal would therefore be contrary to Berkshire Structure Plan Policy LD5, Loddon Area Local Plan Policy LT5 and to Wokingham District Local Plan Policy WT7.

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 Policies H2, H9, EN1, LD5 and LD6
Loddon Area Local Plan Policies LTV1, LTV6, LH1, LH8, LBE1, LBE2, LBE9 and LT5
Deposit Draft Wokingham District Local Plan Policies WOS2, WOS4, WBE1, WH2, WH6, WBE11, WLL7 and WT7

Angela Odell

# Appeal Decision

Site visit made on 07 February 2001

by Roger Clews BA MSc DipEd DipTP MRTPI

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

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

Date
5 MAR 2001

**Appeal Ref: APP/X0360/A/00/1053452**
**Land rear of The Briars and Pembrook, Basingstoke Road, Three Mile Cross**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Hicks Developments Ltd against the decision of Wokingham District Council.
- The application (ref: O/2000/2388), dated 6 September 2000, was refused by notice dated 16 Oc 2000.
- The development proposed is erection of 2 detached houses, garages and access.

**Summary of Decision: The appeal is dismissed.**

## Procedural Matters

1. The planning application was made in outline, but with the means of access and the siting of the buildings to be determined at this stage. I have dealt with the appeal on this basis.

## Main Issues

2. I consider that there are three main issues in this appeal:

   (a) The effect of the proposed development on the character and appearance of the surrounding area.

   (b) The effect of the proposed development on the living conditions of occupants of neighbouring houses, with particular reference to the proposed access arrangements.

   (c) The effect of the proposed development on road safety and the free flow of traffic on the B3349 Basingstoke Road.

## Planning Policy

3. The development plan for the area comprises the Berkshire Structure Plan 1991-2006 (BSP), adopted in November 1995, and the Loddon Area Local Plan (LALP), adopted in May 1995. The BSP contains four policies relevant to this appeal. Policy H5 states that part of the plan's provision for housing development will be met by building on suitable undeveloped land within built-up areas and settlement boundaries. Policy EN1 requires development in built-up areas to be appropriate in scale, form, impact, character and siting to its location. Policy EN2 requires development not to give rise to unacceptable levels of noise or noxious emissions beyond the site boundary. Policy LD5 states that development will not be permitted where it is likely to give rise to serious problems of access, parking, road safety or traffic congestion.

4. The LALP, which pre-dates the BSP, contains three relevant policies. Policy LTV1 states that development within the settlements identified on the proposals map will normally be permitted, subject to the provisions of other policies in the plan. Policy LBE2 states that development that would have an inappropriate relationship to adjoining sites and buildings, or would adversely affect the character of an area, will not normally be permitted. Policy LT5 states that the Council will urge the highway authority to promote road safety by examining the road safety implications of all proposals for development.

5. The Wokingham District Local Plan Deposit Draft (WDLP) was placed on deposit in October 1997 and the Public Local Inquiry has been completed. The consolidated version of the WDLP, published in February 2000, contains proposed amendments made in April and September 1999 and in February 2000. Three policies are relevant to this appeal. Policy WOS2 states that development will be allowed within the boundaries of a list of identified settlements, which includes Three Mile Cross, subject to the detailed provisions of other policies contained in the plan. Policy WBE1 requires good contemporary design in new development, having regard to a number of factors including its environmental and visual impact, the local townscape and the privacy and amenity of the existing environment. Policy WT7 states that the Council will take appropriate measures to promote road safety for all road users. As these policies carry forward principles established in the adopted BSP and LALP and in national planning policy guidance, and as the WDLP has reached a fairly advanced stage, I am able to give its policies significant weight in determining this appeal.

6. PPG3: Housing, published in March 2000, states that the Government is committed to maximising the re-use of previously-developed land for housing. Places, Streets and Movement, published by the Department of the Environment, Transport and the Regions in September 1998, sets out requirements for sightlines at road junctions. Technical Directive 9/93 (TD9/93), published by the former Department of Transport, provides highway design guidance.

**Reasons**

***Character and appearance***

7. Three Mile Cross is identified in both the LALP and the WDLP as a settlement in which development will be permitted provided that it is in accordance with other plan policies. The designated settlement boundary in the WDLP includes the appeal site. The main part of the site lies behind the gardens of a row of houses facing Basingstoke Road, and is accessed between two of these houses. It contains two fairly large buildings close to its northern boundary, a large shed or garage at the head of the access, and a small shed near its western boundary, with the remaining area given over to grass and a few trees. To the north and east the main part of the site adjoins fields, while to the south lie the grounds of a bowling club. The area around Three Mile Cross is largely flat and there are views through the trees and bushes along the eastern boundary, across the adjoining fields.

8. The Council describe Three Mile Cross as characterised by ribbon frontage development along the four arms of the cross formed by the roads, and say that there is no similar backland development behind this frontage. However the bowling club appears to me to constitute similar development behind the properties facing Basingstoke Road. Although the club-house and bowling green themselves lie closer to the road than the proposed houses on the appeal site, the eastern boundary of the bowling club grounds is in line with that of the

appeal site, and is clearly demarcated from the adjoining fields by a hedge. In view of this, and of the fact that there are already buildings on the appeal site, I consider that this boundary, which corresponds to the settlement boundary defined in the WDLP, represents the perceived edge of the settlement. As a result I do not consider that new development on the appeal site would be out of character with the existing pattern of development.

9. Although the proposed development would result in a larger area of the site being taken up with buildings, they would be largely concealed from Basingstoke Road by the frontage development. One of the houses would be visible to passers-by looking directly along the access way, but as this would replace the current view of a somewhat dilapidated shed or garage building, I do not consider that any harm to the appearance of the area would result.

10. From any vantage points to the east the proposed development would be seen against the backdrop of the frontage properties, and, as I have reasoned above, would be perceived as lying within the edge of the settlement. To the north views into and out of the site are largely blocked by the existing buildings and boundary vegetation, while the bowling club gro lie to the south. The external appearance of the houses and the landscaping of the site, including the boundaries, could be controlled by the Council as reserved matters to achieve a satisfactory transition between the frontage development and the surrounding countryside. There would also be some benefit from the removal of the unattractive existing buildings on the site. In view of these considerations, in my opinion the proposed development would not detract from the setting of the settlement or the appearance of the adjoining countryside.

11. I therefore conclude on the first main issue that the proposed development would not have a significantly adverse effect on the character or appearance of the area, and would therefore not conflict with BSP policy EN1, LALP policies LTV1 or LBE2, nor with WDLP policies WOS2 or WBE1.

***Living conditions of neighbours***

12. The proposed positions of the houses and garages on the main part of the site would not appear to give rise to any adverse impact on neighbouring occupants. However I observed that the access way between The Briars and Pembrook is currently only some 2m wide. The appellants propose to increase it to 4m in width. As the current access extends right up t flank wall of The Briars, this would have to be achieved by using land within the current curtilage of Pembrook. The application drawing indicates that, as a result, the width of the rear garden of Pembrook would be significantly reduced, and the surfaced access way would lie less than 1m from its flank wall.

13. The appellants state that they intend to erect a sound-attenuating wall or fence along either side of the proposed access road, in order to contain vehicle noise and fumes and glare from headlights, and to reduce their impact on the neighbouring properties. However, both gardens are narrow in relation to their length, and the garden of Pembrook, as I have noted, would be reduced in width as part of the proposed development. The erection of a wall or fence, which would need to be fairly high to achieve its intended effect, along their whole length would, in my opinion, have a significantly adverse impact on the openness which these gardens currently enjoy. Without the wall or fence, however, the noise and fumes from passing traffic would have a seriously adverse effect on conditions in the gardens.

14. If the wall or fence were continued along the sides of the two adjoining houses it would have a seriously adverse effect on the outlook from their ground-floor side windows. In addition,

even a high wall or fence would be unlikely to prevent noise and, possibly, headlight glare reaching first-floor rear and side windows in these properties. If, on the other hand, the wall or fence were not built along the sides of the adjoining houses, they would be exposed at very close quarters to passing vehicles. Although the two new houses would be expected to generate no more than 7 to 9 vehicle movements each way per day, the noise, emissions and headlight glare from these vehicles would in my opinion have a significantly adverse effect on living conditions for residents of the neighbouring houses.

15. The appellants argue that the proposed dwellings will not generate significantly more traffic than the existing use, but I have no substantive evidence before me on the current level of traffic or on the level which would arise from uses to which the site could legitimately be put. In any case, as the existing access lies further away from Pembrook than that proposed, any traffic currently using it has a significantly less adverse effect on that property than would arise from the proposed development.

16. I therefore conclude on the second main issue that the proposed development would have a significantly adverse effect on the living conditions of occupants of the adjoining properties, and would therefore conflict with BSP policy EN2, LALP policy LBE2, and WDLP policy WBE1.

***Road safety and the free flow of traffic***

17. The Council and the appellant concur that visibility to the north for motorists emerging from the access would be adequate. To the south visibility would be less than the distance of 120m recommended in Places, Streets and Movement, and the alternative distance of 90m which the appellant states is recommended in TD9/93. I observed, however, that the road alignment is such that only part of the nearside carriageway would be invisible, beyond a distance of approximately 80m, to drivers situated at a set-back distance of 2.4m within the access. The remainder of the nearside carriageway and the whole of the opposite carriageway (along which vehicles would normally be approaching the site) would be clearly visible for a considerably longer distance. As a result, in my opinion, visibility from the access to the south would not significantly prejudice road safety.

18. However, evidence submitted by the Council and not contested by the appellant shows that in the morning peak period northbound traffic queues can extend from the A33 roundabout to the north of the appeal site, back to a distance of 250m beyond the site to the south. I consider that this creates the potential for dangerous conflict between free-flowing southbound traffic, travelling at up to the speed limit of 40mph, and vehicles emerging from the access and waiting to join the northbound queue. This potential conflict, in my opinion, poses a significant risk to highway safety. The fact that at most only one or two such manoeuvres out of the access would be expected in the morning peak period, and that there are already numerous accesses nearby from which similar manoeuvres may take place, does not in my view justify this additional risk to road safety. Although there have been no recorded personal injury accidents within 130m of the site in the past three years, this does not provide conclusive evidence that the present or proposed access arrangements are safe.

19. The Council are concerned at the effect of the proposed development on the free flow of traffic. Although traffic turning in and out of the property might obstruct the traffic flow along Basingstoke Road, I do not think this would happen sufficiently often to be significant in itself, except insofar as it would prejudice road safety.

3126

20. However, in the light of the foregoing considerations, I conclude on the third main issue that the proposed development would prejudice road safety on the B3349 Basingstoke Road, contrary to BSP policy LD5, LALP policy LT5, and WDLP policy WT7.

**Other Matters**

21. The Council and the appellant disagree as to whether the site is previously-developed land as defined in Annex C of PPG3. On the basis of the information before me, I am unable to reach a definite view on this point. However this does not affect my conclusions on the main issues set out above.

22. Neighbouring residents have suggested that the proposed development might put additional stress on endangered species of birds, such as the song thrush. However I have no substantive evidence that this would be the case and I therefore do not consider it to be a significant issue in this appeal.

**Conclusions**

23. I have concluded on the second and third main issues that the proposed development would adversely affect the living conditions of neighbouring residents and prejudice highway safety on Basingstoke Road. These conclusions, in my opinion, outweigh my conclusion on the first main issue that the proposed development would not have a significantly adverse effect on the character and appearance of the area. For the reasons given above and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

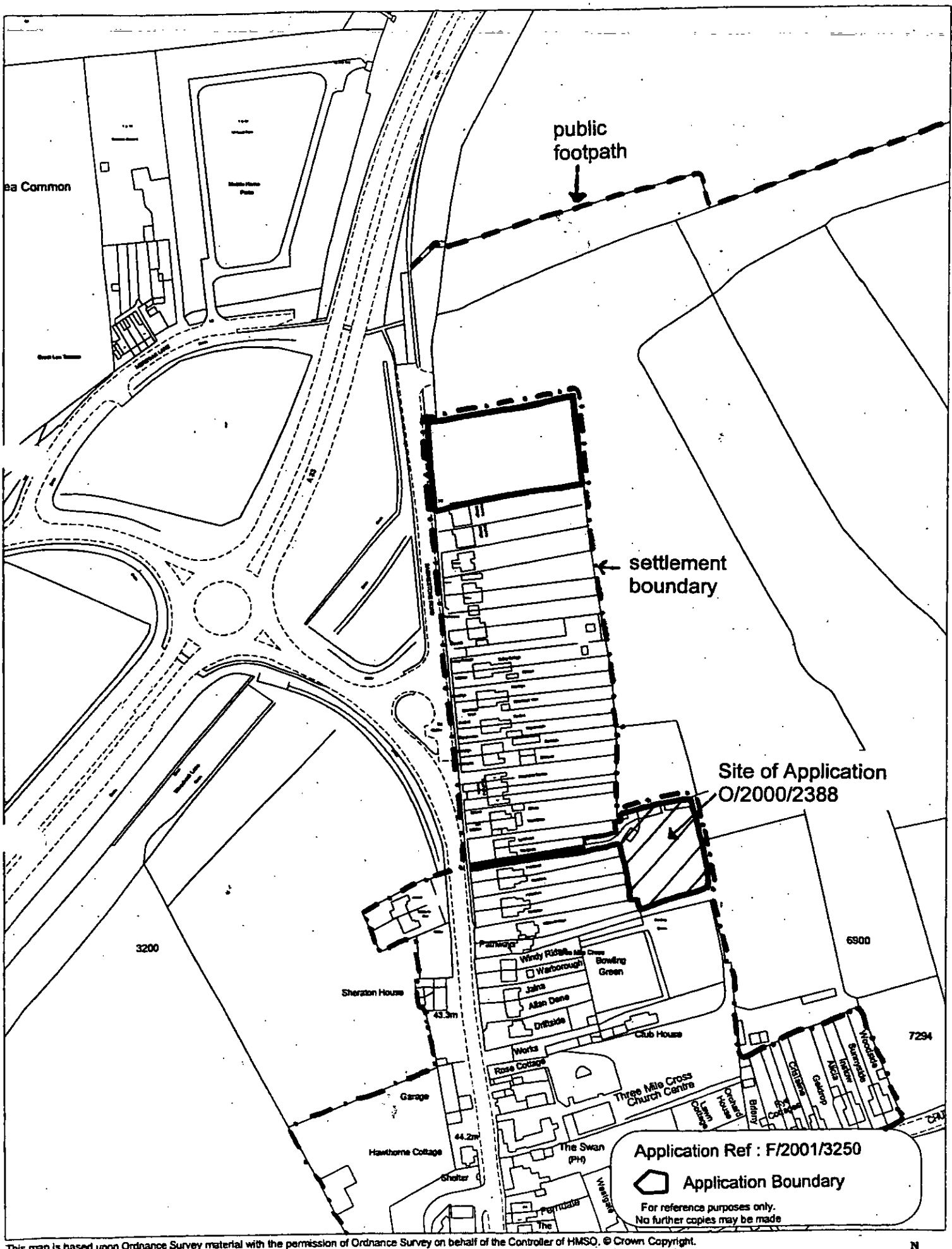
**Formal Decision**

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

**Information**

25. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.

Inspector

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Development Control Section, Environmental Services, Wokingham District Council.

11 April 2001

3128

Scale: 1 : 2500

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6no DEIGHTON
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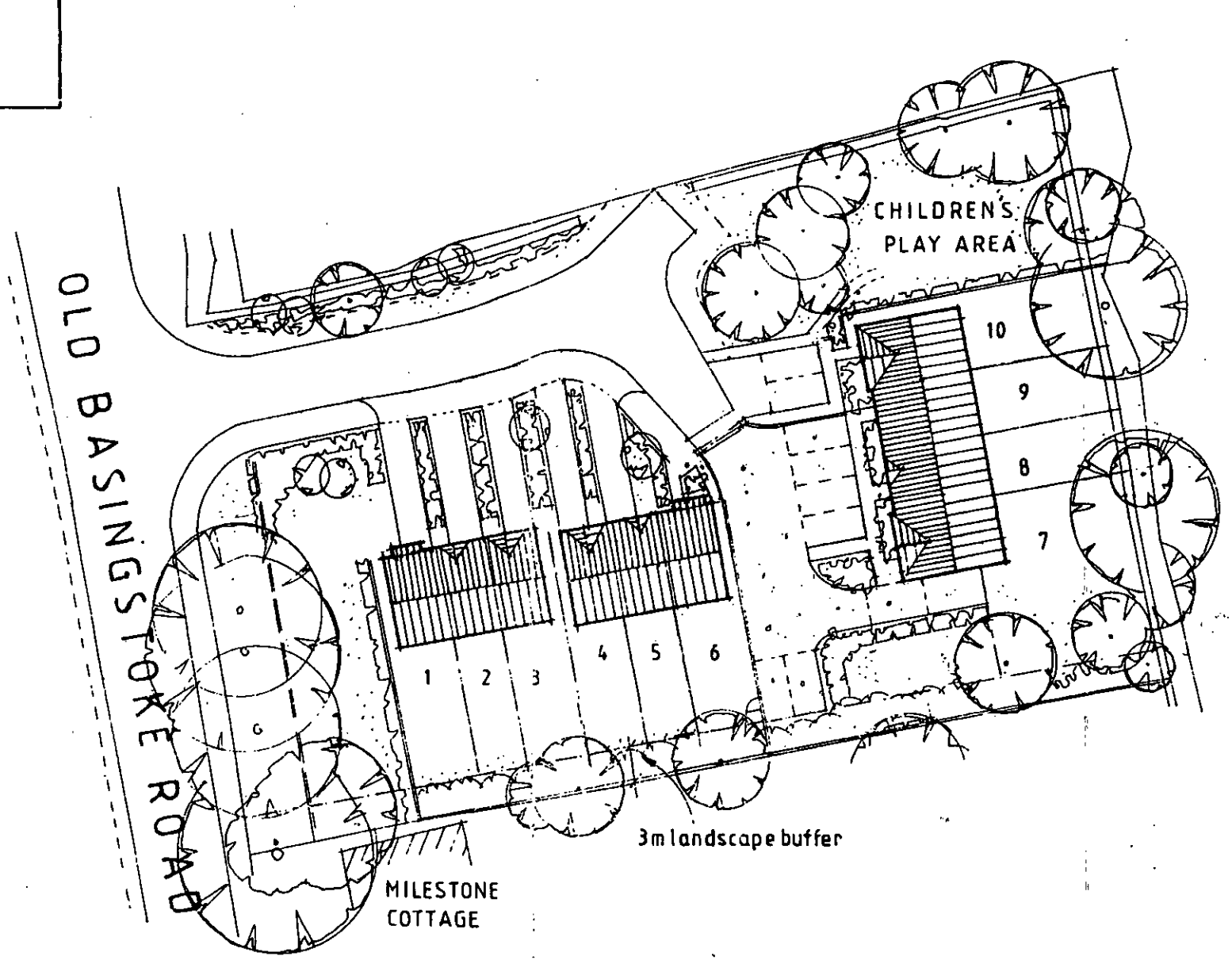


30.JAN.2001*

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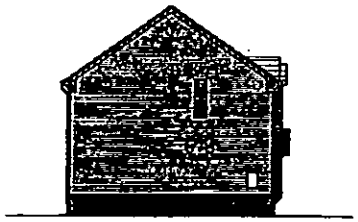
AIL FENCE

SITE PLAN

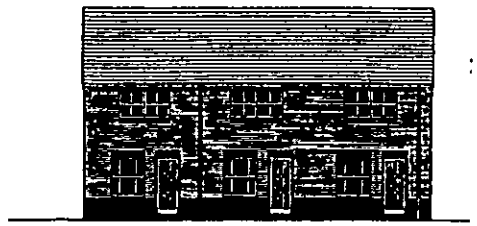
## PLOTS 1, 2 & 3



FRONT ELEVATION



SIDE ELEVATION PLOT 3



REAR ELEVATION

**ELEVATIONS & FLOOR PLANS**

Land at Silchester House
Old Basingstoke Road
Spencers Wood
for

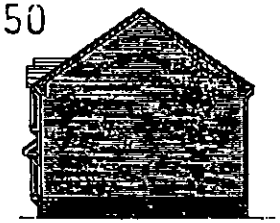
Bryant Homes

HGP PLANNING CONSULTANCY

DRG NO 00 P087 04 / 5.10.00 / SJ SCALE 1: 200

30.JAN.2001 * 3250

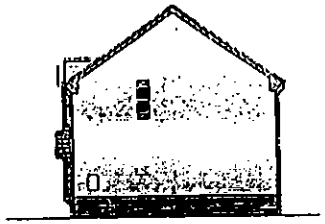
SIDE ELEVATION PLOT 1



## PLOTS 4, 5 & 6



FRONT ELEVATION



SIDE ELEVATION PLOT 4

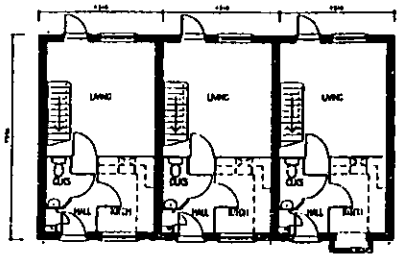


REAR ELEVATION

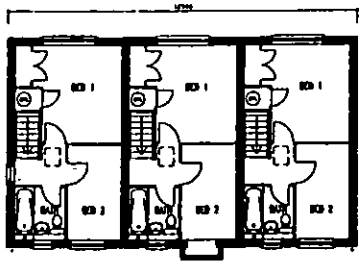


SIDE ELEVATION ' PLOT 6

## PLOTS 1, 2 & 3

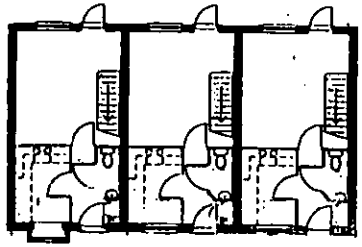


GROUND FLOOR

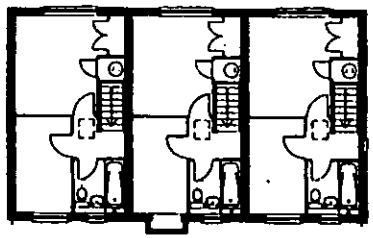


FIRST FLOOR

## PLOTS 4, 5 & 6



GROUND FLOOR



FIRST FLOOR

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PLOTS 7, 8, 9 & 10

ELEVATIONS & FLOOR PLANS

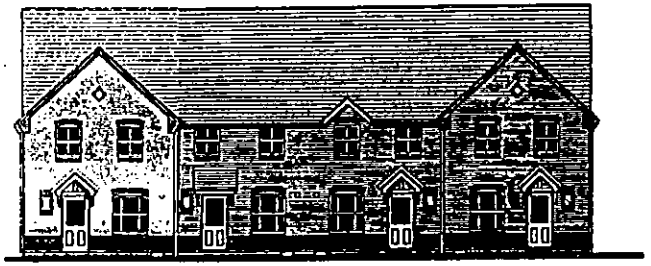
Land at Silchester House
Old Basingstoke Road
Spencers Wood
for

Bryant Homes

HIGH PLANNING CONSULTANCY

DRG NO 00 P087 05 / 5.10.00 / SJ SCALE 1: 200

30.JAN.2001* 3250



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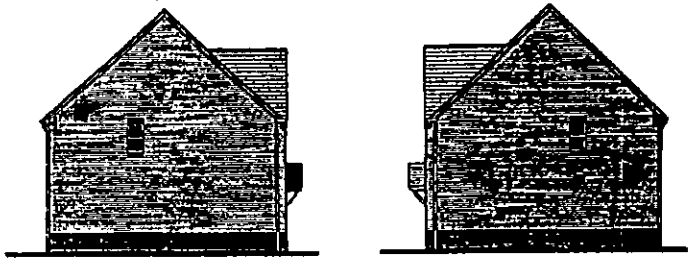

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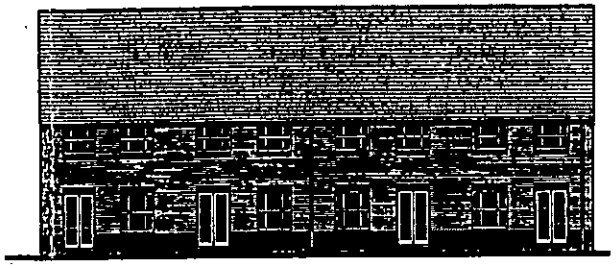

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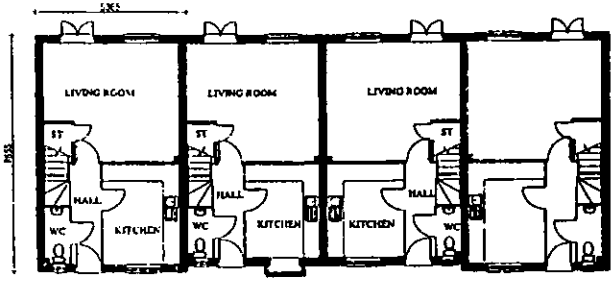
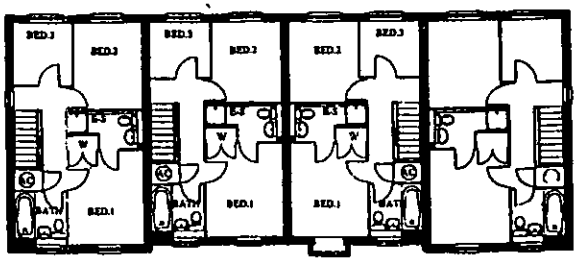



GROUND FLOOR




FIRST FLOOR

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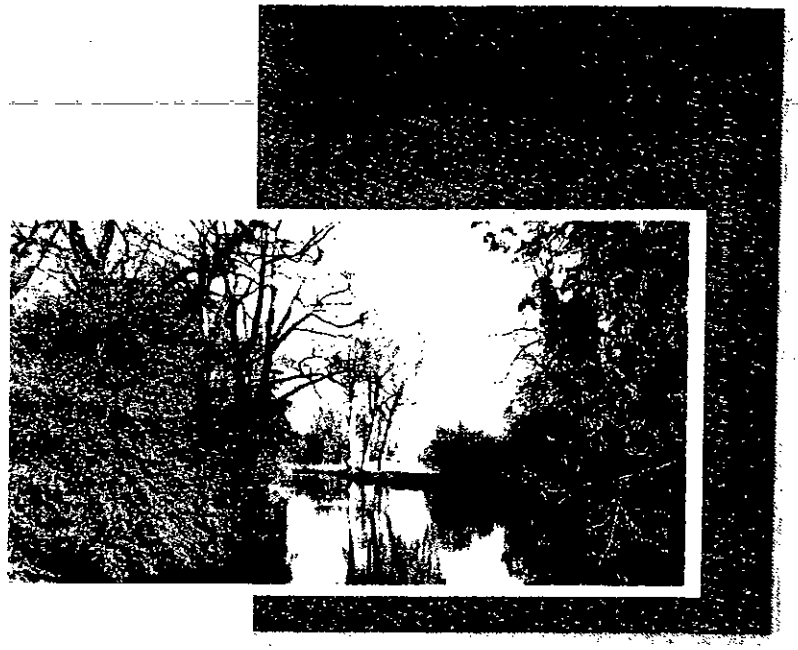
# APPENDIX 3



# BERKSHIRE STRUCTURE PLAN 1991-2006

**Incorporating Alterations adopted in August 1997**






Babtie

Public Services Division

7.23 In order to help control the overall scale of development, to prevent all housing development taking place in the early years of the Plan (if there were to be a significant recovery in the housing market) and to avoid an over-commitment which could limit discretion in any subsequent review of the Plan, it is important that there is some phasing of the total provision for the period 1991 to 2006. Therefore the table of provision by district below is broken down into three phases.

### Distribution and Phasing of the Overall Provision

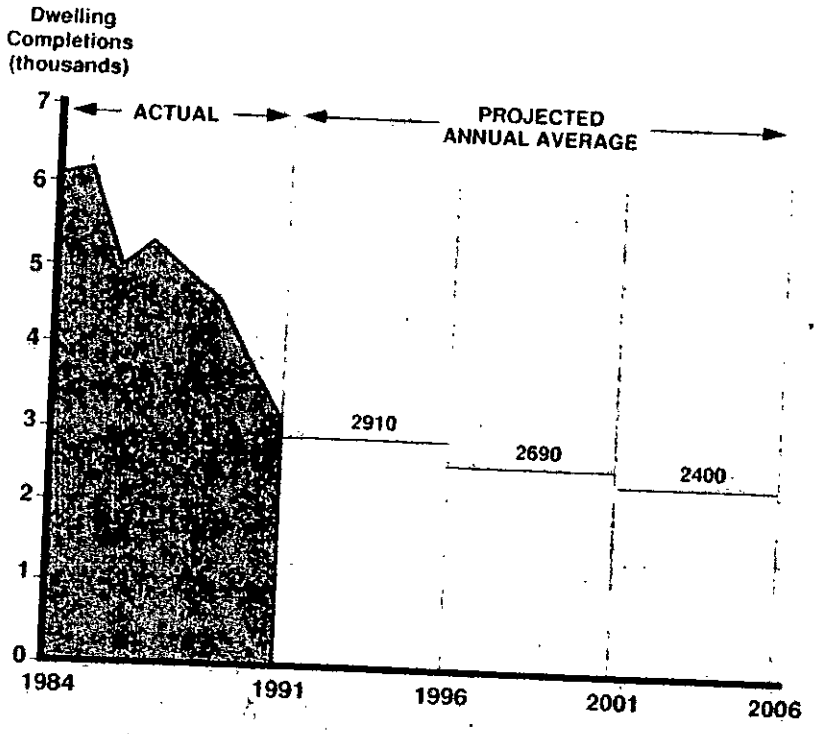
Policy H2 The overall housing provision will be distributed and phased as follows:

| District | 1991-1996 | 1996-2001 | 2001-2006 | Total |
|---|---|---|---|---|
| Newbury | 2,700 | 3,250 | 3,050 | **9,000** |
| Reading | 2,050 | 1,850 | 1,350 | **5,250** |
| Wokingham | 2,550 | 2,250 | 2,950 | **7,750** |
| Bracknell Forest | 3,750 | 2,400 | 1,350 | **7,500** |
| Windsor & M'head | 1,400 | 1,150 | 950 | **3,500** |
| Slough | 2,100 | 2,550 | 2,350 | **7,000** |
| **BERKSHIRE** | **14,550** | **13,450** | **12,000** | **40,000** |

7.24 Although the figures for each period are not precise limits or targets, it is considered essential that land is not released for development which might lead to the proposed housing provision for any period being significantly exceeded. This may require the imposition of conditions on proposed development limiting the number of dwellings that may be built by certain dates, and possibly restrictions on the amount of development permitted in any period. An oversupply of housing in any of the individual phases will be counted against subsequent phases so that the overall housing provision in each district should not be significantly exceeded. The definition of "significantly exceed" will need to be agreed between the County and district councils, dependent upon local circumstances.

7.25 The implementation of the phasing set out in Policy H2 would result in a gradual reduction in housebuilding rates during the Plan period, as shown in Figure 1. Average building rates would be considerably below the levels experienced in the recent past. For example, an average of 5,140 dwellings per annum were built between 1981 and 1989. During the recent years affected by recession in the housebuilding industry, completions have been reduced substantially and indeed in the first three years of this Plan period dropped below 3,000.

**Figure 1: Projected Future Housebuilding Rates**




7.26 A specific strategic issue which cannot be addressed by the district-wide distribution set out in Policy H2 is the needs of the wider Reading area, and in particular the fact that there is a substantial amount of employment-generating development already committed in the area. While additional housing provision in Reading Borough will go some way towards meeting the consequent labour supply demands, it is recognised that additional provision will also have to be made in adjoining districts.

7.27 Specific reference was made to meeting the needs of the Reading area in Policy H3 of the Deposit Draft Structure Plan. Policy H3 proposed that a proportion of the housing provisions in Policy H2 of the Plan for Newbury and Wokingham Districts, taken together, should be within the wider Reading area, or be close to good transport links with employment opportunities in the Reading area. Subsequently, the Panel which conducted the Examination in Public recognised that the housing needs of Reading could not be fully met within the Borough itself.

7.28 The County Council had, before the receipt of the Secretary of State's direction, examined options for locating in the wider Reading area a significant proportion of any additional housing development that may be required in the County. This reflected the fact that the area had the greatest concentration of need in the County. The Council considered that sustainable locations should be sought close to the existing built up area which are or can be well served by public transport. While it concluded that no areas could be found for major housing development without incurring environmental damage, the County Council decided that development south of the M4 at Reading in Wokingham District was the least damaging broad location which would enable relatively close access by public and private transport into Reading.

### Low-Cost Housing to Meet Local Needs in Rural Areas

Policy H8 In exceptional circumstances permission may be granted for small scale schemes solely for low-cost housing to meet proven local needs :

(i) on the periphery of rural settlements outside the Green Belt on sites which would not otherwise be released for development; or

(ii) within recognised settlements in the Green Belt defined in local plans.

Provision should be made for such schemes to be managed so that they remain affordable in perpetuity.

7.56 The implementation of these schemes will be a matter for local judgement and it will be the responsibility of the district councils in local plans to define what may be accepted as 'small scale'. Because such schemes are intended to be exceptions to normal restraint policies for development in rural areas, it will be essential to ensure that this housing is retained in perpetuity for local needs through agreements or appropriate methods of management. Local plans may also need to define which settlements these policies will apply to. Once built, these dwellings will be counted towards the Structure Plan housing provision.

## Type of Housing

7.57 It is important to secure variety in the location, type, size and price of new housing. There is a particular need for housing for first-time buyers, and for accommodation suitable for small households but in some areas needs for particular types of family housing have been identified. Other categories which may require specialist accommodation include the elderly and the handicapped. However, those providing new housing should give attention to the needs of disabled people in all schemes.

### Variety of Housing

Policy H9 Within the provision specified in Policy H2, favourable consideration will generally be given to proposals for residential development which add to the range of densities, dwelling types and sizes, with specific emphasis being given to the provision of smaller dwellings and other identified local or special needs, including those associated with Care in the Community policy.

7.58 Widening the choice of housing also involves accessibility to housing through adding to the variety of types of tenure which are available. Policies H9 and H10 will assist in this objective.

7.59 Provision of low-cost housing, or housing for first-time buyers and small households, should not be undertaken at the expense of a high standard of layout, design and landscape development. Policy EN1 seeks such high standards for all new development.

# 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.

## TRANSPORT REQUIREMENTS

4.17 In line with the County Council's intention to continue to develop an integrated approach to transport, it is important that the needs of all forms of transport are taken into account in dealing with proposals for development. Account also needs to be taken of:

(i) the aim of improving the overall level of safety on the transport network;

(ii) parking policies and standards; and

(iii) wider concerns to minimise traffic congestion which has adverse effects in the form of delay, air pollution, noise, visual intrusion and fuel consumption.

### Transport Considerations in Dealing with Development Proposals

Policy LD5 **In considering proposals for development, the requirements of all users of transport will be taken into account, including the needs of the mobility handicapped.**

**On and off-site provision of a standard appropriate to the nature and location of the proposed development and consistent with the integrated transport strategy needs to be made for :**

**(i) vehicular access and circulation;**

**(ii) parking;**

**(iii) public transport (including interchange facilities such as park and ride); and**

**(iv) facilities for pedestrians and cyclists.**

**Development will not be permitted where it is likely to give rise to serious problems of access, parking, road safety or traffic congestion.**

**Major development proposals should normally be located in areas which can be well served by public transport.**

4.18 The distinction between major and small scale developments may vary in different parts of the County, but normally major developments will include those set out in paragraph 4.9 (i) to (iv).

## INFRASTRUCTURE, SERVICES AND AMENITIES

4.19 Many of the concerns expressed in the past about development in Berkshire have been linked to the inadequacy of the supporting infrastructure, services and amenities. Rates of development reached their peak at a time when public spending was constrained. Consequently, there is today often little spare capacity in physical and social infrastructure in many parts of the County, while the ability of the public sector to fund new facilities remains limited. Thus it is important that landowners and developers should make appropriate provision for infrastructure, services and amenities made necessary by new development. In general, the costs will be offset against the development value of the land.

### Provision of Infrastructure, Services and Amenities

Policy LD6 **Before proposals for development are permitted, the local planning authorities will require to be satisfied that infrastructure, services and amenities made necessary by the development are provided or will be provided at the appropriate time so as to ensure the proper planning of an area.**

**To this end local planning authorities may require contributions to be made by landowners or developers to provide additional infrastructure or facilities where they are :**

**(i) needed to enable development to take place;**

**(ii) directly related to the proposed development; and**

**(iii) fairly and reasonably related in scale and kind to the proposed development.**

**Local planning authorities may also require an acceptable balance of uses in mixed development or the implementation of local plan policies for a particular area or type of development. Where appropriate, any amenity or resource lost or damaged as a consequence of development should be offset by new provision elsewhere either on or off-site.**

4.20 The County Council has produced jointly with the district councils a guide[1] for developers which sets out the general service standards that will be applied in considering the adequacy of any proposal. Account will also be taken of any spare capacity in the existing provision of facilities and services in an area and specific requirements and programmes set out in other policy documents such as local plans, development briefs and the Transport Policy and Programme.

4.21 The guide itself has been drawn up in the light of Government advice (DoE Circular 16/91) and includes references to the provision of public open space and to community facilities such as schools, libraries and halls, as well as to the physical infrastructure required for development to be implemented. This document will be updated on a regular basis. Legal agreements will be sought in appropriate instances to cover the provision of specific services and facilities related to the proposed development.

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1 *Infrastructure, Services and Amenity Requirements for New Development in Berkshire*

APPENDIX 4

# LODDON AREA LOCAL PLAN

## Adopted 5 May 1995

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire

plan, a village is 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 parts of villages have been excluded from the identified settlement, for example, small groups of development on the far side of a road that marks the boundary of the main built up area of the village. In order to be consistent in the treatment of settlements of similar size, function and character, it has been necessary to draw up a definition for settlements warranting identification 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 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.

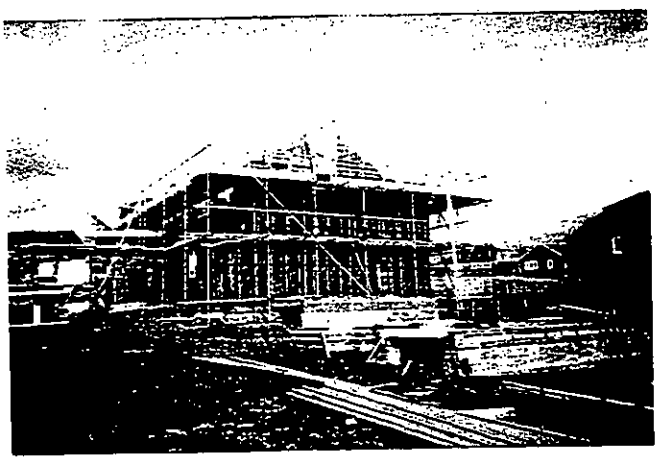
### ❖ *LTV1 'IDENTIFIED SETTLEMENTS'*

*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:-*

*ARBORFIELD CROSS*
*BARKHAM HILL*
*CHARVIL*
*EARLEY/SONNING/WOODLEY*
*HURST*
*RISELEY*
*SHINFIELD*
*SINDLESHAM*
*SPENCERS WOOD*
*SWALLOWFIELD*
*THREE MILE CROSS*
*TWYFORD*
*WARGRAVE*
*WINNERSH*

## 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 LH1 and LE2.



### ❖ *LTV2 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*

which the land is demarcated by rural as opposed to urban characteristics.

**1.1.10** Settlement edges are extremely sensitive areas of the landscape. Development occurring on or near the settlement edge can impinge unsatisfactorily on the countryside and prejudice the maintenance of a clear physical and visual separation between settlements. The need to consider the effect of proposals for limited housing and employment development on the rural areas is dealt with in policies LC1, LC2 and LC16.

**1.1.11** As a complement to the latter, and in line with the spirit of policies EN4 and EN5 of the Replacement Structure Plan, there is a need to ensure that natural features such as trees and hedgerows which soften or screen the edge of the built up area, and, in many cases delineate the boundary, are retained. Where a lack of natural features exist the boundaries of the identified settlements have been delineated by fencelines or other means. Where development intrudes on the countryside, the provision of landscaping will be encouraged. The background work for this policy has involved carrying out a plan wide landscape survey which has included an assessment of the quality of boundaries to 'identified' settlements.

### ❖ LTV4 ENHANCING SETTLEMENT BOUNDARIES

*THE DISTRICT COUNCIL WILL SEEK TO RETAIN NATURAL BOUNDARY FEATURES WHICH EXIST AROUND 'IDENTIFIED' SETTLEMENTS AND ENCOURAGE THE STRENGTHENING OF BOUNDARIES BY NEW TREES AND HEDGEROW PLANTING WHERE NATURAL FEATURES ARE WEAK OR ABSENT AND DEVELOPMENT IMPINGES ON THE COUNTRYSIDE. WHERE SUCH BOUNDARIES ARE FORMED BY WOODLAND OR TREES THE PROTECTION MAY TAKE THE FORM OF TREE PRESERVATION ORDERS.*

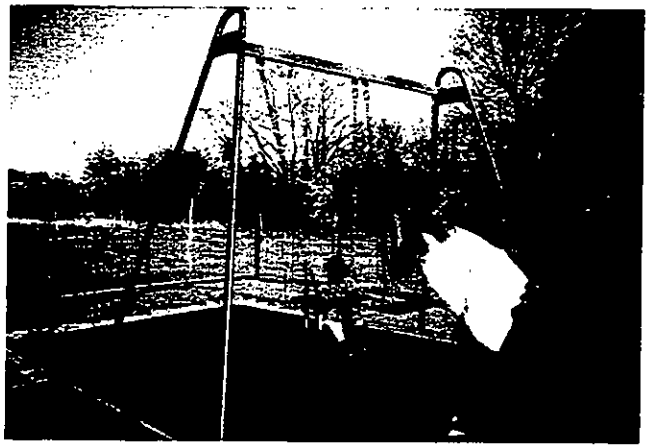
**1.1.12** Although there is a general presumption in favour of development within identified settlements, it is felt that there is a need to consider particularly carefully proposals for development within, but adjacent to the boundary of, the identified settlement where the settlement edge is fairly exposed due to land levels or limited natural screening and existing development is of a fairly low density. An intensification of the level of development through infilling, redevelopment or the additions of substantial extensions could result in the introduction of a hard urban edge close to the rural area.

### ❖ LTV5 TRANSITIONAL AREAS

*IN VISUALLY SENSITIVE TRANSITIONAL AREAS, AS DEFINED ON THE PROPOSALS MAP, THE DISTRICT COUNCIL WILL RESTRICT ADDITIONAL DEVELOPMENT, IN THE FORM OF INFILLING, REDEVELOPMENT AND EXTENSIONS TO A LEVEL APPROPRIATE TO PREVENT THE FORMATION OF A HARD URBAN EDGE TO SETTLEMENTS.*

## IMPORTANT OPEN AREAS WITHIN SETTLEMENTS

**1.1.13** In addition to the visually sensitive transitional areas and the more extensive open areas defined in Part 2 of the Local Plan, certain parts of some settlements have a distinctive character derived from the amount of open space and space about buildings. Often these spaces have a profuse amount of vegetation within them which is important in softening the urban environment. Whilst some settlements have isolated areas of this form of development the degree of concentration of development in older settlements tends to decrease with distance from the centre and there are open areas close to the boundaries which it is important to retain. Many of the important open areas within settlements are by their nature small and the local plan does not, therefore, define the areas to which the following policy relates. The application of the policy will be through the consideration of individual areas in the light of specific proposals.



### ❖ LTV6 PROTECTION OF IMPORTANT OPEN AREAS WITHIN SETTLEMENTS

*WITHIN THE IDENTIFIED SETTLEMENTS, DEVELOPMENT OF AREAS OF OPEN LAND INCLUDING GAPS IN ROAD FRONTAGES AND GARDEN AREAS WHICH SIGNIFICANTLY CONTRIBUTE TO THE CHARACTER OF SETTLEMENTS WILL NOT NORMALLY BE PERMITTED. ANY NEW DEVELOPMENT, INCLUDING INFILL DEVELOPMENT WILL ONLY BE PERMITTED IF IT IS SYMPATHETIC IN SCALE AND CHARACTER TO THE ENVIRONS OF THE SITE.*

## ENVIRONMENTAL ENHANCEMENT

***1.1.14*** The District Council is keen to see enhancement of the environment throughout the plan area. Priorities for action are established in the following chapters but other opportunities will also be taken as they arise subject to the availability of funding and other resources where appropriate.

allow some development to occur in the identified settlements on unidentified sites in response to needs and opportunities identified by landowners and developers. It is estimated that a further 781 dwellings will be provided in the District on such sites between 1992 and 1998. Details of the basis for this estimation are given in Local Plan Working Paper Four which is available separately from this plan.

### ❖ LH1 HOUSING DEVELOPMENT ON UNIDENTIFIED SITES

*WITHIN THE IDENTIFIED SETTLEMENTS RESIDENTIAL DEVELOPMENT IN THE FORM OF INFILLING, ROUNDING OFF AND DEVELOPMENT GENERALLY WILL BE CONSIDERED FAVOURABLY SUBJECT TO LOCAL ENVIRONMENTAL CONSTRAINTS AND OTHER PROVISIONS OF THIS PLAN. IN VIEW OF THE SENSITIVITY OF SUCH PROPOSALS AND THEIR POTENTIAL IMPACT THE PREPARATION OF A DEVELOPMENT BRIEF WILL NORMALLY BE NECESSARY IN BRINGING FORWARD SCHEMES ON SITES OVER 0.4 HECTARE. ON SITES OVER 0.4 HECTARE, AN ELEMENT OF AFFORDABLE HOUSING WILL BE SOUGHT IN ACCORDANCE WITH POLICY LH8.*

*IN INTERPRETING THIS POLICY, THE DISTRICT COUNCIL WILL PARTICULARLY WISH TO ENSURE THAT THE FOLLOWING CRITERIA (WHICH ARE AMPLIFIED IN OTHER POLICIES WHERE INDICATED) ARE COMPLIED WITH:*

*(A) THE PROTECTION OF OPEN AND WOODED AREAS, GAPS AND GARDEN AREAS WHICH ARE IMPORTANT TO THE CHARACTER OF THE SETTLEMENT CONCERNED (POLICY LTV6 AND VARIOUS SPECIFIC POLICIES);*

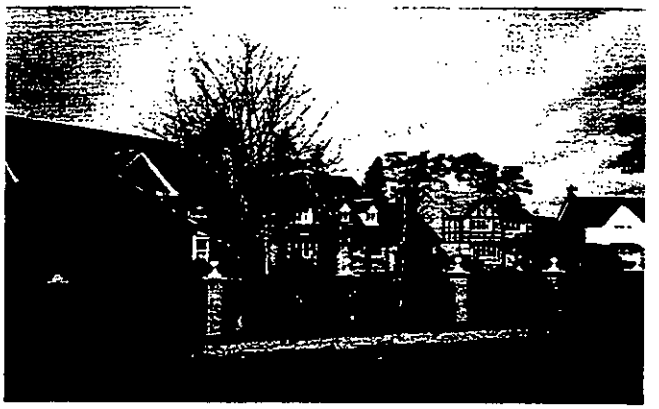
*(B) NO SIGNIFICANT ADVERSE EFFECT ON THE CHARACTER OF THE AREA (POLICIES LTV6, LBE1 & LBE2);*

*(C) NO SIGNIFICANT ADVERSE EFFECT ON SETTLEMENT BOUNDARIES AND THE SURROUNDING COUNTRYSIDE (POLICY LTV5);*

*(D) NO LOSS OF PUBLIC OPEN SPACE OR RECREATIONAL FACILITIES (POLICY LR4);*

*(E) THE PROVISION OF ADEQUATE GARDEN AREAS, SPACE ABOUT BUILDINGS AND OFF-STREET PARKING FOR ALL NEW DWELLINGS;*

*(F) THE PRESENCE OF ADEQUATE LOCAL HIGHWAY CAPACITY TO CATER FOR TRAFFIC GENERATED BY THE DEVELOPMENT.*



**1.2.08** The housing requirement for the five year period to 1998 is based on the provision required by the Approved Structure Plan until 1996, and thereafter on that required by the provision to be made in the Draft Deposit Structure Plan. This gives a total requirement 1992-98 of 3590 units for Wokingham District. Of the total provision (1984-98) some 9630 had been built by March 1992. Permission had also been granted for a further 1785 dwellings on that date and commitments had been entered into subject to legal agreements, for a further 257 dwellings. Together with the 781 houses to be provided on unidentified sites a total of 12229 dwellings have been provided for (taking into account non-implementation of unidentified sites and Lower Earley). Therefore, in the entire District, sites remain to be identified for 991 dwellings.

**1.2.09** Sites for 336 dwellings are to be included in the South East Area Local Plan, and 726 additional dwellings have been identified in this Local Plan. This totals 1062 dwellings - more than the requirement to allow for non-implementation of any sites. The total for this Plan area is made up of 470 dwellings to be developed as the main area

nure and size of dwellings are not normally nsidered to be land-use matters. Site aracteristics though can influence the type of velling that can be provided, e.g. dense housing an urban situation, large dwellings in extensive ounds in village fringe locations, sheltered ousing in communal grounds. Further the District ouncil, with its resources of information can dvise residential developers about the types of ousing required in the Plan area. This information as to be regularly updated as the housing situation hanges over time. The District Council is nonitoring housing need and is carrying out a ousing needs survey in the Spring of 1993.

**1.2.24** In preparing this information the District ...il will have regard to:

a) existing commitments for residential development;

b) indications of need e.g. the housing waiting list, homelessness;

c) the condition of the housing stock e.g. dwellings lacking basic amenities, dwellings requiring substantial renovation due to lack of maintenance;

d) programmes of other agencies providing residential accommodation i.e. social services, health authorities;

e) the needs of special groups, e.g. the elderly, mentally ill, mentally handicapped and disabled.

**1.2.25** At present the main housing needs are for more:

a) small (one and two-bedroomed) dwellings;

b) dwellings to rent;

c) low-cost dwellings of various sizes.

### ❖ LH7 HOUSING NEEDS

*THE DISTRICT COUNCIL WILL PROVIDE DEVELOPERS WITH INFORMATION ON THE HOUSING NEEDS OF THE PLAN AREA, INCLUDING THOSE OF PARTICULAR SOCIAL GROUPS, SO THAT THEY ARE AWARE OF THE REQUIREMENTS WHEN FORMULATING PROPOSALS.*

**1.2.26** Planning Policy Guidance Note 3 gives advice on the provision of low-cost housing. The District Council has given consideration to this matter. The guidance states that a community's need for affordable housing is a material planning consideration which may properly be taken into account in formulating development plan policies. The need for such housing in Wokingham District is clear from the evidence in the Council's Housing Strategy statement and is likely to be confirmed in the forthcoming needs survey (Spring 1993). Where there is a demonstrable lack of affordable housing, it can be provided and will be sought within housing developments on a substantial scale. In Wokingham District such sites are considered to be over 0.4 hectare in extent. Within the provisions of Policy LPS1 though, smaller sites will also make a contribution. Guidance is that in the absence of development sites on a sufficient scale special provision can be made under the rural 'exceptions' scheme. In view of the needs the Council has made limited provision for such exceptions in policy.

**1.2.27** In considering whether rents are affordable the Council will have regard to the income of likely occupants using Housing Corporation or National Federation of Housing Association guidelines as well as the likely Housing Benefit subsidy threshold for the proposed dwellings.

### ❖ LH8 VARIETY OF HOUSING

*ON SITES OVER 0.4 HECTARE THE DEVELOPMENT SHOULD INCORPORATE A REASONABLE MIX AND BALANCE OF HOUSE TYPES AND SIZES TO CATER FOR A RANGE OF HOUSING NEEDS INCLUDING THAT FOR AFFORDABLE HOUSING. BEFORE GRANTING PLANNING PERMISSION, THE PLANNING AUTHORITY WILL SATISFY ITSELF THAT SECURE ARRANGEMENTS ARE MADE TO ENSURE THAT THE BENEFITS OF AFFORDABLE HOUSING*

*WILL BE ENJOYED BY SUCCESSIVE AS WELL AS BY INITIAL OCCUPIERS OF THE PROPERTY. IN CONSIDERING PLANNING APPLICATIONS AND PREPARING DEVELOPMENT BRIEFS PARTICULAR CONSIDERATION WILL BE GIVEN TO THE NEED TO ACHIEVE A RANGE OF HOUSING DENSITIES AND DWELLING SIZES IN ORDER TO PROVIDE THE OPPORTUNITY FOR LOWER COST AND SMALLER [ONE AND TWO BEDROOMED] DWELLINGS.*

### ❖ LH9 PROVISION OF AFFORDABLE DWELLINGS BY EXCEPTIONS

*AS AN ADDITIONAL PROVISION TO THAT CONTAINED IN POLICY H1 OF THE REPLACEMENT STRUCTURE PLAN FOR BERKSHIRE PERMISSION WILL BE GRANTED ON LAND ON WHICH HOUSING WOULD NOT NORMALLY BE PERMITTED UNDER THE PROVISIONS OF POLICIES LH1 AND LH2 FOR AFFORDABLE DWELLINGS IN RESPONSE TO PROVEN LOCAL NEED SUBJECT TO:*

*i) THE DEVELOPMENT BEING WITHIN OR ON THE EDGE OF AN IDENTIFIED SETTLEMENT IN THE FORM OF INFILLING, ROUNDING OFF OR REDEVELOPMENT;*

*ii) LOCAL ENVIRONMENTAL CONSTRAINTS AND OTHER PROVISIONS OF THIS LOCAL PLAN BEING MET;*

*iii) THE DWELLINGS BEING OCCUPIED SOLELY BY THOSE WHO ARE RESIDENTS OF THE DISTRICT PRIOR TO OR ON THE DATE OF GRANTING PLANNING PERMISSION;*

*iv) THE OCCUPATION OF THE DWELLINGS BEING CONTROLLED IN THE LONG TERM TO ENSURE THAT SECOND AND SUBSEQUENT OCCUPIERS' NEEDS FALL WITHIN THE PROVISIONS OF THE POLICY;*

*v) THE DWELLINGS BEING 'AFFORDABLE'. SUCH DEVELOPMENT WILL BE PRIMARILY UNDERTAKEN BY HOUSING ASSOCIATIONS AND WILL NORMALLY BE SUPPORTED BY THE DISTRICT COUNCIL IN ITS ROLE AS AN ENABLER OF LOW COST LOCAL HOUSING NEEDS PROVISION.*

*DEVELOPMENT ON THE EDGE OF SETTLEMENTS WILL BE SMALL IN SCALE, NOT NORMALLY EXCEEDING TEN DWELLINGS OR 0.4 HECTARE IN SIZE. IT SHOULD BE IN LOCATIONS THAT DO NOT INTRUDE INTO OPEN COUNTRYSIDE, THAT ARE NOT ESSENTIAL TO THE SEPARATION OF SETTLEMENTS AND WHICH CAN BE DEVELOPED WITHOUT AN ADVERSE EFFECT ON THE CHARACTER OR SETTING OF THE SETTLEMENT. IN ALL CASES THE DISTRICT COUNCIL WILL ENSURE THAT DEVELOPMENT RESPECTS THE SCALE AND CHARACTER OF THE SITE AND ITS SURROUNDINGS, AND THAT THE GENERAL CRITERIA APPLYING TO NEW HOUSING SITES INCLUDED IN POLICY LH1 ARE COMPLIED WITH.*

*BEFORE GRANTING PLANNING PERMISSION, THE PLANNING AUTHORITY WILL SATISFY ITSELF THAT SECURE ARRANGEMENTS ARE MADE TO ENSURE THAT THE BENEFITS OF AFFORDABLE HOUSING WILL BE ENJOYED BY SUCCESSIVE AS WELL AS BY INITIAL OCCUPIERS OF THE PROPERTY.*

# 1.4 QUALITY AND 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 development, 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. For particularly sensitive areas, design briefs will be prepared to provide a framework for design to guide prospective developers. 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 the 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 proposing 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 or required to establish the wider context within which applications will be considered.

### ❖ *LBE1 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.*

### ❖ LBE2 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 ING, 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 also to seek opportunities to enhance the quality of the built environment.

**1.4.05** Often the more attractive and successful an 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, district and local shopping centres in particular, where large scale redevelopment 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.

### ❖ LBE3 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.*

### ❖ LBE4 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.

### ❖ LBE5 SUNLIGHT AND DAYLIGHT

*IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND REFURBISHMENT THE DISTRICT COUNCIL WILL*

## STREET FURNITURE

**1.4.12** Many elements of the built form have an important effect upon the quality 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.

### ❖ LBE7 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. 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.

### ❖ LBE8 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.*

### ❖ LBE9 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*** 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 District Council 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.

### ❖ *LBE10 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 ADVERTISEMENTS 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.




### ❖ *LBE11 SHOP FRONTS*

*NEW SHOP FRONTS WILL BE PERMITTED WHERE THEY RELATE SATISFACTORILY TO THE ARCHITECTURAL FRAMEWORK OF THE BUILDING, ARE COMPATIBLE WITH THE CHARACTER OF THE AREA AS A WHOLE AND USE APPROPRIATE MATERIALS AND STYLES. ADDITIONALLY WITHIN CONSERVATION AREAS TRADITIONAL SHOPFRONTS OR REMAINING FEATURES SHOULD BE RETAINED.*

*REQUIRED AS A RESULT OF NEW DEVELOPMENTS, SUBJECT TO THERE BEING NO SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECT. 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:*

*A329/FOREST ROAD: Junction improvement*
*BETCHWORTH ROAD/WILDERNESS ROAD, EARLEY: Junction improvement*
*LODDON BRIDGE ROAD/CROCKHAMWELL ROAD, WOODLEY: Junction improvement*
*LODDON BRIDGE ROAD/HEADLEY ROAD: Modification to roundabout*
*A329 WOKINGHAM ROAD/WILDERNESS ROAD: Junction improvement*
*SONNING LANE/A4 BATH ROAD: Junction improvement*
*WINNERSH CROSSROADS: Improvement*
*ARBORFIELD CROSS: Junction improvements with A327*
*BUTTS HILL ROAD BRIDGE OVER RAILWAY: Provision of footbridge*
*B3349 BARKHAM BRIDGE: New bridge with road realignment*
*ELM ROAD, EARLEY: Realignment*
*ELM ROAD/PEPPER LANE: Roundabout improvement*
*A327 GREENSWARD LANE: Improved alignment.*

### ❖ LT5 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

**1.8.10** The increase in the number of cars in the area through growth and high car ownership rates has lead to an increase in demand for parking spaces in shopping centres in the area placing existing facilities under pressure. The District Council recognises the need for car parking in order to maintain the viability of some centres. However new public car parking has environmental implications and may not be acceptable in some more sensitive areas particularly if it is decked.



### ❖ LT6 PARKING PROVISION

*THE DISTRICT COUNCIL WILL SEEK THE PROVISION OF APPROPRIATELY LOCATED PARKING FACILITIES AND CAR PARKING IN ACCORDANCE WITH THE DISTRICT COUNCIL'S ADOPTED STANDARDS, TO BE PROVIDED EITHER IN CONJUNCTION WITH NEW DEVELOPMENT OR BY OBTAINING AN APPROPRIATE LEVEL OF COMMUTED PAYMENT WHERE THERE IS AN INTENTION TO PROVIDE, OR AN IDENTIFIED NEED FOR, PUBLIC PROVISION.*

Note 1: The sum required per parking space by way of a commuted payment will be regularly reviewed.

APPENDIX 5




# 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

**POLICIES**

5.12 Only part of the District's housing requirement is met through the allocation of specific areas of land for development. Housing will continue to be built on unidentified sites. In accordance with Berkshire Structure Plan Policies (C1 and H5), these sites will be within the boundaries of identified settlements.

**POLICY WH1: HOUSING DEVELOPMENT - UNIDENTIFIED SITES**

WITHIN THE IDENTIFIED SETTLEMENTS, ON SITES THAT ARE NOT IDENTIFIED IN THE PLAN FOR RESIDENTIAL USE, DEVELOPMENT IN THE FORM OF INFILLING, REDEVELOPMENT AND CHANGE OF USE TO RESIDENTIAL USE WILL BE CONSIDERED FAVOURABLY, SUBJECT TO LOCAL ENVIRONMENTAL AND AMENITY CONSIDERATIONS AND ALL OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN, IN ORDER TO MAKE THE BEST USE OF LAND IN BUILT-UP AREAS.

IN PARTICULAR, THE COUNCIL WILL SEEK TO ENSURE THAT THE FOLLOWING CRITERIA ARE COMPLIED WITH:

a) OPEN AND WOODED AREAS, AND GAPS AND GARDEN AREAS, THAT ARE IMPORTANT TO THE CHARACTER OF THE SETTLEMENT, ARE PROTECTED FROM *INAPPROPRIATE* **(PA 5/3)** DEVELOPMENT

b) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE CHARACTER OF THE AREA, INCLUDING ON ANY CONSERVATION AREA

c) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY RESIDENTIAL PROPERTY OR LISTED BUILDING

d) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE SETTLEMENT BOUNDARY OR ON THE ADJOINING COUNTRYSIDE

e) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY INTEREST OF NATURE CONSERVATION IMPORTANCE

f) THERE IS NO LOSS OF RECREATIONAL FACILITIES OR PUBLIC OPEN SPACE

g) THERE IS ADEQUATE LOCAL HIGHWAY AND INFRASTRUCTURE CAPACITY TO CATER FOR TRAFFIC AND OTHER DEMANDS GENERATED BY THE DEVELOPMENT, WITH, WHERE SEEN AS NECESSARY, THE PROVISION OF ROAD SAFETY MEASURES. IT WILL BE NECESSARY TO CONSIDER THE CUMULATIVE EFFECT ON ROADS AND INFRASTRUCTURE OF PROPOSED DEVELOPMENTS IN THE SAME AREA, TO DETERMINE THEIR ACCEPTABILITY UNDER THIS CRITERION

Cont.

h) ~~AN ELEMENT OF AFFORDABLE HOUSING IS PROVIDED IN SCHEMES OF 25 OR MORE DWELLINGS IN SETTLEMENTS OF UNDER 3,000, AND IN SCHEMES OF 40 OR MORE DWELLINGS ELSEWHERE. FOR THE AVOIDANCE OF DOUBT, THE SETTLEMENTS WHERE THE 40 DWELLINGS REQUIREMENT APPLIES COMPRISE EARLEY, NORTH FINCHAMPSTEAD, TWYFORD, WARGRAVE, WINNERSH, WOKINGHAM, CROWTHORNE (PINEWOOD) AND WOODLEY. NEW DEVELOPMENT WILL BE EXPECTED TO COMPLY WITH THE COUNCIL'S SERVICE, AMENITY, AND INFRASTRUCTURE REQUIREMENT (S.A.I.R.).~~

h) *AN ELEMENT OF AFFORDABLE HOUSING IS PROVIDED IN RESIDENTIAL SCHEMES OF 15 OR MORE DWELLINGS OR OF 0.5 HECTARE OR MORE IN SETTLEMENTS OF 3,000 OR FEWER, AND OF 25 OR MORE DWELLINGS OR OF 1 HECTARE OR MORE ELSEWHERE. THE SETTLEMENTS WHERE THE 25 DWELLINGS REQUIREMENT APPLIES COMPRISE CROWTHORNE (PINEWOOD), EARLEY, NORTH FINCHAMPSTEAD, TWYFORD, WARGRAVE, WINNERSH, WOKINGHAM AND WOODLEY. NEW DEVELOPMENT WILL BE EXPECTED TO COMPLY WITH THE COUNCIL'S SERVICE, AMENITY, AND INFRASTRUCTURE REQUIREMENT (S.A.I.R.).*

**(PA 5/4)**

PROPOSALS FOR RESIDENTIAL DEVELOPMENT WILL BE JUDGED AGAINST THE COUNCIL'S PLANNING GUIDELINES FOR THEIR ACCEPTABILITY UNDER DESIGN AND PARKING CRITERIA.

Implementation: Planning permissions to private and public sector housebuilders, having regard to Planning Guidelines.

Monitoring: Planning applications.

~~***POLICY WH1A: HOUSING DEVELOPMENT - INFILLING GAPS WITHIN GROUPS AND MINOR EXTENSIONS TO GROUPS OUTSIDE SETTLEMENTS***~~

~~*SENSITIVE INFILLING OF SMALL GAPS WITHIN SMALL GROUPS OF HOUSES AND MINOR EXTENSIONS TO GROUPS OUTSIDE DESIGNATED GREEN GAPS (POLICY WCC 2) FOR RESIDENTIAL USE WILL BE ACCEPTABLE SUBJECT TO LOCAL ENVIRONMENTAL AND AMENITY CONSIDERATIONS AND ALL OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN.*~~

~~*IN PARTICULAR, THE COUNCIL WILL REQUIRE COMPLIANCE WITH THE FOLLOWING CRITERIA:*~~

~~a) *OPEN AND WOODED AREAS, AND GAPS AND GARDEN AREAS, THAT ARE IMPORTANT TO THE CHARACTER OF THE AREA, ARE PROTECTED FROM INAPPROPRIATE DEVELOPMENT*~~

~~b) *THERE IS NO ADVERSE EFFECT ON THE CHARACTER OF THE AREA, INCLUDING ON ANY CONSERVATION AREA OR AREA OF SPECIAL CHARACTER*~~

~~c) *THERE IS NO ADVERSE EFFECT ON ANY RESIDENTIAL PROPERTY OR LISTED BUILDING*~~

~~d) *THERE IS NO ADVERSE EFFECT ON THE ADJOINING COUNTRYSIDE*~~

~~e) *THERE IS NO ADVERSE EFFECT ON ANY INTEREST OF NATURE CONSERVATION IMPORTANCE*~~

~~f) *THERE IS NO LOSS OF RECREATIONAL FACILITIES OR PUBLIC OPEN SPACE*~~

~~g) THERE IS ADEQUATE LOCAL HIGHWAY AND INFRASTRUCTURE CAPACITY TO CATER FOR TRAFFIC AND OTHER DEMANDS GENERATED BY THE DEVELOPMENT, WITH, WHERE SEEN AS NECESSARY, THE PROVISION OF ROAD SAFETY MEASURES. IT WILL BE NECESSARY TO CONSIDER THE CUMULATIVE EFFECT ON ROADS AND INFRASTRUCTURE OF PROPOSED DEVELOPMENTS IN THE SAME AREA, TO DETERMINE THEIR ACCEPTABILITY UNDER THIS CRITERION~~

~~PROPOSALS FOR RESIDENTIAL DEVELOPMENT WILL BE JUDGED AGAINST THE COUNCIL'S PLANNING GUIDELINES FOR THEIR ACCEPTABILITY UNDER DESIGN AND PARKING CRITERIA.~~

~~Implementation: Planning permissions to private and public sector housebuilders, having regard to Planning Guidelines.~~

~~Monitoring: Planning applications.~~ **(PA 5/5)**

5.13 Assuming that ~~2,500~~ *1,850* **(PA 5/6)** dwellings are provided on the major site south of the M4 at Grazeley *BY 2006,* **(PA 5/6)** it is necessary to ensure that sufficient land is identified for the development of small sites. The sites that have been identified in Policy WH2 have been selected on the basis of their performance against a number of environmental criteria.

**POLICY WH2: HOUSING DEVELOPMENT - IDENTIFIED SITES**

IN ADDITION TO THE ~~2,500~~ *1,850* **(PA 5/6** DWELLINGS TO BE BUILT AT GRAZELEY (SEE PROPOSAL WSM1), THE COUNCIL WILL MAKE PROVISION FOR THE DEVELOPMENT OF APPROXIMATELY ~~240~~ *867* **(PA 5/6)** DWELLINGS IN THE PERIOD 1 APRIL 1996 TO 31 MARCH 2006 ON THE FOLLOWING SITES, SUBJECT TO THE PROVISION OF INFRASTRUCTURE AND PUBLIC AND COMMUNITY SERVICES NECESSARY TO SUPPORT THE DEVELOPMENT. THESE SITES WILL BE SAFEGUARDED FROM OTHER TYPES OF DEVELOPMENT. IN BRINGING FORWARD THE SITES FOR DEVELOPMENT, A DEVELOPMENT BRIEF WILL BE REQUIRED. *DEVELOPMENTS AT OR NEAR WINNERSH WILL BE REQUIRED TO CONTRIBUTE TOWARDS SCHEMES PUT FORWARD IN THE WINNERSH TRANSPORT STUDY.***(PA 5/7)**

~~a) PRIORITY SITES:~~
~~i CH03 CHARVIL FARM, BATH ROAD, CHARVIL~~
~~ii SH09 LAND AT JUNCTION OF KILN LANE AND BEECH HILL ROAD, SPENCERS WOOD~~
~~iii WI12 LAND WEST OF MOLE ROAD, SINDLESHAM~~
~~iv WI17 FORMER GMU DEPOT, WATMORE LANE, WINNERSH~~
~~v WK06 KEEPHATCH FARM, NORTH OF KEEPHATCH HOUSE, WOKINGHAM~~
~~vi WK20 EASTHAMPSTEAD ROAD CAR PARK, WOKINGHAM~~
~~vii WK21 LAND AT NORTON ROAD, WOKINGHAM~~
~~viii WK35 WOKINGHAM FOOTBALL CLUB, WOKINGHAM.~~**(PA 5/6)**

Cont.

a) *WI12 LAND WEST OF MOLE ROAD, SINDLESHAM*
b) *WI17 FORMER GMU DEPOT, WATMORE LANE, WINNERSH*
c) *AB05 ARBORFIELD GARRISON, ARBORFIELD*
d) *SH03 LAND AT GRAZELEY ROAD, THREE MILE CROSS*
e) *SH13 CHURCH FARM AND CATTLE BREEDING CENTRE, CHURCH LANE*
f) *SH15 LAND AT HOLLOW LANE, SHINFIELD*
g) *SH27 LAND AT WILSFORD CLOSE, SHINFIELD*
h) *SH37 LAND AT LANE END FARM, CUTBUSH LANE, SHINFIELD*
i) *WI13 LAND AT CHATSWORTH AVENUE, WINNERSH*

~~IF IT BECOMES CLEAR THAT DEVELOPMENT OF ANY OF THESE SITES CANNOT BE ACHIEVED BY 2006, AND ALTERNATIVE SITES HAVE NOT COME FORWARD SUFFICIENT TO MAINTAIN A FIVE YEAR SUPPLY OF HOUSING LAND, THE COUNCIL WILL IDENTIFY FOR DEVELOPMENT A SITE OR SITES FROM THE LIST OF RESERVE SITES THAT FOLLOWS.~~

~~b) RESERVE SITES:~~
~~i AB05 ARBORFIELD GARRISON, ARBORFIELD~~
~~ii SH03 LAND REAR OF PROPERTIES ON GRAZELEY ROAD, THREE MILE CROSS~~
~~iii SH14 LAND AT CHURCH LANE, SHINFIELD~~
~~iv SH15 LAND AT HOLLOW LANE, SHINFIELD~~
~~v SH27 THE HOMESTEAD, SHINFIELD ROAD, SHINFIELD~~
~~vi WI13 LAND AT CHATSWORTH AVENUE, WINNERSH~~

~~THESE SITES ARE NOT IN PRIORITY ORDER FOR RELEASE. THE COUNCIL WILL DECIDE BETWEEN THE SITES IN THE LIGHT OF THE CIRCUMSTANCES PREVAILING WHEN THE DECISION NEEDS TO BE MADE.~~

Implementation: Planning permissions to private and public sector housebuilders.

Monitoring: Monitor release of sites for development, including planning permissions. **(PA 5/6)**

5.14 The retention of the existing housing stock is important in helping to meet the overall requirements of the District. Consequently, net losses of existing housing will only be acceptable in exceptional circumstances.

**POLICY WH3: EXISTING RESIDENTIAL USES**

THE COUNCIL WILL NORMALLY RESIST PROPOSALS INVOLVING THE LOSS TO OTHER USES OF EXISTING RESIDENTIAL ACCOMMODATION. HOWEVER, CONSIDERATION WILL BE GIVEN TO MAKING AN EXCEPTION TO THIS POLICY WHERE:

a) THE PROPOSAL WOULD PROVIDE ESSENTIAL COMMUNITY SERVICES, OR

b) A CHANGE OF USE OF A LISTED BUILDING WOULD HELP TO SECURE ITS PRESERVATION OR ENHANCEMENT, OR

c) THE EXISTING ACCOMMODATION IS NOT SELF-CONTAINED AND A SEPARATE ACCESS CANNOT BE SATISFACTORILY PROVIDED, OR

d) THE AMENITY OF THE EXISTING ACCOMMODATION IS SO POOR AS TO RENDER INAPPROPRIATE ITS RETENTION IN RESIDENTIAL USE.

Cont.

POLICY AS IN THE SAME CIRCUMSTANCES GIVEN UNDER POLICY WH3. FOR ANY SUCH EXCEPTION TO THE POLICY TO BE ACCEPTABLE, THE PROPOSED DEVELOPMENT SHOULD HAVE NO ADVERSE IMPACT UPON THE CHARACTER OF THE ENVIRONMENT OR ON LOCAL AMENITY, AND COMPLY WITH ALL OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN.

Implementation: Planning permissions, and encouragement to owners of property to reinstate use.

Monitoring: Planning applications, and monitoring of numbers of new flats over shops and losses of residential accommodation.

5.17 The provision of a variety of types and sizes of accommodation is desirable so that the housing needs of as many households as possible can be met. The District Local Plan seeks to secure the mix of accommodation that will provide appropriate housing in line with the identified needs. *THE HOUSING NEEDS SURVEY 1997, CARRIED OUT BY CONSULTANTS ON BEHALF OF THE COUNCIL, IS ESPECIALLY USEFUL IN IDENTIFYING THE TYPES OF DWELLING THAT THE AREA REQUIRES. THE SURVEY, BASED ON A SAMPLE OF THE TOTAL POPULATION OF THE DISTRICT, IDENTIFIED PROPORTIONATE DEMAND BY DWELLING SIZE AS BEING: ONE/TWO BEDROOMED UNITS - 45%; THREE BEDROOMED UNITS - 25%; FOUR + BEDROOMED UNITS - 30%.* **(PA 5/10)**

5.18 The Council will also encourage a mix of dwellings as appropriate on individual sites, including for those with particular needs. This approach helps in the achievement of balanced communities, and has the added benefit of assisting in the development of greater townscape variety. (More detailed information on housing mix and densities can be found in the Council's Housing Design Guidelines.)

5.19 The plan also aims to ensure that existing residential accommodation is not lost to other uses, to maintain as wide a variety of dwellings as possible.

**POLICY WH6: VARIETY OF HOUSING**

ON SITES WHERE RESIDENTIAL DEVELOPMENT IS CONSIDERED ACCEPTABLE BY THE COUNCIL, PROPOSALS WILL BE EXPECTED TO INCORPORATE A MIX AND BALANCE OF DENSITIES, DWELLING TYPES AND SIZES. THE COUNCIL WILL ASSIST DEVELOPERS BY PROVIDING THEM WITH INFORMATION ON THE HOUSING NEEDS OF THE PLAN AREA, INCLUDING THOSE OF PARTICULAR GROUPS IN THE COMMUNITY, SO THAT THEY ARE AWARE OF THE REQUIREMENTS WHEN FORMULATING PROPOSALS. PARTICULAR EMPHASIS WILL BE GIVEN TO THE NEED FOR SMALL (ONE, TWO AND SMALLER THREE BEDROOMED) DWELLINGS.

Implementation: Planning permissions. Supply of information to public and private sector housebuilders.

Monitoring: Planning applications and permissions.

5.20 In terms of this policy, the term 'affordable housing' is taken to mean accommodation that is accessible to people whose incomes or resources are insufficient to enable them to buy or rent housing on the open market. Contributions to meeting housing need can be made by the provision of:

~~a) 'affordable' housing for first time buyers~~
~~b) accommodation at below market price~~
~~c) housing in partnership with a registered housing association~~
~~d) dwellings at affordable rents~~
e) ~~shared ownership schemes.~~ **(PA 5/11)**

## 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.

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.

4.21 Many of the routes into Wokingham and other settlements are lined with trees and other vegetation that make a significant contribution to environmental character. It is the Council's intention that these 'green' routes should be maintained and enhanced wherever possible. This is to be achieved through protecting the existing trees, managing the trees and other vegetation, resisting inappropriate development, and ensuring a high quality streetscape including trees, hard and soft landscaping, and well-designed signage. In addition, certain stretches of road that have the potential to be green routes, particularly sections running between existing green routes, will be enhanced.

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.

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.

REGARD TO EXISTING LEVELS OF INFRASTRUCTURE, SERVICES AND AMENITIES.

WHERE THE DEVELOPMENT GIVES RISE TO THE NEED FOR THE PROVISION OF NEW OR EXTENDED PUBLIC AND COMMUNITY SERVICES, PERMISSION WILL NOT BE GIVEN UNTIL THE PLANNING AUTHORITY IS SATISFIED, BY IMPOSING CONDITIONS, OR WHERE THESE ARE NOT APPROPRIATE OR ADEQUATE, BY SEEKING A LEGAL AGREEMENT, THAT AN APPROPRIATE LEVEL OF INFRASTRUCTURE, SERVICES AND AMENITIES REQUIRED AS A CONSEQUENCE OF, AND DIRECTLY RELATED TO, THE DEVELOPMENT IS CAPABLE OF BEING, AND WILL BE, PROVIDED WITHIN THE TIMESCALE OF THE PROPOSED DEVELOPMENT IN ACCORDANCE WITH AN AGREED PHASING PROGRAMME.

THE COUNCIL WILL PRODUCE SUPPLEMENTARY PLANNING GUIDANCE REGARDING THE IMPLEMENTATION OF THIS POLICY.

Implementation: Through the development control process and in consultation with service providers.

Monitoring: Planning applications determined and reporting to Services, Amenities and Infrastructure Working Party.

**Environmental Improvements**

1.14 It is important that wherever possible development makes best use of existing resources and enhances the existing area to reduce impacts on amenities and preserve non-renewable resources such as greenfield sites. This accords with Central Government advice and policies contained within the Berkshire Structure Plan 1991 - 2006. Such opportunities may occur both on and off the development site when they are directly related to the proposal.

**POLICY WOS5: ENVIRONMENTAL IMPROVEMENTS**

WHEN CONSIDERING PROPOSALS FOR DEVELOPMENT, OPPORTUNITIES WILL BE SOUGHT TO SECURE ENVIRONMENTAL IMPROVEMENTS, BOTH ON AND OFF-SITE. THESE MAY FOR EXAMPLE INCLUDE:

A) THE USE OF BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES

B) LANDSCAPING, INCLUDING MAJOR STRUCTURAL LANDSCAPING ON SENSITIVE AND EXPOSED SITES

C) PROVISION OF RECYCLING FACILITIES

D) RE-USE AND REFURBISHMENT OF EXISTING BUILDINGS IN PREFERENCE TO REDEVELOPMENT

E) UPGRADING OF THE EXISTING URBAN FABRIC

*F) THE RELOCATION OF BAD NEIGHBOUR TYPE USES AND REDEVELOPMENT FOR MORE APPROPRIATE USES.* **(PA 1/7)**

Implementation: Through the development control process.

Monitoring: Planning applications determined and assessment of land involved.

**Settlements in their Landscape Setting**

2.76 Many settlements owe much of their character to the quality of their countryside setting. Where this forms part of a gap or wedge between settlements this character is protected by the Policy WCC2. Other areas that are solely important to the character of the settlements they surround are identified in this policy. Most have been identified and justified in the adopted local plans. The new areas adjoining Wargrave within the Green Belt are identified for the first time.

**POLICY WLL6: SETTING OF SETTLEMENTS**

DEVELOPMENT WILL NOT BE PERMITTED THAT WOULD DETRACT FROM THE OPEN OR COUNTRYSIDE APPEARANCE OF THE AREAS OF LAND IDENTIFIED ON THE PROPOSALS MAP THAT ARE OF SPECIAL SIGNIFICANCE IN MAINTAINING THE LANDSCAPE SETTING AND/OR THE INDIVIDUAL CHARACTER OF SETTLEMENTS.

Implementation: The development control process.

Monitoring: Impact of planning applications determined.

**Landscape and New Development**

2.77 Throughout the plan area, opportunities should be taken to ensure that new development both respects and contributes to the enhancement of the character of its immediate landscape, which can be urban or rural. Particular attention will be given to landscape enhancement in the critical areas of green wedges and gaps and setting. This will be achieved by giving advice and guidance to landowners, countryside management projects, and opportunities arising from acceptable forms of development.

**POLICY WLL7: LANDSCAPE AND NEW DEVELOPMENT**

NEW DEVELOPMENT, BOTH WITHIN AND ADJOINING THE COUNTRYSIDE, SHOULD RESPECT THE LANDSCAPE CHARACTER OF THE AREA AND, WHERE APPROPRIATE, PROVIDE MEASURES FOR THE PROTECTION AND ENHANCEMENT OF THAT LANDSCAPE CHARACTER, PARTICULARLY EXISTING BOUNDARY FEATURES.

IN ALL CASES THE DEVELOPMENT WILL:

A) WHERE PRACTICABLE, ALLOW THE RETENTION OF EXISTING SUITABLE TREES AND OTHER FEATURES

B) INCLUDE AN APPROPRIATE TREE PLANTING AND LANDSCAPE SCHEME THAT IS CONSISTENT WITH LOCAL LANDSCAPE CHARACTER.

Implementation: The development control process.

Monitoring: Planning applications determined.

APPENDIX 6

+ Hways C122 135
125
129 137
130 + Bus Stns
131 + Adoptable Stds - More detailed plans.

**Conditions for Appeal for Application No. F/2001/3250**

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

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

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

4. Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows or similar openings shall be constructed in the first floor or above side elevations of plots 6 and 7 hereby permitted except for any which may be shown on the approved drawing(s).

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

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

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

8. 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.

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

10. Before any development is commenced, the results of a detailed investigation to ascertain whether the site is contaminated, together with any remediation scheme required as a result, shall be submitted to and approved in writing by the Local Planning Authority. This shall include a historical investigation, sampling and analysis of current soils, and a scheme of works to address any contamination. The remediation scheme shall thereafter be carried out as approved before any of the dwellings are first occupied.

11. Development shall not begin until a scheme for protecting the proposed dwellings and gardens/private amenity open space from noise from road traffic adjacent to the proposed development has been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be completed before any dwelling hereby approved is occupied. The approved scheme shall be retained and maintained for the duration of the use.

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

**Reasons**

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

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

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

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

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

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

7. In the interests of visual amenity.

8. In the interests of visual amenity.

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

10. To ensure any contamination of the site is remedied and to protect existing/proposed occupants of the application site and/or adjacent land.

11. to ensure that the occupants do not suffer from unacceptable high noise levels within the proposed dwellings and garden areas.

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

**Informative**

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

APPENDIX 7

NOTICE OF CONSENT

GF/FW

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT, 1972

TOWN AND COUNTRY PLANNING ACT, 1971

To: Miss King,
c/o Messrs. Poulters,
21, Station Road,
READING
Berks.
RG1 1LF

WOKINGHAM DISTRICT COUNCIL,
COUNCIL OFFICES,
SHUTE END,
WOKINGHAM, BERKS.

Application No. 07481

Proposal. Demolish dwellinghouse and erect 3 detached dwellings with garages at Silchester House, Basingstoke Road, Shinfield, Berks.

The Wokingham District Council under the above Acts hereby PERMIT the above development to be carried out in accordance with the accompanying plans submitted by you and approved by the Council on the 19th day of January 19 78 , subject to compliance with the conditions specified hereunder :-

SEE ATTACHED SHEETS

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are :-

SEE ATTACHED SHEETS

Except as aforesaid any permission granted is subject to due compliance with the byelaws and general statutory provisions in force in the District.

10 FEB 1978

Date .....

.....
District Secretary

Statement of applicant's rights arising from the refusal of planning permission or from the grant of permission subject to conditions.

1. Where an application is made to a District Planning Authority for planning permission to develop land, or for any approval of that Authority required under a development order, and that permission or approval is refused by that Authority or is granted by them subject to conditions, the applicant, if he is aggrieved by the decision may by notice under Section 36 of the Town and Country Planning Act, 1971 appeal to the Secretary, Department of the Environment, Caxton House, Tothill Street, London, SW1H 9LZ. Any Notice of Appeal under this Section must be served within SIX CALENDAR MONTHS from the receipt of this Notice.

2. Where an appeal is brought under Section 36 from a decision of the District Planning Authority, the Secretary of State may allow or dismiss the appeal or may reverse or vary any part of the decision of the District Planning Authority whether the appeal relates to that part thereof or not, and may deal with the application as if it had been made to him in the first instance. The decision of the Secretary of State on any appeal under this Section is final.

3. Before determining an appeal under this Section other than an appeal referred to a planning inquiry commission under Section 48 of the Town and Country Planning Act, 1971, the Secretary of State shall, if either the applicant or the District Planning Authority so desire, afford to each of them an opportunity before, and being heard by, a person appointed by the Secretary of State for the purpose.

4 You must provide the appropriate Certificate under Section 27 of the Town and Country Planning Act, 1971 which relates to notification of your application to owners and agricultural tenants. Sections 29 (1) and (3) and 30 (1) apply, with any necessary modifications, in relation to an appeal to the Secretary of State under Section 36 as they apply to an application for planning permission which falls to be determined by the District Planning Authority.

If before or during the determination of an appeal under Section 36 in respect of an application for planning permission to develop land, the Secretary of State forms the opinion that having regard to the provisions of Sections 29 (1), 30 (1), 67 and 74 of this Act and of the development order, and to any direction given under that order, planning permission for that development could not have been granted by the District Planning Authority; or could not have been granted by them otherwise than subject to the conditions imposed by them, he may decline to determine the appeal or to proceed with the determination.

Where on an application for planning permission to develop any land, permission is refused or is granted subject to conditions, then if the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state; and in a case where planning permission was granted subject to conditions, that the land cannot be rendered capable of reasonably beneficial use by the carrying out of the permitted development in accordance with those conditions; and in any case that the land cannot be rendered capable of reasonably beneficial use by the carrying out of any other development for which planning permission has been granted or for which the district planning authority or the Secretary of State has undertaken to grant planning permission, he may, serve on the Council of the District in which the land is situated a notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act, 1971.

In certain circumstances a claim may be made against the District Planning Authority for compensation where the Secretary of State either on appeal or on the reference of the application to him for determination, refuses permission or grants it subject to conditions. The circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act, 1971.

1. Details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved by the District Planning Authority before any building operations the subject of this permission shall commence and this condition shall apply notwithstanding any indications as to these matters which have been given in the current application.

2. Application for the approval of the reserved matters shall be made to the District Planning Authority within 3 years of the date of this permission.

3. The development hereby permitted shall be begun on or before whichever is the later of the following dates:-

   (a) the expiration of 5 years from the date of this permission,

   (b) the expiration of 2 years from the final approval by the District Planning Authority of the reserved matters in condition No. 1 above, or in the event of such matters being approved on different dates, from the final approval of the last such matter to be approved.

4. The access shall be provided to the satisfaction of the District Planning Authority.

5. A turning space shall be provided within the curtilage to enable vehicles to enter and leave the site in a forward direction.

6. The site shall be developed by the erection of a 2-storey house

7. The existing dwelling and outbuildings on the site shall be completely demolished prior to the erection of any new dwellings hereby approved.

8. The design of the building shall provide for the external walls to be constructed in facing brickwork of a predominantly red or red/brown colour and for a dark red/brown or dark brown roof.

9. All the existing trees on the site shall be retained, except for those which the District Planning Authority agree need to be removed or lopped being either dead or dying or directly affected by building operations. Otherwise no tree shall be felled, destroyed, topped, lopped or damaged, in any way, without the prior written consent of the District Planning Authority. Similarly no damage shall be caused to the roots of the trees which shall not be covered by builders' plant and materials. Furthermore, the natural soil levels over the roots shall be maintained at all times.

10. Any trees felled, destroyed or severely damaged contrary to the above condition or which are dead or dying as a result of such damage or disturbance shall, within six months be replaced with new semi-mature trees of a similar or more appropriate species as may be approved by the District Planning Authority. Such replacement planting shall thereafter be maintained until well established to the satisfaction of the District Planning Authority.

Contd:/

11. Before building operations commence, adequate protection shall be afforded to prevent damage to the existing trees (including their roots) which are to be retained on the site by the erection of fencing to coincide with the spread of the branches, to the satisfaction of the District Planning Authority.

12. The development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme which shall be submitted as part of the details of the proposed development as required by Condition No. 1 above. The scheme shall show full details of all the proposed planting, site levels, means of enclosure and ground surface treatment. The approved scheme shall be carried out during the next planting season following the substantial completion of the development to the satisfaction of the District Planning Authority. The new planting shall thereafter be maintained until well established to the satisfaction of the District Planning Authority.

13. The site for the development hereby approved shall be sub-divided so as to give the northern most plot a frontage width of 70ft with the two other each having a frontage width of 40ft.

14. A schedule and also samples of the materials to be used in the elevations of the proposed development shall be submitted to and approved by the District Planning Authority before building work commences, and this condition shall apply notwithstanding any indications as to these matters which have been given in the current application.

15. The garages hereby permitted shall be built concurrently with the dwellings on the site and no dwelling shall be occupied until its garage has been built. The garages shall be used as domestic garages only and shall not be used for business purposes. Furthermore, the garages shall not be converted into living accommodation without the prior permission of the District Planning Authority.

REASONS

1. The application is in outline only and not accompanied by detailed plans.

2.) These conditions are deemed to be attached by virtue of Section 42
3.) (2) (a & b) of the Town and Country Planning Act, 1971.

4.) In the interests of road safety.
5.)

6. To ensure that the development will be in a form appropriate to the site.

7. In the interests of amenity.

8. To ensure that the new dwelling will be in keeping with the character of the area.

Contd:/

9.)
10.) In the interests of amenity.
11.)
12.)

13. In order to achieve a more open form of development on the end of the existing settlement.

14. Insufficient details of the materials have been submitted with the application.

15. In the interests of amenity and to ensure that the garages are retained in accordance with the District Planning Authority's parking standards. To avoid also the subsequent erection of garages of different designs and materials which would be likely to detract from the appearance of the development.

INFORMATIVES

Full details of all foul and surface water drainage proposals shall be submitted to and approved by the Wokingham District Council before commencement of the development.

Public foul sewer available and crosses (middle) rear half of site in a southerly direction. No building to be constructed within 3 metres either side of the existing sewer. Soakaways shall be designed and constructed in accordance with BRE Digest 151 The developer shall submit a plan indicating the existing and proposed ground levels over the whole of the site together with the proposed slab levels.

District Secretary

10 FEB 1978

APPENDIX 8

Department of the Environment
Room 1421
Tollgate House Houlton Street Bristol BS2 9DJ
Telex 449321
Direct line 0272-218 350
Switchboard 0272-218811
GTN 2074

Messrs Brain and Brain
Solicitors
Addington House
73 London Street
READING
RG1 4QB

Your reference
DEE/CAS/Watts
Our reference
T/APP/5131/A/81/05724/G2
Date
28 JAN 1982

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY B E WATTS (READING) LIMITED
APPLICATION NO: 14388

1. I refer to your clients' appeal, which I have been appointed to determine, against the decision of the Wokingham District Council to refuse planning permission for the erection of 12 dwellings and 4 garage blocks with 16 garages (as shown on Dwg No B/931/2C) on land at the site of Silchester House, Basingstoke Road, Shinfield, Berks. As you know, I held an inquiry into the appeal on Wednesday 25 November 1981.

2. From my consideration of the evidence given and the representations made both at the inquiry and in the letters received and from my inspection of the site and its surroundings, I have come to the conclusion that the main issues in this case are whether or not the proposed development, firstly, would be appropriate to its location in terms of its architectural form, mix of dwelling-types and density, secondly, would significantly impair the existing amenities of adjacent dwellings and, thirdly, would provide adequate standards of amenity for dwellings within the appeal site.

3. I have noted your clients' arguments that the appeal site is disadvantaged by its proximity to the M4 and A33, and the junction of these roads, which dominate the views to north and west and create continuous traffic noise; that, because of these disadvantages and the wide choice currently available to the upper sector of the housing market, the 3 large detached dwellings, for which planning permission was previously granted and which the council would still allow, would have to be offered at relatively low prices and, even so, there would be a long delay in finding purchasers so that the project would not be viable; that there is, on the other hand, a substantial demand for small, low-cost, "starter" homes which will not be satisfied by approved developments elsewhere and for which this site is entirely suitable; that the development proposed is a "rounding off" of existing ribbon development along Basingstoke Road and, as such, it is appropriate that it take the form of a termination rather than one which simply extends the ribbon; that the density of 12 dwellings per acre proposed is not excessive since there are existing groups of dwellings in Basingstoke Road at 8 per acre; that because of the special characteristics of the appeal site, at the end of a cul-de-sac, no precedent would be created and that, in any case, this proposal must be treated on its merits; and that they are fully conscious of the need to provide adequate amenities within the site and to avoid harming those of adjacent dwellings and are prepared to adjust the layout to meet the criticisms of the council and local residents.

APPENDIX 9

PLANNING PERMISSION

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1990

To: BRYANT HOMES SOUTHERN LIMITED/
SLOUGH ESTATES PLC
POPES MANOR MURRELL HILL LANE
BINFIELD BRACKNELL
BERKSHIRE RG12 5DA

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1BN

Application No.44001 (F )

Proposal:
ERECTION OF THREE PAIRS OF SEMI-DETACHED HOUSES (6 UNITS)
WITH GARAGES AND ASSOCIATED ACCESS
SILCHESTER HOUSE BASINGSTOKE ROAD SHINFIELD

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.(5)

01 REASON This condition is deemed to be attached by virtue of Section 91(1) of the Town and Country Planning Act, 1990.(3R)

02 A detailed schedule and also samples of all the materials to be used in the elevations and the ground surface treatment of the proposed development shall be submitted to and approved in writing by the District Planning Authority before building work commences, and this condition shall apply notwithstanding any indications as to these matters which have been given in the current application.(19)

02 REASON To ensure the use of appropriate materials and the submission of adequate details in this respect.(11R)

03 The garages hereby permitted shall be used as domestic garages only and shall not be used for business purposes nor for any other purpose without the prior written permission of the District Planning Authority.(61)

03 REASON In the interests of amenity and to ensure that the garages are retained for use in accordance with the District Planning Authority's parking standards.(61R)

continued/-

Application 44001 continued

fences shown on the approved layout).(231)

07 REASON In the interests of visual amenity.(13R)

08 2 metre high close boarded fencing shall be erected on the side boundaries of each plot immediately to the rear of each dwelling hereby approved for a distance of at least 3.5 metres to provide a high degree of privacy. The screen fencing shall be erected prior to the occupation of the respective dwellings.

08 REASON In the interests of visual amenity and because insufficient details of the screening have been submitted.(2601)

09 Before development is commenced accesses to the site shall be constructed to the satisfaction of the District Planning Authority.(2602)

09 REASON In the interests of road safety.

10 Vehicle parking shall be provided in accordance with the District Planning Authority's Parking Standards before the proposed dwellings are occupied.(2603)

10 REASON In the interests of road safety.

INFORMATIVES:-

The Developer or Agent is requested to contact the Council's Engineer regarding the following informative(s). (669)

Full details of all foul and surface water drainage proposals shall be submitted to the Council's Engineer and approved by the District Council before commencement of the development.(671)

Soak-aways shall be designed and constructed in accordance with Building Research Establishment Digest 151.(679)

All existing land drainage disturbed shall be replaced or relaid as near as possible to its original position and subject to the approval of the Engineer, shall be connected to the surface water drainage system.(687)

The existing public sewer which crosses the site is clear of the proposal.(697)

No building will be permitted over or within 3 metres of the public sewer which crosses the site.(700)

continued/-

Application 44001 continued

The use of soakaways is subject to satisfactory testing in accordance with Building Research Establishment Digest No. 151.(708)

Soakaways shall be sited such that water does not discharge to the public sewer trench.(709)

Date 21 APR 1995

S. Heathcote
Assistant District Planning Officer

N.B. A statement of the applicant's rights is attached

This permission or approval is for the purposes of the Town and Country Planning Act 1990 only. Approval may also be required under the Building Regulations.

Note: Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the countryside and townscapes tidy.

INFORMATIVE: If this planning permission relates to the erection or extension of a building, then the following section applies:-

BERKSHIRE ACT 1986- SECTION 32: ACCESS FOR FIRE BRIGADE

(1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:-

(a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

continued/-

Application 44001 continued

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1971, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act of 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

**TOWN AND COUNTRY PLANNING ACT, 1990**

**SECTION 78 APPEAL**

**WOKINGHAM DISTRICT COUNCIL**

**APPELLANT:** **BRYANT HOMES TECHNICAL SERVICES LTD/ SLOUGH PROPERTIES LTD**

**APPEAL SITE:** **LAND ADJACENT TO MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, BERKSHIRE**

**DEVELOPMENT:** **ERECTION OF 10 DWELLINGS WITH ASSOCIATED ACCESS ROAD AND PARKING**

**LOCAL PLANNING AUTHORITY REFERENCE:**
**F/2001/3250**

**INSPECTORATE REFERENCE:**
**APP/X0360/A/01/1068463**

## 1.00 INTRODUCTION

1.1 The Council considers that the main issues in this case are (i) the effect of the development on the character and appearance of the area, and (ii) the effects of additional traffic on road safety and the free flow of traffic on nearby roads.

1.2 This Statement deals with the matters arising from (i) - character and appearance. A separate Statement is being prepared relating to the traffic and highway issues.

## 2.00 DESCRIPTION OF SITE AND SURROUNDINGS

2.1 The appeal site lies at the northern end of Three Mile Cross, a small settlement around 6km south of Reading. The site itself is at the extremity of a ribbon of houses on the northern arm of Three Mile Cross, facing across open highway land to the junction of the B3349 with the A33, a Primary Route running from Reading to Basingstoke and Southampton.

2.2 The appeal site of around 0.36ha is vacant and overgrown, with grass, vegetation and a number of mature and smaller trees. A house with garage or outbuilding is indicated on the 1975 Ordnance Survey Plan. The site is approximately 80m deep and has an average width of 45m.

2.3 Lying immediately to the south is Milestone Cottage, a detached house with an attached garage abutting the flank boundary with the appeal site. Beyond are further, mainly older two storey detached and semi-detached houses with similar deep rear gardens to the appeal plot. Facing the site is an irregular grassed area between the line of the Old Basingstoke Road and the A33 and B3349, to the south of which are a variety of houses and small business premises.

2.4 Open countryside adjoins the site to the north and east, and the M4/ A33 junction (J11) is only around 300m to the north.

2.5 A location plan of the site to 1:1250 scale is contained in Appendix 1.

## 3.00 PLANNING HISTORY

3.1 A number of applications for housing development at the site have been determined. An application for 6 houses was refused in 1972 (LPA Ref: 1348/71) on grounds of increased traffic; in 1973, three detached dwellings were approved (Ref 253/72). An application for 3 detached houses and garages was again approved in 1978 (Ref 07481).

3.2 An outline application for 12 houses was refused permission in November 1980 (LPA Ref: 14388) on grounds of inappropriate overdevelopment, out of character with other housing in the vicinity and likely to constitute a precedent.

A subsequent appeal was dismissed, as the Inspector in that case considered that the relatively high density for the area would not give a visually harmonious transition into the countryside; that the garages to the rear would cause noise and disturbance to occupiers of Milestone Cottage; and also that there was insufficient amenity space within the development, poorly located in some plots in terms of orientation, privacy and screening.

3.3 Six semi - detached houses in a row fronting onto Basingstoke Road were then approved in 1982 (Ref: 17557), and the permission was renewed in 1987 (Ref: 29046) and 1995 (Ref: 44001).

3.4 A more recent application for six semi-detached houses was submitted on 23rd December 1999 (Ref 42139). It was not determined, and was subsequently deemed to have been withdrawn.

3.5 Copies of the decisions directly relevant to this case are attached at Appendix 2.

## 4.00 RELEVANT DEVELOPMENT PLAN POLICIES

4.1 The Development Plan which applies to the area in which the appeal site is located comprises: the Berkshire Structure Plan, adopted London Area Local Plan and deposited Wokingham District Local Plan. The latter Plan will replace the London Area Local Plan, but is already capable of being accorded some considerable weight, having been subject to a Local Inquiry into objections.

4.2 The Berkshire Structure Plan (1991 - 2006) was adopted in November 1995 and is the statutory Structure Plan for the area. The following policies are relevant to consideration of this appeal:

H5 Development within settlements and redevelopment/ change of use;
EN1 Protection and enhancement of the environment of built-up areas.

Copies of these individual policies are set out at Appendix 3.

4.3 The London Area Local Plan was adopted in May 1995, and is the statutory Local Plan for the area of the appeal site. The Council's Planning and Transportation Committee at its meeting on 21st November 1996 resolved to '..re-affirm the decisions of this Committee and the Council in relation to the current adopted Local Plans and to note that they will continue to carry weight as the most up-to-date adopted policies, except in relation to housing provision.'

The relevant policies in this Local Plan are:

LTV6 Protection of important open areas within settlements;
LH1 Housing development on unidentified sites;

LBE2 Inappropriate design.

Copies of these policies appear at Appendix 4.

4.4 The Draft Wokingham District Local Plan was placed on deposit from 21st October until 2nd December 1997, and has formed the basis for development control decisions since 21st October 1997. The County Council issued a Statement of general conformity with the Berkshire Structure Plan in May 1997. A Local Plan Inquiry was held in 1998/9, and the report of the Inspector appointed to consider objections was recently published.

The relevant policies in the Wokingham District Local Plan are:

WH1 Housing development principles - unidentified sites;
WBE1 Development in its local context.

Copies of these policies are set out at Appendix 5.

The following national policy guidance is also relevant to this appeal:

PPG1 - General Policy and Principles
PPG3 - Housing
PPG13 - Transport

## 5.00 APPEAL PROPOSALS

5.1 The detailed appeal application was for 10 dwellings, an access road and parking. Three groups of two storey houses were indicated, with two terraces in close proximity at right angles to Basingstoke Road, and a third group of four houses towards the rear of the land. The access road was shown terminating in a turning head at a central position near the northern flank boundary, and continuing as circulation and open parking up to the flank boundary with Milestone Cottage around 50m from the Basingstoke Road frontage.

5.2 Open parking spaces were shown for each house, with rear gardens averaging 11 - 12m in depth, and new boundary and other planting including a 3m landscape buffer to Milestone cottage, as well as a children's play area at the north east rear corner of the site.

5.3 Permission was refused at the Council's Development Control Committee on 11th April 2001, on the grounds of impact on the character and appearance of the area, and effects on highway safety and the free flow of traffic on adjacent main roads.

## 6.00 CONSULTATIONS AND NOTIFICATION

6.1 The Shinfield Parish Council raised objections, in the form of concern about the susceptibility of the site to flooding; any Tree Preservation Orders should be respected; issues of ownership and maintenance of the landscape buffer strip alongside Milestone Cottage; and the question of future District or Parish ownership of the open space (play area), to prevent undesirable backland development.

6.2 Adjoining occupiers were notified of the application. Five letters of objection were received from 4 nearby occupiers, on grounds of overlooking of rear gardens; increased flood risk; exacerbation of traffic congestion; lack of local infrastructure and excessive development already in the area; and the previous refusal and dismissed appeal in respect of the site.

6.3 The Council's Environmental Health Officer raised no objection, subject to conditions relating to the impact of traffic noise on the new houses, and hours of construction. The Tree and Landscape Officer was generally satisfied with the relationship of the development to preserved trees on the site, but was concerned about the lack of space for new boundary planting adjoining the turning head within the site.

6.4 The Highways Section recommended refusal, on grounds of the additional traffic in and off the busy distributor road (B3349) close to its junction with the A33, prejudicial to safety and the free flow of traffic.

6.5 The Environment Agency raised no objection, subject to a number of safeguarding conditions.

6.6 The Thames Valley Police, Crime Prevention Design Advisor had some concerns over lack of potential for surveillance, recommending windows be inserted in gable ends of houses on plots 6 and 7. The rear play area was considered to be of a kind and location vulnerable to abuse by older youths during the later evening.

## 7.00 THE COUNCIL'S CASE

7.1 The appeal site lies within the Three Mile Cross settlement boundary in the Loddon Area Local Plan and the Wokingham District Local Plan. The site could therefore be considered as appropriate in general principle for residential development in the context of Berkshire Structure Plan Policy H5, London Area Local Plan Policy LTV1 and Wokingham District Local Plan Policy WOS2. As there is evidence that a house and garage or outbuilding existed on the site up to the 1970's, it may also be the case that it may fall within the definition of 'previously developed land' for the purposes of PPG3 - Housing. Annex C of PPG3 makes clear, however, that it does not follow that the whole area of such a curtilage should be developed. A number of caveats are set out in the Annex, including one that development should relate satisfactorily to the

surrounding area, both the remainder of this part of Basingstoke Road and the open countryside around the site, and the Council cannot agree that the appeal scheme is satisfactory in this respect.

7.2 The Council considers that, in this case the balance which should be expected between the most efficient use of land for housing development and issues of amenity and overdevelopment has not been satisfactorily struck. PPG3 sets out a quite fundamental shift in the emphasis to be made on re-use of urban and previously developed land, which are to be considered for housing before greenfield sites, but the Guidance to this effect is carefully qualified. Paragraph 70 indicates that villages will only be suitable for significant additional housing where this will support local services, identified local needs are being met, and the development is designed sympathetically and in keeping with the character of the village (with village design statements where available).

7.3 In order for development within a settlement identified in the adopted and draft Local Plans for the area to be acceptable, it should not have an unduly adverse effect on the character and appearance of the area, on neighbouring properties, or on traffic conditions on adjoining highways. In this case, the Council is of the view that the visual effect of development running to the very rear of a deep site would be intrusive to residents of a number of houses along Basingstoke Road, and be an unduly prominent and urbanising feature viewed from the open countryside. There is a public right of way around 90m north of the site, and open fields running southwards.

7.4 The Planning History of the site shows that permission has been granted where frontage development has been proposed, enabling up to 6 dwellings to be accommodated. Such a form of development, whilst at a higher density than that nearby at Three Mile Cross, would give a more acceptable transition between the settlement and the surrounding countryside, and not generate the noise and disturbance by development in depth with vehicular access and parking areas, as again proposed in the appeal application.

7.5 In addition, the activity inevitably associated with the manoeuvring and turning area serving four houses (plots 7 - 10), plus the proximity of the relatively short rear gardens of six houses (plots 1 - 6), would generate noise and disturbance affecting the quiet enjoyment of rear gardens at Milestone Cottage, and a number of houses beyond. This would be only partly mitigated by the landscape buffer strip proposed, which would take some years to come to maturity before becoming at all effective.

7.6 Although the scheme is slightly below the minimum density of 30dph now sought by PPG3 the appeal scheme density of just under 28 dwellings per hectare is considered acceptable, due to the need to retain the prominent preserved oak trees on the site frontage, the relatively small site area and in order to accord with the character of the adjoining area. This view relates purely to the principle of the density, however, and not to the overall acceptability of the scheme.

7.7 It is also the case that Local Planning Authorities need to consider the location of sites in relation to the sequential approach to new housing in the way set out at many points in PPG3. Wokingham's Housing Strategy is currently being reconsidered in the light of the Local Plan Inspector's recent report, and therefore the Inspector is invited to consider this broader dimension of the case on the basis of national policies.

7.8 Determined appeals relating to nearby sites are not always wholly relevant to a subsequent case. An appeal decision of March 2001, however, in respect of development of land to the rear of houses around 180m to the south in Basingstoke Road is of some interest. This appeal, relating to land at the rear of The Briars and Pembrook (INSPECTORATE Ref: APP/X0360/A/00/1053452) was dismissed on grounds of essentially the disturbance from vehicles in close proximity to frontage houses, and the impact on traffic safety in Basingstoke Road. The Council's grounds relating to impact on character and appearance were not accepted. Comparing generally with this case, it would appear that there are reasonable comparisons to be drawn in terms of the highways objections - which are possibly more acute in the appeal location even nearer to the A33 junction; and also to an access and turning area which abuts a rear garden. In addition, there is a clearly more pointed impact on the visual relationship between the settlement and the surrounding countryside in this case. The development would form a 'leading edge' to open fields on three sides, contrasted with the view from one rural direction at the rear of The Briars/ Pembrook, closer to the centre of the village and also small rear gardens in Church Lane.

7.9 This Statement does not address the highway issues, which are set out in a separate Statement.

## 8.00 CONCLUSION

8.1 The Local Planning Authority considers that the proposals in this appeal would have a harmful effect on the character and appearance of this part of Three Mile Cross and its adjoining countryside, due to the development in depth and its visual and residential amenity consequences.

8.2 Section 54A of the Town and Country Planning Act 1990 states that applications should be determined in accordance with the Development Plan unless material considerations indicate to the contrary. In this case, the proposal clearly conflicts with Development Plan policies in the Berkshire Structure Plan, London Area Local Plan and draft Wokingham District Local Plan, for the reasons set out in this Statement. The Inspector is therefore requested to dismiss this appeal.

## 9.0 PLANNING CONDITIONS

9.1 Without prejudice to the case presented in this Statement, the Council suggests that a number of matters call for the imposition of conditions, in the event of the Inspector contemplating allowing the appeal and granting permission. These are set out at Appendix 6.

## LIST OF APPENDICES

1. Ordnance survey location plan – Scale 1:1250
2. Copy of appeal application report to Development Control Committee of 11th April 2001
3. Extracts from Berkshire Structure Plan Policies
4. Extracts from Loddon Area Local Plan Policies
5. Extracts from draft Wokingham District Local Plan Policies
6. Suggested Planning Conditions
7. Decision notice – approval for 3 detached dwellings – Ref 07481
8. Decision notice - Appeal re 12 dwellings – Inspectorate Ref: T/APP/5131/A/81/05724/G2
9. Decision notice – approval for 3 pairs of semi-detached houses (6 units) – Ref 44001

Ron Madell
for Wokingham District Council
August 2001

*INSPECTORATE Ref: APP/A/X0360/A/01/1068463*
*LPA Ref: F/2001/3250*

# The Planning Inspectorate

47635

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
Shute End
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2001/3250

Our Ref: APP/X0360/A/01/1068463

Date: 11 September 2001

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**
**APPEAL BY BRYANT HOMES TECHNICAL SERVICES LTD / SLOUGH PROPERTIES LTD**
**SITE AT LAND ADJACENT TO, MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, READING**

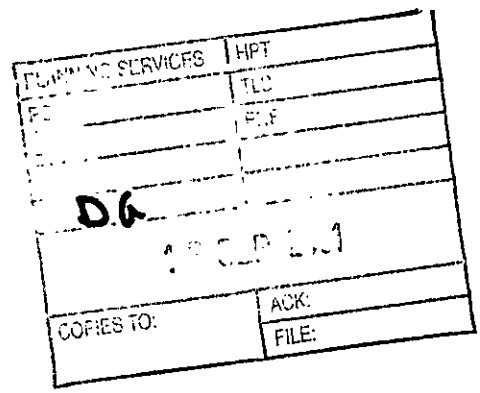
I enclose for your information a copy of the appellant's final comments on the above appeal. Normally, no further comments, from any party, will now be taken into consideration.

Yours faithfully

Simon Campbell

Mr S P Campbell

217L(BPR)



HGP PLANNING
CONSULTANCY

Town Planning Consultants
to the Private & Public Sector

[redacted]

**TOWN AND COUNTRY PLANNING**
**ACT 1990**
**APPEAL BY BRYANT HOMES AND**
**SLOUGH PROPERTIES**

# REBUTTAL STATEMENT

September 2001
00.P087

This statement comments on the evidence submitted by the Local Planning Authority and follows the same paragraph numbering set out in the LPA's statement.

6.1 The issues raised by the Parish Council were dealt within the Officer's Report to Committee and the appellants' original appeal statement. However, just to summarise, it should be noted that there is no Environment Agency objection to the proposed development in respect of flooding and the issue of surface water drainage can be addressed by means of condition. There is no evidence of any flooding on this site. The development has been designed so as to protect the TPO trees and additional tree planting is proposed within the 3 metre buffer, which will form part of a detailed landscaping scheme which itself will be subject to a landscape management plan, both of which can be appropriately conditioned. Council ownership of the children's play space is not necessary to ensure that it is not developed for housing in the future, as a separate planning application would be required

6.3 There was no objection to the appeal scheme by the Council's landscape officer.

6.6 As a general point, in respect of the comments raised by Thames Valley Police, it should be noted that plots 6 and 7 do have flank elevation windows at first floor level, serving the landing area. Unfortunately, whilst shown on the floor plan for unit 6, the window was missing from the elevation on the original drawing number 00.P087/04. An amended plan was sent to the LPA shortly after the application was submitted and a copy is attached.

The appellants do not agree with the assertion that the children's play space will be an area vulnerable to abuse from youths later in the evening, the area will be well over-looked by the proposed dwellings, giving the area natural surveillance which tends to discourage undesirable activity.

7.1 The LPA note that the site falls within the Settlement Policy Boundary for Three Mile Cross and states that *"the site could therefore be considered appropriate in general principle for residential development ..."*. This should, of course, read *"the site is therefore appropriate in general principle for residential development ..."*. Similarly, the LPA acknowledge the former dwelling known as Silchester House but state that the site may fall within the definition of previously developed land. Again, this should read *"does fall within the definition of previously developed land."*

(Our underlining)

The LPA go on to refer to Annex C of PPG3 which indicates that it does not necessarily follow that the whole of a site's curtilage should be developed just because it falls within the definition of previously developed land. To be specific, the example used in PPG3 relates to very large sites such as disused airfields and hospitals which is clearly a very different scenario to that of the appeal site.

7.2 The Local Planning Authority state that the development will be out of character with the surrounding area but very little evidence has been put

forward to support this view. The Local Planning Authority refer to paragraph 70 of PPG3 but this deals specifically with significant housing developments in villages. It should be noted that consent has previously been granted for six units on the site and that Three Mile Cross is identified as an area where additional housing is acceptable. There is no Village Design Statement for Three Mile Cross but, given the self-contained nature of the site, it is considered that the proposed design is not detrimental to the character of the settlement, which is constantly evolving, and strikes the correct balance in terms of development density and making the best use of land within the built-up area.

7.3 As already stated, the LPA, in determining the application subject to this appeal, did not consider that the proposed development was intrusive to neighbouring residential properties such that it would have an adverse effect on privacy or amenity. This is clear from both the Officer's Report to Committee and the lack of any reason for refusal relating to such issues. It is inappropriate for the Local Planning Authority to introduce this factor in support of their case at appeal. The fact of the matter is that the scheme has been designed so as to minimise any adverse impact on neighbouring properties. Officers themselves recommended the 3 metre landscape strip despite the fact that back garden lengths were already in excess of the standard development control distance of 10.7 metres.

The LPA contend that the proposed development would result in an unduly prominent and urbanising future viewed from the open countryside. In this respect, reference is made to the footpath which runs to the north of the site. It is on this issue that the LPA's case seems to rest and upon which the appellants fundamentally disagree. Even a cursory site assessment demonstrates that the site is extremely well screened from, and exhibits a different character to, the areas of countryside to the north and east. There are no public footpaths to the east of the site from which the site can be viewed. The footpath to the north extends eastwards but views towards the site are limited by the extensive planting which exists both when looking due south (photo 1.) and south west (photo 2.). The site is simply not visible owing to the planted tree belts which surround it. The site frontage itself benefits from the screening provided by the existing mature oak trees and views from both the A33 and Old Basingstoke Road are depicted in photographs 3 and 4.

The effect of the proposal must be considered in the context of the previously approved scheme for six dwellings occupying a frontage location and the now deemed withdrawn application which Officers indicated would only be acceptable with a similar ribbon of houses, albeit pushed further back into the site. When viewed from the site frontage, the effect of the proposed scheme will be less intrusive than previously consented schemes given that the view will be of a flank wall, children's play area and the front elevations of two properties set further back in the site. The views from the north and east have already been addressed above. As far as the views from the rear of properties along Old Basingstoke Road is concerned, the LPA have already concluded that development in depth is acceptable from a privacy and amenity point of view. This also relates to the issue of visual impact. Only oblique views towards some of the proposed dwellings will be possible from properties in Old Basingstoke Road and this will become increasingly limited in due course with tree planting in the buffer area. This is within the context of

the existing backdrop of mature trees and shrubs. It is not the case that existing views from properties in Old Basingstoke Road are over the site and into open countryside. Indeed, if it were not for the extensive planting which frames the site, oblique views from the south would be of the elevated M4 motorway and the very large buildings beyond.

7.4 Given the nature of the site, as described in 7.2 and 7.3 above, it is considered that the area is not sensitive to built development in depth in the manner expressed by the LPA. It should be noted that the form of frontage development now considered acceptable to the LPA would result in any new houses being pushed back into the site, with the front of the new houses set behind the rear of Milestone Cottage. Such a development would not respect the building line and would result in direct over-looking between the new properties and Milestone Cottage. In this context, and having due regard to the provisions of PPG3, the proposed development is considered eminently superior.

7.5 Once again, the Local Planning Authority make reference to noise and disturbance (in both paragraphs 7.4 and 7.5) even though this did not form the basis of their decision to refuse planning permission.

7.7 It is not clear exactly what point the LPA are seeking to make in this paragraph. PPG3 advocates giving priority to reusing previously developed land within urban areas, creating sustainable patterns of development by building in ways which exploit accessibility to services and facilities including public transport, making more efficient use of land and creating more attractive places in which people will chose to live. The LPA refer to the recommendations of the Local Plan Inspector and their revised approach to identifying sufficient land to deliver the Structure Plan housing requirement. This issue is addressed in paragraphs 3.20 and 4.20 of the appellants' original statement.

In undertaking urban capacity studies, a major component of housing supply is the ability to provide housing within existing defined built up areas ie within Settlement Policy boundaries. The site has already been shown to be accessible and the issue of the site's status as previously developed land is addressed in paragraph 7.1 above.

If LPA's are to deliver sufficient housing land in accordance with strategic guidance and the objectives of PPG3, minimising the amount of large Greenfield allocations, then more imaginative and efficient uses of land within built-up areas are required. Given the characteristics of the appeal site, it is considered that the proposed development is appropriate in this respect.

7.8 The LPA seek to rely upon an appeal decision elsewhere in Three Mile Cross, where planning permission for development in depth was refused. However, as far as the acceptability of development in depth was concerned, the Inspector found that the proposal was acceptable. The Council consider that there is a *"more pointed impact on the visual relationship between the settlement and the surrounding countryside in this case. The development would form a leading edge to open fields on three sides, contrasted with the view from one rural direction at the rear of the Briars Oak / Pembroke, closer to the centre of the village and also small rear gardens in Church Lane".*

This statement is considered to be wholly inaccurate and the appellants' view is supported by the photographic evidence attached and previously referred to in paragraph 7.3. In particular, it is obvious that the site does not abut open fields on three sides, given that the southern boundary is formed by an existing residential property and the western boundary by Old Basingstoke Road, a mounded landscape buffer and the A33.

In view of the evidence set out above and in the appellants' original statement, the Inspector is respectfully requested to allow this appeal and grant planning permission for the development of ten dwellings on land adjacent Milestone Cottage, Three Mile Cross.

HGP PLANNING CONSULTANCY

Town Planning Consultants
to the Private & Public Sector

FILE COPY

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

SJ/vn/00.P087
29th January 2001

For the attention of : Mrs Hurst

Dear Sir

**PLANNING APPLICATION**
**LAND OFF OLD BASINGSTOKE ROAD, SPENCERS WOOD**

With reference to your letter of 24th January 2001, please find enclosed a signed Certificate B to replace that originally issued.

The Notice has been sent under separate cover to your Chief Executive.

Drawing no 00.P087.04 has been revised to show the end of terrace window as requested, and the handed side elevation.

I look forward to receiving confirmation of registration.

Yours faithfully

**SYLVIA JEZEPH**

Furzehall Farm, Wickham Rd, Fareham, Hants, PO16 7JH.
Telephone 01329 220224. Facsimile 01329 282380.
Email: admin@hgppc.co.uk Website: www.hgppc.co.uk

Directors Jonathan Kamm BA DipTP MRTPI (Managing) Martin Hawthorne BSc(Hons) MRTPI Paul Evans DipARch (Dist Thes) DipTP RIBA MRTPI Nigel Schoolcraft ACCA
Associates Sylvia Jezeph, Mark Carrington BSc (Hons) DipTP(Dist) MRTPI, Robin Shepherd BSc (Hons) DipTP MRTPI
BSI Quality Assurance: ISO 9001/BS5750 Registered Firm No FS26663 VAT Registration No 582960331
Reg Office HGP Planning Consultancy Limited, Furzehall Farm Registered in England Reg. No. 2066641

PHOTOGRAPHIC APPENDIX



PHOTO 1: VIEW OF THE SITE FROM THE FOOTPATH TO THE NORTH, LOOKING DUE SOUTH. THE SITE IS WELL SCREENED BY EXISTING TREES.



PHOTO 2: VIEW OF THE SITE LOOKING SOUTHWEST FROM THE SAME FOOTPATH AT A POINT FURTHER TO THE EAST. EXISTING TREE BELTS DIVIDING FIELD PARCELS PREVENT VIEWS OF THE SITE.



PHOTO 3: VIEW OF THE SITE LOOKING SOUTHEAST FROM THE A33. THE SITE FRONTAGE CHARACTERISED BY THE MATURE OAK TREES IS TO THE RIGHT OF THE PICTURE



PHOTO 4: VIEW OF THE SITE FRONTAGE FROM OLD BASINGSTOKE ROAD, SHOWING THE EXTENT TO WHICH THE SITE IS SCREENED FROM THIS LOCATION.

**LAND ADJACENT TO MILESTONE COTTAGE, BASINGSTOKE RD**

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 78 APPEALS**

**HEARING - AGENDA FOR DISCUSSION**

1. **The policy framework:**

   (a) Confirmation of the relevant development plan policies for this appeal. The reason for refusal quoted the following:

   (i) Berkshire Structure Plan 1991-2006 – EN1 & LD5 – other policies stated as being relevant are H2, H9, & LD6 - Appellant also refers to H3

   (ii) Loddon Area Local Plan – LTV6, LBE2 & LT5 - other policies stated as being relevant are LTV1, LH1, LH8, LBE1 & LBE9

   (iii) Deposit Draft Wokingham District Plan – WH1, WBE1 & WT7 - other policies stated as being relevant are WOS2, WOS4, WH2, WH6, WBE11 & WLL7

   (b) Relevant national planning guidance

   (i) PPG1, PPG3 & PPG13

2. **Main Issue 1 – The effect of the proposed development on the character and appearance of the surrounding area.**

   (a) What is the existing character and appearance of the surrounding area?

   (b) How would the proposal, affect this character and appearance - specifically, what harm, if any, would be caused if the development were allowed?

   (c) Would there be an unacceptable impact on trees, particularly those protected by the TPO?

   (d) ?

3. **Main Issue 2 - The effect of the proposal on the safety and convenience of users of** the B3349 Basingstoke Road

   (a) Does existing traffic entering the B3349 experience difficulties? - if so, how severe are they?

   (b) How much traffic would the proposal generate, and what would the impact of this additional traffic be?

   (c) How safe is the junction of the Old Basingstoke Road with the B3349?

   (d) How does this proposal compare with the nearby proposal for 2 dwellings, dismissed recently on appeal?

   (e) would there be adequate on-site parking?

   (f) ?

4. **Main Issue 3 - – The effect of the proposed development on the living conditions of nearby residents, with particular reference to overlooking and noise and disturbance**

   (a) Would there be unacceptable overlooking or loss of privacy to Milestone Cottage, other existing dwellings, or the proposed houses?

   (b) Would the proposal give rise to unacceptable levels of noise and disturbance?

   (c) ? Backlot worries. PC.

5. **Any other matters concerning the appeal:**

   (a) is the site prone to flooding – if so, what measures are proposed to address this?

   (b) Would the planning obligation, referred to in the submissions, comply with government guidance in Circular 1/97

   (c) ?

6. **Conditions – without prejudice to the outcome of the appeal**

**Our ref:** SP\2001\003117\001
**Your ref:** F/2001/3250

**Date:** 23rd February 2001

ENVIRONMENT AGENCY

PLANNING SERVICES
POL
DC
APP
GS
26 FEB 2001
COPIES TO:
ACK:
FILE:

District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
Po Box 157
Wokingham
Berkshire
RG11 1BN

For the attention of: Angela Odell

Dear Sir/Madam

**ERECTION OF 10 DWELLINGS WITH ACCESS ROAD & PARKING**
**LAND AT SILCHESTER HOUSE, BASINGSTOKE ROAD, SPENCERS WOOD**

Thank you for your letter dated 1 February 2001 which was received on 5 February 2001. You are asked to quote the following reference in any correspondence: SU76NW/17/7. 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**: Surface water source control measures shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before development commences.
**REASON**: To prevent the increased risk of flooding and to improve water quality.

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

**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 required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from

Cont/d..

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

buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. *Contact Andrea Szabados on 01276 45 4373 for details.*

**ADVICE TO PLANNING AUTHORITY**

**Development Control: Contact Amanda Reed on 01276 45 4331**

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.

There are alternatives to conventional storage for the control of surface water run-off that are favoured by the Environment Agency where ground conditions are suitable and groundwater is not at risk. These techniques not only cater for flood peak attenuation, but may also improve water quality and enhance the environment. Such systems include permeable pavements, grassed swales, infiltration trenches, ponds and wetlands. The developer is advised to discuss with the Agency how these techniques might be applied at this site.

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

**ADVICE TO APPLICANT**

**Environment Protection: Contact Nick Weddell on 01276 454405**

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

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

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. A copy of this letter has been sent to the agent/applicant. If you have any further queries

Cont/d..

please do not hesitate to contact me on 01276 454323, quoting the reference cited at the beginning of this letter.

Yours faithfully

**Sarah Paxman**
**Development Planning Officer**

cc: HGP Planning Consultancy, Furzehall Farm, Wickham Road, Fareham PO16 7JH

**WOKINGHAM DISTRICT COUNCIL**

**SUPPORT SERVICES DEPARTMENT**
**LEGAL SERVICES**

**MEMORANDUM**

FROM: Edwina Field
Solicitor

MY REF: ECMF/MM/455/23
EXT: 6526

TO: Angela Odell, Planning
Ron Madell, Planning
Tom Callaghan, Engineering
Helen Rowlay, Education

YOUR REF:

DATE: 5th September 2001

---

**SILCHESTER HOUSE - APPLICATION F2001/3250**

I have had the opportunity to go through the documentation and my main concern as to the payments being made is timing. The proposal is that both the highways sum and the education sum be paid on occupation of the last dwelling to be constructed pursuant to a permission.

This may present problems because, if the properties are occupied, then the need for the services the funding is providing will be greater. Perhaps you can give some thought to this and let me have your views. Obviously the earliest payment time is best for us to allow us to put the necessary services into place at an early time. However, a compromise position may be the time at which the first dwelling is occupied.

I am also concerned to note that the transport funding is actually tied to the Mere Oak scheme in its entirety and this is not my interpretation of the Committee Report. Comments/instructions please!

Finally, are you aware that any of the funding not spent on the specified matters within five years of repayment is to be repaid with interest?

I look forward to hearing from you.

Edwina Field

Enc.

**DATED** **2001**

**BRYANT HOMES SOUTHERN LIMITED**

**-and-**

**WOKINGHAM DISTRICT COUNCIL**

**-and-**

**SLOUGH ESTATES PLC**

---

# Section 106 Agreement

---

relating to land at Silchester House, Basingstoke Road,
Three Mile Cross, Shinfield


**EVERSHEDS**

115 Colmore Row
Birmingham
B3 3AL
Tel: 0121 232 1000
Fax: 0121 232 1900
BIR_PROP/4332135v1

**THIS AGREEMENT** is made this day of 2001

**BY**

(1) **BRYANT HOMES SOUTHERN LIMITED** whose registered office is Popes Manor, Murrell Hill Lane, Binfield, Bracknell, Berkshire, RG42 4DA and **SLOUGH ESTATES PLC** whose registered office is 234 Bath Road, Slough, SL1 4EE ("Owners")

(2) **WOKINGHAM DISTRICT COUNCIL** of Shute End, Wokingham, Berkshire RE40 1WR ("the Council")

**WHEREAS**

1. The Council is the Local Planning Authority for the area within which is situated the land at Silchester House, Basingstoke Road, Three Mile Cross, Shinfield shown edged red on plan annexed hereto ("the Site")

2. The Owners are seized for an estate in fee simple in the Site.

3. By a written application reference number F/2001/3250 dated 30 January 2001 ("the Planning Application") Owner has applied to the Council for full planning permission to develop the Site for the erection of 6 two bedroom and 4 three bedroom houses with associated access road and parking ("the Development").

4. By a notice of refusal dated 11 April 2001 the Council refused to grant planning permission for the reasons set out therein ("the Refusal") and the Owner appealed to the Secretary of State ("the Appeal") against the Refusal.

5. The Owners and the Council enter into this obligation to the intent that any objections of the Council to the grant of planning permission are overcome and subject to the Secretary of State allowing the Appeal and granting planning permission for the Development.

6. The Owners and the Council have agreed to enter into this Agreement to make provision for regulating the Development in securing the matters hereinafter referred to and will be bound by the terms of the Agreement should the Secretary of State allow the appeal and grant planning permission for the Development pursuant to the Planning Application.

**NOW THIS DEED** is made in pursuance of Section 106 of the Town and Country Planning Act 1990 ("1990 Act") and is a planning obligation for the purposes of that Section and **WITNESSETH** as follows:

1. **Definitions**

| | |
|---|---|
| "Education Contribution" | Means the sum of fifteen thousand and ten pounds (£15,010.00) payable in accordance with clause 5 hereof. |
| "Transport Contribution" | Means the sum of ten thousand six hundred and eighty two pounds (£10,682.00) payable in accordance with clause 4 hereof. |
| "Commencement/Commencing Development" | Means the carrying out of any material operation listed in sections 56 and 91-93 of the 1990 Act PROVIDED THAT for the purposes of determining if a material operation has been carried out the carrying out of remediation works site clearance or ground investigation or surveys shall be disregarded |
| "The Planning Permission" | Means the planning permission issued by either the Council or the Secretary of State pursuant to the Planning Application. |
| "Unconditional Date" | Means the date to be ascertained in accordance with the provisions of clause 3 hereof upon which the date this Agreement shall become unconditional and have full effect |

2. **Statutory Provisions**

2.1 This Deed is made in pursuance of Section 106 of the 1990 Act and is a planning obligation for the purposes of Section 106 of the 1990 Act.

2.2 This Deed shall be enforceable by the Council

3. **Conditions Precedents**

3.1 This Deed is conditional and shall only have effect upon:

3.1.1 The date upon which the Council or the Secretary of State grants the Planning Permission; and

3.1.2 Either

3.1.2.1 The date thirteen weeks after the grant of the Planning Permission in circumstances in which no legal proceedings have been commenced by any person to challenge the validity of the Planning Permission PROVIDED ALWAYS that just before the expiry of thirteen weeks after the grant of the Planning Permission any person shall commence legal proceedings to challenge the validity of the Planning Permission then the said thirteen week period shall be extended until after the final determination of such legal proceedings which shall for the avoidance of doubt include the expiry of the period allow for any appeal and any appeal hearing and where applicable for any necessary re-determination by the Council or Secretary of State (whereupon the foregoing provisions shall apply again) and shall expire upon the date seven days after the final determination of such legal proceedings and circumstances in which the Planning Permission shall be extant; or

3.1.2.2 The Owners Commencing Development.

3.2 The Owners hereby covenant with the Council not to begin Development by the carrying out a material operation in accordance with the provisions of Sections 56 and 91-93 of the 1990 Act until such time as the Owners has served on the Council a written notice advising the Council of the date the Owners intend to Commence Development.

4. **Transport Contribution**

The Owners and the Council covenant with each other as follows:

4.1 The Owners shall pay to the Council on or before the occupation of the last dwelling to be constructed as part of the Development the Transport Contribution to be used

towards sustainable transport measures in the first phase of the Mereoak Park and Ride Scheme.

4.2 The Council covenants with the Owners to apply and appropriate the Transport Contribution towards the cost of the said sustainable transport measures in the first phase of the Mereoak Park and Ride Scheme and for no other purpose.

4.3 The Council covenants that if any part of the Transport Contribution shall not have been expended within 5 years of receipt of payment at clause 4.1 above then such unexpended portion of the Transport Contribution shall be repaid to whichever one of the Owners which made the payment to the Council pursuant to clause 4.1 together with interest at HSBC base rate from and including the date of payment by the Owners to the date of repayment by the Council.

5. **Education Contribution**

The Owners and the Council covenant with each other as follows:

5.1 The Owners shall pay to the Council on or before the occupation of the last dwelling to be constructed as part of the Development the Education Contribution to be used towards capital funding at Lambs Lane Primary School.

5.2 The Council covenants with the Owners to apply and appropriate the Education Contribution towards the cost of the said capital funding at Lambs Lane Primary School referred to at clause 5.1 above and for no other purpose.

5.3 The Council covenants that if any part of the Education Contribution shall not have been expended within 5 years of receipt of payment at clause 5.1 above then such unexpended portion of the Education Contribution shall be repaid to whichever one of the Owners which made the payment to the Council pursuant to Clause 5.1 together with interest at HSBC base rate from and including the date of payment by the Owner to the date of repayment by the Council.

6. **Resolution of Disputes (other than meaning or construction)**

6.1 In the event of any dispute or difference arising between the parties hereto touching or concerning any matter or thing arising out of this Agreement (other than a dispute or difference touching or concerning the meaning or construction of this Agreement) such dispute or difference shall be referred to some independent and fit person holding appropriate professional qualifications to be appointed (in the absence of agreement) by the President (or equivalent person) for the time being of the professional body chiefly relevant in England to such qualifications and such person

shall act as an expert and his decision shall be final and binding on the parties to the dispute or difference and his costs shall be payable by the parties to the dispute in such proportion as he shall determine and failing such determination shall be borne by the parties to the dispute or difference in equal shares.

6.2 In the absence of agreement between the parties to the dispute or difference as to the professional qualifications of the person to be appointed pursuant to clause 6.1 hereof or as to the appropriate professional body within fourteen days after any party has given to the other parties to the dispute or difference a written request to concur in the professional qualifications of the person to be appointed pursuant to clause 6.1 hereof then the question of the appropriate qualifications or professional body shall be referred to a solicitor to be appointed by the President for the time being of the Law Society of England and Wales on the application of any party to the dispute or difference and such solicitor shall act as an expert and his decision as to the professional qualifications of such person or as to the appropriate professional body shall be final and binding on the parties to the dispute or difference and his costs shall be payable by the parties to the dispute in such proportion as he shall determine and failing such determination shall be borne by the parties to the dispute or difference in equal shares.

7. **Notices**

7.1 Any notice consent or approval required to be given under this Agreement shall be in writing and shall be delivered personally or sent by pre-paid first class recorded delivery post tested telex or facsimile transmission.

7.2 The address for service of any such notice consent or approval as aforesaid shall in the case of service upon the Council be upon the Council at it's address aforesaid or such other address for service as shall have been previously notified by the Council to the Owners and in the case of service upon the Owners be at the addresses aforesaid or such other addresses for service as shall have been previously notified by the Owners upon the Council to this Agreement.

7.3 A notice consent or approval under this Agreement shall be deemed to have been served as follows:

7.3.1 if personally delivered at the time of delivery;

7.3.2 if posted at the expiration of 48 hours after the envelope containing the same was delivered into the custody of the postal authority within the United Kingdom;

7.3.3 if sent by tested telex or facsimile transmission at the time of successful transmission;

and in proving such service it shall be sufficient to prove that personal delivery was made or that the envelope containing such notice consent or approval was properly addressed and delivered into the custody of the postal authority in a prepaid first class or recorded delivery envelope (as appropriate) or that the telex or facsimile was successfully transmitted on a tested line as the case may be.

8. **Agreements and Declarations**

It is declared as follows:

8.1 The expressions "the Council" and "the Owners" shall include their successors in title and assigns.

8.2 The terms of this Deed shall not be enforceable by virtue of the Contract (Rights of Third Parties) Act 1999 by any person not a party to it.

8.3 The headings in this Agreement are for convenience only and shall not be taken into account in the construction and interpretation of this Agreement.

8.4 For the avoidance of doubt it is hereby agreed and declared that in the event of the Planning Permission being quashed then this Agreement shall absolutely determine and become null and void but without prejudice to the rights of any party against the others.

8.5 The covenants contained in this Agreement shall not be enforceable against:

8.5.1 the purchaser of an individual dwelling house erected on the Site pursuant to the Planning Permission.

8.5.2 a statutory undertaker after the transfer of statutory apparatus by the Owners to that statutory undertaker.

8.6 No person shall be liable for breach of a covenant contained in this Deed after he shall have parted with all interest in the Site or the part in respect of which such breach occurs but without prejudice to that person's liability for any subsisting breach of contract prior to parting with such interest.

8.7 If the permission granted pursuant to the Planning Application shall expire before the Development is begun as defined above or shall at any time be revoked this Deed shall forthwith determine and cease to have effect.

8.8 Nothing in this Deed shall prohibit or limit the right to develop any part of the Site in accordance with a planning permission (other than one relating to the Development as specified in the Planning Application) granted (whether or not on appeal) after the date of this Deed.

9. **Registration of this Agreement**

9.1 This Deed is a local land charge and shall be registered as such.

9.2 The Council will upon the written request of the Owners at any time after the obligations of the Owners under this Deed have been fulfilled issue written confirmation thereof and thereafter cancel all related entries in the Register of Local Land Charges.

9.3 Where in the opinion of the Owners the provisions of this Agreement have been completed and/or satisfied the Owners shall be entitled to make application to the Council for a certificate to the effect that the provisions of this Agreement have been completed and/or satisfied and upon the Council being satisfied that such obligations have been completed and/or satisfied the Council shall issue a certificate to such effect which shall be moved in the Register of Local Land Charges.

IN WITNESS WHEREOF the parties have carried their respective hands or common seals to be hereunto affixed to this Deed the day and year first before written

**THE COMMON SEAL** of **BRYANT**

**HOMES SOUTHERN LIMITED**

was affixed to this Deed in the

presence of:

Director

Director/Secretary

**EXECUTED AS A DEED**

**BY SLOUGH ESTATES PLC**

**in the presence of :**

**Director**

**Director/Secretary**

**THE COMMON SEAL** of **THE**

**COUNCIL OF WOKINGHAM**

**DISTRICT COUNCIL** was

affixed to this Deed in the

presence of:

**Mr. And Mrs. K. Badcock.**
**The Pines.**
**Old Basingstoke Road.**
**Three Mile Cross.**
**Reading.**
**RG7 1AX**

**Telephone 0118 988 5209**

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

13th July 2001.

Dear Sirs,

**Reference APP/X0360/A/01/1068463**

Further to our previous correspondence regarding the application to build 10 dwellings on land adjacent to Milestone Cottage, Basingstoke Road, Three Mile Cross, which was refused in May of this year.

We feel that because of the present controversy over the "Improvements to Junction 11 of the M4 and its adjacent junctions" to allow to build on this land would be very foolhardy, as there has been suggestions that the road, which is presently referred to a "Hammerhead road" will be re-opened to through traffic for the village.

From the plans which were submitted earlier this year, there was not sufficient off road parking to accommodate these 10 dwellings and if our road is re-opened then there is going to be an increase in traffic/parking and jostling to gain access to the A33 Basingstoke Road which leads to Junction 11 of the M4 and Mereoak Park Roundabout which the present controversy is all about.

Our earlier remarks when the application was first submitted to Wokingham District Council still remain, i.e., building on a known flood plain, overlooking neighbours, encouraging youths to congregate at the "play area" provided, and creating more congestion and vehicle movements to our road.

We would implore you to refuse this appeal as we feel that to grant this application, it would open the flood gates for further small developments to crop up.

Yours faithfully,

K Badcock

Mr. And Mrs. K. Badcock.

RECEIVED
25 JUL 2001
PINS MAYPEP

Telephone: 0118 975 5570

Councillor Malcolm Bryant
Member for Shinfield
Wokingham District Council
P O Box 150, Shute End
Wokingham
Berkshire RG40 1WQ

Chairman Shinfield Parish
Millennium Committee

S Campbell Esq
The Planning Inspectorate

16 July 2001

Dear Sir,

APP/X0360/A/01/1068463

LAND ADJACENT TO MILESTONE COTTAGE BASINGSTOKE ROAD

THREE MILE CROSS

I write to ask you to endorse Wokingham District's Council refusal to agree development of the above site.

The grounds, which I support entirely, are as stated in the Appeal documents.

Thank you,

With best wishes,

Lt Colonel Malcolm J Bryant. "Rosebry" 19 Salmond Road, Shinfield Park, Berkshire RG2 8QN

Shinfield
Parish Council

*Clerk: Mrs. J Barnes, 36 Ryhill Way, Earley, Reading, Berkshire. RG6 4AZ*
*Tel/Fax: 0118 9547115*
*E-mail: shinfieldplanning@ukonline.co.uk*

RECEIVED
15 AUG 2001
PINS AA PEP

09th August 2001

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,

**Appeal Ref. APP/X0360/A/01/1068463, Land adjacent Milestone Cottage, Three Mile Cross**

We write in triplicate as requested, in connection with the above appeal in our parish. We recorded our objections at the time of application and can only reiterate those sentiments and support Wokingham DC's refusal of permission on the twin bases of environmental and traffic implications. We are also conscious that with regard to traffic, the grand plans for the re-building of Junction 11 of the M4 and the Mereoak Gyratory have since emerged in the immediate vicinity; these would exacerbate an already sensitive traffic situation.

We would wish to make representation at the Informal Hearing at Wokingham and look forward to receiving notification of date and time.

Yours sincerely

Tracy Sampson
Mrs Tracy Sampson

Copies:

District Councillors – Mr M Bryant, Mr B Patman and Mr A Pollock
Mrs Denise Gumbrell, WDC Appeals Asst
Cllr Susan Brinsden

Ron

This is from Councillor Bryant.
I have acknowledged receipt.

Den 11/09/01

AWE

From Malcolm Bryant
9 Sep 2001

Denise,

PLANNING APPEAL
ADJACENT TO MILESTONE COTTAGE
BASINGSTOKE RD

Quick please to take
part on 2 Oct 2001

Thank you.

## Angela Odell

**From:** Angela Odell
**Sent:** 04 September 2001 12:53
**To:** Edwina Field
**Subject:** Silchester house

Re. your memo fo 3/9, I am not aware of anything else apart from what is in the agenda

**WOKINGHAM DISTRICT COUNCIL**

**SUPPORT SERVICES DEPARTMENT**
**LEGAL SERVICES**

**MEMORANDUM**

| | | | |
|---|---|---|---|
| FROM: | Edwina Field<br>Solicitor | MY REF:<br>EXT: | ECMF/MM/455/23<br>6526 |
| TO: | Angela Odell, Planning | YOUR REF: | |
| CC: | Tom Callaghan, Engineering | | |
| | | DATE: | 3rd September 2001 |

---

**F2001/3250 - SILCHESTER HOUSE, BASINGSTOKE ROAD**

Colin has passed the above to me. Please can you provide me with relevant instructions in order that I can go through the draft undertaking provided.

Many thanks.

EdisField.

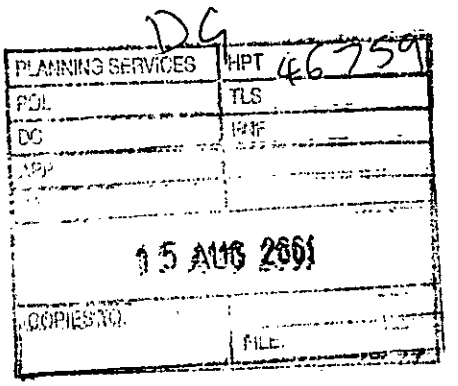
Edwina Field

Angi. I did get the cttee agenda but can you let me know if there is anything else.

Shinfield
Parish Council
*Clerk: Mrs. J Barnes, 36 Ryhill Way, Earley, Reading, Berkshire. RG6 4AZ*
*Tel/Fax: 0118 9547115*
*E-mail: shinfieldplanning@ukonline.co.uk*

09th August 2001

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,

**Appeal Ref. APP/X0360/A/01/1068463, Land adjacent Milestone Cottage, Three Mile Cross**

We write in triplicate as requested, in connection with the above appeal in our parish. We recorded our objections at the time of application and can only reiterate those sentiments and support Wokingham DC's refusal of permission on the twin bases of environmental and traffic implications. We are also conscious that with regard to traffic, the grand plans for the re-building of Junction 11 of the M4 and the Mereoak Gyratory have since emerged in the immediate vicinity; these would exacerbate an already sensitive traffic situation.

We would wish to make representation at the Informal Hearing at Wokingham and look forward to receiving notification of date and time.

Yours sincerely

Tracy Sampson

Mrs Tracy Sampson

Copies:

District Councillors – Mr M Bryant, Mr B Patman and Mr A Pollock
Mrs Denise Gumbrell, WDC Appeals Asst
Cllr Susan Brinsden

# 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 0117-3728768
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8768

DS: 47068

PLANNING SERVICES | HPT | TLS | POL | ENF | DC | APP

24 AUG 2001

COPIES TO: | ACK: | FILE:

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

Your Ref: F/2001/3250

Our Ref: APP/X0360/A/01/1068463

Date: 21 August 2001

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**
**APPEAL BY BRYANT HOMES TECHNICAL SERVICES LTD / SLOUGH PROPERTIES LTD**
**SITE AT LAND ADJACENT TO, MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, READING**

**NOTIFICATION OF INSPECTOR**

I am writing to inform you that the Inspector appointed to hold the hearing into the above appeal will now be:

Mr David Wildsmith BSc(Hons) MSc CEng MICE FIHT.

You have already been given notice of the arrangements for this hearing.

Yours faithfully

Mark Edwards

Mr Mark Edwards

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

206C

Tel: (0118) 974 6229 (Direct Line)
E-mail: Ron.Madell@wokingham.gov.uk
Date: September 5, 2001
My ref: F/2001/3250
Your ref: APP/X0360/A/01/1068463

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

Attention: Mr SP Campbell, 3/03 Kite Wing
The Planning Inspectorate
Temple Quay House
2 The Square, Temple Quay
BRISTOL, BS1 6PN

Dear Sir

**APPEAL: LAND ADJOINING MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, READING**

I refer to your letter enclosing a copy of the appellant's statement in this case.

The Council does not wish to raise any urgent observations at this stage, as those parts of the statement with which issue is taken will be addressed at the forthcoming Hearing, rather than by a counter – statement at this stage.

Yours faithfully,

Ron Madell
Senior Planner

Enclosure: [Click here and type enclosure detail or delete Enclosure:]

cc: [Click here and type name(s) or delete cc]

# 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
Shute End
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2001/3250

Our Ref: APP/X0360/A/01/1068463

Date: 21 August 2001

PLANNING SERVICES | DEPT
DC | ENF
CS
22 AUG 2001
COPIES TO

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**
**APPEAL BY BRYANT HOMES TECHNICAL SERVICES LTD / SLOUGH PROPERTIES LTD**
**SITE AT LAND ADJACENT TO, MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, READING**

I enclose a copy of the appellants statement relating to the above appeal. I also enclose third party correspondence.

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

Simon Campbell

Mr S P Campbell

211AL(BPR)

# MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON WEDNESDAY 11 APRIL 2001 FROM 7.00 PM TO 11.00 PM

*Present: Mr KA Malvern (Chairman), Mrs JA Lissaman (Vice-Chairman), Mr MJ Bryant, Mr SR Conway, Mr RH Cundy, Mr TP Dredge, Mr JL Earnshaw, Mr RFN Eke, Mrs MA Long, Mr BJS Patman, and Mrs M Robertson.*

*Also present under Standing Order 39: - Mrs P Bray, Mr FD Browne, Mr AJ Ross, Mrs ELM Siggery and Mr GM Storry*

## PART I

### 293. MINUTES

The Minutes of the meeting of the Committee held on 21 March 2001 were confirmed as a correct record and signed by the Chairman.

### 294. APOLOGIES

An Apology for absence was submitted from Mrs. DC Beatty.

### 295. ORDER OF BUSINESS

With the agreement of the Committee, the order of business was varied so that those applications where members of the public had indicated a wish to speak could be dealt with first.

**RESOLVED:** That the order of business detailed on the agenda be varied.

**RESOLVED:** That Application No: 2001/3250 be refused on the grounds set out on Agenda page 3122.

**304. APPLICATION NO: 2001/3250, PROPOSED ERECTION OF 10 DWELLINGS ACCESS ROAD AND PARKING, LAND AT SILCHESTER HOUSE BASINGSTOKE ROAD THREE MILE CROSS SHNFIELD, FOR BRYANT HOMES LTD**

The Committee considered a report on this application as set out on Agenda pages 3119 to 3131.

A representative from Shinfield Parish Council attended the meeting and spoke against the proposal.

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

# ATTENDANCE LIST AT INFORMAL HEARING

**Appellant:** Bryant Homes Technical Services Ltd / Slough Properties Ltd
**Application number:** 3250

**Site:** Land adjacent to Milestone Cottage, Basingstoke Rd, Shinfield

**Proposal:** Proposed erection of 10 dwellings with associated access road & parking

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Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 7 August, 2001
My ref. AO/F/2001/3250
Your ref. P/RXS/904/T – BIR_PROP/4338093/01

Eversheds
115 Colmore Row
BIRMINGHAM
B3 3AL

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

Dear Rebecca Scruby

**PLANNING APPLICATION F/2001/3250 – SILCHESTER HOUSE, BASINGSTOKE ROAD, THREEE MILE CROSS, SHINFIELD**

Thank you for your letter of 3 August and enclosed draft Section 106 agreement. I have passed it to our solicitors to check. For your information, the planning officer dealing with the appeal will be Ron Madell.

Yours sincerely

AO.

MRS A ODELL
Senior Planner

cc: Colin Lawley, Solicitor
Ron Madell

**TO** Angi

**REMINDER** Statement

**for** Mulshine Cottage

**due at the Inspectorate on** 17/8 **at the latest.**

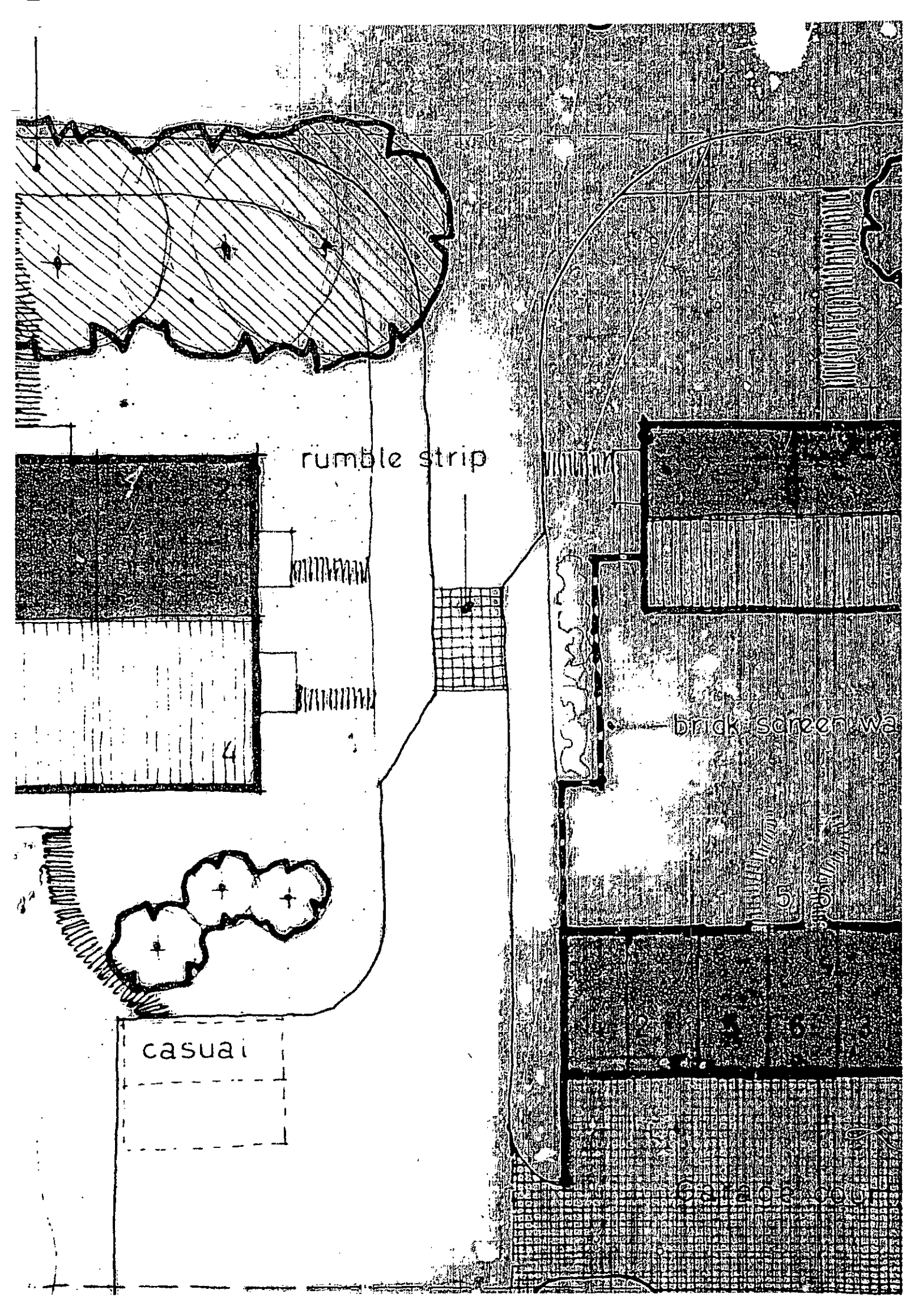
**Thanks**

**Den**

09/08/01

casual

casual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13557

99 W/D

4. I have noted also the council's arguments that they are not opposed to development of the appeal site in principle and would wish to allow the erection of 3 detached dwellings as in the earlier planning permission now lapsed; that they accept that a demand exists for 1- and 2-bedroom dwellings in the district but that approval has already been given for 251 one-bedroom and 2½ two-bedroom dwellings at Lower Earley, about 3 miles from the appeal site, where they will have access to much better facilities there at Earley Mill Cross and that many land has been released for residential development closer to the heart of Spencers Wood; that the council are flexible regarding residential densities but consider that high density groups of 1- and 2-bedroom dwellings are best located within large, mixed developments and close to shopping and other facilities; that the proposal is considered to be too intensive not because of an arbitrarily applied density standard but because of the site's position at the extreme edge of the village and its relationship to existing development in the locality; that, because Basingstoke Road comprises detached and semi-detached dwellings with long back gardens, development on the appeal site should be similar in form to provide a satisfactory transition at the village fringe; that the layout proposed (Dwg No: D/931/2C) would create unacceptable disturbance for occupants of adjacent properties because of the number of dwellings and the location of garages while, within the appeal site, adequate external amenity space would not be provided for some dwellings and the garages would be visually intrusive; that the council have had due regard for circular 22/80 both in general and in relation to this proposal specifically, but that it is not suggested in that circular that authorities should lower important environmental standards or permit developments which would be seriously detrimental to existing amenities; and that they are concerned that the effect of approval of the proposed development would create a precedent for higher density development on similar sites in the locality.

5. I have considered also the arguments of local residents that the locality is a pleasant place in which to live, that traffic noise from the M4 motorway is something to which one soon becomes accustomed and that factors which may have delayed sales of houses adjacent to the appeal site, mainly road construction work and the presence of gypsies, have now been removed; that the proposed development would create excessive noise and petrol fumes due to the intensity of development and the location of garages and would overlook adjacent dwellings and gardens; and that they are concerned about the effect of the proposal on the existing sewage system and on land drainage in an area with a very high water table.

6. I have studied carefully the planning policies quoted at the inquiry and, in particular, policies H2, H6, H10 and H11 of the approved Central Berkshire Structure Plan and paragraph 2.08 of the Spencers Wood Village Plan and, while these policies in combination appear to encourage the view that the appeal site might be developed to provide small, low-cost, "starter" homes at higher than average density, I note that none of these policies imply that there should be any relaxation in the standards of residential amenity or in the protection of existing amenities in achieving their objectives.

7. I was referred also to Circular 22/80 and its concern that planning authorities should have regard for the viability and marketability of proposed developments. But, while I feel reasonably convinced that 3 large, detached houses on the appeal site would be difficult to sell and might well be unprofitable, no evidence was produced to show that a minimum of 12 dwellings of 1- and 2-bedrooms was necessary for the development to show a profit. Indeed it was clear that none of the many permutations between 3 large and 12 small dwellings had been investigated and that the number proposed had been selected simply as the largest number which could feasibly be accommodated on the site and for architectural rather than economic reasons.

CS/F/9

Department of the Environment
Room 1121
Tollgate House Houlton Street Bristol BS2 9DJ
Telex 449321

Direct line 0272 218 350
Switchboard 0272 218811
GTN 2074

Messrs Brain and Brain
Solicitors
Addington House
73 London Street
READING
RG1 4QY

Your reference
DBB/143/Watts
Our reference
T/APP/3131/A/81/05701/G2
Date
28 JAN 1982

294

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY S E WATTS (READING) LIMITED
APPLICATION NO: 14390

1. I refer to your clients' appeal, which I have been appointed to determine, against the decision of the Wokingham District Council to refuse planning permission for the erection of 12 dwellings and 4 garage blocks with 15 garages (as shown on Dwg No 3/931/2C) on land at the site of Silchester House, Basingstoke Road, Shinfield, Berks. As you know, I held an inquiry into the appeal on Wednesday 25 November 1981.

2. From my consideration of the evidence given and the representations made both at the inquiry and in the letters received and from my inspection of the site and its surroundings, I have come to the conclusion that the main issues in this case are whether or not the proposed development, firstly, would be appropriate to its location in terms of its architectural form, mix of dwelling-types and density, secondly, would significantly impair the existing amenities of adjacent dwellings and, thirdly, would provide adequate standards of amenity for dwellings within the appeal site.

3. I have noted your clients' arguments that the appeal site is disadvantaged by its proximity to the M4 and A33, and the junction of these roads, which dominate the views to north and west and create continuous traffic noise; that, because of these disadvantages and the wide choice currently available to the upper sector of the housing market, the 3 large detached dwellings, for which planning permission was previously granted and which the council would still allow, would have to be offered at relatively low prices and, even so, there would be a long delay in finding purchasers so that the project would not be viable; that there is, on the other hand, a substantial demand for small, low-cost, "starter" homes which will not be satisfied by approved developments elsewhere and for which this site is entirely suitable; that the development proposed is a "rounding off" of existing ribbon development along Basingstoke Road and, as such, it is appropriate that it take the form of a termination rather than an area simply extends the ribbon; that the density of 12 dwellings per acre proposed is not excessive since there are existing groups of dwellings in Basingstoke Road at 9 per acre; that because of the special characteristics of the appeal site, at the end of a cul-de-sac, no precedent would be created and that, in any case, this proposal must be treated on its merits; and that they are fully conscious of the need to provide adequate amenities within the site and to avoid harming those of adjacent dwellings and are prepared to adjust the layout to meet the criticisms of the council and local residents.

The District Secretary [illegible]

WOKINGHAM RURAL DISTRICT COUNCIL

COUNCIL OFFICES, SHUTE END, WOKINGHAM, BERKSHIRE, RG11 1BG

To: Owner/Occupiers of premises in the immediate vicinity of the Appeal Site.

DATE 22nd November 1981

YOUR REF.

OUR REF. WDC/SCD/APP/18/9/22

Enquiries to Mr. S.G. Monkcom

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1971
SECTION 36 - NOTICE OF PLANNING INQUIRY

I am directed to inform you that an Inspector, instructed by the Secretary of State for the Environment, will attend at the Wokingham District Council Offices, Shute End, Wokingham, on Wednesday 25th November 1981 at 10.00 a.m. to hold a Local Inquiry into the Appeal by S.E. Watts (Reading) Ltd., arising from a decision to refuse planning permission for the construction of 12 dwellings in 3 garage blocks on land at Silchester House, Basingstoke Road, Spencers Wood, Reading (Application No.14380 refers).

The Council's reasons for refusal were as follows:-

1. The proposal represents an overdevelopment of the site out of keeping with the general scale and character of the existing properties in the vicinity. It would result in a development of unsympathetically cramped appearance and would thus detract from the visual amenity of the area.

2. In the opinion of the District Planning Authority, it would be inappropriate to allow the type of development proposed by the application on this site, having regard to its unsatisfactory layout in relation to adjoining properties. In the circumstances the proposal will be out of keeping and will detract from the visual amenity of the area.

3. Approval of this application would be likely to create an undesirable precedent for further similar applications which the District Planning Authority would then find difficult to resist.

The application and grounds of appeal can be inspected at these offices during normal office hours together with a copy of the Council's statement of case.

As your interests might be affected, this letter is to give you notice of the Inquiry, in order that you may, if you so desire, state your case in person or through an accredited representative. If you are unable to attend the Inquiry but wish to make written representations, will you please forward them to me quoting my reference.

You should be aware that if you make written representations, these may be used at the Inquiry and made available to all parties concerned.

Yours/...

/Cont'd

A copy of the ... of the Environment notified.

Yours faithfully,

District Secretary

| | | |
|---|---|---|
| 16.a. What is the date you told those you notified about the appeal that we must receive any further comments by? | 17·08·01 | |
| b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire. | Number of Documents Enclosed | N/A |
| i) representations received from interested parties about the original application | 10 | |
| ii) the planning officer's report to committee | 1 | |
| iii) any relevant committee minute | 1 | |
| 17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY<br>Do you intend to send another statement about this appeal?<br>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 | |
| a. 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: Dllywell on behalf of WOKINGHAM DISTRICT Council

Date sent to us and the appellant 17/07/01 OUR REF: F/2001/3250

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**The Planning Inspectorate**

For official use only
Date received

# QUESTIONNAIRE

**To be used for all appeals made on or after August 2000**

## PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/01/1068463 GRID REF: _____

APPEAL BY: Bryant Homes Tech. Svces Ltd / Slough Properties Ltd.

SITE: land adjacent to Milestone Cottage, Basingstoke Rd. SHINFIELD.

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks of the 'starting date' given in our letter. 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'.*

**NB: PLEASE TELL US OF ANY CHANGES TO THE INFORMATION YOU HAVE GIVEN ON THIS FORM.**

| | |
|---|---|
| 1. Do you agree to the written representations procedure? | ~~YES~~ / NO |
| OR Do the you wish to be heard by an Inspector at: a. a local inquiry? | ~~YES~~ / NO |
| or b. a hearing? | YES / ~~NO~~ |
| 2. a. If the written procedure is agreed, could the Inspector see the whole site clearly from a road or other public land? | YES / NO |
| b. From your knowledge of the issues, would our Inspector need to enter the site for any reason e.g. to view/measure any dimensions from within it? | YES / ~~NO~~ |
| 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?<br><br>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 | YES / NO |
| a Grade I / II* / II listed building? | 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 Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) | YES / NO | |
| Regulations 1999? If YES, please indicate which Schedule. | Sch 1 . 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 1of 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. A list of any conditions or limitations you would agree to if the appeal were to be allowed; | 2 | |
| l. Any other relevant information or correspondence you consider we should be aware of. | | ✓ |

**WOKINGHAM DISTRICT COUNCIL**

**ENVIRONMENTAL SERVICES DEPARTMENT**
**HIGHWAYS**

**MY REF:** F/2001/3250

**YOUR REF:** APP/0360/A/01/1068463

**DATE:** 17th July 2001

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**PLANNING APPLICATION F/2001/3250**
**PROPOSED ERECTION OF TEN DWELLINGS WITH ASSOCIATED ACCESS ROAD AND PARKING**
**LAND ADJACENT TO, MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, READING**

The Highway Authority recommend the following conditions should the inspector be minded to allow the appeal:

1. C122, R122 – Parking and turning area before occupation
2. C125 (INSERT: 2 metres by 90 metres), R125 – Construction of vehicular access and visibility splays
3. C129, R129 – Construction vehicles
4. C130, R130 – No mud during construction
5. C131, R131 – Access before development
6. C135, R135 – Stopping up access
7. C137 (INSERT: dwellings), R137 – Turning within site
8. A bin store shall be provided within 25 metres of the adopted carriageway.
   Reason: To comply with the minimum carry distance for refuse collection
9. The Road serving the 10 dwellings shall be constructed to adoptable standards in accordance with details to be submitted and approved in writing by the Local Planning Authority.
   Reason: In the interests of highway safety and convenience

INFORMATIVE – N07.

Adam Coggins

Highways Officer

# WOKINGHAM DISTRICT COUNCIL

## ENVIRONMENTAL SERVICES DEPARTMENT

## MEMORANDUM

**From:** Den Gumbrell
Appeals Assistant

**Ref F/2000/3250**

**Ext:** 6448

**To:** TOM CALLAGHAN
Engineering Services

**Date:** **11 July 2001**

---

**APPEAL BY: Bryant Homes Ltd**
**SITE: Land adjacent to Milestone Cottage, Basingstoke Rd. Three Mile Cross**

Notification has been received of this Appeal which will be considered by means of an Informal Hearing.

In view of the issues involved, it is felt that this is a matter where supporting evidence will be required from you.

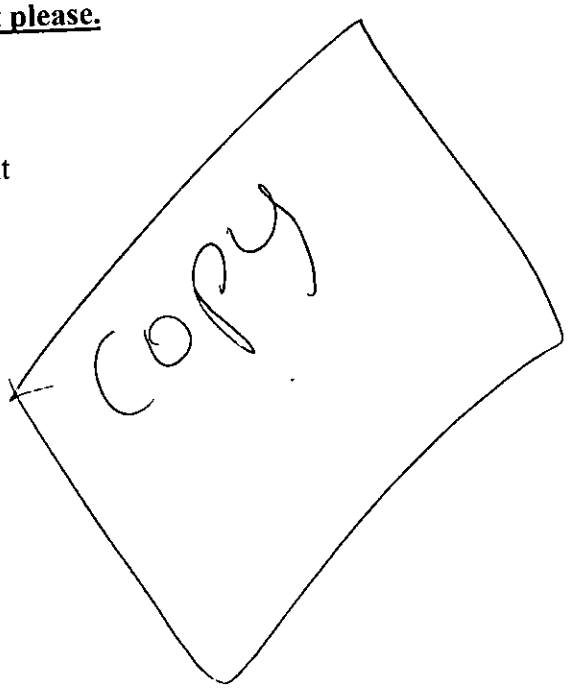
**The case officer, Angela Odell, will need to receive the Highways statement of evidence by** 13/08/01.

The file is with her.

**The Hearing is scheduled for Tuesday 2 October.**

**Any conditons to be imposed in the event of the Appeal being allowed should be with me by** 18/07/01 **at the very latest please.**

Den Gumbrell
Appeals Assistant



# ATTENDANCE LIST AT INFORMAL HEARING

**Appellant:** Bryant Homes Technical Services Ltd / Slough Properties Ltd
**Application number:** F/2001/3250

**Site:** Land adjacent to Milestone Cottage, Basingstoke Rd, Shinfield

**Proposal:** Proposed erection of 10 dwellings with associated access & parking

| Name | Address |
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HGP PLANNING CONSULTANCY

Town Planning Consultants
to the Private & Public Sector

The Planning Inspectorate
Custom Support Services
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

SJ/00.P087

29th June 2001

Dear Sir

**LAND AT SILCHESTER HOUSE, BASINGSTOKE ROAD, THREE MILE CROSS,**

Please find enclosed the completed appeal form and supporting documents submitted on behalf of Bryant Projects (formerly known as Bryant Homes Technical Services Limited), following Wokingham District Council's refusal of planning permission for the construction of ten dwellings with associated access road and parking at the above site.

I can confirm that a copy of the appeal form has been sent to the Local Authority.

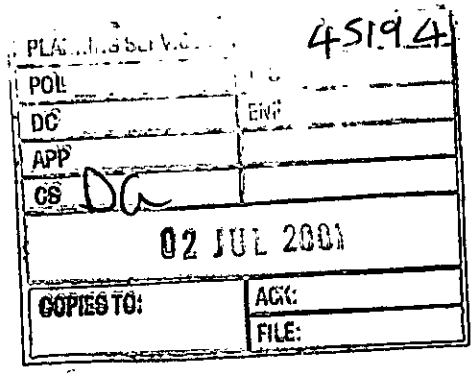
Yours faithfully

Sylvia Jez.

**SYLVIA JEZEPH**

Encs

cc Wokingham District Council
D Llewelyn Morris ~ Bryant Projects




Furzehall Farm, Wickham Rd, Fareham, Hants, PO16 7JH.
Telephone 01329 220224. Facsimile 01329 282380.
Email: admin@hgppc.co.uk Website: www.hgppc.co.uk

Directors Associates Jonathan Kamm BA DipTP MRTPI (Managing) Martin Hawthorne BSc(Hons) MRTPI Mark Carrington BSc(Hons) DipTP(Dist) MRTPI Nigel Schoolcraft ACCA
Sylvia Jezeph, Robin Shepherd BSc(Hons) DipTP MRTPI
BSI Quality Assurance ISO 9001/BS5750 Registered Firm No FS26663 VAT Registration No 582960331
Reg Office HGP Planning Consultancy Limited, Furzehall Farm Registered in England Reg. No 2066641

## GROUNDS OF APPEAL

1. In 1995 planning permission was granted on the appeal site for three pairs of semi detached houses. In December 1999 an application was submitted for development of an identical description on the same built footprint but with different house types. However, the Council's Landscape Architect considered ( appendix 1) that the scheme would now be unacceptable because of its impact on the oak trees along the front boundary of the site which are subject to tree preservation orders.

2. The current proposal, which seeks the construction of 10 small two and three bedroom houses, was refused by Wokingham District Council on the grounds that the proposed "in depth" form of development would have a harmful effect on the character and appearance of the area and would generate additional traffic into and out of a busy local distributor road.

3. The appeal site lies within the settlement policy boundary for Three Mile Cross and the Council accepts that the site is appropriate for residential development. The Planning officer's report to the Development Control Sub-Committee (appendix 2) makes it clear in appraisal paragraphs B & C that with regard to the overall design of the scheme and principles of density, housing mix the proposal conforms with planning policies and guidance.

4. In part 1 of the recent Wokingham Local Plan Inquiry, the Inspector rejected all 3 major housing proposals, representing 2,500 houses, and recommended the Council carry out a study to see how many of the required homes could be built in existing settlements in the designated area south of the M4 at Reading. This means that the Council now has to identify sites for its government allocated quota of new housing by looking at brownfield sites and extensions to settlements.

5. The Inspector's directive, together with the existing ministerial guidance of PPG3, indicates that the Local Planning Authority should encourage higher density development on sites within an identified settlement. Obviously a number of criteria, particularly those relating to environmental issues, should be met to ensure development is of high quality. The appeal proposals respect such objectives by retaining the important landscape features of the site. In designing the proposals the setting of Milestone Cottage was of particular importance together with the retention of the English Oak trees. The committee report confirmed that the proposals ensure the privacy of Milestone Cottage. The retention of the TPOd trees along the front curtilage of the site prevents the proposed development from maintaining the building line of Milestone Cottage, but the character and amenity of the area can be respected without the proposals exactly matching the surrounding development. In any event it is the rear boundary, as defined on the proposals map, and not the building line, which represents the edge of the settlement. Therefore the appellants believe that contrary to the Planning Officer's report the proposed development complies with the requirements of policy EN1 of the Berkshire Structure Plan, Local Plan policy WBE1: development in its local context, and the ministerial guidance at PPG3.

6. Rather than creating an "in depth" development that is out of character, the proposals are seen as representing an inward looking courtyard style development which would create a secure and pleasant environment for future residents.

7. The appeal site lies on the eastern side of what is commonly referred to as "old" Basingstoke Road which is cul-de-sac off the main Basingstoke Road. The junction onto the local distributor road has good visibility and is clearly satisfactory in terms of highway safety. The traffic generated by an additional 4 properties, over the original 6 previously granted permission, should not generate enough additional vehicle movements to effect the flow of traffic on the Basingstoke Road.

8. In conclusion the appeal proposals would provide ten small houses on a site of 0.36 ha. However environmental constraints have reduced the developable area. Given the Council's need to find sites to accommodate its housing requirement, the appeal proposals, in maximising the contribution made by the redevelopment of a site within the settlement boundary without compromising the quality of the environment, are seen as complying with the objectives of both the emerging local plan and current government guidance.

# APPENDIX 1

**TO:** **DEVELOPMENT CONTROL**
Angela Odell

FROM: Environmental Design

DATE: 13 January 2000

| | |
|---|---|
| Location: | Land at Basingstoke Road, Shinfield |
| Proposal: | PROPOSED ERECTION OF SIX DWELLING AND 2 GARAGES |
| Application Number: | O/1999/0252 |

In response to your consultation dated 10 January 2000 for the above application, the tree and landscape comments are as follows:

There are a number of trees on site protected by a TPO as well as many that are not. The applicant needs to submit a detailed tree survey and condition assessment for all the trees on site and indicating those to be removed and retained. The plan should also show all other vegetation on site including those areas to be removed.

The layout of the parking areas and access road into the site, as shown on drawing no. 648-5-2 is unacceptable in relation to the three TPO oaks at the front of the site. This part of the site needs to be redesigned so that there is no road surface within 8m of the centre of the trees. This can be achieved by only providing one access into the site and moving the houses back within the plots to allow for road construction outside the canopy of the tree (see attached modified plan).

Catherine Brimble

Catherine Brimble
Landscape Architect

19/01 '00 WED 09:19 [TX/RX NO 6472]

19/01/00 09:31 WDC (PLANNING) → 901344485996

REVISIONS

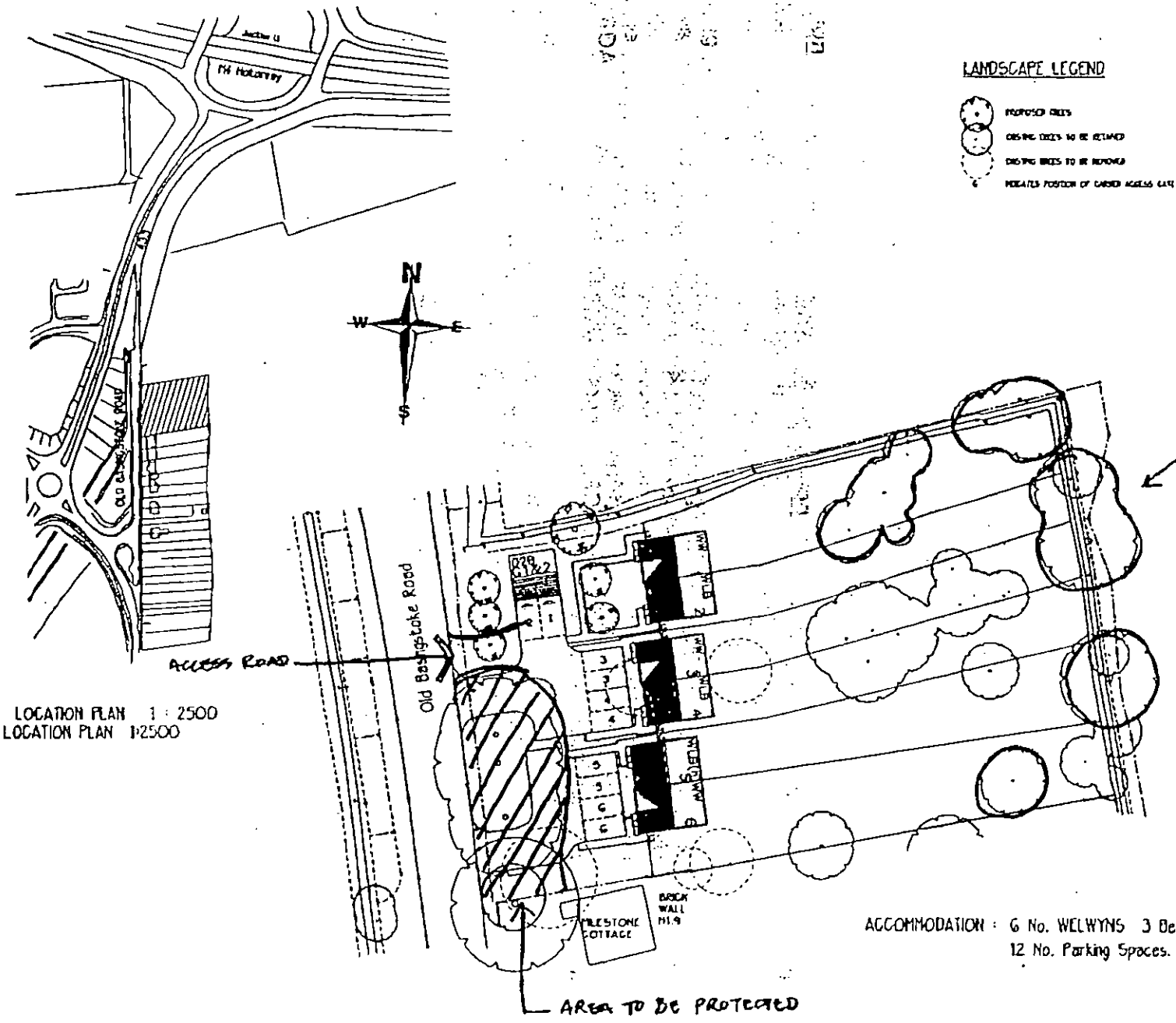
LANDSCAPE LEGEND

PROPOSED TREES

EXISTING TREES TO BE RETAINED

EXISTING TREES TO BE REMOVED

INDICATES POSITION OF CARRIER ACCESS GATE




LOCATION PLAN 1 : 2500
LOCATION PLAN 1:2500

ACCOMMODATION : 6 No. WELWYNS 3 Bedroom House
12 No. Parking Spaces.

23.DEC.1999. 02

NOTES

AMENDED

Bryant Homes

Silchester House
Old Basingstoke Road
Shinfield READING
BERKS
Proposed Layout

648-5-2

1:500 29.11.99

TLocke Checked

SOUTHERN LTD
0344426666

NO.137 P03

# APPENDIX 2

**Application No. F/2001/3250** **Received 30.01.01** **Shinfield**

**Applicant:** **Bryant Homes Ltd**
**Location :** **Land at Silchester House, Basingstoke Road, Three Mile Cross, Shinfield**
**Proposal:** **Proposed Erection of 10 Dwellings, Access Road and Parking**

1. **Introduction** - This 0.36 ha. site is at the north end of a ribbon of dwellings on the northern arm of Three Mile Cross. The site is vacant land with grass, trees and vegetation on it. However, the 1975 Ordnance Survey Plan shows a house and garage or outbuilding on the site. On the south side Milestone Cottage is a detached house with attached single storey garage up to its side boundary with the application site. There is open land to the west, north and east of the site.

   Application No. 44001 for 6 semi-detached houses in a row fronting onto Basingstoke Road was granted permission on 21st April 1995. This permission has now lapsed and followed two previous, similar permissions; Application No. 17557 granted permission on 1st July 1982 and subsequently renewed by Permission No. 29046 granted on 5th November 1987. A previous outline Application No. 14388 for 12 houses was refused permission on 20th November 1980 and the subsequent appeal was dismissed.

   Application No. F/1999/0252 for 6 semi-detached houses was submitted on 23rd December 1999, has not been determined and is deemed to have been withdrawn.

2. **Proposal** - Is to erect 10 dwellings: 6 x 2 bedroom and 4 x 3 bedroom houses in 3 terraces. A small children's play area and landscaping are also proposed.

3. **Consultations** -

- ***Shinfield Parish Council*** : "We express concern on the following points:
  - It is sited in a location, which is susceptible to flooding.
  - No provision has been made for vehicle parking within the close.
  - Any Tree Preservation Orders will be respected.
  - The ownership and maintenance of the 3-metre landscape buffer to the south. - In respect of any planning obligations the parish council would like the district or parish to be granted ownership of the designated open space, to prevent future development of the backlands."
- ***5 letters of objection received from 4 addresses :*** On grounds of :
  - Would overlook rear gardens of existing properties adjacent.
  - Increased flood risk.
  - Exacerbate existing traffic congestion and safety problems.
  - Lack of local infrastructure and there is already too much development in the area.
  - Previous refusal of permission and appeal dismissed.
- ***Environmental Health Officer :*** No objection subject to conditions covering the effects of traffic noise on the proposed dwellings and hours of construction limitation.
- ***Tree/Landscape Officer :*** Tree Preservation Order (TPO) trees are shown to be a satisfactory distance from the proposed dwellings, but there is

insufficient room for planting along the northern boundary next to the proposed turning head.

- ***Highway Officer :*** Recommends refusal on grounds of the proposed development would generate additional traffic into and out of a busy distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic.
- ***Environment Agency :*** No objection subject to conditions.
- ***Crime Prevention Design Advisor :*** Would prefer to see windows in the gable ends of Plots 6 and 7 to give surveillance to proposed corner parking areas. Also has concerns about the proposed play area as such areas can be colonised by older youths during the later evening who cause nuisance.

4. **Appraisal** - Main issues are:

   A. Effect on character and appearance of the area (Berkshire Structure Plan Policies H2 and EN1; Loddon Area Local Plan Policies LTV1, LTV6, LH1, LBE1, LBE2 and LBE9; Wokingham District Local Plan Policies WOS2, WH1, WH2, WBE1, WBE11 and WLL7).

   B. Density and housing mix (Berkshire Structure Plan Policy H9; Loddon Area Local Plan Policy LH8; Wokingham District Local Policy WH6; PPG3).

   C. Effect on neighbouring properties (Loddon Area Local Plan Policy LBE2; Wokingham District Local Plan Policy WBE1).

   D. Traffic, access and parking (Berkshire Structure Plan Policy LD5; Loddon Area Local Plan Policy LT5; Wokingham District Local Plan Policy WT7; PPG13).

   E. Services and Infrastructure (Berkshire Structure Plan Policy LD6; Loddon Area Local Plan Policy LPS1; Wokingham District Local Plan Policy WOS4).

   F. Concerns of the Parish Councils and local residents.

A. Principle of the proposed development, including effect on the surrounding countryside

The site is inside but on the edge of the settlement boundary with countryside on three sides of it. Under Annex C of PPG3, the site would be defined as previously-developed land because it is land that was occupied by a permanent structure and its curtilage. However, PPG3 Paragraph 70, which covers village expansion and infill, requires that the development can be designed sympathetically and laid out in keeping with the character of the village.

There have been a series of permissions for 3 pairs of semi-detached houses along the frontage. Such development would continue the existing pattern of ribbon frontage development along the east side of Basingstoke Road. It is considered that there would be no objection in principle to this again. However, the current proposal is for in depth development of the whole site. It is considered that this form of development would be out of character with the existing pattern of frontage development only. As the site is also a prominent one on the edge of the settlement, it is considered that the proposal would have an obtrusive and urbanising effect on the surrounding countryside.

A recent application No. O/2000/2388 for the erection of 2 dwellings on a backland site nearby was refused permission and the subsequent appeal dismissed (copy of Inspector's decision letter attached). In this case the Inspector did not object to the effect of the proposal on the character and appearance of the area. However, in his paragraph 8, he noted that the proposed dwellings would be near the bowling clubhouse, which is also in a backland position, and there are already buildings on the site. In his paragraph 10 he considered the proposed development would be seen against the backdrop of the frontage properties. However, in the case of the current application, the scale of proposed houses would project to the rear well beyond the existing frontage development at a more exposed point at the end of the settlement with undeveloped countryside on three sides. A much larger scale of development is also proposed. Therefore, for these reasons, it is considered that this appeal decision does not set a precedent for allowing the current proposal. Indeed, allowing the current application could set a precedent for backland development of the rear gardens of the adjacent row of houses.

B. Density and housing mix

The density of the proposed development would be 27.8 dwellings per hectare. This is slightly below the minimum density of 30 dwellings per hectare required to accord with PPG3. However, as the site includes a group of large preserved trees along the frontage, the site is relatively small in size and the proposed density is only slightly below the minimum required, it is considered that this point should not be a reason for refusal.

As the proposal is for 6 x 2 bedroom and 4 x 3 bedroom dwellings it would be considered favourably under policies which encourage the provision of smaller dwellings. The proposal would also contribute 10 dwellings towards the District's housing land supply.

C. Effect on neighbouring properties

The rear elevations of the proposed houses on Plots 1-6 would look towards the rear garden of Milestone Cottage. However, these gardens would be 11m deep plus a 3m landscape buffer strip. It is considered that this distance is sufficient to avoid unacceptable overlooking.

D. Traffic, access and parking

The proposal is considered unacceptable on grounds of the additional traffic that would be generated into the junction of the cul-de-sac with Basingstoke Road, which would result in conflicting traffic movements. (This is in relation to the extra 4 dwellings proposed in addition to the previous permissions for 6 dwellings on the site). The Inspector dismissed the appeal on the site nearby referred to above, on these highway grounds (paragraphs 17-20 in the attached decision letter).

E. Services and Infrastructure

The following contributions have been offered:

£15,010 towards capital funding at Lambs Lane Primary School, and
£10,682 towards sustainable transport measures, particularly the proposed Mereoak Park and Ride.

These contributions are considered to be satisfactory.

F. Concerns of the Parish Council and local residents
These have been noted and addressed above.

5. **Conclusion** - It is considered that the proposed in depth form of development would have a harmful effect on the character and appearance of the area, and that this objection is not outweighed by the provision that 10 modest-sized dwellings within the settlement would make to the District's housing stock. The proposal is also considered unacceptable on highway grounds.

6. **Recommendation** - REFUSE planning permission for the following reasons:-

1. The proposed in-depth form of development would have a harmful effect on the character and appearance of the area. The proposal would therefore be contrary to Berkshire Structure Plan Policy EN1, Loddon Area Local Plan Policies LTV6 and LBE2 and to Wokingham District Local Plan (Deposit Draft) Policies WH1 and WBE1.

2. The proposed development would generate additional traffic into and out of a busy local distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic. The proposal would therefore be contrary to Berkshire Structure Plan Policy LD5, Loddon Area Local Plan Policy LT5 and to Wokingham District Local Plan Policy WT7.

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 Policies H2, H9, EN1, LD5 and LD6
Loddon Area Local Plan Policies LTV1, LTV6, LH1, LH8, LBE1, LBE2, LBE9 and LT5
Deposit Draft Wokingham District Local Plan Policies WOS2, WOS4, WBE1, WH2, WH6, WBE11, WLL7 and WT7

Angela Odell
**Additional paperwork only available in hard copy**

**HIGHWAYS CONSULTATION SHEET**

**From:** Angela Odell **Date:** 01 February 2001

**Application Number:** F/2001/3250

**Proposal:** Proposed erection of ten dwellings with associated access road and parking.

**Parish:** SHINFIELD PARISH

**Site Address:**
Land At Silchester House, Basingstoke Road, Spencers Wood, Reading.

**Applicant:**
Bryant Homes Technical Services Ltd Slough Properties Ltd C/O HGP Planning Consultancy.

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).

Comment

The highway authority are aware of our previous conditional approval for 6 dwellings at this site. However it is considered that a further increase in movements of approximately 67% at the junction Old Basingstoke Road with Basingstoke Road would be unacceptable and therefore detrimental to high way safety. The highway authority therefore recommend refusal for the following reason:-

- The proposed development would generate considerable additional traffic into and out of a busy local distributor road, this would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic.

**Signed:** _____ **Print name:** _____

ADAM COFFINS 20/03/01

THAMES VALLEY
POLICE

0453

| PLANNING SERVICES | HPT |
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| CS | |
| 28 FEB 2001 | |
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P.C. Dave STUBBS
Crime Prevention Design Adviser
(Berks)
Thatcham Police Station
20, Chapel Street
Thatcham, BERKS.
RG18 4QL
Tel. 01635 295156
Fax. 01635 295126

Date 23rd February 2001

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www.securedbydesign.com

Mrs. A. Odell
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
BERKS.
RG40 1WR

Your Ref. 3250

Dear Mrs. Odell

## Silchester House, Basingstoke Rd. Spencers Wood.

Thank you for the details of this application.

I would very much like to see windows in the gable ends of plots 6 & 7 (as there are on other gable ends in this development), to give some surveillance over the parking hidden in the corner.

I would also have reservations about the children's play area against the fence of plot 10. Even if this only has equipment for very small children, these areas often become colonised by older youths during the later evening, with consequent noise, litter and loss of amenity to nearby residents and often causing avoidance by the legitimate users due to broken glass, discarded drug debris etc.

**In the light of the duty on local authorities to do all that they reasonably can to prevent crime & disorder under Section 17 of the Crime & Disorder Act 1998, the crime risks that this proposal faces include car crime, burglary and anti-social behaviour related to the 'play area'.**

**The council can help to discharge its duty in respect of its planning function under Sec. 17 by taking the above comments into account when arriving at its decision.**

I trust this will be of assistance and thank you for your consultation.

Yours sincerely.

Dave Stubbs

P.C. Dave STUBBS
Thames Valley Police
CPDA. (Berks.)

F.A.O. ANGELA ODELL / JOHN MITCHELL

PLANNING SERVICES
PCL
DC ODS
APP
CS
22 FEB 2001
COPIES TO:
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FILE:

REF : APPLICATION NUMBER : F/2001/3250

SITE ADDRESS : LAND AT SILCHESTER HOUSE, ~~BASINGSTOKE ROAD~~, THREE MILE CROSS, READING.

PROPOSAL : ERECTION OF TEN DWELLINGS WITH ASSOCIATED ACCESS ROAD AND PARKING.

WITH REFERENCE TO THE ABOVE APPLICATION BY BRYANT HOMES AND SLOUGH PROPERTIES LTD WE WOULD LIKE TO MAKE THE FOLLOWING COMMENTS AND OBSERVATIONS :-

a) A SIMILAR PLANNING APPLICATION WAS PREVIOUSLY REJECTED BY WOKINGHAM DISTRICT COUNCIL AND TAKEN TO APPEAL. AN APPOINTED INSPECTOR FOR "THE SECRETARY OF STATE FOR THE ENVIRONMENT" UPHELD THE REJECTION AND RECOMMENDED FRONTAL DEVELOPMENT ONLY. (PLEASE SEE PREVIOUS APPLICATIONS)

b) A REASON GIVEN BY BRYANT/SLOUGH FOR NOT MAINTAINING FRONTAL DEVELOPMENT REFERS TO BS5837 REGARDING THE MATURE OAK TREES FRONTING THE PLOT.

BS5837 GIVES DISTANCES FROM TREES ON DEVELOPMENT SITES. FROM THIS BRITISH STANDARD AND ASSUMING THE WORST CASE :- i.e. MATURE TREE WITH TRUNK DIAMETER 750mm - NEAREST CONSTRUCTION IS TO BE 12 METRES AWAY.

THIS STILL ALLOWS FRONTAL DEVELOPMENT WITH FRONT BUILDING LINE OF NEW HOUSES INFRONT OF BACK BUILDING LINE OF MILESTONE COTTAGE.

c) APPLICATION STATES SURFACE WATER BY SOAKAWAYS. THIS IS NOT ACCEPTABLE FOR PLOTS 7, 8, 9, 10 AND PROBABLY 5 & 6. THERE IS A HIGH WATER TABLE AND THE LAND HAS FLOODED EVERY YEAR, DURING THE WINTER, FOR THE LAST 20 YEARS.

TAKING THIS INTO CONSIDERATION IT IS PROBABLY NOT A GOOD IDEA TO BUILD ON THE PLOT, MORE THAN HALF WAY DOWN.

d) BRYANT/SLOUGH STATE THAT THEY ARE INTENT ON ENSURING THE WELL BEING OF IMPORTANT INDIVIDUAL TREES BUT HAVE ALLOWED THE OAK TREES FRONTING THE PLOT TO DETERIORATE. THE SURVEY

CARRIED OUT LAST YEAR BY BRYANT/SLOUGH STATED THAT THE OAK TREES WERE IN URGENT NEED OF ATTENTION. (8 MONTHS LATER NOTHING HAS BEEN DONE).

e) SHOULD A HOUSING DEVELOPMENT BE BUILT WITHOUT GARAGES?

f) CAN THE COUNCIL SAY WHO WOULD TAKE OWNERSHIP OF THE 3 METRE LANDSCAPED BUFFER AND CHILDRENS PLAY AREA ETC.?

g) HAS THE ROAD LAYOUT BEEN SCHEMED FOR FUTURE DEVELOPMENT?

h) WE WOULD ALSO LIKE TO POINT OUT THAT OAK TREE (1) ON THE PLAN SHOWING TREES, WAS NOT COLOURED GREEN ON THE PRINT WE REVIEWED.

IN CONCLUSION, VERY LITTLE HAS CHANGED SINCE THE SIMILAR APPLICATION WAS REJECTED AND IS STILL UNACCEPTABLE FOR THE SAME REASONS. WE WOULD ALSO LOSE ALL PRIVACY IN OUR BACK GARDEN, CONSERVATORY AND THE REAR OF THE HOUSE.

WE WOULD ASK THE COUNCIL TO CHAMPION OUR QUERIES AND ENSURE THAT ANY PERMISSION, IF GRANTED, TAKES INTO CONSIDERATION ALL POINTS & QUESTIONS RAISED.

YOURS FAITHFULLY

E M Brinsden

Susan D Brinsden

MR & MRS. BRINSDEN
MILESTONE COTTAGE.
BASINGSTOKE ROAD.
THREE MILE CROSS.
READING.
BERKS. RG7 1AX

| PLANNING SERVICES | HPT |
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| 22 FEB 2001 | |
| COPIES TO: | ACK: ✓ |
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Mr & Mrs P. Little
Darbrook
Basingstoke Road
Three Mile Cross
Reading
Berkshire
RG7 1AX

Attn: Planning Officer

Objections to Planning Application : F2001/3250

- the proposed development is in Three Mile Cross and not Spencers Wood. This may be misleading to residents affected who are not aware that a property named Silchester House was originally on this plot of land and thereby affecting their ability to comment.
- the current building line is very distinct and the layout of the proposed properties is totally out of keeping with the existing properties. Six of the houses will directly overlook the gardens of the existing properties. The exterior design of the properties does not show any evidence of complementing the variety of styles of property already in the area.
- the access road is already used a transient parking place for lorries, commercial vehicles and members of the public requiring a free and safe place to park vehicles for short and long periods of time – and even a convenient dumping area for unwanted vehicles. This is already of considerable inconvenience and annoyance of local residents – especially on match days at the local stadium. The proposed properties have no garages and/or limited off road parking which must result in the existing road being used for overflow parking. Having recently been granted planning permission for a garage conversion subject to providing details of off road parking capabilities this seems to be an anomaly.
- we are aware through a recent conversation with Wokingham District Council that the mains drainage supporting the existing properties is probably inadequate. What are the plans to support the proposed properties?
- during recent periods of heavy rain up to 18-24 inches of water covered the rear garden of both our and the adjoining properties and cut off our side access. The land in question was also flooded as were the fields to the rear. We are concerned that the density of properties planned will aggravate this and could result in flooding of the actual property under similar conditions.
- The junction of the cul-de-sac where it joins the Basingstoke Road does not support additional traffic flow due to the blind corner to the right and the speed of traffic exiting the roundabout at the junction of the A33. In short this is already a dangerous junction.

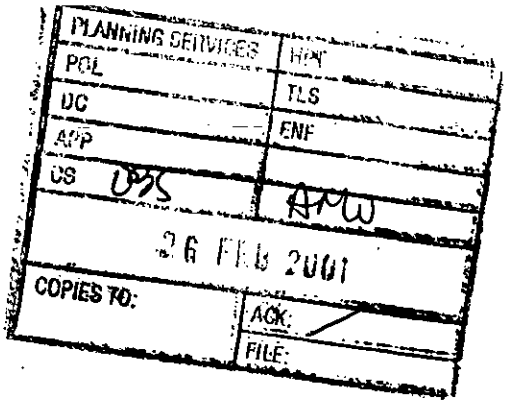
In summary we do not feel that the proposed development is considerate of the existing residents and detracts from the village environment. It has serious shortcomings regarding both land and mains drainage and parking and traffic requirements.

Yours faithfully,

P. Little

② NB Highways Drainage Dept. – Eddie Nappa (on a different subject)

* This is becoming an increasing problem, particularly street cleanliness – where are the road sweepers?




22 February 2001

The Withies
Basingstoke Road
Three Mile Cross
Reading
Berks RG7 1AT

Re: F/2001/3250

Dear Mr Mitchell

I find it incredible that you are even considering this application for yet more houses.

Since the debate about Grazeley, some 2-3 years ago, I have seen endless houses being built in this area. Take Grazeley Road, some 120 new houses, Basingstoke Road opposite the Hop Inn, a new estate. Everywhere you look there are new houses being built. I'm sure that if I took the time to visit each site and add up the number of new dwellings it would total several hundred.

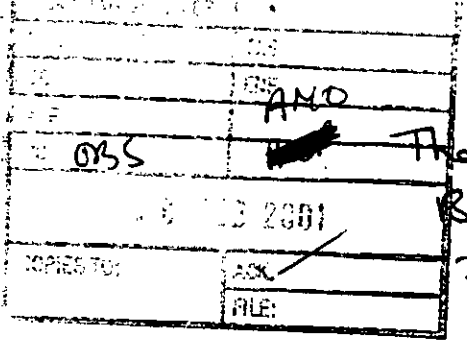
It seems to be an easy way for the developers to get round the governments planning strategy, just pop in a few at a time and hope no one will notice. But what about the infrastructure, where are the new roads, schools, Doctors, buses etc.

The Basingstoke Road, Three Mile Cross starts to fill up at 7:30 am as cars from all these wonderful new houses join the thousands of other cars queuing along the A33, all attempting to get into Reading before 9am. It's no point putting more buses on, they will only be forced to sit in the same queue. Of course we could all go by train, sorry, forgot, we don't have a station.

At what stage will some one sit down and say enough is enough.

Yours sincerely

A J Humphreys (Mr)



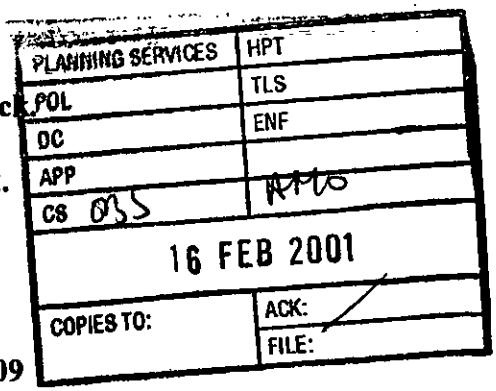

Dear Mr Mitchell,

I thought I would add a little to my husband's letter. You propose to build 10 more houses on the land adjacent to Milestone Cottage. Everyone knows that this piece of land floods everytime we have heavy rain, so if this proposal goes ahead I hope the new residents will be WARNED what they are taking on. However I hope that all this building will STOP because I am fed up with how this once small village is turning into a TOWN. I chose this area 24 years ago because it was a village and I protest strongly at the prospect of even more houses I already have to wait a long time to get out of my own drive in the morning and the same at night. ENOUGH IS ENOUGH.

Yours sincerely,
C. Hughes (Mrs)

**Mr. And Mrs. K. Badcock**
**The Pines.**
**Old Basingstoke Road.**
**Three Mile Cross.**
**Reading.**
**Berkshire. RG7 1AX**

**Telephone 0118 988 5209**




The Planning Department.
Wokingham District Council.
Shute End.
Wokingham.
Berkshire.

13th February 2001.

Dear Sirs,

**Re: Plans to erect 10 dwellings adjacent to Silchester House, Basingstoke Road, Spencers Wood - Ref. F/2001/3250**

Further to your letter informing us of the planning application as mentioned above.

Firstly, the Application has been wrongly submitted. The applicant has given false information regarding the exact plot that is under review for development.

The letter received from your office and the Orange and Green notices, on the public footpath where the plot in question is, states that it is adjacent/on the grounds to/of Silchester House, on the Basingstoke Road, at Spencers Wood. In fact, it is adjacent to Milestone Cottage, on the Old Basingstoke Road at Three Mile Cross. This has delayed my writing to you with my objections, for the simple reason the wrong information has been given to the residents who this will effect beyond comprehension, I assume, in the hope that permission will be granted to the developers before this error has been highlighted. An amended application should be submitted and the whole process start from the beginning so as to make aware to all of those who are affected, just which plot of land is in question.

As you are aware, there has been a lot of discussion about building new homes on flood plains. With the recent heavy rain and flooding in the local areas, the fields to the side and behind the plot of land in question is low lying and within the flood plain, our garden which is approximately six houses away from where the proposed development is, was under water in November and December when the fields around us could not cope with the deluge. The proposed new development land lays lower than our gardens and that of our neighbours, and will no doubt have serious flooding problems in the future. Some may say that the recent weather has been "freak conditions", but all the environmental advisers and forecasters have predicted more of the same to come in future years due to the global warming. This will lead to more flooding around our homes without adding to the problem by way of more dwellings being built.

The new homes built along Grazeley Road in recent years were also built on and around flood plains. Friends and neighbours we know had to move from their new home in Grazeley Road because the house and it's foundations were not sufficient to compensate for the flood plain and its continual movement and washing away of the sub soils. Surely, from the news reports this winter, lessons must be learnt about where we build our new homes and whether the land really is suitable for such development, without causing the new home owners, some eighteen months to two years down the road the heartache of having their homes "re-stabilised" and under pinned, their insurers paying the costs and then refusing renewal of their insurance because they have realised there will be an ongoing problem with those houses.

Apart from the location of the development on the flood plains, as residents of the Old Basingstoke Road, we have written to our local councillor, Anthony Pollock with our views and concerns regarding the parking, restrictions and considerable inconvenience to us on days when Reading Football Club are playing at home and supporters use our road as a car park. If more housing is built, then one can assume at least two vehicles per new dwelling, equals 20 more vehicles jockeying for parking, access into their new home, access to and from our road and at the junction with the A33, Basingstoke Road which at the moment is always a congested in the rush hours, and when motorists don't have to slow down for the roundabout because of a "clear road", we have to almost "play chicken" to get out of our junction before the next car comes off the roundabout at such speeds that an accident is just waiting to happen.

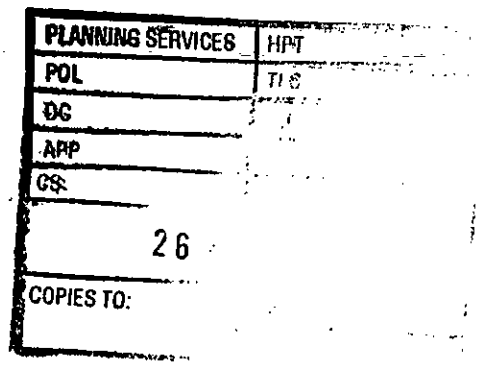
There must be more suitable land in and around Spencers Wood, and Three Mile Cross without subjecting us to a further ten new homes in a small cul de sac such as our road is. We would implore the committee to seriously consider the people of our cul de sac and refuse planning permission for this development.

Yours faithfully,

K Badcock

Mr. And Mrs. K. Badcock.

**Mr. And Mrs. K. Badcock.**
**The Pines.**
**Old Basingstoke Road.**
**Three Mile Cross.**
**Reading.**
**RG7 1AX**




Ms. Angela Odell.
Planning Department.
Wokingham District Council.
P.O. Box 157.
Shute End.
Wokingham.
RG40 1WR

21st February 2001.

Dear Ms. Odell.

**Planning application number F/2001/3250**

I refer to my letter dated the 13th February and the above planning application.

I have received your letter regarding the amendment of the site address, but it still remains very confusing because the address is still given as Spencers Wood.

I called your office yesterday, I understand you are on leave at the present and so I spoke to your colleague in the Administration Dept. Having spoke to your colleague, I can only assume there is some conspiracy or underhandedness regarding this application. I have drawn to this conclusion because she said that "the computer would not allow the address of Three Mile Cross" on the posted orange and green notices and that Spencers Wood and Three Mile Cross all came under the Shinfield Parish Council anyway. This is not true, well at least the bit about the computer, Darbrook, which is the house adjoining ours, has their planning application posted on their front gate, and it clearly states, Darbrook, Basingstoke Road, Three Mile Cross. So why indeed, cannot the planning application for ten new dwellings be addressed clearly Three Mile Cross.

This may seem tedious, but believe me, having dealt with the planning department on several occasions, I do know just how important you seem to make these trivial things a "big deal" when it suits. There must be guidelines and rules about the way the planning applications are displayed and information given, at present the orange and green notices, I consider do not meet that criteria, but do mislead the public as to where exactly this development is proposed.

Yours sincerely,

K Badcock

Mrs. K. Badcock.

ADR NOW CHANGED TO
LAND ADJ. MILESTONE COTTAGE
BASINGSTOKE RD (THERE IS ONLY 1 MILESTONE
COTTAGE IN THE DISTRICT!)

**TO:** **DEVELOPMENT CONTROL**
Angela Odell

FROM: Environmental Design

DATE: 8 February 2001

| | |
|---|---|
| Location: | Land at Silchester House, Basingstoke Road, Spencers Wood, Shinfield |
| Proposal: | Proposed erection of ten dwelling with associated access road and parking |
| Application Number: | F/2001/3250 |

In response to your consultation dated 1 February 2001 for the above application, the tree and landscape comments are as follows:

In general I have no objection to the proposals. All the TPO'd trees are shown to be retained with the proposed dwellings being built outside the minimum distances required for tree protection as stated in BS5837. My only concern is that there is insufficient room for planting additional plants or retaining the existing vegetation on part of the northern boundary where the access road turning head appears to be constructed up to this boundary. It is suggested the road is redesigned to allow adequate room for planting along this boundary especially as the site is adjacent to countryside designated as a green gap.

The applicant will need to submit a detailed landscape scheme for the site showing the location of all new planting, existing vegetation to be retained, full species name of trees and shrubs to be planted, planting densities and size of plant at time of planting.

Catherine Brimble

Catherine Brimble
Landscape Architect

**To:**
**John Leggett** RE: MINERAL SITE CONSULTATION AREA

**From:** Angela Odell

**Date:** 01 February 2001

**Application Number:** F/2001/3250

**Proposal:** Proposed erection of ten dwellings with associated access road and parking..

**Site Address:**
Land At Silchester House, Basingstoke Road, Spencers Wood, Reading.

**Applicant:**
Bryant Homes Technical Services Ltd Slough Properties Ltd C/O HGP Planning Consultancy.

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

---

no comments to make, thank you.

**Policy and Plans Consultation**

Location: Land at Silchester House, Basingstoke Road, Spencers Wood.

Proposal: Erection of 10 Dwellings with Associated Access Road & Parking.

Application Number: F/2001/3250

Applicant: Bryant Homes Technical Services Ltd/Slough Properties Ltd c/o HGP Planning Consultancy.

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Potentially the following policies in the Wokingham District Local Plan Deposit Draft (WDLPDD) could apply to the site:

Policy WOS1: Sustainable Development
Policy WOS2: General Development Principles
Policy WOS3: Development Control Principles
Policy WLL7: Landscape & New Development
Policy WLL8: The Protection & Management of Features in the Landscape
Policy WBE1: Development in its Local Context
Policy WBE11: Protection of Trees & Woodland
Policy WH1: Housing Development – Unidentified Sites
Policy WH6: Variety of Housing
Policy WT1: Location of Development
Policy WT2: Access to Development
Policy WT4: Environmental Aspects of Traffic

The application conforms with Policy WOS2 since the site is located within the 'identified settlement' of Spencers Wood, and therefore there is a general presumption in favour of development. However, it conflicts with Policy WOS1 (i) and WOS5 (a), which encourage development on brownfield sites in preference to greenfield. The proposal is also on the edge of the settlement and should not visually intrude into the adjoining countryside and Green Gap. The development needs to provide measures for the protection and enhancement of the existing settlement boundary through new trees and hedgerow planting in accordance with Policy WLL7.

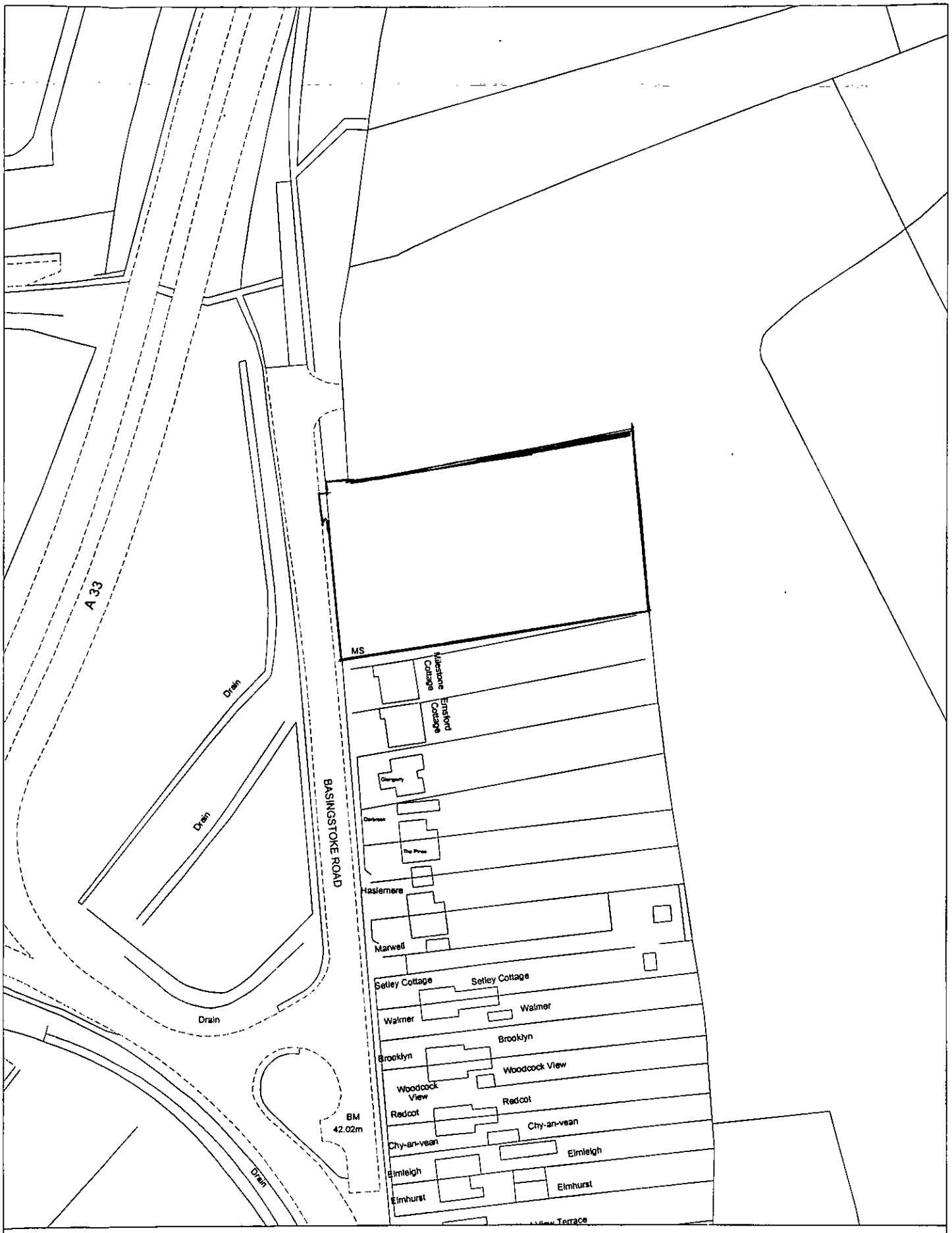
Furthermore, the proposal should be tested against Policy WOS1, WOS3, WLL8, WBE1, WBE11, WH1, WT1, WT2 and WT4. The application should not lead to an adverse affect on the character and appearance of the area, particularly to the setting of the settlement or result in the loss of trees protected by Preservation Orders. It should have satisfactory access and be well served by public transport, should not effect the flow of traffic along Basingstoke Road and be close to existing local facilities.

In addition, the site lies to the south of the M4 at Reading, and is therefore covered by Policy H3 of the Structure Plan. It is in this area where the Council is examining the capacity of the settlements to accommodate the housing required by Policy H3.

It is also important to consider PPG3 (2000), which stresses the importance of sustainable development, and states that the Government's objective is to '*promote more sustainable patterns of development and make better use of previously-developed land, the focus for additional housing should be existing towns and cities*' (paragraph 1). It goes on to say that local authorities should give priority to re-using previously-developed land in urban areas, empty homes and conversions in preference to the development of greenfield sites (paragraph 2). These aims are repeated at paragraph 21, 22, 26, 30, 31, 32, 40, 41, 65, 67 and 69, indicating the level of importance given to minimising the amount of greenfield land that needs to be developed. Paragraph 30 states that in identifying sites for allocation, local authorities should *'follow a sequence, starting with the re-use of previously-developed land and buildings within urban areas identified by the urban housing capacity study, then urban extensions, and finally new development around nodes in good public transport corridors'*. The site is located within the settlement boundary, however, it would not be classified as re-use of previously developed land.

Followimg the new PPG3, the Environmental Services Committee resolved, on 12 June 2000, to include the agreed density policy in the District Local Plan, as soon as the local plan process permits, and to adopt that policy for the purpose of development control as soon as possible. In summary the new draft policy on density requires that no residential development shall be permitted at a net density of less than 30 dwellings per hectare on sites over 0.3ha located within the settlement boundary, subject to such a density not compromising the quality of the environment. The development of 10 dwellings on this site produces a lower density than that required by the new policy. However, the proposal conforms with Policy WH6, which encourages small (one, two and smaller three bedroomed) dwellings.

Andrew Astin
Policy & Plans
05/02/01




# Site Plan, Scale: 1 to 1250

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Date: 10 July 2001

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# WOKINGHAM DISTRICT COUNCIL

## MEMORANDUM

| PLANNING SERVICES | HPT 39728 |
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| 09 FEB 2001 | |
| COPIES TO: | ACK: |
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From: John Mullaney
Environmental Health

My Ref:

To: Angela Odell
Planning

Your Ref:

Date. February 7, 2001

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**PROPOSED: ERECTION OF 10 DWELLINGS WITH ASSOCIATED ACCESS ROADS AND PARKING**

**LOCATION: LAND AT SILCHESTER HOUSE, BASINGSTOKE ROAD, SHINFIELD**

These proposals have been evaluated and I have no environmental health objections to the application but would recommend the following conditions be attached should planning consent be granted:

Standard planning condition: C070 and C170 and the following condition:

> Development shall not begin until a scheme for protecting the proposed dwellings and gardens/private amenity open space from noise from road traffic adjacent to the proposed development has been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be completed before any dwelling hereby approved is occupied. The approved scheme shall be retained and maintained for the duration of the use.
> Reason: To ensure that the occupants do not suffer from unacceptable high noise levels within the proposed dwellings and garden areas.

John Mullaney

**JOHN MULLANEY**
**SENIOR ENVIRONMENTAL HEALTH OFFICER**
**ENVIRONMENTAL PROTECTION AND HOUSING**

**WOKINGHAM DISTRICT COUNCIL**

**SUPPORT SERVICES DEPARTMENT**
**LEGAL SERVICES**

**MEMORANDUM**

PLANNING SERVICES
CA
AM
CS
- 6 SEP 2001
COPIES TO:
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FROM: Edwina Field
Solicitor

MY REF: ECMF/MM/455/23
EXT: 6526

TO: Angela Odell, Planning
Ron Madell, Planning
Tom Callaghan, Engineering
Helen Rowlay, Education

YOUR REF:

DATE: 5th September 2001

---

**SILCHESTER HOUSE - APPLICATION F2001/3250**

I have had the opportunity to go through the documentation and my main concern as to the payments being made is timing. The proposal is that both the highways sum and the education sum be paid on occupation of the last dwelling to be constructed pursuant to a permission.

This may present problems because, if the properties are occupied, then the need for the services the funding is providing will be greater. Perhaps you can give some thought to this and let me have your views. Obviously the earliest payment time is best for us to allow us to put the necessary services into place at an early time. However, a compromise position may be the time at which the first dwelling is occupied.

I am also concerned to note that the transport funding is actually tied to the Mere Oak scheme in its entirety and this is not my interpretation of the Committee Report. Comments/instructions please!

Finally, are you aware if that any of the funding not spent on the specified matters within five years of repayment is to be repaid with interest?

I look forward to hearing from you.

Edwina Field

Enc.

**DATED** **2001**

**BRYANT HOMES SOUTHERN LIMITED**

**-and-**

**WOKINGHAM DISTRICT COUNCIL**

**-and-**

**SLOUGH ESTATES PLC**

# Section 106 Agreement

relating to land at Silchester House, Basingstoke Road,
Three Mile Cross, Shinfield


**EVERSHEDS**

115 Colmore Row
Birmingham
B3 3AL
Tel: 0121 232 1000
Fax: 0121 232 1900
BIR_PROP/4332135v1

**THIS AGREEMENT** is made this day of 2001

**BY**

(1) **BRYANT HOMES SOUTHERN LIMITED** whose registered office is Popes Manor, Murrell Hill Lane, Binfield, Bracknell, Berkshire, RG42 4DA and **SLOUGH ESTATES PLC** whose registered office is 234 Bath Road, Slough, SL1 4EE ("Owners")

(2) **WOKINGHAM DISTRICT COUNCIL** of Shute End, Wokingham, Berkshire RE40 1WR ("the Council")

**WHEREAS**

1. The Council is the Local Planning Authority for the area within which is situated the land at Silchester House, Basingstoke Road, Three Mile Cross, Shinfield shown edged red on plan annexed hereto ("the Site")

2. The Owners are seized for an estate in fee simple in the Site.

3. By a written application reference number F/2001/3250 dated 30 January 2001 ("the Planning Application") Owner has applied to the Council for full planning permission to develop the Site for the erection of 6 two bedroom and 4 three bedroom houses with associated access road and parking ("the Development").

4. By a notice of refusal dated 11 April 2001 the Council refused to grant planning permission for the reasons set out therein ("the Refusal") and the Owner appealed to the Secretary of State ("the Appeal") against the Refusal.

5. The Owners and the Council enter into this obligation to the intent that any objections of the Council to the grant of planning permission are overcome and subject to the Secretary of State allowing the Appeal and granting planning permission for the Development.

6. The Owners and the Council have agreed to enter into this Agreement to make provision for regulating the Development in securing the matters hereinafter referred to and will be bound by the terms of the Agreement should the Secretary of State allow the appeal and grant planning permission for the Development pursuant to the Planning Application.

**NOW THIS DEED** is made in pursuance of Section 106 of the Town and Country Planning Act 1990 ("1990 Act") and is a planning obligation for the purposes of that Section and **WITNESSETH** as follows:

1. **Definitions**

| | |
|---|---|
| "Education Contribution" | Means the sum of fifteen thousand and ten pounds (£15,010.00) payable in accordance with clause 5 hereof. |
| "Transport Contribution" | Means the sum of ten thousand six hundred and eighty two pounds (£10,682.00) payable in accordance with clause 4 hereof. |
| "Commencement/Commencing Development" | Means the carrying out of any material operation listed in sections 56 and 91-93 of the 1990 Act PROVIDED THAT for the purposes of determining if a material operation has been carried out the carrying out of remediation works site clearance or ground investigation or surveys shall be disregarded |
| "The Planning Permission" | Means the planning permission issued by either the Council or the Secretary of State pursuant to the Planning Application. |
| "Unconditional Date" | Means the date to be ascertained in accordance with the provisions of clause 3 hereof upon which the date this Agreement shall become unconditional and have full effect |

2. **Statutory Provisions**

2.1 This Deed is made in pursuance of Section 106 of the 1990 Act and is a planning obligation for the purposes of Section 106 of the 1990 Act.

2.2 This Deed shall be enforceable by the Council

3. **Conditions Precedents**

3.1 This Deed is conditional and shall only have effect upon:

3.1.1 The date upon which the Council or the Secretary of State grants the Planning Permission; and

3.1.2 Either

3.1.2.1 The date thirteen weeks after the grant of the Planning Permission in circumstances in which no legal proceedings have been commenced by any person to challenge the validity of the Planning Permission PROVIDED ALWAYS that just before the expiry of thirteen weeks after the grant of the Planning Permission any person shall commence legal proceedings to challenge the validity of the Planning Permission then the said thirteen week period shall be extended until after the final determination of such legal proceedings which shall for the avoidance of doubt include the expiry of the period allow for any appeal and any appeal hearing and where applicable for any necessary re-determination by the Council or Secretary of State (whereupon the foregoing provisions shall apply again) and shall expire upon the date seven days after the final determination of such legal proceedings and circumstances in which the Planning Permission shall be extant; or

3.1.2.2 The Owners Commencing Development.

3.2 The Owners hereby covenant with the Council not to begin Development by the carrying out a material operation in accordance with the provisions of Sections 56 and 91-93 of the 1990 Act until such time as the Owners has served on the Council a written notice advising the Council of the date the Owners intend to Commence Development.

4. **Transport Contribution**

The Owners and the Council covenant with each other as follows:

4.1 The Owners shall pay to the Council on or before the occupation of the last dwelling to be constructed as part of the Development the Transport Contribution to be used

towards sustainable transport measures in the first phase of the Mereoak Park and Ride Scheme.

4.2 The Council covenants with the Owners to apply and appropriate the Transport Contribution towards the cost of the said sustainable transport measures in the first phase of the Mereoak Park and Ride Scheme and for no other purpose.

4.3 The Council covenants that if any part of the Transport Contribution shall not have been expended within 5 years of receipt of payment at clause 4.1 above then such unexpended portion of the Transport Contribution shall be repaid to whichever one of the Owners which made the payment to the Council pursuant to clause 4.1 together with interest at HSBC base rate from and including the date of payment by the Owners to the date of repayment by the Council.

5. **Education Contribution**

The Owners and the Council covenant with each other as follows:

5.1 The Owners shall pay to the Council on or before the occupation of the last dwelling to be constructed as part of the Development the Education Contribution to be used towards capital funding at Lambs Lane Primary School.

5.2 The Council covenants with the Owners to apply and appropriate the Education Contribution towards the cost of the said capital funding at Lambs Lane Primary School referred to at clause 5.1 above and for no other purpose.

5.3 The Council covenants that if any part of the Education Contribution shall not have been expended within 5 years of receipt of payment at clause 5.1 above then such unexpended portion of the Education Contribution shall be repaid to whichever one of the Owners which made the payment to the Council pursuant to Clause 5.1 together with interest at HSBC base rate from and including the date of payment by the Owner to the date of repayment by the Council.

6. **Resolution of Disputes (other than meaning or construction)**

6.1 In the event of any dispute or difference arising between the parties hereto touching or concerning any matter or thing arising out of this Agreement (other than a dispute or difference touching or concerning the meaning or construction of this Agreement) such dispute or difference shall be referred to some independent and fit person holding appropriate professional qualifications to be appointed (in the absence of agreement) by the President (or equivalent person) for the time being of the professional body chiefly relevant in England to such qualifications and such person

shall act as an expert and his decision shall be final and binding on the parties to the dispute or difference and his costs shall be payable by the parties to the dispute in such proportion as he shall determine and failing such determination shall be borne by the parties to the dispute or difference in equal shares.

6.2 In the absence of agreement between the parties to the dispute or difference as to the professional qualifications of the person to be appointed pursuant to clause 6.1 hereof or as to the appropriate professional body within fourteen days after any party has given to the other parties to the dispute or difference a written request to concur in the professional qualifications of the person to be appointed pursuant to clause 6.1 hereof then the question of the appropriate qualifications or professional body shall be referred to a solicitor to be appointed by the President for the time being of the Law Society of England and Wales on the application of any party to the dispute or difference and such solicitor shall act as an expert and his decision as to the professional qualifications of such person or as to the appropriate professional body shall be final and binding on the parties to the dispute or difference and his costs shall be payable by the parties to the dispute in such proportion as he shall determine and failing such determination shall be borne by the parties to the dispute or difference in equal shares.

7. **Notices**

7.1 Any notice consent or approval required to be given under this Agreement shall be in writing and shall be delivered personally or sent by pre-paid first class recorded delivery post tested telex or facsimile transmission.

7.2 The address for service of any such notice consent or approval as aforesaid shall in the case of service upon the Council be upon the Council at it's address aforesaid or such other address for service as shall have been previously notified by the Council to the Owners and in the case of service upon the Owners be at the addresses aforesaid or such other addresses for service as shall have been previously notified by the Owners upon the Council to this Agreement.

7.3 A notice consent or approval under this Agreement shall be deemed to have been served as follows:

7.3.1 if personally delivered at the time of delivery;

7.3.2 if posted at the expiration of 48 hours after the envelope containing the same was delivered into the custody of the postal authority within the United Kingdom;

7.3.3 if sent by tested telex or facsimile transmission at the time of successful transmission;

and in proving such service it shall be sufficient to prove that personal delivery was made or that the envelope containing such notice consent or approval was properly addressed and delivered into the custody of the postal authority in a prepaid first class or recorded delivery envelope (as appropriate) or that the telex or facsimile was successfully transmitted on a tested line as the case may be.

8. **Agreements and Declarations**

It is declared as follows:

8.1 The expressions "the Council" and "the Owners" shall include their successors in title and assigns.

8.2 The terms of this Deed shall not be enforceable by virtue of the Contract (Rights of Third Parties) Act 1999 by any person not a party to it.

8.3 The headings in this Agreement are for convenience only and shall not be taken into account in the construction and interpretation of this Agreement.

8.4 For the avoidance of doubt it is hereby agreed and declared that in the event of the Planning Permission being quashed then this Agreement shall absolutely determine and become null and void but without prejudice to the rights of any party against the others.

8.5 The covenants contained in this Agreement shall not be enforceable against:

8.5.1 the purchaser of an individual dwelling house erected on the Site pursuant to the Planning Permission.

8.5.2 a statutory undertaker after the transfer of statutory apparatus by the Owners to that statutory undertaker.

8.6 No person shall be liable for breach of a covenant contained in this Deed after he shall have parted with all interest in the Site or the part in respect of which such breach occurs but without prejudice to that person's liability for any subsisting breach of contract prior to parting with such interest.

8.7 If the permission granted pursuant to the Planning Application shall expire before the Development is begun as defined above or shall at any time be revoked this Deed shall forthwith determine and cease to have effect.

8.8 Nothing in this Deed shall prohibit or limit the right to develop any part of the Site in accordance with a planning permission (other than one relating to the Development as specified in the Planning Application) granted (whether or not on appeal) after the date of this Deed.

9. **Registration of this Agreement**

9.1 This Deed is a local land charge and shall be registered as such.

9.2 The Council will upon the written request of the Owners at any time after the obligations of the Owners under this Deed have been fulfilled issue written confirmation thereof and thereafter cancel all related entries in the Register of Local Land Charges.

9.3 Where in the opinion of the Owners the provisions of this Agreement have been completed and/or satisfied the Owners shall be entitled to make application to the Council for a certificate to the effect that the provisions of this Agreement have been completed and/or satisfied and upon the Council being satisfied that such obligations have been completed and/or satisfied the Council shall issue a certificate to such effect which shall be moved in the Register of Local Land Charges.

IN WITNESS WHEREOF the parties have carried their respective hands or common seals to be hereunto affixed to this Deed the day and year first before written

**THE COMMON SEAL** of **BRYANT**

**HOMES SOUTHERN LIMITED**

was affixed to this Deed in the

presence of:

Director

Director/Secretary

**EXECUTED AS A DEED**

**BY SLOUGH ESTATES PLC**

**in the presence of :**

**Director**

**Director/Secretary**

**THE COMMON SEAL** of **THE**

**COUNCIL OF WOKINGHAM**

**DISTRICT COUNCIL** was

affixed to this Deed in the

presence of:

# WOKINGHAM DISTRICT COUNCIL

## PLANNING DEPARTMENT

## Memorandum

**To: Edwina Field**

**From: Ron Madell**
Senior Planner – Development Control

**Ext:** 6229

**Date: 13/9/01**

---

**RE: Appeal: Silchester House – WDC Ref: F/2001/3250**

I think you are aware that I am now taken over this appeal from Angela Odell.

We share your view that the transport and education contributions should ideally be secured at the earliest stage of the development. In my experience elsewhere it is usually difficult to gain acceptance of a date earlier than occupation of the first dwelling, but if there are precedents here perhaps we could try for some earlier stage, such as commencement of any development. As this is an Informal Hearing, I would not be too keen, however on defending the point, and Slough Estates are not noted for their altruism.

Please keep me informed on progress. By the way, I sit next to Bashir and am around on Wednesdays and Thursdays if you need to see me.

**Ron Madell**

**WOKINGHAM DISTRICT COUNCIL**

**TOWN AND COUNTRY PLANNING ACT 1990**

**APPEAL BY BRYANT HOMES TECHNICAL SERVICES LTD / SLOUGH PROPERTIES LTD**

**PLANNING APPLICATION FOR THE PROPOSED ERECTION OF 10 DWELLINGS WITH ASSOCIATED ACCESS ROAD & PARKING**

**LAND ADJACENT TO MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, READING**

**PLANNING APPLICATION No. F/2001/3250**

**DETR REF: APP/X0360/A/01/1068463**

# STATEMENT BY THE HIGHWAY AUTHORITY

## 1 SCOPE OF EVIDENCE

1.1 The evidence provided within this statement addresses the Highway Authority's reason for refusal of Planning Application F/2001/3250 dated 30th January 2001, which states that: -

***'The proposed development would generate additional traffic into and out of a busy local distributor road. This would result in conflicting traffic movements, which would adversely affect road safety and free flow of traffic. The proposal is therefore contrary to Berkshire Structure Plan Policy LD5, Loddon Area Local Plan Policy LT5, and the Wokingham District Local Plan Policy WT7.***

1.2 The application as submitted is for the erection of 10 dwellings with associated access road and parking, in a site of approximately 0.36 hectares. The site is located to the north of Milestone Cottage and adjacent dwellings. It fronts onto the service road to Basingstoke Road, in a cul-de-sac that forms the northern arm of Three Mile Cross. The junction B3349 Basingstoke Road/A33/Mereoak Lane is approximately 100 metres southeast of the site. Appendix 1 shows a location plan of the site.

## 2 EXISTING SITUATION

2.1 Basingstoke Road (service road) is a single carriageway road, which is used for access to 14 existing dwellings along its length and is subject to a 30mph speed limit. It forms a simple priority T-junction with the B3349 Basingstoke Road, which is also a single carriageway road, forming part of the Local Distributor Road network and is subject to a 40mph speed limit. On average it carries in excess of 5000 vehicles per day (Mon-Fri) of which over 900 are during the morning peak period (see Appendix 2).

2.2 Immediately fronting the proposed access, the service road has an overall width of 10.2 metres; comprising a 1.5 metre footway on the east side, a 7.5 metre carriageway, and a 1.2 metre footway to the west side.

2.3 There have been 6 recorded personal injury accidents in the vicinity of the site during the last 3 years. Five of these accidents occurred around the busy A33/B3349/Mereoak Lane junction. The other accident involved a vehicle turning right from the B3349 into a private access and occurred approximately 320 metres from the access to the site (see Appendix 3).

## 3 PROPOSAL

3.1 The service road leading to the site currently serves a total of 14 dwellings. Information contained within TRICS (Trip Rate Information Computer System) provides figures for the likely traffic generated by a residential dwelling of 7-9 trips per day for a typical weekday. Therefore it is reasonable to assume that the existing 14 dwellings could generate up to 126 vehicle movements per day. During the morning peak period, when traffic conditions are at there worst, the traffic movements would be in the order of 0.9 per dwelling thus equating to 13 movements.

3.2 The 10 dwellings proposed could therefore generate up to 90 additional daily vehicle movements per day, which represents an increase of 71% on the existing situation. In terms of the AM peak hour the 10 dwellings would result in 9 additional movements, which again represents an increase of 71%. All of these vehicles would have to use the junction of Basingstoke Road/B3349.

3.3 The primary concern of the Highway Authority relates to the effect of queuing traffic from the A33/B3349 roundabout back beyond the junction with the service road (which leads to the appeal site) where queuing occurs extensively during the morning peak period.

3.4 Site visits carried out on 14th December, 2000 at 8.30am and 13th August, 2001 between 8.00 - 9.00am identified queues extending back from the A33 some 320 metres past the junction of the service road. Appendix 4 shows photos of the more recent site visit, which shows the existing situation on the B3349 during the morning peak period. Photo 4 shows a queue of approximately 215 metres past the junction with Basingstoke Road.

3.5 It should be noted that the site visit on the 13th August was undertaken during the holiday period, which means significantly less traffic would be expected to be on the highway network. Therefore it is reasonable to assume that the lengths and frequency of queuing traffic would be considerably greater outside the school holiday period.

3.6 Clearly, the increase in conflict between vehicles emerging from the access into queuing traffic on the B3349 would be detrimental to highway safety and the free flow of traffic. Furthermore, vehicles that are accelerating away from the roundabout towards the junction will conflict with vehicles emerging from the site and trying to join a stationary queue.

3.7 It is the Highway Authority's concern that drivers emerging from the appeal site wishing to turn right onto the B3349 towards the A33, could wait within the free flowing southbound lane at a point where vehicles may be travelling at considerable speed. Alternatively drivers may be forced to take risks due to the extensive delay they may experience while waiting for a gap in the traffic. This could cause conflict with other road users travelling in either direction on the B3349.

3.8 These concerns have been raised previously on another development proposal just south of the appeal site (Planning Application No. O/2000/2388). The inspector in determining the appeal for a development of 2 dwellings served via a private drive, accepted that the proposal would prejudice road safety on the B3349. He stated that "it creates the potential for dangerous conflict between free-flowing southbound traffic, travelling at up to the speed limit of 40mph, and vehicles emerging from the access and waiting to join the northbound queue". A copy of the appeal decision, ref: APP/X0360/A/00/1053452 is included in Appendix 5.

## 4 CONCLUSION

4.1 There have been no changes in circumstances since the recommendation for refusal was issued. Therefore, as identified in the above reasons, I consider that the additional traffic using the junction of Basingstoke Road/B3349 and generated by the proposed development would be detrimental to highway safety and free flow of traffic. I therefore request that the appeal be dismissed.

Adam Coggins
14th August 2001
F/2001/3250

## 1.0 PURPOSE OF STATEMENT

1.1 The purpose of this statement is to rebut several claims made in the Evidence submitted by Wokingham District Council as highway authority in respect of the above appeal. It is not intended to introduce further evidence as part of this statement.

1.2 Reference will be made to the paragraph numbering in the highway authority's statement.

## 2.0 ROAD SAFETY

2.1 Para 2.3 describes the accident record in the vicinity of the Basingstoke Road junction. It confirms that there have been no personal injury accidents at the Basingstoke Road/B3349 junction.

## 3.0 TRAFFIC IMPACT

3.1 Section 3 of the highway authority's statement sets out its claims in terms of the traffic generation and impact of the appeal proposals.

3.2 Para 3.1 refers to typical traffic generation rates based on the TRICS database. These figures are reasonable. However, previously the highway authority had not objected to proposals for 6 dwellings on the site. It could, therefore, be argued that the traffic impact of the appeal proposals relates to a nett increase of 4 dwellings.

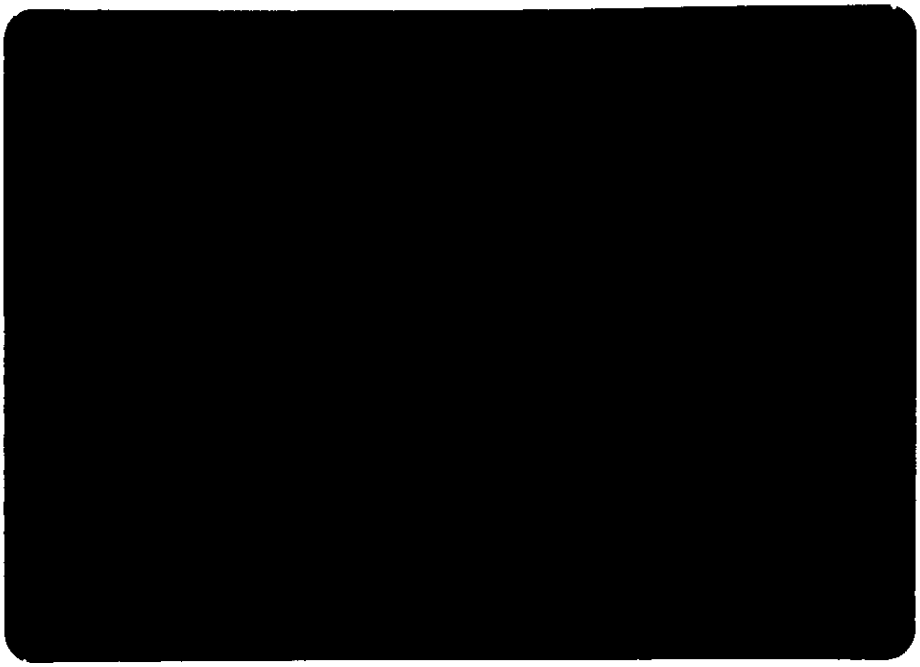
3.3 Para 3.2 states that the appeal proposals would generate 9 vehicle movements during the AM peak hour and that they would all have to use the B3349/Basingstoke Road junction. Whilst this is true, the highway authority has not acknowledged that up to 50% of these movements (based on the observed turning proportions of traffic using the junction) would be turning left out of the junction and would not therefore be seeking to enter the westbound traffic queue.

3.4 Para 3.3 states that the queuing on the B3349 occurs "extensively" during the morning peak period. The queue survey undertaken on behalf of the appellant indicates that, whilst queuing does take place, there are periods of virtually no queuing and that the more lengthy queue dissipates very quickly.

3.5 Para 3.5 refers to the effect that the school holiday period could have on the traffic flows on the roads in the vicinity of the appeal site. Clearly, any decrease in traffic flows on the Basingstoke Road during this period will have a corresponding decrease in peak hour turning movements.

## 4.0 CONCLUSION

4.1 The highway authority's statement does not make a substantive case for dismissing the appeal on road safety grounds and the Inspector is respectfully requested to take these further comments into consideration.



# Buchanan Consulting Engineers

# LAND AT SILCHESTER HOUSE, BASINGSTOKE ROAD, THREE MILE CROSS (V281)

*On Behalf of Bryant Homes Ltd.*

*Proof of Evidence of Dermot McCaffery Eng Tech MIHIE*

**July 2001**

**DOE Ref : APP/X0360/A/01/1068463**
**LPA Ref : F/2001/3250**

**Buchanan Consulting Engineers**
**Newcombe House**
**43-45 Notting Hill Gate**
**London W11 3QD**

**Tel: 020 7309 9055**
**Fax: 020 7309 9056**

## CONTENTS

| | | Page |
|---|---|---|
| 1.0 | Qualifications and Experience | 1 |
| 2.0 | Introduction and Scope of Evidence | 2 |
| 3.0 | Existing Highway Conditions | 3 |
| 4.0 | Policy Background | 4 |
| 5.0 | Traffic Impact | 6 |
| 6.0 | Conclusions | 9 |

## APPENDICES

A. Traffic Survey Results
B. Relevant Berkshire Structure Plan and Local Plan Policies

## FIGURES

1. Site Location
2. Traffic Flow Diagram - AM Peak Hour
3. Traffic Flow Diagram - PM Peak Hour

## 1.0 QUALIFICATIONS AND EXPERIENCE

1.1 My name is Dermot McCaffery. I am employed by Buchanan Consulting Engineers and I am a Principal Engineer in their traffic and preliminary highway design division.

1.2 Buchanan Consulting Engineers was formed in 1989 to provide detailed traffic and engineering advice to the development industry. The company specialises in preparing site feasibility reports, travel impact statements and provision of expert evidence as well as the detailed design and site supervision

1.3 I am an Engineering Technician and a Member of the Institute of Highway Incorporated Engineers. In total I have over 13 years experience in the transportation sector, during which I have worked in both private consultancies and public authorities. I have been involved in many public inquiries and hearings during this time acting for a range of clients and for all types of development.

1.4 Before joining Buchanan Consulting Engineers, I worked for the Royal Borough of Windsor and Maidenhead as a Senior Engineer responsible for the highway authority's development control function. Prior to joining the Royal Borough I was employed as a Senior Engineer by the Reading Division of the Babtie Group with responsibility for advising the local highway authorities on the highway aspects of planning applications for two District Councils. Before that I worked as an engineer in the highway development control section of Berkshire County Council.

1.5 At this Hearing I give expert evidence specifically relating to the road safety implications aspects of the appeal proposals.

## 2.0 INTRODUCTION AND SCOPE OF EVIDENCE

2.1 Detailed planning background information is provided within the evidence of HGP Planning Consultancy.

2.2 Planning application no. F/2001/3250 was refused by the local planning authority for 2 reasons. Refusal reason no. 2 related to highway issues,

> *"The proposed development would generate additional traffic into and out of a busy local distributor road. This would result in conflicting traffic movements which would adversely affect road safety and free flow of traffic. The proposal would therefore be contrary to Berkshire Structure Plan Policy LD5, Loddon Area Local Plan Policy LT5 and to Wokingham District Local Plan Policy WT7".*

2.3 My evidence specifically considers the potential traffic generation of the appeal proposals, the existing traffic conditions on the local distributor road and the perceived risk to road safety.

2.4 Reference will be made to recent traffic surveys that have been conducted in the vicinity of the appeal site.

## 3.0 EXISTING HIGHWAY CONDITIONS

3.1 The appeal site is located at the north end of a cul-de-sac (the historic route of Basingstoke Road) which forms a junction onto the B3349, Basingstoke Road, as shown on Figure 1.

3.2 The cul-de-sac gives access to 14 existing dwellings via an 8.0m metre carriageway with footways on either side.

3.3 The junction of the cul-de-sac and Basingstoke Road takes the form of a T-junction approximately 60 metres east of the Mereoak Roundabout on the A33. A bus stop is located immediately to the east of the cul-de-sac junction. Visibility for drivers emerging from the cul-de-sac is very good as is forward visibility towards vehicles turning right into the cul-de-sac for drivers travelling west towards the Mereoak Roundabout.

3.4 The B3349 Basingstoke Road is a local distributor road subject to a 40 mph speed limit which links the settlements of Three Mile Cross and Spencers Wood to the A33, the M4 Motorway and Reading to the north of junction 11 of the M4. Generally it is free flowing, but the congestion on the A33 corridor particularly between the Mereoak Roundabout and junction 11 of the M4, can cause some periodic queuing on Basingstoke Road in the peak traffic hours. This will be discussed later in my evidence.

## 4.0 POLICY BACKGROUND

4.1 The policies against which the traffic and highways issues of the development have been appraised, by the Local Authority, are:

- Berkshire Structure Plan - policy LD5
- Loddon Area Local Plan - policy LT5
- Wokingham District Local Plan - policy WT7
- Planning Policy Guidance 13 (Transport)

4.2 Berkshire Structure Plan, policy LD5 states that:

> *"Development will not be permitted where it is likely to give rise to serious problems of access, parking, road safety or traffic congestion ... Major development proposals should normally be located in areas which can be well served by public transport."*

4.3 Loddon Area Local Plan, policy LT5 is concerned with road safety. This policy states that:

> *"The District Council will urge the Highway Authority to...promote road safety...including:*
>
> *a) monitoring of accident statistics to identify blackspots;*
>
> *d) examining the road safety implications of all proposals for development."*

4.4 Wokingham District Local Plan, policy WT7 is also concerned with road safety. This policy is broadly the same as policy LT5 of the Loddon Area Local Plan.

4.5 These points impose a requirement on the local authority to consider the effect of the development - related traffic on road safety, and it is my

contention that the appeal proposals do not prejudice road safety as the following sections of my evidence will demonstrate.

4.6 In addition to Structure and Local Plan policies it is important to set the appeal proposals against the background of PPG13 - Transport. In particular, PPG13 Annex B gives guidance on new connections to trunk roads or the intensified use of existing ones:

> *"Whatever the type of access, safety considerations will be paramount. Good visibility will be of particular importance, and to improve safety, it is preferable for adjacent developments to share a common access point".*

## 5.0 TRAFFIC IMPACT

### *Base Traffic Flows*

5.1 Traffic surveys were carried out on 9th July 2001, from 0730 – 0930 and 1630 – 1830, at the junction of B3349 Basingstoke Road with the cul-de-sac. The results are enclosed in Appendix A.

5.2 From these surveys, the peak hours have been determined as 0745 – 0845 and 1715 – 1815. The turning movements recorded during these periods are shown diagrammatically on Figures 2 and 3.

5.3 Queue surveys were also carried out at the above junction and on the Basingstoke Road approach of the Mereoak roundabout during the periods 0730 – 0930 and 1630 – 1830. These results are also enclosed in Appendix A.

5.4 The queue surveys illustrate that queuing does occur on the B3349 approach to the roundabout with a maximum queue of 60 vehicles in the morning and 26 vehicles in the evening. However, it is clear that these queues build up and disperse very quickly. A possible explanation could be that the A33 and the approach to junction 11 of the M4 are very heavily trafficked and queues continually extend through the Mereoak roundabout and beyond. On occasions queuing vehicles block the entries into the roundabout and this results in a build up of queues on the approaches. Once the entries are cleared, vehicles can enter the roundabout and the queues disperse.

### *Traffic Generation and Distribution*

5.5 A robust trip rate of 0.8 trips per dwelling in each peak hour has been assumed, together with an arrival/departure split of 50/50 in the evening peak, reversed in the morning peak which reflects the traffic patterns observed. Turning proportions at the junction of the cul de sac with the B3349 have been assumed to be the same as for the existing traffic. The anticipated traffic from the development and its distribution onto Basingstoke Road are shown on Figures 2 and 3.

5.6 As the Figures show, the development is anticipated to generate 8 two-way traffic movements in the peak hours. This very low level of additional traffic can be expressed as a percentage impact against the background of the existing traffic flows on the B3349.

**Table 1: Percentage Impacts of 2-way Development Traffic on the B3349**

| | 0745 – 0845 | 1715 - 1815 |
|---|---|---|
| East of cul de sac | 0.36 | 0.34 |
| West of cul de sac | 0.36 | 0.34 |

5.6 It is generally accepted that an impact of 5% is considered to be material in development control terms with a lower threshold applied in congested situations. The impact of the appeal proposals on the traffic conditions on Basingstoke Road can be considered as immaterial or negligible with a maximum percentage impact of 0.36%.

5.7 Reference was made in the Officer's Report to Committee, to a previous Appeal decision on a nearby site. This appeal (ref. APP/X0360/A/00/1053452), was for the erection of 2 dwellings with direct access to the B3349 Basingstoke Road. The Inspector was concerned that the northbound queue to the Mereoak roundabout which extended back past the site access, presented a potential risk to road safety. This was qualified by the possible conflict with free flowing southbound traffic which could be travelling at up to the speed limit of 40 mph (paragraph 18 of decision letter).

5.8 In contrast, the current appeal site is accessed via the existing cul-de-sac. This, in turn, forms a formal bellmouth onto the B3349 Basingstoke Road and is readily assimilated by drivers on the main route. As stated previously, visibility at the junction is very good and this is reflected in the absence of recorded injury accidents at this location.

5.9 The Mereoak roundabout is approximately 60 metres away from the cul-de-sac junction and, as such, the speed of southbound vehicles is likely to be less than was the case for the previous appeal.

5.10 It is worth noting that no queues were recorded at the cul-de-sac junction during the survey periods. This indicates that the traffic generated by the existing 14 dwellings is not experiencing any difficulties or delays when entering or leaving the junction.

## 6.0 CONCLUSION

6.1 The appeal proposals will result in a negligible impact on the traffic conditions of the B3349 Basingstoke Road.

6.2 The additional turning movements that will be generated will take place at an established bellmouth junction which enjoys excellent visibility and geometry.

6.3 Vehicle queues do occur on the B3349 Basingstoke Road and do occasionally extend back past the cul-de-sac junction. However, these queues disperse quickly and the existing traffic seeking to turn into and out of the cul-de-sac is not unnecessarily inconvenienced.

7.4 It is considered therefore that the appeal proposals will not result in conflicting traffic movements to the detriment of road safety and is not, therefore, contrary to the policies of the Structure Plan or Local Plans.

7.5 The Inspector is respectfully requested to allow the appeal.

# Appendix A

## Traffic Survey Results

K&M TRAFFIC SURVEYS

DATE : 9th JULY 2001

DAY : MONDAY

LOCATION : BASINGSTOKE ROAD, SPENCERS WOOD

| | CUL DE SAC OUT LEFT | | | CUL DE SAC OUT RIGHT | | | CUL DE SAC RIGHT TURN IN | | | CUL DE SAC LEFT TURN IN | | | NORTHBOUND TO ROUNDABOUT | | | SOUTHBOUND FROM ROUNDABOUT | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | CAR | HGV | TOT | CAR | HGV | TOT | CAR | HGV | TOT | CAR | HGV | TOT | CAR | HGV | TOT | CAR | HGV | TOT |
| 0730-0745 | 0 | | 0 | 3 | | 3 | 0 | | 0 | 1 | | 1 | 188 | 8 | 196 | 65 | 8 | 73 |
| 0745-0800 | 0 | | 0 | 0 | | 0 | 0 | | 0 | 0 | | 0 | 202 | 6 | 208 | 85 | 6 | 91 |
| 0800-0815 | 1 | | 1 | 3 | | 3 | 2 | | 2 | 3 | | 3 | 158 | 8 | 166 | 74 | 5 | 79 |
| 0815-0830 | 1 | | 1 | 3 | | 3 | 1 | | 1 | 1 | | 1 | 187 | 6 | 193 | 66 | 7 | 73 |
| 0830-0845 | 4 | | 4 | 0 | | 0 | 1 | | 1 | 1 | | 1 | 192 | 9 | 201 | 97 | 5 | 102 |
| 0845-0900 | 2 | | 2 | 4 | | 4 | 1 | | 1 | 3 | | 3 | 134 | 9 | 143 | 81 | 9 | 90 |
| 0900-0915 | 4 | | 4 | 2 | | 2 | 2 | | 2 | 0 | | 0 | 121 | 8 | 129 | 90 | 8 | 98 |
| 0915-0930 | 2 | | 2 | 1 | | 1 | 2 | | 2 | 1 | | 1 | 119 | 9 | 128 | 66 | 7 | 73 |
| 0730-0830 | 2 | 0 | 2 | 9 | 0 | 9 | 3 | 0 | 3 | 5 | 0 | 5 | 735 | 28 | 763 | 290 | 26 | 316 |
| 0745-0845 | 6 | 0 | 6 | 6 | 0 | 6 | 4 | 0 | 4 | 5 | 0 | 5 | 739 | 29 | 768 | 322 | 23 | 345 |
| 0800-0900 | 8 | 0 | 8 | 10 | 0 | 10 | 5 | 0 | 5 | 8 | 0 | 8 | 671 | 32 | 703 | 318 | 26 | 344 |
| 0815-0915 | 11 | 0 | 11 | 9 | 0 | 9 | 5 | 0 | 5 | 5 | 0 | 5 | 634 | 32 | 666 | 334 | 29 | 363 |
| 0830-0930 | 12 | 0 | 12 | 7 | 0 | 7 | 6 | 0 | 6 | 5 | 0 | 5 | 566 | 35 | 601 | 334 | 29 | 363 |

3 31

| | CUL DE SAC OUT LEFT | | | CUL DE SAC OUT RIGHT | | | CUL DE SAC RIGHT TURN IN | | | CUL DE SAC LEFT TURN IN | | | NORTHBOUND TO ROUNDABOUT | | | SOUTHBOUND FROM ROUNDABOUT | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | CAR | HGV | TOT | CAR | HGV | TOT | CAR | HGV | TOT | CAR | HGV | TOT | CAR | HGV | TOT | CAR | HGV | TOT |
| 1630-1645 | 2 | | 2 | 3 | | 3 | 1 | | 1 | 1 | | 1 | 107 | 4 | 111 | 154 | 7 | 161 |
| 1645-1700 | 2 | | 2 | 4 | | 4 | 3 | | 3 | 4 | 1 | 5 | 103 | 8 | 111 | 135 | 7 | 142 |
| 1700-1715 | 2 | | 2 | 2 | | 2 | 0 | | 0 | 3 | | 3 | 94 | 3 | 97 | 121 | 5 | 126 |
| 1715-1730 | 2 | | 2 | 1 | 2 | 3 | 4 | | 4 | 2 | 1 | 3 | 105 | 2 | 107 | 151 | 9 | 160 |
| 1730-1745 | 2 | | 2 | 4 | | 4 | 2 | | 2 | 2 | | 2 | 108 | 3 | 111 | 167 | 2 | 169 |
| 1745-1800 | 0 | | 0 | 1 | | 1 | 0 | | 0 | 0 | 1 | 1 | 129 | 3 | 132 | 173 | 2 | 175 |
| 1800-1815 | 4 | | 4 | 1 | 1 | 2 | 4 | | 4 | 3 | | 3 | 136 | 2 | 138 | 153 | 3 | 156 |
| 1815-1830 | 1 | | 1 | 1 | | 1 | 2 | | 2 | 2 | | 2 | 98 | 0 | 98 | 162 | 1 | 163 |
| 1630-1730 | 8 | 0 | 8 | 10 | 2 | 12 | 8 | 0 | 8 | 10 | 2 | 12 | 409 | 17 | 426 | 561 | 28 | 589 |
| 1645-1745 | 8 | 0 | 8 | 11 | 2 | 13 | 9 | 0 | 9 | 11 | 2 | 13 | 410 | 16 | 426 | 574 | 23 | 597 |
| 1700-1800 | 6 | 0 | 6 | 8 | 2 | 10 | 6 | 0 | 6 | 7 | 2 | 9 | 436 | 11 | 447 | 612 | 18 | 630 |
| 1715-1815 | 8 | 0 | 8 | 7 | 3 | 10 | 10 | 0 | 10 | 7 | 2 | 9 | 478 | 10 | 488 | 644 | 16 | 660 |
| 1730-1830 | 7 | 0 | 7 | 7 | 1 | 8 | 8 | 0 | 8 | 7 | 1 | 8 | 471 | 8 | 479 | 655 | 8 | 663 |

# K&M TRAFFIC SURVEYS

DATE : 9th JULY 2001

DAY : MONDAY

LOCATION : BASINGSTOKE ROAD, SPENCERS WOOD

| TIME | NUMBER OF VEHICLES |
|---|---|
| 0730 | 11 |
| 0735 | 4 |
| 0740 | 20 |
| 0745 | 9 |
| 0750 | 6 |
| 0755 | 4 |
| 0800 | 0 |
| 0805 | 3 |
| 0810 | 19 |
| 0815 | 60 |
| 0820 | 0 |
| 0825 | 4 |
| 0830 | 14 |
| 0835 | 4 |
| 0840 | 6 |
| 0845 | 5 |
| 0850 | 5 |
| 0855 | 0 |
| 0900 | 3 |
| 0905 | 4 |
| 0910 | 2 |
| 0915 | 4 |
| 0920 | 3 |
| 0925 | 0 |
| 0930 | 0 |

| TIME | NUMBER OF VEHICLES |
|---|---|
| 1630 | 0 |
| 1635 | 7 |
| 1640 | 0 |
| 1645 | 0 |
| 1650 | 13 |
| 1655 | 0 |
| 1700 | 5 |
| 1705 | 3 |
| 1710 | 3 |
| 1715 | 0 |
| 1720 | 7 |
| 1725 | 10 |
| 1730 | 0 |
| 1735 | 3 |
| 1740 | 5 |
| 1745 | 26 |
| 1750 | 20 |
| 1755 | 9 |
| 1800 | 3 |
| 1805 | 0 |
| 1810 | 0 |
| 1815 | 11 |
| 1820 | 5 |
| 1825 | 8 |
| 1830 | 3 |

THERE WERE NO QUEUES FROM CUL DE SAC

## Appendix B

## Relevant Berkshire Structure Plan and Local Plan Policies

REQUIRED AS A RESULT OF NEW DEVELOPMENTS, SUBJECT TO THERE BEING NO SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECT. 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:

A329/FOREST ROAD: Junction Improvement
BETCHWORTH ROAD/WILDERNESS ROAD, EARLEY: Junction improvement
LODDON BRIDGE ROAD/CROCKHAMWELL ROAD, WOODLEY: Junction Improvement
LODDON BRIDGE ROAD/HEADLEY ROAD: Modification to roundabout
A329 WOKINGHAM ROAD/WILDERNESS ROAD: Junction improvement
SONNING LANE/A4 BATH ROAD: Junction Improvement
WINNERSH CROSSROADS: Improvement
ARBORFIELD CROSS: Junction Improvements with A327
BUTTS HILL ROAD BRIDGE OVER RAILWAY: Provision of footbridge
B3349 BARKHAM BRIDGE: New bridge with road realignment
ELM ROAD, EARLEY: Realignment
ELM ROAD/PEPPER LANE: Roundabout Improvement
A327 GREENSWARD LANE: Improved alignment.

### ✣ LT5 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

**1.8.10** The increase in the number of cars in the area through growth and high car ownership rates has lead to an increase in demand for parking spaces in shopping centres in the area placing existing facilities under pressure. The District Council recognises the need for car parking in order to maintain the viability of some centres. However new public car parking has environmental implications and may not be acceptable in some more sensitive areas particularly if it is decked.



### ✣ LT6 PARKING PROVISION

THE DISTRICT COUNCIL WILL SEEK THE PROVISION OF APPROPRIATELY LOCATED PARKING FACILITIES AND CAR PARKING IN ACCORDANCE WITH THE DISTRICT COUNCIL'S ADOPTED STANDARDS, TO BE PROVIDED EITHER IN CONJUNCTION WITH NEW DEVELOPMENT OR BY OBTAINING AN APPROPRIATE LEVEL OF COMMUTED PAYMENT WHERE THERE IS AN INTENTION TO PROVIDE, OR AN IDENTIFIED NEED FOR, PUBLIC PROVISION.

Note 1: The sum required per parking space by way of a commuted payment will be regularly reviewed.

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.

Monitoring: Through road safety and accident monitoring and the *Road Safety Plan.*

**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.

## TRANSPORT REQUIREMENTS

4.17 In line with the County Council's intention to continue to develop an integrated approach to transport, it is important that the needs of all forms of transport are taken into account in dealing with proposals for development. Account also needs to be taken of:

(i) the aim of improving the overall level of safety on the transport network;

(ii) parking policies and standards; and

(iii) wider concerns to minimise traffic congestion which has adverse effects in the form of delay, air pollution, noise, visual intrusion and fuel consumption.

### Transport Considerations in Dealing with Development Proposals

Policy LD5 In considering proposals for development, the requirements of all users of transport will be taken into account, including the needs of the mobility handicapped.

On and off-site provision of a standard appropriate to the nature and location of the proposed development and consistent with the integrated transport strategy needs to be made for :

(i) vehicular access and circulation;

(ii) parking;

(iii) public transport (including interchange facilities such as park and ride); and

(iv) facilities for pedestrians and cyclists.

Development will not be permitted where it is likely to give rise to serious problems of access, parking, road safety or traffic congestion.

Major development proposals should normally be located in areas which can be well served by public transport.

4.18 The distinction between major and small scale developments may vary in different parts of the County, but normally major developments will include those set out in paragraph 4.9 (i) to (iv).

4.8 The provision of suitable small recycling facilities, such as bottle and can banks, in association with development acceptable under other policies in this Plan, will contribute towards meeting a target of recycling at least 25% of the County's household waste by the year 2000 as proposed in Policy W2 (35% by 2007). The nature and type of facilities will depend on the type of development and the waste management systems being used. However, the facilities may include two separate elements :

- local recycling facilities for the public to deposit different types of recyclable material; and
- facilities for source separation and storage of different types of waste.

4.9 Policy LD2 will normally apply to the following categories of development:

(i) housing proposals for 100 or more dwellings;

(ii) new development, redevelopment or refurbishment of shopping centres or facilities where the floorspace of existing and new development amounts to 500 sq.metres or more;

(iii) business, industrial, distribution or storage development involving a net increase in floorspace of 500 sq.metres or more;

(iv) major transport, leisure, recreation, tourist or community facilities;

(v) car parks for the public including 'park and ride' schemes with over 200 spaces; and

(vi) appropriate smaller developments which frequently attract a significant number of people (e.g. community or shopping schemes).

## ENVIRONMENTAL IMPACT

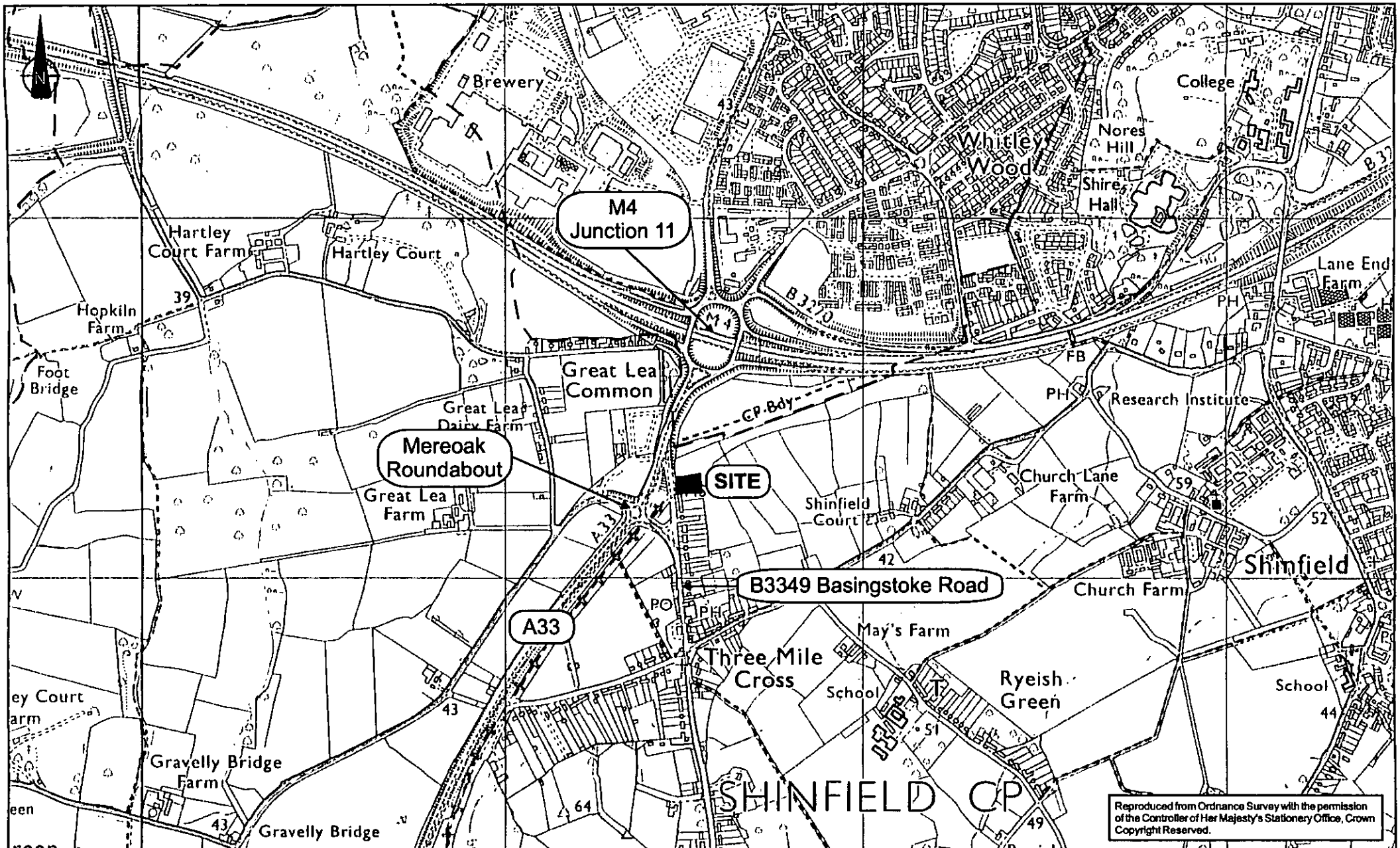
4.10 The County Council considers that even where proposals for development may be acceptable in principle within the provisions of other policies in the Structure Plan and in local plans, local planning authorities need to be satisfied that proposals will not have any significant adverse environmental impact.

### Environmental Impact of Development

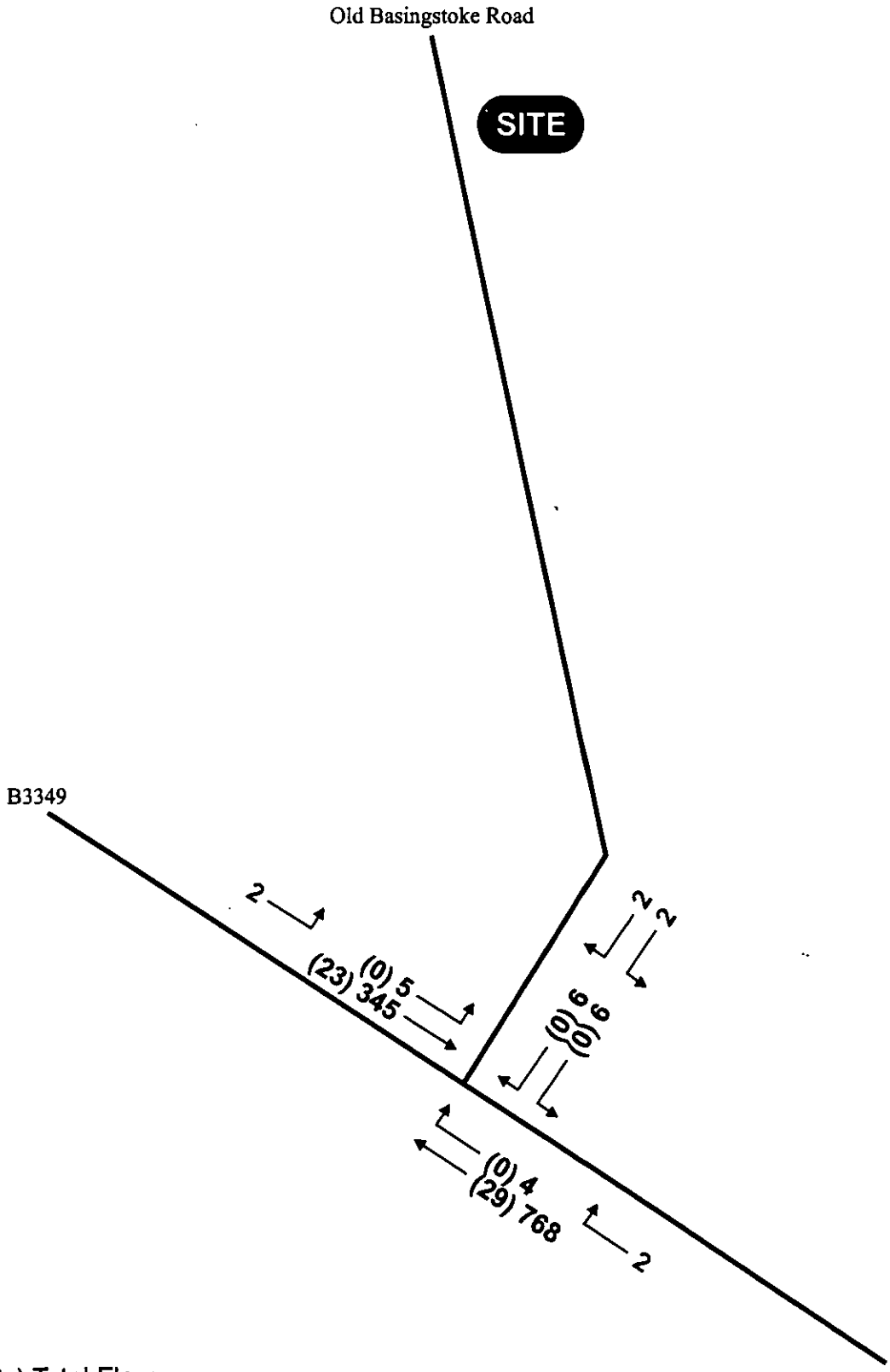
Policy LD3 **Development proposals will only be permitted where they do not give rise to an unacceptable impact on the environment, including serious harm to the character or appearance of an area, or the amenities of neighbouring land uses.**

4.11 In a highly constrained County such as Berkshire, most major development is likely to have a significant impact, either by itself or cumulatively, and environmental assessments may be required for a wider range of development than that specifically referred to in Circular 15/88 in order to determine the acceptability of proposals.

# FIGURES

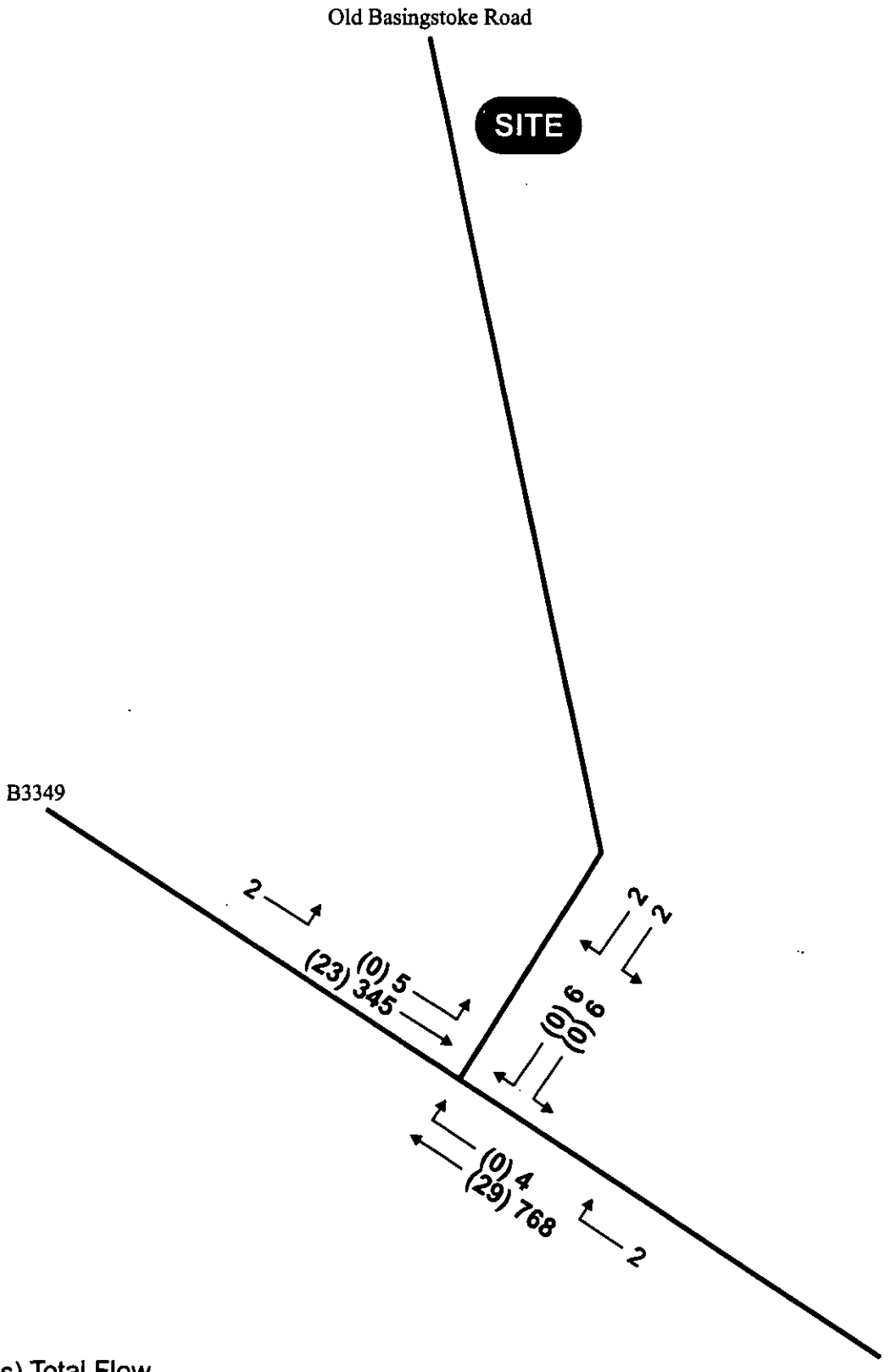



| | | | |
|---|---|---|---|
| Scale NTS | Client : **Bryant Homes** | Job Title : **Basingstoke Road, Spencers Wood** | Buchanan Consulting Engineers<br>Newcombe House - 43-45 Notting Hill Gate - London W11 3QD<br>Tel. 0207 309 9055 Fax. 0207 309 9056 |
| Date 19/07/01 | Drawing Title : **Site Location Plan** | | Job No : **V281** — **Fig. 1** |
| Drawn A.B. | | | |




(HGV's) Total Flow
Development Traffic

| | | | |
|---|---|---|---|
| Scale NTS | Client : Bryant Homes | Job Title : Basingstoke Road, Spencers Wood | Buchanan Consulting Engineers<br>Newcombe House - 43-45 Notting Hill Gate - London W11 3QD<br>Tel. 0207 309 9055 Fax. 0207 309 9056 |
| Date 19/07/01 | Drawing Title : Surveyed & Development Traffic Flows AM Peak (0745-0845) | | Job No : V281 Fig. 2 |
| Drawn A.B. | | | |



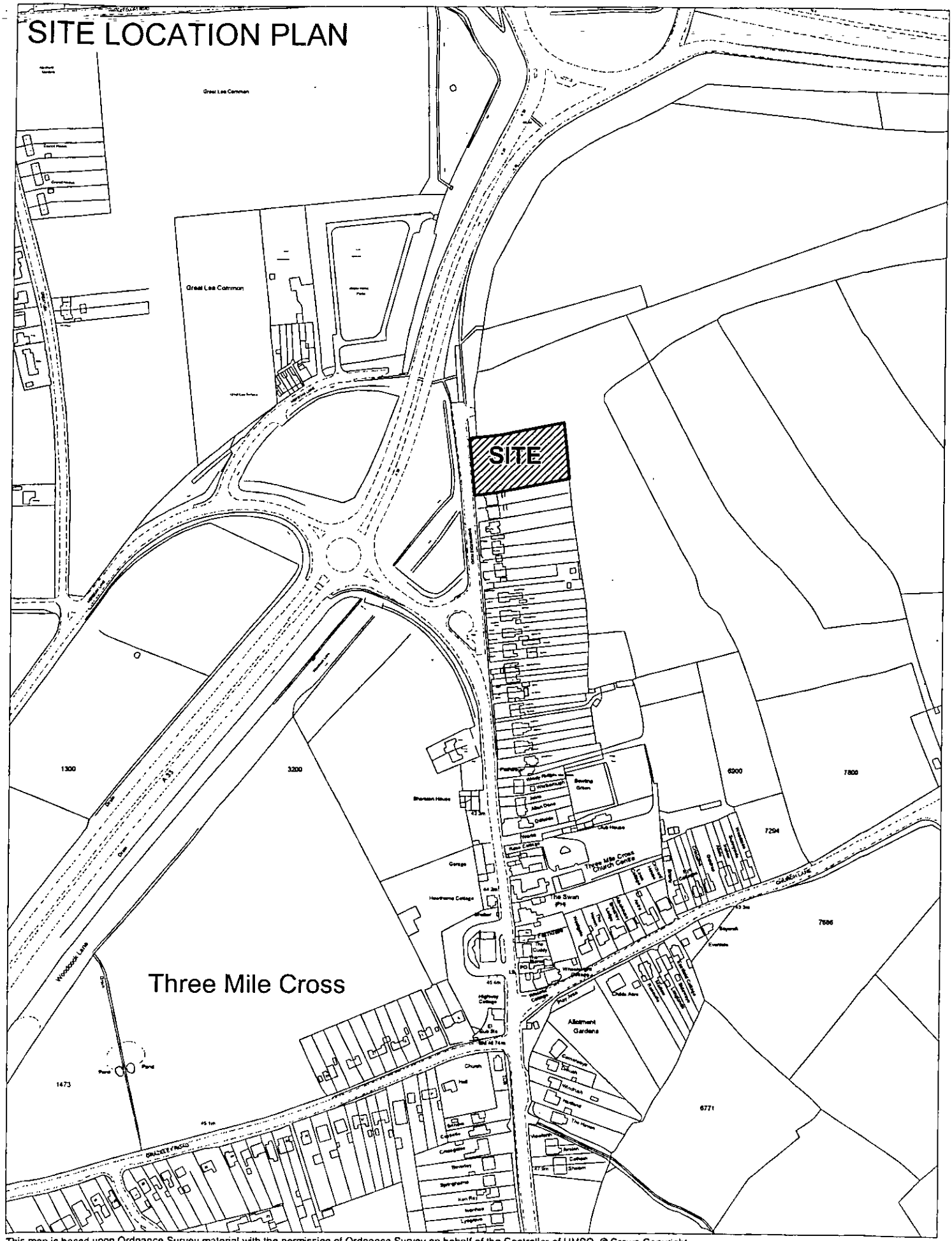

(HGV's) Total Flow
Development Traffic

| | | | |
|---|---|---|---|
| Scale NTS | Client: Bryant Homes | Job Title: Basingstoke Road, Spencers Wood | Buchanan Consulting Engineers<br>Newcombe House - 43-45 Notting Hill Gate - London W11 3QD<br>Tel. 0207 309 9055 Fax. 0207 309 9056 |
| Date 19/07/01 | Drawing Title: Surveyed & Development Traffic Flows AM Peak (0745-0845) | | |
| Drawn A.B. | | | Job No: V281 Fig. 2 |

# APPENDIX 1

## SITE LOCATION PLAN

# SITE LOCATION PLAN

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Engineering Section, Environmental Services, Wokingham District Council.

16 August 2001

Scale: 1 : 4000

N
W E
S

# APPENDIX 2

## VEHICLE COUNT REPORT

Site No: 20563052

Site Reference: 20563052

# SITE 52 - B3349 BASINGSTOKE RD, RISELEY
## Week Begin: 12 March 2001

### Vehicle Count Report

**All Channels**

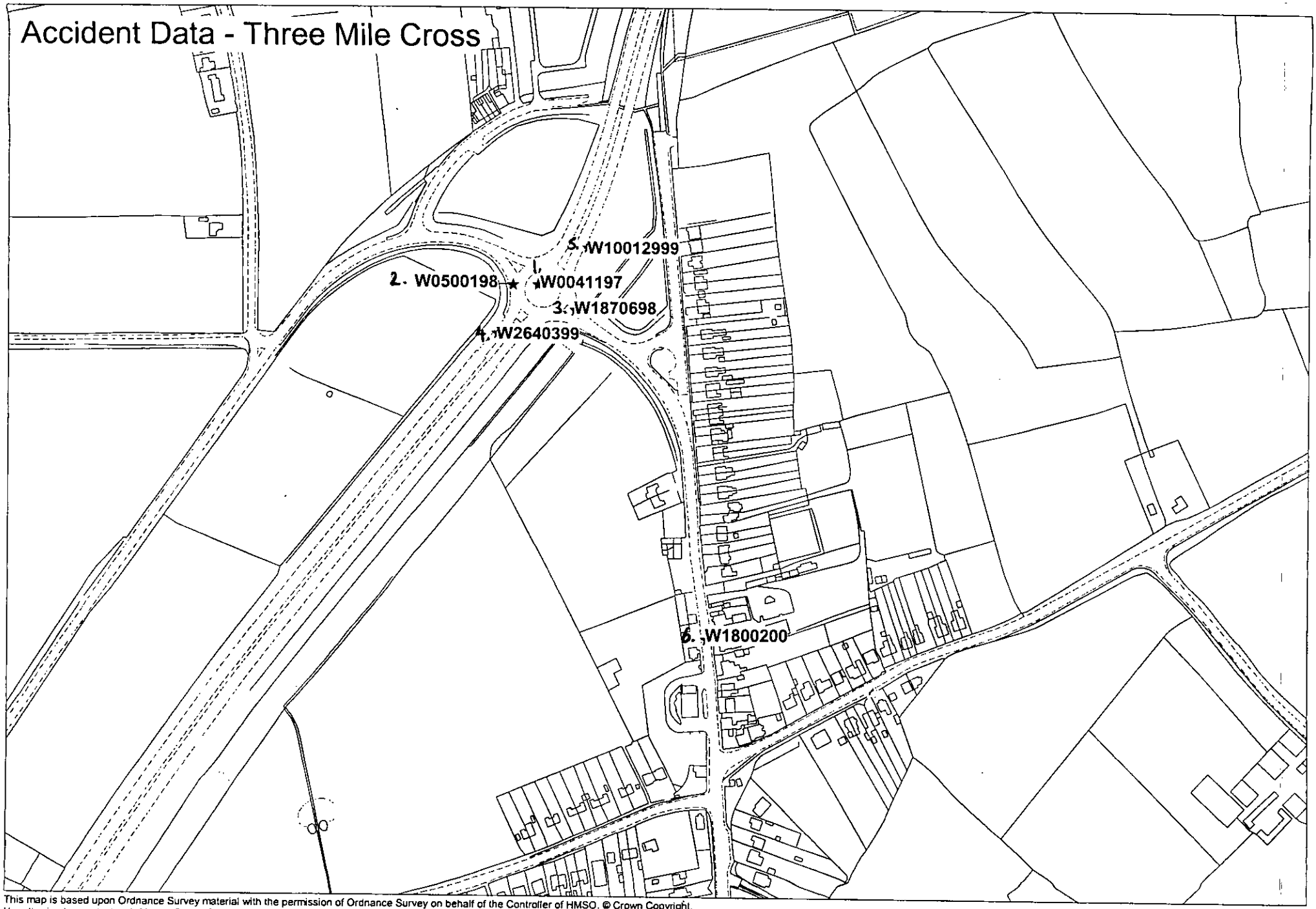
| Time Begin | Mon Mar 12 | Tue Mar 13 | Wed Mar 14 | Thu Mar 15 | Fri Mar 16 | Sat Mar 17 | Sun Mar 18 | 5-Day Av | 7-Day Av |
|---|---|---|---|---|---|---|---|---|---|
| 0:00 | 6 | 4 | 11 | 14 | 10 | 26 | 21 | 9 | 13 |
| 1:00 | 1 | 3 | 2 | 6 | 7 | 11 | 19 | 4 | 7 |
| 2:00 | 2 | 1 | 2 | 0 | 4 | 5 | 2 | 2 | 2 |
| 3:00 | 3 | 2 | 7 | 1 | 3 | 5 | 6 | 3 | 4 |
| 4:00 | 7 | 9 | 8 | 4 | 7 | 6 | 2 | 7 | 6 |
| 5:00 | 18 | 13 | 19 | 15 | 24 | 7 | 2 | 18 | 14 |
| 6:00 | 86 | 90 | 93 | 84 | 90 | 30 | 8 | 89 | 69 |
| 7:00 | 724 | 735 | 705 | 706 | 598 | 75 | 26 | 694 | 510 |
| 8:00 | 1022 | 954 | 959 | 900 | 835 | 109 | 59 | 934 | 691 |
| 9:00 | 436 | 401 | 348 | 348 | 357 | 148 | 115 | 378 | 308 |
| 10:00 | 226 | 211 | 196 | 211 | 222 | 217 | 156 | 213 | 206 |
| 11:00 | 212 | 183 | 206 | 187 | 232 | 255 | 191 | 204 | 209 |
| 12:00 | 261 | 228 | 178 | 248 | 253 | 246 | 255 | 234 | 238 |
| 13:00 | 221 | 219 | 173 | 228 | 255 | 204 | 184 | 219 | 212 |
| 14:00 | 204 | 225 | 251 | 202 | 271 | 217 | 189 | 231 | 223 |
| 15:00 | 255 | 239 | 245 | 241 | 288 | 190 | 196 | 254 | 236 |
| 16:00 | 344 | 332 | 335 | 350 | 378 | 174 | 197 | 348 | 301 |
| 17:00 | 518 | 557 | 499 | 566 | 509 | 171 | 148 | 530 | 424 |
| 18:00 | 415 | 429 | 435 | 403 | 362 | 140 | 99 | 409 | 326 |
| 19:00 | 186 | 204 | 198 | 184 | 154 | 118 | 87 | 185 | 162 |
| 20:00 | 80 | 83 | 92 | 97 | 89 | 59 | 61 | 88 | 80 |
| 21:00 | 47 | 63 | 65 | 58 | 66 | 46 | 45 | 60 | 56 |
| 22:00 | 33 | 63 | 83 | 74 | 40 | 42 | 26 | 59 | 52 |
| 23:00 | 19 | 38 | 35 | 38 | 45 | 46 | 18 | 35 | 34 |
| 12H;7-19 | 4838 | 4713 | 4530 | 4590 | 4560 | 2146 | 1815 | 4646 | 3885 |
| 16H;6-22 | 5237 | 5153 | 4978 | 5013 | 4959 | 2399 | 2016 | 5068 | 4251 |
| 18H;6-24 | 5289 | 5254 | 5096 | 5125 | 5044 | 2487 | 2060 | 5162 | 4336 |
| 24H;0-24 | 5326 | 5286 | 5145 | 5165 | 5099 | 2547 | 2112 | 5204 | 4383 |
| Am | 8:00 | 8:00 | 8:00 | 8:00 | 8:00 | 11:00 | 11:00 | - | - |
| Peak | 1022 | 954 | 959 | 900 | 835 | 255 | 191 | 934 | 731 |
| Pm | 17:00 | 17:00 | 17:00 | 17:00 | 17:00 | 12:00 | 12:00 | - | - |
| Peak | 518 | 557 | 499 | 566 | 509 | 246 | 255 | 530 | 450 |

G - Global Event, L - Local Event, # - Edited Data

# APPENDIX 3

## ACCIDENT DATA AND LOCATIONS

# Accident Data - Three Mile Cross

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Development Control Section, Environmental Services, Wokingham District Council.

13 August 2001

N W E S

Scale: 1 : 3897

**Accidents between dates** **01/07/1997 and 30/06/2000 (36 months)**

**Selected by:**

| Police Ref. | Date | Cas. | Sev. | Cycs | Peds | Ch | OAPs | Vis. | Manv. | Road Cond. | Time | Easting | Northing | Location |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| W0041197 | 11/2/97 | 1 | Slight | 0 | 0 | 0 | 0 | Light | No turn | Wet/Damp | 0708 | 471360 | 168180 | SWALLOWFIELD BY PASS RBT JNC MEREOAK LN WOKINGHAM |
| W0500198 | 1/15/98 | 2 | Slight | 0 | 0 | 0 | 0 | Light | Right | Wet/Damp | 1400 | 471340 | 168180 | A33 BASINGSTOKE RD RBT JNC OLD BASING- STOKE RD WOKINGHA |
| W1870698 | 6/17/98 | 1 | Slight | 0 | 0 | 0 | 0 | Light | Right | Dry | 0835 | 471390 | 168160 | A33 RBT JNC THREE MILE CROSS WOKINGHAM |
| W2640399 | 3/27/99 | 1 | Slight | 0 | 0 | 0 | 0 | Light | No turn | Dry | 1300 | 471328 | 168141 | A33 SWALLOWFIELD BY PASS NR JW MEREOAK LANE. READING |
| W100129912/13/99 | | 1 | Slight | 0 | 0 | 0 | 0 | Dark | Right | Wet/Damp | 2225 | 471400 | 168210 | A33 BASINGSTOKE RD JW OLD BASINGSTOKE RD, SHINFIELD, READ |
| W1800200 | 2/7/00 | 1 | Slight | 0 | 0 | 0 | 0 | Dark | Right | Dry | 1855 | 471497 | 167900 | B3349 BASINGSTOKE RD 100YDS N JNC BROOKERS HILL THREE MILE |
| Column Totals | | 7 | | 0 | 0 | 0 | 0 | | | | | | | |
| No. of Accidents | | | | 0 | 0 | 0 | 0 | | | | | | | |

Total number of accidents listed: 6

**Accidents between dates 01/07/1997 and 30/06/2000 (36 months)**
**Selected by:**

W0041197 02/11/1997 Time 0708 Vehicles 1 Casualties 1 Slight
E: 471360 N: 168180 First Road: A 33 Road Type Roundabout
Speed limit: 60 Junction Detail: Roundabout Control: Give way Road2: U 64
Crossing: Control None Facilities: Central refuge Road surface Wet/Damp
Daylight: street lights present Fog or mist
Special Conditions at Site None Carriageway Hazards None
Place accident reported: DETR Special Projects:
Contributory factors: 2
C1 TRAV NE AT SPEED FAILED TO SEE RBT IN FOG DROVE ACROSS RBT & HIT RD SIGNS
Occurred on SWALLOWFIELD BY PASS RBT JNC MEREOAK LN WOKINGHAM

Vehicle Reference 1 Car Going ahead
Vehicle movement from SW to NE No tow or articulation On the main road
Not restricted lane Skidded
Location at impact Middle of junction First impact Front Hit vehicle: 0
Hit object in road Central island of r'bout Off road: None
Left carriageway straight ahead at junction Age of Driver 26 Male
Parts damaged: Front Front Front Not hit and run
Breath test Negative

Casualty Reference: 1 Vehicle: 1 Age: 26 Male Driver/rider Severity: Slight
Not a school pupil

**Accidents between dates** **01/07/1997 and 30/06/2000 (36 months)**
**Selected by:**

W0500198 15/01/1998 Time 1400 Vehicles 2 Casualties 2 Slight
E: 471340 N: 168180 First Road: A 33 Road Type Roundabout
Speed limit: 60 Junction Detail: Roundabout Control: Give way Road2: U 64
Crossing: Control None Facilities: None within 50m Road surface Wet/Damp
Daylight: street lights present Fine without high winds
Special Conditions at Site None Carriageway Hazards None
Place accident reported: DETR Special Projects:
Contributory factors: 2 4
C2 TRNG RT ON RBT FRM NE TO W HIT BY C1 ENT RBT TO TRAV NE
Occurred on A33 BASINGSTOKE RD RBT JNC OLD BASING- STOKE RD WOKINGHAM

Vehicle Reference 1 Car Going ahead
Vehicle movement from SW to NE No tow or articulation Entering the main road
Not restricted lane Skidded
Location at impact Middle of junction First impact Offside Hit vehicle: 2
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 30 Male
Parts damaged: Front Front Front Not hit and run
Breath test Not requested

Casualty Reference: 1 Vehicle: 1 Age: 30 Male Driver/rider Severity: Slight
Not a school pupil

Vehicle Reference 2 Car Turning right
Vehicle movement from NE to W No tow or articulation On the main road
Not restricted lane No skidding, jack-knifing or overturning
Location at impact Middle of junction First impact Front Hit vehicle: 1
Hit object in road None Off road: None
Left carriageway offside onto central reservation Age of Driver 38 Male
Parts damaged: Front Front Front Not hit and run
Breath test Not requested

Casualty Reference: 2 Vehicle: 2 Age: 38 Male Driver/rider Severity: Slight
Not a school pupil

**Accidents between dates 01/07/1997 and 30/06/2000 (36 months)**
**Selected by:**

W1870698 17/06/1998 Time 0835 Vehicles 3 Casualties 1 Slight
E: 471390 N: 168160 First Road: A 33 Road Type Roundabout
Speed limit: 60 Junction Detail: Roundabout Control: Give way Road2: U 166
Crossing: Control None Facilities: None within 50m Road surface Dry
Daylight:street lights present Fine without high winds
Special Conditions at Site None Carriageway Hazards None
Place accident reported: DETR Special Projects:
Contributory factors: 4
C3 ENTD RBT TO TRN RT FRM SE TO NE & CAUSED C2 TRAV SW ON RBT TO BRAKE - C1 HIT REAR C2
Occurred on A33 RBT JNC THREE MILE CROSS WOKINGHAM

Vehicle Reference 1 Car Going ahead
Vehicle movement from NE to SW No tow or articulation On the main road
Not restricted lane No skidding, jack-knifing or overturning
Location at impact Middle of junction First impact Front Hit vehicle: 2
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 40 Male
Parts damaged: Front Front Front Not hit and run
Breath test Not requested

Vehicle Reference 2 Car Going ahead
Vehicle movement from NE to SW No tow or articulation On the main road
Not restricted lane No skidding, jack-knifing or overturning
Location at impact Middle of junction First impact Back Hit vehicle: 1
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 44 Male
Parts damaged: Back Back Back Not hit and run
Breath test Not requested

Casualty Reference: 1 Vehicle: 2 Age: 44 Male Driver/rider Severity: Slight
Not a school pupil

Vehicle Reference 3 Car Turning right
Vehicle movement from SE to NE No tow or articulation Entering the main road
Not restricted lane No skidding, jack-knifing or overturning
Location at impact Did not impact First impact Did not impact Hit vehicle: 0
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 99
Parts damaged: None Non-stop, not hit
Breath test Driver not contacted

**Accidents between dates** **01/07/1997 and 30/06/2000 ( 36 months)**
**Selected by:**

W2640399 27/03/1999 Time 1300 Vehicles 2 Casualties 1 Slight
E: 471328 N: 168141 First Road: A 33 Road Type Roundabout
Speed limit: 70 Junction Detail: Roundabout Control: Give way
Crossing: Control None Facilities: None within 50m Road surface Dry
Daylight: street lights present Fine without high winds
Special Conditions at Site None Carriageway Hazards None
Place accident reported: DETR Special Projects:
Contributory factors:
C2 TRAV N STAT IN TRAFF HIT IN REAR BY C1
Occurred on A33 SWALLOWFIELD BY PASS NR JW MEREOAK LANE. READING

Vehicle Reference 1 Car Waiting to go ahead but held up
Vehicle movement from S to N No tow or articulation On the main road
Not restricted lane
Location at impact Approaching junction First impact Front Hit vehicle: 2
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 99 Male
Parts damaged: Hit and run
Breath test Driver not contacted

Vehicle Reference 2 Car Waiting to go ahead but held up
Vehicle movement from S to N No tow or articulation On the main road
Not restricted lane No skidding, jack-knifing or overturning
Location at impact Approaching junction First impact Back Hit vehicle: 1
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 27 Female
Parts damaged: Back Back Back Not hit and run
Breath test Driver not contacted

Casualty Reference: 1 Vehicle: 2 Age: 27 Female Driver/rider Severity: Slight
Not a school pupil

**Accidents between dates** **01/07/1997 and 30/06/2000 ( 36 months)**
**Selected by:**

W10012999 13/12/1999 Time 2225 Vehicles 2 Casualties 1 Slight
E: 471400 N: 168210 First Road: A 33 Road Type Roundabout
Speed limit: 70 Junction Detail: Roundabout Control: Give way Road2: U 64
Crossing: Control None Facilities: None within 50m Road surface Wet/Damp
Darkness: street lights present and lit Fine without high winds
Special Conditions at Site None Carriageway Hazards None
Place accident reported: Elsewhere DETR Special Projects:
Contributory factors: 1 1 4
C2 TRAV S STOPP AT RBT & WAS HIT FRM BHND BY C1
Occurred on A33 BASINGSTOKE RD JW OLD BASINGSTOKE RD, SHINFIELD, READING.

Vehicle Reference 1 Car Stopping
Vehicle movement from N to S No tow or articulation On the main road
Not restricted lane No skidding, jack-knifing or overturning
Location at impact Approaching junction First impact Front Hit vehicle: 2
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 99 Female
Parts damaged: Front Front Front Not hit and run
Breath test Not requested

Vehicle Reference 2 Car Waiting to turn right
Vehicle movement from 0 to S No tow or articulation On the main road
Not restricted lane No skidding, jack-knifing or overturning
Location at impact Approaching junction First impact Back Hit vehicle: 1
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 36 Male
Parts damaged: Back Back Back Not hit and run
Breath test Not requested

Casualty Reference: 1 Vehicle: 2 Age: 36 Male Driver/rider Severity: Slight
Not a school pupil

**Accidents between dates** **01/07/1997 and 30/06/2000 ( 36 months)**
**Selected by:**

W1800200 07/02/2000 Time 1855 Vehicles 2 Casualties 1 Slight
E: 471497 N: 167900 First Road: U 166 Road Type Single carriageway - 2 lanes
Speed limit: 40 Junction Detail: Not at junction
Crossing: Control None Facilities: None within 50m Road surface Dry
Darkness: street lights present and lit Fine without high winds
Special Conditions at Site None Carriageway Hazards None
Place accident reported: At scene DETR Special Projects:
Contributory factors: 02 21 49
C2 TRNG RT FRM N TO W (VISION OBSCRD BY PKD VEH) HIT MC1 TRAV N PASSING SAME PKD VEH
Occurred on B3349 BASINGSTOKE RD 100YDS N JNC BROOKERS HILL THREE MILE CROSS

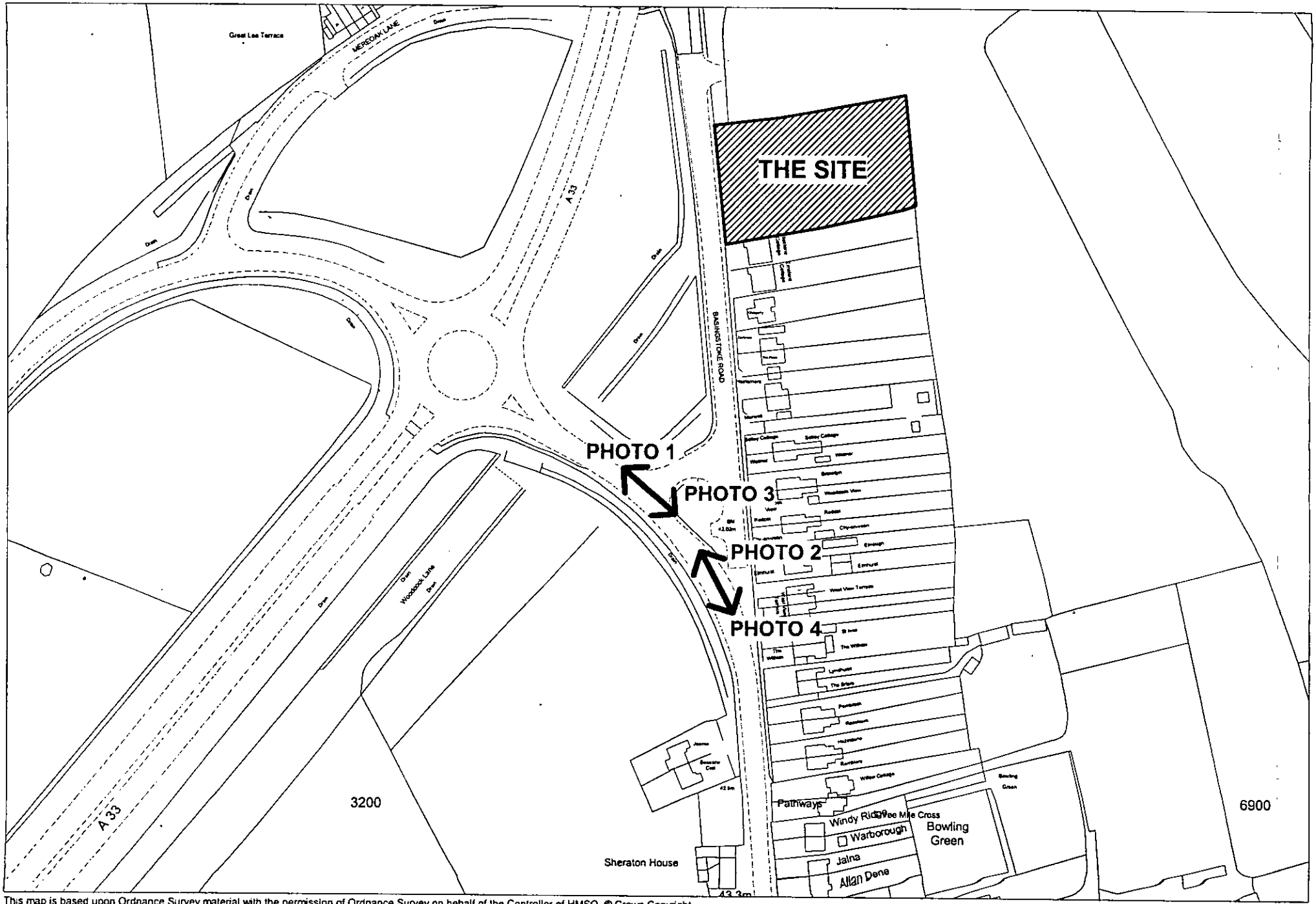
Vehicle Reference 1 Motor Cycle > 125 cc Going ahead
Vehicle movement from S to N No tow or articulation On the main road
Not restricted lane No skidding, jack-knifing or overturning
Location at impact Not at junction First impact Front Hit vehicle: 2
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 35 Male
Parts damaged: Offside Nearside Not hit and run
Breath test Not requested

Casualty Reference: 1 Vehicle: 1 Age: 35 Male Driver/rider Severity: Slight
Not a school pupil

Vehicle Reference 2 Car Turning right
Vehicle movement from N to W No tow or articulation On the main road
Not restricted lane No skidding, jack-knifing or overturning
Location at impact Not at junction First impact Offside Hit vehicle: 1
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 28 Male
Parts damaged: Offside Not hit and run
Breath test Not requested

# APPENDIX 4

## SITE PHOTOGRAPHS
## (From site visit on 13th August 2001)

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Engineering Section, Environmental Services, Wokingham District Council.

13 August 2001

N W E S

Scale: 1 : 2000

**PHOTO 1 – LOOKING NORTHWEST FROM THE BASINGSTOKE RD JUNCTION**




**PHOTO 2 – LOOKING NORTHWEST PAST THE BASINGSTOKE RD JUNCTION**



**PHOTO 3 – LOOKING SOUTHEAST FROM BASINGSTOKE ROAD JUNCTION**




**PHOTO 4 – LOOKING SOUTH ALONG THE B3349 BASINGSTOKE ROAD**



# APPENDIX 5

## APPEAL DECISION - REFERENCE: APP/X0360/A/00/1053452

**(For the erection of 2 detached dwellings on land rear of The Briars & Pembrook, Basingstoke Road, Three Mile Cross)**

# Appeal Decision

Site visit made on 07 February 2001

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

**by Roger Clews BA MSc DipEd DipTP MRTPI**

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

Date
5 MAR 2001

**Appeal Ref: APP/X0360/A/00/1053452**
**Land rear of The Briars and Pembrook, Basingstoke Road, Three Mile Cross**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Hicks Developments Ltd against the decision of Wokingham District Council.
- The application (ref: O/2000/2388), dated 6 September 2000, was refused by notice dated 16 October 2000.
- The development proposed is erection of 2 detached houses, garages and access.

**Summary of Decision: The appeal is dismissed.**

## Procedural Matters

1. The planning application was made in outline, but with the means of access and the siting of the buildings to be determined at this stage. I have dealt with the appeal on this basis.

## Main Issues

2. I consider that there are three main issues in this appeal:

   (a) The effect of the proposed development on the character and appearance of the surrounding area.

   (b) The effect of the proposed development on the living conditions of occupants of neighbouring houses, with particular reference to the proposed access arrangements.

   (c) The effect of the proposed development on road safety and the free flow of traffic on the B3349 Basingstoke Road.

## Planning Policy

3. The development plan for the area comprises the Berkshire Structure Plan 1991-2006 (BSP), adopted in November 1995, and the Loddon Area Local Plan (LALP), adopted in May 1995. The BSP contains four policies relevant to this appeal. Policy H5 states that part of the plan's provision for housing development will be met by building on suitable undeveloped land within built-up areas and settlement boundaries. Policy EN1 requires development in built-up areas to be appropriate in scale, form, impact, character and siting to its location. Policy EN2 requires development not to give rise to unacceptable levels of noise or noxious emissions beyond the site boundary. Policy LD5 states that development will not be permitted where it is likely to give rise to serious problems of access, parking, road safety or traffic congestion.

appeal site, and is clearly demarcated from the adjoining fields by a hedge. In view of this, and of the fact that there are already buildings on the appeal site, I consider that this boundary, which corresponds to the settlement boundary defined in the WDLP, represents the perceived edge of the settlement. As a result I do not consider that new development on the appeal site would be out of character with the existing pattern of development.

9. Although the proposed development would result in a larger area of the site being taken up with buildings, they would be largely concealed from Basingstoke Road by the frontage development. One of the houses would be visible to passers-by looking directly along the access way, but as this would replace the current view of a somewhat dilapidated shed or garage building, I do not consider that any harm to the appearance of the area would result.

10. From any vantage points to the east the proposed development would be seen against the backdrop of the frontage properties, and, as I have reasoned above, would be perceived as lying within the edge of the settlement. To the north views into and out of the site are largely blocked by the existing buildings and boundary vegetation, while the bowling club grounds lie to the south. The external appearance of the houses and the landscaping of the site, including the boundaries, could be controlled by the Council as reserved matters to achieve a satisfactory transition between the frontage development and the surrounding countryside. There would also be some benefit from the removal of the unattractive existing buildings on the site. In view of these considerations, in my opinion the proposed development would not detract from the setting of the settlement or the appearance of the adjoining countryside.

11. I therefore conclude on the first main issue that the proposed development would not have a significantly adverse effect on the character or appearance of the area, and would therefore not conflict with BSP policy EN1, LALP policies LTV1 or LBE2, nor with WDLP policies WOS2 or WBE1.

***Living conditions of neighbours***

12. The proposed positions of the houses and garages on the main part of the site would not appear to give rise to any adverse impact on neighbouring occupants. However I observed that the access way between The Briars and Pembrook is currently only some 2m wide. The appellants propose to increase it to 4m in width. As the current access extends right up to the flank wall of The Briars, this would have to be achieved by using land within the current curtilage of Pembrook. The application drawing indicates that, as a result, the width of the rear garden of Pembrook would be significantly reduced, and the surfaced access way would lie less than 1m from its flank wall.

13. The appellants state that they intend to erect a sound-attenuating wall or fence along either side of the proposed access road, in order to contain vehicle noise and fumes and glare from headlights, and to reduce their impact on the neighbouring properties. However, both gardens are narrow in relation to their length, and the garden of Pembrook, as I have noted, would be reduced in width as part of the proposed development. The erection of a wall or fence, which would need to be fairly high to achieve its intended effect, along their whole length would, in my opinion, have a significantly adverse impact on the openness which these gardens currently enjoy. Without the wall or fence, however, the noise and fumes from passing traffic would have a seriously adverse effect on conditions in the gardens.

14. If the wall or fence were continued along the sides of the two adjoining houses it would have a seriously adverse effect on the outlook from their ground-floor side windows. In addition,

20. However, in the light of the foregoing considerations, I conclude on the third main issue that the proposed development would prejudice road safety on the B3349 Basingstoke Road, contrary to BSP policy LD5, LALP policy LT5, and WDLP policy WT7.

**Other Matters**

21. The Council and the appellant disagree as to whether the site is previously-developed land as defined in Annex C of PPG3. On the basis of the information before me, I am unable to reach a definite view on this point. However this does not affect my conclusions on the main issues set out above.

22. Neighbouring residents have suggested that the proposed development might put additional stress on endangered species of birds, such as the song thrush. However I have no substantive evidence that this would be the case and I therefore do not consider it to be a significant issue in this appeal.

**Conclusions**

23. I have concluded on the second and third main issues that the proposed development would adversely affect the living conditions of neighbouring residents and prejudice highway safety on Basingstoke Road. These conclusions, in my opinion, outweigh my conclusion on the first main issue that the proposed development would not have a significantly adverse effect on the character and appearance of the area. For the reasons given above and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

**Formal Decision**

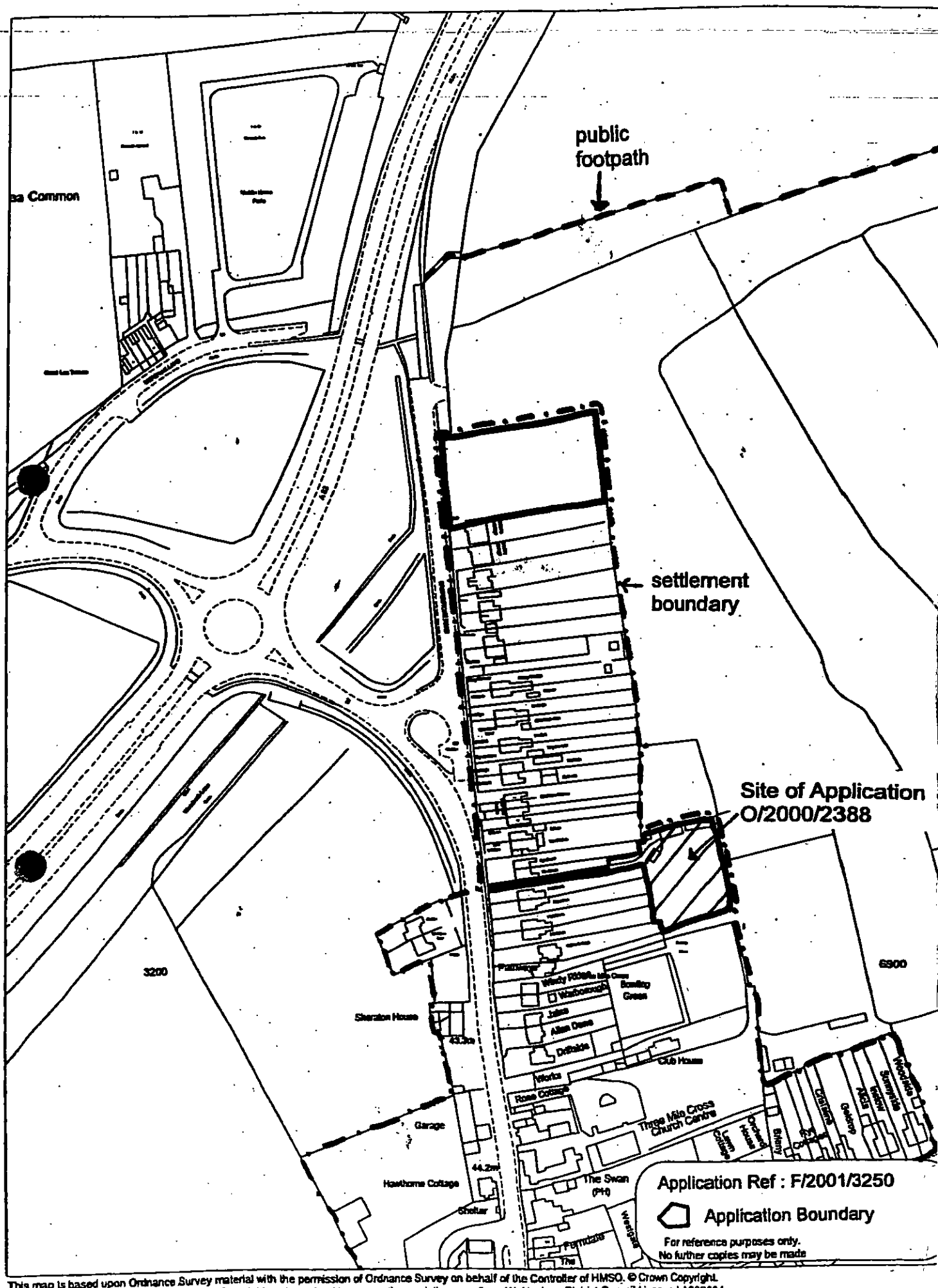
24. In exercise of the powers transferred to me, I dismiss the appeal.

**Information**

25. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.



Inspector

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Development Control Section, Environmental Services, Wokingham District Council.

11 April 2001

Scale: 1 : 2500

# WOKINGHAM DISTRICT COUNCIL

## ENVIRONMENTAL SERVICES DEPARTMENT
## HIGHWAYS

## MEMORANDUM

**FROM**: Adam Coggins, Highways

**MY REF**: F/2001/3250

**YOUR REF**: F/2001/3250

**TO**: Den Gumbrell, Appeals
**CC**:

**DATE**: 17th July 2001

---

**PLANNING APPLICATION F/2001/3250**
**PROPOSED ERECTION OF TEN DWELLINGS WITH ASSOCIATED ACCESS ROAD AND PARKING**
**LAND ADJACENT TO, MILESTONE COTTAGE, BASINGSTOKE ROAD, THREE MILE CROSS, READING**

Den,

The Highway Authority recommend the following conditions should the inspector be minded to allow the appeal:

1. C122, R122 – Parking and turning area before occupation

2. C125 (INSERT: 2 metres by 90 metres), R125 – Construction of vehicular access and visibility splays

3. C129, R129 – Construction vehicles

4. C130, R130 – No mud during construction

5. C131, R131 – Access before development

6. C135, R135 – Stopping up access

7. C137 (INSERT: dwellings), R137 – Turning within site

8. A bin store shall be provided within 25 metres of the adopted carriageway.
   Reason: To comply with the minimum carry distance for refuse collection

9. The Road serving the 10 dwellings shall be constructed to adoptable standards in accordance with details to be submitted and approved in writing by the Local Planning Authority.
   Reason: In the interests of highway safety and convenience

INFORMATIVE – N07.

Regards,

Adam Coggins

Highways Officer

## 1.00 INTRODUCTION

1.1 The Council considers that the main issues in this case are (i) the effect of the development on the character and appearance of the area, and (ii) the effects of additional traffic on road safety and the free flow of traffic on nearby roads.

1.2 This Statement deals with the matters arising from (i) - character and appearance. A separate Statement is being prepared relating to the traffic and highway issues.

## 2.00 DESCRIPTION OF SITE AND SURROUNDINGS

2.1 The appeal site lies at the northern end of Three Mile Cross, a small settlement around 6km south of Reading. The site itself is at the extremity of a ribbon of houses on the northern arm of Three Mile Cross, facing across open highway land to the junction of the B3349 with the A33, a Primary Route running from Reading to Basingstoke and Southampton.

2.2 The appeal site of around 0.36ha is vacant and overgrown, with grass, vegetation and a number of mature and smaller trees. A house with garage or outbuilding is indicated on the 1975 Ordnance Survey Plan. The site is approximately 80m deep and has an average width of 45m.

2.3 Lying immediately to the south is Milestone Cottage, a detached house with an attached garage abutting the flank boundary with the appeal site. Beyond are further, mainly older two storey detached and semi-detached houses with similar deep rear gardens to the appeal plot. Facing the site is an irregular grassed area between the line of the Old Basingstoke Road and the A33 and B3349, to the south of which are a variety of houses and small business premises.

2.4 Open countryside adjoins the site to the north and east, and the M4/ A33 junction (J11) is only around 300m to the north.

2.5 A location plan of the site to 1:1250 scale is contained in Appendix 1.

## 3.00 PLANNING HISTORY

3.1 A number of applications for housing development at the site have been determined. An application for 6 houses was refused in 1972 (LPA Ref: 1348/71) on grounds of increased traffic; in 1973, three detached dwellings were approved (Ref 253/72). An application for 3 detached houses and garages was again approved in 1978 (Ref 07481).

3.2 An outline application for 12 houses was refused permission in November 1980 (LPA Ref: 14388) on grounds of inappropriate overdevelopment, out of character with other housing in the vicinity and likely to constitute a precedent.

A subsequent appeal was dismissed, as the Inspector in that case considered that the relatively high density for the area would not give a visually harmonious transition into the countryside; that the garages to the rear would cause noise and disturbance to occupiers of Milestone Cottage; and also that there was insufficient amenity space within the development, poorly located in some plots in terms of orientation, privacy and screening.

3.3 Six semi - detached houses in a row fronting onto Basingstoke Road were then approved in 1982 (Ref: 17557), and the permission was renewed in 1987 (Ref: 29046) and 1995 (Ref: 44001).

3.4 A more recent application for six semi-detached houses was submitted on 23rd December 1999 (Ref 42139). It was not determined, and was subsequently deemed to have been withdrawn.

3.5 Copies of the decisions directly relevant to this case are attached at Appendix 2.

## 4.00 RELEVANT DEVELOPMENT PLAN POLICIES

4.1 The Development Plan which applies to the area in which the appeal site is located comprises: the Berkshire Structure Plan, adopted London Area Local Plan and deposited Wokingham District Local Plan. The latter Plan will replace the London Area Local Plan, but is already capable of being accorded some considerable weight, having been subject to a Local Inquiry into objections.

4.2 The Berkshire Structure Plan (1991 - 2006) was adopted in November 1995 and is the statutory Structure Plan for the area. The following policies are relevant to consideration of this appeal:

H5 Development within settlements and redevelopment/ change of use;
EN1 Protection and enhancement of the environment of built-up areas.

Copies of these individual policies are set out at Appendix 3.

4.3 The London Area Local Plan was adopted in May 1995, and is the statutory Local Plan for the area of the appeal site. The Council's Planning and Transportation Committee at its meeting on 21st November 1996 resolved to '..re-affirm the decisions of this Committee and the Council in relation to the current adopted Local Plans and to note that they will continue to carry weight as the most up-to-date adopted policies, except in relation to housing provision.'

The relevant policies in this Local Plan are:

LTV6 Protection of important open areas within settlements;
LH1 Housing development on unidentified sites;

LBE2 Inappropriate design.

Copies of these policies appear at Appendix 4.

4.4 The Draft Wokingham District Local Plan was placed on deposit from 21st October until 2nd December 1997, and has formed the basis for development control decisions since 21st October 1997. The County Council issued a Statement of general conformity with the Berkshire Structure Plan in May 1997. A Local Plan Inquiry was held in 1998/9, and the report of the Inspector appointed to consider objections was recently published.

The relevant policies in the Wokingham District Local Plan are:

WH1 Housing development principles - unidentified sites;
WBE1 Development in its local context.

Copies of these policies are set out at Appendix 5.

The following national policy guidance is also relevant to this appeal:

PPG1 - General Policy and Principles
PPG3 - Housing
PPG13 - Transport

## 5.00 APPEAL PROPOSALS

5.1 The detailed appeal application was for 10 dwellings, an access road and parking. Three groups of two storey houses were indicated, with two terraces in close proximity at right angles to Basingstoke Road, and a third group of four houses towards the rear of the land. The access road was shown terminating in a turning head at a central position near the northern flank boundary, and continuing as circulation and open parking up to the flank boundary with Milestone Cottage around 50m from the Basingstoke Road frontage.

5.2 Open parking spaces were shown for each house, with rear gardens averaging 11 - 12m in depth, and new boundary and other planting including a 3m landscape buffer to Milestone cottage, as well as a children's play area at the north east rear corner of the site.

5.3 Permission was refused at the Council's Development Control Committee on 11th April 2001, on the grounds of impact on the character and appearance of the area, and effects on highway safety and the free flow of traffic on adjacent main roads.

④ (a) Overlooking

(b) Noise + Disturbance

? Imp – any adopted Sts

Flooding — No

Cllr H – ? Maybe △ — No

Edem ⟶ Agreed.

tpk – More Oak Lane Ride → Good Relationship

## 6.00 CONSULTATIONS AND NOTIFICATION

6.1 The Shinfield Parish Council raised objections, in the form of concern about the susceptibility of the site to flooding; any Tree Preservation Orders should be respected; issues of ownership and maintenance of the landscape buffer strip alongside Milestone Cottage; and the question of future District or Parish ownership of the open space (play area), to prevent undesirable backland development.

6.2 Adjoining occupiers were notified of the application. Five letters of objection were received from 4 nearby occupiers, on grounds of overlooking of rear gardens; increased flood risk; exacerbation of traffic congestion; lack of local infrastructure and excessive development already in the area; and the previous refusal and dismissed appeal in respect of the site.

6.3 The Council's Environmental Health Officer raised no objection, subject to conditions relating to the impact of traffic noise on the new houses, and hours of construction. The Tree and Landscape Officer was generally satisfied with the relationship of the development to preserved trees on the site, but was concerned about the lack of space for new boundary planting adjoining the turning head within the site.

6.4 The Highways Section recommended refusal, on grounds of the additional traffic in and off the busy distributor road (B3349) close to its junction with the A33, prejudicial to safety and the free flow of traffic.

6.5 The Environment Agency raised no objection, subject to a number of safeguarding conditions.

6.6 The Thames Valley Police, Crime Prevention Design Advisor had some concerns over lack of potential for surveillance, recommending windows be inserted in gable ends of houses on plots 6 and 7. The rear play area was considered to be of a kind and location vulnerable to abuse by older youths during the later evening.

## 7.00 THE COUNCIL'S CASE

7.1 The appeal site lies within the Three Mile Cross settlement boundary in the Loddon Area Local Plan and the Wokingham District Local Plan. The site could therefore be considered as appropriate in general principle for residential development in the context of Berkshire Structure Plan Policy H5, London Area Local Plan Policy LTV1 and Wokingham District Local Plan Policy WOS2. As there is evidence that a house and garage or outbuilding existed on the site up to the 1970's, it may also be the case that it may fall within the definition of 'previously developed land' for the purposes of PPG3 - Housing. Annex C of PPG3 makes clear, however, that it does not follow that the whole area of such a curtilage should be developed. A number of caveats are set out in the Annex, including one that development should relate satisfactorily to the

Insp - ? Exg Condition for the 14 Days

Not personal knowledge of Peak Hr. from Photos - Bound to be Problems existing

? Insp - How severe

% Not Material is joining Old Basingstoke Rd.

But + 70% increase in turning at that Jn

? Insp - ok Apps 5.5 (Hmay) Plan

trip Rates - 0.8/Dw

But Exg = 1.2 etc ?

McCaffrey - If cars are forced with Queue - Regular users of B3349 "leave gaps" for use by cars behind

"New" Scheme" shorted to see for Rdbt

T.C. - PPG13 - "Safety is paramount"

7 Vehicles/Hour = 1 per 9 Minutes

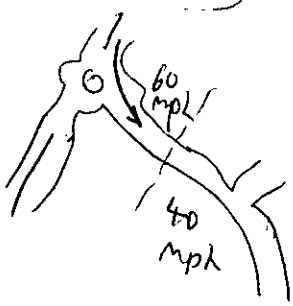
Cllr Heggerton - This morning — B3349+A33 held up

Cllr Bryant - Ready BC plan for 4 More Lanes - out to Consultation Now

+ WDC plan for A33/B3349/Rdbt

Wdg Apps Survey = 31 Movts/Hour @ 0.8 = 22

Speed Limits




Survey - Right Turners - May Not have been counted as such if 1/2 Way out or More/Stuck across S Bound Side of B3349

1 Car/9 Minutes . v. 2/3 together

surrounding area, both the remainder of this part of Basingstoke Road and the open countryside around the site, and the Council cannot agree that the appeal scheme is satisfactory in this respect.

7.2 The Council considers that, in this case the balance which should be expected between the most efficient use of land for housing development and issues of amenity and overdevelopment has not been satisfactorily struck. PPG3 sets out a quite fundamental shift in the emphasis to be made on re-use of urban and previously developed land, which are to be considered for housing before greenfield sites, but the Guidance to this effect is carefully qualified. Paragraph 70 indicates that villages will only be suitable for significant additional housing where this will support local services, identified local needs are being met, and the development is designed sympathetically and in keeping with the character of the village (with village design statements where available).

7.3 In order for development within a settlement identified in the adopted and draft Local Plans for the area to be acceptable, it should not have an unduly adverse effect on the character and appearance of the area, on neighbouring properties, or on traffic conditions on adjoining highways. In this case, the Council is of the view that the visual effect of development running to the very rear of a deep site would be intrusive to residents of a number of houses along Basingstoke Road, and be an unduly prominent and urbanising feature viewed from the open countryside. There is a public right of way around 90m north of the site, and open fields running southwards.

7.4 The Planning History of the site shows that permission has been granted where frontage development has been proposed, enabling up to 6 dwellings to be accommodated. Such a form of development, whilst at a higher density than that nearby at Three Mile Cross, would give a more acceptable transition between the settlement and the surrounding countryside, and not generate the noise and disturbance by development in depth with vehicular access and parking areas, as again proposed in the appeal application.

7.5 In addition, the activity inevitably associated with the manoeuvring and turning area serving four houses (plots 7 - 10), plus the proximity of the relatively short rear gardens of six houses (plots 1 - 6), would generate noise and disturbance affecting the quiet enjoyment of rear gardens at Milestone Cottage, and a number of houses beyond. This would be only partly mitigated by the landscape buffer strip proposed, which would take some years to come to maturity before becoming at all effective.

7.6 Although the scheme is slightly below the minimum density of 30dph now sought by PPG3 the appeal scheme density of just under 28 dwellings per hectare is considered acceptable, due to the need to retain the prominent preserved oak trees on the site frontage, the relatively small site area and in order to accord with the character of the adjoining area. This view relates purely to the principle of the density, however, and not to the overall acceptability of the scheme.

Re-Rebut [CA|RM]

(2) No garages rqd.

(2) (1) front v trees

(4) not visible - S-Re

(3) Much struggle | ? Inspr.

(5) What is effect - Design Statt } Baseline

(6) 'Innovation' PPG3

(7) Car Percepts

+ Oth Pl. - Main approach

[AA]

'Frntg' - Back behind M. Cliffe

Insp Q - all .N, Bdy Screen - outside Site

Trees | frntage - why NOT can Ls too ?

(Re Re) Views from AO's .v. other Report ?

NSR innovation - Avoiding AO gamin

CP - has to go Somewhere.

? | Insp Q - Ls re Cost & Proximity of tiering Head to Bdy / No Screening } NSR a fatal criticism.

? Insp Q -

2(c) 2 types of trees - HPO'd other important

Tree Survey

Just Trees 22 & 24

+ "Strategy" - PPG's.

Reputes = Cherry Picking of PPG3.

PPG3 - Best use - Caveat - N/A

But - Must respect their Surroundings

Own VCS - 73% windfall - such sites / Backland.

≡ Trinity.

Seq - to LA

(3) ? Insp Q - - 6 OK

- 10 NOT OK ?

Authy last renewed in 1995 - based on a 1982 PP - Mat Change in traffic / Hwy Issues.

7.7 It is also the case that Local Planning Authorities need to consider the location of sites in relation to the sequential approach to new housing in the way set out at many points in PPG3. Wokingham's Housing Strategy is currently being reconsidered in the light of the Local Plan Inspector's recent report, and therefore the Inspector is invited to consider this broader dimension of the case on the basis of national policies.

7.8 Determined appeals relating to nearby sites are not always wholly relevant to a subsequent case. An appeal decision of March 2001, however, in respect of development of land to the rear of houses around 180m to the south in Basingstoke Road is of some interest. This appeal, relating to land at the rear of The Briars and Pembrook (INSPECTORATE Ref: APP/X0360/A/00/1053452) was dismissed on grounds of essentially the disturbance from vehicles in close proximity to frontage houses, and the impact on traffic safety in Basingstoke Road. The Council's grounds relating to impact on character and appearance were not accepted. Comparing generally with this case, it would appear that there are reasonable comparisons to be drawn in terms of the highways objections - which are possibly more acute in the appeal location even nearer to the A33 junction; and also to an access and turning area which abuts a rear garden. In addition, there is a clearly more pointed impact on the visual relationship between the settlement and the surrounding countryside in this case. The development would form a 'leading edge' to open fields on three sides, contrasted with the view from one rural direction at the rear of The Briars/ Pembrook, ~~closer to~~ the centre of the village and also small rear gardens in Church Lane.

7.9 This Statement does not address the highway issues, which are set out in a separate Statement.

## 8.00 CONCLUSION

8.1 The Local Planning Authority considers that the proposals in this appeal would have a harmful effect on the character and appearance of this part of Three Mile Cross and its adjoining countryside, due to the development in depth and its visual and residential amenity consequences.

8.2 Section 54A of the Town and Country Planning Act 1990 states that applications should be determined in accordance with the Development Plan unless material considerations indicate to the contrary. In this case, the proposal clearly conflicts with Development Plan policies in the Berkshire Structure Plan, London Area Local Plan and draft Wokingham District Local Plan, for the reasons set out in this Statement. The Inspector is therefore requested to dismiss this appeal.

## 9.0 PLANNING CONDITIONS

INSP

## Cl's - Summary

Plg - In Sett - Prev. Dw | Brom PPG3 but NOT all - Brom Seq Qual'd - villages / Desig / Character - Depth / AO's - Permit / Urbanising + FPath - Veh activity - Short Lengths / AOs - Path Mitigated - See 6 Dws PP - OK transition + Less disturbance. Density c28dph 'OK': Need / Small Site / Character.

Hwys - Queueing - esp Am Peak - Rt turns B3349 - Cf of Appellants S. - DIS / Safety

## Appellant - Summary

- Well contained / screened - esp frontage / glimpses - + N/E Bdy - No case for frontage dwg - ∴ Not intrusive / urban. Cf.'s of Depth is Vge.
- Within sett. - Innovative + efficient / PPG3 + Dwt Plan.
- Milestone C. - No Hub Wws + Separation. adq Access views. Defendable fntge - Buffer Zone - Min Impact. To Small Dws. ✓ Bfield WDC / Sett / AO - all OK Gov.

Infra - Ecology + Pedestrian - Unilat S106.

Hwys Queueing - < 60 vehicles Am / 26 Pm 8 × 2way Movements. <+5% Movements OK. (= 0.36%).

Cf appeal = direct access - footway Stretch adq for Jn. No accidents.

INSP CONSID'S

- Character - appearance
- H.S safety / convenience
- Living Conditions of nearby residents

(1) POLICIES < R4R / OTHER / INF

Cl

Character / Appearance

2(a) Exg - How would affect C + App.

Chr - LB site

Appellant

Response: Lack of Plg ✓ - Linear Bad.

Traffic past door ≠ small increase

"Cityside on 3 sides" - "See fr miles" etc

Prior discussions > avoid Oak trees

→ Houses to rear of Milestone Cottage

V. well screened on 3 sides - fr FPath etc

W. of site - Not open cityside

No LB's.

2(b). External + Internal impacts.

? Insp Q. - Any dwt in depth? - No.

? Insp Q. What about Grogeley Rd.

Rm - Roadside off. Less prominent

Chr Appeal - different Character

Not happy - privacy + amenity - Not a R4R.

Yes. Grogeley Rd.

PHOTOS

Front See trees + 6 Houses

Screen Good str Rear

V. Flank Wall

↓

9.1 Without prejudice to the case presented in this Statement, the Council suggests that a number of matters call for the imposition of conditions, in the event of the Inspector contemplating allowing the appeal and granting permission. These are set out at Appendix 6.

## LIST OF APPENDICES

1. Ordnance survey location plan - Scale 1:1250

2. Copy of appeal application report to Development Control Committee of 11th April 2001

3. Extracts from Berkshire Structure Plan Policies

4. Extracts from London Area Local Plan Policies

5. Extracts from draft Wokingham District Local Plan Policies

6. Suggested Planning Conditions

7.

Ron Madell
for Wokingham District Council
August 2001

*INSPECTORATE Ref: APP/A/X0360/A/01/1068463*
*LPA Ref: F/2001/3250*

BSL - EN 1

LALP - LTV 6 + LBE 2

WDLP - WH 1 + WBE 1 -

2/10/07

INSP - David Widdsmith

Mark / Carrington - H.S.P. Consultants

Dermot / McCaffrey - Buchan

Rm / Callaghan

Cllr Bryant - WDC (Shinfield).

Cllr Heggarton - Shinfield P.C.

Hazeldans - Slough Estates

- Bryant Technical

DATED 2nd October 2001

**BRYANT HOMES SOUTHERN LIMITED**

**-and-**

**WOKINGHAM DISTRICT COUNCIL**

**-and-**

**SLOUGH PROPERTIES LIMITED**

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# Unilateral Undertaking

---

relating to land at Silchester House, Basingstoke Road,
Three Mile Cross, Shinfield


**EVERSHEDS**

115 Colmore Row
Birmingham
B3 3AL
Tel: 0121 232 1000
Fax: 0121 232 1900
BIR_PROP/4359947v1

**THIS UNILATERAL UNDERTAKING** is made as a Deed this 2ND day of October 2001

**BY**

(1) **BRYANT HOMES SOUTHERN LIMITED** whose registered office is Popes Manor, Murrell Hill Lane, Binfield, Bracknell, Berkshire, RG42 4DA and **SLOUGH PROPERTIES LIMITED** whose registered office is 234 Bath Road, Slough, SL1 4EE ("Owners")

(2) **WOKINGHAM DISTRICT COUNCIL** of Shute End, Wokingham, Berkshire RE40 1WR ("the Council")

**WHEREAS**

1. The Council is the Local Planning Authority for the area within which is situated the land at Silchester House, Basingstoke Road, Three Mile Cross, Shinfield shown edged red on plan annexed hereto ("the Site")

2. The Owners are seized for an estate in fee simple in the Site.

3. By a written application reference number F/2001/3250 dated 30 January 2001 ("the Planning Application") Owner has applied to the Council for full planning permission to develop the Site for the erection of 6 two bedroom and 4 three bedroom houses with associated access road and parking ("the Development").

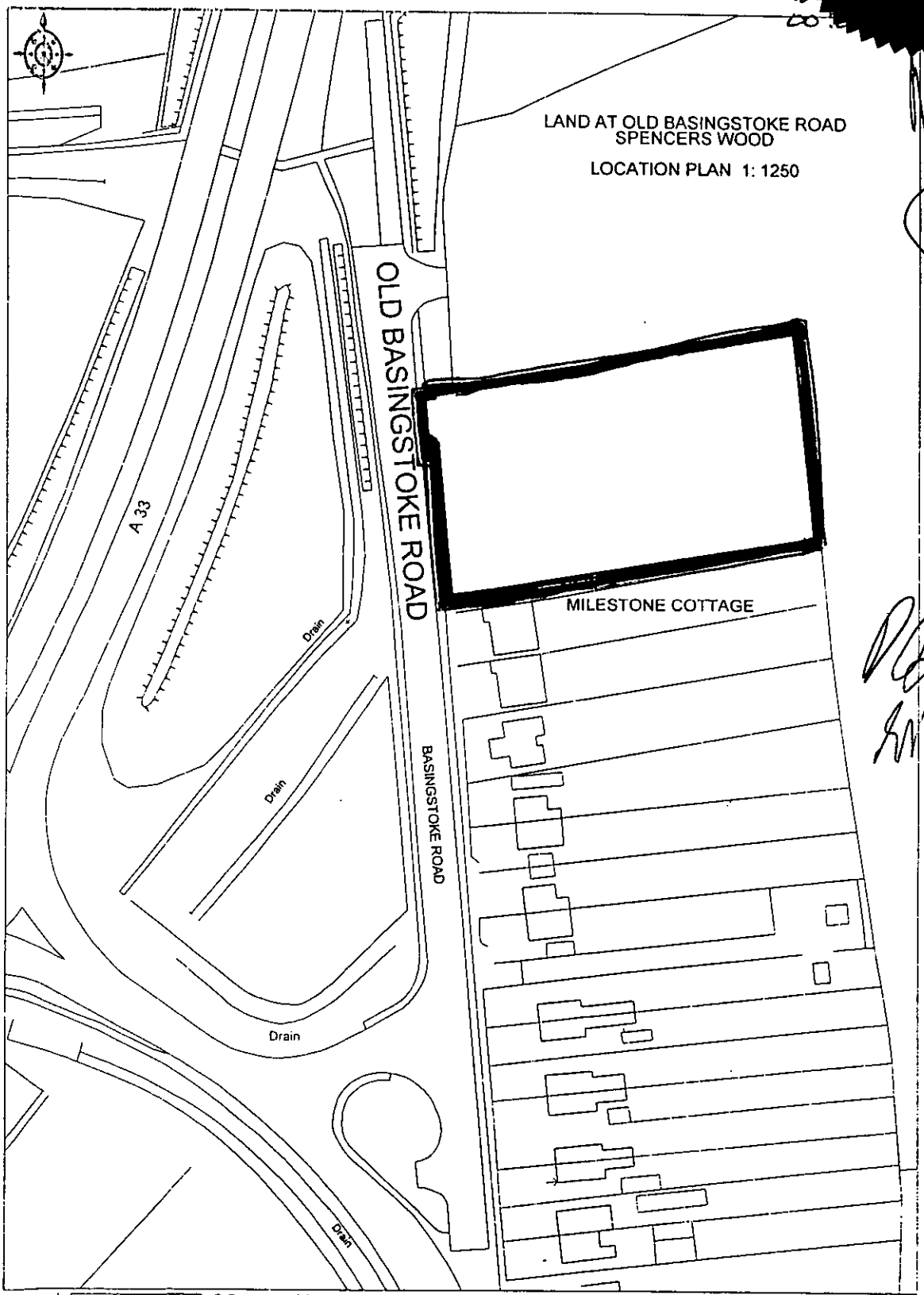
4. By a notice of refusal dated 11 April 2001 the Council refused to grant planning permission for the reasons set out therein ("the Refusal") and the Owner appealed to the Secretary of State ("the Appeal") against the Refusal.

5. The Owners are willing to enter into this obligation to the intent that any objections of the Council to the grant of planning permission are overcome and subject to the Secretary of State allowing the Appeal and granting planning permission for the Development.

6. The Owners are willing to enter into this Undertaking to make provision for regulating the Development in securing the matters hereinafter referred to and will be bound by the terms of the Undertaking should the Secretary of State allow the appeal and grant planning permission for the Development pursuant to the Planning Application.

LAND AT OLD BASINGSTOKE ROAD
SPENCERS WOOD

LOCATION PLAN 1: 1250




Ordnance Survey
Licensed Partner

© Crown copyright 2001 All rights reserved. Based on Ordnance Survey digital data Survey Scale - 1:1250 Plotted Scale - 1:1250
(Scales other than at Survey Scale should not be used for accurate measurement). Business occupancy data ©2001 Thomson Direct

**NOW THIS DEED WITNESSETH** as follows:

1. **Definitions**

In this Deed the following words and expressions shall where the context so requires or admits have the following meanings:

| | |
|---|---|
| "Commencement/Commence Development" | Means the carrying out of any material operation listed in sections 56 and 91-93 of the 1990 Act PROVIDED THAT for the purposes of determining if a material operation has been carried out the carrying out of remediation works site clearance or ground investigation or surveys shall be disregarded |
| "Education Contribution" | Means the sum of fifteen thousand and ten pounds (£15,010.00) payable in accordance with clause 5 hereof. |
| "Education Contribution Notice" | Means a notice served by the Council on the Owners pursuant to clause 5 hereof requesting payment of the Education Contribution no earlier than 3 months from Commencement of Development. |
| "The Planning Permission" | Means the planning permission issued by the Secretary of State pursuant to the Planning Application. |
| "Transport Contribution" | Means the sum of ten thousand six hundred and eighty two pounds (£10,682.00) payable in accordance with clause 4 hereof. |
| "Transport Contribution Notice" | Means a notice served by the Council on the Owners pursuant to clause 4 hereof requesting payment of the Transport Contribution no earlier than 3 months from Commencement of Development. |

| | |
|---|---|
| "Unconditional Date" | Means the date to be ascertained in accordance with the provisions of clause 3 hereof upon which the date this Undertaking shall become unconditional and have full effect |

2. **Statutory Provisions**

2.1 This Undertaking is entered into by the Owners is made in pursuance of Section 106 of the 1990 Act and is a planning obligation for the purposes of Section 106 of the 1990 Act.

2.2 This Undertaking shall be enforceable by the Council

3. **Conditions Precedents**

3.1 This Undertaking is conditional and shall only have effect upon:

3.1.1 The date upon which the Secretary of State grants the Planning Permission; and

3.1.2 Either

3.1.2.1 The date six weeks after the grant of the Planning Permission in circumstances in which no legal proceedings have been commenced by any person to challenge the validity of the Planning Permission PROVIDED ALWAYS that before the expiry of six weeks after the grant of the Planning Permission any person shall commence legal proceedings to challenge the validity of the Planning Permission then the said six week period shall be extended until after the final determination of such legal proceedings which shall for the avoidance of doubt include the expiry of the period allowed for any appeal and any appeal hearing and where applicable for any necessary re-determination by the Council or Secretary of State (whereupon the foregoing provisions shall apply again) and shall expire upon the date seven days after the final determination of such legal proceedings and circumstances in which the Planning Permission shall be extant; or

3.1.2.2 The date that the Owners Commence Development.

3.2 The Owners hereby covenant with the Council not to begin Development by the carrying out a material operation in accordance with the provisions of Sections 56 and 91-93 of the 1990 Act until such time as the Owners have served on the Council a written notice advising the Council of the date the Owners intend to Commence Development.

4. **Transport Contribution**

IN CONSIDERATION OF AND SUBJECT TO the grant of Planning Permission the Owners agree that is after the Unconditional Date the Owners receive from the Council the Transport Contribution Notice pursuant to which the Council:

4.1 Request the Owners pay to the Council the Transport Contribution; and

4.2 Undertake to the Owners to apply the Transport Contribution towards the first phase of the Mereoak Park and Ride Facility together with associated sustainable transport measures in the vicinity of the Mereoak Park and Ride Facility and for no other purpose; and

4.3 Undertake to the Owners to provide to the Owners on the expiry of 5 years from the date of payment of the Transport Contribution a breakdown of how any expended portion of the Transport Contribution has been utilised; and

4.4 Undertake to the Owners to pay to the Owners the unexpended portion of the Transport Contribution that shall not have been expended within 5 years of receipt of payment of the Transport Contribution together with interest at HSBC base rate from and including the date of payment by the Owners to the date of repayment by the Council

then the Owners hereby undertake to the Council that within one month of receipt of the Transport Contribution Notice they shall pay to the Council the Transport Contribution.

5. **Education Contribution**

IN CONSIDERATION OF AND SUBJECT TO the grant of Planning Permission the Owners agree that is after the Unconditional Date the Owners receive from the Council the Education Contribution Notice pursuant to which the Council:

5.1 Request the Owners pay to the Council the Education Contribution; and

5.2 Undertake to the Owners to apply the Education Contribution towards capital funding at Lambs Lane Primary School and for no other purpose; and

5.3 Undertake to the Owners to provide to the Owners on the expiry of 5 years from the date of payment of the Education Contribution a breakdown of how any expended portion of the Education Contribution has been utilised; and

5.4 Undertake to the Owners to pay to the Owners the unexpended portion of the Education Contribution that shall not have been expended within 5 years of receipt of payment of the Education Contribution together with interest at HSBC base rate from and including the date of payment by the Owners to the date of repayment by the Council

then the Owners hereby undertake to the Council that within one month of receipt of the Education Contribution Notice they shall pay to the Council the Education Contribution.

6. **Notices**

In the event that any notices are required to be served pursuant to this Undertaking then any notice consent or approval required to be given under this Undertaking shall be in writing and shall be delivered personally or sent by pre-paid first class recorded delivery post tested telex or facsimile transmission and the address for service of any such notice consent or approval shall be:

6.1 Service upon the Council be upon the Council at it's address aforesaid or such other address for service as shall have been previously notified by the Council to the Owners;

6.2 In the case of service upon the Owners be at the addresses aforesaid or such other addresses for service as shall have been previously notified by the Owners upon the Council

7. **Agreements and Declarations**

It is declared as follows:

7.1 The expressions "the Council" and "the Owners" shall include their successors in title and assigns.

7.2 The Owners do not intend that any of the terms of this Deed will be enforceable by virtue of the Contract (Rights of Third Parties) Act 1999 by any person not a party to it other than the Council.

7.3 The headings in this Undertaking are for convenience only and shall not be taken into account in the construction and interpretation of this Agreement.

7.4 For the avoidance of doubt the Owners declare that in the event of the Planning Permission being quashed then this Undertaking shall absolutely determine and become null and void but without prejudice to the rights of any party including the Council against the others.

7.5 The Owners do not intend that any of the covenants contained in this Undertaking shall be enforceable against:

7.5.1 the purchaser of an individual dwelling house erected on the Site pursuant to the Planning Permission.

7.5.2 a statutory undertaker after the transfer of statutory apparatus by the Owners to that statutory undertaker.

7.6 No person shall be liable for breach of a covenant contained in this Undertaking after he shall have parted with all interest in the Site or the part in respect of which such breach occurs but without prejudice to that person's liability for any subsisting breach of contract prior to parting with such interest.

7.7 If the Planning Permission granted pursuant to the Planning Application shall expire before the Development is begun as defined above or shall at any time be revoked this Undertaking shall forthwith determine and cease to have effect.

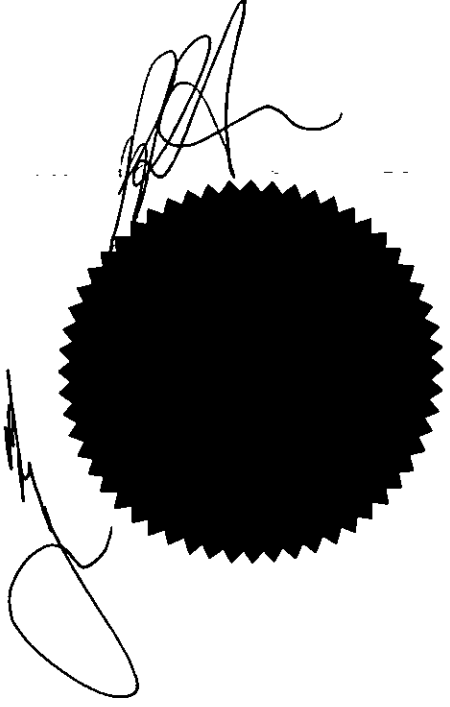
7.8 Nothing in this Undertaking shall prohibit or limit the right to develop any part of the Site in accordance with a planning permission (other than one relating to the Development as specified in the Planning Application) granted (whether or not on appeal) after the date of this Undertaking.

8. **Registration of this Undertaking**

8.1 This Undertaking is executed as a Deed and as such is registerable a local land charge and the Owners recognise that the Council may registered it as such.

IN WITNESS WHEREOF the parties have carried their respective hands or common seals to be hereunto affixed to this Deed the day and year first before written

**THE COMMON SEAL** of **BRYANT HOMES SOUTHERN LIMITED** was affixed to this Deed in the presence of:



Director

Director/Secretary

**EXECUTED AS A DEED**
**BY SLOUGH PROPERTIES LIMITED**
**in the presence of :**

**Director**

**Director/~~Secretary~~**

# INFORMAL HEARING APPEAL

CASE OFFICER: ~~AQ~~ RM.

APPLICATION NUMBER: 3250

APPELLANT: Bryant Homes Technical Services Ltd / Slough Properties Ltd

SITE: Land adjacent to Milestone Cottage, Basingstoke Rd, Shinfield

APPEAL REF: APP/X0360/A/01/1068463

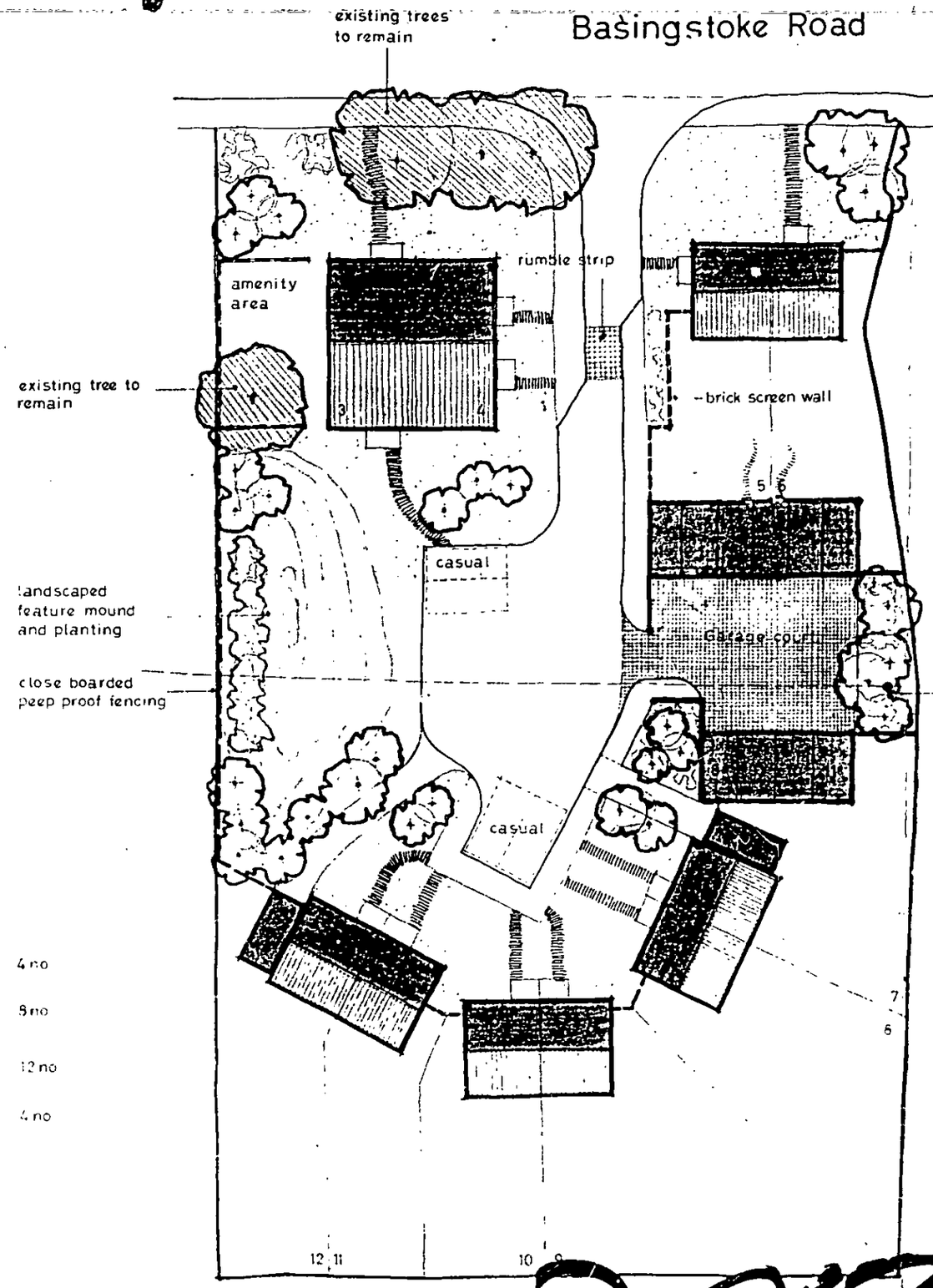
START DATE: 06/07/01

DATE OF HEARING 2/10/01

DISMISSED 05/11/01

| Progress Record | Date Actioned | Initials |
|---|---|---|
| Appeal Logged: | 09/07/01 | |
| Entered on Access: | 10/07/01 | DG |
| **Notification Letters Due:** | **20/07/01** | |
| Notification Letters Sent: | 10/07/01 | DG |
| **Questionnaire Due:** | **20/07/01** | |
| Questionnaire Sent: | 17/07/01 | DG |
| Venue Booked: | CR3 Booked 11/07/01 | DG |
| **Statement Due:** | **17/08/01** | |
| Checked by Team Leader: | | |
| Statement Sent: | 17/08/01 | DG |
| **Comments Due:** | 07/09/01 | |
| **Comments Sent:** | | |
| Hearing Date Notification sent: | 07/09/01 | DG |
| Decision Letter circulated: | 07/11/01 | DG |
| Decision entered on Access. | 07/11/01 | DG |

APPELLANTS PLAN
PUBLIC INQUIRY
25/11/81



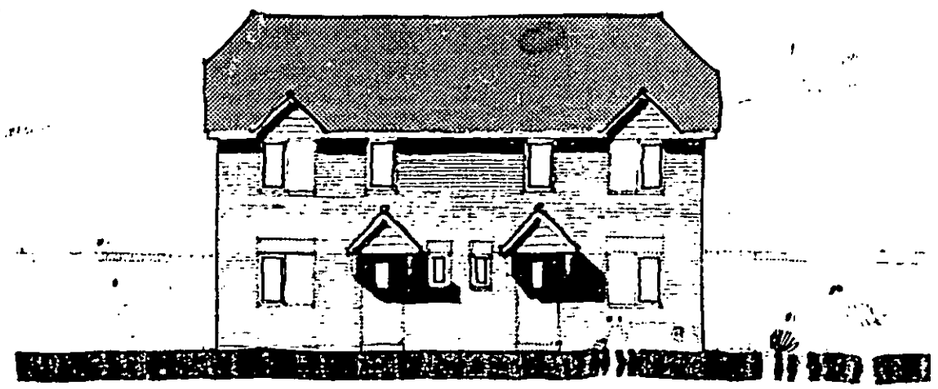

Site Plan 1:250

hedule

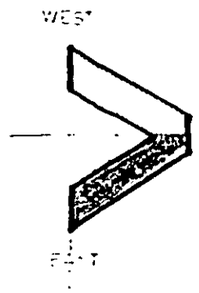
| | |
|---|---|
| ed unit | 4 no |
| ed unit | 8 no |
| ge Spaces | 12 no |
| al Spaces | 4 no |




Elevation to Basingstoke Road - 1 Bed units



Typical 2 Bed unit elevation




14388

Proposed Development at Silchester House, Shinfield, Reading, Berkshire.

SCALE 1:250 DATE October 1981 DRAWING IN:143:1

Interspace DESIGN CONSULTANTS
VICTORIA BUILDINGS, VICTORIA STREET, BASINGSTOKE HANTS