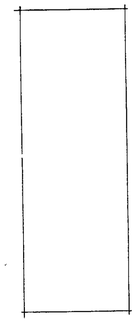
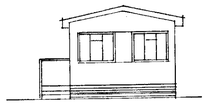
This drawing is copyright and may not be reproduced without the written consent of the Architect.



LANGDALE 10·97 × 3·65
2 BEDS.

PLAN
SCALE 1·100



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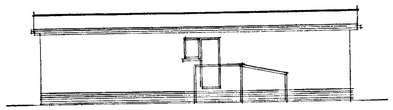

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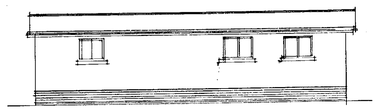

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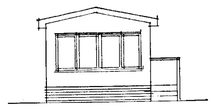

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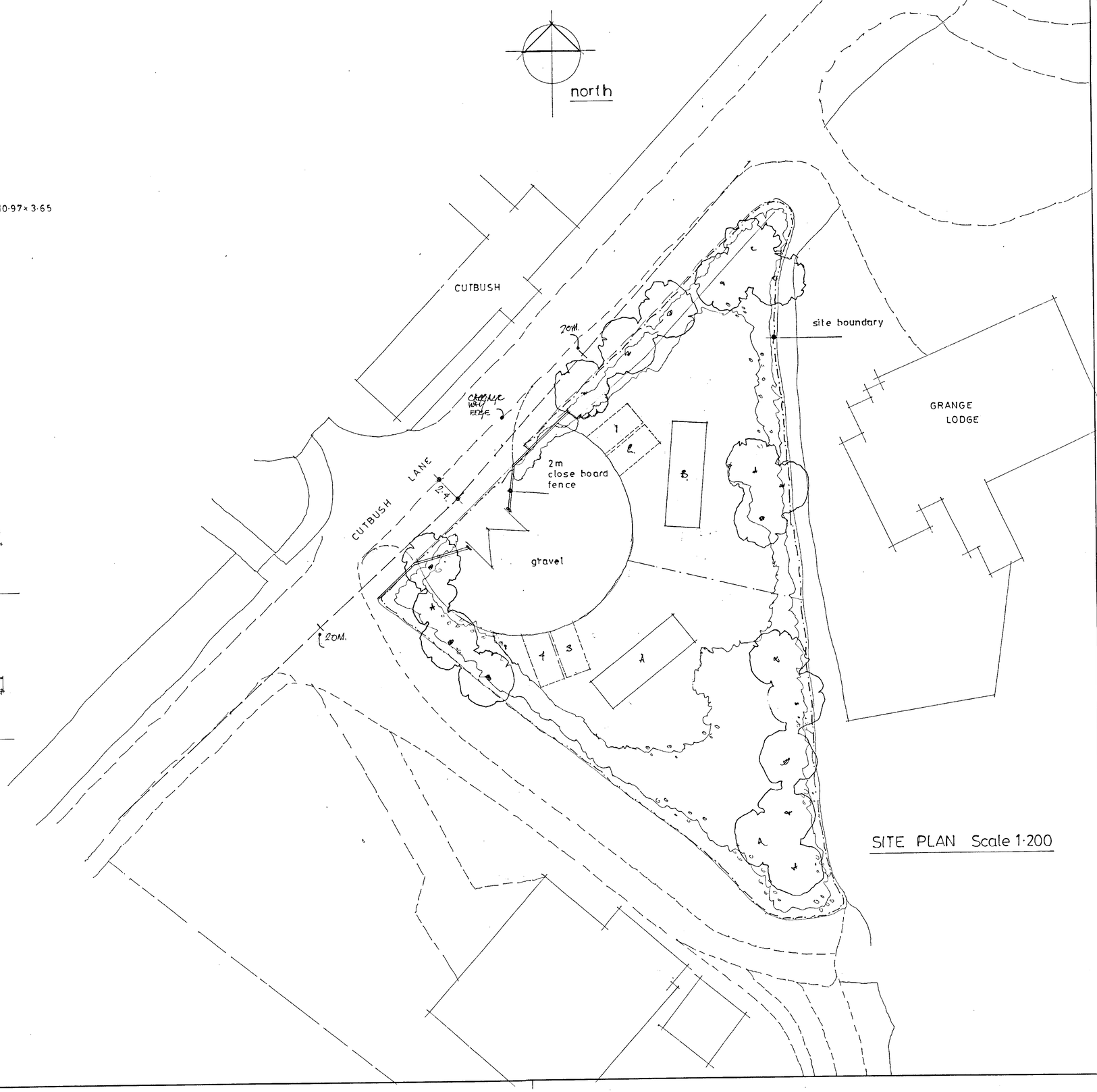


SITE PLAN Scale 1·200

A 2.4 x 20 M SIGHT LINE 66·06·01

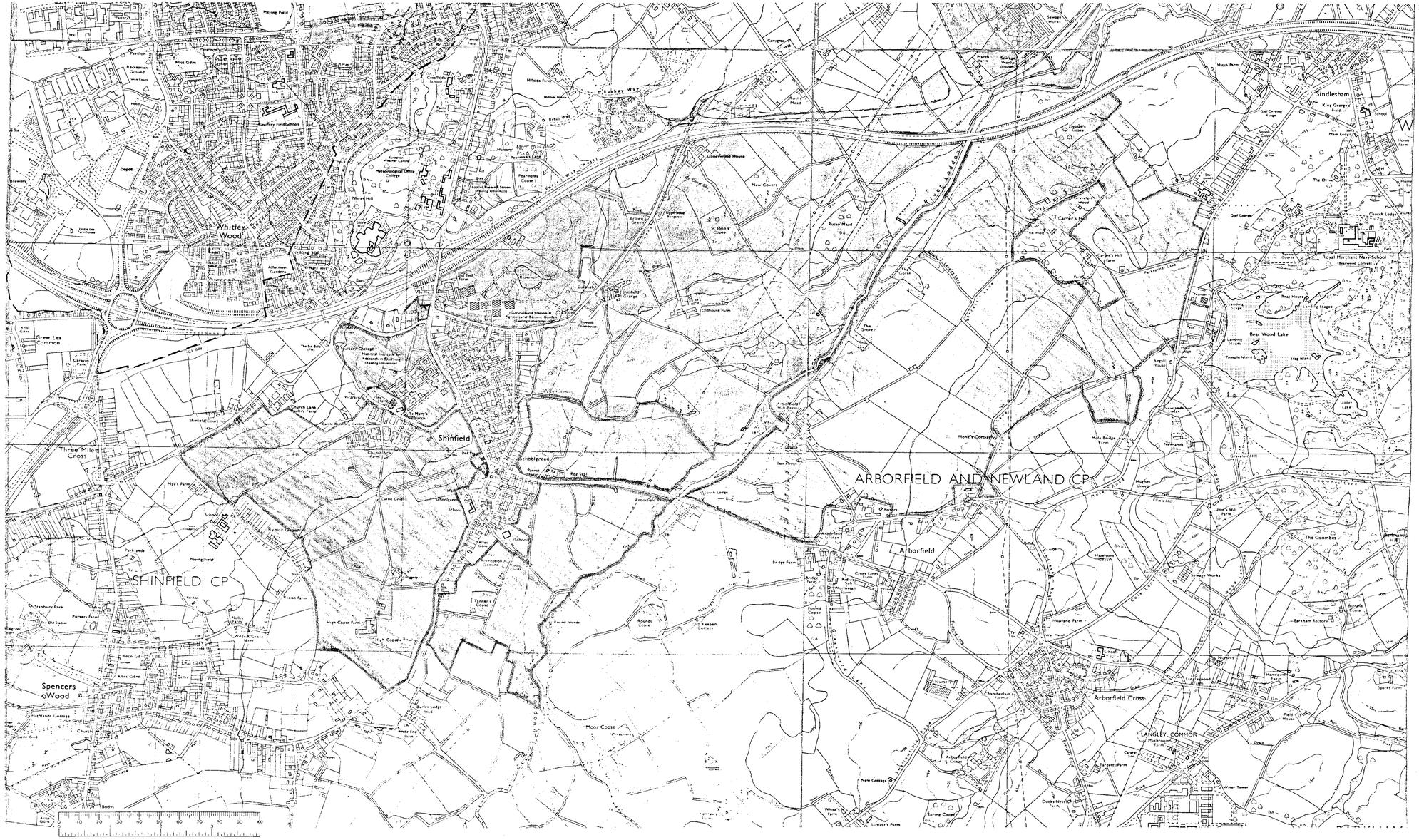
W. M. GRAHAM ASSOCIATES
CHARTERED ARCHITECTS
1 Rectory Road,
Wokingham,
Berkshire. RG40 1DJ.
Tel: 0118 9770464
Fax: 0118 9770482

Job
LAND ADJOINING
CUTBUSH LANE
SHINFIELD

Title
PERMANENT GYPSY
SITE (? MOBILE HOMES)

Scale AS	Date MAR '01	Drawn By
Job No. 2336	Drawing No. 01	Revision B

Artworker DS(UK) 00129


Whitley Wood
Great Lea Common
Three Mile Cross
Shinfield
SHINFIELD CP
Spencers Wood
Schoolgreen
ARBORFIELD AND NEWLAND CP
Arborfield
Arborfield Cross
LANGLEY COMMON
Sindlesham
Bear Wood Lake
The Coombes
Moor Copse
High Copse
Hillside Farm
Rushy Mead
Upperwood House
Pearman's Copse
St John's Copse
Clayhouse Farm
Hall End Farm
Shinfield Court
Mays Farm
Parklands
Stanbury Park
Purtons Farm
Nutts Farm
Marsh Farm
Burial Lodge
White End
Bridge Farm
Coombe Copse
Rowland Farm
Barkham Rectory
Mole Bridge Farm
Hazelstone
Kings Mill Farm
Mortimers Farm
Ducks Nest Farm
Gunnetts Farm
New Cottages
Spring Copse
Upper Lodge
Lodge Farm
Sindlesham Mill
Sindlesham Mill Farm
Bodies
Gorse
Pond
Sewage Works
Recreation Ground
Allotments
Depot
Pumping Station
Cemetery
Church
Vicarage
Rectory
Primary School
Infants School
Public House
Post Office
Village Hall
Reading University
Horticultural Station & Agricultural Research Centre
Royal Merchant Navy School
Golf Course
Golf Clubhouse
Sewage Works
Water Tower
Reservoir
Quarry
Sand Pit
Gravel Pit
Boundary Stone
Milestone
Footpath
Bridleway
Public Bridleway
Public Footpath
Railway
Level Crossing
Tunnel
Viaduct
Embankment
Cutting
Electricity Pylon
Overhead Power Line
Telephone Line
Underground Telephone Line
Electricity Sub-Station
Gas Governor
Gas Holder
Pipe Line
Boundary
Parish Boundary
Civil Parish Boundary
Urban District Boundary
Rural District Boundary
Electoral Ward Boundary
Electoral Division Boundary
Parliamentary Constituency Boundary
Trig. Point
Spot Height
Contour
Wood
Orchard
Scrub
Rough Grass
Marsh
Reeds
Sand
Shingle
Mud
Foreshore
Sea Wall
Groyne
Pier
Slipway
Boat Yard
Boat House
Boat Station
Lifeboat Station
Coastguard Station
Coastguard Lookout
Tidal Boundary
Mean High Water
Mean Low Water
Foul Ground
Rocks
Wreck
Buoy
Beacon
Light
Light Vessel
Lighthouse
Fog Signal
Radio Mast
Radio Station
Aerial
Aerial Mast
Radar Station
Radar Scanner
Radio Direction Finder
Radio Beacon
Radio Telephone
Radio Telegraph
Radio Transmitting Station
Radio Receiving Station
Radio Relay Station
Radio Navigation Station
Radio Navigation Beacon
Radio Navigation Light
Radio Navigation Buoy
Radio Navigation Mast
Radio Navigation Tower
Radio Navigation Aerial
Radio Navigation Antenna
Radio Navigation Receiver
Radio Navigation Transmitter
Radio Navigation Transceiver
Radio Navigation Repeater
Radio Navigation Relay
Radio Navigation Station
Radio Navigation Network
Radio Navigation System
Radio Navigation Service
Radio Navigation Aid
Radio Navigation Equipment
Radio Navigation Instrument
Radio Navigation Device
Radio Navigation Apparatus
Radio Navigation Gear
Radio Navigation Tackle
Radio Navigation Kit
Radio Navigation Set
Radio Navigation Unit
Radio Navigation Module
Radio Navigation Component
Radio Navigation Part
Radio Navigation Piece
Radio Navigation Item
Radio Navigation Article
Radio Navigation Object
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Radio Navigation Matter Part Part Part
Radio Navigation Element Part Part Part
Radio Navigation Ingredient Part Part Part
Radio Navigation Constituent Part Part Part

LEX SYSTEMS LTD
SOUTHPORT U.K. Tel.01704-28888 Fax.01704-28814
LONDON OFFICE Tel.0171-377-1777 Fax.0171-247-6181

APPLICATION NO.5297

Name of appellant:
Mr D Dean

Site address:
Land adjoining Grange Lodge, Cutbush Lane, Shinfield

Proposal:Proposed change of use of vacant land to stationing of 2 mobile homes for gipsies

Case Officer:SA

Dismissed
05/02/03

411

D2

INFORMAL HEARING APPEAL

CASE OFFICER: SA

APPLICATION NUMBER: 5297

APPELLANT: Mr D Dean

SITE: Land adjoining Grange Lodge, Cutbush Lane, Shinfield

APPEAL REF: APP/X0360A/02/1091595

START DATE: 05/06/02

DISMISSED 05/02/03

DATE OF HEARING 07/01/03

Progress Record	Date Actioned	Initials
Appeal Logged:	06/06/02	
Entered on Access:	10/06/02	DG
Notification Letters Due:	**19/06/02**	
Notification Letters Sent:	17/06/02	DG
Questionnaire Due:	**19/06/02**	
Questionnaire Sent:	17/06/02	DG
Venue Booked:	TOWN HALL DG.	
Statement Due:	**17/07/02**	
Checked by Team Leader:		
Statement Sent:	15/07/02	
Comments Due:	05/08/02	
Comments Sent:	/	
Hearing Date Notification sent:	19/12/02	DG.
Decision Letter circulated:	06/02/03	DW
Decision entered on Access.	06/02/02	DG

Appeal Decision

Hearing held on 7 January 2003

by **A Mead BSc (Hons) MRTPI MIQ**

an Inspector appointed by the First Secretary of State

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 FEB 2003

Appeal Ref: APP/X0360/A/02/1091595
Land adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading

- 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 Mr D Dean against the decision of Wokingham District Council.
- The application (Ref.F/2001/5297), dated 14 November 2001, was refused by notice dated 24 April 2002.
- The development proposed is the change of use of vacant land to stationing of two mobile homes for gypsies.

Summary of Decision: The appeal is dismissed

Main Issues

1. From what I read, heard and saw, I consider that there are three main issues in the case. Firstly, whether the proposal would cause significant harm to the character and appearance of the countryside. Secondly, whether the proposal complies with the aims of planning policies for development to be reasonably accessible to local services and facilities. Thirdly, whether any harm identified would be outweighed by the need for the accommodation.

Planning Policy

2. The development plan for the area includes the Berkshire Structure Pan (BSP), adopted in 1995 and the Lodden Area Local Plan (1995). The plan period for the latter expired in 1996. Government guidance includes Circular 1/94 "Gypsy Sites and Planning". Policy C2 of the BSP seeks to exercise strong control over development outside settlements and built up areas. An aim of Policy LD1 is to locate land uses so as to minimise the need for travel, particularly by private vehicles.

3. The Wokingham District Local Plan (WDLP) is not yet adopted but, following the public inquiry into objections, modifications consequent on the Inspector's recommendations have been proposed. Policy WCC1 seeks to protect the character and appearance of the area. Policy WCC1 also provides that development outside settlement boundaries will only be allowed in exceptional circumstances and must fall within at least one of five defined categories.

4. Policy WH12 indicates that planning applications for gypsy sites will be favourably considered provided that a need has been adequately demonstrated and subject to criteria including no adverse impact on the character and appearance of the countryside, the site is visually well contained or provides the opportunity to make it so; there is no significantly adverse effect on the amenities of neighbouring properties and the site is within a reasonable distance of local services and facilities.

Reasons

Character and appearance of countryside

5. The somewhat triangular site is mostly surrounded by the curtilages of built development, with one boundary being the highway. A public footpath extends down the south western side of the site. There is a strong tree presence around the site and in the immediate area, together with other shrubby vegetation inside the site. The site is not within an identified settlement or other built up area and I consider that the site is in an area of open countryside, albeit tempered by the dwellings and University of Reading buildings nearby.

6. The proposed development would necessitate the clearance of the majority of the trees and scrubby vegetation within the site, but boundary trees should remain. However, I consider that the proposed mobile homes would be clearly visible from the adjacent lane and the public footpath along the south western boundary of the site. The domestication of the site by the introduction of the normal artefacts such as washing lines, parked vehicles and garden equipment would also emphasise the change in the use of the land.

7. The residential use would be difficult to detect from more than hundred metres along Cutbush Lane in neither direction. However, I consider that the urbanising appearance would be most noticeable from the immediate surroundings, where it would intensify and consolidate what is essentially very loose knit development. This intensification would erode the rural character and appearance of the area and, in my view, would significantly and unacceptably harm it. Therefore, the proposal would be contrary to Policy C2 of the adopted BSP and Policy WH12 (a) of the emergent WDLP. The site may be less open than the majority of the countryside along Cutbush Lane towards Shinfield. Nevertheless, in my view, it is not sufficiently visually well contained to avoid the extent of harm to the character and appearance to the countryside which would be caused.

Sustainability

8. The distance of the site from services varies according to the direction travelled. However, with the basic facilities at Shinfield some 800 to 900m away, separated by open countryside, it seems likely to me that journeys to services would be by private vehicle. I observed the extent of the connecting public footpaths on the inspection, but I still consider the distance to travel would not be consistent with sustainability objectives. Therefore, the proposal would be contrary to Policy LD1 of the Structure Plan.

9. I was referred to a decision about significant residential development on the junction of Cutbush Lane and Shinfield Road, but that site is closer to village services and bus stops along the Shinfield Road. An appeal decision issued on 3 January was submitted by the Council, which related to the conversion of a nearby barn to a dwelling. The appeal was dismissed, with distance necessary to travel to facilities and services as one of the reasons. This lends support to my opinion that the proposal at the appeal site would not conform with the sustainability aims of Policy LD1.

Need

10. The Council accepted that there was a need for gypsy accommodation in the District. There are 61 pitches for gypsies on 6 sites in the District. 2 of the sites are Council owned, 4 are privately owned; and they are full. In addition, there was a degree of unauthorised use as shown in the DETR bi-annual counts for July 2001 and July 2002. Nevertheless, the proposed site

would be remote from facilities and services; it would be in open countryside and it would cause significant harm to the character and appearance of the rural surroundings. Therefore, in my opinion, those disadvantages are sufficient to outweigh the benefits of providing a site for two mobile homes, despite the acknowledged general need for gypsy accommodation.

Other matters

11. Submissions were made about the possible incompatibility of gypsies living very close to University of Reading facilities and also the untidiness left behind by travelling gypsies in Cutbush Lane near to the M4 motorway. However, I have not accorded such comments much weight in my consideration of the appeal.

12. My attention was drawn to two other gypsy sites in the District: (a) Meadowside, Park Lane, Finchampstead and (b) Pine Ridge Farm, Nine Mile Ride, at which Inspectors had allowed accommodation for gypsies on appeal. However, at the first site, the Inspector concluded that the development would be a well integrated part of the local community which would not lead to an increase in urban character. In the second case, the Inspector accepted that the site was largely screened by trees. Both decisions demonstrate to me that circumstances at sites can vary significantly and that appeals should be dealt with on their own merits.

13. In this particular case, I have concluded that the proposed development would cause significant harm to the character and appearance of the countryside and would not be consistent with the sustainability objectives of the Structure Plan. I have also concluded that the need for gypsy accommodation was insufficient to outweigh the harm which would arise. The use of planning conditions would not enable the objections which I have identified to be overcome.

Conclusions

14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

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

Inspector

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr S Andrewartha BA(Hons) Dip TP MRTPI	Planning Officer, Wokingham District Council

FOR THE APPELLANT:

Ms S Walker BA(Hons) MRTPI	The Ely Planning Consultancy

INTERESTED PERSONS:

Mr J Short BSc FRICS	Haslams; representing the University of Reading
Cllr M Bryant	19 Salmond Road, Shinfield, Berkshire RG2 8QN
Mr D Bulcock	Chairman Shinfield PC, c/o 36 Ryehill Way, Lower Early, Reading RG6 4AZ
Mrs M Gilson	50 Cutbush Lane, Shinfield. Berkshire

DOCUMENTS

Doc	1	List of persons present at the hearing
Doc	2	Letter of notification of hearing
Doc	3	Bundle of letters received about the case
Doc	4	Statement and Appendices submitted by Ms Walker
Doc	5	Statement submitted by Mr Andrewartha
Doc	6	Appeal decision APP/X0360/A/02/1089731
Doc	7	Map of University of Reading land ownership in the area

PLANS

Plan	A	Plan 2336/01/B
Plan	B	Site plan

The Planning Inspectorate

For offical use only
Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/02/1091595 **GRID REF:** _____

APPEAL BY: Mr D Dean

SITE: Land adjoining Grange Lodge, Cutbush Lane, 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 from the 'starting date' given in our letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.** Please send our copy to the case officer. Their address is shown on our letter.

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

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

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

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

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

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?	17/07/02	
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	50	
ii) the planning officer's report to committee		✓
iii) any relevant committee minute		✓
17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY		
Do you intend to send another statement about this appeal? If NO, please send the following information:-	YES / NO	
a. In non-determination cases:		●
i) what the decision notice would have said;		
ii) how the relevant development plan policies relate to the issues of this appeal.		
b. In all cases:		
i) the relevant planning history;		
ii) any supplementary reasons for the decision on the application;		
iii) matters which you want our Inspector to note at the site visit.		
18. THE MAYOR OF LONDON CASES ONLY		
a. Was it necessary to notify the Mayor of London about the application? If YES, please attach a copy of that notification.	YES / NO	●
b. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction.	YES / NO	

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

Signature: _____ on behalf of WOKINGHAM UNITARY ~~Council~~

Date sent to us and the appellant 17/06/02 OUR Ref: F/2001/5297

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

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APPEAL BY MR DEAN

AGAINST THE REFUSAL BY WOKINGHAM DISTRICT COUNCIL

OF

PLANNING APPLICATION NO: F/2001/5297

FOR

THE CHANGE OF USE OF VACANT LAND TO STATIONING OF TWO MOBILE HOMES FOR GYPSIES

AT

LAND ADJOINING GRANGE LODGE, CUTBUSH LANE, SHINFIELD, READING.

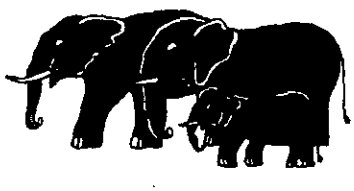
APPENDICES OF

HEARING STATEMENT

RECEIVED
PINS AA PEP

OF

SALLY WALKER B A Hons M.R.T.P.I.



THELEY PLANNING CONSULTANCY

Town Planning and Development Consultants

CONTENTS

1. **Refusal notice no: F/2001/3767 - change of use of vacant land to stationing of 3 mobile homes for gypsies at land adjacent to Grange Lodge, Cutbush Lane, Shinfield.**

2. **Plan EP1 and Photograph nos: 1 - 10.**

3. **Planning officer's committee report re. planning application no: F/2001/3767.**

4. **Inspector's decision re. appeal ref. nos: APP/X0360/C/00/1045150-1 & APP/X0360/A/00/1045176 - change of use to permanent gypsy site involving the siting of two mobile homes at Meadowside, Park Lane, Finchampstead.**

5. **Inspector's decision re. appeal ref. no: T/APP/H0330/A/85/039849/P4 - the stationing of 13 mobile homes on land at Pineridge Farm, Nine Mile Ride, Wokingham.**

6. **Plan indicating location of planning application site no. 99/69109/O - proposed erection of 118 dwellings at land at Hollow Lane / Cutbush Lane, Shinfield.**

7. **Planning officer's committee report re. planning application no. 99/69109/O.**

8. **Inspector's decision re. appeal ref. no: T/APP/X0360/A/99/1026621/P4 - the erection of 118 dwellings at land at Hollow Lane / Cutbush Lane, Shinfield.**

9. **Timetable of Reading Bus service no. 112.**

10. **Planning permission no: O/2000/2292 - erection of 142 dwellings at Lane End Farm / Horticultural Station, Cutbush Lane, Shinfield, Reading.**

11. **Extract from Planning Policy Guidance Note No. 13 - Transport.**

APPENDIX 1

(AO)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

David Dean
C/O Ely Planning Consultancy
17a Southfields Road
Eastbourne
East Sussex
BN21 1BU

Application Number: F/2001/3767

Parish: **SHINFIELD**

Location: **Land Adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading.**

Proposal: **Proposed change of use of vacant lane to stationing of 3 mobile homes for gipsies.**

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 development would have an urbanizing effect, would consolidate and intensify existing sporadic development, and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to The Berkshire Structure Plan Policy C2, The Loddon Area Local Plan Policy LTV2 and to The Wokingham District Local Plan Policies WCC1 and WH12.

Reason
2. The proposed development would cause unacceptable loss of amenity to existing residential property. The proposal would therefore be contrary to The Loddon Area Local Plan Policy LBE2 and to The Wokingham District Local Plan Policies WBE1 and WH12.

Reason
3. Due to the distance of the application site to the nearest bus stop and local facilities, the proposed development is not within a reasonable distance of local services and facilities, and hence is not in a location which would minimise car-borne trips. The proposal would therefore be contrary to The Berkshire Structure Plan Policy LD1, The Wokingham District Local Plan Policies WOS1 and WH12 and Government guidance.

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 C2, H11 and LD1.
Loddon Area Local Plan Policies LTV2 and LBE2.
Deposit Draft Wokingham District Local Plan Policies WCC1, WH12, WBE1 and WOS1.

John Mitchell

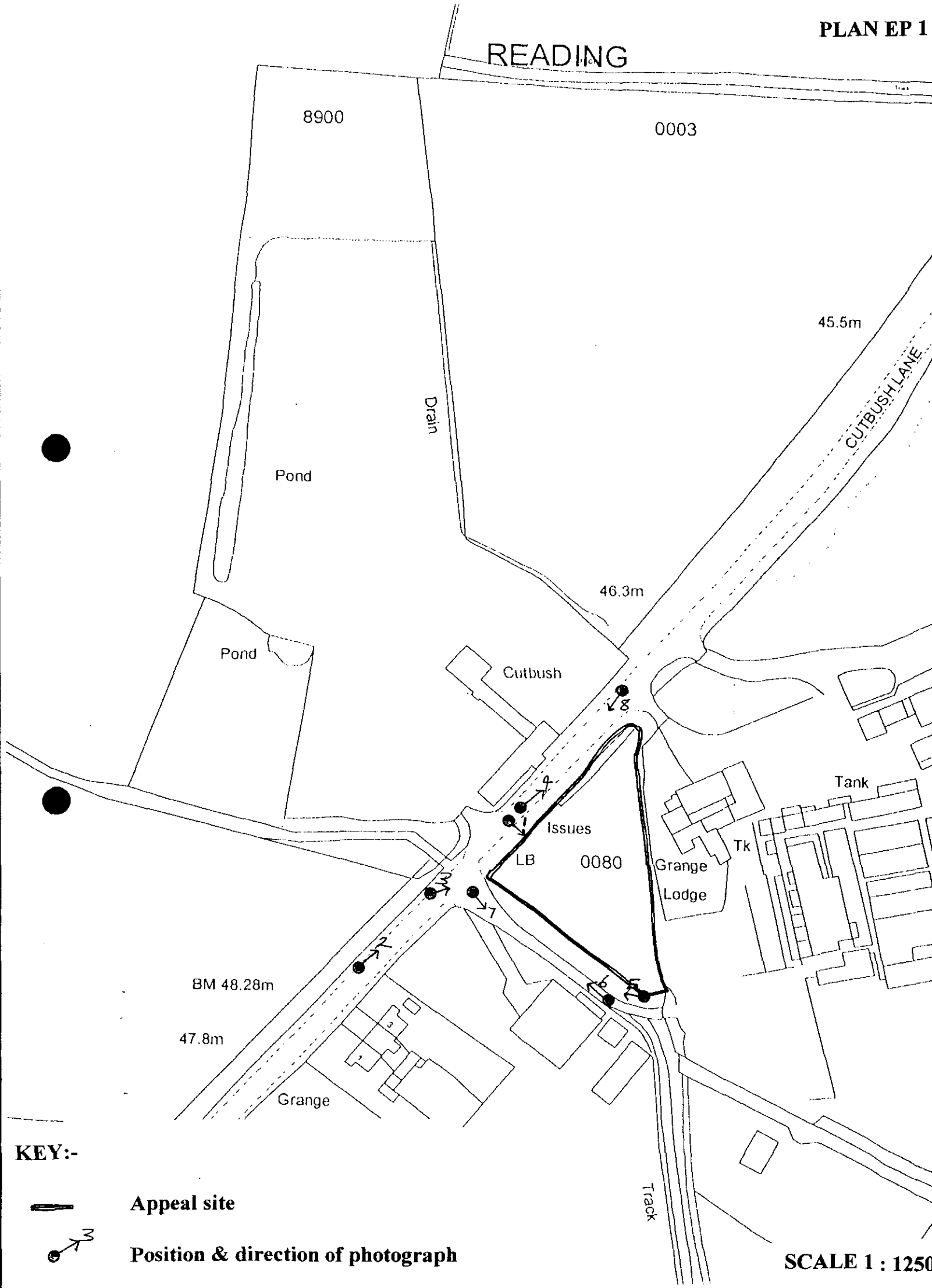
John Mitchell
Development Control Manager
Date: 20/06/2001

Notice checked by: C Hunter

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.

APPENDIX 2

PLAN EP 1

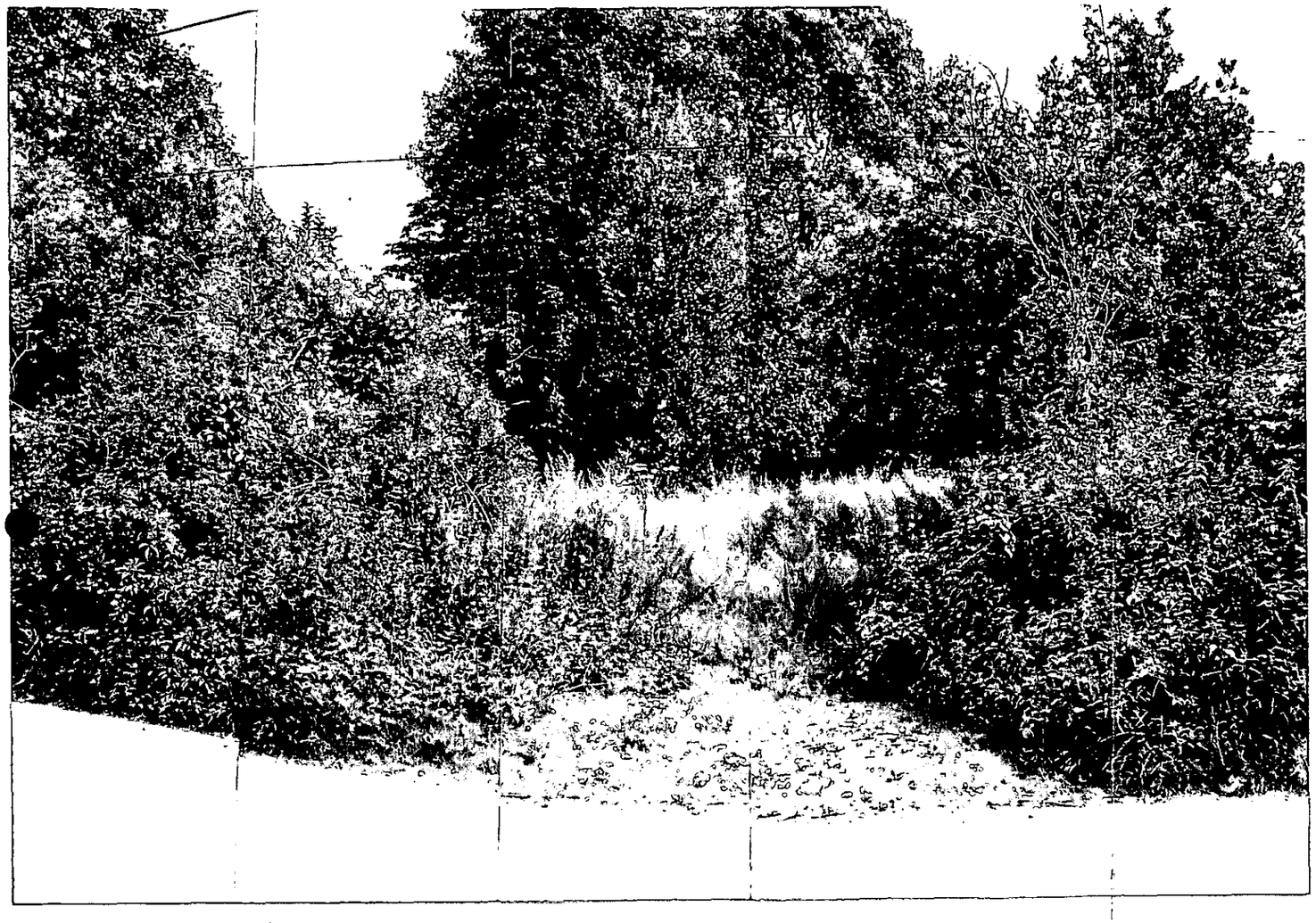


KEY:-

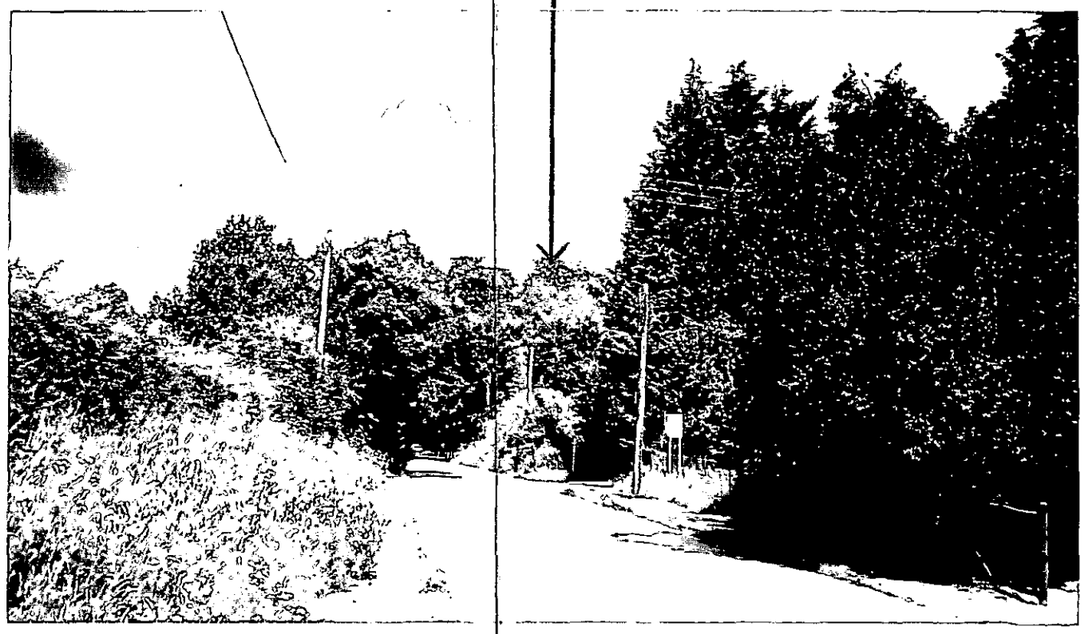
Appeal site

Position & direction of photograph

SCALE 1 : 1250



PHOTOGRAPH 1



PHOTOGRAPH 2



PHOTOGRAPH 3



PHOTOGRAPH 4

Shinfield

4.00 LAND AT HOLLOW LANE/CUTBUSH LANE, SHINFIELD (INCORPORATING PART OF LANE END FARM HORTICULTURAL RESEARCH STATION) OUTLINE APPLICATION FOR THE PROPOSED ERECTION OF 118 DWELLINGS

Purpose of Report

4.01 To inform Members of an appeal against non-determination in respect of an outline application for a proposed residential development to provide 118 dwellings including 20% for affordable housing and open space.

Suggested Action

4.02 The Committee is requested to endorse the resolution that had an appeal against non-determination not been lodged at the Planning Inspectorate, that the application would have refused been planning permission for the reasons set out in paragraph (4.08) below.

Background Information

4.03 Planning History - This 5.77ha site lies at the junction of Cutbush Lane and Hollow Lane, Shinfield and comprises a number of uses, which form the Reading University Horticultural Research Station. There is 16856sq.m of existing floorspace including B1(a), B1(b), B1(c) and B8. There is currently an outline planning application on part of the site for 40 dwellings (ref: 98/67378/O). The application site has been brought forward as a housing site in the proposed amendments to the Wokingham District Local Plan (Deposit Draft) (Environmental Services Committee February 1999).

4.04 Proposal - is for an outline development of a 5.77ha site for residential purposes. The applicant has indicated that this would provide 118 dwellings of which 20% would be for affordable housing. Only means of access is to be considered at this stage. An indicative layout has been provided showing the proposed development with the formation of the two access points onto Cutbush Lane. The Traffic Impact Assessment (T.I.A) was received by the Highway Authority on 17th August 1999.

4.05 Consultations -

- ***Babtie (ecology) :*** Mitigation measures required including tree survey and site evaluation.
- ***Babtie (archaeology) :*** No objection subject to condition.
- ***Highways :*** No objection is raised subject to the applicant funding all the appropriate highway improvements required to cater for the additional traffic generated by the proposed development.
- ***Environment Agency :*** No objection subject to conditions.
- ***Policy and Plans :*** The site is now included as a priority housing site in Policy WH2 as proposed to be amended.

- ***Environmental Health :*** No objection subject to conditions to protect dwellings from noise from road traffic and a detailed investigation of ground conditions.
- ***Trees and Landscape :*** No objection subject to substantial structure planting.
- ***Open Space/Recreation :*** A Local Equipped Activity Play (LEAP) area will be required (shown on indicative plan), with a commuted sum for maintenance for a 10-year period. Open space provision for the site should be 0.43ha which has not been met on the indicative plan. A contribution will be required towards improvements to the existing public buildings in Shinfield over a 10-year period plus a contribution for one year's use of these facilities. A contribution will also be required to enhance the existing library provision.
- ***Shinfield Parish Council :*** object on the grounds of piecemeal development, overdevelopment in a rural area, impact upon listed building, harm to bat and badger colonies and impact upon existing road infrastructure.
- ***10 Letters of Objection :*** premature application before outcome of Local Plan inquiry, loss green gap, impact on ecology of the site, will cause traffic congestion.

4.06 Appraisal - The main issues are:

A. Principle of Development (Berkshire Structure Plan Policies H3, H4; Loddon Area Local Plan Policy LC1; Wokingham District Local Plan (Deposit Draft) Proposed Amendments to 1999 Policies WOS1, WOS3 and WH2)
B. Mix of Dwellings and Affordable Housing Provision (Berkshire Structure Plan Policies H7 and H9; Loddon Area Local Plan Policies LH7 and LH9; Wokingham District Local Plan (Deposit Draft) Proposed Amendments to WH6 and WH7)
C. Highway Issues (Berkshire Structure Plan LD5; Loddon Area Local Plan Policies LT5 and LT6; Wokingham District Local Plan (Deposit Draft) Proposed Amendments to 1999 Policies WOS3, WT1, WT2 and WT7)
D. Impact on Residential Amenity Loddon Area Local Plan Policy LBE2; Wokingham District Local Plan (Deposit Draft) Proposed Amendments to 1999 Policies WOS3 and WOS7)
E. Service, Amenity and Infrastructure Requirements (Berkshire Structure Plan Policy LD6; Wokingham District Local Plan (Deposit Draft) Proposed Amendments to 1999 Policies WOS4, WH7 and WR7)
F. Concerns of the Parish Council and local residents

A. Principle of Development

The application site has been promoted for residential development through the local plan process and has now been included as a priority housing site within the proposed amendments to the Deposit Draft Local Plan. There is a slight difference in size between this application site and the site shown in the proposed amendments which includes Lane End Farm (the application site is smaller by 2000 square metres). The applicant is seeking to formally establish the principle of residential development prior to the conclusion of the local plan inquiry.

At an Environmental Services Committee held on the 21st September 1998 a resolution was agreed by members which confirmed that this particular housing site would not be released ahead of the second part of the local plan inquiry due early next year.

Therefore, Members may well consider that to determine the application at this stage would be premature. Also during the consultation period for the proposed amendments, representations were received objecting to its inclusion as a priority site. These were from Shinfield Parish Council, Earley Town Council, one local resident, and four planning consultants. The basis of the objections from the parish/town councils and the local resident were that the development would result in the loss of the open gap between Shinfield and Earley, increased traffic congestion and the overall impact on the surrounding area. The other objections related to the preference of other sites and an amendment to the site boundary.

The adopted Structure Plan, in Policy H2, requires the Council to make provision for a total of 7,750 dwellings for the period from 1991 to 2006. The most recent date to which the calculation has been applied is 1st April 1999; this shows that the Council is in compliance with this policy requirement (there is an identified surplus of 215 dwellings). The application site is already included within the calculation, as District Local Plan housing site SH37, which represents a total of 142 dwellings.

PPG3 Housing (1999 Consultation Draft) states that local planning authorities should be able to demonstrate plans for sufficient land for housing and buildings for conversion and re-use, to accommodate probable levels of housing requirement for five years, as derived from the Structure Plan provision figure. Again, the most recent date to which the calculation has been applied is 1st April 1999. This shows there to be an identified shortfall of 231 dwellings, equivalent to six months supply. As with the Structure Plan requirement figure, the application site is already included within the calculation, for 142 dwellings.

However, the local plan inquiry is still due to consider proposed housing sites in 2000 with the purpose to consider the merits of alternative sites. The fact that there have been objections to the inclusion of this site which need to be considered at this inquiry adds significant weight to the argument that to determine this application prior to the inquiry's completion would be premature. It is considered that there is still adequate time to go through the local plan process and to complete the development within the five year land supply period.

Although this is an outline application an illustrative layout has been provided showing 118 dwellings. This figure is 24 short of that calculated as part of the five year supply and no justification for this shortfall has been put forward by the applicant. The application site could accommodate additional residential units and for this reason it is considered that the proposed density of this development is inadequate.

B. Mix of Dwellings and Affordable Housing Provision

The scheme is in outline only with all matters apart from access details reserved. The proposed illustrative layout indicates 20% of affordable housing (10 two bedroom units and 14 three bedroom units), and 19 two bedroom units, 52 three bedroom units and 23 four bedroom units of general housing. Policy WH6 of the Wokingham District Local Plan (Deposit Draft) as amended states that where residential development is considered acceptable proposals will be expected to incorporate a mix and balance of densities, dwelling types and sizes. Particular emphasis should be given to the need for one, two and smaller three bed dwellings.

The illustrative layout indicates a mix of 24% of two bedroom units, 55% three bedroom units and 20% four bedroom units. The percentage of two and three bedroom units at 79% is deemed acceptable.

Amended Policy WH7 seeks to ensure that an element of affordable housing be provided on schemes of 25 dwellings or more. The Council may expect up to 25% of all new dwellings to be for affordable housing on particular sites depending on the site conditions and the results of the Housing Needs Survey 1997. It is considered that the site is of such a size and location that all the requirements set out in Circular 10/98 on Affordable Housing can be met.

C. Highway Issues

At its meeting on 21st September 1998 the Environmental Services Committee requested the Highway Authority provide a report on the cumulative impact of the proposed amendments to the Deposit Local Plan housing sites within Shinfield. This report was completed by Babtie, who carried out a TIA for various combinations of sites, and assessed existing traffic conditions along the A327 and the B3270 Lower Earley Way – West (Earley Outer Peripheral Road). It identified that during peak hours, these major transport corridors were at or very near capacity, with extensive queuing at major junctions.

The TIA also considered levels of existing public transport south of the M4 and concluded that whilst most of the development sites were within 400 metres walking distance of an established bus route, the current levels of service would need to be increased to encourage any shift from the private car.

Whilst the applicants TIA acknowledges that appropriate contributions should be made towards the A327/EOPR (Earley Outer Peripheral Road) junction improvements, there are no proposals to improve frequency of public transport services.

The Highway Authority is still awaiting further information from the applicants agent regarding the proposed signalisation of the junction Cutbush Lane/Hollow Lane (A327) and discussions are continuing with regard to an appropriate level of financial contributions. The outcome of these negotiations may result in agreement with the applicant as to an appropriate package of measures that would mitigate the development traffic to an acceptable level.

D. Impact on Residential Amenity

The scheme is outline with only details of access to be considered at this stage. Therefore, the relationship between the proposed development and the existing residential properties surrounding the site cannot be fully assessed until detailed plans are submitted at the approval of reserved matters stage.

The location of the application site close to the M4 motorway has the potential to impact upon the future occupiers of dwellings on the site. Environmental Health considers that any potential problem can be overcome by the imposition of a condition requiring a scheme of noise protection for the site.

E. Service, Amenity and Infrastructure Requirements

If the proposed development was considered acceptable in principle, Policy WOS4 of the Wokingham District Local Plan (Deposit Draft) states that proposals will be expected to have regard to existing levels of infrastructure, services and amenities. This is expanded upon in planning guideline A9 which has been adopted as Supplementary Planning Guidance. Circular 1/97 requires that planning obligations meet a number of criteria, including being directly related to the development. An additional 118 dwellings would undoubtedly impact in terms of highways, education, community and recreation provision. WR7 in particular refers to minimum provision of open space on site.

The provision of school places in the vicinity of the application has not been fully addressed at this time and therefore a financial contribution may well be required. The size of the site is such that an LEAP would be required (shown on illustrative plan), plus more open space provision than has otherwise been indicated. The impact of the additional population is such that it is considered entirely appropriate to request contributions towards improvements to existing community buildings and library provision. These contributions have not been provided as part of the development. As such, the proposal does not meet the requirements of Berkshire Structure Plan Policy LD6; Loddon Area Local Plan Policy LPS1; Wokingham District Local Plan (Deposit Draft) as amended Policy WOS4.

F. The Concerns of the Parish Council and Local Residents

The concerns of the parish council and local residents have been noted. Consideration of whether the application is premature or not has been covered under issue A. The impact upon the local highway infrastructure and

residential amenities have been considered under issues C and D. As the application is in outline, it is considered that the site is developable for housing purposes whilst safeguarding local badger colonies.

4.07 Conclusion - The application site has been included as a housing site under amended Policy WH2 of the Wokingham District Local Plan (Deposit Draft), but has yet to be released ahead of the second part of the Local Plan Inquiry. Therefore Members must decide whether they consider the proposal is premature especially in respect of the resolution agreed at the Environmental Services Committee meeting on the 21st September 1998. However, even if the development was considered to be acceptable at this stage, the scheme does not offer adequate contributions to the services, amenities and infrastructure of the Shinfield area.

4.08 Recommendation - To resolve that had an appeal against non-determination not been lodged at the Planning Inspectorate, that the application would have been refused planning permission for the following reasons:

1. It would be premature for planning permission to be granted in advance of the local plan inquiry, which is due to consider proposed housing sites in 2000, with the Inspector's report due in mid-2001, as the purpose of the local plan inquiry is to consider the merits of alternative housing sites. This is particularly important in this case as objections have been made to the proposed designation of this site for residential purposes in the local plan.

2. The proposed density of housing is significantly below that in the proposed local plan designation; as such, the proposal fails to make optimum use of the site, and an adequate contribution to housing needs.

3. The proposal does not adequately address service, amenity and infrastructure requirements as set out in Supplementary Planning Guidance A9 adopted by the Local Planning Authority. As such, the proposal does not meet the requirements of Policy LD6 of the Berkshire Structure Plan; Policy LPS1 of the Loddon Area Local Plan and Policies WOS4, WH7 and WR7 of the Wokingham District Local Plan (Deposit Draft) as amended.

Equal Opportunities Implications

4.09 Provision of affordable housing is offered by the applicant.

Financial Implications

4.10 Financial contributions would be expected towards service, amenity and infrastructure requirements.

APPENDIX 8

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

Appeal Decision

inquiry commenced on Tuesday, November 29, 1999

by K E B Holland BA (Hons) DipTP MRTPI ARICS

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

21 JAN 2000

Appeal : T/APP/X0360/A/99/1026621/P4

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a failure to determine within the prescribed period an application for planning permission.
- The appeal is brought by University of Reading against Wokingham District Council.
- The site is located at Hollow Lane/Cutbush Lane, Shinfield
- The application (ref: 99/69109/O), is dated 5 February 1999
- The development proposed is the erection of 118 dwellings (29 x two-bedroom; 66 x three-bedroom and 23 x four-bedroom).

Decision: The appeal is allowed and planning permission granted subject to conditions set out in the attached schedule.

Procedural matters

1. Although the application refers to a specific number of dwellings and the size of the dwellings, only means of access is not reserved for subsequent approval.

2. The Council has resolved that had an appeal not been lodged on non-determination grounds the application would have been refused for the following reasons.

   a) It would be premature for planning permission to be granted in advance of the local plan inquiry which is due to consider proposed housing sites in 2000, with the Inspector's report due in mid-2001, as the purpose of the local plan inquiry is to consider the merits of alternative housing sites. This is particularly important in this case as objections have been made to the proposed designation of this site for residential purposes in the local plan.

   b) The proposed density of housing is significantly below that in the proposed local plan designation; as such, the proposal fails to make optimum use of the site, and an adequate contribution to housing needs.

   c) The proposal does not adequately address service, amenity and infrastructure requirements as set out in Supplementary Planning Guidance A9 adopted by the Local Planning Authority. As such, the proposal does not meet the requirements of Policy LD6 of the Berkshire Structure Plan, Policy LPS1 of the Loddon Area Local Plan and Policies WOS4, WH7 and WR7 of the Wokingham District Local Plan (Deposit Draft) as amended.

3. The inquiry commenced on 30 November 1999 and was completed on 2 December 1999.

4. At the inquiry an application was made on behalf of the University of Reading for a full award of costs against the Wokingham Borough Council. This is the subject of a separate decision.

5. A Unilateral Undertaking and a Supplemental Deed has been submitted.

Policy background

6. The development plan for the area comprises the Berkshire Structure Plan 1991 – 2006 (SP) and the Loddon Area Local Plan (LP) adopted in 1995. Under the terms of policy H2 the SP requires the provision of 7,750 dwellings in the District between 1991 and 2006. Policy C2 of the SP seeks to protect the countryside outside built-up areas and settlements and policy C5 aims to maintain the rural character of the countryside adjoining built-up areas. These policy requirements are reflected in policy LTV2 of the LP while policy LTV4 aims to retain and strengthen natural boundary features around settlements. SP policy C6 and LP policy LC1 seek to maintain a clear separation between settlements. The appeal site is outside the identified settlement boundary of Shinfield on the LP and is shown as part of a wide area of countryside that is subject to policy LC1. However, there is also a specific policy in the LP that deals with university and research institute land at Shinfield. This policy, LS3, states that where research establishments are no longer required, a change of use of land and buildings to residential, educational, health and community uses will generally be acceptable subject to the provisions of other policies in the LP.

7. The Wokingham District Local Plan is the emerging local plan (ELP) that will have district-wide coverage. Chapter 6 and policy WSM1 of the ELP deals with the question of a new settlement of up to 2,500 dwellings south of the M4 motorway. The origin of this requirement is policy H3 of the SP that requires between 2,000 and 2,500 of the total dwellings for Wokingham for the period 1991 – 2006 to be provided in the area in Wokingham District south of the M4 motorway at Reading. The reason for policy H3 is to provide for the needs of the Reading area that cannot be met within Reading Borough. The question of the local plan treatment of the requirement arising from SP policy H3 was considered in Part 1 of the local plan inquiry. This part has been completed and the Inspector's report is anticipated in mid 2000. The inquiry into the other elements of the ELP is due to start in February 2000. The intention is to deal with housing matters, other than the new settlement issue, at the end of the inquiry by which time the report on Part 1 should be available.

8. In response to the need for up to 2,500 dwellings to meet the requirement of SP policy H3, three planning applications have been made. The University of Reading has made one of these applications for 2,500 dwellings on land that includes the appeal site. In the application the appeal site is allocated not for housing but for other uses including employment and a park and ride proposal. Two alternative applications by others have been made at Spencers Wood and Grazeley. The three applications have been recovered for determination by the Secretary of State and the inquiry into these proposals was linked to Part 1 of the local plan inquiry. The Council favours the proposal at Grazeley and has reflected this preference in policy WSM1 in the ELP which provides for 1,850 dwellings at Grazeley in the period up to 2006. The Council accepts that for practical reasons 2,500 dwellings cannot realistically be expected to be built at Grazeley by 2006 and hence the figure of 1,850 in policy WSM1. To make up the shortfall provision is made in the ELP for 867 dwellings between 1996 and 2006 on a number of smaller sites identified in Policy WH2. The appeal site is included in this list as site SH37 with an assumed capacity of 142 dwellings.

9. The ELP also contains policy WOS4 that states that permission will not be given, where development gives rise to the need for the provision of services, until the council is satisfied that an appropriate level of infrastructure, services and amenities will be provided. The

policy states that these requirements must be directly related to, and a consequence of, the development. Guidance is given to developers in the form of Supplementary Planning Guidance A9 (SPG) that refers to various services and facilities including education provision, libraries and transport. The inquiry was told that the SPG has not been subject to a public consultation exercise. In relation to affordable housing, policy WH7 seeks the provision of up to 25% affordable housing in developments of over 40 dwellings. Policy WR7 seeks the provision of a minimum of 4.3hectares of public open space per thousand population. The space should be of a size, shape and location suitable for recreational use.

10. In relation to research establishments, policy LS3 of the LP is carried forward as policy WRE3 of the ELP. The adopted policy deals with new uses for research establishments outside settlements and the explanatory text refers to the agricultural research units owned by the University of Reading outside Shinfield. Amendments in the emerging policy include reference to Shinfield in the policy heading, the phrase "redevelopment of land" and the substitution of "be encouraged" for "acceptable". The first sentence of the proposed policy reads "where existing research establishments outside settlements are no longer required, a change of use or redevelopment of land and buildings to educational, residential, health or community uses will generally be encouraged". As is the case with the adopted policy, this encouragement is qualified by reference to other policies in the plan and several specific criteria.

The main issues

11. The main issues in this appeal are first, whether the proposal complies with the development plan policies and, if so, whether prematurity or other material considerations outweigh this compliance. Second, whether the density of the development is acceptable and third, whether the proposal includes adequate infrastructure having regard to the scale of the scheme.

Inspector's reasons

Development plan and the emerging local plan

12. In my view the starting point is the development plan and, in particular, policy LS3 that is specifically applicable to the appeal site. On behalf of objectors, Mr Huntley argued that while this policy is relevant it does not weigh in favour of the appeal to any significant degree. This opinion is based on the provisos in the policy and on the argument that the policy may not apply to the appeal site because it is not the only university research establishment in Shinfield. I do not accept that it is unclear whether the policy applies to this site. The explanatory text explicitly refers to glasshouses. At an appeal in 1989, when arguing in favour of development on part of the appeal site on the basis of emerging policy LS3, Mr Huntley pointed out that the appeal site is the only example of a university research use in Shinfield with substantial glasshouses. At the inquiry the Council agreed that the policy does apply to this site. Moreover, in the ELP the suggested amended wording, through the inclusion of the phrase "redevelopment of land", seems to me to clarify the situation in the appellant's favour. I am satisfied that development plan policy LS3 is directly applicable to this appeal.

13. Turning to the qualifications in the policy, general reference is made to the need to have regard to other policies in the LP and more specific reference is made to the need to contain development, improve the appearance of the site and have regard to the amenity of the area. Given that there is a specific policy for this site, the conventional policies restricting

development in rural areas cannot be applied in an unqualified way. For this reason the fact that the site is outside the settlement boundary does not, in my view, count heavily against the development. Rather, I consider that the matter needs to be considered in the light of the present character and appearance of the site and how the proposal would relate to the specific criteria in the policy. It is also relevant to bear in mind that the Council has carried out a detailed environmental appraisal of a large number of possible housing sites and has concluded that the appeal site is one of the least inappropriate sites for development during the period of the ELP.

14. The appeal site extends to some 5.77 hectares and is occupied by a range of buildings and structures. Adjacent to the appeal site Lane End Farmhouse is a substantial traditional red brick house with a tiled roof. It is a listed building that dates from the 16th century but has been extensively altered and extended. On the appeal site there is a range of red brick agricultural-style outbuildings that were clearly at some stage associated with the farmhouse. These are currently commercially occupied, principally by an antiques dealer. Other buildings, mostly unoccupied, are spread around the appeal site. These are utilitarian structures constructed from a variety of materials including timber, brick, concrete blocks, corrugated iron and asbestos sheeting. Many of these buildings are now in a poor state of repair and the site has a generally untidy appearance. A motorcycle dealer including a workshop and sales office occupies one of the utilitarian buildings. There are relatively extensive areas of concrete hardstanding and a number of glasshouses, five of which are very substantial. In total the buildings extend to about 5,400 square metres and the glasshouses to about 10,300 square metres.

15. Although a number of the structures on the site, particularly the glasshouses, have agricultural connotations I do not consider that the site has an agricultural character. Given the scale of building on the site, its overall appearance and the obvious commercial activity that is readily visible, the site can reasonably be described as a "brownfield" site. This is consistent with the view taken by the Council's officers in the appraisal of possible housing sites reported to committee in July 1998. The development would, in my opinion, have the benefit of removing existing unattractive buildings and structures from the site and it would not extend beyond the existing "brownfield" site. I acknowledge that the proposal would involve the removal of a substantial section of hedge along Cutbush Lane and that this would be detrimental to the appearance of this section of the Lane. However, the illustrative layout demonstrates that it would be feasible to retain the significant groups of trees on the site, including those close to Cutbush Lane. Also there would be considerable scope for replanting and/or re-positioning hedgerows after the proposed road widening and provision of visibility splays. Within a relatively short time therefore I believe that the detrimental impact could be countered.

16. In the wider context both the Council and Mr Huntley sought to argue that the proposal would conflict with SP policy C6 and LP policy LC1 because it would reduce the gap between Reading and Shinfield. In the case of the Council this seems to me to be inconsistent with LP policy LS3 and emerging policy WRE3. As far as Mr Huntley is concerned, I note that in the 1989 appeal he contended that the site, because of the extensive buildings on it and adjacent land, would be perceived as part of the built up area of Shinfield. At that stage he argued that the M4 motorway and the land on either side of it ensure the physical separation. I agree and believe that assessment remains valid. I do not believe that the aims of policies C6 and LC1 would be compromised by the scheme.

17. I conclude that the scheme would meet the requirements of the LP policy LS3 and the advice in Planning Policy Guidance: Housing (PPG3) regarding development related to settlements in rural areas.

Material considerations

18. I come now to consider whether there are any material considerations that indicate that the conformity with development plan policy LS3 should not form the basis for allowing this appeal. The Council's principal argument against the proposal, based on prematurity, falls within this category. In relation to prematurity the Council has altered its stance. In June 1998 the Environmental Services Committee considered a report recommending that in order to meet a shortfall in housing land, sites identified in policy WH2 of the ELP that did not have permission, should be released as soon as possible. Another recommendation was to confirm the principle that to further help the shortfall, any priority sites to be identified at a later meeting should, in addition, be released as soon as possible. At the later meeting referred to, held in July 1998, the appeal site was identified and accepted by the Council as a priority site. The reason for the early release of the priority sites is carefully explained in the report and it is clear that the question of the five-year supply of housing land was critical. The early release recommended represented the action that the Council was recommended to take in the light of the advice in paragraphs 49 and 53 of PPG3. Regretfully, the minutes of the meeting are far from clear and record that the "the site at Lane End Farm, Cutbush Lane, Shinfield, (SH37) be released for inclusion in the Wokingham District Local Plan Deposit Draft". The Council's contention at the inquiry was that at the July committee meeting the officer's recommendation was rejected and the decision was taken to release the appeal site, not so as to be available to meet the five year housing requirement, but only for inclusion in the ELP.

19. Apparently this was not appreciated by the officers who, in September 1998, took a further report to the same committee, again referring to the need to consider how to achieve a five-year supply of housing land. The report deals with four sites, one of which was the appeal site. It draws a distinction between the appeal site and the other three sites in that it follows up a resolution from the July committee that "the other three sites be not released at this stage but that they be re-evaluated in the light of the criteria and the concerns raised". The report includes a consultation document that was sent to parish councils and other interested parties after the July committee meeting. The leaflet spelt out in unequivocal terms that the appeal site was to be distinguished from the other three sites and would be the only one subject to early release. It is specifically stated that this meant "ahead of the local plan process" and the leaflet again refers to the need to improve the Council's five-year housing land supply position. A table accompanying the report confuses the position as it is headed "Sites Identified to make-up the Shortfall in the 5-year Housing Land Supply" but in it the status of the appeal site is described as "agreed for inclusion in WDLPDD (ELP) at E.S. Committee 20/07/98".

20. At the inquiry the Council claimed that the officers had prepared the September report and the consultation leaflet on the basis of an incorrect understanding of the decision taken in July. The officers responsible had not appreciated that the committee did not in fact want to see the release of the appeal site ahead of the local plan process. Surprisingly, the minutes of the September committee meeting make no reference to this apparent misunderstanding. In addition the minutes are unhelpful in that it is difficult to tell whether or not the appeal site is caught by the embargo that the Council is apparently seeking to place on the release of all sites ahead of the local plan inquiry.

21. Whatever the position may be, one matter is clear. The appeal site has been included on the supply side of the Council's latest five-year housing land availability figures. This implies that the Council regards the site as free of legal or other constraints that are likely to prevent its development within the five-year period. In the light of this, the position taken by the Council regarding prematurity is untenable. If the site is to be subject to a comparative analysis at the local plan inquiry, in competition with over 120 other sites, whether or not it will be developed must be uncertain. This uncertainty represents a constraint and in these circumstances the Council should not, in my view, rely on the site as one that will contribute to the District's five-year land supply. As the Council do rely on the site it cannot also reasonably seek to argue that the site may not be accepted for development because other sites may be preferable. Even with the site included there is a less than five-year supply of land. The Council's April 1999 figures are that the supply is just over 4.5 years.

22. In relation to the emerging local plan I have also given consideration to the scale of the proposal. The advice in Planning Policy Guidance: General Policy and Principles (PPG1) is that normally planning applications should be considered in the light of current policies unless individually or cumulatively the scale of development would prejudice the outcome of the development plan process. In terms of the remaining SP housing requirement to 2006, the scheme represents some 3% of the total. I do not regard this as large enough to constitute a danger to the overall strategy.

23. As regards the first main issue, I conclude that the scheme would comply with the requirements of the development plan. There is no indication that the polices in the emerging local plan relevant to the site will be fundamentally different to the adopted policies and, in any event, the scale of the scheme is not large enough to threaten the overall strategy. The fact that the site is part of the Council's five-year land supply counts in favour of the scheme. There are no material considerations of sufficient weight to outweigh the presumption in favour of the proposal that flows from its compliance with the development plan.

24. On behalf of objectors it was argued that even if the appeal is allowed, development would not start until close to the time that the Inspector's report into the Part 2 local plan inquiry is available. This is because the appellant will not implement this scheme before knowing the Secretary of States decision on the larger proposal for 2,500 dwellings and that decision will probably roughly coincide with the Part 2 report. In these circumstances it was contended that no advantage would be gained in terms of housing land availability by allowing this appeal now and that the appeal site should properly be subject to a comparative analysis. I do not accept that point because it ignores the fact that the appeal site has the benefit of being subject to a specific policy in the development plan that favours its development. Also land availability considerations extend to 5 years, which is well beyond the anticipated time scale of the Secretary of State's decision.

Density

25. For the purposes of the five-year housing land supply calculations the Council assumes that the site can accommodate 142 dwellings. This is calculated on the basis of applying a density factor to the site area. Originally the Council considered that the site could accommodate 105 dwellings but this figure was increased having regard to the need to increase the supply of housing land. The Council has also referred to the advice in the draft PPG3 regarding density. The draft PPG3 carries relatively little weight at this stage and although I appreciate the need to make optimum use of housing land, the Council has not

carried out any detailed appraisal of the capacity of the site. On the other hand the appellant has undertaken such an appraisal. This takes the form of a comprehensive illustrative site layout. Taking into account the Council's open space requirements, the desirability of retaining existing groups of trees and allowing space for adequate boundary treatment I consider that the density proposed is reasonable.

Infrastructure

26. The Council is seeking the provision of open space to the standard detailed in policy WR7 of the ELP, landscaping to a depth of 20 metres along the northern and eastern boundaries of the site, a contribution towards youth and community service provision (£20,000 over 10 years) and a contribution towards the purchase of two additional items of library stock per person (£5,900). As regards education provision, the October report to the Planning Committee on the application states that a contribution may be required. Only the briefest reference is made to an educational contribution in the evidence presented by Mr Lewis. This contrasts with other infrastructure requirements that are dealt with much more fully. For the appellant Mr Short sought clarification through correspondence and the Council's position is that £172,310 is required for primary education and £175,360 for secondary education. In general terms I note that the Council is basing its demands on SPG. Such guidance does not carry the weight of adopted policies. Further, in this instance the SPG has not been subject to public consultation and this further reduces the weight that I attach to it. In my view demands of this type need full and rigorous justification along the lines of the tests set out in Circular 1/97.

27. The appellant is prepared to meet the Council's requirements regarding open space on the basis of a reasonable application of the Council's current policy. This matter is adequately covered in the Unilateral Undertaking. The Council has not carried out any detailed assessment to justify a request for 20 metre landscape belts along the northern and eastern boundaries. I am not prepared to accept that such an extensive area is reasonable in the absence of a thorough analysis and consider that this matter is best dealt with as part of the site layout. In relation to education, at the inquiry the Council accepted that there is spare capacity in secondary schools serving the area. As regards junior schools, the appellant contended that there is spare capacity in nearby Reading schools because pupils from Reading are using schools local to Shinfield. Consequently, it was argued that it is possible that over time places in local primary schools would become available for local pupils through displacement. The Council was unable to effectively counter this argument. In my judgement the Council failed to provide the sort of rigorous analysis required to justify the demand made for an educational contribution. The same applies to the demands for contributions for library, youth and community services.

28. In relation to access, at the end of the first day of the inquiry the Council raised an objection to the level of contribution proposed in relation to highways and related matters. The appellant is proposing a substantial junction improvement at Cutbush Lane/Hollow Lane, the provision of a foot way/cycle path along part of Cutbush Lane and new bus shelters in the vicinity of the appeal site. In addition, by way of a Supplemental Deed the proposed highway contribution for improvements to the A327/EOPR junction has been increased from £44,835 to £92,592. No highway evidence was called at the inquiry and the deemed reasons for refusal do not refer to highway matters. From the correspondence placed before me, which is relied on by both main parties, I am satisfied that the highway and related matters are adequately and reasonably dealt with by in the Unilateral Undertaking, the Supplemental Deed and the complementary highway conditions that are acceptable to the appellant.

Other matters

29. The Unilateral Undertaking satisfactorily provides for affordable housing in accordance with the requirements of the Council. The illustrative mix of dwellings satisfies the Council and demonstrates that the site can be developed in a way that would allow the emphasis to be placed on the provision of a high percentage of two and three bedroom dwellings.

30. I have taken into account all of the other matters raised in the representations and at the inquiry, including the impact of the scheme on the listed building. The Council do not consider that the proposal would have an adverse impact on the setting of Lane End Farmhouse. Although the layout is illustrative, I consider that it demonstrates that adequate space can be left around the listed building which, as a residential building, will in any event be complemented by the proposed scheme. I do not consider that the loss of the outbuildings would be significant as the contribution made by these buildings to the setting of Lane End Farmhouse has, in my view, already been compromised by the utilitarian buildings that have been erected close to the outbuildings. None of the other matters are of sufficient weight to override my conclusion that this appeal should be allowed.

Conditions

31. I have considered the conditions suggested by the officers when they prepared a report in September 1999 recommending that the proposal be allowed. Bearing in mind the guidance in paragraphs 86 – 88 of Circular 11/95 I do not consider that a condition withdrawing permitted development rights has been justified. The site is close to other residential properties and restrictions on operating hours during construction are appropriate. I do not consider that a condition relating to slab levels is required as this can reasonably be expected to be included in the submission of details of the site layout. A condition requiring the provision and retention of parking is reasonable but I shall simplify the wording used by the Council. I do not consider that conditions relating to operatives vehicles, mud and debris are essential as these matters can be dealt with more effectively under other legislation should the need arise. Boundary treatment should be covered by a condition in the interests of the appearance of the development. I accept the need for an archaeological condition and propose to use the model form. In the interests of pollution control I agree with restrictions on the storage of materials near the drainage ditch.

Conclusions

32. For the reasons given above I conclude that the appeal should, on balance, succeed and I shall exercise the powers transferred to me accordingly.

33. An applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally, or if the authority fails to give notice of its decision within the prescribed period.

34. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Schedule:

Appeal: T/APP/X0360/A/99/1026621/P4

The appeal is allowed and planning permission granted for the erection of 118 dwellings (29 x two-bedroom; 66 x three-bedroom; 23 x four-bedroom) in accordance with the terms of the application No: 99/701990/O dated 5 February 1999, and the plans submitted therewith, subject to the following conditions:

i. Approval of the details of the siting, design and external appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

ii. Plans and particulars of the reserved matters referred to in condition [i] above, shall be submitted in writing to the local planning authority and shall be carried out as approved.

iii. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

iv. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

v. The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority, and shall allow him or her to observe the excavations and record items of interest and finds.

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

vii. No dwelling shall be occupied until related parking and/or garaging and turning areas as shown pursuant to condition one has been provided. The parking and turning areas shall not thereafter be used for any purpose other than the parking or turning of vehicles.

viii. No more than 30 dwellings shall be occupied until such time as junction improvements at Cutbush Lane/Hollow Lane and the provision of a shared cycle way/foot way along Cutbush Lane as indicated on TPK drawing number 1106/02C have been constructed to the satisfaction of the local planning authority

ix. No dwelling shall be occupied until one of the proposed residential estate road junctions with Cutbush Lane has been constructed in accordance with details to be submitted to and approved in writing by the local planning authority.

x. During construction no solid matter shall be stored within 10 metres of the banks of the drainage ditch and thereafter no storage of materials shall be permitted in this area.

xi. No construction work of any sort shall take place on the site other than between the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1330 hours on Saturdays and not at any time on Sundays or Bank holidays

APPENDIX 9

via Swallowfield-Spencers Wood-Three Mile Cross

SPENCERS WOOD

via Shinfield Green

MONDAYS to FRIDAYS

Operator	TB	RB	TB	RB	RB	RB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	RB	RB	RB
Service	12	111	12	111 Sch	111 NSch	111	112	12	111	12	111	12	112	12	111	12	112	12	111 NSch	12	111 Sch	111 Sch	111 Sch	111 NSch
	AF	—	AF	—	—	—	—	AF	—	AF	—	AF	—	AF	—	AF	—	AF	—	AF	—	—	—	—
Riseley (Dog and Partridge)	0648*	—	0750*	0803	0803	—	—	0902*	—	1002*	—	1102*	—	1202*	—	1302*	—	1402*	—	1502*	—	—	1523	—
Swallowfield (Crown)	0651	0658	0753	0806	0806	0839	—	0905	0939	1005	1039	1105	—	1205	1239	1305	—	1405	1446	1505	—	1446	1526	1539
Spencers Wood, Beech Hill Road	—	—	—	—	—	—	0854	—	—	—	—	—	1139	—	—	—	1339	—	—	—	—	—	—	—
Spencers Wood (Post Office)	0654	0702	0756	0810	0810	0842	0855	0908	0942	1008	1042	1108	1140	1208	1242	1308	1340	1408	1449	1508	—	1450	1530	1542
Ryeish Green School	—	—	—	0814	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1510	1510	1534	—
Shinfield, School Green	—	—	—	—	—	—	0900	—	—	—	—	—	1145	—	—	—	1345	—	—	—	—	—	—	—
Three Mile Cross (Post Office)	0656	0704	0758	0817	0812	0844	—	0910	0944	1010	1044	1110	—	1210	1244	1310	—	1410	1451	1510	1513	1513	1537	1544
Whitley Wood (Engineers Arms)	—	0709	—	0822	0817	0849	0906	—	0949	—	1049	—	1151	—	1249	—	1351	—	1456	—	1525	1525	1542	1549
Whitley Wood (Post House)	0659	0711	0801	0825	0820	0851	0908	0913	0951	1013	1051	1113	1153	1213	1251	1313	1353	1413	1458	1513	1527	1527	1544	1551
READING Station ≠	0716	0725	0818	0847	0842	0905	0922	0930	1005	1030	1105	1130	1207	1230	1305	1330	1407	1430	1512	1530	1541	1541	1558	1605

Operator	TB	RB	TB	RB	TB	RB	RB	RB	RB	RB
Service	12 NSch	111 NSch	12 Sch	111 Sch	12	111	111	111	111 ThF	111 ThF
	AF	—	AF	—	AF	—	—	—	—	—
Riseley (Dog and Partridge)	1602*	—	1612*	—	1702*	—	1855	1949	2129	2229
Swallowfield (Crown)	1605	—	1615	—	1705	1751	1858	1951	2131	2231
Spencers Wood, Beech Hill Road	—	1614	—	1614	—	—	—	—	—	—
Spencers Wood (Post Office)	1608	1615	1618	1615	1708	1755	1902	1954	2134	2234
Ryeish Green School	—	—	—	1619	—	—	—	—	—	—
Shinfield, School Green	—	—	—	—	—	—	—	—	—	—
Three Mile Cross (Post Office)	1610	1617	1620	1622	1710	1757	1904	1956	2136	2236
Whitley Wood (Engineers Arms)	—	1622	—	1634	—	1802	1909	2001	2141	2241
Whitley Wood (Post House)	1613	1624	1623	1636	1713	1804	1911	2003	2143	2243
READING Station ≠	1630	1638	1640	1650	1730	1818	1925	2017	2157	2257

SATURDAYS

Operator	RB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	RB	RB	RB	RB
Service	111	111	12	111	12	111	12	111	12	111	12	111	12	111	12	111	12	111	12	111	111	111	111	111
	—	—	AF	—	AF	—	AF	—	AF	—	AF	—	AF	—	AF	—	AF	—	AF	—	—	—	—	—
Riseley (Dog and Partridge)	0736	—	0902	—	1002	—	1102	—	1202	—	1302	—	1402	—	1502	—	1602	—	1702	—	1843	1943	2129	2229
Swallowfield (Crown)	0739	0839	0905	0939	1005	1039	1105	1139	1205	1239	1305	1339	1405	1439	1505	1539	1605	1639	1705	1739	1846	1946	2131	2231
Spencers Wood (Post Office)	0742	0842	0908	0942	1008	1042	1108	1142	1208	1242	1308	1342	1408	1442	1508	1542	1608	1642	1708	1742	1849	1949	2134	2234
Three Mile Cross (Post Office)	0744	0844	0910	0944	1010	1044	1110	1144	1210	1244	1310	1344	1410	1444	1510	1544	1610	1644	1710	1744	1851	1951	2136	2236
Whitley Wood (Engineers Arms)	0749	0849	—	0949	—	1049	—	1149	—	1249	—	1349	—	1449	—	1549	—	1649	—	1749	1856	1956	2141	2241
Whitley Wood (Post House)	0751	0851	0913	0951	1013	1051	1113	1151	1213	1251	1313	1351	1413	1451	1513	1551	1613	1651	1713	1751	1859	1959	2143	2243
READING Station ≠	0805	0905	0930	1005	1030	1105	1130	1205	1230	1305	1330	1405	1430	1505	1530	1605	1630	1705	1730	1805	1913	2013	2157	2257

SUNDAYS

Service	111	111	111	111
Swallowfield (Crown)	1106	1306	1621	1821
Spencers Wood (Post Office)	1109	1309	1624	1824
Three Mile Cross (Post Office)	1111	1311	1626	1826
Whitley Wood (Engineers Arms)	1116	1316	1631	1831
Whitley Wood (Post House)	1118	1318	1633	1833
READING Station ≠	1132	1332	1647	1847

CODES

* = Time shown is at Riseley,The Bull
AF = Journey from Aldershot and Fleet
NSch = Not Schooldays
RB = Operated by Reading Buses
Sch = Schooldays only
TB = Operated by Tillingbourne Bus Company
ThF = Operates Thursday and Friday only

CHILDREN'S FARES AFTER 10.00pm

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After this time, children must pay the adult fare. Child Travelcards, however, remain valid.

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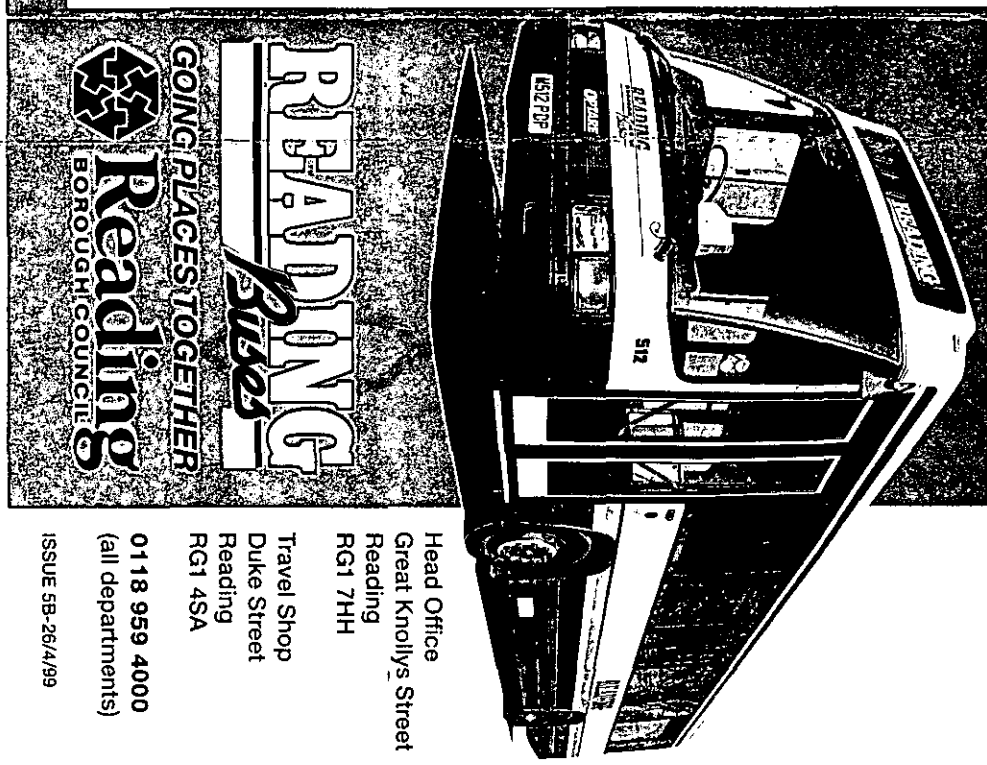

Time TABLES

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111
SPENCERS WOOD
SWALLOWFIELD
RISELEY

112
SHINFIELD
SPENCERS WOOD

READING Buses

GOING PLACES TOGETHER

Reading BOROUGH COUNCIL

Head Office
Great Knollys Street
Reading
RG1 7HH

Travel Shop
Duke Street
Reading
RG1 4SA

0118 959 4000
(all departments)

ISSUE 5B-26/4/99

READING RISELEY
via Three Mile Cross-Spencers Wood-Swallowfield

READING SPENCERS WOOD
via Shinfield Green

111
112

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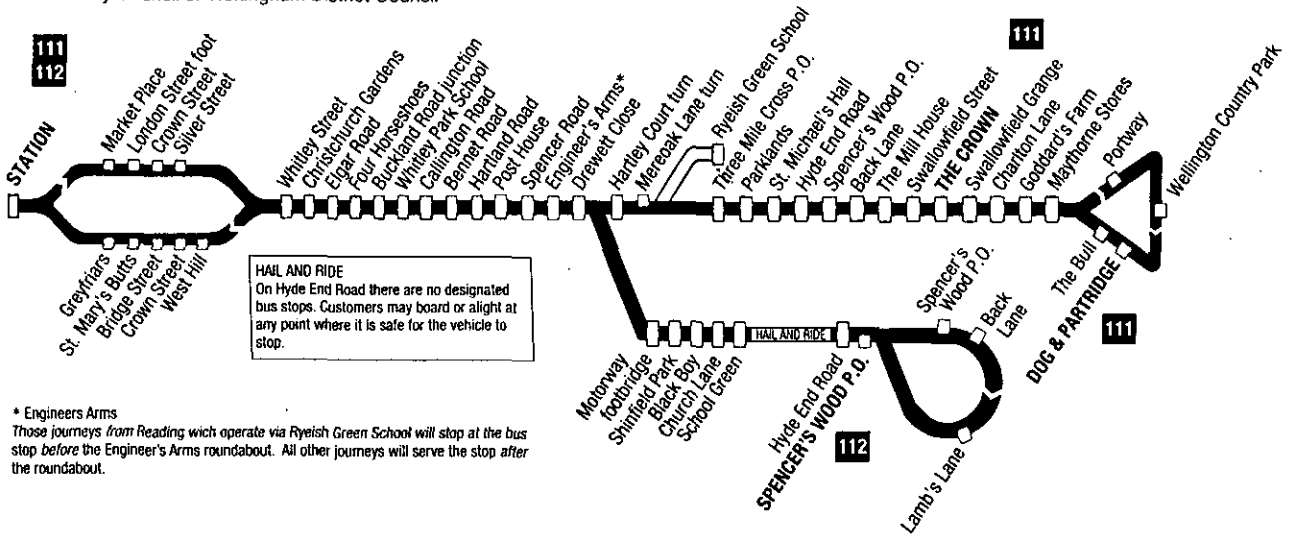

HAIL AND RIDE
On Hyde End Road there are no designated bus stops. Customers may board or alight at any point where it is safe for the vehicle to stop.

* Engineers Arms
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Journeys which terminate at Swallowfield operate via Basingstoke Road (B3349) and serve Swallowfield Grange, The Crown and Swallowfield Street in the Reading-bound direction

MONDAYS to FRIDAYS

Operator	RB	RB	RB	RB	RB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	RB	TB	RB	TB
Service	111	111	111	111	111	111	12	111	12	111	12	112	12	111	12	112	12	111	12		111	12	112	12
		Sch	NSch	Sch	Sch	NSch														Sch	NSch			
READING Station ⇌ stop SL	0630	0728	0732	0758	0755	0810	0840	0910	0940	1010	1040	1110	1140	1210	1240	1310	1340	1410	1440	1445	1510	1540	1545	1610
Whitley Wood (Post House)	0642	0740	0744	0807	0809	0824	0857	0924	0957	1024	1057	1124	1157	1224	1257	1324	1357	1424	1457	1459	1524	1557	1559	1627
Whitley Wood (Engineers Arms)	0644	0742	0746	0809	0811	0826	—	0926	—	1026	—	1126	—	1226	—	1326	—	1426	—	1501	1526	—	1601	—
Ryeish Green School	—	0748	—	0823	0825	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1510	—	—	—	—
Shinfield, School Green	—	—	—	—	—	—	—	—	—	—	—	1132	—	—	—	1332	—	—	—	—	—	—	1607	—
Three Mile Cross (Post Office)	0649	0751	0751	—	0828	0831	0900	0931	1000	1031	1100	—	1200	1231	1300	—	1400	1431	1500	1513	1531	1600	—	1630
Spencers Wood (Post Office)	0651	0753	0753	—	0830	0833	0902	0933	1002	1033	1102	1137	1202	1233	1302	1337	1402	1433	1502	1515	1533	1602	1612	1632
Spencer Wood, Beech Hill Road	—	—	—	—	—	—	—	—	—	—	—	1138	—	—	—	1338	—	—	—	—	—	—	1613	—
Swallowfield (Crown)	0656	0757	0757	—	0835	0838	0905	0938	1005	1038	1105	—	1205	1238	1305	—	1405	1438	1505	1519	1538	1605	—	1635
Riseley (Dog and Partridge)	—	0800	0800	—	—	—	0908*	—	1008*	—	1108*	—	1208*	—	1308*	—	1408*	—	1508*	1522	—	1608*	—	1638*
	—	—	—	—	—	—	FA	—	FA	—	FA	—	FA	—	FA	—	FA	—	FA	—	—	FA	—	FA

Operator	TB	RB	TB	RB	TB	RB	RB	RB
Service	12	111	12	111	12	111	111	111
							ThF	ThF
READING Station ⇌ stop SL	1640	1710	1740	1820	1845	1920	2100	2200
Whitley Wood (Post House)	1657	1727	1757	1837	1857	1934	2114	2214
Whitley Wood (Engineers Arms)	—	1730	—	1840	—	1936	2116	2216
Ryeish Green School	—	—	—	—	—	—	—	—
Shinfield, School Green	—	—	—	—	—	—	—	—
Three Mile Cross (Post Office)	1700	1735	1800	1845	1900	1941	2121	2221
Spencers Wood (Post Office)	1702	1737	1802	1847	1902	1943	2123	2223
Spencer Wood, Beech Hill Road	—	—	—	—	—	—	—	—
Swallowfield (Crown)	1705	1741	1805	1851	1905	1946	2126	2226
Riseley (Dog and Partridge)	1708*	—	1808*	1854	1908*	1948	2128	2228
	FA	—	FA	—	FA	—	—	—

SATURDAYS

Operator	RB	RB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	TB	RB	RB
Service	111	111	111	12	111	12	111	12	111	12	111	12	111	12	111	12	111	12	111	12	111	12	111	111
READING Station ⇌ stop SL	0705	0810	0910	0940	1010	1040	1110	1140	1210	1240	1310	1340	1410	1440	1510	1540	1610	1640	1710	1740	1810	1845	1910	2100
Whitley Wood (Post House)	0718	0824	0924	0957	1024	1057	1124	1157	1224	1257	1324	1357	1424	1457	1524	1557	1624	1657	1724	1757	1824	1857	1924	2114
Whitley Wood (Engineers Arms)	0720	0826	0926	—	1026	—	1126	—	1226	—	1326	—	1426	—	1526	—	1626	—	1726	—	1826	—	1926	2116
Three Mile Cross (Post Office)	0725	0831	0931	1000	1031	1100	1131	1200	1231	1300	1331	1400	1431	1500	1531	1600	1631	1700	1731	1800	1831	1900	1931	2121
Spencers Wood (Post Office)	0727	0833	0933	1002	1033	1102	1133	1202	1233	1302	1333	1402	1433	1502	1533	1602	1633	1702	1733	1802	1833	1902	1933	2123
Swallowfield (Crown)	0732	0838	0938	1005	1038	1105	1138	1205	1238	1305	1338	1405	1438	1505	1538	1605	1638	1705	1738	1805	1838	1905	1938	2126
Riseley (Dog and Partridge)	0735	—	—	1008*	—	1108*	—	1208*	—	1308*	—	1408*	—	1508*	—	1608*	—	1708*	—	1808*	1841	1908*	1941	2128
	—	—	—	FA	—	FA	—	FA	—	FA	—	FA	—	FA	—	FA	—	FA	—	FA	—	FA	—	—

Operator	RB
Service	111
READING Station ⇌ stop SL	2200
Whitley Wood (Post House)	2214
Whitley Wood (Engineers Arms)	2216
Three Mile Cross (Post Office)	2221
Spencers Wood (Post Office)	2223
Swallowfield (Crown)	2226
Riseley (Dog and Partridge)	2228
	—

SUNDAYS

Service	111	111	111	111
READING Station ⇌ stop SL	1040	1240	1555	1755
Whitley Wood (Post House)	1054	1254	1609	1809
Whitley Wood (Engineers Arms)	1056	1256	1611	1811
Three Mile Cross (Post Office)	1101	1301	1616	1816
Spencers Wood (Post Office)	1103	1303	1618	1818
Swallowfield (Crown)	1106	1306	1621	1821

CODES

* = Time shown is at Riseley,The Bull
FA = Continues to Fleet and Aldershot
NSch = Not Schooldays
Sch = Schooldays only

RB = Operated by Reading Buses
TB = Operated by Tillingbourne Bus Company
ThF = Operates Thursday and Friday only

APPENDIX 10

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Approval of Permission

University Of Reading
C/O Haslams
156 Friar Street
Reading
Berkshire
RG1 1HH

Application Number: O/2000/2292

Parish:	**SHINFIELD**
Location:	**Lane End Farm/Horticultural Station, Cutbush Lane, Shinfield, Reading.**
Proposal:	**Outline application for the proposed erection of 142 dwellings consisting of 35 x 2 bedroom, 79 x 3 bedroom and 28 x 4 bedroom houses.**

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

Condition

1. a) Approval of the details of the siting, design, slab levels, external appearance of the buildings, the landscaping treatment of the site (hereinafter called "the reserved matters") and haul routes for construction vehicles shall be obtained from the Local Planning Authority in writing before any development is commenced.

b) Application for approval of the reserved matters referred to in a) above shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

c) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Condition

2. No development shall take place until a programme of archaeological work has been implemented in accordance with a written scheme for investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body approved in writing by the Local Planning Authority.

Condition
3. 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.

Condition
4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected or planted. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Condition
5. 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.

Condition
6. No dwelling shall be occupied until related parking and/or garaging and turning areas as shown pursuant to condition one have been provided. The parking and turning areas shall not thereafter be used for any purpose other than the parking or turning of vehicles.

Condition
7. No more than 30 dwellings shall be occupied until such time as junction improvements at Cutbush Lane/Hollow Lane and the provision of a shared cycleway/footway along Cutbush Lane as indicated on TPK drawing number 1106/02C have been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Condition
8. No dwelling shall be occupied until one of the proposed residential estate road junctions with Cutbush Lane has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Condition
9. During construction no solid matter shall be stored within 10 metres of the banks of the drainage ditch and thereafter no storage of materials shall be permiited in this area.

Condition
10. Surface water drainage works shall be carried out in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority before development commences.

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

Condition
12. Development shall not begin until, if required, a scheme for protecting the proposed dwellings 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 which form part of the approved scheme shall be completed before any dwelling hereby approved is occupied, unless an alternative period is agreed in writing by the Local Planning Authority.

Condition
13. 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.

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

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

Reason
1. a) No such details have been submitted.
b) & c) In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

Reason
2. To allow adequate archaeological investigation before any archaeological remains are disturbed by the approved development.

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

Reason
4. In the interests of visual amenity.

Reason
5. In the interests of visual amenity.

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

Reason
7. In the interests of highway safety and convenience.

Reason
8. In the interests of highway safety and convenience.

Reason
9. In order to prevent pollution of the water environment.

Reason
10. To prevent the increased risk of flooding.

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

Reason
12. To ensure that the occupants do not suffer from unacceptable high noise levels within the proposed dwellings.

Reason
13. To ensure any contamination of the site is remedied and to protect existing/proposed occupants of the application site and/or adjacent land.

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

Reason
15. In the interests of highway safety and convenience.

Informative
1. The developer is advised that the Local Planning Authority would expect the reserved matters application to accord with the advice on density in paragraph 58 of PPG3.

Informative
2. 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, EN6, LD5 and LD6.

Loddon Area Local Plan Policies LH8, LBE1, LBE2, LBE21, LBE22, LBE8, LT5, LT6 and LPS7.

Deposit Draft Wokingham District Local Plan Policies WOS2, WH2, WH6, WBE1, WLL7, LT5, LT6, WHE15, WHE16B and WOS4.

A Cronin

Anna Cronin
Head of Planning and Transportation
Date: 18th September 2001

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.

APPENDIX 11

- the package approach to funding of local authority transport expenditure, looking beyond car-based options and encouraging alternatives to the car;
- the commitment to raising fuel duties by at least 5 per cent per annum on average in real terms as part of the UK programme to reduce total UK emissions of CO_2 to 1990 levels by 2000;
- the establishment of the Greener Motoring Forum, a partnership between central and local government, the motor industry and other interested parties, which aims to promote "greener" motoring;
- the review of the roads programme, concentrating on the removal of accident, congestion and pollution black spots;
- the development of national sustainable development indicators and research to take greater account of environmental factors in national transport decision-making.

2. PLANNING PRINCIPLES

5–366 *This section sets out some of the planning principles which local authorities should consider when taking forward* PPG13.

STRATEGIC PLANNING

Settlement size

2.01 Size is an important influence on the range of activities within settlements and hence the scope for reducing the need to travel. A medium or large settlement can be relatively more self-sufficient in that it offers a full range of employment, goods, services and activities. Within a city, each locality can offer a sufficient diversity to meet simple daily needs. Diversity should increase with the size of a centre and its associated catchment population.

2.02 If a settlement is too small to support a full range of employment and services, people may be obliged to travel to other settlements to meet their needs. Size will often determine the level of public transport provision that can be supported.

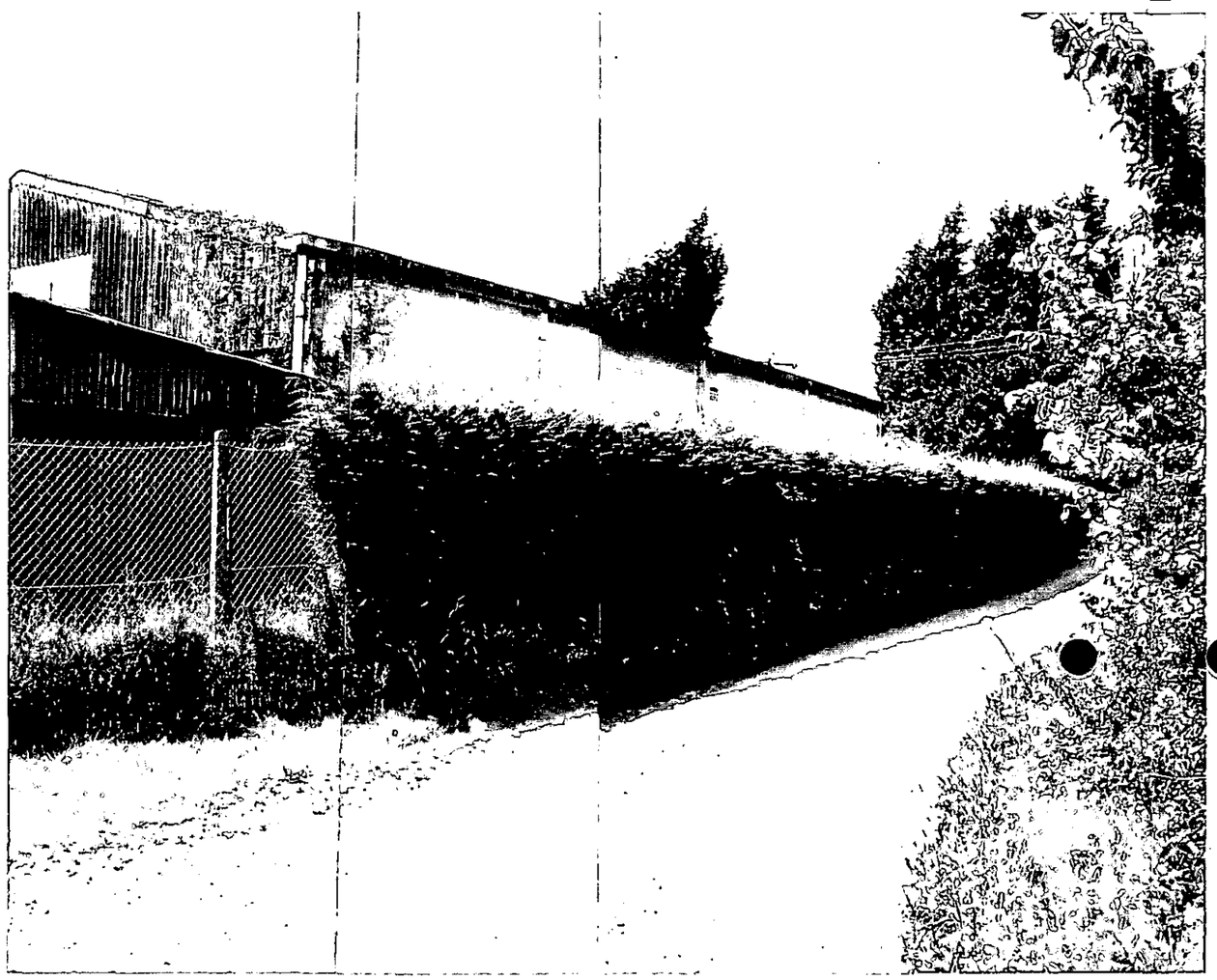
2.03 The aim of strategic policy should be to maintain diversity where it exists and to promote it where it is lacking, for example:

- housing expansion can be planned in relation to employment expansion within the town; and
- new development for housing or economic activity can be located within settlements that have a high level of diversity, or to exploit the use of existing or planned public transport services.

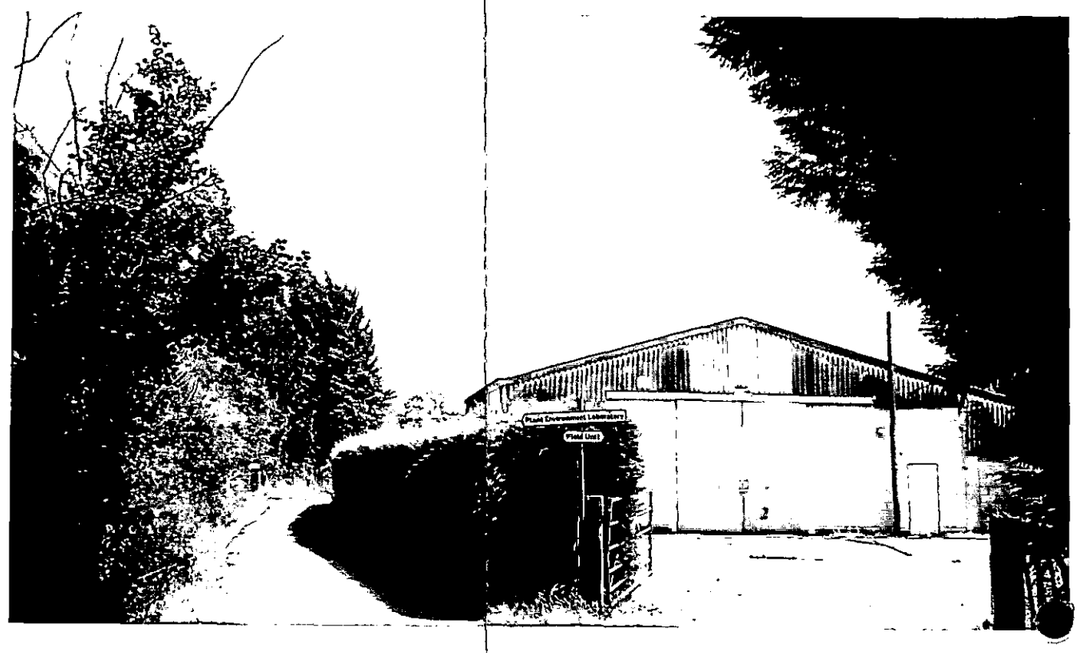
Proximity and threshold distances

5–367 2.04 At a very basic level, the closer homes and activities are to one another, the less need there will be for travel. The degree of proximity will largely determine the choice of travel mode that is available (or potentially available). This can be thought of as threshold distance.

2.05 Where distances exceed 1 mile (about 1.6 km) only a small proportion of people will walk. Where distances exceed about 5 miles (8 km) only a small proportion of people will regularly cycle, even where good facilities are provided. Other modes are less sensitive to distance, but motorised modes are rarely used for trips of around half a mile (0.8 km) or less. Rail travel usually offers an advantage only for trips longer than about 3 miles (5 km). The closer the activities, the greater is the opportunity to walk or cycle.



PHOTOGRAPH 5



PHOTOGRAPH 7



PHOTOGRAPH 6

Appeal site



PHOTOGRAPH 8



PHOTOGRAPH 9

Views of Nine Acre Caravan site obtained from Nine Mile Ride.



PHOTOGRAPH 10

APPENDIX 3

Application No. F/2001/3767 | **Received** 09.04.01 | **Shinfield**

Applicant: David Dean
Location : Land adjoining Grange Lodge, Cutbush Lane, Shinfield
Proposal : Change of use of vacant land to stationing of 3 mobile homes for gypsies

1. **Planning History** – This 0.2 ha. triangular site is undeveloped land. There are some trees and hedging around the boundaries of the site. On the east side Grange Lodge has windows facing westwards towards the application site. On the south west side is the University's Plant Science Laboratory, with a public footpath between. On the opposite side of Cutbush Lane is 'Cutbush', a listed building with barn attached adjacent to Cutbush Lane. There is no planning history on the application site.

2. **Proposal** – Is to station 3 mobile homes for occupation by gypsies (unnamed). The site plan shows 3 mobile homes each with 2 standard sized car parking spaces. An additional plan showing visibility splays is expected and will be reported to the Committee.

   The application is before the Committee due to significant public interest.

3. **Consultations** -

   - ***Shinfield Parish Council :*** "The Shinfield Parish Council strongly objects to this planning application. It fails to satisfy WH12 in that need has not been established. There is in fact an adverse impact on the open character of the countryside. The vista across the Loddon valley would be blocked should the site be made visually well contained as required by condition B of this policy. There would be an adverse effect on the amenities enjoyed by nearby properties. The area is designated WDDLP archaeological site and is subject to the requirements of policies WHE15 and WHE16b. Finally, it interferes with the setting of a grade II listed building."
   - ***108 signature petition:*** "We the residents of Cutbush Lane and Oatlands Road object to the application for a permanent gypsy site in Cutbush Lane. This lane is very popular with residents for walks, and the Site is alongside two public footpaths and on one of our last surviving tranquil country lanes which is used extensively by a large portion of local residents."
   - ***73 letters of objection on the following grounds:***

   - Proposal would be visually intrusive and out of character in this quiet rural lane. (was woodland copse, now bulldozed).
   - Out of character with listed building opposite.
   - Too near existing houses. Would generate noise, litter, disturbance, nuisance and intimidation, and discourage use of the nearby public footpath. Fear of thefts and intimidation.
   - There have been previous problems with gypsies camping at the end of Cutbush Lane .
   - Unlikely in practice to be limited to 3 mobile homes, due to visiting caravans and intensified use of the site.
   - Would reduce value of existing properties.

- Additional traffic generated would exacerbate existing congestion problems which will already be added to by proposed housing site on Cutbush Lane.
- Would also add to pressure on educational service.

- ***Council's Consultant Archaeologist :*** Advises the proposal does not carry any archaeological implications.
- ***Environmental Health Officer :*** No objections.
- ***Environment Agency :*** No objection.
- ***Highway Officer :*** Requires revised plan showing visibility splays. Any comments on the expected additional plan showing visibility splays will be reported verbally to the Committee.
- ***Conservation Officer :*** Does not consider the impact of the proposal on the listed building would warrant refusal.
- ***Crime Prevention Design Adviser :*** The site is very close to surrounding property and likely to generate some future concerns as a result of this. On the basis of the risk of friction with surrounding land use and residential amenity, the police view is not to support this application. However, if the Council is minded to grant approval recommends conditions.

4. **Appraisal** – Main issues are:

   A. Effect on the character and appearance of the area. (Berkshire Structure Plan Policies C2 and H11; Loddon Area Local Plan Policy LTV2; Wokingham District Local Plan Policies WCC1 and WH12; Planning Policy Guidance Note 7; Circular 1/94).

   B. Effect on nearby residential properties.

   C. Sustainability

   D. Appeal Decision at Meadowside.

   E. Concerns of the Parish Council and local residents.

A. Effect on the character and appearance of the area

The site is outside a settlement boundary. As the proposed development is not of a type which may be allowed in principle under Policies C2, LTV2 and WCC1, it is contrary to these policies.

Wokingham District Local Plan Policy WH12 covers gypsy sites. The policy supports the provision of gypsy sites in principle providing that a need has been adequately demonstrated and subject to 6 criteria (a)-(f) referred to below.

Need: There are no gypsies living on the site and no named gypsies in demonstrable need of a site are proposed. However, there is a general shortage of gypsy sites in the area and all the existing sites and pitches in the District are occupied.

Criterion (a): "There is no adverse effect on the appearance or open character of the countryside". - The site is undeveloped land in a small

enclave of development in the countryside and has existing development adjacent to its boundaries. Therefore the proposal would not have an adverse effect on the *open* character of the countryside. However, the 3 mobile homes, and hardstanding, parking and manoeuvring areas would have an urbanising appearance and would consolidate and intensify existing development in this enclave. In practice, each plot is also likely to have a touring caravan and other vehicles parked on it. Therefore, in practice, the areas of hardstanding could be more extensive than shown on the proposed plan, and would be difficult to control. - As the listed building 'Cutbush' is on the opposite side of Cutbush Lane, it is considered that the effect of the proposed development on its setting would not be unacceptable.

Criterion (b): "The site is visually well-contained or provides opportunity to be made so". - There are existing trees/bushes/hedging around most of the site boundaries. There are some gaps and the vegetation is thin in places. However, this could be overcome by additional planting. It is therefore considered that the proposal could comply with this criterion.

Criteria (c) and (d): These are addressed in Sections B and C below.

Criterion (e): "There is easy and safe access to the primary road network". - It is considered that the proposal complies with this criterion as Hollow Lane (A327 Shinfield Road) is at the west end of Cutbush Lane.

Criterion (f): "There is no significant adverse effect on any interest of nature conservation importance". - The site is not of designated nature conservation importance.

Circular 1/94: Paragraph 14 of Circular 1/94 states that sites may be found on the outskirts of built-up areas and in rural or semi-rural settings, but should avoid encroachment on the open countryside. However, paragraph 22 states that permission must be consistent with countryside and environmental policies.

Berkshire Structure Plan Policy H11 refers to gypsy transit sites and is not directly relevant as the proposal is for a permanent site.

Conclusion on effect on the character and appearance of the countryside
It is considered that the proposal would have an unacceptable effect on the character and appearance of the countryside, and it would be contrary to criterion (a) of Policy WH12.

B. Effect on nearby residential property
Criterion C of Policy WH12 requires that "There is no significant adverse effect on the amenities of neighbouring properties". - Grange Lodge is a two-storey house with windows facing westwards towards the application site. This house is about 5½ metres at its nearest point from the east side boundary of the application site, and would be about 13 metres at the nearest points from the mobile home on plot 1. As the mobile homes would be single storey, unacceptable overlooking could be avoided by sufficient boundary screening. Providing the site were to be laid out as shown with lawned rear gardens and additional boundary planting, the effect could be acceptable. However, if the rear garden areas were to be hardstanding with vehicles

and/or any non-domestic activities, the effects on Grange Lodge would be unacceptable. This would need to be strictly controlled but in practice this would be very difficult to monitor and control. Therefore it is considered that the proposal would affect the residential amenities of Grange Lodge to an unacceptable extent, and would be contrary to Policy WH12(c).

As the residential accommodation at Cutbush is screened from the site by its barn, it is considered that the effect on it would not be unacceptable.

C. Sustainability

Criterion (d) of Policy WH12 requires that "The site is within a reasonable distance of local services and facilities". - It is considered that the proposal does not comply with this criterion as the nearest bus stop on Hollow Lane (A327 Shinfield Road) at the west end of Cutbush Lane is 900m away. There are basic shops, etc. in Shinfield Village, which are even further away. It is considered that easy walking distance should be interpreted as being less than 400 metres (about 5 minutes walking time), and anything over 800 metres (about 10 minutes walking time) will increasingly result in car trip rather than walking. 'PPG13: A Guide to Better Practice' sets a threshold of 800 metres below which distance motorised modes are rarely used. Wokingham District is one of the more affluent parts of the country with high levels of car ownership. Hence, the unavailability of a car will not be a significant constraint on the use of the car for journeys greater than 800m.

D. Appeal decision at Meadowside

The applicant's consultant has drawn attention to a recent appeal decision at Meadowside, Park Lane, Finchampstead, for 2 gypsy mobile homes, which was allowed (copy attached), in particular to the latter part of paragraph 6. However, each application should be considered on its own merits and it is considered that this does not set a precedent for allowing the current application, particularly as gypsies had already moved onto the Meadowside site at the time of that application and appeal.

E. Concerns of the Parish Council and local residents

These have been noted and addressed above. It is not possible to make an assumption that any particular group of people is more likely to commit crime in the local area. Reduction in property values is not a planning matter.

5. **Conclusion** – Whilst the proposal would provide additional plots for gypsy accommodation which policies encourage in principle, it is considered that this does not outweigh the objection to the proposal on the grounds of the detrimental effect it would have on the character and appearance of the area.

6. **Recommendation** – REFUSE planning permission for the following reason:

1. The proposed development would have an urbanizing effect, would consolidate and intensify existing sporadic development, and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to The Berkshire Structure Plan Policy C2, The Loddon Area Local Plan Policy LTV2 and to The Wokingham District Local Plan Policies WCC1 and WH12.

2. The proposed development would cause unacceptable loss of amenity to existing residential property. The proposal would there fore be contrary to Loddon Area Local Plan Policy LBE2 and to Wokingham District Local Plan Policies WBE1 and WH12.

3. Due to the distance of the application site to the nearest bus stop and local facilities, the proposed development is not within a reasonable distance of local services and facilities, and hence is not in a location which would minimise car-borne trips. The proposal would therefore be contrary to Berkshire Structure Plan Policy LD1, Wokingham District Local Plan Policies WOS1 and WH12 and Government guidance.

INFORMATIVES

You are advised, in compliance with *The Town & Country Planning (General Development Procedure) (England) (Amendment) Order 2000*, that the following policies and/or proposals in the development plan are relevant to this decision:
Berkshire Structure Plan policies C2, H11 and LD1.
Loddon Area Local Plan policies LTV2, and LBE2.
Deposit Draft Wokingham District Local Plan policies WCC1, WH12, WBE1 and WOS1.

Angela Odell

APPENDIX 4

Appeal Decision

Inquiry held on 05 December 2000

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

by D Roger Dyer BA Dip Arch RIBA FCIArb FASI
Barrister
an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

Date
24 JAN 2001

Appeal A: Ref: APP/X0360/C/00/1045150-1
Meadowside, Park Lane, Finchampstead

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mrs A MacDonald and Mrs A Stewart against the decision of Wokingham District Council to issue an enforcement notice.
- The Council's reference is 00/97/E.
- The notice was issued on 10 May 2000.
- The breach of planning control as alleged in the notice is "without planning permission, change of use of the land to use for stationing of a caravan or caravans for residential purposes".
- The requirements of the notice are "(i) stop using the land for stationing of a caravan or caravans; (ii) remove from the land all caravans from the land; (iii) remove from the land all portable structures including all portaloos and dog kennels; (iv) remove from the land all hardstanding; (v) restore the land to its original condition, that is, in the condition it was before the unauthorised change of use took place".
- The period for compliance with the requirements is three months.
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the 1990 Act.

Summary of Decision: The appeal is allowed and the notice is quashed.

Appeal B: Ref: APP/X0360/A/00/1045176
Meadowside, Park Lane, Finchampstead

- 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 Mrs A MacDonald and Mrs A Stewart against the decision of Wokingham District Council.
- The application (ref: 99/70806/F), dated 9 November 1999, was refused by notice dated 21 June 2000.
- The development proposed is "change of use to permanent gypsy site involving the siting of two mobile homes".

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

The appeal on ground (a) and the Section 78 appeal

1. The appellants have purchased and occupy an approximately square site of about 0.33 hectares on the east side of Park Lane, Finchampstead. Although the area is generally well developed, mainly with detached houses and bungalows and lies near a large modern

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industrial estate, the surroundings are described as sporadic development in the countryside. To the south of the site is a bungalow "Well Cottage" and to the north side is a chalet bungalow "Misting Meadows". At the rear is a field, which appears to be used in connection with horses. Nearby there are caravans, some of which are part of a caravan site. The land on the immediate opposite side of Park Lane is undeveloped but beyond is a sports ground between Park Lane and the industrial estate referred to above.

2. The land surrounding the appeal site, including the local housing development is designated as a green gap/wedge on the proposals map in the emerging local plan. In the main this area lies between Finchampstead and Wokingham but also skirts the major army garrison at Arborfield.

3. The appellants, two related families of eight people, have gypsy status. They have travelled within a 5 to 10 mile radius of the appeal site for about 30 years. In each case the husbands work away from home. They have developed the site by stationing two mobile homes on the land together with an access with a tarmacadam finish. There are other areas of hardstanding.

Planning Policy

4 For the purposes of section 54A of the 1990 Act the development plan comprises the Berkshire Structure Plan 1995 and the South Eastern Area Local Plan 1994 (SEALP). While the structure plan is up to date, the local plan is time expired in relation to housing matters and therefore carries less weight. The emerging Wokingham District Local Plan awaits the Inspector's report.

1. Structure Plan policy C2 permits development outside built-up areas and settlement boundaries only where it is required for agriculture or forestry; or for the re-use, adaptation or redevelopment of existing buildings; or for other development for which a rural location is essential. Policy C6 aims to conserve and protect the setting and separate identity of settlements and communities and to that end development will not be permitted in "green wedges" and "gaps" (including an area identified between Wokingham and Finchampstead North). Policy H11 requires adequate provision to be made for gypsy transit sites within the County and sets out criteria to be included in the site selection process.

2. The SEALP largely mirrors the structure plan provisions. Policy STV2 is similar to structure plan policy C2, substituting the expression "any purposes wholly appropriate to a rural area" for "other development for which a rural location is essential.

3. In the emerging local plan, policy WH12 states that the Council will normally consider favourably planning applications for gypsy sites, whether permanent or transit, outside the Green Belt, provided that a need has been adequately demonstrated and subject to criteria. These are mainly addressed to the impact of the development on the countryside and neighbouring properties but also include local services and the road network and require the site to be well-contained or to provide the opportunity for it to be made so.

Main issues

4. From the submissions made at the inquiry and from what I saw at my site inspection I have come to the conclusion that the principal considerations in these appeals are first, whether the proposals would comply with policies aimed to protect the countryside or "gap" policies and, secondly, if not whether other material considerations would outweigh any harm so caused.

Reasons

Issue 1: The policy considerations

5. The Council submits that it is not enough to show that for some reason an urban site has not been found as justification for compatibility with structure plan policy C2. The appellant's witness had accepted that there was nothing that made the appeal proposal unsuitable for an urban location. In a similar case locally it had been decided on appeal that mere inability to find a site within an urban area would not bring a proposal within the provisions of criteria (iii) of C2. The settlement boundary is a matter for definition in the local plan but there had been no duly made objection to the boundary in this location. Accordingly, the Council submits that there is no reason to afford less weight to the site's policy position as a countryside site, nor for treating the site as one that lies some way between urban and rural in policy terms.

6. In terms of structure plan policy C6, the Council notes that compliance will depend on a judgement as to whether the development threatens important open areas which are of special significance such as a green wedge or a gap. No challenge has been made to the gap designation in this location and therefore that designation should, in the Council's submission, be afforded full weight. The reason for designating land as a gap or wedge is strategic policy. In the Council's view, by definition such land falls in an important open area that provides visual and physical separation between settlements. Equally, it says, the land is situated in an area where there is a risk of coalescence, loss of community identity or increased urban character; and a risk of loss of access to the open countryside. The Council submits that if a proposal for built housing development (which it says is the essence of the appeal proposal) is made in the gap, it is very likely to affect the function of the site in the gap. The key consideration is the increased urbanisation of the site, and its effect on the physical and visual separation of settlements.

7. Turning to structure plan policy H11, the Council says that it is a policy that does not apply directly to the proposal, which is for a permanent site. It says it is relevant to note, though, that the strategic approach in the structure plan (revised in 1997) accords with Circular 1/94 in that the reference to six permanent-stay sites were considered adequate by the County Council; and in that the expression in policy H11 itself that "such development will not normally be appropriate in areas of land where development is severely restricted" reflects paragraph 13 of the Circular. It cannot be said that the structure plan did not take note of Circular 1/94. Crucial to this point is to decide whether the site is "severely restricted" in policy terms.

8. While the SEALP would allow development that is appropriate to a rural area, in the Council's submission housing cannot be regarded as appropriate in principle. Paragraph 14 of Circular 1/94 has to be read in conjunction with paragraph 13 (which it says would suggest that countryside locations that are severely restricted do not come within the category of locations in paragraph 14). The Council relies on the conclusions of the inspector who decided the Highfield Park case and found that the permanent residential occupation of that case would consolidate and intensify an area of existing sporadic development away from any identified settlement. In the Council's view sporadic development is well defined in that decision letter as "unplanned growth of settlements" It is a pejorative term, and the site falls in an area which is accepted to be an example of such poor planning.

9. Similar considerations have to be weighed in regard to the emerging local plan in the Council" submission. The presumption in favour of development is subject to the caveats in policy WH12 particularly since here the site's development (a) would have an adverse effect on the appearance and open character of the countryside and (b) is not visually well contained.

10. For my part, an appreciation of the site shows that a balance has to be struck. Although it is in an area designated as a "gap" with surrounding sporadic development, an examination of the site does not support an obvious conclusion of that premise. In my judgement the surrounding dwellings and other buildings and uses in the locality indicate a more intense form of development. While the appeal site has generous dimensions, it is bounded on both sides by neighbouring houses on similar size plots and the site "reads" with the existing development to the rear. There is evidence of caravan use in the past which, it is said for the appellants, may explain its inclusion in the sporadic development area. Having regard to these matters I do not consider that the development under consideration would harm the setting and separate identity of the existing settlement; it is a well-integrated part of the local community and thus would not defeat the aims of structure plan policy C6. I do not consider that there would be any unduly increased urbanisation of the site.

11. I appreciate that there is little evidence to show that the appellants have attempted to find a site within an urban area. However, the reality is that land in an urban setting would not offer similar advantages to the appellants. Having regard to the effect of the development on its surroundings, it seems to me unlikely that they would find other properties in either an urban or a rural community that would have as little impact. In all the circumstances of this case I do not consider that the development would lead to coalescence nor do I believe that it would lead to an increased urban character. In my judgement it is appropriate to a rural area. The openness of the site would allow opportunities for landscaping that would enhance the locality. I do not accept that there would be a loss of access to the open countryside because the location of the site, surrounded on three sides by other development and uses, does not afford that benefit.

12. As to policy H11, although it is said not to apply in areas of land where development is severely restricted, I consider that for the reasons set out above the site has to be construed as suitable for the development proposed. I do not consider that the circumstances here can realistically be compared with the Highfield Park case. In this case there would not be similar consolidation or intensification. While I accept that the structure plan took note of Circular 1/94, it has to be noted that the Government encourages gypsies to seek private sites.

13. Having regard to all these matters I have come to the conclusion that the development under consideration accords with central and local policy objectives.

Other material considerations

14. The Council says that having regard to the Human Rights Act 1998, while it acknowledges that the right to property and private life under Article 8(1) and First Protocol Article 1 are relevant, these have to be weighed against any harm to the public interest in countryside terms. It would be wrong, says the Council, to stress the need case to the extent that any need for housing becomes an overriding consideration in planning terms.

15. However in my judgement the rejection of the appellants' case would result in the

appellants having to leave their land. I accept the submissions for the appellants that such steps have to be proportionate to the harm, if any, caused by their staying. In this case, though, for the reasons set out above I do not consider that there is serious harm to policy objectives, nor do I consider that there is harm to local interests. Accordingly I shall allow these appeals subject to conditions.

The ground (g) appeal

16. As these appeals are allowed and permission granted, I do not need to consider the ground (g) appeal.

Conditions

17. The appellants have offered to accept a landscaping condition and I have come to the conclusion that, while the development is not harmful in itself, suitable landscaping would ensure compatibility with surrounding development. To that extent, I consider that it would be necessary and relevant to the development to be permitted. Accordingly I shall impose that condition to the permission that I shall grant. I accept, though, the Council's submission that the imposition of a temporary consent is inappropriate. The conditions suggested by the Council would restrict the number of plots on the site and the numbers of units on each plot while preventing commercial use on the land. It also seeks a condition limiting outdoor storage. In view of the nature of the locality I consider that all these conditions are necessary for the use sought in this case.

Conclusions

18. While there are finely balanced considerations in this case, I conclude that permission should be granted. The development is not harmful to local interests and does not seriously conflict with policy aims and considerations.

Formal Decisions

The Section 174 appeal

19. In exercise of the powers transferred to me, I allow the appeal and direct that the enforcement notice be quashed.

The section 78 appeal

20. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for change of use to a permanent gypsy site involving the siting of two mobile homes at Meadowside, Park Lane, Finchampstead in accordance with the terms of the application No: 99/70806/F dated 9 November 1999, and the plans submitted therewith, subject to the following conditions:

(1) There shall be no more than 2 plots on the appeal site.

(2) There shall be not more than one mobile home and one caravan stationed on each plot.

(3) No commercial, business or other non-residential activity shall be carried out on the land to which this permission relates other than that which is incidental to the residential occupation of the mobile homes stationed thereon.

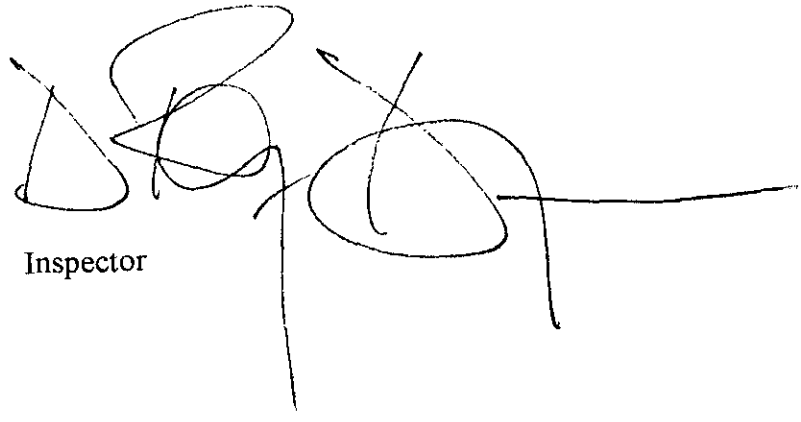
(4) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels

or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground.

Information

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

22. This decision does not convey any approval or consent that may be required under any enactment, byelaw, order or regulation other than section 57 of the Town and Country Planning Act 1990.



Inspector

APPENDIX 5

RAS/P

Department of the Environment and Department of Transport

Common Services

Room 1417 Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

Direct line 0272-218 927

Switchboard 0272-218811

Mendoza and Janes
10 Golden Square
LONDON W1R 3AN

RECEIVED 23 JUL 86

Your reference

Our reference
T/APP/H0330/A/85/039849/P4

Date
22 JUL 86

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR ROY COOPER
APPLICATION NOS: F23720

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above-mentioned appeal against the decision of the Wokingham District Council, to refuse planning permission for the stationing of 13 mobile homes on land at Pineridge Farm, Nine Mile Ride, Wokingham, Berkshire. I held a local inquiry into the appeal on 14 and 15 May 1986.

2. The appeal site of 0.915 ha lies on the southern side of Nine Mile Ride to which it has a frontage width of 70 m. The site is 200 m deep and is bordered by mixed well grown woodland to the east and west and open fields to the south. The opposite side of Nine Mile Ride has a built-up frontage of 2 storey houses and terraced cottages extend some 250 m to the west of the appeal site and in a more varied and intermittent form over 200 m to the east. An appeal relating to 30 mobile homes on a larger site, including the present site, was dismissed in 1984 under the reference T/APP/H0330/A/84/012272.

3. The core planning policy relating to the appeal site is Policy ENV of the Central Berkshire Structure Plan (1980) which is a policy restraining development in areas having a rural character. This policy is reflected in more detailed policies in the District Council's South East Area Local Plan Approved Development Control Draft, which is dated 1985 and following public discussion is the operative development control policy of the District Council.

4. In April 1985 the eastern part of the appeal site was cleared of trees, except for about 12 pines and a few others on the Nine Mile Ride frontage. It has subsequently been laid out and in large measure occupied as a mobile home site but without the benefit of any planning permission. Enforcement action has been initiated by the District Council, Stop Notices have been issued and a High Court injunction obtained against the occupiers of the land, though its effect is delayed pending the outcome of this appeal which is against the refusal of a planning application submitted in May 1985. The application was accompanied by a plan indicating the subdivision of the eastern part of the site into 13 plots, a pattern which has been generally followed in the development of the site. The western part of the site was however shown blank. This land is currently occupied by 5 mobile homes which stand within woodland and have the benefit of temporary planning permissions. The inquiry was not concerned directly with the future of that part of the site and the appeal has been carried forward in the name of the appellant by the owners and current occupiers of the eastern part of the site. The grounds of the appeal are that the occupiers of the site are gypsies as statutorily defined and that the application should be considered in the light of Circulars 28/77, 57/78 and 8/81 as a self-help gypsy site.

1

5. On the basis of the material presented to me at the inquiry and of my inspection of the site, I consider that the issues in this appeal are first whether in the particular circumstances of this case the policies of rural restraint are outweighed by the need to provide suitable sites in the area for gypsy occupation and second the effects of the proposal on road safety and on neighbourhood amenity.

6. Your case is put forward on the basis of there being a shortage of sites to meet the special accommodation needs of gypsies and in the light of advice in Circulars 28/77 and 57/78 that the special need to accommodate gypsies and the consequences of not accommodating them should be taken into account as a material consideration in reaching planning decisions. You submit that the occupiers of the site are gypsies and that they have a history of residing in or resorting to the area. Mr Ball spoke of his personal links with the area around Wokingham and his history of being evicted from unauthorised sites some of which he occupied in company with others who are now fellow occupiers of the appeal site. While the Wokingham District Council has a comparatively good record of providing council-run gypsy sites the quantity and quality of authorised sites available is inadequate to the need and this is particularly true if a wider area is considered including neighbouring districts in Hampshire and Surrey. There are currently no authorised private gypsy sites in the Wokingham District, though private sites not only save public expenditure on the provision of Council run sites, recently estimated at £15 000 per caravan, but are also generally of a higher standard and better maintained.

7. The Council take the view that the occupiers are not all gypsies and do not all have traditional links with the Wokingham area. The application was made for mobile homes and the occupants can be taken for ordinary Berkshire residents. The Council's own provision of 30 plots meets the local gypsy need and the occupiers of the site could be accommodated either on ordinary mobile home sites within the District which contain over 300 pitches or on the Billingbear Gypsy Site where there are current vacancies. The District does not have a transit site for gypsies which is why Wokingham has not been designated under the 1968 Act but such a site is being sought with the co-operation of the County Council.

8. Mr Tier acting on behalf of the Parish Council also questioned the gypsy status of many of the occupiers of the site, the extent of their links with the Wokingham area and the extent to which they had been in need of a place to live before occupying the appeal site in an unauthorised way.

9. On the basis of the evidence presented to me and in particular in the light of the testimony of Mr Ball and Mr McClew, the County's gypsy liaison officer I am satisfied of the gypsy status of the appellants and that at least the majority of them do have substantial links with the general area within which Wokingham District lies. The official statistics for July 1985 identified 114 unauthorised gypsy encampments in Wokingham and the 5 District Council areas to the south and east as against 100 council run pitches and 36 privately owned authorised pitches. This demonstrates to my satisfaction that the appeal site would meet a real need for additional gypsy sites and would be of particular value in adding to the number of private pitches available to gypsies. On the evidence of the existence of a waiting list for pitches at the Twyford Orchard gypsy site at the same time as there are vacancies at Billingbear I consider that the latter which is subject to a high level of vandalism would not provide accommodation that was adequate in quality or quantity to meet the needs of the occupants of the appeal site and that most if not all of them would be likely to go to other unauthorised encampments if displaced from the appeal site.

10. The Council and Mr Tier, speaking for the Parish Council drew my attention to the rural restraint policies which apply to this site and were the basis behind the appeal decision made in 1984. The residential development to the north of the appeal site does not form part of a recognised settlement in the South East Area Local Plan Draft Map and the whole area including the appeal site is predominantly rural in character forming a gap between the settlements of Crowthorne to the south and The Rides to the west.

11. You did not question the existence or relevance of the local policies but consider there is a need to balance the policies of rural restraint against the special considerations attaching to gypsy cases.

12. In my view the gypsy aspects of this case do make a material change in the circumstances encountered in the 1984 appeal even though that included the appeal site and was also for mobile homes. I have taken particular notice of paragraph 32 of Circular 28/77 which refers to gypsy sites possibly being accepted even where there are policies in force which are severely restrictive of development. The rural restraint policies applying to the appeal site are less onerous than those quoted in the circular and in my opinion the extent of gypsy need in the county and in adjacent Districts is substantial. In these circumstances I consider that there is a case for overriding the rural restraint policies but that before determining this appeal it is first necessary to examine the detailed impact that the proposal would have on the surrounding area.

13. The District Council and the Parish Council hold that the site's position beside a fast section of road leading to the M3 and carrying substantial traffic flows, means that the proposed use, which would involve a high proportion and large number of heavy vehicle movements, raises a substantial hazard to road users in a location where drivers would not expect to encounter an access. The Parish Council are also concerned about the effect on traffic levels and traffic flow on Nine Mile Ride especially in peak hours and in the context of substantial new housing development occuring in the general neighbourhood. The Council referred to sub-standard visibility splays at the entrance to the site and to deficient turning radii for rigid heavy vehicles.

14. You accept that there is a need to improve visibility at the entrance to the site even though there have been no recorded accidents during your clients' occupation of the site or over the longer period when the access has been used for the 5 mobile homes on the western part of the appeal site. You also referred to the parking of lorries on land to the east of the appeal site which has not given rise to reported accidents. Your measured wet weather 85 percentile vehicle speed of 47.5 mph westbound and 43.5 mph eastbound were accepted by the Council and with minor modifications at the access the appropriate visibility splays of 120 m in each direction or the higher standard of 160 m would be obtained at a distance from the carriageway of 2.4 m.

15. I observed the speed of traffic on Nine Mile Ride which is an unusually straight road especially for its status as a district distributor. I do not consider the proposal would make any material difference to traffic flow while the highway safety aspect is primarily affected by visibility of and to the proposed junction. The required modifications at the junction involve setting back a pillar and clearance of vegetation within the highway boundary and this could be readily achieved. Were this to be done I consider that no substantial road safety hazard would arise from the use of this site as proposed.

16. The Council consider that the mobile home site would have a substantial effect on the amenities of the residents on the north side of Nine Mile Ride. Previously they looked out on to uninterruped woodland. They would now be disturbed by noise and night time illumination from the residential use of the site and other activities of the site's occupiers. Mr Tier reported that the extent of local concern, which was reflected in the Parish Council's being represented at the inquiry and by the number of local people attending in person, was largely a result of the unauthorised development and occupation of the site which had been in defiance of planning controls. There was also concern at the effect of the proposal on the value of property.

17. In your view the effect of the proposal on the amenities of those living to the north of Nine Mile Ride was small. Unusually objection to the site had been based not on the argument that the occupiers were gypsies but that they were not. There had been no objection raised by the occupants of the 5 mobile homes nearest to the occupied site and the occupiers of the site are seeking its development as a residential site. They are self-employed but most of them use vans for their carpet businesses and only 4 lorries are parked on the site at night. You proposed that a condition should be imposed prohibiting business activity other than the overnight parking of one lorry per pitch and that a condition relating to further planting on the site would also be appropriate.

18. The removal of trees from the appeal site has undoubtedly affected its visual amenity but this was not an activity requiring planning permission nor is it part of the proposal before me. That proposal relates to the erection of mobile homes some 3½ m high along a 70 m frontage of Nine Mile Ride and partially screened by a frontage wall about 1 m high and a side fence about 2½ m high. The mobile homes are in contrast with the adjacent woodlands and even to the well landscaped mobile homes to the west, but from Nine Mile Ride the site is largely screened by the trees to east and west and although deserving protection as part of general rural restraint policies I do not consider the woodlands to be of particularly high amenity value to the general public. With improved screening to Nine Mile Ride I consider that the site could be made to blend in visually to an acceptable degree.

19. Turning to the effect of the proposal on neighbouring residential development. No evidence was presented of loss of amenity to the 5 adjacent mobile homes which have only temporary planning permissions and I am satisfied that provided no industrial or commercial uses apart from lorry parking are engaged in the 26 m between the front gardens of Kingsbridge Cottages and the front boundary of the appeal site is sufficient separation to prevent the latter suffering an undue loss of privacy and amenity from development of the appeal site as a private residential gypsy site especially as traffic on Nine Mile Ride is already a major source of noise from the south. Any loss of property value is not a material planning consideration.

20. You have proposed that a condition of any permission attaching to this appeal is that the occupation of the site should be restricted to gypsies within the statutory definition. While the enforceability of such a condition was questioned, I recognise that it is fundamental to the case that you have presented at appeal and that in practice such a condition has not led to particular operational problems.

21. I have considered all the other matters raised but they do not affect my conclusions that the local circumstances at the appeal site are not such as to raise substantial planning objections to your proposal that cannot be overcome by the imposition of suitable planning conditions while the need for gypsy accommodation in Wokingham and adjacent districts is such as in my judgement to outweigh the policies of rural restraint applying to the appeal site.

22. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the stationing of 13 mobile homes on land at Pineridge Farm, Nine Mile Ride, Wokingham, Berkshire in accordance with the terms of the application No (F) 23720 dated 15 May 1985 and the plans submitted therewith, subject to the following conditions:

1. The development hereby permitted shall be begun not later than 5 years from the date of this letter.

2. The site shall not be occupied by any persons not falling within the definition of gypsy at Section 16 of the Caravan Sites Act 1968.

3. Proposals for improvement of the access to the site from Nine Mile Ride shall be submitted to the Local Planning Authority within 3 months of the date of this letter and works to carry out the approved proposals shall be carried out within 6 months of this approval.

4. No materials shall be stored and no work shall be carried out in connection with any commercial, industrial or business activity, in the open on any part of the site other than the overnight parking of one lorry per pitch.

5. Within 12 months of the date of this letter trees shall be planted on the land in such positions of of such species as may be agreed with the local planning authority. Any trees removed, dying, severely damaged or diseased within 2 years of planting shall be replaced by trees of similar size and species.

23. Attention is drawn to the fact that an applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

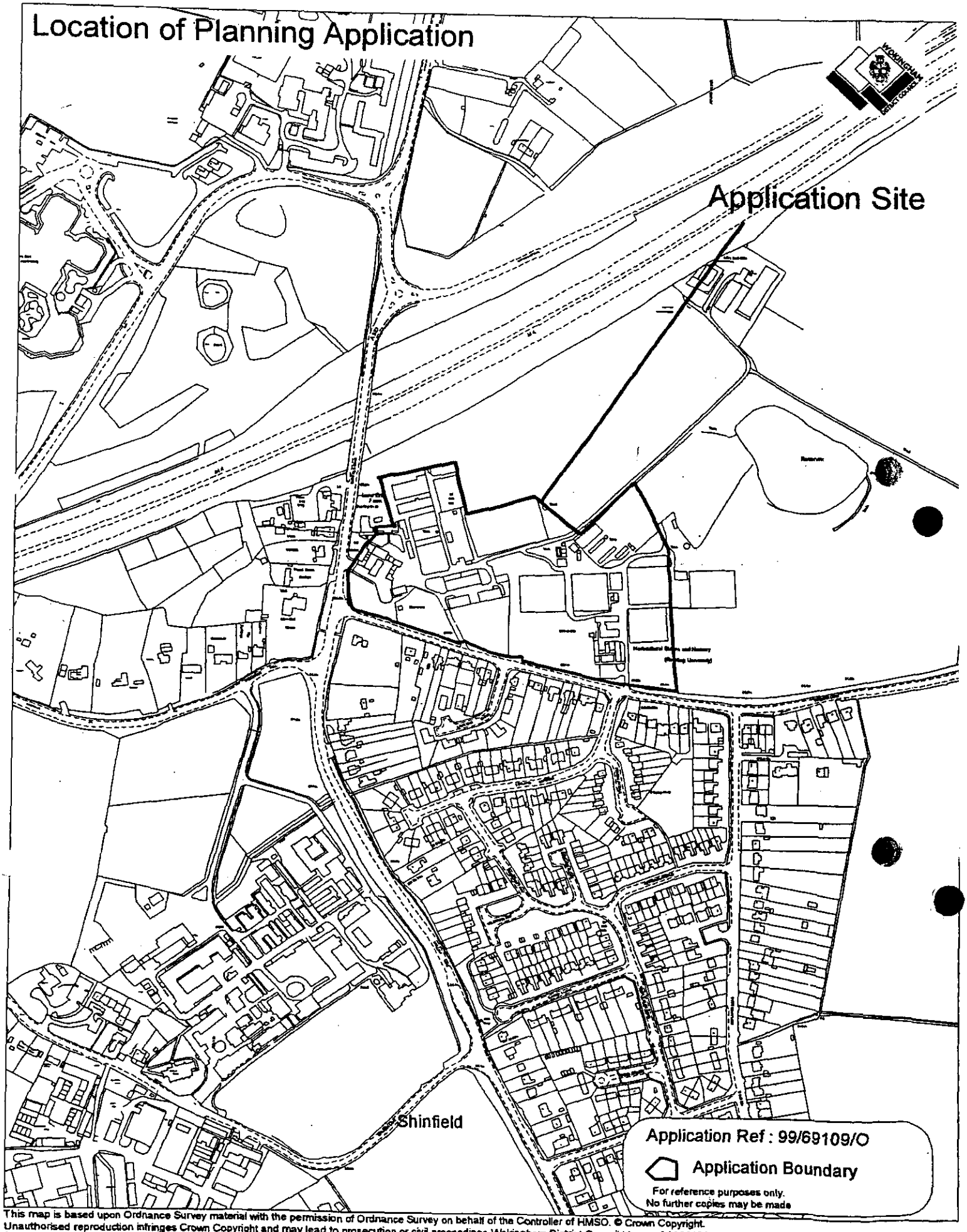
24. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971.

I am Gentlemen
Your obedient Servant

Simon E. Gibbs.

SIMON E GIBBS MA MSocSc MRTPI
Inspector

APPENDIX 6



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Development Control Section, Environmental Services, Wokingham District Council.
13 October 1999

Scale: 1 : 5000

APPENDIX 7

APPEAL BY MR DEAN

AGAINST THE REFUSAL BY WOKINGHAM DISTRICT COUNCIL

OF

PLANNING APPLICATION NO: F/2001/5297

FOR

THE CHANGE OF USE OF VACANT LAND TO STATIONING OF TWO MOBILE HOMES FOR GYPSIES

AT

LAND ADJOINING GRANGE LODGE, CUTBUSH LANE, SHINFIELD, READING.

RECEIVED
18 JUL 2002
PINS AA PEP

HEARING STATEMENT

OF

SALLY WALKER B A Hons M.R.T.P.I.

THE HLEY PLANNING CONSULTANCY
Town Planning and Development Consultants

Qualifications and Experience

This proof of evidence has been prepared and written by Sally Walker who holds a Bachelor of Arts Honours Degree in Town Planning at the University of the South Bank. She is a chartered Town Planner and has been a Corporate Member of the Royal Town Planning Institute for 15 years.

Sally Walker has, prior to setting up her own town planning and development consultancy, worked in both the private and public sectors, including Travers Morgan Plc, the London Borough of Southwark, Surrey Heath Borough Council and Bracknell Forest Borough Council. She has headed development control teams and planning enforcement teams during her time in local government.

She is a member of the Executive Committee of the South-East Branch of the Royal Town Planning Institute.

1.0 BACKGROUND

1.1 This appeal has been lodged against the refusal of planning application no: F/2001/5297 by Wokingham District Council. This application sought full planning permission for the change of use of vacant land to the stationing of two mobile homes for gypsies at land adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading. The application submitted comprised the completed Part 1 & 2 planning application forms, a Certificate of Ownership, a location plan at scale 1: 2500, a block plan at scale 1: 500 and a drawing no: 2336/01/B at scale 1: 200. Copies of all of these documents have already been sent to the Planning Inspectorate.

1.2 This planning application was refused under the powers delegated to the District Planning Officer on 24th June 2002 for the following two reasons:-

1. ***"The proposal would have a detrimental effect on the appearance and open character of the countryside and is therefore contrary to part (a) of policy WH12 and policy WCC1 of the Wokingham District Local Plan and policy C2 of the Berkshire Structure Plan."***

2. ***"The application site is not within a reasonable distance of local services and facilities. The proposal is therefore contrary to part (d) of policy WH12 of the Wokingham District Local Plan and policy LD1 of the Berkshire Structure Plan."***

1.3 A copy of this decision has already been sent to the Planning Inspectorate.

2.0 APPEAL SITE DESCRIPTION

2.1 The appeal site measures 0.1 ha in area and comprises a triangular piece of land on the south-east side of Cutbush Lane. This land is vacant, generally level and overgrown. It has boundary vegetation in the form of trees and shrubs. To the north-east on the opposite side of the appeal site, is an L-shaped property known as Cutbush. This a listed building, but has been the subject of extensive refurbishment works which have come to a halt before completion. To the immediate east of the appeal site is a two storey residential property known as Grange Lodge. The south-western boundary of the appeal site is adjacent to a public footpath, the other side of which is an agricultural building, the Plant Science Laboratory of Reading University.

3.0 RELEVANT PLANNING HISTORY OF THE APPEAL SITE

3.1 Last year on 20th June 2001, planning application no: F/2001/3767 was refused. This sought full planning permission for the change of use of vacant land comprising the appeal site to the stationing of 3 mobile homes for gypsies. A copy of the decision notice comprises **Appendix 1** of this statement.

4.0 DEVELOPMENT PLAN CONTEXT

4.0.1 For the purposes of Section 54 A of the Town & Country Planning Act the approved development plan is the Berkshire Structure Plan 1991 - 2006, (BSP) adopted in November 1995.

4.0.2 There is no up-to-date local plan. The Loddon Area Local Plan, (LALP) was adopted in May 1995. However, it had a plan period which expired on 31st March 1996. The Planning & Transportation Committee of the Local Planning Authority, (LPA) resolved in

November 1996 that apart from policies relating to housing provision, all other policies would be regarded as having the weight as the most up-to-date adopted policies.

4.0.3 There is currently a district-wide local plan in preparation. This takes the form of the Wokingham District Local Plan Deposit Draft, (WDLPDD). A public local plan inquiry into the plan has taken place and the Inspector's report was published last November. It is currently anticipated that Further Modifications to the Deposit Draft will be published for consultation purposes in October of this year.

4.0.4 Within the LALP the appeal site is identified as being within a rural area and within the WDLPDD it is identified as being within the countryside. In both plans the appeal site is identified as being within a larger area of archaeological potential. However, no archaeological issues have in fact been identified by the LPA in its consideration of the appeal application. Within the LALP the appeal site falls within an area which is subject to the River Valleys Area Policy, however those that apply to the Loddon Valley (within which the appeal site is located) relate to recreational development. This is clearly not relevant to the appeal development.

4.0.5 Within its two reasons for refusing the appeal application, the LPA has cited policies from the BSP and WDLPDD, but not the LALP, presumably on the basis that the publication of the Inspector's report means that more weight should be attached to the policies contained within the Deposit Draft. Indeed perhaps it is indicative that it considers that the policies of the Deposit Draft should outweigh those of the LALP because the latter is clearly out-of-date.

4.1 Berkshire Structure Plan.

4.1.1 Within its reasons for refusing the appeal application, the LPA has cited two policies from the BSP. These are Policies C2 and LD1. Copies of both of these policies have already

been sent to the Planning Inspectorate by the LPA. Policy C2 prescribes that outside built-up areas and settlement boundaries development will be strictly controlled and permitted only where it falls within one of three defined categories of development. Of these I consider that it is reasonable to treat the appeal development as being one that falls within category (iii): *"other development for which a rural location is essential."*

4.1.2 Policy LD1 prescribes that in considering development proposals account will be taken of the extent to which development is sustainable.

4.2 Wokingham District Local Plan Deposit Draft.

4.2.1 Within its reasons for refusing the appeal application the LPA has cited policies WH12, (parts (a) and (d)) and WCC1. Again copies of these policies have already been sent to the Planning Inspectorate by the LPA.

4.2.2 Policy WH12 prescribes that the Council will normally consider favourably planning applications for gypsy sites, permanent or transit outside of the green belt, provided that need has been adequately demonstrated and subject to other relevant policies within the plan and demonstrable compliance with a total of six criteria. Criterion (a) requires that there is no adverse impact on the appearance or open character of the countryside. Criterion (d) requires that the site is within a reasonable distance of local services and facilities.

4.2.3 Policy WCC1 provides that development outside of settlement boundaries will only be allowed in exceptional circumstances and will be strictly controlled through the application of detailed policies and provisions of the plan. Development to be acceptable must fall within at least one of five defined categories.

5.0 CASE FOR THE APPELLANT

5.1 Reason for refusal no.1.

5.1.1 In its first reason for refusal the LPA asserts that the appeal development would have a detrimental effect upon the appearance and open character of the countryside. The appearance of the appeal site within the area of countryside within which it is located is illustrated in Photograph nos. 1 - 8, (**Appendix 2**). It is immediately apparent when viewing these photographs that the appeal site is not open, but rather is screened by boundary vegetation. The character of this section of Cutbush Lane, I consider, is characterised by trees and shrubs adjacent to the highway and buildings in the form of a range of residential properties and the agricultural building mentioned in paragraph 2.1 of this statement. This is apparent by reference to the Ordnance Survey extracts to be found at no. 4 in the appellant's appeal documentation bundle and that included in **Appendix 2** of this statement. Indeed it can be clearly seen that the appeal site is bounded on all sides by the curtilages of other buildings. It is therefore not contiguous with a tract of open countryside which is highly visible within the landscape. Rather it is a plot of land which is enclosed by buildings and which has become overgrown.

5.1.2 Of the buildings that are adjacent to the appeal site I draw the Inspector's attention in particular to the large agricultural building visible in Photograph nos. 5 & 7. This is the aforementioned Reading University's Plant Science Laboratory. It can be seen that this building is highly visible from both the public vantage points of Cutbush Lane and the public footpath that runs in between the appeal site and this agricultural building. By contrast, the two proposed mobile homes would only be visible from the access to the appeal site. Indeed I consider that it is primarily only proposed mobile home A that would be visible.

5.1.3 In addition, immediately opposite the appeal site is the listed building known as Cutbush, with an attached barn. Although listed this has been the subject of extensive renovation works which have been abandoned. This building currently is boarded up and consequently has an adverse impact, in my opinion, upon the character of this particular part of Cutbush Lane.

5.1.4 I consider that the committee report of the LPA's professional planning officers in respect of the previous application no. F/2001/3767, for the change of use of the appeal site to the stationing of 3 mobile homes for gypsies, gives useful pointers as to how the officers view the appeal site within its local context and what contribution it makes to the character of this particular area of the countryside. A copy of the relevant committee report comprises **Appendix 3** of this statement.

5.1.5 In particular I draw the Inspector's attention to the "Appraisal" section of the committee report. On the matter of assessing the impact upon the appearance or open character of the countryside the officers stated that: **"The site is undeveloped land in a small enclave of development in the countryside and has existing development adjacent to its boundaries. Therefore the proposal would not have an adverse effect on the *open*** (the LPA's emphasis) **character of the countryside."** By reading on it is clear what harm the officers considered that the siting of 3 mobile homes, (as opposed to the now proposed siting of 2 mobile homes) at the appeal site would have upon the countryside. Thus the next sentence of the committee report states: **"However, the 3 mobile homes, and hardstanding, parking and manoeuvring areas would have an urbanising appearance and would consolidate and intensify existing development in the enclave."** The hardstanding referred to was in fact intended to be gravel as is the case with this appeal application.

5.1.6 I consider that we can derive from this that the LPA's professional planning officers consider that the siting of 3 mobile homes and an area of hardstanding, (gravel) at the

appeal site would have an urbanising, consolidating, intensifying impact, but no adverse impact upon the open countryside, whereas the siting of two mobile homes and an area of hardstanding (gravel), would have an adverse impact upon the appearance of the open countryside, but would not have an urbanising, consolidating or intensifying impact. These differing views are reflected in the first reasons for refusal on each of the two applications. On the surface there would appear to be logic behind these two differing viewpoints. Thus how can the siting of two mobile homes with the same area of hardstanding proposed as with the three mobile homes, have an adverse impact on the open countryside, whereas the siting of three mobile homes does not ? I consider that logic would dictate that if the siting of three mobile homes does not have an adverse impact on the open countryside then the siting of one less mobile home will equally not have an adverse impact. The main difference that the reduction in the number of proposed mobile homes has made is that the planners consider that this has mitigated the urbanising, consolidating and intensifying effect upon the countryside. If this has been so mitigated and taking the above logic on board, I consider, that the obvious conclusion to reach, is that the siting of two mobile homes will not have any adverse impact upon the countryside.

5.1.7 I consider that the value of the existing vegetative screen has been acknowledged by the LPA's professional planning officers because in the reasons for refusal, the LPA is not asserting that the appeal development is contrary to part (b) of Policy WH12. This states that the site should be visually well-contained or provide the opportunity to be made so. It is clear from the photographs comprising **Appendix 2** that the appeal site is visually well-contained and there is opportunity for it to be enhanced by additional landscaping. This could be secured by means of a condition imposed upon a planning permission, should the Inspector be minded to allow this appeal.

5.1.8 I consider that relevant to the determination of this appeal is the Inspector's decision is respect of a refused planning application and an enforcement notice served in respect of the change of use of land to a permanent gypsy site involving the siting of two mobile

homes at Meadowside, Park Lane, Finchampstead. A copy of the Inspector's decision comprises **Appendix 4** of this statement. This site is also within the boundary of Wokingham District Council within a rural area or area of countryside, but in addition it is also located within an area of the countryside defined as being a green wedge or gap considered important to maintain so as to prevent the coalescence of settlements. It therefore was a site with more restrictive development policies applicable to it than the current appeal site.

5.1.9 The Meadowside site is also very different from the Cutbush Lane site in that it is very open to public view from the highway in front of it, Park Lane. The owners of the Meadowside site upon occupation, completely cleared the site of all vegetation and at the time of the appeal the front boundary of the site was marked by a low, (approximately 1 metre high) close boarded fence. However, despite this context, the Inspector's view of that appeal development upon the character and appearance is clear, thus within paragraph 10 of his decision letter he states: **"In my judgement the surrounding dwellings and other buildings and uses in the locality indicate a more intense form of development. While the appeal site has generous dimensions, it is bounded on both sides by neighbouring houses on similar size plots and the site "reads" with the existing development to the rear... Having regard to these matters I do not consider that the development under consideration would harm the setting and separate identity of the existing settlement... I do not consider that there would be any unduly increased urbanisation of the site."**

5.1.10 In the next paragraph the Inspector goes on to state that: **"In all the circumstances of this case I do not consider that the development would lead to coalescence nor do I believe that it would lead to an increased urban character. In my judgement it is appropriate to a rural area. The openness of the site would allow opportunities for landscaping that would enhance the locality. I do not accept that there would be a**

loss of access to the open countryside because the location of the site, surrounded on three sides by other development and uses, does not afford that benefit."

5.1.11 Whilst it is accepted that each case must treated on its own merits, I do however, consider that in this case there are important points in that Inspector's decision that are extremely pertinent to this current appeal. Clearly the Inspector took account of the openness of the Meadowside site, but nonetheless regarded this as an opportunity to landscape the site and that this would enhance the locality. Furthermore, the Inspector, despite the fact that the mobile homes are clearly visible, did not consider that they had had an urbanising effect. I consider it extremely noteworthy, that in the Meadowside case that site is surrounded on three sides by development, as is this appeal site.

5.1.12 I also consider it extremely noteworthy that the Inspector in the Meadowside case considered that the siting of two mobile homes in the countryside to create a permanent gypsy site, was appropriate to a rural area. Hence he considered that there was no conflict with the provisions of Policy C2 of the BSP. Indeed the Inspector saw no conflict with the relevant policies, hence the statement contained within paragraph 15 of his decision letter which states as follows: **"... I do not consider that there is serious harm to policy objectives ..."** I consider given this judgement, that there can be no basis for dismissing this appeal on the basis that there is conflict with policy C2 of the BSP or WCC1 of the WDLPDD as is asserted by the LPA in its first reason of refusal.

5.1.13 There is also another permanent gypsy site within Wokingham District Council which I consider is relevant to this appeal. That is Pine Ridge Farm, Nine Mile Ride, Wokingham. The appearance of this site from the public highway to the front, (Nine Mile Ride) is illustrated in Photographs 9 & 10, (**Appendix 2**). (These photographs have been wrongly labelled as Nine Acre Caravan site).

5.1.14 The Pine Ridge Farm gypsy site was granted full planning permission for the stationing of 13 mobile homes on 22 July 1986 at appeal. A copy of this appeal decision comprises **Appendix 5**. That site measures 0.915 hectares and has a frontage of 70 metres. The Inspector in that case placed great weight upon the gypsy aspects of the case, but in respect of the impact upon the character and appearance of the area the Inspector concluded as follows: **"The mobile homes are in contrast with the adjacent woodlands and even to the well landscaped mobile homes to west, but from Nine Mile Ride the site is largely screened by the trees to the east and west and although deserving protection as part of general rural restraint policies I do not consider the woodlands to be of a particularly high amenity value to the general public. With improved screening to Nine Mile Ride I consider that the site could be made to blend in visually to an acceptable degree."** Clearly that Inspector placed importance upon visual screening and even when not present along the frontage of the site, at the time of his decision, as at Meadowside, he similarly sought to secure frontage vegetation by the imposition of a landscaping condition. I do not know if this condition has been implemented, but it is clear that this site is highly visible from the public vantage point of Nine Mile Ride. By contrast this appeal site is well screened by boundary vegetation.

5.1.15 I consider that on the day of the hearing it would be an extremely useful exercise to visit both the Meadowside and the Pine Ridge Farm sites, so that the visual comparisons that I have drawn upon above can be seen directly by the Inspector.

5.2 <u>Reason for refusal no. 2.</u>

5.2.1 In this reason for refusal the LPA asserts that the appeal site is not within a reasonable distance of local services and facilities.

5.2.2 Firstly, this assertion is completely contrary to the views expressed by the Highway Authority in respect of an outline planning application to develop land at the junction of

Cutbush Lane and Shinfield Road with 118 houses. The location of the land in question is identified on the plan comprising **Appendix 6**. On the matter of the level of access to public transport that the occupiers of the proposed houses would have, the Highway Authority relied upon evidence contained within Traffic Impact Assessments which had been produced by both the applicant's and the Council's highway consultants, Babtie. These both concluded on this particular matter that levels of public transport south of the M4 would need to be improved to encourage shift from the private car, despite the fact that the site was within 400 metres walking distance of an established bus route. A copy of the planning officer's committee report in respect of application no: 99/69109/O comprises **Appendix 7** of this statement. This contains a summary of the Highway Authority's consultation response.

5.2.3 At the appeal against the non-determination of this application no highway evidence was called at the inquiry and the deemed reasons for refusal did not refer to highway matters, despite the comment made by the Highway Authority. The Inspector on highway matters considered that the appellants Unilateral Undertaking to: substantially improve the junction at Cutbush Land and Hollow Lane; provide a footpath/cycle path along part of Cutbush Lane; new bus shelters in the vicinity of the appeal site and a highway contribution from improvements to the A327/EOPR junction, adequately and reasonably dealt with the highway and related matters, (paragraph 28 of the Inspector's decision letter). However, the Unilateral Undertaking made no provision for improvements to the level of public transport facilities within the locality. A copy of the Inspector's decision comprises **Appendix 8** of this statement.

5.2.4 Subsequently, on 18th September 2001 outline planning permission no: O/2000/2292 was granted for the erection of 142 dwellings on the same application site. Therefore the number of dwellings was increased by 24. A copy of this decision comprises **Appendix 9** of this statement.

5.2.5 I consider therefore if it is considered satisfactory for the occupants of 142 dwellings to be located in an area where it is considered that there are inadequate levels of public transport facilities, then the occupants of two mobile homes cannot surely not tip the balance from acceptability to non-acceptably.

5.2.6 I consider it extremely noteworthy that the Highway Authority raised no objection to the appeal application and made absolutely no comment upon the level of sustainability of the application/appeal site. This is evidenced by reference to the Highway Authority's consultation response, a copy of which has already been sent to the Planning Inspectorate.

5.2.6 The appeal site is located approximately 900 metres away from the nearest bus stop along Shinfield Road. This is served by bus service no.112. The current timetable for this bus service comprises **Appendix 10** of this statement.

5.2.7 Paragraph 2.05 of Planning Policy Guidance Note No.13 - Transport, (PPG13) states that: **"Where distances exceed 1 mile, (about 1.6 km) only a small proportion of people will walk."** A copy of the relevant extract from PPG13 comprises **Appendix 10** of this statement. Given this stated threshold, it could be argued that occupiers of the proposed mobile homes may chose to walk to the Black Boys bus stop.

6.0 CONCLUSION

6.1 The change of use of the appeal site to the stationing of two mobile homes for gypsies would not, I consider, result in material harm to the character of this particular part of the countryside. I hold this opinion because the appeal site does not in fact form part of an area of open countryside. This view is in line with the view that has been expressed by the LPA's own professional planning officers with respect to the appeal site. Rather it is a piece of land surrounded by buildings. These are more visually prominent within the landscape than would be the proposed mobile homes. The appeal site is visually screened from public viewpoints. Even so, there is the opportunity to provide additional planting.

6.2 Furthermore I consider that the circumstances of the appeal site, regarding the degree of openness of the site and the potential to result in material harm, compare favourably with those pertaining to two permanent gypsy sites elsewhere within the boundary of Wokingham District Council, both of which have been allowed at appeal.

6.3 Pertinently, the Inspector in respect of the Meadowside appeal site considered that a permanent gypsy site in the countryside is appropriate to a rural area and does not prejudice the objectives of the normal development policies of constraint in such areas.

6.4 I therefore consider that the appeal development is not in fact in conflict with the objectives of Policy C2 of the BSP or Policy WCC1 of the WDLPDD. Rather I consider that it has been demonstrated how the appeal proposal complies with the relevant criteria of Policy WH12 of the WDLPDD, the policy most directly relevant to the establishment of gypsy sites.

6.5 The Highway Authority have not objected to the appeal application and have made no comment at all upon its level of sustainability. Planning permission has been granted elsewhere along Cutbush Lane for the erection of 142 houses in a location which is regarded as being poorly served by public transport. To my mind it seems contradictory of the LPA to now raise this as an issue with respect to the creation of two residential units along the same road. In any event, the appeal site is within the walking distance threshold defined in PPG13 of a bus stop.

6.6 For all the reasons and arguments made within this statement the Inspector is urged to allow this appeal and grant planning permission for the change of use of the vacant land to the stationing of two mobile homes for gypsies at the appeal site.

APPEAL BY MR DEAN

AGAINST THE REFUSAL BY WOKINGHAM DISTRICT COUNCIL

OF

PLANNING APPLICATION NO: F/2001/5297

FOR

THE CHANGE OF USE OF VACANT LAND TO STATIONING OF TWO MOBILE HOMES FOR GYPSIES

AT

LAND ADJOINING GRANGE LODGE, CUTBUSH LANE, SHINFIELD, READING.

APPEAL DOCUMENTATION

THELEY PLANNING CONSULTANCY
Town Planning and Development Consultants

CONTENTS

1. **A copy of the original planning application sent to the LPA.**
2. **A copy of the site ownership certificate and ownership details.**
3. **A copy of the LPA's decision notice.**
4. **A plan showing the site outlined in red.**
5. **Drawing no: 2336/01/B and block plan sent to the LPA as part of the application.**
6. **Letter dated 19.03.02 from the case officer of the application to the agent.**
7. **Letter dated 2nd April 2002 to the case officer from Ely Planning.**

2336

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

1.	APPLICANT'S NAME	MR D DEAN
	ADDRESS	C/O THE AGENT
	POST CODE	PHONE
2. If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	W M GRAHAM ASSOCIATES
	ADDRESS	1 RECTORY ROAD WOKINGHAM
	POST CODE	RG40 1DJ PHONE 0118 977 0464
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	LAND ADJOINING GRANGE LODGE (Field 0080) CUTBUSH LANE SHINFIELD READING
4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.		CHANGE OF USE OF VACANT LAND TO STATIONING OF TWO MOBILE HOMES FOR GYPSIES
5. Give the area in hectares or part of a hectare	AREA OF SITE	0.1 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	OS extract & Dwg. No. 2336 - 01B

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 - LAST USE NOT KNOWN

12. DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS?

~~YES~~/NO
YES

If yes, show existing route(s) and any proposed alternatives on the plans

13. ARE THERE ANY TREES ON THE SITE? IF YES, ARE ANY TO BE FELLED?

~~YES~~/NO

If yes, please show their positions, spread and species on the plans and which, if any, are to be felled.

14. STATE EXTERNAL MATERIALS TO BE USED.

HARD STANDING - PEA SHINGLE for two mobile homes

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

EXISTING HEDGING AND TWO METER HIGH CLOSE BOARDED FENCE - BROWN

16. HOW WILL SURFACE WATER BE DISPOSED OF?

SOAKAWAYS

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system ~~YES~~/NO

If no, please give details: Connect to existing F.W mai

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

AS DETAILED ON DRAWING

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

NOT APPLICABLE

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

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED	TO BE RETAINED	TO BE LOST
HOUSE	/ *	/ *	/ *
BUNGALOW	/ *	/ *	/ *
FLAT/MAISONETTE	/ *	/ *	/ *
Mobile home OTHER	TWO / EIGHT *	/ *	0 / 0 *

* STATE No. OF HABITABLE ROOMS

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE?

~~YES~~/NO

If YES, complete Part 2 of the form

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS; THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS?

~~YES~~/NO

If YES, please ask for and complete Part 3 of the form

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

None required similar to previous application No F/2001/3767

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 W M Graham Associates ON BEHALF OF Mr D Dean DATE 14.11.2001

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".

1769c

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		Proposed additional floorspace created by	
		Retained in existing use	Lost by change of use or demolition	New building	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				

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.

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.

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.

OR

CERTIFICATE B

I certify that:

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

+ See Note (a) to Certificate A

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

OR

CERTIFICATE C

I certify that

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

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

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

(b) Insert description of steps taken.

- 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) .....

.....

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

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

(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).

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 . . . . . W M Graham Assoc.

On behalf of . . . Mr D Dean . . . . . .

Date . . . 14.11.2001 . . . . . .

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

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr Dean
C/O W M Graham Associates
1 Rectory Road
Wokingham
Berkshire
RG40 1DJ

Application Number: F/2001/5297

Parish: **SHINFIELD**

Location: **Land Adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading.**

Proposal: **Proposed change of use of vacant land to stationing of two mobile homes for gypsies.**

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 proposal would have a detrimental effect on the appearance and open character of the countryside and is therefore contrary to part (a) of policy WH12 and policy WCC1 of the Wokingham District Local Plan and policy C2 of the Berkshire Structure Plan.

Reason
2. The application site is not within a reasonable distance of local services and facilities. The proposal is therefore contrary to part (d) of policy WH12 of the Wokingham District Local Plan and policy LD1 of the Berkshire Structure Plan.

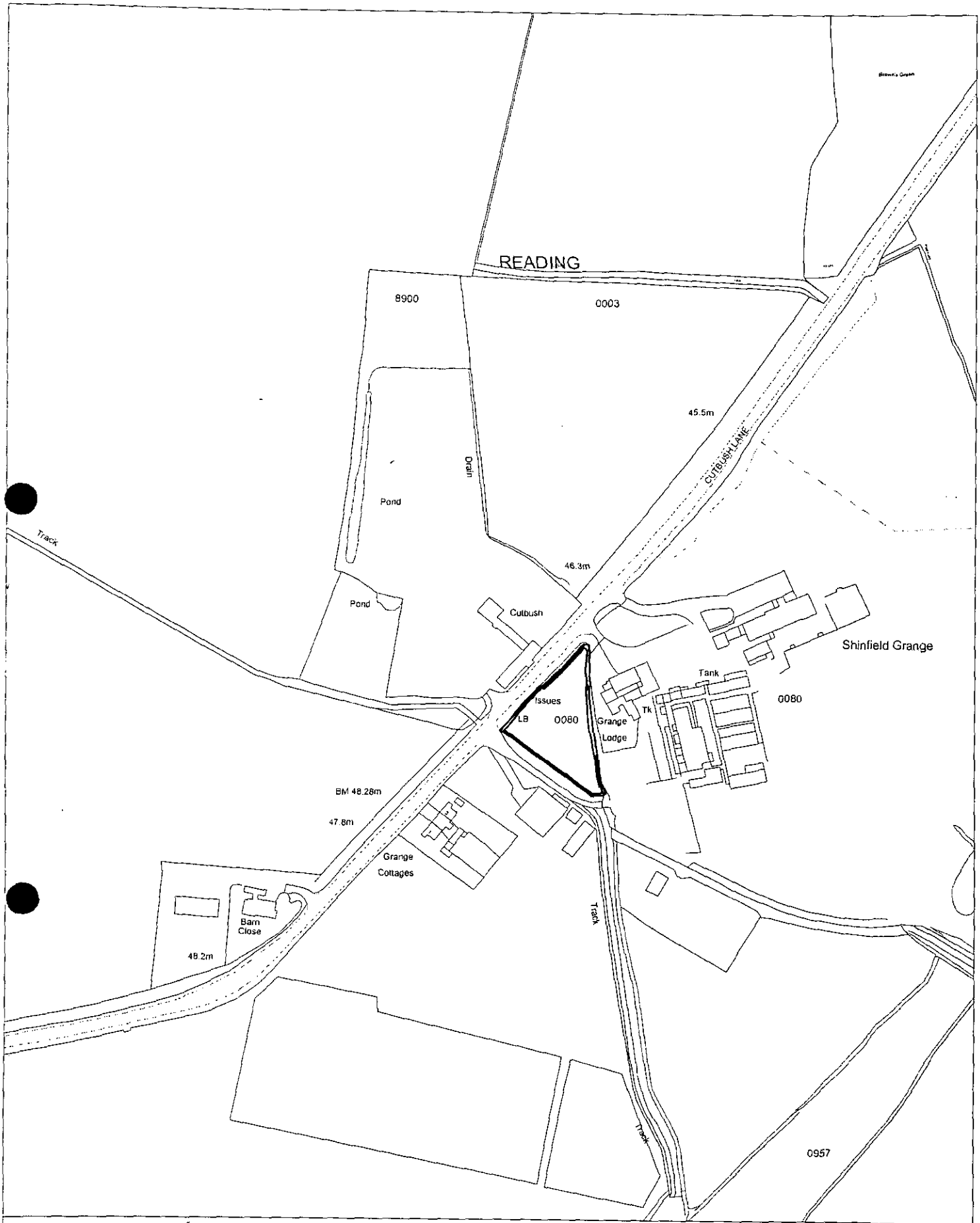
Informative
1. You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:

Berkshire Structure Plan Policies C2, EN3 and LD1.
Loddon Area Local Plan Policies LTV2, LPS2 and LPS3.
Deposit Draft Wokingham District Local Plan Policies WCC1, WH12 and WIC16.

Anna Cronin
Head of Planning & Transportation
Date: 24/04/2002

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.



Site Plan, Scale: 1 to 2500

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Date: 17 March 2000

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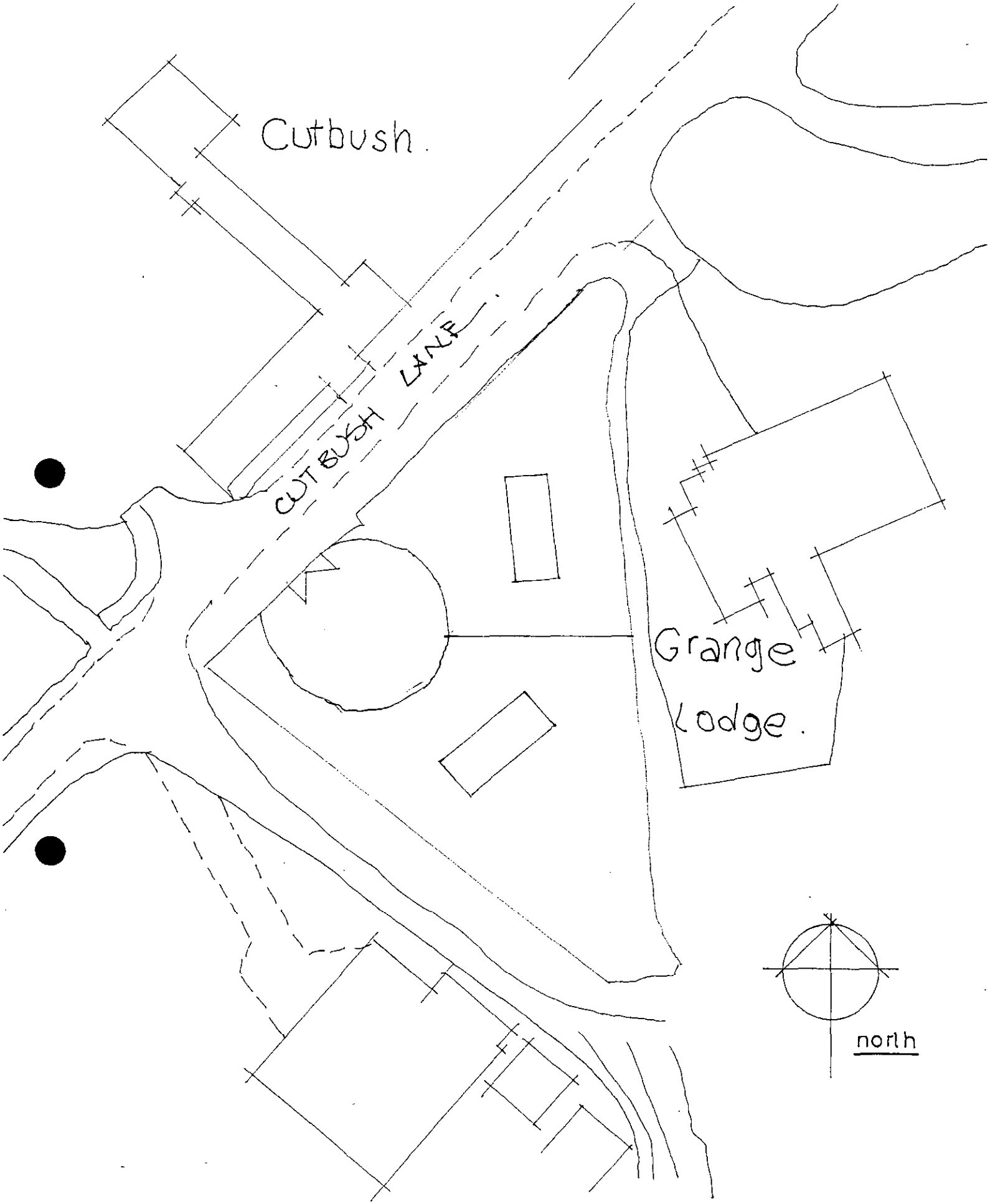

LAND ADJOINING CUTBUSH LANE
3 MOBILE HOMES SCALE 1·500. MAR 01.

Tel: (0118) 974 6229 (Direct Line)
E-Mail: tanya.davies@wokingham.gov.uk
Date: 19 March 2002
My ref: TD/F/2001/5297

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

Mr W Graham
1 Rectory Road
Wokingham
Wokingham,
RG40 1DJ

Dear Mr Graham

Re: Proposed Siting of 2 Mobile Homes at Land Adjoining Cutbush Lane, Shinfield.

Application Number F/2001/5297

I write to inform you that I will not be able to report the above planning application to the next planning committee as I need further information from you.

I am sorry that this was not identified earlier, but your application does not refer to the need for the 2 mobile homes. Policy WH12 of the Wokingham District Local Plan Deposit Draft and the Inspectors Report specifically refers to the need for the development. I would be grateful to receive this information by 4 April, so that I can report your application to the April committee on April 24.

I apologise for the delay in processing this application and if you have any queries please contact me on the telephone number above.

Yours faithfully

Tanya Davies

ELY PLANNING

A Town Planning Consultancy

102 a Longstone Road, Eastbourne,
East Sussex, BN21 3SJ
Tel: 01323 439904
Fax: 01323 439796

COPY

2nd April 2002

Ms T Davies
Environmental Services Department
Wokingham District Council
Planning Services
P O Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Ms Davies,

Current planning application no: F/2001/5297
Proposed siting of two mobile homes at land adjoining Cutbush Lane, Shinfield.

I have been asked to respond to your letter of 19th March.

In your letter you have asked for justification for the two mobile homes the subject of the above planning application.

Firstly I refer you to the justification that I made in respect of the previous planning application for the change of use of this land to a permanent gypsy site involving the siting of 3 mobile homes on the same site as this current planning application. The same justification given in support of that application applies equally in this case. For your ease of reference this previous planning application number was F/2001/3767. On that file will be my letter dated 4th April 2001. If you have any difficulty in finding that document then please contact me and I will supply you with a further copy.

Attached to this letter is a copy of the latest available bi-annual count of gypsy caravans that has been undertaken on behalf of the Department of the Environment Transport & the Regions. From this it can clearly be seen that since my letter of 4th April 2001, two further counts have been made and these reveal that in January of last year there were 69 unauthorised encampments, a rise of 19 from the previous count, (July 2000) and that in July of last year there were 50 unauthorised encampments. The need for gypsy sites within Wokingham District is therefore, I consider, clear. A need that was accepted by the Inspector in respect of the appeal at Meadowside, Park Lane, Finchampstead.

Principal: Sally Walker B.A. Hons. M.R.T.P.I.
E-mail: sally@anmt5.force9.co.uk

VAT No: 762 3435 34

If you have any queries arising then please do not hesitate to contact me.

Yours sincerely,

Sally Walker B A Hons - M.R.T.P.I.

Enc.

Table 1 (continued) Count of gypsy caravans on 18th July 2001
Last five counts

South East Unitary Authority/ Local Authority within county	Date	Total	Unauthorised encampments	Authorised sites: council	Authorised sites: private
Mid Sussex	Jul-01	39	5	27	7
	Jan-01	30	0	22	8
	Jul-00	59	30	18	11
	Jan-00	32	3	22	7
	Jul-99	35	4	22	9
Worthing	Jul-01	0	0	0	0
	Jan-01	0	0	0	0
	Jul-00	0	0	0	0
	Jan-00	0	0	0	0
	Jul-99	0	0	0	0
Windsor & Maidenhead UA	**Jul-01**	**52**	**1**	**26**	**25**
	Jan-01	**67**	**16**	**26**	**25**
	Jul-00	**70**	**20**	**24**	**26**
	Jan-00	**59**	**8**	**25**	**26**
	Jul-99	**60**	**9**	**25**	**26**
Wokingham UA [1]	**Jul-01**	**50**	**50**	**0**	**0**
	Jan-01	**69**	**0**	**31**	**38**
	Jul-00	**50**	**50**	**0**	**0**
	Jan-00	**0**	**0**	**#**	**#**
	Jul-99	**0**	**0**	**0**	**0**

[1] - some data from Jul-01 estimated using previous counts
- data not supplied

HIGHWAYS CONSULTATION SHEET

From: Edward Oteng **Date:** 26 November 2001

Application Number: F/2001/5297

Proposal: Proposed change of use of vacant land to stationing of two mobile homes for gypsies.

Parish: SHINFIELD PARISH

Site Address:
Land Adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading.

Applicant:
Mr Dean C/O W M Graham Associates.

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).

Notwithstanding the plans submitted the highway authority recommend the following conditions:

C122, R122

C127 (INSERT: 2.0metres by 90 metres have been provided at the proposed access), R127.

C137 (INSERT: mobile homes), R137.

C140 (INSERT: 8 metres), R140.

Signed: _____ **Print name:** AC 28/11/01

POLICY AND PLANS CONSULTATION

Date: 2/4/02
Case Officer: Tanya Davies
Application: F/2001/ 5297 Proposed change of use of vacant land to stationing of two mobile homes for gypsies
Location: land adjoining Grange Lodge, Cutbush lane, Shinfield, Reading
Applicant Mr Dean c/o W M graham Associates

Policy making special provision for gypsies
Circular 1/94 gives guidance on planning issues relating to sites for caravans/ mobile homes that provide housing for gypsies
The adopted BSP 1991-2006 does not contain a policy for permanent gypsy sites, although policy H11 concerns gypsy transit sites. This is on the basis that the 6 existing sites are considered to provide adequately for the needs of those gypsies living permanently in Berkshire.

The adopted local plan covering the Shinfield area does not contain a policy related to gypsy sites of any type but Policy LH6 makes clear that residential caravan sites are subject to the same policies and consideration as other dwellings.

Wokingham District Local Plan dd as proposed to be amended has a criteria based policy concerning gypsy sites (both transit and permanent). This is policy WH12 . Although no formal representations were made in respect of this policy at the local plan inquiry the Inspector has made recommendations on the original policy (WH13) that dealt with the same issue in the 1997 dd version of the plan. I attach his recommendations. He has accepted the approach of a criteria based policy as set out in WH12 with only minor change. This will give policy WH12 more weight than when a proposal on the application site was last considered. The policy makes clear that a need must be demonstrated (you should assume that this would be need in general and/or for the gypsy group/individual as well). In addition for a proposal to be acceptable all the criteria in policy WH12 must be met.

There are no site specific proposals for gypsy sites (transit or permanent) in the WDLP. The Inspector has not made a recommendation in respect of the site at Arborfield, which has planning permission for a permanent site, in the absence of that site being tested against the criteria in policy WH12 at the Inquiry.

Countryside issues - General

The site occupies a triangle of land located amongst other buildings in a countryside side site. The relevant WDLP countryside policy that applies is WCC1. I attach the amended version recommended by the Inspector, that you will need to consider alongside the DD version and LTV2 of the adopted Loddon Area Local Plan (LALP). You may wish to examine through the site visit if this is a situation that involves infilling in an otherwise built up frontage not.

Countryside issues - River Valley Policy Area
Although the site is designated as being in the Loddon River Valley Policy Area, Policy LRV3 of LALP only refers to the use of valley for recreational purposes and can be discounted for the purposes of assessing the current application. In respect of Policy WLL5 of WDLP dd the Inspector considers that in the absence of a landscape character area assessment in accordance with PPG7, which indicates that the area is special

the policy should be deleted. As this is not currently available and the site is not directly beside the river and has other buildings between it and the river, the impact of development at this countryside site should be assessed against WCC1 alone.

Archaeology
The site is in an archaeological area. Therefore under policy WHE15 of WDLP before any development takes place evaluation of the area for archaeological remains should be carried out. The Inspector recommends that failure to achieve agreement and execution of this should result in refusal of planning permission. Assessment will be desk top assessment followed by excavation if necessary. See pages 4-38 to 4-41 of the Inspector's report. See also policy LBE22 of the Adopted LALP.

Consideration should be given to the effect of the proposal on the proposed cycle route passing along Cutbush Lane and whether a contribution should be made.

Summary
The principal considerations will be whether special need has been demonstrated. Whether the requirements of Policy WH12 have been met and whether this is sufficient to override the general restriction upon development in the countryside in this particular location.

ED Ashman
2/4/02

seen

POLICY WH10

(Proposed Amendment 5/14)

REPRESENTATIONS

2178 Wokingham Without Parish Council(O)

OBJECTION ISSUES

5.1055 The Council has recorded this objection under Policy WH10, but it appears to refer to Policy WH12 and that is where I have listed the objection.

CONCLUSIONS

5.1056 I concur with this policy and PA 5/14, but as I have mentioned under other policies, there is no need to cross-reference to other policies of the Plan. As I have mentioned in relation to Policy WRE1, a proposal may be expected to deal with its own adverse impacts, but it is unreasonable to expect it also to deal with problems associated with existing development.

RECOMMENDATION

5.1057 That Policy WH10 is amended in accordance with PA 5/14 subject to the omission of "...and all other relevant policies and provisions of the Plan." Amendment of c) as follows:

"To have no other adverse impact upon the character of the environment".

POLICY WH12 AND POLICY WH13

(Proposed Amendment 5/15)

REPRESENTATIONS

2144	Arborfield & Newland Par Council (O)	2219	Mr C Ayres & Others (O)
2178	Wokingham Without Parish Council (O)	2221	Mr C Ayres & Others (O)
2179	Wokingham Without Parish Council (O)	2636	Mrs K Cowan (O)
2185	Mr G Cowan (O)		

OBJECTION ISSUES

5.1058 Permanent gypsy sites should be considered against the same criteria as other permanent dwellings; the policy should be part of Policy WH8. Much thought should be given to the placement of such sites to avoid any adverse effect upon local communities. The number of caravans and mobile homes should be monitored and the wording of the policy to include the need to judge against the same criteria as that for Policy WH1. There must be a land use reference and such uses should not have to prove an exception in every instance; to do so would discriminate against this ethnic minority group. Criterion b) of Policy

WH12 is too vague; it should be precise as regards areas on the edges of settlements where these uses could be located. An area of 1.4 ha at Highfield Park, Eversley Road, Arborfield should be identified for such a site.

CONCLUSIONS

5.1059 The Council is correct in stating that planning control over gypsy caravan sites should be achieved by different means than that for residential mobile homes. Although both policies are criteria based, the latter accommodation should be dealt with in a similar manner to that of other residential developments. However, gypsy sites are more difficult to locate and may need special considerations to avoid conflicting interests. I have recommended that they be included as a category within Policy WCC1. They should also be considered sympathetically if a need can be shown for this type of facility. I note the Council's response to Wokingham Without Parish Council.

5.1060 I do not perceive the policy or criteria to be discriminatory and it would be inappropriate to identify a site at Arborfield for this use without the various details required by the replacement Policy WH12 proposed in PA 5/15. Finally, for reasons I have given elsewhere in the Report, there is no need to use the word "normally" or cross-reference to other policies.

RECOMMENDATION

5.1061 That PA 5/15 is adopted subject to the omission of the word "normally" and the words "...subject to .... provisions of the Plan".

CHAPTER 5 - GENERAL

(Proposed Amendment 5/16)

CONCLUSIONS

5.1062 I concur with the proposed amendment as it clarifies those organisations that build and let affordable homes.

RECOMMENDATION

5.1063 That PA 5/16 is adopted.

2.60 The Council has made it clear that the "gaps" referred to in the final paragraph meant open areas in a built up frontage. Gaps have a special meaning under Policy WCC2 and I do not consider that wording should be used in this context. I have already commented on the reference to "green gaps" in the penultimate paragraph and recommended that it be deleted. However, I find no objection to the need to protect open areas, subject to the qualification that they should be important to countryside character.

2.61 I have considered the policy rewordings suggested by a number of objectors. However, I do not consider that the suggested alternatives offer any advantages over the Council's version with the amendments that I have recommended. I think that it is important that a precise definition of "countryside" is given and I agree with the Council that it should relate directly to land beyond identified settlements. I do not believe that it is necessary to change the wording of individual categories beyond those that I have suggested. I agree with the Council that other categories such as public utilities, domestic extensions, minerals or waste should not be included. I am satisfied that Policy WCC1, as amended, would provide a suitable level of control, without undue rigidity, and would accord with Policy C2 in the Structure Plan and PPG 7.

RECOMMENDATION

2.62 That Policy WCC1 is amended as follows:

"Development outside defined settlement boundaries will be strictly controlled through the application of the detailed policies and provisions of this Plan.

Such development will only be acceptable in principle where the proposal falls within one of the following categories:

A) Development required for agriculture or forestry.
B) Outdoor sport or countryside recreation.
C) Local community facilities which cannot be located elsewhere.
D) Re-use and adaptation of existing buildings.
E) Diversification of an established agricultural business.
F) Permanent and transit gypsy sites.
G) Sensitive infilling of one or two dwellings in a small gap in an otherwise built-up frontage.
H) Other development suitable to the countryside, which cannot be accommodated within a settlement.

Where development is acceptable in principle it will only be permitted if it is appropriate in scale, form, materials, design and character to its location in the countryside. The enclosure of open areas that are important components of countryside character will not be permitted".

Gypsy Liaison Officer

Tanya Davies

From: Paul Turrell
Sent: Wednesday, March 13, 2002 5:31 PM
To: Tanya Davies
Subject: RE: Planning application 2001/5297

I didn't make comments because I thought I had run out of time.
If I had I would have opposed the application on the grounds that it is in an inappropriate area for the siting of travellers' facilities, alternative sites do exist within the district and the granting of planning consent could cause detriment to the neighbourhood (due for instance to the lack of water, electricity suppliees, sanitation etc). I hope this helps you to reeach a conclusion.

-----Original Message-----
From: Tanya Davies
Sent: 13 March 2002 15:19
To: Paul Turrell
Subject: Planning application 2001/5297
Importance: High

I have recently taken over a planning application for the stationing of 2 mobile homes for gypsies at land adjoining Grange Lodge, Cut bush Lane, Shinfield.

To be honest the file is quite a mess and some of the comments made by consultees have been lost. I was wondering if you made any comments and if so, could I please have a copy of them.

Many thanks

Tanya Davies

Tanya Davies
Senior Minerals & Waste Officer
Wokingham District Council

Tel: 0118 974 6229
Fax: 0118 974 6484

To:
Harold Sanders
Urban Design And Conservation Officer

From: Edward Oteng

Date: 26 November 2001 28 NOV 2001

Application Number: F/2001/5297

Proposal: Proposed change of use of vacant land to stationing of two mobile homes for gypsies..

Site Address:
Land Adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading.

Applicant:
Mr Dean C/O W M Graham Associates.

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

I DO NOT CONSIDER THIS PROPOSAL WILL HAVE A DETRIMENTAL IMPACT ON THE SETTING OF THE ADJOINING LISTED BUILDING PROVIDED ADEQUATE SCREENING AND BOUNDARY TREATMENT IS PROVIDED

Harold Sanders

07-12-01

Edward Oteng

From: John Mullaney
Sent: Thursday, December 13, 2001 1:36 PM
To: Edward Oteng
Subject: Land adjoining Grange Lodge, Cutbush Lane, Shinfield F/2001/5297

Land adjoining Grange Lodge, Cutbush Lane, Shinfield F/2001/5297

I have no environmental health objections to the above proposed development.

John Mullaney
Senior Environmental Health Officer
Environmental Protection and Housing

TO: **DEVELOPMENT CONTROL**
Edward Oteng

FROM: Environmental Design

DATE: 6 ~~November~~ December 2001

Location:	Land adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading
Proposal:	Proposed change of use of vacant land to stationing two mobile homes for gypsies.
Application Number:	F/2001/5297

In response to your consultation dated 26 November 2001 for the above application, the landscape comments are as follows:

The site is located in the countryside and adjacent to a Green Gap designation to the north. It has been cleared of undergrowth leaving the fragmented boundary vegetation, two small horse chestnuts and a group of pines to the rear of the site.

Any form of development on this site would be contrary to Policy WWC1 in the Draft Local Plan and will be detrimental to the rural character of the landscape in this location. Therefore I recommend refusal of this application.

Catherine Brimble

Catherine Brimble
Landscape Architect

EO P.T.o

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1 DEC 2001	
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Shinfield
Parish Council
Clerk: Mrs J Barnes, 36 Ryhill Way, Earley, Reading, Berkshire RG6 4AZ
Tel/Fax: 0118 9547115

12th December 2001

Planning Officer
Development Control South
Wokingham District Council
PO Box 157
Shute End
WOKINGHAM RG40 1WR

Dear Sir/Madam

PLANNING APPLICATIONS
SHINFIELD PARISH COUNCIL'S OBSERVATIONS

I submit the comments of the Planning and Transportation Committee on the following applications:

[redacted]

Location:	**Land adjoining Grange Lodge, Cutbush Lane, Shinfield**
Proposal:	**Proposed change of use of vacant land to stationing of two mobile**
Officer:	[redacted]
Observations:	**The Shinfield Parish Council strongly objects to this planning application.** **It fails to satisfy WH12 in that need has not been established.** **There is in fact an adverse impact on the open character of the countryside.** **The vista across the Loddon Valley would be blocked should the site be made visually well contained as required by condition (b) of this policy.** **There would be an adverse effect on the amenities enjoyed by nearby properties.** **The area is a designated WDDLP archaeological site and is subject to the requirements policy WHE15.** **Finally, it interferes with the setting of a Grade II listed building.**

Yours faithfully

Mrs Tracy Sampson
Assistant Clerk

Stephen Cragg
"Lindisfarne"
2 Lane End Close.
Shinfield. Reading.
Berkshire. RG2 9AS

Dear Sir

Your Ref:- Edward Oteng F2001/5297

I Strongly object to the proposal to allow 2 Mobile homes to be stationed at this site No Mobile or temporary homes are compatable with the adajacent properties.

Your faithfully

Stephen Cragg

Monday 3rd December 2001

For the attention of EDWARD OTENG.

ENVIRONMENTAL SERVICE DEPARTMENT
PLANNING SERVICES.
P.O. BOX 157 RO OBR
SHUTE END.
WOKINGHAM.
BERKSHIRE.
RG40 1WR.

PLANNING SERVICE
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05 DEC 2001
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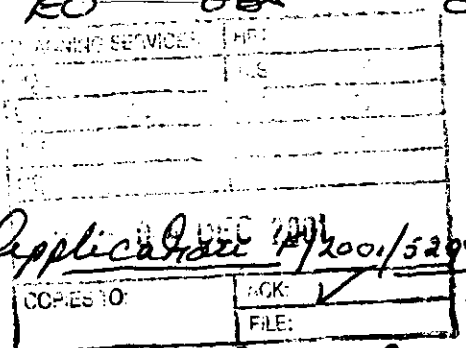
EO — OBL



Farley View,
14 Cutbush Lane
Shinfield
Reading
RG2 9AH
1.12.01

PLANNING SERVICES | HP: | RS:

Planning Application F/2001/5297

COPIES TO: | ACK: ✓ | FILE:

Dear Mr. Otang,

I am writing to object to the above planning application on the following grounds

1. Sites for mobile homes for gypsies should not be located so close to existing residential property.

2. Gypsy sites have a notorious reputation for being grossly untidy with accumulated articles which become an eyesore and encourage vermin.

3. I fear this site next to an existing footpath and lane leading to Shinfield Grange would encourage other caravans to use this area as a parking spot.

4. Cutbush Lane has become a favourite area for fly-tipping and dumping cars and more unsightly rubbish could be inevitable.

I would have no objection to a reasonable planning application for a proper residence

Yours faithfully

(Mrs) Brenda M. Woods

38

Recd PM 4.12.01 KO 088

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MRS M. GILSON
50 CUTBUSH LANE
SHINFIELD
READING
RG2 9AH

3 December 2001

Dear Mr Oteng

Ref: F/2001/5297
Land Adjoining Grange Lodge
Cutbush Lane. Shinfield.

I understand that there is a proposal to station two mobile homes for gypsies on the above land to which I oppose.

Unfortunately they have no regard for other peoples property or the environment and have anti social habits.

I do not want a Gypsy site in the area where I live

Thank you.

Yours Sincerely M. G. Gilson

ED OBS

F/2001/5297

52 Oatlands Rd
Shinfield
Reading RG2 9DN

04 DEC 2001
COPIES TO: ACK: ✓
FILE:

30 November 2001
9883642

Mr Edward Otero

F2001/5297
Land adjoining Grange Lodge, Cutbush Lane.
Stationing of two mobile homes for gypsies.

I would like to make an objection to the above application. This is an area of rural beauty with listed buildings on two sides of the land in question. I feel this is inappropriate development for this area. It will not end with 2 mobile homes, but many lorries and caravans etc etc. to say nothing of rubbish!

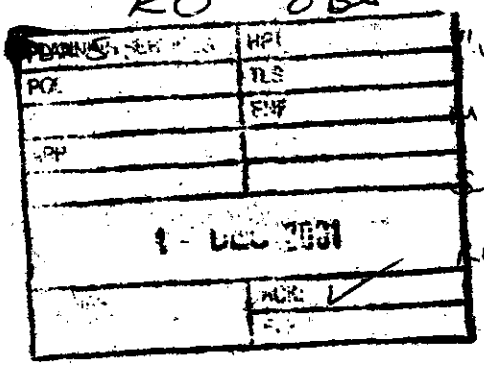
Very high rates are demanded by Wokingham Council in this area and I feel it is unreasonable to expect law-abiding citizens to accept this change of use. There is ten in the past my shed at the bottom of the garden has been broken into and valuable items have been stolen - plus 10 the garden sheds in the road, whilst the gypsies were living in Cutbush Lane.

I hope this application will be refused.

Yours sincerely

(Mrs.) P. K Dovaston.

EO OBS



Tel: 988 "Wagtails"
Millwood Lane
Shinfield
READING. RG2 9EN.

11th December 2001

The Planning Officer
Wokingham District Council
Wokingham.

Dear Sir,

Your Ref: F/2001/5297 - E. OTENG.

I write concerning the above planning application for two mobile homes in Cutbush Lane, Shinfield. This has been tried before and turned down then. It is still quite an unsuitable application considering the area. I think that if gypsies move into Cutbush Lane, it won't

long before the whole lane – now effectively a bul-de-sac as the bridge over the motorway is closed to vehicular traffic would become a Gypsy encampment. Not only would this proposal have a detrimental effect on property values in the area – it could increase incidents of minor criminal activities. Ask the people in Oatlands Road who have had mowers and tools taken from garden sheds / workshops when they were last in the area.

I sometimes despair of Wokingham District Council and their apparent determination to completely mess up this very pleasant village with loads of new houses – and now Gypsy Homes! God give us strength!

Yours faithfully

T. J. Miles

MR. T. J. MILES.

EO OBS

Reading (0734) 883025

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Wagtails
Millworth Lane
Shinfield
Reading
Berkshire
RG2 9EN

Dear Sir. 30.11.01

Appl. No. F/2001/5297

Site address: Land adjoining Grange Lodge, Buttonsl Lane, Shinfield, Reading.

Proposal: Proposed change of use of vacant land to stationing of two mobile homes for gypsies.

I strongly object to the above planning application, as I did when the original application was made. Gypsies should make their homes on properly prepared sites, and not be dotted about on odd pieces of land.

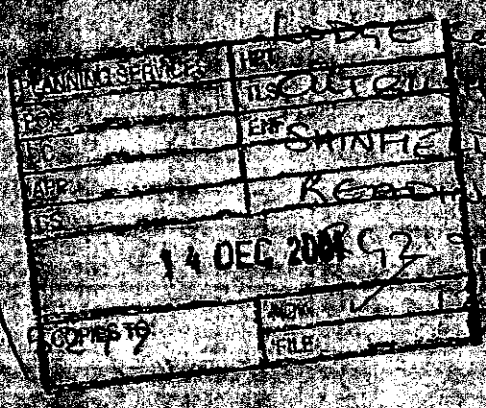
When gypsies have been in Shinfield previously, there has been lots of thefts from local houses and garden sheds etc., we don't want this happening again.

PTO.

Once more I strongly object to this application, and hope that this will be turned down.

Yours faithfully,

J. I. Moore.



LODGE COTTAGE
OUTCUSH LANE
SHINFIELD
READING
RG2 9AF

PLANNING SERVICES
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Ref. E/2001/[illegible]/2/01

Dear Mr Oteng,

I believe planning permission for three mobile homes was turned down due to the fact that the site is not suitable in terms of facilities and services and also because the house opposite is a listed building, making a proposal of this kind out of keeping with the natural surroundings which have been here hundreds of years.

The proposed site is already becoming a tip for rubbish and old vehicles ie. An old ambulance. There is no orange application form giving details of the proposal visible 43

PLANNING SERVICES	HPT
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05 DEC 2001

COPIES: Dear Sir

ACK: ✓

IEO OBS

Westward Ho
Millworth Lane.
Shinfield
Berks.
RG2 9EN.

Application No F/2001/5297

In reply to your letter of 26th November

I thought this matter had been resolved quite recently — or is this yet another attempt by the gypsies to live in Shinfield?

My concern is for the people who live in Leatlands Road — they all have long gardens & on previous occasions their sheds have been ransacked & articles stolen.

What happened about the site they were offered in Arborfield?

Is the idea of this that it will be a permanent gypsie site? & will they pay rates — like the rest of us?

Being an old woman, living alone & having been burgled twice — the last time being just a year ago, I am naturally apprehensive.

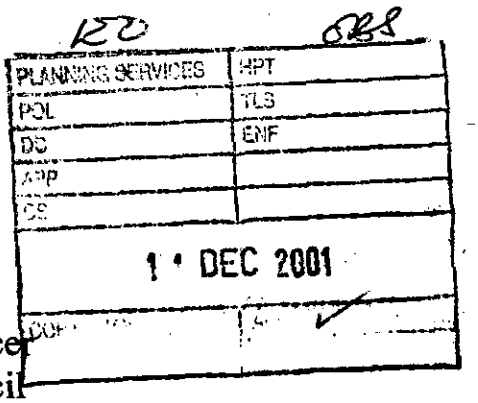
44

P.T.O

Wokingham
District Council
Planning Dept.
Shute End
Wokingham
Berks. RG40 1 WR

Yours truly
K. M. Hopkins (Mrs)

74 Oatlands Road
Shinfield
Reading
Berks
RG2 9DN



Mr Edward Oteng
Development Control Officer
Wokingham District Council
Civic Offices
Shute End
Wokingham
RG40 1BN

10th Dec 2001

Dear Mr Oteng

Re Planning application F/2001/5297

We are writing to you to STRONGLY oppose a permanent gypsy site in Cutbush Lane Shinfield.

1. This is an area where many people walk and could be intimidated by gypsies living there.

2. Past experience of gypsies in Cutbush Lane include: rubbish, Tree clippings/ cuttings and large branches, bricks and rubble. All of this just dumped adjacent to their caravans and left. Dogs roam freely and are intimidating when walking in the lane.

3. We have a footpath running at the back of our property and we are very prone to burglaries. We would feel vulnerable with this permanent site so near.

Yours sincerely

Mrs V Curtis

EO 068

PLANNING SERVICES	HPT
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11 DEC 2001

COPIES TO: ACKN FILE:

71, OATLANDS RD.,
SHINFIELD
RG2 9DN

Re Planning Application F-2001-5297

Dear Sir,

My wife & I are totally opposed to this proposal for many reasons, some of which are listed below.

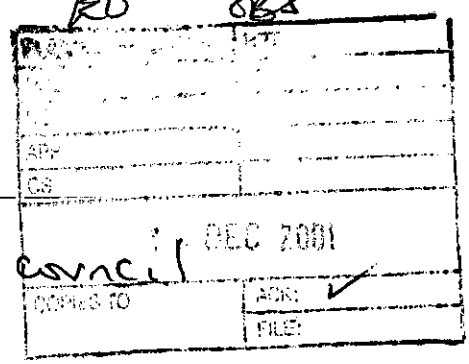
1 Any site that has had a visitation from Gypsies is in a disgusting state after they have left.

2 Although 2 only places at this moment in time I fear it would be the thin end of the wedge, i.e. once a precedent has been set; further applications would be looked on even more favourably.

3 We all had a free choice when we moved here and none of us chose to live next to a gypsy site, so I trust the planning committee will respect our wishes and refuse the application forthwith.

Yours Faithfully
W D Wheeler
P A Wheeler

RD OBS



42 Catbush Lane
Shinfield
Reading
Berks
RG2 9AH

7 December 2001

Wokingham District Council
Planning Services
P.O. Box 157
Shute End
Wokingham

Dear Sirs

Re: Planning Application No F/2001/5297 - Gypsies

We are writing to register our strong objection to the above planning application regarding using vacant land adjoining Grange Lodge for the siting of 2no mobile homes for Gypsies.

We have had a Serious problem with Gypsies on 2no previous occasions at the bottom of Catbush Lane recently. Each time when they were finally forced to move on they left behind rubbish and damage to nearby gates and fences. When they were "on site" they let dogs run freely fouling the road/path and bothering "tax paying" passers by.

Any sort of Gypsy site in the area would cause all the same problems and we therefore strongly urge you to reject this application.

Yours faithfully

Mark & Lorraine Chatfield

EO OBS

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10 DEC 2001	
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	FILE:

06 December 2001

Wokingham District Council
Planning Department
Civic Offices
Shute End
Wokingham
Berkshire
RG40 1BN

For the attention of Edward Oteng - Case Officer

Dear Sir,

Re: Planning Application F/2001/5297 - Gypsy Site

We are in receipt of a notice regarding the above application for a Permanent Gypsy Site in Cutbush Lane, Shinfield.

We wish to express in the **strongest terms** our **objection** to such a development & list the following reasons:-

1. Development on land designated as Countryside Land should reflective that status, a mobile home site does not marry with that theme.
2. Development of this nature is contrary to Policy WWC1 & is detrimental to the rural character of the area.
3. Mobile homes are not in keeping with the surrounding architecture, the Grade 2 Listed building opposite would be compromised.
4. An application for a residential dwelling on the land would require the design & character to meet with the local surroundings, if in fact approval could be obtained. How is it possible for this application to be considered without reference to the same criteria? We suggest that this maybe considered discriminatory.
5. As pointed out by Shinfield Parish Council, in the previously **REFUSED** application, the development does not show compliance with Policy WH12 which requires the need for such development on Countryside Land to be established
6. Gypsy site developments show little regard for the Countryside leaving the landscape scarred. The Planning department are responsible for the protection of our Countryside, can & how will the damage be avoided in this case?

Please forward details of the date & location for the planning meeting which we would like to attend to voice our objections, however, we trust that the Planning department will recommend rejection of this application by the committee.

Yours faithfully,

Mark Chatfield

40 Oatlands Road, Shinfield Village, Reading, Berkshire. RG2 9DN.

33

EO OBS

PLANNING SERVICES	HPT
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DC	ENF
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	FILE:

73, Oatlands Road,
Shinfield,
Berkshire.
RG2 9DN
04/12/01

For the Attention
Mr Edward Oteng.
Development Control Officer
Wokingham District Council
Re Application number F/2001/5297

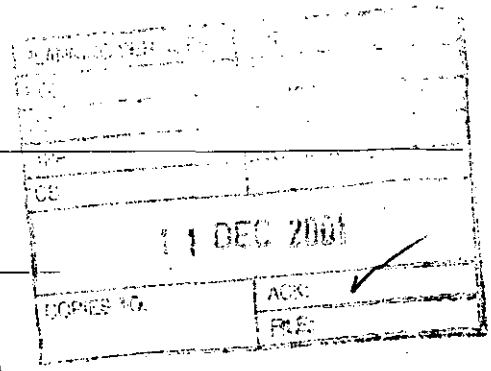
Dear Sir, my wife and I would be obliged if you would note our objection to the above application. We stated our views to a similar application at the same or an adjacent site some months ago. We are still of the same opinion.

Yours faithfully.

J. Groothius
A. Groothius

31

EC



Ian Jordan

From: WebComments@wokingham.gov.uk
Sent: 10 December 2001 16:49
To: ian.jordan@wokingham.gov.uk
Subject: Comments on Planning Applications

OBJ

****

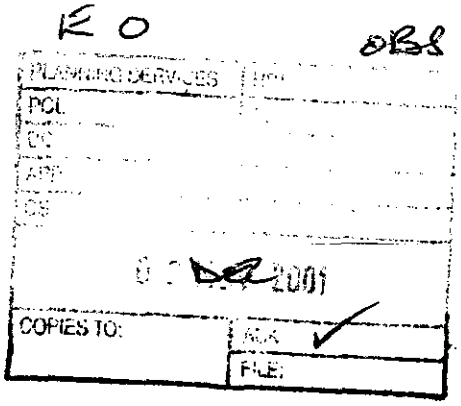
NatureofEmail: Object
ApplicationNumber: F/2001/5297
Correspondent_FullName: FPC Master
Correspondent_StreetAddress: 22, Oatlands Road
Correspondent_Address2: Shinfield
Correspondent_Town: Reading
Correspondent_County:
Correspondent_PostCode: RG2 9DW
Correspondent_Telephone:
Correspondent_Email:

Comments:

1.Application No:F/2001/3767 has already been refused; in my opinion the site is not appropriate for use for ANY number of gipsy mobile homes for the reasons previously stated.
2.I do not consider the proposed use to be compatible with the area and existing style of buildings eg.mobile homes would not fit in with the property known as Cutbush.
3.This sn
mall piece of land would be better retained for 'gren'use and not developed at all especially in view of the density of building development destined for the area ie. the other side of Cutbush Lane.
3Without prejudging any future residents there is clearly potential for litter, derelict vehicles noise etc. in this relatively quiet lane situation.

30

EO OBS



Environmental Services Dept.
Wokingham District Council
Civic Offices
Shute End
Wokingham RG40 1BN

From: Mr & Mrs D J Britton
44 Oatlands road
Shinfield
Reading RG2 9DN

For the attention of Mr Edward Oteng
Development Control Officer

Your Ref. Edward Oteng F/2000/5297

29th November 2001

PLANNING APPLICATION F/2001/5297 - PROPOSED SITING OF 2 MOBILE HOME IN CUTBUSH LANE

Dear Sir,

My Wife and I will endeavour to take the opportunity to view the proposed plans. In the meantime however, we are writing to register our very strong objections to the above proposal.

As you are aware **ALL** of the present buildings (including the cottages) in the immediate vicinity of the proposed siting are Listed, or worthy of being Listed as either historically important or it being in the public interest to maintain such notable properties. At the present time Cutbush Lane represents the typically fine character of the Berkshire countryside.

To spoil this area by siting mobile homes immediately opposite and adjacent to the two outstandingly beautifully buildings is surely to be condemned and we are there hopefully confident that the Planning Committee will totally reject this application.

Yours faithfully

Mr DJ Britton Mrs C M Britton

29

RD ORB

PLANNING SERVICES	HPT
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13 DEC 2001	
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	FILE:

Oak House
44 Cutbush Lane
Shinfield
Reading
Berkshire RG2 9AH

Wokingham District Council
Civic Offices
Shute End
Wokingham
RG40 1BH

10 December 2001

FAO Edward Oteng, Development Control Officer

Dear Sirs

Re: Planning Application F/2001/5297

I am writing to emphasise my strong objection to the further proposed formation of a permanent gypsy site in Cutbush Lane.

This would be completely inappropriate for the area and would sharply contrast with the character of the adjoining buildings.

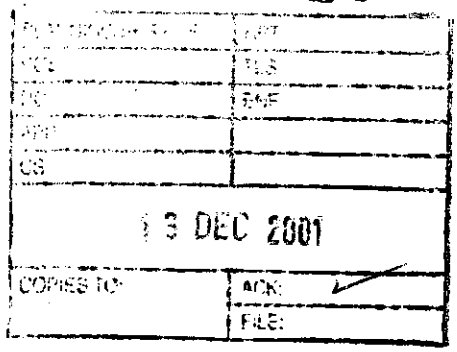
It does not appear to make any sense at all to site mobile homes adjacent to listed buildings.

I strongly urge you to reject this development in it's entirety.

Yours faithfully

R W Bright

EO OBS



Oak House
44 Cutbush Lane
Shinfield
Reading
Berkshire RG2 9AH

Wokingham District Council
Civic Offices
Shute End
Wokingham
RG40 1BH

10 December 2001

FAO Edward Oteng, Development Control Officer

Dear Sirs

Re: Planning Application F/2001/5297

I am writing with regard to the above renewed application for a permanent gypsy site to be sited in Cutbush Lane.

This would not fit in at all with the surrounding area and I would like to emphasise my strong objections to this proposal.

Please reject this planning application on our behalf.

Yours faithfully

J. E. Bright.

J E Bright

RC 0628

PLANNING SERVICES	HPT
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13 DEC 2001	
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	FILE:

76 Oatlands Road
Shinfield
Reading
Berks
RG2 9DN

Mr Edward Oteng
Development Control Officer
Wokingham District Council
Civic Offices
Shute End
Wokingham
RG40 1BN

10th Dec 2001

Dear Mr Oteng

Re Planning application F/2001/5297

We are writing to you to STRONGLY oppose a permanent gypsy site in Cutbush Lane Shinfield.

1. This is an area where many people walk and could be intimidated by gypsies living there.

2. Past experience of gypsies in Cutbush Lane include: rubbish, Tree clippings/ cuttings and large branches, bricks and rubble. All of this just dumped adjacent to their caravans and left. Dogs roam freely and are intimidating when walking in the lane.

3. We have a footpath running at the back of our property and we are very prone to burglaries. We would feel vulnerable with this permanent site so near.

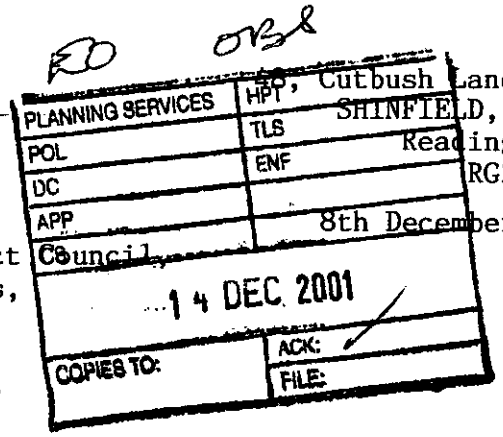
Yours sincerely

JE and PJ Curtis

26

50, Cutbush Lane,
SHINFIELD,
Reading, Berks.
RG2.9AH.

8th December 2001.



Wokingham District Council,
Planning Services,
P.O.Box 157,
Shute End,
WOKINGHAM, Berks.
RG40.1WR.

For the attention of Edward Oteng.

PLANNING APPLICATION F/2001/5297.
Re: Land adjoining Grange Lodge, Cutbush Lane Shinfield.
Proposed change of use of vacant land to stationing of two mobile homes for gypsies.

Dear Sirs,

I strongly object to the above application in Cutbush Lane, Shinfield. Any gypsy site whether it is 'Mobile Homes' or 'Caravans' is totally inappropriate for this area.

As with previous Application F3200133767 the area as a whole is unsuitable i.e. next to Shinfield GRange, The University of Readings experiments on Plants, Horticulture etc. and opposite a large listed building.

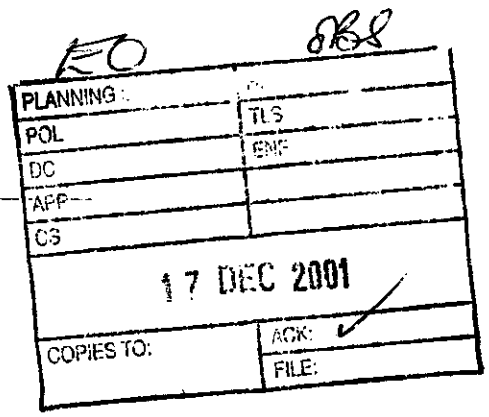
Cutbush Lane is a cul-de-sac and it is the only way to reach this site. Residents are very disturbed about traffic and security of the area, there being no street lighting along the whole of Cutbush Lane.

When a Gypsy Camp is allowed in any area it expands out of control and other visiting travellers (as at Arborfield) results in a massive invasion of vehicles, people, children and dogs etc. with resultant rubbish and vandalism.

I therefore request that this application is refused.

Yours faithfully,

Marian Edmonds (MRS)



The Owner
72 Oatlands Rd
Shinfield
Berkshire
RG2 9DN

Edward Oteng
Development Control Officer
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

4th December 2001
Dear Sir,

Ref: Application Number F/2001/5207

I am writing regarding the above application for the proposal of two mobile homes for gypsies to be stationed on vacant land adjoining Grange Lodge, Cutbush Lane.

I **strongly** object to this land being used as a gypsy site, you term it as vacant, I see it as countryside, which is vastly disappearing with houses being built on any spare land that was once farmed.

I have lived in Shinfield for almost 60 years and whilst I agree with progress this I see as just another blot on the landscape. My means of enjoyment as I do not drive is to take a few country walks and Cutbush Lane is one of them. I would not be at all happy for a gypsy site to be stationed there and whilst I am not casting any dispersions, the last time that gypsies placed themselves down Cutbush Lane, fences were broken, litter was left strewn in the fields and along the country lane.

We have already written and objected to the previous application, which was fortunately turned down, please consider the feelings of the local residents, leaving some countryside and peace of mind.

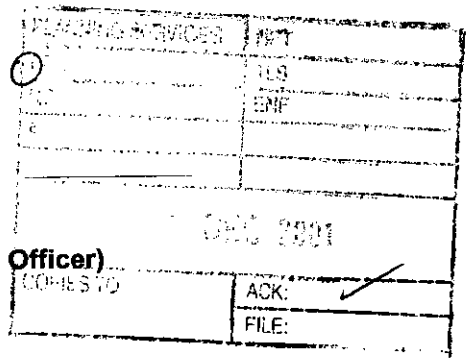
Yours faithfully

One worried angry homeowner.

BY E-MAIL 17/12/01 2.25pm.

OBJ

£ 0



Mr Kevin Judge
2 Grange Cottages
Cutbush Lane
Shinfield
Berkshire RG2 9AF
Tel: 0118 988 3135

F.A.O EDWARD OTENG (Dev. Control Officer)
Wokingham District Council
P.O Box 157
Shute End
Wokingham, Berkshire
RG40 1WR

16th December 2001

RE: Planning Application Ref: F/2001/5297 (Land adjoining Grange Lodge, Cutbush Lane)

Dear Edward

I am writing to object to the above planning application. The reasons for this objection are as follows.

1. This type of accommodation is not in keeping with the surrounding area. This development if allowed might be the thin edge of the wedge, with many more mobile homes or caravans being attracted to the dead end of Cutbush Lane. There is also a Circa 1600 Grade II listed building opposite the site.

2. Plans need to be made to account for the utility services that these homes would require and also who is bearing these costs. Water, Septic tank cost of build and emptying, electricity if needed, rubbish collection, etc.

3. I own a Public House in the Aldermaston area where a Gypsy site has been allowed to develop. The Police will confirm that this has resulted in an increase in petty crime in the area.

4. If rubbish were dumped in the area it would attract more people to dump rubbish. This could accumulate into a costly regular clear up operation. A gypsy site existed for a while next to the Six Bells Public House in Shinfield, there is still lots of rubbish on the site even now, months after they have left.

5. House prices would no doubt be adversely affected in the area by such a site.

6. There must be many appropriate sites for this development that would not affect a semi-rural village.

7. Planning Application F/2001/3767 was a similar application to this one and was declined for the same reasons. Surely the Planning office must be consistent with their determinations and decline this application also.

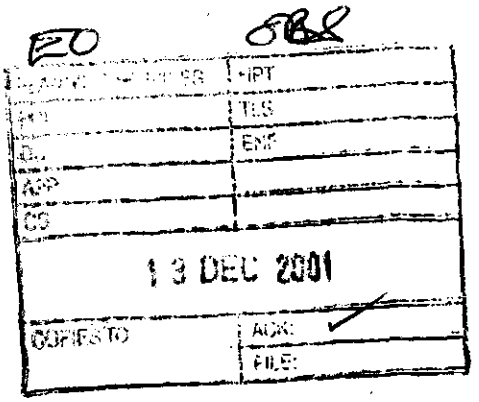
I trust that you have read these points carefully and will do everything possible to put a stop to this development. Please keep me updated with this situation, thank you.

Yours sincerely

Mr Kevin Judge

P J & S G Green
38 Oatlands Road
Shinfield
Berks RG2 9DN

Tel: 0118 988 4697



12 December 01

Edward Oteng, Development Control Officer
Environmental Services Dept.
Wokingham District Council
P O Box 157
Shute End
Wokingham
RG40 1WR

Ref: F/2001/5297

Dear Mr Oteng

With reference to the above planning application. We object in the strongest possible terms to this application on the following grounds.

There have been gypsies/travellers in the village since we arrived and during that time, four years, they have been a thorn in the side of the local residents. They are apparently unwilling to conform to standards of cleanliness and reasonable behaviour expected of any member of society. Their rubbish has been left to rot in our fields, their children have damaged and stolen our property, their men have threatened, abused and hurt villagers.

We would therefore not welcome this application for mobile homes for gypsies in this village.

Yours sincerely,

P J & S G Green

EO OBS

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12, Oatlands Road
Shinfield
Reading
RG2 9DW

1st December 2001

RE F/2001/5297 GIPSY SITE CUTBUSH LANE

Dear Mr Oteng,

I wish to oppose most strongly the application to change of use of land to facilitate two mobile homes for gypsies in Cutbush Lane, Shinfield for the following reasons:-

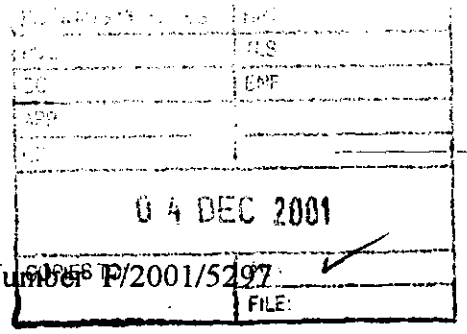
- Although only two proposed placements there is a high risk of attracting additional Gipsies to encamp in Cutbush Lane.
- Previous experiences of Gipsy encampments in the area show clearly the rubbish and litter created causing additional health hazards e.g. Cutbush Lane and field adjacent to Six Bells Public House in Church Lane, Shinfield.
- Cutbush Lane is a known area for fly-tipping and vehicle abandonment.
- Increased propensity to crime
- Increased nuisance calling to undertake general work.
- Potential impact on education through special needs requirements

I trust my reasons for objection to the plan will be duly considered.

Yours sincerely

Brian K. Wood

RO OBJ



GRANGE COTTAGE
CUTBUSH LANE
SHINFIELD
READING RG2 9AF
3.12.01

Wokingham District Council
Planning Services

Application Number F/2001/5297

Dear Sirs,
I wish to lodge my strong objections to the above planning application. My reasons are the same as when the last application was made and are as follows;

It would be very insensitive to have gypsy caravans opposite a listed building, Cutbush, and virtually next door to another one, Shinfield Grange.

The past record of gypsies on whatever site they are on is, to say the least, poor. The site soon deteriorates into a scrap-yard with filth and rubbish everywhere. One has only got to look at the site they were given in Arborfield to understand that. When given a permanent site with facilities they wrecked it in a very short space of time. Cutbush Lane has become a dumping ground for rubbish and burned out cars and we don't need anyone else contributing to this mess.

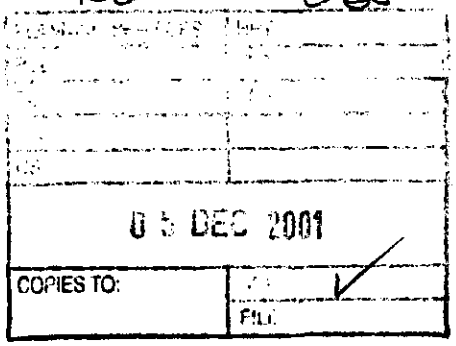
The owner of the site is already using it as a dump and at present there seems to be someone living there in an old ambulance.

I live next door to Lodge Cottage, both University of Reading properties and part of my garden abuts the site in question, hence my interest in the matter. I, therefore ask the planning department to reject this application.

Yours truly

Mr. A Hayes.

RD 068



Mr + Mrs A M Mills
25 Oatlands Road
Shinfield
RG2 9DW

Mr + Mrs C L Gibbs
36 Oatlands Road
Shinfield
RG2 9DN

3rd December 2001

Mr Edward Oteng
Development Control Officer
Wokingham Council

Your Ref.; F/20015297

Dear Mr Oteng,

Our objections In reference to the above planing application

It ceases to amaze us that the council can even consider the above application again. Last year we wrote to object too four mobile homes for gypsies in the same location, now its two, to be put next to the Grange lodge which is a beautiful Edwardian building is disgraceful. Gypsies wont stop at two dwellings, it will increase until cutbush lane becomes gypsies lane. With more mobile homes and travelling gypsies stopping off.

We the residents of Oatlands Road, which is directly off Cutbush Lane, have worked hard to buy houses well over the £350,00.00, we do not want our homes de-valued. We have enough trouble already with travelling gypsies and the mess they bring. If they want to live in our area let them buy houses the same as we have, and pay the council tax that goes with it.

It seams to us that we are being bombarded with application after application for one thing or another new, houses we will have to learn to live with but god help us not GYPSIES.

Yours sincerely

Mr A Mills
Mrs D Mills
Mr R Mills
Mr S Mills
Mr C Gibbs
Mr T Gibbs

pp

19

RD 088

PLANNING SERVICES	HPT
POL	TLS
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0 5 DEC 2001

COPIES TO:

James East
45 Oatlands Road
Shinfield
Reading
Berkshire RG2 9DN

3 December 2001
Your Ref:Edward Oteng
F/2001/5297

Dear Sir
Application Number:F/2001/5297
Site Address; Land Adjoining Grange Lodge,Cutbush Lane,Shifield Reading.
Propasal change of use of vacant land to stationing of two mobile homes for gypsies.

I object to the above development on the grounds that it is totally out of character with the surrounding environment, it will increase traffic in Cutbush Lane and will degrade the area.

Yours faithfully

Rec'd PM 4.12.01

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	FILE:

A. J. GILSON
50 CUTBUSH LANE
SHINFIELD, READING
BERKS RG2 9AH.

REF EDWARD OTENG
F/2001/5297

Dear Sir,

With reference to development application F/2001/5297 I strongly object to the proposal for any type of gypsy site in Cutbush Lane or in the Shinfield area on the following grounds.

1) Any visitors, residents or gypsies wishing to live in a caravan/mobile home can use existing local certified approved sites under resident warden control.
2) I chose to live in the Wokingham District Council area, paying a high council taxe which must be used to support Wokingham residents requirements.
3) Any surplus land must be used to house existing Shinfield residents
4) I also strongly object to Cutbush Lane or any location in the Shinfield area becoming an unhygenic, uncontrolled, dumping ground as has recently been experienced in Shinfield.

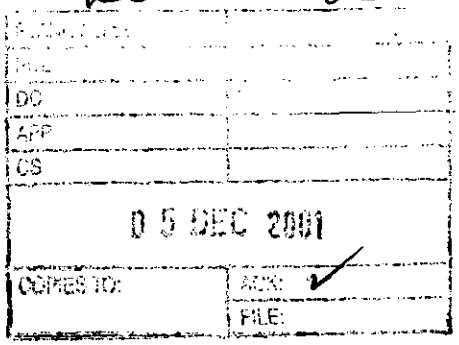
Yours faithfully

A. J. Gilson

17.

EC OBB

62 Cutbush Lane
Shinfield
Reading
RG2 9AG



4th Dec.
~~7th May~~ 2001

~~Ms A Odell~~ Mr. & Mrs. Odell.
Planning Officer
Wokingham District Council
Civic Offices
Shute End
Wokingham
RG40 1BN

Dear ~~Ms Odell~~ Odells.

Re: Application Number F/2001/~~3767~~ 5297

We wish to object most strongly to the proposed gipsy caravan site in Cutbush Lane. Cutbush Lane is just not a suitable place for such a development.

Once the principle of ~~three~~ two caravans is accepted then why not five or ten or fifty?

It would only take days before the conditions synonymous with gipsy encampment to appear - stripped motor vehicles, scrap tyres, batteries and other assorted rubbish.

If anybody doubts this will be the case then inspection of the field next to the Six Bells Public House in Brookers Hill would be in order. The condition of the site was accompanied by threatening language and human faeces littering the car park and children's playground.

Yours sincerely

J Bateman.
S. Bateman.

John and Sue Bateman

16

EO OBJ

Sandra East
45 Oatlands Road
Shinfield
Reading
Berkshire RG2 9DN

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3 December 2001
Your Ref:Edward Oteng
F/2001/5297

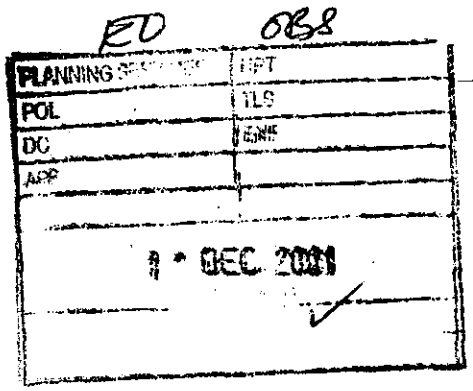
Dear Sir
Application Number:F/2001/5297
Site Address; Land Adjoining Grange Lodge,Cutbush Lane,Shifield Reading.
Propasal change of use of vacant land to stationing of two mobile homes for gypsies.

I oppose the above development on the grounds that it is totally out of character with the surrounding environment, it will increase traffic in Cutbush Lane and will lower the level of safety in the area for my children.

Yours faithfully

S. East

15.



31 Leyland Gardens,
Shinfield,
READING
RG2 9AN

9th December 2001

Dear Mr. Oteng,

PLANNING APPLICATION NO: F/2001/5297
PROPOSAL: Proposed change of use of vacant land to stationing of two mobile homes for gypsies
SITE ADDRESS: Land adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading

I am writing to express my deep concern over the proposed siting of two mobile homes for gipsies on the above land.

I wrote on the 17th May 2001 when the proposal was for three mobile homes. My comments are the same now as they were then.

The setting of the old listed building which is directly opposite the proposed siting of these mobile homes will suffer significantly.

Just as important, is the fact that these mobile homes are far too close to residential housing in the area. Always, to my knowledge, gipsies have always left a filthy, disgusting mess behind them; they have no respect whatsoever for the

property or belongings of people living in the area; they are very threatening and abusive to people with whom they come into contact with, and, there is an increase in the level of crime.

There are many people who regularly use Cutbush Lane as a shortcut through to Lower Earley – Asda, the Library and Leisure Centre. There are others who just like to walk down it and enjoy the birds, plants and other wildlife. If these gipsies are to be allowed to be sited there then there will be an awful lot of people who will be too scared to go down there anymore for fear of trouble and abuse.

If you allow this proposal for two mobile homes, it won't be long before you get many other gipsies using the site and camping along other parts of Cutbush Lane.

In my opinion, this is completely the wrong site for the siting of these mobile homes and I vigorously object to this proposed planning application.

Yours sincerely,

S. C. Dowling (Mrs).

Mrs. M. Harvey
3 The Brambles
Andover Road
Newbury
Berkshire
RG14 6JJ

EO OBL

3-12.01

PLANNING SERVICES	HPT
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06 DEC 2001	
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Planning Services
Wokingham DC
Box 157
Shut End
WOKINGHAM

Dear Sir

F/2001/5297
Land adjoining Grange Lodge, Cutbush Lane, Shinfield
Proposed c/o/u vacant land to stationing of 2 mobile homes for Gypsies

I just wish to reiterate my previous comments on the above application in that if approved would set a precedence & open the door to other pieces of land in Cutbush Lane being open to such undesirable applications.

It is detrimental to the area and, unless this piece of land has been sold off seperately, as part & opposite a Listed Building. The fact that this proposal is for 2 mobile homes instead of 3 is neither here nor there. REFUSAL of this present proposal is the only option. I, therefore, urge reason and refuse.

Yours faithfully
M. Harvey

FAO. Edward Oteng

32

EO 0B8

PLANNING SERVICES	HPT
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0 3 NOV 2001

COPIES TO:	ACK. ✓
	FILE:

46 Cutbush Lane
Shinfield
Reading
Berkshire
RG2 9AH
30th November 2001

Edward Oteng
Enviromental Services Department
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berks, RG40 1WR

Your Ref. F/2001/5297

Dear Mr Oteng

Once again, we strongly oppose this application, as in our opinion a permanent gypsy site would not be in keeping with the area, particularly with the listed building opposite.

It is our understanding that a permanent site is already available to gypsies in the Arborfield area, opposite the Garrison.

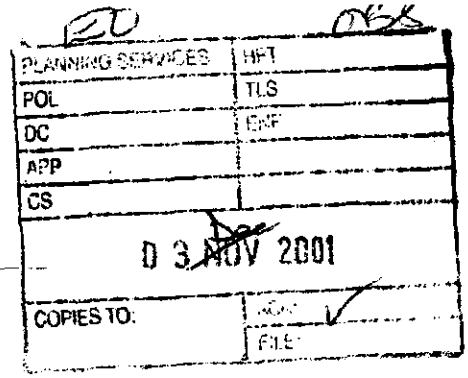
Although not a major argument from the council's point of view, a permanent gypsy site in Cutbush lane would greatly reduce the value of all the properties in the lane. We have lived here for nearly fourteen years and during that time spent a lot of time and money on our house and gardens and would be very upset to see all that work undermined.

We hope our views, along with many other residents, will be taken into consideration when the District Council finally decides on this important issue.

Yours Sincerely

Mr & Mrs S G Titterton

VB



From Mr I S Gibson

51 Oatlands Road
Shinfield
Reading
Berkshire
RG2 9DN

Tel: 0118 9888737
Fax: 08701 209551
Mobile: 07803 928391
Email: iain.gibson@virgin.net.

29 November 2001

Edward Oteng
Development Control Officer
Environmental Services Department
P.O. Box 157
Shute End
Wokingham
RG40 1WR

Re Planning Application F/2001/5297

Dear Mr Oteng

I would like to express my opposition to the planned establishment of a permanent Gypsy Site in Cutbush lane, Shinfield.

Shinfield is a village populated with a large proportion of elderly residents, particularly in the region of Cutbush lane. The appearance and existence of Gypsies can be considered intimidating at the best of times and there is no doubt that a Gypsy encampment in the vicinity would give those people a great deal of concern and significantly reduce their quality of life.

A number of local, elderly residents exercise their dogs on Cutbush lane during the day and the evening. The lack of traffic on this road allows them to do so without fear and in peace. The increase in traffic, at all hours, created by Gypsies and their very presence, would become an inconvenience if not a hazard to these people.

Recently a temporary Gypsy site was created behind the "Six Bells" pub in Shinfield. Its establishment corresponded with a significant increase in unsolicited visits to my house, by unpleasant looking people offering services on the black market, or looking to purchase my belongings!

Furthermore, when the site was vacated, an enormous quantity of rubbish was left behind, most of which still remains. In a more populated area this would, by now, constitute a health hazard, in all probability.

I object most strongly to this planning application.

Yours sincerely

I S Gibson

EO 0B8

PLANNING SERVICES	HPY
POL	TLF
DC	ENF
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07 DEC 2001	
COPIES TO:	ACK: ✓
	FILE:

Ian Jordan

From: WebComments@wokingham.gov.uk
Sent: 06 December 2001 20:16
To: ian.jordan@wokingham.gov.uk
Subject: Comments on Planning Applications

****

NatureofEmail: Object
ApplicationNumber: F/2001/5297
Correspondent_FullName: T Courtney
Correspondent_StreetAddress: 27 Oatlands road
Correspondent_Address2: Shinfield
Correspondent_Town: Reading
Correspondent_County: Berkshire
Correspondent_PostCode: RG2 9DW
Correspondent_Telephone:
Correspondent_Email: tcourtney@btconnect.com

Comments:

Please refer to my objections to the last application to turn this site into a gypsie caravan site.
It is not siutable for that purpose.
If you require a copy of my previous letter please advise.

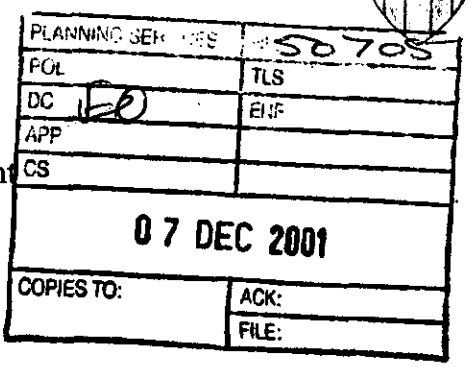
11

THE COLLEGE OF ESTATE MANAGEMENT

Patron: HRH The Prince of Wales

Whiteknights, Reading,
Berkshire, England
RG6 6AW
Telephone 0118 986 1101
Facsimile 0118 975 5344
www.cem.ac.uk

6 December 2001



Development Control Officer
Environmental Services Department
Planning Services, P O Box 157
Wokingham District Council
Civic Offices, Shute End
Wokingham RG40 1WR

For the attention of Mr Edward Oteng

Dear Sir

Application Number F/2001/5297
Land adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading

Thank you for your letter of 26 November 2001, giving the College the opportunity to comment on the above planning application for a change of use of land close to the College's teaching premises at Shinfield Grange. I have inspected the plans and other details submitted, and having done so wish to register the College's objection to the proposed development.

In the first place, we understand that the proposed development is outside the settlement boundary. The College sees no grounds to justify an exception to the presumption against a development of this nature close to open countryside. The College considers that the proposed development would be wholly inappropriate in such a sensitive location, and would be visually intrusive with an adverse effect on the appearance of the surrounding countryside.

Moreover, we believe the nature of the proposed development would encourage visits by itinerants whose mobile homes and other vehicles have obstructed the eastern end of Cutbush Lane from time to time.

We are aware of the provisions of the draft Local Plan insofar as it relates to the provision of permanent and transit gypsy sites (Policy WH12). We have noted the criteria against which applications for such sites will be considered, and believe that the proposed development would not meet criteria (a) and (b) of Policy WH12. In addition, the College believes that there would be a significant adverse effect on the amenities of neighbouring properties (criterion (c)), and for this and the reasons stated above consider that the application should be rejected.

Yours faithfully

Peter Galloway
Secretary

10

Christopher J Vickers CBE FRICS ACIArb (Chairman)
Peter Goodacre RD MSc FRICS FCIOB (Principal)
Peter Galloway BA MSc (Secretary)

Registered Charity No: 313223

PLANNING SERVICES	HPT
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07 DEC 2001	
ACK: ✓	
FILE:	

3 Grange Cottages
Cutbush Lane
Shinfield
Berkshire
RG2 9AF

01 Dec 2001

Case Officer EDWARD OTENG

Planning Application No F/2001/5297

With reference to the above planning application I would like to **object** in the strongest terms.

This permanent development would have a detrimental effect on the appearance and character of this rural area. The proposed development is directly opposite a listed building. Council is well aware of the problems a development of this type could cause..

Highway safety could be compromised.

On the previous application 2001/3767 permission was refused because it was :

a)Contrary to the Berkshire Structure Plan Policy C2, LD1
b)Loddon Area Local Plan policy LTV2 & LBE2
c)Wokingham District Plan WCC1 & WH12, WBE1 & WOS1
& Government Guidance.

These comments still apply to this application.

The land is described as vacant land. Up until six months ago this land had plush vegetation, trees and bushes. A bulldozer was used to remove these trees and bushes and a fire was lit which lasted a week.
Recently, pallet boards, rubbish, soil, etc. have been deposited in the area and over the last 10 days an old ambulance and a truck has been parked up from dusk to dawn. The truck leaves first thing, but the ambulance seems to have taken up permanent residence. Do we already have a new neighbour?

The land abuts a public footpath/right of way. Cutbush lane is the main lane for children walking to school from Lower Earley to Ryeish Green school. To position a site of this kind in the lane would cause major concerns for many parents.

It is to be hoped that all residents who made their comments clear on the first application will be notified again by Wokingham District Council of this second request.

Yours sincerely.

M Kibble

M Kibble (Mrs)

9

EO OBS

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07 DEC 2001	
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	FILE:

3,Grange Cottages
Cutbush Lane
Shinfield
Berkshire
RG2 9AF

04 December 2001

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

For the attention of: Mr Edward Oteng

REF: PLANNING APPLICATION No F/2001/5297

Dear Sir,

With reference to the above planning application I would like to register my most stringent objection, I list my reasons for your consideration below, these reasons essentially reflect the same as when the previous application was refused and as such still very much apply.

One of the reasons given for the refusal of the previous application by the Council was that it compromises Highway safety, this still applies, as do the facts that it is contrary to the following:

- Berkshire Structure Plan Policy C2 LD1
- Lodden Area Local Plan Policy LTV2 & LBE2
- Wokingham District Plan WCC1, WH12, WBE1 & WOS1

The land in question does not lend itself for development in this way, it is directly opposite a listed building and has a public footpath as a boundary on the west side. The road "Cutbush Lane" is a quiet No Through Road in a rural environment, enjoyed by many locals and visitors as a peaceful country location for walks etc.

Any development would need to be carefully considered to blend in and enhance the area without disruption; the above application certainly does not.

Yours sincerely

Mr John Kibble

8

Your Ref:

Our Ref: JHS/HF

Date: 06 December 2001

EO 068

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	ENF
07 DEC 2001	
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	FILE:

HASLAMS

156 Friar Street Reading
Berkshire RG1 1HH

Tel: 0118 960 1010
Fax: 0118 960 1022

Email: info@haslams-surveyors.co.uk
Web: www.haslams.net

Direct Line: 0118 960 1031
Mobile Telephone: 07879 600061
Direct Email: js@haslams-surveyors.co.uk

Edward Oteng Esq
Development Control Officer
Wokingham District Council
Environmental Services Department
Planning Services, PO Box 157
Shute End
WOKINGHAM
Berkshire RG40 1WR

Dear Sir

RE: APPLICATION NO.F/2001/5297
LAND ADJOINING GRANGE LODGE, CUTBUSH LANE, SHINFIELD
PROPOSED TWO MOBILE HOMES FOR GYPSIES

We are instructed by the University of Reading to object to the above application. The proposal for the development of the above site for two mobile homes for gypsies is totally inappropriate in this locality for the following reasons:-

1. It would be totally inappropriate in the context of adjoining development.

2. It would be totally out of character with this part of Cutbush Lane.

3. The applicant should be asked if the site forms part of Cutbush immediately opposite on the north west side of Cutbush Lane. The site certainly formed part of the curtilage of Cutbush at the time Cutbush was listed as a Grade 2 listed building.

   There would be a serious effect upon the listed building and/or a serious effect upon the setting of the listed building known as Cutbush.

4. There does not appear to us to be any policy context whereby the proposed development for gypsies should be allowed in this countryside location.

We trust the foregoing objection will be brought to the attention of your Committee.

Yours faithfully

J H Short
HASLAMS

1

Associate
Christopher D Moore FRICS

Consultants
David J Pantling MA MRTPI MRICS TP
Matt Andrews RIBA FFB
James H Attewell
Stephen P Woodford

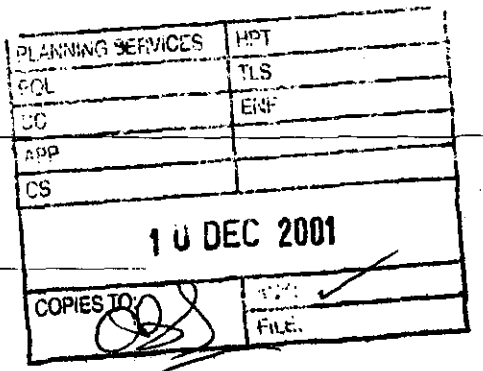
Partners
Steven D R Smith BSc (Est Man) FRICS FCIArb
John H Short BSc (Est Man) FRICS
Keith Walker DipArb FRICS MCIArb
Matthew S Ward BSc (Hons) MRICS
Ian L Brindley MRICS
Conrad R B Hill MRICS

Practice & Marketing Manager

Chartered Surveyors & Valuers
Corporate Property Consultants
Business Space Agents
Planning & Development Consultants
Building Surveyors & Project Design
Managing Agents & Arbitrators

Established 1838

RICS



Ian Jordan

From: WebComments@wokingham.gov.uk
Sent: 08 December 2001 16:16
To: ian.jordan@wokingham.gov.uk
Subject: Comments on Planning Applications

EO

****

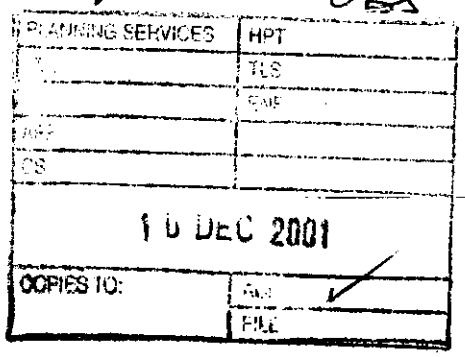
NatureofEmail: Object
ApplicationNumber: f/2001/5297
Correspondent_FullName: Steve Blagg
Correspondent_StreetAddress: red apple elm lane
Correspondent_Address2: earley
Correspondent_Town: reading
Correspondent_County: berks
Correspondent_PostCode: rg6 5ug
Correspondent_Telephone: 313025
Correspondent_Email: the.blaggs@easinet.co.uk

Comments:

I wrote to you about a similar application during the Summer. I believe that was 3 mobile homes. My comments remain the same as indicated in my previous letter. Cutbush Lane is suffering from urban blight especially near the pedestrian bridge crossing the M4. Abandoned cars and disposal of rubbish is a common occurence. I walked down the Lane this am and the cars have been removed but someone and I suspect either travellers or a rogue trader has deposited rubbish near the bridge. Now this was a common occurrence when travellers were staying in this area about 18 months ago. Wokingham took enforcement action and put a pile of stones down to prevent people from getting onto the bridge area near the M4. Should this planning application be approved then it is essential that the site is well managed. This road and footpath is well used by the residents of Lower Earley and Shinfield for accessing the countryside and despite Wokingham's best efforts the Lane is used as a rubbish dump. Should this application be approved I think it will aggravate the situation. I suggest it is an inappropriate site for gypsies.
8/12/01

6

EO OBS



31 Leyland Gardens
Shinfield
READING
RG2 9AN

6 December 2001
Application Number F/2001/5297

Dear Sir/ Madam,

I wish once again to register my complete opposition to the proposal in Cutbush Lane for the stationing of two mobile homes for gypsies.

My reasons now are the same as the previous time when the application was rejected by the planning department, I must admit I was unaware that applications were based on a "best of three" system to see who would finally win.

Regardless of whether it`s three homes as in the previous application or two as in this one, the petition raised before by local residents was enough to show that gypsies are not wanted in the area. Cutbush Lane and the footpaths leading off it are used recreationally by local people mainly for walking and cycling, it is also used by residents as a walkway to places like Asda and Lower Earley for work and shopping.

Gypsies wherever they are, usually intimidate and generally make nuisances off themselves, making their encampments and surrounds no-go area`s. Also with many listed buildings close by a gypsy site would be totally inappropriate.

Please reject this proposal, we do not want gypsies blighting our village.

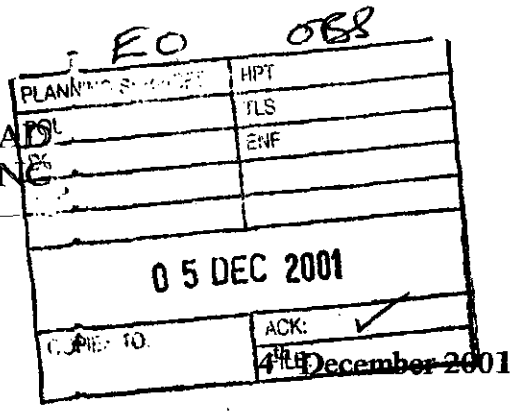
Yours faithfully

Mr. P. Dowling

5

EO 088

59 OATLANDS ROAD
SHINFIELD READING
RG2 9DN



4th December 2001

Wokingham District Council
Planning Service
PO Box 157
Shute End
Wokingham
RG40 1WR

FAO: Edward Oteng, Development Control Officer

Dear Mr Oteng

Reference: Planning Application F/2001/5297

With reference to the above planning application, I would like to lodge the following objections to the location of a permanent gypsy site in Cutbush Lane, Shinfield.

- Gypsies by definition are nomadic and therefore a "permanent" site is a contradiction of terms.
- The proposed site is in a countryside location with no amenities.
- The proposed site is within an established settlement, next to a listed building and well used public footpath.
- Gypsies using illegal sites in this area have shown themselves to be intimidating by allowing dogs to roam freely without any control. This is unlikely to change.
- Sites in this area have always been left with rubbish, are unhealthy and always an eyesore.
- How will be site be controlled to ensure that additional homes are not added at a later date?
- A reduction in council tax, for all residents in the area, would be applicable if the planning application succeeds.

I strongly object to this planning application and urge the council to reject it.

Yours sincerely

D C Payne.

Mr D C Payne

4

FO OBS

59 OATLANDS ROAD
SHINFIELD READING
RG2 9DN

PLANNING SERVICES | HPT
ENF
0 5 DEC 2001
COPIES TO: | ACK.

4th December 2001

Wokingham District Council
Planning Service
PO Box 157
Shute End
Wokingham
RG40 1WR

FAO: Edward Oteng, Development Control Officer

Dear Mr Oteng

Reference: Planning Application F/2001/5297

With reference to the above planning application, I would like to lodge the following objections to the location of a permanent gypsy site in Cutbush Lane, Shinfield.

- Gypsies by definition are nomadic and therefore a "permanent" site is a contradiction of terms.
- The proposed site is in a countryside location with no amenities.
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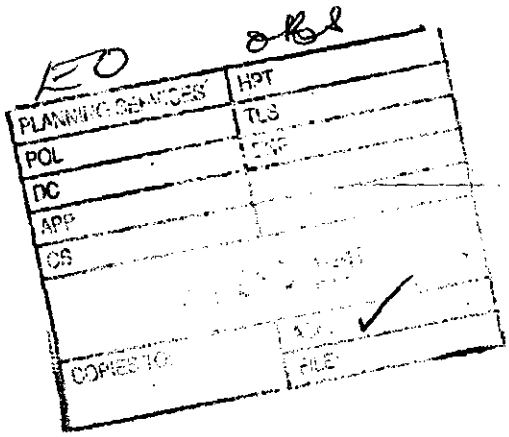
- Gypsies using illegal sites in this area have shown themselves to be intimidating by allowing dogs to roam freely without any control. This is unlikely to change.
- Sites in this area have always been left with rubbish, are unhealthy and always an eyesore.
- How will be site be controlled to ensure that additional homes are not added at a later date?
- A reduction in council tax, for all residents in the area, would be applicable if the planning application succeeds.

I strongly object to this planning application and urge the council to reject it.

Yours sincerely

EPayne

Mrs E Payne



Barn Close Cottage
Cutbush Lane
Shinfield
Berks
RG2 9AL

17 December 2001

Mr E Oteng
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berks

RG40 1WR

Dear Mr Oteng

APPLICATION F/2001/5297; PROPOSED CHANGE OF USE OF VACANT LAND TO STATIONING OF 2 MOBILE HOMES FOR GYPSIES.

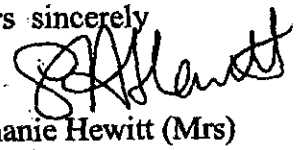
I strongly object to the above application. The land was, until recently sold and cleared, a copse in the same ownership as the listed 'Cutbush' opposite. Prior to this I understand it was a kitchen garden to 'Cutbush'. Any use of the site should be sympathetic to this important house and also to this pleasant rural part of Cutbush Lane. The properties from the College of Estate Management to Barn Close Cottage and the adjacent disused barn form one of the oldest and most attractive groups of buildings in Shinfield and this relationship would be much harmed by a gypsy site; the form of layout and design and style of mobile homes being totally out of character with the surroundings. It is a completely inappropriate type of development on this site, even if well screened by hedges or fences.

In addition, the nature of the work often undertaken by gypsies can result in an untidy site which may spill over into the lane which is quite narrow. It is an unneighbourly type of development, especially for the adjacent cottages and 'Cutbush'. Constant parking on the lane would be potentially dangerous as many people use it for recreation as well as travelling between Lower Earley and Shinfield. This may be exacerbated if a dedicated cycle lane is installed, as is proposed, I believe.

Furthermore, the Council will be aware that there are problems of fly-tipping and burned out cars further along the lane as well as occasional use by travellers. It is possible that a gypsy site may encourage growth of these problems, which are unpleasant for residents and other people using the lane.

The character and appearance of this part of Cutbush Lane should be preserved; this proposal would detract from it. If any development is to take place on this rural site, outside the settlement area, it should be sympathetic to its surroundings and this proposal clearly isn't. I very much hope that the Council will refuse this application.

Yours sincerely



Stephanie Hewitt (Mrs)

RO OBL

PLANNING SERVICES	HPT
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APP	
CS	

12 DEC 2001

COPIES TO:	ACK: ✓
	FILE:

48, Cutbush Lane,
SHINFIELD,
Reading, Berks.
RG2.9AH.

8th December 2001.

Wokingham District Council,
Planning Services,
P.O.Box 157,
Shute End,
WOKINGHAM, Berks.
RG40.1WR.

For the attention of Edward Oteng.

PLANNING APPLICATION F/2001/5297.
Re: Land adjoining Grange Lodge, Cutbush Lane, Shinfield.

Proposed change of use of vacant land to stationing of two mobile homes for gypsies.

Dear Sirs,

I wish to object to the above application in Cutbush Lane, Shinfield.

My objections are the same as for the previous Application F3200133767 which Igive below.

A gypsy site would be out of place in an area such as this i.e. next to Shinfield Grange, The University of Readings experiments on Plants, Horticulture etc. and opposite a large listed building.

We all know from past experience that if this application is allowed more travellers will arrive (as has happened at Arborfield) and as Cutbush Lane is a cul-de-sac with no street lighting this will present a very high security risk for the present householders and also the people of Lower Earley who are just over the motorway.

As this site has been turned down before for gypsies why does this have to come up again costing us taxpapers more expense.

Turn this application down and don't set a precedence.

Yours faithfully,

T.A.J. Edmonds

T.A.J. EDMONDS.



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

THE COUNTRYSIDE

Development in the Countryside

2.21 It is important to note the distinction between the 'countryside' and 'rural areas'. These are quite separate in technical terms. 'Countryside' is all land beyond identified settlement boundaries. Note that the countryside within the Metropolitan Green Belt is subject to specific Green Belt policies that form part of a separate chapter in this plan. The 'rural areas' definition is set out in the Berkshire Structure Plan 1991 - 2006, para. 5.5 where it is defined as:

"...those places which lie beyond towns (and adjoining built-up areas) with populations of 10,000 or more. This definition accords with that used by the Rural Development Commission...Using this approach the following settlements fall outside the remit of Policy C1: Reading Urban Area (Woodley and Earley); Wokingham/Winnersh"

2.22 Using just the 'rural areas' definition would mean that much of the plan area is rural and includes settlements such as Finchampstead North and Twyford. Therefore the 'countryside' definition is considered more appropriate and will apply in this plan.

2.23 The guiding principle in the countryside is that development should both benefit economic activity and maintain or enhance the environment. Rural areas can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources. *CERTAIN CATEGORIES OF DEVELOPMENT, E.G. AGRICULTURE AND TELECOMMUNICATIONS, ARE CLASSED AS PERMITTED DEVELOPMENT UNDER THE GENERAL DEVELOPMENT ORDER 1995 AND PRIOR NOTIFICATION TO THE COUNCIL OF THE EXERCISE OF THESE RIGHTS IS REQUIRED.*(PA 2/7) Development in the open countryside, away from existing settlements or areas allocated for development in this local plan will be strictly controlled. Some categories of development that may be appropriate, are set out in Policy WCC1 below.

2.23A INFILL DEVELOPMENT IS DEFINED AS ONE OR TWO DWELLINGS IN A SMALL GAP IN AN OTHERWISE BUILT-UP FRONTAGE. FOR THE PURPOSE OF THIS POLICY SMALL IS DEFINED AS NO LARGER THAN NECESSARY TO ACCOMMODATE TWO HOUSES HAVING REGARD TO THE WIDTHS OF THE EXISTING RESIDENTIAL FRONTAGES IN THE IMMEDIATE VICINITY. THE NEW DWELLING(S) SHOULD HAVE A SIMILAR ROAD FRONTAGE AND SIMILAR CURTILAGE TO ADJOINING DWELLINGS. IT IS ESSENTIAL THAT THE DEVELOPMENT DOES NOT ADVERSELY AFFECT THE CHARACTER OF THE AREA AND IN PARTICULAR NOT LEAD TO ANY URBANISATION OF THE AREA. SUCH DEVELOPMENT SHOULD PROVIDE ADEQUATE GARDEN OR AMENITY OPEN SPACE FOR THE PRIVATE ENJOYMENT OF RESIDENTS APPROPRIATE TO THE CHARACTER AND GENERAL LAYOUT OF THE AREA. THE PROTECTION OF TREES IN ACCORDANCE WITH POLICY WBE11 WILL BE ANOTHER IMPORTANT CONSIDERATION. **[A1]**

2.23B THE DEVELOPMENT WILL BE SUBJECT TO THE PROVISIONS OF POLICY WCC4 ON NEW BUILDINGS OUTSIDE SETTLEMENT BOUNDARIES. WHERE APPLICABLE, PROPOSALS FOR DEVELOPMENT WILL BE CONSIDERED AGAINST POLICY WCC2 AND POLICIES WLL2 TO WLL8 OF THIS PLAN AND THE RELEVANT POLICIES OF THE STRUCTURE PLAN. **[A1]**

POLICY WCC1: DEVELOPMENT IN THE COUNTRYSIDE (OUTSIDE THE METROPOLITAN GREEN BELT)

DEVELOPMENT OUTSIDE SETTLEMENT BOUNDARIES DEFINED IN THIS PLAN (AND NOT WITHIN THE METROPOLITAN GREEN BELT) WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF DETAILED POLICIES AND PROVISIONS OF THIS PLAN.

DEVELOPMENT WILL ONLY BE ACCEPTABLE IN PRINCIPLE WHERE THE PROPOSAL FALLS WITHIN AT LEAST ONE OF THE FOLLOWING CATEGORIES:

A) DEVELOPMENT FOR AGRICULTURE/FORESTRY

B) OUTDOOR SPORT/COUNTRYSIDE RECREATION

C) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE

D) RE-USE AND ADAPTATION OF EXISTING BUILDINGS

E) DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT COMPLIES WITH POLICY WRE1

Cont.

F) REDEVELOPMENT PROPOSAL IN THE COUNTRYSIDE

G) OTHER DEVELOPMENT APPROPRIATE TO THE COUNTRYSIDE WHICH CANNOT ACCOMMODATED WITHIN A SETTLEMENT

~~H)SENSITIVE INFILLING OF SMALL GAPS WITHIN SMALL GROUPS OF HOUSES AND MIN~~
~~EXTENSIONS TO GROUPS OUTSIDE DESIGNATED GREEN GAPS (POLICY WCC 2) F~~
~~RESIDENTIAL USE WILL BE ACCEPTABLE SUBJECT TO THE PROVISIONS OF POLICY WH~~
(PA 2/8)

H) SENSITIVE INFILLING OF ONE OR TWO DWELLINGS IN A SMALL GAP IN AN OTHERWIS BUILT-UP FRONTAGE WHERE THE DEVELOPMENT WOULD NOT ADVERSELY AFFECT TH CHARACTER AND APPEARANCE OF THE AREA. **[A1]**

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, IT WILL ONLY BE PERMITTED IF I IS APPROPRIATE IN SCALE, FORM, MATERIALS, DESIGN, CHARACTER, TO ITS LOCATIO IN THE COUNTRYSIDE AND BE CONSISTENT WITH OTHER POLICIES IN THIS PLAN (SUCH AS *THOSE RELATING TO GREEN GAPS, LANDSCAPE AND* **[A1]** NATURE CONSERVATION) AND ANY SUPPLEMENTARY PLANNING GUIDANCE.

THE CLOSING OF GAPS OR THE ENCLOSURE OF OPEN AREAS THAT ARE IMPORTANT COMPONENTS IN THE CHARACTER OF AN AREA WILL NOT BE PERMITTED.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Green Gaps and Wedges

2.24 As a result of the density of development and the variety of settlements that characterise the plan area, it is essential that the separate identity of these settlements is maintained by keeping real 'green wedges' and 'gaps' between them. Policy C6 of the Berkshire Structure Plan 1991 - 2006 states that the 'green wedges' and 'gaps' will be defined in local plans. The areas in question are set out on the proposals map supporting this plan. Some of these gaps are more vulnerable than others and any built development could undermine their importance. Where specific landscape features such as trees or hedgerows may be compromised measures for positive landscape management will be sought, where possible.

2.25 For the avoidance of doubt, 'green wedges' are areas of open space penetrating, partly enclosed by, or separating identified settlements. ~~*EXISTING PERMITTED USES WILL CONTINUE IN THESE AREAS BUT INTENSIFICATION OF THESE USES WILL NOT BE ALLOWED, IN ORDER TO PRESERVE THE EXISTING OPEN CHARACTER OF THE LAND.*~~ **(PA 2/9)** *EXISTING PERMITTED USES WILL CONTINUE IN THESE AREAS, BUT INTENSIFICATION OF THESE USES WILL NOT BE ALLOWED WHERE THE EXISTING OPEN AND UNDEVELOPED CHARACTER OF THE LAND IS ADVERSELY AFFECTED.* **[A2]** 'Gaps' comprise open land which provides physical or visual separation between distinct identified settlements.

2.26 The areas included in the green wedges and gaps policy have been identified previously in the adopted local plans as areas important to the separation of settlements. These are retained except where specific proposals require a change, e.g. the new settlement identified at Grazeley, south of the M4.

2.27 The green wedges and gaps can also be important because of the character and sense of place that they can contribute to the settlements. In the adopted local plans the separation of, and setting of, settlements

~~d) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY INTEREST OF NATURE CONSERVATION IMPORTANCE.~~

~~Implementation: The development control process.~~

~~Monitoring: Gypsy transit sites granted consent.~~ **(PA 5/15)**

~~**POLICY WH13: PERMANENT GYPSY SITES**~~

~~THE COUNCIL WILL NORMALLY CONSIDER FAVOURABLY PLANNING APPLICATIONS FOR PERMANENT GYPSY SITES OUTSIDE THE GREEN BELT, SUBJECT TO THE CONSIDERATION OF THE PROPOSALS AGAINST ALL OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN, AND SUBJECT TO THE FOLLOWING CRITERIA:~~

~~a) THAT A NEED HAS BEEN ADEQUATELY DEMONSTRATED~~

~~b) THAT THE PROPOSAL DOES NOT INVOLVE AREAS OF OPEN LAND WHERE DEVELOPMENT IS SEVERELY RESTRICTED~~

~~c) THE SITE IS REASONABLY LOCATED TO LOCAL SERVICES AND FACILITIES~~

~~d) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE AMENITIES OF NEIGHBOURING PROPERTIES~~

~~e) THE SITE IS VISUALLY WELL CONTAINED, OR PROVIDES OPPORTUNITY TO BE MADE SO.~~

~~Implementation: The development control process.~~

~~Monitoring: Permanent gypsy sites granted consent.~~ **(PA 5/15)**

5.26 Berkshire County Council provides a number of permanent sites within the County. Two of these sites are within the plan area. The Council has experienced pressure for additional permanent pitches to be provided in the District. Circular *1/94 Gypsy Sites and Planning* advises that it is important that local planning authorities make adequate gypsy site provision within development plans, through appropriate use of locational and/or criteria-based policies. Although the Council has investigated the locational based approach, difficulty has arisen in identifying specific sites that would be appropriate for such uses. Consequently a criteria-based policy approach has been adopted.

POLICY WH12: GYPSY SITES (PERMANENT AND TRANSIT)

THE COUNCIL WILL NORMALLY CONSIDER FAVOURABLY PLANNING APPLICATIONS FOR GYPSY SITES, WHETHER PERMANENT OR TRANSIT, OUTSIDE THE GREEN BELT, PROVIDED THAT A NEED HAS BEEN ADEQUATELY DEMONSTRATED, SUBJECT TO CONSIDERATION OF THE PROPOSALS AGAINST ALL OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN, AND PROVIDED THAT THE FOLLOWING PARTICULAR CRITERIA ARE COMPLIED WITH:

a) THERE IS NO ADVERSE IMPACT ON THE APPEARANCE OR OPEN CHARACTER OF THE COUNTRYSIDE

Cont.

b) THE SITE IS VISUALLY WELL-CONTAINED, OR PROVIDES OPPORTUNITY TO BE MADE SO

c) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE AMENITIES OF NEIGHBOURING PROPERTIES

d) THE SITE IS WITHIN A REASONABLE DISTANCE OF LOCAL SERVICES AND FACILITIES

e) THERE IS EASY AND SAFE ACCESS TO THE PRIMARY ROAD NETWORK

f) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY INTEREST OF NATURE CONSERVATION IMPORTANCE.

Implementation: The development control process.

Monitoring: Permanent gypsy sites granted consent.

Surface Water Run-Off

11.34 Unless carefully sited and designed, new development can increase run-off by the addition of impermeable surfaces such as roofs and paved areas. This can result in increased risk of flooding downstream and damage to the water environment. Where possible the Council will encourage permeable surfaces, in parking areas for example.

Flood Plains

11.35 The Environment Agency has statutory responsibilities for water resources, pollution control, flood defence, fisheries, recreation, conservation and navigation. New development can cause flooding, pollution and erosion of areas located downstream. Accordingly development will be restricted in areas liable to flood and in locations that would result in an increased flood risk in areas downstream. In preparing flood compensation schemes consideration should be given to the primary use of the land. Flood compensation schemes will not be acceptable within residential curtilages unless it can be demonstrated that the main use as a garden would not be affected.

POLICY WIC16: DEVELOPMENT IN FLOOD PLAINS

IN AREAS LIABLE TO FLOOD DEVELOPMENT WILL NOT BE PERMITTED UNLESS IT CAN BE DEMONSTRATED TO THE SATISFACTION OF THE COUNCIL, IN CONSULTATION WITH THE ENVIRONMENT AGENCY THAT, BY ITSELF, OR CUMULATIVELY WITH OTHER DEVELOPMENT, IT WILL NOT:

a) IMPEDE THE FLOW OF FLOOD WATER; OR

b) REDUCE THE CAPACITY OF THE FLOOD PLAIN TO STORE WATER; OR

c) INCREASE THE NUMBER OF PEOPLE OR PROPERTIES AT RISK FROM FLOODING.

Implementation: Through development control process and in consultation with the Environment Agency.

Monitoring: Planning applications determined within flood areas.

POLICY WIC17: SURFACE WATER RUN-OFF LIABLE TO CAUSE FLOODING

PLANNING PERMISSION WILL NOT BE GRANTED FOR NEW DEVELOPMENT OR REDEVELOPMENT OF EXISTING URBAN AREAS IF SUCH DEVELOPMENT WOULD RESULT IN AN INCREASED FLOOD RISK IN AREAS DOWNSTREAM DUE TO ADDITIONAL SURFACE WATER RUN-OFF. WHERE DEVELOPMENT IS PERMITTED THAT IS LIKELY TO INCREASE THE RISK OF FLOODING, IT MUST INCLUDE APPROPRIATE ATTENUATION MEASURES DEFINED BY THE COUNCIL IN CONSULTATION WITH THE ENVIRONMENT AGENCY.

Implementation: Through development control process and in consultation with the Environment Agency.

Monitoring: Planning applications determined.

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG40 1WR

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.

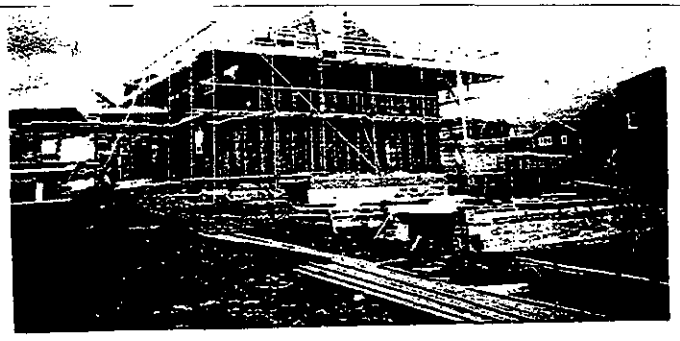
❖ LTV1 'IDENTIFIED SETTLEMENTS'

WITHIN THE IDENTIFIED SETTLEMENTS AS DEFINED 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

REPLACEMENT STRUCTURE PLAN EXCEPTIONS MAY BE MADE FOR DEVELOPMENT IN THE FOLLOWING CATEGORIES WHICH ARE NOT SPECIFICALLY DEALT WITH BY OTHER POLICIES IN THIS LOCAL PLAN:

(A) DEVELOPMENT FOR HOUSING PURPOSES OF SITES NOT EXCEEDING 0.4 HECTARE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT;

(B) DEVELOPMENT FOR EMPLOYMENT USES NOT EXCEEDING 300 SQUARE METRES OF FLOORSPACE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT;

(C) DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY;

(D) MINERAL EXTRACTION;

(E) PLANT FOR RECEIVING IMPORTED AGGREGATES, OR FOR THE PROCESSING OR DISTRIBUTION OF AGGREGATES;

(F) THE DISPOSAL OF WASTE BY CONTROLLED TIPPING WITHIN EXISTING OR FORMER MINERAL WORKINGS OR ON OTHER DESPOILED LAND;

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE;

(H) ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA.

THE ACCEPTABILITY OF ALL PROPOSALS WILL ALSO BE JUDGED AGAINST THE PROVISIONS OF THE OTHER RELEVANT POLICIES CONTAINED IN THIS PLAN. FOR THE AVOIDANCE OF DOUBT THE AREAS OF SPORADIC DEVELOPMENT IDENTIFIED ON THE PROPOSALS MAPS ARE INCLUDED WITHIN THE RURAL AREAS.

NEW SETTLEMENTS IN RURAL AREAS

1.1.07 The scale of housing and other developments envisaged in the Replacement Structure Plan for Berkshire is not such as to recognise or justify consideration of a new settlement separate from existing settlements. There are therefore no proposals of this nature in the plan. Any such development would seriously undermine the county and regional strategy and would seriously detract from the essential role of the countryside areas in providing a foil to the built-up areas and maintaining substantial tracts of countryside in an increasingly urbanised area.

❖ *LTV3 NEW SETTLEMENTS IN RURAL AREAS*

THE CREATION OF NEW SETTLEMENTS WILL NOT BE PERMITTED WITHIN THE DEFINED RURAL AREAS, AS SHOWN ON THE PROPOSALS MAP.

DEFINITION OF BOUNDARIES

1.1.08 The preparation of this Local Plan has provided an opportunity to formally recognise the boundaries of settlements that have never previously been 'identified' and to review those boundaries of settlements that have previously been recognised in earlier village or local plans. In certain cases development has occurred, or, a commitment exists beyond the existing boundary, whilst in other cases the latter does not always delineate land which is in a truly urban as opposed to rural use.

1.1.09 The perimeter of each 'identified' settlement has been surveyed and clear boundaries identified. These follow natural features, fencelines or other plot boundaries. An exception concerns properties with extensive curtilages where property boundaries are not necessarily appropriate. In such circumstances, it has been necessary to make a judgement about the point at

Conscious of this effect, the District Council will seek the views of the NRA Thames Region and those of adjacent Boroughs for any proposals in its area which appear likely to have significant adverse surface water run-off consequences prior to the granting of planning permission. This will allow appropriate measures as defined by the Council to be taken to alleviate any increased risk of flooding downstream from the development. Accordingly development will be restricted in areas liable to flood and in locations which would result in an increased flood risk in areas downstream.



❖ LPS2 RESTRICTION OF DEVELOPMENT IN FLOOD AREAS

DEVELOPMENT ON AREAS SUBJECT TO FLOOD RISK WILL BE RESTRICTED TO THOSE USES WHICH WILL NOT BE SERIOUSLY AFFECTED BY OCCASIONAL INUNDATION, AND WHICH WILL NOT SIGNIFICANTLY REDUCE THE CAPACITY OF THE AVAILABLE WASHLAND AND WILL NOT IMPEDE THE FLOW OF FLOOD WATER.

❖ LPS3 NEW DEVELOPMENT IN FLOOD AREAS

IN AREAS LIABLE TO FLOOD THERE WILL BE A PRESUMPTION AGAINST:

(A) NEW DEVELOPMENT, INCLUDING THE EXTENSION OF EXISTING PROPERTIES, WITH GROUND COVERED AREAS GREATER THAN 100 SQUARE METRES; AND

(B) THE RAISING OF THE LEVEL OF LAND,

WHERE THIS WOULD BE LIKELY TO:

(A) MATERIALLY IMPEDE THE FLOW OF FLOOD WATER;

(B) INCREASE THE RISK OF FLOODING ELSEWHERE; OR

(C) INCREASE THE NUMBER OF PEOPLE OR PROPERTIES AT RISK,

UNLESS SCHEMES FOR FLOOD RELIEF AND/OR COMPENSATION HAVE BEEN AGREED BY THE NATIONAL RIVERS AUTHORITY, THAMES REGION, AND THE DISTRICT COUNCIL.

❖ LPS4 SURFACE WATER RUN-OFF LIABLE TO CAUSE FLOODING

PLANNING PERMISSION WILL NOT NORMALLY BE GRANTED FOR NEW DEVELOPMENT OR REDEVELOPMENT OF EXISTING URBAN AREAS IF SUCH DEVELOPMENT WOULD RESULT IN AN INCREASED FLOOD RISK IN AREAS DOWNSTREAM DUE TO ADDITIONAL SURFACE WATER RUN-OFF. WHERE DEVELOPMENT IS PERMITTED WHICH IS LIKELY TO INCREASE THE RISK OF FLOODING, IT MUST INCLUDE APPROPRIATE ATTENUATION MEASURES DEFINED BY THE COUNCIL IN CONSULTATION WITH THE NRA.

❖ LPS5 WORKS AFFECTING WATERCOURSES

THE COUNCIL WILL SEEK TO ENSURE THAT ALL WORKS IN, UNDER, OVER AND ADJACENT TO, WATERCOURSES RECEIVE ANY NECESSARY STATUTORY CONSENTS AND ARE APPROPRIATELY DESIGNED AND IMPLEMENTED IN ACCORDANCE WITH REGULATIONS.

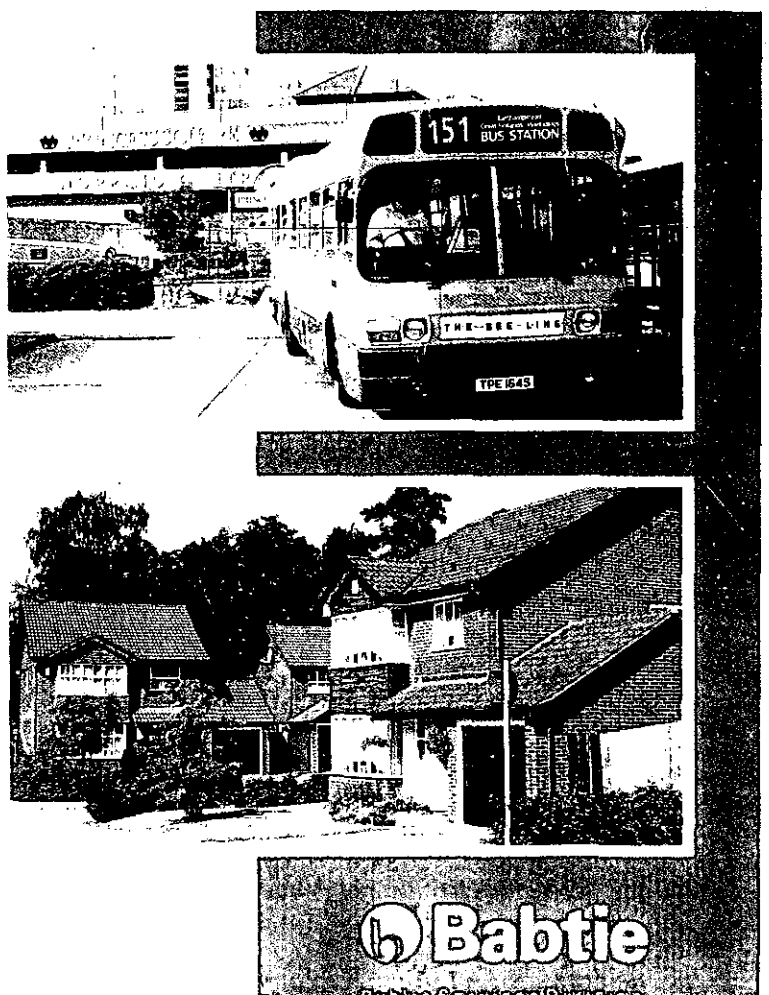
PUBLIC RUBBISH DUMP

1.9.10 The need for a public rubbish site in the central part of Wokingham District has been established for some years. Existing facilities are



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997



LIMITING THE SPREAD OF DEVELOPMENT

Controlling Development in the Countryside

5.8 The protection of the countryside is a fundamental concern and it is necessary to limit development within it to that which is both appropriate (in type and form) and sensitive to its location.

Development Outside Built-Up Areas and Settlements

Policy C2 **Development outside built-up areas and settlement boundaries defined in local plans (and not within the Metropolitan Green Belt - see Policy C4) will be strictly controlled, and permitted only :**

(i) where it is required for agriculture or forestry; or

(ii) for the re-use, adaptation or redevelopment of existing buildings, particularly to assist the diversification of the rural economy and to maintain or enhance the rural environment; or

(iii) other development for which a rural location is essential;

provided it is both appropriate in scale, form, impact, character and siting to its location in the countryside and is acceptable in terms of other policies in the Structure Plan.

5.9 Building in the open countryside away from existing settlements or from areas allocated for development in local plans will be strictly controlled in line with advice in PPG7, 'The Countryside and the Rural Economy'. Even where development may be acceptable in principle in the countryside the acceptability of a particular proposal will depend on its suitability for the proposed site; on the impact of any related activity; and on the adequacy of any measures to integrate the proposal into the surroundings. More detailed criteria relating to the control of development in the countryside will be included in local plans. With regard to redevelopment, such criteria may for example require that proposals should have no greater impact (in terms of bulk of buildings or site coverage) than the existing development and should secure environmental improvements.

5.10 Proposals for essential utilities will be considered under sub-section (iii) of Policy C2. Essential utilities include development and facilities, where these cannot be sited within settlements, for transport and related services, including park and ride and motorway service areas; for the distribution of gas, oil and electricity; for sewage disposal; for water supply and flood alleviation; and for telecommunications.

5.11 Where necessary to meet provisions made in the Structure Plan, settlement boundaries may be defined in local plans to allow for appropriate forms of development on sites on the edge of built-up areas.

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.

Reducing the Risk of Flooding

Policy EN3 **Development should not be located in areas liable to flood if it would be likely to:**

(i) inhibit the capacity of the flood plain to store flood water; or

(ii) impede the flow of flood water; or

(iii) increase the risks to life or property arising from flooding.

In addition, proposals which would increase flood risk elsewhere as a result of additional surface water run-off will be resisted unless adequate surface water balancing facilities are provided.

6.8 Areas liable to flood include those which have at any time been affected by flooding, or which form part of a river flood plain. At sites suspected of being at risk of flooding but for which precise recent flood risk information is unavailable, a technical assessment of the flood risk may be required to demonstrate compliance with the requirements of this policy. Policy EN3 covers intensification of existing development and the raising of land.

PROTECTING PARTICULAR ENVIRONMENTAL INTERESTS

6.9 The protection of special landscapes and the rural landscape at large is dealt with in Chapter 5. Other policies for protection and enhancement of specific environmental interests are set out below.

Buildings of Special Character and Interest

6.10 Legislation provides for the protection of statutorily listed historic buildings from demolition or unnecessary or over-radical change. Other buildings of local importance may also warrant retention as part of development schemes. There is a need to ensure that subject to other policies in this Plan, historic buildings can have a use which justifies or funds their upkeep.

Development Proposals Related to Buildings of Special Character and Interest

Policy EN4 **Listed buildings and buildings in conservation areas will be protected from demolition, inappropriate alteration and other adverse change. Proposals affecting these buildings and other buildings of special architectural or historic interest should conserve their historic fabric and character, preserve or enhance their settings, provide appropriate uses and ensure adequate standards of maintenance and repair.**

4 LIMITING THE IMPACT OF DEVELOPMENT

4.1 The previous chapter emphasised the overriding importance of securing sustainable development, improving the quality of life in all parts of Berkshire and protecting (and where possible, enhancing) the environment in its widest sense.

4.2 To reinforce the overall strategy, policies set out in this chapter provide the starting point for considering all development proposals.

SUSTAINING BERKSHIRE'S ENVIRONMENT

4.3 Planning policies in Berkshire have a contribution to make to the conservation of natural resources and this theme underlies a number of policies in the Plan.. While it is appreciated that many issues can only be partly addressed through the planning system, there are a number of measures that may be taken by which the impact of development on both the local and global environments can be reduced.

4.4 New development offers an important opportunity to secure the conservation of energy and natural resources, by means ranging from broad-scale decisions about location; through more specific decisions about the orientation of buildings and sitifig of shelter belts; to consideration of design, materials and the recycling of waste.

Sustainable Development

Policy LD1 **In formulating policies in local plans and in considering development proposals, account will be taken of the extent to which development is sustainable in its location and form; helps to conserve natural resources, including land, water and fossil fuels; and minimises the risk of pollution.**

4.5 The principles of sustainable development are explicitly recognised in recent Planning Policy Guidance Notes, in particular, PPG's 1, 12 and 13 and MPG6 on Provision of Aggregates. Policy LD1 is aimed at sustaining Berkshire's environment and helping to address wider environmental concerns through the formulation of policies in local plans and the consideration of development proposals. In seeking to achieve the aims expressed in Policy LD1, development will be sought which accords with the following principles. (Cross references to other policies in the Plan of particular relevance are listed after each sub-section).

(i) making the best use of land resources, for example, by protecting the open countryside and by maximising the use for development of urban land especially where vacant or derelict (where this is compatible with conserving and enhancing the quality of the urban environment) (OS1, C2, C4, C6, C10, EN1, H5, BU1, S4, R7, M2, W3) ;

(ii) helping to conserve energy and water by means of layout, design, orientation and landscaping of buildings. Regard to these considerations can allow for the implementation of schemes benefiting from passive solar gain and/or combined heat and power/district heating systems (EN1);

(iii) using renewable rather than non-renewable materials, and materials requiring a low energy input for their production (W2);

(iv) minimising the risk of harm to human health and to the environment from noise, vibration, effluent, fumes and other pollution including gas arising from landfill sites. In accordance with advice in PPG23 'Planning and Pollution Control', local planning authorities will need to consult the appropriate pollution control authority (EN2, EN3, W1, W3, W5);

(v) minimising waste generation through re-using building materials where economically viable and appropriate, and separating all re-usable waste arising through development from demolition and construction. In considering proposals for recycling materials, including construction waste, it will be necessary to balance local concerns with the wider environmental benefits of recycling (LD2, W2);

(vi) locating land uses so as to minimise the need for travel, particularly by private vehicles, and increasing the opportunities for other less energy intensive forms of transport. For example, Policy H4 states that proposals for housing development should be satisfactorily located in terms of their relationship to employment opportunities and shopping and service facilities (LD5, H4, S4, R6, R7);

(vii) avoiding irreversible damage to the landscape, natural habitats or features of aesthetic, historic or scientific interest (C7-C9, EN4-EN10).

Recycling Facilities

4.6 The new Waste Strategy for Berkshire, incorporating the Waste Local Plan being prepared by the County Council, will encompass detailed policies for the provision of recycling facilities in new development.

Provision of Recycling Facilities

Policy LD2 **Major development and developments frequently attracting a significant number of people will be expected to make provision for appropriate recycling facilities.**

4.7 The above policy seeks provision (on-site or by contribution towards provision elsewhere) of recycling facilities which are appropriate in terms of their size, type and location to the development proposed. Except in the case of housing schemes, this provision will be related to the level and location of car parking provided in association with the development.

ELY PLANNING

A Town Planning Consultancy

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24th May 2002

The Planning Inspectorate
Appeals Registry
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Dear Sirs,

Section 78 appeal against the refusal by Wokingham District Council of planning application no: F/2001/5297 for the change of use of vacant land to stationing of two mobile homes for gypsies at land adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading.

Please find enclosed a Section 78 appeal hereby lodged against the refusal of the above planning application by Wokingham District Council. Accordingly please find enclosed the completed questionnaire, together with a bundle of the documents listed in Section J of the questionnaire.

I confirm that I have sent a copy of this appeal to the relevant Local Planning Authority.

I await confirmation of the registration of this appeal, but in the meantime should you have any enquiries please do not hesitate to contact me.

Yours faithfully,

Sally Walker

Sally Walker B A Hons M.R.T.P.I.
cc. Mr Dean
cc. District Planning Officer, Wokingham District Council.

Encs.

144 MONDAY to FRIDAY SERVICE *Thames Travel* 144

Timetable for Wokingham / Reading / Wokingham Service operating MONDAY to FRIDAY from 8 Apr '02 to 28 Jun '02

WOKINGHAM > BARKHAM > CALIFORNIA > ARBORFIELD GARRISON > ARBORFIELD CROSS > SHINFIELD > ROYAL BERKS. HOSPITAL > READING STATION

WOKINGHAM	**Broad Street**		*SCHOOL*	*DURING*	09.05	10.05	11.05	12.05	13.05	14.05	15.05	16.15	17.15	18.20
WOKINGHAM STATION	Station Road		*DAYS*	*SCHOOL*	09.08	10.08	11.08	12.08	13.08	14.08	15.08	16.18	17.18	18.23
[illegible]RKHAM	The Bull		*ONLY*	*HOLS.*	09.12	10.12	11.12	12.12	13.12	14.12	15.12	16.22	17.22	18.26
CALIFORNIA	Post Office		07.32	07.39	09.17	10.17	11.17	12.17	13.17	14.17	15.17	16.27	17.27	18.30
ARBORFIELD GARRISON	**Sheerlands Road**	06.47	07.40	07.47	09.25	10.25	11.25	12.25	13.25	14.25	15.25	16.35	17.35	18.37
ARBORFIELD CROSS	The Bull	06.52	07.46	07.52	09.30	10.30	11.30	12.30	13.30	14.30	15.30	16.40	17.40	18.41
SHINFIELD	School Green	06.56	07.52	07.56	09.35	10.35	11.35	12.35	13.35	14.35	15.35	16.45	17.45	18.45
ROYAL BERKS. HOSPITAL	Craven Road	07.07	08.10	08.12	09.46	10.46	11.46	12.46	13.46	14.46	15.46	16.56	17.56	18.56
READING STATION	**Bus Stop 'SK'**	07.15	08.28	08.30	09.58	10.58	11.58	12.58	13.58	14.58	15.58	17.08	18.08	19.08

READING STATION > ROYAL BERKS. HOSPITAL > SHINFIELD > ARBORFIELD CROSS > ARBORFIELD GARRISON > CALIFORNIA > BARKHAM > WOKINGHAM

READING STATION	**Bus Stop 'SK'**	07.20		08.40	10.05	11.05	12.05	13.05	14.05	15.15	16.15	17.15	18.15
ROYAL BERKS. HOSPITAL	Craven Road	07.28		08.48	10.13	11.13	12.13	13.13	14.13	15.23	16.23	17.26	18.23
SHINFIELD	School Green	07.37		08.59	10.24	11.24	12.24	13.24	14.24	15.34	16.34	17.42	18.34
ARBORFIELD CROSS	The Bull	07.40		09.02	10.27	11.27	12.27	13.27	14.27	15.37	16.37	17.47	18.37
ARBORFIELD GARRISON	**Sheerlands Road**	07.46		09.08	10.33	11.33	12.33	13.33	14.33	15.43	16.43	17.53	18.43
CALIFORNIA	Post Office	07.53	08.35	09.15	10.40	11.40	12.40	13.40	14.40	15.50	16.50	18.00	
BARKHAM	The Bull	07.58	08.40	09.20	10.45	11.45	12.45	13.45	14.45	15.55	16.55	18.05	
WOKINGHAM STATION	Station Road	08.10	08.52	09.24	10.49	11.49	12.49	13.49	14.49	15.59	16.59	18.09	
WOKINGHAM	**Broad Street**	08.15	08.57	09.27	10.52	11.52	12.52	13.52	14.52	16.02	17.02	18.12	

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Timetable for Wokingham / Reading / Wokingham Service operating on SATURDAY ONLY : 13 Apr '02 to 29 Jun '02

WOKINGHAM > BARKHAM > CALIFORNIA > ARBORFIELD GARRISON > ARBORFIELD CROSS > SHINFIELD > ROYAL BERKS. HOSPITAL > READING STATION

WOKINGHAM	**Broad Street**			09.05	10.05	11.05	12.05	13.05	14.05	15.05	16.15	17.15	18.15
WOKINGHAM STATION	Station Road			09.08	10.08	11.08	12.08	13.08	14.08	15.08	16.18	17.18	18.[redacted]
BARKHAM	The Bull			09.12	10.12	11.12	12.12	13.12	14.12	15.12	16.22	17.22	18.[redacted]
CALIFORNIA	Post Office			09.17	10.17	11.17	12.17	13.17	14.17	15.17	16.27	17.27	18.27
ARBORFIELD GARRISON	**Sheerlands Road**		08.00	09.25	10.25	11.25	12.25	13.25	14.25	15.25	16.35	17.35	18.35
ARBORFIELD CROSS	The Bull		08.05	09.30	10.30	11.30	12.30	13.30	14.30	15.30	16.40	17.40	18.40
SHINFIELD	School Green		08.10	09.35	10.35	11.35	12.35	13.35	14.35	15.35	16.45	17.45	18.45
ROYAL BERKS. HOSPITAL	Craven Road		08.21	09.46	10.46	11.46	12.46	13.46	14.46	15.46	16.56	17.56	18.56
READING STATION	**Bus Stop 'SK'**		08.33	09.58	10.58	11.58	12.58	13.58	14.58	15.58	17.08	18.08	19.08

READING STATION > ROYAL BERKS. HOSPITAL > SHINFIELD > ARBORFIELD CROSS > ARBORFIELD GARRISON > CALIFORNIA > BARKHAM > WOKINGHAM

READING STATION	**Bus Stop 'SK'**	08.05	09.05	10.05	11.05	12.05	13.05	14.05	15.15	16.15	17.15	18.15	
ROYAL BERKS. HOSPITAL	Craven Road	08.13	09.13	10.13	11.13	12.13	13.13	14.13	15.23	16.23	17.23	18.23	
SHINFIELD	School Green	08.24	09.24	10.24	11.24	12.24	13.24	14.24	15.34	16.34	17.34	18.34	
ARBORFIELD CROSS	The Bull	08.27	09.27	10.27	11.27	12.27	13.27	14.27	15.37	16.37	17.37	18.37	
ARBORFIELD GARRISON	**Sheerlands Road**	08.33	09.33	10.33	11.33	12.33	13.33	14.33	15.43	16.43	17.43	18.43	
CALIFORNIA	Post Office	08.40	09.40	10.40	11.40	12.40	13.40	14.40	15.50	16.50	17.50		
BARKHAM	The Bull	08.45	09.45	10.45	11.45	12.45	13.45	14.45	15.55	16.55	17.55		
WOKINGHAM STATION	Station Road	08.49	09.49	10.49	11.49	12.49	13.49	14.49	15.59	16.59	17.59		
WOKINGHAM	**Broad Street**	08.52	09.52	10.52	11.52	12.52	13.52	14.52	16.02	17.02	18.02		

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TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT:	MR D DEAN
APPEAL SITE:	LAND ADJOINING GRANGE LODGE, CUTBUSH LANE, SHINFIELD
REASON FOR APPEAL:	REFUSAL TO GRANT FULL PLANNING PERMISSION FOR THE CHANGE OF USE OF THE LAND TO USE FOR THE STATIONING OF TWO MOBILE HOMES

LOCAL PLANNING AUTHORITY REFERENCE: F/2001/5297

PLANNING INSPECTORATE REFERENCE: APP/X0360/A/02/1091595

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1.0 INTRODUCTION

2.0 LOCATION AND DESCRIPTION OF THE APPEAL SITE AND SURROUNDING AREA

3.0 RELEVANT PLANNING HISTORY

4.0 PLANNING POLICY AND GOVERNMENT GUIDANCE

5.0 STATEMENT OF CASE

6.0 CONCLUSION

7.0 APPENDICES

1.0 INTRODUCTION

Reasons for refusal

1.1 Planning permission was refused for the change of use of land to allow the stationing of two mobile homes for gypsies on land adjoining Grange Lodge, Cutbush Lane, Shinfield on the 24th April 2002 for the following reasons:

1. The proposal would have a detrimental effect on the appearance and open character of the countryside and is therefore contrary to part (a) of Policy WH12 and Policy WCC1 of the Wokingham District Local Plan and Policy C2 of the Berkshire Structure Plan.

2. The application site is not within a reasonable distance of local services and facilities. The proposal is therefore contrary to part (d) of Policy WH12 of the Wokingham District Local Plan and Policy LD1 of the Berkshire Structure Plan.

Main issues

1.2 The Local Planning Authority considers the main issues are:

1. Whether the need is such to override the effect of the proposal on the general character and appearance of the area; and

2. Whether the site is appropriate in terms of its location for the proposed use as a caravan site.

2.0 LOCATION AND DESCRIPTION OF THE APPEAL SITE AND SURROUNDING AREA

2.1 The site is located on the northeastern edge of Shinfield in principally a countryside location with sporadic residential development. Shinfield is some 3 miles from Reading and 4 miles from Wokingham.

2.2 Access to the site is gained off Cutbush Lane a country lane which leads to a dead end just south of the M4 motorway.

2.3 The site is a roughly triangular area of land of about 0.1 hectares on the eastern side of Cutbush Lane. A site plan is attached as Appendix 1. The site is enclosed by vegetation on all sides including two horse chestnuts and a group of pines to the rear of the site. Along the southwestern boundary runs a public footpath.

2.4 On the opposite side of the road is 'Cutbush', a listed building with barn attached adjacent to Cutbush Lane. To the east and south are the grounds and associated buildings for Reading University (College of Estate Management). Grange Lodge is immediately to the east of the site and has

windows facing westward towards the application site. Further to the north, west and east are open agricultural fields.

3.0 RELEVANT PLANNING HISTORY

F/2001/3767	Change of use of vacant land to the stationing of 3 mobile homes for gypsies	Refused (20/06/01)

The above application was refused for the following reasons:

1. The proposed development would have an urbanising effect, would consolidate and intensify existing sporadic development, and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to the Berkshire Structure Plan Policy C2, The Loddon Area Local Plan Policy LTV2 and to the Wokingham District Local Plan Policies WBE1 and WH12;

2. The proposed development would cause unacceptable loss of amenity to existing residential property. The proposal would therefore be contrary to the Loddon Area Local Plan Policy LBE2 and to the Wokingham District Local Plan Policies WBE1 and WH12; and

3. Due to the distance of the application site to the nearest bus stop and local facilities, the proposed development is not within a reasonable distance of local services and facilities, and hence is not a location which would minimise car-borne trips. The proposal would therefore be contrary to the Berkshire Structure Plan Policy LD1, the Wokingham District Local Plan Policies WOS1 and WH12 and Government Guidance.

4.0 PLANNING POLICY AND GOVERNMENT GUIDANCE

4.1 The Development Plan comprises the Berkshire Structure Plan and the Loddon Area Local Plan. The Deposit Draft Wokingham District Local Plan will replace the adopted Loddon Area Local Plan.

4.2 Relevant Government Guidance is contained in the Planning Policy Guidance Notes 1 and 7 and in the D O E Circular 1/94

Berkshire Structure Plan

4.3 The Berkshire Structure Plan (1991-2006) was adopted on the 4th November 1995 and is the statutory Structure Plan for the area. The relevant policies are:

- C2
- LD1

4.3 The Countryside policies of the Structure Plan seek to contain urban expansion; to conserve the natural heritage and to encourage the health of the rural economy. Copies of the relevant policies are attached as Appendix 3.

Loddon Area Local Plan

4.5 The Loddon Area Local Plan was adopted on the 5th May 1995 and is the statutory local plan for the area in which the site is situated. The relevant policies are:

- LTV2
- LPS2
- LPS3

Copies of these are attached as Appendix 3.

Draft Wokingham District Local Plan

4.6 The draft Wokingham District Local Plan was placed on deposit from 21st October to 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 Structure Plan in May 1997. The public local inquiry into Part 2 of the plan commenced on 6th October 1998. The Inspectors report on Part 2 of the local plan inquiry has now been received and was published on 22nd November. The relevant policies are:

- WCC1
- WH12

Inspector's Report on Part Two of the Wokingham District Local Plan

4.7 The Inspector's recommendations are a material consideration in the determination of applications.

4.8 Policy WCC1: The Local Plan Inspector's report confirms that clause WCC1(H) should not be altered, but is now changed to clause (G). The reference to "would not adversely affect the character and appearance of the area" in clause (H) of the deposit draft has now been placed at the end of the whole policy WCC1 (to avoid repetition). In his paragraph 2.52 the Inspector explains why he considers that such development should be limited to infilling and exclude extensions to 'otherwise built-up frontages'. In paragraph 2.51 the Inspector recommends an additional category that recognises the needs of gypsies (permanent and transit).

4.9 Policy WH12: The Local Plan Inspectors report confirms that WH12 should not be altered except for the omission of the word "normally" and the words "...subject to ... provisions of the Plan".

Planning Policy Guidance Note 7

4.10 The Countryside: Environmental Quality and Economic and Social Development.

4.11 The Government guidance in relation to the development of planning policies relating to the countryside is contained in PPG7. The Development Plan policies have taken full account of this guidance.

Circular 1/94: Gypsy Sites and Planning.

4.12 This circular provides guidance on the planning aspects of sites for caravans which provide accommodation for gypsies. The Wokingham District Local Plan has taken full account of this guidance.

5.0 STATEMENT OF CASE

5.1 Section 54A of the Town and Country Planning Act 1990 (as amended) requires Local Authorities to determine applications for development in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

5.2 The appellant has applied for a gypsy caravan site with ancillary hardstanding to provide turning, parking and an access drive.

Effect on the character and appearance of the area

5.3 As explained above the Council considers the main issue is the effect the proposed development would have on the character and appearance of the area.

5.4 It is recognised that there is a general shortage of gypsy sites in the area. However this 'need' is required to be weighed up against the effect of the proposal on this countryside location. No evidence has been put forward by the appellants that alternative sites have been explored.

5.5 In both the Loddon Area Local Plan and the Wokingham District Local Plan (Deposit Draft) the appeal site is on land designated 'countryside' land outside of any identified settlement policy boundary. The policies in the

plans relating to this designation aim to maintain a clear distinction between built up areas and the countryside in order to protect the countryside and environmental quality. This strategy is supported by PPG7 paragraph 2.14, which states that the countryside should be safeguarded for its own sake and non-renewable and natural resources should be afforded protection.

5.6 In order to achieve this aim Policies C2, LTV2 and WCC1 limit development to that which is appropriate (in type and form) and sensitive to its location.

5.7 Circular 1/94 states that that the aim should always be to secure provision appropriate to gypsies' accommodation needs while protecting amenity. It also states that questions of road access, the availability of services, potential conflict with statutory undertakers or agricultural interests and any significant environmental impacts will always need to be resolved.

5.8 The site does lie within the countryside and the proposed development would clearly affect the landscape quality of the area. The site is visible from both the adjacent road and the footpath which run along the south eastern boundary.

5.9 Circular 1/94 (paragraph 14) states that sites may be found on the outskirts of built up areas and in rural or semi-rural settings, but should avoid encroachment on the open countryside. Paragraph 22 of the Circular goes

on to say that permission must be consistent with countryside and environmental policies.

5.10 Criterion (a) of Policy WH12 states that any proposal should not have an adverse impact on the appearance or open character of the countryside. The site is an undeveloped area of land in a small enclave of development in the countryside. Whilst it is recognised that is has existing development adjacent its boundaries, the general character of the area is of a rural nature and a feeling of spaciousness.

5.11 The mobile homes together with associated hardstanding, parking and manoeuvring areas together with other domestic paraphernalia associated with the use would have an urbanising appearance and would consolidate and intensify existing development in this enclave. The feeling of spaciousness would be diminished, to the detriment of the character and appearance of the area in general.

5.12 It is considered that the proposal would not involve modest development accommodated within the settlement, such as might conform with the advice in PPG7; on the contrary, it would constitute an incursion into the countryside, covering a significant area of land protruding beyond the present form of the settlement. It would also encroach into the countryside and erode its landscape quality.

5.13 The site is within attractive countryside. The granting of planning permission on this site would result in increased activity in this quiet rural area.

5.14 The Council's Gypsy Liaison Officer was consulted in relation to the application. He commented:

> *"I would oppose the application on the grounds that it is an inappropriate area for the siting of travellers' facilities, alternative sites do exist within the district and the granting of planning consent could cause detriment to the neighbourhood (due for instance to the lack of water, electricity supplies, sanitation etc)."*

5.15 Although the guidance in Circular 1/94 states that applications for gypsy caravan sites should not be refused on the grounds that alternative sites have been provided, it is considered that this relates to proposals which meet the criteria within the development plan policies. Where a proposal does not meet those criteria (as in the appeal case) the Council holds that there is no case for overriding the policy as planning permission has been granted for a gypsy sites elsewhere in the District.

Sustainability

5.16 Criterion (d) Policy WH12 requires that proposals should accord with sustainable development objectives, which include the need to reduce the need to travel and in particular requires that "the site is within a reasonable distance of local services and facilities".

5.17 The proposal is not on a convenient public transport route and is not close to a range of facilities. The nearest bus stop is on Hollow Lane (A327 Shinfield Road) at the west end of Cutbush Lane and is 900m away. There are basic shops etc in Shinfield Village, which are even further away. It is considered that easy walking distance should be interpreted as being less than 400m (about 5 minutes walking time) and anything over 800m will increasingly result in car trips rather than walking. PPG13: "A Guide to Better Practice" sets a threshold of 800m below which distance motorised vehicles are rarely used. All journeys are likely therefore to be made by private vehicles.

6.0 CONCLUSIONS

6.1 The Council does not consider that this to be a suitable location for a gypsy caravan site. In particular there are strong countryside and environmental objections to the proposal.

6.2 The Inspector is respectfully requested to dismiss these appeals for the reasons given above.

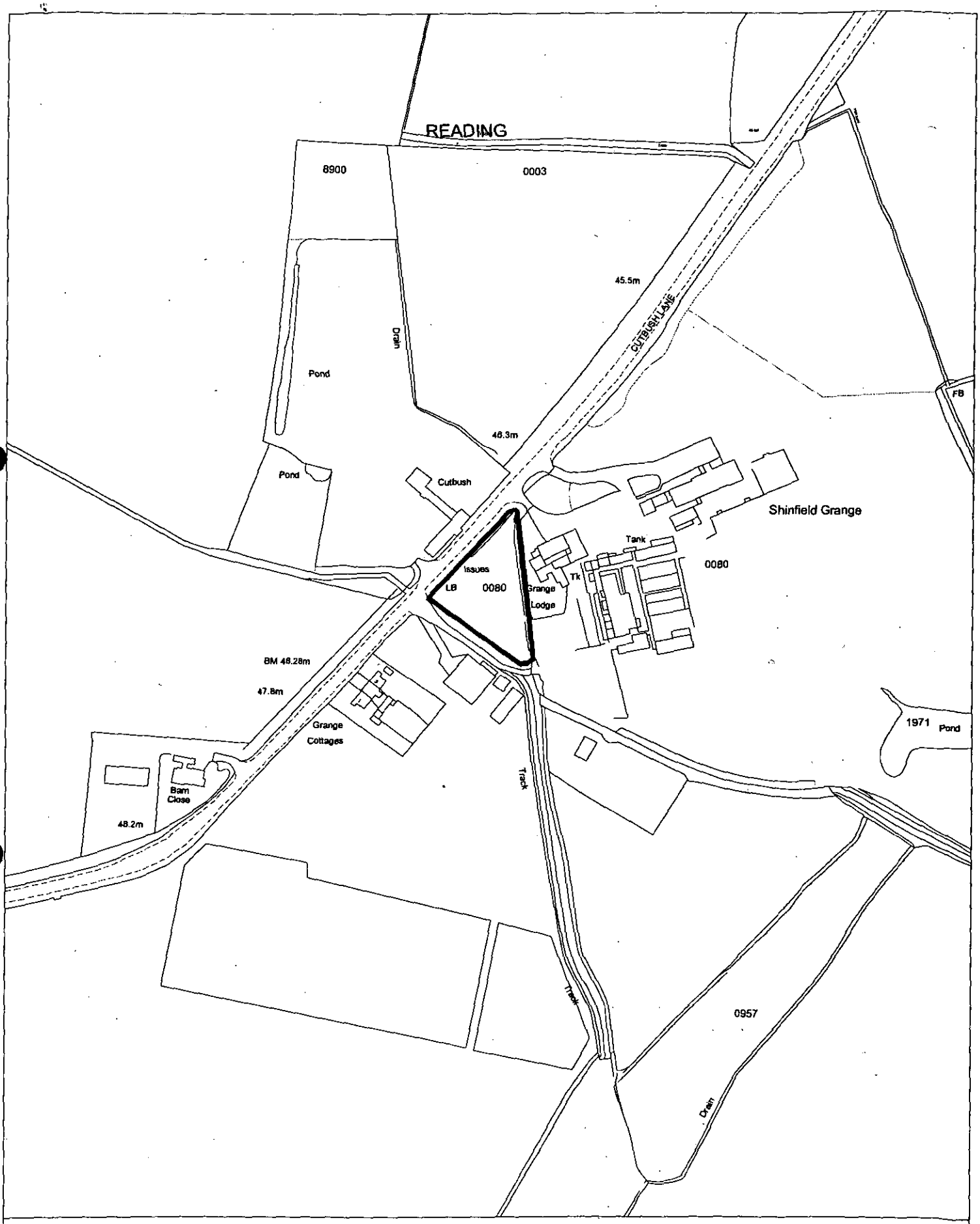
6.3 However, should the Inspector be minded to approve the appeal the Council requests that the Conditions set out in Appendix 4 are attached to any planning permission.

7.0 APPENDICES

Appendix 1	Site Plan
Appendix 2	Relevant Planning History
Appendix 3	Planning Policies
Appendix 4	Proposed Conditions

Appendices

Appendix 1



Site Plan, Scale: 1 to 2500

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Date: 17 June 2002

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Appendix 2

(AO)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

David Dean
C/O Ely Planning Consultancy
17a Southfields Road
Eastbourne
East Sussex
BN21 1BU

Application Number: F/2001/3767

Parish: **SHINFIELD**

Location: **Land Adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading.**

Proposal: **Proposed change of use of vacant lane to stationing of 3 mobile homes for gipsies.**

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 development would have an urbanizing effect, would consolidate and intensify existing sporadic development, and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to The Berkshire Structure Plan Policy C2, The Loddon Area Local Plan Policy LTV2 and to The Wokingham District Local Plan Policies WCC1 and WH12.

Reason
2. The proposed development would cause unacceptable loss of amenity to existing residential property. The proposal would therefore be contrary to The Loddon Area Local Plan Policy LBE2 and to The Wokingham District Local Plan Policies WBE1 and WH12.

Reason
3. Due to the distance of the application site to the nearest bus stop and local facilities, the proposed development is not within a reasonable distance of local services and facilities, and hence is not in a location which would minimise car-borne trips. The proposal would therefore be contrary to The Berkshire Structure Plan Policy LD1, The Wokingham District Local Plan Policies WOS1 and WH12 and Government guidance.

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:

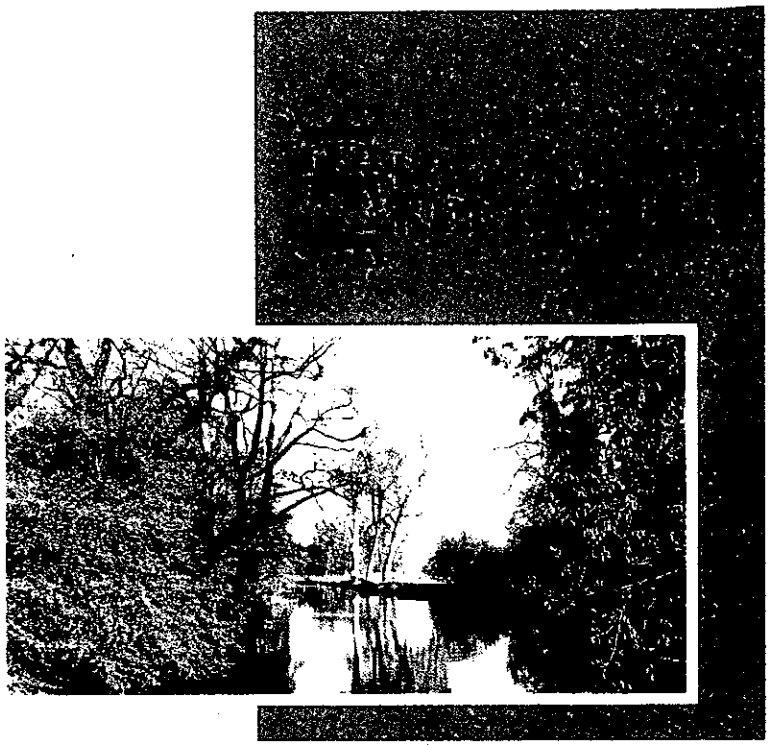
Berkshire Structure Plan Policies C2, H11 and LD1.
Loddon Area Local Plan Policies LTV2 and LBE2.
Deposit Draft Wokingham District Local Plan Policies WCC1, WH12, WBE1 and WOS1.

John Mitchell
Development Control Manager
Date: 20/06/2001

Notice checked by: C Hunter

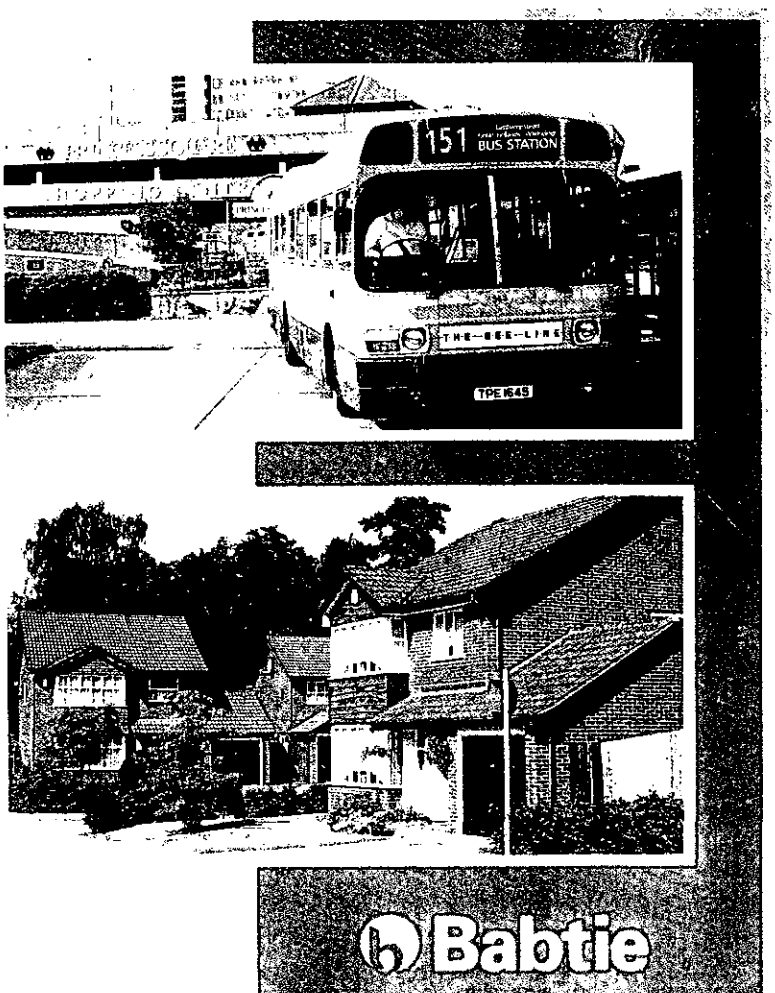
If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations.

Appendix 3



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997



LIMITING THE SPREAD OF DEVELOPMENT

Controlling Development in the Countryside

5.8 The protection of the countryside is a fundamental concern and it is necessary to limit development within it to that which is both appropriate (in type and form) and sensitive to its location.

Development Outside Built-Up Areas and Settlements

Policy C2 **Development outside built-up areas and settlement boundaries defined in local plans (and not within the Metropolitan Green Belt - see Policy C4) will be strictly controlled, and permitted only :**

(i) where it is required for agriculture or forestry; or

(ii) for the re-use, adaptation or redevelopment of existing buildings, particularly to assist the diversification of the rural economy and to maintain or enhance the rural environment; or

(iii) other development for which a rural location is essential;

provided it is both appropriate in scale, form, impact, character and siting to its location in the countryside and is acceptable in terms of other policies in the Structure Plan.

5.9 Building in the open countryside away from existing settlements or from areas allocated for development in local plans will be strictly controlled in line with advice in PPG7, 'The Countryside and the Rural Economy'. Even where development may be acceptable in principle in the countryside the acceptability of a particular proposal will depend on its suitability for the proposed site; on the impact of any related activity; and on the adequacy of any measures to integrate the proposal into the surroundings. More detailed criteria relating to the control of development in the countryside will be included in local plans. With regard to redevelopment, such criteria may for example require that proposals should have no greater impact (in terms of bulk of buildings or site coverage) than the existing development and should secure environmental improvements.

5.10 Proposals for essential utilities will be considered under sub-section (iii) of Policy C2. Essential utilities include development and facilities, where these cannot be sited within settlements, for transport and related services, including park and ride and motorway service areas; for the distribution of gas, oil and electricity; for sewage disposal; for water supply and flood alleviation; and for telecommunications.

5.11 Where necessary to meet provisions made in the Structure Plan, settlement boundaries may be defined in local plans to allow for appropriate forms of development on sites on the edge of built-up areas.



LIMITING THE IMPACT OF DEVELOPMENT

4.1 The previous chapter emphasised the overriding importance of securing sustainable development, improving the quality of life in all parts of Berkshire and protecting (and where possible, enhancing) the environment in its widest sense.

4.2 To reinforce the overall strategy, policies set out in this chapter provide the starting point for considering all development proposals.

SUSTAINING BERKSHIRE'S ENVIRONMENT

4.3 Planning policies in Berkshire have a contribution to make to the conservation of natural resources and this theme underlies a number of policies in the Plan. While it is appreciated that many issues can only be partly addressed through the planning system, there are a number of measures that may be taken by which the impact of development on both the local and global environments can be reduced.

4.4 New development offers an important opportunity to secure the conservation of energy and natural resources, by means ranging from broad-scale decisions about location; through more specific decisions about the orientation of buildings and siting of shelter belts; to consideration of design, materials and the recycling of waste.

Sustainable Development

Policy LD1 **In formulating policies in local plans and in considering development proposals, account will be taken of the extent to which development is sustainable in its location and form; helps to conserve natural resources, including land, water and fossil fuels; and minimises the risk of pollution.**

4.5 The principles of sustainable development are explicitly recognised in recent Planning Policy Guidance Notes, in particular, PPG's 1, 12 and 13 and MPG6 on Provision of Aggregates. Policy LD1 is aimed at sustaining Berkshire's environment and helping to address wider environmental concerns through the formulation of policies in local plans and the consideration of development proposals. In seeking to achieve the aims expressed in Policy LD1, development will be sought which accords with the following principles. (Cross references to other policies in the Plan of particular relevance are listed after each sub-section).

(i) making the best use of land resources, for example, by protecting the open countryside and by maximising the use for development of urban land especially where vacant or derelict (where this is compatible with conserving and enhancing the quality of the urban environment) (OS1, C2, C4, C6, C10, EN1, H5, BU1, S4, R7, M2, W3) ;

(ii) helping to conserve energy and water by means of layout, design, orientation and landscaping of buildings. Regard to these considerations can allow for the implementation of schemes benefiting from passive solar gain and/or combined heat and power/district heating systems (EN1);

(iii) using renewable rather than non-renewable materials, and materials requiring a low energy input for their production (W2);

(iv) minimising the risk of harm to human health and to the environment from noise, vibration, effluent, fumes and other pollution including gas arising from landfill sites. In accordance with advice in PPG23 'Planning and Pollution Control', local planning authorities will need to consult the appropriate pollution control authority (EN2, EN3, W1, W3, W5);

(v) minimising waste generation through re-using building materials where economically viable and appropriate, and separating all re-usable waste arising through development from demolition and construction. In considering proposals for recycling materials, including construction waste, it will be necessary to balance local concerns with the wider environmental benefits of recycling (LD2, W2);

(vi) locating land uses so as to minimise the need for travel, particularly by private vehicles, and increasing the opportunities for other less energy intensive forms of transport. For example, Policy H4 states that proposals for housing development should be satisfactorily located in terms of their relationship to employment opportunities and shopping and service facilities (LD5, H4, S4, R6, R7);

(vii) avoiding irreversible damage to the landscape, natural habitats or features of aesthetic, historic or scientific interest (C7-C9, EN4-EN10).

Recycling Facilities

4.6 The new Waste Strategy for Berkshire, incorporating the Waste Local Plan being prepared by the County Council, will encompass detailed policies for the provision of recycling facilities in new development.

Provision of Recycling Facilities

Policy LD2 **Major development and developments frequently attracting a significant number of people will be expected to make provision for appropriate recycling facilities.**

4.7 The above policy seeks provision (on-site or by contribution towards provision elsewhere) of recycling facilities which are appropriate in terms of their size, type and location to the development proposed. Except in the case of housing schemes, this provision will be related to the level and location of car parking provided in association with the development.

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.

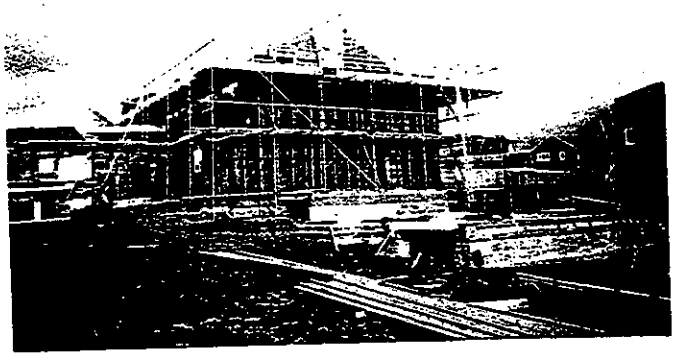
❖ LTV1 'IDENTIFIED SETTLEMENTS'

WITHIN THE IDENTIFIED SETTLEMENTS AS DEFINED 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

REPLACEMENT STRUCTURE PLAN EXCEPTIONS MAY BE MADE FOR DEVELOPMENT IN THE FOLLOWING CATEGORIES WHICH ARE NOT SPECIFICALLY DEALT WITH BY OTHER POLICIES IN THIS LOCAL PLAN:

(A) DEVELOPMENT FOR HOUSING PURPOSES OF SITES NOT EXCEEDING 0.4 HECTARE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT;

(B) DEVELOPMENT FOR EMPLOYMENT USES NOT EXCEEDING 300 SQUARE METRES OF FLOORSPACE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT;

(C) DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY;

(D) MINERAL EXTRACTION;

(E) PLANT FOR RECEIVING IMPORTED AGGREGATES, OR FOR THE PROCESSING OR DISTRIBUTION OF AGGREGATES;

(F) THE DISPOSAL OF WASTE BY CONTROLLED TIPPING WITHIN EXISTING OR FORMER MINERAL WORKINGS OR ON OTHER DESPOILED LAND;

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE;

(H) ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA.

THE ACCEPTABILITY OF ALL PROPOSALS WILL ALSO BE JUDGED AGAINST THE PROVISIONS OF THE OTHER RELEVANT POLICIES CONTAINED IN THIS PLAN. FOR THE AVOIDANCE OF DOUBT THE AREAS OF SPORADIC DEVELOPMENT IDENTIFIED ON THE PROPOSALS MAPS ARE INCLUDED WITHIN THE RURAL AREAS.

NEW SETTLEMENTS IN RURAL AREAS

1.1.07 The scale of housing and other developments envisaged in the Replacement Structure Plan for Berkshire is not such as to recognise or justify consideration of a new settlement separate from existing settlements. There are therefore no proposals of this nature in the plan. Any such development would seriously undermine the county and regional strategy and would seriously detract from the essential role of the countryside areas in providing a foil to the built-up areas and maintaining substantial tracts of countryside in an increasingly urbanised area.

❖ *LTV3 NEW SETTLEMENTS IN RURAL AREAS*

THE CREATION OF NEW SETTLEMENTS WILL NOT BE PERMITTED WITHIN THE DEFINED RURAL AREAS, AS SHOWN ON THE PROPOSALS MAP.

DEFINITION OF BOUNDARIES

1.1.08 The preparation of this Local Plan has provided an opportunity to formally recognise the boundaries of settlements that have never previously been 'identified' and to review those boundaries of settlements that have previously been recognised in earlier village or local plans. In certain cases development has occurred, or, a commitment exists beyond the existing boundary, whilst in other cases the latter does not always delineate land which is in a truly urban as opposed to rural use.

1.1.09 The perimeter of each 'identified' settlement has been surveyed and clear boundaries identified. These follow natural features, fencelines or other plot boundaries. An exception concerns properties with extensive curtilages where property boundaries are not necessarily appropriate. In such circumstances, it has been necessary to make a judgement about the point at

provision of services appropriate to the development to be linked with it. This will involve, in appropriate cases, the provision of land for built and open space facilities at no cost to the appropriate service authority and/or contributions in full or in part to the construction of new facilities or the extension or enlargement of existing facilities.

❖ LPS1 PHASING OF SERVICES IN NEW DEVELOPMENTS

WHERE DEVELOPMENT WHICH IS ACCEPTABLE IN PRINCIPLE UNDER THE POLICIES OF THIS PLAN GIVES RISE TO THE NEED FOR THE PROVISION OF NEW PUBLIC AND COMMUNITY SERVICES, PERMISSION WILL NOT BE GIVEN UNTIL THE DISTRICT PLANNING AUTHORITY IS SATISFIED, BY SEEKING A LEGAL AGREEMENT WHERE NECESSARY, 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 AT THE APPROPRIATE TIME IN THE DEVELOPMENT PROCESS.

UTILITIES

1.9.06 There is a need to ensure the economic planned provision of water, electricity, gas and telephone services in the area to meet the overall demands for future development. It is not anticipated that the provision of these services will pose significant difficulties within the plan area, unless there are significant changes in the characteristics of supply and demand. The plan's proposals seek to keep new development either within or immediately adjoining the main built-up areas of the settlements where these services are available. Further consideration will need to be given to the provision of these services at the stage of detailed proposals. The views of the providing bodies will be sought on development proposals as appropriate.

FOUL AND SURFACE WATER SEWERAGE

1.9.07 The District Council, as agent for Thames Water, is responsible for foul and surface water sewerage. For all new connections for domestic purposes, the developer will be required to pay a flat rate infrastructure charge as a contribution towards the cost of providing additional capacity in the general sewerage system, including treatment, as a consequence of his development. The developer will also be required to meet the cost of requisitioning any new sewers necessary to convey foul and surface water from the development into the existing sewerage system together with a connection charge for each premises connected. It will be necessary to ensure that sufficient time is allowed for the completion of infrastructure provision prior to occupation at all phases of development. Thames Water is consulted by the District Council on relevant planning applications so that it has the opportunity to satisfy itself that adequate sewerage and treatment facilities are or can be made available to serve the proposed development.

FLOODING AND THE WATER ENVIRONMENT

1.9.08 The National Rivers Authority (NRA), established by the Water Act 1989, seeks to maintain and where practicable, to restore the natural washlands of rivers and to reduce the danger of flooding. The NRA also advises on (and has limited powers for) the control of development in flood risk areas to ensure that satisfactory safeguards are provided for the limited development which can be allowed within the floodplain. Works in, under, over and adjacent to, watercourses are also of concern, needing to be properly evaluated to receive any necessary statutory consents due to the sensitivity of watercourses to drainage works.

1.9.09 New development in this area can cause flooding, pollution and erosion of areas located downstream, outside the District.

Conscious of this effect, the District Council will seek the views of the NRA Thames Region and those of adjacent Boroughs for any proposals in its area which appear likely to have significant adverse surface water run-off consequences prior to the granting of planning permission. This will allow appropriate measures as defined by the Council to be taken to alleviate any increased risk of flooding downstream from the development. Accordingly development will be restricted in areas liable to flood and in locations which would result in an increased flood risk in areas downstream.



❖ LPS2 RESTRICTION OF DEVELOPMENT IN FLOOD AREAS

DEVELOPMENT ON AREAS SUBJECT TO FLOOD RISK WILL BE RESTRICTED TO THOSE USES WHICH WILL NOT BE SERIOUSLY AFFECTED BY OCCASIONAL INUNDATION, AND WHICH WILL NOT SIGNIFICANTLY REDUCE THE CAPACITY OF THE AVAILABLE WASHLAND AND WILL NOT IMPEDE THE FLOW OF FLOOD WATER.

❖ LPS3 NEW DEVELOPMENT IN FLOOD AREAS

IN AREAS LIABLE TO FLOOD THERE WILL BE A PRESUMPTION AGAINST:

(A) NEW DEVELOPMENT, INCLUDING THE EXTENSION OF EXISTING PROPERTIES, WITH GROUND COVERED AREAS GREATER THAN 100 SQUARE METRES; AND

(B) THE RAISING OF THE LEVEL OF LAND,

WHERE THIS WOULD BE LIKELY TO:

(A) MATERIALLY IMPEDE THE FLOW OF FLOOD WATER;

(B) INCREASE THE RISK OF FLOODING ELSEWHERE; OR

(C) INCREASE THE NUMBER OF PEOPLE OR PROPERTIES AT RISK,

UNLESS SCHEMES FOR FLOOD RELIEF AND/OR COMPENSATION HAVE BEEN AGREED BY THE NATIONAL RIVERS AUTHORITY, THAMES REGION, AND THE DISTRICT COUNCIL.

❖ LPS4 SURFACE WATER RUN-OFF LIABLE TO CAUSE FLOODING

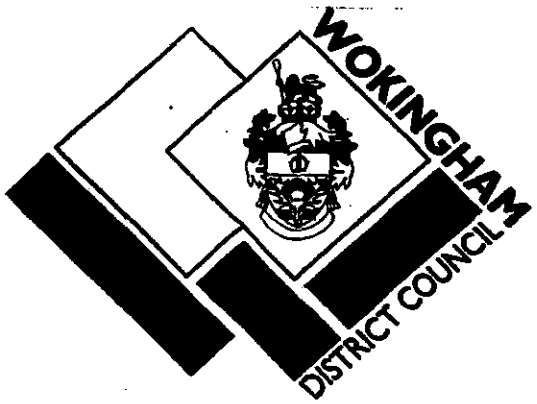
PLANNING PERMISSION WILL NOT NORMALLY BE GRANTED FOR NEW DEVELOPMENT OR REDEVELOPMENT OF EXISTING URBAN AREAS IF SUCH DEVELOPMENT WOULD RESULT IN AN INCREASED FLOOD RISK IN AREAS DOWNSTREAM DUE TO ADDITIONAL SURFACE WATER RUN-OFF. WHERE DEVELOPMENT IS PERMITTED WHICH IS LIKELY TO INCREASE THE RISK OF FLOODING, IT MUST INCLUDE APPROPRIATE ATTENUATION MEASURES DEFINED BY THE COUNCIL IN CONSULTATION WITH THE NRA.

❖ LPS5 WORKS AFFECTING WATERCOURSES

THE COUNCIL WILL SEEK TO ENSURE THAT ALL WORKS IN, UNDER, OVER AND ADJACENT TO, WATERCOURSES RECEIVE ANY NECESSARY STATUTORY CONSENTS AND ARE APPROPRIATELY DESIGNED AND IMPLEMENTED IN ACCORDANCE WITH REGULATIONS.

PUBLIC RUBBISH DUMP

1.9.10 The need for a public rubbish site in the central part of Wokingham District has been established for some years. Existing facilities are



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**

THE COUNTRYSIDE

Development in the Countryside

2.21 It is important to note the distinction between the 'countryside' and 'rural areas'. These are quite separate in technical terms. 'Countryside' is all land beyond identified settlement boundaries. Note that the countryside within the Metropolitan Green Belt is subject to specific Green Belt policies that form part of a separate chapter in this plan. The 'rural areas' definition is set out in the Berkshire Structure Plan 1991 - 2006, para. 5.5 where it is defined as:

"...those places which lie beyond towns (and adjoining built-up areas) with populations of 10,000 or more. This definition accords with that used by the Rural Development Commission...Using this approach the following settlements fall outside the remit of Policy C1: Reading Urban Area (Woodley and Earley); Wokingham/Winnersh"

2.22 Using just the 'rural areas' definition would mean that much of the plan area is rural and includes settlements such as Finchampstead North and Twyford. Therefore the 'countryside' definition is considered more appropriate and will apply in this plan.

2.23 The guiding principle in the countryside is that development should both benefit economic activity and maintain or enhance the environment. Rural areas can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources. *CERTAIN CATEGORIES OF DEVELOPMENT, E.G. AGRICULTURE AND TELECOMMUNICATIONS, ARE CLASSED AS PERMITTED DEVELOPMENT UNDER THE GENERAL DEVELOPMENT ORDER 1995 AND PRIOR NOTIFICATION TO THE COUNCIL OF THE EXERCISE OF THESE RIGHTS IS REQUIRED.* **(PA 2/7)** Development in the open countryside, away from existing settlements or areas allocated for development in this local plan will be strictly controlled. Some categories of development that may be appropriate, are set out in Policy WCC1 below.

2.23A INFILL DEVELOPMENT IS DEFINED AS ONE OR TWO DWELLINGS IN A SMALL GAP IN AN OTHERWISE BUILT-UP FRONTAGE. FOR THE PURPOSE OF THIS POLICY SMALL IS DEFINED AS NO LARGER THAN NECESSARY TO ACCOMMODATE TWO HOUSES HAVING REGARD TO THE WIDTHS OF THE EXISTING RESIDENTIAL FRONTAGES IN THE IMMEDIATE VICINITY. THE NEW DWELLING(S) SHOULD HAVE A SIMILAR ROAD FRONTAGE AND SIMILAR CURTILAGE TO ADJOINING DWELLINGS. IT IS ESSENTIAL THAT THE DEVELOPMENT DOES NOT ADVERSELY AFFECT THE CHARACTER OF THE AREA AND IN PARTICULAR NOT LEAD TO ANY URBANISATION OF THE AREA. SUCH DEVELOPMENT SHOULD PROVIDE ADEQUATE GARDEN OR AMENITY OPEN SPACE FOR THE PRIVATE ENJOYMENT OF RESIDENTS APPROPRIATE TO THE CHARACTER AND GENERAL LAYOUT OF THE AREA. THE PROTECTION OF TREES IN ACCORDANCE WITH POLICY WBE11 WILL BE ANOTHER IMPORTANT CONSIDERATION. **[A1]**

2.23B THE DEVELOPMENT WILL BE SUBJECT TO THE PROVISIONS OF POLICY WCC4 ON NEW BUILDINGS OUTSIDE SETTLEMENT BOUNDARIES. WHERE APPLICABLE, PROPOSALS FOR DEVELOPMENT WILL BE CONSIDERED AGAINST POLICY WCC2 AND POLICIES WLL2 TO WLL8 OF THIS PLAN AND THE RELEVANT POLICIES OF THE STRUCTURE PLAN. **[A1]**

POLICY WCC1: DEVELOPMENT IN THE COUNTRYSIDE (OUTSIDE THE METROPOLITAN GREEN BELT)

DEVELOPMENT OUTSIDE SETTLEMENT BOUNDARIES DEFINED IN THIS PLAN (AND NOT WITHIN THE METROPOLITAN GREEN BELT) WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF DETAILED POLICIES AND PROVISIONS OF THIS PLAN.

DEVELOPMENT WILL ONLY BE ACCEPTABLE IN PRINCIPLE WHERE THE PROPOSAL FALLS WITHIN AT LEAST ONE OF THE FOLLOWING CATEGORIES:

A) DEVELOPMENT FOR AGRICULTURE/FORESTRY

B) OUTDOOR SPORT/COUNTRYSIDE RECREATION

C) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE

D) RE-USE AND ADAPTATION OF EXISTING BUILDINGS

E) DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT COMPLIES WITH POLICY WRE1

Cont.

F) REDEVELOPMENT PROPOSAL IN THE COUNTRYSIDE

G) OTHER DEVELOPMENT APPROPRIATE TO THE COUNTRYSIDE WHICH CANNOT BE ACCOMMODATED WITHIN A SETTLEMENT

~~*H) 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 THE PROVISIONS OF POLICY WH1A*~~ **(PA 2/8)**

H) SENSITIVE INFILLING OF ONE OR TWO DWELLINGS IN A SMALL GAP IN AN OTHERWISE BUILT-UP FRONTAGE WHERE THE DEVELOPMENT WOULD NOT ADVERSELY AFFECT THE CHARACTER AND APPEARANCE OF THE AREA. **[A1]**

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, IT WILL ONLY BE PERMITTED IF IT IS APPROPRIATE IN SCALE, FORM, MATERIALS, DESIGN, CHARACTER, TO ITS LOCATION IN THE COUNTRYSIDE AND BE CONSISTENT WITH OTHER POLICIES IN THIS PLAN (SUCH AS *THOSE RELATING TO GREEN GAPS, LANDSCAPE AND* **[A1]** NATURE CONSERVATION) AND ANY SUPPLEMENTARY PLANNING GUIDANCE.

THE CLOSING OF GAPS OR THE ENCLOSURE OF OPEN AREAS THAT ARE IMPORTANT COMPONENTS IN THE CHARACTER OF AN AREA WILL NOT BE PERMITTED.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Green Gaps and Wedges

2.24 As a result of the density of development and the variety of settlements that characterise the plan area, it is essential that the separate identity of these settlements is maintained by keeping real 'green wedges' and 'gaps' between them. Policy C6 of the Berkshire Structure Plan 1991 - 2006 states that the 'green wedges' and 'gaps' will be defined in local plans. The areas in question are set out on the proposals map supporting this plan. Some of these gaps are more vulnerable than others and any built development could undermine their importance. Where specific landscape features such as trees or hedgerows may be compromised measures for positive landscape management will be sought, where possible.

2.25 For the avoidance of doubt, 'green wedges' are areas of open space penetrating, partly enclosed by, or separating identified settlements. ~~*EXISTING PERMITTED USES WILL CONTINUE IN THESE AREAS BUT INTENSIFICATION OF THESE USES WILL NOT BE ALLOWED, IN ORDER TO PRESERVE THE EXISTING OPEN CHARACTER OF THE LAND.*~~ **(PA 2/9)** *EXISTING PERMITTED USES WILL CONTINUE IN THESE AREAS, BUT INTENSIFICATION OF THESE USES WILL NOT BE ALLOWED WHERE THE EXISTING OPEN AND UNDEVELOPED CHARACTER OF THE LAND IS ADVERSELY AFFECTED.* **[A2]** 'Gaps' comprise open land which provides physical or visual separation between distinct identified settlements.

2.26 The areas included in the green wedges and gaps policy have been identified previously in the adopted local plans as areas important to the separation of settlements. These are retained except where specific proposals require a change, e.g. the new settlement identified at Grazeley, south of the M4.

2.27 The green wedges and gaps can also be important because of the character and sense of place that they can contribute to the settlements. In the adopted local plans the separation of, and setting of, settlements

~~d) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY INTEREST OF NATURE CONSERVATION IMPORTANCE.~~

~~Implementation: The development control process.~~

~~Monitoring: Gypsy transit sites granted consent.~~ **(PA 5/15)**

~~**POLICY WH13: PERMANENT GYPSY SITES**~~

~~THE COUNCIL WILL NORMALLY CONSIDER FAVOURABLY PLANNING APPLICATIONS FOR PERMANENT GYPSY SITES OUTSIDE THE GREEN BELT, SUBJECT TO THE CONSIDERATION OF THE PROPOSALS AGAINST ALL OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN, AND SUBJECT TO THE FOLLOWING CRITERIA:~~

~~a) THAT A NEED HAS BEEN ADEQUATELY DEMONSTRATED~~

~~b) THAT THE PROPOSAL DOES NOT INVOLVE AREAS OF OPEN LAND WHERE DEVELOPMENT IS SEVERELY RESTRICTED~~

~~c) THE SITE IS REASONABLY LOCATED TO LOCAL SERVICES AND FACILITIES~~

~~d) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE AMENITIES OF NEIGHBOURING PROPERTIES~~

~~e) THE SITE IS VISUALLY WELL CONTAINED, OR PROVIDES OPPORTUNITY TO BE MADE SO.~~

~~Implementation: The development control process.~~

~~Monitoring: Permanent gypsy sites granted consent.~~ **(PA 5/15)**

5.26 Berkshire County Council provides a number of permanent sites within the County. Two of these sites are within the plan area. The Council has experienced pressure for additional permanent pitches to be provided in the District. Circular 1/94 *Gypsy Sites and Planning* advises that it is important that local planning authorities make adequate gypsy site provision within development plans, through appropriate use of locational and/or criteria-based policies. Although the Council has investigated the locational based approach, difficulty has arisen in identifying specific sites that would be appropriate for such uses. Consequently a criteria-based policy approach has been adopted.

POLICY WH12: GYPSY SITES (PERMANENT AND TRANSIT)

THE COUNCIL WILL NORMALLY CONSIDER FAVOURABLY PLANNING APPLICATIONS FOR GYPSY SITES, WHETHER PERMANENT OR TRANSIT, OUTSIDE THE GREEN BELT, PROVIDED THAT A NEED HAS BEEN ADEQUATELY DEMONSTRATED, SUBJECT TO CONSIDERATION OF THE PROPOSALS AGAINST ALL OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN, AND PROVIDED THAT THE FOLLOWING PARTICULAR CRITERIA ARE COMPLIED WITH:

a) THERE IS NO ADVERSE IMPACT ON THE APPEARANCE OR OPEN CHARACTER OF THE COUNTRYSIDE

Cont.

b) THE SITE IS VISUALLY WELL-CONTAINED, OR PROVIDES OPPORTUNITY TO BE MADE SO

c) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE AMENITIES OF NEIGHBOURING PROPERTIES

d) THE SITE IS WITHIN A REASONABLE DISTANCE OF LOCAL SERVICES AND FACILITIES

e) THERE IS EASY AND SAFE ACCESS TO THE PRIMARY ROAD NETWORK

f) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY INTEREST OF NATURE CONSERVATION IMPORTANCE.

Implementation: The development control process.

Monitoring: Permanent gypsy sites granted consent.

APPENDIX 4

CONDITIONS THE COUNCIL WOULD FAVOUR IF THE APPEAL WERE TO BE ALLOWED

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this planning permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

2: The occupation of the residential units shall be limited to a person or persons of gypsy origin and nomadic habit.

Reason: The site is an area where new dwellings are not normally permitted.

3. There shall be no more than two residential units on the site.

Reason: To prevent a proliferation of dwellings, which would be contrary to policy and detrimental to the amenities of the area.

4. Within 3 months there shall be submitted to the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and

numbers of trees/shrubs to be planted. The works approved shall be carried out in the first planting and seeding seasons following the date of approval. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To improve the appearance of the site in the interests of visual amenity.

20 Oatlands Road
Shinfield
Reading Berks RG2 9DW

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

2 July 2002

Dear Mrs. Pocock

Ref: Planning ApplicationX0360/A/02/1091595

We felt compelled to write regarding the above application for the siting of 2 mobile homes for gypsies in Cutbush Lane, Shinfield.

In my experience where ever the gypsy's choose to park or live they cause considerable problems.

1. The sites they occupy are not cared for and tend to become a totally unacceptable mess, leaving us the tax payers to pay for the cleaning up. The site next to the Six Bells Pub in Church Lane, Shinfield, was a prime example, it has taken 2 years and more to clean the site.

2. Whenever they are around we experience thefts from property, garden sheds etc. This can't be just a co-incidence

3. There is already a permanent site just 3 miles away at Arborfield , which is not used efficiently (Although I understand this is a private site), to have another one in such close proximity is quite unnecessary.

4. We would very much like to know what these travellers contribute towards, the upkeep and provision of services etc. it would appear that they take everything and give nothing in return.

We do not want a permanent site for gypsy's in Shinfield

Yours sincerely

Mr. & Mrs. T.D. Taylor

RECD

4 - JUL 2002

PINS AA PEP

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

2nd July 2002,

APPLICATION REF. APP/X0360/A/02/1091595

Dear Mrs Pocock,

We object most strongly to the above application and trust that this will be declined once and for all.

The surrounding area to the proposed site has, in the past been desecrated by gypies and we are sure that Wokingham Council is fully aware of the sites that have required clearing once the gypies have departed .

These costs are borne by the local residents as are the cost should the police need to be involved.

The local farmers also have gone to great lengths to stop these people occupying their fields and again the debris left behind has to be cleared at someones expense.

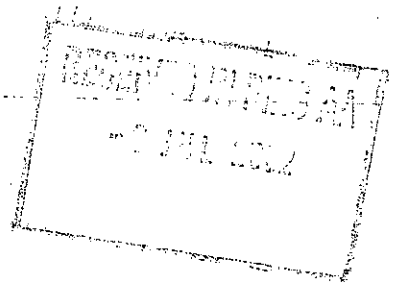
The siting of these two units could lead to either/or both additional applications or visitations by friends.

Please for the sake of local inhabitants do not approve this application.

Yours faithfully,

R and J Tunks.
78 Oatlands Road,
Shinfield,
Reading.
Berks.
RG2 9DN.

Mr and Mrs T Sankey
26 Cutbush Lane
Shinfield
Reading
Berks RG2 9AH



7th July 2002

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

Dear Mrs Pocock

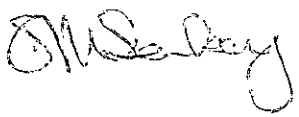
Ref: APP/X0360/A/02/1091595

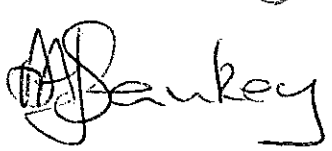
We are writing in response to the above proposal for the change of use of land in the stationing of two mobile homes for gypsies.

We object very strongly to the above proposal. Cutbush Lane is a pleasant quiet residential road and it would be wholly inappropriate for gypsies to be located in this area. Once the new housing has been built it will compound this fact further.

We cannot emphasise how strongly we feel about this and hope that this will be taken into consideration during the decision making process.

Yours sincerely





The University of Reading

From the Vice-Chancellor
Professor Roger Williams

PO Box 217, Whiteknights, Reading, RG6 6AH

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Main fax: +44 (0)118 931 4404 Direct fax: +44 (0)118 987 4062
E-mail: j.v.hattrick@reading.ac.uk

15 July 2002

16 JUL 2002
PINS

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

1091595

Dear Madam,

Appeal by Mr Dean
Land adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading
Proposed change of use to two mobile homes for gypsies

I understand that the above appeal is due to be determined shortly and that representations should be submitted by 17 July.

I wish to make clear at the highest level the University's objection to this application and appeal.

The appeal site is immediately contiguous with:

On the east side, the University's Plant and Environmental Research Laboratories.
On the west side, the University's Plant Sciences Field Station.

Research work of international quality as recognised by the 2001 UK Research Assessment Exercise is conducted in these facilities.

It is entirely conceivable, indeed probable, that the proposed use of the appeal site would have a detrimental effect upon the University's research activities as indicated above, and I would therefore ask that this appeal is dismissed.

Yours faithfully,

Roger Williams

cc Mr PA Hackett, Director of Facilities Management
Mr JH Short, Haslams

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
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GTN 1371-6079

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24 JUL 2002

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

Your Ref: F/2001/5297

Our Ref: APP/X0360/A/02/1091595

Date: 23 July 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR D DEAN
SITE AT LAND ADJOINING GRANGE LODGE (FIELD 0080), CUTBUSH LANE, SHINFIELD, READING

I enclose a copy of information provided by the Homelessness Policy Division of the Department, which will be taken into account in deciding the appeal.

Yours faithfully

Mrs M Pocock

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APP/X0360/A/02/1091595

TOWN AND COUNTRY PLANNING ACT 1990

BRIEFING ON APPEALS FOR A GYPSY CARAVAN SITE

APPEALS BY MR D DEAN

CONCERNING LAND ADJOINING GRANGE LODGE, CUTBUSH LANE, SHINFIELD, READING

1. COUNT OF GYPSY CARAVANS

A spot count of gypsy caravans is undertaken on behalf of the Department by officers of the metropolitan/district councils every 6 months. The numbers of caravans and families for the last 5 counts for Wokingham are given in Annex I.

The bi-annual count in January 2002 shows that 79.6% of gypsy caravans in England are accommodated on authorised sites, whether local authority or private. In many cases, caravan sites have double pitches providing spaces for two caravans to accommodate one family unit. Therefore, an apparent numerical surplus shown does not necessarily mean that there are vacant/unoccupied pitches which would be available for other Gypsy families. Annex II shows that in Wokingham as at January 2002, two sites (30 pitches) with a total capacity for 30 caravans, had been provided by the local authorities. At the time of the count in January 2002 31 caravans (30 families) were parked on them. Details of any proposals the City Council may have for site provision and of general gypsy matters may normally be obtained from Mr P Wratten, Wokingham District Council, Shute End, Wokingham, Berkshire RG40 1WQ. Tel 0118 974 6452

Annex I shows that at the time of the count in January 2002 there were 38 caravans (33 families) parked on privately owned gypsy sites in Wokingham.

2. LEGISLATION AND GUIDANCE

The Department's Circular 18/94 offers guidance to local authorities in the light of the enactment of the Criminal Justice and Public Order Act 1994. Planning guidance is given in Circular 1/94.

Department for Transport, Local Government and the Regions

22 July 2002

Table 2 (continued)

Gypsy sites provided by local authorities in England
2nd January 2002

South East Unitary/ County Site	Total number of pitches	*of which are:* Residential	Transit	Caravan capacity	Date site opened	Date of last site changes*
West Sussex CC	109	109	0	109		
Adur (Withy Patch, BN15 0RT)	12	12	0	12	1981	1997
Arun (Middleton, BN18 0JZ)	12	12	0	12	1981	
Chichester (Tangmere, PO18 0JN)	22	22	0	22	73/75	1992
Chichester (Westbourne, PO10 8RZ)	15	15	0	15	1979	1994
Horsham (Adversana, RH14 9JW)	0	0	0	0	1980	2000
Horsham (Cousins Copse, RH14 9BZ)	12	12	0	12	1980	
Horsham (Small Dole, Henfield)	8	8	0	8	1980	
Mid Sussex (Bedelands Farm, Burgess Hill, RH15 0QG)	10	10	0	10	1980	1997
Mid Sussex (Fairplace Hill, Burgess Hill, RH15 8AR)	9	9	0	9	1977	1993
Mid Sussex (Horsgate, Cuckfield, RH17 5HN)	4	4	0	4	1977	
Mid Sussex (Walstead, Lindfield, RH16 2QJ)	5	5	0	5	1970	1983
Windsor and Maidenhead U A	25	25	0	25		
Mill Place Caravan Site, Horton Road, Datchet, Berkshire, SL3 9JD	16	16	0	16	Mar-74	
Pool Lane Caravan Site, Waltham Saint Lawrence, Berkshire, RG10 0JA	9	9	0	9	Jun-84	
Wokingham U A	30	30	0	30		
Carters Hill Park (Formerly known as Billingbear) RG40 5RY	15	15	0	15	May 80	
Twyford Orchards, RG10 9HF	15	15	0	15	Jan 82	

n/k - not known

* For more information on site changes contact Lisa Saunders on 0117 372 8051

Table 1 (continued) Count of gypsy caravans on 16th January 2002 [2] Last five counts

South East Unitary Authority/ Local Authority within county	Date	Total	Unauthorised encampments	Authorised sites: council	Authorised sites: private
Mid Sussex	Jan-02	37	3	27	7
	Jul-01	39	5	27	7
	Jan-01	30	0	22	8
	Jul-00	59	30	18	11
	Jan-00	32	3	22	7
Worthing	Jan-02	12	12	0	0
	Jul-01	0	0	0	0
	Jan-01	0	0	0	0
	Jul-00	0	0	0	0
	Jan-00	0	0	0	0
Windsor & Maidenhead UA	**Jan-02**	**58**	**14**	**25**	**19**
	Jul-01	**52**	**1**	**26**	**25**
	Jan-01	**67**	**16**	**26**	**25**
	Jul-00	**70**	**20**	**24**	**26**
	Jan-00	**59**	**8**	**25**	**26**
Wokingham UA [1]	**Jan-02**	**69**	**0**	**31**	**38**
	Jul-01	**50**	**50**	**0**	**0**
	Jan-01	**69**	**0**	**31**	**38**
	Jul-00	**50**	**50**	**0**	**0**
	Jan-00	**67**	**12**	**34**	**21**

[1] - some data estimated using previous counts

[2] - regional and England totals revised for previous counts due to imputation of missing data

Supplementary table (continued)

Count of gypsy families on 16th January 2002 [2] Last five counts

South East Unitary Authority/ Local Authority within county	Date	Total	Unauthorised encampments	Authorised sites: council	Authorised sites: private
Mid Sussex	Jan-02	25	3	16	6
	Jul-01	34	5	23	6
	Jan-01	24	0	17	7
	Jul-00	28	5	14	9
	Jan-00	26	3	17	6
Worthing	Jan-02	12	12	0	0
	Jul-01	0	0	0	0
	Jan-01	0	0	0	0
	Jul-00	0	0	0	0
	Jan-00	0	0	0	0
Windsor & Maidenhead UA	**Jan-02**	**58**	**14**	**25**	**19**
	Jul-01	**52**	**1**	**26**	**25**
	Jan-01	**67**	**16**	**26**	**25**
	Jul-00	**58**	**11**	**24**	**23**
	Jan-00	**54**	**6**	**25**	**23**
Wokingham UA [1]	**Jan-02**	**63**	**0**	**30**	**33**
	Jul-01	**0**	**0**	**0**	**0**
	Jan-01	**63**	**0**	**30**	**33**
	Jul-00	**0**	**0**	**0**	**0**
	Jan-00	**59**	**12**	**31**	**16**

[1] - some data estimated using previous counts

[2] - regional and England totals revised for previous counts due to imputation of missing data

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON WEDNESDAY 24TH APRIL 2002 FROM 7.00 PM TO 10.25 PM

Present: Mr KA Malvern (Chairman), Mrs JA Lissaman (Vice-Chairman), Mr MJ Bryant, Mr RH Cundy, Mrs MA Long, Mrs M Robertson, Mr ND Rose, Mr AJ Ross and Mrs C Smith.

Also present: Mrs T Marinos, Mr DC Morgan, and Mrs PJ Stubbs.

PART I

241. MINUTES

The Minutes of the meeting of the Committee held on 3rd April 2002 were confirmed as a correct record and signed by the Chairman, subject to the inclusion of Mrs MA Long in the list of those in attendance and in relation to Minute No. 234, reference in the resolution should be to consultation with the local Member and not Members.

242. APOLOGIES

Apologies for absence were submitted from Mrs DC Beatty and Mr SR Conway.

250. APPLICATION NO. F/2001/5297 – PROPOSED CHANGE OF USE OF VACANT LAND TO STATIONING OF TWO MOBILE HOMES FOR GYPSIES – LAND ADJOINING GRANGE LODGE, CUTBUSH LANE, SHINFIELD FOR MR DEAN C/O W M GRAHAM ASSOCIATES

The Committee considered a report about this application set out on Agenda pages 3115 to 3128.

Members were informed that in response to the issue of need, the gypsy sites within the District were full. However, the District Council was no longer required to provide sites.

Additionally the Committee was informed that should they refuse the permission the first reason for refusal should be amended to read:

"The proposal would have a detrimental effect on the appearance and open character of the countryside and is therefore contrary to part (a) of policy WH12 and policy WCC1 of the Wokingham District Local Plan and policy C2 of the Berkshire Structure Plan"

RESOLVED: That Application No. F/2001/5297 be refused on the grounds as set out on page 3120 of the Agenda, and with an amendment to the first reason to read as follows:-
"The proposal would have a detrimental effect on the appearance and open character of the countryside and is therefore contrary to part (a) of policy WH12 and policy WCC1 of the Wokingham District Local Plan and policy C2 of the Berkshire Structure Plan".

Development Control Ref No:	Received	Parish
F/2001/5297	16.11.01	Shinfield

Applicant: Mr Dean c/o W M Graham Associates
Location: Land Adjoining Grange Lodge, Cutbush Lane, Shinfield, Reading.
Proposal: Proposed Change Of Use Of Vacant Land To Stationing Of Two Mobile Homes For Gypsies.

REPORT PREPARED FOR: DEVELOPMENT CONTROL COMMITTEE.

REPORT PREPARED BY: Head of Planning and Transportation and Tanya Davies.

SUMMARY:

1. **Planning History** – The application site is triangular in shape and comprises approximately 0.18 ha of undeveloped land. The site fronts onto Cutbush Lane (to the north and west) to the east is Grange Lodge and to the south is a public footpath and beyond that is Reading University's Plant Science Laboratory. On the opposite side of Cutbush Lane is 'Cutbush', a listed building with barn.

   The site does not have any previous planning permission's. However, a planning application was submitted last year for the change of use of the land to the stationing of 3 mobile homes for gypsies. This application was refused by Members of the Development Control Committee inaccordance with the officer's recommendation. A copy of the previous committee report is attached.

2. **Proposal** –It is proposed to site 2 mobile homes for occupation by gypsies (the gypsies are unnamed) on a triangular piece of land. The site plan shows a gravel entrance/ turning circle with access off Cutbush lane. Beyond this gravel area two mobile homes are proposed, each has two bedrooms and two standard sized parking spaces. It is also proposed to erect a 2m high close board fence along part of the front boundary of the site, on either side of the proposed access.

   This application is before the Committee because the previous application on the site was determined by the Committee.

   RECOMMENDATION: REFUSE PLANNING PERMISSION.

Background Papers

Held by: Planning Reception
Division: Development Control
Dept: Environmental Services

Contact No: 0118 974 6428/ 6429
E Mail: development.control@wokingham.gov.uk

NB: All reports seek to identify environmental, community safety and equal opportunities implications. Consultation with residents and organisations which has or is about to take place, will also be reported.

3. **Consultations**

- ***Landscape Officer:*** recommends refusal, as any form of development on this site would be contrary to Policy WCC1 of the Draft Local Plan and would be detrimental to the rural character of the landscape in this location.

- ***Shinfield Parish Council:*** strong objection, the application is contrary to policy WH12 in that no need has been established. There would be an adverse impact on the open character of the countryside. The vista across the Loddon Valley would be blocked should the site be made visually well contained as required by condition (b) of this policy. There would be an adverse impact on the residential amenity of nearby properties. The proposal will impact on the setting of the listed building, and the site is within an archaeological site.

- ***Urban Design and Conservation Officer:*** does not consider that the proposal will have a detrimental impact on the setting of the listed building provided adequate screening and boundary treatment is provided.

- ***Head of Policy (Gypsy Liaison):*** opposes the application on the grounds that it is an inappropriate area for the siting of travellers facilities, alternative sites do exist within the district and the granting of planning consent could cause detriment to the neighbourhood.

- ***Highways:*** no objection subject to conditions.

- ***Environmental Health:*** no objections

- ***Archaeologist:*** no objections.

- ***Environment Agency:*** comments are still awaited.

- ***Neighbour Consultation:*** 44 letters of objection have been received, the issues raised are as follows:
  - Impact on setting of listed building;
  - Proposal is beyond the settlement boundary and out of character with countryside setting;

- Concerns about increased traffic and the impact on the use of the adjacent footpath;
- Gypsies are nomadic and therefore a 'permanent' site does not seem necessary;
- Concerns that the use of site will intensify and additional vehicles/ mobile homes will be parked on site;
- Concerns about litter, the site is already used for flytipping;
- The site does not have any nearby amenities;
- Fear of thefts, damage to property, intimidation, roaming dogs;
- Concerns about additional flytipping and burned out vehicles;
- Cutbush lane is not well lit;
- Additional pressure on local education services; and
- Impact on property values *(not a planning consideration).*

3. **Appraisal** - The main issues are:

A. Principle of Gypsy Sites within the Countryside (Berkshire Structure Plan Policy C2, Loddon Area Local Plan Policy LTV2, Wokingham District Local Plan Deposit Draft WCC1 WH12) PPG7, Circular 1/94.)

B. Need
Wokingham District Local Plan Deposit Draft WH12

C. Impact on the character and appearance of the area Wokingham District Local Plan Deposit Draft WH12

D. Sustainability Wokingham District Local Plan Deposit Draft WH12

E. Concerns of the Parish Council and Local Residents

F. Flooding Issues
(Berkshire Structure Plan policies EN3, Loddon Area Local Plan Policies LPS2 & 3, and Wokingham District Local Plan policy WIC16 and PPG 25)

G. Archaeology

A Principle of Gypsy Sites within the Countryside

The application site is outside a settlement boundary where development is strictly controlled. Structure Plan policy C2 and Loddon Area Local Plan policy LTV2 establish certain categories of development in the countryside that are broadly acceptable subject to appropriate scale, form, impact and other issues. The proposal does not fall within any of these categories and is thus contrary to these policies.

The Local Plan Deposit Draft continues these principles and policy WCC1 outlines categories of development that are acceptable within the countryside. One such category is sensitive infilling in an otherwise built up frontage, where development would not adversely affect the character or appearance of the area.

However, the Inspectors Report into Part Two of the Wokingham District Local Plan is a material consideration in the determination of this application. The Inspector recommends that 'permanent and transit gypsy sites' is added as an additional category of development that is acceptable outside settlement boundaries. The siting of gypsies within a countryside location is therefore acceptable in principle. However, this would be subject to appropriate scale, form, materials, design and character and other site specific issues.

Circular 1/94: Paragraph 14 of 1/94 states that sites may be found on the outskirts of built- up areas and in rural or semi-rural settings, but should avoid encroachment on the open countryside. However, paragraph 22 states that permission must be consistent with countryside and environmental policies.

B Need:

Wokingham District Local Plan Policy WH12 states that 'the Council will normally consider favourably planning applications for gypsy sites..... providing a need has been adequately demonstrated'. This is subject to various criteria (a –f).

In response to the issue of need, the Applicant has provided data that shows that in July 2001 there were 50 gypsy caravans within the District and all 50 were unauthorised encampments. However, the Gypsy Liaison Officer states that alternative sites do exist within the district. Further clarification has been sought on this issue and will be reported at committee.

C Impact on the Character and Appearance of the Area

Criterion (a) of WH12 states: *"There is no adverse effect on the appearance or open character of the countryside".* - The site is a small undeveloped parcel of land in a semi-rural location. Whilst it is surrounded by a variety of uses such as residential, plant science research and education, the nature of these buildings tends to be large buildings on large, open plots. The application site is also currently open and undeveloped. However, the siting of 2 mobile homes, erection of a 2 metre high close board fence and any necessary planting on the boundaries would compromise this openness. The site would also still be visible from Cutbush Lane for many years until any boundary planting matures. It is therefore considered that the proposal would have an adverse effect on the character and appearance of the area.

Criterion (b): *"The site is visually well-contained or provides opportunity to be made so".* – The site boundaries and frontage on Cutbush Lane are partially screened by existing trees and shrubs. However there are open views into the site from Cutbush lane and the adjacent footpath. In addition, part of the existing boundary vegetation will need to be removed to accommodate the new access. On closer inspection it can also be seen that a significant proportion of this vegetation comprises dead elm trees that will need to be removed in the future. However, these boundaries could be reinforced with significant additional planting, although this would take from five to ten years to provide partial screening of the site. It is therefore considered that the proposal could comply with this criterion eventually.

Criterion (c): "*There is no significant adverse effect on the amenities of neighbouring properties*" The nearest residential property is Grange Lodge a two-storey house with windows facing towards the application site. This house is

approximately 5½ metres from the application site. As the mobile homes would be single storey, unacceptable overlooking could be avoided by sufficient boundary screening. Providing the site were to be laid out as shown with lawned rear gardens and additional boundary planting, the effect could be acceptable.

D Sustainability

Criterion (d): *"The site is within a reasonable distance of local services and facilities"* Although it is acknowledged that there is a proposed cycle route along Cutbush Lane, it is considered that the proposal does not comply with this criteria. The nearest bus stop is on Hollow Lane (A327 Shinfield Road) at the west end of Cutbush Lane, this is 900m away. Whilst there are basic shops in Shinfield Village, these are even further away.

It is considered that easy walking distance should be interpreted as being less than 400 metres (about 5 minutes walking time), and anything over 800 metres (about 10 minutes walking time) will increasingly result in car trips rather than walking. 'PPG13: A Guide to Better Practice' sets a threshold of 800 metres below which distance motorised modes are rarely used.

Criterion (e): *"There is easy and safe access to the primary road network".* – The proposal complies with this criterion. The A327 Shinfield Road is at the western end of Cutbush Lane.

Criterion (f): *"There is no significant adverse effect on any interest of nature conservation importance".* - The application site is not of designated nature conservation importance.

E Concerns of the Parish Council and Local Residents

These have been noted and addressed above. However, it cannot and must not be assumed that a group of people are more or less likely to commit criminal acts in the locality.

F Flooding Issues

The application site does not contain any land shown on plans supplied by the Environment Agency as being liable to flooding.

G Archaeology

Whilst the site is within a site or archaeological potential as defined by the Local Plan the Archaeological Advisor did not raise any objection to the proposal.

5. Conclusion

Gypsies sites are not unacceptable in the countryside, and local planning policies encourage provision of additional plots. However policy WH12 clearly defines the criteria that needs to be satisfied when considering applications for new sites. This proposal fails to address all of these criteria and on balance, would have a detrimental effect on the appearance and open character of the countryside. In addition, the application site is not well located in terms of easy access to local services and facilities.

6. **Recommendation – Refuse** planning permission for the following reasons:

1. The proposal would have a detrimental effect on the appearance and open character of the countryside and is therefore contrary to part (a) of policy WH12 and policy WCC1 of the Wokingham District Local Plan.

2. The application site is not within a reasonable distance of local services and facilities. The proposal is therefore contrary to part d of policy WH12 of the Wokingham District Local Plan, and Policy LD1 of the Berkshire Structure Plan.

Informative

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

   Berkshire Structure Plan Policy C2, EN3, LD1
   Loddon Area Local Plan Policy LTV2, LPS2, LPS3
   Wokingham District Local Plan Policy WCC1, WH12, WIC16

PREVIOUS COMMITTEE REPORT FOR INFORMATION

Application No.	Received	Shinfield
F/2001/3767	09.04.01	

Applicant: David Dean
Location : Land adjoining Grange Lodge, Cutbush Lane, Shinfield
Proposal : Change of use of vacant land to stationing of 3 mobile homes for gypsies

1. **Planning History** – This 0.2 ha. triangular site is undeveloped land. There are some trees and hedging around the boundaries of the site. On the east side Grange Lodge has windows facing westwards towards the application site. On the south west side is the University's Plant Science Laboratory, with a public footpath between. On the opposite side of Cutbush Lane is 'Cutbush', a listed building with barn attached adjacent to Cutbush Lane. There is no planning history on the application site.

2. **Proposal** – Is to station 3 mobile homes for occupation by gypsies (unnamed). The site plan shows 3 mobile homes each with 2 standard sized car parking spaces. An additional plan showing visibility splays is expected and will be reported to the Committee.

   The application is before the Committee due to significant public interest.

3. **Consultations** -
   - ***Shinfield Parish Council :*** "The Shinfield Parish Council strongly objects to this planning application. It fails to satisfy WH12 in that need has not been established. There is in fact an adverse impact on the open character of the countryside. The vista across the Loddon valley would be blocked should the site be made visually well contained as required by condition B of this policy. There would be an adverse effect on the amenities enjoyed by nearby properties. The area is designated WDDLP archaeological site and is subject to the requirements of policies WHE15 and WHE16b. Finally, it interferes with the setting of a grade II listed building."
   - ***108 signature petition:*** "We the residents of Cutbush Lane and Oatlands Road object to the application for a permanent gypsy site in Cutbush Lane. This lane is very popular with residents for walks, and the Site is alongside two public footpaths and on one of our last surviving tranquil country lanes which is used extensively by a large portion of local residents."
   - ***73 letters of objection on the following grounds:***
   - Proposal would be visually intrusive and out of character in this quiet rural lane. (was woodland copse, now bulldozed).
   - Out of character with listed building opposite.
   - Too near existing houses. Would generate noise, litter, disturbance, nuisance and intimidation, and discourage use of the nearby public footpath. Fear of thefts and intimidation.
   - There have been previous problems with gypsies camping at the end of Cutbush Lane .
   - Unlikely in practice to be limited to 3 mobile homes, due to

visiting caravans and intensified use of the site.
- Would reduce value of existing properties.
- Additional traffic generated would exacerbate existing congestion problems which will already be added to by proposed housing site on Cutbush Lane.
- Would also add to pressure on educational service.

- ***Council's Consultant Archaeologist :*** Advises the proposal does not carry any archaeological implications.
- ***Environmental Health Officer :*** No objections.
- ***Environment Agency :*** No objection.
- ***Highway Officer :*** Requires revised plan showing visibility splays. Any comments on the expected additional plan showing visibility splays will be reported verbally to the Committee.
- ***Conservation Officer :*** Does not consider the impact of the proposal on the listed building would warrant refusal.
- ***Crime Prevention Design Adviser :*** The site is very close to surrounding property and likely to generate some future concerns as a result of this. On the basis of the risk of friction with surrounding land use and residential amenity, the police view is not to support this application. However, if the Council is minded to grant approval recommends conditions.

4. **Appraisal** – Main issues are:

   A. Effect on the character and appearance of the area. (Berkshire Structure Plan Policies C2 and H11; Loddon Area Local Plan Policy LTV2; Wokingham District Local Plan Policies WCC1 and WH12; Planning Policy Guidance Note 7; Circular 1/94).

   B. Effect on nearby residential properties.

   C. Sustainability

   D. Appeal Decision at Meadowside.

   E. Concerns of the Parish Council and local residents.

A. Effect on the character and appearance of the area
The site is outside a settlement boundary. As the proposed development is not of a type which may be allowed in principle under Policies C2, LTV2 and WCC1, it is contrary to these policies.

Wokingham District Local Plan Policy WH12 covers gypsy sites. The policy supports the provision of gypsy sites in principle providing that a need has been adequately demonstrated and subject to 6 criteria (a)-(f) referred to below.

Need: There are no gypsies living on the site and no named gypsies in demonstrable need of a site are proposed. However, there is a general shortage of gypsy sites in the area and all the existing sites and pitches in the District are occupied.

Criterion (a): "There is no adverse effect on the appearance or open character of the countryside". - The site is undeveloped land in a small enclave of development in the countryside and has existing development adjacent to its boundaries. Therefore the proposal would not have an adverse effect on the *open* character of the countryside. However, the 3 mobile homes, and hardstanding, parking and manoeuvring areas would have an urbanising appearance and would consolidate and intensify existing development in this enclave. In practice, each plot is also likely to have a touring caravan and other vehicles parked on it. Therefore, in practice, the areas of hardstanding could be more extensive than shown on the proposed plan, and would be difficult to control. - As the listed building 'Cutbush' is on the opposite side of Cutbush Lane, it is considered that the effect of the proposed development on its setting would not be unacceptable.

Criterion (b): "The site is visually well-contained or provides opportunity to be made so". - There are existing trees/bushes/hedging around most of the site boundaries. There are some gaps and the vegetation is thin in places. However, this could be overcome by additional planting. It is therefore considered that the proposal could comply with this criterion.

Criteria (c) and (d): These are addressed in Sections B and C below.

Criterion (e): "There is easy and safe access to the primary road network". - It is considered that the proposal complies with this criterion as Hollow Lane (A327 Shinfield Road) is at the west end of Cutbush Lane.

Criterion (f): "There is no significant adverse effect on any interest of nature conservation importance". - The site is not of designated nature conservation importance.

Circular 1/94: Paragraph 14 of Circular 1/94 states that sites may be found on the outskirts of built-up areas and in rural or semi-rural settings, but should avoid encroachment on the open countryside. However, paragraph 22 states that permission must be consistent with countryside and environmental policies.

Berkshire Structure Plan Policy H11 refers to gypsy transit sites and is not directly relevant as the proposal is for a permanent site.

Conclusion on effect on the character and appearance of the countryside
It is considered that the proposal would have an unacceptable effect on the character and appearance of the countryside, and it would be contrary to criterion (a) of Policy WH12.

B. Effect on nearby residential property
Criterion C of Policy WH12 requires that "There is no significant adverse effect on the amenities of neighbouring properties". - Grange Lodge is a two-storey house with windows facing westwards towards the application site. This house is about 5½ metres at its nearest point from the east side boundary of the application site, and would be about 13 metres at the nearest points from the mobile home on plot 1. As the mobile homes would be single storey, unacceptable overlooking could be avoided by sufficient boundary screening. Providing the site were to be laid out as shown with lawned rear

gardens and additional boundary planting, the effect could be acceptable. However, if the rear garden areas were to be hardstanding with vehicles and/or any non-domestic activities, the effects on Grange Lodge would be unacceptable. This would need to be strictly controlled but in practice this would be very difficult to monitor and control. Therefore it is considered that the proposal would affect the residential amenities of Grange Lodge to an unacceptable extent, and would be contrary to Policy WH12(c).

As the residential accommodation at Cutbush is screened from the site by its barn, it is considered that the effect on it would not be unacceptable.

C. Sustainability
Criterion (d) of Policy WH12 requires that "The site is within a reasonable distance of local services and facilities". - It is considered that the proposal does not comply with this criterion as the nearest bus stop on Hollow Lane (A327 Shinfield Road) at the west end of Cutbush Lane is 900m away. There are basic shops, etc. in Shinfield Village, which are even further away. It is considered that easy walking distance should be interpreted as being less than 400 metres (about 5 minutes walking time), and anything over 800 metres (about 10 minutes walking time) will increasingly result in car trips rather than walking. 'PPG13: A Guide to Better Practice' sets a threshold of 800 metres below which distance motorised modes are rarely used. Wokingham District is one of the more affluent parts of the country with high levels of car ownership. Hence, the unavailability of a car will not be a significant constraint on the use of the car for journeys greater than 800m.

D. Appeal decision at Meadowside
The applicant's consultant has drawn attention to a recent appeal decision at Meadowside, Park Lane, Finchampstead, for 2 gypsy mobile homes, which was allowed (copy attached), in particular to the latter part of paragraph 6. However, each application should be considered on its own merits and it is considered that this does not set a precedent for allowing the current application, particularly as gypsies had already moved onto the Meadowside site at the time of that application and appeal.

E. Concerns of the Parish Council and local residents
These have been noted and addressed above. It is not possible to make an assumption that any particular group of people is more likely to commit crime in the local area. Reduction in property values is not a planning matter.

5. **Conclusion** – Whilst the proposal would provide additional plots for gypsy accommodation which policies encourage in principle, it is considered that this does not outweigh the objection to the proposal on the grounds of the detrimental effect it would have on the character and appearance of the area.

6. **Recommendation** – REFUSE planning permission for the following reason:

1. The proposed development would have an urbanizing effect, would consolidate and intensify existing sporadic development, and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to The Berkshire Structure Plan Policy C2, The

Loddon Area Local Plan Policy LTV2 and to The Wokingham District Local Plan Policies WCC1 and WH12.

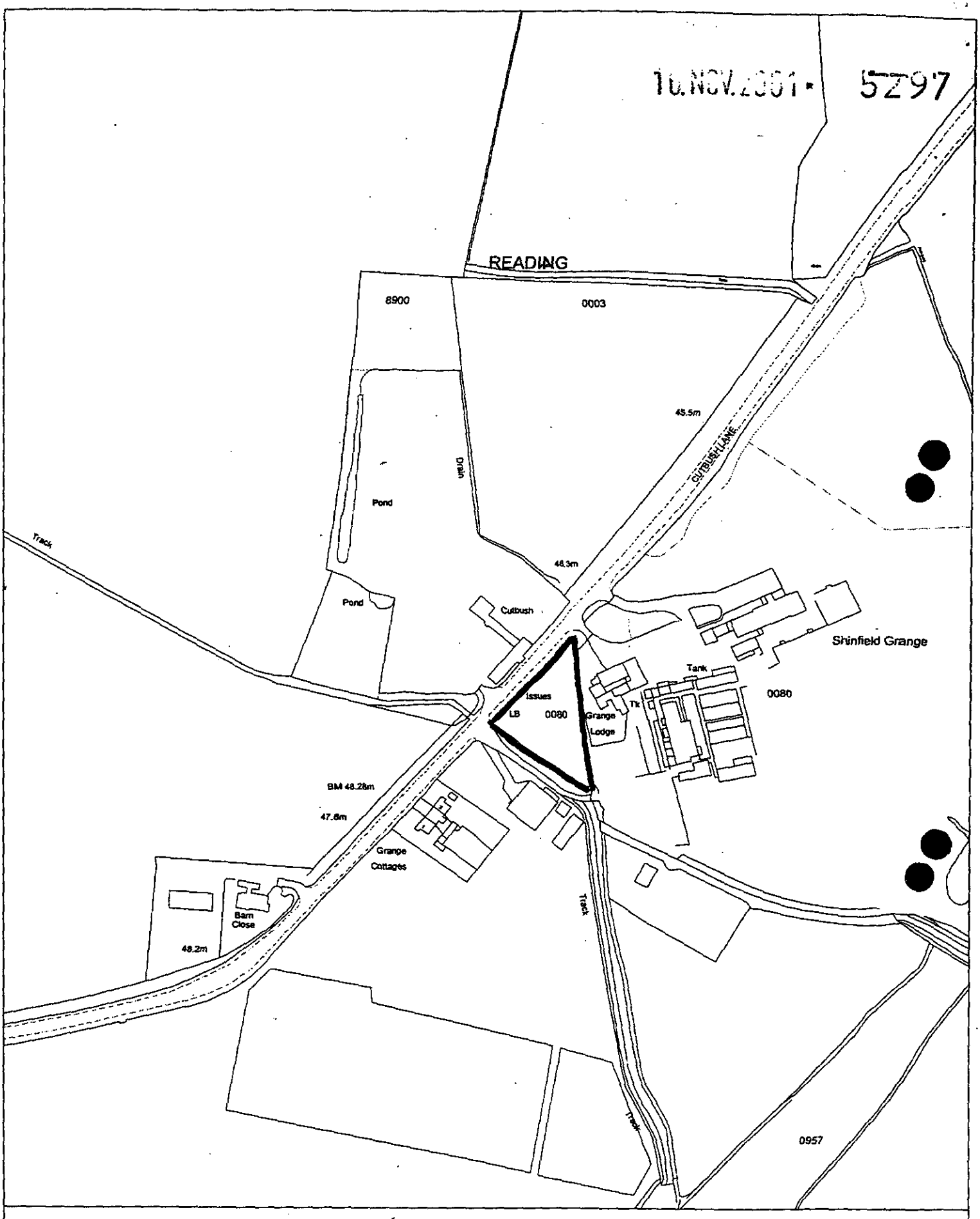
2. The proposed development would cause unacceptable loss of amenity to existing residential property. The proposal would there fore be contrary to Loddon Area Local Plan Policy LBE2 and to Wokingham District Local Plan Policies WBE1 and WH12.

3. Due to the distance of the application site to the nearest bus stop and local facilities, the proposed development is not within a reasonable distance of local services and facilities, and hence is not in a location which would minimise car-borne trips. The proposal would therefore be contrary to Berkshire Structure Plan Policy LD1, Wokingham District Local Plan Policies WOS1 and WH12 and Government guidance.

INFORMATIVES

You are advised, in compliance with *The Town & Country Planning (General Development Procedure) (England) (Amendment) Order 2000,* that the following policies and/or proposals in the development plan are relevant to this decision:
Berkshire Structure Plan policies C2, H11 and LD1.
Loddon Area Local Plan policies LTV2, and LBE2.
Deposit Draft Wokingham District Local Plan policies WCC1, WH12, WBE1 and WOS1.

Angela Odell



Site Plan, Scale: 1 to 2500

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3126

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Date: 17 March 2000

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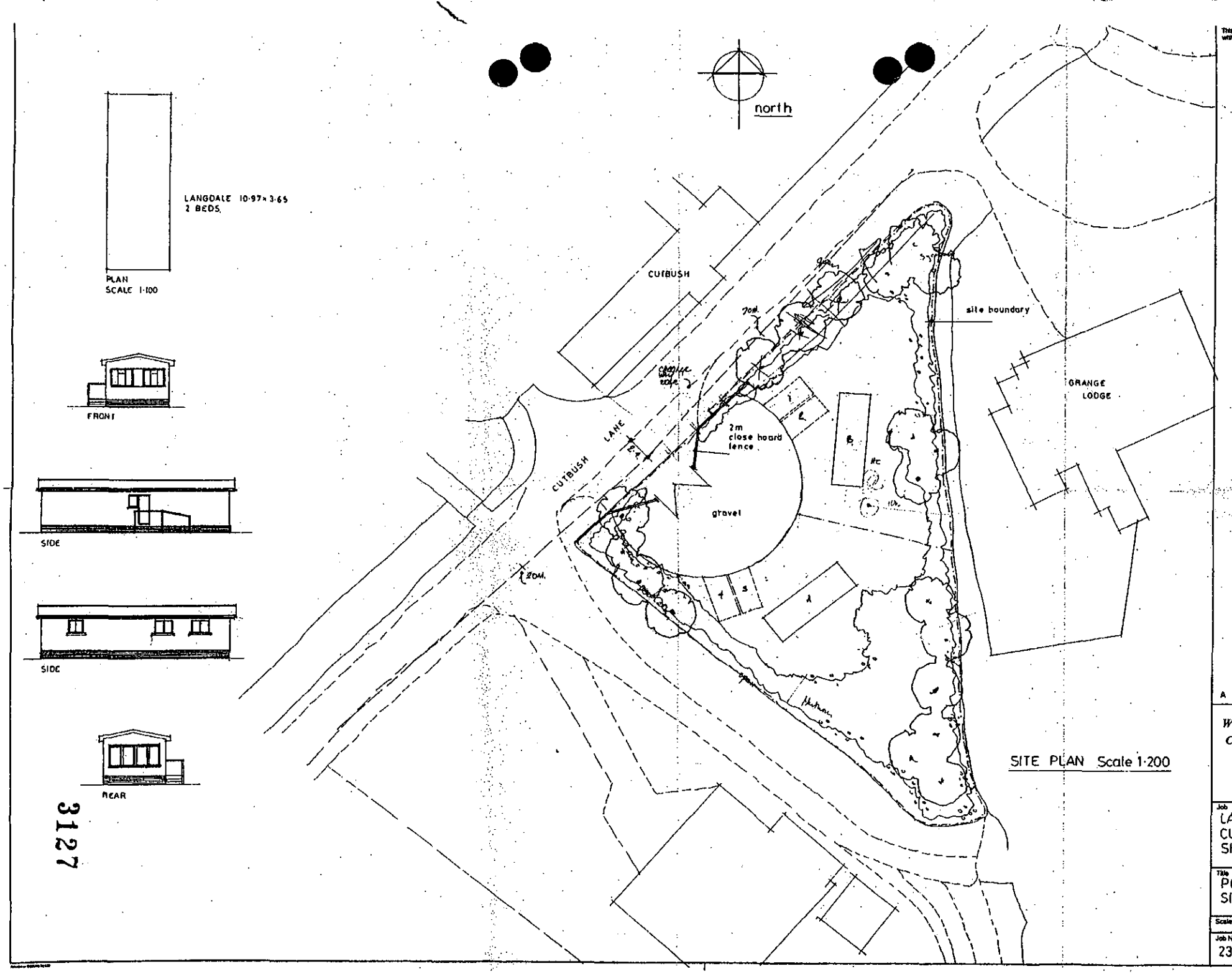

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5297

A 24x20M SIGHT LINE 06·06·01

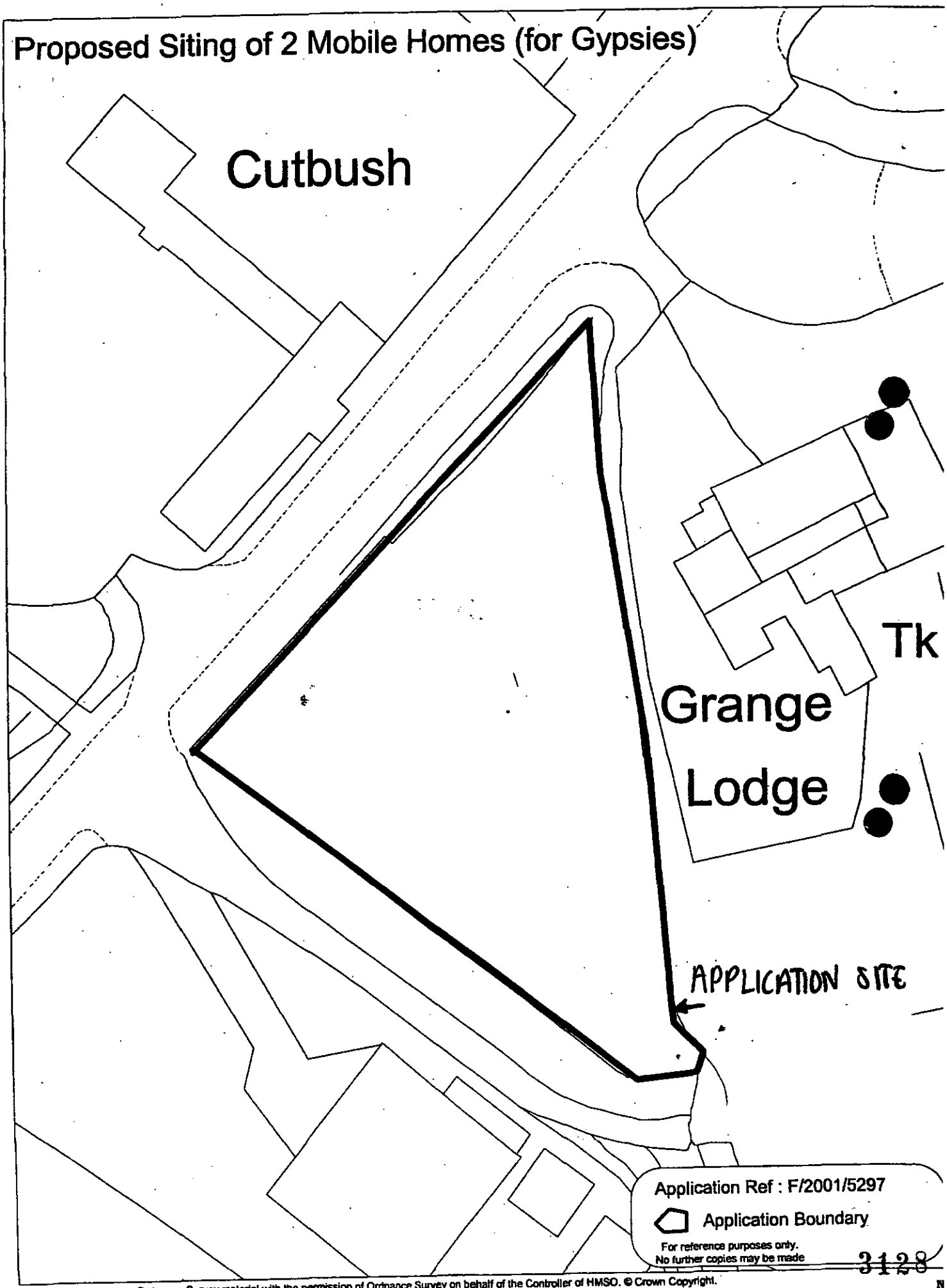
W. M. GRAHAM ASSOCIATES
CHARTERED ARCHITECTS
1 Rectory Road,
Wokingham,
Berkshire, RG40 1DJ.
Tel: 0118 9770464
Fax: 0118 9770482

Job
LAND ADJOINING
CUTBUSH LANE
SHINFIELD

Title
PERMANENT GYPSY
SITE (2 MOBILE HOMES)

Scale AS	Date MAR '01	Drawn By
Job No. 2336	Drawing No. 01	Revision B

3127



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Development Control Section, Environmental Services, Wokingham District Council.
24 April 2002

Scale: 1 : 500

Your Ref: APP/X0360/A/02/1091595

Our Ref: JHS/HF

Date: 15 July 2002

HASLAMS

156 Friar Street Reading
Berkshire RG1 1HH

Tel: 0118 960 1010
Fax: 0118 960 1022

Email: info@haslams-surveyors.co.uk
Web: www.haslams.net

Direct Line: 0118 960 1031
Mobile Telephone: 07879 600061
Direct Email: js@haslams-surveyors.co.uk

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

BY FAX (0117 3728624) AND POST

Dear Madam

RE: APPEAL BY MR DEAN
LAND ADJOINING GRANGE LODGE, CUTBUSH LANE, SHINFIELD, READING
PROPOSED CHANGE OF USE TO TWO MOBILE HOMES FOR GYPSIES

We act for the University of Reading and on the University's behalf, submit the following representations in respect of the above appeal:-

1. We attach a plan showing the following:-

   The appeal site marked pink.

   The University's immediately adjoining ownership marked with a blue surround.

   Shinfield Grange which is in the ownership of the College of Estate Management marked with a green surround.

2. The University's ownership at Shinfield and Arborfield extends to approximately 1,800 acres, a significant proportion of which together with farm buildings, including CEDAR (Centre for Dairy Research) lies close to the appeal site.

3. Work carried out on the University farms is research based, much of which to the east of Shinfield Village is of a sensitive nature and in respect of which external interference would be most undesirable.

4. In the Planning Officer's report to the Development Control Committee meeting on the 24th April 2002, section 3 dealing with consultations indicates as follows:-

Associate
Christopher D Moore FRICS

Consultants
David J Pantling MA MRTPI MRICS TP
Matt Andrews RIBA FFB
James H Attewell
Stephen P Woodford

Partners
Steven D R Smith BSc (Est Man) FRICS FCIArb
John H Short BSc (Est Man) FRICS
Keith Walker DipArb FRICS MCIArb
Matthew S Ward BSc (Hons) MRICS
Ian L Brindley MRICS
Conrad R B Hill MRICS
David Whitlock BSc (Hons) MRICS

Practice & Marketing Manager
Sandra Brown

Chartered Surveyors
Corporate Property Consultants
Commercial Property Agents
Planning & Development Consultants
Building Surveyors & Project Designers
Valuers & Arbitrators

Established 1838

With Haslams Estate Agents & Auctioneers

RICS

"Head of Policy (gypsy liaison):

Opposes the application on the grounds that it is an inappropriate area for the siting of travellers facilities, alternative sites do exist within the district, and the granting of planning consent could cause detriment to the neighbourhood."

5. This is the view of the planning authority's Gypsy Liaison Policy Officer and in our view, should carry considerable weight – in particular the fact that alternative sites do exist within the district.

6. The Planning Officer's report to Development Control Sub-Committee on the 24th April 2002 had attached to it a copy of a previous report to Development Control Committee on the 20th June 2001 in respect of an earlier application for a change of use to three mobile homes for gypsies (the current application and appeal is for two mobile homes for gypsies). In that June 2001 report, at paragraph 3 in respect of consultations carried out at that time, the last consultee response under that paragraph reads as follows:-

"**Crime Prevention Design Adviser**

The site is very close to surrounding property and likely to generate some future concerns as a result of this. On the basis of the risk of friction with surrounding land use and residential amenity, the police view is not to support this application. However, if the Council is minded to grant approval, recommends conditions."

7. Clearly the Crime Prevention Design Adviser in June 2001 had considerable reservations about the proposed use in the context of the surrounding land use where the University is a major land owner and the risk of friction is high.

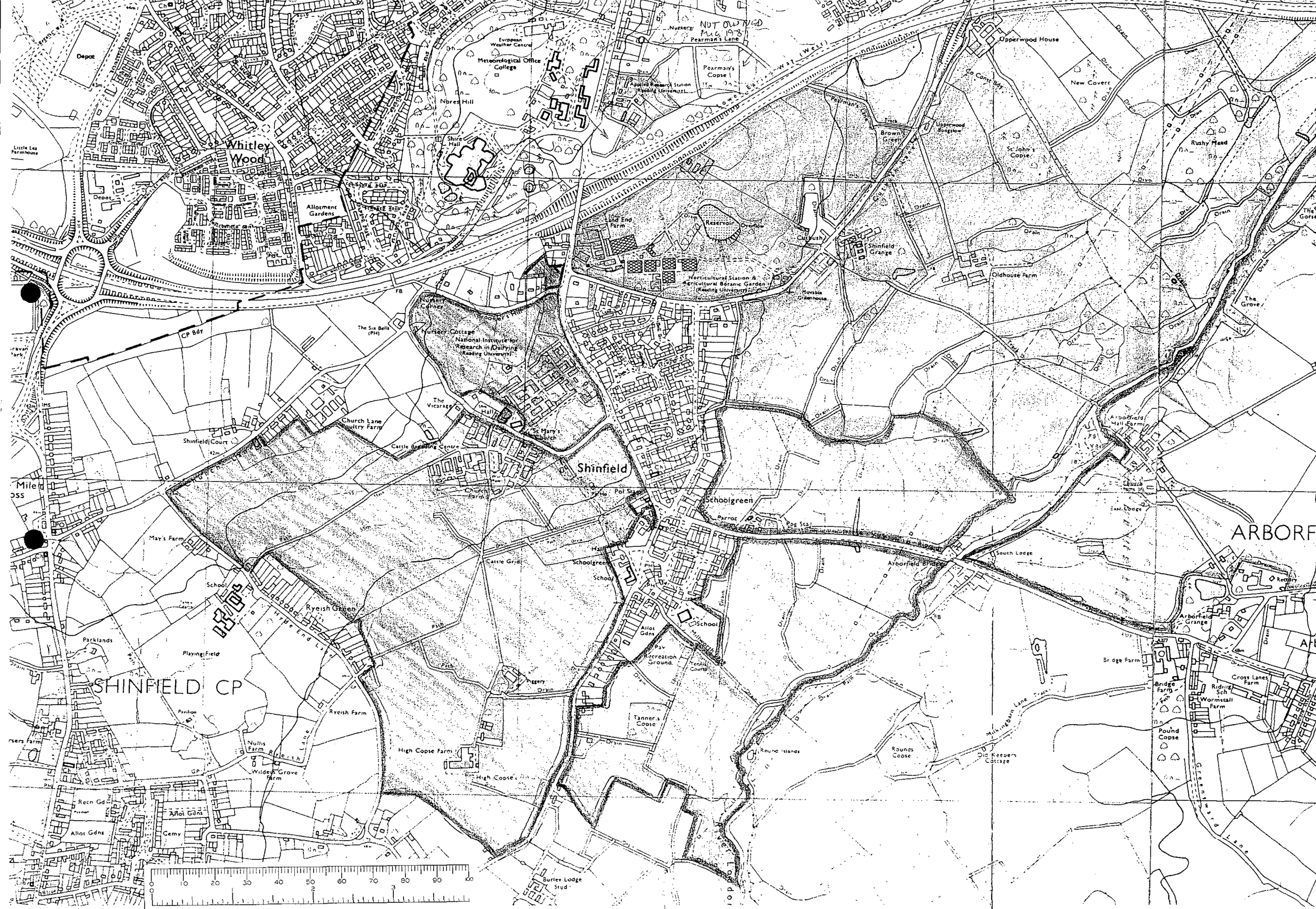
It should also be noted that the police view was not to support the application. That view, particularly in the context of the availability of alternative sites in the district should carry decisive weight.

It is for the foregoing reasons that the Inspector is requested on behalf of the University to dismiss this appeal.

Yours faithfully

J H Short
HASLAMS

c.c. P A Hackett Esq



NOT OWNED
Aug 1987
Whitley Wood
Depot
Little Lea Farmhouse
Allotment Gardens
Nores Hill
Shire Hall
European Weather Centre
Meteorological Office College
Nursery
Pearman's Lane
Pearman's Copse
Applied Research Station (Reading University)
Upperwood House
New Covert
Co Const Bdy
Brown's Green
Upperwood Bungalow
St John's Copse
Rushy Mead
Land End Farm
Reservoir
Overflow
Cutbush
Shinfield Grange
Oldhouse Farm
Horticultural Station & Agricultural Botanic Garden (Reading University)
Movable Greenhouse
The Grove
The Six Bells (PH)
Nursery Cottage
National Institute for Research in Dairying (Reading University)
CP Bdy
The Vicarage
Church Lane Poultry Farm
Shinfield Court
Cattle Breeding Centre
St Mary's Church
Shinfield
Church Farm
Pol Sta
Schoolgreen
Parrot
Pog Sta
Arborfield Hall Farm
ARBORF
South Lodge
Arborfield Bridge
Rectory
Arborfield Grange
Bridge Farm
Cross Lanes Farm
Riding Sch
Wormstall Farm
Pound Copse
Greensward Lane
May's Farm
School
Ryeish Green
Hyde End Lane
Parklands
Playing Field
SHINFIELD CP
Pavilion
Ryeish Farm
Nullis Farm
Ryeish Lane
Wilders Grove Farm
High Copse Farm
High Copse
Cattle Grid
Allot Gdns
Recreation Ground
Tanner's Copse
Round Islands
Rounds Copse
Old Keepers Cottage
Milkingbarn Lane
Recn Gd
Allot Gdns
Cemy
Burley Lodge Stud
0 10 20 30 40 50 60 70 80 90 100
0 2 3

Tel. (0118) 974 6448 (Direct Line)
Date: December 19, 2002
My ref: F/2001/5297
Your ref: APP/X0360/A/02/1091595

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

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

Dear Mrs Pocock

APPEAL BY: Mr Dean
SITE: Land adjoining Grange Lodge, Cutbush Lane, Shinfield

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

59879

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

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

PLANNING SERVICES
DC DG
APP
CS
15 AUG 2002
COPIES TO

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

Your Ref: F/2001/5297

Our Ref: APP/X0360/A/02/1091595

Date: 14 August 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR D DEAN
SITE AT LAND ADJOINING GRANGE LODGE (FIELD 0080), CUTBUSH LANE, SHINFIELD, READING

I refer to the above appeal and enclose, for your information, a copy of my letter to the agent.

Yours faithfully

M Pocock

Mrs M Pocock

211(B)

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

Sally Walker B A Hons M.r.t.p.i.
Ely Planning
102a Longstone Road
Eastbourne
East Sussex
BN21 3SJ

Your Ref:

Our Ref: APP/X0360/A/02/1091595

Date: 14 August 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR D DEAN
SITE AT LAND ADJOINING GRANGE LODGE (FIELD 0080), CUTBUSH LANE, SHINFIELD, READING

Thank you for your faxed letter dated, 8 August, about the above appeal.

Unfortunately, it was submitted after the deadline, which was 7 August. All the parties involved in an appeal have a responsibility to meet the deadlines set. Letters sent after the due dates are normally disregarded except in extraordinary circumstances.

I am therefore returning your letter.

A copy of this letter has been sent to the LPA.

Yours faithfully

Mrs M Pocock

218(BPR)

The Planning Inspectorate

CRT, TOWN COUNCIL MAIN HALL

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

Direct Line 0117-3728775
Switchboard 0117-3728000
Fax No 0117-3728804

GTN 1371-8775

59340

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

Your Ref: F/2001/5297

Our Ref: APP/X0360/A/02/1091595

Date: 30 July 2002

AUG 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR D DEAN
SITE AT LAND ADJOINING GRANGE LODGE (FIELD 0080), CUTBUSH LANE, SHINFIELD, READING

I am writing to advise you that the hearing into this appeal will start at 10:00 on Tuesday 7 January 2003 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.

The name of the Inspector will be confirmed to you at a later date.

The hearing date has been imposed upon yourselves.

Please write to all those other than the appellant, with an interest in the land, and all those who made representations at the planning application stage i.e. including any interested third parties, telling them about the hearing details at least 2 weeks before the hearing date. Your letter should cover:

- An Inspector has been appointed by the Secretary of State to determine this appeal;
- The location of the site and a description of the development;
- 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 and 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 Kate Hallett

206J(BPR)

Tel: (0118) 974 6448 (Direct Line)

Fax: (0118) 974 6484

Date: August 7, 2002

My ref: F/2001/5297

Your ref: APP/X0360/A/02/1091595

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

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

Dear Mrs Pocock

APPEAL BY: D Dean

SITE: Land adjoining Grange Lodge, Cutbush Lane, Shinfield

HEARING DATE: TUESDAY 7 JANUARY, 2003

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.

The Planning Inspectorate

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

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

PLANNING SERVICES HPT 58840
DG
22 JUL 2002
COPIES TO
FILE

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

Your Ref: F/2001/5297

Our Ref: APP/X0360/A/02/1091595

Date: 19 July 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR D DEAN
SITE AT LAND ADJOINING GRANGE LODGE (FIELD 0080), CUTBUSH LANE, SHINFIELD, READING

I enclose a copy of the appellants statement and third party correspondence relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. You should comment solely on the representations enclosed with this letter.

You cannot introduce new material or put forward arguments that should have been included in your earlier statement. If you do, your comments will not be accepted and will be returned to you.

Comments submitted after the 9-week deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours faithfully

Mrs M Pocock

211AL(BPR)

Tel. (0118) 974 6448 (Direct Line)
Date: July 15, 2002
My ref: F/2001/5297
Your ref: APP/X0360/A/02/1091595

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

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Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Mrs Pocock

APPEAL BY: Mr D Dean
SITE: Land adjoining Grange Lodge, Cutbush Lane, Shinfield

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Copy

Tel. (0118) 974 6448 (Direct Line)
Date: June 17, 2002
My ref: F/2001/5297
Your ref: APP/X0360/A/02/1091595

WOKINGHAM UNITARY
Aiming for Excellence

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

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Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Mrs Pocock

APPEAL BY: Mr D Dean
SITE: Land adjoining Grange Lodge, Cutbush Lane, Shinfield

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

8/1 CR2
9/1

Now 07/01/03

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 0117-3728775
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Fax No 0117-3728804
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58076 Dea 01 JUL 2002 SA

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

CR5

Your Ref: F/2001/5297

Our Ref: APP/X0360/A/02/1091595

Date: 28 June 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR D DEAN
SITE AT LAND ADJOINING GRANGE LODGE (FIELD 0080), CUTBUSH LANE, SHINFIELD, READING

I am writing to tell you that we propose to hold a hearing into this appeal at 10:00 on Tuesday 17 September 2002 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 Tuesday 9 July 2002, 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.

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

Khallett

Miss Kate Hallett

NB: Only correspondence concerning the hearing date (and venue) should be addressed to the above room. All other correspondence should be addressed to the case officer mentioned in the initial letter.

Tel. (0118) 974 6448 (Direct Line)
Date. June 17, 2002
My ref: F/2001/5297
Your ref:

copy

WOKINGHAM UNITARY
Aiming for Excellence

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

Ely Planning
102A Longstone Rd
Eastbourne
E. Sussex
BN21 3SJ

Dear Sirs

APPEAL BY: **Mr D Dean**
SITE: **Land adjoining Grange Lodge, Cutbush Lane, Shinfield**

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

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

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

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Fax No 0117-3728624
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PLANNING SERVICES
POL
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APT
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57198
JUN 2002
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2001/5297

Our Ref: APP/X0360/A/02/1091595

Date: 5 June 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR D DEAN
SITE AT LAND ADJOINING GRANGE LODGE, CUTBUSH LANE, SHINFIELD, 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 any other interested persons who made representations to you about the application, 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 on any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement and no new evidence is allowed. I will forward the appellant's final comments to you at the appropriate time.

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

Withdrawing the 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

Mrs Margaret Pocock

H4B(BPR)

Questionnaire

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

Hearing Statement

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

Statutory parties

'Statutory parties' are owners or tenants of the appeal site who made comments within the time limit on the 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 10 working days before the date of a hearing. Obligations should be completed by the close of a hearing. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

The Planning Inspectorate

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

For official use only
Date received

PLANNING APPEAL FORM

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

Please use a separate form for each appeal

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

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

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

A. APPELLANT DETAILS

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

Name MR DEAN

Address c/o AGENT

Daytime phone no

Fax no

Postcode

E-mail address

B. AGENT DETAILS (if any)

Name ELY PLANNING

Address 102A LONGSTONE ROAD
EASTBOURNE, EAST SUSSEX

Your reference

Daytime phone no 01323 439904

Fax no 01323 439996

Postcode BN21 3SJ

E-mail address thealy@annits.force9.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT

LPA's application reference no F/2001/5297

Date of the planning application 14.11.01

Date of LPA's decision notice (if issued) 24.04.02

D. APPEAL SITE ADDRESS

Address LAND ADJOINING GRANGE LODGE, CUTBUSH LANE, SHINFIELD, READING

Postcode

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

E. DESCRIPTION OF THE DEVELOPMENT

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

CHANGE OF USE OF VACANT LAND TO STATIONING OF TWO MOBILE HOMES FOR GYPSIES

Size of the whole appeal site (in hectares)

0.1

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

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

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

   or

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

G. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

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

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

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☐

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

2. HEARING ☑

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

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

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

3. INQUIRY ☐

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

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

Please turn over

H. GROUNDS OF APPEAL

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

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

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

Please continue on a separate sheet if necessary.

It will be shown that:-

- The siting of two mobile homes at the appeal site would not in fact have a detrimental effect upon the appearance and open character of the countryside.

- The Council has been inconsistent in its approach to determining applications for development along Cutbush Lane which propose additional residential accommodation in terms of accessibility to local services and facilities.

- The appeal development is not in fact contrary to Policies WH12 and WCC1 of the Wokingham District Local Plan and Policies C2 and LD1 of the Berkshire Structure Plan.

H. GROUNDS OF APPEAL (continued)

Please turn

I. APPEAL SITE OWNERSHIP DETAILS

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

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

CERTIFICATE A

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

OR

CERTIFICATE B ☐

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

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

CERTIFICATES C and D ☐

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

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

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

✔

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

OR

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

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

J. ESSENTIAL SUPPORTING DOCUMENTS

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

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

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

7. **Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: _____ _____	☐
8. Any relevant **correspondence** with the LPA.	☑
9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:	
(a) the relevant outline application;	☐
(b) all plans sent at outline application stage;	☐
(c) the original outline planning permission.	☐
10. If the appeal is against the LPA's refusal or failure to decide an application which relates to a **condition**, we must have a copy of the original permission with the condition attached.	☐
11. 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).	☐
12. If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers. _____ _____ _____	☐

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

Please turn over

K. PLEASE SIGN BELOW

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

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

Signature S. A. Walker (on behalf of) MR DEAN

Name (in capitals) S. A. WALKER Date 23.05.02

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

NOW SEND:

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

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

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

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid and who is dealing with it.

2) Tell you and the LPA the procedure for your appeal.

3) Tell you the timetable for us receiving further information or representations.

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

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

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

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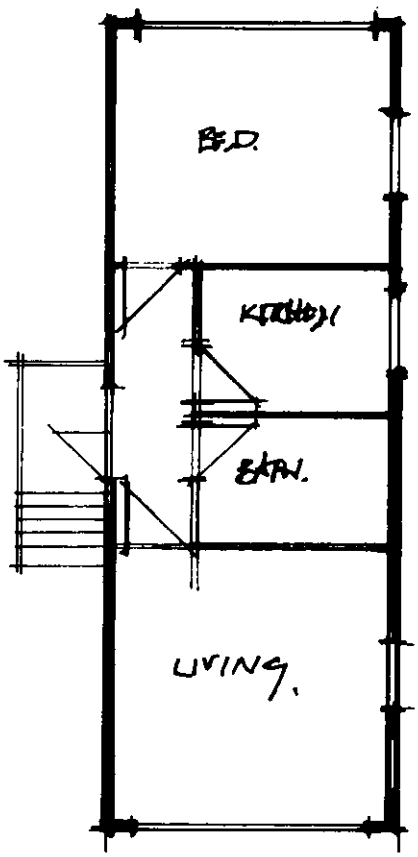

PLAN 1:100.

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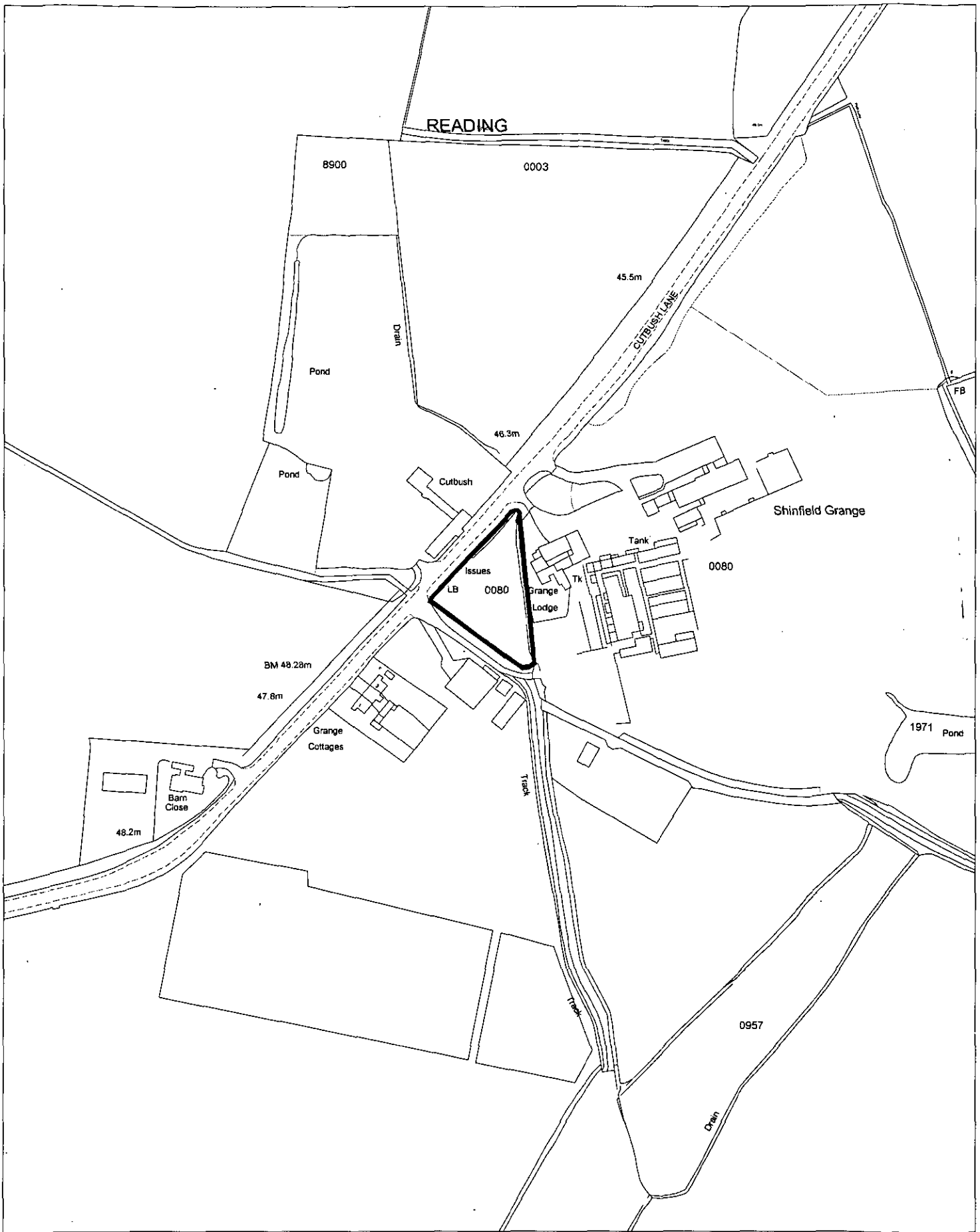

Site Plan, Scale: 1 to 2500

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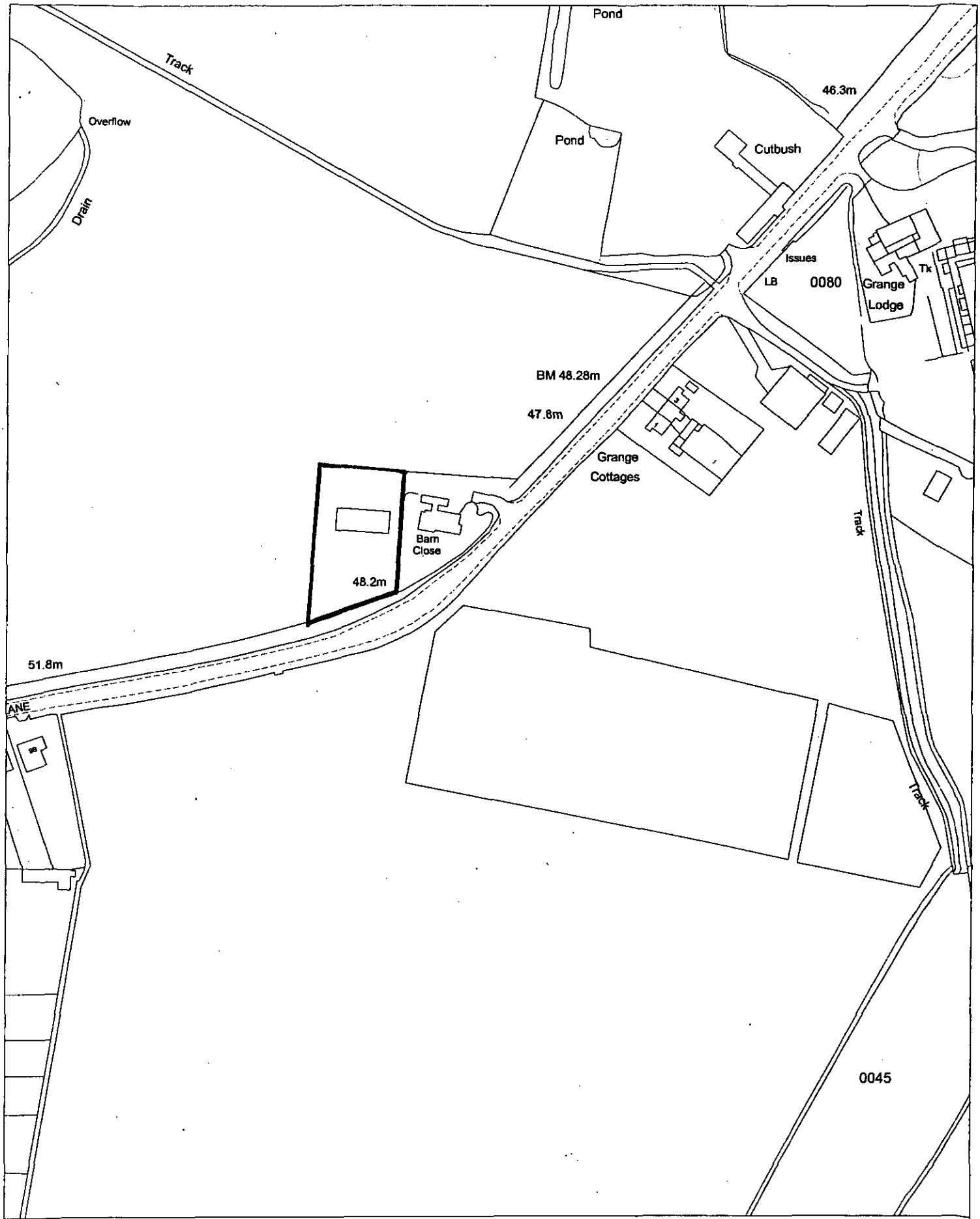

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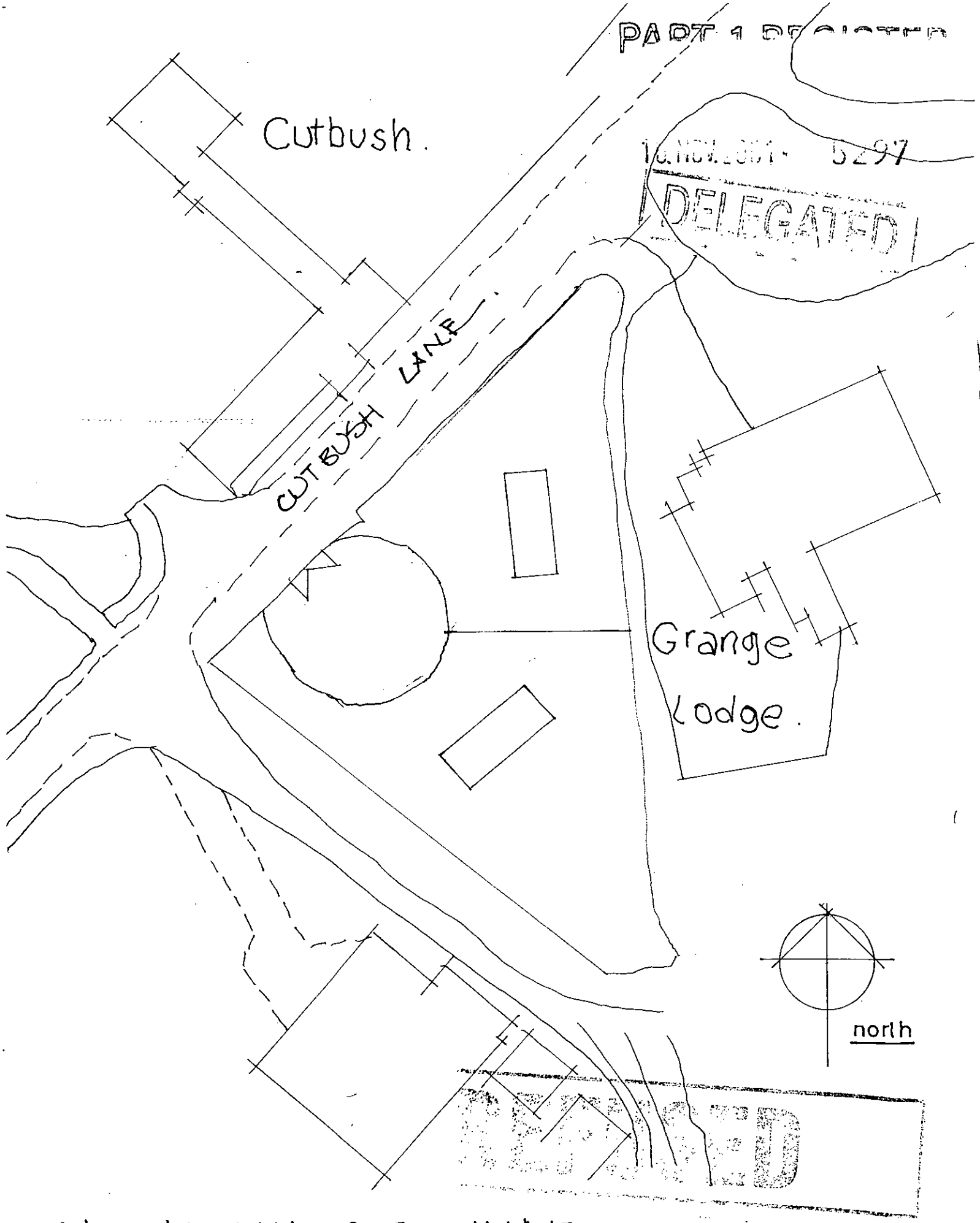

PART 1 DELEGATED

16 NOV 2001 5297

DELEGATED

LAND ADJOINING CUTBUSH LANE

2. MOBILE HOMES SCALE 1:500 MAR 01

REFUSED