SYSTEMS LTD
SOUTHPORT U.K
LONDON OFFICE

APPLICATION NO.2484

Name of appellant:
F Bond

Site address:
Land r/o 41 Bearwood Rd

Proposal:Outline application for the proposed erection of 2 dwellings

Case Officer:EC

Appeal Decision

Hearing held on 21 February 2001

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

by Raymond Michael MBA BSc DipTP MRTPI ARICS MIMgt
an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

Date 19 MAR 2001

Appeal Ref: APP/X0360/A/00/1053982
Land rear of 41 Bearwood Road, Wokingham

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
- The appeal is made by F. Bond Esq against Wokingham District Council.
- The application (ref:F/2000/2484), is dated 20 September 2000.
- The development proposed is the erection of 2no. detached dwellings and 2 garages.

Summary of Decision: The appeal is dismissed.

O/2000/2484

Procedural Matters

1. At the hearing it was agreed to revise the description of development in order to better reflect the works which would require planning permission. I have therefore adopted the description set out above.

Main Issues

2. I consider that there are 2 main issues in this case. Firstly, whether the proposal would harm the rural character of the Area of Special Landscape Importance (ASLI) by reason of the introduction of residential use into the countryside. Secondly, whether residential use would give rise to an unacceptable level of danger for road users because of the narrow access or the restricted visibility available at the junction with Bearwood Road.

Planning Policy

3. The development plan for the area is the Berkshire Structure Plan (1995), together with the Loddon Area Local Plan (1995). Policy OS1 of the former sets out the overall strategy of the Plan, whilst Policy C2 indicates that development outside settlement boundaries will only be permitted, inter alia, for the redevelopment of existing buildings to maintain or enhance the rural environment. Policy C8 indicates that development in ASLIs will be carefully controlled to protect their special landscape significance.

4. The Local Plan includes Policy LTV2 which states that all land outside identified settlements is considered to be rural area within which development will not normally be allowed. Among the exceptions is development for housing purposes of sites not exceeding 0.4ha in the form of rounding off or redevelopment. In addition, Policy LC3 indicates that development which would cause long-term damage to the rural character or special landscape qualities of ASLIs will not be allowed.

5. The Council is currently preparing the Wokingham District Local Plan, which was placed

on deposit in 1997 and adopted for development control purposes in the same year. Proposed amendments have been published following the Public Local Inquiry in 1998. The plan contains Policy WOS1 related to sustainable development, and WOS2 which indicates that, other than in exceptional circumstances, development will only be allowed within the boundaries of identified settlements shown on the Proposals Map. Policy WOS3 sets out general development control principles, and Policy WOS5 seeks to secure environmental improvements as part of development proposals including, inter alia, the relocation of bad neighbour uses.

6. Policy WCC1 states that development outside settlement boundaries will only be allowed in exceptional circumstances including, inter alia, redevelopment proposals in the countryside, and Policy WLL2 indicates that development which would have a detrimental impact will not be allowed within designated ASLIs. Policy WBE1 seeks to achieve good contemporary design, and Policy WEM18 states that the Council will accept the principle of change of use away from employment generating use to meet residential needs. Finally, Policy WT4 indicates that development will not be permitted where the proposal would generate traffic detrimental to the character of the rural roads in the locality.

7. National policy is set out in Planning Policy Guidance on the Countryside (PPG7), which indicates that building in the countryside should be strictly controlled. It advises that the pattern of development should be determined through the development plan process, and should be well-related in scale and location to existing development. In addition, Planning Policy Guidance on Housing (PPG3) gives priority to re-using previously developed land in urban areas.

Impact on the Character of the Surrounding Area

8. The site is within the Bearwood ASLI, and outside the settlement boundary of Barkham Hill. The immediate surroundings are rural in character, with the adjoining land being mainly used for the grazing of horses. It lies about 180m to the west of Bearwood Road, which is a busy local distributor road, and is currently occupied by a small haulage business and a car repair works. It is separated from the rear of the residential curtilages along Bearwood Road by an open area of about 100m. The site is currently screened from view in most directions by existing trees on the boundary and on adjoining land, and due to a general fall in land levels from East to West. However, it is visible from parts of Hayes Lane, which runs about 300m to the north, and from a footpath which runs about 150m to the west of the site.

9. The site has been in the existing uses since the 1970s, and those activities were regularised by planning permissions granted in 1992 for the parking of 3 lorries and the change of use to workshop with associated storage and parking. Those permissions were limited to named companies, and they remain lawful uses of the site to the present day.

10. A further planning permission was granted in 1995, which allowed for the erection of a single-storey building on the site for the parking of 4 commercial vehicles with ancillary storage and maintenance of vehicles belonging to CRB Haulage. The permission was conditioned to restrict the maintenance of vehicles on the site to those owned by the applicant personally. That permission was renewed by the Council in 2000, subject to similar conditions and to an agreement under Section 106 which would preclude the use of the site for the workshop use granted under the 1992 permission. The permission has not been implemented.

11. The haulage building approved in the extant permission would be sited close to the western boundary of the site and would be a significant structure, measuring about 30m x 15m in plan and having a height of some 7m to the ridge of the roof. It would be a simple structure, clad with plastic-coated profile steel sheeting on a brick plinth, and would be similar in appearance to many modern farm buildings. The extant planning permission requires the submission of a landscaping scheme and, although the building would be close to the boundary, I consider from my site inspection that there would be sufficient room to enable planting to take place to provide a significant degree of screening along that side of the site. In my view, the implementation of the extant permission would bring significant benefits by removing much of the existing open storage, and reducing the level of traffic using the site.

12. The existing uses on the site are visually unattractive, but have limited impact on the surroundings because of the screening around the boundary and the distance from the nearby residential properties. Whilst they are visible from the north, they have a relatively minor effect from that aspect because of the distance over which they are viewed. It was confirmed at the hearing that the use is currently low key and has little effect on local residents due to noise levels. The appellant indicated that the use is currently not as busy as in the past, but that position could change in the future.

13. The current proposal would involve the development of 2 substantial detached dwellings and garages. The indicative plan submitted shows enhanced planting around the boundaries of the site, which would provide some screening from the adjacent footpaths and bridleways. The development would facilitate the removal of the current uses and preclude the development of the extant planning permission for haulage use. Whilst that would bring some environmental benefits to the area, I consider that the form of development proposed would result in the intrusion of an urban form of residential development which would compromise the integrity of this essentially rural area.

14. The development plan provides for the redevelopment of existing developed sites in the countryside for housing purposes, and the proposal complies with the policies in that respect. However, the development plan and national policy also indicate that such development should be appropriate in its impact and acceptable in terms of other policies. In this case the development would, in my view, be to the detriment of the character of the area, and be contrary to the policies in the development plan to protect the countryside and the ASLI. I consider those factors to be the most significant matters in this case, and I therefore conclude that the proposal would harm the rural character of the Area of Special Landscape Importance (ASLI) by reason of the introduction of residential use into the countryside, and would be contrary to Policies C2 and C8 of the Structure Plan, Policy LC3 of the adopted Local Plan, and Policy WLL2 of the emerging Local Plan.

15. I observed at my site inspection that there are a small number of properties which have been developed at the rear of the houses fronting Bearwood Road. However, those are closely related to the frontage development, and do not intrude into the open countryside to the degree which would be the case with the current proposal. I also noted that there are properties which have been developed along Hayes Lane, but I do not consider those to be comparable to the scheme before me.

16. I note that, in the event of the current proposal not proceeding, the appellant would be able to continue with the current use or implement the extant permission for haulage use. Whilst

both of those options would lead to a continuation of inappropriate uses on the site, I take the view that the proposed housing development would be contrary to national and local planning policy, and would therefore not be a satisfactory alternative. The current use and the extant permission are both restricted to the existing users and are tightly constrained to avoid intensification. Given the low-key nature of the uses and their limited impact on neighbouring residents, I consider that their removal would not bring sufficient benefit to justify the grant of permission for residential development.

Access and Highway Safety

17. The site is accessed by way of a narrow track measuring some 200m in length, which runs between nos. 41a and 43 Bearwood Road, and serves the existing haulage and car repair uses. It also runs through the curtilage of no. 41, which is owned by the appellant, and provides access to that property. At points along its length it narrows to about 3.2m, although for a length of some 50m near its junction with the road it has been widened to just over 4m. There is scope for widening at some other points, although a number of pinch points would be likely to remain.

18. The Local Planning Authority indicated that the proposed use would generate about 20 vehicle movements per day based on TRICS data, and expressed concern that it would lead to an intensification of traffic movement and cause increased problems arising from the difficulties in passing on the narrow track. The appellant submitted that the current uses could generate up to 50 vehicle movements per day, some of which involve heavy goods vehicles, and the proposal would represent an improvement in that situation. However, no evidence was adduced to validate those traffic figures. The parties agreed that the unimplemented extant planning permission for haulage use would be likely to give rise to a lower level of vehicle movements.

19. At present the track is insufficiently wide for most of its length to allow vehicles to pass, and that could cause difficulties in access and egress. However, given the scope for improvement and the limited number of properties which would use it, I consider that the access track could be made adequate to serve the proposed development and the existing property at 41 Bearwood Road. I therefore see no over-riding objection to the proposal on that ground.

20. Bearwood Road is a comparatively wide 2-lane single carriageway highway with an overall width of about 6.9m. There are footways on both sides of the road. It is a busy local distributor road with a 40 mph speed limit, and at my site visit I observed that most traffic travels along the road at relatively high speeds. The national advice available in Places, Streets and Movement indicates that the appropriate visibility in those circumstances should be a clear distance of 120m in each direction.

21. Measurements taken on site indicated that the visibility available across land owned by the appellant or within the highway is about 19m to the north and 40m to the south, when measured from a point 2m from the carriageway of Bearwood Road. Both of those measurements fall well below the required visibility distances and, given the traffic levels and speeds on the road, they would result in seriously inadequate sight lines for vehicles emerging from the site.

22. The visibility distances available taking account of views across third party land rise to over 100m to the north and about 60m to the south. However, those adjoining owners could

carry out planting or erect fencing which would obstruct those views at some future date, and therefore that level of visibility cannot be relied upon. The appellant indicated that he had a covenant over the adjoining property at no. 41a, which would prevent obstruction of the sight line to the south. However, in my judgement, visibility in that direction could not be improved beyond its present level due to the geometry of the road, and would remain significantly below an acceptable level. I therefore conclude that residential use would give rise to an unacceptable level of danger for road users because of the restricted visibility available at the junction with Bearwood Road, and that the proposal would be contrary to Policy WOS3 of the emerging Local Plan.

23. The appellant submitted that continuation of the existing use or the implementation of the extant permission for haulage use would both give rise to greater danger to highway users than the present proposals. Notwithstanding the current or possible situations arising in those circumstances it would, in my view, be inappropriate to grant a further permission in this case which would perpetuate the existing deficiencies, given the substantially substandard visibility available at the access point.

Conclusions

24. I have taken account of all the other matters raised in this case, including the views expressed by local residents at both application and appeal stages, and the advice in Planning Policy Guidance on General Policy and Principles (PPG1) on development in rural areas. However, none of those matters are sufficient to outweigh the conclusions which I have reached on the main issues.

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

Formal Decision

26. In exercise of the powers transferred to me, I dismiss the appeal and refuse planning permission for the erection of 2no. detached dwellings and 2 garages on land rear of 41 Bearwood Road, Wokingham.

Raymond Michael.

Inspector

APPEARANCES

FOR THE APPELLANT:

Simon Leedale MSc DipTP MRTPI	Gregory Grey Associates, Redcliffe, 17 Dinorben Close, Fleet, Hants, GU13 9SL.

FOR THE LOCAL PLANNING AUTHORITY:

Elaine Connor	Planning Assistant, Wokingham District Council.
Tom Callaghan	Highways Engineer, Wokingham District Council.

INTERESTED PERSONS:

Mrs Pam Osborne	27 Bearwood Road, Wokingham.

DOCUMENTS

Document	1	List of persons present at the Hearing.
Document	2	Council's letter of notification and list of persons notified.
Document	3	Extract from the Report of the Public Local Inquiry into the Loddon Area Local Plan, 1991.

PLANS

Plan	A	Dwg no. BWR00151/01-Site Plan
Plan	B	Dwg no. BWR/00/151/02-Ordnance Survey Plan

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: F Bond
SITE: Land r/o 41 Bearwood Rd, Wokingham
APPLICATION NO.: 2484
PROPOSAL: Outline application for the proposed erection of 2 dwellings

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Barkham

Mr A Miller

Clerk(s) of Parish / Town Council of Wokingham

Mr K Abnett, Town Hall, ~~Market~~ Place, Wokingham, RG40 1AS Corrected to Mrs J. Neuhofer - Barkham.

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

~~CPRE, c/o Dr Wilford, 17 Copse Drive, WOKINGHAM, Berkshire, RG41 1NA~~ duplicated

Environmental Design WDC
-Landscape & Trees

Public Rights of Way WDC

Policy & Plans WDC

Environment Agency, Swift House, Frimley Business Park, Camberley, Surrey GU16 7SQ (ref: SU76NE/14/1)

Applicationo	Name & Address
O/2000/2484	B M Small 43 Bearwood Road Wokingham Berks
O/2000/2484	Richard Noble 17 Bearwood Road Barkham RG41 4TB
O/2000/2484	Dr S Wilford (CPRE) 17 Copse drive Wokingham RG41 1NA
O/2000/2484	J Shepherd The Manor House Barkham Manor Wokingham RG41 4DQ
O/2000/2484	C & P Osborne 27 Bearwood Road Barkham RG41 4TB
O/2000/2484	M Harrison 2 Barkham Manor Barkham RG41 4DQ

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

Your Ref: BWR/00/151

Our Ref: APP/X0360/A/00/1053982

Date: 9 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY F BOND ESQ
SITE AT LAND REAR OF 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE

I enclose 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. Comments submitted after that deadline may not be seen by the Inspector.

Yours faithfully

Miss A Groves

211AL(BPR)

43 BEARWOOD RD
WOKINGHAM
BERKS. RG41 4SX

RECEIVED IN PINS
-2 JAN 2001

Dec 27th 2000.

REF:- APP/X0360/A/00/1053982

Dear Miss Groves,

With reference to above appeal to planning permission on ground attatched to 41. Bearwood Rd,

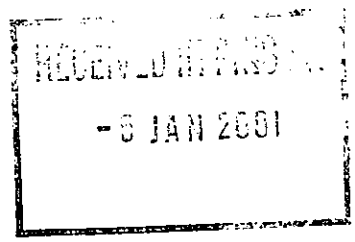
As all ready pointed out in a previous letter and owning adjacent property No. 43, we have no objection to the present plan. Two dwellings and the seebsequent traffic would be minimal and is far preferable to a warehouse with heavy traffic turning in from an already busy Bearwood Rd. Mr. Bond has widened his drive to accomodate extra traffic making access & exit easier.

Barkham does not need any more commercial development.

Yours Faithfully
B. M. Small

Mr John Roberts
42 Bearwood Road
Barkham, Wockingham
BERKS RG41 4SY

The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL BS2 9DT



03 January 2001

Your ref: APP/X0360/A/00/1053982

Dear Sir/Madam,

I have been the house owner/occupier at the above address for the past thirteen years. My home is situated directly opposite the entrance of the proposed housing development at 41 Bearwood Road.

I would welcome the approval of the above mentioned proposed development, in lieu of commercial use, as I believe it would improve the safety and visual aspects of our surroundings.

Should you require any further comments or information please do not hesitate to contact me.

Yours faithfully

J Roberts

John Roberts

45, Bearwood Road,
Barkham,
Wokingham,
Berkshire RG41 4SX

RECEIVED IN PINS AA
-4 JAN 2001

2nd January, 2001.

The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
Bristol BS2 9DJ.

Dear Sirs,

Ref: APP/X0360/A/1053982

We are the owners of the property adjoining number 41, Bearwood Road, Barkham, Wokingham. We have no objection to two houses being built. We would rather see houses than a Warehouse with lorries going in and out all day every day.

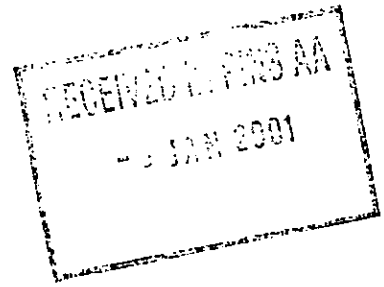
Yours faithfully

Wendy Wardle (Mrs).

"Seasons"
Hayes Lane
Barkham
Wokingham
Berkshire
RG41-4TA

0118-978-8321

2nd January 2001



The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street
Bristol, BS2 9DJ

Dear Sirs,

Reference- **APP/X0360/A/00/1053982.**
Application to construct 2 dwellings at 41 Bearwood Road, Wokingham, RG41 4SX, for Mr. F Bond.

It is my understanding that Mr. Bond currently has planning approval to use the above site as a commercial vehicle transport business, where he can keep and operate up to 6-38tonne articulated vehicles at any time of the day or night.

I further understand that the request for approval to construct two houses on the site, would change the use, with the consequential relinquishing of the transport operators permit.

My property has a completely uninterrupted view of the site, and I have serious concerns over the use for transport operations with vehicle noise at all hours, and the approved construction of warehouse facilities in what is a wholly inappropriate location.

I would fully support the construction of two houses instead of the transport operation, as I believe that this would result in;-

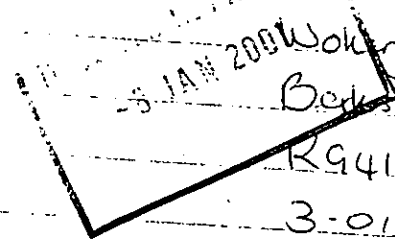
1. A better aspect than a warehouse and vehicle hard stand area
2. Considerably less vehicle movements than commercial use will produce. (service vehicles would also visit the site)
3. Reduced noise, as large diesel engines would not be run up or serviced at the site
4. Less pollution risk to water courses from fuel spillage or oil leaks, (there is a water course at the rear of the site)
5. A more appropriate use for this site in what is now a residential area bounded by horse grazing land.

I hope you will give sympathetic consideration to these points, and conclude that the proposed scheme will offer a better long term living environment for the residents of Bearwood Road and Barkham Coombes.

Yours faithfully

A C Woollard

35 Bearwood road
Barkham
Wokingham
Berks
RG41 4TB
3-01-01



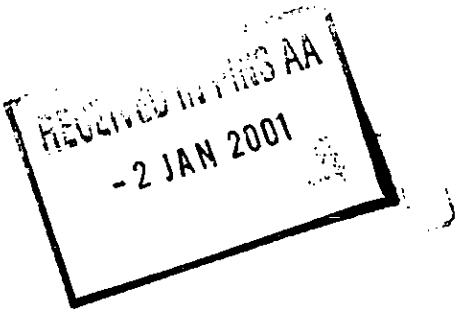
Ref no.
App/X0360/A/00/1053982

Dear Sir,

With reference to the planning application at 41, Bearwood road, Wokingham, that has been refused, I feel the position and location of the houses is preferable to the haulage yard. As Bearwood road has heavy traffic at certain times two houses will create less traffic than the haulage yard.

Yours Sincerely

(Perry Lewis)



42a Bearwood Road
Wokingham
Berkshire
RG41 4SY

Phone 0118 978 9815
Fax 0870 131 2116
e-mail Malcolm.Benjamin@ukgateway.net

28 December 2000

The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ

Dear Sir,

Planning Application No APP/X0360/A/00/1053982

I refer to the above Planning Application proposing to erect two new houses with access almost opposite my residence in Bearwood Road, Wokingham.

I would like to support the application provided that approval is granted with simultaneous relinquishing of the existing rights to commercial use on the same land. In my opinion the traffic usage created by the two dwellings will not adversely affect the existing traffic situation along Bearwood Road.

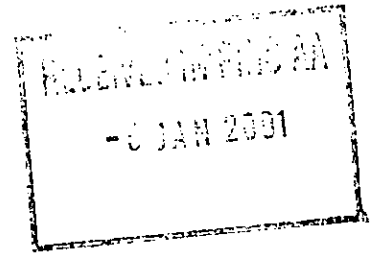
Yours sincerely

Malcolm Benjamin

Pam Stubbs
50 Bearwood Road
Barkham, Wokingham
Berkshire RG41 4SY
Home Phone 01189 893050

04 January 2001

The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol
BS2 9DJ



Dear Sir,

Ref. APP/X0360/A/00/1053982

I write with reference to the above application for planning permission for limited housing to the rear of 41A Bearwood Road Wokingham. I would like to give my support to this application.

I understand that the application for houses will replace the present use of the grounds for warehouse storage and as a car repair workshop. This legitimate use allows large numbers of traffic movements to and from the property onto from Bearwood Road, a busy road throughout the day. Due to the nature of the business use some of these vehicles are very large indeed and cause inconvenience to local road users.

If houses were to be built instead of this current use, the traffic levels on Bearwood Road would be much more acceptable. In addition, it would remove an industrial unit from what is, essentially, a rural dwelling area.

Yours sincerely,

P.J.Stubbs

The Planning Inspectorate

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

Your Ref: BWR/00/151

Our Ref: APP/X0360/A/00/1053982

Date: 25 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY F BOND ESQ
SITE AT LAND REAR OF 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE

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

Yours faithfully

Miss A Groves

217L(BPR)

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

RECEIVED
22 JAN

The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street, Bristol, BS2 9DJ.

22nd January 2001

Our Ref: BWR/00/151

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR. F BOND
LAND R/O 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE RG41 4SX
APP/X0360/A/00/1053982

I make the following points on behalf of the appellant, by way of rebuttal to the local planning authorities planning and highways statement. I also make comment on various third party representations received at our offices on 11th January.

Planning Statement

1.01. Current use of the site is critical to determination of the appeal both in terms of applying planning policies; and in relation to the impact of use.

1.03. The appeal site is not isolated from existing residential development. This is defined as a "settlement" in the adopted and emerging Local Plan. As such the appeal site is influenced by its physical relationship to existing housing development.

1.04. Because the area is characterised by residential development it follows that car repairs and haulage use is alien to this character.

The local planning authority go on to describe the rationale for allocating Bearwood as an Area of Special Landscape Importance (ASLI). This includes its "wooded hill top areas which feature in views from large parts of the plan area". Within this there are areas of isolated back land development. As such a haulage yard and car repairs operation are uncharacteristic of the area.

2.0. The Council fail to have regard to key chapters in planning history. In particular the ongoing haulage and car repairs use – 38807 and 38808. Moreover, the Council have no regard to the principals established in the previous appeal decision – the Charles Church development scheme. Critically, it was established that redevelopment for housing purposes complies with policy C2 of the Berkshire Structure Plan and emerging Policy WCC1 (f).

Specifically Policy C2 (ii) states that development outside of built up areas is acceptable in principle where inter alia it enhances the rural environment. Emerging Policy WCC1 (f) reflects this in stating that the principal of development in the countryside is accepted where it involves redevelopment. It should also be noted that the application has not been advertised under Article 8(2) (b). As such it is not a departure from the development plan and must be determined as such.

As a starting point application of relevant planning policy to the appeal proposal is critical. Regrettably the local planning authority failed to apply those policies correctly.

4.01. Having established the broad planning policy principal the local planning authority set out the second layer of constraint – ASLI. By any reasonable judgement the proposed development must meet the objectives of these policies since, when compared to the current use, it represents an enhancement to the special landscape qualities of the locality.

4.02. The Council fail to have proper regard – as section 70 (2) requires them to do so – to the current use and planning history of the site. As such their judgement that housing development is unacceptable and would have a detrimental impact, does not take account of current use and its impact.

4.03. This approach is reflected in paragraph 4.03 of the local planning authorities statement – there is a "strong presumption against development" in the countryside – which is manifestly wrong. The correct judgement is that development which harms the countryside is unacceptable. This is why there is provision in Policy C2 (ii) and WCC1 (f) for redevelopment. In such cases the balance of harm relating to one development and another is the key to applying these policies.

4.04. The local planning authority suggests that the existing use is "low key". At section 5 of the appellant's statement and related document 5, the nature of the use is described. It typically involves 30 – 40 vehicles and up to 4 HGV's of 38 tonne variety. In addition, the impact of the extant planning permission is an important material consideration on which the local planning authorities statement is silent.

In fact the haulage yard and car repairs use have a significant material impact. Additionally the extant planning permission would, in itself, have a significant and detrimental visual impact on the ASLI. Both include the movement of HGV's of the type described, and their parking within the yard. Both the appellants and local planning authority agree that this is visually obtrusive from surrounding vantage points.

4.05 – 4.06. The local planning authority states that the proposal is "supported" by various policies including WCC1 (f), since it involves development on brownfield sites. Moreover, emerging Policy WEM18 is also considered to "support" the development proposal. The local planning authority conclude that the proposed development is contrary to Structure Plan Policy C2 and for the reasons set out previously this cannot be correct. As a matter of fact the development proposal comprised with this policy which carries full statutory weight.

4.09. The local planning authorities brief comments on highway safety are woefully inadequate. The previous appeal decision had established that the width of the access way was adequate but in fact it has been widened since this time as can be seen during the course of the site visit.

In respect of visibility, this has also been improved since the previous appeal decision – the Charles Church development scheme – and this is referred to in paragraph 5.15 of the appellant's statement. This aside, the fundamental failing of the Councils approach is that they do not consider the on going use. This is also described in the appellant's statement at paragraph 5.17. By any reasonable judgement traffic generated from two dwellings would be far less than that associated with the on going car repairs use and, more significantly in terms of highway safety, the HGV/haulage yard use. We emphasise that these uses are on going.

Highway statement

1.1 The matter of inadequate width was addressed during the previous appeal proceedings.

1.2 & 2.4,2.5 The Highway authority continue to seek imposition of standards which are excessive in terms of an access road serving 2 dwellings. Again this point was addressed in the previous appeal proceedings.

2.2 Critically the highway authority confirm that the personal injury accidents are not associated with use of access to the appeal sites (see below).

2.6 It is not disputed that visibility falls below the standards set out in the Technical Directive. However, the usually adopted criteria is to assess current traffic generation in both type, nature and volume/frequency as set against the likely traffic generation of proposed development.

3.1 The Council fail to properly assess the traffic generation from the site as existing. They have no regard for the authorised car repairs operation or the nature of the permitted 38 tonne HGV's using the site in accordance with the extant and on going planning permission. Notwithstanding the nature of HGV movement, their analysis in terms of traffic movements (numbers) is woefully inadequate. As a matter of fact traffic generation as existing far exceeds that identified by the Council for the proposed development.

3.2 In respect of the previous appeal decision the appellants suggest that the rejection of TRICS data as an assumption is inappropriate given its' widely accepted use. This aside the appellant has demonstrated the nature of traffic flows from the site as existing and the Inspector is required to have regard not only to these but to the potential traffic movements in accordance with extant permissions.

Critically visibility and width of the access has been improved since the previous appeal decision and this is detailed in the statement on behalf of the appellants.

3.3 Whilst the access drive narrows this is at a point where a vehicle could reverse in either direction so as to allow passing. This is without the need to manoeuvre onto the public highway. Moreover, these circumstances exist for far greater traffic generation and HGV's do, on occasion, have to remain on Bearwood Road if a vehicle is exiting from the car repairs or haulage yard.

Appendix 1

The accident statistics show 4 minor occurrences over a 5 year period. It is interesting to note the age of drivers and road conditions during each incidents – apparently a 99 year old person stole a car and, in a separate incident, a 99 year old collided with a cyclist. These point to unusual circumstances.

This aside the critical matter is that despite the longevity of commercial activity and associated traffic from the appeal site, there have been no recorded traffic accidents associated with it. Whilst it is conceded that visibility is below the Technical Directive standards the accident record must weigh heavily in favour of the appellants case.

Bearing in mind the foregoing, the Council's statement omits a number of key matters both in terms of the application of planning policy and other material circumstances which the decision maker is required to have regard to in coming to a decision.

Third Party representations

I invite the Inspector to afford these representations considerable weight in the determination. Clearly the authors do not have a perception of harm but actually experience that harm- traffic movement, road safety, noise and visual impact. Moreover, they perceive a significant gain from the proposed development provided it extinguishes current use and the extant permission. The Inspector should also note the derivation of these representations as compared to the letters of objection – see attached plans. In short those people close to the appeal site support the proposal whilst objectors live some distance away.

In respect of the likelihood of implementing the extant permission I advise that the appellant is, for a variety of reasons, bound to implement the scheme should this appeal be dismissed. These can be discussed at the Hearing.

We enclose a second copy of this letter for despatch to the local planning authority.

Yours faithfully,

Mark Leedale

Enc.

The Planning Inspectorate

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

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

PLANNING SERVICE
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FILE:

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

Your Ref: BWR/00/0051

Our Ref: APP/X0360/A/00/1053982

Date: 5 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY F BOND ESQ
SITE AT LAND REAR OF 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE

I enclose a copy of the appellants statement 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. Comments submitted after that deadline may not be seen by the Inspector.

Yours faithfully

AMG

Miss A Groves

211AL(BPR)

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
Bristol, BS2 9DJ.

22nd December 2000
Our Ref: BWR/00/151

Dear Sirs,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR. F BOND
LAND R/O 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE RG41 4SX
APP/X0360/A/00/1053982

I enclose 2 copies of the written statement and documents on behalf of the appellant.

I must insist, please, that these are not forwarded to the Council until receipt of their statements relating to planning and any matters.

Yours faithfully,

Mark Leedale

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

12 DEC 2000

The Planning Inspectorate,
Appeals Registry,
Tollgate House,
Houlton Street,
Bristol, BS2 9DJ.

6th December 2000
Our Ref: BWR/00/151

0117 987 8443 (1 page)

Dear Sirs,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR. F BOND
LAND R/O 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE RG41 4SX
APP/X0360/A/00/1053982

I note that the Council have failed to comply with the timetable in relation to submission of the questionnaire. This is causing the appellants difficulty in writing the statement in accordance with the timetable.

Yours faithfully,

Mark Leedale

Cc Wokingham District Council (Appeals Clerk) **0118 974 6484**

RGF

TOWN AND COUNTRY PLANNING ACT 1990

WOKINGHAM DISTRICT COUNCIL

REPORT OF A PUBLIC LOCAL INQUIRY INTO OBJECTIONS TO THE LODDON AREA LOCAL PLAN AND THE SOUTH EAST AREA LOCAL PLAN REVIEW

Inspector: A. GEOFFREY BOOTH Dip. Eng., Dip. TP., PPRTPI., FFB., FRSA

Dates of Inquiry: 13 November 1990 to 23 May 1991

OBJECTION 247 - RENWAY HOMES LTD
OBJECTION 303 - THAMES WATER PLC
- LAND SOUTH OF HIGHLAND AVENUE AND AT BEARWOD RESERVOIR, BARKHAM HILL

Inspector's Initial Comments

4.371 Since both objectors object to Policies SC1, SC2 and SC3 on adjoining sites, they are considered together. However, Objector 303 makes additional representations to rounding off within Policy SH1. These are reported on in Paragraphs 3.11 to 3.32.

4.372 Objection Site 247 comprising some 3.2 ha includes 5 housing plots and a large open field with the rectangular Objection Site 303 of some 0.5 ha in the centre comprising a small reservoir and a grassed area.

Objectors' Case

4.373 Objection 247 is to the inclusion of the land in both the separation and setting of settlements notations. Highlands Avenue is unmade and the area has a slightly unkempt appearance. Over the years this area has received gradual piecemeal building activities and it now resembles more closely the edge of the settlement rather than land of special landscape importance which separates settlements. It is unlikely that there will be any improvement in the character of the locality in a rural form. It should be considered for residential development at some future date as this would round off and improve the rather poor quality of the area in practical and visual terms. A landscape setting between Woosehill and Barkham Hill would still be maintained.

NB Concept of rounding off dropped in current Berkshire Structure Plan. Any sites for new housing or other development are included in local plans as having sites within the settlement boundary

4.374 Objection 303 is to the application of both the separation of settlements and the setting of settlements policies to the Bearwood Reservoir. The land does not perform any significant function in maintaining either the separation or setting of settlements in this area.

4.375 The area cannot be said to achieve the distinction of being an Area of Special Landscape Importance, either in itself or as part of a larger tract.

Response

4.376 Land south of Highland Avenue is considered important to maintaining the physical and visual separation between the identified settlements of Barkham Hill and Wokingham. It is essentially rural in character and of a more open nature than land within the nearby settlement and is included appropriately in the rural area. Development would reduce greatly an important gap between settlements. It is considered also to be an important part of the wooded landscape setting of Barkham Hill, notwithstanding that parts are somewhat untidy in appearance.

4.377 The land has been included in the Areas of Special Landscape Importance since it is considered to lie within the wooded area to the north of Barkham Hill which is seen to be part of the larger Bearwood Area of Special Landscape Importance (ASLI), recognised for its landscape character and high scenic quality. The eastern part of this ASLI comprises woodland and provides a strong visual boundary to the built-up area of Wokingham. Improvement to the rural character can be achieved through appropriate management and tree planting.

Inspector's Comments and Conclusions

4.378 The land is predominantly open and contains some residential plots. It is very different in character to the compact form of development at Barkham Hill and in my view is rightly included in the rural area. In this part of the district the settlements are related closely and there is a danger of coalescence between Wokingham, Barkham Hill, Sindlesham and Winnersh. I agree with the council that it is important to retain the physical and visual separation between settlements and in my view the land south of Highlands Avenue makes a significant contribution to the relatively narrow gap between Wokingham and Barkham Hill and I conclude that it should be retained within the Policy SC1 notation.

4.379 Concerning the concept of the setting of settlements I have taken account of RSPB Policies EN4, EN5 and EN7 which emphasise the importance of retaining and enhancing the relationship between a settlement and its surroundings. I consider that the sites form part of the open and wooded setting of Barkham Hill and that the notation is applied appropriately. It should help to secure the maintenance of a wholly rural appearance.

4.380 The Bearwood Area of Special Landscape Importance has been identified as a significant wooded area prominent in long distance views from the surrounding area. The section within the SEALP area is

considered to be important particularly in providing a strong wooded boundary to the westerly development of Wokingham. Apart from some trees around the boundaries on Objection Site 303, the land is predominantly open and in my view does not form part of the ASLI. Therefore, I conclude that the land does not exhibit such special landscape qualities as to justify its inclusion within the ASLI.

Recommendations

R 264 **That Objection Sites 247 and 303 be retained within the Policy SC1 and SC2 notations on the SEALP Proposals Map.**

R 265 **That Objection Sites 247 and 303 be deleted from the Areas of Special Landscape Importance notation on the SEALP Proposals Map as indicated on Plan H (Appendix E).**

COPIES

Application Number: F/2000/0549
41 Bearwood Road, Barkham

Appraisal: The application is a renewal of an existing consent 43969, for the erection of a building for the parking, storage and maintenance of four commercial vehicles.

In March 1992 permission was granted for parking of three commercial vehicles (33807) and for a car repair business (38808) on the site. These consents were permanent but personal to the applicants. In July 1995 permission was granted for demolition of an existing storage and workshop building and erection of a building for parking and maintenance of four commercial vehicles, with ancillary storage. The applicant entered into a legal agreement to cease operation of the car repair business on the site.

Subsequently applications for residential development of the site have been refused and one has been dismissed at appeal.

The proposals represent partial redevelopment of the site for an existing bad neighbour use. However, the intensification of one use would be counteracted by the cessation of the vehicle repair business and overall the proposal provides an opportunity for improvement and would not harm the character of the rural area.

With regard to countryside policies there has been no material change since the permission was first granted and, subject to a landscaping scheme, the Landscape Officer considers the impact on the character of the Area of Special Landscape Importance to be acceptable.

Neighbours have expressed concern regarding the highway implications of the proposals – although the highway authority consider the existing access to be substandard its use is likely to be reduced as traffic associated with car repairs would be eliminated.

Recommendation: conditional approval

POLICY AND PLANS CONSULTATION

Date: 24 February 2000
Case Officer: Emy Circuit
Application: F/2000/0549 Proposed erection of building for parking storage and maintenance of vehicles (Renewal of consent 43969)
Location: 41 Bearwood Road, Barkham

Site located in countryside designated as Area of Special landscape Importance in LALP and in WDLP. The planning history shows personal consents for car repairs and vehicle haulage. Under the earlier consent (now for renewal) a legal agreement has been signed which revokes consent for car repairs. Strict conditions are applied to reduce the impact of maintenance of commercial vehicles and the times at which activity takes place. The proposal includes increased lorry parking and erection of a building of 465m2 gross (257m2 net change)

Berkshire Structure Plan	Countryside policy C2, Employment Policy BU1, BU2 and BU3
Adopted local Plan Policies that apply (LALP):	Countryside policies LTV2, LC3 and LC5 Employment policies LE2 and LE7 (bad neighbour use)
WDLP policies that apply:	Sustainability WOS1, WOS2 (general development principles) Countryside WCC1 (principles of development), WCC4 (new buildings), WLL2 (ASLI) Employment WRE4, (development at employment generating sites in the countryside) WEM10 (bad neighbour uses) General WOS3 (development control principles), WOS5

The site is poorly located in terms of sustainability.

In terms of countryside designations there have been no material changes since the last time the application was considered, but Policy C2 of BSP now allows for redevelopment and minor extension at sites in the countryside. This has been reflected in the formulation of Policy WRE4, which has been the subject of consideration at the local plan inquiry. The restriction of the area within which development can take place was an issue at the inquiry. In the light of this the critical tests for any proposal on this site are effects on the character and appearance of the area i.e. if there is any harmful intensification, any impact on rural roads or adverse visual impact on the countryside and especially the character of the ASLI when comparing the proposed use and the previously permitted use.

Employment Policy: Structure Plan Policy BU3 encourages the review of sites like this when they come up for renewal. However as the site is in active use, there are opportunities to improve a bad neighbour use through the proposal, and the applicant only proposes a small amount of additional floorspace (below the threshold of LE2 of LALP). The site would be poorly sited for other uses, the use itself would be difficult to relocate and no alternative uses have been specifically identified for this location in the local plan. I consider it would not be appropriate to seek to refuse through BU3.

It is unlikely that there will have been a change in circumstances regarding residential amenity since the last time the proposal was considered.

Recommendation: Conditional approval with same conditions controlling the time and intensity of development.

E J Gibbs 24/2/00

Seen

TO: DEVELOPMENT CONTROL FROM: Environmental Design
Emy Circuit

DATE: 14th March 2000

Location:	41 Bearwood Road, Wokingham
Proposal:	PROPOSED ERECTION OF BUILDING FOR PARKING STORAGE AND MAINTENANCE VECHICLES
Application Number:	F/2000/0549

In response to your consultation dated 16th February for the above application, the tree and landscape comments are as follows:

I have on objections to the proposal in principle.

The proposal would intrude into the Area of Special Landscape Importance and a detailed landscape scheme will need to be submitted by the applicant. This should be accompanied by an existing site analysis, sections and photomontages to illustrate key views into the site from the surrounding gently rolling rural landscape. The landscape proposals must clearly demonstrate how the applicant intends to mitigate the impact of the development within the Area of Special Landscape Importance.

There are a number of significant trees within the site which are not shown. A detailed tree survey should be submitted to BS 5837 showing trees and shrubs to be retained, removed and protective fence details.

All new planting should be rural in character and identified separately giving full species name, location of each species, size of plants at time of planting and planting densities.

A landscape management plan and five year maintenance schedule should also be submitted by the applicant detailing management aims, objectives and prescriptions for the new areas of planting.

Note: The site is patrolled by a very large and aggressive Rottweiler Dog which hampered my observations.

ROBERT PETROW
Consultant Landscape Architect

HEARING – 21 February 2001

Wokingham District Council

Erection of two dwellings

on

Land rear of 41 Bearwood Road, Wokingham

AGENDA.

1. Additional documents/submissions.

2. Clarifications.

   - description of development
   - appropriate visibility distances at 40mph
   - 1995 planning permission
   - fall-back position

3. Impact on rural character.

   - effect of existing uses
   - views from surrounding are
   - screening
   - impact of proposed development
   - Policies C2 (SP); LTV2 (Loddon ALP); WCC1 (WDLP).

4. Highway Considerations

   - current level of vehicle movements
   - width and alignment of access track
   - available visibility at Bearwood Road junction

5. Other planning considerations.

6. Conditions.

7. Summaries. accordance with policies; reder. in c'side & enhances the ASLI. The test is whether it would be harmful. Other mat. consideration are pl. history & (ext. of extant pp) or alternative of a substantial building & haulage use

8. Other matters.

9. Site inspection arrangements.

3rd party representations; in vicinity of site support dev. proposal.

PRECEDENT

Appeal at 41, Bearwood Road, Barkham
21/02/01 CR2

- Original permission for the site, some 20yrs ago, was made personal to Mr Bond, who is still the owner. Therefore is site changes hands, a fresh application would have to be considered.

- Site currently has dual use (1) for STORAGE, PARKING & MAINTENANCE OF VEHICLES, and (2) the parking of THREE LORRIES.

- The 1995 permission for erection of a building for '*parking of four commercial vehicles with ancilliary storage and maintenance of CRB vehicles,'* which was renewed in 2000, has a legal agreement attached which removes the use of the workshop and associated storage and parking.

NO MATERIAL CHANGES ON SITE SINCE 1995 application

- The existing use on the site is of a low key nature and is such that it has not generated complaints of being disruptive or unneighbourly upon the residential amenity of local residents.

- Although the building which is the subject of the extant planning permission is substantial (465m^2), the building is sited in a similar location to the existing workshop, and aside from the S106 agreement the proposed building could not be erected without the removal of the existing building. Given its siting, it is considered that the impact upon the character of the surrounding ASLI would be limited.

- The LPA in granting permission for this building have attached a condition requiring the applicant to submit material samples. This way the Council has full control over the appearance of the proposed building.

- Such buildings, of this design are not uncommon sights within rural locations. The design of the proposed building resembles an agricultural building found on many farms throughout the district.

- Often materials will be green in colour to blend in with the surrounding landscape features.

- If the extant permission is implemented trees will be lost on site. However, given the distance of the building from the rear boundary of the site, it is considered that opportunities for new landscaping have not been lost. Indeed the LPA has attached a condition, requiring the submission of a landscaping scheme.

- It is considered that the proposed development would not relate in way to the existing settlement boundary or existing properties along Barkham Ride.

- **The existing buildings (208m2 in total) are single storey and low key. Therefore to replace these with two large, possibly two storey houses, with detached double garages. ~~Therefore, the proposed development~~ would result in an incongruous form of development and unacceptable intensification, alien to the low key rural character of the area. There is no comparable backland development in this stretch of Bearwood Road.**

Whilst representations have been made

41, BEARWOOD ROAD.

Raymond Michael (Insp). *- List of people notified for Inspector *

- 7 letters of response.

* Summary of Cases.
* Main issues.
*

Summary
- Outside s'ment band - L'scape imp.
- existing low key, prop w/ be substantial.
- not relate to s'ment band or dev. along B'wood Road.
- although in accordance with some policies ....
- HIGHWAYS.

APP
- Bramfield
- 1970s - in use
- extant pp.
- renewed 2000
- more obstrusive than prop.
- present situation would be worsened.
- smaller, sitting on present haulage site.
- less intrusive than previous.

- WHETHER IT WILL HARM SURROUNDING AREA.
- ROAD SAFETY.

SUGGESTED CONDITIONS FOR 41 BEARWOOD ROAD (O/2000/2484) IN THE EVENT OF THE APPEAL BEING ALLOWED

In the event of the appeal being allowed the following conditions are suggested:

1. a) Approval of the details of the siting and design and external appearance of the building(s), the means of access thereto and the landscaping treatment of the site)(hereinafter called "the reserved matters") 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.

   REASON a) No such details have been submitted.

   b) & c) In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

2. Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

   REASON To ensure that the external appearance of the building is satisfactory.

3. Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no buildings, extensions or alterations permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out without the prior written permission of the Local Planning Authority.

   REASON To safeguard the character of the premises and the residential and visual amenities of the occupiers of adjoining properties.

4. Provision shall be made for services, including cable TV pre-ducting, to be placed underground. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no overhead wire cables or other form of overhead servicing shall be placed over or used in the development of the application site or subsequently. UNDERGR SERVICES.

   REASON To safeguard visual amenities.

5. Works related to the construction of the development hereby granted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 8 am and 7 pm Monday to Friday and 8 am to 1.30 pm Saturdays and at no time on Sundays or Bank or National Holidays. WORK TIMES.

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

6. Prior to the commencement of development, details of the slab levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The constructed development shall not vary from the approved levels. SLAB LEVELS.

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

7. 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. ACCOMM SITE OPERATIVES

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

8. Precautions shall be taken for the duration of the construction period to prevent the deposit of mud and similar debris (including blown litter) 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. MUD/ DEBRIS.

   REASON In the interests of highway safety and convenience.

9. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development; the approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of any of the building(s) hereby approved and retained. LANDSCAP.

REASON In the interests of visual amenity.

10. 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.

REASON In the interests of visual amenity.

11. No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local Planning Authority during development and for a period of five years after completion of the development hereby approved. The branch structure and trunks of the trees to be retained and their root systems shall be protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing), before the end of the first available planting season (1st November to 31st March) following their loss or removal.

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

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

REASON To prevent pollution of groundwater. EA

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

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

EA.

RGF

TOWN AND COUNTRY PLANNING ACT 1990

WOKINGHAM DISTRICT COUNCIL

REPORT OF A PUBLIC LOCAL INQUIRY INTO OBJECTIONS TO THE LODDON AREA LOCAL PLAN AND THE SOUTH EAST AREA LOCAL PLAN REVIEW

Inspector: A. GEOFFREY BOOTH Dip. Eng., Dip. TP., PPRTPI., FFB., FRSA

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Inspector's Comments and Conclusions

4.378 The land is predominantly open and contains some residential plots. It is very different in character to the compact form of development at Barkham Hill and in my view is rightly included in the rural area. In this part of the district the settlements are related closely and there is a danger of coalescence between Wokingham, Barkham Hill, Sindlesham and Winnersh. I agree with the council that it is important to retain the physical and visual separation between settlements and in my view the land south of Highlands Avenue makes a significant contribution to the relatively narrow gap between Wokingham and Barkham Hill and I conclude that it should be retained within the Policy SC1 notation.

4.379 Concerning the concept of the setting of settlements I have taken account of RSPB Policies EN4, EN5 and EN7 which emphasise the importance of retaining and enhancing the relationship between a settlement and its surroundings. I consider that the sites form part of the open and wooded setting of Barkham Hill and that the notation is applied appropriately. It should help to secure the maintenance of a wholly rural appearance.

4.380 The Bearwood Area of Special Landscape Importance has been identified as a significant wooded area prominent in long distance views from the surrounding area. The section within the SEALP area is

considered to be important particularly in providing a strong wooded boundary to the westerly development of Wokingham. Apart from some trees around the boundaries on Objection Site 303, the land is predominantly open and in my view does not form part of the ASLI. Therefore, I conclude that the land does not exhibit such special landscape qualities as to justify its inclusion within the ASLI.

Recommendations

R 264 **That Objection Sites 247 and 303 be retained within the Policy SC1 and SC2 notations on the SEALP Proposals Map.**

R 265 **That Objection Sites 247 and 303 be deleted from the Areas of Special Landscape Importance notation on the SEALP Proposals Map as indicated on Plan H (Appendix E).**

RGF

TOWN AND COUNTRY PLANNING ACT 1990

WOKINGHAM DISTRICT COUNCIL

REPORT OF A PUBLIC LOCAL INQUIRY INTO OBJECTIONS TO THE LODDON AREA LOCAL PLAN AND THE SOUTH EAST AREA LOCAL PLAN REVIEW

Inspector: A. GEOFFREY BOOTH Dip. Eng., Dip. TP., PPRTPI., FFB., FRSA

Dates of Inquiry: 13 November 1990 to 23 May 1991

OBJECTION 247 - RENWAY HOMES LTD
OBJECTION 303 - THAMES WATER PLC
- LAND SOUTH OF HIGHLAND AVENUE AND AT BEARWOD RESERVOIR, BARKHAM HILL

Inspector's Initial Comments

4.371 Since both objectors object to Policies SC1, SC2 and SC3 on adjoining sites, they are considered together. However, Objector 303 makes additional representations to rounding off within Policy SH1. These are reported on in Paragraphs 3.11 to 3.32.

4.372 Objection Site 247 comprising some 3.2 ha includes 5 housing plots and a large open field with the rectangular Objection Site 303 of some 0.5 ha in the centre comprising a small reservoir and a grassed area.

Objectors' Case

4.373 Objection 247 is to the inclusion of the land in both the separation and setting of settlements notations. Highlands Avenue is unmade and the area has a slightly unkempt appearance. Over the years this area has received gradual piecemeal building activities and it now resembles more closely the edge of the settlement rather than land of special landscape importance which separates settlements. It is unlikely that there will be any improvement in the character of the locality in a rural form. It should be considered for residential development at some future date as this would round off and improve the rather poor quality of the area in practical and visual terms. A landscape setting between Woosehill and Barkham Hill would still be maintained.

NB Concept of rounding off dropped in current Borough Christie Plan.

4.374 Objection 303 is to the application of both the separation of settlements and the setting of settlements policies to the Bearwood Reservoir. The land does not perform any significant function in maintaining either the separation or setting of settlements in this area.

Any sites for new housing or other development are indicated on local plans as having sites within the settlement boundary

4.375 The area cannot be said to achieve the distinction of being an Area of Special Landscape Importance, either in itself or as part of a larger tract.

Response

4.376 Land south of Highland Avenue is considered important to maintaining the physical and visual separation between the identified settlements of Barkham Hill and Wokingham. It is essentially rural in character and of a more open nature than land within the nearby settlement and is included appropriately in the rural area. Development would reduce greatly an important gap between settlements. It is considered also to be an important part of the wooded landscape setting of Barkham Hill, notwithstanding that parts are somewhat untidy in appearance.

4.377 The land has been included in the Areas of Special Landscape Importance since it is considered to lie within the wooded area to the north of Barkham Hill which is seen to be part of the larger Bearwood Area of Special Landscape Importance (ASLI), recognised for its landscape character and high scenic quality. The eastern part of this ASLI comprises woodland and provides a strong visual boundary to the built-up area of Wokingham. Improvement to the rural character can be achieved through appropriate management and tree planting.

Inspector's Comments and Conclusions

4.378 The land is predominantly open and contains some residential plots. It is very different in character to the compact form of development at Barkham Hill and in my view is rightly included in the rural area. In this part of the district the settlements are related closely and there is a danger of coalescence between Wokingham, Barkham Hill, Sindlesham and Winnersh. I agree with the council that it is important to retain the physical and visual separation between settlements and in my view the land south of Highlands Avenue makes a significant contribution to the relatively narrow gap between Wokingham and Barkham Hill and I conclude that it should be retained within the Policy SC1 notation.

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Recommendations

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WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY F BOND Esq

AGAINMST NON DETERMINATION OF PLANNING APPLICATION FOR OUTLINE CONSENT FOR TWO DETACHED DWELLINGS ON LAND REAR OF 41 BEARWOOD ROAD, WOKINGHAM.

PLANNING APPLICATION No.O/2000/2484

DETR REF : APP/X0360/A/00/1053982

STATEMENT BY THE HIGHWAY AUTHORITY.

1.0 SCOPE OF EVIDENCE

1. The evidence provided within this statement addresses deemed reasons for refusal No's 2 & 3 of Planning Application 0/2000/2484 dated 21st September 2000. It addresses the concerns of the Highway Authority that the traffic generated by the application which is the subject of this appeal would impair the safety and flow of traffic on Bearwood Road to the detriment of Highway safety. Furthermore, the access road leading to the appeal site is inadequate in width and does not comply with the requirements of the Berkshire Design Guide.

1.2 The application as submitted is for the erection of 2 detached dwellings on land to the rear of 41 Bearwood Road. The appeal site is located to the west side of Bearwood Road, approximately 250 metres north of the Junction Bearwood Road/Barkham Road (B3349), to the west of the village of Barkham.

2.0 EXISTING SITUATION

2.1 Bearwood Road forms part of the Local Distributor Road network as defined within the Berkshire Design Guide and is subject to a speed limit of 40m.p.h.. Just north of the appeal site access, Bearwood Road has an overall width of approx. 11.6 metres comprising a 6.9 metre carriageway with a 1.7 metre footway to the west side and a 1.3 metre footway with a 1.7 metre verge to the east side.

2.2 There have been 4 recorded personal injury accidents in the immediate vicinity of the appeal site during the past five year period, although none have been associated with the use of the existing access. (See appendix 1)

2.4 The DETR document 'Places, Streets & Movements (A companion guide to DB32)' sets out criteria with respect to visibility splays. In view of the speed limit of Bearwood Road (40 mph), the standards require minimum visibility splays of 160 metres at an appropriate 'minor road distance' of 2.0 metres. (Appendix 2).

2.5 On site measurements have indicated that visibility available from the appeal site access onto Bearwood Road from a 'minor road' set back of 2.0 metres is only 23 metres to the north (looking left) and 38 metres to the south (looking right). These measurements have been carried out in accordance with the method set out within table 7/1 of the Department of Transport Technical Directive 42/95 (TD42/95) which ensures that full road width visibility is maintained (see appendix 3). Clearly, the visibility available from the access is considerably below the minimum required standards and therefore creates a potential hazard to road users.

2.6 TD42/95 acknowledges the importance of providing adequate visibility splays for minor roads in order to allow for an emerging vehicle to see the oncoming major road traffic in sufficient time to permit them to make manoeuvres safely. Furthermore, the required minor road set back of 2.0 metres allows drivers on the major road to be aware of traffic entering from the minor road in time for them to slow down and stop safely, if required.

3.0 TRAFFIC GENERATION/ACCESS

3.1 Information contained within TRICS (Trip Rate Information Computer System) provides figures for the likely level of traffic generated by residential dwellings of 7-10 trips per day. The development therefore has the potential to generate a total of 20 vehicle movements per day using the existing substandard access. In comparing this to the existing traffic generated by the site under its present permitted use for the parking and maintenance of 4 commercial vehicles (PA 43969), it is reasonable to assume that the proposed development would represent a material increase in traffic.

3.2 On 22nd October 1998, a previous appeal for residential development of this site for 3 detached dwellings was dismissed by an Inspector on both planning and highway grounds (see appendix 4). In summarising, paragraph 14 of the Inspectors decision letter states:-

'In my view, even if a reduction in traffic generation were to result, the sightlines at the junction are so inferior that it would be inappropriate to permit new development that would perpetuate a standard falling well short of that in the national advice.'

3.3 The Berkshire Design Guide requires shared private drives to have a minimum width of 4.0 metres throughout in order to allow two vehicles to pass. Furthermore, where the access drive is bounded immediately on one or both sides by a wall, fence, or other structure, an additional 0.5 metre strip will be required on that side. When measured on site, the width of the access drive varies along its length and narrows to approximately 2.9 metres which does not allow two vehicles to pass. This could result in vehicles having to wait wholly or partially within the highway to allow a vehicle to exit which would not be in the interests of highway safety.

4.0 CONCLUSION

4.1 For the above reasons, I consider that the additional traffic generated by the proposed development using the existing substandard access, would further impede the free flow of traffic and be detrimental to Highway safety and therefore request that this appeal be dismissed.

Adam Coggins
January 2001

APPENDIX 1
ACCIDENT RECORDS

Accidents between dates 01/07/1995 and 30/06/2000 (60 months)
Selected by:

R0640895 16/08/1995 Time 1340 Vehicles 2 Casualties 1 Slight
E: 478310 N: 167500 First Road: U 35 Road Type Single carriageway - 2 lanes
Speed limit: 40 Junction Detail: T or staggered junction Control: Give way Road2: U 7502
Crossing: Control None Facilities: None within 50m Road surface Dry
Daylight: street lights present Fine without high winds
Special Conditions at Site None Carriageway Hazards None
Place accident reported: DETR Special Projects:
Contributory factors:
C1 TRAV S HIT BY PC2 TRNG RT FRM E TO N
Occurred on BEARWOOD RD JNC THE LILACS WOKINGHAM

Vehicle Reference 1 Car Going ahead
Vehicle movement from N to S No tow or articulation On the main road
Not restricted lane Skidded
Location at impact Middle of junction First impact Front Hit vehicle: 2
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 27 Female
Parts damaged: Front Front Front Not hit and run
Breath test Not requested

Vehicle Reference 2 Pedal cycle Turning right
Vehicle movement from E to N No tow or articulation Entering the main road
Not restricted lane No skidding, jack-knifing or overturning
Location at impact Middle of junction First impact Offside Hit vehicle: 1
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 14 Female
Parts damaged: Offside Offside Offside Not hit and run
Breath test Not applicable

Casualty Reference: 1 Vehicle: 2 Age: 14 Female Driver/rider Severity: Slight
Not a school pupil

Accidents between dates 01/07/1995 and 30/06/2000 (60 months)
Selected by:

R0210197 04/01/1997 Time 1505 Vehicles 2 Casualties 1 Slight
E: 478310 N:167490 First Road: U 35 Road Type Single carriageway - 2 lanes
Speed limit: 40 Junction Detail: T or staggered junction Control: Give way Road2: U 7502
Crossing: Control None Facilities: None within 50m Road surface Dry
Daylight:street lights present Fine without high winds
Special Conditions at Site None Carriageway Hazards None
Place accident reported: DETR Special Projects:
Contributory factors: 2
C2 WTNG TO TRN RT FROM S TO E HIT FROM BHND BY C1 (STOLEN)
Occurred on BEARWOOD RD JNC THE LILACS WOKINGHAM

Vehicle Reference 1 Car Going ahead
Vehicle movement from S to N No tow or articulation On the main road
Not restricted lane Skidded
Location at impact Approaching junction First impact Front Hit vehicle: 2
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 99
Parts damaged: Front Front Front Hit and run
Breath test Driver not contacted

Vehicle Reference 2 Car Waiting to turn right
Vehicle movement from S to E No tow or articulation On the main road
Not restricted lane No skidding, jack-knifing or overturning
Location at impact Approaching junction First impact Back Hit vehicle: 1
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 28 Female
Parts damaged: Back Back Back Not hit and run
Breath test Not requested

Casualty Reference: 1 Vehicle: 2 Age: 28 Female Driver/rider Severity: Slight
Not a school pupil

Accidents between dates 01/07/1995 and 30/06/2000 (60 months)
Selected by:

R0120197 04/01/1997 Time 0945 Vehicles 2 Casualties 2 Slight
E: 478300 N:167520 First Road: U 35 Road Type Single carriageway - 2 lanes
Speed limit: 40 Junction Detail:Not at junction
Crossing: Control None Facilities: None within 50m Road surface Frost/Ice
Daylight:street lights present Fine without high winds
Special Conditions at SiteNone Carriageway Hazards None
Place accident reported: DETR Special Projects:
Contributory factors: 4
C1 TRAV S ON ICY DOWNHILL RD LST CONT & HIT C2 TRAV N
Occurred on BEARWOOD RD APP 20M N JNC THE LILACS WOKINGHAM

Vehicle Reference 1 Car Going ahead
Vehicle movement from N to S No tow or articulation On the main road
Not restricted lane Skidded
Location at impact Not at junction First impact Front Hit vehicle: 2
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 39 Female
Parts damaged: Front Front Front Not hit and run
Breath test Not requested

Casualty Reference: 1 Vehicle: 1 Age: 39 Female Driver/rider Severity: Slight
Not a school pupil

Vehicle Reference 2 Car Going ahead
Vehicle movement from S to N No tow or articulation On the main road
Not restricted lane Skidded
Location at impact Not at junction First impact Front Hit vehicle: 1
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 38 Female
Parts damaged: Front Front Front Not hit and run
Breath test Not requested

Casualty Reference: 2 Vehicle: 2 Age: 38 Female Driver/rider Severity: Slight
Not a school pupil

Accidents between dates 01/07/1995 and 30/06/2000 (60 months)
Selected by:

W0860400 03/04/2000 Time 1745 Vehicles 1 Casualties 1 Slight
E: 478350 N:167495 First Road: U 35 Road Type Single carriageway - 2 lanes
Speed limit: 30 Junction Detail: T or staggered junction Control: Give way Road2: U 7502
Crossing: Control None Facilities: None within 50m Road surface Wet/Damp
Daylight: street lighting unknown Fine without high winds
Special Conditions at Site None Carriageway Hazards None
Place accident reported: Elsewhere DETR Special Projects:
Contributory factors: 14 15 16 18
C1 TRAV IN NK DIR HIT PED IN CWAY NO MORE INFO
Occurred on THE LILACS (EX LOC NK) BARKHAM

Vehicle Reference 1 Car Going ahead
Vehicle movement from N to S No tow or articulation On the main road
Not restricted lane
Location at impact Approaching junction First impact Hit vehicle:
Hit object in road None Off road: None
Did not leave carriageway Age of Driver 99 Female
Parts damaged: Nearside Not hit and run
Breath test Not requested

Casualty Reference: 1 Vehicle: 1 Age: 12 Female Pedestrian Severity: Slight
Not a school pupil
Crossing elsewhere

Movement unknown

Accidents involving:

	Fatal	Serious	Slight	Total
Vehicles only	0	0	3	3
Motor cycles	0	0	0	0
Bicycles	0	0	1	1
Total	0	0	4	4

Casualties:

	Fatal	Serious	Slight	Total
Vehicle Driver	0	0	3	3
Passenger	0	0	0	0
Motorcyclist	0	0	0	0
Cyclist	0	0	1	1
Pedestrian	0	0	1	1
Total	0	0	5	5

APPENDIX 2

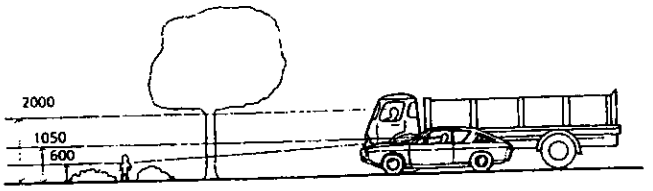
DETR – PLACES, STREETS & MOVEMENT (A COMPANION GUIDE TO DB32)"

Sightlines at Road Junctions

The design of sightlines at junctions is discussed in detail in both DB32 and PPG13, annex D. This section draws together the advice in those two documents. The guidance given here needs to be assessed in the circumstances of each case. Sightlines should never be reduced to a level where danger is likely to be caused.

The diagrams and commentary given here describe the most salient points involved.

To enable drivers emerging from a minor road or access to see and be seen by drivers proceeding along the major road, unobstructed visibility is needed within the shaded area (x/y) in plan. Vertical visibility is also required as shown in the section.



Clear horizontal sightlines should take account of both what the driver can see and what pedestrians (especially children) can see. Sightlines need to be determined from an eye height of 1.05m – 2m, to an object height of 0.6m – 2m.

Requirements for X and Y dimensions are summarised as:

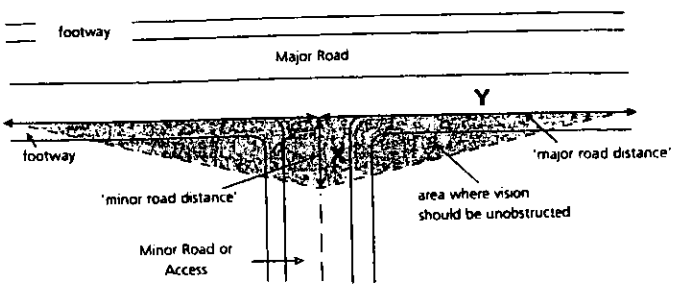
X dimension (minor road distance)

9m: The normal requirement for major new junctions and for the improvement of existing junctions between access roads and district or local distributor roads - for instances where the minor road is busy (ref. PPG13 annex D para. 2).

4.5m: For less busy minor roads and busy private access points.

2.4m: The minimum necessary for junctions within development to enable a driver who has stopped at a junction to see down the major road without encroaching onto it.

2.0m: For single dwellings or small groups of up to half a dozen dwellings or thereabouts.



Only in exceptional circumstances should a distance of less than 2.0m be considered.

The advice in this section supersedes that contained in both PPG13 and DB32.

Y dimension (major road distance)

Table A

Major road speed (kph)	120	100	85	70	60	**50**	**40**	**30**
Major road distance (m)	295	215	160	120	90	**70**	**45**	**33**

Table B

Speed Limit (mph)	70	60	50	40	**30**	**20**
Major road distance (m)	295	215	160	120	**90***	**45***

** includes an allowance for motorists travelling at 10kph above the speed limit.*

Tables A and B are drawn from Annex D of PPG13 with the speeds for residential areas shown in bold. In addition to the dimension quoted, where it can be shown that vehicle speeds will be contained to either 30mph or 20mph the respective Y distances in table B can be amended to 60m and 33m respectively.

Reference: DB32 pp.50–53 and PPG13 Annex D

APPENDIX 3
CHAPTER 7 OF THE DETR TECHNICAL DIRECTIVE 42/95

VOLUME 6 ROAD GEOMETERY
SECTION 2 JUNCTIONS

PART 6

TD 42/95

GEOMETRIC DESIGN OF MAJOR/MINOR PRIORITY JUNCTIONS

SUMMARY

This document gives advice and standards for the geometric design of major/minor priority junctions with regard to traffic operation and safety.

INSTRUCTIONS FOR USE

1. Remove TA 20/84 which is superseded by this standard, from Volume 6 Section 2 and archive as appropriate.

2. Insert TD 42/95 into Volume 6 Section 2.

3. Remove contents page dated January 1995 and insert page dated February 1995.

4. Archive this sheet as appropriate.

Note: The enclosed contents page dated February 1995 replaces the page dated January 1995 as it incorrectly listed TA 20/84 as still being current.

7. GEOMETRIC DESIGN FEATURES

General

7.1 This chapter outlines the geometric design features to be considered in the design of major/minor priority junctions. Many of the features are dealt with separately, and a designer should work systematically through the design procedure prior to assembling the component parts. This is an iterative process, and it may be necessary to alter part of the junction design covered previously in order to achieve a satisfactory design.

Design Speed

7.2 Geometric standards for junctions are related to the traffic speed of the major road, and for new roads this is the design speed as defined in **TD 9 (DMRB 6.1.1)**. Reference should be made to **TD 9** in order to determine the appropriate design speed.

Visibility

7.3 Minor road traffic has to join or cross the major road when there are gaps in the major road traffic streams. It is therefore essential that minor road drivers have adequate visibility in each direction to see the oncoming major road traffic in sufficient time to permit them to make their manoeuvres safely. This concept also applies to major road traffic turning right into the minor road. As well as having adverse safety implications, poor visibility reduces the capacity of turning movements. Visibility shall however, not be excessive as this can provide a distraction away from nearer opposing traffic.

7.4 Drivers approaching a major/minor priority junction from both the major road and the minor road shall have unobstructed visibility as indicated in the following sections. The envelope of visibility for driver's eye height is as set out in **TD 9 (DMRB 6.1.1.2.2)**.

Major Road

7.5 Drivers approaching a major/minor priority junction along the major road approaches shall be able to see the minor road entry from a distance corresponding to the Desirable Minimum Stopping Sight Distance (SSD) for the design speed of the major road, as described in **TD 9 (DMRB 6.1.1)**. This visibility allows drivers on the major road to be aware of traffic entering from the minor road in time for them to be able to slow down and stop safely if necessary.

Minor Road

7.6 The principle of providing the required visibility for drivers approaching the junction from the minor road has three distinct features.

a. Approaching drivers shall have unobstructed visibility of the junction from a distance corresponding to the Desirable Minimum Stopping Sight Distance (SSD) for the design speed of the minor road, as described in **TD 9 (DMRB 6.1.1)**. This allows drivers time to slow down safely at the junction, or stop, if this is necessary. Where a "Give Way" sign is proposed the visibility envelope shall be widened to include the sign.

b. From a point 15m back along the centreline of the minor road measured from the continuation of the line of the nearside edge of the running carriageway of the major road (not from the continuation of the back of the major road hardstrip if this is present), an approaching driver shall be able to see clearly the junction form, and those peripheral elements of the junction layout. This provides the driver with an idea of the junction form, possible movements and conflicts, and possible required action before reaching the major road.

APPENDIX 4
PREVIOUS APPEAL DECISION
(T/APP/X0360/A/98/297408/P4)

The Planning Inspectorate

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117-987-8927
Switchboard 0117-987-8000
Fax No 0117-987-8139
GTN 1374-8927
E-mail enquiries.pins@gtnet.gov.uk

Chancellors
Chartered Town Planning Consultants
45 High Street
Odiham
HOOK
Hants
RG29 1LF

Your reference
C/1532
Our reference
T/APP/X0360/A/98/297408/P4

Date 22 OCT 1998

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR AND MRS BOND, CHARLES CHURCH DEVELOPMENTS LTD
Application No: 97/66838/F

1. I have been appointed by the Secretary of State for the Environment, Transport and the Regions to determine your appeal against the failure of the Wokingham District Council to determine within the prescribed period an application for planning permission to erect 3 detached houses and garages on land at 41 Bearwood Road, Barkham, Wokingham. I conducted a hearing on the appeal at Wokingham on 16 October 1998.

2. By letter dated 14 September 1998 the Council informed the Inspectorate that, had it at that date been in a position to determine the application, it would have refused planning permission for the following reasons:

(i) *The proposal by reason of its scale and location would cause harm to the rural character of the area which is also an area of special landscape importance. As such the proposal is contrary to policies C2 and C8 of the Berkshire Structure Plan, LTV2 and LC3 of the Loddon Area Local Plan and WCC1 and WLL2 of the Wokingham District Local Plan;*

(ii) *The access road is substandard in width and does not comply with the requirement of the Berkshire Highway Design Guide and is therefore not suitable to accommodate the traffic generated by this proposal;*

(iii) *The sightlines and frontage area at the junction of the access with Bearwood Road are substandard and do not comply with the requirements of Planning Policy Guidance Note 13 and as such would result in danger to other road users.*

3. Section 54A of the 1990 Act as amended states that applications for planning permission are to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the development plan consists of the Berkshire Structure Plan and the adopted Loddon Area Local Plan. The redevelopment of existing buildings outside settlement boundaries is permissible under Policy C2 of the Structure Plan. Under Policy C8 Areas of Special Landscape Importance are to be defined in local plans; to protect their distinctive quality the location, scale, form, character and type of development in such areas is to be carefully controlled.

4. Under Policy LTV2 of the Local Plan all land outside the settlements identified on the proposals map is considered to be a rural area within which development will not normally be allowed. Policy LC3 states that within the Farley Hill and Bearwood areas land uses or built development will not be allowed which would cause long-term damage to the rural character or special landscape qualities of the area.

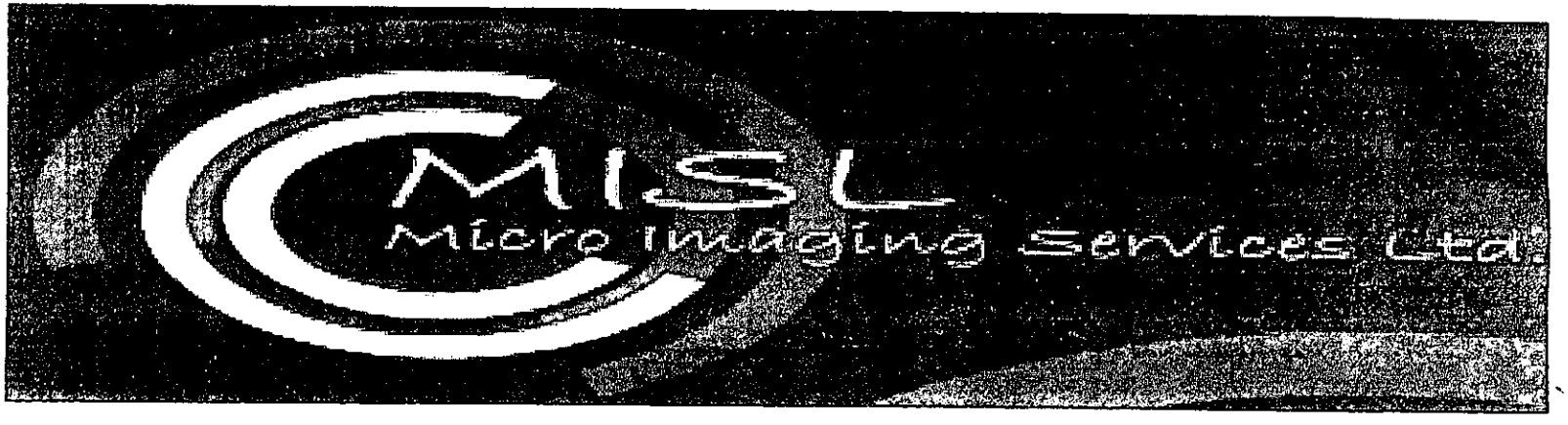
5. Policy WCC1 of the deposit draft Wokingham District Local Plan defines the circumstances in which development may exceptionally be acceptable outside the defined settlement boundaries. In principle, a redevelopment proposal in the countryside may, subject to location and design considerations, be such an exception. Areas of special landscape importance (ASLI) are defined on the proposals map where under Policy WLL2 built development will not be permitted that would have a detrimental impact on the open countryside or special landscape qualities of the area. The site lies within an ASLI and, save for the eastern part of the access, is outside the settlement boundary defined in the adopted Local Plan which, according to the Council, is likely to be continued in the emerging Plan without amendment.

6. With regard to the planning policies you argue, citing other recent appeal decisions, that the adopted Local Plan has been superseded as a result of the more recent approval of the Structure Plan and its housing requirements and the fact that the Plan period is expired. The increasing significance of the deposit draft Local Plan is admitted by the Council, which has resolved to use it for development control purposes. In the circumstances I consider its policies merit substantial weight.

7. From the evidence adduced in the hearing and my inspection of the site it appears to me that the principal issues in this appeal are the suitability of your clients' proposals in the light of the established and emerging planning policies and the adequacy of the access to the site both in terms of its width and in terms of the safety and free flow of traffic.

8. While Policy WLL2 does not preclude residential development the question is clearly whether it would be harmful to the character of the ASLI. The site is located behind 41 Bearwood Road, a backland dwelling sited outside the settlement boundary and owned by your clients. Access to the site lies through that property to the area proposed to be developed, which has 4 distinctive subareas and falls towards the west. It currently accommodates a vehicle repair business, the principal single-storey building of which is in the western and lowest part of the site. Between that building and the entrance to the site proper there is across the northern part of the site an area with ancillary structures which is otherwise randomly strewn in the open with mostly old and in many cases derelict cars, mowing machines, pallets and building materials. The vehicle parking, repair and maintenance activities which are stated to have been carried on for over 20 years were formally authorised in planning permissions in 1992 on a basis personal to your clients' company and are carried on at a low key. A further planning permission granted in 1995 for the erection of a 465m^2 building for the parking and maintenance of 4 commercial vehicles with ancillary storage after demolition of the existing building has not been implemented. Although you now describe the site as a poor commercial location with

THE FOLLOWING SCANNED IMAGES ARE DOCUMENTS OF BAD QUALITY OR ARE PHOTOCOPIES.



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

restrictive access those considerations clearly did not inhibit the presentation of the 1995 proposals.

9. The upper parts of the site on its south side consist of a paddock and orchard. The site is well screened from the north by trees. To the west its lower part is screened by trees and also by the westward rise in the land surface of the open countryside beyond, which conceal from outside view the current unattractive workshop building and outdoor storage of vehicles, which have an undeniably brownfield character. Furthermore, there is a good tree screen and woodland to the north. However, the southern part of the site consists of a small paddock and orchard at a slightly higher elevation. To my mind they genuinely reflect the AGLI designation. Large 2-storey houses in that part of the site would be visible from the south and more distantly from a public footpath to the west through deciduous trees. Though you claim the development would be altogether unobtrusive it appears to me that such houses would be prominent in those views in comparison with the seclusion of the existing activity. For that reason I consider that the siting of dwellings of substantial size in the manner proposed would constitute an unacceptable urbanisation of and visual intrusion into the ASLI, markedly reinforcing the impression of a built-up area now restricted to the rear view of the ribbon development on Bearwood Road which falls within the settlement boundary. That being so, the comparison of footprint sizes you draw between the proposed houses and the existing and authorised alternative commercial development does not in my view bear on the outcome of this appeal.

10. While I am mindful of the outstanding unimplemented planning permission for a haulage business and I accept that both that use and the existing activity on the site are generally inconsistent with the residential character of the development on Bearwood Road that does not to my mind outweigh the harm to the integrity of the ASLI which the proposed housing would cause. In that connection I note that the existing activities at the site have not given rise to complaints. For those reasons I conclude that the proposals do not satisfy Policies C2 and WCC1 regarding development in the countryside and more particularly Policies C8 and WLL2 relating to the ASLI. Though you quote various other Structure Plan Policies in support of the proposals I am not convinced that they weigh so far in favour of the development as to outbalance the criteria set by the policies in the reasons for refusal. In coming to that conclusion I have in particular taken account of the generally acknowledged shortfall in housing land availability in the District and the encouragement given by both the Structure Plan and deposit draft Local Plan to the conversion of employment and bad neighbour sites to other uses..

11. Regarding the question of access I find that the existing private access is a concrete track about 4m wide. For about the first 58m from Bearwood Road it is confined between the flank boundaries of 41a and 43 Bearwood Road with a very narrow verge in places. For a further distance of about 42m it passes through what appears conventionally to be the curtilage of 41 Bearwood Road. The Council offered no material evidence in support of the reason for refusal regarding the width of the access save to advocate that the track be kept clear for the passage of emergency vehicles. Since there is no access to riparian properties other than No 41 between the main road and the principal part of the site it seems to me unlikely it would become obstructed. In the light of that I find no sustainable objection to the development on the ground of any inadequacy in the width of the access road.

12. On the question of safe visibility at the main road access I note that Bearwood Road is a Local Distributor Road and is subject to a 40 mph speed limit. At the access to the appeal site it has a 6.9m carriageway with a 1.7m footway on the west side. In the recent 3 year period 3 personal injury accidents have been recorded a little north of the access; none of these involved vehicles using it. The Council estimates the speed of traffic at 40 to 45 mph. At 4.5m distance from Bearwood Road visibility is virtually nil. As measured during my site inspection and

agreed by the parties, visibility at a distance of 2m from the main road carriageway is about 38m to the south and about 23m to the north.

13. The Council relies on the recommendation in PPG13 that there be a minimum main road visibility of 120m at a distance of 4.5m from the junction with the minor road. You point out, however, that the 4.5m distance in PPG13 refers to major priority junctions and not to private accesses and its standard is not appropriate in this case. I agree that in accordance with the advice in paragraph 2 of Annex D of PPG13 the 2m minor road distance is the correct criterion and requires a visibility distance of 120m in the case of a traffic speed of 70 kph (44 mph).

14. It is not disputed that visibility to the main road from the 2m distance falls substantially short of the PPG13 requirement. On the basis of TRICS data you consider that the 1995 proposals, if implemented, would generate a volume of traffic movements similar to the housing now proposed. Compared with your estimates of the traffic generating capacity of the existing business if the facilities of the site as permitted in 1995 were fully exploited you consider there would be a reduction in movements and that the change from goods vehicles to cars would be welcome in the interest of road safety at the junction. However, I note that that conclusion is based on assumptions rather than evidence of movements. You emphasise that the unimplemented 1995 planning permission for the demolition of the existing buildings and the parking and maintenance of 4 commercial vehicles was granted on the basis that it would result in a significant reduction in the number of existing traffic movements. In my view, even if a reduction in traffic generation were to result, the sightlines at the junction are so inferior that it would be inappropriate to permit new development that would perpetuate a standard falling well short of that in the national advice. Nevertheless, you further argue that because of the horizontal alignment of the main road, oncoming northbound traffic is visible at distances of the order of 100m to 140m from the site access. However, as I observed on inspection, that view is liable to obstruction by vegetation and cannot be relied on.

15. The Council is concerned that the development of the appeal site could lead to further backland development and more intensive use of its substandard access. However, that is a subject for the Council's decision were the matter to arise and, bearing also in mind the ASLI status of the site and the undeveloped land bordering it, I give it no weight in this case.

16. A duplicate planning application was refused on 2 October 1998. However, it does not fall to me to comment on it in connection with this appeal. In reaching my conclusions on the appeal I have taken into account all of the matters raised at the hearing but none outweighs the considerations leading to my decision.

17. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

D L J Robins BA PhD FRTPI
Inspector

APPEARANCES

FOR THE APPELLANTS

Mr D C B Bond	Associate, Chancellors, town planning consultants, 43 High Street, Odiham, Hook, Hants RG29 1LP.
Mr G D Bellamy BSc CEng MICE	Partner, Bellamy Roberts Partnership, Turnpike House, 16 Church Road, Fleet, Hants GU13 9RJ.

FOR THE LOCAL PLANNING AUTHORITY

Mrs B Polnik BA DipTP MRTPI	Senior planning officer, Wokingham District Council.
Mr T Callaghan HNC(CivEng)	Berkshire County Highway Department.

DOCUMENT

Document 1 List of persons present at the hearing

DOCUMENT HANDED IN AT HEARING

Document 2 Decision notice: planning application 98/68073/F dated 2 October 1998.

PLANS

Plan A	1:2500 scale location plan and 1:500 layout plan showing the site and surrounding area.
Plan B	1:100 scale plans and elevations of Plot 1 house.
Plan C	1:100 scale plans and elevations of Plot 2 house.
Plan D	1:100 scale plans and elevations of Plot 3 house.
Plan E	1:500 scale tree survey plan.

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT :	F Bond Esq
APPEAL SITE :	Land rear of 41, Bearwood Road, Wokingham
REASON FOR APPEAL :	Appeal against non- determination of planning Application for outline consent for two detached dwellings

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LOCAL PLANNING AUTHORITY REFERENCE: F/2000/2484

DEPARTMENT OF THE ENVIRONMENT
TRANSPORT & THE REGIONS REFERENCE: APP/X0360/A/00/1053982

1.00 LOCATION AND SITE DESCRIPTION

1.01 The appeal site relates to a 0.29 ha site located to the rear of 41, Bearwood Road, within the parish of Barkham. The site is currently in use as a car repair and commercial haulage business.

1.02 Access to the site is gained along a single track located between two residential properties, no.41a and no.43.

1.03 The site is located along the western side of Bearwood Road just outside the settlement boundary of Barkham Hill. It is located in a rural area and is an Area of Special Landscape Importance.

1.04 Bearwood Road is predominantly characterised by residential development along the main road frontage with woodland and open fields to the rear.

2.00 Relevant Planning History

2.01 The planning history for this site has been summarised below:

Application No.	Proposal	Decision	Date
392/48	Erection of temporary bungalow until 1951	C/A	16.12.48
382/51	Alterations to bungalow	A	19.11.51
528/51	Temporary storage of timber for 3yrs	C/A	19.12.51
O/137/60	Outline for residential Development	R	17.5.60
R/73/67	Extension to bungalow	A	16.3.67

02478	Use of two existing buildings for engineering works	R	14.4.75
06555	Extension	C/A	7.7.77
17954	Hardstanding for 3 commercial vehicles	R	26.8.82
35365	Use of former agricultural building as workshop	R	4.7.90
35366	Retrospective app for parking 2 cabs for articulated vehicles	R	4.7.90
38807	Parking of 3 commercial vehicles	C/A	2.3.92
38808	Use of existing building as workshop for car repairs, storage and parking	C/A	2.3.92
43969	Demolition of existing building and erection of building for parking and maintenance of 4 commercial vehicles with ancillary storage	C/A	17.7.95
97/64844/F & 97/64847/F	Erection of 5 dwellings	R	25.2.97

97/66838/F	Erection of 3 dwellings	Dismissed at appeal	22.7.00
98/68073/F	Erection of 3 dwellings	R	2.10.98
F/2000/0549	Renewal of 43969	A	27.7.00

2.02 In September 2000 a planning application , the subject of this appeal, was received for outline permission for the proposed erection of two dwellings to replace the existing haulage building. An appeal against non-determination was received on the 27th November 2000.

2.03 The deemed reasons for refusal are as follows:

1. The proposal by virtue of its scale and siting would cause harm to the rural character of the area which is also an area of Special Landscape Importance. As such the proposal is contrary to policies OS1, C2 and C8 of the Berkshire Structure Plan, LTV2 and LC3 of the Loddon Area Local Plan, and policies WOS2, WOS3, WCC1, WLL2 and WBE1 of the Wokingham District Local Plan (Deposit Draft).

2. The access road is substandard in width and does not comply with the requirement of the Berkshire Highway Design Guide and is therefore not suitable to accommodate the traffic generated by this proposal.

3. The sightlines and frontage area at the junction of the access with Bearwood Road are substandard and do not comply with the requirements of Planning Policy Guidance Note 13 and as such result in danger to other road users.

3.00 Policy Background

3.01 The site is located in a rural area in an Area of Special Landscape Importance.

3.02 The Development Plan which applies to the area in which the appeal site is located comprises: Berkshire Structure Plan and the Loddon Area Local Plan. The Deposit Draft Wokingham District Local Plan will replace the adopted Loddon Area Local Plan.

3.03 Berkshire Structure Plan

The Berkshire Structure Plan (1991-2006) was adopted on 4th November 1995 and is the statutory Structure Plan for the area.

The relevant policies are as follows:

OS1: The overall strategy

C2: Development outside built up areas and settlements

C8 : Designation of and development within Areas of special Landscape Importance.

3.04 Loddon Area Local Plan

The Loddon Area Local Plan was adopted on 5th May 1995 and is the statutory local plan for the area in which the site is situated. The Planning and Transportation Committee at their meeting on 21st November 1996 resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted local plans and to note that they will continue to carry weight as the most up to date adopted policies, except in relation to housing provision".

LTV2: Development in Rural Areas

LC3: Areas of Special Landscape Importance

3.05 Draft Wokingham District Local Plan

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 the plan commenced on

6th October 1998. The Inspector's report on the local plan inquiry is not expected until Summer 2001 (with the exception of policy WSM1):

WOS1: Sustainable Development
WOS2: General Development Principles
WOS3: Development Control Principles
WOS5: Environmental Improvements
WCC1: Development in the Countryside
WLL2: Areas of Special Lanscape Importance
WBE1: Development in its Local Context
WEM18: Alternative Uses for Land & Premises with a commitment for, or in existing, B1–B8 Use

4.00 THE CASE FOR THE LOCAL PLANNING AUTHORITY

4.01 Impact upon the rural character of the area

The area in which the appeal site is located is outside the settlement boundary in a rural area which has also been designated as one of Special Landscape Importance. The Bearwood area has been designated as an area of Special Landscape Importance, due to its wooded hilltop area which feature in views from large parts of the plan area. The policies which exist to protect such areas aim to :

a) protect the areas of special landscape importance from development which would detract from their rural character and special landscape qualities;

b) enhance their rural charcter and landscape qualities by encouraging appropriate management; and;

c) protect them from development on land around them which would adversely affect their character and setting.

4.02 Although Bearwood Road is characterised by a built up frontage of residential development, located to the rear are open areas of land and woodland. Although there is some backland development this is isolated. Hayes Lane to the north of the site runs on higher ground, allowing open views of the haulage yard through the vegetation from parts of the lane. It is considered that any housing development within this site will have a detrimental impact upon the surrounding landscape. It is also considered that the proposed development would not relate in any way to the existing settlement boundary or existing properties along Barkham Road.

4.03 The proposed residential development would replace the existing commercial haulage use and building on the site. However, the site is located outside the settlement boundary where there is a strong presumption against development. It is considered that the redevelopment of this site to accommodate two detached dwellings would have an unacceptable urbanising impact upon the character of the area.

4.04 The existing buildings on site are single storey and are therefore considered to be low key. Although detailed plans of the proposed development have not been submitted the indicative site plan supplied would suggest that the two proposed detached dwellings will be fairly large family homes both with detached double garages. It is therefore considered that this type of development would represent an incongruous form of development which would be unacceptable to the low key rural charcter of the area.

4.05 Although the proposal is supported by policy WOS1, WOS5 and WCC1 (f), which encourages development on brownfield sites, in preference to greenfield, and policy WEM18 which permits the change of use of business employment generating use (classes B1-B8) to residential, these do not outweigh the general presumption against development in the countryside.

4.06 As such the proposed development would be contrary to policies OS1, C2 and C8 of the Berkshire Structure Plan; policies LTV2 and LC3 of the Loddon Area Local Plan and policies WOS2, WOS3, WCC1, WLL2, and WBE1 of the Wokingham District Council (Deposit Draft).

4.09 Highway Safety

The access road which would also be used by the the existing dwelling at 41 Bearwood Road, is both substandard in width and visibility to accommodate the traffic generated by the development to the detriment of road safety and traffic flow

APPENDICES

1. SITE PLAN

2. EXTRACT FROM THE BERKSHIRE STRUCTURE PLAN

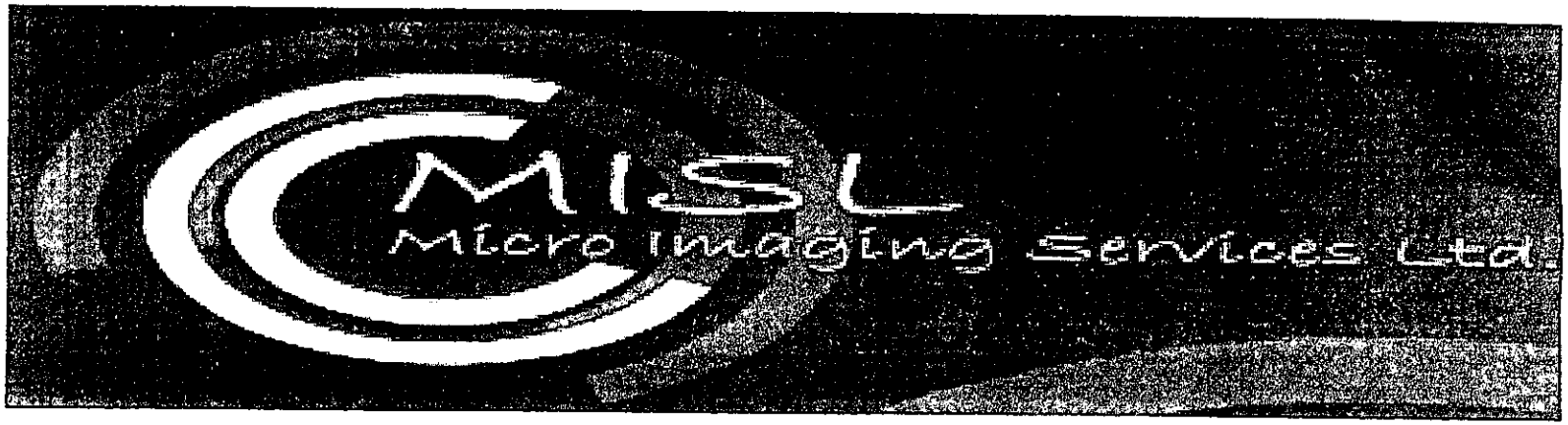
3. EXTRACT FROM THE LODDON AREA LOCAL PLAN

4. EXTRACT FROM THE WOKINGHAM DISTRICT LOCAL PLAN (DEPOSIT DRAFT)

APPENDIX 1

APPENDIX 2

THE FOLLOWING SCANNED IMAGES ARE DOCUMENTS OF BAD QUALITY OR ARE PHOTOCOPIES.



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

BERKSHIRE STRUCTURE PLAN 1991-2006

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.

Designation of and Development Within Areas of Special Landscape Importance

Policy C8 **Areas of Special Landscape Importance will be delineated and designated through local plans. The location, scale, form, character and type of development in these areas will be carefully controlled to protect their special landscape significance.**

5.32 Examples of Areas of Special Landscape Importance defined by or to be considered for inclusion or redefinition in local plans are :

The area between Wargrave and Cookham

The Blackwater Valley Area

The Farley Hill Area

Windsor Great Park

Bearwood, Sindlesham

The area at Donnington, north of Newbury

The area north of Theale

The Greenham/Crookham area

5.33 The designation of ASLI's will serve to highlight particularly important parts of the countryside which display landscape characteristics of importance in the county context, that should be taken into account in planning decisions. In considering the designation and delineation of an ASLI, the local planning authorities will apply the following criteria (derived from the Countryside Commission's 'Landscape Assessment Guidance' 1993) to ensure consistency throughout the County'.

(i) ***Landscape as a resource***
The landscape should be a resource of at least county importance for reasons of rarity or representativeness.

(ii) ***Scenic quality***
It should be of high scenic quality, with pleasing patterns and combinations of landscape features, and important aesthetic or intangible factors.

(iii) ***Unspoilt character***
The landscape within the area generally should be unspoilt by large-scale, visually intrusive industry, mineral extraction or other inharmonious development.

(iv) ***Sense of place***
It should have a distinctive and common character, including topographic and visual unity and a clear sense of place.

(v) ***Conservation interests***
In addition to its scenic qualities, it should include other notable conservation interests, such as features of historical, wildlife or architectural interest.

(vi) ***Consensus***
There should be a consensus of both professional and public opinion as to its importance, for example, as reflected through writings and paintings about the landscape.

5.34 Protecting the special character and qualities of the landscape and the settlements in the AONB and ASLIs involves ensuring that any development that takes place respects and perpetuates their natural beauty and special landscape character respectively, and respects those local traditions in building which help to create their character. In the AONB, particular attention will be paid to protection and enhancement of the open downland which forms a specific feature sustaining the purposes of designation. Even where the principle of development can be justified in the AONB and ASLIs, the acceptability of specific proposals will depend on whether they can be satisfactorily fitted into the landscape. The County Council will work closely with other agencies to encourage measures to maintain and enhance the character of these areas as part of the development and implementation of a Landscape Strategy and Action Plan for Berkshire.

Other Landscape Features

5.35 There are a number of features which contribute to the character of the countryside in Berkshire. These features should be retained, in order to conserve the richness and diversity of the landscape and a sense of history.

Protection and Enhancement of Landscape Features

Policy C9 **The character and quality of the landscape and features important to its character and history will be protected and enhanced.**

5.36 Examples of landscape features which the policy seeks to protect and enhance include: tree cover; beech 'hangars'; hedgerows; flower rich meadows; chalk grassland; established and ancient woodland; heathland; and water courses and their associated corridors, ponds, lakes and wetlands.

5.37 The County Council will encourage that protection and enhancement by acting in co-operation with other organisations, particularly in the areas of special landscape quality referred to in Policies C7 and C8, and in areas where the landscape is under pressure. Among the initiatives which will further the objectives of the policy are :

(i) establishing area-based projects to secure co-ordinated conservation, enhancement and access improvements;

(ii) responding to changes in farming by providing advice on acceptable kinds of "diversification", and landscape and habitat conservation;

APPENDIX 3

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG40 1WR
Telephone: (01734) 778798

plan, a village is not synonymous with an identified settlement, the latter being used to define an area where particular planning policies are appropriate. There will therefore be cases where parts of villages have been excluded from the identified settlement, for example, small groups of development on the far side of a road that marks the boundary of the main built up area of the village. In order to be consistent in the treatment of settlements of similar size, function and character, it has been necessary to draw up a definition for settlements warranting identification on the Proposals Map.

1.1.05 An 'identified' settlement or built-up area must possess all the following characteristics:-

(i) a sizeable amount of development in a compact form. (If development is interspersed with areas of land which are characteristically rural or open, this will not come within this criterion);

(ii) possess a range of basic services, such as a school, shop and community facilities, providing a forum for social contact;

(iii) be physically and socially cohesive.

On this basis the following policy is put forward.

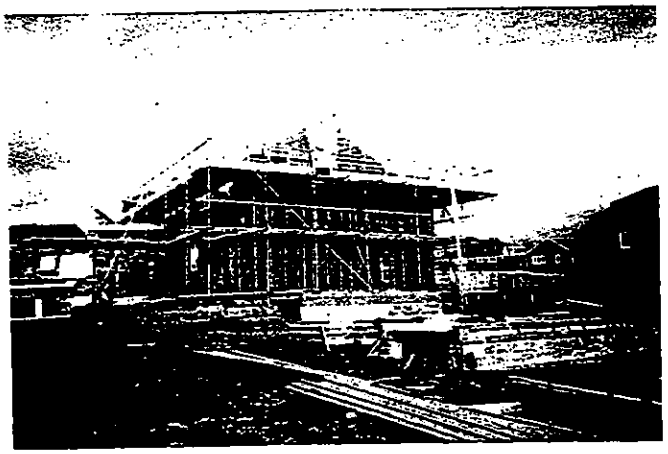
❖ LTV1 'IDENTIFIED SETTLEMENTS'

WITHIN THE IDENTIFIED SETTLEMENTS AS LISTED BELOW AND AS SHOWN ON THE PROPOSALS MAP, DEVELOPMENT WILL NORMALLY BE ALLOWED, SUBJECT TO THE PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN. THE 'IDENTIFIED' SETTLEMENTS ARE:-

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

LIMITING THE SPREAD OF DEVELOPMENT

1.1.06 The District Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has a special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice. This is particularly important in the case of small scale housing and employment development on the edge of settlements which is dealt with in more detail in policies LH1 and LE2.



❖ LTV2 DEVELOPMENT IN RURAL AREAS

ALL LAND OUTSIDE THE IDENTIFIED SETTLEMENTS, AS SHOWN ON THE PROPOSALS MAP IS CONSIDERED TO BE RURAL AREA WITHIN WHICH DEVELOPMENT WILL NOT NORMALLY BE ALLOWED. IN ACCORDANCE WITH THE

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

AREAS ARE OF SPECIAL SIGNIFICANCE BECAUSE THEY ARE ESSENTIAL TO THE MAINTENANCE OF A PHYSICAL AND VISUAL SEPARATION BETWEEN DISTINCT SETTLEMENTS. WHERE THE VISUAL OR PHYSICAL SEPARATION BETWEEN SETTLEMENTS IS NOT FULLY EFFECTIVE AT THE PRESENT TIME THE DISTRICT COUNCIL WILL SEEK TO ENHANCE VISUAL SEPARATION BY THE ENCOURAGEMENT OF TREE PLANTING OR OTHER APPROPRIATE MEANS.

1.3.11 In addition to protecting land because of its significance in separating settlements from each other it is proposed that areas of importance because of their character and appearance in relationship to adjoining built-up areas should also be protected. These areas of land are either an important part of the landscape setting of the settlement concerned, such as an open area or sloping land around it, or are areas of land which have an intimate relationship with the settlement and which are thus important to the retention of its character and setting. Examples are enclosed fields and paddocks which are an inherent part of the character of some of the settlements in the plan area.

❖ LC2 SETTING OF SETTLEMENTS

DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD DETRACT FROM THE OPEN OR RURAL APPEARANCE OF THE AREAS OF LAND DEFINED ON THE PROPOSALS MAPS WHICH ARE OF SPECIAL SIGNIFICANCE IN MAINTAINING THE LANDSCAPE SETTING OR THE INDIVIDUAL CHARACTER OF THE SETTLEMENTS.

AREAS OF SPECIAL LANDSCAPE IMPORTANCE

1.3.12 The landscape character of the local plan area is influenced by the rivers and streams which flow northwards to the Thames. In the northern part of the plan area, near the confluence of the rivers Thames and Loddon is a valley bottom landscape in which the town of Woodley and village of Sonning to the west and villages of Twyford and Wargrave to the east occupy slightly elevated positions. The River Loddon flows from the south joined by the Blackwater north of Swallowfield, through a wide open valley landscape, wholly agricultural in the south, but increasingly gravel and water dominated in the north. The slopes which flank the valley and wooded hill tops which form their crests are prominent in views from within the valley and across it.



1.3.13 A plan-wide landscape survey has identified two tracts of countryside within the plan area, at Farley Hill and Bearwood, as being of special importance in landscape terms. Both are wooded, hilltop areas which feature in views from large parts of the plan area. The criteria used to identify these areas and the alternative boundaries considered are contained in Local Plan Working Paper Three which is available separately from this plan. The following policies are intended to:

a) protect the areas of special landscape importance from development which would detract from their rural character and special landscape qualities;

b) enhance their rural character and landscape qualities by encouraging appropriate management;

c) protect them from development on land around them which would adversely affect their character and setting.

1.3.14 The areas identified represent the 'Other Areas of Special Landscape Importance' within the plan area referred to in Policy EN9 of the Replacement Structure Plan for Berkshire.

❖ LC3 AREAS OF SPECIAL LANDSCAPE IMPORTANCE

WITHIN THE FARLEY HILL AND BEARWOOD AREAS AS DEFINED ON THE PROPOSALS MAP (SOUTH SHEET) LAND USES OR BUILT DEVELOPMENT WILL NOT BE ALLOWED WHICH WOULD CAUSE LONG-TERM DAMAGE TO THE RURAL CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

❖ LC4 SETTING OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

DEVELOPMENT WILL NOT BE ALLOWED ON LAND CLOSE TO THE FARLEY HILL AND BEARWOOD AREAS OF SPECIAL LANDSCAPE IMPORTANCE WHICH, BY REASON OF ITS SIZE, LOCATION OR TYPE, WOULD ADVERSELY AFFECT THE RURAL CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

❖ LC5 MANAGEMENT OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

THE DISTRICT COUNCIL WILL SEEK TO ENSURE THAT THE MANAGEMENT OF LAND WITHIN THE FARLEY HILL AND BEARWOOD AREAS OF SPECIAL LANDSCAPE IMPORTANCE IS UNDERTAKEN IN SUCH A WAY AS TO MAINTAIN AND ENHANCE THEIR RURAL CHARACTER AND SPECIAL LANDSCAPE QUALITIES.

LANDSCAPE MANAGEMENT

1.3.15 Within the landscape in recent years the rate of change appears to have increased. In agricultural parts of the plan area Dutch Elm disease and, more recently, storms have resulted in the loss of many hedgerow trees. In addition many modern farming practices and the demands of development including mineral extraction have led to the felling of woodland, grubbing out of hedgerows and drainage of wetland areas. More efficient drainage techniques have also resulted in the neglect or loss of important landscape features such as ponds and ditches.

1.3.16 Over recent years public awareness of changes in the countryside has increased. Modern farm production and management methods and the need for them are perhaps not readily understood by those not employed in agriculture. At the same time increased accessibility to the countryside for its recreational potential, and wide ecological awareness, have made many people question the changes that have taken place. Again the planning system has little scope to control or direct such changes. Nevertheless, planning policies provide a necessary degree of certainty for the future which enables investment in promoting the protection and enhancement of the rural landscape to take place.

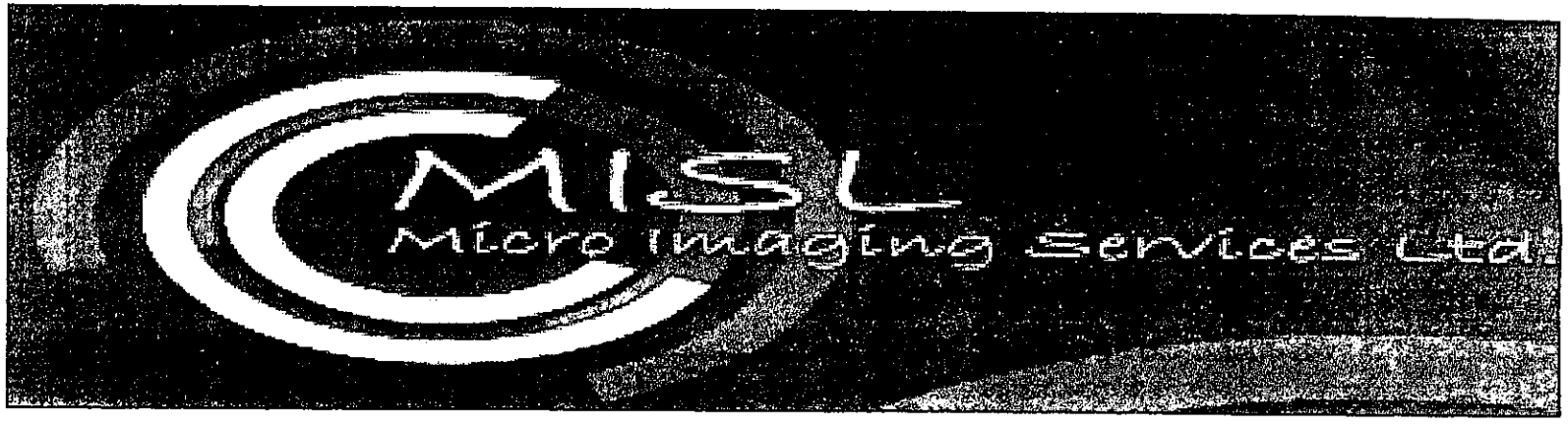


1.3.17 Changes in agricultural priorities will mean that it may not be possible to rely on agriculture to maintain the countryside as we would wish to see it. New uses of rural land will involve change to the traditional landscape and in some cases offer significant opportunities. Landscape enhancement through forestry is one such opportunity, providing the mix of species and planting regime is appropriate. In some of the southern parts of the plan area sandy heathland soils make planting of certain types of conifers acceptable, but over most of the plan area broadleaved woodlands would be required.

1.3.18 In this context one of the areas in which the District Planning Authority is most active is in ensuring the continued visual effectiveness of tree cover, which is also the objective of Replacement Structure Plan Policy EN20. Besides ensuring appropriate landscaping schemes when planning permission is granted, in an attempt to resist the

APPENDIX 4

THE FOLLOWING SCANNED IMAGES ARE DOCUMENTS OF BAD QUALITY OR ARE PHOTOCOPIES.



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN



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**

1.0 OVERALL STRATEGY

INTRODUCTION

1.1 In developing the District Local Plan the Council agreed an Overall Strategy (set out in para. 0.9) for the plan. The Overall Strategy seeks to slow down the rate of development within the District and to promote sustainable development in order to protect and enhance the quality of the environment within the plan area and also to meet the social and economic aspirations of the District.

1.2 In considering development proposals the achievement of sustainable development is a fundamental principle. However there are other issues that form part of the overall sustainable development approach which also need to be considered when dealing with development proposals. It is the aim of this chapter to set out the fundamental policies from which the remaining policies of the plan take their lead.

1.3 The plan area is under pressure to accommodate new homes, jobs, services and improved transport facilities and in doing so maintain a prosperous economy. It is important that local commerce and industry produces a dynamic local economy that makes a positive contribution to the character, environment and quality of life of those who live and work in the District.

POLICY FRAMEWORK

Strategic Policy

1.4 This approach accords with the overall approach to development adopted by Berkshire County Council in the *Berkshire Structure Plan 1991 - 2006* which states that:

> 'Sustainable levels, forms and locations of development are ... sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within ... environmental and other limits.' (Para. 3.7 of Berkshire Structure Plan 1991 - 2006).

POLICIES

1.5 The policies set out below aim to ensure that such an approach is achieved.

POLICY WOS1: SUSTAINABLE DEVELOPMENT

THE COUNCIL WILL ENSURE, WHERE POSSIBLE, THAT DEVELOPMENT IS SUSTAINABLE AND IMPROVES THE QUALITY OF LIFE WITHIN THE PLAN AREA BY PURSUING THE FOLLOWING OBJECTIVES:

A) TO CONTINUE TO SLOW DOWN THE RATE OF DEVELOPMENT WITHIN THE PLAN AREA TO ENSURE THAT THE BEST OF THE EXISTING ENVIRONMENT

Cont.

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

B) GIVE PRIORITY WITHIN a) TO MEETING THE DISTRICT'S ECONOMIC AND SOCIAL NEEDS, INCLUDING THE PROVISION OF LOW-COST HOUSING AND A WIDER RANGE OF EMPLOYMENT OPPORTUNITIES

C) CONSERVING AND ENHANCING THE PATTERN OF TOWN AND PARISH COMMUNITIES BY RETAINING AND EMPHASISING THE BALANCE BETWEEN TOWNS AND VILLAGES, COUNTRYSIDE AND SETTLEMENTS, OPEN RIVER VALLEYS AND ENCLOSED WOODLANDS

D) TO PROVIDE FOR EMPLOYMENT, HOUSING, SHOPPING AND SERVICES IN PLACES THAT MINIMISE THE NEED FOR TRAVEL BY PRIVATE CAR

E) THAT NEW DEVELOPMENT MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER, ENVIRONMENT, LANDSCAPE, HERITAGE WITHIN THE PLAN AREA

F) ~~TO CONSERVE NATURAL RESOURCES TO MINIMISE POLLUTION~~ **(PA 1/3)**

F1) TO CONSERVE NATURAL RESOURCES **(PA 1/3)**

F2) TO MINIMISE POLLUTION ***(PA 1/3)***

G) TO SEEK IMPROVEMENTS TO INFRASTRUCTURE, SERVICES AND AMENITIES.

H) TO ENCOURAGE AND SUSTAIN BALANCED RURAL COMMUNITIES **(PA 1/1)**

I) TO DEVELOP BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES **(PA 1/2)**

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside ~~or has special reason to locate there~~ *OR FOR WHICH A RURAL LOCATION IS ESSENTIAL.* **(PA 1/4)** Although these uses are acceptable in principle, they must also be acceptable in practice.

1.7 In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.

1.8 An 'identified' settlement or built-up area must possess all the following characteristics:

(i) a sizeable amount of development in a compact form (if development is dominated by, or interspersed with, areas of land that are characteristically rural or open, it will not come within this criterion)

(ii) possess a range of basic services, such as a primary school, shop and community facilities, providing a forum for social contact

(iii) be physically and socially cohesive.

1.9 For the purposes of this plan the identified settlements are:

ARBORFIELD CROSS	SHINFIELD
BARKHAM HILL	SINDLESHAM
CHARVIL	SPENCERS WOOD
EARLEY/SONNING/WOODLEY	SWALLOWFIELD
FINCHAMPSTEAD	THREE MILE CROSS
FINCHAMPSTEAD NORTH	TWYFORD
HURST	WARGRAVE
PINEWOOD	WINNERSH
RISELEY	WOKINGHAM.

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

SUBJECT TO THE DETAILED PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN, DEVELOPMENT WILL BE ALLOWED WITHIN THE BOUNDARIES OF THE IDENTIFIED SETTLEMENTS SHOWN ON THE PROPOSALS MAP AND LISTED IN THE TEXT.

OUTSIDE THESE SETTLEMENTS DEVELOPMENT WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN AND STRUCTURE PLAN POLICIES C2 (DEVELOPMENT OUTSIDE BUILT UP AREAS AND SETTLEMENTS) AND C4 (CONTROL OF DEVELOPMENT IN THE GREEN BELT).

Implementation: Through the development control process.

Monitoring: Planning applications determined.

1.11 The most attractive and successful urban environments are those where all the component parts (e.g. buildings, trees, roads, spaces, people, traffic) have been satisfactorily accommodated to create interesting, lively and pleasant places. In order to maintain and enhance the character of the built environment, the appropriateness of the use of existing buildings and the design of new buildings or extensions to existing buildings, are very important.

1.12 The Council is particularly concerned to promote a high standard of design in new buildings, to ensure that new buildings are responsive to their location and to their potential occupants' and/or users' needs. New development needs to be appropriate in terms of function, siting, scale, form, massing, materials, colour and texture in its relationship with adjoining buildings and sites. Accordingly, new development will be expected to make an acceptable and positive contribution to the built environment. In addition new development should be appropriately located so as to reduce the need to travel and to encourage alternative modes of transport to the car.

1.12A LANDSCAPING SCHEMES SHOULD BE COMPRISED PREDOMINANTLY, IF NOT WHOLLY, OF LOCALLY NATIVE SPECIES. **(PA 1/5)**

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

THE COUNCIL WILL REQUIRE ALL DEVELOPMENT PROPOSALS THAT ARE ACCEPTABLE IN PRINCIPLE WHEN ASSESSED AGAINST OTHER POLICIES OF THIS PLAN TO:

A) BE APPROPRIATE IN SCALE OF ACTIVITY AND CHARACTER TO THE AREA IN WHICH THEY ARE LOCATED AND BE INTEGRATED INTO THEIR LOCAL CONTEXT WITHOUT DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS

B) ~~RETAIN~~ *HAVE NO SIGNIFICANT DETRIMENTAL IMPACT UPON* (PA 1/6) IMPORTANT MAN-MADE, LANDSCAPE AND NATURE CONSERVATION FEATURES AND PROVIDE FOR FURTHER LANDSCAPE TREATMENT WHERE RELEVANT TO THE TYPE OF DEVELOPMENT AND/OR THE PROTECTION OF LOCAL VISUAL AMENITY

C) BE BOTH LOCATED AND DESIGNED SO AS TO REDUCE THE NEED TO TRAVEL AND ENCOURAGE THE USE OF WALKING, CYCLING AND PUBLIC TRANSPORT AS ALTERNATIVES TO THE CAR

D) HAVE NO SIGNIFICANT EFFECT ON ROAD SAFETY OR CAUSE HIGHWAY, TRAFFIC GENERATION OR TRAFFIC RELATED ENVIRONMENTAL PROBLEMS

E) PROVIDE BUILDINGS, FACILITIES AND SPACES THAT ARE CAPABLE OF USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT

F) BE OF HIGH QUALITY OF DESIGN THAT RESPECTS THE LOCAL CONTEXT BY VIRTUE OF SITING, LAYOUT, MASSING, MATERIALS, COLOUR AND TEXTURE.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

1.13 It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to support the development. This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations*). An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life or new and existing residents. Supplementary planning guidance has been produced setting out the implementation of Policy WOS4 below.

POLICY WOS4: SERVICE, AMENITIES AND INFRASTRUCTURE REQUIREMENTS FOR NEW DEVELOPMENT

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, UNDER THE POLICIES OF THIS PLAN, DEVELOPMENT PROPOSALS WILL BE EXPECTED TO HAVE

Cont.

REGARD TO EXISTING LEVELS OF INFRASTRUCTURE, SERVICES AND AMENITIES.

WHERE THE DEVELOPMENT GIVES RISE TO THE NEED FOR THE PROVISION OF NEW OR EXTENDED PUBLIC AND COMMUNITY SERVICES, PERMISSION WILL NOT BE GIVEN UNTIL THE PLANNING AUTHORITY IS SATISFIED, BY IMPOSING CONDITIONS, OR WHERE THESE ARE NOT APPROPRIATE OR ADEQUATE, BY SEEKING A LEGAL AGREEMENT, THAT AN APPROPRIATE LEVEL OF INFRASTRUCTURE, SERVICES AND AMENITIES REQUIRED AS A CONSEQUENCE OF, AND DIRECTLY RELATED TO, THE DEVELOPMENT IS CAPABLE OF BEING, AND WILL BE, PROVIDED WITHIN THE TIMESCALE OF THE PROPOSED DEVELOPMENT IN ACCORDANCE WITH AN AGREED PHASING PROGRAMME.

THE COUNCIL WILL PRODUCE SUPPLEMENTARY PLANNING GUIDANCE REGARDING THE IMPLEMENTATION OF THIS POLICY.

Implementation: Through the development control process and in consultation with service providers.

Monitoring: Planning applications determined and reporting to Services, Amenities and Infrastructure Working Party.

Environmental Improvements

1.14 It is important that wherever possible development makes best use of existing resources and enhances the existing area to reduce impacts on amenities and preserve non-renewable resources such as greenfield sites. This accords with Central Government advice and policies contained within the Berkshire Structure Plan 1991 - 2006. Such opportunities may occur both on and off the development site when they are directly related to the proposal.

POLICY WOS5: ENVIRONMENTAL IMPROVEMENTS

WHEN CONSIDERING PROPOSALS FOR DEVELOPMENT, OPPORTUNITIES WILL BE SOUGHT TO SECURE ENVIRONMENTAL IMPROVEMENTS, BOTH ON AND OFF-SITE. THESE MAY FOR EXAMPLE INCLUDE:

A) THE USE OF BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES

B) LANDSCAPING, INCLUDING MAJOR STRUCTURAL LANDSCAPING ON SENSITIVE AND EXPOSED SITES

C) PROVISION OF RECYCLING FACILITIES

D) RE-USE AND REFURBISHMENT OF EXISTING BUILDINGS IN PREFERENCE TO REDEVELOPMENT

E) UPGRADING OF THE EXISTING URBAN FABRIC

F) THE RELOCATION OF BAD NEIGHBOUR TYPE USES AND REDEVELOPMENT FOR MORE APPROPRIATE USES. **(PA 1/7)**

Implementation: Through the development control process.

Monitoring: Planning applications determined and assessment of land involved.

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

POLICY WLL1: HIGH QUALITY AGRICULTURAL LAND

DEVELOPMENT THAT WOULD RESULT IN THE IRREVERSIBLE LOSS OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND (GRADES 1, 2 AND 3A OF THE MINISTRY OF AGRICULTURE, FISHERIES AND FOOD'S AGRICULTURAL LAND CLASSIFICATION) WILL ONLY BE PERMITTED WHERE THERE IS AN OVERRIDING NEED FOR THE DEVELOPMENT AND NO OTHER SUITABLE SITE IS AVAILABLE.

WHERE DEVELOPMENT IS NECESSARY ON THE BEST AND MOST VERSATILE LAND IT SHOULD USE, AS FAR AS POSSIBLE, THE LOWEST GRADE OF LAND SUITABLE FOR THE DEVELOPMENT.

Implementation: The development control process.

Monitoring: Planning applications determined.

Areas of Special Landscape Importance (ASLI)

2.59 Four ASLI's were identified in the adopted local plans and are referred to in the text of the Berkshire Structure Plan 1991 - 2006. Three of these - The Blackwater Valley, Farley Hill and Bearwood - were the subject of extensive study prior to their inclusion in the local plans. These areas remain unchanged. The two new ASLI's are in:

a) Swallowfield/Beech Hill area (which is an extension to and takes account of adjoining District/Borough landscape designations. It is based on the Loddon river valley characteristics and provides a contiguous landscape feature in all areas).

b) Wargrave to Cookham new ASLI (which takes account of adjoining District/Borough landscape designations).

2.60 Both have not been previously defined and landscape studies have been carried out on which the proposed boundaries are based. Both have been subject to consultation processes. The areas have been divided into character zones which were surveyed and management issues defined.

2.61 The objectives of the policy on ASLI's are to:

a) protect the ASLI from development that would detract from its rural character and special landscape qualities
b) enhance the rural character and landscape qualities by encouraging appropriate management
c) protect the ASLI from development on land around it that would adversely affect its character and setting

2.62 The criteria for identifying the ASLI's are based on those in the Berkshire Structure Plan 1991 - 2006 which, in turn, are derived from the Countryside Commission's Landscape Assessment Guidance 1993 where:

a) the landscape should be of County significance
b) the landscape should be of generally acknowledged scenic quality and of distinctive character

c) the area and its landscape features should have an impact beyond their physical boundaries with prominent features being visible from long distances
d) the area should be rural in character and free from visually intrusive development
e) the area should contain sites of architectural and historic significance and sites of wildlife importance
f) the area should contain a diversity of landscape types that results from a combination of landform, vegetation and land use, creating areas of identifiable character.

2.63 The new ASLI based on the Loddon river valley in the Parish of Swallowfield, resulted from the public consultation in 1995 on the District Local Plan. The adjoining local planning authorities of Hart, Newbury and Basingstoke and Deane considered that their ASLI, River Heritage and Areas of Special Landscape Quality (ASLQ) designations should be taken account of in adjoining plan designations. This recognised the fact that District and Borough boundaries do not necessarily indicate a change in landscape types, character and quality.

2.64 A detailed study established that the area has a distinct and varied character. It comprises of the river valley with small enclosed field patterns adjoining the river itself. There are willow stands and alluvial pastures. The influence of the river on Man's activities is illustrated by the listed buildings of the Water Mills at Stanford End and Sheepbridge. Further out from the river valley, arable plateaus with more extensive field patterns and wooded ridges predominate. There are extensive long views across the river valley and beyond to Beech Hill, Stratfield Saye, Swallowfield and Spencers Wood. The River Loddon provides an element of continuity between these different areas. Whilst the A33 does appear to be a scar on the landscape, it does not dominate visually being contained largely within a cutting which also acts to reduce noise intrusion. There will be positive opportunities for further enhancement of the ASLI for conservation purposes. These could be funded from grants available from various agencies. The boundaries shown on the proposals map underwent a process of consultation with the Parish Council and landowners in 1996 - 97 to establish its quality and need for protection.

2.65 The detailed boundaries of the Wargrave/Cookham area (which extends into the Royal Borough of Windsor and Maidenhead) have not been previously defined. A landscape study has been carried out upon which the proposed boundaries are based. The area was divided into six character zones and the management issues defined. An area adjoining Wargrave on its northern side has an important dual function of providing an important landscape setting to the settlement as well as having a landscape quality that qualifies it as an ASLI. For the sake of clarity only the ASLI is shown on the proposals map, but its dual role should be noted and taken account of in considering any development proposals.

2.66 The proposed ASLI from Wargrave to Cookham has a distinct and varied character and comprises a mixture of wooded ridges and hills, arable plateaus and rolling chalk land, alluvial pasture, parkland and golf courses. The character of the area is influenced by the broad sweep of the River Thames to the west and north; the Chilterns Area of Outstanding Natural Beauty (AONB) and ASLI to the north; wooded knolls of Bowsey Hill and Ashley Hill to the east and the Lower Loddon to the south. There are extensive long distance views throughout the area along the Thames Valley from Sonning to Bowsey and Ashley Hill from the A4; from Henley up to the wooded escarpment of Park Place; and from the A423 to the Chilterns AONB in the north and Bowsey Hill in the south.

POLICY WLL2: AREAS OF SPECIAL LANDSCAPE IMPORTANCE

WITHIN THE DESIGNATED AREAS OF SPECIAL LANDSCAPE IMPORTANCE, AS DEFINED ON THE PROPOSALS MAP; LAND USES OR BUILT DEVELOPMENT WILL NOT BE PERMITTED THAT WOULD HAVE A DETRIMENTAL IMPACT ON THE OPEN, COUNTRYSIDE CHARACTER, OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

THIS INCLUDES ANY DEVELOPMENT THAT RESULTS IN THE REMOVAL OR EROSION OF LANDSCAPE FEATURES SUCH AS PONDS, CHALK OUTCROPS, WOODLAND, COPSES AND HEDGEROWS.

Implementation: The development control process

Monitoring: Planning applications determined.

2.67 Within ASLI's, the District Council will seek the management of landscape features. This will be achieved through negotiation with landowners and liaison with other bodies such as English Nature, the Countryside Commission, the Environment Agency, the Forestry Authority and the Woodland Trust amongst others. Advice and guidance will also be available to the landowners. Planning conditions and agreements will be used where appropriate and necessary in the granting of a planning permission. These can provide safeguards and benefits in these special areas.

2.67A IT SHOULD BE NOTED THAT THE GENERAL COUNTRYSIDE POLICIES APPLY WITHIN AREAS OF SPECIAL LANDSCAPE IMPORTANCE. **(PA2/22)**

POLICY WLL3: SETTING OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

DEVELOPMENT WILL NOT BE ALLOWED ON LAND THAT IS EITHER:

A) PHYSICALLY ADJOINING THE DEFINED BOUNDARIES OF THE AREA OF SPECIAL LANDSCAPE IMPORTANCE (AS SHOWN ON THE PROPOSALS MAP) OR

B) VISUALLY PROMINENT FROM OR TO THE DEFINED AREAS OF SPECIAL LANDSCAPE IMPORTANCE (AS SHOWN ON THE PROPOSALS MAP)

AND WHICH BY REASON OF ITS SIZE, *LAYOUT*, **(PA 2/23)** DESIGN, MATERIALS, LOCATION OR TYPE OF USE WOULD ADVERSELY AFFECT THE SETTING, CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

Implementation: The development control process.

Monitoring: Planning applications determined.

River Valleys

2.68 Some of this District's best quality landscapes are associated with or based upon parts of river valleys. These are the Loddon ASLI, the Blackwater Valley ASLI and the Wargrave/Cookham ASLI (based on the Thames Valley).

POLICY FRAMEWORK

National Policy

4.5 Advice on design at the national level is limited. There is no Planning Policy Guidance Note purely on design considerations. Paras 13 - 20 and Annex A (paras A1 - A7) of PPG1 refer specifically to the issue of design. Paras 4 - 7 of Planning Policy Guidance Note 3 (PPG 3) *Housing* look at good design in the context of housing development.

4.6 Comprehensive guidance on heritage issues is given in Planning Policy Guidance Note 15 (PPG 15) *Planning and the Historic Environment*. Planning Policy Guidance Note 16 (PPG 16) *Archaeology and Planning* gives advice on archaeology and planning.

Strategic Policy

4.7 The *Berkshire Structure Plan 1991 - 2006* acknowledges that the quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. The plan recognises that these depend partly on care for the built environment, but that also of importance are the maintenance and improvement of interests that have a bearing on the County's character, the limitation and control of specific threats to pleasant living conditions, and the conservation of natural resources.

Supplementary Planning Guidance

4.8 The environmental policies in this plan are augmented by additional guidance in the form of Planning Guidelines, Development Briefs, Design Guides, and Conservation Area Studies. This additional guidance includes detailed advice that is not appropriate for inclusion in the plan. The policies of the plan take precedence over the supplementary planning guidance, and provide the main thrust for environmental policy in the plan area.

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

4.9 Proposed development should be considered in the context of the surrounding area. This will allow vernacular style and any good features to be interpreted in the new development, helping to contribute to its sense of place.

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

THE COUNCIL WILL REQUIRE GOOD CONTEMPORARY DESIGN THROUGHOUT THE PLAN AREA, WHICH RESPECTS ITS LOCAL CONTEXT. WHEN CONSIDERING ANY APPLICATION FOR DEVELOPMENT THE COUNCIL WILL HAVE REGARD TO THE FOLLOWING CONSIDERATIONS:

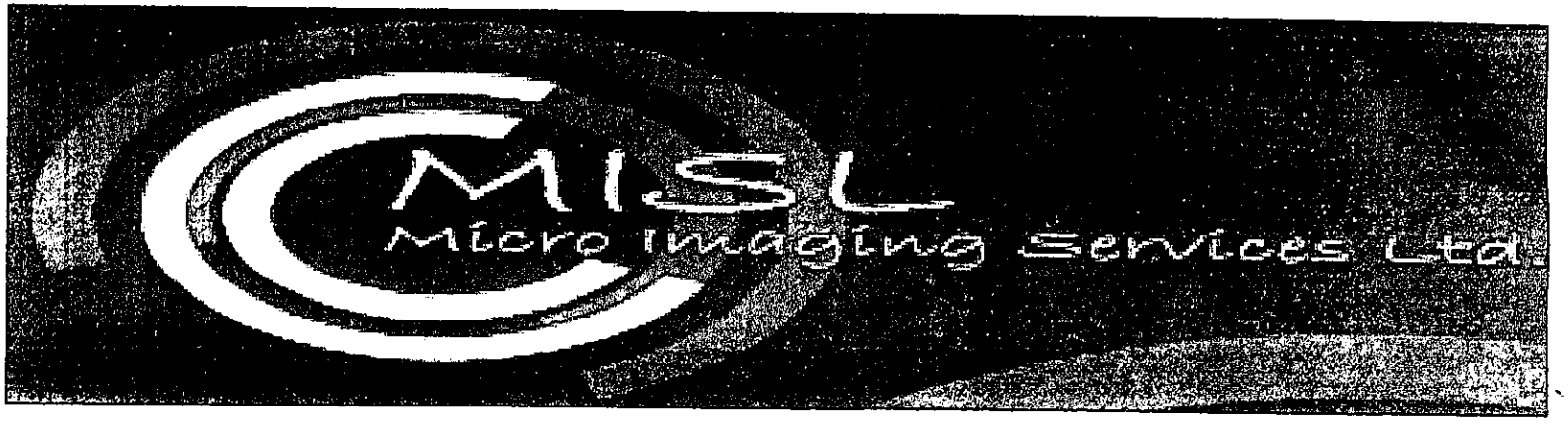
a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

THE FOLLOWING SCANNED IMAGES ARE DOCUMENTS OF BAD QUALITY OR ARE PHOTOCOPIES.



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

d) LANDFORM AND ANY NATURAL FEATURES, INCLUDING LANDSCAPE TREATMENT AND ENVIRONMENTAL WORKS

e) THE LOCAL TOWNSCAPE

f) THE LAYOUT, FORM, SCALE, MASSING, AND MATERIALS OF DEVELOPMENT

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

Implementation: Use of design guidance in the development control process.

Monitoring: Consider quality of development on the ground, including through design awards.

4.10 Not all of the plan area is of the same visual quality. Some parts of it could benefit from environmental improvement, and in some circumstances, this may be achievable through redevelopment opportunities.

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

IN AREAS WHERE THE EXISTING ENVIRONMENT DOES NOT EXHIBIT ESPECIALLY PRONOUNCED OR HISTORIC ARCHITECTURAL STYLES, ANY PROPOSALS FOR INFILL DEVELOPMENT SHOULD BE USED AS AN OPPORTUNITY TO CREATE ADDED VISUAL INTEREST AND RAISE THE AREA'S ARCHITECTURAL QUALITY.

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

4.11 Because of their extent, large developments are likely to have a greater impact on the environment than smaller scale ones. It is therefore particularly important to ensure a high quality of development within such proposals. Large development areas are probably best considered in terms of a series or pattern of smaller areas, each with its own layout and form of development, and hence its own distinctive character. This should lead to the avoidance of extensive areas of characterless development that bear no relationship to features on the ground.

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

ANY PROPOSALS FOR LARGE SCALE DEVELOPMENT SHOULD PROVIDE A CLEAR AND COHERENT LAYOUT THAT CREATES AREAS OF IDENTIFIABLE CHARACTER WITHIN THE DEVELOPMENT. WHERE DEVELOPMENT IS TO BE CARRIED OUT IN PHASES, THE COUNCIL WILL REQUIRE THE SUBMISSION OF A INDICATIVE LAYOUT FOR THE ENTIRE SITE PRIOR TO THE APPROVAL OF ANY

Cont.

Introducing Flexibility and Vitality - Provision of Mixed Use Premises

7.50 Craft enterprises and one man businesses often operate from small workshops. Some of these activities have caused complaint when operated in adapted outbuildings attached to existing dwellings in residential estates, especially if power tools are used or the enterprise attracts deliveries or calls from customers. Many of these difficulties can be overcome if places of work are insulated against noise transfer, and road layout and parking provision are suitable for the purpose. Consideration should therefore be given to the provision of new mixed use premises and areas. These would be dwellings with appropriately designed access, highway infrastructure and purpose built workshops. Workshops could be attached to the houses or within their grounds. Use of these premises would be controlled by planning conditions designed to protect residential amenity. The issues covered would ~~be~~ *INCLUDE* **(PA 7/21)** those contained in Policy WEM15. Particularly suitable locations would be adjacent to shopping parades or employment areas or as part of major new housing developments. In order to maintain the stock, a condition would be required to prevent separation of the workshops from the dwelling.

POLICY WEM17: MIXED USE PREMISES

IN THE FOLLOWING LOCATIONS:

A) DISCRETE MIXED USE AREAS IDENTIFIED THROUGH A PLANNING BRIEF WITHIN MAJOR NEW HOUSING DEVELOPMENTS

B) WHERE NEW HOUSING IS TO BE DEVELOPED ADJACENT TO EXISTING OR PROPOSED SHOPPING AND EMPLOYMENT AREAS, AND WHERE ACCESS TO WORKSHOPS WOULD NOT BE TAKEN THROUGH PREDOMINANTLY RESIDENTIAL ROADS **(PA 7/22)**

THE COUNCIL WILL CONSIDER THE PROVISION OF NEW DWELLINGS WITH ASSOCIATED WORKSHOPS TO FORM MIXED USE PREMISES. THE BUSINESS USE SHOULD HAVE AN ANCILLARY RELATIONSHIP TO THE DWELLING IN BUILT FORM, FLOORSPACE AND SCALE *AND BE INTEGRATED INTO ITS LOCAL CONTEXT WITHOUT DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS.* **(PA 7/22)**

Implementation: Use of land in public and private ownership, identification in development briefs.

Monitoring: Annual housing and employment monitoring.

ALTERNATIVE USES FOR BUILDINGS AND LAND IN EMPLOYMENT USE

Alternative Uses for Land and Premises with a Commitment for, or in Existing B Class Use

7.51 Berkshire Structure Plan Policy BU3 states that existing permissions for BIDS uses will not automatically be renewed where a site could be beneficially used to achieve other desirable planning objectives. Whilst this may be appropriate where planning permissions have been granted on free-standing sites, it has implications for premises in existing employment areas. To remove employment floorspace in established industrial areas permanently would result in a dilution of their character. It could also either divert employment generating uses to less

well located existing premises or put pressure on greenfield sites in the future. Either outcome would be likely to increase the need to travel. It is proposed to set criteria to protect those sites that are seen of particular importance to the health and diversity of the local economy whilst not opposing the principle of change of use elsewhere. *POLICY WEM18 DOES NOT PRECLUDE THE IMPLEMENTATION OF THE PROVISIONS OF WEM3, WHICH APPLIES TO THE CORE EMPLOYMENT AREA AT GREEN PARK, OR POLICIES WEM14 AND WR10 THAT SEEK TO PROVIDE A LIMITED RANGE OF ANCILLARY FACILITIES THAT COMPLEMENT THE MAIN BUSINESS USE OF NEW AND EXISTING EMPLOYMENT AREAS.* **(PA 7/23)** In line with advice in PPG 6 inappropriate proposals for retail use on land allocated for other purposes will be resisted.

POLICY WEM18: ALTERNATIVE USES FOR LAND AND PREMISES WITH A COMMITMENT FOR, OR IN EXISTING, B1 - B8 USE

THE COUNCIL WILL ACCEPT THE PRINCIPLE OF CHANGE AWAY FROM BUSINESS EMPLOYMENT GENERATING USE (CLASSES B1 - B8) TO MEET RESIDENTIAL OR, COMMUNITY NEEDS EXCEPT:

Cont.

a) IN CORE EMPLOYMENT AREAS *UNLESS DEVELOPMENT IS TO MEET THE PROVISIONS OF PROPOSAL WEM3, OR TO PROVIDE THE SUPPORTING USES IDENTIFIED IN POLICIES WEM14 OR WR10.* **(PA 7/24)**

b) ON THOSE ESTABLISHED EMPLOYMENT SITES WITHIN THE SETTLEMENT BOUNDARIES OF VILLAGES WHICH CAUSE NO ENVIRONMENTAL NUISANCE

c) IN EMPLOYMENT AREAS IDENTIFIED FOR DEVELOPMENT IN POLICY WEM1

d) ON LAND AND BUILDINGS PROPOSED FOR GENERAL INDUSTRIAL (B2) OR WAREHOUSING USE (B8) AND AT HERON INDUSTRIAL ESTATE, SPENCERS WOOD

e) WHERE SMALL UNITS WOULD BE LOST

IN ADDITION THE PRINCIPLE OF CHANGE OF USE OF LAND COMMITTED FOR B1 -B8 USE WILL BE ACCEPTABLE ~~IN~~ *WITHIN* **(PA 7/25)** TOWN CENTRE ~~OR EDGE OF TOWN CENTRE LOCATIONS~~ *BOUNDARIES AS DEFINED ON THE INSET MAPS THAT FORM PART OF THIS PLAN,* **(PA 7/25)** TO MEET RECREATION AND LEISURE DEFICIENCIES UNLESS THE LAND IS IDENTIFIED FOR B1-B8 EMPLOYMENT DEVELOPMENT IN THIS PLAN.

Implementation: Through the development control process.

Monitoring: Annual employment monitoring.

THE RURAL ECONOMY

INTRODUCTION

7.52 As in many other areas where countryside lies close to major urban development, there is no identifiably different workforce in the country as opposed to the town. Within the plan area employment in agriculture and related rural industries has declined over many years. New employment opportunities have become available to those living in rural areas through changes in communication technologies, increased mobility allowing access to the centres of employment in our built up areas and the availability of premises in farm buildings. However, the physical character of town and countryside remain distinct. There are strong pressures for development in the rural areas of the plan area. This has the potential to erode the character of these areas if not controlled.

7.53 The following Policies, WRE1 - WRE6, relate to job creating development in the countryside outside the settlement areas defined in this plan but, with the exception of Policy WRE1 do not apply within the Metropolitan Green Belt. Although the same pressures and trends affect countryside within the Metropolitan Green Belt, development is more strictly controlled on land there. All policies covering that designation appear together in chapter 3, The Metropolitan Green Belt. Relevant Policies are WGB1, WGB4, ~~WGB5~~ **(PA 7/26)** WGB7 and WGB10. The proposals map clarifies where the Metropolitan Green Belt policies apply.

7.54 A diverse and balanced rural economy has benefits for people living in village or countryside. The Rural White Paper and PPG 7 affirm the need to accommodate change while continuing to conserve the countryside. Economic development must be balanced against the maintenance of an undeveloped landscape and in particular the prevention of deterioration in

ORDER TO MEET OBJECTIVES OF PROMOTING SUSTAINABLE TRANSPORT, INCREASING ACCESSIBILITY AND SUPPORTING THE ECONOMY AS PROMOTED THROUGH THE TRANSPORT WHITE PAPER AND THE DRAFT PPG13.

MAJOR DEVELOPMENTS CONSISTING OF JOBS, SHOPPING, LEISURE, SERVICES AND SMALLER SUCH DEVELOPMENTS THAT WOULD OTHERWISE RESULT IN A MATERIAL TRAFFIC IMPACT ARE LIKELY TO REQUIRE GREEN TRAVEL PLANS. AS STATED IN THE STRUCTURE PLAN MAJOR DEVELOPMENTS ARE DEFINED AS THOSE INVOLVING 500 SQUARE METRES OR MORE OF FLOORSPACE. THE GREEN TRAVEL PLANS ARE TO BE MADE BINDING THROUGH EITHER CONDITIONS ATTACHED TO PLANNING PERMISSION OR THROUGH A RELATED PLANNING OBLIGATION.

WOKINGHAM DISTRICT COUNCIL SUPPORTS AND ENCOURAGES EXISTING BUSINESS TO DEVELOP GREEN TRAVEL PLANS IN PARTNERSHIP WITH THE AUTHORITY. THE OBJECTIVE IS TO RAISE EMPLOYERS AWARENESS OF THE POTENTIAL THAT A STRUCTURED GREEN TRAVEL PLAN HAS TO IMPROVE BUSINESS EFFICIENCY AND TO HELP IN AN UNDERSTANDING OF THE CONTRIBUTION THAT CAN BE MADE TO RESOLVING THE AREA'S TRAFFIC PROBLEMS.

THE COUNCIL IS ALSO SEEKING TO PROMOTE GREEN TRAVEL PLANS FOR SCHOOLS AND OTHER EDUCATIONAL ESTABLISHMENTS WITHIN THE DISTRICT. **{T/7}**

POLICY WT3A: GREEN TRAVEL PLANS

IN ORDER TO REDUCE THE USE OF THE PRIVATE CAR AND INCREASE THE USE OF PUBLIC TRANSPORT, CYCLING AND WALKING AS PART OF AN INTEGRATED TRANSPORT STRATEGY REFERRED TO IN STRUCTURE PLAN POLICY T1 AND TO ACHIEVE THE MODAL SHIFT GOALS, PRIOR TO CONSENT BEING GRANTED ON MAJOR DEVELOPMENTS AND DEVELOPMENTS THAT WOULD OTHERWISE RESULT IN A MATERIAL TRAFFIC IMPACT, THE DEVELOPER WILL NORMALLY BE REQUIRED TO PREPARE A GREEN TRAVEL PLAN.

Implementation: Through the Development Control process and the Five year Local Transport Plan.

Monitoring: Through the Local Transport Plan process. **{T/7}**

Environment

10.27a THE DISTRICT COUNCIL IS WORKING TOWARDS ITS LOCAL AIR QUALITY MANAGEMENT RESPONSIBILITIES IN ACCORDANCE WITH THE ENVIRONMENT ACT 1995. THROUGH THIS PROCESS IT HAS BEEN FOUND THAT TRAFFIC IS THE MAIN CONTRIBUTOR TO AIR QUALITY PROBLEMS IN THE DISTRICT. TRAFFIC POLLUTION REDUCTION MEASURES WILL BE REQUIRED TO MEET THE STANDARDS IN SOME AREAS OF THE DISTRICT. **{T/8}**

10.27 A key issue is how the demand for mobility can be accommodated in a safe manner without harm to the environment in all its aspects. There is widespread concern about the environmentally unacceptable consequences of increasingly heavy flows of traffic on roads through residential and other environmentally sensitive areas. In particular, during public consultation, the issue of the routeing of heavy goods vehicles was raised on many occasions. This is a universal concern from town centres to rural lanes.

10.27 There are many areas suffering from the adverse effects of traffic. These include the centres of Wokingham and Twyford.

POLICY WT4: ENVIRONMENTAL ASPECTS OF TRAFFIC

THE COUNCIL WILL IDENTIFY AND PROMOTE THE AMELIORATION OF ENVIRONMENTAL PROBLEMS ASSOCIATED WITH THE MOVEMENT OF TRAFFIC, PARTICULARLY HEAVY GOODS VEHICLES, THROUGH RESIDENTIAL AREAS, CONSERVATION AREAS, AND OTHER ENVIRONMENTALLY SENSITIVE AREAS BY TRAFFIC MANAGEMENT MEASURES AND ASSOCIATED ENVIRONMENTAL IMPROVEMENTS. NOISE ATTENUATION MEASURES WILL BE IMPLEMENTED WHERE NECESSARY TO IMPROVE THE CONDITIONS IN EXISTING DEVELOPMENT.

DEVELOPMENT WILL NOT BE PERMITTED WHERE THE PROPOSAL WOULD GENERATE TRAFFIC OF A TYPE OR QUANTITY DETRIMENTAL TO THE CHARACTER OF THE RURAL ROADS IN THE LOCALITY.

Implementation: Through the annual capital programme of traffic management and environmental improvement, *THE FIVE YEAR LOCAL TRANSPORT PLAN PROGRAMME* {T/9} and through development control.

Monitoring: Through 'state of the environment' surveys *AND THE LOCAL TRANSPORT PLAN.* {T/9}

10.29 Among the environmental problems covered by this policy will be:

a) pollution in all forms including noise and air
b) the problems caused by through traffic passing through principal shopping areas
c) severance of pedestrian movement and communities by traffic
d) nuisances which prevent the street being a pleasant place to meet, walk etc.
e) the lack of space available within the street reserved for the pedestrian
f) the visual intrusion of vehicles and their impact on the setting of buildings
g) the physical impact of highway improvements on the visual environment, and
h) the routeing of lorries onto appropriate routes by signing, and where necessary, the imposition of restrictions.

Transport and Town Centres

10.30 Good access is a vital ingredient in maintaining and enhancing the vitality and viability of town centres. There has been much concern that controls on car parking in order to secure restraint on the use of the car, could adversely affect the viability and vitality of town centres. Other policies and proposals in this plan to maintain and enhance the vitality and viability of existing shopping centres are unlikely to be successful unless there is good access by the private car. In an area with high car ownership good access for many is likely to be considered to be easy access by car both in terms of a congestion free journey and an available parking space at a minimal charge at the end of the journey.

10.31 The key to modal shift and reducing the use of the car is to ensure that alternatives to the car exist. Generally good access by public transport is seen as encouraging its use. Giving it better access to centres than the private car can make it more attractive than it otherwise would be. Therefore buses will, subject to other considerations, particularly pedestrian safety, be allowed access to areas where other traffic is banned or restricted including areas otherwise limited to pedestrians.

Tel. (0118) 974 6448 (Direct Line)
Date: December 8, 2000
My ref: O/2000/2484
Your ref: APP/X0360/A/00/1053982

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

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Groves

APPEAL BY: F Bond
SITE: 41 Bearwood Rd, Wokingham

With reference to this appeal, I enclose copies of the papers referred to in Mr Leedale's letter (copy attached). I apologise for the omissions.
* I have also sent copies to Mr Leedale, the appellant's agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

* Sent with compliments Slip 8/12/00.

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

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08 DEC 2000
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The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
Bristol, BS2 9DJ.

7th December 2000
Our Ref: BWR/00/151

0117 987 8443 (1 page)

Dear Sirs,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR. F BOND
LAND R/O 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE RG41 4SX
APP/X0360/A/00/1053982

I am grateful to the local authority for dispatching the questionnaire. Regrettably policies WCC1 and WEM18 are incomplete. Pages 20 and 115 of the emerging Local Plan (Consolidated Document) refer. It is important that the appointed Inspector has these.

In addition, there is a letter of support from the occupiers of no. 27 Bearwood Road. Regrettably the photocopy has missed part of the first page. It would be helpful if a fresh copy was forwarded to the Inspectorate.

Yours faithfully,

Mark Leedale

Cc Wokingham District Council (Appeals Clerk) **0118 974 6484**

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

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06 DEC 2000	
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The Planning Inspectorate,
Appeals Registry,
Tollgate House,
Houlton Street,
Bristol, BS2 9DJ.

6th December 2000
Our Ref: BWR/00/151

0117 987 8443 (1 page)

01/2000/2484

Dear Sirs,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR. F BOND
LAND R/O 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE RG41 4SX
APP/X0360/A/00/1053982

I note that the Council have failed to comply with the timetable in relation to submission of the questionnaire. This is causing the appellants difficulty in writing the statement in accordance with the timetable.

Yours faithfully,

Mark Leedale

Cc Wokingham District Council (Appeals Clerk) **0118 974 6484**

Reply faxed - see attached.

Tel. (0118) 974 6448 (Direct Line)
Date: December 6, 2000
My ref: O/2000/2484
Your ref: APP/X0360/A/00/1053982

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

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Groves

APPEAL BY: Mr F Bond
SITE: Land rear of 41 Bearwood Rd, Barkham

With reference to this appeal, I wish to refute the claim of Gregory Gray Associates that the Council is late in submitting the questionnaire.

The start date of the appeal is 23 November, which makes the deadline for the questionnaire 7 December. I can confirm that copies have been sent to you & Gregory Gray Associates, by first class mail, today.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant
cc Gregory Gray Associates

FAX COVER SHEET

TO: Mark Heedale

FROM: Denise Gumbrell

DESTINATION FAX No: 01252 684160

DATE: 6/12/00

TIME: 1pm

SUBJECT: BWR/00/151 (Your Ref)

TOTAL NUMBER OF PAGES (Inc. this cover sheet): 2

Environmental Services Department, P.O Box 157, Civic Offices, Shute End,
Wokingham, Berkshire RG40 1WR. Tel (0118) 9746428. Fax (0118) 9746484.

FAX COVER SHEET

TO: Miss A Groves

FROM: Den Gumbrell.

DESTINATION FAX No: 0117 987 8443

DATE: 6/12/00

TIME: 1pm

SUBJECT: APP/X0360/A/00/1053982.

TOTAL NUMBER OF PAGES (Inc. this cover sheet): 2.

Environmental Services Department, P.O Box 157, Civic Offices, Shute End,
Wokingham, Berkshire RG40 1WR. Tel (0118) 9746428. Fax (0118) 9746484.

* * * COMMUNICATION RESULT REPORT (6.DEC.2000 14:02) * * *

TTI WDC PLAN&TRANSPORT

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406	MEMORY TX		901179878443	OK	P. 2/2

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-2) BUSY
E-3) NO ANSWER
E-4) NO FACSIMILE CONNECTION

* * * COMMUNICATION RESULT REPORT (6.DEC.2000 14:03) * * *

TTI WDC PLAN&TRANSPORT

FILE	MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
407	MEMORY TX		901252684160	OK	P. 2/2

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-2) BUSY
E-3) NO ANSWER
E-4) NO FACSIMILE CONNECTION

SUGGESTED CONDITIONS FOR 41, BEARWOOD ROAD (0/2000/2484) IN THE EVENT OF THE APPEAL BEING ALLOWED.

In the event of the appeal being allowed the following conditions are suggested:

1. C002 (R002)
   (a) INS: SITING & DESIGN ....

2. C012 (R012)

~~3. C017 (R017)~~

3 C040 (R040)

4. C050 (R050)

5. C070 (R070)

6. C100 (R100)

7. C129 (R129)

8. C130 (R130)

9. C150 (R150)

10. C151 (R151)

11. C153 (R153)

Our ref: SP\2000\002559
Your ref: O/2000/2484

Date: 26th October 2000

ENVIRONMENT AGENCY

PLANNING SERVICES	HPT 55913
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District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
Po Box 157
Wokingham
Berkshire
RG11 1BN

Attention: Elaine Connor

Dear Madam

PROPOSED ERECTION OF 2 DWELLINGS AT LAND REAR OF 41 BEARWOOD ROAD, WOKINGHAM

Thank you for your letter dated 18th October 2000 which was received on 20th October 2000. You are asked to quote the following reference in any correspondence: SU76NE/14/1. The Environment Agency has no objection, in principle, to the proposed development provided that the following conditions are imposed on any planning permission granted:

PLANNING CONDITIONS

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

CONDITION: No soakaways shall be constructed in contaminated ground.
REASON: To prevent pollution of groundwater.

13. **CONDITION**: Surface water source control measures shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To prevent the increased risk of flooding and to improve water quality.

PLANNING INFORMATIVES

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

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from

Cont/d..

No contamination check

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

buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld.
Contact Andrea Szabados on 01276 454 373 for further details.

ADVICE TO PLANNING AUTHORITY

DEVELOPMENT CONTROL: CONTACT AMANDA REED ON 01276 454 331

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

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

ADVICE TO APPLICANT

GROUNDWATER PROTECTION : CONTACT ANDREA SZABADOS ON 01276 454373

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

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

DECISION NOTICE

Would you please forward a copy of the decision notice to this office quoting our reference. A copy of this letter has been sent to the agent. If you have any further queries please do not hesitate to contact me on 01276 454 323, quoting the reference cited at the beginning of this letter.
Yours faithfully

Sarah Sheaham

pp **Sarah Paxman**
Development Planning Officer

Cc. Gregory Gray Associates, Chartered Town Planning Consultants, 17 Dinorben Close, Fleet, Hants, GU13 9SL

1. The Development Plan which applies to the area in which the appeal site is located comprises: Berkshire Structure Plan and the Loddon Area Local Plan. The Deposit Draft Wokingham District Local Plan will replace the adopted Loddon Area Local Plan.

Berkshire Structure Plan

2. The BSP (1991-2006) was adopted on 4th November 1995 and is the statutory Structure Plan for the area.
   The relevant policies to be considered are:
   C2: Development outside the settlement boundary
   C8: Designation of and development within Areas of Special Landscape Importance

Loddon Area Local Plan

3. The Loddon Area Local Plan was adopted on 5th May 1995 and is the statutory local plan for the area in which the site is situated. The Planning and Transportation Committee at their meeting on 21st November 1996 resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted local plans and to note that they will continue to carry weight as the most up to date adopted policies, except in relation to housing provision".
   The relevant policies to be considered are:
   LTV2: Limiting the spread of development in rural areas
   LC3: Area of Special Landscape Importance

Draft Wokingham District Local Plan

4. 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 the plan commenced on 6th October 1998. The Inspector's report on the local plan inquiry is not expected until Summer 2001 (with the exception of policy WSM1).
   WOS1: Sustainable Development
   WOS2: General Development Principles
   WOS3: Development Control Principles
   WOS5: Environmental Improvements
   WCC1: Development in the Countryside

WLL2: Areas of Special Landscape Importance

WBE1: Development in its local context

WEM18: Alternative Uses for Land & Premises with a commitment for, or in Existing, B1-B8 use

WT4: Environmental Aspects of Traffic

1. The Development Plan which applies to the area in which the appeal site is located comprises: Berkshire Structure Plan and the Loddon Area Local Plan. The Deposit Draft Wokingham District Local Plan will replace the adopted Loddon Area Local Plan.

Berkshire Structure Plan

2. The BSP (1991-2006) was adopted on 4th November 1995 and is the statutory Structure Plan for the area.
The relevant policies to be considered are:
C2: Development outside the settlement boundary
C8: Designation of and development within Areas of Special Landscape Importance

Loddon Area Local Plan

3. The Loddon Area Local Plan was adopted on 5th May 1995 and is the statutory local plan for the area in which the site is situated. The Planning and Transportation Committee at their meeting on 21st November 1996 resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted local plans and to note that they will continue to carry weight as the most up to date adopted policies, except in relation to housing provision".
The relevant policies to be considered are:
LTV2: Limiting the spread of development in rural areas
LC3: Area of Special Landscape Importance

Draft Wokingham District Local Plan

4. 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 the plan commenced on 6th October 1998. The Inspector's report on the local plan inquiry is not expected until Summer 2001 (with the exception of policy WSM1).
WOS1: Sustainable Development
WOS2: General Development Principles
WOS3: Development Control Principles
WOS5: Environmental Improvements
WCC1: Development in the Countryside
WLL2: Areas of Special Landscape Importance
WBE1: Development in its local context
WEM18: Alternative Uses for Land & Premises with a commitment for, or in Existing, B1-B8 use
WT4: Environmental Aspects of Traffic

HIGHWAYS CONSULTATION SHEET

From: Elaine Connor **Date:** 18 October 2000

Application Number: O/2000/2484

Proposal: Outline application for the proposed erection of two dwellings.

Parish: BARKHAM PARISH

Site Address:
Land Rear Of 41, Bearwood Road, , Wokingham.

Applicant:
F Bond Esq C/O Gregory Gray 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).

Comments as application 99/66838/F.

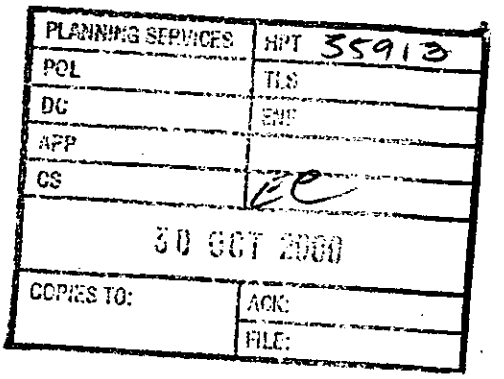
Signed: _____ **Print name:** Adam Coggins.

23/10/00.

Our ref: SP\2000\002559
Your ref: O/2000/2484

Date: 26th October 2000

ENVIRONMENT AGENCY



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

Attention: Elaine Connor

Dear Madam

PROPOSED ERECTION OF 2 DWELLINGS AT LAND REAR OF 41 BEARWOOD ROAD, WOKINGHAM

Thank you for your letter dated 18th October 2000 which was received on 20th October 2000. You are asked to quote the following reference in any correspondence: SU76NE/14/1. The Environment Agency has no objection, in principle, to the proposed development provided that the following conditions are imposed on any planning permission granted:

PLANNING CONDITIONS

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

CONDITION: No soakaways shall be constructed in contaminated ground.
REASON: To prevent pollution of groundwater.

CONDITION: Surface water source control measures shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before development commences.
REASON: To prevent the increased risk of flooding and to improve water quality.

PLANNING INFORMATIVES

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

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from

Cont/d..

No contamination shown

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

Policy and Plans Consultation

Location: Land Rear of 41, Bearwood Road, Wokingham.

Proposal: Outline Application for Proposed Erection of Two Dwellings.

Application Number: O/2000/2484

Applicant: F Bond Esq c/o Gregory Gray Associates.

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

Policy WOS1: Sustainable Development
Policy WOS2: General Development Principles
Policy WOS3: Development Control Principles
Policy WOS5: Environmental Improvements
Policy WCC1: Development in the Countryside
Policy WLL2: Areas of Special Landscape Importance
Policy WBE1: Development in its Local Context
Policy WEM18: Alternative Uses for Land & Premises with a Commitment for, or in Existing, B1 – B8 Use
Policy WT4: Environmental Aspects of Traffic

The proposal would conflict with Policy WOS2 and WLL2 as the site lies outside the 'identified settlement' of Barkham Hill, and within the countryside and an Area of Special Landscape Importance.

The proposal is supported by Policy WOS1, WOS5 and WCC1 (f) which encourage development on brownfield sites in preference to greenfield, and Policy WEM18 which permits the change of use of business employment generating use (classes B1 – B8) to residential. However, these do not outweigh the general presumption against development in the countryside.

The proposal would also conflict with Policy WCC1, WOS3, WBE1 and WT4. This is because the site is not in a sustainable location, and it would have an adverse effect on the countryside and wooded character/appearance of the area, particularly to the Area of Special Landscape Importance and to the setting of the settlement, and intrude into the countryside. In addition, the development has poor access, and would generate additional vehicle turning movements and could affect the flow of traffic along Bearwood Road.

Recommend – **REFUSAL.**

Andrew Astin, Policy & Plans

buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld.
Contact Andrea Szabados on 01276 454 373 for further details.

ADVICE TO PLANNING AUTHORITY

DEVELOPMENT CONTROL: CONTACT AMANDA REED ON 01276 454 331

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

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

ADVICE TO APPLICANT

GROUNDWATER PROTECTION : CONTACT ANDREA SZABADOS ON 01276 454373

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

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

DECISION NOTICE

Would you please forward a copy of the decision notice to this office quoting our reference. A copy of this letter has been sent to the agent. If you have any further queries please do not hesitate to contact me on 01276 454 323, quoting the reference cited at the beginning of this letter.
Yours faithfully

Sarah Sheahan

pp **Sarah Paxman**
Development Planning Officer

Cc. Gregory Gray Associates, Chartered Town Planning Consultants, 17 Dinorben Close, Fleet, Hants, GU13 9SL



PLANNING SERVICES	
POL	TLS
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CS 6155	
13 NOV 2000	
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	FILE:

The Manor House
Barkham Manor
Wokingham
Berkshire
RG41 4DQ

(0118) 9783042

Environmental Services Dept.
Planning Services
PO Box 157
Shute End, Wokingham
Berks RG40 1WR

08/11/00

Dear Sir

Application Number: 0/2000/2484

Site Address: Land Rear Of 41 Bearwood Road, Wokingham

Proposal: Outline application for the proposed erection of two dwellings

Reference is made to the above Planning Application regarding the proposal to erect 2 houses on land at the rear of 41 Bearwood Road, Wokingham

May I confirm my complete opposition to its acceptance on the following points: -

1. It represents further erosion of the green belt stretching from Bearwood college grounds to the Barkham Road. It is an area designated, as being of Special Landscape Importance and a large part of it is a Wild Life Heritage designation.

2. Several footpaths and bridle paths criss cross the adjoining area and are enjoyed by many ramblers. More building represents an intrusion into the enjoyment of these leisure activities.

3. My understanding is that this particular address has already been given, mistakenly in my estimation, permission to build a lorry storage and maintenance workshop on the site. This was several years ago and has very recently been the subject of a renewal application. This present plan seems to indicate an intention to develop the land no matter what.

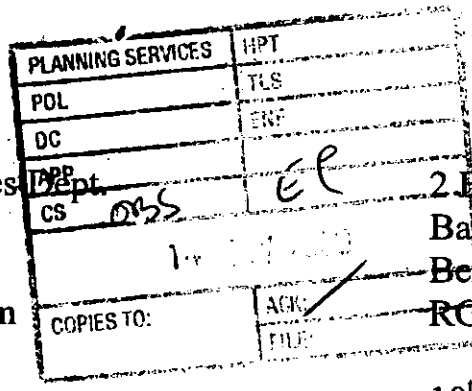
4. Over recent years Bearwood Road has become heavily congested with traffic at peak times and the restrictions on turning right or left into Barkham Road are well documented. Car queues build up well past no. 41 for those travelling south. Cars travelling north come around a blind corner which finishes close to the no. 41 entrance, at excessive speeds. It cannot be right to agree to let even more vehicles enter Bearwood Rd at such a dangerous point.

Please take my comments into account when coming to your decision

Yours faithfully



J Shepherd



Environmental Services Dept.
Planning Services
PO Box 157
Shute End, Wokingham
Berks RG40 1WR

2 Barkham Manor
Barkham
Berkshire
RG41 4 DQ

10th November 2000

Dear Sir

Application Number: 0/2000/2484

Site Address: Land Rear Of 41 Bearwood Road, Wokingham

Proposal: Outline application for the proposed erection of two dwellings

I write to confirm my objection to the above Planning Application to erect 2 houses on land at the rear of 41 Bearwood Road, Wokingham

My main objection is that approval would result in further erosion of the green belt stretching from Bearwood college grounds to the Barkham Road. This is an area designated, as being of Special Landscape Importance and a large part of it is a Wild Life Heritage designation.

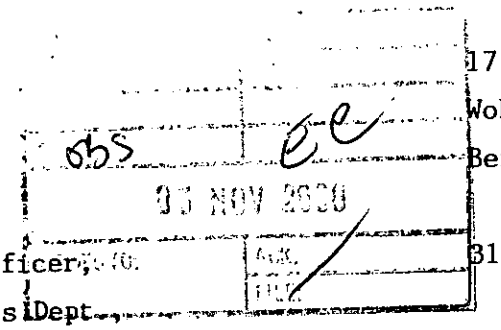
There are several footpaths and bridlepaths adjoining the area which are enjoyed by many ramblers. More buildings would represent an intrusion into the enjoyment of these leisure activities.

Finally, approval for this application would almost certainly open the floodgates for similar applications.

Yours faithfully,

M P Harrison

17,Copse Drive,
Wokingham,
Berks. RG41 1NA



31 October,2000

The Chief Planning Officer,
Environmental Services Dept.,
Wokingham District Council,
Council Offices,
Shute End,
Wokingham.

Dear Sir,

APPLICATION NO.O/2000/2484 - PROPOSED ERECTION OF TWO DWELLINGS ON LAND TO REAR OF 41,BEARWOOD ROAD,WOKINGHAM.

The land involved in this application is classified as Separation of Settlements in the Loddon Area Local Plan(LALP) and as an Area of Special Landscape Importance in the draft Wokingham District Plan(1997).The proposed development would be contrary to Policy LC1 of the LALP and to Policies WLL2 and 3 of the draft Wokingham District Plan(1997).

Wokingham District CPRE therefore ask the District Council to refuse this application.

Yours faithfully,

Dr.S.P.Wilford(Chairman,Wokingham District CPRE)

Richard Noble
17 Bearwood Road
Barkham
Berkshire
RG41 4TB

SPS

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	✓
07 NOV 2000	
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	FILE:

5th November 2000

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

Dear Sir / Madam

Planning Application O/2000/2484

Land Rear of 41 Bearwood Road

It is my opinion that this proposed development is most undesirable.

A view of the plans show that these two dwellings could easily become a development foothold and used for future infill claims.

I understand that the land behind the row of houses on the western side of Bearwood Road is an Area of Special Landscape importance. Any development across the fields or in the line of sight of the fields would damage a rare area of beautiful countryside.

I can see no need for these houses. I can however see a reason not to build them.

Yours faithfully

R Noble

Richard Noble

Barkham Parish Council

Small Oaks
Boles Lane
Wokingham
Berkshire
RG41 4EB

Telephone / Fax 0118 977 2857
E-mail judith@neuhofer.freeserve.co.uk

PLANNING SERVICES | HPT EC.
DC | ENT
APP | 36100
CS
03 NOV 2000
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FILE:

Mrs. B. Polnik
Planning Department
Wokingham District Council

Date 27th. October 2000

Dear Mrs. Polnik,

Application Number O/2000/2484
Land Rear of 41 Bearwood Road

I have been asked to write to you on behalf of Barkham Parish Council concerning the above numbered application. The Council is concerned that if this particular application is granted it will set a precedent. We feel it is likely then that adjoining properties will put in similar planning applications, that would be difficult to decline, greatly increasing the housing density in this predominately rural setting.

It should also be taken into consideration that this property is abutting "The Coombes", which is designated as an "Area of Special Landscape Importance" and therefore it would seem that this application is inappropriate. Great care must be taken not to spoil this area of natural beauty, since its recreational value is at a premium in the Wokingham area.

I trust these points will be taken into account and our recommendation is to refuse this application.

Yours sincerely,

J. P. Neuhofer

Judith Neuhofer
Clerk to Barkham Parish Council

43. Bearwood Road.
Wokingham.
Oct 23rd. 2000.

PLANNING SERVICES	HPT
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24 OCT 2000	
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	FILE:

REF:- APP. No. 0/2000/2484
Land rear of 41 Bearwood Rd, Wokingham.
Erection of two dwellings.

As owners of property (No 43) adjacent to No. 41 Bearwood Rd, we have no objection to the erection of two dwellings at the rear of No. 41. This plan is preferable to the erection of a warehouse for commercial use with attendant heavy lorry traffic.

We feel that Barkham does not need any more commercial sites. The traffic problems on Bearwood Rd. should be considered.

B. M. Small.

TO: **DEVELOPMENT CONTROL**
Elaine Connor

FROM: Environmental Design

DATE: 31 October 2000

Location:	Land rear of 41 Bearwood Road, Barkham, Wokingham
Proposal:	Outline application for the proposed erection of two dwellings.
Application Number:	O/2000/2484

In response to your consultation dated 18 October 2000 for the above application, the landscape comments are as follows:

The site is outside the settlement boundary and within an ASLI, therefore development on this site is contrary to the policies within the local plan.

Hayes Lane runs on higher ground to the north of the site, allowing open views of the haulage yard through the vegetation from parts of lane. Any housing development within this site will have a detrimental impact on the surrounding landscape, it will also not relate in any way to the existing settlement boundary or existing properties along Barkham Road. Therefore I consider the proposed development of dwellings to be unacceptable in this location for the above reasons.

Catherine Brimble

Catherine Brimble
Landscape Architect

The Planning Inspectorate

For official use only Date received

QUESTIONNAIRE

To be used for all appeals made on or after August 2000

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/00/1053982 **GRID REF:** _____

APPEAL BY: F. Bond

SITE: Land near of 41 Beamwood Rd. Barkham.

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks of the 'starting date' given in our letter. Please send our copy to the case officer. Their address is shown on our letter.

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

NB: PLEASE TELL US OF ANY CHANGES TO THE INFORMATION YOU HAVE GIVEN ON THIS FORM.

1. Do you agree to the written representations procedure?	~~YES~~ / NO
OR Do the you wish to be heard by an Inspector at: a. a local inquiry?	NO ~~YES~~ / ~~NO~~
or b. a hearing?	YES / ~~NO~~
2. a. If the written procedure is agreed, could the Inspector see the whole site clearly from a road or other public land?	YES / NO
b. From your knowledge of the issues, would our Inspector need to enter the site for any reason e.g. to view/measure any dimensions from within it?	YES / ~~NO~~
3. Does the appeal relate to an application for approval of reserved matters?	~~YES~~ / NO
4. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	~~YES / NO~~ / NA
5. Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	~~YES~~ / NO

6. Is the appeal site within an approved Green Belt or AONB? 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? 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.)	YES / NO
12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	YES / NO
13.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	YES / NO
b. If YES, was English Heritage consulted ? Please attach a copy of any comments	YES / NO
14.a. Is the appeal site in or adjacent to or likely to affect an SSSI? If YES, please attach the comments of English Nature.	YES / NO
b. Are any protected species likely to be affected by the proposals? If YES, please give details.	YES / NO

15.	Copies of the following documents must, if appropriate, be enclosed with this questionnaire:	
a	Is the development in Schedule 1 or column one of Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales)	~~YES~~ / NO
	Regulations 1999? If YES, please indicate which Schedule.	Sch 1 Sch 2 col 1
b.	Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	~~YES~~ / NO
c.	Has a screening opinion been placed on Part 1of the planning register? If YES, please send a copy to us.	~~YES~~ / NO

		Number of Documents Enclosed	N/A
d.	Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	2	
e.	Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f.	A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas)Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g.	Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h.	Details of any other applications or matters you are currently considering relating to the same site;		✓
i.	For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.*	3	
j.	Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k.	A list of any conditions or limitations you would agree to if the appeal were to be allowed;	✓(1)	
l.	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?	04/01/01	
b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application	9	
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	
a. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction.	YES / NO	

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

Signature: _____ on behalf of WOKINGHAM DISTRICT Council

Date sent to us and the appellant 6/12/00 OUR REF: O/2000/2484

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Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

TOWN & COUNTRY PLANNING ACT 1990 (SECTION 78) APPEAL BY F BOND ESQ IN RESPECTOF THE FAILURE OF WOKINGHAM DISTRICT COUNCIL TO DETERMINE AND APPLICATION FOR THE ERECTION OF 2no. DWELLINGS IN LIEU OF HAULAGE USE & BUILDINGS: AND MOTOR STORAGE & REPAIRS

LAND AT R/O 41 BEARWOOD ROAD, BARKHAM, BERKSHIRE.

GREGORY GRAY ASSOCIATES CHARTERED TOWN PLANNING CONSULTANTS

LPA REF:	**F/2000/2484**
APPEAL REF:	**APP/X0360/00/1053982**
GGA REF:	**BW/00/151**

DECEMBER 2000

CONTENTS

1.0. Introduction.

2.0. Description of the appeal site and surrounds.

3.0. Planning history.

4.0. Planning policy.

5.0. Further detailed representations.

6.0. Summary and conclusions.

DOCUMENTS

1. Decision notices and particulars relating to the appeal site.
2. Extract from plans relating to extant permission for the vehicle storage building.
3. Appeal decision and reduced scale plans relating to the Charles Church Developments proposal.
4. Planning policies.
5. Photographs showing public views to the appeal site.
6. Representation of extant permission showing tree loss.
7. Highway manual extracts showing HGV's.

1.0. INTRODUCTION

1.1. This appeal is made under s78 of the Town and Country Planning Act 1990 (as amended). It is in respect of the failure by Wokingham District Council to determine an outline application for the development of 2no. dwellings in lieu of haulage use and building; and motor vehicle storage and repairs at land to the rear of 41 Bearwood Road, Barkham, Berkshire.

1.2. The application was submitted to the District Council on 19th September with all matters reserved apart from the means of access. An illustrative plan accompanies the application demonstrating the manner in which the dwellings could be accommodate within the site.

1.3. During the course of processing the application various consultation and notification responses were received and these are attached to the appeal questionnaire.

1.4. Reference to them is made in the following sections of this statement., which sets out the appellants Case with reference to:

- The appeal site and surrounds.
- Relevant planning history.
- Planning Policy
- Further detailed representations and comments from third parties.

2.0. DESCRIPTION OF THE APPEAL SITE AND SURROUNDS

2.1. The appeal site comprises an area of 0.29ha. It is of regular configuration measuring 45 metres in width and between 60 and 45 metres in depth. There are mature indigenous trees around the southern and western boundaries of the site whilst that to the north is largely open.

2.2. At the western end of the site is a storage and workshop building. The land around this comprises hardstanding which is used for the parking of HGV's and motor vehicles – cars and light commercial vans. These are in connection with commercial enterprises which have been ongoing at the site since the mid 1970's.

2.3. To the east there are areas of trees and an orchard within the garden of number 41 Bearwood Road. Access to this property and the haulage yard is via a concrete surfaced track running close to the northern boundary. It is proposed to re-align this as part of the development proposal which will necessitate the reconstruction of a number of curtilage buildings.

2.4. In terms of topography the appeal site slopes to the west with a fall of about 2.5 metres. Immediately on its eastern boundary there is a sharp rise in the land which continues to the dwelling (41) and the difference in levels here is about 4.5 meters. As such the total fall from the dwelling (retaining wall of the patio) to the western boundary of the appeal site is about 7 metres.

2.5. In its wider context there is linear frontage development along Bearwood Road. Beyond this to the east there is more recent estate housing. To the west of the appeal site there is open countryside of an undulating nature which is mainly in equitation use. Within this area there are also sporadic houses along Coombes Lane, Hayes Lane and Barkham Road. These run at 90 degrees to Bearwood Road.

3.0. PLANNING HISTORY

3.1. There have been four applications relating wholly to the appeal site.

Council Reference	Description of Development	Decision
38807(F)	Site for parking of lorries	Granted 2.3.1992
38808(F)	Change of use to workshop and associated storage and parking.	Granted 2.3.1992
43969(F)	Erection of building for parking of four commercial vehicles with ancillary storage and maintenance of CRB vehicles	Granted 17.7.1995
F/2000/0549	Proposed erection of building for parking, storage and maintenance of vehicles (Renewal of consent 43969)	Granted 27.7.2000

EAST
WEST.

3.2. The effect of planning permissions granted in 1992 is that the appeal site has the benefit of dual use for the storage, parking and maintenance of vehicles (S and N Autos) and for the parking of three lorries CRB Haulage). These uses are on going and the vehicle storage use generally accommodates between 30 and 40 cars and vans.

3.3. The 1995 permission and its renewal in July 2000 are subject to a s106 Agreement to the effect of revoking 38808(F). The permission is also limited to four lorries of no more than 38 tonnes and hours of operation between 7am and 6pm on weekdays and 7am to 1pm on Saturdays.

3.4. Copies of the decision notices, the s106 Agreement and relevant plans are attached at Document 1. Document 2 contains a copy of the approved plan relating to the extant permission for a vehicle storage building. Reference to this is set out in the following sections.

3.5. There have also been applications for residential development on other land within the appellant's ownership. In October 1998 an appeal by Charles Church Developments Ltd., for three dwellings on land east of the appeal site was dismissed. The key matters emanating from the appeal decision are:

- Under development plan policy C2 (Structure Plan) and emerging local plan policy WCC1 the principle of re-development in the countryside is accepted subject to location and design considerations.
- Under Policy WLL2 (Area of special landscape importance) built development will not be accepted where it has a detrimental impact on special landscape qualities.
- There are four distinctive areas of the site:
  - (1) The haulage yard;
  - (2) An area of car storage and buildings close to the existing dwelling;
  - (3) A paddock and orchard;
  - (4) A paddock and orchard on the higher land (the proposed housing site).
- Large two storey houses of the size/scale proposed "in that part of the site" would be obtrusive from the public footpath and harmful to the area of special landscape importance (paragraph 9).
- The unattractive workshop building (as exists) and the storage of vehicles about it has "an undeniably brownfield character" (Paragraph 9).
- The width of the access road is acceptable.
- A 2 metre "X" distance is acceptable from the minor road (access road).
- The site lines at the junction are unacceptable due to obstructing vegetation.

3.6. In conceiving the appellants proposal we have regard to the Inspectors decision. The key material differences may be summarised as:

- The proposal is for two dwellings rather than three.
- It is possible to design these of a very much lesser scale than the standard house types produced by Charles Church Developments Ltd.

- The siting is at a lower part of the land which wholly relates to the haulage yard. This is of brownfield character where PPG3 encourages reuse for housing development purposes. In fact there is a 7.34 metre fall from the garden of number 41 Bearwood Road to the western most part of the appeal site. No reference was made to this in the previous appeal submissions although the Inspector clearly picked up on the point and the obtrusiveness of large houses on the higher land.
- The proposal must be set against the impact of the extant planning permission. This is shown on the drawing and it should be noted that due to its siting, mature trees along the western boundary would be lost.
- Visibility at the access with Bearwood Road has been considerable improved by removal of mature trees and vegetation. This must be set against the vehicular movements associated with the HGV's and the 30-40 vehicles associated with usual S and N Autos use.

3.7. Reference to these matters is set out in the following sections and the Charles Church appeal decision along with copies of submitted pans are contained at document 3.

4.0. PLANNING POLICY

4.1. The aspects of central government policy and guidance which are pertinent to determination of this appeal may be found within PPG1 (February 1997), PPG3 (March 2000) and PPG7 (February 1997)

4.2. At paragraphs 28 – 31 of PPG 1 the matter of development in rural areas is set out. It is said that rural areas can accommodate sensitively designed development and where development is proposed on land adjoining urban areas, environmental improvements should be sought. Paragraph 39 onwards sets out the primacy of the Development Plan.

4.3. In considering this guidance section 5.0 below details the visual and amenity impact of existing land use as set against the appeal proposal. In so doing the appellants case sets out the relevant policies which allow for the principle of redevelopment: and, the other material considerations which point to the visual and amenity benefits of the proposal in lieu of existing uses and buildings, including the extant permission.

4.4. Revised PPG3 defines "previously developed land" (Annex C) and emphasises the policy of reusing this land for housing development purposes (paragraph 22 – 23). Whilst the guidance also refers to development outside of urban areas and in villages this is more appropriately applied at a strategic level rather than the consideration of two dwellings in lieu of existing commercial land use.

4.5. As set out in the previous appeal decision – which pre dates revised PPG3 – the appeal site is of brownfield character. Furthermore, the extant permission for the vehicle storage building emphasises this character and its impact is discussed at section 5.0. Importantly there is government policy which relates to redevelopment of the appeal site for housing purposes.

4.6. PPG7 emphasises the need to protect rural areas from development so ensuring the maintenance and enhancement of its environment. Within areas of special landscape character such policies will be afforded additional weight.

4.7. In broad terms the appellants case in regard to this guidance and rural policies, is that the proposal is less harmful to visual amenity and the open countryside than the existing land use, buildings and extant permission.

4.8. Moving to local policy, there are a number of relevant development plan policies in the consideration of this appeal. They are:

- Approved Berkshire Structure Plan (1995) Policies C2 & C8.
- Adopted Loddon Area Local Plan (1995) Policies LTV2 & LC3.

4.9. In addition emerging Local Plan Policies WCC1 & WLL2 mirror these development plan policies. The local authority also refer to emerging local plan policies WOS1, 2, 3 and 5, WBE1, WEM18 and WT4 in the appeal questionnaire. Copies of all policies are attached as Document 4.

4.10. Berkshire Structure Plan Policy C2 (ii) and emerging Local Plan Policy WCC1(F) allow for the principle of redevelopment within rural areas. This aside they have the broad objective, along with adopted Local Plan policy LTV2 of limiting the spread of development in rural areas.

4.11. Whilst acknowledging the principle of redevelopment in the countryside, this is subject to it being of appropriate scale, form and character having regard to other restrictive policies – such as special landscape designation.

4.12. The appeal site lies within an area designated as being of Special Landscape Importance (ASLI). Development Plan Policies LC3 and C8 require that development which is harmful to the character of these areas should not be allowed; and their special character should be protected.

4.13. Emerging Local Plan Policy WLL2 mirrors Policy LC3. There is an additional arm to this policy stating that development which results in the removal of, inter alia, woodland and hedgerows will not be allowed.

4.14. In considering the application of rural area and ASLI policies to the appeal scheme, it is clear that development outlined at section 3.0. would not normally have been granted. As such it is appropriate to consider the relative impact of that development – both on going and with the benefit of an extant planning permission – as set against the appeal proposal.

4.15. This argument is developed below in section 5.0. Suffice to say here that current land use is visually harmful and consequently at odds with rural area and ASLI Policies. Conversely, the proposed development when set against this represents a visual amenity gain in the character of the countryside and the "special landscape" in which it sits. These same arguments apply to the extant planning permission which would necessitate clearance of mature landscape on the western boundary and the construction of a substantial building which is alien to the character of this locality. For these reasons if the appeal proposal accords with development plan and emerging Local Plan Policies.

4.16. The local authority also refer to other emerging local plan policies. WOS1 has the objective of ensuring that development is sustainable which includes conservation of the environment(A); minimising necessary use of the private car (D); and making use of brownfield sites (I). The proposed development represents the potential for visual/environmental enhancement by replacing a non-conforming commercial use with 2 dwellings; and retaining landscape on the western boundary which would be lost through implementation of the extant permission. In addition, the proposal makes use of a brownfield site and so accords with this arm of the policy.

4.17. In respect of private car travel the current use generates a much greater level of single purpose journeys than would the proposed development. This is primarily related to the auto repairs use where the only reason for travel would be to deliver, collect or road test a vehicle. This contrasts with a town centre repairs garage where a work or shopping journey may be combined in a multi purpose trip.

4.18. Emerging policy WOS2 to some extent mirrors development plan policies C2 and LTV2 in so far as it seeks to restrict development in the countryside. Importantly reference to structure plan policy C2 is made and as set out above the appeal site is considered appropriate for redevelopment.

4.19. Policy WOS3 requires that development should be appropriate to its context without detriment to amenities of adjoining land uses and loss of landscape. In addition, development should not have a significant effect on road safety or result in highway problems. In applying this policy the matter of loss of trees and visual impact consequent on the existing use and extant permission must be weighed in the balance along with existing traffic and highway safety considerations. These issues are discussed below and suffice to say here that the proposed situation represents a visual, amenity and highway safety gain. As such there is no conflict with WOS3.

4.20. WOS5 covers matters of environmental improvement including use of brownfield sites, landscaping and relocation of bad neighbour uses with redevelopment for "more appropriate uses". In all respects the proposed development satisfies these policy requirements. The issues are developed below.

4.21. Policy WBE1 relates to design considerations and requires that development reflects its' local context. Since the application is in outline these matters are reserved for future consideration. Nevertheless the wider considerations of existing impact as balanced against the proposed development are material and this policy may properly be applied to this consideration. For the reasons set out above and in section 5.0 below, it is considered that there is no conflict with this policy.

4.22. Emerging local plan policy WEM18 sets out in principle acceptance of the re-use of allocated employment sites for alternative uses. The relevance of this policy to this appeal is questionable since it refers to allocated employment sites.

4.23. Finally in terms of other emerging Local Plan policies, WT4 relates to the environmental aspects of traffic. The underlying objective is to ameliorate the impact of traffic, particularly HGV's, through residential and other areas. The policy is applicable since, notwithstanding highway safety gains, the proposed development has the effect of securing removal of a haulage yard. Access to this is directly between and alongside houses, and wider movements are within a residential area.

4.24. In considering other emerging Local Plan policies – aside from the rural area and ASLI policies – there is no underlying conflict with the appeal proposal. Conversely the proposal meets with the objectives of environmental gain; use of a brownfield site; removal of a non-conforming use; and reduction of traffic flows and HGV's from a residential area.

5.0 FURTHER DETAILED CONSIDERATIONS

5.1. Having regard to the policy framework this section considers two key matters.

(1) The relative impact of existing and proposed development; and

(2) Highway Safety.

In addition, comments on third party representations are made.

Impact of Development

5.2. As set out previously the current authorised use incorporates open storage of up to three HGV vehicles and cars/commercial vans. The location of these activities is at the lower end of the appellant's land and S & N Autos would typically accommodate between 30 and 40 vehicles in this area at any one time.

5.3. There are public view to the site from footpaths/bridleways and Hayes Lane. These are shown at Document 5 and are referred to by the Councils' landscape officer who confirms that there are "open views of the haulage yard" from Hayes Lane.

5.4. Due to the nature of surrounding land use – equitation – the bridleways are heavily used. Views from the south-west (photograph3) are, to some extent, softened by trees on the boundary of the site. Nevertheless, there are glimpses of parked vehicles and HGV trailers in this part of the appeal site as well as the area of hardstanding.

5.5. From the north and along Hayes Lane (photographs 1 and 2) there are clear and open view to the appeal site. These views are accentuated due to the higher level of the footpath/Hayes Lane and openness of the northern boundary. The land use is both obtrusive and alien to the "Special Landscape" character of the locality.

5.6. It is also material to have regard to the impact of the extant permission for a vehicle storage building. Due to the fall of the land it would be approximately 5.7 meters to eaves level at the rear (north) and 7.5 metres to its ridge. It has a length of 30.5 metres and width of 15.25 metres. It is, by any reasonable judgement, substantial.

Argue that the proposed building to house the HGV's will be better than lorries parked indiscriminately through the site & an open lorry

5.7. Notwithstanding the size of the building its siting would result in the loss of six trees which would further open views to it from Hayes Lane/the public footpath and the bridleway to the west. These circumstances are shown at document 6. Whilst it is intended that 4 HGV vehicles would be stored within the building, it is inevitable that, at various times, parking in the open would result – for example during loading/unloading and with maintenance.

5.8. The consequence of this permission, when implemented, is that it would be visually obtrusive and harmful to the "Special Landscape" character. Additionally, the nature of parked vehicles themselves is visually harmful and is consequent upon the current use and extant permission. Clearly this is alien to the rural and landscape character of the area.

5.9. The matter of visual impact on the countryside and more particularly the ASLI, was central to the Inspectors decision in the Charles Church appeal. The elevation of the site where the dwellings were proposed and their "substantial size" was considered to be harmful to the ASLI. Moreover, the Inspector noted that this compartment of the site – comprising a small paddock and orchard – was characteristic of the ASLI and visible from public footpaths to the west.

5.10. To this extent we concur with the Inspectors decision. The proposed houses were indeed substantial being some 9.5 metres to their ridge – notwithstanding the change in levels – and 19 metres in length. Each was also proposed to accommodate a triple car garage of circa. 6 metres in height. Furthermore, and critically, the site of the proposed development was on the higher part of the land and not on the compartment containing the haulage/motor vehicle use.

5.14. As set out above the ASLI is characterised by undulating countryside within which there are groups of trees and copses and along field boundaries. The equitation use and related buildings are typical of this landscape although there is sporadic housing development within it. By any reasonable judgement the haulage yard and vehicle repair uses are alien to the character of this area. Conversely sporadic and limited housing development is characteristic.

Highways Safety

5.15. In the previous appeal decision the Inspector set out concerns regarding poor visibility at the junction with Bearwood Road. Since that time a mature tree in front of number 43 has been removed and visibility to the north has, in consequence, been improved to an acceptable standard. Previously this tree totally obstructed visibility in this direction.

5.16. This aside, the previous proposal was for three dwellings where traffic movement figures of 8.29 per dwelling per day were considered applicable. It is also apparent from the evidence that the extent of actual use (CRB Haulage and S & N Autos) was not detailed and the Inspector found the application of TRICS data to be unacceptable. Whilst we do not accept that this approach is appropriate the following paragraphs summarise current use from the site.

5.17. As set out above there are typically 30 to 40 cars and commercial vans on this site associated with S & N Autos. In addition there is permission for three 38 tonne HGV lorries. Vehicle movements for the car repairs use are sporadic and depend on the nature of repairs being undertaken with business of the day. Typically they involve the delivery and collection of a vehicle by customers; road testing following repair; and auto factor parts delivery. In a typical day this constitutes 45-50 vehicle movements. In a similar way the haulage use generates vehicle movements consequent upon customer orders and the length of journey involved. These are usually longer range and may therefore involve one outward and one return movement along with the drivers own personal vehicle (2 movements per day).

5.18. Whilst it is conceded that visibility to the south is less than ideal, it is nevertheless a fact that vehicle movements for the proposed use are considerably less, in numerical terms, than current use of the site. More significantly, the nature of vehicles for the current use is more hazardous than is proposed. Document 7 contains diagrams showing the nature of 38 tonne vehicles and it can be seen that due to their length and configuration of access at the junction with Bearwood Road, they have to make turning movements at a slow speed across both carriageways. This is hazardous to the free flow of traffic and safety of other road users.

Third Party Representations

5.19 Third party representations are attached to the appeal questionnaire. There are 4 letters of objection and 2 of support for the proposal. It is noteworthy that the letters of support are submitted by parties close to the ongoing commercial use. They set out their preference for the proposed development.

5.20 In contrast the letters of objection are based on the principle of development whilst, to some extent ignoring the ongoing use and extant permission. The letters from occupiers of Barkham Manor confirm that the footpaths and bridleways are heavily used.

5.21 The representations in support of the development proposal must be afforded due weight. In particular these residents acknowledge the key material consideration of existing use and the extant permission, which is fundamental to the decision. As for the letters of objection they are largely silent on this matter. In consequence they should be afforded limited weight.

5.11. The consequence of these matters is that a balance of visual enhancement through removal of the non-conforming commercial use, was not sufficient to outweigh the balance in favour of the grant of planning permission.

5.12. The appeal proposal has been conceived having regard to the short falls of the previous proposal and the in principle acceptance of redevelopment in accordance with Structure Plan Policy C2 and emerging Local Plan Policy WCC1(F).

5.13. The following principles has been adopted:

- The appeal site is wholly within the existing commercial complex and brownfield site rather than being spread over a wider area.
- In so doing development is on lower parts of the site and is more discrete from surrounding public vantage points. In consequence it has less impact on the ASLI.
- Although siting and design are not part of this submission, the illustrative plan shows that two dwellings of reasonable footprint occupy much less of the site than the proposed vehicle storage building. More importantly, they would occupy much less space than the current haulage yard and area used for vehicle storage. As such there is more scope for landscape provision within the site whilst affording reasonable amenity space.
- As set out above implementation of the vehicle storage building whilst conditional upon the landscape scheme, would lead to the loss of mature landscape on the western boundary. Conversely it is possible to construct two dwellings without direct or long term threat to this landscape. Accordingly, the proposed development will have less visual impact than currently exists or would result from implementation of the extant permission.

6.0 SUMMARY AND CONCLUSIONS

6.1. By way of conclusion the following points are submitted.

(1) There is in principle acceptance of redevelopment within the countryside in accordance with Berkshire Structure Plan Policy C2(ii) and emerging Local Plan Policy WCC1 (F).

(2) Accordingly the matter rests of a balanced judgement of material harm between on going and proposed developments/uses and other material considerations.

(3) The current commercial uses have been on going for about 25 years. They and the extant permission for a vehicle storage building, are harmful to rural amenity and the character of the ASLI. The Councils' officers concede this point.

(4) The proposed development represents a less harmful situation than currently exists in both visual amenity, residential amenity and highway safety terms.

(5) The appeal proposal is, in part, based on principles established in a previous appeal decision for 3 dwellings on elevated land. In so doing this proposal represents an alternative approach which, on balance, is acceptable.

6.2. For the foregoing reasons it is respectfully requested that this appeal be allowed.

The Planning Inspectorate

Room 1004
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http://www.planning-inspectorate.gov.uk

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

Your Ref: BWR/00/151

Our Ref: APP/X0360/A/00/1053982

Date: 19 March 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY F BOND ESQ
SITE AT LAND REAR OF 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE

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

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

41370

DG

COPIES TO:

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

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

Yours faithfully

G. Nay

pp Miss A Groves

COVERDL1

Tel: (0118) 974 6448 (Direct Line)

Fax: (0118) 974 6484

Date: January 9, 2001

My ref: F/2000/2484

Your ref: APP/X0360/A/00/1053982

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
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Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Groves

APPEAL BY: F Bond

SITE: Land at rear of 41 Bearwood Rd, Wokingham

HEARING DATE: WEDNESDAY 21 FEBRUARY 2001

Attached to this letter is a map showing the Pay and Display car park, The Paddocks, recommended for the Inspector's use during the Inquiry.

Please forward it to the Inspector concerned.

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

Please note; Our reference is as above & not BWR/00/151, which I believe is the agent's reference.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Tel. (0118) 974 6448 (Direct Line)
Date. January 8, 2001
My ref: F/2000/2484
Your ref:

B M Small
43 Bearwood Road
Wokingham
Berks

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

Dear Sir/Madam

NOTICE OF INFORMAL HEARING

APPEAL BY: F Bond
SITE: Land rear of 41 Bearwood Rd, Wokingham
PROPOSAL: Outline application for the proposed erection of 2 dwellings.

Following my letter of November 28, this is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into this Appeal at the Civic Offices, Shute End, Wokingham commencing at 10.00 on Wednesday 21 February 2001.

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

Documents relating to the appeal, including statements produced by the Council & the appellant, are available for inspection in this department.

Should you have any concerns about facilities for disabled people wishing to attend the appeal, you are advised to contact the Council.

The Planning Inspectorate will send the decision on this Appeal only to those persons who ask to be notified.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

The Planning Inspectorate

Room 1202W
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

06

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08 JAN 2001

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

Your Ref: BWR/00/151

Our Ref: APP/X0360/A/00/1053982

Date: 4 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY F BOND ESQ
SITE AT LAND REAR OF 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE

I am writing to advise you that the hearing into this appeal will start at 10:00 on Wednesday 21/2/2001 at The Council Offices, Shute End, Wokingham. Please arrange a car-parking space for the Inspector. Could you send the details, together with a location plan of the venue, to the case officer quoting our appeal reference number.

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

The hearing date has been imposed upon yourselves.

Please write to the owners and occupiers of property near the site telling them about the hearing details at least 2 weeks before the hearing date. You should also tell others you consider to be affected by or interested in the proposed development, including any persons or bodies who made representations at the application stage. Your letter should cover:

- An Inspector has been appointed by the Secretary of State for the Environment, Transport and the Regions to determine this appeal;
- the location of the site and a description of the appeal proposals;
- the hearing details;
- where your, and the appellant's statements, and future comments can be inspected;
- that they may attend the hearing, and at the Inspector's discretion, give their views;
- that we will send a copy of the decision letter only to those who ask for one in writing;

- what facilities are available for people with disabilities e.g. parking spaces, access, seating arrangements etc.

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

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

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

Yours faithfully

Miss H Langridge

206J(BPR)

Tel. (0118) 974 6448 (Direct Line)
Date: January 5, 2001
My ref: F/2000/2484
Your ref: APP/X0360/A/00/1053982

Environmental Services Department
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Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Groves

APPEAL BY: F Bond
SITE: Land rear of 41 Bearwood Rd, Wokingham

With reference to this appeal, I enclose 2 copies of the Highways statement.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: January 3, 2001
My ref: F/2000/2484
Your ref: APP/X0360/A/00/1053982

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Shute End, Wokingham
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Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Groves

APPEAL BY: F Bond
SITE: Land rear of 41, Bearwood Rd, Wokingham

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: December 6, 2000
My ref: /2000/2484
Your ref: APP/X0360/A/00/1053982

Copy

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Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Groves

APPEAL BY: F Bond
SITE: Land rear of 41 Bearwood Rd, Barkham

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. December 6, 2000
My ref: O/2000/2484
Your ref:BWR/00/151

Environmental Services Department
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Gregory Gray Associates
17 Dinorben Close
Fleet
Hants
GU13 9SL

Dear Sirs

APPEAL BY: **F Bond**
SITE: **Land rear of 41 Bearwood Rd**

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

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: December 1, 2000
My ref: O/2000/2484
Your ref: APP/X0360/A/00/1053982

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Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Mrs Bate

APPEAL BY: F Bond
SITE: Land rear of 41 Bearwood Rd

With reference to this appeal, I am writing to tell you that there was an error on the list of those advised of the appeal. The clerk of the Parish Council advised should have read Mrs J Neuhofer of Barkham.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant
cc Gregory Gray Associates

Tel. (0118) 974 6448 (Direct Line)
Date: November 28 2000
My ref: O/2000/2484
Your ref:

B M Small
43 Bearwood Rd
Wokingham
Berks

Environmental Services Department
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DX: 33506 – Wokingham

Dear Sir/Madam

NOTICE OF INFORMAL HEARING
APPEAL BY: F Bond
SITE: Land rear of 41 Bearwood Rd
PROPOSAL: Outline application for the proposed erection of 2 dwellings

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

Comments already made, following the original application for planning permission, will be forwarded to The Planning Inspectorate and copied to the appellant. The application, decision notice, and the appellant's grounds of appeal can be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 16.00 on Fridays).

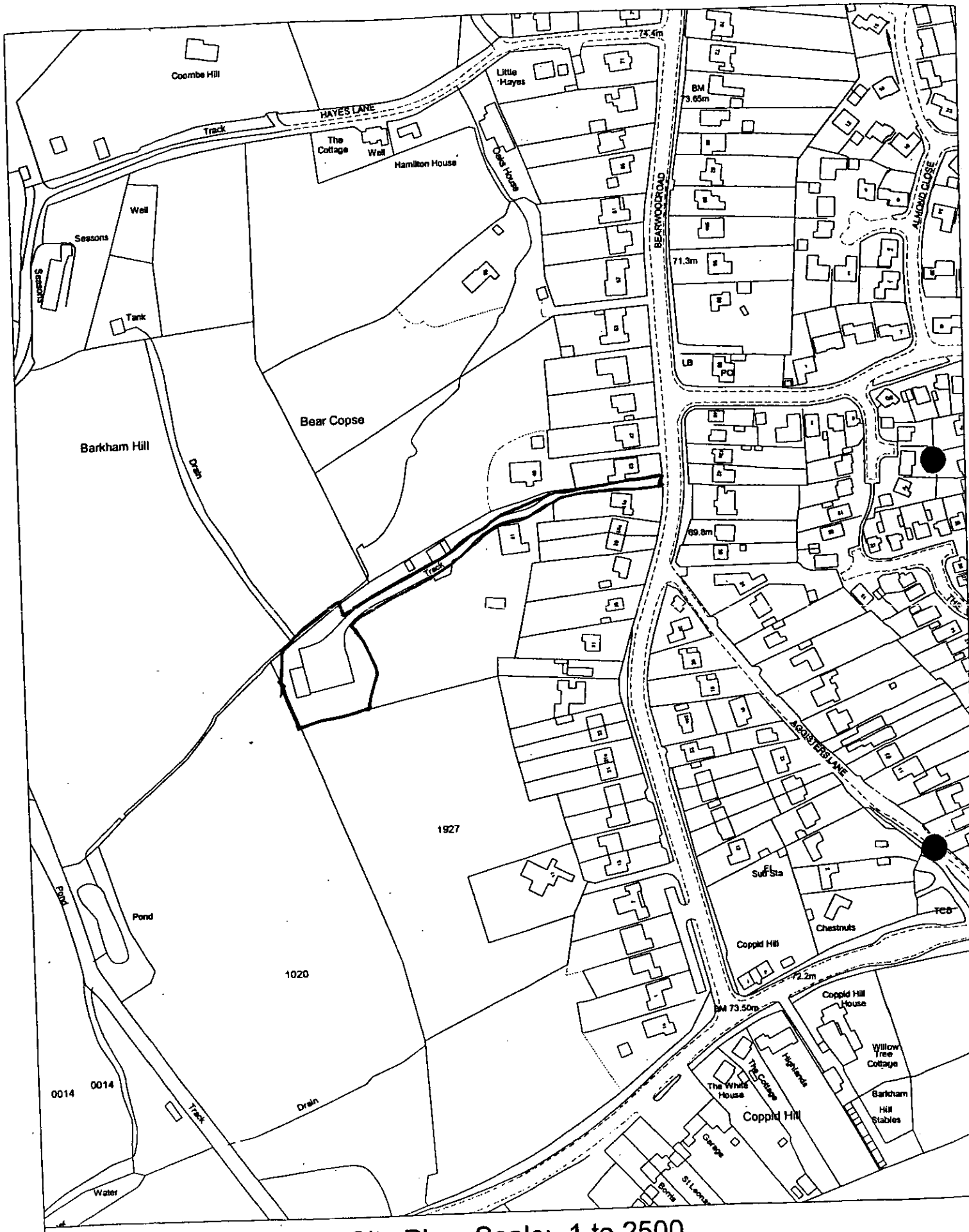
If you wish to make further representations, you should send three copies to Miss A Groves, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ, quoting reference APP/X0360/A/00/1053982,no later than 04/01/01. Comments received after this deadline will not normally be seen by the Inspector & will be returned.

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

If you want a copy of the decision, you should write to Miss Groves & ask for one.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant



Site Plan, Scale: 1 to 2500

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Date: 28 November 2000

N
W E
S

The Planning Inspectorate

For official use only
Date received

PLANNING APPEAL FORM

Please send each appeal on a separate form

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

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

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

A. APPELLANT DETAILS

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

Name F Bond Esq

Address c/o the agent

Your reference

Daytime phone no

Fax no

Postcode

E-mail address

B. AGENT DETAILS (if any)

Name Gregory Gray Associates Chartered Town Planning Consultants

Address 17 Dinorben Close , Fleet
Hampshire

Your reference BWR/00/151

Daytime phone no 01252 624004

Fax no 01252 684160

Postcode GU13 9SL

E-mail address infor@ggassociates.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA Wokingham District Council

LPA's application reference no O/200/2484

Date of the planning application 19th September2000

Date of LPA's decision notice (if issued) none

D. APPEAL SITE ADDRESS

Address Land r/o 41 Bearwood Road, Wokingham,Berkshire

Postcode RG41 4SX

National grid reference

(Please see the key on an Ordnance Survey map for instructions; this should be 2 letters and 6 numbers. eg TQ 298407)

E. DESCRIPTION OF THE DEVELOPMENT

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

Proposed development of 2no. dwellings in lieu of

Haulage use and building

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

0.29ha

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

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

G. GROUNDS OF APPEAL

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

Please refer to attached sheet

G. GROUNDS OF APPEAL (continued)

H. CHOICE OF PROCEDURE

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

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☐

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

2. HEARING ☑

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

3. INQUIRY ☐

Please give reasons why you think an inquiry is necessary.

I. APPEAL SITE OWNERSHIP DETAILS

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

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

CERTIFICATE A ☑

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

OR

CERTIFICATE B ☐

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

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

CERTIFICATES C and D ☐

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

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

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

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

OR

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

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

PLEASE SIGN BELOW

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

Signed Gregory Gray Associates (on behalf of) F Bond Esq

Name (in capitals) Gregory Gray Associates Date 17th November 2000

Please turn over

J. ESSENTIAL SUPPORTING DOCUMENTS

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

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

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

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

K. PLEASE SIGN BELOW

(Unsigned forms will be returned. Signed forms must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and documents to the LPA – ***N.B.*** *if you do not, your appeal will not normally be accepted.*
2. I confirm that section J has been fully completed.
3. I will send 2 copies of any further documents relating to this appeal to the Inspectorate.

Signed Gregory Gray Associates (on behalf of) F Bond Esq

Name (in capitals) Gregory Gray Associates Date 17th November 2000

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

NOW SEND:

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

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

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid.

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

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

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

5) Tell you our Inspector's decision.

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St Clements House
2-16 Colegate
Norwich NR3 1BQ

Gregory Gray Associates
CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

GROUNDS OF APPEAL

The appellants' case is based on the following matters:

(1) Current use of the site incorporates the use of 4no. 38 tonne articulated vehicles in accordance with extant planning permissions.

(2) There is an extant planning permission for a substantial storage building related to the haulage use of the site.

(3) In a previous appeal decision the appointed Inspector set out the unacceptability of the development of 3no. large dwellings in a particular part of the site. Additionally, the matter of visibility was found to be unacceptable in highway safety terms. In so doing the Inspector accepted that Local Plan policies allowed for the principle of residential development in lieu of the current use. The Inspector also noted that the site was of undeniably brown field character.

(4) The appellants have taken these matters into consideration in conceiving the proposed development. In particular visibility has been enhanced by the removal of a substantial tree at the frontage of the site and the proposal for 2no. dwellings on a lower part of the site relates wholly to the haulage yard. These represent material changes allow for a fresh approach to the development proposal.

(5) In pre-application correspondence and having regard to comments on the application file, it is apparent that the local planning authority have failed to appreciate these material.

The Planning Inspectorate

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

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

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

Your Ref: BWR/~~00/151~~ 0/2000/2484

Our Ref: APP/X0360/A/00/1053982

Date: 23 November 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY F BOND ESQ
SITE AT LAND REAR OF 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE

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 to me, 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.

I must **receive** the following documents within this timetable:

Within the next 2 weeks

You must notify any statutory parties and interested persons who were consulted at application stage and those who made comments that the appeal has been made. You should tell them that:-

i) any comments they made at application stage will be sent to me and if they want to make any additional comments I must receive 3 copies within **6 weeks of the starting date.** If we receive representations 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 make sure that the appellant and I receive a copy of a completed appeal questionnaire and supporting documents (including relevant development plan policies when appeals are against non-determination).

Within the next 6 weeks

You and the appellant must make sure that I receive 2 copies of your hearing statement. 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 we receive from interested parties.

Within the next 9 weeks

You and the appellant must make sure that I receive 2 copies of any comments on each other's hearing statement and on any representations received from interested parties. I will forward the appellant's to you at the appropriate time.

You **must keep to the timetable** set out above and ensure that I receive your representations within the deadlines. If I do 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

G. Nall

pp Miss A Groves

H4B(BPR)

Hearing Statement

In your hearing statement you will need to give full details of the case which you will put forward at the hearing, including maps and plans, to which you intend to refer.

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 statement of case is due.

Costs

Costs can be awarded in hearing cases. 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 received 5 working days before the date of a hearing. Obligations should be completed by the close of a hearing. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Recd 10.50AM 17.11.00

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

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The Planning Inspectorate,
Appeals Registry,
Tollgate House,
Houlton Street,
Bristol, BS2 9DJ.

17th September 2000

Our Ref: BWR/00/151

Dear Sirs,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR. F BOND
LAND R/O 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE RG41 4SX

I enclose particulars on behalf of our Client, Mr. F Bond.

As you will see it is requested that the application be determined by means of an informal hearing.

I confirm that the particulars have been copied to the District Council.

Yours faithfully,

Mark Leedale

Enc.

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

TOWN & COUNTRY PLANNING ACT 1990 (SECTION 78)
APPEAL BY F BOND ESQ
IN RESPECTOF THE FAILURE OF WOKINGHAM DISTRICT COUNCIL TO DETERMINE AND APPLICATION FOR THE ERECTION OF 2no. DWELLINGS IN LIEU OF HAULAGE USE & BUILDINGS: AND MOTOR STORAGE & REPAIRS

LAND AT R/O 41 BEARWOOD ROAD, BARKHAM, BERKSHIRE.

GREGORY GRAY ASSOCIATES CHARTERED TOWN PLANNING CONSULTANTS

LPA REF:	**F/2000/2484**
APPEAL REF:	**APP/X0360/00/1053982**
GGA REF:	**BW/00/151**

DECEMBER 2000



PLANNING PERMISSION

ME

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1990

To: C R B HAULAGE
C/O GEO-PLAN CONSULTANTS LTD
WELLINGTON HOUSE BUSINESS CENTRE
2 KENTWOOD HILL, TILEHURST
READING RG3 6DE

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1

Application No.38807 (F)

Proposal:
SITE FOR PARKING LORRIES
41 BEARWOOD ROAD BARKHAM

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

01 This permission is in respect of the application as amended by the revised drawings received with the applicant's letter dated 20.02.92.(151)

01 REASON For the sake of clarity and to ensure a more satisfactory development of the site.(138R)

02 The use hereby permitted shall only be carried on by C R B Haulage.

02 REASON In order to safeguard the amenities of nearby residential dwellings.

03 The parking of lorries shall be confined to the area shown to be used by C R B Haulage on the submitted plan and at no time shall there be more than 3 lorries.

03 REASON In order to protect the amenities of nearby residential dwellings.

04 Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking or re-enacting that Order) permission shall be sought for any development normally permitted under Article 3 and contained within Part 8 of Schedule 2 of that Order.

04 REASON In order to protect the rural character of the locality.

continued/-

1/1

05 No storage, industrial or other business use shall take place outside the existing building except the parking, manoeuvring and loading and unloading of vehicles . Furthermore, all existing outside storage shall be removed from the site within a period of three months from the date of this decision.

05 REASON In order to preserve the rural character of the locality.

06 No lorries shall enter or leave the site between the hours of 6.00 pm and 7.00 am on weekdays nor between the hours of 1.00 pm and 7 am on Saturdays. On Sundays and Bank Holidays no lorries shall enter or leave the site.

06 REASON In order to protect the amenities of nearby residential dwellings.

07 With the exception of the area of land shown to be used by S & N Autos, the application site shall be used for no purpose other than the parking and manoeuvring of vehicles.

07 REASON In order to prevent an undesirable intensification which could detract from the amenities of nearby residential dwellings.

08 No external lighting or floodlights shall be used or installed without the prior written consent of the District Planning Authority.

08 REASON In order to protect the rural character of the locality.

09 No trees on the land shall be removed, lopped or topped and no other thing shall be done on the land likely to harm or damage the trees, unless the District Planning Authority have so agreed in writing. Each tree felled, destroyed or severely damaged without such approval shall within the next planting season be replaced by another healthy, semi-mature tree of similar species. If within a period of 5 years any replacement tree dies, is removed or becomes seriously damaged or diseased, it shall be further replaced with another healthy tree of such size and species as may be first approved by the District Planning Authority.(190)

09 REASON To ensure the satisfactory retention of existing trees and in the interests of visual amenity.(190R)

10 No development shall take place until there has been submitted to and approved in writing by the District Planning Authority a detailed scheme of landscaping, which shall include indications of :- a) species, height/sizes, densities per metre square of proposed planting, together with their distribution on site, preferably on a 1:200 scale plan.(595E)

10 REASON To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development and soften its impact on the area.(196R)

11 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 date of this decision and any trees or plants

continued/-

which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.(599E)

11 REASON In the interests of visual amenity.(13R)

12 Within one month of the date of this Notice details of a scheme to widen the existing access to a width of 5.5 metres to a length of 10 metres from the access with Bearwood Road should be submitted to and approved by the District Planning Authority. Furthermore, the access drive widening shall be completed in accordance with the approved scheme within 3 months of the date of this Notice.

12 REASON In the interests of highway safety.

Date 02 MAR 1992

R.F. Wilson
District Planning Officer

N.B. A statement of the applicant's rights is attached

This permission or approval is for the purposes of the Town and Country Planni Act 1990 only. Approval may also be required under the Building Regulations.

Note: Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the countryside and townscapes tidy.

INFORMATIVE: If this planning permission relates to the erection or extension of a building, then the following section applies:-

BERKSHIRE ACT 1986- SECTION 32: ACCESS FOR FIRE BRIGADE

(1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:-

(a)that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b)that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

continued/-

PLANNING PERMISSION ME

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1990

To: S & N AUTOS
C/O GEO-PLAN CONSULTANTS LTD
WELLINGTON HOUSE BUSINESS CENTRE
2 KENTWOOD HILL, TILEHURST
READING RG3 6DE

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1

Application No.38808 (F)

Proposal:
CHANGE OF USE TO WORKSHOP AND ASSOCIATED STORAGE AND PARKING
41 BEARWOOD ROAD BARKHAM

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

01 This permission is in respect of the application as amended by the revised drawings received with the applicant's letter dated 20.02.92.(151)

01 REASON For the sake of clarity and to ensure a more satisfactory development of the site.(138R)

02 The use hereby permitted shall only be carried on by S & N Autos.

02 REASON In order to protect the amenities of nearby residential dwellings.

03 No storage, industrial or other business use shall take place outside the existing building except the parking, manoeuvring and loading and unloading of vehicles. Furthermore, all existing outside storage shall be removed from the site within a period of three months from the date of this decision.

03 REASON In order to preserve the rural character of the locality.

04 Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking or re-enacting that Order) permission shall be sought for any development normally permitted under Article 3 and contained within Part 8 of Schedule 2 of that Order.

continued/-

5/1

04 REASON In order to preserve the rural character of the locality.

05 The premises shall be used for vehicle repairs and for no other purpose(including any other purpose in Class B1 of the Schedule to the Town and County Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).(291)

05 REASON For the sake of clarity and to ensure an appropriate development for this site.(273R)

06 No business activity shall take place on the site before 7.00 am on weekdays and Saturdays nor after 6.00 pm on weekdays and 1.00 pm on Saturdays nor at any time on Sundays and Bank Holidays.

06 REASON The proximity of dwellings justifies a limitation restricting the activity generated from the site to normal working hours in the interest of the reasonable residential amenities of adjoining residents.

07 No external lighting or floodlights shall be used or installed without the prior written consent of the District Planning Authority.

07 REASON In order to protect the rural character of the locality.

08 The use of the land, including the building, shall be limited so that the processes carried on or the machinery installed are such as could be carried on or installed in any residential area without detriment to the amenities of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

08 REASON To help safeguard the amenities of the area.

09 No trees on the land shall be removed, lopped or topped and no other thing shall be done on the land likely to harm or damage the trees, unless the District Planning Authority have so agreed in writing. Each tree felled, destroyed or severely damaged without such approval shall within the next planting season be replaced by another healthy, semi-mature tree of similar species. If within a period of 5 years any replacement tree dies, is removed or becomes seriously damaged or diseased, it shall be further replaced with another healthy tree of such size and species as may be first approved by the District Planning Authority.(190)

09 REASON To ensure the satisfactory retention of existing trees and in the interests of visual amenity.(190R)

10 No development shall take place until there has been submitted to and approved in writing by the District Planning Authority a detailed scheme of landscaping, which shall include indications of :- a) species, height/sizes, densities per metre square of proposed planting, together with their distribution on site, preferably on a 1:200 scale plan.(595E)

10 REASON To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development and soften its impact on the area.(196R)

continued/-

11 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 date of this decision and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.(599E)

11 REASON In the interests of visual amenity.(13R)

12 There shall be no paint spraying within the application site unless a paint spraying booth and extractor system are installed details of which shall be submitted to and approved by the District Planning Authority prior to their installation.

12 REASON In the interests of the amenities of the locality.

13 Within one month of the date of this Notice details of a scheme to widen the existing access to a width of 5.5 metres to a length of 10 metres from the access with Bearwood Road shall be submitted to and approved by the District Planning Authority. Furthermore, the access drive widening shall be completed in accordance with the approved scheme within 3 months of the date of this Notice.

13 REASON In the interests of highway safety.

Date 02 MAR 1992

R.F. Wilson

District Planning Officer

N.B. A statement of the applicant's rights is attached

This permission or approval is for the purposes of the Town and Country Planni Act 1990 only. Approval may also be required under the Building Regulations.

Note: Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the countryside and townscapes tidy.

continued/-

PLANNING PERMISSION

FW

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1990

To: MR F BOND
C/O JOHN COWLING
5A PROSPECT STREET
CAVERSHAM
READING BERKS

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1BN

Application No.43969 (F)

Proposal:
ERECTION OF BUILDING FOR PARKING OF 4 COMMERCIAL VEHICLES WITH ANCILLARY STORAGE AND MAINTENANCE OF CRB VEHICLES
CRB HAULAGE 41 BEARWOOD ROAD BARKHAM

RECEIVED
27 JUL 1995
CCT/7

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.(N4)

01 REASON This condition is deemed to be attached by virtue of Section 91(1) of the Town and Country Planning Act 1990.(N4R)

02 Prior to the commencement of development samples of the proposed materials shall be submitted to and approved by the Local Planning Authority and no materials shall be used other than those approved. (216I)

02 REASON In order to ensure the satisfactory appearance of the proposal. (N10R)

03 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.(N14)

03 REASON In the interests of visual amenity.(N13R)

04 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding

continued/-

8/1

seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation. (N15)

04 REASON In the interests of visual amenity. (N13R)

05 Prior to the commencement of development details of measures to be taken to protect existing trees from damage during development shall be submitted to and approved by the Local Planning Authority. (N16)

05 REASON To ensure that existing trees are protected during development. (N16R)

06 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no development shall take place under the terms of Class A and C Part 8 of Schedule 2 of that Order without the prior written consent of the Local Planning Authority. (N18)

06 REASON In order to protect the character and amenities of the locality. (N18R)

07 No activities shall take place at the site and no lorries shall enter or leave the site betweeen the hours of 6.00 pm and 7.00 am Mondays to Fridays, nor between 1.30 pm and 7.00 am on Saturdays and not at all on Sundays and Bank Holidays.

07 REASON In the interests of the residential amenity.

08 No vehicles apart from the applicant's own commercial vehicles shall be maintained at the site.

08 REASON In order to prevent an inappropriate development at the site.

09 No parking, of the vehicles, storage, industrial or other business shall take place outside the building except the manoeuvring and loading/unloading of vehicles.

09 REASON In order to protect the rural character of the locality.

10 No external lighting or floodlights shall be installed without the written consent of the District Planning Authority.

10 REASON In order to protect the rural character of the locality.

11 The weight of the commercial vehicles operating from the site shall be no more than 38 tonnes.

11 REASON In order to safeguard the amenities of the occupiers of nearby residential properties.

continued/-

Application 43969 continued

Date 17th July 1995

Head of Development Control

N.B. A statement of the applicant's rights is attached

This permission or approval is for the purposes of the Town and Country Planning Act 1990 only. Approval may also be required under the Building Regulations.

Note: Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the countryside and townscapes tidy.

INFORMATIVE: If this planning permission relates to the erection or extension of a building, then the following section applies:-

BERKSHIRE ACT 1986- SECTION 32: ACCESS FOR FIRE BRIGADE

(1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:-

(a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1971, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act of 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

10/1

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Approval of Permission

Mr F Bond
C/O Martin And Pole Nicholas
7 Broad Street
WOKINGHAM
Berkshire
RG40 1AY

Application Number: F/2000/0549

Parish: **BARKHAM**

Location: **41 Bearwood Road, Wokingham**

Proposal: **Proposed erection of building for parking storage and maintenance of vehicles (Renewal of consent 43969)**

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

Condition
2. Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Condition
3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

11/1

Condition
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons (1 November - 31 March) following the first 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 dangerous, damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Condition
5. Prior to the commencement of development details of measures to be taken to protect existing trees from damage during development shall be submitted to and approved by the Local Planning Authority. Existing trees, hedgerows and shrubs identified on the approved plans for retention shall not be damaged or destroyed, nor shall they be uprooted, felled or pruned for a period of 5 years after completion of the permitted development. Any trees, shrubs or hedgerows removed or which die or become dangerous, damaged or diseased before the end of that period shall be replaced with new trees, shrubs or hedging species of such size, species and in such number and position as may be agreed in writing by the Local Planning Authority before the end of the first available planting season following their loss or removal (November - March inclusive).

Condition
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no development shall take place under the terms of Class A and C, Part 8 of Schedule 2 of that Order without the prior written consent of the Local Planning Authority.

Condition
7. No activities shall take place on the site and no lorries shall enter or leave the site other than between the hours of 0700 and 1800 Mondays to Fridays, 0700 and 1330 on Saturdays and not at all on Sundays and Bank Holidays.

Condition
8. No vehicles apart from the applicant's own commercial vehicles shall be maintained at the site.

Condition
9. No parking of the vehicles, storage, industrial or other business shall take place outside the building except the manoeuvring and loading/unloading of vehicles.

Condition
10. No external lighting or floodlights shall be installed without the written consent of the District Planning Authority.

Condition
11. The weight of the commercial vehicles operating from the site shall be no more than 38 tonnes.

Reason
1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

Reason
2. To ensure a satisfactory external appearance.

Reason
3. In the interests of visual amenity.

Reason
4. In the interests of visual amenity.

Reason
5. In the interests of the future health and amenity value of the trees.

Reason
6. In the interests of the character and amenities of the locality.

Reason
7. In the interests of residential amenity.

Reason
8. In order to prevent an inappropriate development at the site.

Reason
9. In order to protect the rural character of the locality.

Reason
10. In order to protect the rural character of the locality.

Reason
11. In order to safeguard the amenities of the occupiers of nearby residential properties.

Informative
1. Reference should be made to the legal agreement under Section 106 of the Town and Country Planning Act 1990 the contents of which relate to this permission.

John Mitchell

John Mitchell
Development Control Manager
Date: 27/07/2000

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

13/1

DATED 24th July 2000

WOKINGHAM DISTRICT COUNCIL

-and-

DIANA PATRICIA LUCY BOND

-and-

FREDERICK CHARLES BOND

-and-

NATIONWIDE BUILDING SOCIETY

AGREEMENT

Pursuant to Section 106 Town and Country Planning Act 1990
relating to 41 Bearwood Road, Barkham, Berkshire

T E Kingswood
Solicitor
Wokingham District Council
PO Box 151
Shute End
Wokingham
Berkshire RG11 1WH

aw/sr/S106 Bond

14/1

THIS AGREEMENT is made the 24th day of July Two Thousand

BETWEEN FREDERICK CHARLES BOND and DIANA PATRICIA LUCY BOND both of Timberlake 41 Bearwood Road Barkham Wokingham Berkshire and WOKINGHAM DISTRICT COUNCIL of Civic Offices, Shute End, Wokingham, Berkshire RG11 1WH ("the Council") and NATIONWIDE BUILDING SOCIETY of Nationwide House Pipers Way Swindon Wiltshire SN39 1NW

WHEREAS:

(1) The Applicants are the estate owners of the land shown edged red on the plan annexed hereto and known as 41 Bearwood Road Barkham Wokingham ("the site") subject to a legal Mortgage in favour of the Building Society

(2) On the 4th February 2000 the Applicants made an application for the renewal of planning permission ("Application No.F/2000/0549") for the erection of a building for parking of commercial vehicles with ancillary storage and maintenance of CRB vehicles ("the Building")

(3) The Council is the District Planning Authority for the administrative district of Wokingham

(4) The Council has resolved that SUBJECT to the Applicants entering into this Agreement planning permission should be granted in respect of Application No. F/2000/0549 and the Applicants have agreed to enter into this Agreement conditionally upon planning permission being granted in respect of Application No. F/2000/0549

(5) The Building Society has agreed to join in this Agreement for the purpose of consenting to the Site being bound by all the provisions contained in this Agreement

(6) This Agreement is entered into pursuant to the provisions of Section 106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972 whereby the Council is empowered to enter into agreements for various purposes in connection with the development of land and otherwise as more particularly set out in the Statutory Provisions

15/1

THE COMMON SEAL OF WOKINGHAM DISTRICT COUNCIL was affixed in the presence of:

11520

C. J. L

Solicitor

SIGNED AS A DEED by the said FREDERICK CHARLES BOND in the presence of:

B. M. Small

SIGNED AS A DEED by the said DIANA PATRICIA LUCY BOND in the presence of:

B. M. Small.

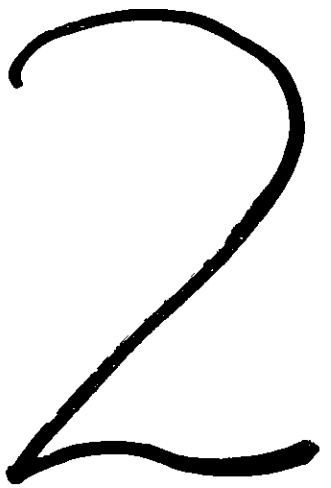
THE COMMON SEAL of NATIONWIDE BUILDING SOCIETY was hereunto affixed in the presence of:

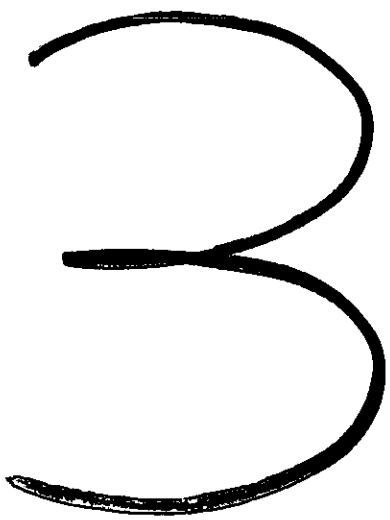
J Allen

Authorised Signatory

119514

17/1





The Planning Inspectorate

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117-987-8927
Switchboard 0117-987-8000
Fax No 0117-987-8139
GTN 1374-8927
E-mail enquiries.pins@gtnet.gov.uk

Chancellors
Chartered Town Planning Consultants
45 High Street
Odiham
HOOK
Hants
RG29 1LF

Your reference
C/1532
Our reference
T/APP/X0360/A/98/297408/P4

Date
22 OCT 1998

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR AND MRS BOND. CHARLES CHURCH DEVELOPMENTS LTD
Application No: 97/66838/F

1. I have been appointed by the Secretary of State for the Environment, Transport and the Regions to determine your appeal against the failure of the Wokingham District Council to determine within the prescribed period an application for planning permission to erect 3 detached houses and garages on land at 41 Bearwood Road, Barkham, Wokingham. I conducted a hearing on the appeal at Wokingham on 16 October 1998.

2. By letter dated 14 September 1998 the Council informed the Inspectorate that, had it at that date been in a position to determine the application, it would have refused planning permission for the following reasons:

(i) *The proposal by reason of its scale and location would cause harm to the rural character of the area which is also an area of special landscape importance. As such the proposal is contrary to policies C2 and C8 of the Berkshire Structure Plan, LT12 and LC3 of the Loddon Area Local Plan and WCC1 and WLL2 of the Wokingham District Local Plan;*

(ii) *The access road is substandard in width and does not comply with the requirement of the Berkshire Highway Design Guide and is therefore not suitable to accommodate the traffic generated by this proposal;*

(iii) *The sightlines and frontage area at the junction of the access with Bearwood Road are substandard and do not comply with the requirements of Planning Policy Guidance Note 13 and as such would result in danger to other road users.*

3. Section 54A of the 1990 Act as amended states that applications for planning permission are to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the development plan consists of the Berkshire Structure Plan and the adopted Loddon Area Local Plan. The redevelopment of existing buildings outside settlement boundaries is permissible under Policy C2 of the Structure Plan. Under Policy C8 Areas of Special Landscape Importance are to be defined in local plans; to protect their distinctive quality the location, scale, form, character and type of development in such areas is to be carefully controlled.

4. Under Policy LTV2 of the Local Plan all land outside the settlements identified on the proposals map is considered to be a rural area within which development will not normally be allowed. Policy LC3 states that within the Farley Hill and Bearwood areas land uses or built development will not be allowed which would cause long-term damage to the rural character or special landscape qualities of the area.

5. Policy WCC1 of the deposit draft Wokingham District Local Plan defines the circumstances in which development may exceptionally be acceptable outside the defined settlement boundaries. In principle, a redevelopment proposal in the countryside may, subject to location and design considerations, be such an exception. Areas of special landscape importance (ASLI) are defined on the proposals map where under Policy WLL2 built development will not be permitted that would have a detrimental impact on the open countryside or special landscape qualities of the area. The site lies within an ASLI and, save for the eastern part of the access, is outside the settlement boundary defined in the adopted Local Plan which, according to the Council, is likely to be continued in the emerging Plan without amendment.

6. With regard to the planning policies you argue, citing other recent appeal decisions, that the adopted Local Plan has been superseded as a result of the more recent approval of the Structure Plan and its housing requirements and the fact that the Plan period is expired. The increasing significance of the deposit draft Local Plan is admitted by the Council, which has resolved to use it for development control purposes. In the circumstances I consider its policies merit substantial weight.

7. From the evidence adduced in the hearing and my inspection of the site it appears to me that the principal issues in this appeal are the suitability of your clients' proposals in the light of the established and emerging planning policies and the adequacy of the access to the site both in terms of its width and in terms of the safety and free flow of traffic.

8. While Policy WLL2 does not preclude residential development the question is clearly whether it would be harmful to the character of the ASLI. The site is located behind 41 Bearwood Road, a backland dwelling sited outside the settlement boundary and owned by your clients. Access to the site lies through that property to the area proposed to be developed, which has 4 distinctive subareas and falls towards the west. It currently accommodates a vehicle repair business, the principal single-storey building of which is in the western and lowest part of the site. Between that building and the entrance to the site proper there is across the northern part of the site an area with ancillary structures which is otherwise randomly strewn in the open with mostly old and in many cases derelict cars, mowing machines, pallets and building materials. The vehicle parking, repair and maintenance activities which are stated to have been carried on for over 20 years were formally authorised in planning permissions in 1992 on a basis personal to your clients' company and are carried on at a low key. A further planning permission granted in 1995 for the erection of a 465m^2 building for the parking and maintenance of 4 commercial vehicles with ancillary storage after demolition of the existing building has not been implemented. Although you now describe the site as a poor commercial location with

restrictive access those considerations clearly did not inhibit the presentation of the 1995 proposals.

9. The upper parts of the site on its south side consist of a paddock and orchard. The site is well screened from the north by trees. To the west its lower part is screened by trees and also by the westward rise in the land surface of the open countryside beyond, which conceal from outside view the current unattractive workshop building and outdoor storage of vehicles, which have an undeniably brownfield character. Furthermore, there is a good tree screen and woodland to the north. However, the southern part of the site consists of a small paddock and orchard at a slightly higher elevation. To my mind they genuinely reflect the AGLI designation. Large 2-storey houses in that part of the site would be visible from the south and more distantly from a public footpath to the west through deciduous trees. Though you claim the development would be altogether unobtrusive it appears to me that such houses would be prominent in those views in comparison with the seclusion of the existing activity. For that reason I consider that the siting of dwellings of substantial size in the manner proposed would constitute an unacceptable urbanisation of and visual intrusion into the ASLI, markedly reinforcing the impression of a built-up area now restricted to the rear view of the ribbon development on Bearwood Road which falls within the settlement boundary. That being so, the comparison of footprint sizes you draw between the proposed houses and the existing and authorised alternative commercial development does not in my view bear on the outcome of this appeal.

10. While I am mindful of the outstanding unimplemented planning permission for a haulage business and I accept that both that use and the existing activity on the site are generally inconsistent with the residential character of the development on Bearwood Road that does not to my mind outweigh the harm to the integrity of the ASLI which the proposed housing would cause. In that connection I note that the existing activities at the site have not given rise to complaints. For those reasons I conclude that the proposals do not satisfy Policies C2 and WCC1 regarding development in the countryside and more particularly Policies C8 and WLL2 relating to the ASLI. Though you quote various other Structure Plan Policies in support of the proposals I am not convinced that they weigh so far in favour of the development as to outbalance the criteria set by the policies in the reasons for refusal. In coming to that conclusion I have in particular taken account of the generally acknowledged shortfall in housing land availability in the District and the encouragement given by both the Structure Plan and deposit draft Local Plan to the conversion of employment and bad neighbour sites to other uses..

11. Regarding the question of access I find that the existing private access is a concrete track about 4m wide. For about the first 58m from Bearwood Road it is confined between the flank boundaries of 41a and 43 Bearwood Road with a very narrow verge in places. For a further distance of about 42m it passes through what appears conventionally to be the curtilage of 41 Bearwood Road. The Council offered no material evidence in support of the reason for refusal regarding the width of the access save to advocate that the track be kept clear for the passage of emergency vehicles. Since there is no access to riparian properties other than No 41 between the main road and the principal part of the site it seems to me unlikely it would become obstructed. In the light of that I find no sustainable objection to the development on the ground of any inadequacy in the width of the access road.

12. On the question of safe visibility at the main road access I note that Bearwood Road is a Local Distributor Road and is subject to a 40 mph speed limit. At the access to the appeal site it has a 6 9m carriageway with a 1.7m footway on the west side. In the recent 3 year period 3 personal injury accidents have been recorded a little north of the access, none of these involved vehicles using it The Council estimates the speed of traffic at 40 to 45 mph At 4 5m distance from Bearwood Road visibility is virtually nil As measured during my site inspection and

agreed by the parties, visibility at a distance of 2m from the main road carriageway is about 38m to the south and about 23m to the north.

13. The Council relies on the recommendation in PPG13 that there be a minimum main road visibility of 120m at a distance of 4.5m from the junction with the minor road. You point out, however, that the 4.5m distance in PPG13 refers to major priority junctions and not to private accesses and its standard is not appropriate in this case. I agree that in accordance with the advice in paragraph 2 of Annex D of PPG13 the 2m minor road distance is the correct criterion and requires a visibility distance of 120m in the case of a traffic speed of 70 kph (44 mph).

14. It is not disputed that visibility to the main road from the 2m distance falls substantially short of the PPG13 requirement. On the basis of TRICS data you consider that the 1995 proposals, if implemented, would generate a volume of traffic movements similar to the housing now proposed. Compared with your estimates of the traffic generating capacity of the existing business if the facilities of the site as permitted in 1992 were fully exploited you consider there would be a reduction in movements and that the change from goods vehicles to cars would be welcome in the interest of road safety at the junction. However, I note that that conclusion is based on assumptions rather than evidence of movements. You emphasise that the unimplemented 1995 planning permission for the demolition of the existing buildings and the parking and maintenance of 4 commercial vehicles was granted on the basis that it would result in a significant reduction in the number of existing traffic movements. In my view, even if a reduction in traffic generation were to result, the sightlines at the junction are so inferior that it would be inappropriate to permit new development that would perpetuate a standard falling well short of that in the national advice. Nevertheless, you further argue that because of the horizontal alignment of the main road, oncoming northbound traffic is visible at distances of the order of 100m to 140m from the site access. However, as I observed on inspection, that view is liable to obstruction by vegetation and cannot be relied on.

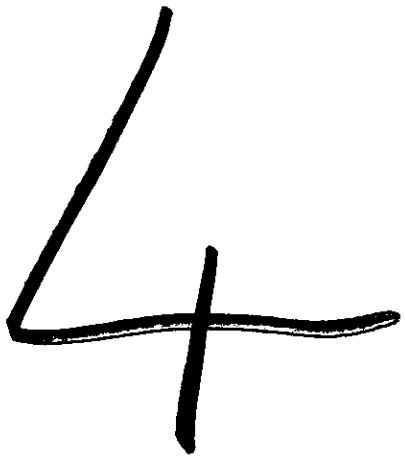
15. The Council is concerned that the development of the appeal site could lead to further backland development and more intensive use of its substandard access. However, that is a subject for the Council's decision were the matter to arise and, bearing also in mind the ASLI status of the site and the undeveloped land bordering it, I give it no weight in this case.

16. A duplicate planning application was refused on 2 October 1998. However, it does not fall to me to comment on it in connection with this appeal. In reaching my conclusions on the appeal I have taken into account all of the matters raised at the hearing but none outweighs the considerations leading to my decision.

17. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

D L J Robins BA PhD FRTPI
Inspector



THE FOLLOWING SCANNED IMAGES ARE DOCUMENTS OF BAD QUALITY OR ARE PHOTOCOPIES.



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN



BERKSHIRE STRUCTURE PLAN 1991-2006





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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.

Countryside

Designation of and Development Within Areas of Special Landscape Importance

Policy C8 **Areas of Special Landscape Importance will be delineated and designated through local plans. The location, scale, form, character and type of development in these areas will be carefully controlled to protect their special landscape significance.**

5.32 Examples of Areas of Special Landscape Importance defined by or to be considered for inclusion or redefinition in local plans are :

The area between Wargrave and Cookham

The Blackwater Valley Area

The Farley Hill Area

Windsor Great Park

Bearwood, Sindlesham

The area at Donnington, north of Newbury

The area north of Theale

The Greenham/Crookham area

5.33 The designation of ASLI's will serve to highlight particularly important parts of the countryside which display landscape characteristics of importance in the county context, that should be taken into account in planning decisions. In considering the designation and delineation of an ASLI, the local planning authorities will apply the following criteria (derived from the Countryside Commission's 'Landscape Assessment Guidance' 1993) to ensure consistency throughout the County'.

(i) ***Landscape as a resource***
The landscape should be a resource of at least county importance for reasons of rarity or representativeness.

(ii) ***Scenic quality***
It should be of high scenic quality, with pleasing patterns and combinations of landscape features, and important aesthetic or intangible factors.

(iii) ***Unspoilt character***
The landscape within the area generally should be unspoilt by large-scale, visually intrusive industry, mineral extraction or other inharmonious development.

(iv) ***Sense of place***
It should have a distinctive and common character, including topographic and visual unity and a clear sense of place.

(v) ***Conservation interests***
In addition to its scenic qualities, it should include other notable conservation interests, such as features of historical, wildlife or architectural interest.

(vi) ***Consensus***
There should be a consensus of both professional and public opinion as to its importance, for example, as reflected through writings and paintings about the landscape.

5.34 Protecting the special character and qualities of the landscape and the settlements in the AONB and ASLIs involves ensuring that any development that takes place respects and perpetuates their natural beauty and special landscape character respectively, and respects those local traditions in building which help to create their character. In the AONB, particular attention will be paid to protection and enhancement of the open downland which forms a specific feature sustaining the purposes of designation. Even where the principle of development can be justified in the AONB and ASLIs, the acceptability of specific proposals will depend on whether they can be satisfactorily fitted into the landscape. The County Council will work closely with other agencies to encourage measures to maintain and enhance the character of these areas as part of the development and implementation of a Landscape Strategy and Action Plan for Berkshire.

Other Landscape Features

5.35 There are a number of features which contribute to the character of the countryside in Berkshire. These features should be retained, in order to conserve the richness and diversity of the landscape and a sense of history.

Protection and Enhancement of Landscape Features

Policy C9 **The character and quality of the landscape and features important to its character and history will be protected and enhanced.**

5.36 Examples of landscape features which the policy seeks to protect and enhance include: tree cover; beech 'hangars'; hedgerows; flower rich meadows; chalk grassland; established and ancient woodland; heathland; and water courses and their associated corridors, ponds, lakes and wetlands.

5.37 The County Council will encourage that protection and enhancement by acting in co-operation with other organisations, particularly in the areas of special landscape quality referred to in Policies C7 and C8, and in areas where the landscape is under pressure. Among the initiatives which will further the objectives of the policy are :

(i) establishing area-based projects to secure co-ordinated conservation, enhancement and access improvements;

(ii) responding to changes in farming by providing advice on acceptable kinds of "diversification", and landscape and habitat conservation;

Countryside

4/4

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG40 1WR
Telephone: (01734) 778798

5/4

plan, a village is not synonymous with an identified settlement, the latter being used to define an area where particular planning policies are appropriate. There will therefore be cases where parts of villages have been excluded from the identified settlement, for example, small groups of development on the far side of a road that marks the boundary of the main built up area of the village. In order to be consistent in the treatment of settlements of similar size, function and character, it has been necessary to draw up a definition for settlements warranting identification on the Proposals Map.

1.1.05 An 'identified' settlement or built-up area must possess all the following characteristics:-

(i) a sizeable amount of development in a compact form. (If development is interspersed with areas of land which are characteristically rural or open, this will not come within this criterion);

(ii) possess a range of basic services, such as a school, shop and community facilities, providing a forum for social contact;

(iii) be physically and socially cohesive.

On this basis the following policy is put forward.

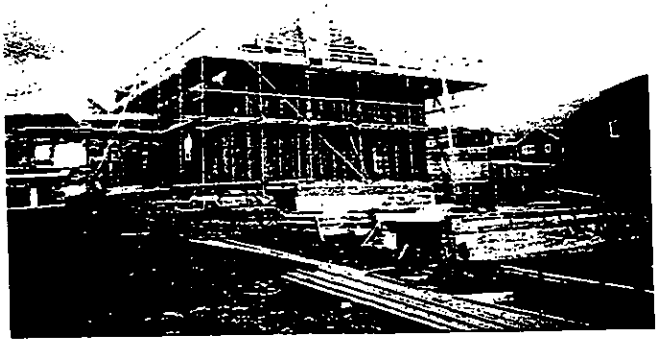
❖ LTV1 'IDENTIFIED SETTLEMENTS'

WITHIN THE IDENTIFIED SETTLEMENTS AS LISTED BELOW AND AS SHOWN ON THE PROPOSALS MAP, DEVELOPMENT WILL NORMALLY BE ALLOWED, SUBJECT TO THE PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN. THE 'IDENTIFIED' SETTLEMENTS ARE:-

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

LIMITING THE SPREAD OF DEVELOPMENT

1.1.06 The District Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has a special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice. This is particularly important in the case of small scale housing and employment development on the edge of settlements which is dealt with in more detail in policies LH1 and LE2.



❖ LTV2 DEVELOPMENT IN RURAL AREAS

ALL LAND OUTSIDE THE IDENTIFIED SETTLEMENTS, AS SHOWN ON THE PROPOSALS MAP IS CONSIDERED TO BE RURAL AREA WITHIN WHICH DEVELOPMENT WILL NOT NORMALLY BE ALLOWED. IN ACCORDANCE WITH THE

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

AREAS ARE OF SPECIAL SIGNIFICANCE BECAUSE THEY ARE ESSENTIAL TO THE MAINTENANCE OF A PHYSICAL AND VISUAL SEPARATION BETWEEN DISTINCT SETTLEMENTS. WHERE THE VISUAL OR PHYSICAL SEPARATION BETWEEN SETTLEMENTS IS NOT FULLY EFFECTIVE AT THE PRESENT TIME THE DISTRICT COUNCIL WILL SEEK TO ENHANCE VISUAL SEPARATION BY THE ENCOURAGEMENT OF TREE PLANTING OR OTHER APPROPRIATE MEANS.

1.3.11 In addition to protecting land because of its significance in separating settlements from each other it is proposed that areas of importance because of their character and appearance in relationship to adjoining built-up areas should also be protected. These areas of land are either an important part of the landscape setting of the settlement concerned, such as an open area or sloping land around it, or are areas of land which have an intimate relationship with the settlement and which are thus important to the retention of its character and setting. Examples are enclosed fields and paddocks which are an inherent part of the character of some of the settlements in the plan area.

❖ *LC2 SETTING OF SETTLEMENTS*

DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD DETRACT FROM THE OPEN OR RURAL APPEARANCE OF THE AREAS OF LAND DEFINED ON THE PROPOSALS MAPS WHICH ARE OF SPECIAL SIGNIFICANCE IN MAINTAINING THE LANDSCAPE SETTING OR THE INDIVIDUAL CHARACTER OF THE SETTLEMENTS.

AREAS OF SPECIAL LANDSCAPE IMPORTANCE

1.3.12 The landscape character of the local plan area is influenced by the rivers and streams which flow northwards to the Thames. In the northern part of the plan area, near the confluence of the rivers Thames and Loddon is a valley bottom landscape in which the town of Woodley and village of Sonning to the west and villages of Twyford and Wargrave to the east occupy slightly elevated positions. The River Loddon flows from the south joined by the Blackwater north of Swallowfield, through a wide open valley landscape, wholly agricultural in the south, but increasingly gravel and water dominated in the north. The slopes which flank the valley and wooded hill tops which form their crests are prominent in views from within the valley and across it.



1.3.13 A plan-wide landscape survey has identified two tracts of countryside within the plan area, at Farley Hill and Bearwood, as being of special importance in landscape terms. Both are wooded, hilltop areas which feature in views from large parts of the plan area. The criteria used to identify these areas and the alternative boundaries considered are contained in Local Plan Working Paper Three which is available separately from this plan. The following policies are intended to:

a) protect the areas of special landscape importance from development which would detract from their rural character and special landscape qualities;

b) enhance their rural character and landscape qualities by encouraging appropriate management;

c) protect them from development on land around them which would adversely affect their character and setting.

1.3.14 The areas identified represent the 'Other Areas of Special Landscape Importance' within the plan area referred to in Policy EN9 of the Replacement Structure Plan for Berkshire.

8/4

❖ LC3 AREAS OF SPECIAL LANDSCAPE IMPORTANCE

WITHIN THE FARLEY HILL AND BEARWOOD AREAS AS DEFINED ON THE PROPOSALS MAP (SOUTH SHEET) LAND USES OR BUILT DEVELOPMENT WILL NOT BE ALLOWED WHICH WOULD CAUSE LONG-TERM DAMAGE TO THE RURAL CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

❖ LC4 SETTING OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

DEVELOPMENT WILL NOT BE ALLOWED ON LAND CLOSE TO THE FARLEY HILL AND ARWOOD AREAS OF SPECIAL LANDSCAPE IMPORTANCE WHICH, BY REASON OF ITS SIZE, LOCATION OR TYPE, WOULD ADVERSELY AFFECT THE RURAL CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

❖ LC5 MANAGEMENT OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

THE DISTRICT COUNCIL WILL SEEK TO ENSURE THAT THE MANAGEMENT OF LAND WITHIN THE FARLEY HILL AND BEARWOOD AREAS OF SPECIAL LANDSCAPE IMPORTANCE IS UNDERTAKEN IN SUCH A WAY AS TO MAINTAIN AND ENHANCE THEIR RURAL CHARACTER AND SPECIAL LANDSCAPE QUALITIES.

LANDSCAPE MANAGEMENT

1.3.15 Within the landscape in recent years the rate of change appears to have increased. In agricultural parts of the plan area Dutch Elm disease and, more recently, storms have resulted in the loss of many hedgerow trees. In addition many modern farming practices and the demands of development including mineral extraction have led to the felling of woodland, grubbing out of hedgerows and drainage of wetland areas. More efficient drainage techniques have also resulted in the neglect or loss of important landscape features such as ponds and ditches.

1.3.16 Over recent years public awareness of changes in the countryside has increased. Modern farm production and management methods and the need for them are perhaps not readily understood by those not employed in agriculture. At the same time increased accessibility to the countryside for its recreational potential, and wide ecological awareness, have made many people question the changes that have taken place. Again the planning system has little scope to control or direct such changes. Nevertheless, planning policies provide a necessary degree of certainty for the future which enables investment in promoting the protection and enhancement of the rural landscape to take place.



1.3.17 Changes in agricultural priorities will mean that it may not be possible to rely on agriculture to maintain the countryside as we would wish to see it. New uses of rural land will involve change to the traditional landscape and in some cases offer significant opportunities. Landscape enhancement through forestry is one such opportunity, providing the mix of species and planting regime is appropriate. In some of the southern parts of the plan area sandy heathland soils make planting of certain types of conifers acceptable, but over most of the plan area broadleaved woodlands would be required.

1.3.18 In this context one of the areas in which the District Planning Authority is most active is in ensuring the continued visual effectiveness of tree cover, which is also the objective of Replacement Structure Plan Policy EN20. Besides ensuring appropriate landscaping schemes when planning permission is granted, in an attempt to resist the

9/4



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**

10/4

1.0 OVERALL STRATEGY

INTRODUCTION

1.1 In developing the District Local Plan the Council agreed an Overall Strategy (set out in para. 0.9) for the plan. The Overall Strategy seeks to slow down the rate of development within the District and to promote sustainable development in order to protect and enhance the quality of the environment within the plan area and also to meet the social and economic aspirations of the District.

1.2 In considering development proposals the achievement of sustainable development is a fundamental principle. However there are other issues that form part of the overall sustainable development approach which also need to be considered when dealing with development proposals. It is the aim of this chapter to set out the fundamental policies from which the remaining policies of the plan take their lead.

1.3 The plan area is under pressure to accommodate new homes, jobs, services and improved transport facilities and in doing so maintain a prosperous economy. It is important that local commerce and industry produces a dynamic local economy that makes a positive contribution to the character, environment and quality of life of those who live and work in the District.

POLICY FRAMEWORK

Strategic Policy

1.4 This approach accords with the overall approach to development adopted by Berkshire County Council in the *Berkshire Structure Plan 1991 - 2006* which states that:

> 'Sustainable levels, forms and locations of development are ... sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within ... environmental and other limits.' (Para. 3.7 of Berkshire Structure Plan 1991 - 2006).

POLICIES

1.5 The policies set out below aim to ensure that such an approach is achieved.

POLICY WOS1: SUSTAINABLE DEVELOPMENT

THE COUNCIL WILL ENSURE, WHERE POSSIBLE, THAT DEVELOPMENT IS SUSTAINABLE AND IMPROVES THE QUALITY OF LIFE WITHIN THE PLAN AREA BY PURSUING THE FOLLOWING OBJECTIVES:

A) TO CONTINUE TO SLOW DOWN THE RATE OF DEVELOPMENT WITHIN THE PLAN AREA TO ENSURE THAT THE BEST OF THE EXISTING ENVIRONMENT

Cont.

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

B) GIVE PRIORITY WITHIN a) TO MEETING THE DISTRICT'S ECONOMIC AND SOCIAL NEEDS, INCLUDING THE PROVISION OF LOW-COST HOUSING AND A WIDER RANGE OF EMPLOYMENT OPPORTUNITIES

C) CONSERVING AND ENHANCING THE PATTERN OF TOWN . AND PARISH COMMUNITIES BY RETAINING AND EMPHASISING THE BALANCE BETWEEN TOWNS AND VILLAGES, COUNTRYSIDE AND SETTLEMENTS, OPEN RIVER VALLEYS AND ENCLOSED WOODLANDS

D) TO PROVIDE FOR EMPLOYMENT, HOUSING, SHOPPING AND SERVICES IN PLACES THAT MINIMISE THE NEED FOR TRAVEL BY PRIVATE CAR

E) THAT NEW DEVELOPMENT MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER, ENVIRONMENT, LANDSCAPE, HERITAGE WITHIN THE PLAN AREA

F) ~~TO CONSERVE NATURAL RESOURCES TO MINIMISE POLLUTION~~ **(PA 1/3)**

F1) TO CONSERVE NATURAL RESOURCES **(PA 1/3)**

F2) TO MINIMISE POLLUTION ***(PA 1/3)***

G) TO SEEK IMPROVEMENTS TO INFRASTRUCTURE, SERVICES AND AMENITIES.

H) TO ENCOURAGE AND SUSTAIN BALANCED RURAL COMMUNITIES **(PA 1/1)**

I) TO DEVELOP BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES **(PA 1/2)**

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside ~~or has special reason to locate there~~ *OR FOR WHICH A RURAL LOCATION IS ESSENTIAL.* **(PA 1/4)** Although these uses are acceptable in principle, they must also be acceptable in practice.

1.7 In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.

1.8 An 'identified' settlement or built-up area must possess all the following characteristics:

(i) a sizeable amount of development in a compact form (if development is dominated by, or interspersed with, areas of land that are characteristically rural or open, it will not come within this criterion)

(ii) possess a range of basic services, such as a primary school, shop and community facilities, providing a forum for social contact

(iii) be physically and socially cohesive.

12/4

1.9 For the purposes of this plan the identified settlements are:

ARBORFIELD CROSS	SHINFIELD
BARKHAM HILL	SINDLESHAM
CHARVIL	SPENCERS WOOD
EARLEY/SONNING/WOODLEY	SWALLOWFIELD
FINCHAMPSTEAD	THREE MILE CROSS
FINCHAMPSTEAD NORTH	TWYFORD
HURST	WARGRAVE
PINEWOOD	WINNERSH
RISELEY	WOKINGHAM.

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

SUBJECT TO THE DETAILED PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN, DEVELOPMENT WILL BE ALLOWED WITHIN THE BOUNDARIES OF THE IDENTIFIED SETTLEMENTS SHOWN ON THE PROPOSALS MAP AND LISTED IN THE TEXT.

OUTSIDE THESE SETTLEMENTS DEVELOPMENT WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN AND STRUCTURE PLAN POLICIES C2 (DEVELOPMENT OUTSIDE BUILT UP AREAS AND SETTLEMENTS) AND C4 (CONTROL OF DEVELOPMENT IN THE GREEN BELT).

Implementation: Through the development control process.

Monitoring: Planning applications determined.

1.11 The most attractive and successful urban environments are those where all the component parts (e.g. buildings, trees, roads, spaces, people, traffic) have been satisfactorily accommodated to create interesting, lively and pleasant places. In order to maintain and enhance the character of the built environment, the appropriateness of the use of existing buildings and the design of new buildings or extensions to existing buildings, are very important.

1.12 The Council is particularly concerned to promote a high standard of design in new buildings, to ensure that new buildings are responsive to their location and to their potential occupants' and/or users' needs. New development needs to be appropriate in terms of function, siting, scale, form, massing, materials, colour and texture in its relationship with adjoining buildings and sites. Accordingly, new development will be expected to make an acceptable and positive contribution to the built environment. In addition new development should be appropriately located so as to reduce the need to travel and to encourage alternative modes of transport to the car.

1.12A LANDSCAPING SCHEMES SHOULD BE COMPRISED PREDOMINANTLY, IF NOT WHOLLY, OF LOCALLY NATIVE SPECIES. **(PA 1/5)**

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

THE COUNCIL WILL REQUIRE ALL DEVELOPMENT PROPOSALS THAT ARE ACCEPTABLE IN PRINCIPLE WHEN ASSESSED AGAINST OTHER POLICIES OF THIS PLAN TO:

A) BE APPROPRIATE IN SCALE OF ACTIVITY AND CHARACTER TO THE AREA IN WHICH THEY ARE LOCATED AND BE INTEGRATED INTO THEIR LOCAL CONTEXT WITHOUT DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS

B) ~~RETAIN~~ *HAVE NO SIGNIFICANT DETRIMENTAL IMPACT UPON* **(PA 1/6)** IMPORTANT MAN-MADE, LANDSCAPE AND NATURE CONSERVATION FEATURES AND PROVIDE FOR FURTHER LANDSCAPE TREATMENT WHERE RELEVANT TO THE TYPE OF DEVELOPMENT AND/OR THE PROTECTION OF LOCAL VISUAL AMENITY

C) BE BOTH LOCATED AND DESIGNED SO AS TO REDUCE THE NEED TO TRAVEL AND ENCOURAGE THE USE OF WALKING, CYCLING AND PUBLIC TRANSPORT AS ALTERNATIVES TO THE CAR

D) HAVE NO SIGNIFICANT EFFECT ON ROAD SAFETY OR CAUSE HIGHWAY, TRAFFIC GENERATION OR TRAFFIC RELATED ENVIRONMENTAL PROBLEMS

E) PROVIDE BUILDINGS, FACILITIES AND SPACES THAT ARE CAPABLE OF USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT

F) BE OF HIGH QUALITY OF DESIGN THAT RESPECTS THE LOCAL CONTEXT BY VIRTUE OF SITING, LAYOUT, MASSING, MATERIALS, COLOUR AND TEXTURE.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

1.13 It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to support the development. This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations*). An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life or new and existing residents. Supplementary planning guidance has been produced setting out the implementation of Policy WOS4 below.

POLICY WOS4: SERVICE, AMENITIES AND INFRASTRUCTURE REQUIREMENTS FOR NEW DEVELOPMENT

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, UNDER THE POLICIES OF THIS PLAN, DEVELOPMENT PROPOSALS WILL BE EXPECTED TO HAVE

Cont.

14/4

REGARD TO EXISTING LEVELS OF INFRASTRUCTURE, SERVICES AND AMENITIES.

WHERE THE DEVELOPMENT GIVES RISE TO THE NEED FOR THE PROVISION OF NEW OR EXTENDED PUBLIC AND COMMUNITY SERVICES, PERMISSION WILL NOT BE GIVEN UNTIL THE PLANNING AUTHORITY IS SATISFIED, BY IMPOSING CONDITIONS, OR WHERE THESE ARE NOT APPROPRIATE OR ADEQUATE, BY SEEKING A LEGAL AGREEMENT, THAT AN APPROPRIATE LEVEL OF INFRASTRUCTURE, SERVICES AND AMENITIES REQUIRED AS A CONSEQUENCE OF, AND DIRECTLY RELATED TO, THE DEVELOPMENT IS CAPABLE OF BEING, AND WILL BE, PROVIDED WITHIN THE TIMESCALE OF THE PROPOSED DEVELOPMENT IN ACCORDANCE WITH AN AGREED PHASING PROGRAMME.

THE COUNCIL WILL PRODUCE SUPPLEMENTARY PLANNING GUIDANCE REGARDING THE IMPLEMENTATION OF THIS POLICY.

Implementation: Through the development control process and in consultation with service providers.

Monitoring: Planning applications determined and reporting to Services, Amenities and Infrastructure Working Party.

Environmental Improvements

1.14 It is important that wherever possible development makes best use of existing resources and enhances the existing area to reduce impacts on amenities and preserve non-renewable resources such as greenfield sites. This accords with Central Government advice and policies contained within the Berkshire Structure Plan 1991 - 2006. Such opportunities may occur both on and off the development site when they are directly related to the proposal.

POLICY WOS5: ENVIRONMENTAL IMPROVEMENTS

WHEN CONSIDERING PROPOSALS FOR DEVELOPMENT, OPPORTUNITIES WILL BE SOUGHT TO SECURE ENVIRONMENTAL IMPROVEMENTS, BOTH ON AND OFF-SITE. THESE MAY FOR EXAMPLE INCLUDE:

A) THE USE OF BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES

B) LANDSCAPING, INCLUDING MAJOR STRUCTURAL LANDSCAPING ON SENSITIVE AND EXPOSED SITES

C) PROVISION OF RECYCLING FACILITIES

D) RE-USE AND REFURBISHMENT OF EXISTING BUILDINGS IN PREFERENCE TO REDEVELOPMENT

E) UPGRADING OF THE EXISTING URBAN FABRIC

F) THE RELOCATION OF BAD NEIGHBOUR TYPE USES AND REDEVELOPMENT FOR MORE APPROPRIATE USES. **(PA 1/7)**

Implementation: Through the development control process.

Monitoring: Planning applications determined and assessment of land involved.

15/4

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]**

16/4

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.

17/4

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

POLICY WLL1: HIGH QUALITY AGRICULTURAL LAND

DEVELOPMENT THAT WOULD RESULT IN THE IRREVERSIBLE LOSS OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND (GRADES 1, 2 AND 3A OF THE MINISTRY OF AGRICULTURE, FISHERIES AND FOOD'S AGRICULTURAL LAND CLASSIFICATION) WILL ONLY BE PERMITTED WHERE THERE IS AN OVERRIDING NEED FOR THE DEVELOPMENT AND NO OTHER SUITABLE SITE IS AVAILABLE.

WHERE DEVELOPMENT IS NECESSARY ON THE BEST AND MOST VERSATILE LAND IT SHOULD USE, AS FAR AS POSSIBLE, THE LOWEST GRADE OF LAND SUITABLE FOR THE DEVELOPMENT.

Implementation: The development control process.

Monitoring: Planning applications determined.

Areas of Special Landscape Importance (ASLI)

2.59 Four ASLI's were identified in the adopted local plans and are referred to in the text of the Berkshire Structure Plan 1991 - 2006. Three of these - The Blackwater Valley, Farley Hill and Bearwood - were the subject of extensive study prior to their inclusion in the local plans. These areas remain unchanged. The two new ASLI's are in:

a) Swallowfield/Beech Hill area (which is an extension to and takes account of adjoining District/Borough landscape designations. It is based on the Loddon river valley characteristics and provides a contiguous landscape feature in all areas).

b) Wargrave to Cookham new ASLI (which takes account of adjoining District/Borough landscape designations).

2.60 Both have not been previously defined and landscape studies have been carried out on which the proposed boundaries are based. Both have been subject to consultation processes. The areas have been divided into character zones which were surveyed and management issues defined.

2.61 The objectives of the policy on ASLI's are to:

a) protect the ASLI from development that would detract from its rural character and special landscape qualities
b) enhance the rural character and landscape qualities by encouraging appropriate management
c) protect the ASLI from development on land around it that would adversely affect its character and setting.

2.62 The criteria for identifying the ASLI's are based on those in the Berkshire Structure Plan 1991 - 2006 which, in turn, are derived from the Countryside Commission's Landscape Assessment Guidance 1993 where:

a) the landscape should be of County significance
b) the landscape should be of generally acknowledged scenic quality and of distinctive character

c) the area and its landscape features should have an impact beyond their physical boundaries with prominent features being visible from long distances
d) the area should be rural in character and free from visually intrusive development
e) the area should contain sites of architectural and historic significance and sites of wildlife importance
f) the area should contain a diversity of landscape types that results from a combination of landform, vegetation and land use, creating areas of identifiable character.

2.63 The new ASLI based on the Loddon river valley in the Parish of Swallowfield, resulted from the public consultation in 1995 on the District Local Plan. The adjoining local planning authorities of Hart, Newbury and Basingstoke and Deane considered that their ASLI, River Heritage and Areas of Special Landscape Quality (ASLQ) designations should be taken account of in adjoining plan designations. This recognised the fact that District and Borough boundaries do not necessarily indicate a change in landscape types, character and quality.

2.64 A detailed study established that the area has a distinct and varied character. It comprises of the river valley with small enclosed field patterns adjoining the river itself. There are willow stands and alluvial pastures. The influence of the river on Man's activities is illustrated by the listed buildings of the Water Mills at Stanford End and Sheepbridge. Further out from the river valley, arable plateaus with more extensive field patterns and wooded ridges predominate. There are extensive long views across the river valley and beyond to Beech Hill, Stratfield Saye, Swallowfield and Spencers Wood. The River Loddon provides an element of continuity between these different areas. Whilst the A33 does appear to be a scar on the landscape, it does not dominate visually being contained largely within a cutting which also acts to reduce noise intrusion. There will be positive opportunities for further enhancement of the ASLI for conservation purposes. These could be funded from grants available from various agencies. The boundaries shown on the proposals map underwent a process of consultation with the Parish Council and landowners in 1996 - 97 to establish its quality and need for protection.

2.65 The detailed boundaries of the Wargrave/Cookham area (which extends into the Royal Borough of Windsor and Maidenhead) have not been previously defined. A landscape study has been carried out upon which the proposed boundaries are based. The area was divided into six character zones and the management issues defined. An area adjoining Wargrave on its northern side has an important dual function of providing an important landscape setting to the settlement as well as having a landscape quality that qualifies it as an ASLI. For the sake of clarity only the ASLI is shown on the proposals map, but its dual role should be noted and taken account of in considering any development proposals.

2.66 The proposed ASLI from Wargrave to Cookham has a distinct and varied character and comprises a mixture of wooded ridges and hills, arable plateaus and rolling chalk land, alluvial pasture, parkland and golf courses. The character of the area is influenced by the broad sweep of the River Thames to the west and north; the Chilterns Area of Outstanding Natural Beauty (AONB) and ASLI to the north; wooded knolls of Bowsey Hill and Ashley Hill to the east and the Lower Loddon to the south. There are extensive long distance views throughout the area along the Thames Valley from Sonning to Bowsey and Ashley Hill from the A4; from Henley up to the wooded escarpment of Park Place; and from the A423 to the Chilterns AONB in the north and Bowsey Hill in the south.

POLICY WLL2: AREAS OF SPECIAL LANDSCAPE IMPORTANCE

WITHIN THE DESIGNATED AREAS OF SPECIAL LANDSCAPE IMPORTANCE, AS DEFINED ON THE PROPOSALS MAP; LAND USES OR BUILT DEVELOPMENT WILL NOT BE PERMITTED THAT WOULD HAVE A DETRIMENTAL IMPACT ON THE OPEN, COUNTRYSIDE CHARACTER, OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

THIS INCLUDES ANY DEVELOPMENT THAT RESULTS IN THE REMOVAL OR EROSION OF LANDSCAPE FEATURES SUCH AS PONDS, CHALK OUTCROPS, WOODLAND, COPSES AND HEDGEROWS.

Implementation: The development control process

Monitoring: Planning applications determined.

2.67 Within ASLI's, the District Council will seek the management of landscape features. This will be achieved through negotiation with landowners and liaison with other bodies such as English Nature, the Countryside Commission, the Environment Agency, the Forestry Authority and the Woodland Trust amongst others. Advice and guidance will also be available to the landowners. Planning conditions and agreements will be used where appropriate and necessary in the granting of a planning permission. These can provide safeguards and benefits in these special areas.

2.67A IT SHOULD BE NOTED THAT THE GENERAL COUNTRYSIDE POLICIES APPLY WITHIN AREAS OF SPECIAL LANDSCAPE IMPORTANCE. **(PA2/22)**

POLICY WLL3: SETTING OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

DEVELOPMENT WILL NOT BE ALLOWED ON LAND THAT IS EITHER:

A) PHYSICALLY ADJOINING THE DEFINED BOUNDARIES OF THE AREA OF SPECIAL LANDSCAPE IMPORTANCE (AS SHOWN ON THE PROPOSALS MAP) OR

B) VISUALLY PROMINENT FROM OR TO THE DEFINED AREAS OF SPECIAL LANDSCAPE IMPORTANCE (AS SHOWN ON THE PROPOSALS MAP)

AND WHICH BY REASON OF ITS SIZE, *LAYOUT*, **(PA 2/23)** DESIGN, MATERIALS, LOCATION OR TYPE OF USE WOULD ADVERSELY AFFECT THE SETTING, CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

Implementation: The development control process.

Monitoring: Planning applications determined.

River Valleys

2.68 Some of this District's best quality landscapes are associated with or based upon parts of river valleys. These are the Loddon ASLI, the Blackwater Valley ASLI and the Wargrave/Cookham ASLI (based on the Thames Valley).

21/4

POLICY FRAMEWORK

National Policy

4.5 Advice on design at the national level is limited. There is no Planning Policy Guidance Note purely on design considerations. Paras 13 - 20 and Annex A (paras A1 - A7) of PPG1 refer specifically to the issue of design. Paras 4 - 7 of Planning Policy Guidance Note 3 (PPG 3) *Housing* look at good design in the context of housing development.

4.6 Comprehensive guidance on heritage issues is given in Planning Policy Guidance Note 15 (PPG 15) *Planning and the Historic Environment*. Planning Policy Guidance Note 16 (PPG 16) *Archaeology and Planning* gives advice on archaeology and planning.

Strategic Policy

4.7 The *Berkshire Structure Plan 1991 - 2006* acknowledges that the quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. The plan recognises that these depend partly on care for the built environment, but that also of importance are the maintenance and improvement of interests that have a bearing on the County's character, the limitation and control of specific threats to pleasant living conditions, and the conservation of natural resources.

Supplementary Planning Guidance

4.8 The environmental policies in this plan are augmented by additional guidance in the form of Planning Guidelines, Development Briefs, Design Guides, and Conservation Area Studies. This additional guidance includes detailed advice that is not appropriate for inclusion in the plan. The policies of the plan take precedence over the supplementary planning guidance, and provide the main thrust for environmental policy in the plan area.

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

4.9 Proposed development should be considered in the context of the surrounding area. This will allow vernacular style and any good features to be interpreted in the new development, helping to contribute to its sense of place.

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

THE COUNCIL WILL REQUIRE GOOD CONTEMPORARY DESIGN THROUGHOUT THE PLAN AREA, WHICH RESPECTS ITS LOCAL CONTEXT. WHEN CONSIDERING ANY APPLICATION FOR DEVELOPMENT THE COUNCIL WILL HAVE REGARD TO THE FOLLOWING CONSIDERATIONS:

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

22/4

d) LANDFORM AND ANY NATURAL FEATURES, INCLUDING LANDSCAPE TREATMENT AND ENVIRONMENTAL WORKS

e) THE LOCAL TOWNSCAPE

f) THE LAYOUT, FORM, SCALE, MASSING, AND MATERIALS OF DEVELOPMENT

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

Implementation: Use of design guidance in the development control process.

Monitoring: Consider quality of development on the ground, including through design awards.

4.10 Not all of the plan area is of the same visual quality. Some parts of it could benefit from environmental improvement, and in some circumstances, this may be achievable through redevelopment opportunities.

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

IN AREAS WHERE THE EXISTING ENVIRONMENT DOES NOT EXHIBIT ESPECIALLY PRONOUNCED OR HISTORIC ARCHITECTURAL STYLES, ANY PROPOSALS FOR INFILL DEVELOPMENT SHOULD BE USED AS AN OPPORTUNITY TO CREATE ADDED VISUAL INTEREST AND RAISE THE AREA'S ARCHITECTURAL QUALITY.

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

4.11 Because of their extent, large developments are likely to have a greater impact on the environment than smaller scale ones. It is therefore particularly important to ensure a high quality of development within such proposals. Large development areas are probably best considered in terms of a series or pattern of smaller areas, each with its own layout and form of development, and hence its own distinctive character. This should lead to the avoidance of extensive areas of characterless development that bear no relationship to features on the ground.

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

ANY PROPOSALS FOR LARGE SCALE DEVELOPMENT SHOULD PROVIDE A CLEAR AND COHERENT LAYOUT THAT CREATES AREAS OF IDENTIFIABLE CHARACTER WITHIN THE DEVELOPMENT. WHERE DEVELOPMENT IS TO BE CARRIED OUT IN PHASES, THE COUNCIL WILL REQUIRE THE SUBMISSION OF A INDICATIVE LAYOUT FOR THE ENTIRE SITE PRIOR TO THE APPROVAL OF ANY

Cont.

Introducing Flexibility and Vitality - Provision of Mixed Use Premises

7.50 Craft enterprises and one man businesses often operate from small workshops. Some of these activities have caused complaint when operated in adapted outbuildings attached to existing dwellings in residential estates, especially if power tools are used or the enterprise attracts deliveries or calls from customers. Many of these difficulties can be overcome if places of work are insulated against noise transfer, and road layout and parking provision are suitable for the purpose. Consideration should therefore be given to the provision of new mixed use premises and areas. These would be dwellings with appropriately designed access, highway infrastructure and purpose built workshops. Workshops could be attached to the houses or within their grounds. Use of these premises would be controlled by planning conditions designed to protect residential amenity. The issues covered would ~~be~~ *INCLUDE* **(PA 7/21)** those contained in Policy WEM15. Particularly suitable locations would be adjacent to shopping parades or employment areas or as part of major new housing developments. In order to maintain the stock, a condition would be required to prevent separation of the workshops from the dwelling.

POLICY WEM17: MIXED USE PREMISES

IN THE FOLLOWING LOCATIONS:

A) DISCRETE MIXED USE AREAS IDENTIFIED THROUGH A PLANNING BRIEF WITHIN MAJOR NEW HOUSING DEVELOPMENTS

B) WHERE NEW HOUSING IS TO BE DEVELOPED ADJACENT TO EXISTING OR PROPOSED SHOPPING AND EMPLOYMENT AREAS, AND WHERE ACCESS TO WORKSHOPS WOULD NOT BE TAKEN THROUGH PREDOMINANTLY RESIDENTIAL ROADS **(PA 7/22)**

THE COUNCIL WILL CONSIDER THE PROVISION OF NEW DWELLINGS WITH ASSOCIATED WORKSHOPS TO FORM MIXED USE PREMISES. THE BUSINESS USE SHOULD HAVE AN ANCILLARY RELATIONSHIP TO THE DWELLING IN BUILT FORM, FLOORSPACE AND SCALE *AND BE INTEGRATED INTO ITS LOCAL CONTEXT WITHOUT DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS.* **(PA 7/22)**

Implementation: Use of land in public and private ownership, identification in development briefs.

Monitoring: Annual housing and employment monitoring.

ALTERNATIVE USES FOR BUILDINGS AND LAND IN EMPLOYMENT USE

Alternative Uses for Land and Premises with a Commitment for, or in Existing B Class Use

7.51 Berkshire Structure Plan Policy BU3 states that existing permissions for BIDS uses will not automatically be renewed where a site could be beneficially used to achieve other desirable planning objectives. Whilst this may be appropriate where planning permissions have been granted on free-standing sites, it has implications for premises in existing employment areas. To remove employment floorspace in established industrial areas permanently would result in a dilution of their character. It could also either divert employment generating uses to less

well located existing premises or put pressure on greenfield sites in the future. Either outcome would be likely to increase the need to travel. It is proposed to set criteria to protect those sites that are seen of particular importance to the health and diversity of the local economy whilst not opposing the principle of change of use elsewhere. *POLICY WEM18 DOES NOT PRECLUDE THE IMPLEMENTATION OF THE PROVISIONS OF WEM3, WHICH APPLIES TO THE CORE EMPLOYMENT AREA AT GREEN PARK, OR POLICIES WEM14 AND WR10 THAT SEEK TO PROVIDE A LIMITED RANGE OF ANCILLARY FACILITIES THAT COMPLEMENT THE MAIN BUSINESS USE OF NEW AND EXISTING EMPLOYMENT AREAS.* **(PA 7/23)** In line with advice in PPG 6 inappropriate proposals for retail use on land allocated for other purposes will be resisted.

POLICY WEM18: ALTERNATIVE USES FOR LAND AND PREMISES WITH A COMMITMENT FOR, OR IN EXISTING, B1 - B8 USE

THE COUNCIL WILL ACCEPT THE PRINCIPLE OF CHANGE AWAY FROM BUSINESS EMPLOYMENT GENERATING USE (CLASSES B1 - B8) TO MEET RESIDENTIAL OR, COMMUNITY NEEDS EXCEPT:

Cont.

25/4

a) IN CORE EMPLOYMENT AREAS *UNLESS DEVELOPMENT IS TO MEET THE PROVISIONS OF PROPOSAL WEM3, OR TO PROVIDE THE SUPPORTING USES IDENTIFIED IN POLICIES WEM14 OR WR10.* **(PA 7/24)**

b) ON THOSE ESTABLISHED EMPLOYMENT SITES WITHIN THE SETTLEMENT BOUNDARIES OF VILLAGES WHICH CAUSE NO ENVIRONMENTAL NUISANCE

c) IN EMPLOYMENT AREAS IDENTIFIED FOR DEVELOPMENT IN POLICY WEM1

d) ON LAND AND BUILDINGS PROPOSED FOR GENERAL INDUSTRIAL (B2) OR WAREHOUSING USE (B8) AND AT HERON INDUSTRIAL ESTATE, SPENCERS WOOD

e) WHERE SMALL UNITS WOULD BE LOST

IN ADDITION THE PRINCIPLE OF CHANGE OF USE OF LAND COMMITTED FOR B1 -B8 USE WILL BE ACCEPTABLE ~~IN~~ *WITHIN* **(PA 7/25)** TOWN CENTRE ~~OR EDGE OF TOWN CENTRE LOCATIONS~~ *BOUNDARIES AS DEFINED ON THE INSET MAPS THAT FORM PART OF THIS PLAN,* **(PA 7/25)** TO MEET RECREATION AND LEISURE DEFICIENCIES UNLESS THE LAND IS IDENTIFIED FOR B1-B8 EMPLOYMENT DEVELOPMENT IN THIS PLAN.

Implementation: Through the development control process.

Monitoring: Annual employment monitoring.

THE RURAL ECONOMY

INTRODUCTION

7.52 As in many other areas where countryside lies close to major urban development, there is no identifiably different workforce in the country as opposed to the town. Within the plan area employment in agriculture and related rural industries has declined over many years. New employment opportunities have become available to those living in rural areas through changes in communication technologies, increased mobility allowing access to the centres of employment in our built up areas and the availability of premises in farm buildings. However, the physical character of town and countryside remain distinct. There are strong pressures for development in the rural areas of the plan area. This has the potential to erode the character of these areas if not controlled.

7.53 The following Policies, WRE1 - WRE6, relate to job creating development in the countryside outside the settlement areas defined in this plan but, with the exception of Policy WRE1 do not apply within the Metropolitan Green Belt. Although the same pressures and trends affect countryside within the Metropolitan Green Belt, development is more strictly controlled on land there. All policies covering that designation appear together in chapter 3, The Metropolitan Green Belt. Relevant Policies are WGB1, WGB4, ~~WGB5~~ **(PA 7/26)** WGB7 and WGB10. The proposals map clarifies where the Metropolitan Green Belt policies apply.

7.54 A diverse and balanced rural economy has benefits for people living in village or countryside. The Rural White Paper and PPG 7 affirm the need to accommodate change while continuing to conserve the countryside. Economic development must be balanced against the maintenance of an undeveloped landscape and in particular the prevention of deterioration in

ORDER TO MEET OBJECTIVES OF PROMOTING SUSTAINABLE TRANSPORT, INCREASING ACCESSIBILITY AND SUPPORTING THE ECONOMY AS PROMOTED THROUGH THE TRANSPORT WHITE PAPER AND THE DRAFT PPG13.

MAJOR DEVELOPMENTS CONSISTING OF JOBS, SHOPPING, LEISURE, SERVICES AND SMALLER SUCH DEVELOPMENTS THAT WOULD OTHERWISE RESULT IN A MATERIAL TRAFFIC IMPACT ARE LIKELY TO REQUIRE GREEN TRAVEL PLANS. AS STATED IN THE STRUCTURE PLAN MAJOR DEVELOPMENTS ARE DEFINED AS THOSE INVOLVING 500 SQUARE METRES OR MORE OF FLOORSPACE. THE GREEN TRAVEL PLANS ARE TO BE MADE BINDING THROUGH EITHER CONDITIONS ATTACHED TO PLANNING PERMISSION OR THROUGH A RELATED PLANNING OBLIGATION.

WOKINGHAM DISTRICT COUNCIL SUPPORTS AND ENCOURAGES EXISTING BUSINESS TO DEVELOP GREEN TRAVEL PLANS IN PARTNERSHIP WITH THE AUTHORITY. THE OBJECTIVE IS TO RAISE EMPLOYERS AWARENESS OF THE POTENTIAL THAT A STRUCTURED GREEN TRAVEL PLAN HAS TO IMPROVE BUSINESS EFFICIENCY AND TO HELP IN AN UNDERSTANDING OF THE CONTRIBUTION THAT CAN BE MADE TO RESOLVING THE AREA'S TRAFFIC PROBLEMS.

THE COUNCIL IS ALSO SEEKING TO PROMOTE GREEN TRAVEL PLANS FOR SCHOOLS AND OTHER EDUCATIONAL ESTABLISHMENTS WITHIN THE DISTRICT. {T/7}

POLICY WT3A: GREEN TRAVEL PLANS

IN ORDER TO REDUCE THE USE OF THE PRIVATE CAR AND INCREASE THE USE OF PUBLIC TRANSPORT, CYCLING AND WALKING AS PART OF AN INTEGRATED TRANSPORT STRATEGY REFERRED TO IN STRUCTURE PLAN POLICY T1 AND TO ACHIEVE THE MODAL SHIFT GOALS, PRIOR TO CONSENT BEING GRANTED ON MAJOR DEVELOPMENTS AND DEVELOPMENTS THAT WOULD OTHERWISE RESULT IN A MATERIAL TRAFFIC IMPACT, THE DEVELOPER WILL NORMALLY BE REQUIRED TO PREPARE A GREEN TRAVEL PLAN.

Implementation: Through the Development Control process and the Five year Local Transport Plan.

Monitoring: Through the Local Transport Plan process. {T/7}

Environment

10.27a THE DISTRICT COUNCIL IS WORKING TOWARDS ITS LOCAL AIR QUALITY MANAGEMENT RESPONSIBILITIES IN ACCORDANCE WITH THE ENVIRONMENT ACT 1995. THROUGH THIS PROCESS IT HAS BEEN FOUND THAT TRAFFIC IS THE MAIN CONTRIBUTOR TO AIR QUALITY PROBLEMS IN THE DISTRICT. TRAFFIC POLLUTION REDUCTION MEASURES WILL BE REQUIRED TO MEET THE STANDARDS IN SOME AREAS OF THE DISTRICT. {T/8}

10.27 A key issue is how the demand for mobility can be accommodated in a safe manner without harm to the environment in all its aspects. There is widespread concern about the environmentally unacceptable consequences of increasingly heavy flows of traffic on roads through residential and other environmentally sensitive areas. In particular, during public consultation, the issue of the routeing of heavy goods vehicles was raised on many occasions. This is a universal concern from town centres to rural lanes.

10.27 There are many areas suffering from the adverse effects of traffic. These include the centres of Wokingham and Twyford.

27/4

POLICY WT4: ENVIRONMENTAL ASPECTS OF TRAFFIC

THE COUNCIL WILL IDENTIFY AND PROMOTE THE AMELIORATION OF ENVIRONMENTAL PROBLEMS ASSOCIATED WITH THE MOVEMENT OF TRAFFIC, PARTICULARLY HEAVY GOODS VEHICLES, THROUGH RESIDENTIAL AREAS, CONSERVATION AREAS, AND OTHER ENVIRONMENTALLY SENSITIVE AREAS BY TRAFFIC MANAGEMENT MEASURES AND ASSOCIATED ENVIRONMENTAL IMPROVEMENTS. NOISE ATTENUATION MEASURES WILL BE IMPLEMENTED WHERE NECESSARY TO IMPROVE THE CONDITIONS IN EXISTING DEVELOPMENT.

DEVELOPMENT WILL NOT BE PERMITTED WHERE THE PROPOSAL WOULD GENERATE TRAFFIC OF A TYPE OR QUANTITY DETRIMENTAL TO THE CHARACTER OF THE RURAL ROADS IN THE LOCALITY.

Implementation: Through the annual capital programme of traffic management and environmental improvement, *THE FIVE YEAR LOCAL TRANSPORT PLAN PROGRAMME* {T/9} and through development control.

Monitoring: Through 'state of the environment' surveys *AND THE LOCAL TRANSPORT PLAN.* {T/9}

10.29 Among the environmental problems covered by this policy will be:

a) pollution in all forms including noise and air
b) the problems caused by through traffic passing through principal shopping areas
c) severance of pedestrian movement and communities by traffic
d) nuisances which prevent the street being a pleasant place to meet, walk etc.
e) the lack of space available within the street reserved for the pedestrian
f) the visual intrusion of vehicles and their impact on the setting of buildings
g) the physical impact of highway improvements on the visual environment, and
h) the routeing of lorries onto appropriate routes by signing, and where necessary, the imposition of restrictions.

Transport and Town Centres

10.30 Good access is a vital ingredient in maintaining and enhancing the vitality and viability of town centres. There has been much concern that controls on car parking in order to secure restraint on the use of the car, could adversely affect the viability and vitality of town centres. Other policies and proposals in this plan to maintain and enhance the vitality and viability of existing shopping centres are unlikely to be successful unless there is good access by the private car. In an area with high car ownership good access for many is likely to be considered to be easy access by car both in terms of a congestion free journey and an available parking space at a minimal charge at the end of the journey.

10.31 The key to modal shift and reducing the use of the car is to ensure that alternatives to the car exist. Generally good access by public transport is seen as encouraging its use. Giving it better access to centres than the private car can make it more attractive than it otherwise would be. Therefore buses will, subject to other considerations, particularly pedestrian safety, be allowed access to areas where other traffic is banned or restricted including areas otherwise limited to pedestrians.

28/4

5

THE FOLLOWING SCANNED IMAGES ARE DOCUMENTS OF BAD QUALITY OR ARE PHOTOCOPIES.



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN



1

OPEN VIEWS FROM HAYES LANE LOOKING SOUTH. NATURE OF EXISTING USE IS HARMFUL TO ASLI.



2

CLEAR VIEWS FROM BRIDLEWAY
LOOKING SOUTH-EAST. EXISTING
USE HARMS LANDSCAPE CHARACTER.

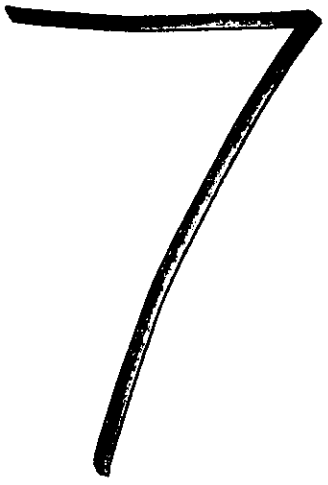


3

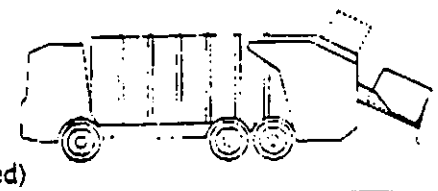
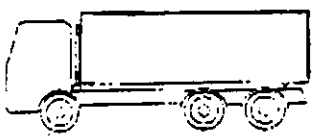
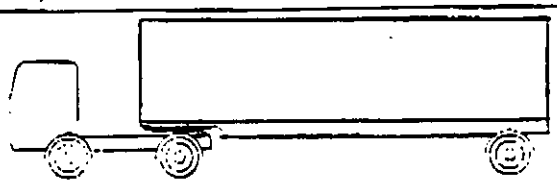
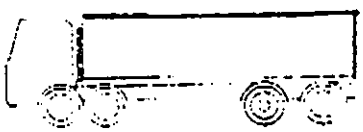
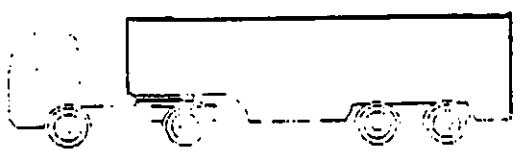
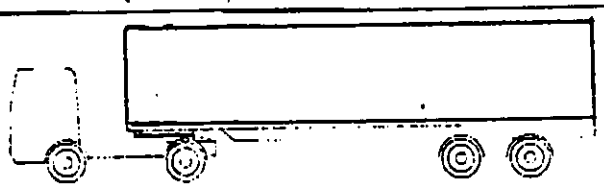
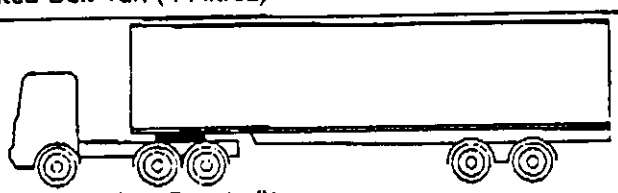
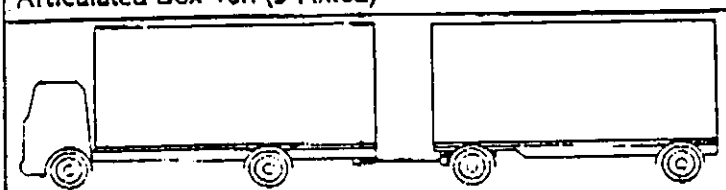
VIEWS FROM BRIDLEWAY LOOKING NORTH-EAST. NOTE-TREES ALONG THIS BOUNDARY WOULD BE FELLED TO ACCOMMODATE THE H.G.V. STORAGE BUILDING.

4/5

6



These vehicles may lawfully operate from the appeal site with the benefit of planning permission and GVOL's. In general flat bed and box lorries of 38 tonne weight operate from the appeal site.

Outline/Description (Scale 1:200)	Weight (GVW) kg	Length† m	Width m	Height† m	Turning width between kerb m
 Refuse Vehicle (3 Axled)	22500	8.74 (10.64)	2.44	3.4 (4.0)	17.5
 Tipper (3 Axled)	24390	7.75	2.50	3.0 (6.0)	16.5
 Articulated Vehicle (3 Axled)	24390	13.90	2.50	4.0	15.0*
 Tipper (4 Axled)	30490	9.00	2.50	2.9 (6.9)	19.0
 Articulated Tanker (4 Axled)	32520	12.90	2.50	3.3	16.0*
 Articulated Box Van (4 Axled)	32520	15.00	2.50	4.0	16.0*
 Articulated Box Van (5 Axled)¥	38000	15.50	2.50	4.0	16.5*
 Drawbar Trailer Vehicle	32520	18.00	2.50	4.0	20.0

Tel. (0118) 974 6448 (Direct Line)
Date: November 28 2000
My ref: O/2000/2484
Your ref:

B M Small
43 Bearwood Rd
Wokingham
Berks

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

Dear Sir/Madam

NOTICE OF INFORMAL HEARING
APPEAL BY: F Bond
SITE: Land rear of 41 Bearwood Rd
PROPOSAL: Outline application for the proposed erection of 2 dwellings

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

Comments already made, following the original application for planning permission, will be forwarded to The Planning Inspectorate and copied to the appellant. The application, decision notice, and the appellant's grounds of appeal can be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 16.00 on Fridays).

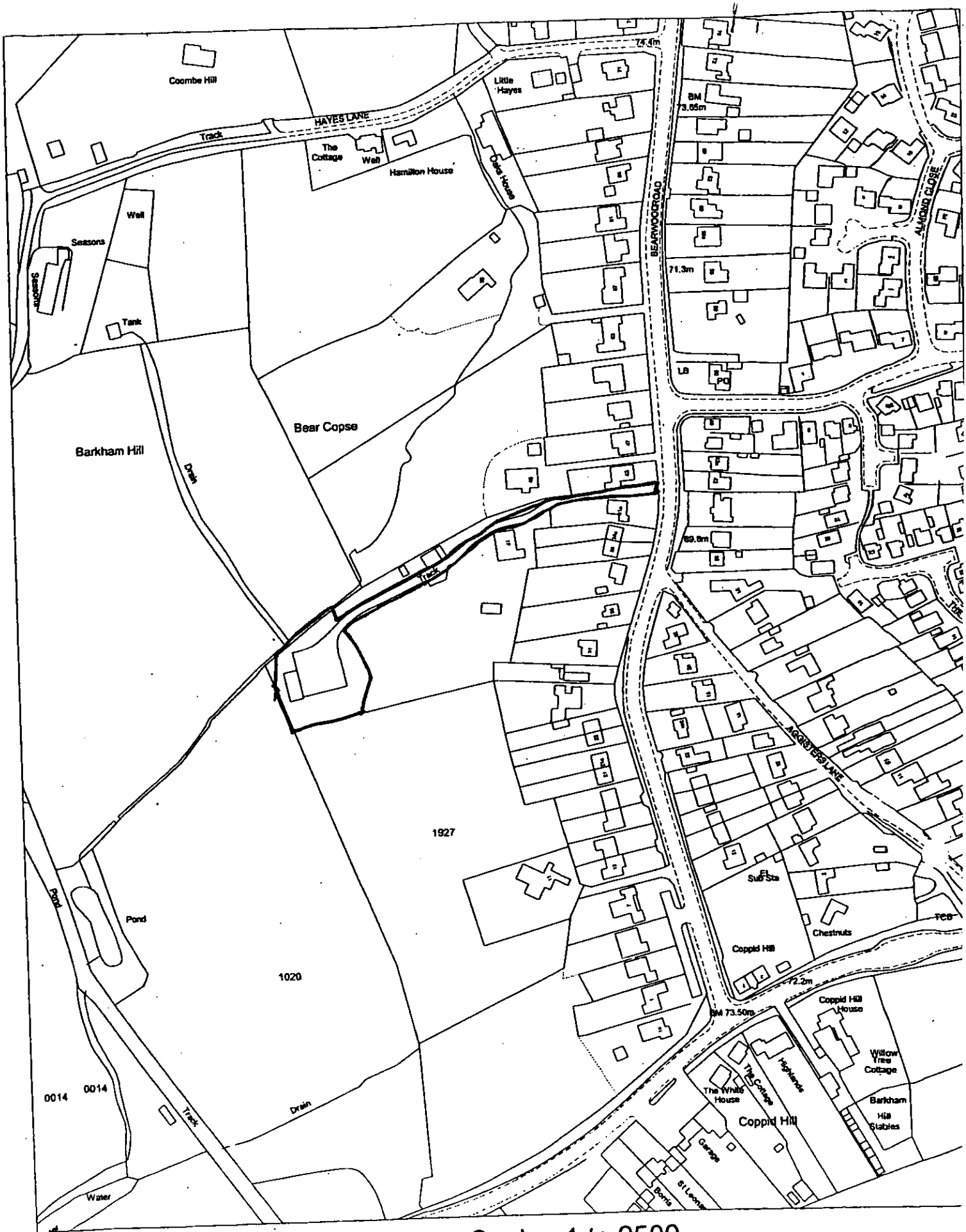
If you wish to make further representations, you should send three copies to Miss A Groves, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ, quoting reference APP/X0360/A/00/1053982,no later than 04/01/01. Comments received after this deadline will not normally be seen by the Inspector & will be returned.

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

If you want a copy of the decision, you should write to Miss Groves & ask for one.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant



Site Plan, Scale: 1 to 2500

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Date: 28 November 2000

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