APPLICATION NO:
F/2000/2225

LOCATION:
Land Rear Of Timberscombe Hollybush Ride, Finchampstead Wokingham.

APPLICANT:
Brookworth Developments Ltd C/O Ark Design (Miss D Warner)

PROPOSAL:
Proposed erection of 4 dwellings plus demolition of existing dwelling.

EARLIEST DATE FOR DECISION: **23/09/2000**

APPLICATION WILL HAVE EXPIRED ON:
09/10/2000

CASE OFFICER: **Angela Odell**

REFUSED

RAILEX
Marbleboard

EASIFILE EP7

Appeal Decision

Hearing held on 12 June 2001

by Phil Grainger BA(Hons) MRTPI

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

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

Date

04 JUL 2001

Appeal Ref: APP/X0360/A/01/1058304
Site of Timberscombe and land to the rear of Cobwebs, Kingfishers Covert and Woodside, Hollybush Ride, Finchampstead, Berkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Brookworth Developments Ltd against the decision of Wokingham District Council.
- The application (Ref. F/2000/2225), dated 11 August 2000, was refused by notice dated 3 October 2000.
- The development proposed is the demolition of an existing dwelling to form an access and the erection of 4 dwellings.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. Notwithstanding the details given on the planning application form, the proposed development and its location is, as discussed at the hearing, best described as set out above.

Main Issues

2. I consider that there are two main issues in this case. The first is the effect on the character and appearance of the area having regard to the size of the proposed houses and their plots together with the effect on trees. The second is the effect on the living conditions of the occupiers of nearby dwellings, especially nos. 2, 4 and 6 Little Fryth, paying particular attention to privacy, outlook and light.

Planning Policy

3. The development plan for the area comprises the Berkshire Structure Plan 1991 – 2006, incorporating Alterations adopted in 1997, and the South East Area Local Plan (SEALP), adopted in 1994. Structure Plan Policy H5 envisages part of the housing need being met by redevelopment or building on suitable undeveloped sites within settlement boundaries. However, Policy EN1 seeks to ensure that development is of a high standard that maintains or enhances the character of its surroundings and protects important open land and trees.

4. Turning to the Local Plan, there have been many changes since the SEALP was adopted, including revised government advice on housing matters as set out in Planning Policy Guidance Note 3 (PPG3). Accordingly, although the SEALP remains part of the development plan, I have, where it is no longer up-to-date, taken that into account in accordance with the advice in PPG1, General Policy and Principles.

5. Policy STV1 advises that development will normally be allowed on sites that, like this one, are within an identified settlement. In addition, Policy SH1 indicates that new housing in the form of infill or redevelopment will generally be considered favourably subject to local environmental constraints and provision of adequate gardens. However, in both cases the encouragement given depends on compliance with other policies and provisions. Of these,

Policy STV6 seeks to ensure that infill development is sympathetic in scale and character and to resist the loss of important open land and gardens. Policy SBE1 aims to achieve a high standard of design that is appropriate to the area and retains important natural or landscape features, whilst Policy SBE2 seeks to ensure that the siting, scale, form and massing of new buildings does not detract from their surroundings. In addition, Policies SBE8 and SBE9 seek to protect important trees and Policy SBE5 aims to ensure adequate light.

6. As for the emerging Wokingham District Local Plan (WDLP), the housing strategy based on a new greenfield settlement has been rejected following a local plan inquiry and the implications of this for other housing and related policies is not yet clear. Accordingly, whilst the WDLP is a material consideration, it carries less weight than a plan that has reached this stage would do normally. That said, Policies WOS2 and WH1 broadly carry forward the provisions of SEALP Policies STV1 and SH1 with an additional reference to residential amenity. Once again, new housing is encouraged within settlements provided, amongst other things, important wooded areas and gardens are protected from inappropriate development and there is no significant harm to the character of the area. Policy WBE1, which is similar to SEALP Policy SBE1 but seeks also to protect the privacy and amenity of neighbours, reinforces these aims. Policy WBE11 seeks to protect important trees and woodland.

7. A further material consideration that I have taken into account is the policy that the Council have recently adopted that seeks to apply the density figures set out in PPG3, Housing, whilst protecting local character.

Inspector's Reasoning

Effect on the character and appearance of the area

8. The dwellings along Hollybush Ride are generally set in very large and well-treed grounds. To the east of the appeal site, Little Fryth is a more recent development with smaller plots, but even so the density is very low. There are groups of large trees that form a wooded backdrop to the houses and others that have been incorporated in the development itself. Together these trees add significantly to the spacious and sylvan character of Little Fryth.

9. The parties agree that, having regard to the advice in PPG3, the proposal does not need to emulate the density of Hollybush Ride. Little Fryth is regarded as a more suitable model but there is disagreement over whether the proposed scheme adequately reflects the character of that development. In any event, the Council say that, because of the effect that it would have on the wooded buffer between the two areas, the site is unsuitable for development, even though it falls within the definition of previously developed land and is within an identified settlement. However, the appellants say that many of the trees are of limited quality and most of the important ones would remain.

10. For my part, I consider that whilst the trees at the rear of 'Cobwebs' may, individually, be of modest quality, as a group they make an important contribution to the setting of Little Fryth, from where they are clearly visible. Not all the trees are on the appeal site, but the erection of a house on plot 1 would inevitably result in the loss of a substantial number of them, even if, as the appellants argue, those around the edge of the plot could be retained. In my judgement, such a thinning out of the group would seriously detract from the wooded backdrop of Little Fryth.

11. I have allowed for the trees being mostly of a relatively short-lived species and shallow rooted. However, the appellants say that, even without the protection of those to be felled, the trees near the northern boundary of the site should survive for another 20 years. The internal trees may not be as strong and a few of them are experiencing root plate heave, but I saw no compelling evidence that, if left undisturbed, most of them could not also be expected to survive for a considerable time. In any event, their replacement by a house, which would be clearly visible to

those entering Little Fryth, would result in an uncharacteristic consolidation of development that would harm the green and spacious character of the area.

12. As for the other plots, I consider that none of them now has such a dense tree cover as to prevent some form of development being fitted around the important trees. That said, I have concerns about specific aspects of the scheme before me. In particular, I saw that even in the middle of one of the longest days, the adjoining trees overshadowed much of the modest rear garden of plot 2. I therefore consider that there is a real likelihood that the Council would come under pressure to allow the removal or reduction of these trees and that this could be difficult to resist. Moreover, the layout of plots 3 and 4 is such that special construction methods would be needed to protect the trees between them and even then there may be an ongoing need for cutting back. As it is agreed that both these groups of trees are of amenity value and deserve their Tree Preservation Order protection, this adds to my concerns about the proposal.

13. Turning to other matters, the estimates that the appellants produced at the hearing confirmed that the houses would have a larger footprint than the adjoining ones on Little Fryth, very much so in the case of plot 4, but that, apart from plot 4, the plot areas would be similar or slightly smaller. The houses on plots 2 and 3, in particular, would also be more closely spaced than is typical between two-storey buildings on Little Fryth. Moreover, houses that were a little smaller and more widely spaced would not only be more in keeping with Little Fryth but would also help to reduce the effect on trees. Having regard to this, the amount of built development proposed on the rear part of the site adds further to my concerns about the proposal.

14. I conclude that, particularly by reason of the effect on trees, especially those on plot 1, the proposal would seriously detract from the character and appearance of the area. It is therefore contrary to the aims of Structure Plan Policy EN1, Polices STV6, SH1, SBE1, SBE2, SBE8 and SBE9 of the SEALP and to Policies WH1, WBE1 and WBE11 of the WDLP.

Effect on the living conditions of local residents

15. At the end of the hearing I viewed the appeal site from the rear gardens of nos. 2, 4, 6, 8 and 10 Little Fryth. Despite the trees and other vegetation, I have no doubt that the proposed houses would, especially in winter, be clearly visible from most if not all of these dwellings and/or their gardens. In particular, the two-storey part of the house on plot 1 would be within about 11 – 12 metres of the end of the gardens of nos. 2 and 4 Little Fryth. A single storey element would project closer to the boundary. However, although the appeal site is a little higher than the existing dwellings I consider that the window in the projection could be adequately screened and that neither the screening nor the projection itself would be overbearing.

16. As for the two-storey structure, it would be over 30 metres from the nearest part of no. 2 Little Fryth but only about 21 metres from that of no. 4, which has a particularly small rear garden. In my experience, such distances would be sufficient to prevent a material loss of light. However, in the circumstances of this case, in particular the difference in levels and the separation distances that are typical of the area, I consider that the proximity of the proposed house would result in a significant reduction in privacy and outlook for the occupiers of no. 4 Little Fryth. In my judgement, the intervening trees, which provide little cover at lower levels, would not be sufficient to prevent this. Although my concerns are much less in respect of no. 2, these are further serious objections to the erection of a house on plot 1.

17. As for nos. 6, 8 and 12 Little Fryth, their distance from the proposed houses together with the orientation and boundary vegetation would, in my assessment, be sufficient to avoid any material effect on privacy, outlook or light. In addition, there would be a sufficient buffer zone between the proposed access and the dwellings on either side of it for there to be no problems of noise and disturbance.

18. I therefore conclude that the occupiers of no existing dwelling other than no. 4 Little Fryth would have their living conditions affected to such an extent that would have led me to dismiss this appeal. However, there would be a serious effect on the privacy and outlook of the occupiers of no. 4 and this is a further reason why the proposal, and in particular the house proposed on plot 1, is contrary to WDLP Policies WH1 and WBE1 and should not go ahead.

Other matters

19. I have considered all the other matters raised in writing and at the hearing. The Council are concerned that allowing this appeal would set a precedent for the development of other land within this area. However, the development of land within a defined settlement that did not give rise to the harmful effects that I have identified in respect of this proposal would not necessarily be undesirable. In any event, it is unusual for any two sites to be identical in all respects and I saw that the other appeal site that the appellants asked me to look at had a somewhat different context. Each proposal must therefore be determined primarily on its own merits and I have done so in this case.

20. I have also taken into account the likelihood that the rejection of the Council's proposed housing strategy may lead to a need to find additional sites within identified settlements. Moreover, whilst some local residents say that this area should not have been included within a settlement, that is its designation in both the adopted and the emerging Local Plans and I have dealt with the appeal on that basis. That said, not all proposals will be acceptable and I do not consider that the need for more dwellings justifies allowing a scheme that would have the serious objections that I have identified in this case. In any event, despite the proportion of the plots that would be covered by buildings, the scheme before me is, in PPG3 terms, a wasteful use of land that would not efficiently address local housing needs.

21. I am also aware that many local residents consider that the proposed houses would overload the local infrastructure. However, although there are no facilities within easy walking distance and it was agreed that most journeys would be by car, the Highway Authority have raised no objection. Furthermore, as discussed at the hearing, I see no reason why a satisfactory technical solution could not be found to any drainage difficulties. In my judgement, neither these matters nor any other effects that an extra 4 houses might have on local facilities would be an overriding objection to the development of a site that is within an identified settlement and satisfies the definition of previously developed land. Moreover, I consider that the development of these garden areas would not materially affect wildlife interests. However, neither these nor any of the other issues raised is of such significance as to outweigh the considerations that have led to my conclusions on the main issues.

Conclusions

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

Formal Decision

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

Information

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

P Grainge.

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr T Coleby BA(Hons) MRTPI	Development Planning Partnership Agents for the appellants
Mr S Dale DPLA MLI	ACD Landscape Architects
Mr G Rowley	Brookworth Developments, appellants

FOR THE LOCAL PLANNING AUTHORITY:

Mrs A Odell BA(Hons) MPhil MRTPI	Planning Officer, Wokingham DC
Mr N Etherington DipArb FAA	Arboricultural Officer, Wokingham DC

INTERESTED PERSONS:

Mr D A Vile	Finchampstead Parish Council
Mr M Holland	1 Little Fryth, Finchampstead
Mr W & Mrs R Salisbury	2 Little Fryth, Finchampstead
Mr K Ellwood	6 Little Fryth, Finchampstead
Mr D Rice-Jones	8 Little Fryth, Finchampstead

DOCUMENTS

Document	1	List of persons present at the Hearing.
Document	2	Council's notification letter and circulation list
Document	3	Letters of representation
Document	4	Representations on the emerging Local Plan, submitted by the Council
Document	5	Adopted Local Plan Policies STV1 & STV6, supplied by the Council
Document	6	Emerging Local Plan Policy WH6, supplied by the Council
Document	7	Appendices to the appellants' Hearing statement
Document	8	Appendices to Mrs Odell's Hearing statement
Document	9	Appendices to Mr Etherington's Hearing statement

PLANS

Plan	A (i – xvi)	Application drawings
Plan	B	Tree survey drawing

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Brookworth Developments Ltd
C/O Ark Design (Miss D Warner)
20 Radnor Road
Earley
Berkshire
RG6 7NP

Application Number: F/2000/2225

Parish: **FINCHAMPSTEAD**

Location: **Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.**

Proposal: **Proposed erection of 4 dwellings plus demolition of existing dwelling.**

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

Reason
1. The proposed development would have a harmful effect on the character and appearance of the are due to the backland and relatively cramped layout, together with actual and potential loss of trees that would result. The proposal would therefore be contrary to Berkshire Structure Plan Policy EN1, South East Local Plan Policies SBE2 and SBE9 and to Wokingham District Local Plan Policies WBE1 and WBE11.

Reason
2. The proposed development would result in unacceptable overlooking of, and an overbearing effect on, existing residential property. The proposal would therefore be contrary to South East Area Local Plan Policy SBE2 and to Wokingham District Local Plan Policy WBE1.

Reason
3. Allowing the proposed development would set a precedent for similar development on land nearby, which the Local Planning Authority would consequently find difficult to resist and which would compound the harm to the character and appearance of the area that the current proposal would result in.

Informative;
You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:
Berkshire Structure Plan Policy EN1
South East Area Local Plan Policies STV1, SBE2 and SBE9
Deposit Draft Wokingham District Local Plan Policies WOS2, WBE1 and WBE11.

John Mitchell

John Mitchell
Development Control Manager
Date: 03/10/2000

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.

WORK SHEET FOR : Angela Odell

Application Number : F/2000/2225

Applicant : Brookworth Developments Ltd C/O Ark Design (Miss D Warner).

Location : Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

Proposal : Proposed erection of 4 dwellings plus demolition of existing dwelling.

Site Notice Displayed ? :	YES	NO	DATE
	✓		7.9.00

Date of Neighbour Notifications : to be received by 25.9.00

Date of Site Visit : 7.9.00

Date Registered : 14/08/2000

Earliest Date for Decision : 23/09/2000

Latest Consultation Date/Site Notice Expiry Date : 23/09/2000

This application will have expired on: 09/10/2000. You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses : • Finchampstead Parish Council: Object on grounds that would set a precedent in an area where would erode its natural environment. Also generate an increase in traffic onto already busy junction at Langmore crossroads.

- Letters of objection received from 26 addresses on grounds of:
- Density of development substantially greater than the neighbourhood + gardens too small for such large properties proposed. Criteria in PPG 3 not met.
- Site has a greenfield character + is part of an wildlife corridor to Simons wood – damage to woodland, wildlife + character of area and would set precedent for other rear gardens of Hollybush Ride to suffer. Destroy wooded character of area
- No services within walking distance + therefore journeys to schools, shops, work, etc. made by car – not sustainable location – lack of public transport.
- Rear elevations of houses will be very close to those in Little Firth, and as proposed houses on higher ground will cause unacceptable overlooking, be overbearing and destroy current wooded outlooks, also loss of sunlight + daylight.
- Loss of trees – Some already removed.

PTO

- No main sewer – system unable to cope
- Site subject to covenant re: no nuisance or annoyance to the neighbours shall be caused.
- Extra traffic will add to existing congestion on local roads.

PETITION: That application should be rejected on the grounds in the covenant' 45 signatures.

Tree Officer

Plan made Area TPO on site No. 1015/2000. Recommends Refusal as proposed development would result in loss of trees and future pressure to severely prune trees shown to be retained. These trees are significant in the surrounding landscape and when viewed from public viewpoints in Little Fryth.

EHO Recs. Hrs of construction working limitations condition.

HW Officer: Revised plan:

Application Number: F/2000/2225

Appraisal : No relevant planning history on site.

Main issues are: 1/ Effect on character and appearance of the area, ~~2/ Effect on~~ including trees.
2/ Effect on neighbouring properties.
3/ Highways

1/ Effect on character and appearance of area

Principle

The site is within the settlement boundary in the SELP and WDLP. Therefore the starting point is that in principle the site could be considered for residential development. ~~This~~ As it is rear gardens it also comes within the definition of 'previously developed land' in PPG3. However, in order to be considered acceptable development should have an acceptable effect on the character and appearance of the area, on neighbouring properties & highway effects. Density is also an issue to be considered.

Proposal

The site is 0.69 ha. in size and proposes demolition of the existing dwelling fronting Holly Bush Ride to provide access to 6 houses at the rear. Development would therefore be concentrated into the rear part of the site. The proposed houses would be large in size; each having 5 bedrooms and a double garage. For example the house on plot 1 would have a total external floorspace (including garage) of 320 m^2 (footprint of 184 m^2) and height of 9.3m. on a plot of 624 m^2.

Density While the site is 0.69 ha in size, this includes all the front access section where no development is proposed, and shows has to be retained. The rear part of the site is therefore about 0.32 ha in size. The density of the proposed development would therefore be 12 per ha on this rear part or 8 per ha if taking the site as a whole. This is very significantly below the 30 dwellings per ha. required to accord with PPG3. However, the density policy adopted at the ES committee of 12.6.00 in connection with PPG3 is subject to 'development at such a density not compromising the quality of the environment', and consider that the

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

application site is just such a case due to the lower density of surrounding development, the backland nature of the site and wooded character and appearance of the area. ~~It is therefore~~

In fact, due to the large sizes of the houses and their footprints, the actual amount of built development would be high for 4 houses at the proposed density compared with the amount of built-footprint that is normally associated with developments of 30+ densities.

The houses in Little Fryth are mainly on larger sites (but some not substantially larger) and have smaller footprints. e.g. No. 2 has a footprint of approx 130m² + separate double garage of 27m². on a site of approx 900m². The plots in Hollybush Ride are very much larger. Therefore, due to the relatively large size and height of the dwellings on the plots, the proposed development would be relatively cramped in terms of built form.

It would also be a relatively piecemeal backland development compared with Little Fryth which was itself a large scale backland development. Hennerley has left the 'corridor' of woodland between Little Fryth and Hollybush Ride and there is also a tree belt left between Little Fryth & Ashdale Path. Therefore consider the form of development proposed would be out of character. Allowing the current proposal would also set a precedent for the other 3 dwellings to the south (Moorside - Linwood House) for their rear gardens to be similarly developed.

The tree officer has recommended refusal due to actual and potential tree loss which would be caused by the proposal. The loss of these trees would have a harmful effect on the wooded character and appearance of the area.

Conclusion on character & appearance

Proposed development would be harmful to the character and appearance of the area due to relatively piecemeal backland development, would be relatively cramped, ~~and~~ together with actual & potential tree loss & precedent.

Contrary to: BSP: EN1

SEALP: SBE2, SBE9

WDLP: WBE1, WBE11.

Effect on neighbouring Properties

Hollybush Ride: As the proposed access would be 5m+ to the nearest property boundary (Cobweb) and the nearest house would be the side of plot 1 44m. away from the r/o Cobwebs consider the effect on the Hollybush Ride dwellings acceptable.

Little Fryth. On Thursday 14 September and visited Nos. 2, 4, 6 & 8 Little Fryth and viewed from inside the houses and the rear gardens. The houses in Little Fryth are on lower ground. eg. In the case of No. 6 The immediate rear patio outside the house is about 0.75m lower than the rest of the rear garden. The nearest rear gardens rear elevations are also lower in Nos 2 & 4 Little Fryth. No. 4 Little Fryth's main rear elevation is approx. 12.5m from the rear boundary, but the ground floor study is only about 9.5m. away. The rear fence is 1.8m. high. As the proposed house on plot 1 would be on higher ground than the rear elevation there would be a direct ground floor level overlooking from the rear elevation of plot 1 to Nos 2 & 4 Little Fryth. To raise the fence sufficiently to prevent this would result in a shut in feel to No. 4 in particular. (The survey drawing shows, for example that the ground level adjacent to this boundary at a point opposite the middle of the drawing room on plot 1 would be about 64.35 whereas the ground level where the house would be would be about 66.5. When allowance is also made for the slab level in relation to ground level, overlooking at ground floor level would result). The rear garden of plot 1 would be about 11.5m. long. This would result in 24m. between main rear elevations and 21m. to the study on No. 4 Little Fryth. The proposed dwelling on plot 1 would also be right across the rear elevation of No. 2, and whilst this is further away, due to the height and massing and levels would also result in overlooking and loss of outlook.

Therefore, although the distances comply with minimum rear to rear 21m, consider the actual effect would be unacceptable due to the relative heights, size and height of the proposed dwelling on plot 1 and loss of privacy. (The layout may not appear unacceptable when viewed on paper, but when viewed from the neighbouring properties the likely effects become apparent.)

No.6 Little Rylt

Plot 1 - As this house would have no overlooking windows (except first floor ensuite) in the side elevation and be at an angle to No.6, consider that the effect of it on No.6 would not be unacceptable, despite the levels difference. The house on plot 2, however, would be directly opposite. Whilst this would also have the side elevation towards No.6, there would be some ground floor windows with (utility + breakfast) but due to the angle + possibility of planting etc. consider this of itself not unacceptable. However, the combination of the 2 dwellings on plot 1 + 2 together + the significant ground levels difference would have an overbearing effect, and therefore re-inforces the problems referred to above re: ~~plots~~ Nos 4 + 2 Little Rylt.

No.8 Little Rylt Due to the angle existing of plots 2 + 3 + the distance between spacious garden of No.8 Consider would not add the effects on No.8 to refusal on neighbouring properties grounds.

No. 10 Little Rylt -Re: Plot 4. Consider as almost in line, the effects would not be unacceptable.

Daylighting Main elevation of No.6 Little Rylt would just be cleared of the 25° re: plot 1 (taking into account estimated levels differences), but plot 1 would be on S. side of Nos 2 + 4 Little Rylt + so likely to result in some loss of daylight/sunlight in mid winter particularly.

Highways Revised plan would result in loss of some vegetation adjacent to Hollybush Ride in connection with improvement to visibility splays.

Housing Mix Whilst proposal does not comply with Policy WH6, this is a small site (in terms of no. of houses) and the Council has not yet won this argument at appeal on 'small' sites. Therefore consider not expedient to include it as a reason for refusal.

Location re: services etc : Whilst not well located re: shops + services, schools etc. + car travel likely, as proposal for ~~1~~ net increase of 3 dwellings in the context of the number of dwellings in the vicinity, consider that this of itself is not a reason for refusal.

Re: covenants petition. Covenants are a separate matter not within the ambit of the LPA. However, the above analysis of the effects on neighbouring properties takes into account 'nuisance or annoyance' in terms of effects on outlook, ~~outlook~~ privacy, daylight + sunlight.

Application Number F/2000/2225
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
1			The proposed development would have a harmful effect on the character and appearance of the area due to its backland and relatively cramped layout, together with actual and potentially loss of trees that would result. The proposal would therefore be contrary to BSP Policy EN1, SEALP Policies SBE2 & SBE9 and to WDLP Policies WBE1 & WBE11
2.			The proposed development would result in unacceptable overlooking of and overbearing effect on existing residential property. The proposal would therefore be contrary to SEALP Policy SBE2 & to WDLP Policy WBE1
3			~~The~~ Allowing the proposed development would set a precedent for similar development on land nearby, which ~~would~~ the LPA would ~~find difficult~~ consequently find difficult to resist, and which would compound the harm to the character and appearance of the area that the current proposal would result in.
		N16	BSP : EN1
			SEALP: STV1, SBE2, SBE9
			WDLP: WOS2, WBE1, WBE11

RECORD OF SITE VISIT

SITE ADDRESS: Land Rear Of Timberscombe Hollybush Ride Finchampstead Wokingham.

APPLICATION NUMBER: F/2000/2225

OFFICER: Angela Odell

DATE OF SITE VISIT: 7.9.00

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes 7.9.00

2. DESCRIPTION OF SURROUNDINGS Mix of house types in generally spacious plots in wooded surroundings.

3. DESCRIPTION OF SITE/BUILDING Chalet bungalow in row facing Hollybush Ride. Rest is rear gardens of this dwelling & 3 others adjacent.

4. RELATIONSHIP TO ADJOINING PROPERTIES At rear & rear sides are the detached houses of Little Fryth. On Hollybush Ride to N. Cobwebs is a newish house. To S. Crofters Lodge is also a house.

5. SITE CONSTRAINTS

TREES In rear gardens, particularly of Cobwebs where lots of trees.

ACCESS/PARKING From Hollybush Ride.

LEVELS Land falls at rear of the gardens & several of the Little Fryth houses are on lower ground.

BOUNDARY TREATMENT Mix of 1.8m fencing & Leylandii.

OTHERS

TC/LMM/368400/S0001

D | P | P
DEVELOPMENT
PLANNING
PARTNERSHIP

21 THE CRESCENT
BEDFORD
MK40 2RT
TEL 01234 358863
FAX 01234 271210
bedford@devplanning.com

SUPPORTING STATEMENT TO ACCOMPANY PLANNING APPLICATION

FOR THE

DEMOLITION OF EXISTING DWELLING AND ERECTION OF FOUR DETACHED DWELLINGS

AT

LAND TO REAR OF COBWEBS, TIMBERSCOMBE, KINGFISHERS COVERT AND WOODSIDE, HOLLYBUSH RIDE, FINCHAMPSTEAD

on behalf of

BROOKWORTH DEVELOPMENTS LTD

August 2000

PARTNERS · RJ FLACK MRTPI · JILL S RILEY MRTPI · SCT ARNOLD MRTPI ARICS · RJ ROBINSON MRTPI · JD FRANCIS MRTPI
ASSOCIATE PARTNERS · JJ WILLIAMS MRTPI · MICHELLE C BATH MRTPI · MB DODDS MRTPI · G ARMSTRONG MRTPI
CATHERINE L WOOD MRTPI · KAREN L READ MRTPI · JRE MILLS MRTPI

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2.0 Site Description

3.0 Planning Policy

4.0 Planning Analysis

5.0 Conclusions

1.0 INTRODUCTION

1.1 This report has been prepared on behalf of Brookworth Developments Ltd in support of a recently submitted planning application for the demolition of an existing dwelling and erection of four detached dwellings at land to the rear of Cobwebs, Timberscombe, Kingfishers Covert and Woodside, Hollybush Ride, Finchampstead.

1.2 Section 2 briefly describes the site, while Section 3 outlines the relevant national, strategic and local planning framework. Section 4 considers the key planning issues arising from the development of this site, and Section 5 summarises our conclusions.

2.0 SITE DESCRIPTION

2.1 The site is approximately 0.45 hectares in size. It comprises the residential dwelling and curtilage of Timberscombe, together with part of the rear gardens of Cobwebs, Kingfishers Covert and Woodside.

2.2 All these properties are substantial detached dwellings in large plots. Hollybush Ride itself is an established area of low density housing, with a mature, well "tree'd" character and appearance.

2.3 To the rear of the site is Little Fryth, a more recent development of detached houses on generally smaller plots than those in Hollybush Ride.

2.4 A short distance to the north Hollybush Ride meets the major road junction of the A321 Lower Wokingham Road and the B3430 Nine Mile Ride.

recognises the need for flexibility on the part of local authorities and developers towards achieving this.

The Development Plan

3.5 The Development plan for the application site comprises the Berkshire Structure Plan and the Wokingham South East Area Local Plan.

Berkshire County Structure Plan

3.6 The Berkshire County Structure Plan was adopted in 1995 and runs until 2006. It allocates 7,750 new dwellings for Wokingham District for that period.

3.7 Work has now started on the preparation of a Deposit Draft of a new Structure Plan which will run until 2016. The first round of public consultations is likely to be during 2001, depending on when the Regional Planning Guidance (RPG) for the South East is finalised. As part of this preparation, work is underway into Urban Capacity Studies covering the whole County.

Wokingham South East Area Local Plan

3.8 The Wokingham South East Area Local Plan was adopted in April 1994. It shows the application site within the identified settlement of Pinewood, where Policy STV1 allows for development subject to other policies in the Plan.

3.9 Policy STV6 protects important open areas within settlements and requires any new development to be sympathetic in scale and character to the environs of the site.

3.10 Policy SH1 generally favours infilling, subject to detailed local environmental constraints.

3.11 Policy SBE1 requires new development to be of a high standard of design appropriate to the character of the area in which it is to be situated.

3.12 Policy SBE5 seeks good daylight and sunlight conditions for new and existing development.

Wokingham District Local Plan Deposit Draft 1997

3.13 The Deposit Draft of the Wokingham District Local Plan (as amended), which covers the period until 2006, was issued in 1997. Proposed amendments came out in 1999 and two Public Inquiries were arranged. The first related to major housing allocations and finished in October 1999. The Inspector's report was published in July 2000. It recommends against the idea of a new settlement on a greenfield site, in view of the advice in PPG3. The implications of this recommendation are referred to in Section 4. The second Public Inquiry is still in progress, and the Inspector's report is due in 2001.

3.14 The Deposit Draft shows the site within an identified settlement, whereas Policy WOS2 allows development subject to other policies in the Plan.

3.15 Policy WH1 allows infilling etc. subject to detailed local environmental and amenity considerations, in order to make the best use of land in built up areas.

4.0 PLANNING ANALYSIS

4.1 The site is within an identified settlement and is previously developed 'brownfield' land. It is clear from Government advice in PPG3 and Local Plan policy that development of the site is acceptable in principle and that best use should be made of it.

4.2 This is particularly so given the recent Local Plan Inspector's recent recommendations against large scale greenfield development in Wokingham and the Council's pressing need to find suitable sites on previously developed land.

4.3 At the same time, it is accepted that the environmental qualities, character and amenities of the area in which the site is located need to be safeguarded.

4.4 The proposal involves demolition of 'Timberscombe' and the re-use of its existing access onto Hollybush Ride to serve a new driveway to the rear of the site. No replacement buildings are proposed on the street/frontage. This arrangement provides satisfactory access to the proposed development, whilst retaining and, indeed, enhancing the spacious 'green' appearance of the street scene.

4.5 All trees at the front of the site would be retained and there would be a gap of 27 metres between 'Cobwebs' and 'Kingfishers Covert'. Further planting could also be undertaken adjoining the access drive. For these reasons, together with the fact that only 4 dwellings would be served by the access, there would be no problems associated with traffic movements to and from the new dwellings.

4.6 The site measures approximately 0.45 hectares, resulting in an overall density of only 9 dwellings per hectare (dph), well below the 30-50 dph figure referred to in PPG3. However, this reflects the low density character of Hollybush Ride. Furthermore, individual plot sizes of the proposed dwellings are commensurate with those in Little Fryth, which they would immediately adjoin. As a consequence, generous rear gardens would still be retained for properties fronting Hollybush Ride.

4.7 Most of the significant trees in the rear part of the site, particularly around the site boundaries, are to be retained. Furthermore, substantial gaps between new dwellings would be retained, so that the overall appearance would be sympathetic to the spacious and attractive character of the area.

4.8 The proposed dwellings have been individually designed as high quality, prestigious homes to reflect the character of Hollybush Ride and Little Fryth. The proposed layout would be relatively informal, with staggered building lines and some variation in plot width, depth and orientation, as well as in external appearance.

4.9 Care has also been taken to site the proposed dwellings to avoid any conflict with neighbouring houses in terms of light, privacy and outlook, thereby ensuring that high levels of residential amenity are maintained for existing occupiers.

5.0 CONCLUSIONS

5.1 Having considered the national and local planning policy background, the following conclusions have emerged in relation to the proposed development:

- This is a 'brownfield' site and PPG3 advice, together with Local Plan policy, require best use of such sites to be made in order to help meet local housing needs.

- In view of the Local Plan Inspector's recent recommendations against greenfield development, the Council should be promoting development on sites such as this.

- At the same time, the proposed scheme respects the established character and appearance of this residential area in terms of density, layout, design and the retention of trees.

- Finally, the detailed design and siting of the units does not detract from the amenities of adjoining properties in terms of light, privacy or outlook.

5.2 For all these reasons the proposal complies fully with the requirements of national advice and Development Plan policy and it is concluded that planning permission should therefore be granted.

Applicationo	Name & Address
F/2000/2225	Mr & Mrs Bromley Russett Glade Hollybush Ride Finchampstead RG40 3QP
F/2000/2225	The Owner/Occupier Laurel House Holybush Ride Finchampstead RG40 3QP
F/2000/2225	D Stock Engleberg Hollybush Ride Wokingham RG40 3QP
F/2000/2225	P St. Clair Terry Badgers Spinney Hollybush Ride Finchampstead RG40 3QP
F/2000/2225	Mr T J Goodson Greyfriars Hollybush Lane Wokingham RG40 3QP
F/2000/2225	Dr F Coldeira-Saraiva Green Shadows Hollybush Ride Wokingham RG40 3QP
F/2000/2225	M Lewis 18 Ashdale park Wokingham RG40 3QS
F/2000/2225	Mr & Mrs D Wood Morningside Hollybush Ride Wokingham RG40 3QP
F/2000/2225	D & F Banks 24 Little Frith Finchampstead RG40 3RN
F/2000/2225	F H Barnett 9 Ashdale Park Hollybush Ride RG40 3QS

F/2000/2225	A & P Hooper Conifers Hollybush Ride Finchampstead RG40 3QP
F/2000/2225	R & A Marshallsay 8 Ashdale Park Wokingham RG40 3QS
F/2000/2225	P Reilley Ahlan House Hollybush Ride Finchampstead RG40 3QR
F/2000/2225	N & H Rhind 16 Little Fryth Wokingham RG40 3RN
F/2000/2225	D & M Rice-Jones & Petition 8 Little Fryth Finchampstead RG40 3RN
F/2000/2225	M Warsop 4 Little Frith Finchampstead RG40 3RN
F/2000/2225	W Ashton 4 Little Fryth Wokingham RG40 3RN
F/2000/2225	N & S Brown 22 Little Fryth Finchampstead RG40 3RN
F/2000/2225	K & C Ellwood Tall Trees 6 Little Fryth Finchampstead RG40 3RN
F/2000/2225	K Ellwood & Petition 6 Little Fryth Finchampstead Wokingham RG40 3RN
F/2000/2225	C Richards 18 Little Fryth Wokingham RG40 3RN

F/2000/2225	W Salisbury 2 Little Fryth Finchampstead RG40 3RN
F/2000/2225	J A Hunt Crofters Lodge Hollybush Ride Finchampstead RG40 3QP
F/2000/2225	Mrs R Salisbury 2 Little Fryth Wokingham RG40 3RN
F/2000/2225	Mr & Mrs Lovell-Read Tanglewood Hollybush Ride Finchampstead RG40 3QR
F/2000/2225	M K & S Holland 1 Little Fryth Wokingham RG40 3RN
F/2000/2225	A & K Campbell 7 Little Fryth Wokingham RG40 3RN
F/2000/2225	A & S Goodenough 20 Little Fryth WOKINGHAM RG40 3RN
F/2000/2225	H Vearey Herons landing Hollybush Ride Wokingham RG40 3QR
F/2000/2225	C Exelby 12 Little Fryth Wokingham RG40 3RN
F/2000/2225	Mr & Mrs A Dearsley The Birches 21 Little Fryth Finchampstead RG40 3RN

App. refused
Letter sent 04/10/00

Tel: (0118) 974 6445

Date: 26. 9. 00

My ref: F/2000/2225

CONFIDENTIAL

Councillor R Cundy
Bumbles
Longwater Lane
Finchampstead
RG40 4NX

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

Dear Councillor

Application Number: F/2000/2225
Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.
Proposed erection of 4 dwellings plus demolition of existing dwelling.

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

If you have any questions please do not hesitate to contact **Angela Odell** on **(0118) 974 6445**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please fill in the form below.
This form must be received no later than 6.10.00

Yours faithfully

John Mitchell
Development Control Manager

APP
CS
27 SEP 2000

LISTING FORM

Case officer: **Angela Odell** Application Number: **F/2000/2225**
Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.
Proposed erection of 4 dwellings plus demolition of existing dwelling.

Transfer: Yes ☐ No ☑
Reason for Transfer:

Signed: _____ Date: 27/9/00

Councillor R Cundy

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

Tel: (0118) 974 6445

Date: 26. 9. 00

My ref: F/2000/2225

CONFIDENTIAL

Councillor T Charlesworth
3 Rowan Drive
Crowthorne
RG45 6RY

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

Dear Councillor

Application Number: F/2000/2225
Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.
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This form must be received no later than 6.10.00

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM
Case officer: **Angela Odell** Application Number: **F/2000/2225**
Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.
Proposed erection of 4 dwellings plus demolition of existing dwelling.

Transfer: Yes ☐ No ☐
Reason for Transfer:

Signed: _____ Date: _____

Councillor T Charlesworth

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

Tel: (0118) 974 6445

Date: 26.9.00

My ref: F/2000/2225

CONFIDENTIAL

Councillor R Cundy
Bumbles
Longwater Lane
Finchampstead
RG40 4NX

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

Dear Councillor

Application Number: F/2000/2225
Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.
Proposed erection of 4 dwellings plus demolition of existing dwelling.

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If you have any questions please do not hesitate to contact **Angela Odell** on **(0118) 974 6445**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please fill in the form below.
This form must be received no later than 6.10.00

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM
Case officer: **Angela Odell** Application Number: **F/2000/2225**
Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.
Proposed erection of 4 dwellings plus demolition of existing dwelling.

Transfer: Yes ☐ No ☐
Reason for Transfer:

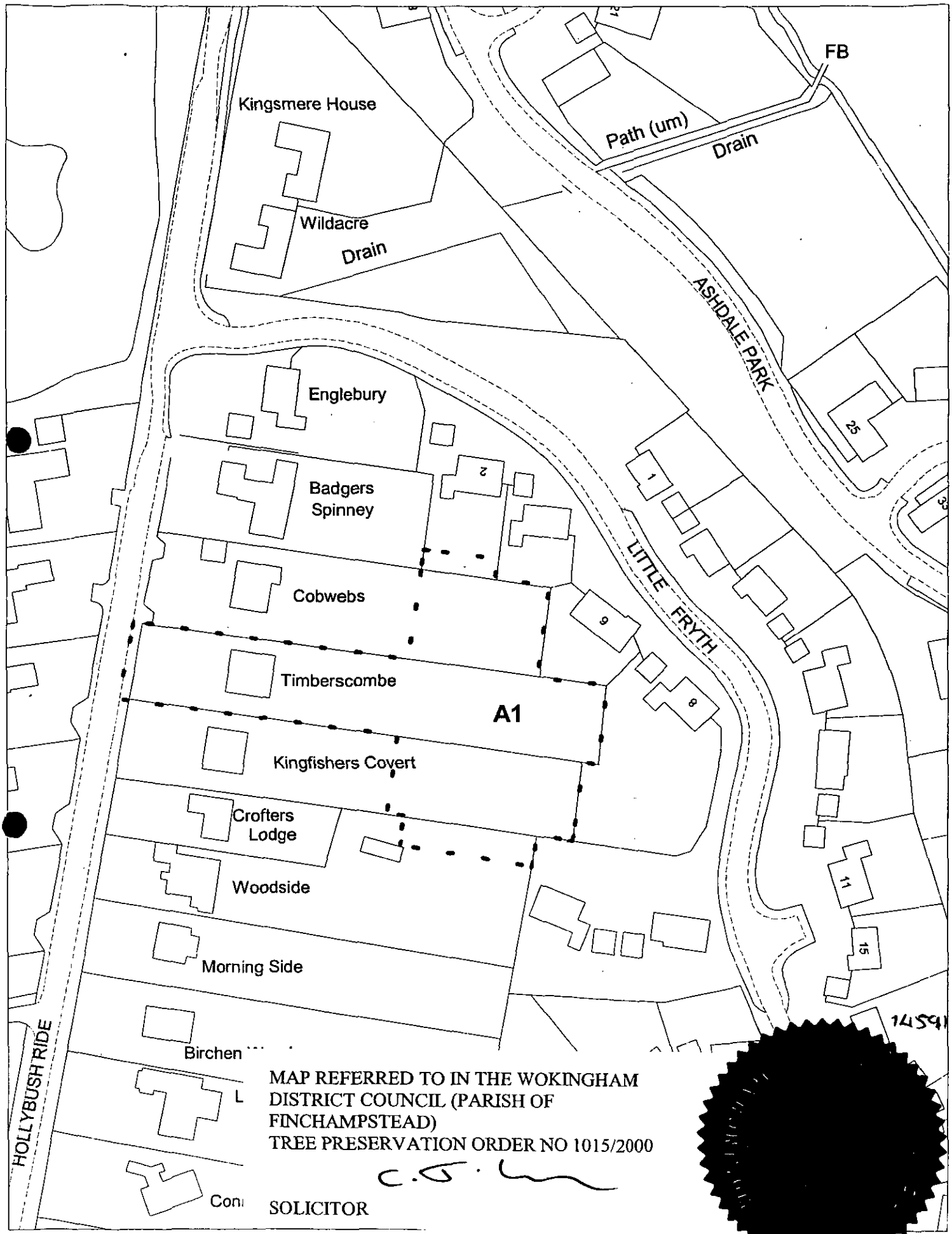
_____

_____

Signed: _____ Date: _____

Councillor R Cundy

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



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Landscape Section, Environmental Services, Wokingham District Council.

Scale: 1 : 1250

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY
(Encircled in black on the map)

No. on Map	Description	Situation
	NONE	

TREES SPECIFIED BY REFERENCE TO AN AREA
(Within a dotted black line on the map)

No. on Map	Description	Situation
A1	An area of trees of various species including Silver Birch (Betula pendula) Scots Pine (Pinus sylvestris) Oak (Quercus spp.) Sweet Chestnut (Castanea sativa) Yew (Taxus baccata) Holly (Ilex aquifolium) Willow (Salix spp.) Sycamore (Acer pseudoplatanus)	On land at Timberscombe, and to the rear of Cobwebs, Kingfishers Covert and Woodside, Hollybush Ride, Finchampstead and 2 Little Fryth, Finchampstead Grid Ref: SU 814 648

GROUPS OF TREES
(Within a broken black line on the map)

No. on Map	Description	Situation
	NONE	

WOODLANDS
(Within a continuous black line on the map)

No. on Map	Description	Situation
	NONE	

Date: 26 September 2000

To: Case Officer

We have received Revised Plans for the following planning application:

Application Number: F/2000/2225

Location: Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

Proposal: Proposed erection of 4 dwellings plus demolition of existing dwelling.

Applicant: Brookworth Developments Ltd C/O Ark Design (Miss D Warner).

Case Officer: Angela Odell

The new plans show the following: Visibility splays, passing bays and refuse vehicle turning. Drawing no BRK/FIN 001 Rev A.

Comments are required by 06/10/2000.

Should you have any queries regarding this application please contact the case officer Angela Odell on (0118) 974 6445.

1970

(RING ONE)

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

App No. (Planaps) / F/2000/2225 (Ludhouse) Date Rec. 22.9.00

Location: Land rear of Twinberscombe, Hollybush Ride

Parish Finchampstead

Applicant: Brookworth Developments Ltd.

Description of attached plans Showing ~~revised~~ visibility splays, passing bays and refuse vehicle turning

Drawing No's: BRK/FIN 001 Rev A

CONSULTEES

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

Please tick which of the following you wish consulted.

OTHERS: _____ Drawing No's

1.	NK (Landscape & Trees)		☐
2.	NK (Env. Design)		☐
3.	XA (Highways)	Token (given to Adam.	✓
4.	NF (Building Control)		☐
5.	BC/DC Liaison		☐

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

NEIGHBOURS: _____

Date for Responses 10 days

FURTHER ACTION

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

Redate Application Y / N From _____

New Site Notice Y / N

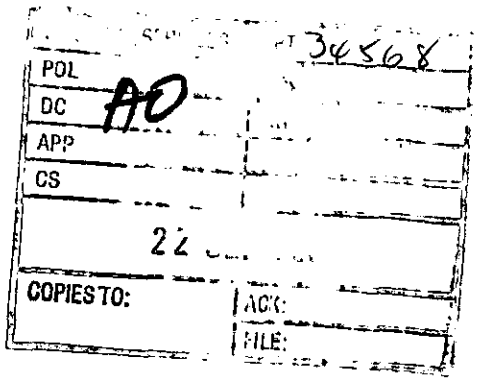
New Description _____

CASE OFFICER AO.

Consultations Sent by Admin. on 26.09.B.

Yellow - Part One Copy
Green - Officer's Copy

Rec'd 4.20 PM 21-9-00



ARK Design
20 Radnor Road, Earley, Reading,
Berkshire. RG6 7NP.
Tel / Fax: 0118 926 3440

2225

REVISED PLAN

Mrs Angela Odell
Wokingham District Council
Planning Department
P.O.Box 157
Wokingham
Berkshire
RG40 1WR

19 September 2000

Dear Mrs Odell,

Re: Proposed Erection of 4 Dwellings and Demolition of Existing at Timberscombe, Hollybush Ride, Finchampstead.
Application No. F/2000/2225

Further to your letter dated the 7th September regarding the above development please find enclosed a revised Site Layout Drawing No.BRK/FIN 001 rev A, showing the following revisions as requested.

1. The visibility splays achievable are 2.4m x 33m as shown on the drawing. The existing rhododendrons would be trimmed back to achieve this sight line. We have however been advised by our highway consultant that according to PPG13 a 2m setback would normally be appropriate in this case. Traffic flows at the access are considerable slow in speed due to the nature of the road and the speed hump adjacent to Cobwebs.
2. I have demonstrated that a refuse vehicle would be able to turn within the curtilage of the property.
3. Two number passes places have been shown on the approach road to the proposed dwelling.

I trust the enclosed information is satisfactory, and I look forward to receiving your comments in due course. If you have any further queries please do not hesitate to contact me.

Yours sincerely,

Diane Warner

Diane Warner

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 11 September, 2000
My ref. AO/F/2000/2225

Mr W M Salisbury
2 Little Fryth
Finchampstead
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) 977 8909
DX: 33506 – Wokingham

Dear Mr Salisbury

APPLICATION F/2000/2225
PROPOSED ERECTION OF 4 DWELLINGS AND DEMOLITION OF EXISTING DWELLING ON LAND TO REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD

Further to our telephone conversation, I confirm the deadline for receipt of comments and objections for the above application has been extended to 25.9.00.

Yours sincerely

MRS A ODELL
Senior Planner

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 7 September, 2000
My ref. AO/F/20000/2225

Ark Design
20 Radnor Road
Earley
READING
RG6 7NP

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

Dear Ms Warner

PLANNING APPLICATION F/2000/2225
PROOSED ERECTION OF 4 DWELLINGS AND DEMOLITION OF EXISTING DWELLING AT TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD

Following advice I have received from the highway officer, please show the following on revised layout plans:

1. The visibility splays that are available from a 2.4 m. setback.

2. A bin storage area within 25 m. of the highway, or otherwise demonstrate that a refuse vehicle could turn within the curtilage of the property.

3. Passing places should be provided on the approach road to the proposed dwellings.

It is important that the additional information is submitted to me within two weeks, i.e. by 22 September, to ensure that the application is not determined on the basis of the current unsatisfactory submission. Should you have any difficulty in meeting this deadline or should you wish to discuss the additional information, please contact either Adam Cossins on 0118 974 6330 or me immediately. However, I advise you that receipt of revised plans will not commit the authority to approving the application, particularly as it has not otherwise been assessed.

Yours sincerely

Ao

MRS A ODELL
Senior Planner

cc: Adam Cossins

Date: 26 September 2000

To: Highways

We have received Revised Plans for the following planning application:

Application Number: F/2000/2225

Location: Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

Proposal: Proposed erection of 4 dwellings plus demolition of existing dwelling.

Applicant: Brookworth Developments Ltd C/O Ark Design (Miss D Warner).

Case Officer: Angela Odell

The new plans show the following: Visibility splays, passing bays and refuse vehicle turning. Drawing no BRK/FIN 001 Rev A.

Comments are required by 06/10/2000.

Should you have any queries regarding this application please contact the case officer Angela Odell on (0118) 974 6445.

CONDITIONAL APPROVAL

1. The proposed access road shall be constructed to adoptable standards.
2. Recommend that a bin store is provided within 25m of Hollybush Ride. Our refuse vehicle is 9.3m long (longer than the one indicated) Herefore a larger area ~~for~~ turning would be required.
3. C049, R049
4. C122, R122
5. C126 (INSERT: BRK/FIN/001/A), R126
6. C129, R129
7. C137, R137

Adam Coggins 28/9/00

HIGHWAYS CONSULTATION SHEET

From: Angela Odell **Date:** 30 August 2000

Application Number: F/2000/2225

Proposal: Proposed erection of 4 dwellings plus demolition of existing dwelling.

Parish: FINCHAMPSTEAD PARISH

Site Address:
Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

Applicant:
Brookworth Developments Ltd C/O Ark Design (Miss D Warner).

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.

(1) Please could the applicant show what visibility splays are available from a 2.4m setback.

(2) A bin storage area must be provided within 25m of the highway, or otherwise the applicant must demonstrate that a refuse vehicle could turn within the curtilage of the property.

(3) Passing places should be provided on the approach road to the proposed dwellings.

Signed: _____ **Print name:** Adam Coggins 06/09/00

POLICY AND PLANS CONSULTATION

Case Officer: Angela Odell

Location: Land at Hollybush Ride, Finchampstead.

Application Number: F/2000/2225

Proposed erection of 4 dwellings / demolition of existing dwelling

---

Planning History
29 detached dwellings were granted on appeal on land to the rear of Timberscombe - now known as 'Little Fryth' (Application 26985 – appeal granted 29.4.88).

Identified Settlement
The proposal is located within the identified settlement of Pinewood. Development is therefore acceptable in principle under Policy WOS2. The development should however be tested against Policy WH1.

Density
The proposal is for 4 dwellings on a gross site area of 0.45ha. Following the publication of the new PPG3, the Environmental Services Committee resolved, on 12 June 2000, to include the agreed density policy in the District Local Plan, as soon as the local plan process permits, and to adopt that policy for the purpose of development control as soon as possible. In summary the new draft policy on density requires that no residential development shall be permitted at a net density of less than 30 dwellings on sites over 0.3ha located within the settlement boundary, subject to such a density not compromising the quality of the environment. Therefore it is appropriate to consider this new density policy in respect of this application.

The definition in Annex C, PPG3 for net housing density indicates that areas of open space serving a wider area and significant landscape buffer strips are two uses which can be excluded from the net area of the site. It is considered that the development proposals do not provide either of these uses.

Gross area = 0.45
Net Area = 0.45

The net density of this proposal = 4/0.45
= **8.89 dwellings per hectare**.

This net density is significantly lower than that required by the new policy and PPG3, though you will need to judge whether a higher density scheme would prejudice the quality of the local residential environment.

Housing Mix
The proposal is for, 4x5-bed detached dwellings. Proposed amendment 5/10 to the Deposit Draft Local Plan adds to paragraph 5.17. It states that the Housing Needs Survey 1997 identified a need for smaller dwellings. Policy WH6 states that emphasis will be given to the need for small (one, two and three bedroom) dwellings. The proposed mix of dwellings does not meet this need, with no provision for smaller units. Provision of smaller units would bring the proposal closer to the requirements of Policy WH6 and would also assist in increasing the net density. However, we have generally not sought a housing mix on sites with a small numbers of dwellings.

Landscape Impact
There are a significant number of trees located within and around the site of the proposal. The Landscape team should therefore be consulted on the impact of the proposed development on existing trees.

Conclusions
The principle of housing development on the application site is supported under Policy WS02. However, the proposal does not meet the requirements of the new density policy and the new PPG3, and fails to provide for a suitable housing mix as required under Policy WH6.

Michael Bell
7.9.00

FROM: Angela Odell

DATE: 30 August 2000

PLANNING SERVICES	HPT 34632
POL	TLS
DC	ENF
APP	
CS	
25 SEP 2000	
CAPITAL:	ACK:
	FILE:

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: F/2000/2225

Proposal: Proposed erection of 4 dwellings plus demolition of existing dwelling..

Site Address: Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

Applicant: Brookworth Developments Ltd C/O Ark Design (Miss D Warner).

Your observations are required in respect of this application **by 23/09/2000** .

Objection on the grounds that the proposal would set a precedent in the area which would serve to erode its natural environment. The proposal would also generate an increase in traffic activity onto and from the already busy junction at Kingsmere cross roads.

SIGNED: C.S.C. DATE: 22 SEP 2000

Clerk To Finchampstead Parish/Town Council.

TO: **DEVELOPMENT CONTROL**
Angela Odell

FROM: Environmental Design

DATE: 20/09/00

Location: Land rear of Timberscombe, Hollybush Ride, Finchampstead.

Proposal: Erection of 4 dwellings and demolition of existing dwelling.

Application Number: F/2000/2225

In response to your consultation dated 30th August 2000 for the above application, the arboricultural comments are as follows:

I would recommend refusing planning permission as the development proposed will result in the loss of trees and future pressure to fell or severely prune trees shown to be retained (Policy WBE11 of the Wokingham District Local Plan Deposit Draft). These trees are significant in the surrounding landscape and when viewed from public viewpoints in Little Fryth.

I am making an 'area' Tree Preservation Order to protect trees on this site. Any application to develop this site should be accompanied by a fully detailed tree survey (BS5837:1991) and demonstrate how any proposed development will allow the long term retention and eventual replacement of significant trees.

Neil Etherington
Senior Arboriculturist

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

PLANNING SERVICES 33975
POL AD ILS
APP EM
GS
07 SEP 2000
COPIES TO: ACK:
FILE:

From: John Mullaney
Environmental Health

My Ref: JRM

To: Emy Circuit
Planning Department

Date: 6/09/00

LAND REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD F/2000/2225

Having considered the environmental health implication of the above development, I recommend the following condition be attached should planning consent be granted:

Construction operations for which noise is audible at the site boundary shall only be carried out between 7.30 hours and 1800 hours Monday to Friday, 8.00 hours and 1300 hours on Saturdays and at no time on Sundays, Bank or Public Holidays without prior agreement in writing from the Local Planning Authority.

John Mullaney
Environmental Health Officer

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date: 14 AUG 2000	Map No. 107 Site 048
Officer: AO | Application No. F/2000/2225	Easting: ..... Flood Pln .....
	Northing: ..... Mineral .....

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State 14.AUG.2000* 2225

☐ Incorrect Fee ☐ Invalid ☐ PD 11.AUG.2000* 2224

Description:

(F.) PROPOSED ERECTION OF 4 DWELLINGS PLUS DEMOLITION OF EXISTING DWELLING

Location: LAND R/O TIMBERSCOMBE HOLLY BUSH RIDE

Parish: FINCHAMPSTEAD Ward: Finch. North.

30-8-2000

Applicant: BROOKWORTH DEVELOPMENTS LTD

Fee Received 760-00 (9) Required ..... Additional ..... Refund .....

Enforcement Section to be notified ☐ tick if required

Additional information required for validation

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

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 30.8.2000 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

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

EXTERNAL CONSULTATIONS

Adjacent D P A	.....
Adjacent Parish	.....
Southern Electricity Board	.....
British Gas	.....
PSA Oil Pipeline	.....
Transco	.....
Environment Agency	.....
Rail Track	.....
Police Arch. Liaison Officer	.....

HERITAGE BODIES

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

OTHERS:

NO pre-apps

NEIGHBOURS:

S/N + Engleburn
Badgers Spinney
Cobbetts
Timberscombe
Kingfishers Covert
Crofters Lodge
Woodside
Morning Side
Birches Wood
Laurel House
Herons Landing

2, 4, 6, 8, 10, 12, 16 + 18 - Little Fryth ✓
Holly Bush Ride

Recd 3.30 pm 11.8.00

ARK Design
20 Radnor Road, Earley, Reading,
Berkshire. RG6 7NP.
Tel / Fax: 0118 926 3440

11 AUG 2000 * 2224

14 AUG 2000 * 2225

Planning Department,
Wokingham District Council
PO Box No.157,
Shute End
Wokingham
Berkshire
RG40 1WR

11 August 2000

Dear Sir or Madam:

Re: Proposed development at 'Land to the rear of Timberscombe', Hollybush Ride, Wokingham

With reference to the above site, please find enclosed a detailed planning application comprising of the following:

1. Completed forms and certificate
2. 6 no. copies of Floor Plans and Elevations
3. 6 no. copies of the Site Layout
4. 6 no. copies of the Site Survey
5. Cheque for £ 760

I trust you'll find the enclosed application acceptable, however if you require any further information please don't hesitate to contact me.

Yours faithfully

Diane Warner

Diane Warner

PLANNING SERVICES	HPT 33673
POL	TLS
DC AO	ENF
APP	
CS	
30 AUG 2000	
COPIES TO:	ACK:
	FILE:

TC/LMM/368400/L0004

29 August 2000

Ms A Odell
Planning Department
Wokingham District Council
Shute End
WOKINGHAM
RG40 1BN

D | P | P
DEVELOPMENT
PLANNING
PARTNERSHIP

21 THE CRESCENT
BEDFORD
MK40 2RT
TEL 01234 358863
FAX 01234 271210
bedford@devplanning.com

Dear Ms Odell

Planning Application ref: F/2000/2225
Hollybush Ride, Finchampstead

I refer to the above application which I understand has been at least partially registered. As the application was submitted on Friday 11 August 2000, I understand the 8 week period will commence on that date, or at least the following Monday.

I have now prepared a Planning Statement to accompany the application and enclose 5 copies for your attention. I would be grateful if copies could be sent out or made available to relevant consultees and the general public.

Should you have any queries about the Statement, please let me know, otherwise I will call you next week to discuss the likely progress of the application.

Yours sincerely

Tim Coleby

Tim Coleby
THE DEVELOPMENT PLANNING PARTNERSHIP

Encs: As detailed above

cc: Mr G Rowley — Brookworth Developments Ltd
Ms D Warner — Ark Design

1789/a

SECTION 66 CERTIFICATE

Application No.

14.AUG.2000* 2225

11.AUG.2000* 2224

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

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

OR

+ See Note (a) to Certificate A

OR

(b) Insert description of steps taken.

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

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

CERTIFICATE A

I certify that:

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

CERTIFICATE B

I certify that:

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

Owner's(a) name	Address at which notice was served	Date on which notice was served
SEE ATTACHED LIST OF LANDOWNERS		11.8.00

CERTIFICATE C

I certify that

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

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

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

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

  (b) .....

  .....

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

  on (d) .....

1789/b

CERTIFICATE D

I certify that

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

OR

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

(b) . . . . . .

. . . . . .

(b) Insert description of steps taken

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

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

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

on (d) . . . . . .

ALL APPLICANTS MUST COMPLETE THIS SECTION

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

Agricultural Holdings Certificate

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

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

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

OR

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

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

Signed . . I. Diane . . Wann . . . . . .

On behalf of . . . . . .

Date . . . . . 11-8-00 . . . . . .

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

Mrs M White
Cobwebs
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

Mr & Mrs Grover
Timberscombe
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

Mr & Mrs Bridge
Kingfishers Covert
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

Mr & Mrs Mansfield
Woodside
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

Received by Wokingham District Council

Application No: F/2000/2225

Proposal:
Proposed erection of 4 dwellings plus demolition of existing dwelling.

Location:
Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

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

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

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

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Angela Odell P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 23/09/2000. Written comments submitted will become available for public inspection.

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

Head Planning and Transportation

30 August 2000

ADDRESS TIMBERSCOMBE HOLLYBUSH RIDE

PARISH 1486 FINCHAMPSTEAD ~~BOXFORD~~

ORD. SHEET No. SU 8164 107

PLOT No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
0/1158/67	MR W BRADLEY	9/APP 2 DET BUNGALOWS	18.9.67	N/A C/A
72/69	MR C PARSONS	2 DET HOUSES & GARAGES	20.9.69	APP C/A
91/69	MR F.A MORGANS	DET BUNGALOW & GARAGE	2.12.69	APP C/A
BR 8077	MR GROVE	GARAGE & PORCH	13.3.78	APP N/A
08048	"	"	13.6.78	N/A C/A
BR10779	"	S/STOREY EXTENSION	14.5.79	APP N/A
26485/6 & 31831	REFER	Erect 29 Det Houses	25.3.87	Ref.

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS TPO 325/87

DRAINAGE

091074

14 AUG 2000

2225

1509/ab

PLANNING APPLICATION PART 1

14. AUG. 2000*

WOKINGHAM DISTRICT COUNCIL

Please answer all questions in CAPITAL letters. If any question is not applicable, put N/A in the space.

Please submit 6 copies of the completed form and your plans to:- Planning Dept., Wokingham District Council, PO Box No. 157, Shute End, Wokingham, Berkshire, RG40 1WR.

11 AUG. 2000*

If you are a new applicant, notes to help you fill in the form are attached.

If you still have any questions about the form, please call Ian Jordan on 0118 974 6428

For office use only
Application No. 2224

1.	YOUR NAME	BROOKWORTH DEVELOPMENTS LTD
	ADDRESS	3000 HILLSWOOD DRIVE, CHERTSEY SURREY
	POST CODE	KT16 0RS Tel No. 01932 796009
2. If you have an agent and want all correspondence to be sent to them	AGENT'S NAME	MISS D WARNER OF ARK DESIGN
	ADDRESS	20 RADNOR ROAD, EARLEY READING BERKSHIRE
	POST CODE	RG6 7NP Tel No. 0118 9263460
3. On the plans outline the whole site in RED. Any OTHER land in your Ownership or control outline in BLUE.	SITE LOCATION	HOLLYBUSH RIDE, FINCHAMPSTEAD BERKSHIRE
4. Give the area of the application site in hectares, if appropriate, or part of a hectare.	SITE AREA	1.22 ACRE 0.49 HECTARE
5. Give brief details of the proposal	ABOUT THE APPLICATION	PROPOSED DEVELOPMENT OF 4 NO. DETACHED DWELLINGS, DEMOLITION OF EXISTING DWELLING FOR ACCESS
6. What is your interest in the application site, e.g. owner, prospective purchaser, a tenant with a lease.	OWNERSHIP	PROSPECTIVE PURCHASER

7. We need plans to be able to assess the application. Please list the plans and drawings you have submitted.

PLANS/DRAWINGS

1:2500 1:25000 Location Plan	☑	1:100 Floor Plan	☑
1:500 Block Plan	☑	Other (SITE SURVEY)	☑
1:100 Elevations	☑		

8. Does the application involve any of the following

Please tick relevant boxes. If you tick OTHER, please explain on this form.

CHANGE OF USE	☐	ALTERATION or EXTENSION	☐
CONSTRUCTION OF NEW BUILDING	☑	DEMOLITION	☑
OTHER			

9. What type of Planning application are you applying for ?

RESERVED MATTERS	☐	Go to Question 10.
OUTLINE PERMISSION	☐	State relevant outline permission No. Go to Question 10.
FULL PERMISSION	☑	Go to Question 11.
TEMPORARY PERMISSION	☐	State period required. Go to Question 11.
RENEWAL OF TEMPORARY PERMISSION	☐	State previous permission No. Go to Question 11.
VARIATION/RELAXATION OF CONDITIONS	☐	State relevant application No.
		Details of conditions to be relaxed. Go to Question 11.

10. IF THIS IS AN OUTLINE APPLICATION OR FOR THE APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of your application.

EXTERNAL APPEARANCE	☐	SITING	☐
MEANS OF ACCESS	☐	DESIGN	☐
		LANDSCAPING	☐

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDINGS ON THE APPLICATION SITE, *e.g.* residential, industrial, etc. If the site is vacant say so, and if possible give last known use.

RESIDENTIAL GARDEN

12. *ARE THERE ANY TREES ON THE SITE ?* IF YES, please show their position, spread, and species of the trees on the plans. Indicate any which are to be felled.

YES / ~~NO~~

13. PLEASE LIST THE EXTERNAL MATERIALS TO BE USED.

TO BE SUBMITTED

14. WILL SURFACE WATER BE DRAINED INTO THE EXISTING DRAINAGE SYSTEM ? If NO, please give details of any new system to be constructed.

~~YES~~ / NO — SOAKAWAYS

15. WILL FOUL SEWAGE BE DISPOSED OF INTO THE EXISTING SEWAGE SYSTEM ? If NO, please give details of any new system to be constructed.

YES / ~~NO~~

16. *WILL PEDESTRIANS / VEHICLES ACCESS THE SITE ?* Please show details of the existing access and any proposed changes on the plans.

YES / ~~NO~~

17. WILL THE CAR PARKING PROVISION AT THIS SITE BE CHANGED ? If YES, please show details of any changes on the plans.

YES / ~~NO~~

18. DOES A PUBLIC RIGHT OF WAY TOUCH OR CROSS THE SITE ? If YES, please show the route and any proposed alternative on the plans.

~~YES~~ / NO

19. DOES THE PROPOSAL INVOLVE NEW RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS ? If YES, please complete the following table.

YES / ~~NO~~

	No. of Bedrooms	Dwellings
Proposed new development	1	
	2	
	3	
	4	
	5 or more	4
	TOTAL	4
Nos. of residential units lost through demolition or conversion		1
	NET CHANGE	

20. HAS PROVISION BEEN MADE FOR THE DISABLED ? If YES, please show on the submitted plans what is to be provided.

YES / ~~NO~~

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL DEVELOPMENT ? If YES, please complete PART 2 of the form.

~~YES~~ / NO

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS: THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS (INCLUDING SCRAP YARDS) ? If YES, complete PART 3 of the form and submit whole application to Wokingham District Council.

~~YES~~ / NO

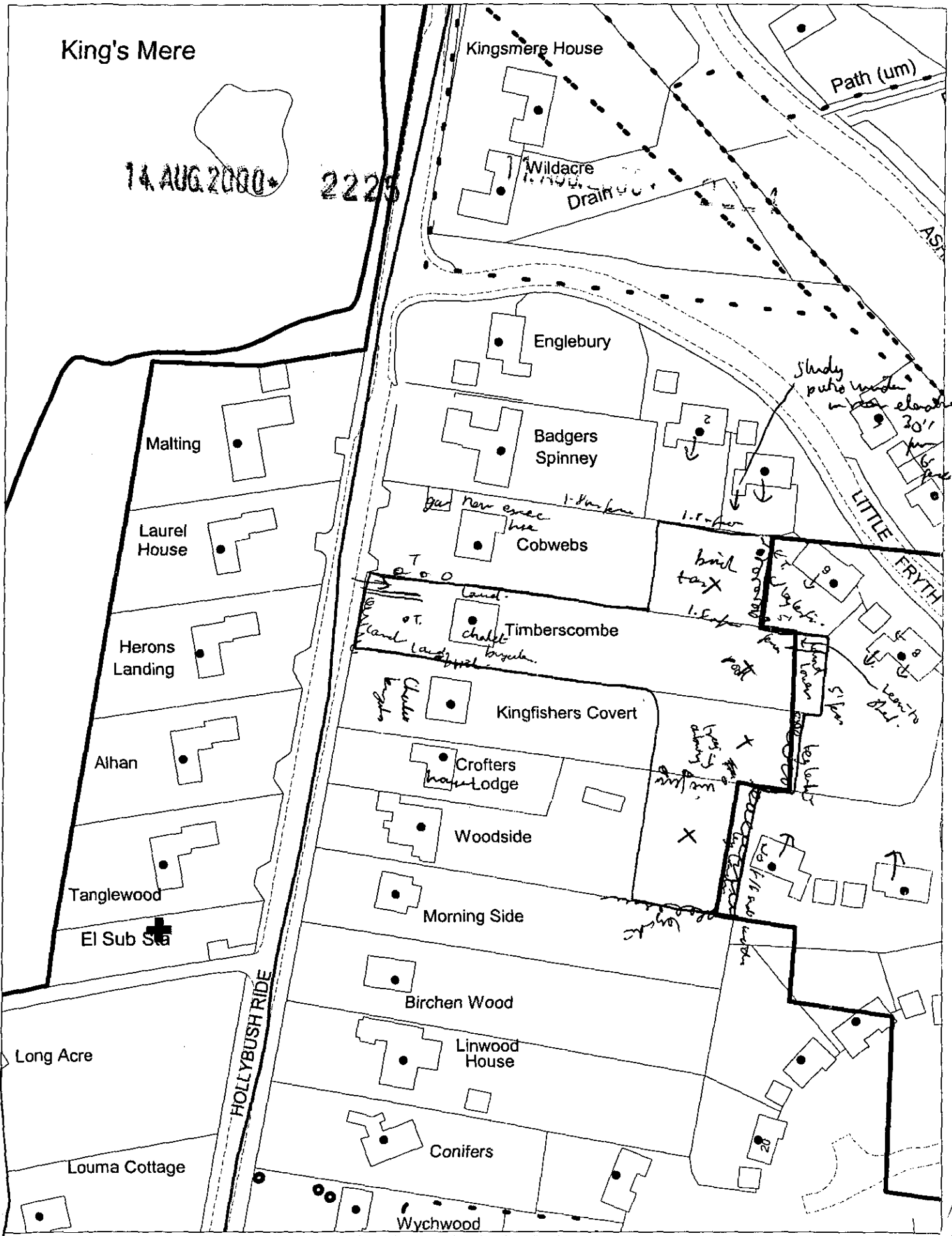
23. THE FEE ENCLOSED IS £ 760

The current scale of fees is attached. If you believe a reduced fee or no fee is payable please say why below.

SIGNED Diane Warn ON BEHALF OF ARK DESIGN DATE 11·8·00

Before submitting this application check that you have answered all the relevant questions and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee.

SW Wp 7/9



14 AUG 2000 2225

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Development Control Section, Environmental Services, Wokingham District Council.

17 August 2000

Scale: 1 : 1250

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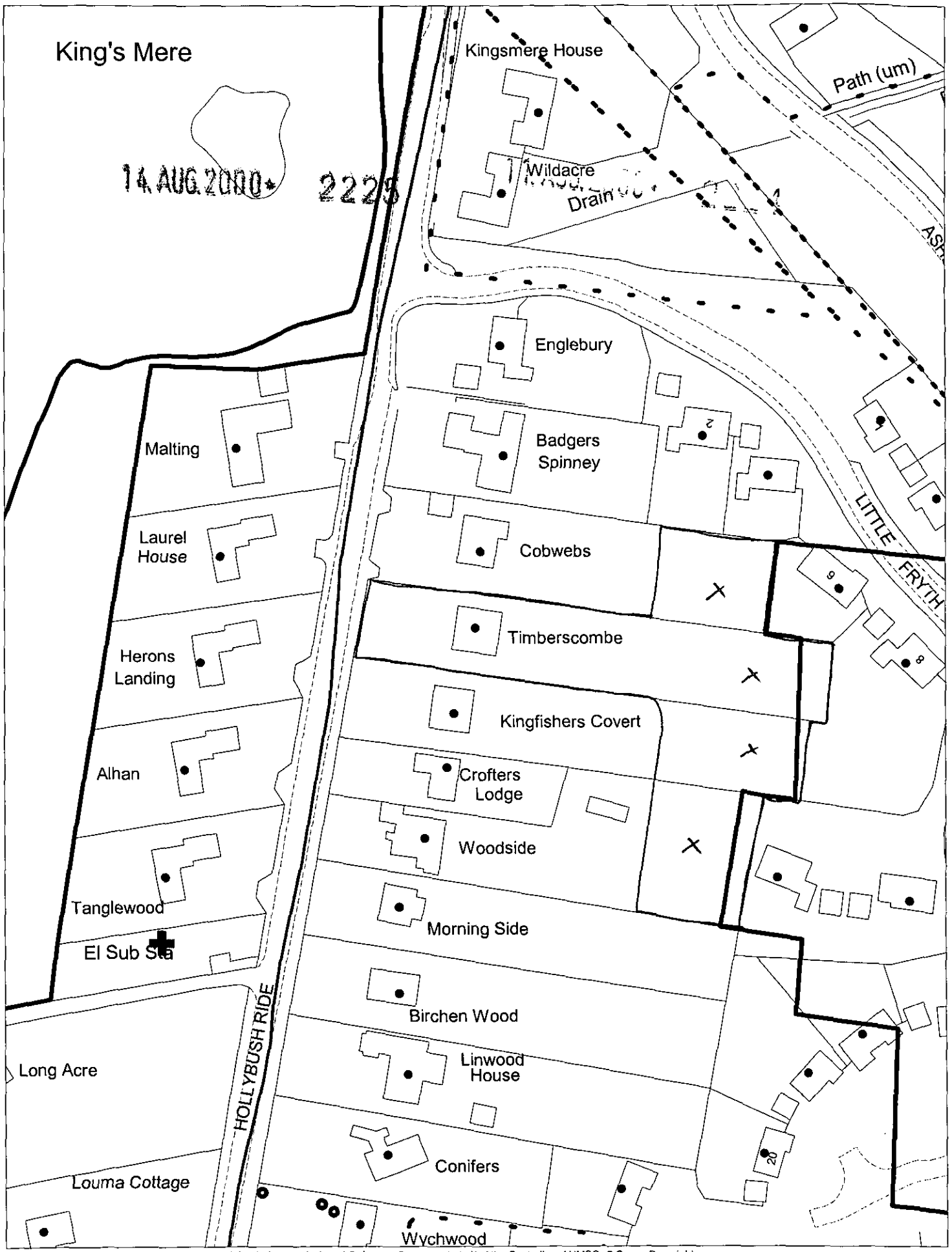

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Development Control Section, Environmental Services, Wokingham District Council.
17 August 2000

Scale: 1 : 1250

N
W E
S

SOUTHPORT U.K. LONDON OFFICE
X SYSTEMS LTD

APPLICATION NO.2225

Name of appellant:
Brookworth Developments Ltd

Site address:
Land rear of Timberscombe, Hollybush Ride

Proposal:Proposed erection of 4 dwellings plus demolition of existing dwelling

Case Officer:AO

Applica

Single
at 35 N
Woodl

District
Allocat
Date R

Vettin

5 Weel
Extend

EOT A

Decision Acp
Date 15/8/95

Date Commenced

Date Completed

Dismissed
24/8/96

APPROVED

Appeal Decision

Hearing held on 12 June 2001

by Phil Grainger BA(Hons) MRTPI

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

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

Date

04 JUL 2001

Appeal Ref: APP/X0360/A/01/1058304
Site of Timberscombe and land to the rear of Cobwebs, Kingfishers Covert and Woodside, Hollybush Ride, Finchampstead, Berkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Brookworth Developments Ltd against the decision of Wokingham District Council.
- The application (Ref. F/2000/2225), dated 11 August 2000, was refused by notice dated 3 October 2000.
- The development proposed is the demolition of an existing dwelling to form an access and the erection of 4 dwellings.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. Notwithstanding the details given on the planning application form, the proposed development and its location is, as discussed at the hearing, best described as set out above.

Main Issues

2. I consider that there are two main issues in this case. The first is the effect on the character and appearance of the area having regard to the size of the proposed houses and their plots together with the effect on trees. The second is the effect on the living conditions of the occupiers of nearby dwellings, especially nos. 2, 4 and 6 Little Fryth, paying particular attention to privacy, outlook and light.

Planning Policy

3. The development plan for the area comprises the Berkshire Structure Plan 1991 – 2006, incorporating Alterations adopted in 1997, and the South East Area Local Plan (SEALP), adopted in 1994. Structure Plan Policy H5 envisages part of the housing need being met by redevelopment or building on suitable undeveloped sites within settlement boundaries. However, Policy EN1 seeks to ensure that development is of a high standard that maintains or enhances the character of its surroundings and protects important open land and trees.

4. Turning to the Local Plan, there have been many changes since the SEALP was adopted, including revised government advice on housing matters as set out in Planning Policy Guidance Note 3 (PPG3). Accordingly, although the SEALP remains part of the development plan, I have, where it is no longer up-to-date, taken that into account in accordance with the advice in PPG1, General Policy and Principles.

5. Policy STV1 advises that development will normally be allowed on sites that, like this one, are within an identified settlement. In addition, Policy SH1 indicates that new housing in the form of infill or redevelopment will generally be considered favourably subject to local environmental constraints and provision of adequate gardens. However, in both cases the encouragement given depends on compliance with other policies and provisions. Of these,

Policy STV6 seeks to ensure that infill development is sympathetic in scale and character and to resist the loss of important open land and gardens. Policy SBE1 aims to achieve a high standard of design that is appropriate to the area and retains important natural or landscape features, whilst Policy SBE2 seeks to ensure that the siting, scale, form and massing of new buildings does not detract from their surroundings. In addition, Policies SBE8 and SBE9 seek to protect important trees and Policy SBE5 aims to ensure adequate light.

6. As for the emerging Wokingham District Local Plan (WDLP), the housing strategy based on a new greenfield settlement has been rejected following a local plan inquiry and the implications of this for other housing and related policies is not yet clear. Accordingly, whilst the WDLP is a material consideration, it carries less weight than a plan that has reached this stage would do normally. That said, Policies WOS2 and WH1 broadly carry forward the provisions of SEALP Policies STV1 and SH1 with an additional reference to residential amenity. Once again, new housing is encouraged within settlements provided, amongst other things, important wooded areas and gardens are protected from inappropriate development and there is no significant harm to the character of the area. Policy WBE1, which is similar to SEALP Policy SBE1 but seeks also to protect the privacy and amenity of neighbours, reinforces these aims. Policy WBE11 seeks to protect important trees and woodland.

7. A further material consideration that I have taken into account is the policy that the Council have recently adopted that seeks to apply the density figures set out in PPG3, Housing, whilst protecting local character.

Inspector's Reasoning

Effect on the character and appearance of the area

8. The dwellings along Hollybush Ride are generally set in very large and well-treed grounds. To the east of the appeal site, Little Fryth is a more recent development with smaller plots, but even so the density is very low. There are groups of large trees that form a wooded backdrop to the houses and others that have been incorporated in the development itself. Together these trees add significantly to the spacious and sylvan character of Little Fryth.

9. The parties agree that, having regard to the advice in PPG3, the proposal does not need to emulate the density of Hollybush Ride. Little Fryth is regarded as a more suitable model but there is disagreement over whether the proposed scheme adequately reflects the character of that development. In any event, the Council say that, because of the effect that it would have on the wooded buffer between the two areas, the site is unsuitable for development, even though it falls within the definition of previously developed land and is within an identified settlement. However, the appellants say that many of the trees are of limited quality and most of the important ones would remain.

10. For my part, I consider that whilst the trees at the rear of 'Cobwebs' may, individually, be of modest quality, as a group they make an important contribution to the setting of Little Fryth, from where they are clearly visible. Not all the trees are on the appeal site, but the erection of a house on plot 1 would inevitably result in the loss of a substantial number of them, even if, as the appellants argue, those around the edge of the plot could be retained. In my judgement, such a thinning out of the group would seriously detract from the wooded backdrop of Little Fryth.

11. I have allowed for the trees being mostly of a relatively short-lived species and shallow rooted. However, the appellants say that, even without the protection of those to be felled, the trees near the northern boundary of the site should survive for another 20 years. The internal trees may not be as strong and a few of them are experiencing root plate heave, but I saw no compelling evidence that, if left undisturbed, most of them could not also be expected to survive for a considerable time. In any event, their replacement by a house, which would be clearly visible to

those entering Little Fryth, would result in an uncharacteristic consolidation of development that would harm the green and spacious character of the area.

12. As for the other plots, I consider that none of them now has such a dense tree cover as to prevent some form of development being fitted around the important trees. That said, I have concerns about specific aspects of the scheme before me. In particular, I saw that even in the middle of one of the longest days, the adjoining trees overshadowed much of the modest rear garden of plot 2. I therefore consider that there is a real likelihood that the Council would come under pressure to allow the removal or reduction of these trees and that this could be difficult to resist. Moreover, the layout of plots 3 and 4 is such that special construction methods would be needed to protect the trees between them and even then there may be an ongoing need for cutting back. As it is agreed that both these groups of trees are of amenity value and deserve their Tree Preservation Order protection, this adds to my concerns about the proposal.

13. Turning to other matters, the estimates that the appellants produced at the hearing confirmed that the houses would have a larger footprint than the adjoining ones on Little Fryth, very much so in the case of plot 4, but that, apart from plot 4, the plot areas would be similar or slightly smaller. The houses on plots 2 and 3, in particular, would also be more closely spaced than is typical between two-storey buildings on Little Fryth. Moreover, houses that were a little smaller and more widely spaced would not only be more in keeping with Little Fryth but would also help to reduce the effect on trees. Having regard to this, the amount of built development proposed on the rear part of the site adds further to my concerns about the proposal.

14. I conclude that, particularly by reason of the effect on trees, especially those on plot 1, the proposal would seriously detract from the character and appearance of the area. It is therefore contrary to the aims of Structure Plan Policy EN1, Polices STV6, SH1, SBE1, SBE2, SBE8 and SBE9 of the SEALP and to Policies WH1, WBE1 and WBE11 of the WDLP.

Effect on the living conditions of local residents

15. At the end of the hearing I viewed the appeal site from the rear gardens of nos. 2, 4, 6, 8 and 10 Little Fryth. Despite the trees and other vegetation, I have no doubt that the proposed houses would, especially in winter, be clearly visible from most if not all of these dwellings and/or their gardens. In particular, the two-storey part of the house on plot 1 would be within about 11 – 12 metres of the end of the gardens of nos. 2 and 4 Little Fryth. A single storey element would project closer to the boundary. However, although the appeal site is a little higher than the existing dwellings I consider that the window in the projection could be adequately screened and that neither the screening nor the projection itself would be overbearing.

16. As for the two-storey structure, it would be over 30 metres from the nearest part of no. 2 Little Fryth but only about 21 metres from that of no. 4, which has a particularly small rear garden. In my experience, such distances would be sufficient to prevent a material loss of light. However, in the circumstances of this case, in particular the difference in levels and the separation distances that are typical of the area, I consider that the proximity of the proposed house would result in a significant reduction in privacy and outlook for the occupiers of no. 4 Little Fryth. In my judgement, the intervening trees, which provide little cover at lower levels, would not be sufficient to prevent this. Although my concerns are much less in respect of no. 2, these are further serious objections to the erection of a house on plot 1.

17. As for nos. 6, 8 and 12 Little Fryth, their distance from the proposed houses together with the orientation and boundary vegetation would, in my assessment, be sufficient to avoid any material effect on privacy, outlook or light. In addition, there would be a sufficient buffer zone between the proposed access and the dwellings on either side of it for there to be no problems of noise and disturbance.

18. I therefore conclude that the occupiers of no existing dwelling other than no. 4 Little Fryth would have their living conditions affected to such an extent that would have led me to dismiss this appeal. However, there would be a serious effect on the privacy and outlook of the occupiers of no. 4 and this is a further reason why the proposal, and in particular the house proposed on plot 1, is contrary to WDLP Policies WH1 and WBE1 and should not go ahead.

Other matters

19. I have considered all the other matters raised in writing and at the hearing. The Council are concerned that allowing this appeal would set a precedent for the development of other land within this area. However, the development of land within a defined settlement that did not give rise to the harmful effects that I have identified in respect of this proposal would not necessarily be undesirable. In any event, it is unusual for any two sites to be identical in all respects and I saw that the other appeal site that the appellants asked me to look at had a somewhat different context. Each proposal must therefore be determined primarily on its own merits and I have done so in this case.

20. I have also taken into account the likelihood that the rejection of the Council's proposed housing strategy may lead to a need to find additional sites within identified settlements. Moreover, whilst some local residents say that this area should not have been included within a settlement, that is its designation in both the adopted and the emerging Local Plans and I have dealt with the appeal on that basis. That said, not all proposals will be acceptable and I do not consider that the need for more dwellings justifies allowing a scheme that would have the serious objections that I have identified in this case. In any event, despite the proportion of the plots that would be covered by buildings, the scheme before me is, in PPG3 terms, a wasteful use of land that would not efficiently address local housing needs.

21. I am also aware that many local residents consider that the proposed houses would overload the local infrastructure. However, although there are no facilities within easy walking distance and it was agreed that most journeys would be by car, the Highway Authority have raised no objection. Furthermore, as discussed at the hearing, I see no reason why a satisfactory technical solution could not be found to any drainage difficulties. In my judgement, neither these matters nor any other effects that an extra 4 houses might have on local facilities would be an overriding objection to the development of a site that is within an identified settlement and satisfies the definition of previously developed land. Moreover, I consider that the development of these garden areas would not materially affect wildlife interests. However, neither these nor any of the other issues raised is of such significance as to outweigh the considerations that have led to my conclusions on the main issues.

Conclusions

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

Formal Decision

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

Information

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

P Grainge.

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr T Coleby BA(Hons) MRTPI	Development Planning Partnership Agents for the appellants
Mr S Dale DPLA MLI	ACD Landscape Architects
Mr G Rowley	Brookworth Developments, appellants

FOR THE LOCAL PLANNING AUTHORITY:

Mrs A Odell BA(Hons) MPhil MRTPI	Planning Officer, Wokingham DC
Mr N Etherington DipArb FAA	Arboricultural Officer, Wokingham DC

INTERESTED PERSONS:

Mr D A Vile	Finchampstead Parish Council
Mr M Holland	1 Little Fryth, Finchampstead
Mr W & Mrs R Salisbury	2 Little Fryth, Finchampstead
Mr K Ellwood	6 Little Fryth, Finchampstead
Mr D Rice-Jones	8 Little Fryth, Finchampstead

DOCUMENTS

Document	1	List of persons present at the Hearing.
Document	2	Council's notification letter and circulation list
Document	3	Letters of representation
Document	4	Representations on the emerging Local Plan, submitted by the Council
Document	5	Adopted Local Plan Policies STV1 & STV6, supplied by the Council
Document	6	Emerging Local Plan Policy WH6, supplied by the Council
Document	7	Appendices to the appellants' Hearing statement
Document	8	Appendices to Mrs Odell's Hearing statement
Document	9	Appendices to Mr Etherington's Hearing statement

PLANS

Plan	A (i – xvi)	Application drawings
Plan	B	Tree survey drawing

The Planning Inspectorate

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

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728443

GTN 1371-6079

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

Your Ref: F/2000/225

Our Ref: APP/X0360/A/01/1058304

Date: 4 July 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY BROOKWORTH DEVELOPMENTS LTD
SITE AT LAND REAR OF, TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM

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

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

DG

45350

DG

COPIES TO:

The Complaints Officer
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Phone No. 0117 372 8252 Fax No. 0117 372 6219

E-mail: Complaints@planning-inspectorate.gsi.gov.uk

Yours faithfully

Miss A Groves

COVERDL1

Tel. (0118) 974 6448 (Direct Line)
Date: April 17, 2001
My ref: F|2000|2225
Your ref: APP/X0360/A/01/1058304

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

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

Dear Miss Groves

APPEAL BY: Brookworth Developments Ltd
SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

APPEAL BY BROOKWORTH DEVELOPMENTS LTD.

COMMENTS ON GROUNDS OF APPEAL

PPG3

As explained in paragraph 3.01 of my statement, the site comes within the definition of previously-developed land under PPG3. However, PPG3 Paragraph 70, which covers village expansion and infill, requires that the development should be designed sympathetically and laid out in keeping with the character of the village. Whilst the appeal site is situated in a settlement rather than a village, this principle still applies. The proposal is not designed sympathetically for the reasons given in my statement.

Appellants' consultants' paragraph 7.6

Reference is made to the Council's housing land supply. However, as the proposal is for only three additional dwellings, this is not a major consideration in this case, and in any event should not override the objections to it explained in my statement.

Angela Odell

Tel. (0118) 974 6448 (Direct Line)
Date: March 29, 2001
My ref: F/2000/2225
Your ref: APP/X0360/A/01/1058304

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: Brookworth Developments Ltd
SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel: (0118) 974 6448 (Direct Line)
Fax: (0118) 974 6484
Date: March 12, 2001
My ref: F/2000/2225
Your ref: APP/X0360/A/01/1058304

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

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

Dear Miss Groves

APPEAL BY: Brookworth Developments Ltd

SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead

HEARING DATE: TUESDAY 12TH JUNE 2001

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

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

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant
Enc.

The Planning Inspectorate

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

Direct Line 0117-9878460
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8460

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

Your Ref: F/2000/2205

Our Ref: APP/X0360/A/01/1058304

Date: 7 March 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY BROOKWORTH DEVELOPMENTS LTD
SITE AT LAND REAR OF, TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM

I am writing to confirm that the hearing into this appeal will start at 10:00 on Tuesday 12/6/2001 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.

dme 12/03/01

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

The hearing date has been imposed upon The Development Planning Partnership.

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:

dispatched 01/05/01

dme 22/05/01

- 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;

40948
PC
CS
09 MAR 2001
COPIES TO:
ACK:
FILE:

- 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: February 28, 2001
My ref: F/2000/2225
Your ref: APP/X0360/A/01/1058304

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: Brookworth Developments Ltd
SITE: Land R/O Timberscombe, Hollybush Ride, Finchampstead

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. February 28, 2001
My ref: F/2000/2225
Your ref: CD/368400

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

The Development Planning Partnership
21 The Crescent
Bedford
MK40 2RT

Dear Sirs

APPEAL BY: **Brookworth Developments Ltd**
SITE: **Land R/O Timberscombe, Hollybush Ride, Finchampstead**

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

(H)

The Planning Inspectorate

39993

DC
APP
CS

18 FEB 2001

COPIES TO:
FILE:

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

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

Your Ref: F/2000/225 2 1

Our Ref: APP/X0360/A/01/1058304

Date: 15 February 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY BROOKWORTH DEVELOPMENTS LTD
SITE AT LAND REAR OF, TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM

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

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

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

The date of this letter is the **starting date** for the appeal.

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

Within 2 weeks from the starting date -

You must notify any statutory parties and interested persons who were consulted at application stage who made comments that the appeal has been made. You should tell them that:-

i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies within **6 weeks of the starting date.** If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned.

ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and

iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must submit a copy of a completed appeal questionnaire and supporting documents to the appellant and me (including relevant development plan policies when appeals are against non-determination).

Within 6 weeks from the starting date -

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 9 weeks from the starting date -

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 your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. As I have given details of the timetable, I will not send you reminders.

Withdrawing the appeal

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

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

Yours faithfully

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.

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 BROOKWORTH DEVELOPMENTS LTD

Address 3000 HILLSWOOD DRIVE
CHERTSEY, SURREY

Postcode KT16 ORS

Your reference

Daytime phone no

Fax no

E-mail address

B. AGENT DETAILS (if any)

Name THE DEVELOPMENT PLANNING PARTNERSHIP

Address 21 THE CRESCENT
BEDFORD
MK40 2RT

Your reference CD/368400

Daytime phone no 01234 358863

Fax no 01234 271210

E-mail address chris.darley@devplanning.com

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT COUNCIL

Date of the planning application 11/8/2000

LPA's application reference no F/2000/2225

Date of LPA's decision notice (if issued)

D. APPEAL SITE ADDRESS

Address LAND REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM

Postcode

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 ERECTION OF 4 DETACHED DWELLINGS PLUS DEMOLITION OF EXISTING DWELLING.

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

0.49 ha.

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

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

G. GROUNDS OF APPEAL

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

See attached Planning Statement.

J. ESSENTIAL SUPPORTING DOCUMENTS

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

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

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

7.	**Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: Tree and Landscape Report (ACD Chartered Landscape Architects)	X
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 C. Darley (on behalf of) BROOKWORTH DEVELOPMENTS LTD

Name (in capitals) CHRISTOPHER DARLEY Date 30/1/2001

Please turn over

I. APPEAL SITE OWNERSHIP DETAILS

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

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

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
	Please see attached list	

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 C. Darley (on behalf of) BROOKWORTH DEVELOPMENTS LTD

Name (in capitals) CHRISTOPHER DARLEY Date 30/1/2001

Please turn over

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.

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.

Published by the Planning Inspectorate September 2000

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

HIGHWAYS CONSULTATION SHEET

From: Angela Odell **Date:** 30 August 2000

Application Number: F/2000/2225

Proposal: Proposed erection of 4 dwellings plus demolition of existing dwelling.

Parish: FINCHAMPSTEAD PARISH

Site Address:
Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

Applicant:
Brookworth Developments Ltd C/O Ark Design (Miss D Warner).

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.

(1) Please could the applicant show what visibility splays are available from a 2.4m setback.

(2) A bin storage area must be provided within 25m of the highway, or otherwise the applicant must demonstrate that a refuse vehicle could turn within the curtilage of the property.

(3) Passing places should be provided on the approach road to the proposed dwellings.

Signed: _____ **Print name:** Adam Coggins 06/09/00

Date: 26 September 2000

To: Highways

We have received Revised Plans for the following planning application:

Application Number: F/2000/2225

Location: Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

Proposal: Proposed erection of 4 dwellings plus demolition of existing dwelling.

Applicant: Brookworth Developments Ltd C/O Ark Design (Miss D Warner).

Case Officer: Angela Odell

The new plans show the following: Visibility splays, passing bays and refuse vehicle turning. Drawing no BRK/FIN 001 Rev A.

Comments are required by 06/10/2000.

Should you have any queries regarding this application please contact the case officer Angela Odell on (0118) 974 6445.

CONDITIONAL APPROVAL

① The proposed access road shall be constructed to adoptable standards.

② Recommend that a bin store is provided within 25m of Hollybush Ride. Our refuse vehicle is 9.3m long (longer than the one indicated) therefore a larger area for turning would be required.

③ C049, R049

④ C122, R122

⑤ C126 (INSERT: BRK/FIN/001/A), R126

⑥ C129, R129

⑦ C137, R137

Adam Coggins 28/9/00

POLICY AND PLANS CONSULTATION

Case Officer: Angela Odell

Location: Land at Hollybush Ride, Finchampstead.

Application Number: F/2000/2225

Proposed erection of 4 dwellings / demolition of existing dwelling

---

Planning History
29 detached dwellings were granted on appeal on land to the rear of Timberscombe - now known as 'Little Fryth' (Application 26985 – appeal granted 29.4.88).

Identified Settlement
The proposal is located within the identified settlement of Pinewood. Development is therefore acceptable in principle under Policy WOS2. The development should however be tested against Policy WH1.

Density
The proposal is for 4 dwellings on a gross site area of 0.45ha. Following the publication of the new PPG3, the Environmental Services Committee resolved, on 12 June 2000, to include the agreed density policy in the District Local Plan, as soon as the local plan process permits, and to adopt that policy for the purpose of development control as soon as possible. In summary the new draft policy on density requires that no residential development shall be permitted at a net density of less than 30 dwellings on sites over 0.3ha located within the settlement boundary, subject to such a density not compromising the quality of the environment. Therefore it is appropriate to consider this new density policy in respect of this application.

The definition in Annex C, PPG3 for net housing density indicates that areas of open space serving a wider area and significant landscape buffer strips are two uses which can be excluded from the net area of the site. It is considered that the development proposals do not provide either of these uses.

Gross area = 0.45
Net Area = 0.45

The net density of this proposal = 4/0.45
= **8.89 dwellings per hectare.**

This net density is significantly lower than that required by the new policy and PPG3, though you will need to judge whether a higher density scheme would prejudice the quality of the local residential environment.

Housing Mix
The proposal is for, 4x5-bed detached dwellings. Proposed amendment 5/10 to the Deposit Draft Local Plan adds to paragraph 5.17. It states that the Housing Needs Survey 1997 identified a need for smaller dwellings. Policy WH6 states that emphasis will be given to the need for small (one, two and three bedroom) dwellings. The proposed mix of dwellings does not meet this need, with no provision for smaller units. Provision of smaller units would bring the proposal closer to the requirements of Policy WH6 and would also assist in increasing the net density. However, we have generally not sought a housing mix on sites with a small numbers of dwellings.

Landscape Impact
There are a significant number of trees located within and around the site of the proposal. The Landscape team should therefore be consulted on the impact of the proposed development on existing trees.

Conclusions
The principle of housing development on the application site is supported under Policy WS02. However, the proposal does not meet the requirements of the new density policy and the new PPG3, and fails to provide for a suitable housing mix as required under Policy WH6.

Michael Bell
7.9.00

FROM: Angela Odell

DATE: 30 August 2000

PLANNING SERVICES	HPT 34632
POL	TLS
DC	ENF
APP	
CS	
25 SEP 2000	
COPIES TO:	ACK:
	FILE:

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: F/2000/2225

Proposal: Proposed erection of 4 dwellings plus demolition of existing dwelling..

Site Address: Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

Applicant: Brookworth Developments Ltd C/O Ark Design (Miss D Warner).

Your observations are required in respect of this application **by 23/09/2000** .

Objection on the grounds that the proposal would set a precedent in the area which would serve to erode its natural environment. The proposal would also generate an increase in traffic activity onto and from the already busy junction at Kingsmere cross roads.

SIGNED: C.S.C. DATE: 12 SEP 2000

Clerk To Finchampstead Parish/Town Council.

TO: **DEVELOPMENT CONTROL**
Angela Odell

FROM: Environmental Design

DATE: 20/09/00

Location: Land rear of Timberscombe, Hollybush Ride, Finchampstead.

Proposal: Erection of 4 dwellings and demolition of existing dwelling.

Application Number: F/2000/2225

In response to your consultation dated 30th August 2000 for the above application, the arboricultural comments are as follows:

I would recommend refusing planning permission as the development proposed will result in the loss of trees and future pressure to fell or severely prune trees shown to be retained (Policy WBE11 of the Wokingham District Local Plan Deposit Draft). These trees are significant in the surrounding landscape and when viewed from public viewpoints in Little Fryth.

I am making an 'area' Tree Preservation Order to protect trees on this site. Any application to develop this site should be accompanied by a fully detailed tree survey (BS5837:1991) and demonstrate how any proposed development will allow the long term retention and eventual replacement of significant trees.

Neil Etherington
Senior Arboriculturist

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

PLANNING SERVICES
POL AD ILS
APP
CS
07 SEP 2000
COPIES TO: ACK:
FILE:

From: John Mullaney
Environmental Health

My Ref: JRM

To: Emy Circuit
Planning Department

Date: 6/09/00

LAND REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD F/2000/2225

Having considered the environmental health implication of the above development, I recommend the following condition be attached should planning consent be granted:

Construction operations for which noise is audible at the site boundary shall only be carried out between 7.30 hours and 1800 hours Monday to Friday, 8.00 hours and 1300 hours on Saturdays and at no time on Sundays, Bank or Public Holidays without prior agreement in writing from the Local Planning Authority.

John Mullaney
Environmental Health Officer

ARK Design
20 Radnor Road, Earley, Reading,
Berkshire. RG6 7NP.
Tel / Fax: 0118 926 3440

Planning Department,
Wokingham District Council
PO Box No.157,
Shute End
Wokingham
Berkshire
RG40 1WR

11 August 2000

Dear Sir or Madam:

Re: Proposed development at 'Land to the rear of Timberscombe, Hollybush Ride, Wokingham

With reference to the above site, please find enclosed a detailed planning application comprising of the following:

1. Completed forms and certificate
2. 6 no. copies of Floor Plans and Elevations
3. 6 no. copies of the Site Layout
4. 6 no. copies of the Site Survey
5. Cheque for £ 760

I trust you'll find the enclosed application acceptable, however if you require any further information please don't hesitate to contact me.

Yours faithfully

Diane Warner

Diane Warner

1789/a

SECTION 66 CERTIFICATE

Application No.

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

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

OR

+ See Note (a) to Certificate A

OR

(b) Insert description of steps taken.

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

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

CERTIFICATE A

I certify that:

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

CERTIFICATE B

I certify that:

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

Owner's(a) name	Address at which notice was served	Date on which notice was served
SEE ATTACHED LIST OF LANDOWNERS		11.8.00

CERTIFICATE C

I certify that

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

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

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

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

(b) .....

.....

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

on (d) .....

1789/b

CERTIFICATE D

I certify that

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

OR

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

(b) Insert description of steps taken

(b) . . . . . .

. . . . . .

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

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

● Notice of the application as attached to this Certificate, has been published i

the (c) . . . . . .

on (d) . . . . . .

ALL APPLICANTS MUST COMPLETE THIS SECTION

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

Agricultural Holdings Certificate

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

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

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

OR

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

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

Signed . . I. Diane Wann . . . . . .

On behalf of . . . . . .

Date . . . . . .

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

1509/ab

PLANNING APPLICATION PART 1

Please answer all questions in CAPITAL letters. If any question is not applicable, put N/A in the space.

Please submit 6 copies of the completed form and your plans to:- Planning Dept., Wokingham District Council, PO Box No. 157, Shute End, Wokingham, Berkshire, RG40 1WR.

If you are a new applicant, notes to help you fill in the form are attached.
If you still have any questions about the form, please call Ian Jordan on 0118 974 6428

For office use only
Application No.

1	YOUR NAME	BROOKWORTH DEVELOPMENTS LTD
	ADDRESS	3000 HILLSWOOD DRIVE, CHERTSEY
		SURREY
	POST CODE	KT16 0RS Tel No. 01932 796007
2. If you have an agent and want all correspondence to be sent to them	AGENT'S NAME	MISS D WARNER OF ARK DESIGN
	ADDRESS	20 RADNOR ROAD EARLEY
		READING BERKS
	POST CODE	RG6 7NP Tel No. 0118 9263440
3. On the plans outline the whole site in RED. Any OTHER land in your Ownership or control outline in BLUE.	SITE LOCATION	HOLLYBUSH RIDE FINCHAMPSTEAD
		BERKSHIRE
4. Give the area of the application site in hectares, if appropriate, or part of a hectare.	SITE AREA	1·22 ACRE ·47 HECTARE
5. Give brief details of the proposal	ABOUT THE APPLICATION	PROPOSED DEVELOPMENT OF 4 No.
		DETACHED DWELLINGS, DEMOLITION OF EXISTING
		DWELLING FOR ACCESS
6. What is your interest in the application site, e.g. owner, prospective purchaser, a tenant with a lease.	OWNERSHIP	PROSPECTIVE PURCHASER

7. We need plans to be able to assess the application. Please list the plans and drawings you have submitted.

PLANS/DRAWINGS

1:2500 ~~1:2500~~ Location Plan	✓	1:100 Floor Plan	✓
1:500 Block Plan	✓	Other (Site Survey)	✓
1:100 Elevations	✓		

Does the application involve any of the following

Please tick relevant boxes. If you tick OTHER, please explain on this form.

CHANGE OF USE		ALTERATION or EXTENSION	
CONSTRUCTION OF NEW BUILDING	✓	DEMOLITION	✓
OTHER			

9. What type of Planning application are you applying for ?

RESERVED MATTERS		Go to Question 10.
OUTLINE PERMISSION		State relevant outline permission No. Go to Question 10.
FULL PERMISSION	✓	Go to Question 11.
TEMPORARY PERMISSION		State period required. Go to Question 11.
RENEWAL OF TEMPORARY PERMISSION		State previous permission No. Go to Question 11.
VARIATION/RELAXATION OF CONDITIONS		State relevant application No.
		Details of conditions to be relaxed. Go to Question 11.

10. IF THIS IS AN OUTLINE APPLICATION OR FOR THE APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of your application.

EXTERNAL APPEARANCE		SITING	
MEANS OF ACCESS		DESIGN	
		LANDSCAPING	

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDINGS ON THE APPLICATION SITE, e.g. residential, industrial, etc. If the site is vacant say so, and if possible give last known use.

RESIDENTIAL GARDEN

12. ARE THERE ANY TREES ON THE SITE ?
IF YES, please show their position, spread, and species of the trees on the plans. Indicate any which are to be felled.

YES / ~~NO~~

13. PLEASE LIST THE EXTERNAL MATERIALS TO BE USED.

TO BE SUBMITTED

14. WILL SURFACE WATER BE DRAINED INTO THE EXISTING DRAINAGE SYSTEM ?
If NO, please give details of any new system to be constructed.

~~YES~~ / NO SOAKAWAYS.

15. WILL FOUL SEWAGE BE DISPOSED OF INTO THE EXISTING SEWAGE SYSTEM ?
If NO, please give details of any new system to be constructed.

YES / ~~NO~~

16. WILL PEDESTRIANS / VEHICLES ACCESS THE SITE ?
Please show details of the existing access and any proposed changes on the plans.

YES / ~~NO~~

17. WILL THE CAR PARKING PROVISION AT THIS SITE BE CHANGED ?
If YES, please show details of any changes on the plans.

YES / ~~NO~~

18. DOES A PUBLIC RIGHT OF WAY TOUCH OR CROSS THE SITE ?
If YES, please show the route and any proposed alternative on the plans.

~~YES~~ / NO

19. DOES THE PROPOSAL INVOLVE NEW RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS ? If YES, please complete the following table.

YES / ~~NO~~

	No. of Bedrooms	Dwellings
Proposed new development	1	
	2	
	3	
	4	
	5 or more	4
	TOTAL	4
Nos. of residential units lost through demolition or conversion		1
	NET CHANGE	

20. HAS PROVISION BEEN MADE FOR THE DISABLED ?
If YES, please show on the submitted plans what is to be provided.

YES / ~~NO~~

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL DEVELOPMENT ?
If YES, please complete PART 2 of the form.

~~YES~~ / NO

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS: THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS (INCLUDING SCRAP YARDS) ?
If YES, complete PART 3 of the form and submit whole application to Wokingham District Council.

~~YES~~ / NO

23. THE FEE ENCLOSED IS £ 760

The current scale of fees is attached. If you believe a reduced fee or no fee is payable please say why below.

SIGNED Diane Wann ON BEHALF OF ARK DESIGN DATE 11.8.00

Before submitting this application check that you have answered all the relevant questions and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee.

ARK Design
20 Radnor Road, Earley, Reading,
Berkshire. RG6 7NP.
Tel / Fax: 0118 926 3440

Mrs M White
Cobwebs
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

11 August 2000

Dear Mrs White

Re: Proposed development of 4 No. detached properties, at 'Land to the rear of Timberscombe', Hollybush Ride, Wokingham

With reference to the above site, under Section 66 of the Town and Country Planning Act, I am writing to inform you that on behalf of Brookworth Developments I today submitted a detailed Planning Application to Wokingham District Council.

If you require any information regarding the application please don't hesitate to contact me.

Yours sincerely

Diane Warner

Diane Warner

LIST OF LANDOWNERS

Mrs M White
Cobwebs
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

Mr & Mrs Grover
Timberscombe
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

Mr & Mrs Bridge
Kingfishers Covert
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

Mr & Mrs Mansfield
Woodside
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Brookworth Developments Ltd
C/O Ark Design (Miss D Warner)
20 Radnor Road
Earley
Berkshire
RG6 7NP

Application Number: F/2000/2225

Parish: FINCHAMPSTEAD

Location: **Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.**

Proposal: **Proposed erection of 4 dwellings plus demolition of existing dwelling.**

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

Reason
1. The proposed development would have a harmful effect on the character and appearance of the are due to the backland and relatively cramped layout, together with actual and potential loss of trees that would result. The proposal would therefore be contrary to Berkshire Structure Plan Policy EN1, South East Local Plan Policies SBE2 and SBE9 and to Wokingham District Local Plan Policies WBE1 and WBE11.

Reason
2. The proposed development would result in unacceptable overlooking of, and an overbearing effect on, existing residential property. The proposal would therefore be contrary to South East Area Local Plan Policy SBE2 and to Wokingham District Local Plan Policy WBE1.

Reason
3. Allowing the proposed development would set a precedent for similar development on land nearby, which the Local Planning Authority would consequently find difficult to resist and which would compound the harm to the character and appearance of the area that the current proposal would result in.

Informative;
You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:
Berkshire Structure Plan Policy EN1
South East Area Local Plan Policies STV1, SBE2 and SBE9
Deposit Draft Wokingham District Local Plan Policies WOS2, WBE1 and WBE11.

John Mitchell

John Mitchell
Development Control Manager
Date: 03/10/2000

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.

LIST OF LANDOWNERS

Mrs M White
Cobwebs
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

Mr & Mrs Grover
Timberscombe
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

Mr & Mrs Bridge
Kingfishers Covert
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

Mr & Mrs Mansfield
Woodside
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

Notice served on all landowners: 30 January 2001

Town and Country Planning (General Development Procedure) Order 1995

NOTICE UNDER ARTICLES 6 AND 9(1)

(to be published in a newspaper or to be served on an owner* or a tenant)**

Proposed development at (see (c) below) :	Land at rear of Timberscombe, Hollybush Ride, Finchampstead, Wokingham
I give notice that (see (d) below) :	Brookworth Developments Ltd
having applied to the (see (e) below) :	Wokingham District Council
to (see (f) below)	Proposed erection of 4 detached dwellings plus demolition of existing dwelling.

is appealing to the Secretary of State for the Environment

* **against the decision of the Council**

* ~~**on the failure of the Council to give notice of a decision.**~~

Any owner of the land or tenant who wishes to make representations about this appeal should write to the Planning Inspectorate at Tollgate House, Houlton Street, Bristol, BS2 9DJ by (see (g) below)

20 February 2001

Signed ..... ** on behalf of* **Brookworth Developments Ltd**

Date: **30 January 2001**

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

NOTES FOR COMPLETION OF NOTICE UNDER ARTICLES 6 AND 9(1)

Insert :

(a) address or location of the proposed development
(b) applicant's name
(c) Insert address or location of the proposed development.
(d) Insert the appellant's name.
(e) Insert the name of the Council
(f) Insert description of the proposed development.
(g) The date giving a period of 21 days beginning with the date of service or 14 days beginning with the date of publication ofthe notice (as the case may be).

CD/368400/L0008

30 January 2001

Mr & Mrs Grover
Timberscombe
Hollybush Ride
Finchampstead
Wokingham
Berkshire
RG40 3QP

DPP
DEVELOPMENT PLANNING PARTNERSHIP

21 THE CRESCENT
BEDFORD
MK40 2RT
TEL 01234 358863
FAX 01234 271210
bedford@devplanning.com

Dear Mr & Mrs Grover,

Proposed development of 4 detached properties, at 'Land to the rear of Timberscombe', Hollybush Ride, Finchampstead, Wokingham

With reference to the above site, under Section 78 of the Town and Country Planning Act (1990), I am writing to inform you that on behalf of Brookworth Developments, I today submitted an appeal to the Planning Inspectorate against Wokingham District Council's decision to refuse to permit the above proposed development.

Should you have any queries regarding the appeal, please do not hesitate to contact me.

Yours sincerely

Christopher Darley *(chris.darley@devplanning.com)*
THE DEVELOPMENT PLANNING PARTNERSHIP

form of narrow leisure plots of considerable depth which penetrated into the open countryside. As land prices have increased with demand for land, the level of development in these areas has intensified. In some instances this has led to tandem development which often detracts from the rural character of the area and results in a loss of privacy. Apart from development on individual plots the area south of Wokingham has also experienced larger scale housing development, reinforced in more recent times by the Secretary of State's requirement, in approving the Structure Plan in 1980, to build an additional 8000 houses in Central Berkshire. Some development that has occurred during the post war period has failed to recognise the importance of retaining tree cover and has not been incorporated into the landscape in a sensitive manner. The policies contained in this plan are aimed at tackling these problems and preventing such damage occurring in the future.

DEFINITION OF IDENTIFIED SETTLEMENTS

1.1.04 The definition of rural areas is dependent on the definition of settlements and vice versa. The South East area is dominated by Wokingham which is surrounded by a number of smaller settlements and areas of ribbon or frontage development. All vary greatly in terms of size, form and character. Some areas of sporadic development involve very few properties and/or are dominated by areas of undeveloped rural land either between or to the rear and in front of properties causing them to be characterised by a loose settlement pattern or to form a narrow strip of development in what is still a distinctly rural area. Such areas may possess a number of basic services, such as a school or church but these are rarely confined to serving the population residing in the immediate vicinity. The open nature of these areas presents many opportunities for further intensification. However, it is considered that if



such development were to occur, the existing special character of these areas or the surrounding countryside would be detrimentally affected. For the purposes of this plan, such areas of development are not synonymous with an identified settlement, the latter being used to define an area where particular planning policies are appropriate. There will therefore be cases where areas of development have not been included within the identified settlement. One example is small groups of development bounded by countryside on the far side of a road that marks the boundary of the main built up area . In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this Plan and as shown on the proposals map.

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

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

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

(iii) be physically and socially cohesive.

On this basis the following policy is put forward.

❖ STV1 'IDENTIFIED SETTLEMENTS'

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

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

1.1.06 The District Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has a special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice. This is particularly important in the case of small scale housing and employment development on the edge of settlements which is dealt with in more detail in policies SH1 and SE2 of this plan.

❖ STV2 DEVELOPMENT IN RURAL AREAS

ALL LAND OUTSIDE THE IDENTIFIED SETTLEMENTS, AS SHOWN ON THE PROPOSALS MAP IS CONSIDERED TO BE RURAL AREA WITHIN WHICH DEVELOPMENT WILL NOT NORMALLY BE ALLOWED. IN ACCORDANCE WITH THE REPLACEMENT STRUCTURE PLAN EXCEPTIONS MAY BE MADE FOR DEVELOPMENT IN THE FOLLOWING CATEGORIES WHICH ARE NOT SPECIFICALLY DEALT WITH BY OTHER POLICIES IN THIS LOCAL PLAN.

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

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

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

(D) MINERAL EXTRACTION,

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

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

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

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

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

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Brookworth Developments Ltd
C/O Ark Design (Miss D Warner)
20 Radnor Road
Earley
Berkshire
RG6 7NP

Application Number: F/2000/2225

Parish: **FINCHAMPSTEAD**

Location: **Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.**

Proposal: **Proposed erection of 4 dwellings plus demolition of existing dwelling.**

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

Reason
1. The proposed development would have a harmful effect on the character and appearance of the are due to the backland and relatively cramped layout, together with actual and potential loss of trees that would result. The proposal would therefore be contrary to Berkshire Structure Plan Policy EN1, South East Local Plan Policies SBE2 and SBE9 and to Wokingham District Local Plan Policies WBE1 and WBE11.

Reason
2. The proposed development would result in unacceptable overlooking of, and an overbearing effect on, existing residential property. The proposal would therefore be contrary to South East Area Local Plan Policy SBE2 and to Wokingham District Local Plan Policy WBE1.

Reason
3. Allowing the proposed development would set a precedent for similar development on land nearby, which the Local Planning Authority would consequently find difficult to resist and which would compound the harm to the character and appearance of the area that the current proposal would result in.

Informative;
You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:
Berkshire Structure Plan Policy EN1
South East Area Local Plan Policies STV1, SBE2 and SBE9
Deposit Draft Wokingham District Local Plan Policies WOS2, WBE1 and WBE11.

John Mitchell

John Mitchell
Development Control Manager
Date: 03/10/2000

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.

Mr J Mitchell, Wokingham District Council

with compliments

PLANNING SERVICES	HPT
POL	TLS
DC AO	ENF
APP	
CS	
31 JAN 2001	
COPIES TO:	ACK:
	FILE:

D | P | P

DEVELOPMENT · PLANNING · PARTNERSHIP

21 THE CRESCENT

BEDFORD

MK40 2RT

TEL 01234 358863

FAX 01234 271210

bedford@devplanning.com

CD/368400/L0007

29 January 2001

D | P | P
DEVELOPMENT
PLANNING
PARTNERSHIP

21 THE CRESCENT
BEDFORD
MK40 2RT
TEL 01234 358863
FAX 01234 271210
bedford@devplanning.com

The Planning Inspectorate
Appeal Registry
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Sirs

Refusal of Application No. F/2000/2225 - Proposed development of 4 detatched properties, at 'Land to the rear of Timberscombe', Hollybush Ride, Finchampstead, Wokingham

On behalf of our clients Brookworth Developments Limited ,please find enclosed an appeal together with supporting documentation in respect of Wokingham District Council's decision to refuse planning application F/2000/2225, to develop 4 dwellings on land to the the rear of 'Timberscombe' as well as demolishing 'Timberscombe' to provide access to the proposed development.

Supporting documentation includes the following:

- The application submitted to the LPA
- The site ownership details
- A red line boundary site plan (BRK/FIN 1)
- Submitted plans drawings (BRK/FIN Nos. 1 - 16)
- Planning statement prepared by DPP
- The LPA's decision notice
- Tree and Landscape Report prepared by ACD Chartered Landscape Architects (not submitted at planning application stage)

I trust the application and supporting documentation is complete, but should you require any additional information, please do not hesitate to contact myself or my colleague Tim Coleby.

Yours faithfully

C. Darley

Christopher Darley
THE DEVELOPMENT PLANNING PARTNERSHIP

Encl. As detailed above

cc	Mr G Rowley	Brookworth Developments Ltd
	Mr J Mitchell	Development Control Manager, Wokingham District Council

APPEAL BY BROOKWORTH DEVELOPMENTS LTD

RE ERECTION OF 4 HOUSES

OFF HOLLYBUSH RIDE, FINCHAMPSTEAD

MAIN ISSUES

The main issues between the parties are

- **the effect on the character and appearance of the area, having regard to the size of the proposed houses and their plots together with the effect on trees**
- **the effect on the living conditions of the occupiers of nearby dwellings, especially nos. 2,4 & 6 Little Fryth, paying particular attention to privacy, light and outlook.**

MATTERS FOR DISCUSSION

1. **Points of Clarification**
2. **Policy Background**
3. **The effect on the character and appearance of the area**
   (a) How does the size of the proposed houses and plots compare to those on Little Fryth?
   (b) Where would the effects of the proposal be visible from?
   (c) Tree matters
4. **The effect on living conditions**
5. **Other planning considerations**
   (a) The implications of PPG3
6. **Conditions**
7. **Any other matters**

The Planning Inspectorate

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

Direct Line 0117-9878460
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8460

PLANNING SERVICES	HPT
POL	TLS
ENF	Your Ref:
APP	
CS DG	Our Ref:
21 FEB 2001	Date:
COPIES TO:	ACK:
	FILE:

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

F/2000/225

APP/X0360/A/01/1058304

20 February 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY BROOKWORTH DEVELOPMENTS LTD
SITE AT LAND REAR OF, TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM

I am writing to tell you that we propose to hold a hearing into this appeal at 10:00 on Tuesday 5 June 2001 at a venue to be arranged.

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

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

You can reply to me by telephone or letter. If I do not hear from you by 1 March 2001, I will assume that the proposed hearing date is acceptable, and that you are not intending to negotiate an alternative hearing date with the other party.

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

T/C from Insp. 21/2. — Agent cannot do 5/6 Now to be 12/6

Yours faithfully

Miss H Langridge

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

The Planning Inspectorate

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

Direct Line 0117-9878460
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8460

40298

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

Your Ref: 23 FEB 2001 P/2000/225

Our Ref: APP/X0360/A/01/1058304

Date: 22 February 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY BROOKWORTH DEVELOPMENTS LTD
SITE AT LAND REAR OF, TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM

I am writing to tell you that we propose to hold a hearing into this appeal at 10:00 on Tuesday 12 June 2001 at a venue to be arranged.

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

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

You can reply to me by telephone or letter. If I do not hear from you by 5 March 2001, I will assume that the proposed hearing date is acceptable, and that you are not intending to negotiate an alternative hearing date with the other party.

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

Yours faithfully

Miss H Langridge

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

The Planning Inspectorate

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

Direct Line 0117-3728768
Switchboard 0117-3728000
Fax No 0117-3728804

GTN 1371-8768

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

Your Ref: F/2000/225

Our Ref: APP/X0360/A/01/1058304

Date: 1 May 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY BROOKWORTH DEVELOPMENTS LTD
SITE AT LAND REAR OF, TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM

NOTIFICATION OF INSPECTOR

I am writing to inform you that the Inspector appointed to hold the hearing into the above appeal will now be:

Mr P Grainger BA(Hons) MRTPI.

You have already been given notice of the arrangements for this hearing.

42872

DG

03 MAY 2001

COPIES TO: ACK: FILE:

Yours faithfully

Mark Edwards

Mr M Edwards

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

206C

Tel. (0118) 974 6448 (Direct Line)
Date: May 31, 2001
My ref: F/2000/2225
Your ref: APP/X0360/A/01/1058304

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

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

Dear Miss Groves

APPEAL BY: Brookworth Developments
SITE: Land rear of Timberscombe, HollyBush Ride, Finchampstead

With reference to this appeal, I enclose a request for a copy of the decision.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. May 31, 2001
My ref: F/2000/2225
Your ref:

Mrs C S Richards
18 Little Fryth
Finchampstead
Wokingham
Berks
RG40 3RN

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

Dear Mrs Richards

APPEAL BY: **Brookworth Developments**

SITE: **Land rear of Timberscombe, Hollybush Ride**

I have received your request for a copy of the decision on the above appeal & I have passed it on to the Planning Inspectorate in Bristol, who will issue it.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Your Ref: F/2000/2225 29.5.07

Dear Mrs Gumbrell

Re: Appeal by Brookbath Developments Ltd

I wish to be notified of the decision in the above appeal:

Mrs C S Richards
18 Little Frythe
Wokingham RG40 3RN

Yours sincerely

Carole Richards

43902

PLANNING SERVICES	HPT
POL	TL
DC	ENF
APP DC	
CS	
COPIES TO Appeals Assistant	ACK: FILE:

POSTCARD

THIS ADDRESS TO BE WRITTEN ON THIS SIDE

Mrs M Dakin 20th Gumbrell

Environmental Services Dept

Planning Services, PO Box 157, Shute End

POST CODE Wokingham RG40 1WR

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

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

Your Ref: F/2000/225

Our Ref: APP/X0360/A/01/1058304

Date: 10 April 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY BROOKWORTH DEVELOPMENTS LTD
SITE AT LAND REAR OF, TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM

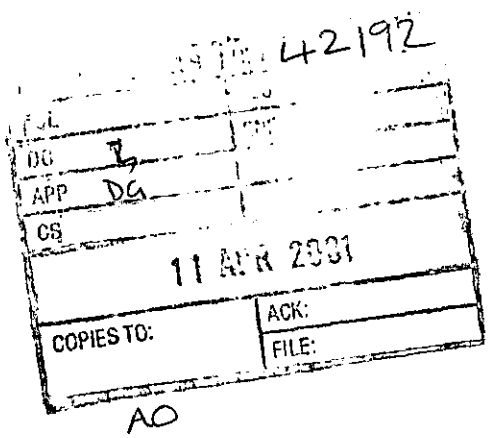
I enclose third party correspondence relating to the above appeal.

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)



FINCHAMPSTEAD PARISH COUNCIL

PARISH OFFICE, MEMORIAL HALL, THE VILLAGE,
FINCHAMPSTEAD, BERKS RG40 4JU
THE CLERK: MRS CHERRY COLE
TELEPHONE: 0118 - 9328256
FAX NO. 0118 - 9730515
E MAIL ADDRESS – finchpc@breathe.com

23 March 2001

Your Ref: APP/x0360/A/01/1058304

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

26 MAR 2001

Dear Miss Groves,

APPEAL BY BROOKWORTH DEVELOPMENTS LTD – LAND REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD. PRPOSED ERECTION OF 4 DWELLINGS PLUS DEMOLITION OF EXISTING DWELLING

The Parish Council wishes to reiterate their objections to the application the subject of the above appeal, as follows:

Objection on the grounds that the proposal would set a precedent in the area which would serve to erode its natural environment. The proposal would also generate an increase in traffic activity onto and from the already busy junction at Kingsmere cross roads.

I would be grateful if you could please inform me of the decision on this Appeal.

Yours sincerely

C.S. Cole

Mrs C S Cole
The Clerk

THE RT. HON. ANDREW MACKAY M.P.

House of Commons,
London, SW1A 0AA
Telephone: 020 - 7219 2989
Fax: 020 - 7219 4123
Email: mackaya@parliament.uk

28th February 2001

Chris Shepley Esq., BA Dip TP PPRTPI
Chief Executive
Planning Inspectorate
Tollgate House
Houlton Street
Bristol BS2 9DJ

APPEAL; BROOKWORTH DEVELOPMENTS LTD
REF; APP/XO360/A/01/1058304

I write to support the Wokingham District Council and local residents in opposing the above Appeal. I believe if development were to be allowed it would have serious implications for the environment in this area which could set an unfortunate precedent. We are particularly concerned that tree preservation orders would be overturned and a whole group of trees which are seen as an environmental amenity, wildlife corridor and screening from different settlements would be removed.

I do hope our comments will be borne in mind by your Inspector.

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/04/1058304 **GRID REF:** SU8164

APPEAL BY: BROOKWORTH DEVELOPMENTS LTD

SITE: LAND REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD

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?	[redacted] / NO
OR	Do the you wish to be heard by an Inspector at: a. a local inquiry?	[redacted] / NO
	or b. a hearing?	YES / [redacted]
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 / [redacted]
3.	Does the appeal relate to an application for approval of reserved matters?	[redacted] / 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;	1	
e. Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas)Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h. Details of any other applications or matters you are currently considering relating to the same site;		✓
i. For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.*	3	
j. Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k. 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? | 15/03/01

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	36	
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: Dlynell on behalf of WOKINGHAM DISTRICT Council

Date sent to us and the appellant 28/02/01 OUR REF: F/2000/2225

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St Clements House
2-16 Colegate
Norwich NR3 1BQ

F/2000/2225 – LETTERS OF REPRESENTATION RECEIVED FOR THE APPLICATION AND APPEAL

-Finchampstead Parish Council

-Andrew McKay M.P.

-Petition of 10.9.00 with copy of covenant

-**Letters from local residents** (N.B. More than one letter was received in some instances from these addresses)

Little Fryth - Nos:
1, 2, 3, 4, 5, 6, 7, 8, 10, 12, 16, 18, 20, 21, 22, 24 & 29 = 17

Ashdale Park – Nos:
8, 9, 18, 19, 26, 17, 43 & 45. Also from The Ashdale Park management Co. = 9

Hollybush Ride
Ahlan House, Badgers Spinney, Brook House, Conifers, Crofters Lodge, Diligence, Englebury, Greenshadows, Greyfriars, Heathercot, Herons Landing, Laurel House, Morningside, Romany, Russett Glade, Stonechats & Tanglewood = 17

43

Representations on policies in the WDLP

Re: Appeal Site at Timberscombe, Hollybush Ride: no specific comments

WOS2

Total reps: 107 Objections: 103 (Proposed Amendments x 16)

Supporting: 4 (PA's x 1)

Are Nine Mile Ride reps relevant?

Response number 1693:	Rose Tree Farm
Response number 1891	202a Nine Mile Ride
Response number 2195	357 Nine Mile Ride

and

Response number 2212	Junction of Old Wok Rd and Nine Mile Ride

WH1

Total reps: 38 Objections: 35 (PA's x 15)

Supporting: 3 (No PA's)

WBE1

Total reps: 3 Objections: 2 (No PA's)

Supporting: 1 (No PA's)

General comments: response numbers: 1308, 2493 and 2566

WBE11

Total reps: 7 Objections: 3 (No PA's)

Supporting: 4 (No PA's)

General comments: response numbers: 148, 318, 925, 1059, 2270, 2402, 2575

Regards

Dian

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	24	RESPONSE NUMBER:	1308

RESPONDENT INFORMATION:

Ms L Erler
64 Cutbush Lane
Shinfield
READING
Berkshire
RG2 9AG

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	Support
POLICY/PROPOSAL:	WBE1	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	
SITE ADDRESS:			

SUMMARY OF REPRESENTATION:	SUMMARY OF LPA RESPONSE:
Apply to proposed developments, especially by-pass near Cutbush, formerly Badger Farm, Shinfield.	Support welcomed and noted. Paragraph 0.29 has been extended to emphasise the Council's commitment to ensuring compliance with plan policies.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	1106	RESPONSE NUMBER:	2493

RESPONDENT INFORMATION:

Mr P Garber
George Wimpey Plc
7 Jayes Park Courtyard
Sheep Green, Ockley
DORKING
Surrey
RH5 5RR

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	Object
POLICY/PROPOSAL:	WBE1	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	
SITE ADDRESS:			

SUMMARY OF REPRESENTATION:	SUMMARY OF LPA RESPONSE:
Policy is too restrictive. Replace "will require" with "will seek".	No change. The policy is in accordance with the guidance given in PPG1, in particular para. 17 and Annex A, para.1, that development plans should set out design policies against which development proposals are to be considered and reject poor designs.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	1109	RESPONSE NUMBER:	2566

RESPONDENT INFORMATION:

Martin & Pole, Nicholas
7 Broad Street
Wokingham
Berkshire
RG40 1AY

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	Object
POLICY/PROPOSAL:	WBE1	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	
SITE ADDRESS:			

SUMMARY OF REPRESENTATION:	SUMMARY OF LPA RESPONSE:
Whilst the aim of the policy is sound, it has no development control function. Policy should either be relegated to the supporting text, or omitted from the plan.	No change. The proper test is not whether the policy has a development control function. Legislation has not defined the scope of land use planning. The courts, as quoted in PPG1, have concluded that the test is whether it relates to the development and use of land. Therefore the policy is appropriate as it sets out the Council's policy towards the use of land. The policy is in accordance with the guidance given in PPG1, in particular para. 17 and Annex A para.1, that development plans should set out design policies against which development proposals are to be considered and reject poor designs.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	48	RESPONSE NUMBER:	148

RESPONDENT INFORMATION:

Mr J Grant
Wokingham Without Parish Council
The Lodge, Pinewood Leisure Centre
Old Wokingham Road
WOKINGHAM
Berkshire
RG40 3AQ

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	Support
POLICY/PROPOSAL:	WBE11	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	

SITE ADDRESS:

SUMMARY OF REPRESENTATION:	SUMMARY OF LPA RESPONSE:
The council is not always quick to act when trees and hedges are threatened. An area can be devastated very quickly: householders are often keen to get rid of trees near their houses. Trees shown on plans as remaining close to properties are not always suitable for retention. Paragraph (c) is a fine aim, but difficult to execute.	Support welcomed and noted. Paragraph 0.29 has been extended to emphasise the Council's commitment to ensuring compliance with plan policies.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	149	RESPONSE NUMBER:	318

RESPONDENT INFORMATION:

Ms Z Cowan
Arborfield and Newland Parish Council
25 Melrose Gardens
Arborfield
READING
Berkshire
RG2 9PY

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	Object
POLICY/PROPOSAL:	WBE11	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	
SITE ADDRESS:			

SUMMARY OF REPRESENTATION:

Would like to see trees and woodland at Pound Copse, Greensward Lane, protected under this policy (or preferably under policies WNC2, WNC3 and WCN4). Site is not open space.

SUMMARY OF LPA RESPONSE:

Policy WBE11 applies to trees and areas of woodland throughout the district and therefore applies to Pound Copse, which is already protected by a Tree Preservation Order. In addition countryside policies apply to all areas outside the Identified Settlements. The site is not designated as open space.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	636	RESPONSE NUMBER:	925

RESPONDENT INFORMATION:

Mr J Beaugie
Wokingham Without Environment Group
17 Hinton Drive
CROWTHORNE
Berkshire
RG45 6JY

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	Object
POLICY/PROPOSAL:	WBE11	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	
SITE ADDRESS:			

SUMMARY OF REPRESENTATION:	SUMMARY OF LPA RESPONSE:
Protect woodland from development: monitor to ensure developers comply with guidelines and ensure replacement.	Support for the aims of the policy is welcomed. The Council's intention to ensure compliance with policies of the plan has been emphasised by the insertion of the words "The Council will ensure that the policies in this plan will be complied with . The environment in general and development in particular will be monitored. Where expedient enforcement will be initiated." at the end of paragraph 0.29.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	701	RESPONSE NUMBER:	1059

RESPONDENT INFORMATION:

Dr W Fojt
English Nature
Foxhold House
Crookham Common
THATCHAM
Berkshire
RG19 8EL

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	Support
POLICY/PROPOSAL:	WBE11	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	
SITE ADDRESS:			

SUMMARY OF REPRESENTATION:	SUMMARY OF LPA RESPONSE:
Conservation of trees and woodland.	Support welcomed and noted.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	1074	RESPONSE NUMBER:	2270

RESPONDENT INFORMATION:

Mr D Couzens
Ruscombe Parish Council
Twayblade
47 Hermitage Drive
TWYFORD
Berkshire
RG10 9HT

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	Support
POLICY/PROPOSAL:	WBE11	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	
SITE ADDRESS:			

SUMMARY OF REPRESENTATION:

Strong support.

SUMMARY OF LPA RESPONSE:

Support welcomed and noted.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	1075	RESPONSE NUMBER:	2402

RESPONDENT INFORMATION:

Mr T Manning
Wokingham Friends of the Earth
3 Woosehill Court
Emmview Close
WOKINGHAM
Berkshire
RG41 3DA

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	Support
POLICY/PROPOSAL:	WBE11	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	
SITE ADDRESS:			

SUMMARY OF REPRESENTATION:

Strongly support.

SUMMARY OF LPA RESPONSE:

Support welcomed and noted.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER: 1109

RESPONSE NUMBER: 2575

RESPONDENT INFORMATION:

Martin & Pole, Nicholas
7 Broad Street
Wokingham
Berkshire
RG40 1AY

CLIENT INFORMATION:

CHAPTER: 4

SUPPORT/OBJECT: Object

POLICY/PROPOSAL: WBE11

PARAGRAPH NUMBER:

HOUSING SITE REF:

PROPOSED AMENDMENT REF:

SITE ADDRESS:

SUMMARY OF REPRESENTATION:

Whilst the aim of the policy is sound, it has no development control function. Policy should either be relegated to the supporting text, or omitted from the plan.

SUMMARY OF LPA RESPONSE:

No change. The proper test is not whether the policy has a development control function. Legislation has not defined the scope of land use planning. The courts, as quoted in PPG1, have concluded that the test is whether it relates to the development and use of land. Therefore the policy is appropriate as it sets out the Council's policy towards the use of land. The policy amplifies Structure Plan Policy EN1(iii).

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER: 970	**RESPONSE NUMBER:** 1693

RESPONDENT INFORMATION:

Mr M Carter
Lennon Planning Ltd
13 Hermitage Parade
High Street
ASCOT
Berkshire
SL5 7HE

CLIENT INFORMATION:

Mr R West
Thatching Advisory Services
Turgis Court Farm
Basingstoke Road
Stratfield Turgis,
Basingstoke
Hants
RG27 0AT

CHAPTER: 1	**SUPPORT/OBJECT:** Object
POLICY/PROPOSAL: WOS2	**PARAGRAPH NUMBER:**
HOUSING SITE REF: FI19	**PROPOSED AMENDMENT REF:**

SITE ADDRESS: Land at Rose Tree Farm, Nine Mile Ride, Finchampstead

SUMMARY OF REPRESENTATION:

A review of settlement boundaries should be undertaken to ensure correct application of WOS2. Amend settlement boundary to include land at Rose Tree Farm, Nine Mile Ride, Finchampstead .

SUMMARY OF LPA RESPONSE:

No change. Where appropriate, settlement boundaries have been changed, either because they are 'wrong' or to include within the settlement sites identified for development. The area clearly has characteristics of 'sporadic development' as set out in para. 1.10. It is separated from the settlement by the California Country Park. To the west of the park development is not of such depth as to the east. The site has not been identified for development.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	999	RESPONSE NUMBER:	1891

RESPONDENT INFORMATION:

Mr D Bond
Chancellors, Chartered Town Planning
Consultants
45 High Street
Odiham
Hook
Hampshire
RG29 1LF

CLIENT INFORMATION:

Charles Church Developments Ltd.
Charles Church House
Knoll Road
CAMBERLEY
Surrey
GU15 3TQ

CHAPTER:	1	SUPPORT/OBJECT:	Object
POLICY/PROPOSAL:	WOS2	PARAGRAPH NUMBER:	
HOUSING SITE REF:	FI32	PROPOSED AMENDMENT REF:	

SITE ADDRESS: Land to the Rear of 202a Nine Mile Ride, Finchampstead

SUMMARY OF REPRESENTATION:

Amend settlement boundary to include land to the Rear of 202a Nine Mile Ride, Finchampstead.

SUMMARY OF LPA RESPONSE:

As planning permission has been granted on appeal for 11 dwellings on the site (March 1998) amend settlement boundary.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	1053	RESPONSE NUMBER:	2195

RESPONDENT INFORMATION:	CLIENT INFORMATION:
Mr M Leedale Martin & Pole, Nicholas 7 Broad Street Wokingham Berkshire RG40 1AY	Mr R Gwinn

CHAPTER:	1	SUPPORT/OBJECT:	Object
POLICY/PROPOSAL:	WOS2	PARAGRAPH NUMBER:	
HOUSING SITE REF:	FI37	PROPOSED AMENDMENT REF:	

SITE ADDRESS: Land east of 357 Nine Mile Ride, Finchampstead

SUMMARY OF REPRESENTATION:	SUMMARY OF LPA RESPONSE:
Amend the settlement boundary to include land east of 357 Nine Mile Ride, Finchampstead, the site is appropriate for development of one dwelling.	No change. The settlement boundary is unchanged from the South East Area Local Plan. It accurately reflects the situation on the ground. Adequate provision for housing development is made within the settlement boundaries.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	1057	RESPONSE NUMBER:	2212

RESPONDENT INFORMATION:	CLIENT INFORMATION:
Mr M Leedale Gregory Gray Associates Redcliffe 17 Dinorben Close FLEET Hants GU13 9SL	Wokingham United Charities c/o Agent

CHAPTER:	1	SUPPORT/OBJECT:	Object
POLICY/PROPOSAL:	WOS2	PARAGRAPH NUMBER:	
HOUSING SITE REF:	WT06	PROPOSED AMENDMENT REF:	

SITE ADDRESS:	Land at junction of Old Wokingham Road and Nine Mile Ride, Wokingham Without

SUMMARY OF REPRESENTATION:	SUMMARY OF LPA RESPONSE:
Amend the settlement boundary to include land at junction of Old Wokingham Road and Nine Mile Ride, Wokingham Without.	No change. The settlement boundary accurately reflects the situation on the ground. The site has not been identified as being suitable for development.

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

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

Your Ref: F/2000/225

Our Ref: APP/X0360/A/01/1058304

Date: 2 April 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY BROOKWORTH DEVELOPMENTS LTD
SITE AT LAND REAR OF, TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM

I enclose a copy of the appellants statement and third party correspondence relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. Comments submitted after that deadline may not be seen by the Inspector. 19/4/01

Yours faithfully

41994

Miss A Groves

211AL(BPR)

DG

COPIES TO: | ACK: | FILE:

APPEAL BY BROOKWORTH DEVELOPMENTS LTD.

COMMENTS ON GROUNDS OF APPEAL

PPG3

As explained in paragraph 3.01 of my statement, the site comes within the definition of previously-developed land under PPG3. However, PPG3 Paragraph 70, which covers village expansion and infill, requires that the development should be designed sympathetically and laid out in keeping with the character of the village. Whilst the appeal site is situated in a settlement rather than a village, this principle still applies. The proposal is not designed sympathetically for the reasons given in my statement.

Appellants' consultants' paragraph 7.6

Reference is made to the Council's housing land supply. However, as the proposal is for only three additional dwellings, this is not a major consideration in this case, and in any event should not override the objections to it explained in my statement.

Angela Odell

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

ARBORICULTURAL STATEMENT BY WOKINGHAM DISTRICT COUNCIL

APPELLANT : BROOKWORTH DEVELOPMENTS LTD.

APPEAL SITE : LAND REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM

REASON FOR APPEAL : REFUSAL TO GRANT PLANNING PERMISSION FOR ERECTION OF FOUR DWELLINGS AND DEMOLITION OF EXISTING DWELLING

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/2225

DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE : APP/X0360/A/01/1058304

I am Neil Etherington. I hold the Professional Diploma in Arboriculture and I am a Fellow of the Arboricultural Association. I am Wokingham District Council's Senior Arboriculturist. I have 24 years experience in the profession representing both the public and private sectors.

1.00 INTRODUCTION

1.01 This statement deals with the arboricultural aspects of the appeal against refusal of planning permission for the proposed erection of four dwellings and demolition of existing dwelling at land rear of Timberscombe, Hollybush Ride, Finchampstead.

2.00 TREE PRESERVATION ORDERS (TPOs)

2.01 The trees on the site are included in the Wokingham District Council Tree Preservation Order Number 1015/2000. A copy of the Order, Notice of Confirmation and letter explaining the grounds for making it are attached to this statement.

2.02 A small part of the site is also included in the Wokingham District Council Tree Preservation Order No. 325/1987. This Order was made to protect trees prior to the construction of Little Fryth, the adjoining development. A plan showing how this Order affects the site is attached.

2.03 The Tree Preservation Order Number 1015/2000 designates certain species of tree by Area classification. This classification protects all trees of the species scheduled, regardless of their individual or group merit. In the short-term it provides a means of preventing removal or pruning of trees without consent. However, in the long-term this type of Order can become difficult to administer as it only includes trees growing at the time the Order was made. It also has the disadvantage that trees in poor condition may be included. Once the future of this site is known, it is the Council's intention to replace this Order with a new one that protects trees by individual and group designations.

3.00 COMMENTS ON TREE AND LANDSCAPE REPORT

3.01 A tree and landscape report has been prepared, on behalf of the appellants by ACD Chartered Landscape Architects, dated 18th January 2001. This includes a survey drawing showing the trees categorised in accordance with British Standard 5837:1991, 'Guide for

Trees in relation to Construction'. It looks at the trees in areas, numbered G1-G7.

3.02 The majority of trees are in category C. This is defined in BS5837:1991 as: 'Trees which could be retained': low category *(brown).*

1) Trees in adequate condition, or which can be retained with minimal tree surgery, but are not worthy for inclusion in the high or moderate categories;

2) Immature trees, or trees of no particular merit.

3.03 Many of the trees on this site are growing in close competition and as such their value will be as groups of trees rather than individual specimens. Whilst the 'C' category will be appropriate for the trees individually, their value for retention as a group will be higher than this implies. Removal of individual trees from within these groups will detract from their overall value and may leave remaining trees vulnerable to wind throw or breakage.

3.04 I agree with ACD Chartered Landscape Architects that the trees in Area G5 and G7 are not suitable for including in a TPO. I also agree that the trees in area G3, G4 and G6 are suitable for including in a TPO as groups of trees.

3.05 I consider that the category A and B trees at the front of Timberscombe are suitable for including in a TPO. I also consider that the trees in Area G2 are suitable for including in a TPO as a group, but accept that the category 'D' trees will need to be removed.

4.00 PROPOSED DEVELOPMENT IN RELATION TO TREES

4.01 The proposed access through area G1 will require the removal of a Birch and Cherry. This will have little impact on the surrounding landscape and I have no objection to this. All other trees can be successfully retained.

4.02 Plot 1 will require most of the trees in G2 to be removed. It is not clear from the appellant's drawing No. BRK/FIN 001 whether some of the trees shown to be retained on the north boundary are within the site or growing in the garden of 2 Little Fryth. The Oak tree on the east boundary is in decline and has a limited safe useful life expectancy. The trees along the north boundary shown to be retained would become exposed to the prevailing south westerly wind and would be vulnerable to wind throw or breakage. I consider that if this plot was developed, ultimately all the trees would be lost. This would be detrimental to the visual amenity of the surrounding landscape and neighbouring properties.

4.03 Plot 2 allows for the retention of the trees in area G3. However, it has a relatively small garden area in relation to the size of dwelling. I consider it likely that there will be pressure from future residents to allow the removal of these trees to create a larger usable garden area.

4.04 Plots 3 and 4 show the best trees in areas G4 and G6 to be retained. However, the relationship between the garages, driveway to plot 4 and trees in area G6 is poor. Great care will be needed if these trees are to be successfully retained. In any event future pruning will be required to maintain adequate clearance from buildings. Greater separation between proposed development and these trees is necessary.

5.00 CONCLUSION

5.01 The proposed development will result in the loss of, or damage to, trees growing on the appeal site and included in a TPO. In addition, there is likely to be pressure to remove or prune trees shown to be retained to create usable garden areas and prevent encroachment on buildings. This will detract from the trees and appearance of the site and the surrounding landscape.

Neil Etherington
28/03/01

APPENDICES

APPENDIX 1: WOKINGHAM DISTRICT COUNCIL TREE PRESERVATION NUMBER 1015/2000
NOTICE OF CONFIRMATION
LETTER EXPLAINING GROUNDS FOR MAKING ORDER.

APPENDIX 2: ORDNANCE SURVEY EXTRACT SHOWING PART OF SITE INCLUDED IN THE WOKINGHAM DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 325/1987

Tel. (0118) 974 6448 (Direct Line)
Date: May 23, 2001
My refF/2000/2225
Your ref: APP/X0360/A/01/1058304

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

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

Dear Miss Groves

APPEAL BY: Brookworth Developments Ltd
SITE:Land rear of Timberscombe, Hollybush Ride, Finchampstead

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. May 22, 2001
My ref: F/2000/2225
Your ref:

Mr & Mrs A Dearsley
21 Little Fryth
Finchampstead
Wokingham
Berks
RG40 3RN

Copy

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

Dear Sir/Madam

NOTICE OF INFORMAL HEARING
APPEAL BY: Brookworth Developments Ltd
SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead
PROPOSAL: *Proposed erection of 4 dwellings plus demolition of existing dwelling*

Further to my letter of 19/02/01, this is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into this Appeal at the Civic Offices, Shute End, Wokingham commencing at 10.00 on Tuesday 12th June 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 may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (8:30 –17:00 Mondays to Thursdays & 8:30 – 16:00 on Fridays).

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

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

Tel. (0118) 974 6448 (Direct Line)
Date. February 19, 2001
My ref: F/2000/2225
Your ref:

Mr T J Goodson
Greyfriars
Hollybush Lane
Wokingham
RG40 3QP

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

Dear Sir

NOTICE OF INFORMAL HEARING

APPEAL BY: Brookworth Developments Ltd
SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead
PROPOSAL: Proposed erection of 4 dwellings plus demolition of existing dwelling

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 on a date to be advised.

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

If you wish to make further representations, you should, if possible, send three copies to Miss A Groves, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ, quoting reference APP/X0360/A/01/1058304. Comments received after 15/03/01 will not normally be seen by the Inspector & will be returned.

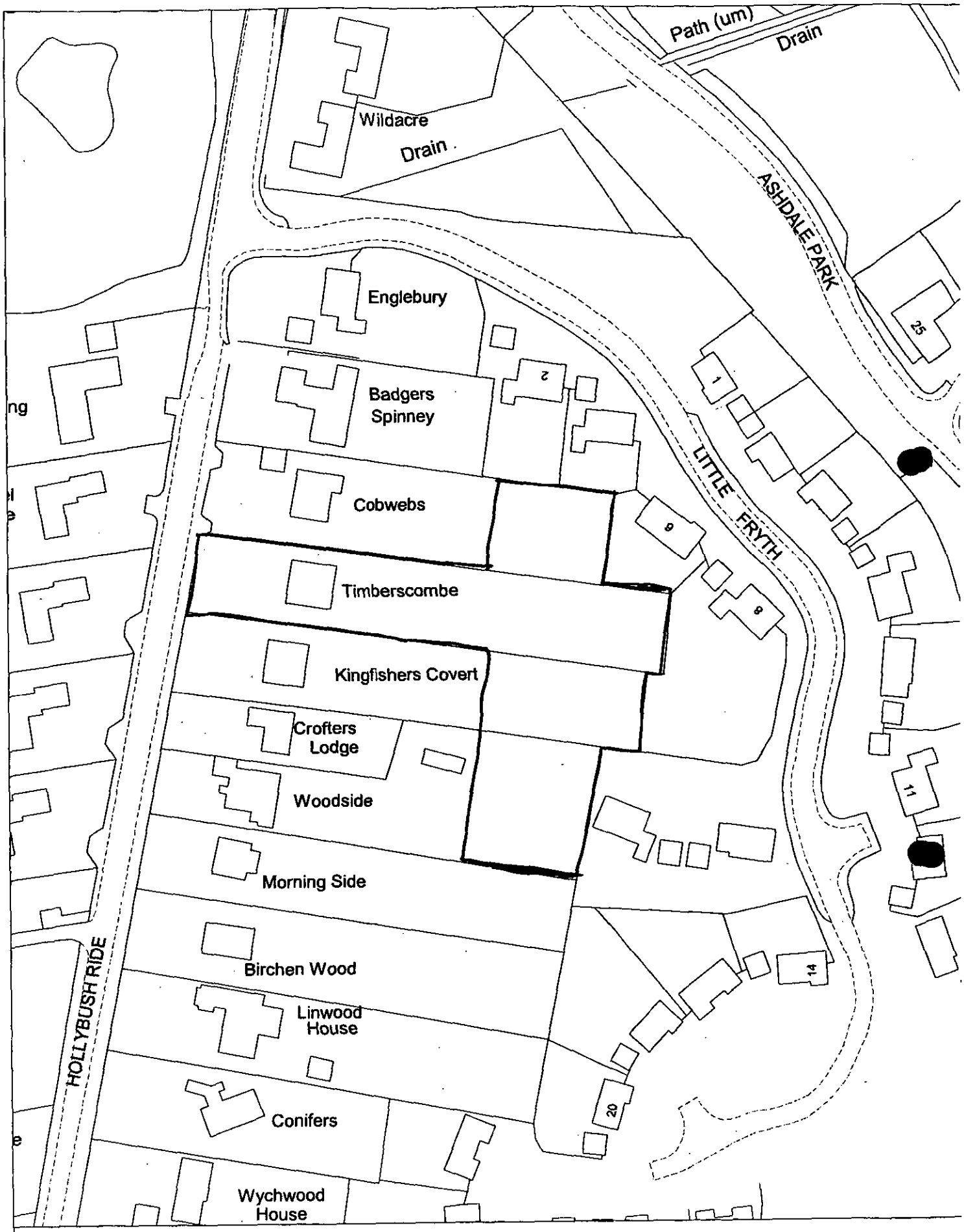
The application, decision notice, and the appellant's grounds of appeal can be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 Mondays to Thursdays, & 08.30 to 16.00 Fridays).

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

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

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant



Site Plan, Scale: 1 to 1250

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Date: 19 February 2001

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WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Brookworth Developments Ltd
SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead
APPLICATION NO.: 2225
PROPOSAL: Proposed erection of 4 dwellings plus demolition of existing dwelling

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Finchampstead North

Mr T L Charlesworth

Mr R H Cundy

Clerk(s) of Parish / Town Council of Finchampstead

Mrs C S Cole, Memorial Hall, The Village, Finchampstead, Berks RG40 4JU

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

Environmental Health, WDC

Environmental Design, WDC
-Landscape & Trees

Policy + Plans . WDC.

Applicationo	Name & Address
F/2000/2225	Mr & Mrs Bromley Russett Glade Hollybush Ride Finchampstead RG40 3QP
F/2000/2225	The Owner/Occupier Laurel House Holybush Ride Finchampstead RG40 3QP
F/2000/2225	D Stock Engleberg Hollybush Ride Wokingham RG40 3QP
F/2000/2225	P St. Clair Terry Badgers Spinney Hollybush Ride Finchampstead RG40 3QP
F/2000/2225	Mr T J Goodson Greyfriars Hollybush Lane Wokingham RG40 3QP
F/2000/2225	Dr F Coldeira-Saraiva Green Shadows Hollybush Ride Wokingham RG40 3QP
F/2000/2225	M Lewis 18 Ashdale park Wokingham RG40 3QS
F/2000/2225	Mr & Mrs D Wood Morningside Hollybush Ride Wokingham RG40 3QP
F/2000/2225	D & F Banks 24 Little Frith Finchampstead RG40 3RN
F/2000/2225	F H Barnett 9 Ashdale Park Hollybush Ride RG40 3QS

F/2000/2225 A & P Hooper
Conifers
Hollybush Ride
Finchampstead
RG40 3QP

F/2000/2225 R & A Marshallsay
8 Ashdale Park
Wokingham
RG40 3QS

F/2000/2225 P Reilley
Ahlan House
Hollybush Ride
Finchampstead
RG40 3QR

F/2000/2225 N & H Rhind
16 Little Fryth
Wokingham
RG40 3RN

F/2000/2225 D & M Rice-Jones & Petition
8 Little Fryth
Finchampstead
RG40 3RN

F/2000/2225 M Warsop
4 Little Frith
Finchampstead
RG40 3RN

F/2000/2225 W Ashton
4 Little Fryth
Wokingham
RG40 3RN

F/2000/2225 N & S Brown
22 Little Fryth
Finchampstead
RG40 3RN

F/2000/2225 K & C Ellwood
Tall Trees
6 Little Fryth
Finchampstead
RG40 3RN

F/2000/2225 K Ellwood & Petition
6 Little Fryth
Finchampstead
Wokingham
RG40 3RN

F/2000/2225 Ms. C Richards
18 Little Fryth
Wokingham
RG40 3RN

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPENDICES TO THE ARBORICULTURAL STATEMENT BY
WOKINGHAM DISTRICT COUNCIL

APPELLANT :	BROOKWORTH DEVELOPMENTS LTD.
APPEAL SITE :	LAND REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM
REASON FOR APPEAL :	REFUSAL TO GRANT PLANNING PERMISSION FOR ERECTION OF FOUR DWELLINGS AND DEMOLITION OF EXISTING DWELLING

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/2225

DEPARTMENT OF THE ENVIRONMENT
TRANSPORT & THE REGIONS REFERENCE : APP/X0360/A/01/1058304

Tel. 0118 974 6477 (Direct Line)
Fax. 0118 974 6486
Email. Eileen.Davis@wokingham.gov.uk
Date. December 12, 2000
My ref.1015/2000

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

Mr W M Salisbury
2 Little Fryth
Finchampstead
Berkshire
RG40 3RN

Dear Mr Salisbury

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREE PRESERVATION ORDER) REGULATIONS 1999
THE WOKINGHAM DISTRICT COUNCIL (PARISH OF FINCHAMPSTEAD)
TREE PRESERVATION ORDER NO. 1015/2000

On 21 September 2000 the Council made the above tree preservation order, a copy of which was sent to you.

The Council has considered whether or not the order should be confirmed: as no objections or representations in respect of the order were received, on the 12 December 2000 the Council decided to confirm the order.

The order has been confirmed because the trees on this land are significant in the surrounding landscape. The trees are growing on or adjacent to land which it is proposed to develop as part of planning application no. F/2000/2225. The development as proposed would result in the loss of some trees and, if approved, create pressure from future residents to allow severe pruning or removal of others. The District Council considers the long term retention and eventual replacement of trees on this site to be essential, and has therefore included them in this Order. For more information about the Council's decision, please contact Neil Etherington on 0118 974 6469.

The effect of the Council's decision is that you may not do any works to the protected trees without prior written permission. You may obtain this by writing to the Council at the above address and asking for a copy of the form 'Application for consent to carry out works to trees subject to a TPO'. On receipt of the completed form, one of the Council's tree officers will visit the site.

Anyone aggrieved by the Council's decision can challenge it by applying to the High Court under section 288 of the Town and Country Planning Act 1990. An application to the High Court can be made on the grounds:

1. that the order is not within the powers of the Town and Country Planning Act 1990; or
2. that the requirements of the Act of the Town and Country Planning (Tree Preservation Order) Regulations 1999 (as amended) have not been complied with in relation to the order.

An application to the High Court must be made within 6 weeks from the date of the Council's decision to confirm the order.

Yours sincerely

pp

Eileen Davis
Technical Officer
Tree and Landscape Section
Enc.

FILE

21 September 2000

Town and Country Planning Act 1990

THE WOKINGHAM DISTRICT COUNCIL

(PARISH OF FINCHAMPSTEAD)

TREE PRESERVATION ORDER NO. 1015/2000

(Emergency Order Made in accordance with Sections 198, 201 and 203 of the Act)

Relating to trees on land at Timberscombe, and to the rear of Cobwebs, Kingfishers Covert and Woodside, Hollybush Ride, Finchampstead and 2 Little Fryth, Finchampstead

(i) in the interests of the safe operation of the undertaking;

(ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or

(iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;

(b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;

(c) the pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit;

(d) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a)(iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise);

(e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Development Order) 1995;

(f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where that tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for this purpose "drainage body" and "drainage" have the same meanings as in the Land Drainage Act 1991; or

(g) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989.

(2) In paragraph (1), "statutory undertaker" means any of the following—

- a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of hydraulic power,
- a relevant airport operator (within the meaning of Part V of the Airports Act 1986),
- the holder of a licence under section 6 of the Electricity Act 1989,
- a public gas transporter,
- the holder of a licence under section 7 of the Telecommunications Act 1984 to whom the telecommunications code (within the meaning of that Act) is applied,

he shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

(2) No claim, other than a claim made under paragraph (3), may be made under this article—

(a) if more than 12 months has elapsed since the date of the authority's decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or

(b) if the amount in respect of which the claim would otherwise have been made is less than £500.

(3) Where the authority refuse consent under this Order for the felling in the course of forestry operations of any part of a woodland area, they shall not be required to pay compensation to any person other than the owner of the land; and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.

(4) In any other case, no compensation shall be payable to a person—

(a) for loss of development value or other diminution in the value of the land;

(b) for loss or damage which, having regard to the statement of reasons submitted in accordance with article 6(c) and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when consent was refused or was granted subject to conditions;

(c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent; or

(d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions.

(5) Subsections (3) to (5) of section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the authority.

(6) In this article—

"development value" means an increase in value attributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and

"owner" has the meaning given to it by section 34 of the Forestry Act 1967.

SCHEDULE 2

PART I
PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990 APPLIED WITH ADAPTATIONS OR MODIFICATIONS

Provision of the Town and Country Planning Act 1990	Adaptation or Modification
Section 69 (registers)	(a) In subsection (1)— (i) omit— ", in such manner as may be prescribed by a development order,", "such" in the second place where it appears, and "as may be so prescribed"; and (ii) substitute "matters relevant to tree preservation orders made by the authority" for "applications for planning permission". (b) In subsection (2)— (i) after "contain" insert ", as regards each such order"; and (ii) for paragraphs (a) and (b) substitute— (a) details of every application under the order and of the authorty's decision (if any) in relation to eachj such application, and (b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.". (c) Omit subsections (3) and (4) (as required by section 198(4)).
Section 70 (determination of applications: general considerations)	(a) In subsection (1)— (i) substitute— "Subject to subsections (1A) and (1B), where" for "Where"; "the authority" for "a local planning authority"; "consent under a tree preservation order" for "planning permission" where those words first appear; and "consent under the order" for "planning permission" in both of the other places where those words appear; (ii) after "think fit", insert— "(including conditions limiting the duration of the consent or requiring the replacement of trees)"; and (iii) omit "subject to sections 91 and 92,". (b) After subsection (1) insert— "(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.

	"(5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question.".
Section 79 (determination of appeals)	(a) In subsections (1) and (2), substitute "the authority" for "the local planning authority". (b) Omit subsection (3). (c) In subsection (4), substitute— (i) "section 70(1), (1A) and (1B)" for "sections 70, 72(1) and (5), 73 and 73A and Part I of Schedule 5"; (ii) "consent under a tree preservation order" for "planning permission"; and (iii) "the authority" for "the local planning authority and a development order may apply, with or without modifications, to such an appeal any requirements imposed by a development order by virtue of sections 65 or 71.". (d) Omit subsections (6) and (6A). (e) In subsection (7), omit the words after "section 78".

Section 75

Any grant of consent under a tree preservation order shall (except in so far as the consent otherwise provides) enure for the benefit of the land to which the order relates and of all persons for the time being interested in it.

Section 78

(1) Where the authority—

(a) refuse an application for consent under a tree preservation order or grant it subject to conditions;

(b) refuse an application for any consent, agreement or approval of that authority required by a condition imposed on a grant of consent under such an order or grant it subject to conditions;

(c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or

(d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,

the applicant may by notice appeal to the Secretary of State.

.....

(3) Any appeal under this section shall be made by notice in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served—

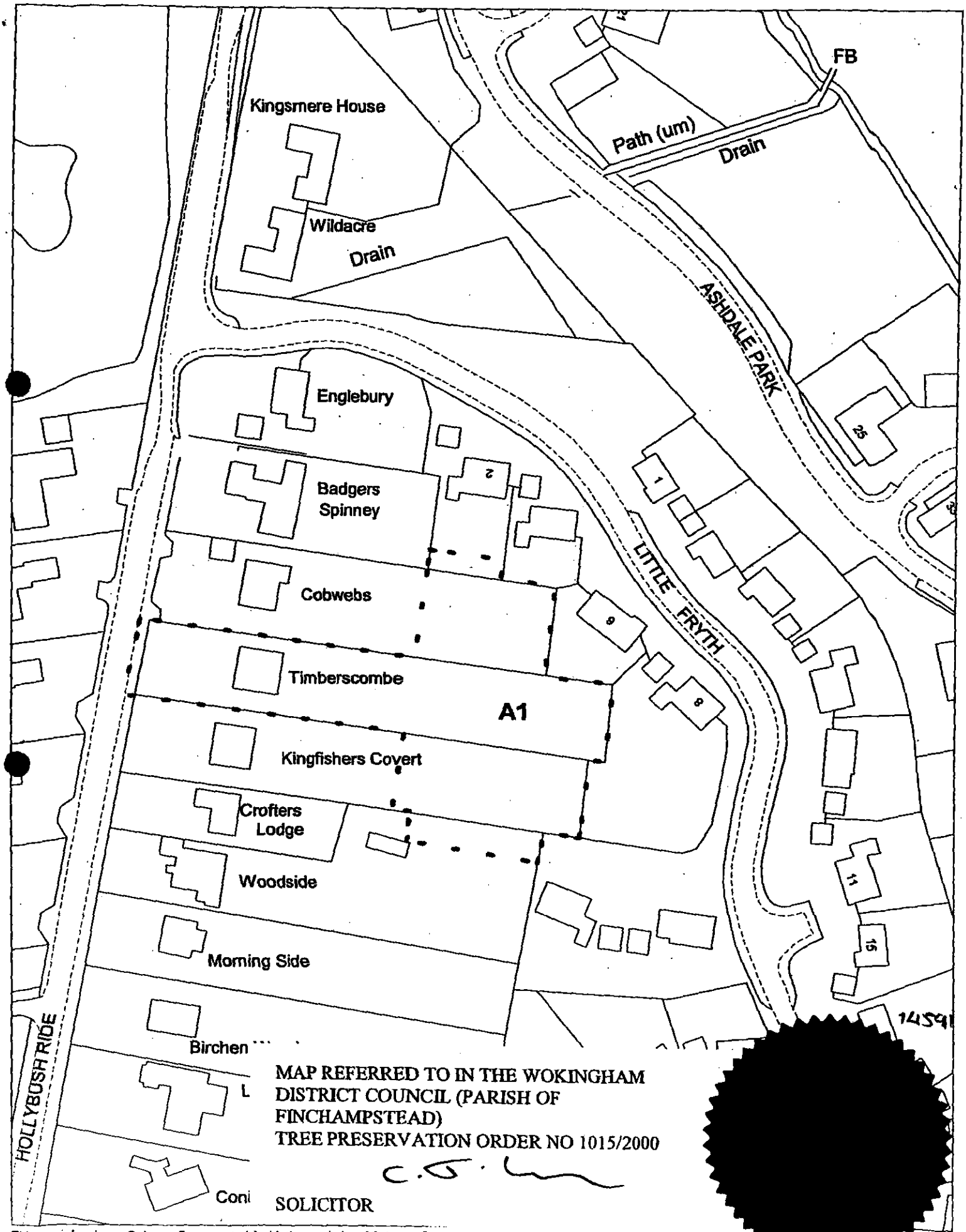
(a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;

(b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant.

(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3).

(5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question.

.....



MAP REFERRED TO IN THE WOKINGHAM DISTRICT COUNCIL (PARISH OF FINCHAMPSTEAD)
TREE PRESERVATION ORDER NO 1015/2000

C.S.

SOLICITOR

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Landscape Section, Environmental Services, Wokingham District Council.

Scale: 1 : 1250

N W E S

THE WOKINGHAM DISTRICT COUNCIL in
exercise of the powers conferred
on them in that behalf hereby
confirm the foregoing Order No. 1015/2000
relating to trees on land at Timbercombe, and to the rear of Cobwebs, Kingfishers Covert and Woodside, Hollybush Ride, Finchampstead and 2 Little Fryth, Finchampstead

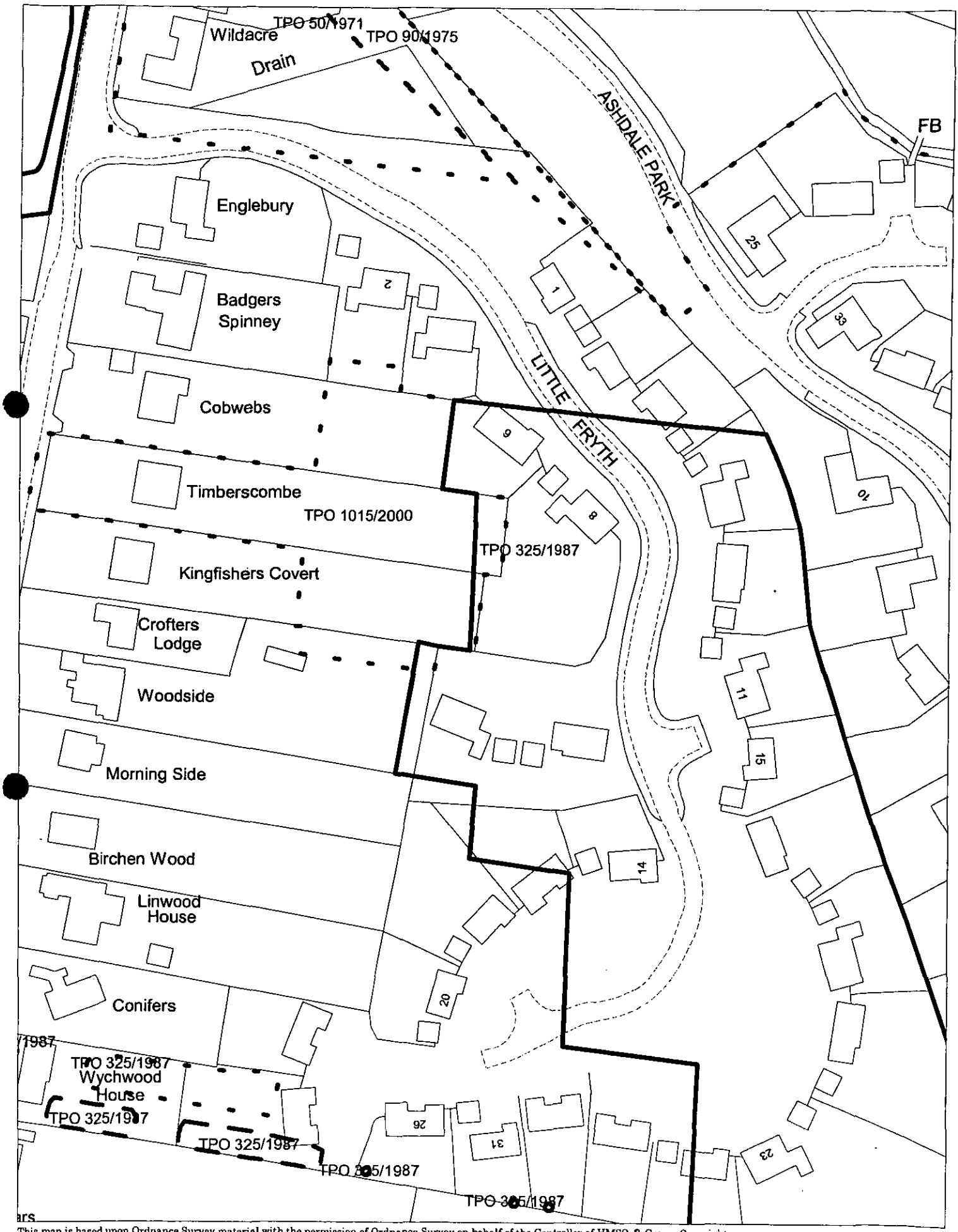
without modification.

IN WITNESS whereof the Common Seal
of the WOKINGHAM DISTRICT COUNCIL was
hereunto affixed in the presence of

C. G.

Solicitor
Dated 12 December 2000

14659



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Landscape Section, Environmental Services, Wokingham District Council.

28 March 2001

Scale: 1 : 1250

N W E S

Cc Cllr T. Charlesworth
Rt Hon Andrew MacKay
Ms Loraine Newcombe
Mr N. Ethrington
Mr J. Mitchell
Mr P. Lewis
Mrs M. Long
Mr. K. Malvern

Cllr A. Ross
Cllr R. Cundy
Ms Cherry Cole
Mr G. Barnwell
Mr G. Cockroft
Mr R. Johnson

ANGELA ODELL

W.M.Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

8 September 2000

Dear Neighbour,

PLANNING APPLICATION NO. F/2000/2225

Should you wish to lodge an objection to the above development you must do so before 25 September 2000. Please write to Angela Odell, Planning Officer, Wokingham District Council, Environmental Services Department, Planning Services, P.O.Box 157, Shute End, Wokingham, Berkshire, RG40 1WR.

The above planning application has now been submitted on behalf of Brookworth Developments Ltd to develop the land currently occupied by the property "Timberscome" in Hollybush Ride and the rear gardens of "Cobwebs", "Kingfisher's Covert" and "Woodside". Accordingly I have notified all residents in Little Fryth, Hollybush Ride and Ashdale Park, as well as those listed above. The plan is to demolish "Timberscombe" to provide access to a development of four detached houses to the rear of the current property. **This development would have serious implications for the whole of this area in that it could set a precedent for further development of a similar nature which could continue all the way up to Simons Wood and destroy the unique character of the area.**

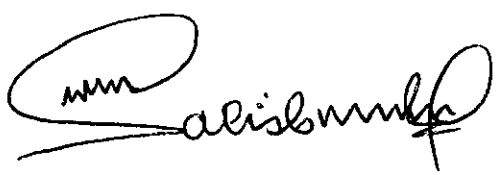
On Saturday 5 August a huge area of established woodland, including many oak and walnut trees, was cleared without authorisation by the developers in anticipation of this application. Those of us who were around on that day tried to stop this indiscriminate felling of trees recognising that some of these trees could be protected by preservation orders once the planning application process was started. It is clear that the trees were felled in advance of the application to ensure that no such orders could be made. Council tree officers have since visited the site and taken note.

The following is a list of objections to this development. Please use any others you can think of.

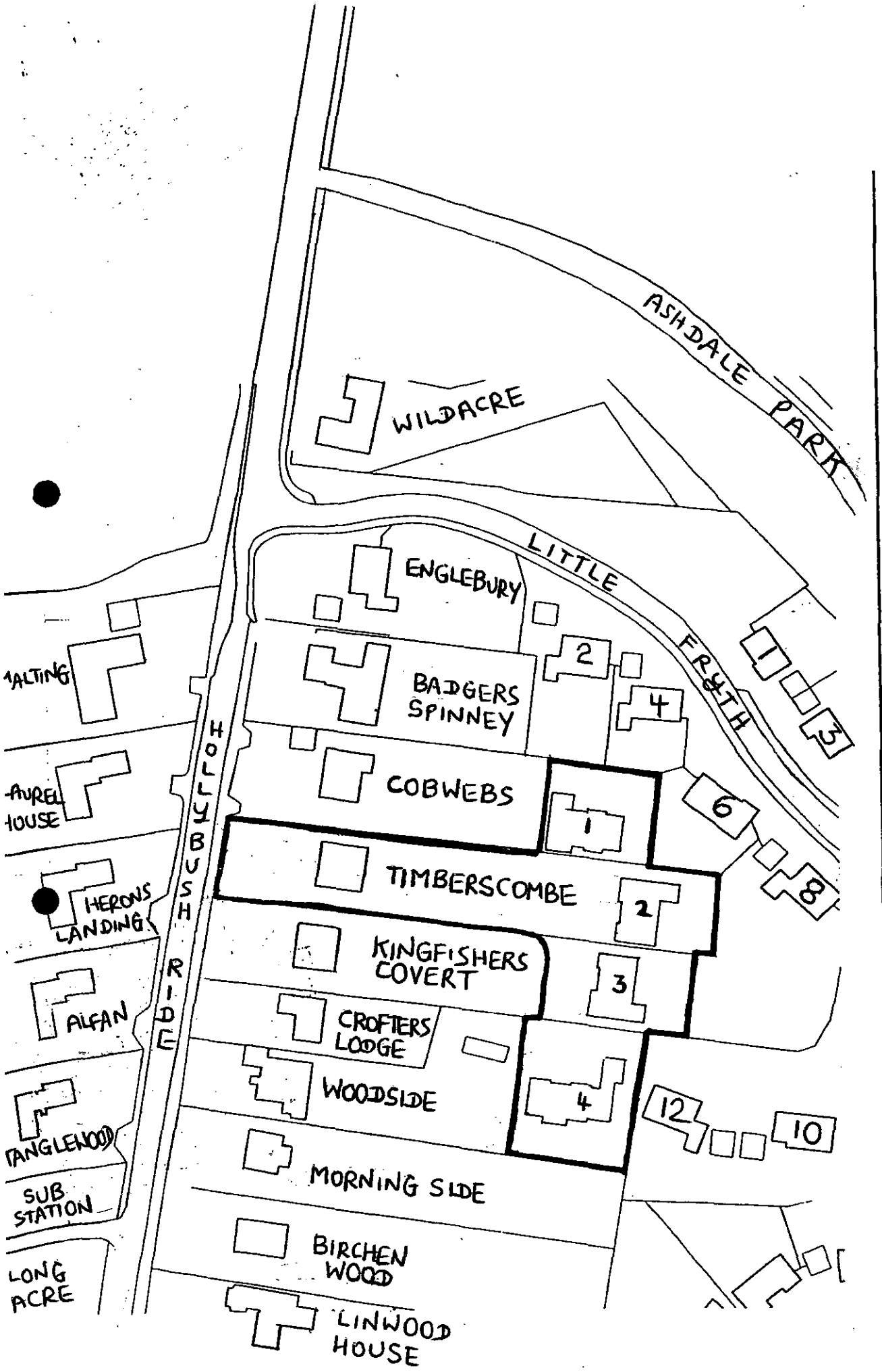
- No services of any kind within walking distance– there are no shops or schools nearby – the nearest secondary school is several miles away. This goes against the Council's sustainable development policy.
- Increase in motor vehicles, so adding to local congestion, particularly at the already dangerous junction of Hollybush Ride and Nine Mile Ride. All journeys to work, leisure activities, shopping and school will need to be made by car.
- Lack of public transport facilities within walking distance – local buses are few and far between.
- The felling and clearance of a large area of established trees will destroy the prestigious, rural, forested nature of the area and is against the environmental policy.
- The area provides a habitat for a range of wildlife including badgers, foxes, rabbits, squirrels and many species of birds. Such a development would have a detrimental effect on the established wildlife.
- The additional sewerage on an already overloaded and problematic system currently serving Little Fryth and Ashdale Park. The plan is for these new properties to feed into this existing system.
- Hollybush Ride is an unadopted road and is technically described as a byway – it is not suitable for further development. There is no council funded maintenance for resurfacing, lighting , sewerage etc. Upgrading these services would require the consent of existing residents in Hollybush Ride and would cause them serious disruption.
- The Council's policy is to develop brownfield sites, not greenfield ones.
- Filling in would further erode the distinction between Crowthorne and Finchamstead ,which is contrary to the Council's policy.

There is no evidence this development would make any positive contribution to the character, environment or quality of life in the area. The building of four 5/6 bedroomed houses, in place of one existing house, would not solve the local requirement for additional housing as specified by central government. The only people to benefit from such a development are the developers themselves, who along with the original landowners, are in line for huge profits at the expense of the local environment.

Yours faithfully,



W.M.Salisbury


ASHDALE PARK
WILDACRE
LITTLE
FRYTH
ENGLEBURY
BADGERS SPINNEY
COBWEBS
TIMBERSCOMBE
KINGFISHERS COVERT
CROFTERS LODGE
WOODSIDE
MORNING SIDE
BIRCHEN WOOD
LINWOOD HOUSE
HOLLYBUSH RIDE
1
2
3
4
6
8
10
12
ALTING
AUREL HOUSE
HERONS LANDING
ALFAN
FANGLEWOOD
SUB STATION
LONG ACRE

THE RT. HON. ANDREW MACKAY M.P.

House of Commons,
London, SW1A 0AA
Telephone: 020 - 7219 2989
Fax: 020 - 7219 4123
Email: mackaya@parliament.uk

3rd May 2000

Mr W. M. Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berks RG40 3RN

Thank you for sending me a copy of your letter to Cllr. Tim Charlesworth, the contents of which I have read with concern. I know he shares my view that it is not in the local interest to have excessive 'infill' development which is changing the attractive nature of my constituency.

As your Member of Parliament I will liase closely with him and the Chairman of the Planning Committee, Cllr. Angus Ross, to whom I am pleased to see you have also copied correspondence .

Perhaps you would be good enough to let your neighbours know of my interest in this matter and please do not hesitate to contact me again if I can be of further help.

With best wishes to you all.

Yours sincerely

Tel. (0118) 974 6445

Date: 30 August 2000

Your Ref:

My Ref: Angela Odell
F/2000/2225

The Owner/Occupier
2
Little Fryth
Finchampstead
Berkshire

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

Dear Sir/Madam

Application Number: F/2000/2225

Site Address: Land Rear Of Timberscombe, Hollybush Ride, Finchampstead Wokingham.

Proposal: Proposed erection of 4 dwellings plus demolition of existing dwelling..

The Council has received an application to carry out the above development.

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

If you have any comments you would like to make before the application is determined, please reply in writing within 21 days from the date of this letter quoting Application Number **F/2000/2225** . Your comments will be considered by the planning officer before a decision is made and will be summerised in the committee report if the application is decided by committee. Where an application is to go to committee you will be told of the date and given the opportunity to speak at the meeting. Everybody who makes a comment will be told what decision is made.

Please note that all comments made will be open to public inspection.

Should you have any queries regarding this application please contact the planning officer, **Angela Odell**, on **(0118) 974 6445**.

Yours faithfully,

objection deadline date
now 25 September.

John Mitchell

John Mitchell
Development Control Manager

F/2000/2225

TOL	LS
DC	
APP	
CS	

27 FEB 2001

COPIES TO:	ACK:
	FILE:

Please Note:

Angela Odell and Neil Ettrington had a copy of the Developers Tree and Landscape Appeal Report.

Should you wish to refer to it.

Re

C·C·Rt Hon Andrew Mackay
C·C·Cllr·T· Charlesworth
C·C· MS Lorane Newtombl
C·C·MR·N· Ethrington
C·C·MR·J·Mitchell
C·C·MRS·A·Odell
C·C·MR·K·A·Mawern

C·C·MR·A·ROSS
C·C·MR·G·Barnwell
C·C·MR·G·COCHROFT
C·C·MRS·A·Long
C·C·MRS·C·Cole

MR·W·M·Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

26 Feb 2001

Dear Neighbour,

Please find enclosed a copy of Informal Hearing Notice and site plan. All residents in Ashdale Park, Little Fryth and Hollybush Ride with the exception of the 4 named houses have been notified. The owners of Timberscombe in Hollybush Ride have vacated the property. Brookworth Developments Ltd have lodged an appeal.

The Appeal procedures will take the following form.

1 Written objection direct to the Appointed Inspectorate.
2 An informal hearing held at the Council Offices. The Inspectorate would determine the outcome and normally reply within six weeks.

We have until the 15th March to lodge our representations in writing to the Inspectors office in Bristol. Address highlighted on Informal Hearing Notice. As previously mentioned a permanent tree preservation order is in force covering the rear gardens of Cobwebs, Timberscombe, Ringfishers Covert and Woodside. The developers have submitted a new report which attempts to trivialise the Tree Preservation Order and suggests many trees are not worth keeping. It is important to note that the T.P.O; and our wishes emphasise the importance of the whole group of trees as an environmental amenity, as a Wild Life corridor, and as screening and seperation from different settlements e.g. Those trees screening Ashdale Park from Little Fryth. The TPO group seperates Little Fryth from Hollybush Ride in the same way.

Please write to the Appointed Inspector; for this development would have serious implications for the whole of this area in that it could set a precedent for further development of a similar nature which could continue to erode land all the way up to Simons Wood and destroy the unique character of the area.

In anticipation of your continuing support.

Yours sincerely

Wm Salisbury

Tel. (0118) 974 6448 (Direct Line)
Date. February 19, 2001
My ref: F/2000/2225
Your ref:

W Salisbury
2 Little Fryth
Finchampstead
RG40 3RN

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: Brookworth Developments Ltd
SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead
PROPOSAL: Proposed erection of 4 dwellings plus demolition of existing dwelling

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 on a date to be advised.

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

If you wish to make further representations, you should, if possible, send three copies to Miss A Groves, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ, quoting reference APP/X0360/A/01/1058304. Comments received after 15/03/01 will not normally be seen by the Inspector & will be returned.

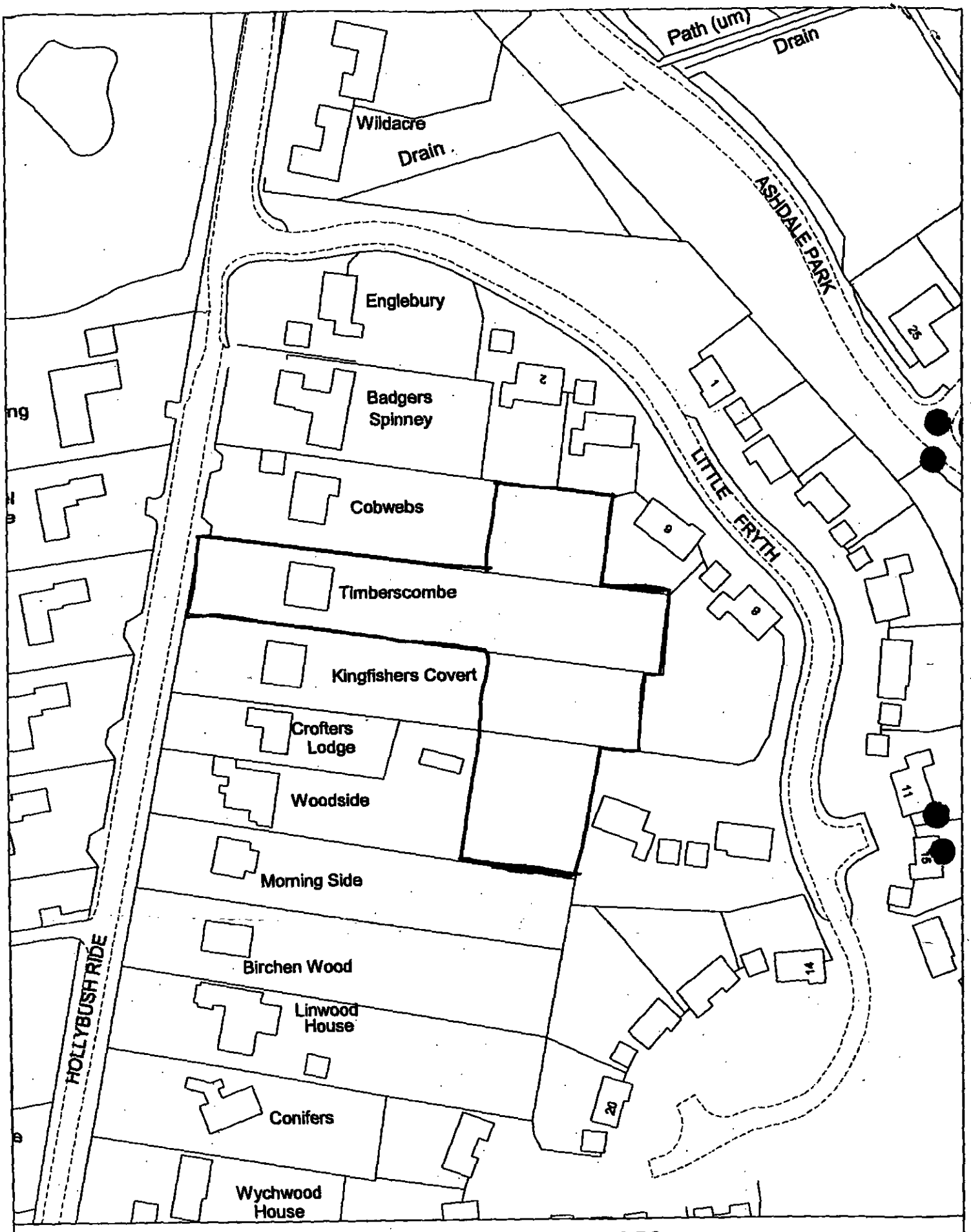
The application, decision notice, and the appellant's grounds of appeal can be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 Mondays to Thursdays, & 08.30 to 16.00 Fridays).

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

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

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant



Site Plan, Scale: 1 to 1250

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Date: 19 February 2001

N W E S

4, Little Fryth
Wokingham
Berkshire RG40 3RN
Tel. 01344 750 366

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

12 MAR 2001

9th March 2001

Dear Miss Groves,

REF. APP/X0360/A/01/1058304
Appeal by Brookworth Developments Ltd.

I should like to invite you to visit this address as part of the above Hearing, to demonstrate the tiny size of this garden and the woodland area which will be affected by the proposed development.

Please find attached my original letter objecting to the planning application, for your reference.

Please also find enclosed a series of photographs, showing my rear garden at 4, Little Fryth with Plot 1 shown on the Planning Application beyond. This demonstrates the proximity of the proposed house and the density of tree cover. Also enclosed is an aerial photograph showing this house and the proposed development area, which demonstrates the fact that we currently have a continuous green canopy of woodland.

I note that the Appeal document received by the Council from the Applicant bears no information on the grounds for appeal, yet a Hearing has been granted. Is this usual? I request that this lack of information for objectors be taken into account at the Hearing.

ALL the objections in my original letter still stand and are supported by the refusal of planning permission issued by Wokingham District Council. My original letter gives a detailed analysis of the claims made in the planning application F/2000/2225 submitted by Brookworth Developments.

Objections are as follows, supplemented by my original letter:

Unacceptable overlooking and overshadowing of the property at 4, Little Fryth by the building proposed for Plot 1 on the application.

This is contrary to Policy SBE5 and paragraph 1.4.07 of the SE Area Local Plan, WOS3 of the Wokingham District Local Plan Deposit Draft and environmental building policies.

- **My garden is only 30 feet long,** one of the tiniest in the whole area. To give an idea of scale, the proposed building is approx. 44 feet from front to rear. This is one-and-a-half times greater than the length of my entire garden. Moreover it is even closer to the boundary than my house and is on rising ground. This is overbearing. ALL my living areas and garden will be overlooked. This will have an overwhelming effect on privacy, for this house and the proposed new building.

- All the existing developments have been carefully designed to avoid one house overlooking the living area or garden of another. To allow the proposed development would therefore be to set a planning precedent.

- I can identify no external dimensions, heights or distances from boundaries marked on the plans submitted. This is unacceptable, bearing in mind the potential for major intrusion and impact on surrounding properties. Without such information, the District Council will have no means of ensuring compliance in this sensitive area.

- The proposed building will also restrict access to natural light and warmth as it will stand immediately to the south of this property. See page 1 of my original letter. Not shown on the plans is the fact that it is the trunks of trees, not their canopies, which separate the properties. Therefore they do not block sunlight.

- Because of my small garden, the rising ground and my southern aspect, any additional screening by fences or hedges will cut out even more light. This is not a satisfactory solution to the problem of overlooking or proximity. If the new house were built, we would have no ability to prevent any such screening.

Setting a precedent for further small scale 'infill' development along a byway to National Trust woodland

To allow this development would be to set a precedent for development of the entire area to the east of Hollybush Ride all the way to the National Trust area of Simon's Wood.

- Further development will necessarily occur piecemeal, as it is dependent upon residents selling individual gardens. All will inevitably be smaller than the 0.5 hectare threshold for a developer's contribution, in order to maximise profit. This is common business sense. The result will be a mish-mash of development which does not conform to the current style of the area.

- Based on the layout of this application, numbers of houses along Hollybush Ride would ultimately increase up to threefold, because to agree to this application would be to set the style for the layout of future applications.
  However, the Council and residents would receive zero contribution to the local infrastructure or amenities because of the small size of each development.

- The existing developments of Little Fryth and Ashdale Park are continuous, spacious developments with areas of trees and public open space contributed by the developers as part of the planning consent. To allow this application would be to set a precedent for an area almost as large as Little Fryth to be developed with no public spaces, or contribution to amenities. Meanwhile it will completely destroy the wooded, secluded, semi-rural ambience of the area, which attracts residents to live here in the first place - it certainly isn't convenience or facilities.

- The current application proposes a new access which would channel the increased traffic BEHIND existing houses.
  The new road would certainly be extended to give access to all future developments to the rear of Hollybush Ride. This is because it would be too expensive to create alternative access further along the existing route of Hollybush Ride itself, owing to the need to demolish property and because to do so would involve complex negotiations with the current residents, who pay for its maintenance.

- This will create a new, frequently used road beside people's bedrooms and gardens.
  There is a significant distance from houses to the road along Hollybush Ride. This will not be so on the new road, owing to the small plot sizes available to new developments (and to some existing houses). There will be increased noise in homes and gardens, pollution and also intrusion of light into bedrooms which are currently secluded and dark, since planning rules state that roads must be adequately lit. This is unacceptable change of use and ambience.
  The Council would presumably be required to maintain the new road in the future, despite receiving no contribution from developers.

- Small developments such as this one are not subject to an environmental survey. The so-called settlement area as a whole is materially the same as, and adjacent to, an area seen as worthy of preservation by the National Trust. There is a Tree Preservation Order, an unusually high number of bird species (confirmed by the RSPB), plus protected species such as bats, badgers and stag beetles. This would surely suggest that the area merits evaluation as a whole.
  To set a precedent by accepting this application for backland development will allow the whole area to be built on, and the woodland virtually clear felled, without being subject to any environmental considerations.

- The effects on the locality and its residents are entirely negative: major tree and wildlife destruction, downgrading of the local area, no contribution to our non-existent amenities from the developer and a net gain of only 3 houses, which are not of priority type and which represent less than one twenty-fifth of one percent of the Council's housing target. A very high price to pay.

- The development will set a precedent for greatly increased traffic.
  Hollybush Ride, on which the development is located, is a single lane byway with no pavements, which is currently maintained by residents. The byway is used by the general public as access by foot, horse and bicycle to the local National trust woodland and surrounding amenity area. By setting a precedent for new development, traffic movements would treble, to match the number of likely new houses, as all journeys are car-dependent. This would severely affect the amenity use of the area.

- This development would set a precedent for increased local congestion.
  The adjoining main road is already rated as one of the busiest in the Wokingham area.
  It is reached by a series of mini-roundabouts which see literally scores of traffic accidents every year. Traffic jams into Wokingham reach over a mile in length most mornings

- There are NO amenities within walking distance at present – not even a newsagent's or a playground.

Devastating damage to trees and dependent wildlife, the local dwelling environment and the ambience and amenity of the area.

This is contrary to the District Council's overall Strategy Statement, Policies WOS1, WOS3, WBE11, WNC6, WH1 and paragraph 2.89 on page 37, which states: **'Extensive back gardens...are important as linear features which act as wildlife corridors connecting the wider countryside to these urban areas.'**
Also contrary to Policy SH1 of the SE Area Plan and to Central Government Guidelines, eg PPG3 paragraph 56.

- There are approx. 93 trees on this small 0.45 hectare site (according to the Tree & Landscape Report). This indicates a densely tree-covered area. Most of these would be felled if this development were allowed, with resultant damage to the wildlife corridor, local ambience and amenity value.

- The individual trees remaining would not afford privacy: privacy is achieved by their effect en masse. To remove the majority of the trees is materially and adversely to affect the amenity of existing houses.

- The Council's Tree Preservation Order refers to 'Trees specified by reference to an area'. It is this value to the area in terms of ambience and as a wildlife corridor which the Council and residents of Little Fryth seek to preserve.

- The trees provide an important buffer between Little Fryth and Hollybush Ride, just as there is a tree buffer between Ashdale Park and Little Fryth. This is the standard of development in the entire neighbourhood. To remove this buffer would be materially to downgrade the amenity of the area.
  The neighbourhood is wooded all the way from the A321 main road all the way to the National Trust site of Simon's Wood.
  To allow the development would punch a hole in the continuously wooded area and set a precedent for development which would necessitate its entire destruction, downgrading and changing the ambience of the whole neighbourhood.

- The Tree & Landscape Report is irrelevant to this Appeal as it examines individual trees and takes no account of their contribution to wildlife, of their value as an integral part of a larger wooded area, nor of their purpose as a buffer between two settlements. The Tree & Landscape Report seeks to undermine the Tree Preservation Order. The fact that, in the Report, certain individual specimens are described as 'insignificant' or 'weak' has no bearing on their value in providing a diversely-wooded area.
  Moreover, a mixed area of mature, young and decaying trees is of positive benefit to many wildlife species, eg woodpeckers and stag beetles (the latter rely on decaying birch wood in which to breed), and providing varied cover and food sources for birds and mammals.

Continued from previous page:

- Its references to 'no amenity value' are purely subjective and with which I disagree: the comments are made from the perspective of those selling land, not those affected by the proposed development.
  I draw your attention to the final paragraph 4.7 'This site will inevitably be developed': do they know something we don't, or is this simply a demonstration of contempt for the democratic process!

Brownfield sites and development areas

The Application makes much of Central Government's supposed encouragement to develop so-called 'brownfield sites' and asserts that the plot in question is a 'brownfield site'. I can see no foundation for such an assertion.

- PPG3 in fact makes no mention of brownfield sites and refers to 'Previously Developed Land' throughout. May I emphasise the definition of Previously Developed Land in Annex C of PPG3, which states that land is EXCLUDED from this category where:

  '...the remains of any structure or activity have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings) and where there is a clear reason that could outweigh the re-use of the site – such as nature conservation- ...and cannot be regarded as requiring development.'

  I have highlighted the issues of nature conservation and wildlife corridors in this and in my original letter.
  In addition you will see from the aerial photo, and by visiting the area, that houses along Hollybush Ride were in fact built within existing woodland - most trees were not planted subsequently as landscaping - and the garden areas therefore mirror the surrounding countryside. They can certainly 'reasonably be considered as part of the natural surroundings'.

Finally, I question the inclusion of this area as a Settlement Area as it does not conform to the Council's own definition of land for inclusion, as it EXCLUDES:

'Areas of sporadic development ... 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.'

- The above statement characterises Hollybush Ride, which is a finger of development along a byway (it is not a road) to the National Trust property of Simon's Wood and adjacent woodland. The houses were in Hollybush Ride were in fact built in existing woodland.

- I understand that the area was not nominated as a Settlement Area by Wokingham District Council, but by interested landowners.
  There was no effective public consultation at the time, contrary to PPG3 paragraph 55. Those of us most affected were entirely unaware of the Settlement area.

By rejecting the Application, an opportunity is created to ensure that the wider environmental issues and the impact on the majority of the residents involved are democratically considered.

For all my original reasons, and for the reasons above, I recommend that this Appeal Hearing into Planning Application F/2000/2225 reject the Application in its entirety.

Yours sincerely,

M. Warsop

Marie Warsop

P.S. Please send copy of decision on this Appeal - thank you!

Conditions for Appeal – Application No. F/2000/2225

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

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

3. 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 extensions or alterations permitted by Classes A, B and C 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 on the north or east side elevations of the proposed dwellings on plots 1 or 2.

4. Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows or similar openings shall be constructed in the first floor or above side elevations of the dwellings hereby permitted except for any which may be shown on the approved drawing(s).

5. The en-suite window in the first floor south side elevation of plot 2 of the development hereby permitted shall not at any time be glazed other than with obscured glass. It shall be fixed shut, and be permanently so retained thereafter.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the garage accommodation on the site shall be kept available for the parking of vehicles ancillary to the residential use of the site at all times. It shall not be used for any business nor as habitable space.

7. 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.

8. 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.

9. The development shall not commence until details of all boundary treatment(s) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The approved scheme shall be maintained in perpetuity.

10. No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space herein approved has been provided. The vehicle parking and turning space shall be permanently maintained and used for no other purposes.

11. Before any other part of the development hereby permitted is commenced, the vehicular access proposed shall be formed and provided with visibility splays shown on the approved drawing number BRK/FIN/001/A. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height and maintained clear of any obstruction exceeding 0.6 metres in height at all times.

12. 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.

13. The dwellings shall not be occupied until space has been provided within the curtilage for vehicles to turn so that they may enter and leave the site in a forward gear and this space shall thereafter be maintained at all times for this purpose.

14. The proposed access road shall be constructed to adoptable standards.

15. A bin store shall be provided within 25m of Hollybush Ride in accordance with details to be first submitted to and approved by the Local Planning Authority.

16. 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.

17. 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.

18. 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.

Reasons

1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

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

3. To safeguard the residential amenities of the occupiers of neighbouring properties.

4. To safeguard the residential amenities of the occupiers of neighbouring properties.

5. To safeguard the residential amenities of the occupiers of neighbouring properties.

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

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

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

9. To safeguard the visual amenities of neighbouring properties and the locality.

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

11. In the interests of highway safety and convenience.

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

13. In the interests of highway safety and convenience.

14. In the interests of highway safety and convenience.

15. In the interests of highway safety and convenience.

16. In the interests of visual amenity.

17. In the interests of visual amenity.

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

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3399
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Mr A & Mrs P. Hooper
"Conifers"
Hollybush Ride
Finchampstead
Berks
RG40 3QP.

PLANNING SERVICES	HPT 57710
POL	TLS
DC Sq	ENF
APP	
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20 JUN 2002	
COPIES TO	ACK:
	FILE:

June 19th, 2002

Ref: Local Planning Application No. APP/X0360/A/01/1058304

Dear Miss A Groves,

It has come to our attention, that Brookworth Developments Ltd. has submitted an appeal to their original planning application to demolish 'Timberscombe' Hollybush Ride and with the rear gardens of 'Cobwebs', 'Kingfisher', 'Covert' and 'Woodside' build a development of four detached houses.

The council has in recent years developed a policy of not letting people build one house behind their own property because of setting a precedent of over development of sites. In this case there would be four houses behind four other properties. If this is allowed what is to stop Morning Side, Birchen Wood, Linwood House to name but a few from applying for planning permission also ?. The council would become powerless to overrule further developments this could then affect Hollybush Ride on both sides down to Simons Wood.

The roads around this area are already congested, there are other developments going ahead at this time, which will in due course add to this congestion. I already have to leave for work at 7am to get to Slough in a reasonable time (one hour) hasn't anybody at the council noticed that nowadays even if you go to work between 5 and 6 am you are not alone on the roads anymore. Where will this end?

Schools are another consideration, as I understand it, the schools already have more than their quota of children. With the added problem of virtually no public transport and Comprehensive Schools being several miles away this again adds to the congestion problems.

Tree felling is against environmental policy, we understand that some trees have already been felled prior to the planning application being submitted and that the developers have submitted a new report which trivializes the tree preservation order saying that many of the trees are not worth keeping, there are two very important factors concerning these trees one that they act as a natural screen separating Little Fryth from Hollybush Ride and two that they act as a very important wild life corridor.

A few properties in Hollybush Ride are already experiencing problems with the water table, we are one of them, could this add to our problem ?

Once again we feel very strongly that people's greed, needs to be stopped. Making money at the expense of the people left behind in the area to cope with overcrowded schools, congested roads, polluted atmosphere, wildlife habitat lost, is just not on.

Yours sincerely

A. & P.A Hooper

COPY

To: Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ

4, Little Fryth
Wokingham
Berks
RG40 3RN

11th March 2001

Your Reference: APP/X0360/A/01/1058304

Re: Planning Application Number F/2000/2225 – Appeal by Brookworth Developments Ltd

Dear Miss Groves,

In the light of the above appeal, this letter is to draw your attention to my objections to this planning application and to request that you endorse Wokingham District Council's rejection of it. I enclose a copy of my original letter of objection. I believe that all of the points made in that letter and the accompanying post script remain fully valid.

May I take this opportunity to reinforce a number of points in the light of the council's decision to refuse the development and subsequent events.

Reduced Light and Privacy

Further to the comments in my original letter, it is clear that the council accepts the view that the siting of Plot 1 of the proposed development is such that 4, Little Fryth would be seriously overlooked. A site visit should also take into account that the proposed houses are substantially larger than existing properties in the area, exacerbating this problem.

I should also like to add the point that the arrangement of the houses in Little Fryth was carefully done to avoid just the possibility of the rear of houses being overlooked. It is also relevant that no property in this area has an access road visible to the rear, with the consequent light pollution and noise associated with same.

Woodland Aspect

I completely agree with the council's view in this respect. Also, the tree report submitted by the developers in support of the appeal simply concentrates on the value of the individual trees, and ignores the fact that this is part of continuous area of woodland, so it is the totality of the wooded area that is important. Should you take the opportunity to visit the site, please bear in mind that the developers have already begun to neglect the area on the assumption that planning permission will be granted.

Whilst not directly relevant to this planning application it is pertinent to note that the entire woodland is under pressure from speculative development and abuse of planning rules such as the felling of areas of mature trees.

Settlement Area

The planning application is in reference to the Settlement Area defined in 1997 covering much of the gardens to the rear of the East side of Hollybush Ride. This Settlement Area was proposed by developers, not the local council. Such was the low level of publicity accorded to this procedure at the time that it did not come to the attention of the local community and hence we did not get the opportunity to object. The lack of objection may have influenced the council's decision to agree to the Settlement Area.

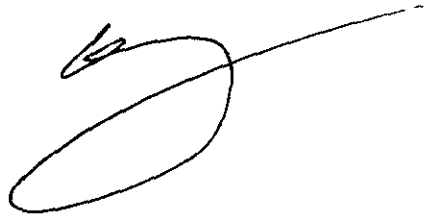
Summary

The proposed development is clearly part of an ongoing programme by local developers to make substantial profits through the urbanisation of woodland and encroachment into previously undeveloped areas. This is totally contrary to the wishes of the local council and most of the local residents. The development of this area contributes little or nothing to the local or national housing needs.

I thank you for your attention to this matter, and urge you to reject the appeal.

Finally, I should like a copy of the decision of the Appeal, and I understand from Wokingham District Council that you will be able to provide that for me.

Yours Sincerely,



W.G. Ashton

To: Angela Odell
Planning Officer
Environmental Services Department
Planning Services
P.O.Box 157
Shute End, Wokingham
Berkshire RG40 1WR

4, Little Fryth
Wokingham
Berks
RG40 3RN

19th September 2000

Re: Planning Application Number F/2000/2225

Dear Mrs. Odell,

This letter registers my objections to this proposal, which is for the erection of 4 dwellings and demolition of an existing dwelling at land rear of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

My property, 4, Little Fryth, is immediately adjacent to the proposed development and I would therefore be severely affected. Whilst I obviously have a personal stake in the outcome, I believe that in terms of Local and National Plans, the proposal is most definitely not in the best interests of the local community or national housing plans.

The application is clearly speculative. It attempts to take advantage of current pressures to build new dwellings in the Wokingham District in order to make substantial profits for the builder with no benefit for the local community.

According to the planning application, the Berkshire Structure Plan allocates 7,750 new dwellings for Wokingham District by 2006. The proposed development, if approved, will result in a net gain of a mere 3 dwellings. This tiny contribution to the 7,750 total is the only aspect of this development that might be interpreted in some quarters as positive. The many other effects of the proposal are negative, e.g. the impact on the immediate neighbourhood, the local community generally, the local woodland wildlife etc.

I therefore strongly urge you to reject this planning application and to recommend its rejection in any appeal process that may follow.

As a postscript to this letter, I enclose a number of specific points related to the actual application, which I should like you to take into consideration.

Yours Sincerely,



W.G. Ashton

POST SCRIPT

I have read the detailed planning application, and consider that it contains a number of statements that are at best disingenuous and at worst deliberately misleading. Please consider these when determining the validity of the application, since I feel sure that the application is contrary to much of the strategy and many of the guidelines described in the Local and National Plans.

Site Description

The planning application, section 2.1, describes the site as approximately 0.45 hectares in size. I am led to understand that applications for developments of less than 0.5 hectare are not subject to the same stringent regulations as larger developments. No environmental assessment is required and the developer need not make any contribution to the local amenities, e.g. provision of public open space.

The site is part of a larger block of back gardens defined as a Settlement Area in 1997. If this type of incremental development is allowed, then it seems possible that the entire Settlement Area could be developed without the builders having to make any contribution to the local amenities or reparations for the destruction of the environment.

Reduction of Light and Privacy

The most disturbing aspect of the proposal is the proximity of the new houses to existing properties and the consequent reduction in light and privacy to these.

- Section 4.7 of the planning application states

  "Most of the significant trees in the rear part of the site, particularly around the boundaries, are to be retained, so that the overall appearance would be sympathetic to the spacious and attractive character of the area."

- Section 4.9 of the planning application states

  "Care has been taken to site the proposed dwellings to avoid any conflict with neighbouring houses in terms of light, privacy and outlook, thereby ensuring that high levels of residential amenity are maintained for existing occupiers".

- Section 5.1 of the planning application states

  "... the proposed scheme respects the established character and appearance of this residential area in terms of density, layout, design and the retention of trees."

  And

  "... the detailed design and siting of the units does not detract from the amenities of adjoining properties in terms of light, privacy or outlook."

Inspection of the proposed site clearly demonstrates the specious wording and dubious veracity of the above statements, and that the proposed development contravenes the policy SBE5 of the Wokingham South East Area Local Plan cited in section 3.12.

4, Little Fryth has a small garden relative to other properties in the area and the boundary with the proposed development is barely 10 metres from the back of the house. The ground slopes gently upwards towards the proposed development, exacerbating the problem of being overlooked and this fact is not stated anywhere in the planning application.

Interestingly, the planning application gives no external dimensions for the houses. However, assuming "typical" dimensions for a six-bedroom two-storey house in Plot 1, it is clear that, at the very least, the upper storey windows would give a view into both the upstairs and downstairs rooms at the back of 4, Little Fryth.

The Site Layout drawing, provided in the planning application, implies that existing trees would screen Plot 1 of the development from neighbouring properties, in particular, 4, Little Fryth. This is misleading. The existing trees on the boundary are mainly mature silver birches, some 15 to 20 metres tall and would provide very little privacy. Worse still, such tall trees are only suitable to be grown in copses where they can provide each other with shelter from high winds. If left as single trees, their shallow roots mean that high winds could topple them on to nearby dwellings. Thus they would probably have to be felled for reasons of safety.

There is an existing 6 feet tall wooden fence at the boundary. In winter, at midday, this fence already places much of the back garden of 4, Little Fryth in shadow. The close proximity of the dwelling proposed for Plot 1 would worsen this problem significantly.

Destruction of the Environment

The planning application makes great play of national and local guidance to maximise the use of "brownfield" sites in "urban" areas. This may be technically correct, in that domestic gardens are classified as "brownfield", but it ignores the spirit of the definition. Development of such sites is subject to many other criteria.

The site concerned is part of an area of continuous woodland stretching from Yateley to Wokingham including publicly accessible National Trust land. The emphasis here is not so much on an "urban area" with "low density housing" interspersed with trees (as stated in the planning application), as on woodland in which there are a number of houses. Such properties inevitably have large gardens, gardens that form part of the natural woodland. Thus the statements in the planning application referring to "greenfield" and "brownfield" as if they were "black and white" definitions are misleading.

Further, the proposed development involves the felling of over 40 trees. The application claims (section 4.7) that "most of the significant trees ... are to be retained". This is disputable. There is little doubt that the destruction of this many trees and the additional human activity will seriously impact local wildlife. Even in the small garden at 4, Little Fryth, we are regularly visited by some 30 or more species' of woodland bird.

In sections 3.9 and 3.10, the planning application cites the Wokingham South East Area Local Plan, policies STV6 and SH1. These policies actually act against the application, in that they state, for example, that "within identified settlements, development of areas of open land including gaps in road frontages and garden areas which significantly contribute to the character of the settlement will not normally be permitted." The "local environmental constraints" referred to in Section 3.10 include "the protection of open and wooded areas, gaps and garden areas which are important to the character of the settlement area" and "... no significant adverse effect on the character of the area".

Effect On Local Area / Access To Local Amenities

Developments in the past few years have meant that Finchampstead is already subject to undue pressure on the local amenities and infrastructure.

The "Overall Strategy" in the Wokingham District Local Plan drafted in November 1999 states

"... new development ... [should] ... makes a positive contribution to the character, environment and quality of life in the District."

And that

"What new development we need will relate well to established communities. It will provide for employment, shopping and other services in places that minimise the need for travel by private car."

The proposed development clearly contradicts this strategy. I can see no way that this development could be perceived as making a positive contribution to the character, environment and quality of life in the District. Neither will it relate well to existing communities, indeed it positively intrudes on them.

There are no local amenities within walking distance (300 metres). The nearest shop (a solitary newsagent) is over a kilometre away. There is very limited public transport – the nearest bus stop is several hundred metres away and I believe there to be no more than five buses per day to the nearest towns. The basic point is that it is not practicable to access amenities on a regular basis without the use of a motor car.

Further, Hollybush Ride is a byway. Not only does it give access to existing properties, the byway is extensively used by walkers and horse riders to gain access to the NT woodlands at Simon's Wood and Finchampstead Ridges. The wooded ambience of the byway would be prejudiced by yet further motor traffic.

Hollybush Ride joins Nine Mile Ride. Nine Mile Ride is already cited as one of the busiest roads in the Wokingham District, with continuous, often heavy traffic at most times of day. The proposed development will add further to this burden.

Tall Trees,
6 Little Fryth,
Finchampstead,
Berks. RG40 3RN.

6th March 2001.

Miss Groves,
The Planning Inspectorate,
Room 1004,
Toll Gate House
Houlton Street,
Bristol BS2 9DJ.

Dear Miss Groves,

Ref:APP/X0360/A/01/1058304

With regard to the above application I would refer you to my original letter to Wokingham District Council a copy of which is attached. The original letter not only gives my argument against the proposed development but also puts into question the validity of many of the statements made in the original application and my points apply whether the intention is to erect four new dwellings or three as in their recent application.

1. The application refers to Brownfield sites and contains reference to Government Guideline PPG3. I can find no reference to Brownfield sites in this guideline and indeed it would appear to argue with much of the rationale behind the application.

2. Within the guideline PPG3 much value is given to the enhancement of local amenities such as shops, schools and transportation. As indicated in my previous letter this area is sadly lacking in local amenities and private transportation is a necessity for anybody residing in the area. It also talks about efficient use of land and I would point out that half of this development is a driveway which surely does not hold good. The guideline also states that development should take account of " any immediate neighbouring buildings, the townscape of the wider locality" and developments should " respect and enhance local character". This development achieves neither of the above. PPG3 also uses the term "previously developed land" throughout and the intended site for the development is at the far end of the existing houses gardens with no existing development other than a privately owned swimming pool.

3. Following the application being turned down by the Local Authority there was a tree preservation order put on the remaining trees (the developers had already felled at least 15 trees in the area) which stated that the value of the trees on the site were of a grouped nature rather than individual. Within the proposed site of 0.45 hectares there are at present 93 trees. The intention on the plan is to provide greenery but this will be of a low level hedging nature, and would replace existing mature trees. A report has been commissioned and supplied by the developers relating to the trees which seems the trivialise the opinion of the Tree Officer of the Local Authority and comments on trees on an individual basis which was not the purpose of the Order. They appear to trivialise the opinion of the Local Authority but in reality their comments are irrelevant when applied to the reason behind the original TPO.

4. The importance of the retention of the trees is that they form a natural boundary between the area of Little Fryth and Hollybush Ride in the same manner as there is a tree line between Little Fryth and the development of Ashdale Park and a tree line between the development of Ashdale Park and the main road that runs parallel. An aerial view indicates quite clearly the structure and boundary lines between each of these areas. Under the developers plans the boundary line between Little Fryth and Hollybush Ride will be destroyed and can then only set a precedent for future development along the whole of the area. This will have the effect of destroying a wildlife corridor which acts as a sanctuary to many birds and animals.

5. As yet, no specific dimensions have been placed on any of the plans provided by the developer and therefore we can only guess at the size of the houses proposed but from drawings they would appear to be of considerable size. I understand that they will provide at least five bedroomed detached accommodation. The land running from Holly Bush Ride to Little Fryth is on a slope and if one assumes that the houses to be built will be a minimum of 35 feet from ground level this would mean that from both the side and rear of my garden I would be overlooked by houses in a excess of 40 foot above the garden. This will obviously have a detrimental effect on both light and privacy which contradicts PPG3. I would point out that the proposed development will overlook my property from all of the rear aspect and virtually surrounds the garden.
The plans proposed and supplied to yourselves by the developer are inaccurate in that the proposed plot 2 site appears not to overlook my rear garden but by boundary definition on the plans will cover the majority of it.

This development supplies no benefit to local people or the area and if approved, merely lines the pockets of the developers and the occupants of the two relevant houses. For the greed of a few individuals it will cause misery to many others.

I have enclosed photographs of the rear aspect of my house which clearly shows the greenery etc. that would be destroyed. I would request that the inspector visits my property in order to provide a better understanding of the loss of privacy that this development would provide owing to the sloping nature of the site.

I look forward to hearing from you shortly with the proposed date of the visit.

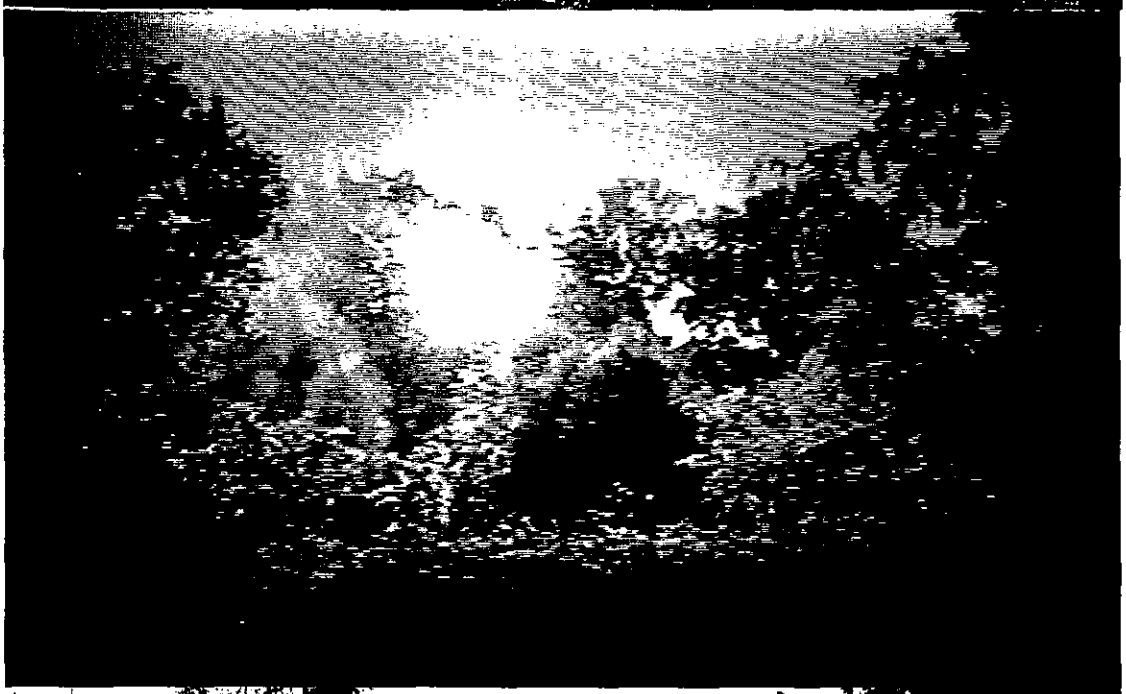
Yours sincerely,

Keith Ellwood

Christine Ellwood



LOOKING TOWARD PLOTS 1+2.



TOWARD PLOTS 2, 3 + 4 FROM SAME POSITION AS ABOVE.



TOWARD PLOTS 1 + 2 GIVING INDICATION OF GROUND LEVEL DIFFERENCE.

Tall Trees,
6 Little Fryth,
Finchampstead,
Berks. RG40 3RN

18th September 2000.

Angela Odell,
Planning Officer,
Wokingham District Council,
Environmental Services Department,
Planning Services,
P.O. Box 157
Shut End,
Wokingham,
Berkshire RG40 1WR.

Dear Mrs. Odell,

Ref: Planning Application Number F/2000/2225

I am writing to lodge an official objection against the above Planning Application. Whilst I appreciate the concerns relating to housing in this area I feel that the plans put forward by the developer offer very little advantage and merely provide substantial profits for a few to the potential misery of many others.

Having reviewed the application in detail I would like to comment using the paragraph numbers on the Planning Application.

2.2 They comment that the area is " well tree'd" but it is worth noting that in a relatively small area the developer intends to remove approximately forty three trees. This is in addition to twenty trees that were chopped down on the 5th August 2000. The proposed development has already changed the aspect considerably. The trees felled were approximately sixty foot high and offered cover to the houses in Little Fryth. These have already been destroyed!

2.3 Whilst the plots in Little Fryth are smaller than those in Holly Bush Ride the proposed plots of the development would be considerably smaller than those in Little Fryth and the submitted plan has not been prepared to scale and is misleading.

2.4 The application statement is true but is meaningless to this issue. Holly Bush Ride is a byway and the upkeep depends on the residents. There is no lighting on this road and no access to the rear. The road is already considerably congested particularly at peak times and the development will only add to this.

3.2 All gardens are considered Brownfield sites and therefore this is no different. Government interpretation was not meant to take this to the extreme and indeed this site does not meet all the existing criteria of the Government's Brownfield site policy.

3.3 The application states that the land is an "urban" area and states that the site accords with all of the criteria. This is clearly not so as it must also include access to services, lighting, schools and shops. With regard to these points the road is unlit, the nearest shop is approximately one mile. The nearest school is approximately two miles and business sites relating to employment even further! Also, no consideration seems to have been made for public transport which is extremely limited, water or sewage arrangements.

3.4 The application states that "higher density developments should be encouraged". I do not believe that the purpose behind this statement when originally made was to create a situation for building three additional houses.

3.6 I accept the statement made in the application noting that Berkshire needs to create 7,750 dwellings in the Wokingham District. This development would show a net gain of three dwellings for no benefit whatsoever and adding nothing to the area.

3.7 The application relates to the Wokingham South East Area Local Plan and I would point out that this is the old plan and the current version is not being used.

3.9 - 3.11 Firstly, the Policy relates to "affordable" housing. I have already been advised that the proposed selling prices of the four dwellings will be in the region of £700,000 which is surely at the higher end of the market and adds to my earlier point that this merely panders to the greed of a certain few individuals. Also, the criteria under policy SH1 considers the protection of wooded areas, gaps and garden areas which are important to the character of the settlement concerned. This particular development will have an adverse effect on the character of Little Fryth and offers very little space about buildings, insufficient garden areas and no off street parking. Again, I would reiterate that the plans put forward are not to scale and the garden areas have been considerably enhanced on the plans.

3.12 For my property the provision of daylight would be severely affected with a house immediately to the rear and a further house adjacent.

3.14 Whilst I accept the statement it surely means that they can develop unless they contravene the policy which they are clearly doing.

3.15 Having read Policy WH1 I accept its content but the proposed density of houses in such a small area is surely not in keeping with this.

4.1 This paragraph is clearly contentious and is at best another way of saying that you as the Planning Department cannot oppose it. I would point out that the criteria in PPG3 and the Local Plan policy have not been met and it is therefore unacceptable.

4.3 A meaningless statement. The developer should be prepared to state how they intend to safeguard the area as by their previous actions in felling trees this would clearly not seem to be the case.

4.4 Timberscombe is already a five bedroomed house with the intention of being demolished to be replaced with four new houses. This was surely not the purpose of the Government's plan. The paragraph states satisfactory access to the proposed development and also enhancing the spacious green of the street scene. Firstly, satisfactory access is on to a byway with conditions previously stated and I cannot see how the green appearance can be enhanced by the demolition of over sixty trees in a very small area. This paragraph is a total nonsense. It is also worth pointing out at this juncture that there are ten thirty foot conifers dividing my property from the rear of Cobwebs which have not been included on any of the developers plans for either felling or replanting and I have been informed by the owner of Cobwebs that the developers have advised her that they will remove these trees as soon as planning is agreed. Thus, there will be no screening whatsoever other than a four foot fence between my land and that of the new development. I cannot see how this will enhance a "green" environment. You may wish to look into this situation and enquire of the developers why they have not included these trees on their plans.

4.5 As previously stated Hollybush Ride is a byway and suffers from considerable congestion at peak periods with no rear access. Consequently, any further development will only add to this congestion and increase the density of traffic.

4.6 The paragraph states the proposed dwellings are comensurate with those of Little Fryth which they immediately adjoin. This is absolute rubbish and I will again reiterate that the plans laid before you are not to scale and the rear gardens of the proposed properties would be extremely small relative to the size of the houses. I agree that for the properties fronting Hollybush Ride they would still retain extremely large gardens but on the basis that it is they who are profiteering I find this of little relevance.

4.7 This paragraph is a total fabrication. As previously stated there have already been at least twenty trees removed from the property and I have video and photographic evidence of this when it was conducted of the 5th August 2000 by Arbofield Tree Surgeons. The intention is for at least another forty three trees to be felled in order to construct the development together with the felling of the ten thirty foot conifers between our boundaries. The paragraph also states substantial gaps between new dwellingswould be retained but again this is misleading and the plans should be required to be drawn to scale in order to prove this. The elevation of the building to the rear of my property will be minimum of four foot from my boundary and as the land is sloping will be built at an elevation of at least six foot above my property. Consequently the two properties that will surround mine will be on a higher elevation and therefore be even more imposing than the plans suggest. Once again, the plan is misleading and incorrect.

4.9 To state that there would be no conflict with neighbouring houses in terms of light, privacy and outlook, is ridiculous. As previously stated the development will be on a elevated site with easy views into my rear garden and house. The windows from the rear of the house to the rear of my garden will clearly provide visibility into said garden. This paragraph clearly relates to the houses in Hollybush Ride rather than Little Fryth and is utter nonsense.

5.1 The Local Plan "allows" best use of sites rather than "requires" it. The purpose of the plan was for brownfield development but surely not for existing gardens to be built on. The developer states that you should be promoting development on sites such as this but surely this should be subjective rather than a condition and the developer should not be telling the department what it should and should not do. The developer states that the scheme respects the established character and appearance of the residential area in terms of density, layout, design and retention of trees. From my points previously made this is clearly not the case and the developer has already removed trees without permission from the Council, clearly flaunting any regulations that you may impose. They also state that the units do not detract from the amenities of adjoining properties in terms of light, privacy or outlook which is clearly wrong.

Overall, the statements made by the developer in the proposed planning application range from the ambiguous to misleading and at times incorrect. The planned layout has not been drawn to scale and can easily mislead a reader into believing that the properties will offer substantial grounds in keeping with the locality. This is clearly not the case and the development will be in very close proximity to existing houses and overlook an existing development.

With regard to other matters I point out that the access to services is limited, the existing density is more than satisfactory and the properties are located in a wild life corridor which will be totally destroyed by this development.

A further point I would make relates to sewage. At present my land contains a covenant to give Timberscombe right of access for mains drainage etc. but only one of the proposed properties will be built on Timberscombe land. I would state now that it is not my intention to allow access to any further properties other than those built on Timberscombe land but I believe that it is clearly the intention of the developer to attempt to do this. It may also be worth noting that I have discovered that the property known as Cobwebs also has its drainage system through my land but unfortunately for the occupier this is not contained in my deeds. Consequently, it is my intention to inform them of this and given that one of the proposed developments is on the land of Cobwebs this could have serious repercussions. I accept that this may not materially affect your decision making process but felt it worth noting as again it highlights the developer's cavalier attitude to the rights of authorities and individuals.

Once again, I must reiterate that I strongly protest against this development as I feel that it is not borne out of attempting to help with the Government Plan but rather the greed of three individuals and a property developer .

Yours sincerely,





Keith Ellwood

Christine Helen Ellwood

8 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

19 September 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Mrs Odell,

Your Ref: Planning Application No. F/2000/2225

We understand that planning application F/2000/2225 (the "Proposal") has been made for the erection of 4 houses and the demolition of the existing dwelling at Timberscombe, Hollybush Ride and on neighbouring properties (the "Site") and that you have been appointed the Planning Officer to review the application.

Please accept this letter as our formal objection to the Proposal. Our many objections are made in the Appendices to this letter and are summarised below:

- The density of the proposed development of 4 houses is substantially higher than the neighbourhood and the small garden sizes are out of proportion for 5/6 bedroom houses in such a rural area.
- The Site is made up of the mature woodland gardens of substantial plots and should therefore be treated as more Greenfield than Brownfield.
- The Site is part of a Wildlife Corridor to Simons Wood and development would cause substantial and permanent environmental damage. The Wildlife Corridor is used by a huge variety of wildlife including badgers and bats who are protected species.
- The Site is out of Walking Distance of all local amenities including shops, schools, churches and public transport.
- The layout of the Site is such that one of the proposed houses is less than 20 metres from the back of our home. This back to back distance is substantially less than average for the neighbourhood and is not sympathetic to what is described by the Developers as "the spacious and attractive character of the area".
- There is no provision for mains sewage of the Site. This is discussed more fully in Appendix 6.
- The Site is subject to a restrictive covenant: "No part of the said land comprised in the said WDC Plan marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood."

An overwhelming majority of the residents in the neighbourhood, including ourselves have already sent you a letter stating that the development would be a nuisance and annoyance to the neighbourhood and therefore breach the covenant.

A copy of the letter and a map of the neighbourhood showing the homes of those who signed are set out in Appendices 1 and 2. Appendix 3 is a copy of the restrictive covenants registered at HM Land Registry.

In Appendix 4 we have commented on sections of the Report prepared on behalf of Brookworth Developments Ltd (the "Developers") where we believe it is inaccurate and misleading.

The Proposal contravenes numerous policies of the Wokingham District Local Plan (the "WDC Plan") and we have referenced these in Appendix 5.

The Developers has applied for full as opposed to outline planning permission. Whilst we are totally against development of the Site, we have been advised that we have to set out the detailed changes that we would ask for should planning permission be granted. Accordingly these are set out as Appendix 6.

The infilling of 4 properties of such a high density is not appropriate to the location as required by the National Policy Guidelines. Given its size, we believe that a maximum of 2 houses should be built on the Site, provided that back to back distances for all neighbouring properties was at least 30 metres.

The Proposal contravenes numerous WDC Plan policies and National Policy Guidelines and we therefore ask you to reject the application.

Yours sincerely

David Rice-Jones

Margaret Rice-Jones

Appendix 1

The Residents in
the Neighbourhood
of the area subject to
Planning Application
F/2000/2225

10 September 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Ms Odell,

Your Ref: Planning Application No. F/2000/2225

We understand that an application has been made to demolish Timberscombe and build 4 houses on Timberscombe and on the back gardens of 3 adjoining properties.

The land and building in question are subject to the following restrictive covenant contained in a Conveyance dated 13 April 1922 between John Walter (vendor) and Henry William Brake (purchaser) and registered with HM Land Registry.

"No part of the said land comprised in the said plan marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood."

The proposed development in Planning Application F/2000/2225 would be a nuisance and annoyance to the neighbourhood and contravene the restrictive covenant. Please reject the application on these grounds.

Yours sincerely

Signature	Name	Address	Occupation
	K. ELLWOOD	6. LITTLE FRYTH FINCHAMPSTEAD	MANAGER
	C. ELLWOOD	"	TEACHER
	M. WARSOP	4, LITTLE FRYTH, FINCHAMPSTEAD	MANAGER

Appendix 1

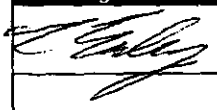
Signature	Name	Address	Occupation
	D G ASHTON	4, LITTLE FRYTH, WOKINGHAM, BERKS.	CONSULTANT
R.M. Salisbury	R.M. SALISBURY	2, LITTLE FRYTH, WOKINGHAM, BERKS	LIBRARIAN
	W.M. SALISBURY	2 Little Fryth Wokingham Berkshire	Air Traffic Controller.
	K.S. HOLLAND	1 Little Fryth Wokingham BERKS	Teacher
	M.H. HOLLAND	1, LITTLE FRYTH WOKINGHAM BERKS	CHARTERED ACCOUNTANT.
	P.T. HOPWOOD	3. Little Fryth Wokingham, Berks	Marketing Director.
Sally Hopwood	S.A. HOPWOOD	3, Little Fryth Wokingham, Berks	Business Planner
Karen Campbell	KAREN CAMPBELL	7 Little Fryth WOKINGHAM. BERKS	PA
	S. CAMPBELL	" " " "	ACCOUNTANT.
John Hewitt	J. HEWITT	9 Little Fryth	Surveyor
Cheryl Page	C. PAGE	11 LITTLE FRYTH	HOUSEWIFE
	N G PAGE	11 Little Fryth Finchampstead Berks	Company DIRECTOR
J May.	J. MAY	10 LITTLE FRYTH HOLLYBUSH RIDE FINCHAMPSTEAD	HOUSEWIFE
	I. MAY	"	MANAGING DIRECTOR.
J B Exelby	J. EXELBY	12 LITTLE FRYTH FINCHAMPSTEAD.	ACCOUNTANT.
K. Sharp	K. SHARP	15 LITTLE FRYTH FINCHAMPSTEAD	HOUSEWIFE.
C Richards	C RICHARDS	18 LITTLE FRYTH FINCHAMPSTEAD	COMPANY SECRETARY
A M Goodenough	A.M. GOODENOUGH	20 LITTLE FRYTH FINCHAMPSTEAD WOKINGHAM	CHARTERED ACCOUNTANT
S J Goodenough.	S.J. GOODENOUGH	20 LITTLE FRYTH WOKINGHAM	HOUSE WIFE.

Signature	Name	Address	Occupation
S Brown	S. BROWN	22 Little Fryth	Housewife
N P B	N P BROWN	—— " ——	DIRECTOR
D DeBanks	D. DEBANKS	24 LITTLE FRYTH.	PARTNER
F DeBanks	F. DE BANKS	" —— "	PARTNER
AF Woodford	AF. WOODFORD	26 "	RETIRED
A. Press	A. PRESS	31 " "	HOUSEWIFE
T. I. Press	T. I. PRESS	31 " "	INSURANCE MANAGER
B. Mavin	B. MAVIN	27 " "	CEO
Helen M Hodgkinson	HELEN HODGKINSON	25. " "	HOUSEWIFE
A Hodgkinson	ALLAN HODGKINSON	25 " "	IT MANAGER.
P Gates	PAT GATES	23 " "	HOUSEWIFE
L Rainey	L. RAINEY	19 LITTLE FRYTH.	ACCOUNTANT.
E White	E. WHITE	17 Little Fryth	Teaching Ass.
A White	A. WHITE	" " "	Director
D Rice-Jones	D RICE-JONES	8 LITTLE FRYTH	DIRECTOR
M. Rice-Jones	M. RICE-JONES	8 LITTLE FRYTH	Managing Director
Clive Hinson	CLIVE HINSON	BROOK HOUSE, HILLYARD ROAD	Company Director.
T. Evans	Trevor Evans	29, Little Fryth	Manager.
D Evans	DEE EVANS	—— " ——	BOOK-KEEPER

Appendix 1

Signature	Name	Address	Occupation
	D STOCK	ENGLEBURY, HOLLYBUSH RIDE, WOKINGHAM	CO. DIRECTOR
	KIM STOCK	—"—	N.T.A
	D. WHITHARSH	LAUREL HOUSE HOLLYBUSH RIDE WOKINGHAM.	SALES MANAGER.
	I. ANDERSON	MALTINGS HOLLYBUSH RIDE WOKINGHAM.	DIRECTOR.
	L. ANDERTON	MALTINGS HOLLYBUSH RIDE WOKINGHAM.	STUDENT TEACHER.
	H. WEARY	HERONS LANDING, HOLLYBUSH RIDE WOKINGHAM BERKS	ACCOUNTANT.
	C REILLY	AHLAN HOUSE HOLLYBUSH RIDE	HOUSE WIFE.
	PAUL ST CLAIR TERRY	BADGERS SPINNEY HOLLYBUSH RIDE	STRATEGIST
	CAROLINE VICTORIA TERRY	BADGERS SPINNEY HOLLYBUSH RIDE.	HOUSEWIFE.
P. Hooper	PAT HOOPER	CONIFERS HOLLYBUSH RIDE.	HOUSEWIFE
	JOHN HOOPER	" "	FINANCE DIRECTOR
	F.F. DEARSLEY	21 LITTLE FRYTH FINCHAMPSTEAD	ENVIRONMENT MANAGER
	A. DEARSLEY	21 LITTLE FRYTH HOLLYBUSH RIDE	FIN. PLANNING CONS.
	H RHIND	16, LITTLE FRYTH	AIR TRAFFIC CONTROLLER
	T. GOODSON	GREYMARS. Hollybush Ride WOKINGHAM.	DIRECTOR.
	A. SMITH.	14, LITTLE FRYTH, FINCHAMPSTEAD.	DIRECTOR.
	T. EVANS D EVANS	9. LITTLE FRYTH FINCHAMPSTEAD	~~MANAGER~~ BOOK-KEEPER
	C LOVELL-READ	Tanglewood, Hollybush Ride, Finchampstead	Housewife
	G. LOVELL-READ	" "	CONSULTANT.
	A. HUNT	CROFTERS Lodge, Holly Bush Ride Finchampstead	Housing Officer
	J BURGESS	DEERS LEAP, Hollybush ride Finchampstead, RG40	SECRETARY
	CJ OUTRAM	WOODWOOD HOLLYBUSH RIDE.	H Hunt

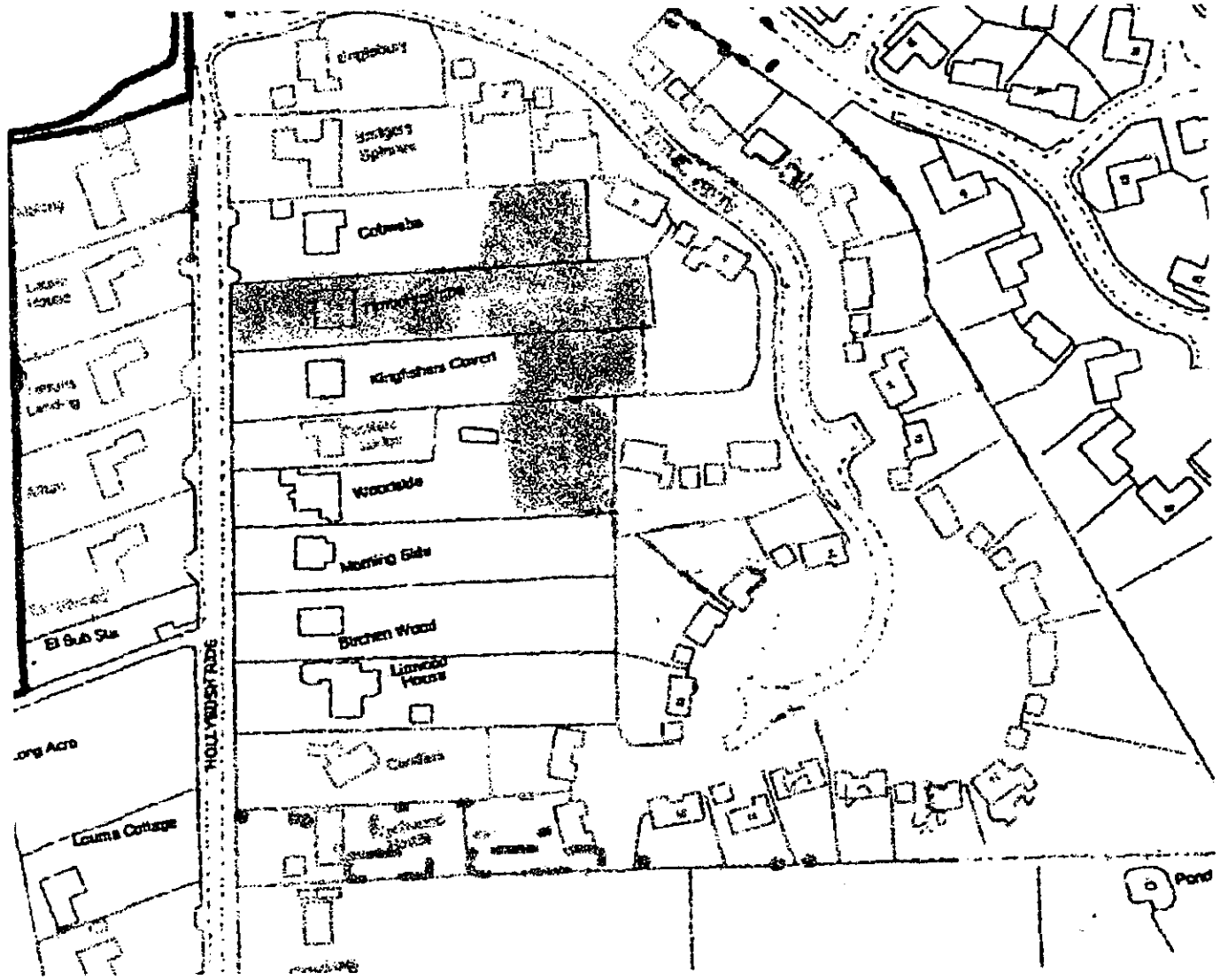
Appendix 1

Signature	Name	Address	Occupation
	C. EXELBY	12, Little Coyth, Finchampstead Wokingham BERKS. RG40 3QN	Managing Director Thomson multi-media.

The owners of the properties shaded in yellow signed the letter in Appendix 1 stating that the Proposal would be a nuisance and annoyance to the neighbourhood and contravene the restrictive covenant on the Site.

The proposed Site is shaded red.

We understand that the owners of Morningside, Birchen Wood, Linwood House, Long Acre and Lourna Cottages have either had discussions with the Developers or are in the process of applying for planning permission on their plots.



OFFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting on the register on **8 September 2000.** This date **must be quoted as the 'search from date' in any official search** application based on this copy.
Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.
Issued on 11 September 2000 by HM Land Registry.
This title is administered by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK98259

Edition Date : 4 September 2000

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

WOKINGHAM

1. (28 January 1970) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Timberscombe, Hollybush Ride, Finchampstead, (RG40 3QP).

2. The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

3. A Deed dated 7 May 1991 made between (1) Bryant Homes Southern Limited and (2) Dennis John Grover and Ethel Janice Grover is expressed to grant rights of drainage.

   NOTE:-Copy filed.

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (3 December 1970) **PROPRIETOR(S):** DENNIS JOHN GROVER and ETHEL JANICE GROVER, his wife, both of Timberscombe, Hollybush Ride, Finchampstead, Wokingham, Berks, RG40 3QP.

Title Number : BK98259

B: Proprietorship Register continued

2. (4 September 2000) **CAUTION** in favour of Brookworth Developments Limited of Overdene House, 49 Church Street, Theale, Reading, Berks, RG7 5BX and of 3000 Hillswood Drive, Chertsey, Surrey, KT16 0RS.

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

1. A Conveyance of the land in this title and other land dated 13 April 1922 made between (1) John Walter (Vendor) and (2) Henry William Brake (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

2. A Conveyance of the land in this title and other land dated 22 April 1937 made between (1) Henry William Brake (Vendor) and (2) Walter George Bates (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

****

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 13 April 1922 referred to in the Charges Register:-

The Purchaser for himself his heirs executors administrators and assigns hereby covenants with the Vendor his heirs executors administrators and assigns to the intent and so as to bind not only himself personally but also (so far as practicable) all future owners and tenants of the lands and premises hereby assured or any part thereof and to bind such lands and premises into whosoever hands the same may come but not so as to render the Purchaser personally liable in damages for breach thereof after he shall have parted with all interest in the premises hereby assured or any part thereof that he the Purchaser and the Persons deriving title under him will henceforth and at all times hereafter observe and perform the stipulations and conditions contained in Second Schedule hereto

THE SECOND SCHEDULE above referred to

1. No building shall be erected on the said land hatched green and brown on the said plans marked A and B to cost less than £700 but this shall not be construed to preclude the Purchaser from enlarging any existing buildings irrespective of value nor to preclude the erection of private boat houses or summer houses in connection with any private dwelling houses no such building erected on the said land hatched green and brown on the said plan shall be used otherwise than as a private residence together with usual offices and out buildings.

2. No building manure pit or cesspool except a lodge not exceeding 15 feet in height from ground level to ridge of roof shall be erected on the said land within 50 feet of the highway.

3. No part of the said land comprised in the said plans marked A B and C nor any buildings to be erected thereon shall be used for any purpose

Title Number : BK98259

Schedule of Restrictive Covenants continued

which may be or grow into a nuisance or annoyance to the neighbourhood.

4. No temporary dwelling building or erection of any kind except sheds to be used during the working hours by workmen employed in building or completing houses upon any of the said land shall be erected on any of said land and no booths caravans shows swings or roundabouts shall be placed or used thereon.

5. No part of the land shall be used as an advertisting station (except for the purpose of advertising any part or parts of property hereby agreed to be sold) or for entertaining beanfeasters or pleasure parties.

6. No manufacturing shall be carried on on any of the said land or buildings erected thereon and no permanent operative machinery shall be fixed or placed thereon except the existing Saw Mills and Laundry and no bricks or tiles shall be made nor any clay or lime be burned on any of the said land but this clause shall not be so construed as to preclude the Purchaser his heirs executors administrators or assigns from erecting and using machinery for private uses such as the generating of electric light gas pumping of water and anything in connection with farming work such as Chaff Cutting Root crushing Cake breaking and private works of similar character.

NOTE:-The land hatched green and brown referred to above does not affect the land in this title. The land in this title forms part of the land on the plan marked A referred to above.

2. The following are details of the covenants contained in the Conveyance dated 22 April 1937 referred to in the Charges Register:-

"The Purchaser hereby further covenants with the Vendor that he will not excavate or dig any sand gravel or brick earth from the said piece of land except in the course of laying the foundations of the houses or outbuildings to be erected thereon or for use in erecting such to be erected thereon or for use in erecting such buildings AND ALSO will not erect any building nearer the road adjoining the said piece of land than fifty feet or of less value than three hundred pounds unless erected 250 feet from the roadway reckoning net cost of labour and material And also will not carry on or permit to be carried on upon the said piece of land any noxious noisome or offensive trade business occupation or manufacture AND ALSO will keep in repair half the road and footpath adjoining the said piece of land until the Parochial or other Public Authorities shall take upon themselves the repairs of the same AND ALSO will not allow any traction engines to be used upon any roads abutting upon or in any way forming an approach to the said piece of land."

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register.

Comments on the report prepared on behalf of Brookworth Developments Ltd

We have commented on sections of the report prepared on behalf of Brookworth Developments Ltd (the "Report") where we believe it is inaccurate, incomplete or misleading. The references in the left hand margin relate to the paragraph numbers in the Report.

2.1 The Report states that the Site is approximately 0.45 Hectares whereas section 4 of the Planning Application Part 1 states it to be 0.49 Hectares.

2.3 The rear of the existing properties have already been infilled with the development of Little Fryth. The Proposal is to infill an area that has already been infilled.

2.4 The Site is off Hollybush Ride (a bye way rather than an adopted road) and is half a mile from the junction of Nine Mile Ride and the Lower Wokingham Road. This is not a "major road junction" and is served by a mini roundabout.

3.2 We maintain that the Site is more Greenfield rather than Brownfield as the definition of Brownfield is subject to many different criteria. We understand that the gardens of properties such as Timberscombe with substantial plots have been treated as Greenfield for planning purposes. We would therefore ask the council to treat the Site as Greenfield when reviewing the application.

3.3 The Site is neither previously developed nor within an urban area. Instead it is part of a wooded corridor from Simons Wood in a rural area within half a mile of substantial National Trust woodland. The proposed development would neither be an urban extension nor would it be in a good public transport corridor.

The Report states that the Proposal accords with the criteria of paragraph 31 of the National Planning Policy Guidance. Paragraph 31 requirements include accessibility to jobs, shops and services and sewerage capacity. The Site is not within walking distance of jobs, shops or services and all journeys would have to be undertaken by car. There is no access to mains sewage as discussed in Appendix 6

3.4 Infilling 4 properties of such a high density does not reflect the low density rural character and landscape of Hollybush Ride and the surrounding neighbourhood. Whilst the National Policy Guidance encourage high density developments, the density needs to be appropriate to the location, which it is not.

3.6 This Proposal is for a net gain of 3 houses and represents only 0.039% of the 7,750 dwellings to be built from 1995 to 2006.

3.8 We understand that an area including the Site was included in the settlement area after the Wokingham South East Area Local Plan was adopted in April 1994. As local residents were not made aware of this, we believe that due process may not have been followed and that the Site should be excluded from the settlement area.

3.9 The density of the proposed development is substantially less than the environs particularly as a large part (approx 40%) of the Site is used as an access corridor. The average plot size (exluding access roads) of the Proposal compared to the neighbourhood of Hollybush Ride and Little Fryth is as follows:

Average Plot Size

Proposal	0.167 Acres
Little Fryth	0.25 Acres
Hollybush Ride	0.45 Acres

The garden areas of the Site are important to the character of the settlement concerned and should be protected in accordance with STV6.

3.10 The Report is misleading in that it misquotes SH1 and misses out key parts of the policy. The Report says "Policy SH1 generally ***favours*** infilling, subject to detailed environmental constraints.

SH1 actually says "Infilling, rounding off and redevelopment generally ***will be considered favourably*** subject to local environmental constraints ***and other provisions of this plan"***.

SH1 points out that in interpreting the policy the District Council will particularly wish to ensure that the following criteria are complied with:

- The protection of open and wooded areas, gaps and garden areas which are important to the character of the settlement
- No significant adverse effect on the character of the area
- The provision of adequate garden areas, space about buildings and off street parking for all new dwellings

The Proposal fails to meet the 3 criteria above.

3.12 The proposed dwellings are as close as 7metres to existing properties and would significantly affect the daylight and sunlight conditions of 2, 4, 6, 8 and 12 Little Fryth.

4.1 Please see 3.2 above.

The WDC Plan only allows the development of Brownfield Sites ***when other policies and guidelines are met***. The points raised in Appendices 4 and 5 show that the application contravenes numerous policies and guidelines.

4.2 Each application should be decided upon based on the merits of each individual case. We believe that references to other decisions are inappropriate.

4.3 The Site is part of a Wildlife Corridor (as defined by Wokingham District Council) to Simons Wood. The Wildlife Corridor is used by a huge variety of wildlife including foxes, rabbits, snakes, deer, bats and badgers. Bats and badgers are protected species.

Bullfinches and Songthrush also use the Wildlife Corridor and are 2 of 36 species on the RSPB's "Red" list of birds whose population is rapidly declining.

The majority of the Site will be felled and disjoint the woodland corridor. The Developers accepts that the environmental qualities, character and amenities of the area need to be safeguarded but fail to explain how this will be achieved.

4.4 Whilst the Developers maintain that the Proposal would retain the "green" appearance of the street scene of Hollybush Ride, they have omitted to mention the severe detrimental impact on the outlook of the neighbouring properties on Little Fryth.

4.5 It is our understanding that the Developers have agreements with the owners of Cobwebs and Kingfishers Covert that require foliage at the front/sides of both properties to be cut back and kept at a low height to ensure visibility of traffic coming out of the Site. This will substantially detract from the existing green nature of the street scene in Hollybush Ride.

4.6 Please see comments to 3.9 above. A large part (approx 40%) of the Site is used as an access corridor. If this is excluded, the density is 15 houses per hectare, which is significantly higher than the surrounding neighbourhood. The average plot size on Little Fryth is 50% larger and on Hollybush Ride 270% larger than the Proposal.

All the back gardens are very small and out of keeping with the existing neighbourhood and the style of 5/6 bed dwellings being proposed. Distances from buildings to the back fences are only:

Plot 1	8 metres
Plot 2	10 metres
Plot 3	10 metres
Plot 4	12 metres

4.7 All of the significant trees on the Site (including several that we believe should have had preservation orders) were felled early one Saturday morning by the Developers just prior to the planning application being submitted. Video and photographic evidence of this can be supplied.

The plans show a number of trees that overlook but aren't actually on the Site which gives a misleading impression of the number of trees to be retained. The plans show that over 50% of the trees on the Site will be felled. This number excludes the substantial number of recently felled trees mentioned above.

Spacing between the proposed houses is as low as 3 metres. This compares with an average gap of 13 metres between numbers 4, 6 and 8 Little Fryth.

We agree with the Developers that the area has a spacious and attractive character. However, due to the minimal gaps between new and existing dwellings, we disagree that the overall appearance of the proposed development would be sympathetic to it.

4.9 Care has been taken to minimise the impact of the development on Cobwebs, Kingfishers Covert and Woodside (whose owners are selling part of their properties to the Developers) by siting the houses as far away as possible from the existing properties and putting in place appropriate screening and landscaping.

As a result, the impact in terms of light, privacy and outlook on the adjoining houses on Little Fryth is substantial. The Developers have made no attempt to consult with the adjoining properties on Little Fryth to ensure that the impact on them was minimised.

5.1 We consider the Site to be Greenfield and not Brownfield. The WDC Plan does not ***require*** use of sites as stated in the Report; it merely ***allows*** them provided that policies and guidelines have been met. Whilst some policies and guideline have been met, many others have not.

It is subjective for the Developers to maintain that the Council should be promoting development on sites such as this. It is for the Council to decide each case based upon the merits of each individual application.

The Proposal does not respect the established character and appearance of the neighbourhood in terms of density, layout and the retention of trees.

The detailed design and siting of the houses substantially detracts from the adjoining properties on Little Fryth in terms of light, privacy and outlook.

5.2 The Proposal does comply with some of the requirements of national policy and policies of the WDC Plan. However, it breaks many others some of which are detailed in Appendix 5. Planning permission should therefore not be granted.

Planning Policies

The proposed development contravenes many policies in the Wokingham District Local Plan (the "WDC Plan") including:

WOS1(D) The Site is not within Walking Distance (as defined by Wokingham District Council) of any local amenities including shops, schools and public transport and all journeys would therefore need to be undertaken by private car.

WOS1(G) The Proposal does not make any improvements to infrastructure, services and amenities.

WOS3(A) The Proposal would be to the detriment of the visual and other amenities of the adjoining properties on Little Fryth.

WOS3(B) For the adjoining properties on Little Fryth there is no provision to either site the houses far enough away or to provide landscaping treatment to protect the local visual amenity.

WOS3(C) See comment on WOS1(D) above.

WOS3(F) The design does not respect the local context by virtue of siting, layout and massing.

WOS5(D) The WDC Plan seeks to minimise environmental impact by reusing and the refurbishment of existing buildings in preference to redevelopment. The Proposal includes the demolition of a viable existing property on Timberscombe on the frontage of Hollybush Ride and replacing it with an access road.

WNC6 The land of the proposed development is part of a Wildlife Corridor (as defined by Wokingham District Council) to Simons Wood. The Wildlife Corridor is used by a huge variety of wildlife including foxes, rabbits, snakes, deer and badgers who are a protected species. Bullfinches and Songthrush also use the corridor and are 2 of 36 species on the RSPB's Red list of birds whose population is rapidly declining. Developing the Site would cause substantial permanent damage to and therefore not protect the Wildlife Corridor.

WBE10(b) The high density and small plot sizes of the proposed dwellings means that they are not appropriate in scale, form and continuity with the local context.

WBE10(d) See comment on WNC6 above.

WBE11(a) The Site had groups of mature trees recognised as having amenity and conservation value. All of the significant trees on the Site (including several that we believe should have had preservation orders) were felled early one Saturday morning by the Developers just prior to the planning application being submitted.

We understand that in certain circumstances the Council can seek the landowner to maintain and replace important trees. We ask the Council to do so and also consider the proposed development and Site with the replacement trees included.

WH1 The Proposal would be inappropriate development of wooded and garden areas that are important to the character of the neighbourhood and have a severe adverse impact upon the Wildlife Corridor and on nature conservation. The Proposal would therefore not meet the WDC Plan's requirements for infilling.

Sewage

The existing situation with regard to mains sewage of the 4 existing properties is as follows:

- The owners of Timberscombe have mains sewage access (from Timberscombe only) through the drains of 6 Little Fryth.
- The owners of Woodside have mains sewage access (from Woodside only) through the drains of 12 Little Fryth.
- We believe that the owners of Kingfishers Covert do not have access to mains sewage.
- The owner of Cobwebs has connected to the drains of 6 Little Fryth but has no agreement to do so.
- There is no mains sewage access to the Site via Hollybush Ride.

We understand from the owners of 6 and 12 Little Fryth that:

- In no circumstance will the owners of 12 Little Fryth allow mains sewage access from any properties built on the land of Cobwebs, Timberscombe and Kingfishers Covert.
- In no circumstance will the owners of 6 Little Fryth allow mains sewage access from any properties built on the land of Cobwebs, Woodside and Kingfishers Covert.
- The owners of 6 Little Fryth intend notifying the owner of Cobwebs that they intend cutting the property off from mains drainage.

The proposed development would therefore have access to mains sewage for houses 2 and 4 but not for houses 1 and 3.

Detailed Changes

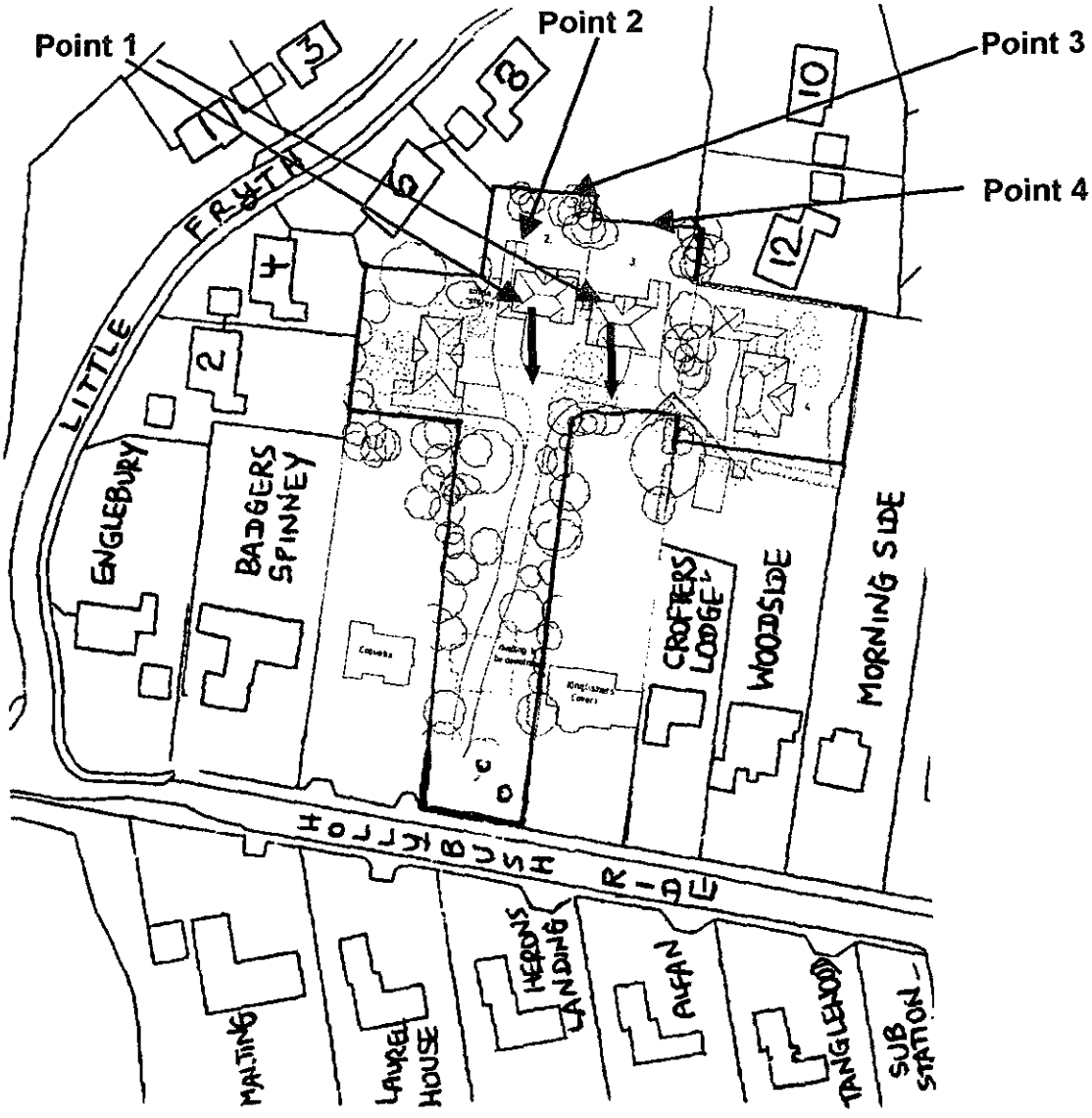
The following detailed changes are requested in the event that planning permission is granted. These requests are made due to the close proximity of houses 2 and 3 to 8 Little Fryth. As proposed, House 2 is under 20 metres from 8 Little Fryth, which is substantially less than the average back to back distance of the neighbourhood.

Point 1 Houses 2 and 3 are moved forward at least 5 metres in the direction of the arrows to maximise the back to back distance.

Point 2 The single storey part of House 2 should not extend beyond the back of the main part of the house to reduce the distance between House 2 and 8 Little Fryth. If this request is not granted then House 2 should be built as a mirror image to reduce the distance between House 2 and 8 Little Fryth.

Point 3 The Developers should be obliged to Plant mature screening to a height of 4 meters on the back fence of house 2 to obscure the view from 8 Little Fryth.

Point 4 There is currently a mature hedge 4 metres high at the bottom of Kingfishers Covert. This is missing on the submitted Plans. The Developers should be required to retain this hedge at its existing height to maximise the screening of House 3 from 8 Little Fryth.



8 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

10 March 2001

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

Dear Miss Groves,

Your Ref: APP/X0360/A/01/1058304

We understand that Brookworth Developments Ltd have appealed Wokingham District Council's ("WDC") decision to refuse planning application F/2000/2225

We fully support WDC's reasons for refusing planning permission. Whilst WDC only mentioned 3 reasons in their notification, we believe that there are numerous other reasons for refusing planning permission that are mentioned in our 19 September 2000 letter to WDC, a copy of which is enclosed.

Brookworth Developments don't appear to have made any representations as to why WDC's decision should be overturned except for a Tree and Landscape Report. We have commented on this separately but nothing in it addresses WDC's Reasons for Refusal of Permission.

We would like to attend the Informal Hearing into this Appeal and invite the Inspector to view the Site from the garden of our property.

The proposed development would:

- Contravene numerous WDC Plan policies and National Policy Guidelines
- Have a harmful effect on the character and appearance of the area
- Result in an unacceptable overlooking of and an overbearing effect on existing residential property
- Set a precedent for similar development nearby that would compound the harm to the character and appearance of the area

We therefore ask the Inspector to reject the Appeal.

Yours sincerely

David Rice-Jones

Margaret Rice-Jones

Comments on Tree and Landscape Report for Brookworth Developments

The pictures in the report are selective in the groups of trees that are shown and have been taken from angles that seek to isolate specific groups. Unfortunately we could not gain access to take some general pictures from within the site. However, we have taken some pictures of the site from our house, which we feel give a more balanced view and are shown below.

We believe that there are approximately 100 mature trees on the site (after a substantial number were felled last year just prior to the planning application being made). The proposed development would result in the loss of virtually all trees except those on some boundaries.

A number of the trees that the report says are not worthy of a TPO are similar to some trees in our garden that had individual TPO's placed on them over 10 years ago.

We understand that in the past WDC has applied blanket tree preservation orders in the neighbourhood to protect the woodland nature of the area, provide Wildlife Corridors and natural boundaries between developments. Examples include areas that separate Ashdale Park and Little Fryth and Hollybush Ride. Order 1015/2000 is just an extension of WDC's successful policy.

We believe that Order 1015/2000 fully complies with Local Plan Policy WBE11









14 March 2001

Miss A Groves
Planning Inspectorate
Room 10/04
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

BY FAX

Dear Miss Groves

APPEAL BY BROOKWORTH DEVELOPMENTS LTD
LAND TO THE REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD
REFERENCE: APP/X0360/A/01/0158304

With reference to the above appeal, we have been instructed by Mr Keith Ellwood on behalf of residents of Little Fryth to object to this proposal, for reasons as set out below.

SITE DESCRIPTION

The rear gardens of the properties on the eastern side of Hollybush Ride are large and lengthy and contain a number of mature trees. These trees provide a wooded and attractive backdrop to the area, enhancing the character. There is a mixture of different styles of houses in the area, generally in spacious plots.

A number of the existing properties in Little Fryth will be directly affected by the proposals. Nos. 2, 4, 6, 8 and 12 adjoin the development site boundaries and will be most affected. It is not clear from the application drawings that the ground level at Little Fryth is much lower than the ground level of the application site.

RELEVANT DEVELOPMENT PLAN POLICIES

The relevant plans are the Berkshire Structure Plan, adopted in 1997 and the South East Area Local Plan, adopted in 1994. The Wokingham District Local Plan, Deposit Draft 1997 (as amended) has also been adopted for development control purposes by the Council, for the period up to 2006.

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Policy WH1: Housing Development – unidentified sites

The application site is within an identified settlement, where housing development is acceptable, subject to local environmental and amenity considerations and other policies. Criteria A, B, C and E are relevant in this case.

The development of four large dwellings in existing gardens in a wooded area, both of which is important to the character of the settlement, is inappropriate. The proposal would have a significant adverse effect on the character of the area. Overlooking and overshadowing would take place on neighbouring residential properties in Little Fryth. The dominant effect of the houses would be worsened by the fact that the application site is on ground higher than the properties in Little Fryth.

Four large detached dwellings, shoehorned onto the appeal site, will significantly harm the spacious character of the existing residential properties in Hollybush Ride. The large gardens in Little Fryth provide a wooded environment ideal for birds and wildlife. The proposal would result in the loss of a significant number of trees and extensive garden area, which would have an adverse effect on this attractive area.

The proposal therefore does not accord with WH.1, criteria A, B and E. It is noted that the District Council has not referred to a breach in this policy in its refusal notice, erroneously in our view. We attach a copy of this policy and supporting text for information.

South-east area Local Plan policy SBE.2: Inappropriate Design Deposit Draft Local Plan Policy WBE1: Development in its Local Context

Both the above adopted Local Plan policy and the emerging policy, refer to design principles for new development and to the requirement that new development should respect the surrounding area. The provision of four large detached dwellings on relatively small plots, is out of character and context with the surrounding area. The "backland" layout, form, scale and massing of the proposal is inappropriate, and would create a development with no street frontage.

Due to the difference in levels, severe overlooking and overshadowing would occur. The dwelling at Plot 1 would overlook and overshadow Nos. 2, 4 and 6 Little Fryth. Proposed Plot 2 would overlook and overshadow No. 6 and 8. The appeal site is to the south of Nos. 2, 4 and 6 Little Fryth, leading to the loss of significant amounts of sunlight to gardens and main habitable rooms of these dwellings. Plot 4 would overshadow and overlook the garden of No. 12 Little Fryth. The privacy and residential amenities of Nos. 2, 4, 6, 8 and 12 Little Fryth would therefore be significantly compromised by the proposal.

The proposals would therefore be in breach of SBE2 and WBE1.

Local Plan Policy SBE9: Existing Trees
Deposit Draft Policy WBE11: Protection of Trees

The above policies refer to the amenity value of trees. As a result of the original application for development, the Council has served a blanket TPO on much of the application site (reference 1015/2000). The purpose of the TPO is to protect the area of trees which contain various species, Silver Birch, Scotch Pine, Oak, Sweet Chestnut, Yew etc. Collectively, this wooded area has significant amenity value and enhances the surrounding landscape, hence the TPO.

Clearly, the development would result in the loss of a significant number of these mature trees despite the TPO, thereby adversely affecting the character and appearance of the area and the natural ecology. Even those trees not proposed to be removed will be affected in due course, as occupiers of the new houses seek to have them lopped or topped, and ultimately felled, to improve sunlight and daylight, to gardens, windows etc.

Deposit Draft WOS1: Sustainable Development

This policy seeks to ensure that development is sustainable and improves the quality of life. Although the site is within an identified settlement, it is a considerable distance from essential services, such as shops, schools, hospitals, leisure and employment centres. The proposal will not therefore minimize the need to travel by private car, and as such is in breach of this policy.

Structure Plan Policy EN1: Protection and Enhancement of the Environment

To accord with this policy, new development must not adversely affect the environmental quality of areas and be appropriate in scale, form, impact, character and siting to its location. The loss of trees and garden space as referred to above, would not enhance the character of the area, and the open, spacious and wooded character of the surrounding area would be diminished by the proposal. The proposal is therefore in breach of this policy.

Current Government Guidance: PPG3

While this guidance note encourages re-use of previously developed land, it also advises that such re-use should not be at the expense of the amenities, privacy etc., of existing occupiers of houses, or of the character of the area. Paragraph 1 of PPG3 states that new housing in residential environments should be well designed and should improve the quality of life. The proposal, for the reasons as set out above, does not comply with this guidance.

In addition, the Guidance Note seeks sustainable development, by building in areas which can have good access to public transport and minimize the need to travel. Again, for reasons as set out above, the proposal does not comply with this guidance.

Paragraph 52 of PPG3 stresses the importance of landscape, and that it should be an integral part of new development, and that opportunities should be taken for retention of trees and shrubs.

Clearly, the loss of a significant number of trees, and the over-developed nature of the proposal, would not be in compliance with Government advice.

Similarly, paragraph 56 of PPG3 advises that new housing development should not be viewed in isolation. Consideration of design and layout must be informed by the wider context. The local pattern of streets and spaces should all help to determine the character and identity of the development. In this context, the surrounding area is of low density housing, with spacious large gardens. The proposed design and layout of the development has not been informed by this context, but has been designed in isolation of it. The backland and cramped nature of the development proposed is clearly out of character with the surrounding area and would set a harmful precedent, encouraging other owners of property in the area to develop their back gardens, with further adverse effect on the area.

Finally, paragraph 63 of PPG3 states that Local Authorities should reject poor design, particularly where their decisions are supported by clear plan policies. In this context, we have set out the clear plan policies above, and in our view, the design and layout of the proposals are unacceptable.

There are clear policy breaches associated with this development. It will cause unacceptable harm to the character and appearance of the area and to the occupiers of the nearby houses. We would therefore request that the appeal be dismissed.

Yours sincerely

CHRISTOPHER STRANG

Cc Mr K Ellwood, 6 Little Fryth, Finchampstead, Wokingham RG40 3RN
Mrs A Odell, Wokingham District Council Planning Department

Christopher Strang Associates

TOWN & COUNTRY PLANNING CONSULTANTS

36 Donnington Square, Newbury, Berkshire RG14 1PP
Telephone: Newbury (01635) 580092 Fax: 01635 31181

FAX TRANSMISSION

TO: Miss A. Groves **FAX NO:** 0117 987 8443

FROM: Chris Strang. **DATE:** 14/3/01

Number of pages sent including this one:

MESSAGE

To follow is an objection letter to an appeal.

Chris

Christopher Strang Associates

TOWN & COUNTRY PLANNING CONSULTANTS

36 Donnington Square, Newbury, Berkshire RG14 1PP
Telephone: Newbury (01635) 580092 Fax: 01635 31181
Email: crwstrang@aol.com

14 March 2001

Miss A Groves
Planning Inspectorate
Room 10/04
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

BY FAX

Dear Miss Groves

APPEAL BY BROOKWORTH DEVELOPMENTS LTD
LAND TO THE REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD
REFERENCE: APP/X0360/A/01/0158304

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A number of the existing properties in Little Fryth will be directly affected by the proposals. Nos. 2, 4, 6, 8 and 12 adjoin the development site boundaries and will be most affected. It is not clear from the application drawings that the ground level at Little Fryth is much lower than the ground level of the application site.

RELEVANT DEVELOPMENT PLAN POLICIES

The relevant plans are the Berkshire Structure Plan, adopted in 1997 and the South East Area Local Plan, adopted in 1994. The Wokingham District Local Plan, Deposit Draft 1997 (as amended) has also been adopted for development control purposes by the Council, for the period up to 2006.

Christopher Strang BSc. (Hons), MRTPI
Isabel Strang

Policy WH1: Housing Development – unidentified sites

The application site is within an identified settlement, where housing development is acceptable, subject to local environmental and amenity considerations and other policies. Criteria A, B, C and E are relevant in this case.

The development of four large dwellings in existing gardens in a wooded area, both of which is important to the character of the settlement, is inappropriate. The proposal would have a significant adverse effect on the character of the area. Overlooking and overshadowing would take place on neighbouring residential properties in Little Fryth. The dominant effect of the houses would be worsened by the fact that the application site is on ground higher than the properties in Little Fryth.

Four large detached dwellings, shoehorned onto the appeal site, will significantly harm the spacious character of the existing residential properties in Hollybush Ride. The large gardens in Little Fryth provide a wooded environment ideal for birds and wildlife. The proposal would result in the loss of a significant number of trees and extensive garden area, which would have an adverse effect on this attractive area.

The proposal therefore does not accord with WH.1, criteria A, B and E. It is noted that the District Council has not referred to a breach in this policy in its refusal notice, erroneously in our view. We attach a copy of this policy and supporting text for information.

South-east area Local Plan policy SBE.2: Inappropriate Design.Deposit Draft Local Plan Policy WBE1: Development in its Local Context

Both the above adopted Local Plan policy and the emerging policy, refer to design principles for new development and to the requirement that new development should respect the surrounding area. The provision of four large detached dwellings on relatively small plots, is out of character and context with the surrounding area. The "backland" layout, form, scale and massing of the proposal is inappropriate, and would create a development with no street frontage.

Due to the difference in levels, severe overlooking and overshadowing would occur. The dwelling at Plot 1 would overlook and overshadow Nos. 2, 4 and 6 Little Fryth. Proposed Plot 2 would overlook and overshadow No. 6 and 8. The appeal site is to the south of Nos. 2, 4 and 6 Little Fryth, leading to the loss of significant amounts of sunlight to gardens and main habitable rooms of these dwellings. Plot 4 would overshadow and overlook the garden of No. 12 Little Fryth. The privacy and residential amenities of Nos. 2, 4, 6, 8 and 12 Little Fryth would therefore be significantly compromised by the proposal.

The proposals would therefore be in breach of SBE2 and WBE1.

Local Plan Policy SBE9: Existing Trees
Deposit Draft Policy WBE11: Protection of Trees

The above policies refer to the amenity value of trees. As a result of the original application for development, the Council has served a blanket TPO on much of the application site (reference 1015/2000). The purpose of the TPO is to protect the area of trees which contain various species, Silver Birch, Scotch Pine, Oak, Sweet Chestnut, Yew etc. Collectively, this wooded area has significant amenity value and enhances the surrounding landscape, hence the TPO.

Clearly, the development would result in the loss of a significant number of these mature trees despite the TPO, thereby adversely affecting the character and appearance of the area and the natural ecology. Even those trees not proposed to be removed will be affected in due course, as occupiers of the new houses seek to have them lopped or topped, and ultimately felled, to improve sunlight and daylight, to gardens, windows etc.

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This policy seeks to ensure that development is sustainable and improves the quality of life. Although the site is within an identified settlement, it is a considerable distance from essential services, such as shops, schools, hospitals, leisure and employment centres. The proposal will not therefore minimize the need to travel by private car, and as such is in breach of this policy.

Structure Plan Policy EN1: Protection and Enhancement of the Environment

To accord with this policy, new development must not adversely affect the environmental quality of areas and be appropriate in scale, form, impact, character and siting to its location. The loss of trees and garden space as referred to above, would not enhance the character of the area, and the open, spacious and wooded character of the surrounding area would be diminished by the proposal. The proposal is therefore in breach of this policy.

Current Government Guidance: PPG3

While this guidance note encourages re-use of previously developed land, it also advises that such re-use should not be at the expense of the amenities, privacy etc., of existing occupiers of houses, or of the character of the area. Paragraph 1 of PPG3 states that new housing in residential environments should be well designed and should improve the quality of life. The proposal, for the reasons as set out above, does not comply with this guidance.

In addition, the Guidance Note seeks sustainable development, by building in areas which can have good access to public transport and minimize the need to travel. Again, for reasons as set out above, the proposal does not comply with this guidance.

Paragraph 52 of PPG3 stresses the importance of landscape, and that it should be an integral part of new development, and that opportunities should be taken for retention of trees and shrubs.

Clearly, the loss of a significant number of trees, and the over-developed nature of the proposal, would not be in compliance with Government advice.

Similarly, paragraph 56 of PPG3 advises that new housing development should not be viewed in isolation. Consideration of design and layout must be informed by the wider context. The local pattern of streets and spaces should all help to determine the character and identity of the development. In this context, the surrounding area is of low density housing, with spacious large gardens. The proposed design and layout of the development has not been informed by this context, but has been designed in isolation of it. The backland and cramped nature of the development proposed is clearly out of character with the surrounding area and would set a harmful precedent, encouraging other owners of property in the area to develop their back gardens, with further adverse effect on the area.

Finally, paragraph 63 of PPG3 states that Local Authorities should reject poor design, particularly where their decisions are supported by clear plan policies. In this context, we have set out the clear plan policies above, and in our view, the design and layout of the proposals are unacceptable.

There are clear policy breaches associated with this development. It will cause unacceptable harm to the character and appearance of the area and to the occupiers of the nearby houses. We would therefore request that the appeal be dismissed.

Yours sincerely

CHRISTOPHER STRANG

Cc Mr K Ellwood, 6 Little Fryth, Finchampstead, Wokingham RG40 3RN
Mrs A Odell, Wokingham District Council Planning Department

Christopher Strang Associates

TOWN & COUNTRY PLANNING CONSULTANTS

36 Donnington Square, Newbury, Berkshire RG14 1PP
Telephone: Newbury (01635) 580092 Fax: 01635 31181
Email: crwstrang@aol.com

14 March 2001



Miss A Groves
Planning Inspectorate
Room 10/04
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

BY FAX

Dear Miss Groves

APPEAL BY BROOKWORTH DEVELOPMENTS LTD
LAND TO THE REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD
REFERENCE: APP/X0360/A/01/0158304

With reference to the above appeal, we have been instructed by Mr Keith Ellwood on behalf of residents of Little Fryth to object to this proposal, for reasons as set out below.

SITE DESCRIPTION

The rear gardens of the properties on the eastern side of Hollybush Ride are large and lengthy and contain a number of mature trees. These trees provide a wooded and attractive backdrop to the area, enhancing the character. There is a mixture of different styles of houses in the area, generally in spacious plots.

A number of the existing properties in Little Fryth will be directly affected by the proposals. Nos. 2, 4, 6, 8 and 12 adjoin the development site boundaries and will be most affected. It is not clear from the application drawings that the ground level at Little Fryth is much lower than the ground level of the application site.

RELEVANT DEVELOPMENT PLAN POLICIES

The relevant plans are the Berkshire Structure Plan, adopted in 1997 and the South East Area Local Plan, adopted in 1994. The Wokingham District Local Plan, Deposit Draft 1997 (as amended) has also been adopted for development control purposes by the Council, for the period up to 2006.

Christopher Strang BSc. (Hons), MRTPI
Isabel Strang

Policy WH1: Housing Development – unidentified sites

The application site is within an identified settlement, where housing development is acceptable, subject to local environmental and amenity considerations and other policies. Criteria A, B, C and E are relevant in this case.

The development of four large dwellings in existing gardens in a wooded area, both of which is important to the character of the settlement, is inappropriate. The proposal would have a significant adverse effect on the character of the area. Overlooking and overshadowing would take place on neighbouring residential properties in Little Fryth. The dominant effect of the houses would be worsened by the fact that the application site is on ground higher than the properties in Little Fryth.

Four large detached dwellings, shoehorned onto the appeal site, will significantly harm the spacious character of the existing residential properties in Hollybush Ride. The large gardens in Little Fryth provide a wooded environment ideal for birds and wildlife. The proposal would result in the loss of a significant number of trees and extensive garden area, which would have an adverse effect on this attractive area.

The proposal therefore does not accord with WH.1, criteria A, B and E. It is noted that the District Council has not referred to a breach in this policy in its refusal notice, erroneously in our view. We attach a copy of this policy and supporting text for information.

South-east area Local Plan policy SBE.2: Inappropriate Design.Deposit Draft Local Plan Policy WBE1: Development in its Local Context

Both the above adopted Local Plan policy and the emerging policy, refer to design principles for new development and to the requirement that new development should respect the surrounding area. The provision of four large detached dwellings on relatively small plots, is out of character and context with the surrounding area. The "backland" layout, form, scale and massing of the proposal is inappropriate, and would create a development with no street frontage.

Due to the difference in levels, severe overlooking and overshadowing would occur. The dwelling at Plot 1 would overlook and overshadow Nos. 2, 4 and 6 Little Fryth. Proposed Plot 2 would overlook and overshadow No. 6 and 8. The appeal site is to the south of Nos. 2, 4 and 6 Little Fryth, leading to the loss of significant amounts of sunlight to gardens and main habitable rooms of these dwellings. Plot 4 would overshadow and overlook the garden of No. 12 Little Fryth. The privacy and residential amenities of Nos. 2, 4, 6, 8 and 12 Little Fryth would therefore be significantly compromised by the proposal.

The proposals would therefore be in breach of SBE2 and WBE1.

Local Plan Policy SBE9: Existing Trees
Deposit Draft Policy WBE11: Protection of Trees

The above policies refer to the amenity value of trees. As a result of the original application for development, the Council has served a blanket TPO on much of the application site (reference 1015/2000). The purpose of the TPO is to protect the area of trees which contain various species, Silver Birch, Scotch Pine, Oak, Sweet Chestnut, Yew etc. Collectively, this wooded area has significant amenity value and enhances the surrounding landscape, hence the TPO.

Clearly, the development would result in the loss of a significant number of these mature trees despite the TPO, thereby adversely affecting the character and appearance of the area and the natural ecology. Even those trees not proposed to be removed will be affected in due course, as occupiers of the new houses seek to have them lopped or topped, and ultimately felled, to improve sunlight and daylight, to gardens, windows etc.

Deposit Draft WOS1: Sustainable Development

This policy seeks to ensure that development is sustainable and improves the quality of life. Although the site is within an identified settlement, it is a considerable distance from essential services, such as shops, schools, hospitals, leisure and employment centres. The proposal will not therefore minimize the need to travel by private car, and as such is in breach of this policy.

Structure Plan Policy EN1: Protection and Enhancement of the Environment

To accord with this policy, new development must not adversely affect the environmental quality of areas and be appropriate in scale, form, impact, character and siting to its location. The loss of trees and garden space as referred to above, would not enhance the character of the area, and the open, spacious and wooded character of the surrounding area would be diminished by the proposal. The proposal is therefore in breach of this policy.

Current Government Guidance: PPG3

While this guidance note encourages re-use of previously developed land, it also advises that such re-use should not be at the expense of the amenities, privacy etc., of existing occupiers of houses, or of the character of the area. Paragraph 1 of PPG3 states that new housing in residential environments should be well designed and should improve the quality of life. The proposal, for the reasons as set out above, does not comply with this guidance.

In addition, the Guidance Note seeks sustainable development, by building in areas which can have good access to public transport and minimize the need to travel. Again, for reasons as set out above, the proposal does not comply with this guidance.

Paragraph 52 of PPG3 stresses the importance of landscape, and that it should be an integral part of new development, and that opportunities should be taken for retention of trees and shrubs.

Clearly, the loss of a significant number of trees, and the over-developed nature of the proposal, would not be in compliance with Government advice.

Similarly, paragraph 56 of PPG3 advises that new housing development should not be viewed in isolation. Consideration of design and layout must be informed by the wider context. The local pattern of streets and spaces should all help to determine the character and identity of the development. In this context, the surrounding area is of low density housing, with spacious large gardens. The proposed design and layout of the development has not been informed by this context, but has been designed in isolation of it. The backland and cramped nature of the development proposed is clearly out of character with the surrounding area and would set a harmful precedent, encouraging other owners of property in the area to develop their back gardens, with further adverse effect on the area.

Finally, paragraph 63 of PPG3 states that Local Authorities should reject poor design, particularly where their decisions are supported by clear plan policies. In this context, we have set out the clear plan policies above, and in our view, the design and layout of the proposals are unacceptable.

There are clear policy breaches associated with this development. It will cause unacceptable harm to the character and appearance of the area and to the occupiers of the nearby houses. We would therefore request that the appeal be dismissed.

Yours sincerely

CHRISTOPHER STRANG

Cc Mr K Ellwood, 6 Little Fryth, Finchampstead, Wokingham RG40 3RN
Mrs A Odell, Wokingham District Council Planning Department



Wokingham District Local Plan

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POLICIES

5.12 Only part of the District's housing requirement is met through the allocation of specific areas of land for development. Housing will continue to be built on unidentified sites. In accordance with Berkshire Structure Plan Policies (C1 and H5), these sites will be within the boundaries of identified settlements.

POLICY WH1: HOUSING DEVELOPMENT - UNIDENTIFIED SITES

WITHIN THE IDENTIFIED SETTLEMENTS, ON SITES THAT ARE NOT IDENTIFIED IN THE PLAN FOR RESIDENTIAL USE, DEVELOPMENT IN THE FORM OF INFILLING, REDEVELOPMENT AND CHANGE OF USE TO RESIDENTIAL USE WILL BE CONSIDERED FAVOURABLY, SUBJECT TO LOCAL ENVIRONMENTAL AND AMENITY CONSIDERATIONS AND ALL OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN, IN ORDER TO MAKE THE BEST USE OF LAND IN BUILT-UP AREAS.

IN PARTICULAR, THE COUNCIL WILL SEEK TO ENSURE THAT THE FOLLOWING CRITERIA ARE COMPLIED WITH:

a) OPEN AND WOODED AREAS, AND GAPS AND GARDEN AREAS, THAT ARE IMPORTANT TO THE CHARACTER OF THE SETTLEMENT, ARE PROTECTED FROM INAPPROPRIATE DEVELOPMENT

b) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE CHARACTER OF THE AREA, INCLUDING ON ANY CONSERVATION AREA

c) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY RESIDENTIAL PROPERTY OR LISTED BUILDING

d) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE SETTLEMENT BOUNDARY OR ON THE ADJOINING COUNTRYSIDE

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

f) THERE IS NO LOSS OF RECREATIONAL FACILITIES OR PUBLIC OPEN SPACE

g) THERE IS ADEQUATE LOCAL HIGHWAY AND INFRASTRUCTURE CAPACITY TO CATER FOR TRAFFIC AND OTHER DEMANDS GENERATED BY THE DEVELOPMENT, WITH, WHERE SEEN AS NECESSARY, THE PROVISION OF ROAD SAFETY MEASURES. IT WILL BE NECESSARY TO CONSIDER THE CUMULATIVE EFFECT ON ROADS AND INFRASTRUCTURE OF PROPOSED DEVELOPMENTS IN THE SAME AREA, TO DETERMINE THEIR ACCEPTABILITY UNDER THIS CRITERION

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PROPOSALS FOR RESIDENTIAL DEVELOPMENT WILL BE JUDGED AGAINST THE COUNCIL'S PLANNING GUIDELINES FOR THEIR ACCEPTABILITY UNDER DESIGN AND PARKING CRITERIA.

Implementation: Planning permissions to private and public sector housebuilders, having regard to Planning Guidelines.

Monitoring: Planning applications.

5.13 Assuming that 1,850 dwellings are provided on the major site south of the M4 at Grazeley by 2006, it is necessary to ensure that sufficient land is identified for the development of small sites. The sites that have been identified in Policy WH2 have been selected on the basis of their performance against a number of environmental criteria.

POLICY WH2: HOUSING DEVELOPMENT - IDENTIFIED SITES

IN ADDITION TO THE 1,850 DWELLINGS TO BE BUILT AT GRAZELEY (SEE PROPOSAL WSM1), THE COUNCIL WILL MAKE PROVISION FOR THE DEVELOPMENT OF APPROXIMATELY 867 DWELLINGS IN THE PERIOD 1 APRIL 1996 TO 31 MARCH 2006 ON THE FOLLOWING SITES, SUBJECT TO THE PROVISION OF INFRASTRUCTURE AND PUBLIC AND COMMUNITY SERVICES NECESSARY TO SUPPORT THE DEVELOPMENT. THESE SITES WILL BE SAFEGUARDED FROM OTHER TYPES OF DEVELOPMENT. IN BRINGING FORWARD THE SITES FOR DEVELOPMENT, A DEVELOPMENT BRIEF WILL BE REQUIRED. DEVELOPMENTS AT OR NEAR WINNERSH WILL BE REQUIRED TO CONTRIBUTE TOWARDS SCHEMES PUT FORWARD IN THE WINNERSH TRANSPORT STUDY.

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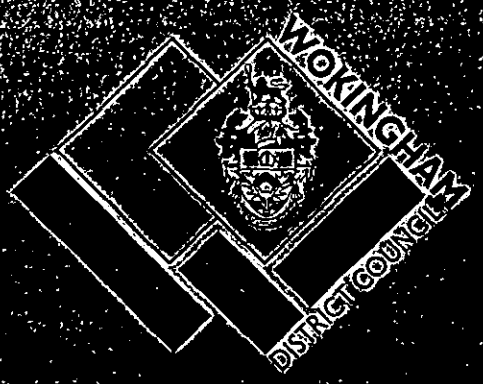
Monitoring: Monitor release of sites for development, including planning permissions.



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Implementation: Planning permissions to private and public sector housebuilders, having regard to Planning Guidelines.

Monitoring: Planning applications.

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POLICY WH2: HOUSING DEVELOPMENT - IDENTIFIED SITES

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Implementation: Planning permissions to private and public sector housebuilders.

Monitoring: Monitor release of sites for development, including planning permissions.

Tel. (0118) 974 6448 (Direct Line)
Date: March 27, 2001
My ref: F/2000/2225
Your ref: APP/X0360/A/01/1058304

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: Brookworth Developments Ltd
SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead

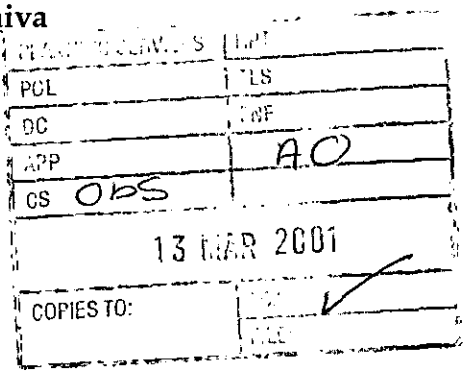
With reference to this appeal, I enclose copies of third party comments. These have been sent to us again & so you probably already have copies of them.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Dr. F. Caldeira-Saraiva
Green Shadows
Hollybush Ride
Wokingham
Berkshire
RG40 3QP



Ms Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

Monday, March 12, 2001

Dear Ms Odell

Planning Application No. F/2000/2225
Site Address: Land rear of Timberscombe, Hollybush Ride
Proposal: Erection of four dwellings and demolition of existing dwelling

I wrote previously (copy enclosed) to object to the development proposed.

I am also objecting to the appeal currently pending on the same development. The arguments advanced by the developers regarding the appeal belittle the importance of the preservation order on the trees. This is a serious representation of an amenity which has ecological value, provides sanctuary to wild life and serves as a curtain between dwellings.

I hopeyou will reject the appeal.

Yours sincerely,

Dr. F. Caldeira-Saraiva

Dr. F. Caldeira-Saraiva
Green Shadows
Hollybush Ride
Wokingham
Berkshire
RG40 3QP

Ms Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

Monday, September 11, 2000

Dear Ms Odell

Planning Application No. F/2000/2225
Site Address: Land rear of Timberscombe, Hollybush Ride
Proposal: Erection of four dwellings and demolition of existing dwelling

I am writing to object to the proposed development for the following reasons.

Even at present, the area has no local services within walking distance – no shops or schools nearby – and lacks suitable public transport facilities. Any further development will be totally against the policy of sustainable development. Any necessary journeys to work, for leisure, shopping or school will have to be done by car. The traffic will increase congestion particularly at the already dangerous junction of Hollybush Ride and Nine Mile Ride. Building will increase the traffic beyond what the roads in the area can support and lead to pollution and noise.

The site is a greenfield one, not a brownfield. Its development would be against Council policy on that count. Furthermore, development would necessarily imply the felling of trees which is also against environmental policy. The area provides a habitat for a range of wildlife including badgers, foxes, rabbits, squirrels and many species of birds. Such a development would have a detrimental effect on the established wildlife.

The felling and clearance of a large area of established trees would also destroy the prestigious, rural, forested nature of the area and set a precedent for further development of a similar nature which could continue all the way up to Simons Wood and destroy the unique character of the area. The development would also lead to 'filling-in' the area between Finchampstead and Crowthorne and upset the balance between the settlements.

Hollybush Ride is an unadopted road and is not suitable for further development. There is no council funded maintenance for resurfacing, lighting, sewerage, etc. The plan is for the new properties to feed into the existing sewerage system. This would increase the overload and create serious problems. On the other hand, upgrading these services would cause disruption and would require the consent of existing residents of Hollybush Ride.

I hope the Council will reject the planning application.

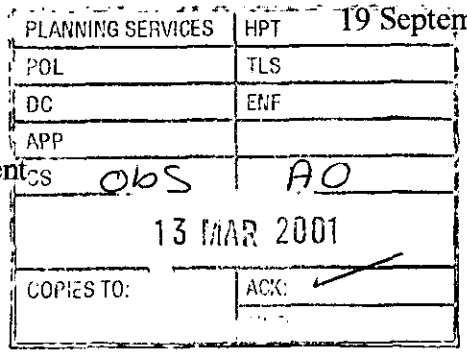
Yours sincerely,

Dr. F. Caldeira-Saraiva

COPY

8 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

19 September 2000



Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Mrs Odell,

Your Ref: Planning Application No. F/2000/2225

We understand that planning application F/2000/2225 (the "Proposal") has been made for the erection of 4 houses and the demolition of the existing dwelling at Timberscombe, Hollybush Ride and on neighbouring properties (the "Site") and that you have been appointed the Planning Officer to review the application.

Please accept this letter as our formal objection to the Proposal. Our many objections are made in the Appendices to this letter and are summarised below:

- The density of the proposed development of 4 houses is substantially higher than the neighbourhood and the small garden sizes are out of proportion for 5/6 bedroom houses in such a rural area.
- The Site is made up of the mature woodland gardens of substantial plots and should therefore be treated as more Greenfield than Brownfield.
- The Site is part of a Wildlife Corridor to Simons Wood and development would cause substantial and permanent environmental damage. The Wildlife Corridor is used by a huge variety of wildlife including badgers and bats who are protected species.
- The Site is out of Walking Distance of all local amenities including shops, schools, churches and public transport.
- The layout of the Site is such that one of the proposed houses is less than 20 metres from the back of our home. This back to back distance is substantially less than average for the neighbourhood and is not sympathetic to what is described by the Developers as "the spacious and attractive character of the area".
- There is no provision for mains sewage of the Site. This is discussed more fully in Appendix 6.
- The Site is subject to a restrictive covenant: "No part of the said land comprised in the said WDC Plan marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood."

An overwhelming majority of the residents in the neighbourhood, including ourselves have already sent you a letter stating that the development would be a nuisance and annoyance to the neighbourhood and therefore breach the covenant.

A copy of the letter and a map of the neighbourhood showing the homes of those who signed are set out in Appendices 1 and 2. Appendix 3 is a copy of the restrictive covenants registered at HM Land Registry.

In Appendix 4 we have commented on sections of the Report prepared on behalf of Brookworth Developments Ltd (the "Developers") where we believe it is inaccurate and misleading.

The Proposal contravenes numerous policies of the Wokingham District Local Plan (the "WDC Plan") and we have referenced these in Appendix 5.

The Developers has applied for full as opposed to outline planning permission. Whilst we are totally against development of the Site, we have been advised that we have to set out the detailed changes that we would ask for should planning permission be granted. Accordingly these are set out as Appendix 6.

The infilling of 4 properties of such a high density is not appropriate to the location as required by the National Policy Guidelines. Given its size, we believe that a maximum of 2 houses should be built on the Site, provided that back to back distances for all neighbouring properties was at least 30 metres.

The Proposal contravenes numerous WDC Plan policies and National Policy Guidelines and we therefore ask you to reject the application.

Yours sincerely

David Rice-Jones

Margaret Rice-Jones

Appendix 1

The Residents in
the Neighbourhood
of the area subject to
Planning Application
F/2000/2225

10 September 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Ms Odell,

Your Ref: Planning Application No. F/2000/2225

We understand that an application has been made to demolish Timberscombe and build 4 houses on Timberscombe and on the back gardens of 3 adjoining properties.

The land and building in question are subject to the following restrictive covenant contained in a Conveyance dated 13 April 1922 between John Walter (vendor) and Henry William Brake (purchaser) and registered with HM Land Registry.

"No part of the said land comprised in the said plan marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood."

The proposed development in Planning Application F/2000/2225 would be a nuisance and annoyance to the neighbourhood and contravene the restrictive covenant. Please reject the application on these grounds.

Yours sincerely

Signature	Name	Address	Occupation
	K. ELLWOOD	6, LITTLE FRYTH FINCHAMPSTEAD	MANAGER
	C. ELLWOOD	"	TEACHER
	M. WARSOP	4, LITTLE FRYTH, FINCHAMPSTEAD	MANAGER

Appendix 1

Signature	Name	Address	Occupation
	D S. ASHTON	4, LITTLE FRYTH, WOKINGHAM. BERKS.	CONSULTANT
R.M. Salisbury	R.M. SALISBURY	2, LITTLE FRYTH, WOKINGHAM, BERKS	LIBRARIAN
W.M. Salisbury	W.M · SALISBURY	2 Little Fryth Wokingham Berkshire	Air Traffic Controller.
K.S. Holland	K.S. HOLLAND	1 Little Fryth Wokingham Berks	Teacher
M.H. Holland	M·H. HOLLAND	1, LITTLE FRYTH WOKINGHAM BERKS	CHARTERED ACCOUNTANT.
P.T. Holwood	P.T. HOLWOOD	3. Little Fryth Wokingham, Berks	Marketing Director.
Sally Holwood	S.A. HOLWOOD	3, Little Fryth Wokingham, Berks	Business Planner
Karen Campbell	KAREN CAMPBELL	7 LITTLE FRYTH WOKINGHAM. BERKS	PA
S. Campbell	S. CAMPBELL	" " " "	ACCOUNTANT.
John Hewitt	J. HEWITT	9 Little Fryth	Surveyor
C. Page	C. PAGE	11 LITTLE FRYTH	HOUSEWIFE
N G Page	N G PAGE	11 Little Fryth Finchampstead Berks	COMPANY DIRECTOR
J. May	J. MAY	10 LITTLE FRYTH HOLLYBUSH RIDE FINCHAMPSTEAD	HOUSEWIFE
I. May	I. MAY	"	MANAGING DIRECTOR.
J.B. Exelby	J. EXELBY	12 LITTLE FRYTH FINCHAMPSTEAD.	ACCOUNTANT.
K. Sharp	K. SHARP	15 LITTLE FRYTH FINCHAMPSTEAD	HOUSEWIFE
C Richards	C RICHARDS	18 LITTLE FRYTH FINCHAMPSTEAD	COMPANY SECRETARY
A.M. Goodenough	A.M. GOODENOUGH	20 LITTLE FRYTH FINCHAMPSTEAD WOKINGHAM	CHARTERED ACCOUNTANT
S.J. Goodenough	S.J. GOODENOUGH	20 LITTLE FRYTH WOKINGHAM	HOUSE WIFE.

Signature	Name	Address	Occupation
S Brown	S. BROWN	22 Little Fryth	Housewife
N P Brown	N P BROWN	—— " ——	DIRECTOR
D DeBanks	D. DEBANKS	24 LITTLE FRYTH.	PARTNER
F DeBanks	F. DE BANKS	" —— "	PARTNER
AF Woodford	AF. WOODFORD	26 "	RETIRED
A. Press	A. PRESS	31 " "	HOUSEWIFE
T. I. Press	T. I. PRESS	31 " "	INFORMATION MANAGER.
B Mavin	B. MAVIN	27 " "	CEO
Helen Hodgkinson	HELEN HODGKINSON	25 " "	HOUSEWIFE.
Allan Hodgkinson	ALLAN HODGKINSON	25 " "	IT MANAGER.
P Gates	PAT GATES	23 " "	Housewife
Dawn Rainey	DAWN RAINEY	9 Little Fryth.	ACCOUNTANT.
E White	E WHITE	17 Little Fryth	Teaching Ass.
A White	A. WHITE	" " "	Director
D Rice-Jones	D RICE-JONES	8 LITTLE FRYTH	DIRECTOR
M Rice-Jones	M. RICE-JONES	8 LITTLE FRYTH	Managing Director
Clive Hinson	CLIVE HINSON	Brook House, Hollyoak Road	Company Director.
T. Evans	Trevor Evans	29, Little Fryth	Manager.
D Evans	DEE EVANS	—— " ——	BOOK-KEEPER

Appendix 1

Signature	Name	Address	Occupation
	D STOCK	ENGLEBURY, HOLLYBUSH RIDE, WOKINGHAM	CO. DIRECTOR
	KIM STOCK	—"—	N.T.A
	D. WHITMARSH	LAUREL HOUSE HOLLYBUSH RIDE WOKINGHAM.	SALES MANAGER.
	I. ANDERSON	MALTINGS HOLLYBUSH RIDE WOKINGHAM	DIRECTOR.
	L. ANDERTON	MALTINGS HOLLYBUSH RIDE WOKINGHAM.	STUDENT TEACHER.
	H. HUGARD	HERONS LANDING, HOLLYBUSH RIDE WOKINGHAM BERKS	ACCOUNTANT.
	CREILLY	AHLAN HOUSE HOLLYBUSH RIDE	HOUSE WIFE.
	PAUL ST CLAIR TERRY	BADGERS SPINNEY HOLLYBUSH RIDE	STRATEGIST
	CAROLINE VICTORIA TERRY	BADGERS SPINNEY HOLLYBUSH RIDE.	HOUSEWIFE.
P. Hooper	PAT HOOPER	CONIFERS HOLLYBUSH RIDE.	HOUSEWIFE
	JOHN HOOPER	" "	FINANCE DIRECTOR
	P.F. BEARSLEY	21 LITTLE FRYTH FINCHAMPSTEAD	ENVIRONMENT MANAGER
	A. BEARSLEY	21 LITTLE FRYTH HOLLYBUSH RIDE	FIN. PLANNING CONS.
	H RHIND	16, LITTLE FRYTH	AIR TRAFFIC CONTROLLER
	T. GOODSON	GREYHARS. Hollybush Ride WOKINGHAM.	DIRECTOR.
	A. SMITH.	14, LITTLE FRYTH, FINCHAMPSTEAD,	DIRECTOR,
	T. EVANS D EVANS	21 LITTLE FRYTH FINCHAMPSTEAD	~~MANAGER~~ BACK-KEEPER
	C LOVELL-READ	Tanglewood, Hollybush Ride, Finchampstead	Housewife
	G. LOVELL-READ	" "	CONSULTANT.
	A. HUNT	CROFTERS LODGE, HOLLYBUSH RIDE FINCHAMPSTEAD	~~ADMINISTRATOR~~
	J BURGESS	BEARS LEAD, HOLLYBUSH RIDE FINCHAMPSTEAD, BERKS	SECRETARY
	CJ WARNE	WYCHWOOD, HOLLYBUSH RIDE.	H Hunt

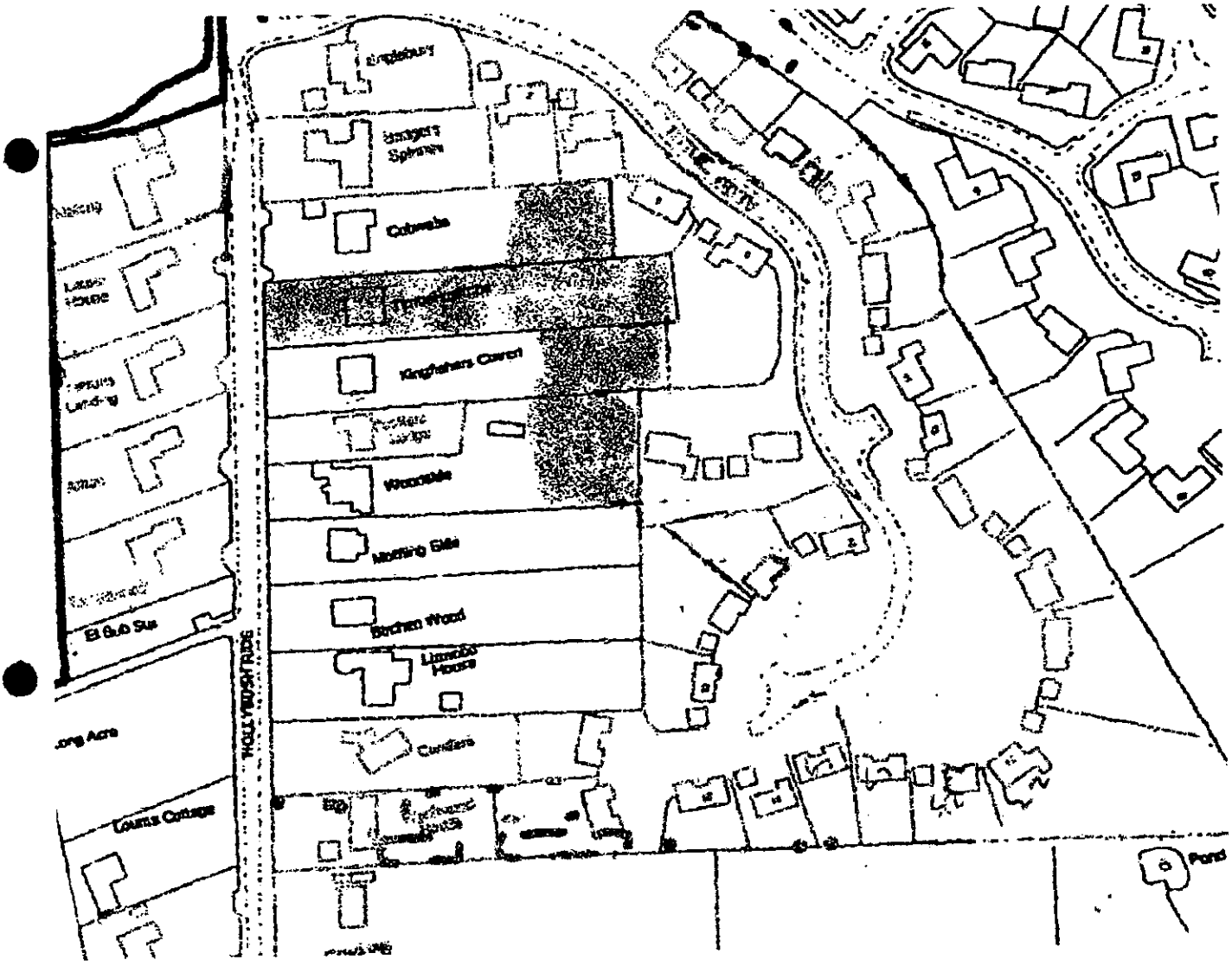
Appendix 1

Signature	Name	Address	Occupation
	C. EXELBY	12, Little Coyth, Finchampstead Wokingham BERKS RG40 3EW	Managing Director Thomson multi-media.

The owners of the properties shaded in yellow signed the letter in Appendix 1 stating that the Proposal would be a nuisance and annoyance to the neighbourhood and contravene the restrictive covenant on the Site.

The proposed Site is shaded red.

We understand that the owners of Morningside, Birchen Wood, Linwood House, Long Acre and Lourna Cottages have either had discussions with the Developers or are in the process of applying for planning permission on their plots.



OFFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting on the register on **8 September 2000.** This date **must be quoted as the 'search from date' in any official search** application based on this copy.
Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.
Issued on 11 September 2000 by HM Land Registry.
This title is administered by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK98259

Edition Date : 4 September 2000

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

WOKINGHAM

1. (28 January 1970) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Timberscombe, Hollybush Ride, Finchampstead, (RG40 3QP).

2. The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

3. A Deed dated 7 May 1991 made between (1) Bryant Homes Southern Limited and (2) Dennis John Grover and Ethel Janice Grover is expressed to grant rights of drainage.

NOTE:-Copy filed.

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (3 December 1970) **PROPRIETOR(S):** DENNIS JOHN GROVER and ETHEL JANICE GROVER, his wife, both of Timberscombe, Hollybush Ride, Finchampstead, Wokingham, Berks, RG40 3QP.

Title Number : BK98259

B: Proprietorship Register continued

2. (4 September 2000) **CAUTION** in favour of Brookworth Developments Limited of Overdene House, 49 Church Street, Theale, Reading, Berks, RG7 5BX and of 3000 Hillswood Drive, Chertsey, Surrey, KT16 0RS.

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

1. A Conveyance of the land in this title and other land dated 13 April 1922 made between (1) John Walter (Vendor) and (2) Henry William Brake (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

2. A Conveyance of the land in this title and other land dated 22 April 1937 made between (1) Henry William Brake (Vendor) and (2) Walter George Bates (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

****

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 13 April 1922 referred to in the Charges Register:-

The Purchaser for himself his heirs executors administrators and assigns hereby covenants with the Vendor his heirs executors administrators and assigns to the intent and so as to bind not only himself personally but also (so far as practicable) all future owners and tenants of the lands and premises hereby assured or any part thereof and to bind such lands and premises into whosoever hands the same may come but not so as to render the Purchaser personally liable in damages for breach thereof after he shall have parted with all interest in the premises hereby assured or any part thereof that he the Purchaser and the Persons deriving title under him will henceforth and at all times hereafter observe and perform the stipulations and conditions contained in Second Schedule hereto

THE SECOND SCHEDULE above referred to

1. No building shall be erected on the said land hatched green and brown on the said plans marked A and B to cost less than £700 but this shall not be construed to preclude the Purchaser from enlarging any existing buildings irrespective of value nor to preclude the erection of private boat houses or summer houses in connection with any private dwelling houses no such building erected on the said land hatched green and brown on the said plan shall be used otherwise than as a private residence together with usual offices and out buildings.

2. No building manure pit or cesspool except a lodge not exceeding 15 feet in height from ground level to ridge of roof shall be erected on the said land within 50 feet of the highway.

3. No part of the said land comprised in the said plans marked A B and C nor any buildings to be erected thereon shall be used for any purpose

Average Plot Size

Proposal	0.167 Acres
Little Fryth	0.25 Acres
Hollybush Ride	0.45 Acres

The garden areas of the Site are important to the character of the settlement concerned and should be protected in accordance with STV6.

3.10 The Report is misleading in that it misquotes SH1 and misses out key parts of the policy. The Report says "Policy SH1 generally ***favours*** infilling, subject to detailed environmental constraints.

SH1 actually says "Infilling, rounding off and redevelopment generally ***will be considered favourably*** subject to local environmental constraints ***and other provisions of this plan"***.

SH1 points out that in interpreting the policy the District Council will particularly wish to ensure that the following criteria are complied with:

- The protection of open and wooded areas, gaps and garden areas which are important to the character of the settlement
- No significant adverse effect on the character of the area
- The provision of adequate garden areas, space about buildings and off street parking for all new dwellings

The Proposal fails to meet the 3 criteria above.

3.12 The proposed dwellings are as close as 7metres to existing properties and would significantly affect the daylight and sunlight conditions of 2, 4, 6, 8 and 12 Little Fryth.

4.1 Please see 3.2 above.

The WDC Plan only allows the development of Brownfield Sites ***when other policies and guidelines are met***. The points raised in Appendices 4 and 5 show that the application contravenes numerous policies and guidelines.

4.2 Each application should be decided upon based on the merits of each individual case. We believe that references to other decisions are inappropriate.

4.3 The Site is part of a Wildlife Corridor (as defined by Wokingham District Council) to Simons Wood. The Wildlife Corridor is used by a huge variety of wildlife including foxes, rabbits, snakes, deer, bats and badgers. Bats and badgers are protected species.

Bullfinches and Songthrush also use the Wildlife Corridor and are 2 of 36 species on the RSPB's "Red" list of birds whose population is rapidly declining.

The majority of the Site will be felled and disjoint the woodland corridor. The Developers accepts that the environmental qualities, character and amenities of the area need to be safeguarded but fail to explain how this will be achieved.

4.4 Whilst the Developers maintain that the Proposal would retain the "green" appearance of the street scene of Hollybush Ride, they have omitted to mention the severe detrimental impact on the outlook of the neighbouring properties on Little Fryth.

4.5 It is our understanding that the Developers have agreements with the owners of Cobwebs and Kingfishers Covert that require foliage at the front/sides of both properties to be cut back and kept at a low height to ensure visibility of traffic coming out of the Site. This will substantially detract from the existing green nature of the street scene in Hollybush Ride.

4.6 Please see comments to 3.9 above. A large part (approx 40%) of the Site is used as an access corridor. If this is excluded, the density is 15 houses per hectare, which is significantly higher than the surrounding neighbourhood. The average plot size on Little Fryth is 50% larger and on Hollybush Ride 270% larger than the Proposal.

All the back gardens are very small and out of keeping with the existing neighbourhood and the style of 5/6 bed dwellings being proposed. Distances from buildings to the back fences are only:

Plot 1	8 metres
Plot 2	10 metres
Plot 3	10 metres
Plot 4	12 metres

4.7 All of the significant trees on the Site (including several that we believe should have had preservation orders) were felled early one Saturday morning by the Developers just prior to the planning application being submitted. Video and photographic evidence of this can be supplied.

The plans show a number of trees that overlook but aren't actually on the Site which gives a misleading impression of the number of trees to be retained. The plans show that over 50% of the trees on the Site will be felled. This number excludes the substantial number of recently felled trees mentioned above.

Spacing between the proposed houses is as low as 3 metres. This compares with an average gap of 13 metres between numbers 4, 6 and 8 Little Fryth.

We agree with the Developers that the area has a spacious and attractive character. However, due to the minimal gaps between new and existing dwellings, we disagree that the overall appearance of the proposed development would be sympathetic to it.

4.9 Care has been taken to minimise the impact of the development on Cobwebs, Kingfishers Covert and Woodside (whose owners are selling part of their properties to the Developers) by siting the houses as far away as possible from the existing properties and putting in place appropriate screening and landscaping.

As a result, the impact in terms of light, privacy and outlook on the adjoining houses on Little Fryth is substantial. The Developers have made no attempt to consult with the adjoining properties on Little Fryth to ensure that the impact on them was minimised.

5.1 We consider the Site to be Greenfield and not Brownfield. The WDC Plan does not ***require*** use of sites as stated in the Report; it merely ***allows*** them provided that policies and guidelines have been met. Whilst some policies and guideline have been met, many others have not.

It is subjective for the Developers to maintain that the Council should be promoting development on sites such as this. It is for the Council to decide each case based upon the merits of each individual application.

The Proposal does not respect the established character and appearance of the neighbourhood in terms of density, layout and the retention of trees.

The detailed design and siting of the houses substantially detracts from the adjoining properties on Little Fryth in terms of light, privacy and outlook.

5.2 The Proposal does comply with some of the requirements of national policy and policies of the WDC Plan. However, it breaks many others some of which are detailed in Appendix 5. Planning permission should therefore not be granted.

Planning Policies

The proposed development contravenes many policies in the Wokingham District Local Plan (the "WDC Plan") including:

WOS1(D) The Site is not within Walking Distance (as defined by Wokingham District Council) of any local amenities including shops, schools and public transport and all journeys would therefore need to be undertaken by private car.

WOS1(G) The Proposal does not make any improvements to infrastructure, services and amenities.

WOS3(A) The Proposal would be to the detriment of the visual and other amenities of the adjoining properties on Little Fryth.

WOS3(B) For the adjoining properties on Little Fryth there is no provision to either site the houses far enough away or to provide landscaping treatment to protect the local visual amenity.

WOS3(C) See comment on WOS1(D) above.

WOS3(F) The design does not respect the local context by virtue of siting, layout and massing.

WOS5(D) The WDC Plan seeks to minimise environmental impact by reusing and the refurbishment of existing buildings in preference to redevelopment. The Proposal includes the demolition of a viable existing property on Timberscombe on the frontage of Hollybush Ride and replacing it with an access road.

WNC6 The land of the proposed development is part of a Wildlife Corridor (as defined by Wokingham District Council) to Simons Wood. The Wildlife Corridor is used by a huge variety of wildlife including foxes, rabbits, snakes, deer and badgers who are a protected species. Bullfinches and Songthrush also use the corridor and are 2 of 36 species on the RSPB's Red list of birds whose population is rapidly declining. Developing the Site would cause substantial permanent damage to and therefore not protect the Wildlife Corridor.

WBE10(b) The high density and small plot sizes of the proposed dwellings means that they are not appropriate in scale, form and continuity with the local context.

WBE10(d) See comment on WNC6 above.

WBE11(a) The Site had groups of mature trees recognised as having amenity and conservation value. All of the significant trees on the Site (including several that we believe should have had preservation orders) were felled early one Saturday morning by the Developers just prior to the planning application being submitted.

We understand that in certain circumstances the Council can seek the landowner to maintain and replace important trees. We ask the Council to do so and also consider the proposed development and Site with the replacement trees included.

WH1 The Proposal would be inappropriate development of wooded and garden areas that are important to the character of the neighbourhood and have a severe adverse impact upon the Wildlife Corridor and on nature conservation. The Proposal would therefore not meet the WDC Plan's requirements for infilling.

Sewage

The existing situation with regard to mains sewage of the 4 existing properties is as follows:

- The owners of Timberscombe have mains sewage access (from Timberscombe only) through the drains of 6 Little Fryth.
- The owners of Woodside have mains sewage access (from Woodside only) through the drains of 12 Little Fryth.
- We believe that the owners of Kingfishers Covert do not have access to mains sewage.
- The owner of Cobwebs has connected to the drains of 6 Little Fryth but has no agreement to do so.
- There is no mains sewage access to the Site via Hollybush Ride.

We understand from the owners of 6 and 12 Little Fryth that:

- In no circumstance will the owners of 12 Little Fryth allow mains sewage access from any properties built on the land of Cobwebs, Timberscombe and Kingfishers Covert.
- In no circumstance will the owners of 6 Little Fryth allow mains sewage access from any properties built on the land of Cobwebs, Woodside and Kingfishers Covert.
- The owners of 6 Little Fryth intend notifying the owner of Cobwebs that they intend cutting the property off from mains drainage.

The proposed development would therefore have access to mains sewage for houses 2 and 4 but not for houses 1 and 3.

Detailed Changes

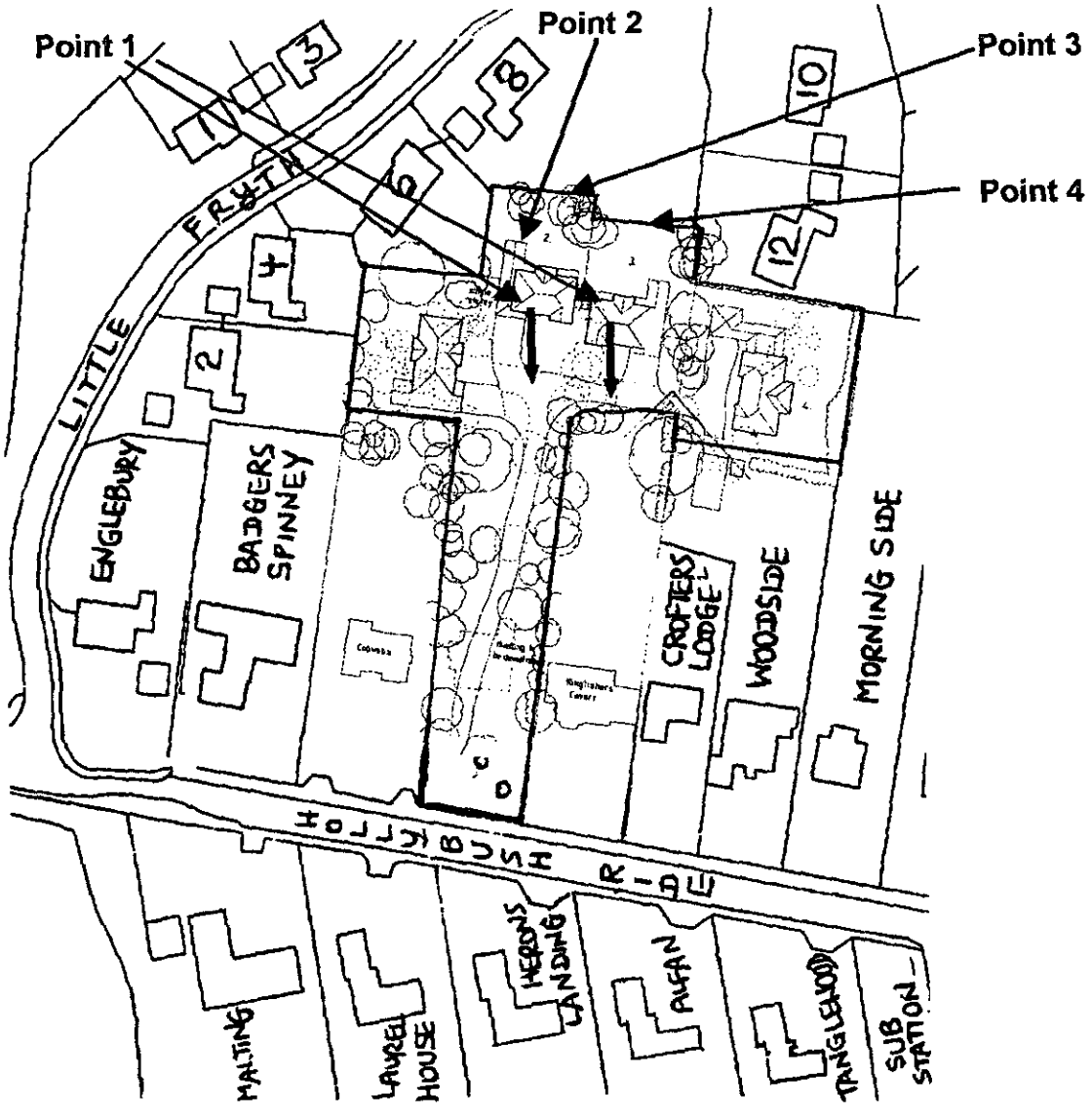
The following detailed changes are requested in the event that planning permission is granted. These requests are made due to the close proximity of houses 2 and 3 to 8 Little Fryth. As proposed, House 2 is under 20 metres from 8 Little Fryth, which is substantially less than the average back to back distance of the neighbourhood.

Point 1 Houses 2 and 3 are moved forward at least 5 metres in the direction of the arrows to maximise the back to back distance.

Point 2 The single storey part of House 2 should not extend beyond the back of the main part of the house to reduce the distance between House 2 and 8 Little Fryth. If this request is not granted then House 2 should be built as a mirror image to reduce the distance between House 2 and 8 Little Fryth.

Point 3 The Developers should be obliged to Plant mature screening to a height of 4 meters on the back fence of house 2 to obscure the view from 8 Little Fryth.

Point 4 There is currently a mature hedge 4 metres high at the bottom of Kingfishers Covert. This is missing on the submitted Plans. The Developers should be required to retain this hedge at its existing height to maximise the screening of House 3 from 8 Little Fryth.



C.C. Rt Hon Andrew Mackay
C.C. Cllr. T. Charlesworth
C.C. Ms Lorane Newtombe
C.C. MR. N. Ethrington
C.C. MR. J. Mitchell
C.C. Mrs. A. Odell
C.C. MR. K. A. Mavern
C.C. MR. A. ROSS
C.C. MR. G. Bornwell
C.C. MR. G. COUTTS
C.C. MRS. A. Long
C.C. MRS. C. Cole

PLANNING SERVICES MAY 40436
POL TLS
DC ENF
CS
AO
27 FEB 2001
COPIES TO: FCS

MR. W. M. Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

26 Feb 2001

Dear Neighbour,

Please find enclosed a copy of Informal Hearing Notice and site plan. All residents in Ashdale Park, Little Fryth and Hollybush Ride with the exception of the 4 named houses have been notified. The owners of Timberscombe in Hollybush Ride have vacated the property. Brookworth Developments Ltd have lodged an appeal.

The Appeal procedures will take the following form.

1 Written objection direct to the Appointed Inspectorate.
2 An informal hearing held at the Council Offices. The Inspectorate would determine the outcome and normally reply within six weeks.

We have until the 15th March to lodge our representations in writing to the Inspectors office in Bristol. Address highlighted on Informal Hearing Notice. As previously mentioned a permanent tree preservation order is in force covering the rear gardens of Cobwebs, Timberscombe, Kingfishers Covert and Woodside. The developers have submitted a new report which attempts to trivialise the Tree Preservation Order and suggests many trees are not worth keeping. It is important to note that the T.P.O; and our wishes emphasise the importance of the whole group of trees as an environmental amenity, as a Wild Life corridor, and as screening and seperation from different settlements e.g. Those trees screening Ashdale Park from Little Fryth. The TPO group seperates Little Fryth from Hollybush Ride in the same way.

Please write to the Appointed Inspector; for this development would have serious implications for the whole of this area in that it could set a precedent for further development of a similar nature which could continue to erode land all the way up to Simons Wood and destroy the unique character of the area.

In anticipation of your continuing support.

Yours sincerely

Wm Salisbury

Tel. (0118) 974 6448 (Direct Line)
Date. February 19, 2001
My ref: F/2000/2225
Your ref:

W Salisbury
2 Little Fryth
Finchampstead
RG40 3RN

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: Brookworth Developments Ltd
SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead
PROPOSAL: Proposed erection of 4 dwellings plus demolition of existing dwelling

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 on a date to be advised.

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

If you wish to make further representations, you should, if possible, send three copies to Miss A Groves, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ, quoting reference APP/X0360/A/01/1058304. Comments received after 15/03/01 will not normally be seen by the Inspector & will be returned.

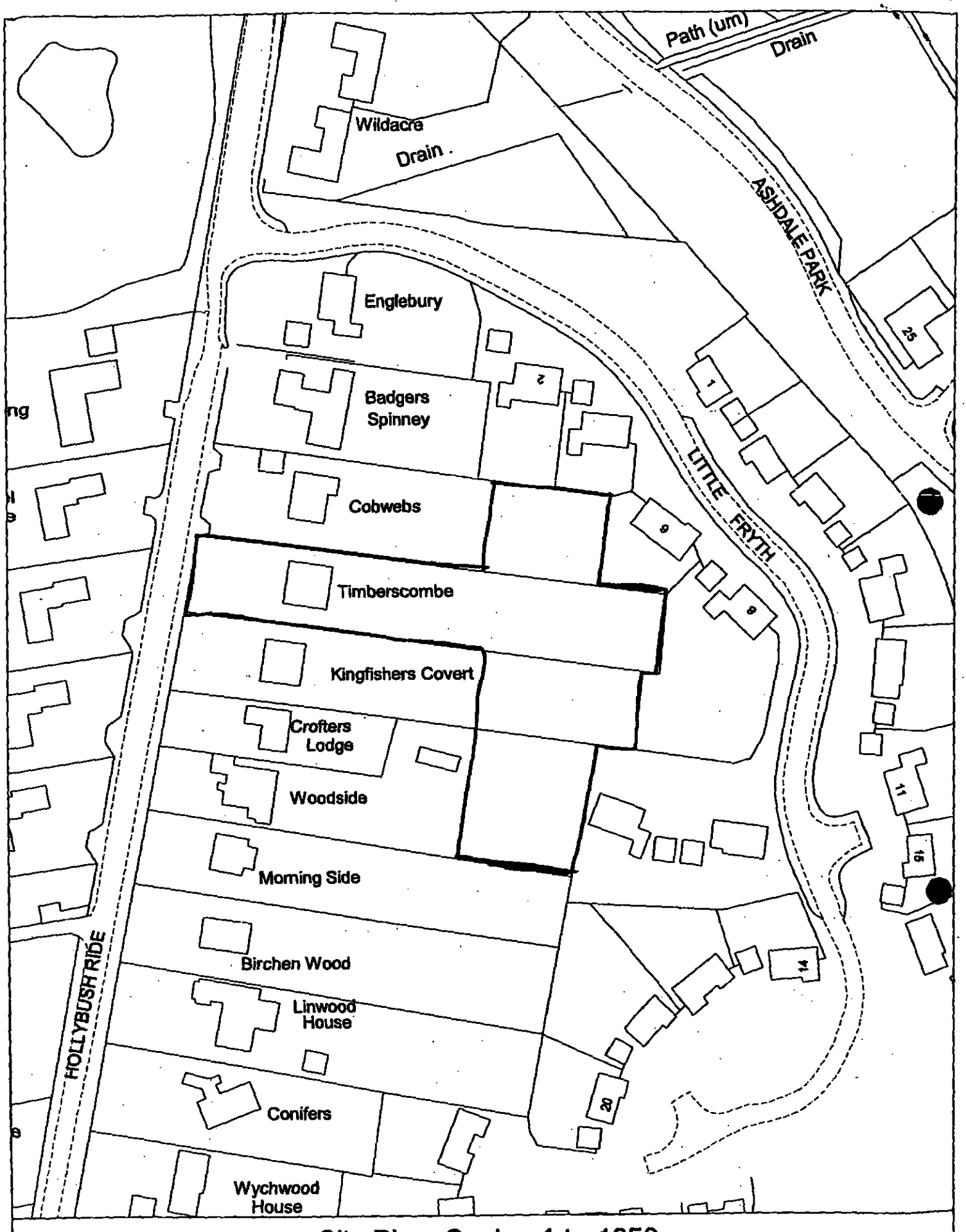
The application, decision notice, and the appellant's grounds of appeal can be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 Mondays to Thursdays, & 08.30 to 16.00 Fridays).

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

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

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant



Site Plan, Scale: 1 to 1250

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Date: 19 February 2001

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THE STABLES, 3B WILSON STREET, WINCHMORE HILL, LONDON N21 1BP TEL: (020) 8447 9049 FAX: (020) 8447 882
MOBILE: 07768 352000 *or* 07974 815309 EMAIL: ACD_LA@compuserve.com *or* acd.landscape@virgin.net

ACD Landscape Architects Ltd *Director:* S.J. Dale, Dip.LA MLI *Associate Director:* J.B. Constable, B.A.Hons DIP.LA *Consultant:* D.C. Rose BSc. C.Eng MICE. MIStructE
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TREE AND LANDSCAPE REPORT

for

LAND AT
HOLLYBUSH RIDE
FINCHAMPSTEAD
BERKSHIRE

for

BROOKWORTH

REPORT ON THE EXISTING TREES AT HOLLYBUSH RIDE, FINCHAMPSTEAD, BERKSHIRE

1.0 BACKGROUND

1.1 ACD Landscape Architects were commissioned by Brookworth Developments Limited in January 2001, to carry out a survey and assessment of the existing TPO trees and vegetation on the site.

1.2 Our brief was to check the number, species and condition of the trees, comment on the required tree surgery for the trees and make recommendations for the long term management of the individual specimens.

1.3 The tree survey was carried out during January 2001.

1.4 Tree heights were checked where possible with the aid of a Suunto PM/5 Clinometer, topographic survey was available and the Tree Reference Plan is based on this.

1.5 The Category Assessment complies with BS 5837:1991 and there is a supplementary Condition assessment.

1.6 The trees are covered by Tree Protection Order No 1015/2000 Wokingham District Council (Parish of Finchampstead), which was imposed as an emergency action when a number of existing trees were felled during 2000.

2.0 TREE SURVEY

G1 Area G1 comprises mainly open lawns with individual trees on the boundaries and a Cherry and two Silver Birch central in the lawns. The Birch has been topped in the past and has no effective leader. The front garden area contains Oak, Sycmaore and a single Pine worthy of TPO

G2 Poor quality Silver Birch in an unsustainable group, showing signs of instability with ground movement and a number of trees already moving. The central trees are mostly category C and in extreme crown competition, resulting in weak and poorly formed trees. The boundary trees are stronger as expected, but there is little understorey to supplement the group. The Oak is decayed and in decline, although has a landscape value. None of the trees are worthy of TPO

G3 A group of Oak, Rowan and Silver Birch on the eastern boundary of the garden with good understorey. None of the trees are of individual quality, but the group are worthy of TPO.

G4 A boundary group of Silver Birch, Oak and a Pine. The Oak and Pine are individual trees of high quality, but the group has developed together and all trees would be of reduced value individually. Worthy of TPO.

G5 This group is predominantly Rhododendron, with a tree mixture of Willow, scrub Cherry and Elder. None of these trees is worthy of TPO status, nor do they have any amenity landscape value.

G6 These trees occur on the garden boundary of Kingfishers Covert, with predominantly Silver Birch and Oak. There no trees of individual high quality, but the group has developed together and provides a visual amenity, therefore the TPO is applicable.

G7 This area comprises Bush and Half Standard fruit trees on a formal lawn, all of which are Category C. There is one poor quality Deodar Cedar within the area.

3.0 GENERAL COMMENTS

3.1 The site comprises the plot of Timberscombe and number of rear gardens to Cobwebs, Kingfishers Covert and a small part of Woodside.

3.2 Area G1 comprises mainly open lawns with individual trees on the boundaries and a Cherry and Silver Birch central in the lawns. The Birch has been topped in the past and has no effective leader. The front garden area contains Oak, Sycmaore and a single Pine worthy of TPO.

3.3 Area G2, as shown on the photograph below, comprise poor quality trees in an unsustainable group, showing signs of instability with ground movement and a number of trees already moving. The boundary trees are stronger as expected, although the Oak is decayed and in decline. None of the trees are worthy of TPO.



Group G2



Group G4

3.4 Area G3 comprises a group of Oak, Rowan and Silver Birch on the eastern boundary of the garden. None of the trees are of individual quality, but the group are worthy of TPO.

3.5 Area G4 comprises a boundary group again, with Silver Birch, Oak and a Pine. The Oak and Pine are individual trees of high quality as shown below, but the group has developed together and would be of reduced value individually, therefore a group TPO is applicable.

3.6 Area G5 is predominantly Rhododendron, with a tree mixture of Willow, scrub Cherry and Elder. None of these trees is worthy of TPO status, nor do they have any amenity landscape value.

3.7 Area G6 comprises trees on the garden boundary of Kingfishers Covert, with Silver Birch and Oak. There no trees of individual high quality as shown below, but the group has developed together and provides a visual amenity, therefore a group TPO is applicable.



Group G6

3.8 Area G7, shown below, comprises Bush and Half Standard fruit trees on a formal lawn. These are not worthy of TPO status nor can they be included.



Group G7

3.9 The trees are categorised from A to D in order of condition and amenity value, with a split category if the immediate condition is likely to vary. Generally, BS 5837:1991 recommends that all category D trees are removed, all category A and B trees are retained and category C trees are retained if possible, although their condition should not restrict the design of the layout. We would therefore similarly recommend that all category D trees are removed, all category A and B trees are retained and category C trees are retained if possible, although their value does not specifically require this.

3.10 It can be seen from the Tree Reference Plan, that there are a great many Category C trees, notwithstanding group values, which are not worthy of TPO status.

4.0 DEVELOPMENT IMPACT AND LANDSCAPE MITIGATION

4.1The proposed development of the site results in the loss of a number of trees. In the area G1, a Birch and a Cherry are lost, neither of any significance. In area G2, the majority of the Silver Birch are lost, but the important and better quality edge of group trees are retained. In area G3, all the trees are retained in sustainable positions, as they are with G4. Area G5 is mostly removed, other than the screen Rhododendrons, but there is little of value that is lost. In area G6, one Silver Birch is lost and in area G7,all the fruit trees and the poor quality Cedar are removed.

4.2 The TPO was imposed in 2000, presumably as a precautionary measure whilst development negotiations were in progress and as a result of some trees being felled. The imposition of the Order complies with Local Plan policy WBE11 in part, although the Policy wording suggests that individual trees should be included. For groups the wording suggests that 'maintenance' will be sought. It is against current guidance to impose group orders, although emergency measures are accepted. In this instance, it would be appropriate to now identify the trees that are worthy of TPO and revise the TPO accordingly. The trees as a whole are not worthy of TPO status and its imposition limits the site management and useage unnecessarily.

4.3 The current development proposals are acceptable in that good landscape trees are retained in sustainable positions, without habitable rooms being shaded. The only pressure area would be G6, where garages occur on two sides of the group and a driveway passes under the canopy of one Birch, not in accordance with BS 5837:1991 Tree in Relation to Construction.

4.4 The solution to this problem is to adopt a 'no-dig' surface construction in accordance with BS 5837:1991 recommendations and as detailed in the Arboricultural Advisory and Information Service Practice Note 1 (included here).

4.5 All trees would be fully protected during construction of the site, in compliance with policy WBE11.

4.6 By way of further landscape mitigation, additional boundary screening is desirable on all plot positions, comprising locally successful Rododendron and Holly, with further tree planting where space allows.

4.7 This site will inevitably be developed and the current layout has much to recommend it, not least the excellent common amenity created by the entrance drive and the retention of the landscape group of trees on Hollybush Lane.

Stephen J Dale Dip LA MLI
18 January 2001

TC/LMM/368400/S0001

D | P | P
DEVELOPMENT
PLANNING
PARTNERSHIP

21 THE CRESCENT
BEDFORD
MK40 2RT
TEL 01234 358863
FAX 01234 271210
bedford@devplanning.com

SUPPORTING STATEMENT TO ACCOMPANY PLANNING APPLICATION

FOR THE

DEMOLITION OF EXISTING DWELLING AND ERECTION OF FOUR DETACHED DWELLINGS

AT

LAND TO REAR OF COBWEBS, TIMBERSCOMBE, KINGFISHERS COVERT AND WOODSIDE, HOLLYBUSH RIDE, FINCHAMPSTEAD

on behalf of

BROOKWORTH DEVELOPMENTS LTD

August 2000

CONTENTS:

1.0 Introduction

2.0 Site Description

3.0 Planning Policy

4.0 Planning Analysis

5.0 Conclusions

1.0 INTRODUCTION

1.1 This report has been prepared on behalf of Brookworth Developments Ltd in support of a recently submitted planning application for the demolition of an existing dwelling and erection of four detached dwellings at land to the rear of Cobwebs, Timberscombe, Kingfishers Covert and Woodside, Hollybush Ride, Finchampstead.

1.2 Section 2 briefly describes the site, while Section 3 outlines the relevant national, strategic and local planning framework. Section 4 considers the key planning issues arising from the development of this site, and Section 5 summarises our conclusions.

2.0 SITE DESCRIPTION

2.1 The site is approximately 0.45 hectares in size. It comprises the residential dwelling and curtilage of Timberscombe, together with part of the rear gardens of Cobwebs, Kingfishers Covert and Woodside.

2.2 All these properties are substantial detached dwellings in large plots. Hollybush Ride itself is an established area of low density housing, with a mature, well "tree'd" character and appearance.

2.3 To the rear of the site is Little Fryth, a more recent development of detached houses on generally smaller plots than those in Hollybush Ride.

2.4 A short distance to the north Hollybush Ride meets the major road junction of the A321 Lower Wokingham Road and the B3430 Nine Mile Ride.

3.0 PLANNING POLICY GUIDANCE

National Planning Policy Guidance

3.1 National Planning Policy Guidance on housing development is set out in Planning Policy Guidance Note 3 'Housing', the latest revision of which was issued in March 2000.

3.2 The focus of the latest guidance is upon maximising the use of previously developed, or 'brownfield' sites in order both to promote regeneration and to minimise the amount of greenfield land being taken for development. The guidance sets a requirement that by 2008, 60% of additional housing should be provided on brownfield sites.

3.3 In order to achieve this target, paragraph 30 of the guidance adopts a systematic, or sequential approach to housing site selection. The first preference is for the re-use of previously developed land within urban areas ('brownfield' sites) such as the application site. The next preference is for urban extensions and then, finally, for new development around nodes in good public transport corridors. Paragraph 31 also requires that all sites be assessed against other criteria including accessibility, the capacity of the existing infrastructure and physical constraints. The application site accords with all of these criteria.

3.4 In considering planning applications for housing development, paragraphs 46-56 of the guidance requires development to be designed to reflect the townscape and landscape features of the area such as the pattern of streets and spaces, i.e. the building line of existing properties, building traditions and materials. The guidance also requires Local Authorities to consider whether a development makes efficient use of land. It confirms that higher density developments should be encouraged, and it

recognises the need for flexibility on the part of local authorities and developers towards achieving this.

The Development Plan

3.5 The Development plan for the application site comprises the Berkshire Structure Plan and the Wokingham South East Area Local Plan.

Berkshire County Structure Plan

3.6 The Berkshire County Structure Plan was adopted in 1995 and runs until 2006. It allocates 7,750 new dwellings for Wokingham District for that period.

3.7 Work has now started on the preparation of a Deposit Draft of a new Structure Plan which will run until 2016. The first round of public consultations is likely to be during 2001, depending on when the Regional Planning Guidance (RPG) for the South East is finalised. As part of this preparation, work is underway into Urban Capacity Studies covering the whole County.

Wokingham South East Area Local Plan

3.8 The Wokingham South East Area Local Plan was adopted in April 1994. It shows the application site within the identified settlement of Pinewood, where Policy STV1 allows for development subject to other policies in the Plan.

3.9 Policy STV6 protects important open areas within settlements and requires any new development to be sympathetic in scale and character to the environs of the site.

3.10 Policy SH1 generally favours infilling, subject to detailed local environmental constraints.

3.11 Policy SBE1 requires new development to be of a high standard of design appropriate to the character of the area in which it is to be situated.

3.12 Policy SBE5 seeks good daylight and sunlight conditions for new and existing development.

Wokingham District Local Plan Deposit Draft 1997

3.13 The Deposit Draft of the Wokingham District Local Plan (as amended), which covers the period until 2006, was issued in 1997. Proposed amendments came out in 1999 and two Public Inquiries were arranged. The first related to major housing allocations and finished in October 1999. The Inspector's report was published in July 2000. It recommends against the idea of a new settlement on a greenfield site, in view of the advice in PPG3. The implications of this recommendation are referred to in Section 4. The second Public Inquiry is still in progress, and the Inspector's report is due in 2001.

3.14 The Deposit Draft shows the site within an identified settlement, whereas Policy WOS2 allows development subject to other policies in the Plan.

3.15 Policy WH1 allows infilling etc. subject to detailed local environmental and amenity considerations, in order to make the best use of land in built up areas.

4.0 PLANNING ANALYSIS

4.1 The site is within an identified settlement and is previously developed 'brownfield' land. It is clear from Government advice in PPG3 and Local Plan policy that development of the site is acceptable in principle and that best use should be made of it.

4.2 This is particularly so given the recent Local Plan Inspector's recent recommendations against large scale greenfield development in Wokingham and the Council's pressing need to find suitable sites on previously developed land.

4.3 At the same time, it is accepted that the environmental qualities, character and amenities of the area in which the site is located need to be safeguarded.

4.4 The proposal involves demolition of 'Timberscombe' and the re-use of its existing access onto Hollybush Ride to serve a new driveway to the rear of the site. No replacement buildings are proposed on the street/frontage. This arrangement provides satisfactory access to the proposed development, whilst retaining and, indeed, enhancing the spacious 'green' appearance of the street scene.

4.5 All trees at the front of the site would be retained and there would be a gap of 27 metres between 'Cobwebs' and 'Kingfishers Covert'. Further planting could also be undertaken adjoining the access drive. For these reasons, together with the fact that only 4 dwellings would be served by the access, there would be no problems associated with traffic movements to and from the new dwellings.

4.6 The site measures approximately 0.45 hectares, resulting in an overall density of only 9 dwellings per hectare (dph), well below the 30-50 dph figure referred to in PPG3. However, this reflects the low density character of Hollybush Ride. Furthermore, individual plot sizes of the proposed dwellings are commensurate with those in Little Fryth, which they would immediately adjoin. As a consequence, generous rear gardens would still be retained for properties fronting Hollybush Ride.

4.7 Most of the significant trees in the rear part of the site, particularly around the site boundaries, are to be retained. Furthermore, substantial gaps between new dwellings would be retained, so that the overall appearance would be sympathetic to the spacious and attractive character of the area.

4.8 The proposed dwellings have been individually designed as high quality, prestigious homes to reflect the character of Hollybush Ride and Little Fryth. The proposed layout would be relatively informal, with staggered building lines and some variation in plot width, depth and orientation, as well as in external appearance.

4.9 Care has also been taken to site the proposed dwellings to avoid any conflict with neighbouring houses in terms of light, privacy and outlook, thereby ensuring that high levels of residential amenity are maintained for existing occupiers.

5.0 CONCLUSIONS

5.1 Having considered the national and local planning policy background, the following conclusions have emerged in relation to the proposed development:

- This is a 'brownfield' site and PPG3 advice, together with Local Plan policy, require best use of such sites to be made in order to help meet local housing needs.

- In view of the Local Plan Inspector's recent recommendations against greenfield development, the Council should be promoting development on sites such as this.

- At the same time, the proposed scheme respects the established character and appearance of this residential area in terms of density, layout, design and the retention of trees.

- Finally, the detailed design and siting of the units does not detract from the amenities of adjoining properties in terms of light, privacy or outlook.

5.2 For all these reasons the proposal complies fully with the requirements of national advice and Development Plan policy and it is concluded that planning permission should therefore be granted.

2 Little Fryth
Wokingham
Berkshire
RG40 3RN

12 March 2001

Dear Miss Groves,

APP/X0360/A/01/1058304

My objection to the proposed development still stands. My original letter outlining specific points of objection is attached.

In addition I would like to draw your attention to my key objections which are as follows:-.

1. Such a development would set a precedent for similar development all the way up to Simon's Wood, an area already adopted by the National Trust for its outstanding natural beauty.

2. The loss of trees that would result and the effect this would have on the local wildlife, as well as on the appearance and character of the neighbourhood. The fact that many valuable trees have already been felled means that it is vital to preserve the rest in their entirety in order to support the local wildlife and their natural habitats. The blanket tree preservation order that was levied subsequent to the felling of many of the trees is an indication of their value to the local area.

3. The proposed development would have a harmful effect on the character and appearance of the area due to the cramped layout, which is out of keeping with the layout of existing properties.

4. Each of the proposed properties would overlook and overbear existing properties at an unacceptable level.

5. The proposed area for development is an area of heavily wooded back gardens and is not a "brownfield" site, and so is unsuitable for this type of development. The developers are NOT proposing to build on the site of the existing property currently known as "Timberscombe", but to demolish this and use the site as an entrance to the new development.

6. The type of development being proposed is of the "in fill" type. It should be noted that the area has already been "in filled" by the development of Little Fryth. What is being proposed is double "in filling" which is totally unacceptable.

I urge to reject this appeal by the developers.

Yours sincerely,

Ruth Salisbury

Ruth Salisbury (Mrs)

2 Little Fryth
Wokingham
Berkshire
RG40 3RN

19 September 2000

Dear Ms Odell,

PLANNING APPLICATION F/2000/2225

I am writing to object to the above application in the strongest terms.

The plan submitted by the developers shows that the proposed new properties are to be sited extremely close to the existing properties in Little Fryth. The proposed dwelling to the rear of our house will overlook both our house and garden and will seriously effect our privacy.

Our house has a relatively small garden. However the size of our garden is compensated for by our outlook onto the woodland which makes up the existing gardens. Should this development be allowed to proceed then the existing woodland will be destroyed and our outlook will be a very large house bearing down on us as our garden slopes upwards away from the house. Should this be allowed to happen, the whole balance of existing dwellings and gardens will be upset and the existing properties will be seriously devalued as a result.

Despite the developer's claim that existing trees would be protected, it is inevitable that most trees would be lost due to the ratio of the proposed dwellings and their very small gardens. In fact we have already seen a large area of established woodland destroyed in anticipation of this application. Many established trees, including oak and walnut trees, have already been felled. Some of these would almost certainly attracted preservation orders once the planning application process had started. This indiscriminate felling of the trees raises serious questions about the integrity of this company.

Apart from specific concerns about how his development will affect our own property there are many other issues which should be taken into account.

There are no services of any kind within walking distance. There are no shops or schools nearby - the nearest secondary school is several miles away. This is contrary to the Council's sustainable development policy.

There will be an increase in motor vehicles in an already congested area. The junction of Hollybush Ride and Nile Mile Ride is likely to affected in particular and this is already recognised as a difficult and dangerous junction. All journeys to work, school, leisure activities and shopping will need to be made by car.

There is a serious lack of public transport facilities in the area. The nearest station is Crowthorne which is over a mile away. There are very few buses and those which do run do not run regular services.

There is already a problem with sewerage from the existing properties in that the system does not appear to have sufficient capacity to cope with the demand. The connection of additional properties into the system will only exacerbate the problems currently experienced.

This area is exceptional in terms of its natural beauty and the wealth of wildlife it supports. There are badgers, rabbits, squirrels, bats, foxes and many species of birds. This development would have a serious impact on the current wildlife and would upset the delicate balance of nature. The constant erosion of the trees in an area such as this has to be stopped, not only for our benefit, but also for that of future generations.

There is no evidence that this development would contribute in any way to the character, environment or quality of life in the area. The only people to benefit are the developers and the existing landowners, all of whom seek to gain large profits from this venture at our expense and that of the local environment.

I urge you to reject this proposal on these grounds. The proposed development does not fit with the layout of existing properties and will have serious consequences for the local infrastructure and the environment in an area of exceptional natural beauty.

Yours sincerely,

Ruth Salisbury

Ruth Salisbury (Mrs)

W.M. Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

8 March 2001

Dear Miss Groves,

Please find enclosed my objection letter of the 20th September to Wokingham District Council Ref: planning application F2000/2225

Appeal reference APP/X0360/A/01/1058304

In addition to the points made I would like to add the following.

This proposal is very intrusive but is too small to require a contribution to the council for local infrastructure or environment. It represents maximum profit for the developer and existing landowners with zero benefit to the council and an entirely negative impact on the existing residents and environment. It proposes destruction of the current environment on the site with the subsequent loss of privacy, wildlife and rural ambience for the existing residents. The site will effectively be clear felled and only the trees in the rear of the site will be retained. The trees to be retained offer no privacy value as it is their trunks not their canopies which stand between the houses. They also do not provide for shelter or movement corridors for wild life.

The proposed felling of some 43 (excluding 13 mature trees already felled) in an area of only 0.45 hectare demonstrates that the site is in fact a wooded area supporting a clearly thriving ecosystem for wild life. Moreover to do so would effect a significant change and destroy the TPO corridor and wild life habitat. The wooded rear gardens of Hollybush Ride clearly define the character of this area. Policy WH11 states that the council will seek to ensure that the following criteria are compiled with:

Open and wooded areas, gaps and garden areas that are important to the character of any settlement area is protected from inappropriate development.

Little Fryth suffers from surface water problems during heavy rain. The removal of the majority of trees on the site and the covering of open ground with buildings will increase the drainage and water run off problems. It will inevitably reduce the take up of surplus water by the trees. Evidence proves that the site of the application is woodland rather than what central government intends to be earmarked as a "Brownfield site" or previously developed land. Every garden in the UK could be considered as a brownfield site simply because it is not a designated greenfield site. The definition "Brownfield" refers to a previously developed commercial, disused, derelict or contaminated piece of land. The definition includes defence buildings and land used for mineral extraction and waste disposal where provision for restoration has not been made through development control procedures. These definitions do not equate to the gardens of the properties of Hollybush Ride, Little Fryth.

The developers have submitted a report which attempts to trivialise the tree preservation order by suggesting with careful photography that many trees are not worth keeping. It is important to note that the TPO emphasises the importance of the whole group of trees as an environmental amenity, as a wild life corridor and as screening and seperation from different settlements e.g. those trees screening Ashdale Park from Little Fryth. The TPO group similarly seperates Little Fryth from Hollybush Ride in the same way.

The Council's clearly defined refusal to this application is enclosed.

It is of no surprise that the developers have recently submitted new applications for the building of 3 properties and also 1 property. I feel the developers are going through the motion, testing the system and playing the game. The fact that they have also submitted an application to demolish Timberscombe and replace it with one dwelling only, says it all. In fact that is the only sensible option to which I would have no objection. On behalf of the surrounding boundary properties I would like to request that the informal hearing is concluded on site and that we as a group have the final opportunity to point out the surrounding area. I will ensure that access to all our rear gardens will be available to you during your site tour.

Yours sincerely,

Mrs Alisbury

W.M.Salisbury
2 Little Fryth
Finchampstead
Wokingham
RG40 3RN

20 September 2000

Dear Mrs Odell,

Ref: Planning Application F2000/2225

THIS DEVELOPMENT WOULD HAVE SERIOUS IMPLICATIONS FOR THE WHOLE OF THIS AREA IN THAT IT COULD SET A PRECEDENT FOR FUTURE DEVELOPMENT OF A SIMILAR NATURE WHICH COULD CONTINUE ALL THE WAY UP TO SIMONS WOOD AND DESTROY THE UNIQUE CHARACTER OF THE AREA.

On Saturday 5 August a huge area of established woodland, including many oak and walnut trees, was cleared, without authorisation, by the developers in anticipation of this application. Those of us who were around on that day tried to stop this indiscriminate felling of trees recognising that some of the trees could be protected by preservation orders once the planning application process was started. It is clear that the trees were felled in advance of the application to ensure that no such orders could be made. Council tree officers have since visited the site and taken note. We have video evidence of the event and photographs of the woodland prior to part of it being felled. The developers have a total disregard for the area and they convey a cynical approach to the authorities. Their integrity must be questionable.

I am writing to object to the proposed development for the following reasons.

1. The four prospective houses would occupy an area of land which realistically can only accommodate one or two. They have very small rear gardens. There is insufficient screening to ensure any privacy to adjoining properties in Little Fryth. The planting of hedges would not solve the problem or lead to better light because a shadow would exist from the sheer size of house to the rear of our garden in no 2 Little Fryth.

2. The positioning of plot 1 would be overbearing to the rear of us in that our garden slopes upwards from our house and a property of the size proposed, only eight metres from our boundary, would be huge and ensure no privacy whatsoever. There is an insufficient gap between our house and plot 1.

3. The site plan indicates the retention of trees in Cobwebs but a total disregard for the 45 trees which would have to be cleared, and the effect this would have to our rear outlook.

4. The rear garden of our property is small. But the developers cannot use the argument that the proposed development would be in keeping with the small gardens of the properties they intend to build because the size of our garden is compensated by the panoramic feeling of space given to us by the forested area of trees.

5. The proposal represents a camped development taken to the boundary of the plot which would be out of keeping with the existing pattern of development in the area. In particular it would be detrimental to the amenities of adjoining dwellings by causing them to be overlooked.

6. At present there are NO services of any kind within walking distance. There are no shops or schools nearby. The nearest secondary school is several miles away. This goes against the Council's sustainable development policy.

7. There would be an increase in motor vehicles so adding to local congestion, particularly at the dangerous junction of Hollybush Ride and Nine Mile Ride. All journeys to work, leisure activities, shopping and school would need to be made by car.

8. There is a distinct lack of public transport facilities within walking distance – local buses are few and far between.

9. The felling and clearance of a large area of established trees would destroy the prestigious, rural, forested nature of the area, disjoint the wildlife `corridor` and is against the environmental policy.

10. The area provides a habitat for a range of wildlife including badgers, foxes, rabbits, squirrels and many species of birds! Such a development would have a detrimental effect on the established wildlife and would ruin the wildlife corridor.

11. Hollybush Ride is an unadopted road and is technically described as a byeway – it is not suitable for further development. There is no Council funded maintenance for resurfacing, lighting, sewerage etc. Upgrading these services would require the consent of existing residents in Hollybush Ride and would cause them serious disruption.

12. The plan for the new properties to feed into the already overloaded and problematic sewerage system currently serving Little Fryth and Ashdale Park is unacceptable. A covenant exists between the properties of Timberscombe and no 6 Little Fryth under which the main sewerage drain runs. It gives access to Timberscome ONLY to effect repairs to the system should a problem arise. This privilege does NOT extend to any other prospective properties being built. The sewerage from Cobwebs runs through the same system. We have checked out the drains of the surrounding properties in Little Fryth to verify this. Effectively Cobwebs has been using the main system to dispose of its sewerage without the permission of no 6 Little Fryth. The owners of no 6 Little Fryth are quite within their rights to insist that Cobwebs should be cut off from the existing system. This issue is being taken up by a solicitor. If the developers think they can proceed further up Little Fryth to key into and link into the system, permission would be required from those householders. Having checked with the surrounding properties and those further up Little Fryth and those opposite the proposed development in Hollybush Ride, I can confirm that permission would not be granted.

13. The development would lead to "filling in" and would further erode the distinction between Finchampstead and Crowthorne which is contrary to the Council's policy SC1 WH1. The proposal represents an uncoordinated development of backland in an unsatisfactory two tier development. It would overlook and be overlooked by existing nearby properties resulting in the loss of amenity. The area has already been developed to its maximum potential. If there had been a need to further "in fill" then the Council would have granted that permission to Bryant nine years ago to enable them to use the cul de sac adjoining no 12 Little Fryth as an entrance to continue to build in those rear gardens. As it is the boundary is clearly finalised to further development.

14. Th Council's policy is to develop brownfield sites not greenfield ones. The developers interpretation that this semi rural area constitutes a brownfield site is questionable in that all the gardens in The United Kingdom could be considered as brownfield sites. To be developed they would have to meet restrictive criteria. The correct interpretation for a brown field site is "A commercial, disused, derelict or contaminated piece of land". This does not equate to the rear gardens of the properties in Hollybush Ride/Little Fryth.

15. Any settlement area occupying an area in excess of 5 hectares or the building of more than 10 houses must undergo an environmental assessment. The settlement area is larger that this. If it is developed piecemeal, no environmental assessment need ever be done.

16. The builder's development application focuses on the site as offering the following:-

a) **Satisfactory** access to the proposed development while retaining and enhancing the spacious " green" appearance of the street scene. The access is in fact very dangerous to the busy Hollybush Ride. The spacious "green" appearance would not be retained, because the trees in front of Cobwebs/Kingfisher's Covert would all have to be trimmed and maintained at a height of 3 feet so as not to obscure the entrance.

b) The site measures 0.45 hectares. The developers calculation that the houses occupy a low overall density is misleading because it includes the complete Timberscombe plot most of which will be used for access. The remaining land to the rear where the four houses would occupy is of a high density. Furthermore the rear gardens of those properties are very small and not commensurate with those in Little Fryth which they adjoin.

c) The builders claim that most of the significant trees in the rear part of the site are to be retained is untrue. In fact they would all have to be cleared in order for the proposed properties to be built there. The gaps between the current and new properties would be insufficient to be sympathetic to the spacious and attractive character of the area.

d) The builders claim that care has been taken to design and site the proposed dwellings to avoid any conflict with neighbouring houses in terms of light, privacy and outlook is not the case. In fact no care has been taken. Plot 1 would completely overlook our property in no 2 Little Fryth and would severely effect our house and garden in terms of light, privacy and outlook resulting in **NO** levels of residential amenity for us as existing occupiers.

e) The conclusions on page 8 of builders application draft are misleading and ambiguous in the extreme and do not in any way meet the planning policy requirements.

I would hope that the Council would reject this planning application.

Yours sincerely,

W.M.Salisbury

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Brookworth Developments Ltd
C/O Ark Design (Miss D Warner)
20 Radnor Road
Earley
Berkshire
RG6 7NP

Application Number: F/2000/2225

Parish: **FINCHAMPSTEAD**

Location: **Land Rear Of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.**

Proposal: **Proposed erection of 4 dwellings plus demolition of existing dwelling.**

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

Reason
1. The proposed development would have a harmful effect on the character and appearance of the are due to the backland and relatively cramped layout, together with actual and potential loss of trees that would result. The proposal would therefore be contrary to Berkshire Structure Plan Policy EN1, South East Local Plan Policies SBE2 and SBE9 and to Wokingham District Local Plan Policies WBE1 and WBE11.

Reason
2. The proposed development would result in unacceptable overlooking of, and an overbearing effect on, existing residential property. The proposal would therefore be contrary to South East Area Local Plan Policy SBE2 and to Wokingham District Local Plan Policy WBE1.

Reason
3. Allowing the proposed development would set a precedent for similar development on land nearby, which the Local Planning Authority would consequently find difficult to resist and which would compound the harm to the character and appearance of the area that the current proposal would result in.

Informative;
You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:
Berkshire Structure Plan Policy EN1
South East Area Local Plan Policies STV1, SBE2 and SBE9
Deposit Draft Wokingham District Local Plan Policies WOS2, WBE1 and WBE11.

John Mitchell

John Mitchell
Development Control Manager
Date: 03/10/2000

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.

Tel. (0118) 974 6448 (Direct Line)
Date. February 19, 2001
My ref: F/2000/2225
Your ref:

W Salisbury
2 Little Fryth
Finchampstead
RG40 3RN

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: Brookworth Developments Ltd
SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead
PROPOSAL: Proposed erection of 4 dwellings plus demolition of existing dwelling

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 on a date to be advised.

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

If you wish to make further representations, you should, if possible, send three copies to Miss A Groves, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ, quoting reference APP/X0360/A/01/1058304. Comments received after 15/03/01 will not normally be seen by the Inspector & will be returned.

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 Mondays to Thursdays, & 08.30 to 16.00 Fridays).

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

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

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Tel. (0118) 974 6445

Date: 28 February 2001

Your Ref:

My Ref: Angela Odell
F/2001/3399

The Owner/Occupier
2
Little Fryth
Finchampstead
Berkshire

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

Dear Sir/Madam

Application Number: F/2001/3399

Site Address: Land Rear Of Timberscombe, Hollybush Ride, Finchampstead Wokingham.

Proposal: Proposed erection of 3 detached dwellings plus demolition of existing dwelling..

The Council has received an application to carry out the above development.

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

If you have any comments you would like to make before the application is determined, please reply in writing within 21 days from the date of this letter quoting Application Number **F/2001/3399** . Your comments will be considered by the planning officer before a decision is made and will be summarised in the committee report if the application is decided by committee. Where an application is to go to committee you will be told of the date and given the opportunity to speak at the meeting. All those making comments will be notified of the decision when it is made.

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

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

Yours faithfully,

John Mitchell

John Mitchell
Development Control Manager

Tel. (0118) 974 6445

Date: 26 February 2001

Your Ref:

My Ref: Angela Odell
F/2001/3388

The Owner / Occupier
2
LITTLE FRYTH
FINCHAMPSTEAD
WOKINGHAM
BERKSHIRE
RG403RN

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

Dear Sir/Madam

Application Number: F/2001/3388

Site Address: Timberscombe, Hollybush Ride, Finchampstead Wokingham.

Proposal: Proposed demolition of existing dwelling and erection of one dwelling and garage..

The Council has received an application to carry out the above development.

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

If you have any comments you would like to make before the application is determined, please reply in writing within 21 days from the date of this letter quoting Application Number **F/2001/3388** . Your comments will be considered by the planning officer before a decision is made and will be summarised in the committee report if the application is decided by committee. Where an application is to go to committee you will be told of the date and given the opportunity to speak at the meeting. All those making comments will be notified of the decision when it is made.

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

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

Yours faithfully,

John Mitchell

John Mitchell
Development Control Manager

Rec'd 3.15pm 9.3.01

4, Little Fryth
Wokingham
Berkshire RG40 3RN
Tel. 01344 750 366

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

cc Mrs. A. Odell
Planning Dept.
Wokingham District Council
(NO ATTACHMENTS.)

PLANNING SERVICES
DC AO
CG
12 MAR 2001
COPIES TO: ACK: FILE:

9th March 2001

Dear Miss Groves,

REF. APP/X0360/A/01/1058304
Appeal by Brookworth Developments Ltd.

I should like to invite you to visit this address as part of the above Hearing, to demonstrate the tiny size of this garden and the woodland area which will be affected by the proposed development.

Please find attached my original letter objecting to the planning application, for your reference.

Please also find enclosed a series of photographs, showing my rear garden at 4, Little Fryth with Plot 1 shown on the Planning Application beyond. This demonstrates the proximity of the proposed house and the density of tree cover. Also enclosed is an aerial photograph showing this house and the proposed development area, which demonstrates the fact that we currently have a continuous green canopy of woodland.

I note that the Appeal document received by the Council from the Applicant bears no information on the grounds for appeal, yet a Hearing has been granted. Is this usual? I request that this lack of information for objectors be taken into account at the Hearing.

ALL the objections in my original letter still stand and are supported by the refusal of planning permission issued by Wokingham District Council. My original letter gives a detailed analysis of the claims made in the planning application F/2000/2225 submitted by Brookworth Developments.

Objections are as follows, supplemented by my original letter:

Unacceptable overlooking and overshadowing of the property at 4, Little Fryth by the building proposed for Plot 1 on the application.

This is contrary to Policy SBE5 and paragraph 1.4.07 of the SE Area Local Plan, WOS3 of the Wokingham District Local Plan Deposit Draft and environmental building policies.

- **My garden is only 30 feet long,** one of the tiniest in the whole area. To give an idea of scale, the proposed building is approx. 44 feet from front to rear. This is one-and-a-half times greater than the length of my entire garden. Moreover it is even closer to the boundary than my house and is on rising ground. This is overbearing. ALL my living areas and garden will be overlooked. This will have an overwhelming effect on privacy, for this house and the proposed new building.

- All the existing developments have been carefully designed to avoid one house overlooking the living area or garden of another. To allow the proposed development would therefore be to set a planning precedent.

- I can identify no external dimensions, heights or distances from boundaries marked on the plans submitted. This is unacceptable, bearing in mind the potential for major intrusion and impact on surrounding properties. Without such information, the District Council will have no means of ensuring compliance in this sensitive area.

- The effects on the locality and its residents are entirely negative: major tree and wildlife destruction, downgrading of the local area, no contribution to our non-existent amenities from the developer and a net gain of only 3 houses, which are not of priority type and which represent less than one twenty-fifth of one percent of the Council's housing target. A very high price to pay.

- The development will set a precedent for greatly increased traffic.
  Hollybush Ride, on which the development is located, is a single lane byway with no pavements, which is currently maintained by residents. The byway is used by the general public as access by foot, horse and bicycle to the local National trust woodland and surrounding amenity area. By setting a precedent for new development, traffic movements would treble, to match the number of likely new houses, as all journeys are car-dependent. This would severely affect the amenity use of the area.

- This development would set a precedent for increased local congestion.
  The adjoining main road is already rated as one of the busiest in the Wokingham area.
  It is reached by a series of mini-roundabouts which see literally scores of traffic accidents every year. Traffic jams into Wokingham reach over a mile in length most mornings

- There are NO amenities within walking distance at present – not even a newsagent's or a playground.

Devastating damage to trees and dependent wildlife, the local dwelling environment and the ambience and amenity of the area.

This is contrary to the District Council's overall Strategy Statement, Policies WOS1, WOS3, WBE11, WNC6, WH1 and paragraph 2.89 on page 37, which states: **'Extensive back gardens...are important as linear features which act as wildlife corridors connecting the wider countryside to these urban areas.'**
Also contrary to Policy SH1 of the SE Area Plan and to Central Government Guidelines, eg PPG3 paragraph 56.

- There are approx. 93 trees on this small 0.45 hectare site (according to the Tree & Landscape Report). This indicates a densely tree-covered area. Most of these would be felled if this development were allowed, with resultant damage to the wildlife corridor, local ambience and amenity value.

- The individual trees remaining would not afford privacy: privacy is achieved by their effect en masse. To remove the majority of the trees is materially and adversely to affect the amenity of existing houses.

- The Council's Tree Preservation Order refers to 'Trees specified by reference to an area'. It is this value to the area in terms of ambience and as a wildlife corridor which the Council and residents of Little Fryth seek to preserve.

- The trees provide an important buffer between Little Fryth and Hollybush Ride, just as there is a tree buffer between Ashdale Park and Little Fryth. This is the standard of development in the entire neighbourhood. To remove this buffer would be materially to downgrade the amenity of the area. The neighbourhood is wooded all the way from the A321 main road all the way to the National Trust site of Simon's Wood.
  To allow the development would punch a hole in the continuously wooded area and set a precedent for development which would necessitate its entire destruction, downgrading and changing the ambience of the whole neighbourhood.

- The Tree & Landscape Report is irrelevant to this Appeal as it examines individual trees and takes no account of their contribution to wildlife, of their value as an integral part of a larger wooded area, nor of their purpose as a buffer between two settlements. The Tree & Landscape Report seeks to undermine the Tree Preservation Order. The fact that, in the Report, certain individual specimens are described as 'insignificant' or 'weak' has no bearing on their value in providing a diversely-wooded area.
  Moreover, a mixed area of mature, young and decaying trees is of positive benefit to many wildlife species, eg woodpeckers and stag beetles (the latter rely on decaying birch wood in which to breed), and providing varied cover and food sources for birds and mammals.

Continued from previous page:

- Its references to 'no amenity value' are purely subjective and with which I disagree: the comments are made from the perspective of those selling land, not those affected by the proposed development.
  I draw your attention to the final paragraph 4.7 'This site will inevitably be developed': do they know something we don't, or is this simply a demonstration of contempt for the democratic process!

Brownfield sites and development areas

The Application makes much of Central Government's supposed encouragement to develop so-called 'brownfield sites' and asserts that the plot in question is a 'brownfield site'. I can see no foundation for such an assertion.

- PPG3 in fact makes no mention of brownfield sites and refers to 'Previously Developed Land' throughout. May I emphasise the definition of Previously Developed Land in Annex C of PPG3, which states that land is EXCLUDED from this category where:

  '...the remains of any structure or activity have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings) and where there is a clear reason that could outweigh the re-use of the site – such as nature conservation- ...and cannot be regarded as requiring development.'

  I have highlighted the issues of nature conservation and wildlife corridors in this and in my original letter.
  In addition you will see from the aerial photo, and by visiting the area, that houses along Hollybush Ride were in fact built within existing woodland - most trees were not planted subsequently as landscaping - and the garden areas therefore mirror the surrounding countryside. They can certainly 'reasonably be considered as part of the natural surroundings'.

Finally, I question the inclusion of this area as a Settlement Area as it does not conform to the Council's own definition of land for inclusion, as it EXCLUDES:

'Areas of sporadic development ... 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.'

- The above statement characterises Hollybush Ride, which is a finger of development along a byway (it is not a road) to the National Trust property of Simon's Wood and adjacent woodland. The houses were in Hollybush Ride were in fact built in existing woodland.

- I understand that the area was not nominated as a Settlement Area by Wokingham District Council, but by interested landowners.
  There was no effective public consultation at the time, contrary to PPG3 paragraph 55. Those of us most affected were entirely unaware of the Settlement area.

By rejecting the Application, an opportunity is created to ensure that the wider environmental issues and the impact on the majority of the residents involved are democratically considered.

For all my original reasons, and for the reasons above, I recommend that this Appeal Hearing into Planning Application F/2000/2225 reject the Application in its entirety.

Yours sincerely,

Marie Warsop

4, LittleFryth
Finchampstead
Wokingham
Berks. RG40 3RN
Tel. 01344 750 366

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

Original letter

12 MAR 2001

20th September 2000

Dear Mrs. Odell,

Re. Planning Application no. F/2000/2225
Land rear of Timberscombe, Hollybush Ride, Finchampstead, Wokingham

I have many objections to the above Planning Application, which are detailed below. As the Application is clearly contrary to both Local and Central Government policies and guidelines, I request that it be refused.

SUMMARY OF MAJOR OBJECTIONS

- **The property at 4, Little Fryth will be entirely overlooked by the proposed dwelling on Plot 1. This is contrary to Policy SBE5 and paragraph 1.4.07 of the SE Area Local Plan 1994.**
  4, Little Fryth is only 30 feet away from its rear boundary: we have a tiny garden, unlike other houses in the area.
  This will form the joint boundary with the new, much larger, dwelling which will be only approx. 28feet the boundary and on rising ground. The new house will project about 2/3 of the way across its plot, being 44 feet wide.
  Therefore we shall suffer a total loss of privacy in our garden, sitting room, dining room, study and kitchen as we shall be overlooked by all the same rooms from the new dwelling, plus their 'family room'. This is undesirable for both parties.
  Additionally, it will block our natural light, warmth and aspect, from both our house and garden, (see below) as the new house will be directly to the south of our property.

  Any hedge or fence planted at the boundary to provide some privacy will significantly block the light, warmth and view from our house and garden. As will any shed or greenhouse, as the ground slopes upward. Once built, we shall be powerless to prevent any such planting and subsequent loss of light and warmth.
  The drawn plan is misleading as it shows retained trees apparently creating a screen between the properties. In fact the trees are mature birches about 60 feet high. It is only the narrow trunks which divide the plots, not the canopies. This provides no privacy.
  The rear garden of the new house will be even smaller than ours and with a larger dwelling on it. *This is entirely out of proportion and out of keeping with the area and creates a major issue of having* two adjoining very small plots.
  I request that the application is denied for all the above reasons.

- **We shall also be overshadowed. We shall lose daylight to the garden and all downstairs rooms, especially in winter, as the proposed new house is so close, so large and is on our south side, from where all our light comes.**
  This is contrary to paragraph 1.4.07 and Policy SBE5 of the Wokingham SE Area Local Plan 1994, WOS3 of the Wokingham District Local Plan Deposit Draft and environmental building policies which require best natural lighting for dwellings.
  Our 6 foot garden fence casts a shadow about 25 feet long over the entire lawn in winter, but the low sun shines directly into the house. The trees are bare and cause no dense shadows. In summer the sun is high over the canopy and shines straight into the house and garden.
  The new dwelling is a solid brick wall which will completely block the low sun from illuminating and *warming the house in winter, especially since the new house will be uphill of us.*
  (As the 6 foot fence casts a shadow some 4 times its length in winter, a house some 35 feet above us, and only 28 feet away, could cast a 140 foot shadow, enveloping our house entirely.)

- **Contrary to the assertion on the Planning Application, there can be no simple access to the existing sewage system from the proposed site.**
  Additionally, there is currently no legal disposal of sewage from the site of 'Cobwebs' at all. This includes the proposed dwelling on Plot 1.
  It seems that, at the moment, 'Cobwebs' is illegally discharging sewage into the pipe which runs under 6, Little Fryth without the knowledge or permission of the landowners, or of the water authority, and without payment. A notice is being issued to stop this.
  The other properties on the site are allowed access to the sewage system by covenant. These covenants do not apply to any other houses on the site. The residents of Little Fryth, under whose properties the sewers run, have no plans to increase access to their land for sewage.
  The small size of Plot 1and the proximity of the boundary to 4, Little Fryth, means that a septic tank could not be installed without environmental health considerations. Moreover, there is insufficient access to the garden for the necessary tanker without felling more trees.
  The sewage situation is at best complex and at worst a shambles.
  I request that the Application be denied on these grounds also.

- **The proposed new development has NO services whatever within walking distance. Also, public transport is minimal.**
  This is contrary to the overall Strategy Statement of the Council and is contrary to Policies WOS1, WOS3. It is also contrary to Central Government policies as stated in PPG3 paragraphs 2, 31, 46 and 47 and in PPG13 paragraphs 10 and 13.

  There are approx. 3 buses per day into Wokingham and 5 into Bracknell (from a stop not within walking distance) and the site is 4 miles from the mainline railway station. There is no realistic peak time public transport for access to work or school. The main employment in the area is in Reading and Bracknell and along the M4 corridor. There are no peak time buses and those able to afford a 5/6 bed house are likely to have jobs which require the flexibility of a car. The nearest secondary school is about 2 miles away with no public transport. The health centre is about 1 ½ miles away with 3 buses a day. The nearest shop is 1 mile away and sells only newspapers. There are no local leisure facilities, not even a playing field or park.
  Walking and cycling are impractical, unattractive and dangerous as the local speed limit into Wokingham is 60mph. On the other roads it is 50 and 40mph. In addition, these are designated as some of the busiest roads in the Wokingham area and need no more traffic.
  Transport and access to services will be an even greater issue as further 'infill' development occurs around Hollybush Ride, as it will if this Application is accepted and a precedent thus set for further development.
  This is contrary to PPG3 and local policies which require consideration to be made of the whole area.

- **The site will be virtually clear-felled except around its perimeter. Approx. 43 mature trees will be removed, 22 of these from immediately behind 4, Little Fryth.**
  There will be resultant devastating damage to wildlife, the wildlife corridor which the trees provide and to the local dwelling environment.. The proposals are contrary to the overall Strategy Statement and to Policies WOS1, WOS3, WBE10, WBE11, WNC6, WH1, and paragraph 2.89 page 37. This is also contrary to Policy SH1 of the SE Area Plan and to Central Government guidelines, eg PPG3 paragraph 56.
  This total of trees felled excludes some 10 or so mature oaks and chestnuts which have already been felled on the presumption of planning permission being granted. It is effectively a woodland area.

- **The proposal represents a net gain of only 3 dwellings, ie LESS THAN ONE TWENTYFIFTH OF ONE PERCENT of the Council's housing target of 7750.**
  The Proposal also represents a zero gain of priority housing need.
  The houses are of a type not a priority for Central or Local Government, both of whom state the need for more smaller 1-3 bed houses and for single person households. Moreover, it requires the demolition of existing housing stock: 'Timberscombe' is a modern, attractive 4-5 bed house only around 10 years old. The gain of 3 houses is scant justification when **the very large site of the demolished house, approx. 40% of the entire site, will be used almost entirely as a driveway for vehicles, not for housing.**

- **The proposed new dwellings are too close to existing dwellings and to each other.**
  The design of the development is out of scale and character of the area.
  The proposed development will destroy the outlook of 4, Little Fryth and the privacy and seclusion we presently enjoy. The woodland environment which currently dominates the area provides this privacy. **To destroy this visual separation is contrary to Policy C6 of the Berkshire Structure Plan.**

- **The proposal is very intrusive, but is too small to require a contribution to the Council for local infrastructure or environment.**
  It represents maximum profit for the developer and sellers of land, with zero benefit to the Council and an entirely negative impact on the existing residents and environment.
  It proposes destruction of the current environment on the site with the subsequent loss of privacy, wildlife and rural ambience for the existing residents.

- **I also challenge the fact of the area to the east of Hollybush Ride being included as a Settlement Area in the Local Plan.**
  Paragraph 1.10 of the Wokingham District Local Plan Deposit Draft states:

  '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.'

  The above statement characterises Hollybush Ride, which is a finger of development along a byway (it is not a road) to the National Trust property of Simon's Wood and adjacent woodland. The houses were in fact built in woodland and their gardens almost all retain this characteristic: they are not gardens which have subsequently had trees planted in them.

  I understand that the decision was simply advertised in the local paper without any notification to those affected, nor any consultation and hence with no realistic opportunity to object.
  This does not accord with PPG3 paragraph 55. Furthermore, Paragraph 48 states that 'public transport should be used positively to shape the pattern of development'.

  There is virtually no public transport bordering the entire Settlement Area.

  The Plan then asserts that:
  'These areas of development have not been included within the identified settlements.'
  However, Hollybush Ride HAS been included as an identified settlement.

  I would like to register my objection to the area to the east of Hollybush Ride, to the A321 being designated a Permitted Settlement Area as it does not accord with the stated policies of both Local and central Government.

  The current situation is clearly anomalous and I request that a review takes place asap.

DETAILED OBJECTIONS TO PLANNING APPLICATION F/2000/2225

2.2 Hollybush Ride is described as having a 'well "tree'd" character and appearance. The Application diagrams, though not the text, show that the majority, (approx. 43 plus 10 or so already felled) of the trees on the site will be felled, thus in destroying the above tree'd character and appearance. In addition, some of those trees on the diagrams show trees which belong to properties not part of the Application and which misleadingly boost the apparent number of retained trees.

2.4 Hollybush Ride is in fact a byway, not a road, and residents are responsible for its upkeep. There are no footpaths. I question whether this is satisfactory access to the A321. Furthermore, the A321 and B3430 are designated by the Council as some of the most heavily used in the area. **This apparently minor Application sets a precedent for further development around Hollybush Ride and must be assessed in a wider context.**

3.2 The Application emphasises 'brownfield site' throughout. A garden is a brownfield site only because it is not greenfield. **The Application fails to mention many of the other issues which must be considered, according to Central Government policy stated in PPG3, eg:**

PPG Paragraph 48: Public transport is virtually nonexistent in the area. This is clearly a major negative in the further development of the area as ALL journeys must be done by car.
PPG Paragraph 56: Requires that consideration is taken of neighbouring buildings the wider landscape, the local ecology and the pattern of spaces. It requires new housing development to 'respect and enhance local character'.
See evidence in 3.15 below.

The Application clearly fails to fulfil all of the above requirements.

3.3 **The Application asserts that the site accords with all the criteria in PPG3 paragraph 31 referring to accessibility, infrastructure and physical constraints.**
This is not correct and is misleading.

'Accessibility':

There is zero access to jobs and services other than by car, contrary to Local and Central Government policy and contrary to the assertion in the Application that it accords with all the criteria of paragraph 31 of PPG3:

This will be an even greater issue as further 'infill' development occurs, as it inevitably will if this application is accepted.

PPG3 Paragraphs 2 and 31: Developments should enable people to reach jobs, education, health facilities, shopping, leisure and local services by public transport. Local policies also want more accessibility by foot and bicycle. Walking distance is defined by Local Government as 300metres or less. **There are NO facilities or services within walking distance, not even a playing field. There is scarcely any public transport.**
The nearest shopping centre is Wokingham, about 4 miles away with sparse public transport from the site.
The main employment in the area is in Reading and Bracknell and along the M4 corridor. There are no peak time buses, no local station and those able to afford a 5/6 bed house are likely to have jobs which require the flexibility of a car.
The nearest secondary school is about 2 miles away with no public transport. The health centre is about 1 ½ miles away with 3 buses a day. The nearest shop is 1 mile away and sells only newspapers.
There are no local leisure facilities, not even a playing field or park.

'Capacity of infrastructure':

The Application states that sewage will be disposed of into the existing sewage system. This is not possible and is misleading.
There is no permission to do so. Covenants exist allowing only specific named properties to have access to the existing sewers, which run under several properties in Little Fryth. Additionally, there is no legal sewage disposal for 'Cobwebs' or for any other building on this site. The small size of Plot 1 precludes the building of a septic tank without environmental health concerns.

'Constraints':

Little Fryth suffers from surface water problems during heavy rain. The removal of the majority of trees on the site and the covering of open ground with concrete will increase the drainage and water runoff problems. It will inevitably reduce the takeup of surplus water by the trees.
This is a particular problem for Plot 1 and consequently for 2 and 4, Little Fryth.

Changing the area from woodland to concrete has serious environmental implications. Further evidence is required to demonstrate that that 'soakaways' have been seriously researched and found adequate.

'Urban Areas':

The Government states that previously used land should be 'within urban areas'. The Application site is semi-rural, not urban. It is in the parish of Finchampstead and not within the boundary of urban or even suburban Wokingham.
The gardens it is proposed to build on are in fact part of the continuous woodland and wildlife corridor running from the A321 right up to the National Trust sites of Simon's Wood and Finchampstead Ridges. **The existing houses were in fact built within this woodland: these are not suburban garden plots. It is far from being 'previously developed land in urban areas' and *provides a valuable local wildlife environment. See comments in 3.15 below.***

3.6 **The Application proposes a net gain of 3 new houses. This represents a contribution of less than one twenty-fifth of one percent of the Council's total target.**
The wildlife and environmental damage and degradation of local ambience cannot be justified for so minimal a gain.

3.9 **Policy STV6 in fact specifically states that 'developments of...garden areas which significantly contribute to the character of settlements will not normally be permitted.'**
To develop the Application site will be to create a large hole in an otherwise wooded area which provides the essential character of the entire district and provides the wildlife corridor which supports over 30 species of birds, badgers, foxes, bats, stag beetles and other woodland insects.
See comments in 3.15 below.

3.10 Policy SH1 allows, rather than 'favours,' infilling, which is '...subject to environmental constraints and other provisions of this plan'.
It goes on to say that '...**the District Council will particularly wish to ensure that the following criteria...are complied with:'**

- **'The protection of open and wooded areas, gaps and garden areas which are important to the character of the settlement concerned',**

  The Application fails to satisfy this criterion.
  The proposed felling of some 43 (excluding approx. 10 already felled) trees in an area of only 0.45 hectare demonstrates that this site is in fact a wooded area. Moreover, to do so would effect a significant change to the character of our settlement. These wooded garden areas merit protection.
  See comments in 3.15 below.

- **No significant adverse effect on the character of the area.**

  The Application fails to meet this criterion.
  See comments above. The proposal to infill means that an access road will be built to the rear of existing secluded properties, currently made private by the trees. Not only will the plan mean removing trees and damaging privacy, it will also blight the character of the entire area: there are currently no roads or driveways to the rear of any property in the Settlement Area. To do so would blight bedrooms with noise and possible light pollution from streetlamps and security lights. The rear of all properties in the area is dark at present, with no vehicle movements or lights..

- **The provision of adequate garden areas, space about buildings...for all new dwellings'**

  The Application fails to meet this criterion.
  The garden area of Plot 1 is far smaller than the majority of the plots in Little Fryth.
  The new house will be 44 feet wide. However, it is sited only some 26 feet from the rear boundary taking up some 2/3 of its plot. Small plots interspersed with larger plots may be acceptable, but 4, Little Fryth, onto which it backs, has one of the smallest plots in the whole area. Our house is only 30 feet from the boundary and will be literally loomed over by a larger house on a tiny plot which is, additionally, on rising ground. This plot and location are clearly inadequate to provide privacy for the new or existing household or for private use of the gardens themselves.

3.12 **Policy SBE5 is preceded by the following comments: 'Daylight penetration into new buildings and existing buildings affected by new development, is an important amenity consideration, as is sunlight penetration of spaces outside windows. In this respect it should always be the intention to...minimise the impact of new development on old as far as is possible. The orientation of rooms, gardens and both public and private spaces is therefore critical ...They can also have some impact on energy consumption by reducing the dependence on artificial lighting and heating'.**
The Application fails to meet this policy.

All the major rooms in the new property on Plot 1 face due north. They will receive no sunlight. The proposed house on Plot 1 will cut off daylight, natural heating from the sun and even the skyline to 4, Little Fryth. This will be particularly acute in winter months.

SBE5 states that: 'the District Council will seek to ensure good daylighting conditions and adequate sunlight penetration to both new and existing development.'
I therefore request that the Council acts upon this Policy with reference to 4, Little Fryth.

3.14 **I dispute that this should in fact be a Settlement Area as it does not conform to the majority of Local Government development policies, eg WH1 see below, and certainly not to Central Government policies expressed in PPG3.**

3.15 **Most criteria in Policy WH1 are NOT met by this Application:**
It states that 'The Council will seek to ensure that the following criteria are complied with:'

a) 'Open and **wooded areas**, and gaps and **garden areas, that are important to the character of the *settlement, are protected from inappropriate development*'**

The wooded rear gardens of Hollybush ride clearly define the character of this area and are therefore protected.

b) **There is no significant adverse effect on the character of the area...'**

The site will be virtually clear felled, driveways to the rear of existing houses will be introduced and the **wildlife corridor will be destroyed.**
See evidence in e) below.

c) **'There is no significant adverse effect on any residential property...'**

There is a significant adverse effect on 4, Little Fryth by the proximity and size of the building proposed for Plot 1 in terms of loss of light, natural heating and loss of privacy by overlooking. There is also a loss of privacy, amenity and environmental value owing to the removal of 22 trees from the immediate rear of 'Cobwebs'. The site of Plot 1 and beyond will be clear felled apart from the boundaries.
All are mature trees approx. 60 feet high. The remaining trees offer no privacy as it is their *trunks, not their canopies, which separate the properties.*

d) **'There is no significant adverse effect ...on the adjoining countryside'**

See comments in e) below detailing adverse effects.
The houses on the east side of Hollybush Ride, including those in the Application, were built in woodland which forms an unbroken cover between Finchampstead Ridges, through Simon's Wood right through to the A321. **This area can therefore be classified as countryside as it does not differ materially in appearance or planting from the surrounding open spaces, including areas preserved as amenities by the National Trust.**

e) **'There is no significant adverse effect on any interest of nature conservation importance.'**

The wildlife corridor currently supports over 31 species of birds, protected by the **Wildlife and Countryside Act1981, which states that:**
'It is an offence deliberately to kill injure, take or disturb listed animal species, to destroy their resting places or breeding sites'.

ALL WILD BIRDS ARE PROTECTED UNDER THIS ACT.

PPG9 Nature Conservation states in paragraph 47 that:
'The presence of a protected species is a material consideration when a local planning authority
is considering a development proposal which, if carried out, would be likely to result in harm to the species or its habitat.
LPAs should consult with English Nature before granting planning permission.'

I REQUEST THAT SUCH CONSULTATION TAKE PLACE

31 different species of birds have been recorded in the very small garden of 4, Little Fryth over the past 3 years. This is remarkable, according to the RSPB. 2 of these are on the RSPB 'Red List', which are species 'whose population or range is rapidly declining...and those of global concern'.

A further 6 species are on the RSPB 'Amber List', which are 'those whose population is in moderate decline, rare breeders, internationally important and localised species, or those of an *unfavourable conservation status in Europe.*

Many of the other birds which have been recorded are those which depend on woodland for food and nesting:
Spotted woodpeckers and redpolls, both of which depend specifically on birch woodland, plus green woodpeckers, nuthatches, treecreepers, jays, tawny owls, chiffchaffs etc.

All of these feed and nest in the gardens and woodland to the east of Hollybush Ride. They cannot feed or nest in small, treeless gardens, nor can they move around readily once the present green corridor is denuded of trees, as it will be if this Application is granted.

In addition, we have bats, badgers and stag beetles, all of which are protected species, also foxes, rabbits, squirrels, butterflies and moths.

It is clearly a thriving ecosystem with sufficient insects to support a bat population and large numbers of birds, and sufficient small animals to support owls. There are even enough small birds to support a pair of sparrowhawks.

THIS EVIDENCE PROVES THAT THE SITE OF THE APPLICATION IS WOODLAND, RATHER THAN WHAT CENTRAL GOVERNMENT INTENDS TO BE EARMARKED AS A 'BROWNFIELD' SITE.

It also demonstrates the existence of a green corridor and, since these species are dependent on *woodland and countryside, that to clear the site and build on it would adversely affect* the environmental value of the area and its ecology and its character.
This site is clearly in an area of importance and English Nature should be consulted urgently as this Application, if granted, will lead to others similar, requiring large areas of existing mature tree cover and wildlife corridor to be destroyed. It should not be viewed in isolation.

g) ***'...It will be necessary to consider the cumulative effect on roads and infrastructure of proposed developments...'***

To accept this Application will be to set a precedent for future development in the area and have wide ranging implications for the local environment. Bearing in mind that the access is a byway, privately maintained, with no footpaths, also considering the absence of any local jobs, public transport of leisure facilities and the remarkable and popular wildlife inhabitants, I request that the Council make serious consideration of the inevitable cumulative effects.

g)ctd. The development of the Hollybush Ride area, if allowed, will be piecemeal infill, due to the nature of the Settlement Area being in fact a series of back gardens. It is likely that commercial developers will be at pains to maximise profit by minimising the size of each site so as to avoid making any contribution to the Council or the local infrastructure, as is the case with this Application. That is good business sense. However, it means that the existing residents may find the area built up with no requirement for public open space to moderate the impact and provide for local recreation. The Council will receive no contribution toward priority housing or infrastructure.
This is not in the interests of residents, the Local Council or of Central Government.

4.1 See comments made about paragraphs 3.2 and 3.3 above. The comment in the Application seems to assert that Central Government is advocating building in back gardens. This is patently not so.

'Best use' is not in fact being made of this site, since approx. 40% of the 0.45 hectare site will be used only as a driveway. Also, the proposed building on Plot 1 takes no account of existing dwellings.

4.2 For all the reasons above, I dispute that that this is a 'suitable site' for the proposed development: no transport, no access to jobs or services, no sewage infrastructure, destruction of a wildlife corridor and of the existing environment.

4.3 I fail to find any evidence in the Application that there is any safeguarding of the qualities, character or amenities of the area.
The evidence does not support this assertion.

4.4 'Timberscombe' is a large, modern property of significant value. There is insufficient demonstration if need to demolish in this Application as the net gain is only 3 houses and not of the priority types specified by Central Government. It also demonstrates the sheer profit to be made on this speculative Application, as the developer can afford to demolish a valuable property and still make a **profit – at the expense of the local residents who lose privacy and wildlife, and of the Local Council who receive no contribution to existing sparse services and infrastructure.**

Furthermore, contrary to the assertion of retaining and enhancing the green street scene, I understand that, dependent on the acceptance of this Application, trees and shrubs in the front of 'Cobwebs', and the front of the property to be demolished, will be required to be cut back and maintained at a low height.
This is to ensure clear views for all the vehicles using the new access road.
The evidence does not support this assertion.

4.5 See 4.4 above. Also, only 4 dwellings will be served at present. The Council must consider that this Application sets a precedent for further development.

4.6 **This statement is misleading and inaccurate.**

Some 40% of the site is used solely for an access road.
The actual density of the proposed development is therefore almost twice that which is stated.
Although this goes toward the Central Government requirement for denser development, it is contrary to the guideline which states that new developments should take into account existing settlement patterns.
The proposed plot sizes are NOT commensurate with plot sizes in Little Fryth, almost all of which are much larger. The exception is our plot at 4, Little Fryth, which is a house on a 30 foot long plot and which will face a much larger house, uphill. The proposed new plot is only about 28 feet long when the house upon it is 44 feet. This is entirely out of proportion.
This relative density is far in excess of the existing density and will adversely affect our house and privacy.
'Generous rear gardens' refers only to existing properties, not to the new development and not to our plot. This is an irrelevant comment.

4.7 **This statement is misleading and inaccurate.**

Most of the significant trees will be, or have already been, felled. 43 mature birch, oak, chestnut and evergreen trees will be destroyed, along with the 'mature, well 'tree'd' appearance claimed in 2.2 of the application.
The site will effectively be clear felled and only the trees in the rear of the site will be retained.
The trees to be retained offer no privacy value as it is their trunks, not their canopies which stand between the houses.
Nor do they provide for shelter or movement corridors for wildlife.

This Application is effectively to clear woodland, as has recently occurred without permission nearby on Nine Mile Ride. To allow this Application is to set a precedent for further felling in the area: it will be very difficult to refuse future applications.

The 'substantial gaps' are not supported by the evidence in the Application: the only substantial gaps are between the houses of those selling land and the new development. There are none such between the proposed new dwellings and certainly none between them and existing dwellings in Little Fryth, especially our property.
The 'overall appearance' of the entire site will be materially changed from spacious woodland, see comments in 3.15, to one of large houses on small plots, accessed by an entirely new driveway which alters the privacy and light access to existing properties.

4.9 **This statement is entirely erroneous.**
There is no evidence to support this assertion within the Application and a great deal of evidence to the contrary.
There will be serious and significant conflict with the 'light, privacy and outlook of 4, Little Fryth and other neighbouring dwellings.
See comments made in the bullet points at the beginning of this letter about the proposed dwelling on Plot 1 affecting the light, privacy and outlook of 4, Little Fryth. Also comments made against paragraphs 2.2, 3.9, 3.10, 3.12, 3.15 etc etc of the Application.

5.1

- Brownfield site development is encouraged by policies, but only when subject to many criteria and considerations.
  Those criteria and considerations have been discussed above, illustrating the many policies, both Local and Central which this Application fails to fulfil.
  As pointed out earlier, **this Application meets less than one twentyfifth of one percent of the housing target, and zero percent of priority housing need.**
  This Application does not make best use of the site: 40% is used to create vehicle access.
  The Application proposes to materially alter and degrade the local environment to build only 3 houses. The site is unsuitable and better can be found.
  The Application makes no contribution 'to help meet local housing needs' as defined by both Local and Central Government. These houses are not a priority.

- The second bullet point is a purely subjective comment with which others will disagree – it has no place in a conclusion.

- **This third conclusion is misleading and erroneous.**
  Its assertions have been extensively and clearly refuted in comments made above. The greater number of trees are to be felled, not retained, the density claims are misleading and the layout is alien, in that there is no current vehicle access, to the environment which currently backs the properties of Little Fryth and Hollybush Ride.

- **There is no evidence that the fourth assertion has any basis in fact.**
  The planned layout fails to respect the privacy, environment and outlook of 4, Little Fryth and other existing properties and contravenes Policy SBE5 and others. Since there was no consultation with residents of Little Fryth, the developer cannot possibly make this claim.

5.2 **The evidence does not support this assertion:**

The proposal does NOT comply with PPG3, notably parts of paragraphs 2, 31, 46, 47, 48, 56and 57.

The proposal does NOT comply with Development Plan Policies, eg SBE5, WOS1, WOS3, SH1, WH1, WBE10, WBE11, WCN6, C6 etc etc etc.

The specific discrepancies are discussed in detail above.

The Application makes claims and assertions which are not supported by facts nor by the evidence, particularly in relation to privacy, sewage proposals, trees and the impact on the ambience of the area, its environment and dependent wildlife.

Some of the claims made for Policy compliance with policies are, at best, unsound.

The proposal should be viewed in a wider context, as to accept it would set a precedent for further piecemeal development in the area of Hollybush Ride.
If accepted, the Council would have difficulty in rejecting similar applications in the future.
It is quite possible that the whole area to the east of Hollybush Ride could be infilled by small developments of a few houses at a time in back gardens.This could result in 40 or more large dwellings which are hugely profitable for the builders, but which are too small as separate developments to require the developers to make any contribution to the local infrastructure or environment.
Infilling will add to the pressure on Hollybush Ride as a byway and add to congestion on the adjoining roads which are designated by the Council as some of the busiest in the Wokingham area.
The area itself is much sought-after and we are very fortunate to live in what is effectively unbroken woodland all the way from the A321 to Finchampstead Ridges (see enclosed photo). Development would destroy the very environment which makes the area so popular: there is nowhere else like it in Wokingham.

There is clear evidence from RSPB research, and Council Policies in consulting with English Nature, that this site forms part of a significant wildlife refuge and should be assessed as such.
The entire Settlement Area should be reviewed as a whole.

I therefore recommend that Planning Application F/2000/2225 be rejected in its entirety.

Yours sincerely,

M. Warsop

Marie Warsop

Ref. APP/x0360/A/01/1058304



View of this property and area of Planning Application beyond.

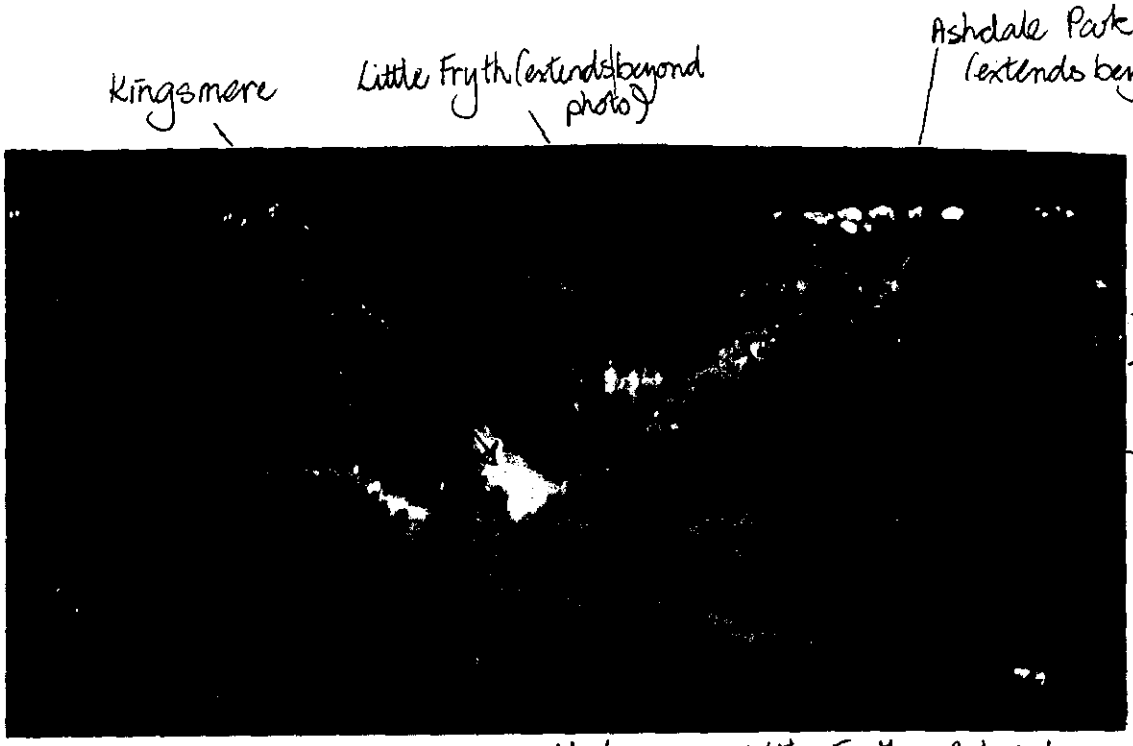


View showing well tree'd nature of the area, including existing settlements plus undeveloped, planned 'Green Wedge' between settlemer

Ref. APP/X0360/A/01/1058304



View of garden of No. 4 Little Fryth, showing narrow plot, small size, rising ground and Plot 1 beyond fence on left of picture.



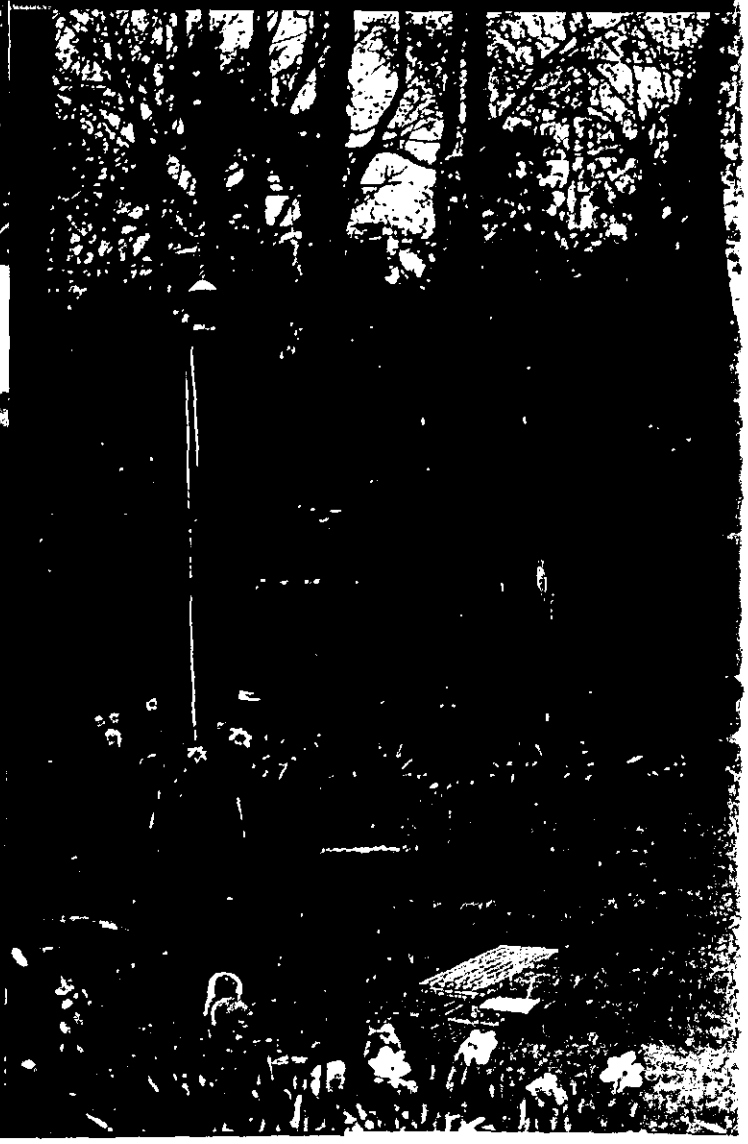
Aerial view showing densely wooded area, Little Fryth, Ashdale Park & the area covered by the planning application. Note that existing settlements are so densely 'tree'd' as to be not visible in part.

Ref. APP/X0360/A/01/1058304

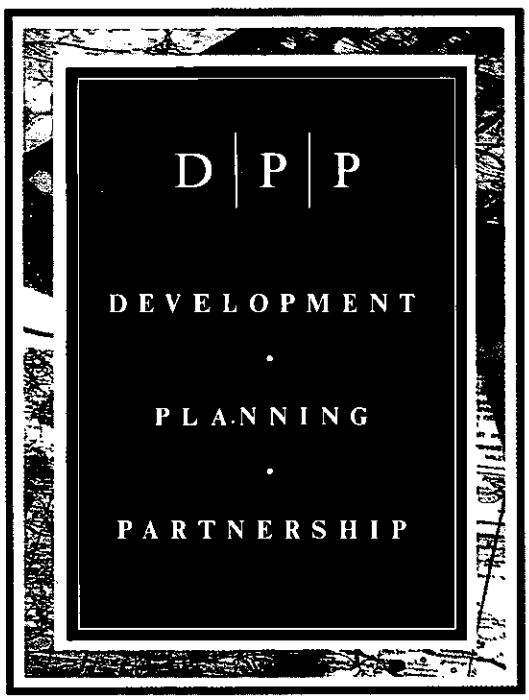
Wildlife!







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DEVELOPMENT
PLANNING
PARTNERSHIP

21 THE CRESCENT
BEDFORD
MK40 2RT
TEL 01234 358863
FAX 01234 271210
bedford@devplanning.com

TOWN AND COUNTRY PLANNING ACT 1990

Hollybush Ride, Finchampstead, Berkshire

HEARING STATEMENT

On Behalf of

Brookworth Developments

Planning Inspectorate Reference: APP/X0360/A/01/1058304
Local Planning Authority Reference: F/2000/2225

March 2001

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APPENDICES

Appendix 1 Wokingham District Local Plan - Housing Density Policy

Appendix 2 Appeal Decision: APP/X0360/A/00/1049902 - Land to the south of Wokingham Lane, Arborfield

Appendix 3 Appeal Decision: APP/X0360/A/00/105177 - Nirvana and 3 Tintagel Road, Finchampstead

Appendix 4 Plan showing location of Nirvana and 3 Tintagel Road, in relation to Hollybush Ride

1.0 INTRODUCTION

1.1 This statement relates to the appeal by Brookworth Developments Ltd. against the decision made by Wokingham District Council to refuse planning application reference F/2000/2225 which sought permission for the demolition of an exisiting dwelling (Timberscombe) and the erection of four detached dwellings at land to the rear of Cobwebs, Timberscombe, Kingfishers Covert and Woodside, Hollybush Ride, Finchhampstead.

1.2 The appeal application which was submitted to Wokingham District Council on 11 August 2000, was refused on 13 October 2000 for the following reasons:

> *1. The proposed development would have a harmful effect on the character and appearance of the area due to the backland and relatively cramped layout, together with actual and potential loss of trees that would result. The proposal would therefore be contrary to Berkshire Structure Plan Policy EN1, South East Area Local Plan Policies SBE2 and SBE9 and to Wokingham District Local Plan Policies WBE1 and WBE11.*
>
> *2. The proposed development would result in unacceptable overlooking of, and an overbearing effect on, existing residential property. The proposal would therefore be contrary to South East Area Local Plan Policy SBE2 and to Wokingham District Local Plan Policy WBE1.*
>
> *3. Allowing the proposed development would set a precedent on land nearby, which the Local Planning Authority would consequently find difficult to resist and which would compound the harm to the character and appearance of the area that the current proposal would result in.*

1.3 The scope of this statement is directed towards a consideration of the relevant planning policies, at both national, strategic and local levels, and the specific issues raised in the reasons for refusal.

2.0 SITE DESCRIPTION

2.1 The appeal site which covers an area of 0.45 hectares is located at the western extent of the defined settlement area of Pinewood. It comprises the residential dwelling and curtilage of Timberscombe, together with part of the rear gardens of the properties of Cobwebs to the north and Kingfishers Covert and Woodside to the south of Timberscombe. All these properties are substantial detached dwellings in large plots located on Hollybush Ride, which is an area of low density housing, with a mature, well landscaped character and appearance.

2.2 To the rear of the appeal site is Little Fryth, which marks the eastern boundary. Little Fryth is a more recent 'backland' development of detached houses on generally smaller plots than those in Hollybush Ride. It was allowed on appeal in 1988.

2.3 A short distance to the north of the appeal site, Hollybush Ride meets the junction of the A321 Wokingham Road and the B3430 Nine Mile Ride.

3.0 PLANNING HISTORY

3.1 Planning history on this site post dates this appealed application. Firstly an application (Ref. F/2001/3388) was submitted on the 16th February 2001 for the demolition of Timberscombe and its replacement with one dwelling. A further application (Ref. F/2001/3399) was made again for the demolition of Timberscombe and for the erection of three dwellings on land to the rear of Timberscombe, Kingfishers Covert and Woodside. i.e. a smaller site than the appeal site.

3.2 Both applications have been submitted by our clients Brookworth Developments and at the time of writing both have yet to be determined.

4.0 THE APPEAL PROPOSAL

4.1 The appeal proposal seeks the demolition of an existing dwelling, 'Timberscombe', and its replacement with four detached dwellings. In addition to the curtilage of 'Timberscombe' the proposed development would also incorporate land to the rear of its neighbouring properties; 'Cobwebs' 'Kingfishers Covert' and 'Woodside'

4.2 The main vehicular access point, to serve the development, would be off Hollybush Ride with parking by means of private driveways and garages to serve each dwelling.

4.3 The proposed dwellings have been individually designed as high quality, prestigious homes to reflect the character of Hollybush Ride and Little Fryth to the rear. The proposed layout would be relatively informal, with staggered building lines and some variation in plot width, depth and orientation as well as in external appearance in order to give each dwelling its own individuality, again to reflect the character of the area.

5.0 NATIONAL PLANNING POLICIES

5.1 This section considers national planning policy of relevance to the determination of this appeal. These include Planning Policy Guidance Note 1 ' General Policy and Principles', February 1997 and Planning Policy Guidance Note 3 'Housing', March 2000.

Planning Policy Guidance Note 1 'General Policy & Principles' (PPG 1)

5.2 The general approach to development control is contained within Planning Policy Guidance Note 1 'General Policy & Principles', which sets out the role of the planning system and in particular the need to promote sustainable development. It confirms that a key role of the planning system is to enable the provision of houses and buildings, investment and jobs in a way which is consistent with the principles of sustainable development and the need to be positive in promoting competitiveness while being protective towards the environment and amenity.

5.3 PPG 1 requires that all planning applications be determined in accordance with development plan policies, unless material considerations indicate otherwise. In all cases however, paragraph 45 states that:

> *".... Those deciding such planning applications or appeals should always take into account whether the proposed development would cause demonstrable harm to interests of acknowledged importance."*

5.4 Material considerations must be genuine planning considerations such as emerging policies in the form of departmental circulars and planning policy guidance. Another consideration is whether or not the plan policies are relevant and up to date. Paragraph 54 particularly advises that:

> *"Particular policies of the plan may, for example, have been superseded by more recent planning policy guidance issued by the Government."*

5.5 The Government recognises and upholds the rights of property and the privileges of ownership and therefore, sees the control of the right to develop land as a significant power which should be exercised in such a way that individual property owners are encouraged to enhance and improve their use of land and building. Paragraph 36 states that:

> *"Owners of land and property properly expect to be able to use or develop their land as they judge best unless the consequences for the environment or community would be unacceptable"*

5.6 In terms of design, the guidance recognises the significant effect which new buildings can have on the character and quality of an area. Paragraph 13 states that:

> *"The appearance of proposed development and its relationship to its surroundings are therefore material considerations in determining planning applications and appeals"*

5.7 The guidance goes on to state that applicants for planning permission should be able to demonstrate how they have taken account of the needs for good design in their development proposals and that they have had regard to relevant development plan policies.

Planning Policy Guidance Note 3 'Housing', March 2000 (PPG 3)

5.8 National guidance on housing development is set out in PPG 3, the latest revision of which was issued in March 2000. The Government's objectives are to maximise the reuse of previously-developed land in order to promote regeneration and minimise the amount of greenfield land being taken for development. In order to achieve this it requires local planning authorities to adopt a sequential approach to identifying sites to be allocated for housing in local plans and UDPs, starting with the reuse of previously-developed land and buildings within urban areas, then urban extensions,

and finally new development around nodes in good public transport corridors. Paragraph 31 also requires that all sites are assessed against other criteria including accessibility, the capacity of existing infrastructure, physical constraints and the ability to build communities.

5.9 In considering planning applications for housing development, paragraphs 46-56 of the guidance requires development to be designed to reflect the character, townscape and landscape features of the area such as the pattern of streets and spaces, i.e. the building line of existing properties, building traditions and materials. The guidance also requires Local Authorities to consider whether a development makes efficient use of land. It confirms that higher density developments of between 30 and 50 dwellings per hectare net should be encouraged, and it recognises the need for flexibility on the part of local authorities and developers towards achieving this.

6.0 DEVELOPMENT PLAN POLICIES

6.1 Relevant strategic and local planning policies insofar as Section 54A of the Town and Country Planning Act (1990) is concerned, are contained in the Berkshire Structure Plan and the Wokingham South East Area Local Plan.

Berkshire County Structure Plan

6.2 The Berkshire County Structure Plan was adopted in 1995 and runs until 2006. It allocates 7,750 new dwellings for Wokingham District for that period.

6.3 Work has now started on the preparation of a Deposit Draft of a new Structure Plan which will run until 2016. The first round of public consultations is likely to be later in 2001. As part of this preparation, work is underway into Urban Capacity Studies covering the whole County.

6.4 Policy EN1 of the adopted Berkshire Structure Plan states that the character and quality of the environment in the towns, villages and other built-up areas will be protected and enhanced. Within these areas development must be appropriate in scale, form, impact, character and siting to its location.

Wokingham South East Area Local Plan

6.4 The Wokingham South East Area Local Plan was adopted in April 1994. It shows the application site within the identified settlement of Pinewood, where Policy STV1 allows for development subject to other policies in the Plan.

6.5 Policy STV6 protects important open areas within settlements and requires any new development to be sympathetic in scale and character to the environs of the site.

6.6 Policy SH1 generally favours infilling, subject to detailed local environmental constraints.

6.7 Policy SBE1 requires new development to be of a high standard of design appropriate to the character of the area in which it is to be situated, whilst SBE2 states that proposals for development will not normally be permitted if they are inappropriate in terms of their relationship with adjoining sites and buildings, or which would adversely affect the character of an area.

6.8 Policy SBE5 seeks good daylight and sunlight conditions for new and existing development and SBE 9 states that the Council will normally place preservation orders on trees or groups of trees of particular amenity value threatened by development.

Wokingham District Local Plan Deposit Draft 1997

6.9 The Deposit Draft of the Wokingham District Local Plan (as amended), which covers the period until 2006, was issued in 1997. Proposed amendments came out in 1999 and two Public Inquiries were arranged. The first related to major housing allocations and finished in October 1999. The Inspector's report was published in July 2000. It recommends against the idea of a new settlement on a greenfield site, in view of the advice in PPG3 and the Secretary of State has now endorsed this recommendation. The Inspector has instead, asked the Council to produce an urban capacity study, in order to provide a clear picture as to the amount of brownfield land available for development before further decisions are made on greenfield releases. Work is currently being done to produce the study, with the results likely to be made available later this year. The implications of this recommendation are referred to in Section 7. The second Public Inquiry has now finished, and the Inspector's report is due later in 2001.

6.10 The Deposit Draft shows the site within an identified settlement, where Policy WOS2 allows development subject to other policies in the Plan.

6.11 Policy WH1 allows infilling etc. subject to detailed local environmental and amenity considerations, in order to make the best use of land in built up areas.

6.12 In terms of design principles, Policy WBE1 requires new developments to incorporate good contemporary design, which respects the local context, subject to a number of considerations including impact, accessibility and amenity.

6.13 Policy WBE11 of the Deposit Draft plan affords protection to trees and areas of woodland. The policy states that this will be done by; resisting development proposals that would cause damage to trees, the application of tree preservation orders, requiring trees to be retained on development sites, and requiring replacement trees to be provided as a result of any lost through development.

6.14 Lastly, following the publication of PPG3, The Environmental Services Committee resolved, on 12 June 2000 to include a new density policy in the District Local Plan and to use it for development control purposes as soon as possible. The policy states that no residential development on sites over 0.3 hectares within identified settlements shall be permitted at a net density of less than 30 dwellings per hectare, subject to such a density not compromising the quality of the environment. This Policy is included as Appendix 1 to this statement.

7.0 PLANNING ASSESSMENT

7.1 The following section seeks to demonstrate that the appeal proposal is in accord with the relevant planning policy guidance identified in the previous sections and provides a critical assessment of the Council's reasons for contesting the appeal.

7.2 In relation to the appeal proposals three reasons for refusal have been cited by the Council. We will consider each of these in turn and pay attention to the Policies which the Council allege are infringed

Making the best use of the land

7.3 Given that the site is located within the identified settlement boundary of Pinewood, it accords with Policy STV1 of the adopted South East Area Local Plan and Policy WOS2 of the deposit draft Wokingham District Local Plan as a suitable location for residential development. The Council has not given the area any special policy protection or designation such as Conservation Area or Low Density / Special Character Area. The proposal also accords with PPG 3 insofar as this is a previously developed site within an existing settlement, where best use should be made of the land. Policy WH1 of the Deposit draft Plan also requires the best use of such sites.

7.4 Given that the Local Plan proposal for a 2,500 dwelling greenfield housing site to the south of the district at Grazeley has been rejected at the Local Plan Inquiry, there is a pressing need for new previously developed sites to come forward. The Inspector at a very recent appeal (March 2001) on land to the south of Wokingham Lane, Arborfield (Ref. APP/X0360/A/00/1049902), commenting on housing land supply in Wokingham, stated in paragraph 23 of his report;

> *"Rejection of the Local Plan housing proposals at Grazeley on a greenfield site has left the Council's housing provision in disarray. I find it difficult to accept, as the Council maintains, that sites for the*

intended first phase of 1,850 dwellings will be readily found elsewhere in the area. The Council has accepted the Local Plan Inspector's recommendations which have profound implications for the time scale envisaged for the adoption of the Local Plan. In the meantime, as he says, Wokingham will continue to have an inadequate residential land supply. Such a significant shortfall indicates to me that there is a pressing need for housing land in the district."

7.5 The full decision on this appeal is included at Appendix 2

7.6 Given the advice in PPG3, the Inspectors comments on the inadequate housing land supply in the District and the Council's pressing need to find new previously developed sites, the proposal for four new dwellings on this site within a defined settlement should be welcomed. Should the Council object to any development in these rear gardens in principle, this would fly in the face of all of the above and the Council's own local plan policies.

Character and Appearance of the Area

7.7 Whilst the principle of the development in this location should not be in doubt, it is accepted that the amenities of the area in which the site is located need to be safeguarded. As a result any development needs to be judged against Policy SBE 1 which is concerned with the design of new development. The policy states that new development shall be of a high standard of design appropriate to the character of the area in which it is to be situated and should

"a) Make a positive contribution to its setting and the character of the area

b) Contribute to the creation of a safe and attractive environment in which to live and work

c) Retain important natural, man-made or landscape features of the site compatible with good design"

7.8 In relation to criterion a), the proposed dwellings have been individually designed as high quality, prestigious homes to reflect the existing character of both Hollybush Ride and Little Fryth. As can be seen from the proposed layout and elevations the development would be relatively informal, with staggered building lines and variation in plot width, depth and orientation as well as in external appearance.

7.9 With regard to criterion b), the development would be set back from Hollybush Ride with no buildings proposed on the street/frontage, with the existing access point re-used to serve a new driveway to the rear of the site. This arrangement provides satisfactory access to the proposed development, whilst retaining, and indeed enhancing the spacious 'green' appearance of the street scene. Indeed all the trees at the front of the site have been retained and there would be a gap of 27 metres between 'Cobwebs' and 'Kingfishers Covert', in accordance with adopted Plan Policy STV 6. It is for these reasons, together with the fact that only 4 dwellings would be served by the access, there would be no problems associated with traffic movements to and from the new dwellings. It should also be noted that no objections were raised to the application by the Council's Highways officers.

7.10 With regard to criterion c), most of the significant trees around the site are to be retained. Furthermore, substantial gaps between new dwellings would be retained, so that the overall appearance would be sympathetic to the spacious and attractive character of the area. A more detailed analysis of landscaping and arboricultural issues in relation to the site is contained within the separate report prepared by ACD Chartered Landscape Architects, already submitted to the Inspectorate and the Council.

7.11 We believe therefore, that, it is has been demonstrated that the proposal accords with Policy SBE1and Policy SBE2 insofar as the development has been designed in a manner to fit in with the character of the existing area.

The development is too cramped

7.12 The Council in their reasons for refusal allege that the development would have a harmful effect on the character and appearance of the area, due to the backland and relatively cramped layout. The total site area of the development is 0.45 hectares equating to a density of just 9 dwellings per hectare, well below both the 30-50 dwellings per hectare referred to in both PPG3 and the Council's newly formulated policy on housing density. It should be noted that the Council's Policy Officer has recommended that a higher density be achieved on this site in accordance with these policies.

7.13 In considering a similar scheme to the appeal proposal, (APP/X0360/A/00/1051777) for the proposed demolition of two dwellings and the erection of three replacement houses with garages at Nirvana and 3 Tintagel Road, Finchampstead (less than 1 mile from the appeal proposal site) the Inspector raised a number of significant points with regard to density. In particular, the Inspector states in Paragraph 10 of his report that;

> *"The proposed development of 3 dwellings would result in a density of less than 16 dwellings per hectare, which in my judgement and in the light of PPG3, is not excessive."*

7.14 Paragraph 16 of this report is also relevant to this case where the Inspector concludes:

> *"Bearing in mind the advice in PPG3 and the encouragement given to making the best use of the land, I consider that the benefits of providing three dwellings on this site within the defined*

settlement outweigh the limited harm which would be caused to the spacious appearance of the immediate locality."

7.15 The full decision is attached as Appendix 3 to this statement with a plan showing the location of the appeal proposal site in relation to the above appeal decision at Appendix 4.

7.16 A density of 9 dwellings per hectare in this instance does, however, reflect the low density character of Hollybush Ride, whilst making efficient use of the land in accordance with PPG3. Furthermore, the individual plot sizes and plot widths proposed are commensurate with those in Little Fryth, which they would immediately adjoin which is itself a backland development. The proposal also has a good level of spacing around each of the properties. As a consequence, generous rear gardens would be retained for properties fronting Hollybush Ride.

The proposed development would result in an unacceptable overlooking of, and an overbearing effect on, existing residential property

7.17 As previously stated, each of the proposed dwellings have been individually designed with particular attention paid to respecting and fitting in with the existing environment, in order to avoid any conflict with neighbouring houses in terms of light, privacy and outlook, thereby ensuring that high levels of residential amenity are maintained for existing occupiers.

7.18 The Council have not published any standards within either their Adopted or Deposit Draft Plans for distances between dwellings. From our measurements, however, the minimum habitable room window to window distance between Plot 1 and No. 2 Little Fryth is approximately 33 metres (taken from the nearest proposed first floor bedroom window) and approximately 25 metres (again from the nearest first floor bedroom window of Plot 1) to No. 4 Little Fryth. This relationship however, is at quite an oblique angle and therefore would not result in any direct overlooking or overbearing

effect. Given the location of the windows within Plot 2, the only potential for overlooking is with No. 8 Little Fryth, where the minimum window to window distance, at first floor is approximately 34 metres. The angled orientation of No. 8 Little Fryth in relation to Plot 2 is such, however, that this again would not result in any direct overlooking or overbearing effect.

7.19 Given the existing screening along the boundaries of the site, the potential for additional landscaping, and the orientation of the houses, these separation distances are considered acceptable and would not have any significant impact on the amenities of the adjoining properties. It is further considered that in terms of the location of Plots 3 and 4 in relation to the existing dwellings, overlooking is not an issue, neither is there any overbearing effect.

The proposed development would set a precedent on land nearby

7.20 In terms of the development setting a precedent, it should be noted that it is established good planning practice that each site and development must be considered on its own planning merits and that no two sites or proposed developments are identical. Therefore there is no reason why the Council should not be able to adequately resist future developments even if this proposal is allowed.

7.22 Having said that, if other sites are within identified settlements and meet the relevant policy criteria, as ours does, there is no reason why they should not be allowed.

8.0 CONCLUSIONS

8.1 Having considered the national and local planning policy background, the following conclusions have emerged in relation to the proposed development:

- This is a 'brownfield' site and PPG3 advice, together with Local Plan policy, require best use of such sites to be made in order to help meet local housing needs.

- In view of the Local Plan Inspector's recent recommendations against greenfield development and the urgent need to find housing land in the District, the Council should be promoting development on sites within settlements such as this.

- At the same time, the proposed scheme respects the established character and appearance of this residential area in terms of density, layout, design and the retention of trees.

- The detailed design and siting of the units does not detract from the amenities of adjoining properties in terms of light, privacy or outlook.

- The is no planning reason why this proposal should set a precedent for similar schemes in the future, as all developments should be judged on their own individual merits.

8.2 For all these reasons the proposal complies fully with the requirements of national advice and Development Plan policy and it is concluded that the appeal should therefore be allowed.

A1

APPENDIX 1

Wokingham District Local Plan
- Housing Density Policy

Housing Density

Following the publication of the new PPG3, the Environmental Services Committee resolved, on 12 June 2000, to include the agreed density policy in the District Local Plan, as soon as the local plan process permits, and to adopt that policy for the purpose of development control as soon as possible. In summary the new draft policy on density requires that no residential development shall be permitted at a net density of less than 30 dwellings per hectare on sites over 0.3ha located within the settlement boundary, subject to such a density not compromising the quality of the environment.

The following draft policy was submitted to the Inquiry at the Housing Round Table on 3rd and 4th July 2000:-

'IN ORDER TO ENSURE AN EFFECTIVE AND EFFICIENT USE OF LAND, NO RESIDENTIAL DEVELOPMENT ON SITES OVER 0.3 HECTARE WITHIN IDENTIFIED SETTLEMENTS SHALL BE PERMITTED AT A NET DENSITY OF LESS THAN 30 DWELLINGS PER HECTARE, SUBJECT TO DEVELOPMENT AT SUCH A DENSITY NOT COMPROMISING THE QUALITY OF THE ENVIRONMENT.

A NET DENSITY OF BETWEEN 30 AND 50 DWELLINGS PER HECTARE ON NEW RESIDENTIAL DEVELOPMENT WILL GENERALLY BE ACCEPTABLE. HIGHER DENSITIES IN THIS RANGE WILL BE ACCEPTABLE IN LOCATIONS WITH GOOD PUBLIC TRANSPORT CONNECTIONS AND GOOD ACCESS TO LOCAL RETAIL, COMMUNITY AND SERVICE FACILITIES.

IN AREAS WITH PARTICULARLY GOOD ACCESSIBILITY TO PUBLIC TRANSPORT AND FACILITIES, DENSITIES SHOULD BE IN EXCESS OF 50 PER HECTARE.

ALL DEVELOPMENTS, WHATEVER THEIR NET DENSITY, WILL BE EXPECTED TO INCORPORATE A HIGH QUALITY OF DESIGN THROUGHOUT.'

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APPENDIX 2

Appeal Decision: APP/X0360/A/00/1049902

Appeal Decision

Inquiry opened on 16 January 2001

by Colin Ball DArch(Dist) DArchCons RIBA IHBC FRSA

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

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

Date
09 MAR 2001

Appeal Ref: APP/X0360/A/00/1049902
Land to the south of Wokingham Lane, Arborfield

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against the failure of Wokingham District Council. to give notice within the prescribed period of a decision on an application for outline planning permission.
- The appeal is made by the Harbour Property Group Ltd.
- The application (ref: 0/200/1864), is dated 7 June 2000.
- The development proposed is housing with access from the A327.
- The inquiry sat for 3 days on 16, 17 and 18 January.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The application was made in outline with all matters except means of access reserved for future consideration.

2. I note that, after the appeal was lodged, the Council resolved that, had it been able to determine the application, it would have been refused for the following reasons:

   (i) The proposed redevelopment for social housing would result in the unacceptable loss of a site identified for accommodating 'bad neighbour' employment uses. The proposal would therefore be contrary to Berkshire Structure Plan Policies C2, BU2 and H8; Loddon Area Local Plan Policies LTV2, LE7 and LH9; Wokingham Local Plan (Deposit Draft) Policies WOS2, WCC1 WEM9 and WH9; and to PPG3.

   (ii) The site is in an unsustainable location for housing due to poor accessibility to essential services and is not well served by public transport. The proposal is therefore contrary to Berkshire Structure Plan policies OS1 and H4; Wokingham Local Plan (Deposit Draft) Policy WOS3; and to PPG3.

   (iii) The applicant has not satisfactorily demonstrated that the additional traffic that the development would generate would not be detrimental to highway capacity and safety. The proposal is therefore potentially contrary to Berkshire Structure Plan policy LD5; Loddon Area Local Plan Policy LT5; Wokingham Local Plan (Deposit Draft) Policy WT7; and Draft PPG13.

   (iv) The proposal does not include appropriate contributions to services and infrastructure needs which would result from the proposed development. The proposal is therefore contrary to Berkshire Structure Plan policy LD6; Loddon Area Local Plan Policy LPS1; Wokingham Local Plan (Deposit Draft) Policy WOS4.

   I shall take into account these purported reasons for refusal and the subsequent pre-inquiry negotiations.

3. Before the inquiry, the parties submitted an Agreed Statement, effectively a statement of common ground as provided for in the August 2000 Inquiry Rules. The statement contains a site description, the site's planning history, details of the planning application, the policy framework and confirms local travel distances to schools, shops and community facilities. It also sets out a list of agreed planning conditions. The statement also indicates the extent of agreement on transport matters, following the outcome of a transportation assessment. I note that the agreement reached overcomes the third purported reason for refusal in respect of traffic impact. Agreement was also reached regarding the financial contribution necessary to overcome the fourth reason for refusal as it relates to transport services and infrastructure.

4. At the inquiry, a Unilateral Undertaking, as a deed of Planning Obligation under Section 106 of the Act, was submitted by the appellant. This commits the appellant to making financial contributions to a number of service and infrastructure improvements. Specific contributions would go towards improvement of the junction at Arborfield Cross; if required, to facilitate the provision of a bus stop on Baird Road close to the site; improvement and upgrading of community facilities, in particular the renovation of the parish hall; the provision within the development of a Local Equipped Area for Play (LEAP); and improvements at local schools. Apart from some concerns about ownership and maintenance of the LEAP, the Council agreed that the Undertaking would overcome the objections outlined in reason for refusal 4. I consider that the Undertaking would generally accord with Circular 1/97 'Planning Obligations' and would effectively remedy genuine planning problems which might otherwise preclude development of the site.

5. During the inquiry, the Council confirmed that the Stage 1 Safety Audits of the alternative means of access showed that each was generally satisfactory and met the highway safety objections. Consequently, it was agreed that all these factors together overcame all aspects of the third and fourth purported reasons for refusal.

Main Issues

6. In the light of this, and all the other evidence submitted to the inquiry, I consider the main issues in this appeal to be;

   (i) whether the site should be retained to accommodate 'bad neighbour' employment uses

   (ii) whether this is an appropriate site for housing, bearing in mind local housing need and the objectives of sustainable development policies

Planning Policy

7. The statutory development plan for the area consists of the Berkshire Structure Plan 1991-2006 and the Loddon Area Local Plan, which was adopted in 1995.

8. Structure Plan Policy C2 is intended to control development outside existing built-up areas and settlements. The redevelopment of existing buildings will be permitted, particularly where it assists the diversification of the rural economy and maintains or enhances the rural environment, provided it is appropriate in scale, form, impact, character and siting to its location in the countryside. Policy BU1 aims to provide employment development which best meets local needs, while Policy BU2 gives encouragement to the provision of a range

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of small units. Policy BU3 encourages the change of use or redevelopment of industrial sites to other uses in appropriate circumstances.

9. Policy OS1 sets out the overall strategy for the County, including giving priority to meeting economic and social needs such as the provision of low cost housing and wider employment opportunities. All development is directed to locations which minimise the need for travel and which can be well served by public transport. Policy H4 confirms that all new residential development should be in locations which are close, and have good access particularly by public transport, to existing and proposed employment areas and shopping and service facilities. Policy H7 requires the provision of an appropriate proportion of low cost housing. Although the application initially indicated a scheme for entirely low cost housing, this was subsequently amended so that Policy H8 is no longer applicable.

10. The Local Plan is significantly out of date, particularly in relation to the provisions of the Structure Plan and the government advice in PPG3 'Housing'. The Council has affirmed that it will continue to carry weight as the most up to date adopted policy, except in relation to housing provision. It seems to me that such critical shortcomings must, to some extent, undermine almost all other policies. Nonetheless, the Plan remains part of the development plan and has some, albeit limited, relevance.. Policy LTV2 identifies all land outside designated settlements as rural land where development will not normally be allowed. Some exceptions are itemised but do not include the type of development proposed here Under Policy LE7, the Council will use opportunities as they arise to seek to relocate 'bad neighbour' employment premises to more appropriate sites. Policy LH9 relates to affordable dwelling projects and no longer applies.

11. The emerging Wokingham District Local Plan is a material consideration in this appeal. It was placed on deposit in 1997 and a Local Plan Inquiry took place in two phases between October 1998 and September 2000. The Part 1 report rejected the Council's proposals for a new settlement of 2,500 homes on a green field site at Grazeley. The second phase report has yet to be received, but the radical rethink necessary on housing locations throughout the district could well affect other policies. For this reason, I consider that the emerging Local Plan policies carry less weight than its current progress through the adoption process might otherwise indicate.

12. Policy WOS2 allows development outside identified settlements only in exceptional circumstances. Policy WOS3 sets out general development control principles including the need for development to be both localised and designed to reduce the need to travel, and to encourage the use of means of transport other than the car. Policy WCC1 precludes development in the countryside with some itemised exceptions, including redevelopment proposals, subject to meeting appropriate design criteria. Policy WH9 applies to schemes for affordable housing. Policy WEM9 identifies the site as one where the Council will encourage proposals for car repair and similar 'bad neighbour' uses in buildings specially designed for the purpose. Policy WBE12 is intended to protect and improve the appearance of roads identified as green routes.

13. Other material considerations include the government's advice on sustainable residential development set out in PPG3 'Housing' and the 1998 DETR publication 'Planning for Sustainable Development – a Guide to Better Practice'. I shall also take account of the Local Plan Inquiry Inspector's Part 1 Report, issued in July 2000, together with the appeal decisions relating to the former Brick and Tile Works (1998) and land east of the A327

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(1999), and the Council's decision on the site at Sheerlands Road (2000). These are all sites for residential development within the adjacent Arborfield Garrison.

Reasons

Site details

14. The site was formerly part of Poperinghe Barracks, which I understand was erected in 1943 as accommodation for troops at Arborfield Garrison. It was severed from the main part of the barracks by the construction of the A327 in the 1960s. The Garrison is now effectively a settlement of both military and civilian dwellings. The 20 or so timber and asbestos buildings left on the site are laid out in a formal grid pattern. The buildings have been used in the past as a piggery, and some as small workshops, but they are now all vacant. Almost all the buildings are derelict, some are fire damaged and many are close to collapse.

15. The site lies generally below the level of the A327, which is on embankment at this point, and is enclosed to the north and west by dense belts of trees. These, together with more scattered trees on the southern boundary and embankment planting, effectively screen the site from view from most directions. Wokingham Lane, a byway also severed by the A327, runs through the trees along the northern boundary of the site. The existing access from the A327 also serves other development to the north, including several vehicle-related commercial enterprises and a permanent Gypsy caravan site.

First issue – retention of the site for employment use

16. Permission was granted on appeal in 1992 for the change of use of the buildings from the, by then, established agricultural use to Class B1 small industrial units. The improvement of the site's appearance was a consideration in that decision - it was held that dereliction would serve no useful planning purpose. Since then, despite various permissions, the buildings have clearly deteriorated further. In 1996 the Council granted permission for the change of use of redundant agricultural buildings to Class B2 and B8 uses as an alternative to Class B1 use. The Council considers that these permissions have been implemented although there is now no sign of any occupation. In 1999, the Council resolved to grant conditional planning permission for a 4,650 sq m factory on the site for a local business, subject to a Section 106 Agreement requiring financial contributions to highway improvements and community facilities. However, it seems that no agreement has been signed and the permission has not been issued. I understand that the company involved may have relocated elsewhere. In any event, the site remains unused.

17. Draft Policy WEM9 identifies the site as one of five existing and two proposed employment areas suitable for uses that have a detrimental impact on residential amenity – 'bad neighbour' uses. The policy stems from the identification in 1994 by the local Business Needs Forum of a particular need for cheap, short lease buildings to provide premises for car repairs and other 'bad neighbour' uses. I note that, despite the availability of the barrack buildings for such uses since 1992, no more than two were temporarily taken up. This may be because the existing buildings are unsuitable for such uses without major alteration. The buildings on the site are well past their useful life and they are now in a derelict and dangerous condition. In my opinion, none are capable of economically viable refurbishment to meet the policy requirement of specially designed buildings. New buildings would be required, but it seems to me that this would not necessarily meet the needs identified by the local business community.

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18. In my view, the site must be of limited attraction to the kind of 1-3 man car repair business the Council envisages using the buildings. The buildings are not capable of use as they stand and the cost of a new specialised building could not be justified by such a business. While the policy identifies a number of suitable sites, I heard no convincing evidence of a particular current demand for this site.

19. I also note that draft Policy WEM9 is subject to a number of site-specific objections. While those related to this site may not have much substance, it seems to me that, taken with the urgent need to find housing sites, the objections may result in the policy not surviving the Local Plan process in its present form. I heard that the site will be included in a district-wide Urban Capacity Study (UCS) being carried out by the Council. This means that the current designation for 'bad neighbour' employment use will have to be reconsidered.

20. Since the proposed designation, permission has been granted for about 400 new houses on the other side of the A327. While there are no specific guidelines on a 'cordon sanitaire' for 'bad neighbour' uses, it seems to me that the proximity of so many new dwellings, together with the Gypsy caravan site to the north, makes this a less than ideal location for a 'bad neighbour' industrial site. In the circumstances, it may be that the designation is no longer compatible with current government policy and it may well have to be reconsidered as part of the Local Plan process. To my mind, these factors call into question the underlying objectives of draft Policy WEM9. This substantially reduces the weight that the policy carries in this appeal.

21. I have come to the view that the buildings as they stand are unusable by small businesses and that there is no justification for retaining them for that purpose. Specially designed replacement buildings are unlikely to be feasible for the businesses involved. The site does not appear to meet the identified business need and, unsurprisingly, there is no evidence of demand. The location of the site militates against a 'bad neighbour' use and the future of the designation must be in doubt. I find there is no overriding reason why the loss of this particular site for the accommodation of 'bad neighbour' uses would be unacceptable. It seems to me that the Council's willingness recently to set aside its policy to accommodate other industrial development on the site to some extent confirms this.

22. There are other opportunities in the district for the relocation of 'bad neighbour' businesses. The Council acknowledges that, due to the nature of such businesses, they require second-hand space and cannot compete with other B2/B8 users in rental terms. I heard no evidence of any other overriding need for other conforming industrial uses of the site so I do not consider that the loss of the site for industrial development would undermine the objectives of Structure Plan Policies BU1 and BU2 and Local Plan Policy LE7. I conclude, notwithstanding the current designation, that there is no compelling reason why this site should be retained to accommodate 'bad neighbour' uses.

Second issue – the appropriateness of the site for housing

23. Rejection of the Local Plan housing proposals at Grazeley on a greenfield site has left the Council's housing provision policy in disarray. I find it difficult to accept, as the Council maintains, that sites for the intended first phase of 1850 dwellings will be readily found elsewhere in the area. The Council has accepted the Local Plan Inspector's recommendations which have profound implications for the timescale envisaged for the adoption of the Local Plan. In the meantime, as he says, Wokingham will continue to have an inadequate residential land supply. Such a significant shortfall indicates to me that there

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is a pressing need for housing land in the district.

24. In the light of the Local Plan Inspector's recommendations, the Council has resolved to carry out a district-wide UCS. To accord with the advice in *PPG3*, this will have to be carried out in a way that will maximise the use of previously developed (brownfield) land and minimise greenfield land take. The appeal site will be included in this study. The Council acknowledged at the inquiry that the housing land requirement will not be met by urban and brownfield land, and that greenfield sites will have to be designated for housing. *PPG3* gives a high priority to the use of 'edge of settlement' brownfield sites in the search for housing land, and Structure Plan Policy BU3 allows the change of use of industrial sites to other uses in appropriate circumstances. As the site adjoins an existing built-up area, it is a more efficient place to locate new housing than a free-standing new site in the countryside. It would also help to support existing community facilities and services. The underpass would, to a large extent, overcome the current severance of the site from the rest of the Garrison.

25. In these particular circumstances, it seems to me that, notwithstanding the UCS process, the availability of this brownfield site as a windfall should be welcomed. There is no question of having to choose from a range of competing brownfield sites to meet local housing need. The use of this site will clearly reduce the amount of greenfield land take necessary. The Council's 'Quality of Life strategy' document clearly recognises the shortage of affordable houses in the area and also seeks to minimise further growth in business development. A condition requiring a proportion of affordable housing in accordance with the Council's policies would also help to meet that particular demand. For these reasons, and given the urgency of the need, I see no advantage in awaiting the outcome of the UCS.

26. With regard to the site's location, Structure Plan Policy C2 allows the redevelopment of existing buildings outside settlements particularly, but not exclusively, to assist the diversification of the rural economy and to maintain the rural environment. The site is on the edge of Arborfield Garrison and does not have a particularly rural character. To my mind, development of the site for housing, while not diversifying the rural economy, would have no greater impact on the countryside, in terms of scale, form and character, than the existing derelict buildings.

27. Local Plan Policy LTV2 is more proscriptive and the proposed use would not fall within any of the listed exceptions. However, the emerging replacement Local Plan Policies WOS2 and WCC1 make allowance for exceptional circumstances including redevelopment proposals in the countryside, where this is appropriate to its location in the countryside. This is more in line with current government policy. Since I have found that, in this particular location, the proposal would have no great impact, I consider that in principle the proposed development would comply with the emerging policies. I consider that the non-compliance with Policy LTV2 is outweighed by these other material considerations.

28. Two alternative proposals for access to the site, incorporating a crossing of the A327, have been submitted. The first scheme indicates a ghost island junction with an underpass, and the second a roundabout with a surface level crossing. Both are acceptable in road safety terms. However, the roundabout scheme would need signage, road markings, traffic signals and several hundred metres of street lighting. I consider that this would have an urbanising effect on the road which would detract from the appearance of the A327, a designated green route, contrary to draft Local Plan Policy WBE12. While I note the concerns about the

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shortcomings of underpasses, I share the Council's view that these could be overcome by good design. With this in mind, I find that the redevelopment of the site for housing, on balance, would have no unacceptable impact on the rural environment in this particular location.

29. I now turn to the sustainability issue. A key factor in assessing the suitability of housing sites is their accessibility to jobs, shops and services by means of transport other than the car. These aims are at the heart of current government housing policy and are reflected in the Structure Plan and the emerging Local Plan policies. I note that, in relation to the recent approvals of neighbouring housing sites within the garrison, it was accepted that, despite some shortfalls, their location was not unacceptable in sustainability terms. As here, contributions to existing facilities will provide some improvements. The walking and cycling distances from the appeal site to schools, shops and community facilities are no worse, and in some cases are better, than the sites within the Garrison. While there is no similar policy presumption in favour of this site, it seems to me that its status as a brownfield windfall site indicates that there is no compelling objection on these grounds.

30. It was agreed at the inquiry that the most significant measure of sustainability, in relation to this site, is good access to public transport. Reasonable bus services run to Reading and Wokingham from the Garrison. In preparing their proposal, the appellants made an assumption that an existing bus route would be amended to run in a loop around the recently approved sites, along Baird Road, with a bus stop in close proximity to the underpass. This would be within 300 to 400 metres walk from the site, and would be sufficiently close to encourage the use of public transport in preference to the car.

31. However, Baird Road is currently gated, providing security for part of the garrison, and the road is owned by the MoD. I heard that there is no certainty that the gate will be removed, so that the operation of the bus loop route may not be possible. Walking distances to existing bus stops are in excess of 800 metres, well beyond acceptable standards. This is likely to result in greater private car use. This is a serious shortcoming of the proposal.

32. A local bus operating company has indicated that it would be willing to provide a bus service to Baird Road, provided adequate turning space is available, if funding is provided. In this respect, the appellants have suggested a Grampian condition to the effect that *no development shall take place until there has been submitted to and agreed by the local planning authority details of the provision of a bus service served by a bus stop within 400 metres of the centre of the site.* Such a service would overcome the objections. However, there is no guarantee that the bus service would continue for any length of time and, should an agreed service cease after completion of the development, there would be no way of enforcing the condition. While the appellant may well be able to come to an agreement with the bus company, I do not consider that such a condition would meet the tests of Circular 11/95. In my view, it would not be an appropriate or effective way of ensuring that continuing good access to a bus service would be provided.

33. I have therefore come to the view that, while the urgency of local housing need suggests that this windfall site should be made available for housing, and overall there is a more compelling need to provide housing than industrial uses on brownfield land, the submitted scheme would not provide good access to public transport. For this reason, it would not meet the objectives of local and national sustainable development policies. I conclude on this basis that the site is not an appropriate one for housing.

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Other matters

34. The proposed scheme would reinstate the severed byway and provide a safe crossing for pedestrians, cyclists and horse riders using it. However, while this counts in favour of the proposal, it does not outweigh the objection on sustainability grounds.

Conclusions

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

Formal Decision

36. In exercise of the powers transferred to me, I dismiss the appeal and refuse planning permission for housing with access from the A327 on land to the south of Wokingham Lane, Arborfield.

Information

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



Inspector

22-03-01 11:05 RECEIVED FROM: P.15

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APPENDIX 3

Appeal Decision: APP/X0360/A/00/105177

Appeal Decision

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
RECEIVED
23 JAN 2001

Site visit made on 08 January 2001

by Michael Hill BSc MSc CEng MICE FGS

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

Date
24 JAN 2001

Appeal Ref: APP/X0360/A/00/1051777
Nirvana and 3 Tintagel Road, Finchampstead, Wokingham, Berkshire.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by N Clark Esq against the decision of Wokingham District Council.
- The application (ref:F/2000/2071), dated 24 July 2000, was refused by notice dated 27 September 2000.
- The development proposed is the demolition of the existing two dwellings and the erection of three replacement houses with garages

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

Procedural Matters

1. The application drawings do not clearly identify the dimensions of the appeal site or the proposed dwellings. It seems to me that this has led to some confusion. The appellant's statement refers twice to the appeal site being 35 metres wide, yet the conclusion indicates that the site is 36 metres wide. The various elevations on the application drawings show a gap of at least 1 metre between the proposed dwelling on Plot 1 and the boundary with the existing dwelling known as Heatherside, yet the Council refer to the proposed house at Plot 1 being sited on the boundary with Heatherside. I note that an amended site plan has been submitted (ref: 1568/01A), although the intended gap between the proposed dwelling at Plot 1 and Heatherside is unclear on my copy of that drawing.

2. Scaling the width of the proposed dwellings off the 1:100 scale elevations submitted with the application, gives the width of the proposed dwelling at Plot 1 as 8.5 metres and the width of the other two proposed dwellings as 11.5 metres.

3. The appellant also refers to a detailed survey of the site, the results of which are at Plan J in the appendices to his statement. It is submitted that this demonstrates that a 2-metre gap could be achieved between the dwelling at Plot 1 and Heatherside. Again, however, there are no dimensions stated on this plan, and the sketched outline of the three proposed dwellings does not accurately represents the dimensions of those dwellings as scaled off the 1:100 scale elevations. However, during my site, the width of the site was measured and confirmed as being at least 36 metres. This would allow a gap of 1 metre between each of the proposed dwellings and 1 metre between the proposed dwellings and the boundaries with the curtilage of the adjacent properties at Heatherside and Heatherbelle (based on the scaled widths of the proposed dwellings referred to above). These dimensions would be in accord with those scaled off the 1:200 scale 'Street Elevation', which was also submitted as an application drawing. I shall therefore consider this appeal on the basis that the site has an overall width of at least 36m, and a gap of at least 1 metre would be provided between

each of the new dwellings, and also between the new dwellings and the boundary with adjacent properties.

Main Issues

4. I consider that the main issues in this case are, firstly, the impact of the scheme on the character and appearance of the area and, secondly, the implication for neighbours' living conditions with particular reference to outlook.

Local Planning Policy

5. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan adopted in 1994. One of the objectives of the Structure Plan, as set out in Policy OS1, is to protect and enhance the character and quality of Berkshire's environment. Development plan policies seek to ensure that new development makes a positive contribution to its setting and to the character of the area in which it is sited.

6. The emerging Wokingham District Local Plan has reached an advanced stage in its progress towards formal adoption and therefore its policies carry some weight in my deliberations. The policies of the emerging Local Plan require that the design of new development respects the character of the area in which it is located and can be integrated into its local context without detriment to the amenities of adjoining land uses and occupiers. New development is expected to make an acceptable and positive contribution to the built environment.

Reasons

7. The appeal site lies within the defined settlement envelope of Finchampstead North. Within an identified settlement, Local Plan Policy STV1 indicates that development will normally be allowed, subject to the provisions of other policies in the plan.

8. With regard to the first issue, I am mindful that the two existing bungalows on the appeal site are set back approximately 10 metres from the road. Moreover, the gap between those bungalows, and the gaps between the bungalows and adjacent dwellings, are such that they contribute to the reasonably spacious appearance of the area. There is no doubt that the replacement of these two bungalows with three dwellings would result in a more cramped form of development. The gaps between dwellings would be far smaller than at present and the new two storey dwellings would be more prominent in the street scene. In this respect the proposal would cause harm, albeit limited, to the more spacious appearance of the immediate locality and to some extent conflict with development plan policies which seek to ensure that new development respects the character of the area within which it is sited.

9. I am mindful, however, of the advice in Planning Policy Guidance 3 (PPG3), which indicates that the Government is committed to maximising the re-use of previously developed land, in order, amongst other things to minimise the amount of greenfield land being taken for development. The advice indicates that local authorities should avoid low-density development (defined as less than 30 dwellings per hectare) and encourage densities of 30 to 50 dwellings per hectare. However, the PPG also indicates that the design and layout of housing development should be of a high quality in order to ensure that efficient use can be made of land without compromising the quality of the environment.

10. In this case, I note that the sites on which the existing bungalows are situated are

substantial Each is approximately 18m wide and 55m deep, giving a total area for the appeal site of over 0.19 hectares. The proposed development of 3 dwellings would result in a density of less than 16 dwellings per hectare, which, in my judgement and in the light of the advice in PPG3, is not excessive

11. Objectors to the scheme point out that existing development in the vicinity of the appeal site on the southern side of Tintagel Road consists of single storey dwellings. On the other hand I note that there are two storey houses on the southern side of the road further to the west, and also on the northern side of the road, opposite the appeal site. It seems to me that Tintagel Road in general, which is not a particularly long road, is characterised by a mixture of houses built in differing styles. Although, ground levels are higher on those plots to the south of Tintagel Road than plots to the north, the gradient is relatively gentle and I do not consider that the ground levels at the appeal site are such that two storey development would be overbearing. On this point, I note that planning permission was granted in April 2000 for the replacement of one of the existing bungalows on the appeal site with a two storey dwelling.

12. The design of the dwellings at Plots 1 and 3 incorporate hipped roofs, which assist in limiting the height of those buildings. Moreover, the proposed single storey garage elements on Plots 2 and 3 would help to break up the frontage of the development and provide significant gaps at first floor level.

13. In my judgement, the proposed plots are not unacceptably small, despite the fact that they would be relatively narrow compared to others in Tintagel Road. The new dwellings would be set back a similar distance from the road as the existing bungalows. Moreover, although some trees would be removed, the retention of an existing length of laurel hedge and the potential to introduce new planting would help to ameliorate the impact of the proposals on the street scene. Although the proposal would result in a more cramped form of development than presently exists, I do not consider that it would have a serious impact on the general character of this residential area bearing in mind the variety of dwelling designs and styles in Tintagel Road. I consider that any harm caused to the spacious appearance of the area, would be limited and would not outweigh the benefit of providing an additional unit of housing at this location within a defined settlement boundary.

14. With regard to the second issue, the Council submits that the proposed dwelling at Plot No1 would be overbearing and dominant when viewed from Heatherside. However, as indicated above, the new dwelling would be sited at least one metre from the boundary with Heatherside and the two storey element would be within the front and rear building lines of the bungalow at Heatherside. Furthermore, I note that there is a garage at Heatherside situated between the bungalow and the boundary with the appeal site. The appellant points out that the proposed dwelling at Plot 1 would be nearly 6 metres from the existing bungalow Under the circumstances, I consider that the proposed dwelling would not have an unacceptably overbearing or over-dominant effect when viewed from Heatherside

15. A gap of approximately 6 metres would also exist between the flank wall of the dwelling at Heatherbell(e) and the two storey element of the proposed dwelling at Plot 3. Part of the new dwelling would project slightly beyond the rear of the existing dwelling at Heatherbelle, although this element would be a single storey conservatory which, in my judgement would not have a serious impact on the amenities of the occupiers of Heatherbelle.

16. Overall, I conclude that the scheme would not have a particularly serious impact on the character and appearance of the area and the effect on the living conditions of neighbouring residents would not be unacceptable. Bearing in mind the advice in PPG 3 and the encouragement given to making the best use of land, I consider that the benefits of providing 3 dwellings on this site within a defined settlement outweigh the limited harm which would be caused to the spacious appearance of the immediate locality. Moreover, I am mindful that both Government guidance and local planning policies are designed to encourage development at locations well served by public transport. I understand that the site lies within easy walking distance of bus stops for services to Wokingham and Bracknell, which in my opinion, adds some weight to the need to make efficient use of land in the locality.

17. I have taken account of all other matters raised in the representations, including the concern of the occupier of Heatherbelle regarding a potential loss of privacy. I appreciate that there is a widow serving a bedroom in the flank wall of Heatherbelle, but it seems to me that a condition requiring the only first floor window in the south-western flank wall of the new dwelling at Plot 3 to be obscure glazed and fixed shut would avoid any serious loss of privacy for the occupiers of Heatherbelle. I consider that this and the other matters raised do not outweigh my conclusions on the main issues raised in this case.

Conditions

18. With regard to the conditions suggested by the Council and others, I agree that samples of materials to be used on the external surfaces of the development should be approved by the Council, in the interests of the visual amenities of the area. For the same reason, and to avoid an excessive amount of development at this location, I agree that permitted development rights should be restricted in relation to alterations and extensions. To safeguard the privacy of neighbouring residents, no additional windows or openings should be constructed in the side elevations of the proposed buildings and the bathroom and en-suite windows in the development should be glazed in obscure glass and be permanently fixed shut.

19. To help avoid the need for parking in the road, I agree that the proposed garage accommodation should be retained for the parking of vehicles. I also agree that the hours of construction should be limited, in the interests of the living conditions of local residents. However, I do not consider that it is necessary to impose a planning condition preventing the burning of waste on site or the damping down of dust on site roads. Any site roads would be extremely short and alternative measures are available to control the burning of waste. Bearing in mind the narrow width and condition of Tintagel Road, I agree that a scheme should be agreed with the Council to provide site parking facilities during the construction period. In the interests of the visual amenities of the area, details of the slab levels should be approved by the Council and a landscaping scheme should be approved and undertaken at the site.

Conclusions

20. For the reasons given above, I conclude that the appeal should be allowed.

Formal Decision

21. In exercise of the powers transferred to me, I allow the appeal and grant planning

permission for the demolition of the existing two dwellings and the erection of three replacement houses with garages at Nirvana and 3 Tintagel Road, Finchampstead, Wokingham, Berkshire in accordance with the terms of the application (ref F/2000/2071), dated 24 July 2000, and the plans submitted therewith, subject to the following conditions:

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

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

3) 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 extensions or alterations permitted by Classes A, B and C 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.

4) The bathroom and en-suite windows in the first floor side elevations of the houses hereby permitted shall not at any time be glazed other than with obscured glass, and shall be fixed shut, and be permanently so retained.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows or similar openings shall be constructed in the side elevations of the buildings hereby permitted except for those shown on the approved drawings.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the garage accommodation on the site shall be kept available at all times for the parking of vehicles ancillary to the residential use of the houses hereby permitted. It shall not be used for any business or as a habitable space.

7) Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0800 to 1900 Monday to Friday and 0800 to 1330 on Saturdays and at no time on Sundays or Bank or National Holidays.

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

9) Prior to the construction of the houses hereby permitted, provision shall be made to accommodate all construction vehicles, and the vehicles of site operatives and visitors, including facilities for loading, off-loading parking and turning within the site during the construction period, in accordance with details to be submitted to and approved in writing by the local planning authority. The provision shall be retained at all times during the construction period.

10) 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. The approved landscaping, with the exception of planting, seeding and turfing, shall be implemented prior to the occupation of any of the buildings hereby approved.

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 occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Information

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

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

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

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

M. P. Hill

INSPECTOR

A4

APPENDIX 4

Plan showing location of Nirvana and 3 Tintagel Road, in relation to Hollybush Ride

DPP DEVELOPMENT PLANNING PARTNERSHIP

BEDFORD
TEL: 01234 358863
FAX: 01234 271210

MANCHESTER
TEL: 0161 839 0150
FAX: 0161 839 0151

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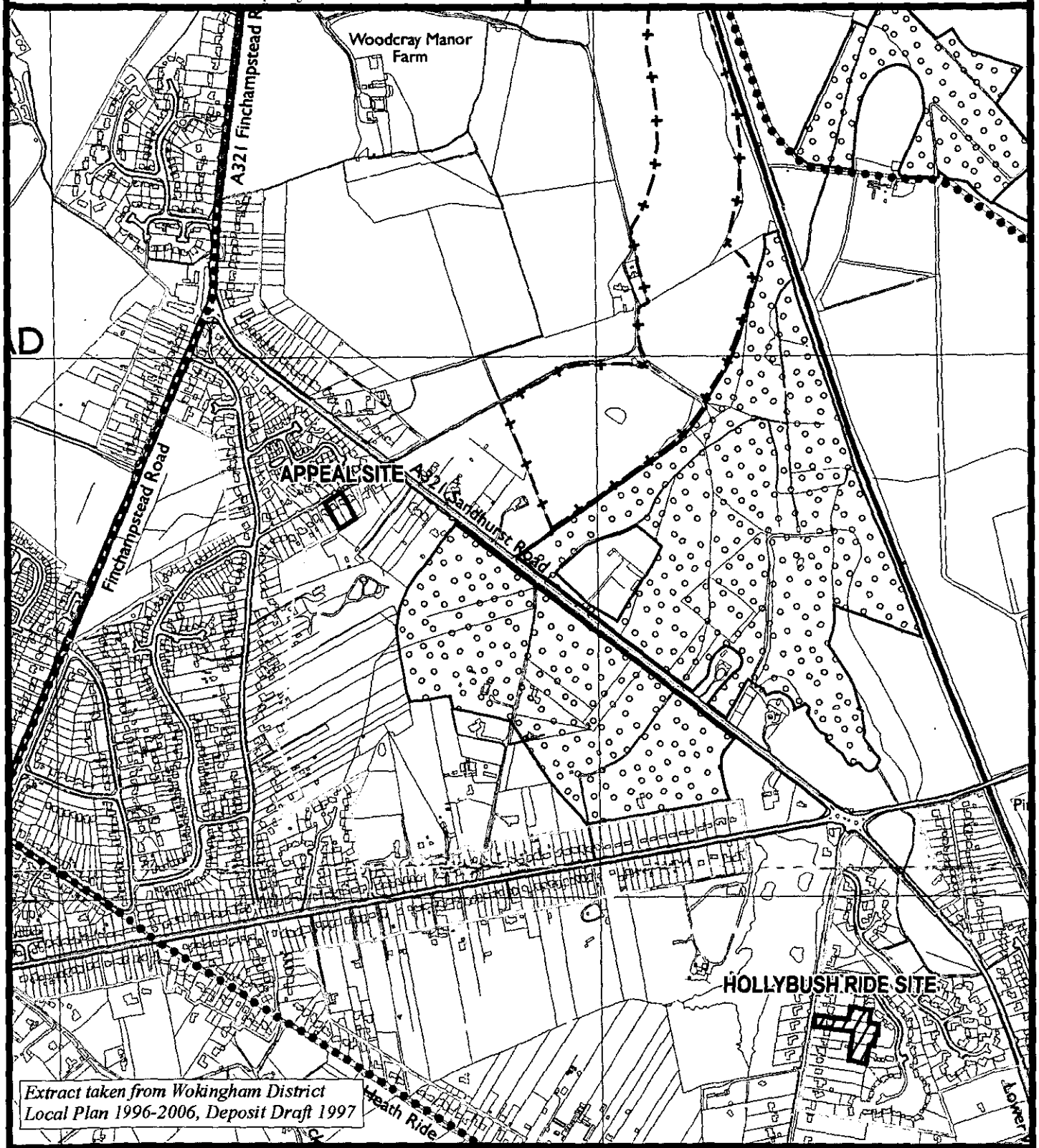
TEL: 00 353 1676 0110
FAX: 00 353 1676 1098

GLASGOW
TEL: 0141 331 7300
FAX: 0141 305 7400

www.devplanning.com

Brookworth Developments Limited land at rear of Timberscombe Hollybush Ride Finchampstead



Location Plan

Appeal Site (Ref: APP/X0360/A/00/1061777)

Hollybush Ride Site

Date: 27:03:2001
Scale: 1:10,000
Drwg No: 368400/03



TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT : **BROOKWORTH DEVELOPMENTS LTD.**

APPEAL SITE : **LAND REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD**

REASON FOR APPEAL : **REFUSAL TO GRANT PLANNING PERMISSION FOR THE DEMOLITION OF EXISTING DWELLING AND ERECTION OF 4 DWELLINGS**

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/2225

DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE : APP/X0360/A/01/1058304

I am Angela Margaret Odell. I hold a Bachelor of Arts Joint Honours Degree in Economics and Geography and a Master of Philosophy Degree in Town Planning and I am a Member of the Royal Town Planning Institute. I am a Senior Planning Officer in the Development Control Section of Wokingham District Council with experience in Development Control matters in all parts of Wokingham District. I have 23 years post qualification experience in the public sector, including 16 years as a Development Control Officer with Wokingham District Council.

Neil Etherington, the Council's arboriculturalist, will also submit a statement and give expert evidence at the hearing in respect of trees for this appeal.

1.00 INTRODUCTION

Main Issues

1.01 The Local Planning Authority considers the main issues are the effect of the proposed development on:

1) The character and appearance of the area, including effect on trees.

2) The living conditions of the occupants of nearby existing dwellings.

3) Precedent.

A separate statement will be submitted by the Council's Arboriculturalist regarding issue 1.

The Site and Surroundings

1.02 The appeal site is a 0.49 ha. area of land which comprises the rear parts of the rear gardens of Cobwebs, Timberscombe, Kings Court and Woodside. There are trees on the site, in particular mainly birch in the rear of Cobwebs.

1.03 This side of Hollybush Ride comprises a mix of dwelling types in generally spacious plots in wooded surroundings. To the rear are the more modern detached houses on Little Fryth. The land slopes downwards at the rear of the appeal site and several of the houses on Little Fryth are on lower ground than the proposed dwellings.

1.04 The appeal site is in an area of generally lower density development to the south of Wokingham, between Finchampstead North and Crowthorne. A location plan to scale 1:2500 is attached in Appendix 1.

The Proposal

1.05 The proposal is to demolish the existing dwelling at Timberscombe and erect 4 x 5-bedroom houses at the rear with access from Hollybush Ride.

Planning History

1.06 There is no relevant planning history on the appeal site.

2.00 RELEVANT DEVELOPMENT PLAN POLICIES

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

Berkshire Structure Plan

2.02 The Berkshire Structure Plan (1991-2006) was adopted on 4th November 1995 and is the statutory Structure Plan for the area. The following policies are relevant to the consideration of this appeal:

H5 *Development within settlements and redevelopment/change of* use.

EN1 Protection and enhancement of the environment of built-up areas.

Copies of the above policies are contained in Appendix 2.

South East Area Local Plan

2.03 The South East Area Local Plan was adopted on 15th April 1994 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 in this plan are:

SH1 Housing Development on Unidentified Sites

SBE2 Inappropriate Design.

SBE5 Sunlight and daylight.

SBE9 Existing trees.

Copies of the above policies are contained in Appendix 3.

Draft Wokingham District Local Plan

2.04 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).

The relevant policies in this plan are:

WOS2 General Development Principles
WH1 Housing Development Principles – Unidentified Sites
WBE1 Development in its local context.
WBE11 Protection of trees and woodland.

Copies of the above policies are contained in Appendix 4.

2.05 The following national policy guidance is also relevant to this appeal:

PPG3 Housing

3.00 THE COUNCIL'S CASE

Reasons for Refusal No. 1

Effect on the Character and Appearance of the Area

3.01 The site is within the settlement boundary in the South East Area Local Plan and the Wokingham District Local Plan. Therefore the starting point is that in principle the site could be considered for residential development under Berkshire Structure Plan Policy H5, South East Area Local Plan Policy SH1 and Wokingham District Local Plan Policy WOS2. As it is rear gardens it also comes within the definition of 'previously developed land' in PPG3. However, in order to be considered acceptable, development should have an acceptable effect on the character and appearance of the area, on neighbouring

properties and highway effects. Density is also an issued to be considered.

Proposal

3.02 The site is 0.49 ha. in size and proposes demolition of the existing dwelling fronting Hollybush Ride to provide access to 4 houses at the rear. Development would therefore be concentrated into the rear part of the site. The proposed houses would be large in size; each having 5 bedrooms and a double garage. For example, the house on plot 1 would have a total external floorspace (including garage) of 320 m^2 (footprint of 184 m^2) and height of 9.3m on a plot of 624 m^2.

Density

3.03 Whilst the site is 0.49 ha. in size, this includes all the front access section where the development is proposed, and shows trees to be retained. The rear part of the site is therefore about 0.32 ha. in size. The density of the proposed development would therefore be 12 dwellings per ha. on this rear part or 8 dwellings per ha. if taking the site as a whole. This is very significantly below the 30 dwellings per ha. required to accord with PPG3. However, the density policy adopted at the Council's Environmental Services Committee meeting of 12.6.00 in connection with PPG3 (which applies to sites of over 0.3 ha.) is subject to 'development at such a density not compromising the quality of the environment' (copy of this density policy in Appendix 5). The application site is just such a case due to the lower density of surrounding development, the backland nature of the site and wooded character and appearance of the area. Therefore it was considered that there should not be an objection to the proposal on the grounds that too few houses were proposed.

3.04 In fact, due to the large sizes of the houses and their footprints, the actual amount of built development would be high for 4 houses at the proposed density compared with the amount of built-footprint that is normally associated with developments of 30+ densities.

3.05 The houses in Little Fryth are mainly on larger sites and have smaller footprints, e.g. No. 2 has a footprint of approx. 130 m^2 and separate

double garage of 27 m^2 on a site of approx. 900 m^2. The plots in Hollybush Ride are very much larger. Therefore, due to the relatively large size and height of the dwellings on the plots, the proposed development would be relatively cramped in terms of built form.

3.06 It would also be a relatively piecemeal backland development compared with Little Fryth which was itself a large scale backland development. However, this left the 'corridor' of woodland between Little Fryth and Hollybush Ride and there is also a tree belt left between Little Fryth and Ashdale Park. Therefore the form of the proposed development would be out of character with its surroundings, and would be a significant and harmful incursion into the wooded corridor between Little Fryth and Ashdale Park.

3.07 The site is also subject to an area Tree Preservation Order (TPO). Loss of trees from the site would harm the character and appearance of the area of dwellings set in wooded surroundings, and would significantly erode the corridor of woodland between Hollybush Ride and Little Fryth.

3.08 Berkshire Structure Plan Policy EN1 seeks to protect and enhance the character and quality of the environment in settlements, and requires development to be appropriate in scale, form, impact, character and siting to its location. The proposal would not be appropriate in these terms because, as explained above, it would be relatively piecemeal backland development, out of character and form and relatively cramped due to the large sizes of the proposed houses, and would have a harmful impact on the character and appearance of the area. The proposal would also be contrary to criteria (i) of EN1 because it would not maintain or enhance the character of its surroundings and would not be a satisfactory layout.

3.09 For the same reasons the proposed development would be contrary to the South East Area Local Plan Policy SBE2 because it would adversely affect the character of the area due to its siting, scale and form. The proposal would also be contrary to the Wokingham District Local Plan Policy WBE1 criteria (a) due to its harmful environmental

impact and to criteria (f) due to its inappropriate layout, form, scale and massing, for the reasons given above.

3.10 The proposal would also be contrary to Wokingham District Local Plan Policy WH1 because, whilst this policy in principle allows development on unidentified sites within settlements, it would be contrary to criteria (a) because it would damage a wooded area that is important to the character of the settlement. It would also be contrary to criteria (b) because it would have significant adverse effects on the character of the area for the reasons given above. Whilst the site is not a designated area of nature conservation importance, the woodland provides a local habitat for wildlife and therefore would have adverse effects under criteria (e).

Trees

3.11 The site is also subject to an area Tree Preservation Order (TPO). Loss of trees from the site would harm the character and appearance of the area of dwellings set in wooded surroundings, and would significantly erode the corridor of woodland between Hollybush Ride and Little Fryth (copy of TPO in Appendix 6)

3.12 The proposal would be contrary to Berkshire Structure Plan Policy EN1 (iii) because it would result in the loss of existing trees that are subject to a Tree Preservation Order and which currently enhance the character and appearance of the area. For similar reasons the proposal would also be contrary to South East Area Local Plan Policy SBE9 and to Wokingham District Local Plan Policy WBE11.

3.13 Reason for Refusal No. 2

As the proposed access would be 5m+ to the nearest property boundary (Cobwebs) and the nearest house would be the side of plot 1 44m away from the rear of Cobwebs, the effect on the existing dwellings in Hollybush Ride is considered acceptable. However, the proposed development would have unacceptable effects on several houses in Little Fryth for the following reasons.

3.13 The houses in Little Fryth are on lower ground. For example, in the case of No. 6 Little Fryth the immediate rear patio outside the house is

about 0.75m lower than the rest of the rear garden. The nearest rear gardens and rear elevations of Nos. 2 and 4 Little Fryth are also lower. The effects of the proposal on adjacent dwellings in Little Fryth are explained below.

No. 4 Little Fryth

3.14 No. 4 Little Fryth's main rear elevation is approx. 12.5m from the rear boundary, but the ground floor study is only about 9.5m away. The rear fence is 1.8m high. As the proposed house on plot 1 would be on higher ground, there would be direct ground floor level overlooking from the rear elevations of plot 1 to Nos. 2 and 4 Little Fryth. To raise the fence sufficiently to prevent this would result in a shut-in feel to No. 4 in particular. The survey drawing shows, for example, that the ground level adjacent to this boundary at a point opposite the middle of the drawing room on plot 1 would be about 64.35 whereas the ground level where the house would be would be about 64.5. When allowance is also made for the slab level in relation to ground level, overlooking at ground floor level would clearly result. The rear garden of plot 1 would be about 11.5m long. There would therefore be 24m between main rear elevations and 21m to the study at No. 4 Little Fryth, with resulting unacceptable overlooking.

No. 2 Little Fryth

3.15 The proposed dwelling on plot 1 would also be right across the rear elevation of No. 2, and whilst this is further away than No. 4, due to the height, massing and levels, would also result in unacceptable overlooking and loss of outlook. Therefore, although the rear to rear distances would be in excess of 21m, the actual effect would be unacceptable due to the relative heights and size of the proposed dwelling on plot 1 and loss of trees.

3.16 Plot 1 - As this house would have no overlooking windows (except first floor ensuite) in the side elevation and be at an angle to No. 6, it is considered that any overlooking effects on No. 6 would not be likely to

be unacceptable, despite the levels difference. However, the house on plot 2 would be directly opposite No. 6. Whilst this would also have the side elevation towards No. 6 and there would be some ground floor windows in it (utility and breakfast), due to the angle and possibility of planting, etc., it is considered that this of itself need not be unacceptable. However, the combination of the two dwellings on plots 1 and 2 together and the significant ground level difference would have an unacceptably overbearing effect causing unacceptable loss of outlook, and this re-enforces the problems reported above regarding Nos. 4 and 2 Little Fryth.

No. 8 Little Fryth

3.17 Due to the angle away of plots 2 and 3 and the distance between No. 8 and the proposed houses and spacious garden at No. 8, it is considered that the effects on No. 8 would not be a reason for refusal.

No.10 Little Fryth

3.18 Regarding plot 4, as the proposed and existing dwellings would be side by side, it is considered that the effects would not be unacceptable.

Daylighting

3.19 On the basis of the Building Research Establishment Guidelines, the main elevation of No. 6 Little Fryth would be just clear of the 25° standard. However, due to the levels differences and proposed dwellings on plots 1 and 2 being on the south and south west sides of Nos. 2, 4 and 6 Little Fryth there would be some loss of sunlight to the rear elevations and gardens of these properties, particularly in the winter months.

3.20 The proposal would therefore be contrary to the South East Area Local Plan Policy SBE2 because it would have an inappropriate relationship with adjacent residential properties due to its siting, scale, form and massing.

3.21 The proposal would also be contrary to the Wokingham District Local Plan Policy WBE1 (h) because it would have unacceptable effects on the privacy and amenity of existing adjacent residential properties for the reasons explained in detail above.

3.22 The layout may not appear unacceptable when viewed on paper, but when viewed from the neighbouring properties the likely effects become apparent. The Inspector is therefore recommended to visit Nos. 2, 4 and 6 Little Fryth in order to assess the effect of the proposed development on these properties.

3.23 Reason for Refusal No. 3 - Precedent

To the south of the appeal site are three dwellings facing Hollybush Ride (Morning Side, Birchen Wood and Linwood House) which are also within the settlement boundary and have long rear gardens with trees in them. Allowing the appeal would set an unfortunate precedent for similar development of these rear gardens. This would result in further erosion of the attractive wooded setting of the area and urbanisation of its character and appearance.

4.00 CONCLUSION

4.01 The proposed development would have a harmful effect on the character and appearance of the area due to the backland and relatively cramped layout, together with actual and potential loss of trees that would result.

4.02 The proposed development would also result in unacceptable overlooking of, and overbearing effects on, existing residential property.

4.03 Allowing the proposed development would set a precedent for similar development on land nearby, which the Local planning Authority would consequently find difficult to resist and which would compound the

harm to the character and appearance of the area that the current proposal would result in.

4.04 In accordance with Section 54A of the 1990 Town and Country Planning Act, applications should be determined in accordance with development plan unless material considerations indicate otherwise. In this case the proposal clearly conflicts with development plan policies contained in the Berkshire Structure Plan and the South East Area Local Plan (which are the Development Plan for the purpose of Section 54A) for the reasons given above. The appeal should therefore be DISMISSED.

Angela Odell

LIST OF APPENDICES

1. Location Plan of the Appeal Site, Scale 1:2500

2. Extracts from Berkshire Structure Plan

3. Extracts from South East Area Local Plan

4. Extracts from Wokingham District Local Plan (Deposit Draft)
   - Consolidated Document November 1997

5. Copy of the Council's density policy

6. Copy of Tree Preservation Order



TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT : **BROOKWORTH DEVELOPMENTS LTD.**

APPEAL SITE : **LAND REAR OF TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD**

REASON FOR APPEAL : **REFUSAL TO GRANT PLANNING PERMISSION FOR THE DEMOLITION OF EXISTING DWELLING AND ERECTION OF 4 DWELLINGS**

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/2225

DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE : APP/X0360/A/01/1058304

APPENDICES

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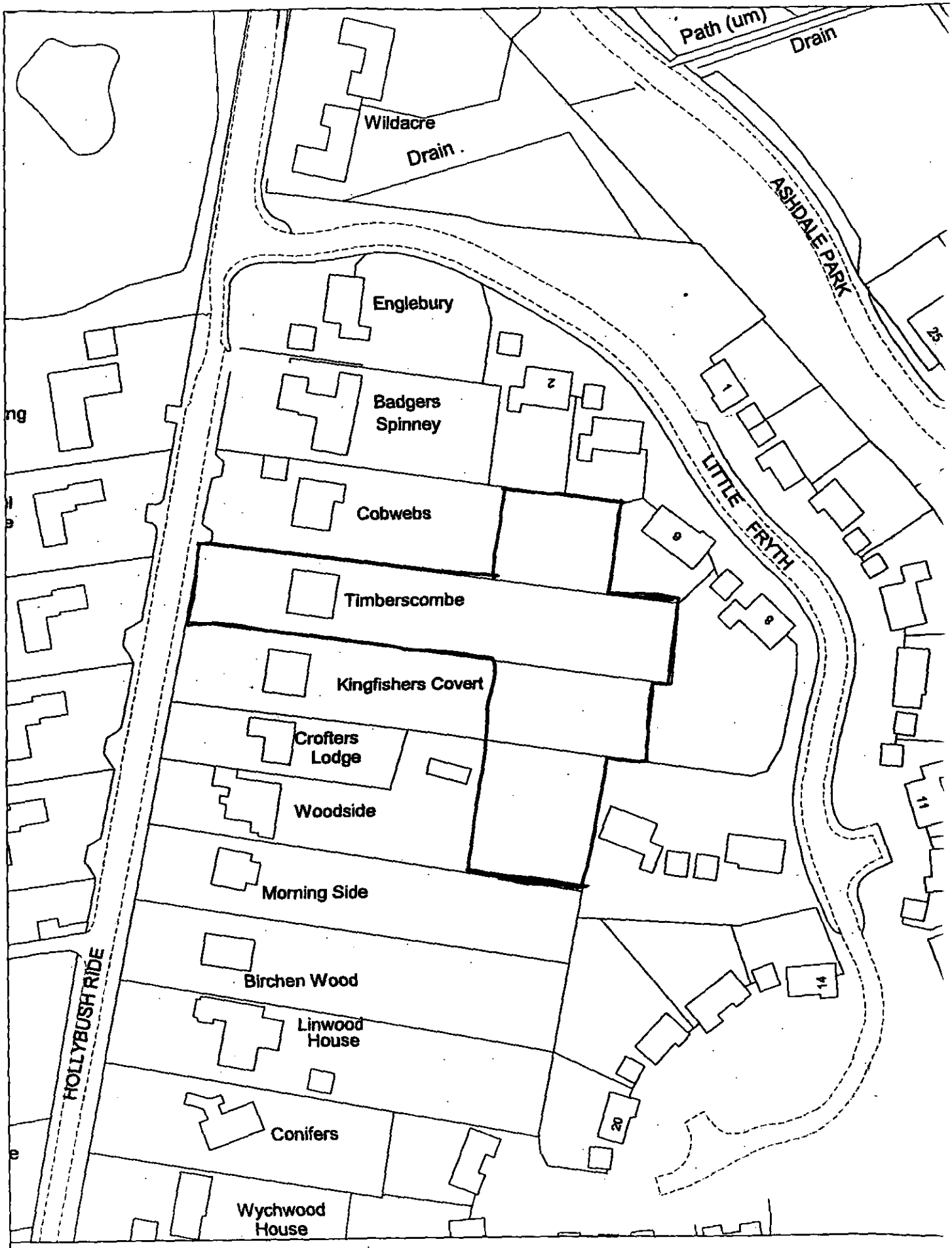

Site Plan, Scale: 1 to 1250

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Date: 19 February 2001

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Royal County of BERKSHIRE



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

6.1 The quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. These depend partly on care for its environment as a whole, including the countryside (dealt with in Chapter 5) and towns, villages and built-up areas which are considered in this chapter. It also concerns : safeguarding and enhancing a number of specific environmental interests, which together contribute to the character of the County; curbing and controlling a number of specific threats to pleasant living conditions; and the conservation of natural resources.

The Environment of the Built-up Areas

6.2 The density, form and quality of buildings, landscape and other elements of the environment in towns, villages and built-up areas have an important bearing on the overall quality of life in the County, especially as the majority of the population live and work in such areas.

Protection and Enhancement of the Environment of Built-Up Areas

Policy EN1 **The character and quality of the environment in the towns, villages and other built-up areas will be protected and enhanced. Within these areas development must be appropriate in scale, form, impact, character and siting to its location. In particular :**

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

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

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

(iv) special attention will be paid to the maintenance and improvement of the character of town and village centres.

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

6.3 In order to secure improvements in the environment of built-up areas, local plans will need to include guidelines on a wide range of matters raised in the policy. Particular public concerns have been raised about the quality of design in new development and about increased densities in the built-up areas. While the latter may help reduce the need for travel and minimise the loss of open countryside, it may also lead to problems of congestion, loss of tree cover and open land, and deterioration in environmental quality in established neighbourhoods.

6.4 Policy EN1 is intended positively to encourage appropriate regeneration in line with Government guidance. It is not proposed that appropriate changes of use of buildings should be restricted whether they are currently vacant or not. Derelict land which has been the subject of contamination may be appropriate for redevelopment, but only if there is no danger created for the new use of the site or through the transport and re-deposit of contaminated matter on a site elsewhere.

Environmental Nuisance

6.5 Certain kinds of development can give rise to nuisance which can affect occupiers of buildings, passers-by or those using outdoor space. There is a need to prevent new problems from arising, and to limit or reduce the nuisance from existing sources. The impact of nuisance may in some circumstances be limited by curbing development in areas affected, and this is appropriate where (as is the case for aircraft noise) little can be done to reduce the nuisance in the short term.

Protection from Environmental Nuisance

Policy EN2 **Development should not give rise to unacceptable levels of noise, smell, dust, fumes, light or noxious emissions affecting areas beyond the site boundary, or to unacceptable levels of air or water pollution. In addition, uses sensitive to disturbance such as new houses, schools and hospitals, should not be located in areas already subject to unacceptable levels of these environmental nuisances.**

6.6 In areas affected by high levels of noise, development should be designed to minimise the nuisance caused to future occupants. Unacceptable levels of environmental nuisance will be defined through the local plan process and by building upon studies such as the County Council's State of the Environment Report. The County Council has also recently published environmental noise planning guidelines to assist with the implementation of Policy EN2 and to help co-ordinate a standardised approach across the County.

Flooding

6.7 Most of Berkshire's rivers have an associated floodplain which is essential for both flood flow and storage. Development within the floodplain would reduce the storage capacity and impede the flow of water, thereby increasing the risk of flooding elsewhere. Therefore in areas at risk from flooding new development or the intensification of existing development will be resisted. It is also necessary to ensure that the surface water run-off from any new development does not exacerbate flooding or drainage problems elsewhere.

Assessment of Development Proposals

Policy H4 **Within the provision specified in Policy H2, local planning authorities should ensure that proposals for new residential development are in locations which are close and have good access, particularly by public transport, to existing and proposed employment sites/areas and shopping and service facilities. In addition, they should ensure that such proposals take account of the distribution of local needs and demands.**

7.38 In order to comply with Policy OS1, which seeks to minimise the consumption of land, full use should be made of available land within existing urban areas. However, it is recognised that in certain areas there may be concern about over-development. Loss of open space and intensification of development can affect the quality of the urban environment, where most residents of the County live. In this respect, careful consideration should be given to the provisions of Policy EN1. Therefore such development must not harm the physical or visual character of the settlement, neighbourhood or surrounding area. In some cases it may be appropriate for local plans to set out general policies which limit the scale and form of development.

7.39 In some cases, it may not be possible to accommodate all of the provisions shown in Policies H1 and H2 within the existing urban areas. In these circumstances, further land should be released through the local plan process. In order to comply with Policy C1, this would require the delineation of new settlement boundaries which define the land to be released. In addition, much of the development within existing built-up areas will be identified through local plans.

Development Within Settlements and Redevelopment/Change of Use

Policy H5 **Part of the provision for housing development specified in Policy H1 will be achieved by :**

(i) building on suitable undeveloped land within built-up areas and settlement boundaries;

(ii) redevelopment or adaptation of an existing building or set of buildings;

(iii) changes of use of suitable permanent non-residential buildings and by the sub-division of existing dwellings.

In addition, if further land releases are required to meet the provisions of Policies H1 and H2, these should normally be made through the definition of settlement boundaries as part of the local plan process.

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG11 1WR
Telephone: (0734) 786833
Fax: (0734) 778735

on smaller sites, are brought forward in response to a variety of local circumstances reflecting individual opportunities and needs, and they arise in most of the built-up areas at one time or another. It is clear that the demand for this form of development will continue and recognition of such a demand is essential in any provision which is to be made for future development. Such development allows for an increase in the diversity of housing in a particular settlement area.

1.2.07 Only a proportion of the housing provision is met by the allocation of specific areas of land for development. The remainder is provided for through the inclusion of policies which allow some development to occur in the identified settlements on unidentified sites in response to needs and opportunities identified by landowners and developers. It is estimated that a further 781 dwellings will be provided in the District on such sites between 1992 and 1998. Details of the basis for this estimation are given in the Planning Fact Sheet: Housing, which is available separately from this Plan.

❖ SH1 HOUSING DEVELOPMENT ON UNIDENTIFIED SITES

WITHIN THE IDENTIFIED SETTLEMENTS RESIDENTIAL DEVELOPMENT IN THE FORM OF INFILLING, ROUNDING OFF AND REDEVELOPMENT, GENERALLY WILL BE CONSIDERED FAVOURABLY SUBJECT TO LOCAL ENVIRONMENTAL CONSTRAINTS AND OTHER PROVISIONS OF THIS PLAN. IN VIEW OF THE SENSITIVITY OF SUCH PROPOSALS AND THEIR POTENTIAL IMPACT THE PREPARATION OF A DEVELOPMENT BRIEF WILL NORMALLY BE NECESSARY IN BRINGING FORWARD SCHEMES ON SITES OVER 0.4 HECTARE. ON SITES OF OVER 0.4 HECTARE, AN ELEMENT OF AFFORDABLE HOUSING WILL BE SOUGHT IN ACCORDANCE WITH POLICY SH8.

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

(A) THE PROTECTION OF OPEN AND WOODED AREAS, GAPS AND GARDEN AREAS WHICH ARE IMPORTANT TO THE CHARACTER OF THE SETTLEMENT CONCERNED (POLICY STV6 AND VARIOUS SPECIFIC POLICIES),

(B) NO SIGNIFICANT ADVERSE EFFECT ON THE CHARACTER OF THE AREA (POLICIES STV6, SBE1 & SBE2),

(C) NO SIGNIFICANT ADVERSE EFFECT ON SETTLEMENT BOUNDARIES AND THE SURROUNDING COUNTRYSIDE (POLICY STV5),

(D) NO LOSS OF PUBLIC OPEN SPACE OR RECREATIONAL FACILITIES (POLICY SR4),

(E) THE PROVISION OF ADEQUATE GARDEN AREAS, SPACE ABOUT BUILDINGS AND OFF-STREET PARKING FOR ALL NEW DWELLINGS,

(F) THE PRESENCE OF ADEQUATE LOCAL HIGHWAY CAPACITY TO CATER FOR TRAFFIC GENERATED BY THE DEVELOPMENT.

1.2.08 The housing requirement for the five year period to 1998 is based on the provision required by the Approved Structure Plan until 1996, and thereafter on that required by the provision to be made in the Draft Deposit Structure Plan. This gives a total requirement 1992-98 of 3590 units for Wokingham District. Of the total provision (1984-1998) some 9630 had been built by March 1992. Permission had also been granted for a further 1785 dwellings on that date and commitments had been entered into subject to legal agreements, for a further 257 dwellings. Together with the 781 houses to be provided on unidentified sites a total of 12229 dwellings have been provided for (taking into account non-implementation of unidentified sites and Lower Earley). Therefore in the entire District, sites remain to be identified for 991 dwellings.

1.2.09 Sites for 726 units have been identified within the District but outside this Plan area, and sites for an additional 336 dwellings

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

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

1.4.02 The District Council is particularly concerned to promote a high standard of design in new buildings, and to ensure that new buildings are responsive to their location. This means that new buildings need to be appropriate in terms of their function, siting, scale, form, massing, materials, colour and texture in their relationship with adjoining buildings and sites. Accordingly, new buildings will be expected to make an acceptable and positive contribution to the built environment. In addition, developments that incorporate public access should accommodate sculptures or other works of art to provide visual interest, where this is considered appropriate by the local planning authority. For particularly sensitive areas, design briefs will be prepared to provide a framework for design to guide prospective developers.

1.4.03 In the case of schemes involving more than one building, regard will be paid to the impact of the development over a wider area, involving an assessment of criteria additional to those referred to in paragraph 1.4.02 above. Accordingly, schemes should relate to the "grain" of the area, and take account of their effect on the skyline, pedestrian and vehicular movements in the area, vistas, safety and environmental constraints. Where large sites exist which would significantly affect the urban fabric urban design briefs/appraisals will be prepared/required to establish the wider context within which applications will be considered.

❖ *SBE1 DESIGN OF NEW DEVELOPMENT*

NEW DEVELOPMENT SHALL BE OF A HIGH STANDARD OF DESIGN APPROPRIATE TO THE CHARACTER OF THE AREA IN WHICH IT IS TO BE SITUATED. IT SHOULD:

(A) MAKE A POSITIVE CONTRIBUTION TO ITS SETTING AND THE CHARACTER OF THE AREA,

(B) CONTRIBUTE TO THE CREATION OF A SAFE AND ATTRACTIVE ENVIRONMENT IN WHICH TO LIVE AND WORK,

(C) RETAIN IMPORTANT NATURAL, MAN-MADE OR LANDSCAPE FEATURES OF THE SITE COMPATIBLE WITH GOOD DESIGN.

❖ *SBE2 INAPPROPRIATE DESIGN*

PROPOSALS FOR DEVELOPMENT THAT IS INAPPROPRIATE IN TERMS OF ITS RELATIONSHIP WITH ADJOINING SITES AND BUILDINGS, OR WHICH WOULD ADVERSELY AFFECT THE CHARACTER OF AN AREA, BY

VIRTUE OF ITS SITING, SCALE, FORM, MASSING, MATERIALS, COLOUR OR TEXTURE, WILL NOT NORMALLY BE PERMITTED.

ENVIRONMENTAL IMPROVEMENT

1.4.04 Within the built environment it is important not only to safeguard those buildings, undeveloped areas and special features which contribute to the character and attractive qualities of the area but to seek opportunities to enhance the quality of the built environment.

1.4.05 Often the more attractive and successful urban environments have evolved organically over a period of many years and incorporate a variety of architectural styles. In more recent years development in some parts of the District has taken place more comprehensively with little variety in design. In other areas particularly since the war and up to the early 1970's some development has been inserted into an existing area to the detriment of the older urban fabric.

1.4.06 In some areas, local shopping centres in particular, where comprehensive development has taken place, the opportunity may arise for comprehensive refurbishment since a large part of the urban fabric will tend to age and decay simultaneously. In other areas environmental enhancement of the urban fabric surrounding the buildings may be sufficient to rejuvenate the area as a whole.



❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

ENCOURAGEMENT WILL BE GIVEN TO THE REFURBISHMENT OR PARTIAL REDEVELOPMENT OF AREAS OR INDIVIDUAL SCHEMES WHERE A SIGNIFICANT ENVIRONMENTAL ENHANCEMENT WILL RESULT TO THE BENEFIT OF THE COMMUNITY.

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

ENVIRONMENTAL ENHANCEMENT SCHEMES WILL BE ENCOURAGED WITHIN THE PLAN AREA AS OPPORTUNITIES ARISE AND WILL INCLUDE THE AREAS AS SHOWN ON THE PROPOSALS MAP AND AS SET OUT IN PART TWO OF THE PLAN.

SUNLIGHT, DAYLIGHT AND NOISE

1.4.07 Daylight penetration into new buildings, and existing buildings affected by new development, is an important amenity consideration as is sunlight penetration of spaces outside windows. In this respect it should always be the intention to maximise penetration of new development and minimise the impact of new development on old as far as is possible. The orientation of rooms, gardens and both public and private spaces is therefore critical since together the two aspects can provide warmth, comfort and pleasant living and working conditions. They can also have some impact on energy consumption by reducing the dependence on artificial lighting and heating. Further guidance on this matter can be found in the District Council's Development Control Guidelines.

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

REFURBISHMENT THE DISTRICT COUNCIL WILL SEEK TO ENSURE GOOD DAYLIGHTING CONDITIONS AND ADEQUATE SUNLIGHT PENETRATION TO BOTH NEW AND EXISTING DEVELOPMENT.

1.4.08 The effects of noise nuisance is an important consideration. In the case of residential development the location and siting of new dwellings should normally be such as to ensure that the facade noise level to any dwelling does not exceed 65dB(A) on the L10 18 hour index from traffic noise and 60dB(A) (24 hour Leq) from railways. This may not always be achievable, particularly in central locations and, therefore, in the case of any new dwelling likely to be affected by higher noise ratings, it is essential that the building is designed so that the internal noise level with windows closed does not exceed 40dB(A) on the L10 18 hour index. In the case of new buildings whose occupiers might create noise adequate soundproofing measures will be required. Specific policies concerning noise pollution are contained in the Replacement Structure Plan for Berkshire (Policies EN15 and EN16). There are also relevant powers under the Building Regulations. For these reasons there is no additional policy in this plan.

1.4.09 There is provision under the Noise Insulation Regulations 1975 for sound insulation to be provided by the Department of Environment and Transport, in certain circumstances, to existing residential properties which are subjected to road traffic noise level increases. Where a new road or other development is to be constructed which will give rise to an increase in road traffic noise in excess of the levels in the Regulations, the costs of sound insulation to existing properties, and the provision of appropriate noise-absorbing barriers, should be borne by the developer.

ACCESS FOR DISABLED PERSONS

1.4.10 The arrangement of the built environment is of crucial importance for those sections of the community who are physically disabled and who wish to conduct as independent a life as possible. Although our towns and cities have not been built with regard to the needs of disabled people about one person in twenty has some form of permanent or temporary disability which makes mobility difficult and reduces their opportunities to use the built environment as fully as possible.

1.4.11 Current legislation requires that all public buildings make provision for adequate means of access for the disabled. Developers' attention is drawn to two publications:

(i) the British Standards Institution "Code of Practice for Access of the Disabled to Buildings" (BS5810:1979) and

(ii) Design Note 18 "Access for Disabled People to Educational Buildings" (1984)

These specify the requirements for providing means of access for disabled people to buildings which are open to the public. Together with the internal layout and immediate access to buildings, the layout of parking and pedestrian facilities and their surfaces should be considered as an integral part of the design required for enabling ease of access by the disabled.

❖ SBE6 ACCESS FOR DISABLED PERSONS IN NEW DEVELOPMENT

PLANNING APPLICATIONS WILL BE ASSESSED AGAINST THE REQUIREMENT TO PROVIDE ADEQUATE MEANS OF ACCESS FOR DISABLED PERSONS.

STREET FURNITURE

1.4.12 Many elements of the built-form have an important effect upon the quality and

appearance of the built environment. The design, quality and materials of items such as bus shelters, rubbish bins, and seating frequently invade the built environment to its detriment. It is essential that due consideration is given to items of street furniture to ensure that they do not adversely affect the character or appearance of the built-up areas. In appropriate cases it may also be necessary to adopt a process of rationalisation of existing street furniture to reduce clutter.

❖ SBE7 STREET FURNITURE

THE DISTRICT COUNCIL WILL SEEK A HIGH STANDARD OF STREET FURNITURE COMPATIBLE WITH THE CHARACTER OF THE AREA IN WHICH IT IS TO BE SITUATED. IN CONSERVATION AREAS PARTICULAR CARE WILL BE TAKEN TO ENSURE THAT STREET FURNITURE IS APPROPRIATE IN TERMS OF MATERIALS, COLOUR, DESIGN AND LOCATION.

TREES AND LANDSCAPING

1.4.13 The built environment can be considerably enhanced by the presence of trees and shrubs. They not only "green" an area but soften and give scale to hard urban environments. In addition they are often features of beauty in themselves and therefore have an important design role to fulfil. In new developments this role is apparent in that trees immediately give some sense of 'establishment' to what are often raw new urban forms, and this helps to integrate the new with the old. Accordingly trees can help create a 'sense of place'. Native species of trees and shrubs are particularly valuable since they help to maintain levels of wildlife in urban areas and they should be retained and introduced in landscaping schemes where possible and appropriate.

1.4.14 Trees which make a significant contribution to the visual scene can be safeguarded by the making of Tree Preservation Orders under Section 198 of the Town and Country Planning Act 1990. Failure to comply with the orders can lead to the imposition of fines as well as requiring replanting with appropriate species. The District Council will require full tree surveys in proposals for the development of sites which currently enjoy tree or hedgerow cover.

1.4.15 Landscaping does not apply only to trees and shrubs. These are the 'soft' components of landscaping which also possesses a 'hard' element e.g. paving schemes (floorscape), boundary features etc. Hard landscaping can be equally important in helping to establish the identity of a locality. Landscaping (hard or soft) should always be considered as an integral part of a development rather than as an afterthought. Thought should be given to landscape design at the outset of the total design process. If treated as an afterthought, landscaping can seem ill- considered and ineffective. Completeness through design is considered as the most appropriate approach. The timing of the provision of landscaping in relation to development will also be an important factor in achieving the integration of new development into its surroundings.

❖ SBE8 LANDSCAPING OF NEW DEVELOPMENT

❖ *THE DISTRICT COUNCIL WHEN CONSIDERING PLANNING APPLICATIONS WILL SEEK TO ENSURE THE ENHANCEMENT OF THE SITE BY APPROPRIATE LANDSCAPING AND WILL HAVE FULL REGARD TO THE NEED FOR CONSERVATION OF EXISTING LANDSCAPE FEATURES ESPECIALLY TREES AND HEDGEROWS. GENERALLY, APPLICATIONS FOR LARGE SCALE DEVELOPMENT MUST BE ACCOMPANIED BY A DETAILED LANDSCAPE SURVEY, TOGETHER WITH A PROPOSED LANDSCAPING SCHEME AND MANAGEMENT PLAN.*

❖ SBE9 EXISTING TREES

WHERE INDIVIDUAL TREES, GROUPS OF TREES OR AREAS OF WOODLAND ARE UNDER THREAT AND ARE CONSIDERED TO BE OF PARTICULAR AMENITY VALUE THE DISTRICT

COUNCIL WILL NORMALLY MAKE TREE PRESERVATION ORDERS.

ADVERTISEMENTS

1.4.16 The presence of advertisements in the urban environment can either enliven or spoil the street scene in which they are displayed. Inappropriately designed and sited advertisements can have a severely detrimental effect on the visual quality of the built environment. Alternatively many signs and advertisements are appropriate to the location in which they are displayed and reinforce the vitality and character of a particular location.

1.4.17 Consequently there is a requirement to control the effect which advertisements have on the built environment. The Town and Country Planning (Control of Advertisements) Regulations 1992 gives District Councils the statutory authority to control the display of certain advertisements. Furthermore, provisions exist under the same regulations for the removal of an advertisement on the grounds of amenity or safety whether it is initially under the control of the Local Authority or not.

1.4.18 There is inevitably a concern on behalf of the District Council to ensure that all advertisements wherever they may be displayed should add to the amenity of the area rather than detract from it. Stricter rules with regard to the erection of "For Sale" signs now apply. Wokingham District Council will seek to ensure that estate agents throughout the District abide by these new regulations.

❖ SBE10 NEW ADVERTISEMENTS

ADVERTISEMENTS WILL BE PERMITTED IF THEY ARE CONSIDERED TO BE WELL SITED AND DO NOT DETRACT FROM THE AREA WITHIN WHICH THEY ARE DISPLAYED. WITHIN CONSERVATION AREAS THE APPLICANT WILL NEED TO DEMONSTRATE THAT THE DESIGN AND LOCATION OF THE ADVERTISEMENT REFLECTS THE CHARACTER OF THE AREA.

1.4.19 Provisions exist within the advertisement regulations for particularly sensitive areas to be declared Areas of Special Control. Such designation requires the confirmation of the Secretary of State and is appropriate in sensitive urban and rural areas in order to afford greater protection to the environment. The District Council will investigate the need for the designation of Areas of Special Control as part of a package of measures aimed at improving advertisement control in areas where problems are perceived.

SHOP FRONTS

1.4.20 The design of a shopfront should relate satisfactorily to that of the rest of the building in which it is set, as well as to nearby buildings and shopfronts where appropriate. Particular care is needed where a building is listed or in a conservation area or is on a conspicuous site. The importance of "house style" to some traders is recognised, but the importance of visual amenity is considered to be greater. House styles may therefore require to be sympathetically adapted, particularly in conservation areas.



❖ SBE11 SHOP FRONTS

NEW SHOP FRONTS WILL BE PERMITTED WHERE THEY RELATE SATISFACTORILY TO THE ARCHITECTURAL FRAMEWORK OF THE BUILDING, ARE COMPATIBLE WITH THE



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

- **Proposed Amendments April 1999**
- **Additional Proposed Amendments September 1999**
- **Proposed Transport Amendments February 2000**

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

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

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

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

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

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

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

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

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

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

(iii) be physically and socially cohesive.

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

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

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

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

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

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

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

POLICY FRAMEWORK

National Policy

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

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

Strategic Policy

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

Supplementary Planning Guidance

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

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

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

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

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

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

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

e) THE LOCAL TOWNSCAPE

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

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

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

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

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

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

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

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

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

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

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

Cont.

A) PROTECTION OF NATURAL FEATURES

B) THE LAYOUT SHOULD BE APPROPRIATE IN SCALE, FORM, AND CONTINUITY WITH THE LOCAL CONTEXT

C) THE APPROPRIATE USE OF SPECIES OF, *PREDOMINANTLY NATIVE*, **(PA 4/5)** TREES AND SHRUBS TO CREATE CLEARLY IDENTIFIED 'THEMES'

D) THE PROTECTION, ENHANCEMENT AND CREATION OF WILDLIFE CORRIDORS IN ACCORDANCE WITH POLICY WNC6. **(PA 4/6)**

Implementation: Assess the quality of landscape schemes through the development control process, including use of section E of the Planning Guidelines.

Monitoring: Check quality of landscape works and planting on the ground.

4.20 The Council considers it important to protect trees and hedges in the plan area, as they make a fundamental contribution to its character and appearance, and may also have ecological value. Tree preservation orders have already been applied to many individual and groups of trees and areas of woodland, and this approach will be continued as appropriate.

POLICY WBE11: PROTECTION OF TREES AND WOODLAND

THE COUNCIL WILL PROTECT TREES AND AREAS OF WOODLAND BY:

A) RESISTING DEVELOPMENT PROPOSALS THAT WOULD CAUSE THE LOSS OF, OR DAMAGE TO, TREES OR GROUPS OF TREES RECOGNISED AS HAVING AMENITY OR CONSERVATION VALUE.

b) ~~APPLYING TREE PRESERVATION ORDERS AS APPROPRIATE, INCLUDING ON IMPORTANT AREAS OF STRUCTURAL TREE PLANTING ASSOCIATED WITH NEW DEVELOPMENT, AND ON IMPORTANT INDIVIDUAL TREES, PARTICULARLY ON SMALL SITES~~ **[A6]**

B) APPLYING TREE PRESERVATION ORDERS AS APPROPRIATE. **[A6]**

c) ~~REQUIRING TREES THAT ARE TO BE RETAINED ON DEVELOPMENT SITES ARE ADEQUATELY PROTECTED DURING ASSOCIATED WORKS~~ **[A6]**

C) *SEEKING MAINTENANCE OF AREAS OF STRUCTURAL TREE PLANTING AND IMPORTANT TREES.* **[A6]**

d) ~~REQUIRING REPLACEMENT PLANTING OF TREES AS RESULT OF ANY LOST DURING DEVELOPMENT WORKS.~~ **[A6]**

D) *REQUIRING TREES THAT ARE TO BE RETAINED ON DEVELOPMENT SITES ARE ADEQUATELY PROTECTED DURING ASSOCIATED WORKS. DETAILS WILL BE EXPECTED TO ACCOMPANY ANY PROPOSED DEVELOPMENT SUBMISSION THAT INVOLVES TREES AND WOODLANDS* **[A6]**

Implementation: Through the development control process, including use of section E of the Planning Guidelines.

Monitoring: Check quality of tree cover on the ground.

POLICIES

5.12 Only part of the District's housing requirement is met through the allocation of specific areas of land for development. Housing will continue to be built on unidentified sites. In accordance with Berkshire Structure Plan Policies (C1 and H5), these sites will be within the boundaries of identified settlements.

POLICY WH1: HOUSING DEVELOPMENT - UNIDENTIFIED SITES

WITHIN THE IDENTIFIED SETTLEMENTS, ON SITES THAT ARE NOT IDENTIFIED IN THE PLAN FOR RESIDENTIAL USE, DEVELOPMENT IN THE FORM OF INFILLING, REDEVELOPMENT AND CHANGE OF USE TO RESIDENTIAL USE WILL BE CONSIDERED FAVOURABLY, SUBJECT TO LOCAL ENVIRONMENTAL AND AMENITY CONSIDERATIONS AND ALL OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN, IN ORDER TO MAKE THE BEST USE OF LAND IN BUILT-UP AREAS.

IN PARTICULAR, THE COUNCIL WILL SEEK TO ENSURE THAT THE FOLLOWING CRITERIA ARE COMPLIED WITH:

a) OPEN AND WOODED AREAS, AND GAPS AND GARDEN AREAS, THAT ARE IMPORTANT TO THE CHARACTER OF THE SETTLEMENT, ARE PROTECTED FROM *INAPPROPRIATE* **(PA 5/3)** DEVELOPMENT

b) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE CHARACTER OF THE AREA, INCLUDING ON ANY CONSERVATION AREA

c) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY RESIDENTIAL PROPERTY OR LISTED BUILDING

d) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE SETTLEMENT BOUNDARY OR ON THE ADJOINING COUNTRYSIDE

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

f) THERE IS NO LOSS OF RECREATIONAL FACILITIES OR PUBLIC OPEN SPACE

g) THERE IS ADEQUATE LOCAL HIGHWAY AND INFRASTRUCTURE CAPACITY TO CATER FOR TRAFFIC AND OTHER DEMANDS GENERATED BY THE DEVELOPMENT, WITH, WHERE SEEN AS NECESSARY, THE PROVISION OF ROAD SAFETY MEASURES. IT WILL BE NECESSARY TO CONSIDER THE CUMULATIVE EFFECT ON ROADS AND INFRASTRUCTURE OF PROPOSED DEVELOPMENTS IN THE SAME AREA, TO DETERMINE THEIR ACCEPTABILITY UNDER THIS CRITERION

Cont.

h) ~~AN ELEMENT OF AFFORDABLE HOUSING IS PROVIDED IN SCHEMES OF 25 OR MORE DWELLINGS IN SETTLEMENTS OF UNDER 3,000, AND IN SCHEMES OF 40 OR MORE DWELLINGS ELSEWHERE. FOR THE AVOIDANCE OF DOUBT, THE SETTLEMENTS WHERE THE 40 DWELLINGS REQUIREMENT APPLIES COMPRISE EARLEY, NORTH FINCHAMPSTEAD, TWYFORD, WARGRAVE, WINNERSH, WOKINGHAM, CROWTHORNE (PINEWOOD) AND WOODLEY. NEW DEVELOPMENT WILL BE EXPECTED TO COMPLY WITH THE COUNCIL'S SERVICE, AMENITY, AND INFRASTRUCTURE REQUIREMENT (S.A.I.R.).~~

h) *AN ELEMENT OF AFFORDABLE HOUSING IS PROVIDED IN RESIDENTIAL SCHEMES OF 15 OR MORE DWELLINGS OR OF 0.5 HECTARE OR MORE IN SETTLEMENTS OF 3,000 OR FEWER, AND OF 25 OR MORE DWELLINGS OR OF 1 HECTARE OR MORE ELSEWHERE. THE SETTLEMENTS WHERE THE 25 DWELLINGS REQUIREMENT APPLIES COMPRISE CROWTHORNE (PINEWOOD), EARLEY, NORTH FINCHAMPSTEAD, TWYFORD, WARGRAVE, WINNERSH, WOKINGHAM AND WOODLEY. NEW DEVELOPMENT WILL BE EXPECTED TO COMPLY WITH THE COUNCIL'S SERVICE, AMENITY, AND INFRASTRUCTURE REQUIREMENT (S.A.I.R.).*

(PA 5/4)

PROPOSALS FOR RESIDENTIAL DEVELOPMENT WILL BE JUDGED AGAINST THE COUNCIL'S PLANNING GUIDELINES FOR THEIR ACCEPTABILITY UNDER DESIGN AND PARKING CRITERIA.

Implementation: Planning permissions to private and public sector housebuilders, having regard to Planning Guidelines.

Monitoring: Planning applications.

~~***POLICY WH1A: HOUSING DEVELOPMENT - INFILLING GAPS WITHIN GROUPS AND MINOR EXTENSIONS TO GROUPS OUTSIDE SETTLEMENTS***~~

~~*SENSITIVE INFILLING OF SMALL GAPS WITHIN SMALL GROUPS OF HOUSES AND MINOR EXTENSIONS TO GROUPS OUTSIDE DESIGNATED GREEN GAPS (POLICY WCC 2) FOR RESIDENTIAL USE WILL BE ACCEPTABLE SUBJECT TO LOCAL ENVIRONMENTAL AND AMENITY CONSIDERATIONS AND ALL OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN.*~~

~~*IN PARTICULAR, THE COUNCIL WILL REQUIRE COMPLIANCE WITH THE FOLLOWING CRITERIA:*~~

~~a) *OPEN AND WOODED AREAS, AND GAPS AND GARDEN AREAS, THAT ARE IMPORTANT TO THE CHARACTER OF THE AREA, ARE PROTECTED FROM INAPPROPRIATE DEVELOPMENT*~~

~~b) *THERE IS NO ADVERSE EFFECT ON THE CHARACTER OF THE AREA, INCLUDING ON ANY CONSERVATION AREA OR AREA OF SPECIAL CHARACTER*~~

~~c) *THERE IS NO ADVERSE EFFECT ON ANY RESIDENTIAL PROPERTY OR LISTED BUILDING*~~

~~d) *THERE IS NO ADVERSE EFFECT ON THE ADJOINING COUNTRYSIDE*~~

~~e) *THERE IS NO ADVERSE EFFECT ON ANY INTEREST OF NATURE CONSERVATION IMPORTANCE*~~

~~f) *THERE IS NO LOSS OF RECREATIONAL FACILITIES OR PUBLIC OPEN SPACE*~~

'IN ORDER TO ENSURE AN EFFECTIVE AND EFFICIENT USE OF LAND, NO RESIDENTIAL DEVELOPMENT ON SITES OVER 0.3 HECTARE WITHIN IDENTIFIED SETTLEMENTS SHALL BE PERMITTED AT A NET DENSITY OF LESS THAN 30 DWELLINGS PER HECTARE, SUBJECT TO DEVELOPMENT AT SUCH A DENSITY NOT COMPROMISING THE QUALITY OF THE ENVIRONMENT.

A NET DENSITY OF BETWEEN 30 AND 50 DWELLINGS PER HECTARE ON NEW RESIDENTIAL DEVELOPMENT WILL GENERALLY BE ACCEPTABLE. HIGHER DENSITIES IN THIS RANGE WILL BE ACCEPTABLE IN LOCATIONS WITH GOOD PUBLIC TRANSPORT CONNECTIONS AND GOOD ACCESS TO LOCAL RETAIL, COMMUNITY AND SERVICE FACILITIES.

IN AREAS WITH PARTICULARLY GOOD ACCESSIBILITY TO PUBLIC TRANSPORT AND FACILITIES, DENSITIES SHOULD BE IN EXCESS OF 50 PER HECTARE.

ALL DEVELOPMENTS, WHATEVER THEIR NET DENSITY, WILL BE EXPECTED TO INCORPORATE A HIGH QUALITY OF DESIGN THROUGHOUT.'

Density should be measured in accordance with the definition set out in Annex C of PPG3 (2000).

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY
(Encircled in black on the map)

No. on Map	Description	Situation
	NONE	

TREES SPECIFIED BY REFERENCE TO AN AREA
(Within a dotted black line on the map)

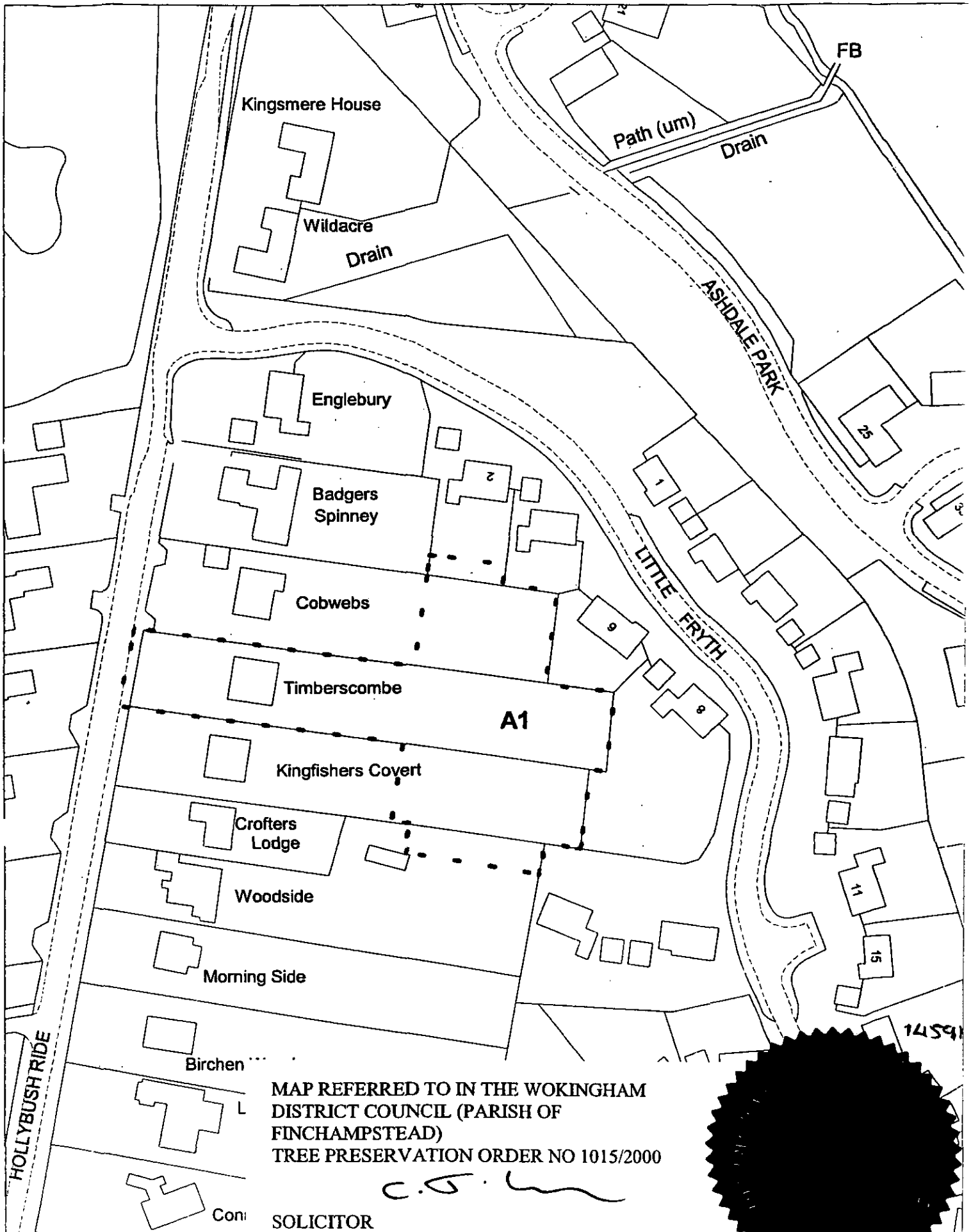
No. on Map	Description	Situation
A1	An area of trees of various species including *Silver Birch (Betula pendula)* Scots Pine (Pinus sylvestris) Oak (Quercus spp.) Sweet Chestnut (Castanea sativa) Yew (Taxus baccata) Holly (Ilex aquifolium) Willow (Salix spp.) Sycamore (Acer pseudoplatanus)	On land at Timberscombe, and to the rear o *Cobwebs, Kingfishers Covert and* Woodside, Hollybush Ride, Finchampstead and 2 Little Fryth, Finchampstead Grid Ref: SU 814 648

GROUPS OF TREES
(Within a broken black line on the map)

No. on Map	Description	Situation
	NONE	

WOODLANDS
(Within a continuous black line on the map)

No. on Map	Description	Situation
	NONE	



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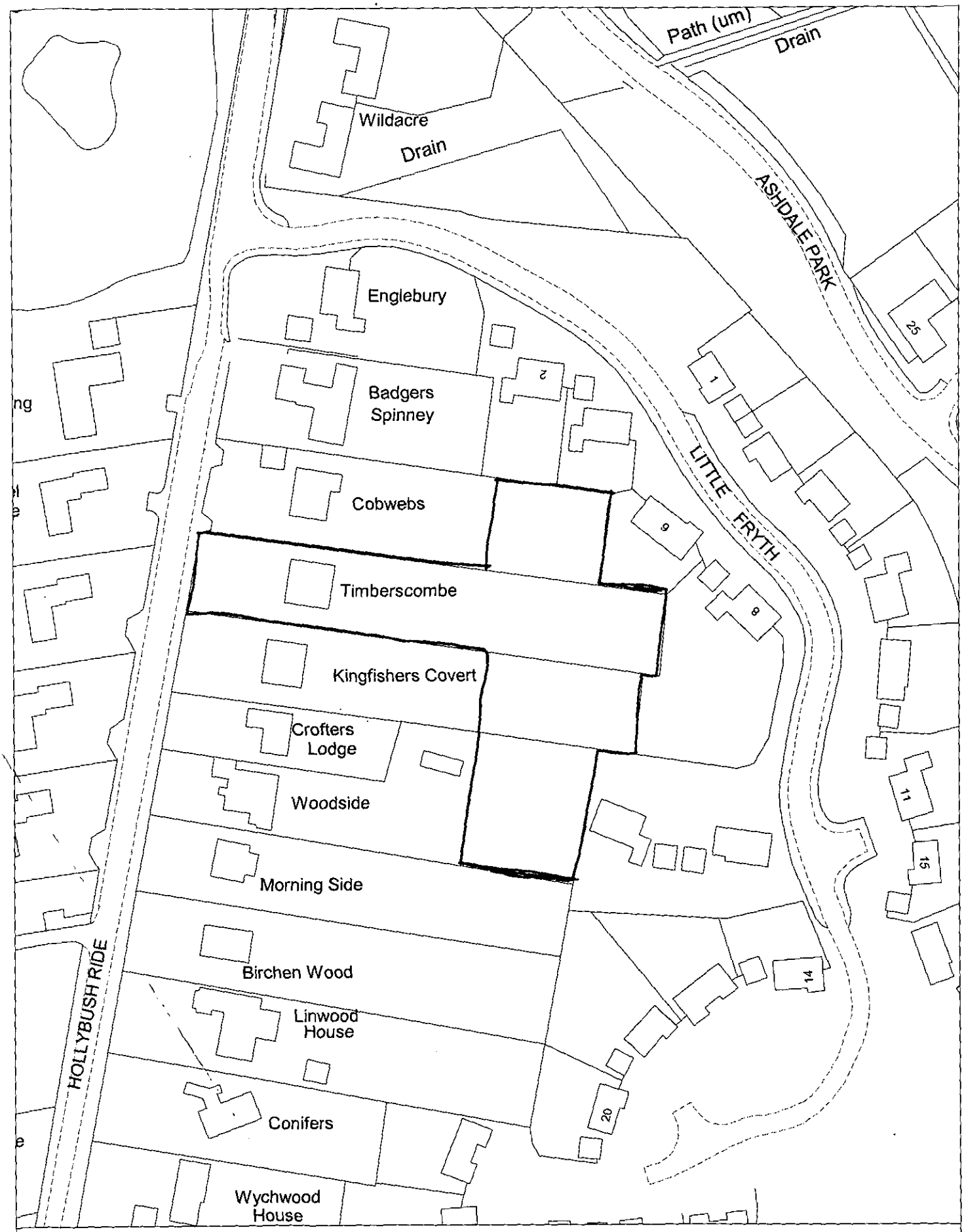
Landscape Section, Environmental Services, Wokingham District Council.

Scale: 1 : 1250



Site Plan, Scale: 1 to 1250

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Date: 19 February 2001

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01344 773914

18 Ashdale Park
Wokingham
Berkshire
RG40 3QS

September 11th 2000

Dear Sir.

Planning application No.
F/2000/2225.

Please register my objection.

It's murder already trying to get out on to Lower Wokingham Road at busy times. We can do without more congestion.

Perhaps this is a selfish view but more important is the possible - indeed probable - precedent that would be set for the remainder of Hollybush Ride

Yours faithfully

Marilyn McLewis

Tel: Crowthorne 01344 779100

9, Ashdale Park,
Hollybush Ride,
Wokingham,
Berkshire.
RG40 3QS.

PLANNING SERVICES | HPT
POL
DC
AFP
CS
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OBS
AMO
COPIES TO:

The Development Control Manager,
Wokingham District Council

Dear Sir,

Planning Application No. F/2000/2225.

I wish to record my firm disapproval of the proposed housing development in Hollybush Ride for the following reasons:-

1. It would place an added strain on local resources; for example there could be an additional 60-80 car movements per day on the already difficult exit from Hollybush Ride on to the A.321.

2. Hollybush Ride is an unadopted byeway much valued by local people as a pleasant pedestrian access to the National Trust woods and lake.

3. The plan would provide an unfortunate precedent for the development of many acres of land in Hollybush Ride between the Queensmere roundabout and Simons Wood and the delightful nature of the area would suffer.

4. The proposed infill would be at the expense of natural woodland on which much wildlife lives. Infill should be confined to brownfield sites.

P.T.O.

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APP |
CS 0855 | AMO
18 SEP
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Dr. F. Caldeira-Saraiva
Green Shadows
Hollybush Ride
Wokingham
Berkshire
RG40 3QP

Ms Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

Monday, September 11, 2000

Dear Ms Odell

Planning Application No. F/2000/2225
Site Address: Land rear of Timberscombe, Hollybush Ride
Proposal: Erection of four dwellings and demolition of existing dwelling

I am writing to object to the proposed development for the following reasons.

Even at present, the area has no local services within walking distance – no shops or schools nearby – and lacks suitable public transport facilities. Any further development will be totally against the policy of sustainable development. Any necessary journeys to work, for leisure, shopping or school will have to be done by car. The traffic will increase congestion particularly at the already dangerous junction of Hollybush Ride and Nine Mile Ride. Building will increase the traffic beyond what the roads in the area can support and lead to pollution and noise

The site is a greenfield one, not a brownfield. Its development would be against Council policy on that count. Furthermore, development would necessarily imply the felling of trees which is also against environmental policy. The area provides a habitat for a range of wildlife including badgers, foxes, rabbits, squirrels and many species of birds. Such a development would have a detrimental effect on the established wildlife.

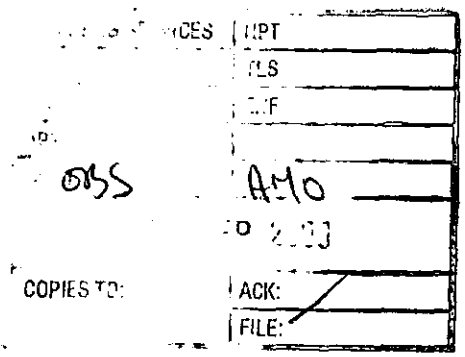
The felling and clearance of a large area of established trees would also destroy the prestigious, rural, forested nature of the area and set a precedent for further development of a similar nature which could continue all the way up to Simons Wood and destroy the unique character of the area. The development would also lead to 'filling-in' the area between Finchampstead and Crowthorne and upset the balance between the settlements.

Hollybush Ride is an unadopted road and is not suitable for further development. There is no council funded maintenance for resurfacing, lighting, sewerage, etc. The plan is for the new properties to feed into the existing sewerage system. This would increase the overload and create serious problems. On the other hand, upgrading these services would cause disruption and would require the consent of existing residents of Hollybush Ride.

I hope the Council will reject the planning application.

Yours sincerely,

Dr. F. Caldeira-Saraiva



Badgers' Spinney,
Hollybush Ride,
Finchampstead,
Berkshire RG40 3QP

9th September 2000

Ms Angela Odell,
Planning Officer, Wokingham District Council,
Environmental Services Department, Planning Services,
PO Box 157,
Shute End, Wokingham,
Berkshire RG40 1WR

Dear Ms Odell,

Planning Application No: F/2000/2225

I am writing to lodge my strong objection to the proposed development in respect of which Brookworth Developments Limited has submitted the above planning application.

The proposal is to demolish the property known as Timberscombe on Hollybush Ride, annex a significant proportion of the existing rear gardens of three adjoining properties and build a spur road off Hollybush Ride leading to four new properties huddled into the aggregated space.

The feeling amongst local residents close to the proposed development is very strong. When we received information earlier this year that such a development might be under consideration, a note was circulated by the occupants of Timberscombe giving neighbours absolute assurance that no such development was being considered. Subsequently, without notice, a large area of woodland to the rear of Timberscombe was felled on Saturday, 5th August in anticipation of the planning application. This wanton and indiscriminate destruction, which included the felling of several mature oaks and walnut trees, has caused loss of amenity to the properties immediately to the rear of Timberscombe and has resolved local residents to oppose this application with absolute determination.

I have been a local ratepayer for many years and now live with my family in Badgers Spinney, Hollybush Ride. I am a senior executive of a major global financial services company and bring considerable income into the district. I have invested very significant sums of money into this property with a view to maintaining the standard and special character of Hollybush Ride. We specifically selected Hollybush Ride for those very qualities which are now under threat.

Hollybush Ride is well known throughout the surrounding district for its exclusivity, woodland character, wildlife, low-density prestigious dwellings and intrinsic charm. For most of its length, Hollybush Ride is not an adopted highway but a bridal path. Local families enjoy walking the length of this woodland road which gives access to Simons Wood. Local children often ride their ponies along this stretch which is made safe by the low traffic density. Badgers, foxes and other woodland flora and fauna are frequent sights in this area, often making their way into our local gardens. The old woodland, which extends its canopy through the rear of the larger plots of land along Hollybush Ride, provides a corridor for many woodland birds and tree-dwelling animals.

Like many who live along Hollybush Ride, we did not consider purchase of property here as an opportunity to make excessive profits by cynically exploiting the low-density nature of the area, thus changing its character forever and robbing local ratepayers of a popular recreational walk. We believed that buying a plot where the surrounding homes and gardens were well established would protect us from intrusive adjoining development. This form of opportunistic filling in which has no apparent merit and results in overburdening already stretched local services cannot be in the interests of the local community or in accordance with local policy.

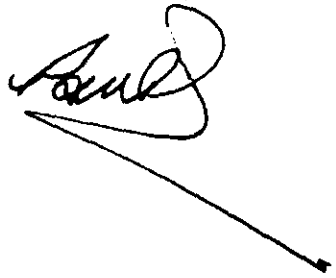
Hollybush Ride is currently separated from Little Fryth. While the residents of Little Fryth also risk loss of amenity through the proposed development, the density of housing in Little Fryth is higher than that in Hollybush Ride. Also, all the properties in this stretch of Hollybush Ride are individual whereas Little Fryth is an estate, albeit highly prestigious. This proposal would have the effect of breaking the current separation of these two areas and increasing the density level in Hollybush Ride which is entirely out of keeping with its current character. This application, if not halted, could lead to piecemeal erosion of this charming area as further developers sought to make similar applications under established precedent.

This development would affect us directly as the backdrop of woodland which gives our home its present character and economic value would be partly destroyed. To the corner of our rear garden, there would be a large, highly proximate building in an undersized plot of land which would overlook our property. Apart from the loss of amenity and enjoyment that we would suffer, the economic value of our house would be adversely affected by being marooned from the remainder of Hollybush Ride by the proposed access road and high-density housing.

There can be no merit in this application given the lack of available infrastructure which could provide such profiteering infill at least a prima facie case to answer. There are no public services, transport or shops within walking distance of the proposed development. The local sewage system is already problematical and strained to capacity. Traffic density on the Nine Mile Ride into which Hollybush Ride feeds is already excessive, resulting in serious congestion and raising pollution levels to unacceptable highs. Trees help reduce pollution, so the felling of additional woodland only serves to exacerbate the pollution problem. The four proposed homes would significantly increase the traffic flow past our house, with the consequent hazard to health and children which that imposes, as all the additional residents would require personal transport.

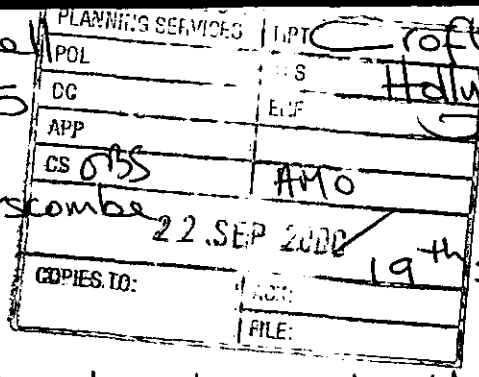
Four additional, high-cost homes do little to address the housing targets set for the Council and must be outweighed by the considerable distress and discomfort to which the surrounding local residents will be subjected. These are mostly families who care for their environment and have chosen their homes with care, never suspecting that the value and character of their homes could be depreciated by cynical, unwelcome and destructive development. We will oppose this development with all the legal, moral and economic weapons at our disposal. I am sure that the Council will reject this application as being against the interests of its ratepayers.

Yours sincerely,



Paul St Clair Terry

Your reference Angela Odell
F/2000/2225



Crofters Lodge
Hollybush Ride
Finchampstead
Wokingham
RG40 3QP

site address: land rear of Timbarcombe
Hollybush Ride

19th September 2000

Dear Madam,

I am writing to object to the proposed erection of four dwellings on the above site in Hollybush Ride.

The basis of my objections is as follows:

I believe that a precedent has already been established when a similair application was made by Waldershire (now renamed Kingfishers Covert) for the development of land behind. This was rejected by W.D.C. planning department as being undesirable back development and not in the interest of the local community or environment.

The proposed application will not enhance the rural character of Hollybush Ride but will certainly diminish the character of this very rural "ride" through the demolition of an older and aesthetically desirable property.

In recent years the lower end of Hollybush Ride has already absorbed two additional joining roads in respect of Ashdale Park and Little Frith and a third service road coming on to Hollybush Ride is wholly undesirable, unnecessary and further increases traffic on to a road which is unadopted and has to be paid for by the existing residents.

A number of properties in Hollybush Ride utilise septic tanks, Kingfishers Covert, Crofters Lodge and Woodside septic tanks outlets all flow into the land proposed for development. This will clearly impact the drainage of the waste water systems to these properties.

Hollybush Ride as an unadopted road is frequently used by the local community of Ashdale Park, Little Frith, St Sebastians and Nine Mile Ride as leisure access and rural walks to National Trust land "Simons Wood". The addition of another hidden access road presents a danger

to young children using Hollybush Ride either as pedestrians or cyclists.

Access from Hollybush Ride to the Nine Mile Ride via the double mini roundabouts is already over utilised and I believe any addition to regular traffic accessing in either direction poses a further danger to safety.

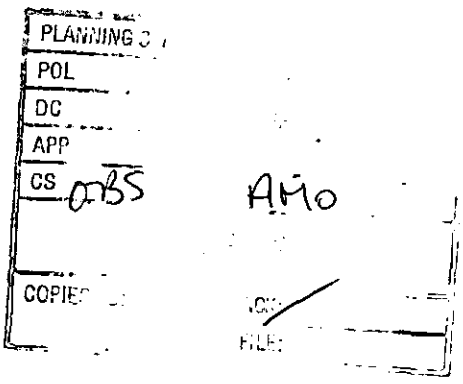
Back development of Hollybush Ride has already ocurred with Little Frith and the development of land between H. Ride and Queensmere has taken place in recent years. Any further development completely diminishes the pretence of Hollybush Ride being a rural community. Encouragement of further development would now create an urban district and can only detract from the rural beauty of this area.

Finally it is obvious that the proposed developer has already demonstrated his complete disregard for the local environment through the removal of many mature trees on the site proposed for development before gaining planning permission of any kind.

Yours faithfully

S. A. Hunt

24 Little Fryth
Finchampstead
Berkshire RG40 3RN



Ms AngelaOdell
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

Dear Ms Odell

Application Number: F/2000/2225
Site Address: Proposed erection of 4 dwellings on land rear of Timberscombe, Hollybush Ride, Finchampstead, Berkshire

Through communication from Mr Salisbury of 2 Little Fryth, we understand that an application has been made to the Council for development of land rear of Timberscombe, Hollybush Ride.

As residents of Little Fryth, we wish to lodge our objections to the above planning application. We purchased our house over 6 years ago, at a premium, to enjoy the environment that Little Fryth and the surrounding area offered, confident that the Council's environmental policies would protect our interests and allow us to do that.

We are extremely fortunate to have a beautifully wooded environment which attracts all types of wildlife. Most of the trees hereabouts are covered by TPOs and we are happy to take responsibility for the numerous Scotts Pines in our garden. We were, therefore, appalled to learn that the developers had felled numerous trees in anticipated of their application and trust that, if an illegal act has taken place, the Council will treat it with the severity it deserves.

Hollybush Ride is designated as an unadopted byway and, as such, could not adequately sustain the pressure of increased traffic. Furthermore, we understand that the Council at present has no maintenance funding allocated for resurfacing, lighting or, indeed, for sewerage and any further development would place a further burden on the existing services. This area is poorly served by public transport, every journey to work, school, shopping or for leisure would involve the use of a car and this would add to the local congestion - in particular it would increase the volume of traffic exiting from Hollybush Ride - a hazardous junction.

There would be further burden on the existing sewerage system with tremendous disruption to the residents of Hollybush Ride if this proposed development took place.

Looking at the proposed plan, it would appear that the Timberscombe site would constitute the access road into the proposed development and that the proposed four 5/6 bedroomed houses would occupy parts of the rear gardens at "Cobwebs", "Kingfishers Covert" and "Woodside". Given the stature of the proposed houses, it would appear that this is a high density scenario not in keeping with the established dwellings in the area.

All arguments/objections have to be looked at constructively and we should ask what would be the benefit of having this small development and what would it bring to the area. It would increase traffic pollution, bring about the destruction of woodlands and established wildlife habitats. The beneficiaries would be the developers, cashing in and moving on.

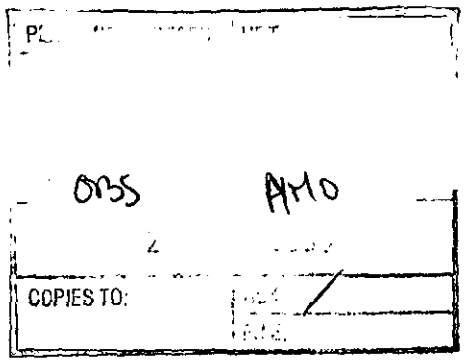
We hope the Council considers the implications of this application fully, as granting it would encourage other developers to seek out small parcels of land to fill in. We would then be looking at a sprawling mass of hotch potch developments which would further erode the distinction between local parishes and spoil the unique character of the area.

We hope the Council upholds its enirvonmental policies against deforestation and continues to develop only brownfield sites thereby protecting existing rural environments.

Yours sincerely

Frances de Banks

Dennis & Frances de Banks



8 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

19 September 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Mrs Odell,

Your Ref: Planning Application No. F/2000/2225

We understand that planning application F/2000/2225 (the "Proposal") has been made for the erection of 4 houses and the demolition of the existing dwelling at Timberscombe, Hollybush Ride and on neighbouring properties (the "Site") and that you have been appointed the Planning Officer to review the application.

Please accept this letter as our formal objection to the Proposal. Our many objections are made in the Appendices to this letter and are summarised below:

- The density of the proposed development of 4 houses is substantially higher than the neighbourhood and the small garden sizes are out of proportion for 5/6 bedroom houses in such a rural area.
- The Site is made up of the mature woodland gardens of substantial plots and should therefore be treated as more Greenfield than Brownfield.
- The Site is part of a Wildlife Corridor to Simons Wood and development would cause substantial and permanent environmental damage. The Wildlife Corridor is used by a huge variety of wildlife including badgers and bats who are protected species.
- The Site is out of Walking Distance of all local amenities including shops, schools, churches and public transport.
- The layout of the Site is such that one of the proposed houses is less than 20 metres from the back of our home. This back to back distance is substantially less than average for the neighbourhood and is not sympathetic to what is described by the Developers as "the spacious and attractive character of the area".
- There is no provision for mains sewage of the Site. This is discussed more fully in Appendix 6.
- The Site is subject to a restrictive covenant: "No part of the said land comprised in the said WDC Plan marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood."

An overwhelming majority of the residents in the neighbourhood, including ourselves have already sent you a letter stating that the development would be a nuisance and annoyance to the neighbourhood and therefore breach the covenant.

A copy of the letter and a map of the neighbourhood showing the homes of those who signed are set out in Appendices 1 and 2. Appendix 3 is a copy of the restrictive covenants registered at HM Land Registry.

In Appendix 4 we have commented on sections of the Report prepared on behalf of Brookworth Developments Ltd (the "Developers") where we believe it is inaccurate and misleading.

The Proposal contravenes numerous policies of the Wokingham District Local Plan (the "WDC Plan") and we have referenced these in Appendix 5.

The Developers has applied for full as opposed to outline planning permission. Whilst we are totally against development of the Site, we have been advised that we have to set out the detailed changes that we would ask for should planning permission be granted. Accordingly these are set out as Appendix 6.

The infilling of 4 properties of such a high density is not appropriate to the location as required by the National Policy Guidelines. Given its size, we believe that a maximum of 2 houses should be built on the Site, provided that back to back distances for all neighbouring properties was at least 30 metres.

The Proposal contravenes numerous WDC Plan policies and National Policy Guidelines and we therefore ask you to reject the application.

Yours sincerely

David Rice-Jones

Margaret Rice-Jones

Appendix 1

The Residents in
the Neighbourhood
of the area subject to
Planning Application
F/2000/2225

10 September 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Ms Odell,

Your Ref: Planning Application No. F/2000/2225

We understand that an application has been made to demolish Timberscombe and build 4 houses on Timberscombe and on the back gardens of 3 adjoining properties.

The land and building in question are subject to the following restrictive covenant contained in a Conveyance dated 13 April 1922 between John Walter (vendor) and Henry William Brake (purchaser) and registered with HM Land Registry.

"No part of the said land comprised in the said plan marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood."

The proposed development in Planning Application F/2000/2225 would be a *nuisance and annoyance to the neighbourhood and contravene the restrictive* covenant. Please reject the application on these grounds.

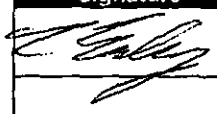
Yours sincerely

Signature	Name	Address	Occupation
	K. ELLWOOD	6, LITTLE FRYTH FINCHAMPSTEAD	MANAGER
	C. ELLWOOD	"	TEACHER
	M. WARSOP	4, LITTLE FRYTH, FINCHAMPSTEAD	MANAGER

Signature	Name	Address	Occupation
	D S. ASHTON	4, LITTLE FRYTH, WOKINGHAM. BERKS.	CONSULTANT
R.M. Salisbury	R.M. SALISBURY	2, LITTLE FRYTH, WOKINGHAM, BERKS	LIBRARIAN
W.M. Salisbury	W.M. SALISBURY	2 Little Fryth Wokingham Berkshire	Air Traffic Controller.
K.S.Holland	K.S. HOLLAND	1 Little Fryth Wokingham Berks	Teacher
M.H.Holland	M.H. HOLLAND	1, LITTLE FRYTH WOKINGHAM BERKS	CHARTERED ACCOUNTANT.
P.T.Hopwood	P.T. HOPWOOD	3. Little Fryth Wokingham, Berks	Marketing Director.
Sally Hopwood	S.A. HOPWOOD	3, Little Fryth Wokingham. Berks	Business Planner
Karen Campbell	KAREN CAMPBELL	7 LITTLE FRYTH WOKINGHAM. BERKS	PA
S.Campbell	S. CAMPBELL	" " " "	ACCOUNTANT.
John Hewitt	J. HEWITT	9 Little Fryth	Surveyor
C.Page	C. PAGE	11 LITTLE FRYTH	HOUSEWIFE
N G Page	N G PAGE	11 Little Fryth Finchampstead Berks	COMPANY DIRECTOR
J.May	J. MAY	10 LITTLE FRYTH HOLLYBUSH RIDE FINCHAMPSTEAD	HOUSEWIFE
I.May	I. MAY	"	MANAGING DIRECTOR.
J.B.Exelby	J. EXELBY	12 LITTLE FRYTH FINCHAMPSTEAD.	ACCOUNTANT.
K.Sharp	K. SHARP	15 LITTLE FRYTH FINCHAMPSTEAD	HOUSEWIFE.
C Richards	C RICHARDS	18 LITTLE FRYTH FINCHAMPSTEAD	COMPANY SECRETARY
A.M.Goodenough	A.M. GOODENOUGH	20 LITTLE FRYTH FINCHAMPSTEAD WOKINGHAM	CHARTERED ACCOUNTANT
S.J.Goodenough	S.J. GOODENOUGH	20 LITTLE FRYTH WOKINGHAM	HOUSE WIFE.

Signature	Name	Address	Occupation
	S. BROWN	22 Little Fryth	Housewife
	N P BROWN	—— " ——	DIRECTOR
	D. DEBANKS	24 LITTLE FRYTH.	PARTNER
	F. DE BANKS	" —— "	PARTNER
	AF. WOODFORD	26 "	RETIRED
	A. PRESS	31 " "	HOUSEWIFE
	T. I. PRESS	31 " "	INSURANCE MANAGER
	B. MAVIN	27 " "	CEO
	HELEN HODGKINSON	25. " "	HOUSEWIFE
	ALLAN HODGKINSON	25 " "	IT MANAGER.
	PAT GABB	23 " "	Housewife
	Wm RAINEY	9 Little Fryth.	[illegible]
	E. WHITE	17 Little Fryth	Teaching Ass.
	A. WHITE	" " "	Director
	D RICE-JONES	8 LITTLE FRYTH	DIRECTOR
	M. RICE-JONES	8 LITTLE FRYTH	Managing Director
	CLIVE HIXSON	BROOK House, Hillyard Road	Company Director.
	Trevor Evans	29, Little Fryth	Manager.
	DEE EVANS	—— " ——	BOOK-KEEPER

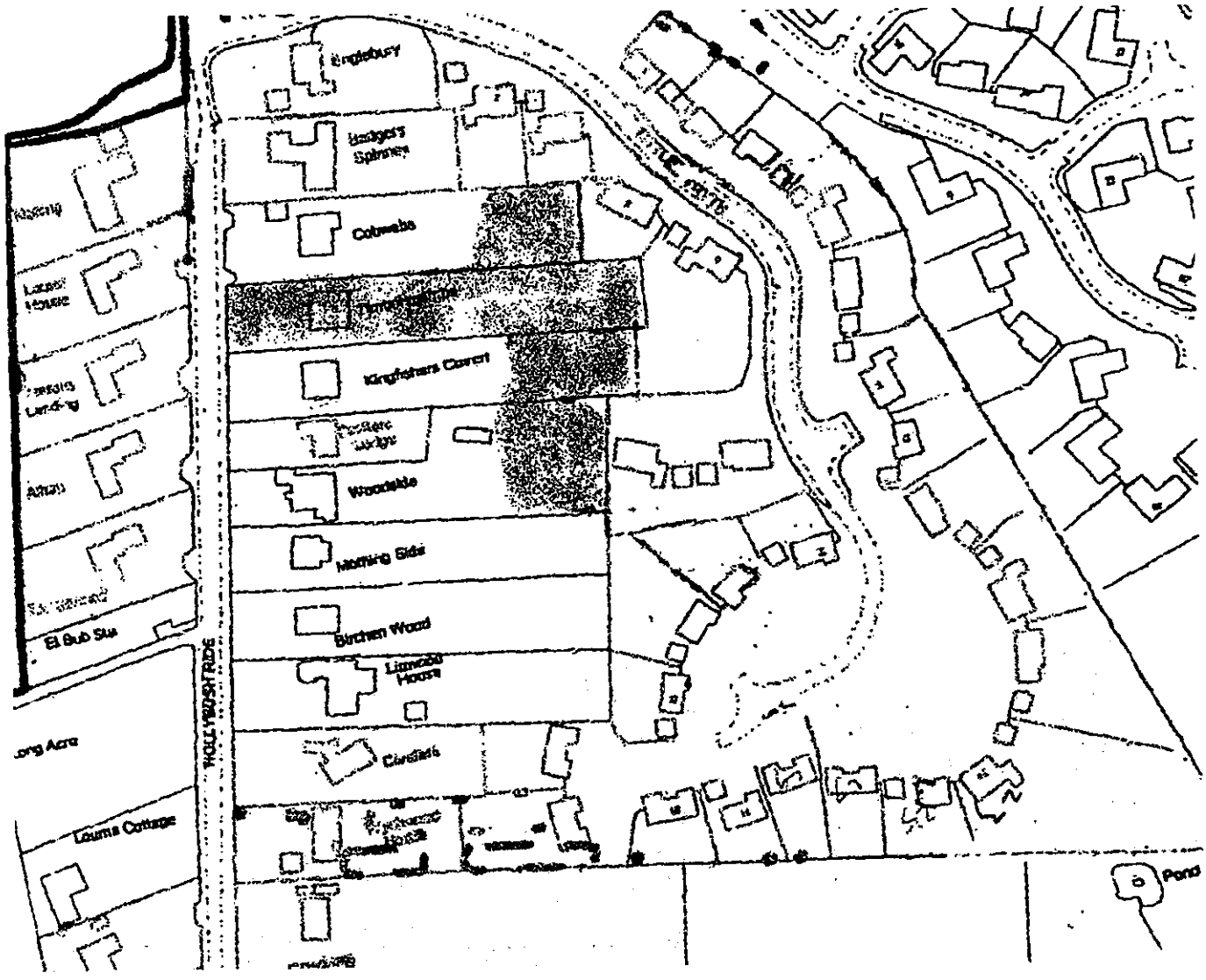
Signature	Name	Address	Occupation
	D STOCK	ENGLEBURY, HOLLYBUSH RIDE, WOKINGHAM	CO. DIRECTOR
	KIM STOCK	—"—	N.T.A
	D. WHITMARSH	LAUREL HOUSE HOLLYBUSH RIDE WOKINGHAM.	SALES MANAGER.
	I. ANDERSON	MALTINGS HOLLYBUSH RIDE WOKINGHAM.	DIRECTOR.
	L. ANDERTON	MALTINGS HOLLYBUSH RIDE WOKINGHAM.	STUDENT TEACHER.
	H. WEARY	HERMS LANDING, HOLLYBUSH RIDE WOKINGHAM BERKS	ACCOUNTANT.
	C. REILLY	AHLAN HOUSE HOLLYBUSH RIDE	HOUSE WIFE.
	PAUL ST CLAIR TERRY	BADGERS SPINNEY HOLLYBUSH RIDE	STRATEGIST
	CAROLINE VICTORIA TERRY	BADGERS SPINNEY HOLLYBUSH RIDE.	HOUSEWIFE.
P. Hooper	PAT HOOPER	CONIFERS HOLLYBUSH RIDE.	HOUSEWIFE
	JOHN HOOPER	" "	FINANCE DIRECTOR
	P. F. BEARSLEY	21 LITTLE FRYTH FINCHAMPSTEAD	ENVIRONMENT MANAGER
	A. BEARSLEY	21 LITTLE FRYTH HOLLYBUSH RIDE	FIN. PLANNING CONS.
	H RHIND	16, LITTLE FRYTH	AIR TRAFFIC CONTROLLER
	T. GOODSON	GREYTHARS. Hollybush Ride WOKINGHAM.	DIRECTOR.
	A. SMITH.	14, LITTLE FRYTH, FINCHAMPSTEAD.	DIRECTOR.
	T. EVANS D EVANS	31 LITTLE FRYTH FINCHAMPSTEAD	~~MANAGER~~ BOOK-KEEPER
	C LOVELL-READ	Tanglewood, Hollybush Ride, Finchampstead	Housewife
	G. LOVELL-READ	" "	CONSULTANT.
	A. HUNT	CROFTERS LODGE, HOLLYBUSH RIDE FINCHAMPSTEAD	ADMINISTRATOR.
	J BURGESS	BEARS LEAD HOLLYBUSH RIDE FINCHAMPSTEAD RG7	SECRETARY
	CJ WATRENE	WYCHWOOD HOLLYBUSH RIDE.	HUNT

Signature	Name	Address	Occupation
	C. EXELBY	12, Little Scythe, Finchampstead Wokingham BERKS. RG40 3QN	Managing Director Thomson multi-media.

The owners of the properties shaded in yellow signed the letter in Appendix 1 stating that the Proposal would be a nuisance and annoyance to the neighbourhood and contravene the restrictive covenant on the Site.

The proposed Site is shaded red.

We understand that the owners of Morningside, Birchen Wood, Linwood House, Long Acre and Lourna Cottages have either had discussions with the Developers or are in the process of applying for planning permission on their plots.



OFFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting on the register on **8 September 2000.** This date **must be quoted as the 'search from date' in any official search** application based on this copy.
Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.
Issued on 11 September 2000 by HM Land Registry.
This title is administered by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK98259

Edition Date : 4 September 2000

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

WOKINGHAM

1. (28 January 1970) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Timberscombe, Hollybush Ride, Finchampstead, (RG40 3QP).

2. The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

3. A Deed dated 7 May 1991 made between (1) Bryant Homes Southern Limited and (2) Dennis John Grover and Ethel Janice Grover is expressed to grant rights of drainage.

NOTE:-Copy filed.

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (3 December 1970) **PROPRIETOR(S):** DENNIS JOHN GROVER and ETHEL JANICE GROVER, his wife, both of Timberscombe, Hollybush Ride, Finchampstead, Wokingham, Berks, RG40 3QP.

Continued overleaf

Title Number : BK98259

B: Proprietorship Register continued

2. (4 September 2000) **CAUTION** in favour of Brookworth Developments Limited of Overdene House, 49 Church Street, Theale, Reading, Berks, RG7 5BX and of 3000 Hillswood Drive, Chertsey, Surrey, KT16 0RS.

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

1. A Conveyance of the land in this title and other land dated 13 April 1922 made between (1) John Walter (Vendor) and (2) Henry William Brake (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

2. A Conveyance of the land in this title and other land dated 22 April 1937 made between (1) Henry William Brake (Vendor) and (2) Walter George Bates (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

****

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 13 April 1922 referred to in the Charges Register:-

The Purchaser for himself his heirs executors administrators and assigns hereby covenants with the Vendor his heirs executors administrators and assigns to the intent and so as to bind not only himself personally but also (so far as practicable) all future owners and tenants of the lands and premises hereby assured or any part thereof and to bind such lands and premises into whosoever hands the same may come but not so as to render the Purchaser personally liable in damages for breach thereof after he shall have parted with all interest in the premises hereby assured or any part thereof that he the Purchaser and the Persons deriving title under him will henceforth and at all times hereafter observe and perform the stipulations and conditions contained in Second Schedule hereto

THE SECOND SCHEDULE above referred to

1. No building shall be erected on the said land hatched green and brown on the said plans marked A and B to cost less than £700 but this shall not be construed to preclude the Purchaser from enlarging any existing buildings irrespective of value nor to preclude the erection of private boat houses or summer houses in connection with any private dwelling houses no such building erected on the said land hatched green and brown on the said plan shall be used otherwise than as a private residence together with usual offices and out buildings.

2. No building manure pit or cesspool except a lodge not exceeding 15 feet in height from ground level to ridge of roof shall be erected on the said land within 50 feet of the highway.

3. No part of the said land comprised in the said plans marked A B and C nor any buildings to be erected thereon shall be used for any purpose

Continued on next page

Title Number : BK98259

Schedule of Restrictive Covenants continued

which may be or grow into a nuisance or annoyance to the neighbourhood.

4. No temporary dwelling building or erection of any kind except sheds to be used during the working hours by workmen employed in building or completing houses upon any of the said land shall be erected on any of said land and no booths caravans shows swings or roundabouts shall be placed or used thereon.

5. No part of the land shall be used as an advertisting station (except for the purpose of advertising any part or parts of property hereby agreed to be sold) or for entertaining beanfeasters or pleasure parties.

6. No manufacturing shall be carried on on any of the said land or buildings erected thereon and no permanent operative machinery shall be fixed or placed thereon except the existing Saw Mills and Laundry and no bricks or tiles shall be made nor any clay or lime be burned on any of the said land but this clause shall not be so construed as to preclude the Purchaser his heirs executors administrators or assigns from erecting and using machinery for private uses such as the generating of electric light gas pumping of water and anything in connection with farming work such as Chaff Cutting Root crushing Cake breaking and private works of similar character.

NOTE:-The land hatched green and brown referred to above does not affect the land in this title. The land in this title forms part of the land on the plan marked A referred to above.

2. The following are details of the covenants contained in the Conveyance dated 22 April 1937 referred to in the Charges Register:-

"The Purchaser hereby further covenants with the Vendor that he will not excavate or dig any sand gravel or brick earth from the said piece of land except in the course of laying the foundations of the houses or outbuildings to be erected thereon or for use in erecting such to be erected thereon or for use in erecting such buildings AND ALSO will not erect any building nearer the road adjoining the said piece of land than fifty feet or of less value than three hundred pounds unless erected 250 feet from the roadway reckoning net cost of labour and material And also will not carry on or permit to be carried on upon the said piece of land any noxious noisome or offensive trade business occupation or manufacture AND ALSO will keep in repair half the road and footpath adjoining the said piece of land until the Parochial or other Public Authorities shall take upon themselves the repairs of the same AND ALSO will not allow any traction engines to be used upon any roads abutting upon or in any way forming an approach to the said piece of land."

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register.

OFFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting on the register on **8 September 2000.** This date **must be quoted as the 'search from date' in any official search** application based on this copy.
Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.
Issued on 11 September 2000 by HM Land Registry.
This title is administered by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK253228

Edition Date : 19 January 2000

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

WOKINGHAM

1. (28 January 1970) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Kingfishers Covert, Hollybush Ride, (RG40 3QP).

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (29 May 1987) **PROPRIETOR(S):** GORDON CYRIL BRIDGE and BERNICE MARY ANN BRIDGE both of Kingfishers Covert, Hollybush Ride, Wokingham, Berks., RG40 3QP.

2. (19 January 2000) **RESTRICTION:** No disposition by a sole proprietor of the land (not being a trust corporation) under which capital money arises is to be registered except under an order of the registrar or of the Court.

3. (18 January 1990) **RESTRICTION:** Except under an order of the registrar no disposition by the proprietor(s) of the land is to be registered without the consent of the proprietor(s) of the Charge dated 7 November 1989 in favour of Dresdner Bank Aktiengesellschaft referred to in the Charges Register.

Continued overleaf

Title Number : BK253228

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

1. A Conveyance of the land in this title and other land dated 13 April 1922 made between (1) John Walter (Vendor) and (2) Henry William Brake (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

2. A Conveyance of the land in this title and other land dated 22 April 1987 made between (1) Henry William Brake (Vendor) and (2) Walter George Bates (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

3. The land is subject to the following right excepted and reserved by a Transfer of the land in this title dated 31 March 1987 made between (1) John Morgan and Angela Hudson Morgan (Transferors) and (2) Gordon Cyril Bridge and Bernice Mary Ann Bridge (Transferees):-

   "EXCEPT AND RESERVING exclusivly unto the Transferors for a period of three years from the date hereof the right upon giving seven days notice in writing of the access on foot by any route selected by the Transferees or their successors in title over the land shown on the plan and edged red for the purpose of entering the adjoining neighbouring property edged yellow on the plan to be exercised on not more than four days in each year This right is not transferrable and expires three years from the date hereof."

   NOTE:-The land edged red referred to above is the land in this title and the land edged yellow referred to above adjoins its eastern boundary.

4. (18 January 1990) **REGISTERED CHARGE** dated 7 November 1989 to secure the moneys including the further advances therein mentioned.

5. (18 January 1990) **PROPRIETOR(s):** DRESDNER BANK HOUSE 125 Wood Street, London, EC2V 7AQ.

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Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 13 April 1922 referred to in the Charges Register:-

   The Purchaser for himself his heirs executors administrators and assigns hereby covenants with the Vendor his heirs executors administrators and assigns to the intent and so as to bind not only himself personally but also (so far as practicable) all future owners and tenants of the lands and premises hereby assured or any part thereof and to bind such lands and premises into whosoever hands the same may come but not so as to render the purchaser personally liable in damages for breach thereof after he shall have parted with all interest in the premises hereby assured or any part thereof that he the Purchaser and the Persons deriving title under him will henceforth and at all times hereafter observe and perform the stipulations and conditions contained in Second Schedule hereto

   THE SECOND SCHEDULE ABOVE REFERRED TO

   1. No building shall be erected on the said land hatched green and brown on the said plans marked A and B to cost less than £700 but this shall not be constued to preclude the Purchaser from enlarging any existing buildings irrespective of value nor to preclude the erection of private

Continued on next page

Title Number : BK253228

Schedule of Restrictive Covenants continued

boat houses or Summer houses in connection with any private dwellinghouses no such building erected on the said land hatched green and brown on the said plan shall be used otherwise than as a private residence together with usual offices and out buildings.

2. No building manure pit or cesspool except a Lodge nor exceeding 15 feet in height from ground level to ridge of roof shall be erected on the said land within 50 feet of the highway.

3. No part of the said land comprised in the said plans marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood.

4. No temporary dwelling building or erection of any kind except sheds to be used during the working hours by workmen employed in building or completing houses upon any of the said land shall be erected on any of said land and no booths caravans shows swings or roundabouts shall be placed or used thereon

5. No part of the land shall be used as an advertising station (except for the purpose of advertising any part or parts of property hereby agreed to be sold) or for entertaining beanfeasters or pleasure parties

6. No manufacturing shall be carried on on any of the said land or buildings erected thereon and no permanent operative machinery shall be fixed or placed thereon except the existing Saw Mills and Laundry and no bricks or tiles shall be made nor any clay or lime be burnt on any of the said land but this clause shall not be so construed as to preclude the Purchaser his heirs executors administrators or assigns from erecting and using machinery for private uses such as the generating of electric light gas pumping of water and anything in connection with farming work such as Chaff Cutting Roof crushing Cake breaking and private works of similar character.

NOTE 1:-The land hatched green and brown referred to in paragraph 1 above does not affect the land in this title.

NOTE 2:-The land in this title forms part of the land on the plan marked A referred to above.

2. The following are details of the covenants contained in the Conveyance dated 22 April 1937 referred to in the Charges Register:-

"The Purchaser hereby further covenants with the Vendor that he will not excavate or dig any sand gravel or brick earth from the said piece of land except in the course of laying the foundations of the houses or out-buildings to be erected thereon or for use in erecting such buildings AND ALSO will not erect any building nearer the road adjoining the said piece of land than fifty feet or of less value than three hundred pounds unless erected 250 feet from the roadway reckoning net cost of labour and materials And Also will not carry on or permit to be carried on upon the said piece of land any noxious noisome or offensive trade business occupation or manufacture AND ALSO will keep in repair half the road and

Continued overleaf

Title Number : BK253228

Schedule of Restrictive Covenants continued

footpath adjoining the said piece of land until the Parachial or other Public Authorities shall take upon themselves the repairs of the same AND ALSO will not allow any traction engines to be used upon any roads abutting upon or in any way forming an approach to the said piece of land."

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register.

OFFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting on the register on **8 September 2000.** This date **must be quoted as the 'search from date' in any official search** application based on this copy.
Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.
Issued on 11 September 2000 by HM Land Registry.
This title is administered by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK298341

Edition Date : 18 November 1991

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

COUNTY	DISTRICT
BERKSHIRE	WOKINGHAM

1. (18 November 1991) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being land lying to the east of Hollybush Ride.

2. (18 November 1991) The land has the benefit of the following rights granted by an Assent of the land in this title dated 16 March 1988 in favour of Audrey June Anderson and Monica Joyce White:-

   "TOGETHER WITH the benefit of the right of way on foot only over a passageway four feet in width immediately adjoining the southern boundary of the land fronting Hollybush Ride at Wokingham aforesaid shown edged in green on the plan hereto annexed."

   NOTE:-The land edged green referred to above lies to the west of the land in this title.

3. The land is affected by the local government changes on 1 April 1998.

Continued overleaf

Title Number : BK298341

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (18 November 1991) **PROPRIETOR(S)**: MONICA JOYCE WHITE of Floracot, Dukes Ride, Crowthorne, Berks.

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

1. (18 November 1991) A Conveyance of the land in this title and other land dated 13 April 1922 made between (1) John Walter (Vendor) and (2) Henry William Brake (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

2. (18 November 1991) By a Conveyance of the land in this title dated 17 March 1943 made between (1) Archibald Sutcliffe Knight (Vendor) and (2) Walter William Webb (Purchaser) the land was conveyed subject as follows:-

   "Subject to the covenants and conditions contained or referred to in a Conveyance dated the Tenth day of December One thousand nine hundred and twenty seven and made between Henry William Brake of the one part and Florence Muriel Pearce of the other part so far as the same are still subsisting and capable of affecting the property hereby conveyed."

   NOTE:-No further particulars of the Conveyance dated 10 December 1927 referred to above were supplied on first registration.

3. (18 November 1991) The land is subject to the following rights granted by a Transfer of land lying to the east of the land in this title dated 9 July 1985 made between (1) Helena Edith Webb (Grantor) and (2) Monica Joyce White and Audrey June Anderson (Grantees):-

   "TOGETHER WITH the benefit of a right of way on foot only over the strip of land being 4 feet in width adjacent to the southern boundary of The Glen, Hollybush Ride, Wokingham in Berkshire as shown for identification purposes only coloured brown on the said plan."

   NOTE:-The land coloured brown referred to above is shown tinted blue on the filed plan so far as it affects the land in this title.

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Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 13 April 1922 referred to in the Charges Register:-

   AND the Purchaser for himself his heirs executors administrators and assigns thereby covenanted with the Vendor his heirs executors administrators and assigns to the intent and so as to bind not only himself personally but also (so far as practicable) all future owners and tenants of the lands and premises thereby assured or any part thereof and

Continued on next page

Title Number : BK298341

Schedule of Restrictive Covenants continued

to bind such lands and premises into whosoever hands the same might come but not so as to render the Purchaser personally liable in damages for breach thereof he should have parted with all interest in the premises thereby assured or any part thereof that he the Purchaser and the persons deriving title under him would thenceforth and at all times thereafter observe and perform the stipulations and conditions contained in the 2nd Schedule thereto.

THE SECOND SCHEDULE above referred to

1. No building should be erected on the said land hatched green and brown on the said plans marked A and B to cost less than £700 but this should not be construed to preclude the Purchaser from enlarging any existing buildings irrespective of value nor to preclude the erection of private boat houses or summer houses in connection with any private dwellinghouses no such building erected on the said land hatched green and brown on the said plan should be used otherwise than as a private residence together with the usual offices and outbuildings.

2. No building manure pit or cesspool except a lodge not exceeding 15 feet in height from ground level to ridge of roof should be erected on the said land within 50 feet of the highway.

3. No part of the said land comprised in the said plans marked A B and C nor any buildings to be erected thereon should be used for any purpose which might be or grow into a nuisance or annoyance to the neighbourhood.

4. No temporary dwelling building or erection of any kind except sheds to be used during the working hours by workmen employed in building or completing houses upon any of the said land should be erected on the said land and no booths caravan shows swings or roundabouts should be placed or used thereon.

5. No part of the land should be used as an advertising station (except for the purpose of advertising any part or parts of property thereby agreed to be sold) or for entertaining beanfeasters or pleasure parties.

6. No manufacturing should be carried on on any of the said lands or buildings erected thereon and no permanent operative machinery should be fixed or placed thereon except the existing saw mills and laundry and no bricks or tiles should be made nor any clay or lime be burned on any of the said lands but this clause should not be so construed as to preclude the Purchaser his heirs executors administrators or assigns from erecting and using machinery for private uses such as the generating of electric light has pumping of water and anything in connection with farming work such as chaff cutting root crushing cake breaking and private works of a similar character.

NOTE:-The land in this title does not fall within the land hatched green and brown referred to in Clause 1 above.

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register.

OFFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting on the register on **3 September 2000.** This date **must be quoted as the 'search from date' in any official search** application based on this copy.
Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.
Issued on 11 September 2000 by HM Land Registry.
This title is administered by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK98714

Edition Date : 22 June 1993

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

COUNTY	DISTRICT
BERKSHIRE	WOKINGHAM

1. (24 December 1970) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Woodside, Hollybush Ride.

2. The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

3. The land remaining in this title has the benefit of the following rights reserved by a Transfer of the land edged and numbered BK139245 in green on the filed plan dated 4 November 1975 made between (1) George William Pollard and Patricia Mary Pollard (Transferors) and (2) Adrian Leslie Hunt and Jennifer Ann Hunt (Transferees):-

"EXCEPTING AND RESERVING unto the Transferors for the benefit of the remainder of the property comprised in Title No. BK98714.

(a) the right to use all drains gas water pipes electricity and telephone cables laid (or to be laid within a period of 80 years from the date hereof) in or under the land hereby transferred and a right of entry to the land hereby transferred upon reasonable notice (except in emergency) for the purpose of making such connections and thereafter for the purpose of inspecting repairing renewing relaying cleansing and maintaining the same and of laying additional pipes and cables the Transferors or their successors in title making good all damage occasioned thereby

(b) the right of entry onto the land hereby transferred upon reasonable notice for the purpose of painting and repairing the flank wall and roof of the garage lying immediately to the south of the land hereby transferred the Transferors making good all damage occasioned thereby."

Continued overleaf

Title Number : BK98714

A: Property Register continued

4. (22 June 1993) The land has the benefit of the rights granted by a Deed dated 27 May 1993 made between (1) Bryant Homes Southern Limited and (2) Anthony Richard Mansfield and Iris Elizabeth Mansfield.

NOTE: Copy in Certificate.

5. The land is affected by the local government changes on 1 April 1998.

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (11 February 1976) PROPRIETOR(S): ANTHONY RICHARD MANSFIELD and IRIS ELIZABETH MANSFIELD both of Woodside, Hollybush Ride, Wokingham, Berks.

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

1. A Conveyance of the land in this title and other land dated 13 April 1922 made between (1) John Walter (Vendor) and (2) Henry William Brake (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

2. A Conveyance of the land in this title dated 30 December 1940 made between (1) Henry William Brake (Vendor) and (2) Ernest George Humphries (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

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Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 13 April 1922 referred to in the Charges Register:-

"The Purchaser for himself his heirs executors Administrators and Assigns hereby covenants with the Vendor his heirs executors administrators and assigns to the intent and so as to bind not only himself personally but also (so far as practicable) all future owners and tenants of the lands and premises hereby assured or any part thereof and to bind such lands and premises into whosoever hands the same may come but not so as to render the purchaser personally liable in damages for breach thereof after he shall have parted with all interest in the premises hereby assured or any part thereof that he the Purchaser and the Persons deriving title under him will henceforth and at all times hereafter

Continued on next page

Title Number : BK98714

Schedule of Restrictive Covenants continued

observe and perform the stipulations and conditions contained in second Schedule hereto.

THE SECOND SCHEDULE ABOVE REFERRED TO

1. No building shall be erected on the said land hatched green and brown on the said plans marked A and B to cost less than £700 but this shall not be construed to preclude the Purchaser from enlarging any existing buildings irrespective of Value nor to preclude the erection of private boat houses or Summer houses in connection with any private dwelling houses no such building erected on the said land hatched green and brown on the said plan shall be used otherwise than as a private residence together with usual offices and out buildings.

2. No building manure pit or cesspool except a Lodge not exceeding 15 feet in height from ground level to ridge of roof shall be erected on the said land within 50 feet of the highway.

3. No part of the said land comprised in the said plans marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood.

4. No temporary dwelling building or erection of any kind except sheds to be used during the working hours by workmen employed in building or completing houses upon any of the said land shall be erected on any of said land and no booths caravans shows swings or roundabouts shall be placed or used thereon.

5. No part of the land shall be used as an advertising station (except for the purpose of advertising any part or parts of property hereby agreed to be sold) or for entertaining beanfeasters or pleasure parties.

6. No manufacturing shall be carried on on any of the said lands or buildings erected thereon and no permanent operative machinery shall be fixed or placed thereon except the existing Saw Mills and Laundry and no bricks or tiles shall be made nor any clay or lime be burned on any of the said lands but this clause shall not be so construed as to preclude the Purchaser his heirs executors administrators or assigns from erecting and using machinery for private uses such as the generating of electric light gas pumping of water and anything in connection with farming work such as Chaff Cutting Root crushing Cake breaking and private works of similar character."

NOTE:-No part of the land hatched green and brown falls within this title and the land in this title falls on plan A.

2. The following are details of the covenants contained in the Conveyance dated 30 December 1940 referred to in the Charges Register:-

"The Purchaser hereby further covenants with the Vendor that he will not excavate or dig any sand gravel or brick earth from the said piece of land except in the course of laying the foundations of the houses or outbuildings to be erected thereon or for use in erecting such buildings AND ALSO will not erect any building nearer the road adjoining the said piece of land than fifty feet or of less value than three hundred pounds unless erected at least 250 feet from Holly Bush Ride reckoning net cost of labour and material AND ALSO will not carry on or permit to be carried on upon the said piece of land any noxious noisome or offensive trade business occupation or manufacture AND ALSO will keep in repair half the road and footpath adjoining the said piece of land until the Parochial or other Public Auhorities shall take upon themselves the repairs of the same AND ALSO will not allow any traction engines to be used upon any

Continued overleaf

Title Number : BK98714

Schedule of Restrictive Covenants continued

roads abutting upon or in any way forming an approach to the said piece of land."

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register.

Comments on the report prepared on behalf of Brookworth Developments Ltd

We have commented on sections of the report prepared on behalf of Brookworth Developments Ltd (the "Report") where we believe it is inaccurate, incomplete or misleading. The references in the left hand margin relate to the paragraph numbers in the Report.

2.1 The Report states that the Site is approximately 0.45 Hectares whereas section 4 of the Planning Application Part 1 states it to be 0.49 Hectares.

2.3 The rear of the existing properties have already been infilled with the development of Little Fryth. The Proposal is to infill an area that has already been infilled.

2.4 The Site is off Hollybush Ride (a bye way rather than an adopted road) and is half a mile from the junction of Nine Mile Ride and the Lower Wokingham Road. This is not a "major road junction" and is served by a mini roundabout.

3.2 We maintain that the Site is more Greenfield rather than Brownfield as the definition of Brownfield is subject to many different criteria. We understand that the gardens of properties such as Timberscombe with substantial plots have been treated as Greenfield for planning purposes. We would therefore ask the council to treat the Site as Greenfield when reviewing the application.

3.3 The Site is neither previously developed nor within an urban area. Instead it is part of a wooded corridor from Simons Wood in a rural area within half a mile of substantial National Trust woodland. The proposed development would neither be an urban extension nor would it be in a good public transport corridor.

The Report states that the Proposal accords with the criteria of paragraph 31of the National Planning Policy Guidance. Paragraph 31 requirements include accessibility to jobs, shops and services and sewerage capacity. The Site is not within walking distance of jobs, shops or services and all journeys would have to be undertaken by car. There is no access to mains sewage as discussed in Appendix 6

3.4 Infilling 4 properties of such a high density does not reflect the low density rural character and landscape of Hollybush Ride and the surrounding neighbourhood. Whilst the National Policy Guidance encourage high density developments, the density needs to be appropriate to the location, which it is not.

3.6 This Proposal is for a net gain of 3 houses and represents only 0.039% of the 7,750 dwellings to be built from 1995 to 2006.

3.8 We understand that an area including the Site was included in the settlement area after the Wokingham South East Area Local Plan was adopted in April 1994. As local residents were not made aware of this, we believe that due process may not have been followed and that the Site should be excluded from the settlement area.

3.9 The density of the proposed development is substantially less than the environs particularly as a large part (approx 40%) of the Site is used as an access corridor. The average plot size (exluding access roads) of the Proposal compared to the neighbourhood of Hollybush Ride and Little Fryth is as follows:

Average Plot Size

Proposal	0.167 Acres
Little Fryth	0.25 Acres
Hollybush Ride	0.45 Acres

The garden areas of the Site are important to the character of the settlement concerned and should be protected in accordance with STV6.

3.10 The Report is misleading in that it misquotes SH1 and misses out key parts of the policy. The Report says "Policy SH1 generally ***favours*** infilling, subject to detailed environmental constraints.

SH1 actually says "Infilling, rounding off and redevelopment generally ***will be considered favourably*** subject to local environmental constraints ***and other provisions of this plan"***.

SH1 points out that in interpreting the policy the District Council will particularly wish to ensure that the following criteria are complied with:

- The protection of open and wooded areas, gaps and garden areas which are important to the character of the settlement
- No significant adverse effect on the character of the area
- The provision of adequate garden areas, space about buildings and off street parking for all new dwellings

The Proposal fails to meet the 3 criteria above.

3.12 The proposed dwellings are as close as 7metres to existing properties and would significantly affect the daylight and sunlight conditions of 2, 4, 6, 8 and 12 Little Fryth.

4.1 Please see 3.2 above.

The WDC Plan only allows the development of Brownfield Sites ***when other policies and guidelines are met***. The points raised in Appendices 4 and 5 show that the application contravenes numerous policies and guidelines.

4.2 Each application should be decided upon based on the merits of each individual case. We believe that references to other decisions are inappropriate.

4.3 The Site is part of a Wildlife Corridor (as defined by Wokingham District Council) to Simons Wood. The Wildlife Corridor is used by a huge variety of wildlife including foxes, rabbits, snakes, deer, bats and badgers. Bats and badgers are protected species.

Bullfinches and Songthrush also use the Wildlife Corridor and are 2 of 36 species on the RSPB's "Red" list of birds whose population is rapidly declining.

The majority of the Site will be felled and disjoint the woodland corridor. The Developers accepts that the environmental qualities, character and amenities of the area need to be safeguarded but fail to explain how this will be achieved.

4.4 Whilst the Developers maintain that the Proposal would retain the "green" appearance of the street scene of Hollybush Ride, they have omitted to mention the severe detrimental impact on the outlook of the neighbouring properties on Little Fryth.

4.5 It is our understanding that the Developers have agreements with the owners of Cobwebs and Kingfishers Covert that require foliage at the front/sides of both properties to be cut back and kept at a low height to ensure visibility of traffic coming out of the Site. This will substantially detract from the existing green nature of the street scene in Hollybush Ride.

4.6 Please see comments to 3.9 above. A large part (approx 40%) of the Site is used as an access corridor. If this is excluded, the density is 15 houses per hectare, which is significantly higher than the surrounding neighbourhood. The average plot size on Little Fryth is 50% larger and on Hollybush Ride 270% larger than the Proposal.

All the back gardens are very small and out of keeping with the existing neighbourhood and the style of 5/6 bed dwellings being proposed. Distances from buildings to the back fences are only:

Plot 1	8 metres
Plot 2	10 metres
Plot 3	10 metres
Plot 4	12 metres

4.7 All of the significant trees on the Site (including several that we believe should have had preservation orders) were felled early one Saturday morning by the Developers just prior to the planning application being submitted. Video and photographic evidence of this can be supplied.

The plans show a number of trees that overlook but aren't actually on the Site which gives a misleading impression of the number of trees to be retained. The plans show that over 50% of the trees on the Site will be felled. This number excludes the substantial number of recently felled trees mentioned above.

Spacing between the proposed houses is as low as 3 metres. This compares with an average gap of 13 metres between numbers 4, 6 and 8 Little Fryth.

We agree with the Developers that the area has a spacious and attractive character. However, due to the minimal gaps between new and existing dwellings, we disagree that the overall appearance of the proposed development would be sympathetic to it.

4.9 Care has been taken to minimise the impact of the development on Cobwebs, Kingfishers Covert and Woodside (whose owners are selling part of their properties to the Developers) by siting the houses as far away as possible from the existing properties and putting in place appropriate screening and landscaping.

As a result, the impact in terms of light, privacy and outlook on the adjoining houses on Little Fryth is substantial. The Developers have made no attempt to consult with the adjoining properties on Little Fryth to ensure that the impact on them was minimised.

5.1 We consider the Site to be Greenfield and not Brownfield. The WDC Plan does not ***require*** use of sites as stated in the Report; it merely ***allows*** them provided that policies and guidelines have been met. Whilst some policies and guideline have been met, many others have not.

It is subjective for the Developers to maintain that the Council should be promoting development on sites such as this. It is for the Council to decide each case based upon the merits of each individual application.

The Proposal does not respect the established character and appearance of the neighbourhood in terms of density, layout and the retention of trees.

The detailed design and siting of the houses substantially detracts from the adjoining properties on Little Fryth in terms of light, privacy and outlook.

5.2 The Proposal does comply with some of the requirements of national policy and policies of the WDC Plan. However, it breaks many others some of which are detailed in Appendix 5. Planning permission should therefore not be granted.

Planning Policies

The proposed development contravenes many policies in the Wokingham District Local Plan (the "WDC Plan") including:

WOS1(D) The Site is not within Walking Distance (as defined by Wokingham District Council) of any local amenities including shops, schools and public transport and all journeys would therefore need to be undertaken by private car.

WOS1(G) The Proposal does not make any improvements to infrastructure, services and amenities.

WOS3(A) The Proposal would be to the detriment of the visual and other amenities of the adjoining properties on Little Fryth.

WOS3(B) For the adjoining properties on Little Fryth there is no provision to either site the houses far enough away or to provide landscaping treatment to protect the local visual amenity.

WOS3(C) See comment on WOS1(D) above.

WOS3(F) The design does not respect the local context by virtue of siting, layout and massing.

WOS5(D) The WDC Plan seeks to minimise environmental impact by reusing and the refurbishment of existing buildings in preference to redevelopment. The Proposal includes the demolition of a viable existing property on Timberscombe on the frontage of Hollybush Ride and replacing it with an access road.

WNC6 The land of the proposed development is part of a Wildlife Corridor (as defined by Wokingham District Council) to Simons Wood. The Wildlife Corridor is used by a huge variety of wildlife including foxes, rabbits, snakes, deer and badgers who are a protected species. Bullfinches and Songthrush also use the corridor and are 2 of 36 species on the RSPB's Red list of birds whose population is rapidly declining. Developing the Site would cause substantial permanent damage to and therefore not protect the Wildlife Corridor.

WBE10(b) The high density and small plot sizes of the proposed dwellings means that they are not appropriate in scale, form and continuity with the local context.

WBE10(d) See comment on WNC6 above.

WBE11(a) The Site had groups of mature trees recognised as having amenity and conservation value. All of the significant trees on the Site (including several that we believe should have had preservation orders) were felled early one Saturday morning by the Developers just prior to the planning application being submitted.

We understand that in certain circumstances the Council can seek the landowner to maintain and replace important trees. We ask the Council to do so and also consider the proposed development and Site with the replacement trees included.

WH1 The Proposal would be inappropriate development of wooded and garden areas that are important to the character of the neighbourhood and have a severe adverse impact upon the Wildlife Corridor and on nature conservation. The Proposal would therefore not meet the WDC Plan's requirements for infilling.

Sewage

The existing situation with regard to mains sewage of the 4 existing properties is as follows:

- The owners of Timberscombe have mains sewage access (from Timberscombe only) through the drains of 6 Little Fryth.
- The owners of Woodside have mains sewage access (from Woodside only) through the drains of 12 Little Fryth.
- We believe that the owners of Kingfishers Covert do not have access to mains sewage.
- The owner of Cobwebs has connected to the drains of 6 Little Fryth but has no agreement to do so.
- There is no mains sewage access to the Site via Hollybush Ride.

We understand from the owners of 6 and 12 Little Fryth that:

- In no circumstance will the owners of 12 Little Fryth allow mains sewage access from any properties built on the land of Cobwebs, Timberscombe and Kingfishers Covert.
- In no circumstance will the owners of 6 Little Fryth allow mains sewage access from any properties built on the land of Cobwebs, Woodside and Kingfishers Covert.
- The owners of 6 Little Fryth intend notifying the owner of Cobwebs that they intend cutting the property off from mains drainage.

The proposed development would therefore have access to mains sewage for houses 2 and 4 but not for houses 1 and 3.

Detailed Changes

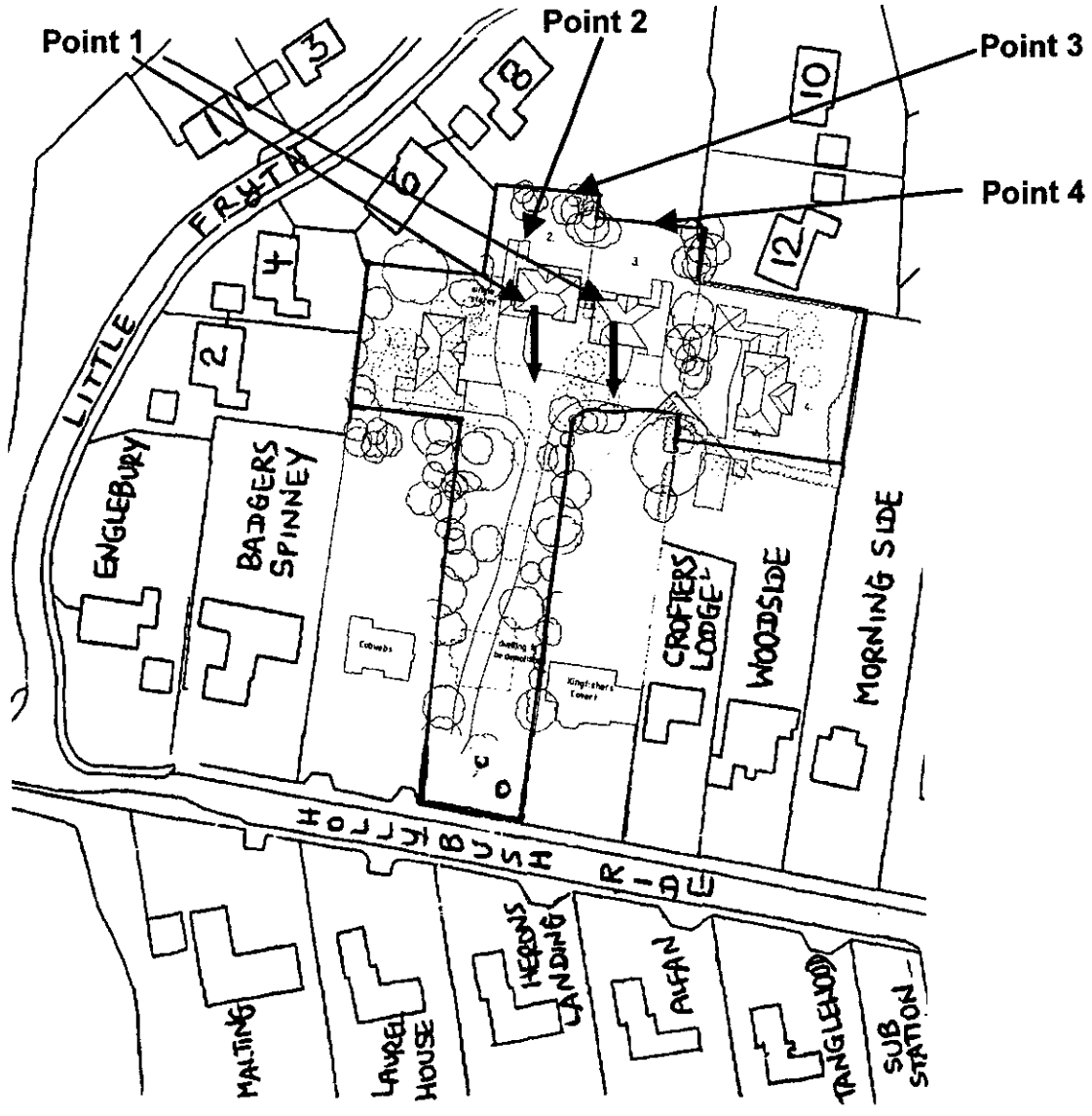
The following detailed changes are requested in the event that planning permission is granted. These requests are made due to the close proximity of houses 2 and 3 to 8 Little Fryth. As proposed, House 2 is under 20 metres from 8 Little Fryth, which is substantially less than the average back to back distance of the neighbourhood.

Point 1 Houses 2 and 3 are moved forward at least 5 metres in the direction of the arrows to maximise the back to back distance.

Point 2 The single storey part of House 2 should not extend beyond the back of the main part of the house to reduce the distance between House 2 and 8 Little Fryth. If this request is not granted then House 2 should be built as a mirror image to reduce the distance between House 2 and 8 Little Fryth.

Point 3 The Developers should be obliged to Plant mature screening to a height of 4 meters on the back fence of house 2 to obscure the view from 8 Little Fryth.

Point 4 There is currently a mature hedge 4 metres high at the bottom of Kingfishers Covert. This is missing on the submitted Plans. The Developers should be required to retain this hedge at its existing height to maximise the screening of House 3 from 8 Little Fryth.



Rec'd 9.00 AM 21-9.00

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To: Angela Odell
Planning Officer
Environmental Services Department
Planning Services
P.O.Box 157
Shute End, Wokingham
Berkshire RG40 1WR

4, Little Fryth
Wokingham
Berks
RG40 3RN

19th September 2000

Re: Planning Application Number F/2000/2225

Dear Mrs. Odell,

This letter registers my objections to this proposal, which is for the erection of 4 dwellings and demolition of an existing dwelling at land rear of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

My property, 4, Little Fryth, is immediately adjacent to the proposed development and I would therefore be severely affected. Whilst I obviously have a personal stake in the outcome, I believe that in terms of Local and National Plans, the proposal is most definitely not in the best interests of the local community or national housing plans.

The application is clearly speculative. It attempts to take advantage of current pressures to build new dwellings in the Wokingham District in order to make substantial profits for the builder with no benefit for the local community.

According to the planning application, the Berkshire Structure Plan allocates 7,750 new dwellings for Wokingham District by 2006. The proposed development, if approved, will result in a net gain of a mere 3 dwellings. This tiny contribution to the 7,750 total is the only aspect of this development that might be interpreted in some quarters as positive. The many other effects of the proposal are negative, e.g. the impact on the immediate neighbourhood, the local community generally, the local woodland wildlife etc.

I therefore strongly urge you to reject this planning application and to recommend its rejection in any appeal process that may follow.

As a postscript to this letter, I enclose a number of specific points related to the actual application, which I should like you to take into consideration.

Yours Sincerely,

W.G. Ashton

POST SCRIPT

I have read the detailed planning application, and consider that it contains a number of statements that are at best disingenuous and at worst deliberately misleading. Please consider these when determining the validity of the application, since I feel sure that the application is contrary to much of the strategy and many of the guidelines described in the Local and National Plans.

Site Description

The planning application, section 2.1, describes the site as approximately 0.45 hectares in size. I am led to understand that applications for developments of less than 0.5 hectare are not subject to the same stringent regulations as larger developments. No environmental assessment is required and the developer need not make any contribution to the local amenities, e.g. provision of public open space.

The site is part of a larger block of back gardens defined as a Settlement Area in 1997. If this type of incremental development is allowed, then it seems possible that the entire Settlement Area could be developed without the builders having to make any contribution to the local amenities or reparations for the destruction of the environment.

Reduction of Light and Privacy

The most disturbing aspect of the proposal is the proximity of the new houses to existing properties and the consequent reduction in light and privacy to these.

- Section 4.7 of the planning application states

  "Most of the significant trees in the rear part of the site, particularly around the boundaries, are to be retained, so that the overall appearance would be sympathetic to the spacious and attractive character of the area."

- Section 4.9 of the planning application states

  "Care has been taken to site the proposed dwellings to avoid any conflict with neighbouring houses in terms of light, privacy and outlook, thereby ensuring that high levels of residential amenity are maintained for existing occupiers".

- Section 5.1 of the planning application states

  "... the proposed scheme respects the established character and appearance of this residential area in terms of density, layout, design and the retention of trees."

  And

  "... the detailed design and siting of the units does not detract from the amenities of adjoining properties in terms of light, privacy or outlook."

Inspection of the proposed site clearly demonstrates the specious wording and dubious veracity of the above statements, and that the proposed development contravenes the policy SBE5 of the Wokingham South East Area Local Plan cited in section 3.12.

4, Little Fryth has a small garden relative to other properties in the area and the boundary with the proposed development is barely 10 metres from the back of the house. The ground slopes gently upwards towards the proposed development, exacerbating the problem of being overlooked and this fact is not stated anywhere in the planning application.

Interestingly, the planning application gives no external dimensions for the houses. However, assuming "typical" dimensions for a six-bedroom two-storey house in Plot 1, it is clear that, at the very least, the upper storey windows would give a view into both the upstairs and downstairs rooms at the back of 4, Little Fryth.

The Site Layout drawing, provided in the planning application, implies that existing trees would screen Plot 1 of the development from neighbouring properties, in particular, 4, Little Fryth. This is misleading. The existing trees on the boundary are mainly mature silver birches, some 15 to 20 metres tall and would provide very little privacy. Worse still, such tall trees are only suitable to be grown in copses where they can provide each other with shelter from high winds. If left as single trees, their shallow roots mean that high winds could topple them on to nearby dwellings. Thus they would probably have to be felled for reasons of safety.

There is an existing 6 feet tall wooden fence at the boundary. In winter, at midday, this fence already places much of the back garden of 4, Little Fryth in shadow. The close proximity of the dwelling proposed for Plot 1 would worsen this problem significantly.

Destruction of the Environment

The planning application makes great play of national and local guidance to maximise the use of "brownfield" sites in "urban" areas. This may be technically correct, in that domestic gardens are classified as "brownfield", but it ignores the spirit of the definition. Development of such sites is subject to many other criteria.

The site concerned is part of an area of continuous woodland stretching from Yateley to Wokingham including publicly accessible National Trust land. The emphasis here is not so much on an "urban area" with "low density housing" interspersed with trees (as stated in the planning application), as on woodland in which there are a number of houses. Such properties inevitably have large gardens, gardens that form part of the natural woodland. Thus the statements in the planning application referring to "greenfield" and "brownfield" as if they were "black and white" definitions are misleading.

Further, the proposed development involves the felling of over 40 trees. The application claims (section 4.7) that "most of the significant trees ... are to be retained". This is disputable. There is little doubt that the destruction of this many trees and the additional human activity will seriously impact local wildlife. Even in the small garden at 4, Little Fryth, we are regularly visited by some 30 or more species' of woodland bird.

In sections 3.9 and 3.10, the planning application cites the Wokingham South East Area Local Plan, policies STV6 and SH1. These policies actually act against the application, in that they state, for example, that "within identified settlements, development of areas of open land including gaps in road frontages and garden areas which significantly contribute to the character of the settlement will not normally be permitted." The "local environmental constraints" referred to in Section 3.10 include "the protection of open and wooded areas, gaps and garden areas which are important to the character of the settlement area" and "... no significant adverse effect on the character of the area".

Effect On Local Area / Access To Local Amenities

Developments in the past few years have meant that Finchampstead is already subject to undue pressure on the local amenities and infrastructure.

The "Overall Strategy" in the Wokingham District Local Plan drafted in November 1999 states

"... new development ... [should] ... makes a positive contribution to the character, environment and quality of life in the District."

And that

"What new development we need will relate well to established communities. It will provide for employment, shopping and other services in places that minimise the need for travel by private car."

The proposed development clearly contradicts this strategy. I can see no way that this development could be perceived as making a positive contribution to the character, environment and quality of life in the District. Neither will it relate well to existing communities, indeed it positively intrudes on them.

There are no local amenities within walking distance (300 metres). The nearest shop (a solitary newsagent) is over a kilometre away. There is very limited public transport – the nearest bus stop is several hundred metres away and I believe there to be no more than five buses per day to the nearest towns. The basic point is that it is not practicable to access amenities on a regular basis without the use of a motor car.

Further, Hollybush Ride is a byway. Not only does it give access to existing properties, the byway is extensively used by walkers and horse riders to gain access to the NT woodlands at Simon's Wood and Finchampstead Ridges. The wooded ambience of the byway would be prejudiced by yet further motor traffic.

Hollybush Ride joins Nine Mile Ride. Nine Mile Ride is already cited as one of the busiest roads in the Wokingham District, with continuous, often heavy traffic at most times of day. The proposed development will add further to this burden.

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Tall Trees,
6 Little Fryth,
Finchampstead,
Berks. RG40 3RN

18th September 2000.

Angela Odell,
Planning Officer,
Wokingham District Council,
Environmental Services Department,
Planning Services,
P.O. Box 157
Shut End,
Wokingham,
Berkshire RG40 1WR.

Dear Mrs. Odell,

Ref: Planning Application Number F/2000/2225

I am writing to lodge an official objection against the above Planning Application. Whilst I appreciate the concerns relating to housing in this area I feel that the plans put forward by the developer offer very little advantage and merely provide substantial profits for a few to the potential misery of many others.

Having reviewed the application in detail I would like to comment using the paragraph numbers on the Planning Application.

2.2 They comment that the area is " well tree'd" but it is worth noting that in a relatively small area the developer intends to remove approximately forty three trees. This is in addition to twenty trees that were chopped down on the 5th August 2000. The proposed development has already changed the aspect considerably. The trees felled were approximately sixty foot high and offered cover to the houses in Little Fryth. These have already been destroyed!

2.3 Whilst the plots in Little Fryth are smaller than those in Holly Bush Ride the proposed plots of the development would be considerably smaller than those in Little Fryth and the submitted plan has not been prepared to scale and is misleading.

2.4 The application statement is true but is meaningless to this issue. Holly Bush Ride is a byway and the upkeep depends on the residents. There is no lighting on this road and no access to the rear. The road is already considerably congested particularly at peak times and the development will only add to this.

3.2 All gardens are considered Brownfield sites and therefore this is no different. Government interpretation was not meant to take this to the extreme and indeed this site does not meet all the existing criteria of the Government's Brownfield site policy.

3.3 The application states that the land is an "urban" area and states that the site accords with all of the criteria. This is clearly not so as it must also include access to services, lighting, schools and shops. With regard to these points the road is unlit, the nearest shop is approximately one mile. The nearest school is approximately two miles and business sites relating to employment even further! Also, no consideration seems to have been made for public transport which is extremely limited, water or sewage arrangements.

3.4 The application states that "higher density developments should be encouraged". I do not believe that the purpose behind this statement when originally made was to create a situation for building three additional houses.

3.6 I accept the statement made in the application noting that Berkshire needs to create 7,750 dwellings in the Wokingham District. This development would show a net gain of three dwellings for no benefit whatsoever and adding nothing to the area.

3.7 The application relates to the Wokingham South East Area Local Plan and I would point out that this is the old plan and the current version is not being used.

3.9 - 3.11 Firstly, the Policy relates to "affordable" housing. I have already been advised that the proposed selling prices of the four dwellings will be in the region of £700,000 which is surely at the higher end of the market and adds to my earlier point that this merely panders to the greed of a certain few individuals. Also, the criteria under policy SH1 considers the protection of wooded areas, gaps and garden areas which are important to the character of the settlement concerned. This particular development will have an adverse effect on the character of Little Fryth and offers very little space about buildings, insufficient garden areas and no off street parking. Again, I would reiterate that the plans put forward are not to scale and the garden areas have been considerably enhanced on the plans.

3.12 For my property the provision of daylight would be severely affected with a house immediately to the rear and a further house adjacent.

3.14 Whilst I accept the statement it surely means that they can develop unless they contravene the policy which they are clearly doing.

3.15 Having read Policy WH1 I accept its content but the proposed density of houses in such a small area is surely not in keeping with this.

4.1 This paragraph is clearly contentious and is at best another way of saying that you as the Planning Department cannot oppose it. I would point out that the criteria in PPG3 and the Local Plan policy have not been met and it is therefore unacceptable.

4.3 A meaningless statement. The developer should be prepared to state how they intend to safeguard the area as by their previous actions in felling trees this would clearly not seem to be the case.

4.4 Timberscombe is already a five bedroomed house with the intention of being demolished to be replaced with four new houses. This was surely not the purpose of the Government's plan. The paragraph states satisfactory access to the proposed development and also enhancing the spacious green of the street scene. Firstly, satisfactory access is on to a byway with conditions previously stated and I cannot see how the green appearance can be enhanced by the demolition of over sixty trees in a very small area. This paragraph is a total nonsense. It is also worth pointing out at this juncture that there are ten thirty foot conifers dividing my property from the rear of Cobwebs which have not been included on any of the developers plans for either felling or replanting and I have been informed by the owner of Cobwebs that the developers have advised her that they will remove these trees as soon as planning is agreed. Thus, there will be no screening whatsoever other than a four foot fence between my land and that of the new development. I cannot see how this will enhance a "green" environment. You may wish to look into this situation and enquire of the developers why they have not included these trees on their plans.

4.5 As previously stated Hollybush Ride is a byway and suffers from considerable congestion at peak periods with no rear access. Consequently, any further development will only add to this congestion and increase the density of traffic.

4.6 The paragraph states the proposed dwellings are comensurate with those of Little Fryth which they immediately adjoin. This is absolute rubbish and I will again reiterate that the plans laid before you are not to scale and the rear gardens of the proposed properties would be extremely small relative to the size of the houses. I agree that for the properties fronting Hollybush Ride they would still retain extremely large gardens but on the basis that it is they who are profiteering I find this of little relevance.

4.7 This paragraph is a total fabrication. As previously stated there have already been at least twenty trees removed from the property and I have video and photographic evidence of this when it was conducted of the 5th August 2000 by Arbofield Tree Surgeons. The intention is for at least another forty three trees to be felled in order to construct the development together with the felling of the ten thirty foot conifers between our boundaries. The paragraph also states substantial gaps between new dwellingswould be retained but again this is misleading and the plans should be required to be drawn to scale in order to prove this. The elevation of the building to the rear of my property will be minimum of four foot from my boundary and as the land is sloping will be built at an elevation of at least six foot above my property. Consequently the two properties that will surround mine will be on a higher elevation and therefore be even more imposing than the plans suggest. Once again, the plan is misleading and incorrect.

4.9 To state that there would be no conflict with neighbouring houses in terms of light, privacy and outlook, is ridiculous. As previously stated the development will be on a elevated site with easy views into my rear garden and house. The windows from the rear of the house to the rear of my garden will clearly provide visibility into said garden. This paragraph clearly relates to the houses in Hollybush Ride rather than Little Fryth and is utter nonsense.

5.1 The Local Plan "allows" best use of sites rather than "requires" it. The purpose of the plan was for brownfield development but surely not for existing gardens to be built on. The developer states that you should be promoting development on sites such as this but surely this should be subjective rather than a condition and the developer should not be telling the department what it should and should not do. The developer states that the scheme respects the established character and appearance of the residential area in terms of density, layout, design and retention of trees. From my points previously made this is clearly not the case and the developer has already removed trees without permission from the Council, clearly flaunting any regulations that you may impose. They also state that the units do not detract from the amenities of adjoining properties in terms of light, privacy or outlook which is clearly wrong.

Overall, the statements made by the developer in the proposed planning application range from the ambiguous to misleading and at times incorrect. The planned layout has not been drawn to scale and can easily mislead a reader into believing that the properties will offer substantial grounds in keeping with the locality. This is clearly not the case and the development will be in very close proximity to existing houses and overlook an existing development.

With regard to other matters I point out that the access to services is limited, the existing density is more than satisfactory and the properties are located in a wild life corridor which will be totally destroyed by this development.

A further point I would make relates to sewage. At present my land contains a covenant to give Timberscombe right of access for mains drainage etc. but only one of the proposed properties will be built on Timberscombe land. I would state now that it is not my intention to allow access to any further properties other than those built on Timberscombe land but I believe that it is clearly the intention of the developer to attempt to do this. It may also be worth noting that I have discovered that the property known as Cobwebs also has its drainage system through my land but unfortunately for the occupier this is not contained in my deeds. Consequently, it is my intention to inform them of this and given that one of the proposed developments is on the land of Cobwebs this could have serious repercussions. I accept that this may not materially affect your decision making process but felt it worth noting as again it highlights the developer's cavalier attitude to the rights of authorities and individuals.

Once again, I must reiterate that I strongly protest against this development as I feel that it is not borne out of attempting to help with the Government Plan but rather the greed of three individuals and a property developer .

Yours sincerely,

Keith Ellwood

Christine Helen Ellwood

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A J and K A Campbell
7 Little Fryth
Wokingham Berks
RG40 3RN.

23/9/00

Attention of Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157 Shute End
Wokingham Berkshire
RG40 1WR.

Dear Sirs

PLANNING APPLICATION No. F/2000/2225.

We wish to lodge our objections to the following application submitted on behalf of Brookworth Developments Ltd., and refer you to the following:-

1) The lack of services in this area
2) Increase use of motor vehicles - the entry and exit into Hollybush Ride is already difficult at busy times.
3) The continued felling and clearance of trees/woodland in this area.
4) The detrimental effect on local wildlife
5) The additional loading into existing sewage and drainage system which already shows signs of being inadequate for existing homes in the area.
6) Further loading of homes into Hollybush Ride which is unadopted by the council, this byway is very narrow and un-serviced and not suitable for increased traffic flow.

7) The continued infilling of 'green' sites which is not supposed to be Council policy.

I would also question why in this area potential Developers appear to be able to clear sites prior to seeking the necessary approval from local Council.
Trees in our garden are said to be identified by local Council and I am told they cannot be removed without permission.

Why is it, that others in the immediate area, are able to clear sites without approval and I understand, without action being taken by local Council?

Yours faithfully

Albert Campbell

Karen A. Campbell

Karen Campbell

M. H. & K.S. Holland
1 Little Fryth, Finchampstead
Berkshire, RG40 3RN
Tel 01344 750220

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20 September 2000

Angela Odell
Planning Officer
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

Dear Ms Odell

Reference F/2000/2225

I refer to the above planning application for the erection of 4 new properties on Timberscombe, and part of the gardens of Cobwebs, Woodside and Kingfishers covert.

We believe that the granting of this application would create a dangerous precedent for the further development of the area, which would destroy the character of the area.

One of the main attractions of the area is the wide range of native hardwood trees, which grace the area and at present support a large range of wildlife, including dozens of bird species, and a wide range of mammals, including deer, badgers, foxes and squirrels.

Additional development would undoubtedly be of detriment to these populations, as it would undoubtedly result in the destruction of a substantial number of these trees.

In fact a number of mature trees were felled from the gardens in question immediately prior to the submission of the planning application.

Of perhaps more import however would be the impact of additional development on the infrastructure of the area.

The local schools, both primary and secondary, are currently full to capacity, and are unlikely to be able to cope with additional residents in the near future.

Hollybush Ride is an unlit and unadopted road, and in its current state is unsuitable to support further development. The access from Hollybush Ride to and from the A321 is often a lottery, and additional traffic will inevitable increase congestion during the rush hours.

However the lack of a good local public transport infrastructure will inevitably cause additional cars to use the road.

There is concern at the adequacy of the local power and sewerage infrastructure to cope with the increased loads that further development would place on it.

As the land levels rise on the south of Little Fryth, the proposed development of substantial houses will overlook the existing properties, and will have a major detrimental affect on both light and appearance.

In conclusion we would urge you to reject this application.

Yours sincerely

Martin Holland

Kim Holland

Steven Holland

Recd 9.00AM 21-9-00

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4, LittleFryth
Finchampstead
Wokingham
Berks. RG40 3RN
Tel. 01344 750 366

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

20th September 2000

Dear Mrs. Odell,

Re. Planning Application no. F/2000/2225
Land rear of Timberscombe, Hollybush Ride, Finchampstead, Wokingham

I have many objections to the above Planning Application, which are detailed below. As the Application is clearly contrary to both Local and Central Government policies and guidelines, I request that it be refused.

SUMMARY OF MAJOR OBJECTIONS

- **The property at 4, Little Fryth will be entirely overlooked by the proposed dwelling on Plot 1. This is contrary to Policy SBE5 and paragraph 1.4.07 of the SE Area Local Plan 1994.**
  4, Little Fryth is only 30 feet away from its rear boundary: we have a tiny garden, unlike other houses in the area.
  This will form the joint boundary with the new, much larger, dwelling which will be only approx. 28feet the boundary and on rising ground. The new house will project about 2/3 of the way across its plot, being 44 feet wide.
  Therefore we shall suffer a total loss of privacy in our garden, sitting room, dining room, study and kitchen as we shall be overlooked by all the same rooms from the new dwelling, plus their 'family room'. This is undesirable for both parties.
  Additionally, it will block our natural light, warmth and aspect, from both our house and garden, (see below) as the new house will be directly to the south of our property.

  Any hedge or fence planted at the boundary to provide some privacy will significantly block the light, warmth and view from our house and garden. As will any shed or greenhouse, as the ground slopes upward. Once built, we shall be powerless to prevent any such planting and subsequent loss of light and warmth.
  The drawn plan is misleading as it shows retained trees apparently creating a screen between the properties. In fact the trees are mature birches about 60 feet high. It is only the narrow trunks which divide the plots, not the canopies. This provides no privacy.
  The rear garden of the new house will be even smaller than ours and with a larger dwelling on it. This is entirely out of proportion and out of keeping with the area and creates a major issue of having two adjoining very small plots.
  I request that the application is denied for all the above reasons.

- **We shall also be overshadowed. We shall lose daylight to the garden and all downstairs rooms, especially in winter, as the proposed new house is so close, so large and is on our south side, from where all our light comes.**
  This is contrary to paragraph 1.4.07 and Policy SBE5 of the Wokingham SE Area Local Plan 1994, WOS3 of the Wokingham District Local Plan Deposit Draft and environmental building policies which require best natural lighting for dwellings.
  Our 6 foot garden fence casts a shadow about 25 feet long over the entire lawn in winter, but the low sun shines directly into the house. The trees are bare and cause no dense shadows. In summer the sun is high over the canopy and shines straight into the house and garden.
  The new dwelling is a solid brick wall which will completely block the low sun from illuminating and warming the house in winter, especially since the new house will be uphill of us.
  (As the 6 foot fence casts a shadow some 4 times its length in winter, a house some 35 feet above us, and only 28 feet away, could cast a 140 foot shadow, enveloping our house entirely.)

- **Contrary to the assertion on the Planning Application, there can be no simple access to the existing sewage system from the proposed site.**
  Additionally, there is currently no legal disposal of sewage from the site of 'Cobwebs' at all. This includes the proposed dwelling on Plot 1.
  It seems that, at the moment, 'Cobwebs' is illegally discharging sewage into the pipe which runs under 6, Little Fryth without the knowledge or permission of the landowners, or of the water authority, and without payment. A notice is being issued to stop this.
  The other properties on the site are allowed access to the sewage system by covenant. These covenants do not apply to any other houses on the site. The residents of Little Fryth, under whose properties the sewers run, have no plans to increase access to their land for sewage.
  The small size of Plot 1and the proximity of the boundary to 4, Little Fryth, means that a septic tank could not be installed without environmental health considerations. Moreover, there is insufficient access to the garden for the necessary tanker without felling more trees.
  The sewage situation is at best complex and at worst a shambles.
  I request that the Application be denied on these grounds also.

- **The proposed new development has NO services whatever within walking distance. Also, public transport is minimal.**
  This is contrary to the overall Strategy Statement of the Council and is contrary to Policies WOS1, WOS3. It is also contrary to Central Government policies as stated in PPG3 paragraphs 2, 31, 46 and 47 and in PPG13 paragraphs 10 and 13.

  There are approx. 3 buses per day into Wokingham and 5 into Bracknell (from a stop not within walking distance) and the site is 4 miles from the mainline railway station. There is no realistic peak time public transport for access to work or school. The main employment in the area is in Reading and Bracknell and along the M4 corridor. There are no peak time buses and those able to afford a 5/6 bed house are likely to have jobs which require the flexibility of a car. The nearest secondary school is about 2 miles away with no public transport. The health centre is about 1 ½ miles away with 3 buses a day. The nearest shop is 1 mile away and sells only newspapers. There are no local leisure facilities, not even a playing field or park.
  Walking and cycling are impractical, unattractive and dangerous as the local speed limit into Wokingham is 60mph. On the other roads it is 50 and 40mph. In addition, these are designated as some of the busiest roads in the Wokingham area and need no more traffic.
  Transport and access to services will be an even greater issue as further 'infill' development occurs around Hollybush Ride, as it will if this Application is accepted and a precedent thus set for further development.
  This is contrary to PPG3 and local policies which require consideration to be made of the whole area.

- **The site will be virtually clear-felled except around its perimeter. Approx. 43 mature trees will be removed, 22 of these from immediately behind 4, Little Fryth.**
  There will be resultant devastating damage to wildlife, the wildlife corridor which the trees provide and to the local dwelling environment.. The proposals are contrary to the overall Strategy Statement and to Policies WOS1, WOS3, WBE10, WBE11, WNC6, WH1, and paragraph 2.89 page 37. This is also contrary to Policy SH1 of the SE Area Plan and to Central Government guidelines, eg PPG3 paragraph 56.
  This total of trees felled excludes some 10 or so mature oaks and chestnuts which have already been felled on the presumption of planning permission being granted. It is effectively a woodland area.

- **The proposal represents a net gain of only 3 dwellings, ie LESS THAN ONE TWENTYFIFTH OF ONE PERCENT of the Council's housing target of 7750.**
  The Proposal also represents a zero gain of priority housing need.
  The houses are of a type not a priority for Central or Local Government, both of whom state the need for more smaller 1-3 bed houses and for single person households. Moreover, it requires the demolition of existing housing stock: 'Timberscombe' is a modern, attractive 4-5 bed house only around 10 years old. The gain of 3 houses is scant justification when **the very large site of the demolished house, approx. 40% of the entire site, will be used almost entirely as a driveway for vehicles, not for housing.**

- **The proposed new dwellings are too close to existing dwellings and to each other.**
  The design of the development is out of scale and character of the area.
  The proposed development will destroy the outlook of 4, Little Fryth and the privacy and seclusion we presently enjoy. The woodland environment which currently dominates the area provides this privacy. **To destroy this visual separation is contrary to Policy C6 of the Berkshire Structure Plan.**

- **The proposal is very intrusive, but is too small to require a contribution to the Council for local infrastructure or environment.**
  It represents maximum profit for the developer and sellers of land, with zero benefit to the Council and an entirely negative impact on the existing residents and environment.
  It proposes destruction of the current environment on the site with the subsequent loss of privacy, wildlife and rural ambience for the existing residents.

- **I also challenge the fact of the area to the east of Hollybush Ride being included as a Settlement Area in the Local Plan.**
  Paragraph 1.10 of the Wokingham District Local Plan Deposit Draft states:

  '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.'

  The above statement characterises Hollybush Ride, which is a finger of development along a byway (it is not a road) to the National Trust property of Simon's Wood and adjacent woodland. The houses were in fact built in woodland and their gardens almost all retain this characteristic: they are not gardens which have subsequently had trees planted in them.

  I understand that the decision was simply advertised in the local paper without any notification to those affected, nor any consultation and hence with no realistic opportunity to object.
  This does not accord with PPG3 paragraph 55. Furthermore, Paragraph 48 states that 'public transport should be used positively to shape the pattern of development'.

  There is virtually no public transport bordering the entire Settlement Area.

  The Plan then asserts that:
  'These areas of development have not been included within the identified settlements.'
  However, Hollybush Ride HAS been included as an identified settlement.

  I would like to register my objection to the area to the east of Hollybush Ride, to the A321 being designated a Permitted Settlement Area as it does not accord with the stated policies of both Local and central Government.

  The current situation is clearly anomalous and I request that a review takes place asap.

DETAILED OBJECTIONS TO PLANNING APPLICATION F/2000/2225

2.2 Hollybush Ride is described as having a 'well "tree'd" character and appearance. The Application diagrams, though not the text, show that the majority, (approx. 43 plus 10 or so already felled) of the trees on the site will be felled, thus in destroying the above tree'd character and appearance. In addition, some of those trees on the diagrams show trees which belong to properties not part of the Application and which misleadingly boost the apparent number of retained trees.

2.4 Hollybush Ride is in fact a byway, not a road, and residents are responsible for its upkeep. There are no footpaths. I question whether this is satisfactory access to the A321. Furthermore, the A321 and B3430 are designated by the Council as some of the most heavily used in the area. **This apparently minor Application sets a precedent for further development around Hollybush Ride and must be assessed in a wider context.**

3.2 The Application emphasises 'brownfield site' throughout. A garden is a brownfield site only because it is not greenfield. **The Application fails to mention many of the other issues which must be considered, according to Central Government policy stated in PPG3, eg**:

PPG Paragraph 48: Public transport is virtually nonexistent in the area. This is clearly a major negative in the further development of the area as ALL journeys must be done by car.
PPG Paragraph 56: Requires that consideration is taken of neighbouring buildings the wider landscape, the local ecology and the pattern of spaces. It requires new housing development to 'respect and enhance local character'.
See evidence in 3.15 below.

The Application clearly fails to fulfil all of the above requirements.

3.3 **The Application asserts that the site accords with all the criteria in PPG3 paragraph 31 referring to accessibility, infrastructure and physical constraints.**
This is not correct and is misleading.

'Accessibility':

There is zero access to jobs and services other than by car, contrary to Local and Central Government policy and contrary to the assertion in the Application that it accords with all the criteria of paragraph 31 of PPG3:

This will be an even greater issue as further 'infill' development occurs, as it inevitably will if this application is accepted.

PPG3 Paragraphs 2 and 31: Developments should enable people to reach jobs, education, health facilities, shopping, leisure and local services by public transport. Local policies also want more accessibility by foot and bicycle. Walking distance is defined by Local Government as 300metres or less. **There are NO facilities or services within walking distance, not even a playing field. There is scarcely any public transport.**
The nearest shopping centre is Wokingham, about 4 miles away with sparse public transport from the site.
The main employment in the area is in Reading and Bracknell and along the M4 corridor. There are no peak time buses, no local station and those able to afford a 5/6 bed house are likely to have jobs which require the flexibility of a car.
The nearest secondary school is about 2 miles away with no public transport. The health centre is about 1 ½ miles away with 3 buses a day. The nearest shop is 1 mile away and sells only newspapers.
There are no local leisure facilities, not even a playing field or park.

'Capacity of infrastructure':

The Application states that sewage will be disposed of into the existing sewage system.
This is not possible and is misleading.
There is no permission to do so. Covenants exist allowing only specific named properties to have access to the existing sewers, which run under several properties in Little Fryth. Additionally, there is no legal sewage disposal for 'Cobwebs' or for any other building on this site. The small size of Plot 1 precludes the building of a septic tank without environmental health concerns.

'Constraints':

Little Fryth suffers from surface water problems during heavy rain. The removal of the majority of trees on the site and the covering of open ground with concrete will increase the drainage and water runoff problems. It will inevitably reduce the takeup of surplus water by the trees.
This is a particular problem for Plot 1 and consequently for 2 and 4, Little Fryth.

Changing the area from woodland to concrete has serious environmental implications. Further evidence is required to demonstrate that that 'soakaways' have been seriously researched and found adequate.

'Urban Areas':

The Government states that previously used land should be 'within urban areas'. The Application site is semi-rural, not urban. It is in the parish of Finchampstead and not within the boundary of urban or even suburban Wokingham.
The gardens it is proposed to build on are in fact part of the continuous woodland and wildlife corridor running from the A321 right up to the National Trust sites of Simon's Wood and Finchampstead Ridges. **The existing houses were in fact built within this woodland: these are not suburban garden plots. It is far from being 'previously developed land in urban areas' and provides a valuable local wildlife environment. See comments in 3.15 below.**

3.6 **The Application proposes a net gain of 3 new houses. This represents a contribution of less than one twenty-fifth of one percent of the Council's total target.**
The wildlife and environmental damage and degradation of local ambience cannot be justified for so minimal a gain.

3.9 **Policy STV6 in fact specifically states that 'developments of...garden areas which significantly contribute to the character of settlements will not normally be permitted.'**
To develop the Application site will be to create a large hole in an otherwise wooded area which provides the essential character of the entire district and provides the wildlife corridor which supports over 30 species of birds, badgers, foxes, bats, stag beetles and other woodland insects.
See comments in 3.15 below.

3.10 Policy SH1 allows, rather than 'favours,' infilling, which is '...subject to environmental constraints and other provisions of this plan'.
It goes on to say that '...**the District Council will particularly wish to ensure that the following criteria...are complied with:'**

- **'The protection of open and wooded areas, gaps and garden areas which are important to the character of the settlement concerned'.**

The Application fails to satisfy this criterion.
The proposed felling of some 43 (excluding approx. 10 already felled) trees in an area of only 0.45 hectare demonstrates that this site is in fact a wooded area. Moreover, to do so would effect a significant change to the character of our settlement. These wooded garden areas merit protection.
See comments in 3.15 below.

- **No significant adverse effect on the character of the area.**

The Application fails to meet this criterion.
See comments above. The proposal to infill means that an access road will be built to the rear of existing secluded properties, currently made private by the trees. Not only will the plan mean removing trees and damaging privacy, it will also blight the character of the entire area: there are currently no roads or driveways to the rear of any property in the Settlement Area. To do so would blight bedrooms with noise and possible light pollution from streetlamps and security lights. The rear of all properties in the area is dark at present, with no vehicle movements or lights..

- **The provision of adequate garden areas, space about buildings...for all new dwellings'**

The Application fails to meet this criterion.
The garden area of Plot 1 is far smaller than the majority of the plots in Little Fryth.
The new house will be 44 feet wide. However, it is sited only some 26 feet from the rear boundary taking up some 2/3 of its plot. Small plots interspersed with larger plots may be acceptable, but 4, Little Fryth, onto which it backs, has one of the smallest plots in the whole area. Our house is only 30 feet from the boundary and will be literally loomed over by a larger house on a tiny plot which is, additionally, on rising ground. This plot and location are clearly inadequate to provide privacy for the new or existing household or for private use of the gardens themselves.

3.12 **Policy SBE5 is preceded by the following comments: 'Daylight penetration into new buildings and existing buildings affected by new development, is an important amenity consideration, as is sunlight penetration of spaces outside windows. In this respect it should always be the intention to...minimise the impact of new development on old as far as is possible. The orientation of rooms, gardens and both public and private spaces is therefore critical ...They can also have some impact on energy consumption by reducing the dependence on artificial lighting and heating'.**
The Application fails to meet this policy.

All the major rooms in the new property on Plot 1 face due north. They will receive no sunlight. The proposed house on Plot 1 will cut off daylight, natural heating from the sun and even the skyline to 4, Little Fryth. This will be particularly acute in winter months.

SBE5 states that: 'the District Council will seek to ensure good daylighting conditions and adequate sunlight penetration to both new and existing development.'
I therefore request that the Council acts upon this Policy with reference to 4, Little Fryth.

3.14 **I dispute that this should in fact be a Settlement Area as it does not conform to the majority of Local Government development policies, eg WH1 see below, and certainly not to Central Government policies expressed in PPG3.**

3.15 **Most criteria in Policy WH1 are NOT met by this Application**:
It states that 'The Council will seek to ensure that the following criteria are complied with:'

a) 'Open and **wooded areas**, and gaps and ***garden areas, that are important to the character of the settlement, are protected from inappropriate development'***

The wooded rear gardens of Hollybush ride clearly define the character of this area and are therefore protected.

b) **There is no significant adverse effect on the character of the area...'**

The site will be virtually clear felled, driveways to the rear of existing houses will be introduced and the **wildlife corridor will be destroyed.**
See evidence in e) below.

c) **'There is no significant adverse effect on any residential property...'**

There is a significant adverse effect on 4, Little Fryth by the proximity and size of the building proposed for Plot 1 in terms of loss of light, natural heating and loss of privacy by overlooking. There is also a loss of privacy, amenity and environmental value owing to the removal of 22 trees from the immediate rear of 'Cobwebs'. The site of Plot 1 and beyond will be clear felled apart from the boundaries.
All are mature trees approx. 60 feet high. The remaining trees offer no privacy as it is their trunks, not their canopies, which separate the properties.

d) **'There is no significant adverse effect ...on the adjoining countryside'**

See comments in e) below detailing adverse effects.
The houses on the east side of Hollybush Ride, including those in the Application, were built in woodland which forms an unbroken cover between Finchampstead Ridges, through Simon's Wood right through to the A321. **This area can therefore be classified as countryside as it does not differ materially in appearance or planting from the surrounding open spaces, including areas preserved as amenities by the National Trust**.

e) **'There is no significant adverse effect on any interest of nature conservation importance.'**

The wildlife corridor currently supports over 31 species of birds, protected by the **Wildlife and Countryside Act1981, which states that:**
'It is an offence deliberately to kill injure, take or disturb listed animal species, to destroy their resting places or breeding sites'.

ALL WILD BIRDS ARE PROTECTED UNDER THIS ACT.

PPG9 Nature Conservation states in paragraph 47 that:
'The presence of a protected species is a material consideration when a local planning authority
is considering a development proposal which, if carried out, would be likely to result in harm to the species or its habitat.
LPAs should consult with English Nature before granting planning permission.'

I REQUEST THAT SUCH CONSULTATION TAKE PLACE

31 different species of birds have been recorded in the very small garden of 4, Little Fryth over the past 3 years. This is remarkable, according to the RSPB. 2 of these are on the RSPB 'Red List', which are species 'whose population or range is rapidly declining...and those of global concern'.

A further 6 species are on the RSPB 'Amber List', which are 'those whose population is in moderate decline, rare breeders, internationally important and localised species, or those of an unfavourable conservation status in Europe.

Many of the other birds which have been recorded are those which depend on woodland for food and nesting:
Spotted woodpeckers and redpolls, both of which depend specifically on birch woodland, plus green woodpeckers, nuthatches, treecreepers, jays, tawny owls, chiffchaffs etc.

All of these feed and nest in the gardens and woodland to the east of Hollybush Ride. They cannot feed or nest in small, treeless gardens, nor can they move around readily once the present green corridor is denuded of trees, as it will be if this Application is granted.

In addition, we have bats, badgers and stag beetles, all of which are protected species, also foxes, rabbits, squirrels, butterflies and moths.

It is clearly a thriving ecosystem with sufficient insects to support a bat population and large numbers of birds, and sufficient small animals to support owls. There are even enough small birds to support a pair of sparrowhawks.

THIS EVIDENCE PROVES THAT THE SITE OF THE APPLICATION IS WOODLAND, RATHER THAN WHAT CENTRAL GOVERNMENT INTENDS TO BE EARMARKED AS A 'BROWNFIELD' SITE.

It also demonstrates the existence of a green corridor and, since these species are dependent on woodland and countryside, that to clear the site and build on it would adversely affect the environmental value of the area and its ecology and its character.
This site is clearly in an area of importance and English Nature should be consulted urgently as this Application, if granted, will lead to others similar, requiring large areas of existing mature tree cover and wildlife corridor to be destroyed. It should not be viewed in isolation.

g) **'...It will be necessary to consider the cumulative effect on roads and infrastructure of proposed developments...'**

To accept this Application will be to set a precedent for future development in the area and have wide ranging implications for the local environment. Bearing in mind that the access is a byway, privately maintained, with no footpaths, also considering the absence of any local jobs, public transport of leisure facilities and the remarkable and popular wildlife inhabitants, I request that the Council make serious consideration of the inevitable cumulative effects.

g)ctd. The development of the Hollybush Ride area, if allowed, will be piecemeal infill, due to the nature of the Settlement Area being in fact a series of back gardens. It is likely that commercial developers will be at pains to maximise profit by minimising the size of each site so as to avoid making any contribution to the Council or the local infrastructure, as is the case with this Application. That is good business sense. However, it means that the existing residents may find the area built up with no requirement for public open space to moderate the impact and provide for local recreation. The Council will receive no contribution toward priority housing or infrastructure.
This is not in the interests of residents, the Local Council or of Central Government.

4.1 See comments made about paragraphs 3.2 and 3.3 above. The comment in the Application seems to assert that Central Government is advocating building in back gardens. This is patently not so.

'Best use' is not in fact being made of this site, since approx. 40% of the 0.45 hectare site will be used only as a driveway. Also, the proposed building on Plot 1 takes no account of existing dwellings.

4.2 For all the reasons above, I dispute that that this is a 'suitable site' for the proposed development: no transport, no access to jobs or services, no sewage infrastructure, destruction of a wildlife corridor and of the existing environment.

4.3 I fail to find any evidence in the Application that there is any safeguarding of the qualities, character or amenities of the area.
The evidence does not support this assertion.

4.4 'Timberscombe' is a large, modern property of significant value. There is insufficient demonstration if need to demolish in this Application as the net gain is only 3 houses and not of the priority types specified by Central Government. It also demonstrates the sheer profit to be made on this speculative Application, as the developer can afford to demolish a valuable property and still make a **profit – at the expense of the local residents who lose privacy and wildlife, and of the Local Council who receive no contribution to existing sparse services and infrastructure.**

Furthermore, contrary to the assertion of retaining and enhancing the green street scene, I understand that, dependent on the acceptance of this Application, trees and shrubs in the front of 'Cobwebs', and the front of the property to be demolished, will be required to be cut back and maintained at a low height.
This is to ensure clear views for all the vehicles using the new access road.
The evidence does not support this assertion.

4.5 See 4.4 above. Also, only 4 dwellings will be served at present. The Council must consider that this Application sets a precedent for further development.

4.6 **This statement is misleading and inaccurate.**

Some 40% of the site is used solely for an access road.
The actual density of the proposed development is therefore almost twice that which is stated.
Although this goes toward the Central Government requirement for denser development, it is contrary to the guideline which states that new developments should take into account existing settlement patterns.
The proposed plot sizes are NOT commensurate with plot sizes in Little Fryth, almost all of which are much larger. The exception is our plot at 4, Little Fryth, which is a house on a 30 foot long plot and which will face a much larger house, uphill. The proposed new plot is only about 28 feet long when the house upon it is 44 feet. This is entirely out of proportion.
This relative density is far in excess of the existing density and will adversely affect our house and privacy.
'Generous rear gardens' refers only to existing properties, not to the new development and not to our plot. This is an irrelevant comment.

4.7 **This statement is misleading and inaccurate.**

Most of the significant trees will be, or have already been, felled. 43 mature birch, oak, chestnut and evergreen trees will be destroyed, along with the 'mature, well 'tree'd' appearance claimed in 2.2 of the application.
The site will effectively be clear felled and only the trees in the rear of the site will be retained.
The trees to be retained offer no privacy value as it is their trunks, not their canopies which stand between the houses.
Nor do they provide for shelter or movement corridors for wildlife.

This Application is effectively to clear woodland, as has recently occurred without permission nearby on Nine Mile Ride. To allow this Application is to set a precedent for further felling in the area: *it will be very difficult to refuse future applications.*

The 'substantial gaps' are not supported by the evidence in the Application: the only substantial gaps are between the houses of those selling land and the new development. There are none such between the proposed new dwellings and certainly none between them and existing dwellings in Little Fryth, especially our property.
The 'overall appearance' of the entire site will be materially changed from spacious woodland, see comments in 3.15, to one of large houses on small plots, accessed by an entirely new driveway which alters the privacy and light access to existing properties.

4.9 **This statement is entirely erroneous.**
There is no evidence to support this assertion within the Application and a great deal of evidence to the contrary.
There will be serious and significant conflict with the 'light, privacy and outlook of 4, Little Fryth and other neighbouring dwellings.
See comments made in the bullet points at the beginning of this letter about the proposed dwelling on Plot 1 affecting the light, privacy and outlook of 4, Little Fryth. Also comments made against paragraphs 2.2, 3.9, 3.10, 3.12, 3.15 etc etc of the Application.

5.1

- Brownfield site development is encouraged by policies, but only when subject to many criteria and considerations.
  Those criteria and considerations have been discussed above, illustrating the many policies, both Local and Central which this Application fails to fulfil.
  As pointed out earlier, **this Application meets less than one twentyfifth of one percent of the housing target, and zero percent of priority housing need.**
  This Application does not make best use of the site: 40% is used to create vehicle access.
  The Application proposes to materially alter and degrade the local environment to build only 3 houses. The site is unsuitable and better can be found.
  The Application makes no contribution 'to help meet local housing needs' as defined by both Local and Central Government. These houses are not a priority.

- The second bullet point is a purely subjective comment with which others will disagree – it has no place in a conclusion.

- **This third conclusion is misleading and erroneous.**
  Its assertions have been extensively and clearly refuted in comments made above. The greater number of trees are to be felled, not retained, the density claims are misleading and the layout is alien, in that there is no current vehicle access, to the environment which currently backs the properties of Little Fryth and Hollybush Ride.

- **There is no evidence that the fourth assertion has any basis in fact.**
  The planned layout fails to respect the privacy, environment and outlook of 4, Little Fryth and other existing properties and contravenes Policy SBE5 and others. Since there was no consultation with residents of Little Fryth, the developer cannot possibly make this claim.

5.2 **The evidence does not support this assertion:**

The proposal does NOT comply with PPG3, notably parts of paragraphs 2, 31, 46, 47, 48, 56and 57.

The proposal does NOT comply with Development Plan Policies, eg SBE5, WOS1, WOS3, SH1, WH1, WBE10, WBE11, WCN6, C6 etc etc etc.

The specific discrepancies are discussed in detail above.

The Application makes claims and assertions which are not supported by facts nor by the evidence, particularly in relation to privacy, sewage proposals, trees and the impact on the ambience of the area, its environment and dependent wildlife.

Some of the claims made for Policy compliance with policies are, at best, unsound.

The proposal should be viewed in a wider context, as to accept it would set a precedent for further piecemeal development in the area of Hollybush Ride.
If accepted, the Council would have difficulty in rejecting similar applications in the future.
It is quite possible that the whole area to the east of Hollybush Ride could be infilled by small developments of a few houses at a time in back gardens.This could result in 40 or more large dwellings which are hugely profitable for the builders, but which are too small as separate developments to require the developers to make any contribution to the local infrastructure or environment.
Infilling will add to the pressure on Hollybush Ride as a byway and add to congestion on the adjoining roads which are designated by the Council as some of the busiest in the Wokingham area.
The area itself is much sought-after and we are very fortunate to live in what is effectively unbroken woodland all the way from the A321 to Finchampstead Ridges (see enclosed photo). Development would destroy the very environment which makes the area so popular: there is nowhere else like it in Wokingham.

There is clear evidence from RSPB research, and Council Policies in consulting with English Nature, that this site forms part of a significant wildlife refuge and should be assessed as such.
The entire Settlement Area should be reviewed as a whole.

I therefore recommend that Planning Application F/2000/2225 be rejected in its entirety.

Yours sincerely,

Marie Warsop

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The Residents in the Neighbourhood of the area subject to Planning Application F/2000/2225

10 September 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Ms Odell,

Your Ref: Planning Application No. F/2000/2225

We understand that an application has been made to demolish Timberscombe and build 4 houses on Timberscombe and on the back gardens of 3 adjoining properties.

The land and building in question are subject to the following restrictive covenant contained in a Conveyance dated 13 April 1922 between John Walter (vendor) and Henry William Brake (purchaser) and registered with HM Land Registry.

"No part of the said land comprised in the said plan marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood."

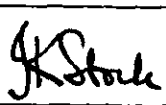
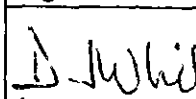
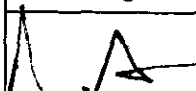
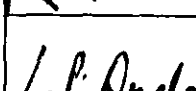
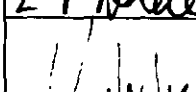
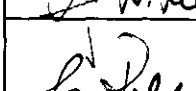
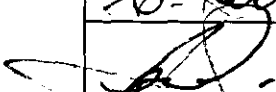
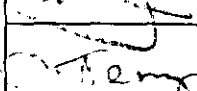
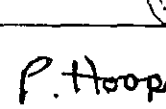
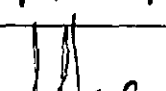
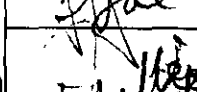
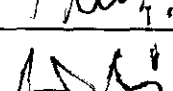
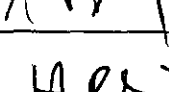
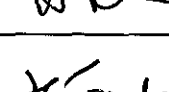
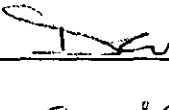
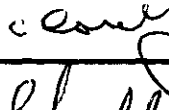
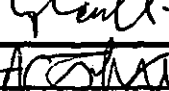
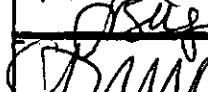
The proposed development in Planning Application F/2000/2225 would be a nuisance and annoyance to the neighbourhood and contravene the restrictive covenant. Please reject the application on these grounds.

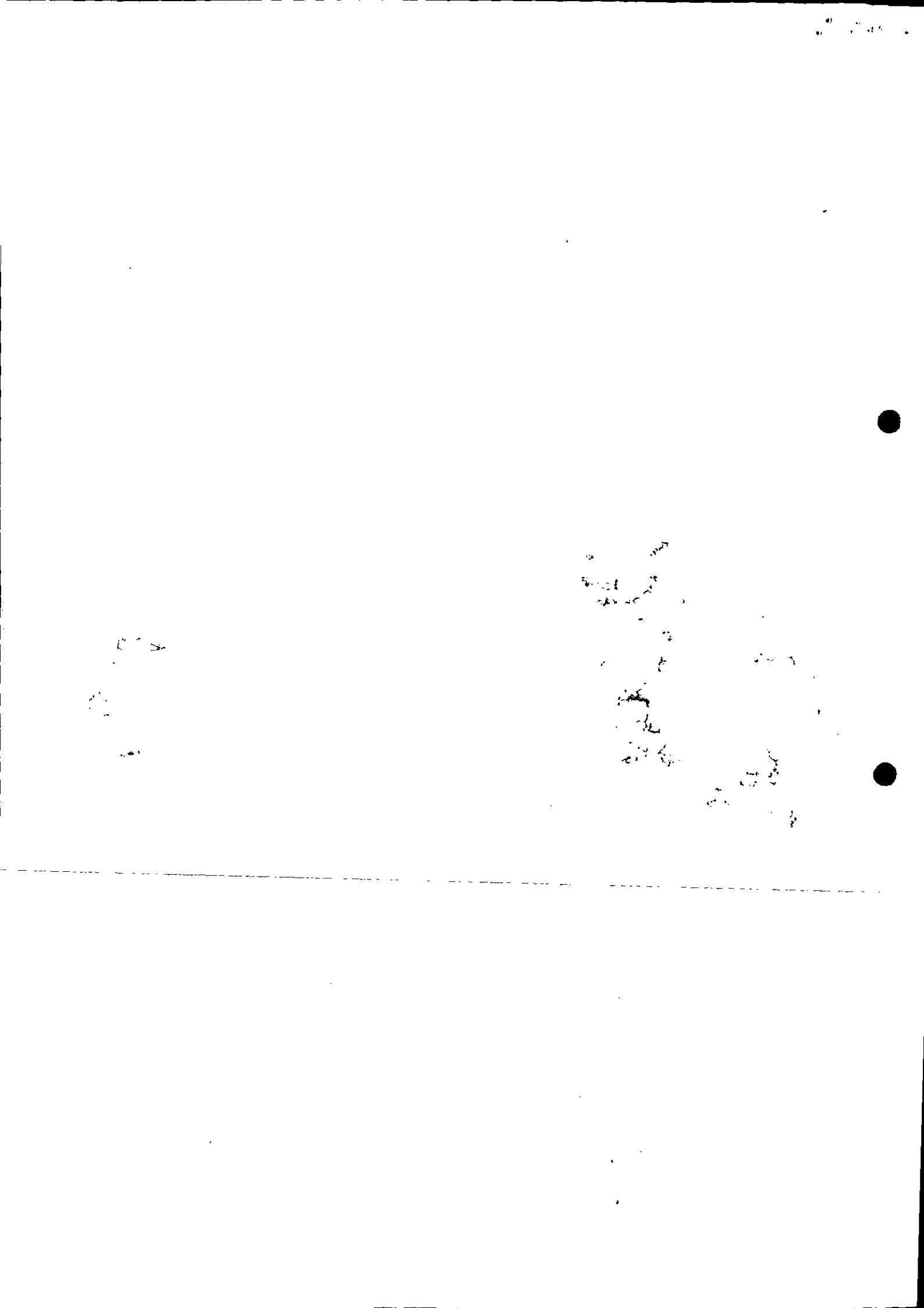
Yours sincerely

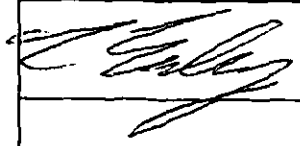
Signature	Name	Address	Occupation
	K. ELLWOOD	6 LITTLE FRYTH FINCHAMPSTEAD	MANAGER
	C. ELLWOOD	"	TEACHER
	M. WARSOP	4, LITTLE FRYTH, FINCHAMPSTEAD	MANAGER

Signature	Name	Address	Occupation
	W S. ASHTON	4, LITTLE FRYTH, WOKINGHAM. BERKS.	CONSULTANT
R.M. Salisbury	R.M. SALISBURY	2, LITTLE FRYTH, WOKINGHAM, BERKS	LIBRARIAN
W.M. Salisbury	W.M. SALISBURY	2 Little Fryth Wokingham Berkshire	Air Traffic Controller.
K.S. Holland	K.S. HOLLAND	1 Little Fryth Wokingham Berks	Teacher
M.H. Holland	M.H. HOLLAND	1, LITTLE FRYTH WOKINGHAM BERKS	CHARTERED ACCOUNTANT.
P.T. Hopwood	P.T. HOPWOOD	3. Little Fryth Wokingham, Berks	Marketing Director.
Sally Hopwood	S.A. HOPWOOD	3, Little Fryth Wokingham, Berks	BUSINESS PLANNER.
Karen Campbell	KAREN CAMPBELL	7 LITTLE FRYTH WOKINGHAM. BERKS	PA
Suzanne Campbell	S. CAMPBELL	" " " "	ACCOUNTANT.
John Hewitt	J. HEWITT	9 Little Fryth	Surveyor
Cheryl Page	C. PAGE	11 LITTLE FRYTH	HOUSEWIFE
N G Page	N G PAGE	11 Little Fryth Finchampstead Berks	COMPANY DIRECTOR
J May	J. MAY	10 LITTLE FRYTH HOLLYBUSH RIDE FINCHAMPSTEAD.	HOUSEWIFE
I May	I. MAY	"	MANAGING DIRECTOR.
J.B. Exelby	J. EXELBY	12 LITTLE FRYTH FINCHAMPSTEAD.	ACCOUNTANT.
K. Sharp	K. SHARP	15 LITTLE FRYTH FINCHAMPSTEAD	HOUSEWIFE.
C Richards	C RICHARDS	18 LITTLE FRYTH FINCHAMPSTEAD	COMPANY SECRETARY
A.M. Goodenough	A.M. GOODENOUGH	20 LITTLE FRYTH FINCHAMPSTEAD WOKINGHAM	CHARTERED ACCOUNTANT
S.J. Goodenough	S.J. GOODENOUGH	20 LITTLE FRYTH WOKINGHAM	HOUSE WIFE.

Signature	Name	Address	Occupation
S Brown	S. BROWN	22 Little Fryth	Housewife
N P Brown	N P BROWN	—— " ——	DIRECTOR
D DeBanks	D. DEBANKS	21 LITTLE FRYTH.	PARTNER
F DeBanks	F. DEBANKS	" —— "	PARTNER
A F Woodford	A F. WOODFORD	26 "	RETIRED
A. Press	A. PRESS	31 " "	HOUSEWIFE
T. I. Pass	T. I. PASS	31 " "	INFORMATION MANAGER.
B Mavin	B. MAVIN	27 " "	CEO
Helen M Hodgkinson	HELEN HODGKINSON.	25. " "	HOUSEWIFE.
A Hodgkinson	ALLAN HODGKINSON	25 " "	IT MANAGER.
P Gabb	PAT GABB	23 " "	Housewife
[illegible]	WM RAINEY	19 LITTLE FRYTH.	ACCOUNTANT.
E White	E. WHITE	17 Little Fryth	Teaching Ass.
A White	A. WHITE	" " "	Director
D Rice-Jones	D RICE-JONES	8 LITTLE FRYTH	DIRECTOR
M Rice-Jones	M. RICE-JONES	8 LITTLE FRYTH	Managing Director
Clive Hirsen	CLIVE HIRSEN	Brook House, Hillyfields NW2	Company Director.
T. Evans	Trevor Evans	29, Little Fryth	Manager.
D Evans	DEE EVANS	—— " ——	BOOK-KEEPER

Signature	Name	Address	Occupation
	D STOCK	ENGLEBURY, HOLLYBUSH RIDE, WOKINGHAM	CO. DIRECTOR
	KIM STOCK	—"—	N.T.A
	D. WHITMARSH	LAUREL HOUSE HOLLYBUSH RIDE WOKINGHAM.	SALES MANAGER.
	I. ANDERSON	MALTINGS HOLLYBUSH RIDE WOKINGHAM.	DIRECTOR.
	L. ANDERTON	MALTINGS HOLLYBUSH RIDE WOKINGHAM.	STUDENT TEACHER.
	H.W. LEARY	HERONS LANDING, HOLLYBUSH RIDE WOKINGHAM BERKS	ACCOUNTANT.
	C. REILLY	AHLAN HOUSE HOLLYBUSH RIDE	HOUSE WIFE.
	PAUL ST CLAIR TERRY	BADGERS SPINNEY HOLLYBUSH RIDE	STRATEGIST
	CAROLINE VICTORIA TERRY	BADGERS SPINNEY HOLLYBUSH RIDE.	HOUSEWIFE.
	PAT HOOPER	CONIFERS HOLLYBUSH RIDE.	HOUSEWIFE
	JOHN HOOPER	" "	FINANCE DIRECTOR
	P.F. DEARSLEY	21 LITTLE FRYTH FINCHAMPSTEAD	INVESTMENT MANAGER
	A. DEARSLEY	21 LITTLE FRYTH HOLLYBUSH RIDE	FIN. PLANNING CONS.
	H RHIND	16, LITTLE FRYTH	AIR TRAFFIC CONTROLLER
	T. GOODSON	GREYMARES. Hollybush Ride WOKINGHAM.	DIRECTOR.
	A. SMITH.	14, LITTLE FRYTH, FINCHAMPSTEAD.	DIRECTOR.
	T. EVANS D EVANS	9A LITTLE FRYTH FINCHAMPSTEAD	~~MANAGER~~ BOOK-KEEPER
	C LOVELL-READ	Tanglewood, Hollybush Ride, Finchampstead	Housewife
	G. LOVELL-READ	" "	CONSULTANT.
	A. HUNT	STOFFERS Lodge, Hollybush Ride, Finchampstead	Administrator
	J BURGESS	DEERS LEAP Hollybush Ride Finchampstead, BERKS	Secretary
	CJ WARNE	WYCHWOOD HOLLYBUSH RIDE.	Hunter



Signature	Name	Address	Occupation
	C. EXELBY	12, Little Fryth, Finchampstead Wokingham BERKS. RG40 3RN	Managing Director Thomson multi-media.

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W.M.Salisbury
2 Little Fryth
Finchampstead
Wokingham
RG40 3RN

20 September 2000

Dear Mrs Odell,

Ref: Planning Application F2000/2225

THIS DEVELOPMENT WOULD HAVE SERIOUS IMPLICATIONS FOR THE WHOLE OF THIS AREA IN THAT IT COULD SET A PRECEDENT FOR FUTURE DEVELOPMENT OF A SIMILAR NATURE WHICH COULD CONTINUE ALL THE WAY UP TO SIMONS WOOD AND DESTROY THE UNIQUE CHARACTER OF THE AREA.

On Saturday 5 August a huge area of established woodland, including many oak and walnut trees, was cleared, without authorisation, by the developers in anticipation of this application. Those of us who were around on that day tried to stop this indiscriminate felling of trees recognising that some of the trees could be protected by preservation orders once the planning application process was started. It is clear that the trees were felled in advance of the application to ensure that no such orders could be made. Council tree officers have since visited the site and taken note. We have video evidence of the event and photographs of the woodland prior to part of it being felled. The developers have a total disregard for the area and they convey a cynical approach to the authorities. Their integrity must be questionable.

I am writing to object to the proposed development for the following reasons.

1. The four prospective houses would occupy an area of land which realistically can only accommodate one or two. They have very small rear gardens. There is insufficient screening to ensure any privacy to adjoining properties in Little Fryth. The planting of hedges would not solve the problem or lead to better light because a shadow would exist from the sheer size of house to the rear of our garden in no 2 Little Fryth.

2. The positioning of plot 1 would be overbearing to the rear of us in that our garden slopes upwards from our house and a property of the size proposed, only eight metres from our boundary, would be huge and ensure no privacy whatsoever. There is an insufficient gap between our house and plot 1.

3. The site plan indicates the retention of trees in Cobwebs but a total disregard for the 45 trees which would have to be cleared, and the effect this would have to our rear outlook.

4. The rear garden of our property is small. But the developers cannot use the argument that the proposed development would be in keeping with the small gardens of the properties they intend to build because the size of our garden is compensated by the panoramic feeling of space given to us by the forested area of trees.

5. The proposal represents a camped development taken to the boundary of the plot which would be out of keeping with the existing pattern of development in the area. In particular it would be detrimental to the amenities of adjoining dwellings by causing them to be overlooked.

6. At present there are NO services of any kind within walking distance. There are no shops or schools nearby. The nearest secondary school is several miles away. This goes against the Council's sustainable development policy.

7. There would be an increase in motor vehicles so adding to local congestion, particularly at the dangerous junction of Hollybush Ride and Nine Mile Ride. All journeys to work, leisure activities, shopping and school would need to be made by car.

8. There is a distinct lack of public transport facilities within walking distance – local buses are few and far between.

9. The felling and clearance of a large area of established trees would destroy the prestigious, rural, forested nature of the area, disjoint the wildlife 'corridor' and is against the environmental policy.

10. The area provides a habitat for a range of wildlife including badgers, foxes, rabbits, squirrels and many species of birds! Such a development would have a detrimental effect on the established wildlife and would ruin the wildlife corridor.

11. Hollybush Ride is an unadopted road and is technically described as a byeway – it is not suitable for further development. There is no Council funded maintenance for resurfacing, lighting, sewerage etc. Upgrading these services would require the consent of existing residents in Hollybush Ride and would cause them serious disruption.

12. The plan for the new properties to feed into the already overloaded and problematic sewerage system currently serving Little Fryth and Ashdale Park is unacceptable. A covenant exists between the properties of Timberscombe and no 6 Little Fryth under which the main sewerage drain runs. It gives access to Timberscome ONLY to effect repairs to the system should a problem arise. This privilege does NOT extend to any other prospective properties being built. The sewerage from Cobwebs runs through the same system. We have checked out the drains of the surrounding properties in Little Fryth to verify this. Effectively Cobwebs has been using the main system to dispose of its sewerage without the permission of no 6 Little Fryth. The owners of no 6 Little Fryth are quite within their rights to insist that Cobwebs should be cut off from the existing system. This issue is being taken up by a solicitor. If the developers think they can proceed further up Little Fryth to key into and link into the system, permission would be required from those householders. Having checked with the surrounding properties and those further up Little Fryth and those opposite the proposed development in Hollybush Ride, I can confirm that permission would not be granted.

13. The development would lead to "filling in" and would further erode the distinction between Finchampstead and Crowthorne which is contrary to the Council's policy SC1 WH1. The proposal represents an uncoordinated development of backland in an unsatisfactory two tier development. It would overlook and be overlooked by existing nearby properties resulting in the loss of amenity. The area has already been developed to its maximum potential. If there had been a need to further "in fill" then the Council would have granted that permission to Bryant nine years ago to enable them to use the cul de sac adjoining no 12 Little Fryth as an entrance to continue to build in those rear gardens. As it is the boundary is clearly finalised to further development.

14. Th Council's policy is to develop brownfield sites not greenfield ones. The developers interpretation that this semi rural area constitutes a brownfield site is questionable in that all the gardens in The United Kingdom could be considered as brownfield sites. To be developed they would have to meet restrictive criteria. The correct interpretation for a brown field site is "A commercial, disused, derelict or contaminated piece of land". This does not equate to the rear gardens of the properties in Hollybush Ride/Little Fryth.

15. Any settlement area occupying an area in excess of 5 hectares or the building of more than 10 houses must undergo an environmental assessment. The settlement area is larger that this. If it is developed piecemeal, no environmental assessment need ever be done.

16. The builder's development application focuses on the site as offering the following:-

a) **Satisfactory** access to the proposed development while retaining and enhancing the spacious " green" appearance of the street scene. The access is in fact very dangerous to the busy Hollybush Ride. The spacious "green" appearance would not be retained, because the trees in front of Cobwebs/Kingfisher's Covert would all have to be trimmed and maintained at a height of 3 feet so as not to obscure the entrance.

b) The site measures 0.45 hectares. The developers calculation that the houses occupy a low overall density is misleading because it includes the complete Timberscombe plot most of which will be used for access. The remaining land to the rear where the four houses would occupy is of a high density. Furthermore the rear gardens of those properties are very small and not commensurate with those in Little Fryth which they adjoin.

c) The builders claim that most of the significant trees in the rear part of the site are to be retained is untrue. In fact they would all have to be cleared in order for the proposed properties to be built there. The gaps between the current and new properties would be insufficient to be sympathetic to the spacious and attractive character of the area.

d) The builders claim that care has been taken to design and site the proposed dwellings to avoid any conflict with neighbouring houses in terms of light, privacy and outlook is not the case. In fact no care has been taken. Plot 1 would completely overlook our property in no 2 Little Fryth and would severely effect our house and garden in terms of light, privacy and outlook resulting in **NO** levels of residential amenity for us as existing occupiers.

e) The conclusions on page 8 of builders application draft are misleading and ambiguous in the extreme and do not in any way meet the planning policy requirements.

I would hope that the Council would reject this planning application.

Yours sincerely,



W.M.Salisbury

THE RT. HON. ANDREW MACKAY M.P.

House of Commons,
London, SW1A 0AA
Telephone: 020 - 7219 2989
Fax: 020 - 7219 4123
Email: mackaya@parliament.uk

14th September 2000

Mr W.M.Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berks RG40 3RN

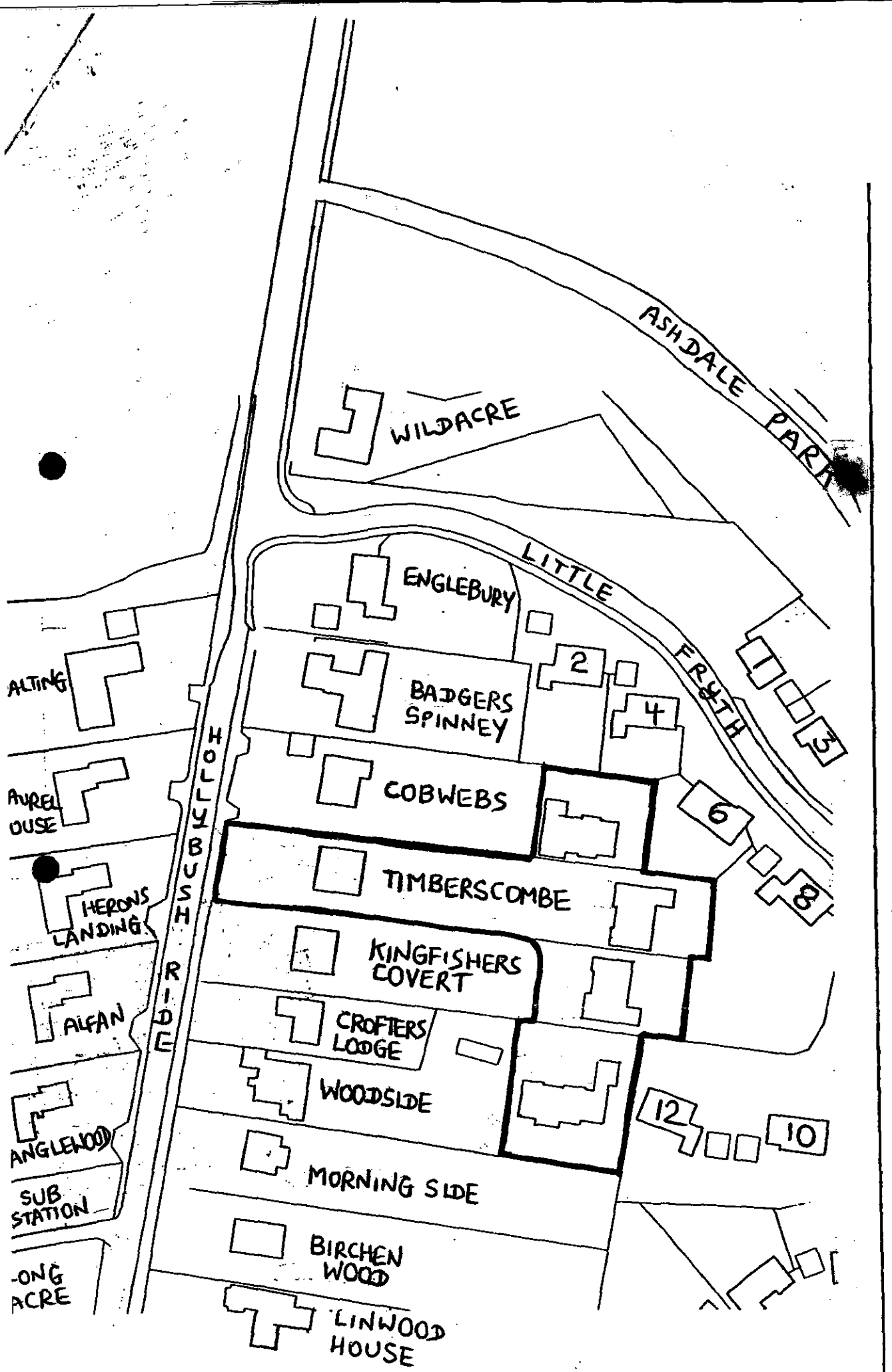
Thank you for your letter with enclosures updating me on developments. As you will already be aware I have a great deal of sympathy with the points you are making and will make sure that my concerns are conveyed to local councillors who, as the planning authority, will make a decision on this application.

Please let me know if I can be of further help and meanwhile perhaps you would let your neighbours know of the action I am taking on their behalf.

With best wishes,

Yours sincerely

Cc; Cllr.Tim Charlesworth
Cllr. Angus Ross


ASHDALE PARK
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LITTLE FRYTH
ENGLEBURY
BADGERS SPINNEY
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COBWEBS
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TIMBERSCOMBE
KINGFISHERS COVERT
CROFTERS LODGE
WOODSIDE
12
10
MORNING SIDE
BIRCHEN WOOD
LINWOOD HOUSE
HOLLYBUSH RIDE
ALTING
AUREL OUSE
HERONS LANDING
ALFAN
ANGLEWOOD
SUB STATION
-ONG ACRE

4.9 Care has also been taken to site the proposed dwellings to avoid any conflict with neighbouring houses in terms of light, privacy and outlook, thereby ensuring that high levels of residential amenity are maintained for existing occupiers.

5.0 CONCLUSIONS

5.1 Having considered the national and local planning policy background, the following conclusions have emerged in relation to the proposed development:

- This is a 'brownfield' site and PPG3 advice, together with Local Plan policy, require best use of such sites to be made in order to help meet local housing needs.

- In view of the Local Plan Inspector's recent recommendations against greenfield development, the Council should be promoting development on sites such as this.

- At the same time, the proposed scheme respects the established character and appearance of this residential area in terms of density, layout, design and the retention of trees.

- Finally, the detailed design and siting of the units does not detract from the amenities of adjoining properties in terms of light, privacy or outlook.

5.2 For all these reasons the proposal complies fully with the requirements of national advice and Development Plan policy and it is concluded that planning permission should therefore be granted.

F/2000/2225

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W.M. Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

8th Sept 2000

Dear MR. Mitchell,

Please find enclosed, copies of the information I circulated to the neighbourhood on 8th Sept. We have a copy of the Builders development application and will attack the misleading ambiguities of each paragraph with vigour.

We would appreciate any advice and assistance to defeat this planning application which is one of sheer greed; where price is everything and value is nothing.

Yours sincerely,

W.M. Salisbury

Cc Cllr T. Charlesworth
Rt Hon Andrew MacKay
Ms Loraine Newcombe
Mr N. Ethrington
Mr J. Mitchell
Mr P. Lewis

Cllr A. Ross
Cllr R. Cundy
Ms Cherry Cole
Mr G. Barnwell
Mr G. Cockroft
Mr R. Johnson

W.M.Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

8 September 2000

Dear Neighbour,

PLANNING APPLICATION NO. F/2000/2225

Should you wish to lodge an objection to the above development you must do so before 25 September 2000. Please write to Angela Odell, Planning Officer, Wokingham District Council, Environmental Services Department, Planning Services, P.O.Box 157, Shute End, Wokingham, Berkshire, RG40 1WR.

The above planning application has now been submitted on behalf of Brookworth Developments Ltd to develop the land currently occupied by the property "Timberscome" in Hollybush Ride and the rear gardens of "Cobwebs", "Kingfisher's Covert" and "Woodside". Accordingly I have notified all residents in Little Fryth, Hollybush Ride and Ashdale Park, as well as those listed above. The plan is to demolish "Timberscombe" to provide access to a development of four detached houses to the rear of the current property. **This development would have serious implications for the whole of this area in that it could set a precedent for further development of a similar nature which could continue all the way up to Simons Wood and destroy the unique character of the area.**

On Saturday 5 August a huge area of established woodland, including many oak and walnut trees, was cleared without authorisation by the developers in anticipation of this application. Those of us who were around on that day tried to stop this indiscriminate felling of trees recognising that some of these trees could be protected by preservation orders once the planning application process was started. It is clear that the trees were felled in advance of the application to ensure that no such orders could be made. Council tree officers have since visited the site and taken note.

The following is a list of objections to this development. Please use any others you can think of.

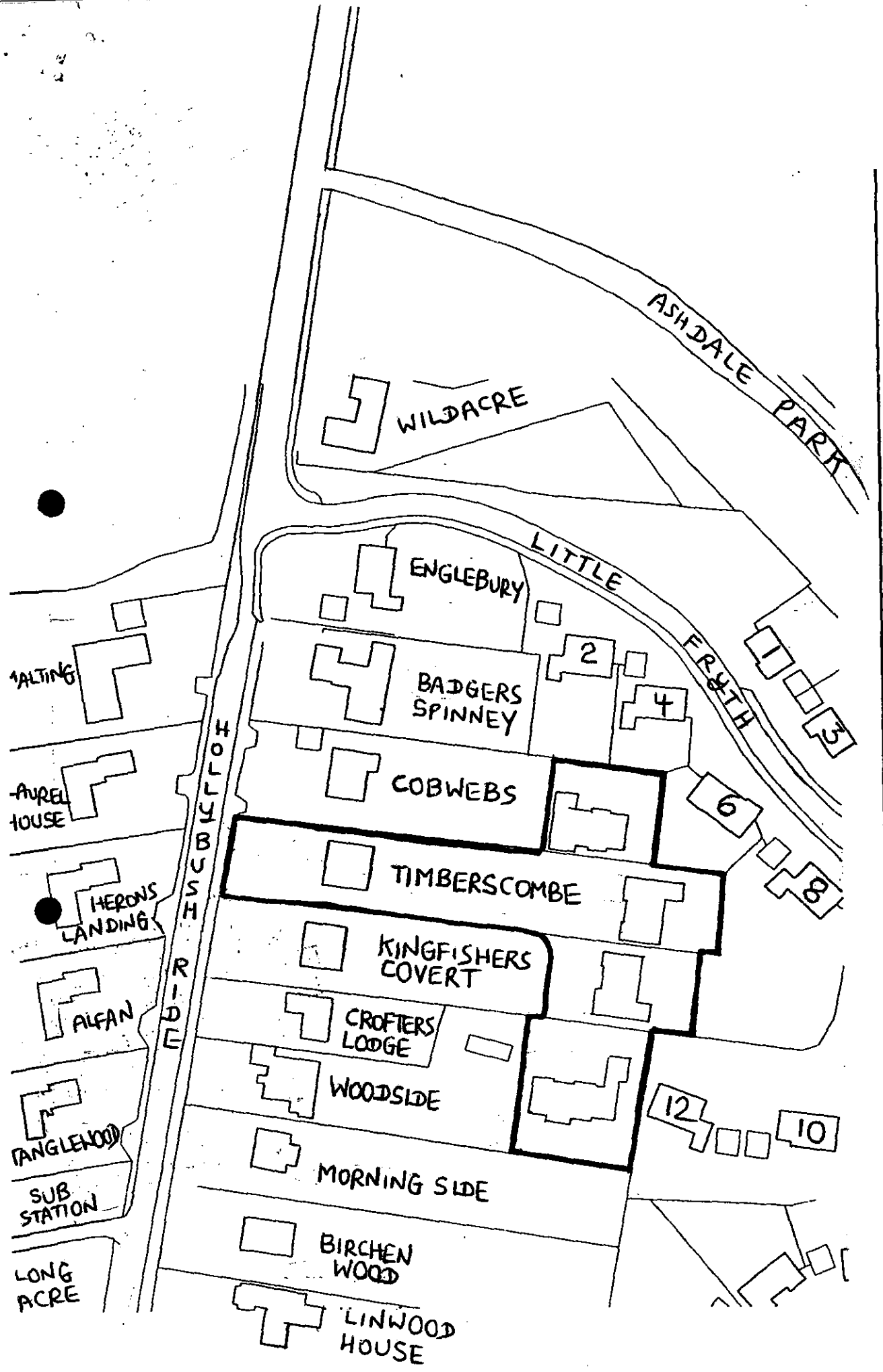
- No services of any kind within walking distance– there are no shops or schools nearby – the nearest secondary school is several miles away. This goes against the Council's sustainable development policy.
- Increase in motor vehicles, so adding to local congestion, particularly at the already dangerous junction of Hollybush Ride and Nine Mile Ride. All journeys to work, leisure activities, shopping and school will need to be made by car.
- Lack of public transport facilities within walking distance – local buses are few and far between.
- The felling and clearance of a large area of established trees will destroy the prestigious, rural, forested nature of the area and is against the environmental policy.
- The area provides a habitat for a range of wildlife including badgers, foxes, rabbits, squirrels and many species of birds. Such a development would have a detrimental effect on the established wildlife.
- The additional sewerage on an already overloaded and problematic system currently serving Little Fryth and Ashdale Park. The plan is for these new properties to feed into this existing system.
- Hollybush Ride is an unadopted road and is technically described as a byway – it is not suitable for further development. There is no council funded maintenance for resurfacing, lighting , sewerage etc. Upgrading these services would require the consent of existing residents in Hollybush Ride and would cause them serious disruption.
- The Council's policy is to develop brownfield sites, not greenfield ones.
- Filling in would further erode the distinction between Crowthorne and Finchamstead ,which is contrary to the Council's policy.

There is no evidence this development would make any positive contribution to the character, environment or quality of life in the area. The building of four 5/6 bedroomed houses, in place of one existing house, would not solve the local requirement for additional housing as specified by central government. The only people to benefit from such a development are the developers themselves, who along with the original landowners, are in line for huge profits at the expense of the local environment.

Yours faithfully,



W.M.Salisbury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ENGLEBURY
BADGERS SPINNEY
COBWEBS
TIMBERSCOMBE
KINGFISHERS COVERT
CROFTERS LODGE
WOODSIDE
MORNING SIDE
BIRCHEN WOOD
LINWOOD HOUSE
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ALTING
AUREL HOUSE
HERONS LANDING
ALFAN
SUB STATION
LONG ACRE

THE RT. HON. ANDREW MACKAY M.P.

House of Commons,
London, SW1A 0AA
Telephone: 020 - 7219 2989
Fax: 020 - 7219 4123
Email: mackaya@parliament.uk

3rd May 2000

Mr W. M. Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berks RG40 3RN

Thank you for sending me a copy of your letter to Cllr. Tim Charlesworth, the contents of which I have read with concern. I know he shares my view that it is not in the local interest to have excessive 'infill' development which is changing the attractive nature of my constituency.

As your Member of Parliament I will liase closely with him and the Chairman of the Planning Committee, Cllr. Angus Ross, to whom I am pleased to see you have also copied correspondence .

Perhaps you would be good enough to let your neighbours know of my interest in this matter and please do not hesitate to contact me again if I can be of further help.

With best wishes to you all.

Yours sincerely

Tel. (0118) 974 6445

Date: 30 August 2000

Your Ref:

My Ref: Angela Odell
F/2000/2225

The Owner/Occupier
2
Little Fryth
Finchampstead
Berkshire

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

Dear Sir/Madam

Application Number: F/2000/2225

Site Address: Land Rear Of Timberscombe, Hollybush Ride, Finchampstead Wokingham.

Proposal: Proposed erection of 4 dwellings plus demolition of existing dwelling..

The Council has received an application to carry out the above development.

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

If you have any comments you would like to make before the application is determined, please reply in writing within 21 days from the date of this letter quoting Application Number **F/2000/2225** . Your comments will be considered by the planning officer before a decision is made and will be summerised in the committee report if the application is decided by committee. Where an application is to go to committee you will be told of the date and given the opportunity to speak at the meeting. Everybody who makes a comment will be told what decision is made.

Please note that all comments made will be open to public inspection.

Should you have any queries regarding this application please contact the planning officer, **Angela Odell**, on **(0118) 974 6445**.

Yours faithfully,

objection deadline date
now 25 September.

John Mitchell

John Mitchell
Development Control Manager

(1)

The Birches
21, Little Fryth
Finchampstead
Berkshire
RG40 3RN
01344 750756

AMO

September 2000

COPIES TO:

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FILE:

Dear Sir,

PLANNING APPLICATION No. F/2000/2225

I am sorry that a number of personal issues have delayed this letter of objection but I would ask that you make the relevant people aware of our very strong concerns over the above application. Our concerns are as follows:-

1. Safety of our children. Traffic is already so heavy that I am worried to cycle with my children. Hollycroft Ride is a strategic recreational link allowing families to walk and cycle away from busy roads. The ride is already very busy with cars. Any further increase is dangerous and should be accompanied by a safe designated footpath for cycling & walking.

(PTO)

2. Road Congestion. Local roads are already overcrowded and further development should only

be allowed if roads are upgraded. This would change the whole character of the area if allowed.

3. Schools and Community facilities. These are already oversubscribed and overloaded in the local area.

4. Sustainability. The absence of local facilities means all services must be accessed by car. The sustainability policy requires services to be reachable by walking.

5. Quality of Life. This will result in a reduction in the quality of life for exist residents of the area. We have purchased our home for the peace and quiet it allows us after business which lives often in excess of 60 hrs per week. The proposed development will lead to a general increase in noise, especially given the density of the development.

6. Wildlife. It is particularly reprehensible that a significant area of trees was cleared without consultation to facilitate this development.

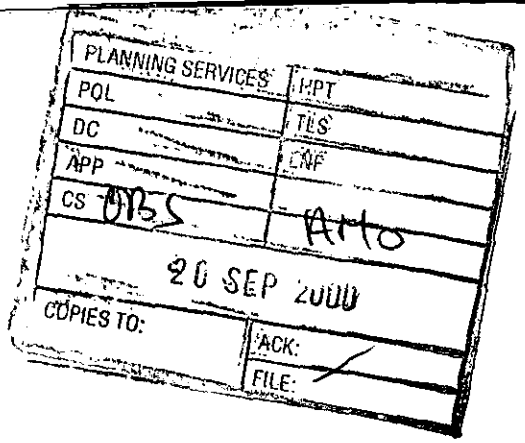
7. Loss of boundary between settlements. This is outside the existing settlement boundary and will open the flood gates for other similar infill development. Eventually this will lead to Uckfield and Crowborne merging. If this development is allowed how will you be able to resist other similar development of large gardens in the area? This will completely change the character of the area.

Thankyou for taking note of our concerns

Yours faithfully

MR. A.F. DEARSLEY

MRS A.C. DEARSLEY



2 Little Fryth
Wokingham
Berkshire
RG40 3RN

19 September 2000

Dear Ms Odell,

PLANNING APPLICATION F/2000/2225

I am writing to object to the above application in the strongest terms.

The plan submitted by the developers shows that the proposed new properties are to be sited extremely close to the existing properties in Little Fryth. The proposed dwelling to the rear of our house will overlook both our house and garden and will seriously effect our privacy.

Our house has a relatively small garden. However the size of our garden is compensated for by our outlook onto the woodland which makes up the existing gardens. Should this development be allowed to proceed then the existing woodland will be destroyed and our outlook will be a very large house bearing down on us as our garden slopes upwards away from the house. Should this be allowed to happen, the whole balance of existing dwellings and gardens will be upset and the existing properties will be seriously devalued as a result.

Despite the developer's claim that existing trees would be protected, it is inevitable that most trees would be lost due to the ratio of the proposed dwellings and their very small gardens. In fact we have already seen a large area of established woodland destroyed in anticipation of this application. Many established trees, including oak and walnut trees, have already been felled. Some of these would almost certainly attracted preservation orders once the planning application process had started. This indiscriminate felling of the trees raises serious questions about the integrity of this company.

Apart from specific concerns about how his development will affect our own property there are many other issues which should be taken into account.

There are no services of any kind within walking distance. There are no shops or schools nearby - the nearest secondary school is several miles away. This is contrary to the Council's sustainable development policy.

There will be an increase in motor vehicles in an already congested area. The junction of Hollybush Ride and Nile Mile Ride is likely to affected in particular and this is already recognised as a difficult and dangerous junction. All journeys to work, school, leisure activities and shopping will need to be made by car.

There is a serious lack of public transport facilities in the area. The nearest station is Crowthorne which is over a mile away. There are very few buses and those which do run do not run regular services.

There is already a problem with sewerage from the existing properties in that the system does not appear to have sufficient capacity to cope with the demand. The connection of additional properties into the system will only exacerbate the problems currently experienced.

This area is exceptional in terms of its natural beauty and the wealth of wildlife it supports. There are badgers, rabbits, squirrels, bats, foxes and many species of birds. This development would have a serious impact on the current wildlife and would upset the delicate balance of nature. The constant erosion of the trees in an area such as this has to be stopped, not only for our benefit, but also for that of future generations.

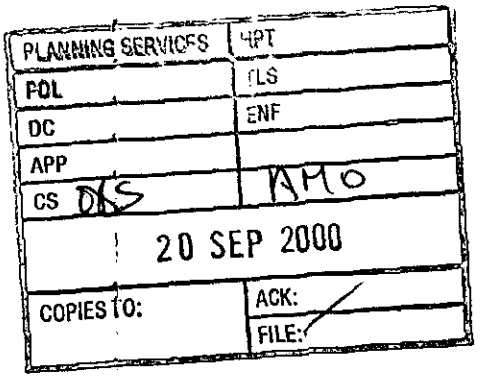
There is no evidence that this development would contribute in any way to the character, environment or quality of life in the area. The only people to benefit are the developers and the existing landowners, all of whom seek to gain large profits from this venture at our expense and that of the local environment.

I urge you to reject this proposal on these grounds. The proposed development does not fit with the layout of existing properties and will have serious consequences for the local infrastructure and the environment in an area of exceptional natural beauty.

Yours sincerely,

Ruth Salisbury

Ruth Salisbury (Mrs)



18 Little Fryth
Wokingham
RG40 3RN

Your Ref: F/2000/2225

18 .9.2000

Dear Ms Odell

Application Number: F/2000/2225

I am writing to express my concern at the above application for building a further 4 houses off Hollybush Ride.

Having been overseas for 4 years, I have been staggered at how many houses are being crammed into what were previously gardens or green field sites. This planning application seeks to do yet more. If this application were to succeed then yet more mature trees, gardens and subsequent wildlife will be lost forever, in the process reducing yet further the rural "market town" character of Wokingham. Surely local policy is to develop brownfield sites, not greenfield ones such as this?

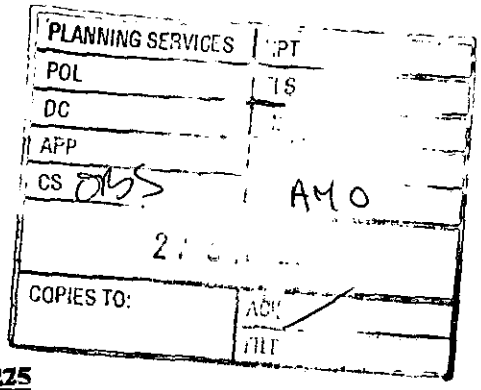
Moreover, extra housing will mean more cars on Hollybush Ride as there are no public transport facilities for this area. The roads are very busy in the peak hours and, being limited by width restrictions, will need to be looked at very carefully if this application were to succeed. Some changes in the layout may well be necessary to prevent either unbearable congestion or, indeed, an accident.

I trust that the above points and those made by my neighbours will be taken on board by the committee when considering this planning application.

Yours sincerely

Carole Richards

Carole Richards



12 Little Fryth,
Wokingham,
Berks
RG40 3RN

25th September 2000

RE Planning application number F/2000/2225

Dear Sir or Madam,

I am writing to object to the above planning application. I have reviewed carefully the proposed plans and find that it does not comply with many of the criteria laid down for this type of development.

The proposed development will take place in areas of gardens which significantly contribute to the character of the area. I note that the application says that the "development will be sympathetic in scale and character to the environs of the site". The development will actually result in the destruction of the majority of the mature trees in the area - in excess of 40. This is in conflict with local planning rules, which provide for protection "of wooded areas, gaps and garden areas which are important to the settlement concerned".
It is noted that they will "retain and enhance the spacious green appearance of the street scene" -- all well and good but the scene we will see will overlook from our house will be that of a treeless desert.

The houses will be closely grouped together – the area calculation used by the developers includes the long length of drive which is misleading in that is exaggerates the area devoted to the houses themselves. The plot areas are significantly smaller than those of similar properties in the area. The building of the 4 properties in this space will result in a significant reduction in the character and desirability of the area.

Under 4.9 I am amazed that they say that they have taken care to "site the proposed dwellings to avoid any conflict with neighboring houses in terms of light, privacy and outlook, thereby ensuring that high levels of residential amenity are maintained for existing occupiers" I have not been contacted or had my opinion asked as to this development and how it will effect my environment.

This development of 4 houses will result in the demolishing of Timberscome, a net gain of 3 dwellings. No benefit will be accrued for the community in terms of roads, amenities or infrastructure. It seems to offer the residents of Wokingham District poor value for money when compared to other plans underway.

In closing I must note that the developers clearly consider that the planning process a foregone conclusion as they have proceeded to cut down some of the trees (fortunately now stopped after our intervention). I hope that the planning authorities will note this arrogant behavior and set a precedent by throwing out the application.

Yours faithfully

Chris Exelby

25/09 '00 16:59 FAX +44 181 344 4448 FERGUSON M'ING 001
+44 181 344 4448

PLANN') SERVICES	HPT
POL	TLS
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CS DGS	NPLO
25 SEP 2000	
COPIES TO:	ACK:
	FILE:

'Tanglewood'
Hollybush Ride
Finchampstead
Berkshire
RG40 3QR

September 20th 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berks
RG40 1WR

Dear Mrs Odell,

Re: Planning Application No: F/2000/2225

We write to express our opposition to the planning application for the site of 'Timberscombe' and the land to the rear of 'Cobwebs', 'Kingfishers Covert' and 'Woodside'.
Our objections are as follows :-

1) **Character of the area** - Hollybush Ride is characterised by properties in large plots, largely screened by mature vegetation, giving an overall appearance of an unbuilt-up area. Increasing the density of development will detract from the character of the area.

2) **Private Lane** - Hollybush Ride is an unadopted road which is maintained by the residents. We are against any increase in traffic which will further increase the burden of maintenance.

3) **Traffic** - Further development along Hollybush Ride will result in an increase in traffic. The narrow nature of the lane, the unmarked junction with Little Fryth (with limited visibility) and the dangerous junction with Nine Mile Ride make any increase in traffic undesirable. The traffic is already congested at the Nine Mile Ride Junction at peak hours, where the speed of traffic approaching from the right makes the exit from Hollybush Ride hazardous.

4) **Facilities** - There are no schools, shops or other facilities within walking distance of the proposed development.

5) **Precedent** - whilst we recognise that each planning application must be considered on its own merits, approval of this application would set a precedent for similar proposals which would further detract from the character of the area.

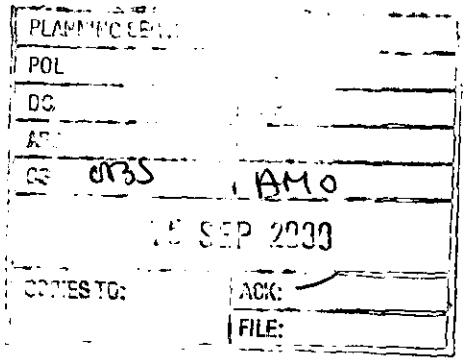
Yours sincerely

Mrs C Lovell-Read

Mr G Lovell-Read

Morningside,
Hollybush Ride,
Wokingham,
Berks.
RG40 3QP

12/9/2000



Dear Ms Odell,
We are writing with regard to planning application no. F/2000/2225.

As neighbours whose property lies next to the proposed development we wish to object to the development on the following grounds.

- The services in the area are already limited and even modest development would have negative consequences on traffic congestion at the end of Hollybush Ride. Journeys from the area need to be made by car.

- The felling of a large number of trees on a Saturday in early August was an underhand way to proceed. This selfish action has already damaged the environment and no doubt had a detrimental effect on the wildlife.

- If existing established hedging is removed this would have an impact on our privacy. Currently, there is a substantial hedge in place at Woodside which provides a level of seclusion.

- Sewage systems are barely able to cope at the moment. Additional homes, designed to accommodate families, would provide a further strain on the system.

- Hollybush Ride is an unadopted road. There is no council funding for maintenance of the road, costly resurfacing, lighting etc. Development could cause an additional financial burden to existing households in the long term and severe disruption in the short term.

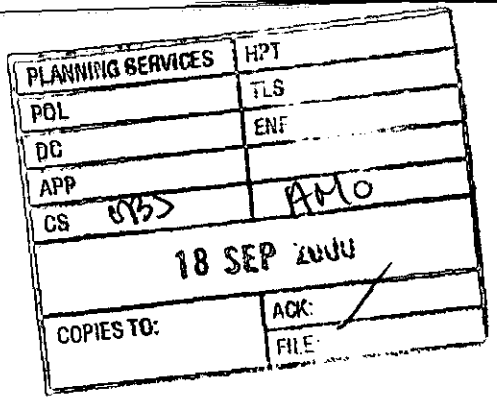
- The plans are contrary to the council's policy in a number of areas.

To conclude the only people to benefit from the development are the developers and the original landowners who are willing to sacrifice the micro environment for their financial gain. We would urge you to reject the planning application.

Yours sincerely,

Janet & David Wood

(Mr & Mrs D.A. Wood)



Mrs P. Hooper
'Conifers"
Hollybush Ride
Finchampstead
Berks
RG40 3QP.
13.9.2000

Ref: Local Planning Application No. F/2000/2225

Dear Angela Odell,

It has come to our attention, that a building firm has submitted a planning application to demolish 'Timberscombe' Hollybush Ride and with the rear gardens of 'Cobwebs', 'Kingfisher', 'Covert' and 'Woodside' build a development of four detached houses.

The council has in recent years developed a policy of not letting people build one house behind their own property because of setting a precedent of over development of greenfield sites. In this case there would be many houses behind other properties. How do developers get away with this time and again? The Council's policy is to develop brownfield sites, not greenfield ones after all.

The roads around this area are already congested, to get out of Hollybush Ride at certain times of the day you already take your life in your hands with traffic approaching the round- a- bout from Lower Wokingham Road South to North.

Schools are another consideration, as I understand it, these already have more than their quota of children. With the added problem of virtually no public transport and Comprehensive Schools being several miles away this again adds to congestion problems.

Tree felling is against the environmental policy, and we don't have to look very far, only to the development of Little Fryth and Ashdale Park to see a case where developers agree to leave a certain amount of trees, only to say oops we've taken down too many, not much you can do then for the wildlife is there. We also understand that some tree's once again have been felled prior to the planning application being submitted, how do these people continually get away with it. When are you going to crack down hard on these people?

A few houses in Hollybush Ride are already experiencing problems with the water table, we are one of them, could this add to the problem.

Finally it seems to me that people's greed, needs to be stopped. Making money at the expense of the people left in the area to cope with overcrowded schools, congested roads, polluted atmosphere, wildlife habitat lost, is just not on.

Hollybush Ride is an unadopted road, who pays for the damage done by large lorries delivering building materials. This will also cause problems early in the morning for people going to work, deliveries are usually made early to avoid traffic on the roads, but with people leaving for work earlier to avoid the same congestion they are normally on Hollybush Ride at the same time. The width of the road also adds to this problem. The construction companies should not in our opinion be allowed to use the Lay-by's on the first part of Hollybush Ride.

Yours sincerely

A. Hooper
P. Hooper

Laurel House
Hollybush Ride
Finchampstead
RG40 3QR
10th Sept 00.

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS 0915	/ APIO
12 SEP 2000	
COPIES TO:	

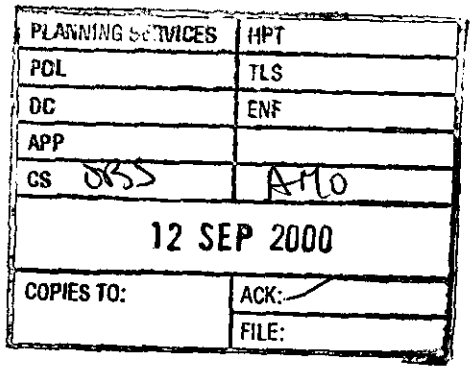
Application No. F/2000/2225.

Dear Sir/Madam. I would like to object to the proposed application above on the grounds.

1. Hollybush Ride is too crowded already for an unmade road - four more family houses will only add to the potential for accidents. The nature of the exits etc from houses in this vicinity is already dangerous

2. This current site does not have main drainage (sewers) — will they tap into the system set up for Laurel House, Heron's landing, Alton & Tanglewood - and would they have to seek permission from these residents to do so?

Yours Sincerely
D J Whitmarsh



D.A. Stock
Englebury
Hollybush Ride
Wokingham
RG40 3QP

9th September 2000

Dear Ms. Odell,

Re Planning Application F/2000/2225

I am writing to register our objections to the above planning application. It is not clear by whom the application was lodged.

Our objections are heightened by the fact that the developer was responsible for the felling of a considerable number of well established trees in advance of the application. This is disgraceful and shows a blatant disregard for the law, the local residents, and the council itself. I would like to ask whether the council tree officers who visited the site produced any report, and if so, whether this is available for viewing. It would also be useful to know whether the developer broke any by-laws or acts, and if so, whether the council plan to take any action.

In our opinion, the application further diminishes the ability of wildlife to co-exist naturally within an urban fabric, which I believe to be one of the aims of the Wokingham District local plan.

We also believe that the infrastructure supporting the area is already under stress, and that further development on Hollybush Ride and Ashdale Park, with its one (already dangerous) exit, will cause a worsening of an already bad situation. There are very likely to be serious accidents at this roundabout as people lose patience, and loss of life will be an increasing possibility.

The proposed development if allowed, would set a precedent and make it difficult to justify rejecting future applications in the area, making it likely that the rural and unique nature of the area would be lost for ever.

Yours faithfully,

D.A. Stock

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
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CS 0955	AMO
14 SEP 2000	
COPIES TO:	ACK: ✓
	FILE

GREYFRIARS
HOLLYBUSH RIDE
WOKINGHAM
BERKS
RG40 3QP

12th September 2000

Wokingham District Council
Environmental Services Department
Planning Services
P O Box 157
Shute End
Wokingham
Berks RG40 1WR

For the attention of Angela Odell, Planning Officer

Dear Sir/Madam,

Application No: **F/2000/2225**
Site Address: **Land rear of Timberscombe, Hollybush Ride, Finchampstead, Wokingham**
Proposal: **Proposed erection of 4 dwellings plus demolition of existing dwelling**

I wish to place my family's objections to the proposed development as noted at the head of this letter.

The area of Hollybush Ride has already been over developed and further infilling will lead to increased urbanization and a decline in the limited rural atmosphere within an already extremely busy and over-stretched environment.

Facilities, whether shops, schools, buses, general services or roads etc., are insufficient, inadequate and grossly over-extended, thereby adding even more pressure to living in this community.

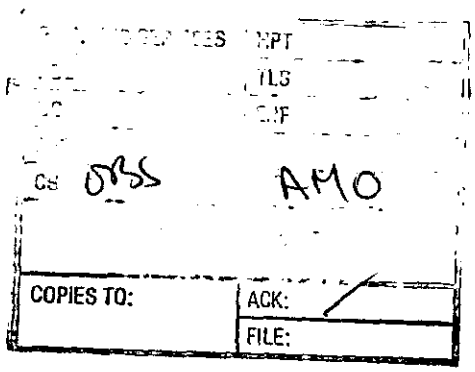
Hollybush Ride itself is, we feel, not suitable for further development The road is unadopted, with the limited maintenance currently being provided by the present residents.

In common sense terms why develop more green field sites when brown field sites are available? All in all too much green area is being destroyed with too little thought for the consequences and the families moving to and currently residing in these areas!

I do hope you give this some considered thought.

Yours faithfully

T J Goodson (Mr)



Russett Glade
Hollybush Ride,
Finchampstead,
Wokingham,
Berks.
RG40 3QP

F.A.O. ANGELA ODELL
Planning Officer
Wokingham District Council
Environmental Services Dept
Planning Services
P.O. BOX 157 Shute End
WOKINGHAM RG40 1WR

8th September, 2000

Dear Ms. Odell,

We have recently been made aware of the planning application No. F/2000/2225 and would like to strongly object to this.

We have enjoyed living in Hollybush Ride for 17 years prior to Ashdale Park and The Fryth being built and are now very worried that the back building may carry on further up the Ride. We are not killjoys and wish anybody the best of luck if they ever have the opportunity of selling off land for building but we have genuine concerns that the area now being enjoyed for its wildlife and trees etc., will eventually be replaced by houses.

We at the present time regularly have two small deer in our garden and we can watch quietly whilst we are visited by foxes, badgers, rabbits, squirrels and a whole host of birds, we really would not know where else to find an area of this kind.

At the moment we both have difficulty in getting out of the lane onto the mini roundabout in the mornings and feel that the nature of the lane could not cope with more traffic.

Yours sincerely,

MR & MRS BROMLEY

02078287580

OBS
PLANNING SERVICES | PPT
POL | TLS
DC AO | TPF
APP
CS
25 SEP 2000
ACK:
FILE:

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Wokingham
Berkshire
RG40 1WR

20 Little Fryth
Wokingham
Berkshire
RG40 3RN

22 September 2000

Dear Ms Odell

Application F/2000/2225

We wish to object to the above development proposal. It is inconsistent with the Council's policy of developing sustainable, brownfield sites. Furthermore, it will impose a further burden on an already overloaded sewerage system, inevitably increase traffic in an area with poor public transport and adversely affect local flora and fauna.

There appears to be no benefit to the community from this development. We urge you to reject the application.

Yours sincerely

Angus & Sarah Goodenough

PLANNING SERVICES | HPT
POL | TLS
DC | CF
APP
CS | AMO
19 SEP 2000
COPIES TO: | ACK:
FILE:

Ahlan House,
Hollybush Ride,
Finchampstead,
Wokingham RG40 3QR.

14th September 2000.

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

Dear Ms. Odell,

Planning Application No. F/2000/2225

I refer to the above Planning Application and would wish to take this opportunity to lodge my objection to the granting of this application, in particular, for the following reasons,

1. This is clearly an 'infill' development, many of which blight the area, and specificaly this one, if passed, would seriously alter the very intrinsic nature of Hollybush Ride – an unadopted by-way – well recognised locally as a most attractive walk-way. Further, such erosion, would likely increase the likelihood of further pressure being brought to bear on similar possible areas of development – even stretching to Simon's Wood.

2. The amount of traffic that currently uses Hollybush Ride, surprisingly, is already excessive and any increase caused by this 'infill' will only exasperate the situation. It is now an inconvenience to walk one's dog up this lane in view of the number of vehicles utilising it, whereas up until quite recently, this was a pleasurable chore.

3. I understand that in advance of the application, the developers felled a large area of woodland and whereas there is a tree preservation order on the side of the road of my house, clearly one could not have been in force on the other side and clearly the developers will clear more land and fell more trees – a situation best not allowed to happen.

4. The site in question could hardly be described as a 'brownfield' site ,if so, all back gardens would be classed likewise hence any arguments by the developers that such a site meets local policy is ludicrous and should be treated as such.

5. The anticipated entrance onto Hollybush Ride from this proposed development will create a real hazard – there is simply not enough turning area available, plus, during any proposed building period, chaos will reign – besides creating a danger.

6. Further pressure on local services,eg, sewerage, is unnecessary and will likely create problems for the future.

Having already had the Council's views on a small wall in front of my premises, which 'would erode the very ambience of the road' – hence planted trees instead, I find it hard to believe that the Council would countenance further development of this type, hence will take note of my objection.

Yours Sincerely, Philip Reilly

PLANNING SERVICES	HPT
POL	TLS
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CS OBS	AMO
26 SEP 2000	
COPIES TO:	ACK:
	FILE:

HERONS LANDING

Herons Landing
Hollybush Ride
Wokingham
Berks
21/9/00

Dear Sirs

Applicatn no F/2000/2225

I am writing to object to the above planning applicatn for the following reasons:

- The proposal will result in the destructn of an area of great beauty including trees, wildlife etc
- The whole area around both Fryetts at Hollybush Ride will be disturbed and badly affected by the development
- the development seems to go against the Wokingham district Local plan by
  - (a) Removing the protectn, enhancemt & creatn of wildlife corridors
  - (b) Results in the loss of, or damage to, trees or groups of trees recognised as having amenity or

Conservation value

(c) I believe or suspect that tree preservation orders have already been broken by the suspicious or illegal destruction of some trees on the proposed development area

(d) removing / altering open or wooded areas, clumps or garden areas, that are important to the character of the settlement,

(e) Produce a significant adverse effect on the character of the area

(f) Produce a significant adverse effect on our residential property by having the access road directly opposite our entrance to my property

(g) Current policy to encourage developments that are within easy reach of alternative transport modes - this proposal clearly does not qualify

Yours faithfully

Howard Veary VEARY

P.S. I apologise for the late reply as I have been out of country for some weeks, having just returned midweek.

Your reference Angela Odell
F/2000/2225

Crofters Lodge
Hollybush Ride
Finchampstead
Wokingham
RG40 3QP

PLANNING SERVICES | HPT
POL | TLS
DC | ENF
APP
CS 6155 | APO
22 SEP 2000
COPIES TO: | ACK:
FILE:

site address: land rear of Tumbarcombe
Hollybush Ride

19th September 2000

Dear Madam,

I am writing to object to the proposed erection of four dwellings on the above site in Hollybush Ride.

The basis of my objections is as follows:

I believe that a precedent has already been established when a similair application was made by Waldershue (now renamed Kingfishers Covert) for the development of land behind. This was rejected by W.D.C. planning department as being undesirable back development and not in the interest of the local community or environment.

The proposed application will not enhance the rural character of Hollybush Ride but will certainly diminish the character of this very rural "ride" through the demolition of an older and aesthetically desirable property.

In recent years the lower end of Hollybush Ride has already absorbed two additional joining roads in respect of Ashdale Park and Little Frith and a third service road coming on to Hollybush Ride is wholly undesirable, unnecessary and further increases traffic on to a road which is unadopted and has to be paid for by the existing residents.

A number of properties in Hollybush Ride utilise septic tanks, Kingfishers Covert, Crofters Lodge and Woodside septic tanks outlets all flow into the land proposed for development. This will clearly impact the drainage of the waste water systems to these properties.

Hollybush Ride as an unadopted road is frequently used by the local community of Ashdale Park, Little Frith, St Sebastians and Nine Mile Ride as leisure access and rural walks to National Trust land "Simons Wood". The addition of another hidden access road presents a danger

to young children using Hollybush Ride either as pedestrians or cyclists.

Access from Hollybush Ride to the Nine Mile Ride via the double mini roundabouts is already over utilised and I believe any addition to regular traffic accessing in either direction poses a further danger to safety.

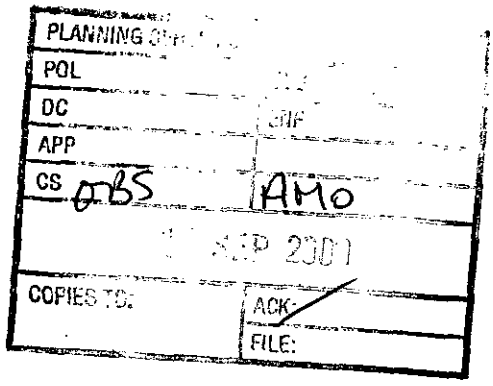
Back development of Hollybush Ride has already occurred with Little Frith and the development of land between H. Ride and Queenemere has taken place in recent years. Any further development completely diminishes the presence of Hollybush Ride being a rural community. Encouragement of further development would now create an urban district and can only detract from the rural beauty of this area.

Finally it is obvious that the proposed developer has already demonstrated his complete disregard for the local environment through the removal of many mature trees on the site proposed for development before gaining planning permission of any kind.

Yours faithfully

S. A. Hunt

24 Little Fryth
Finchampstead
Berkshire RG40 3RN



Ms AngelaOdell
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

Dear Ms Odell

Application Number: F/2000/2225
Site Address: Proposed erection of 4 dwellings on land rear of Timberscombe, Hollybush Ride, Finchampstead, Berkshire

Through communication from Mr Salisbury of 2 Little Fryth, we understand that an application has been made to the Council for development of land rear of Timberscombe, Hollybush Ride.

As residents of Little Fryth, we wish to lodge our objections to the above planning application. We purchased our house over 6 years ago, at a premium, to enjoy the environment that Little Fryth and the surrounding area offered, confident that the Council's environmental policies would protect our interests and allow us to do that.

We are extremely fortunate to have a beautifully wooded environment which attracts all types of wildlife. Most of the trees hereabouts are covered by TPOs and we are happy to take responsibility for the numerous Scotts Pines in our garden. We were, therefore, appalled to learn that the developers had felled numerous trees in anticipated of their application and trust that, if an illegal act has taken place, the Council will treat it with the severity it deserves.

Hollybush Ride is designated as an unadopted byway and, as such, could not adequately sustain the pressure of increased traffic. Furthermore, we understand that the Council at present has no maintenance funding allocated for resurfacing, lighting or, indeed, for sewerage and any further development would place a further burden on the existing services. This area is poorly served by public transport, every journey to work, school, shopping or for leisure would involve the use of a car and this would add to the local congestion - in particular it would increase the volume of traffic exiting from Hollybush Ride - a hazardous junction.

There would be further burden on the existing sewerage system with tremendous disruption to the residents of Hollybush Ride if this proposed development took place.

Looking at the proposed plan, it would appear that the Timberscombe site would constitute the access road into the proposed development and that the proposed four 5/6 bedroomed houses would occupy parts of the rear gardens at "Cobwebs", "Kingfishers Covert" and "Woodside". Given the stature of the proposed houses, it would appear that this is a high density scenario not in keeping with the established dwellings in the area.

All arguments/objections have to be looked at constructively and we should ask what would be the benefit of having this small development and what would it bring to the area. It would increase traffic pollution, bring about the destruction of woodlands and established wildlife habitats. The beneficiaries would be the developers, cashing in and moving on.

We hope the Council considers the implications of this application fully, as granting it would encourage other developers to seek out small parcels of land to fill in. We would then be looking at a sprawling mass of hotch potch developments which would further erode the distinction between local parishes and spoil the unique character of the area.

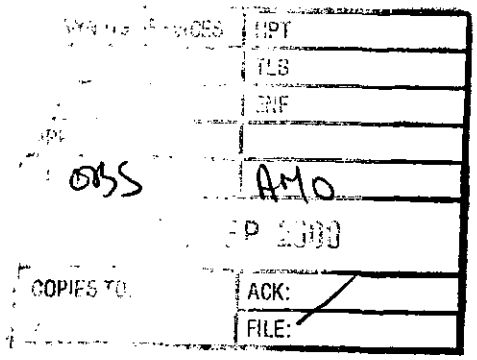
We hope the Council upholds its enirvonmental policies against deforestation and continues to develop only brownfield sites thereby protecting existing rural environments.

Yours sincerely

Frances de Banks

Dennis de Banks

Dennis & Frances de Banks



Badgers' Spinney,
Hollybush Ride,
Finchampstead,
Berkshire RG40 3QP

9th September 2000

Ms Angela Odell,
Planning Officer, Wokingham District Council,
Environmental Services Department, Planning Services,
PO Box 157,
Shute End, Wokingham,
Berkshire RG40 1WR

Dear Ms Odell,

Planning Application No: F/2000/2225

I am writing to lodge my strong objection to the proposed development in respect of which Brookworth Developments Limited has submitted the above planning application.

The proposal is to demolish the property known as Timberscombe on Hollybush Ride, annex a significant proportion of the existing rear gardens of three adjoining properties and build a spur road off Hollybush Ride leading to four new properties huddled into the aggregated space.

The feeling amongst local residents close to the proposed development is very strong. When we received information earlier this year that such a development might be under consideration, a note was circulated by the occupants of Timberscombe giving neighbours absolute assurance that no such development was being considered. Subsequently, without notice, a large area of woodland to the rear of Timberscombe was felled on Saturday, 5th August in anticipation of the planning application. This wanton and indiscriminate destruction, which included the felling of several mature oaks and walnut trees, has caused loss of amenity to the properties immediately to the rear of Timberscombe and has resolved local residents to oppose this application with absolute determination.

I have been a local ratepayer for many years and now live with my family in Badgers Spinney, Hollybush Ride. I am a senior executive of a major global financial services company and bring considerable income into the district. I have invested very significant sums of money into this property with a view to maintaining the standard and special character of Hollybush Ride. We specifically selected Hollybush Ride for those very qualities which are now under threat.

Hollybush Ride is well known throughout the surrounding district for its exclusivity, woodland character, wildlife, low-density prestigious dwellings and intrinsic charm. For most of its length, Hollybush Ride is not an adopted highway but a bridal path. Local families enjoy walking the length of this woodland road which gives access to Simons Wood. Local children often ride their ponies along this stretch which is made safe by the low traffic density. Badgers, foxes and other woodland flora and fauna are frequent sights in this area, often making their way into our local gardens. The old woodland, which extends its canopy through the rear of the larger plots of land along Hollybush Ride, provides a corridor for many woodland birds and tree-dwelling animals.

Like many who live along Hollybush Ride, we did not consider purchase of property here as an opportunity to make excessive profits by cynically exploiting the low-density nature of the area, thus changing its character forever and robbing local ratepayers of a popular recreational walk. We believed that buying a plot where the surrounding homes and gardens were well established would protect us from intrusive adjoining development. This form of opportunistic filling in which has no apparent merit and results in overburdening already stretched local services cannot be in the interests of the local community or in accordance with local policy.

Hollybush Ride is currently separated from Little Fryth. While the residents of Little Fryth also risk loss of amenity through the proposed development, the density of housing in Little Fryth is higher than that in Hollybush Ride. Also, all the properties in this stretch of Hollybush Ride are individual whereas Little Fryth is an estate, albeit highly prestigious. This proposal would have the effect of breaking the current separation of these two areas and increasing the density level in Hollybush Ride which is entirely out of keeping with its current character. This application, if not halted, could lead to piecemeal erosion of this charming area as further developers sought to make similar applications under established precedent.

This development would affect us directly as the backdrop of woodland which gives our home its present character and economic value would be partly destroyed. To the corner of our rear garden, there would be a large, highly proximate building in an undersized plot of land which would overlook our property. Apart from the loss of amenity and enjoyment that we would suffer, the economic value of our house would be adversely affected by being marooned from the remainder of Hollybush Ride by the proposed access road and high-density housing.

There can be no merit in this application given the lack of available infrastructure which could provide such profiteering infill at least a prima facie case to answer. There are no public services, transport or shops within walking distance of the proposed development. The local sewage system is already problematical and strained to capacity. Traffic density on the Nine Mile Ride into which Hollybush Ride feeds is already excessive, resulting in serious congestion and raising pollution levels to unacceptable highs. Trees help reduce pollution, so the felling of additional woodland only serves to exacerbate the pollution problem. The four proposed homes would significantly increase the traffic flow past our house, with the consequent hazard to health and children which that imposes, as all the additional residents would require personal transport.

Four additional, high-cost homes do little to address the housing targets set for the Council and must be outweighed by the considerable distress and discomfort to which the surrounding local residents will be subjected. These are mostly families who care for their environment and have chosen their homes with care, never suspecting that the value and character of their homes could be depreciated by cynical, unwelcome and destructive development. We will oppose this development with all the legal, moral and economic weapons at our disposal. I am sure that the Council will reject this application as being against the interests of its ratepayers.

Yours sincerely,



Paul St Clair Terry

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Dr. F. Caldeira-Saraiva
Green Shadows
Hollybush Ride
Wokingham
Berkshire
RG40 3QP

Ms Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

Monday, September 11, 2000

Dear Ms Odell

Planning Application No. F/2000/2225
Site Address: Land rear of Timberscombe, Hollybush Ride
Proposal: Erection of four dwellings and demolition of existing dwelling

I am writing to object to the proposed development for the following reasons.

Even at present, the area has no local services within walking distance – no shops or schools nearby – and lacks suitable public transport facilities. Any further development will be totally against the policy of sustainable development. Any necessary journeys to work, for leisure, shopping or school will have to be done by car. The traffic will increase congestion particularly at the already dangerous junction of Hollybush Ride and Nine Mile Ride. Building will increase the traffic beyond what the roads in the area can support and lead to pollution and noise

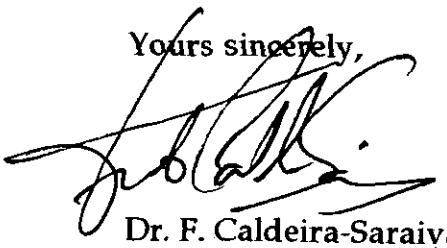
The site is a greenfield one, not a brownfield. Its development would be against Council policy on that count. Furthermore, development would necessarily imply the felling of trees which is also against environmental policy. The area provides a habitat for a range of wildlife including badgers, foxes, rabbits, squirrels and many species of birds. Such a development would have a detrimental effect on the established wildlife.

The felling and clearance of a large area of established trees would also destroy the prestigious, rural, forested nature of the area and set a precedent for further development of a similar nature which could continue all the way up to Simons Wood and destroy the unique character of the area. The development would also lead to 'filling-in' the area between Finchampstead and Crowthorne and upset the balance between the settlements.

Hollybush Ride is an unadopted road and is not suitable for further development. There is no council funded maintenance for resurfacing, lighting, sewerage, etc. The plan is for the new properties to feed into the existing sewerage system. This would increase the overload and create serious problems. On the other hand, upgrading these services would cause disruption and would require the consent of existing residents of Hollybush Ride.

I hope the Council will reject the planning application.

Yours sincerely,



Dr. F. Caldeira-Saraiva

Tel: Crowthorne 01344 779106

9, Ashdale Park,
Hollybush Ride,
Wokingham,
Berkshire.
RG40 3QS.

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DC | ENF
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CS
21 SEP 2000
COPIES TO:

The Development Control Manager
Wokingham District Council

Dear Sir,

Planning Application No. F/2000/2225.

I wish to record my firm disapproval of the proposed housing development in Hollybush Ride for the following reasons:-

1. It would place an added strain on local resources; for example there could be an additional 60-80 car movements per day on the already difficult exit from Hollybush Ride on to the A-321.

2. Hollybush Ride is an unadopted byeway much valued by local people as a pleasant pedestrian access to the National Trust woods and lake.

3. The plan would provide an unfortunate precedent for the development of many acres of land in Hollybush Ride between the Queensmere roundabout and Simons Wood and the delightful nature of the area would suffer.

4. The proposed infill would be at the expense of natural woodland on which much wildlife lives. Infill should be confined to brownfield sites.

P.T.O.

I strongly urge the Planning Committee to reject application number F/2000/2225. To accept it would merely line the pockets of the developers.

Yours faithfully,

Frank Barnett.

(F. H. BARNETT).

NOTES

Land Registry Covenants

1 Covenants all properties which stipulate that no buildings can be erected or used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood.

2 Restrictive covenant applicable with Timbercombe and No 6 Little Fryth only: Ref. Sewerage. Agreement to allow repair access applies to Timbercombe only, not other prospective properties. No permission would be granted for any sewerage repair to any other properties.

3 4.4. Developer Application
Satisfactory access to proposed development.
4.6. " Generous rear gardens
4.7 " Most of significant trees on the rear part of the site are to be retained.
4.9. " care to avoid any conflict with neighbours in term of light, Privacy, outlook.

Conclusion: Density, layout retention of trees does not detract from amenities of adjoining properties in terms of light, Privacy or outlook.

LITTLE FRYTH ↓	
No 2	Garden slope to rear of house. Rear of plot 1 would be near to boundary, sheer size of house overbearing. No Privacy whatsoever. Trees destroyed/removed Large Gaps in Garden now evident.
No 4	Totally overlooked by rear of Lloyd Spoel.. under protected by TPO's
No 4	Small is compensated by Panoramic feeling of space. garden
No 6	Totally overlooked by plot 1 and 2.
No 8	9 Protected Silver birches in garden. overlooked by plots 3+4
No 12	Large house to side of Property (Plot 4)

Felling evidence which happened 5th Oaks, Walnut trees.

GFO16
DA

ILY FLIGHT SCHEDULE FOR LHR ARRIVALS AND DEPARTURES ALL TERMINAL ONE FLIGHTS SATURDAY 09SEP00
ECY/ 6

FROM	FLIGHT	TYPE	PASS	LOCAL TIME	FLIGHT	TO
		321	O/ 9/136	0955	458	MAD
		75A	O/ 19/154	0955	346	NCE
		321		0955	EI155	DUB
		321		0955	EI711	ORK
FCO	551	76A	O/ 28/153	1000		
MAD	455	76A	O/ 29/142	1000		
MAN	BD585	737		1000		
AMS	BD102	320		1000		
ABZ	1303	73B	O/146/ O	1005		
DUB	BD122	321		1005		
EDI	BD053	734		1005		
BCN	477	76A	O/ 32/223	1015		
		76A		1015	9208C	BCN
		320	O/ 16/115	1020	726	GVA
		76A	O/ 27/235	1020	868	BUD
		75A	O/ 4/175	1020	496	LIS
BFS	BD083	320		1020		
		321		1020	AY832	HEL
GLA	BD003	320		1020		
MAN	1389	75B	O/139/ O	1025		
SNN	EI372	734		1025		
		319	O/124/ O	1030	1416	BFS
		75A	O/ 3/ 45	1035	778	ARN
		733		1035	BD175	CDG
BRU	BD144	500		1035		
		321		1040	EI157	DUB

GFD001-04.03-8

FAX COVER SHEET

TO: Mr. Cundy

FROM: Angela Udell. 9746445.

DESTINATION FAX No: 973 4183

DATE: 27. 9. 00

TIME: am.

SUBJECT: Timbercombe.

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

Please see attached. We have had many letters of objection and Cllr Tim Charlesworth said to me he would like it if we recommended ~~refusal~~ approval. As you can see we are recommending refusal. If you agree, please tick the 'No' box and return the form to expedite the decision notice. Thank you.

Any queries, please contact me.

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

12 Little Fryth,
Wokingham,
Berks
RG40 3RN

25th September 2000

RE Planning application number F/2000/2225

Dear Sir or Madam,

I am writing to object to the above planning application. I have reviewed carefully the proposed plans and find that it does not comply with many of the criteria laid down for this type of development.

The proposed development will take place in areas of gardens which significantly contribute to the character of the area. I note that the application says that the "development will be sympathetic in scale and character to the environs of the site". The development will actually result in the destruction of the majority of the mature trees in the area - in excess of 40. This is in conflict with local planning rules, which provide for protection "of wooded areas, gaps and garden areas which are important to the settlement concerned".
It is noted that they will "retain and enhance the spacious green appearance of the street scene" - all well and good but the scene we will see will overlook from our house will be that of a treeless desert.

The houses will be closely grouped together – the area calculation used by the developers includes the long length of drive which is misleading in that is exaggerates the area devoted to the houses themselves. The plot areas are significantly smaller than those of similar properties in the area. The building of the 4 properties in this space will result in a significant reduction in the character and desirability of the area.

Under 4.9 I am amazed that they say that they have taken care to "site the proposed dwellings to avoid any conflict with neighboring houses in terms of light, privacy and outlook, thereby ensuring that high levels of residential amenity are maintained for existing occupiers" I have not been contacted or had my opinion asked as to this development and how it will effect my environment.

This development of 4 houses will result in the demolishing of Timberscome, a net gain of 3 dwellings. No benefit will be accrued for the community in terms of roads, amenities or infrastructure. It seems to offer the residents of Wokingham District poor value for money when compared to other plans underway.

In closing I must note that the developers clearly consider that the planning process a foregone conclusion as they have proceeded to cut down some of the trees (fortunately now stopped after our intervention). I hope that the planning authorities will note this arrogant behavior and set a precedent by throwing out the application.

Yours faithfully

Chris Exelby

25/09 '00 16:59 FAX +44 181 344 4448 FERGUSON M'ING
+44 181 344 4448
001

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REF: Planning Application F/2000/2225

16 Little Fryth
Wokingham
Berkshire
RG40 3RN

Tel: 01344 751357

Dear Mr Mitchell

We would like to state our objection to the above planning application. Our objection is based on the following points. Infrastructure/utilities, Environment and Lack of developer integrity.

The local infrastructure is already stretched in the Hollybush Ride area.. Existing residents already have difficulties with child placement, with additional family homes it will be impossible to sustain local educational policy on class sizes. The presently unadopted road will require substantial upgrading, the council will be obliged to adopt the byway especially if a precedent is set and further development continues. The increased traffic will cause problems at the junctions of Little Fryth/Hollybush Ride and the roundabout at the Nine Mile Ride. The existing sewerage system for Little Fryth, Hollybush Ride and Ashdale Park is already stretched beyond its limits. The addition of further development will require upgraded works to the system. This will be at the cost of the council and will be required to sustain a sanitary system.

The area surrounding the proposed development is rich in natural attributes. The area contains National Trust land, open water and a variety of natural habitats. This Green Field site of the proposed development has many mature trees (although not as many as it used to). The local natural infrastructure supports many types of wildlife, a delicate balance of nature is easily disrupted. The disruption of mature trees is against existing environmental policy.

On the fifth of August this year, representatives of the developer moved in and began the wanton destruction of mature trees. This showed the developers disregard for the local area., its cynical approach to the planning authorities is disgraceful. The lack of care in following, due process makes the developers integrity doubtful. How are they expected to comply with any planning application if this is a demonstration of their integrity.

The above development goes against the rule and spirit of local and national planning policy. The only benefactors will be the developers and existing landowners. The development is to the detriment of many local residents, the area and the Wokingham district. The infrastructure and local environment will suffer as a result of this proposal. Rejection of this proposal is the only sensible outcome of this application.

We look forward to the result of the enquiry and your consideration.

Yours sincerely

Nigel & Helen Rhind

REF: Planning Application F/2000/2225

OBS AMO

16 Little Fryth
Wokingham
Berkshire
RG40 3RN

Tel: 01344 751357

18 September 2000

Dear Mrs Odell

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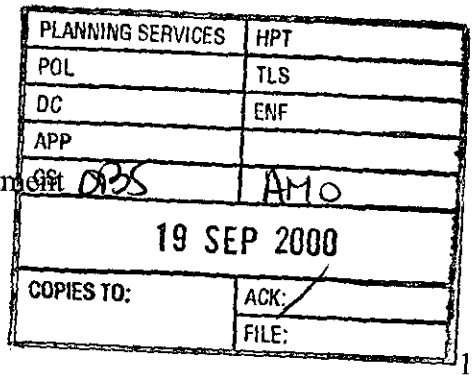
Yours sincerely

Nigel & Helen Rhind

Mrs A Odell
Development Control Manager
Environmental Services Department
P.O. Box 157
Shute End
Wokingham RG40 1WR



8 Ashdale Park
Wokingham
Berkshire
RG40 3QS
Tel: 01344
762738

16 September 2000

Dear Mrs Odell

Planning Application No. F/2000/2225

We are writing to express our concern about the proposed application for planning permission for the proposed erection of 4 dwellings plus demolition of an existing dwelling in Hollybush Ride Finchampstead Wokingham.

This kind of infilling using greenfield sites is contrary to the Council's and governments policy of using brownfield sites for new housing development wherever possible. It will increase traffic in Hollybush Ride and hence at the roundabout at the junction of Nine Mile Ride and the Lower Wokingham Road

The area is currently rich in wildlife there being deer, foxes, badgers and a great variety of birds. The intrusion of additional vehicles and people and the loss of habitat would be very detrimental to their existance and the increased traffic and would inevitably result in their being killed on the road.

We urge you to reject this planning application for the reasons described above.

Yours sincerely

R.A. Marshallsay

Roger Marshallsay Ann Marshallsay

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22 Little Fryth
Finchampstead
Wokingham
Berks RG40 3RN

September 16, 2000

Ms Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
PO Box 157
Shute End
Wokingham
Berks RG40 1WR

Dear Ms Odell

Planning Application No F/2000/2225

We write regarding the above planning application and wish to lodge our objections as follows:

1. The impact on existing sewerage systems.

2. Overloading in local schools which are already full.

3. Increase traffic in Hollybush Ride,

4. This is a semi-rural location and should be kept as such.

5. It is against Council policy to develop brownfield sites, there are many other sites locally which would not impact the environment to the same extent if they were to be developed.

6. It would further erode the distinction between Crowthorne and Finchampstead leading to an amalgamation of both communities.

7. Given the strong objections from the majority of local residents, the Council would upset the complete local community if planning permission was granted.

Thank you for your close attention in this matter.

Yours sincerely

NICK BROWN

SALLY BROWN

M. H. & K.S. Holland
1 Little Fryth, Finchampstead
Berkshire, RG40 3RN
Tel 01344 750220

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20 September 2000

Angela Odell
Planning Officer
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

Dear Ms Odell

Reference F/2000/2225

I refer to the above planning application for the erection of 4 new properties on Timberscombe, and part of the gardens of Cobwebs, Woodside and Kingfishers covert.

We believe that the granting of this application would create a dangerous precedent for the further development of the area, which would destroy the character of the area.

One of the main attractions of the area is the wide range of native hardwood trees, which grace the area and at present support a large range of wildlife, including dozens of bird species, and a wide range of mammals, including deer, badgers, foxes and squirrels.

Additional development would undoubtedly be of detriment to these populations, as it would undoubtedly result in the destruction of a substantial number of these trees.

In fact a number of mature trees were felled from the gardens in question immediately prior to the submission of the planning application.

Of perhaps more import however would be the impact of additional development on the infrastructure of the area.

The local schools, both primary and secondary, are currently full to capacity, and are unlikely to be able to cope with additional residents in the near future.

Hollybush Ride is an unlit and unadopted road, and in its current state is unsuitable to support further development. The access from Hollybush Ride to and from the A321 is often a lottery, and additional traffic will inevitable increase congestion during the rush hours.

However the lack of a good local public transport infrastructure will inevitably cause additional cars to use the road.

There is concern at the adequacy of the local power and sewerage infrastructure to cope with the increased loads that further development would place on it.

As the land levels rise on the south of Little Fryth, the proposed development of substantial houses will overlook the existing properties, and will have a major detrimental affect on both light and appearance.

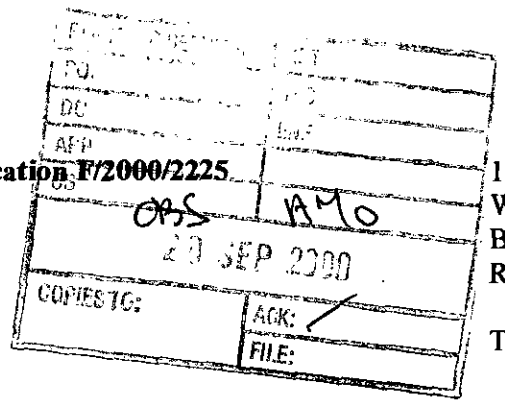
In conclusion we would urge you to reject this application.

Yours sincerely

Martin Holland

Kim Holland

Steven Holland



REF: Planning Application F/2000/2225

16 Little Fryth
Wokingham
Berkshire
RG40 3RN

Tel: 01344 751357

18 September 2000

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The area surrounding the proposed development is rich in natural attributes. The area contains National Trust land, open water and a variety of natural habitats. This Green Field site of the proposed development has many mature trees (although not as many as it used to). The local natural infrastructure supports many types of wildlife, a delicate balance of nature is easily disrupted. The disruption of mature trees is against existing environmental policy.

On the fifth of August this year, representatives of the developer moved in and began the wanton destruction of mature trees. This showed the developers disregard for the local area., its cynical approach to the planning authorities is disgraceful. The lack of care in following, due process makes the developers integrity doubtful. How are they expected to comply with any planning application if this is a demonstration of their integrity.

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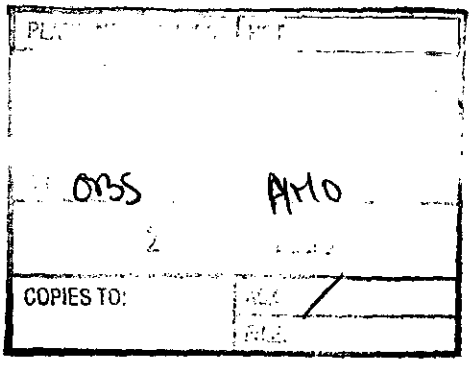
We look forward to the result of the enquiry and your consideration.

Yours sincerely

Nigel & Helen Rhind



8 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

19 September 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Mrs Odell,

Your Ref: Planning Application No. F/2000/2225

We understand that planning application F/2000/2225 (the "Proposal") has been made for the erection of 4 houses and the demolition of the existing dwelling at Timberscombe, Hollybush Ride and on neighbouring properties (the "Site") and that you have been appointed the Planning Officer to review the application.

Please accept this letter as our formal objection to the Proposal. Our many objections are made in the Appendices to this letter and are summarised below:

- The density of the proposed development of 4 houses is substantially higher than the neighbourhood and the small garden sizes are out of proportion for 5/6 bedroom houses in such a rural area.
- The Site is made up of the mature woodland gardens of substantial plots and should therefore be treated as more Greenfield than Brownfield.
- The Site is part of a Wildlife Corridor to Simons Wood and development would cause substantial and permanent environmental damage. The Wildlife Corridor is used by a huge variety of wildlife including badgers and bats who are protected species.
- The Site is out of Walking Distance of all local amenities including shops, schools, churches and public transport.
- The layout of the Site is such that one of the proposed houses is less than 20 metres from the back of our home. This back to back distance is substantially less than average for the neighbourhood and is not sympathetic to what is described by the Developers as "the spacious and attractive character of the area".
- There is no provision for mains sewage of the Site. This is discussed more fully in Appendix 6.
- The Site is subject to a restrictive covenant: "No part of the said land comprised in the said WDC Plan marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood."

An overwhelming majority of the residents in the neighbourhood, including ourselves have already sent you a letter stating that the development would be a nuisance and annoyance to the neighbourhood and therefore breach the covenant.

A copy of the letter and a map of the neighbourhood showing the homes of those who signed are set out in Appendices 1 and 2. Appendix 3 is a copy of the restrictive covenants registered at HM Land Registry.

In Appendix 4 we have commented on sections of the Report prepared on behalf of Brookworth Developments Ltd (the "Developers") where we believe it is inaccurate and misleading.

The Proposal contravenes numerous policies of the Wokingham District Local Plan (the "WDC Plan") and we have referenced these in Appendix 5.

The Developers has applied for full as opposed to outline planning permission. Whilst we are totally against development of the Site, we have been advised that we have to set out the detailed changes that we would ask for should planning permission be granted. Accordingly these are set out as Appendix 6.

The infilling of 4 properties of such a high density is not appropriate to the location as required by the National Policy Guidelines. Given its size, we believe that a maximum of 2 houses should be built on the Site, provided that back to back distances for all neighbouring properties was at least 30 metres.

The Proposal contravenes numerous WDC Plan policies and National Policy Guidelines and we therefore ask you to reject the application.

Yours sincerely

David Rice-Jones

Margaret Rice-Jones

Appendix 1

The Residents in
the Neighbourhood
of the area subject to
Planning Application
F/2000/2225

10 September 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Ms Odell,

Your Ref: Planning Application No. F/2000/2225

We understand that an application has been made to demolish Timberscombe and build 4 houses on Timberscombe and on the back gardens of 3 adjoining properties.

The land and building in question are subject to the following restrictive covenant contained in a Conveyance dated 13 April 1922 between John Walter (vendor) and Henry William Brake (purchaser) and registered with HM Land Registry.

"No part of the said land comprised in the said plan marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood."

The proposed development in Planning Application F/2000/2225 would be a nuisance and annoyance to the neighbourhood and contravene the restrictive covenant. Please reject the application on these grounds.

Yours sincerely

Signature	Name	Address	Occupation
	K. ELLWOOD	6. LITTLE FRYTH FINCHAMPSTEAD	MANAGER
	C. ELLWOOD	"	TEACHER
	M. WARSOP	4, LITTLE FRYTH, FINCHAMPSTEAD	MANAGER

Signature	Name	Address	Occupation
	D G. ASHTON	4, LITTLE FRYTH, WOKINGHAM. BERKS.	CONSULTANT
R.M. Salisbury	R.M. SALISBURY	2, LITTLE FRYTH, WOKINGHAM, BERKS	LIBRARIAN
W.M. Salisbury	W.M. SALISBURY	2 Little Fryth Wokingham BERKSHIRE	Air Traffic Controller.
K.S. Holland	K.S. HOLLAND	1 Little Fryth Wokingham BERKS	Teacher
M.H. Holland	M.H. HOLLAND	1, LITTLE FRYTH WOKINGHAM BERKS	CHARTERED ACCOUNTANT.
P.T. Hopwood	P.T. Hopwood	3. Little Fryth Wokingham, Berks	Marketing Director.
Sally Hopwood	S.A. HOPWOOD	3, Little Fryth Wokingham. Berks	Business Planner
Karen Campbell	KAREN CAMPBELL	7 LITTLE FRYTH WOKINGHAM. BERKS	PA
Suzanne Campbell	S. CAMPBELL	" " "	ACCOUNTANT.
John Hewitt	J. HEWITT	9 Little Fryth	Surveyor
Cheryl Page	C. PAGE	11 LITTLE FRYTH	HOUSEWIFE
N G Page	N G PAGE	11 Little Fryth Finchampstead Berks	COMPANY DIRECTOR
J May	J. MAY	10 LITTLE FRYTH HOLLYBUSH RIDE FINCHAMPSTEAD.	HOUSEWIFE
I May	I. MAY	"	MANAGING DIRECTOR.
J.B. Exelby	J. EXELBY	12 LITTLE FRYTH FINCHAMPSTEAD.	ACCOUNTANT.
K. Sharp	K. SHARP	15 LITTLE FRYTH FINCHAMPSTEAD	HOUSEWIFE.
C Richards	C RICHARDS	18 LITTLE FRYTH FINCHAMPSTEAD	COMPANY SECRETARY
A.M. Goodenough	A.M. GOODENOUGH	20 LITTLE FRYTH FINCHAMPSTEAD WOKINGHAM	CHARTERED ACCOUNTANT
S.J. Goodenough	S.J. GOODENOUGH	20 LITTLE FRYTH WOKINGHAM	HOUSE WIFE.

Signature	Name	Address	Occupation
S Brown	S. BROWN	22 Little Fryth	Housewife
N P Brown	N P BROWN	—— " ——	DIRECTOR
D DeBanks	D. DEBANKS	24 LITTLE FRYTH	PARTNER
F DeBanks	F. DE BANKS	" —— "	PARTNER
A F Woodford	A F. WOODFORD	26 "	RETIRED
A. Press	A. PRESS	31 " "	HOUSELIFE
T. Press	T. PRESS	31 " "	INFORMATION MANAGER.
B. Mavin	B. MAVIN	27 " "	CEO
Helen Hodgkinson	HELEN HODGKINSON	25. " "	HOUSEWIFE
Allan Hodgkinson	ALLAN HODGKINSON	25 " "	IT MANAGER.
P Gabb	PAT GABB	23 " "	Housewife
[illegible]	[illegible] RAINES	9 Lime Farm	[illegible]
E White	E. WHITE	17 Little Fryth	Teaching Ass.
A White	A. WHITE	" " "	Director
D Rice-Jones	D RICE-JONES	8 LITTLE FRYTH	DIRECTOR
M. Rice-Jones	M. RICE-JONES	8 LITTLE FRYTH	Managing Director
Clive Hyson	CLIVE HYSON	Brook House, Holyoak Hill	Company Director.
T. Evans	Trevor Evans	29, Little Fryth	Manager.
D Evans	DEE EVANS	—— " ——	BOOK-KEEPER

Signature	Name	Address	Occupation
	D STOCK	EAGLEBURY, HOLLYBUSH RIDE, WOKINGHAM	CO. DIRECTOR
	KIM STOCK	—"—	N.T.A
	D. WHITMARSH	LAUREL HOUSE HOLLYBUSH RIDE WOKINGHAM.	SALES MANAGER.
	I. ANDERTON	MALTINGS HOLLYBUSH RIDE WOKINGHAM.	DIRECTOR.
	L. ANDERTON	MALTINGS HOLLYBUSH RIDE WOKINGHAM.	STUDENT TEACHER.
	H. WHEARY	HEARNS LANDING, HOLLYBUSH RIDE WOKINGHAM BERKS	ACCOUNTANT.
	C REILLY	AHLAN HOUSE HOLLYBUSH RIDE	HOUSE WIFE.
	PAUL ST CLAIR TERRY	BADGERS SPINNEY HOLLYBUSH RIDE	STRATEGIST
	CAROLINE VICTORIA TERRY	BADGERS SPINNEY HOLLYBUSH RIDE.	HOUSEWIFE.
P. Hooper	PAT HOOPER	CONIFERS HOLLYBUSH RIDE.	HOUSEWIFE
	JOHN HOOPER	" "	FINANCE DIRECTOR
	P.F. DEARSLEY	21 LITTLE FRYTH FINCHAMPSTEAD	INVESTMENT MANAGER
	A. DEARSLEY	21 LITTLE FRYTH HOLLYBUSH RIDE	FIN. PLANNING CONS.
	H RHIND	16, LITTLE FRYTH	AIR TRAFFIC CONTROLLER
	T. GOODSON	GREYTIMBERS. Hollybush Ride Wokingham.	DIRECTOR.
	A. SMITH.	14, LITTLE FRYTH, FINCHAMPSTEAD.	DIRECTOR.
	T. EVANS D EVANS	24 LITTLE FRYTH FINCHAMPSTEAD	~~MANAGER~~ BUCK-KEEPER
	C LOVELL-READ	Tanglewood, Hollybush Ride, Finchampstead	Housewife
	G. LOVELL-READ	" "	CONSULTANT.
	A. HUNT	STOKERS Lodge, Hollybush Ride Finchampstead	~~Administrator~~
	J BURGESS	DEERS LEAP, Hollybush Ride Finchampstead, Berks	Secretary
	CJ WARNE	WINCANTON HOLLYBUSH RIDE.	Hunt

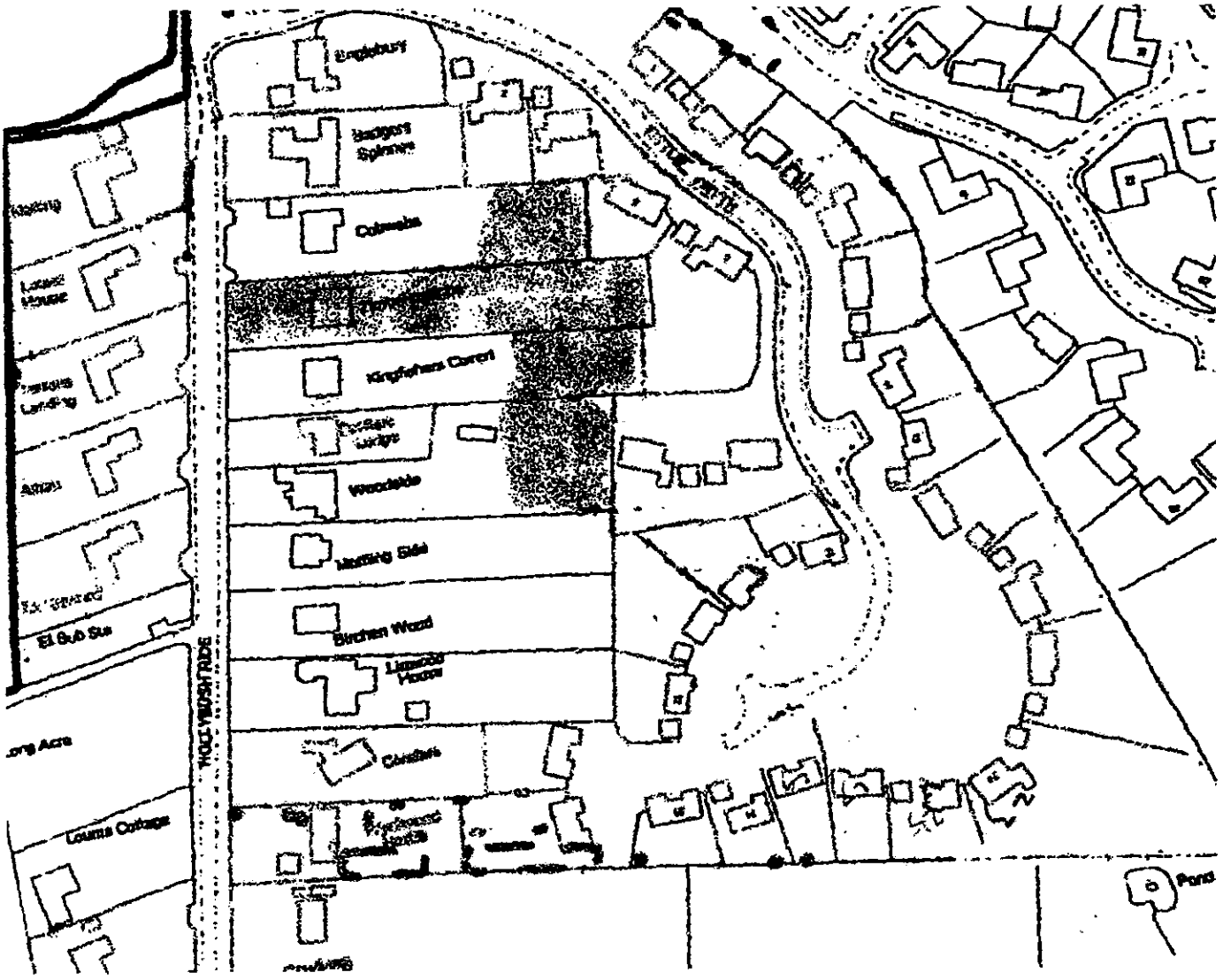
Appendix 1

Signature	Name	Address	Occupation
	C. EXELBY	12, Little Coyth, Finchampstead Wokingham BERKS. RG40 3EN	Managing Director Thomson multi-media.

The owners of the properties shaded in yellow signed the letter in Appendix 1 stating that the Proposal would be a nuisance and annoyance to the neighbourhood and contravene the restrictive covenant on the Site.

The proposed Site is shaded red.

We understand that the owners of Morningside, Birchen Wood, Linwood House, Long Acre and Lourna Cottages have either had discussions with the Developers or are in the process of applying for planning permission on their plots.



OFFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting on the register on **8 September 2000.** This date **must be quoted as the 'search from date' in any official search** application based on this copy.
Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.
Issued on 11 September 2000 by HM Land Registry.
This title is administered by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK98259

Edition Date : 4 September 2000

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

WOKINGHAM

1. (28 January 1970) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Timberscombe, Hollybush Ride, Finchampstead, (RG40 3QP).

2. The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

3. A Deed dated 7 May 1991 made between (1) Bryant Homes Southern Limited and (2) Dennis John Grover and Ethel Janice Grover is expressed to grant rights of drainage.

NOTE:-Copy filed.

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (3 December 1970) **PROPRIETOR(S):** DENNIS JOHN GROVER and ETHEL JANICE GROVER, his wife, both of Timberscombe, Hollybush Ride, Finchampstead, Wokingham, Berks, RG40 3QP.

Continued overleaf

Title Number : BK98259

B: Proprietorship Register continued

2. (4 September 2000) **CAUTION** in favour of Brookworth Developments Limited of Overdene House, 49 Church Street, Theale, Reading, Berks, RG7 5BX and of 3000 Hillswood Drive, Chertsey, Surrey, KT16 0RS.

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

1. A Conveyance of the land in this title and other land dated 13 April 1922 made between (1) John Walter (Vendor) and (2) Henry William Brake (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

2. A Conveyance of the land in this title and other land dated 22 April 1937 made between (1) Henry William Brake (Vendor) and (2) Walter George Bates (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

****

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 13 April 1922 referred to in the Charges Register:-

The Purchaser for himself his heirs executors administrators and assigns hereby covenants with the Vendor his heirs executors administrators and assigns to the intent and so as to bind not only himself personally but also (so far as practicable) all future owners and tenants of the lands and premises hereby assured or any part thereof and to bind such lands and premises into whosoever hands the same may come but not so as to render the Purchaser personally liable in damages for breach thereof after he shall have parted with all interest in the premises hereby assured or any part thereof that he the Purchaser and the Persons deriving title under him will henceforth and at all times hereafter observe and perform the stipulations and conditions contained in Second Schedule hereto

THE SECOND SCHEDULE above referred to

1. No building shall be erected on the said land hatched green and brown on the said plans marked A and B to cost less than £700 but this shall not be construed to preclude the Purchaser from enlarging any existing buildings irrespective of value nor to preclude the erection of private boat houses or summer houses in connection with any private dwelling houses no such building erected on the said land hatched green and brown on the said plan shall be used otherwise than as a private residence together with usual offices and out buildings.

2. No building manure pit or cesspool except a lodge not exceeding 15 feet in height from ground level to ridge of roof shall be erected on the said land within 50 feet of the highway.

3. No part of the said land comprised in the said plans marked A B and C nor any buildings to be erected thereon shall be used for any purpose

Continued on next page

Title Number : BK98259

Schedule of Restrictive Covenants continued

which may be or grow into a nuisance or annoyance to the neighbourhood.

4. No temporary dwelling building or erection of any kind except sheds to be used during the working hours by workmen employed in building or completing houses upon any of the said land shall be erected on any of said land and no booths caravans shows swings or roundabouts shall be placed or used thereon.

5. No part of the land shall be used as an advertisting station (except for the purpose of advertising any part or parts of property hereby agreed to be sold) or for entertaining beanfeasters or pleasure parties.

6. No manufacturing shall be carried on on any of the said land or buildings erected thereon and no permanent operative machinery shall be fixed or placed thereon except the existing Saw Mills and Laundry and no bricks or tiles shall be made nor any clay or lime be burned on any of the said land but this clause shall not be so construed as to preclude the Purchaser his heirs executors administrators or assigns from erecting and using machinery for private uses such as the generating of electric light gas pumping of water and anything in connection with farming work such as Chaff Cutting Root crushing Cake breaking and private works of similar character.

NOTE:-The land hatched green and brown referred to above does not affect the land in this title. The land in this title forms part of the land on the plan marked A referred to above.

2. The following are details of the covenants contained in the Conveyance dated 22 April 1937 referred to in the Charges Register:-

"The Purchaser hereby further covenants with the Vendor that he will not excavate or dig any sand gravel or brick earth from the said piece of land except in the course of laying the foundations of the houses or outbuildings to be erected thereon or for use in erecting such to be erected thereon or for use in erecting such buildings AND ALSO will not erect any building nearer the road adjoining the said piece of land than fifty feet or of less value than three hundred pounds unless erected 250 feet from the roadway reckoning net cost of labour and material And also will not carry on or permit to be carried on upon the said piece of land any noxious noisome or offensive trade business occupation or manufacture AND ALSO will keep in repair half the road and footpath adjoining the said piece of land until the Parochial or other Public Authorities shall take upon themselves the repairs of the same AND ALSO will not allow any traction engines to be used upon any roads abutting upon or in any way forming an approach to the said piece of land."

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register.

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Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.
Issued on 11 September 2000 by HM Land Registry.
This title is administered by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK253228

Edition Date : 19 January 2000

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

WOKINGHAM

1. (28 January 1970) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Kingfishers Covert, Hollybush Ride, (RG40 3QP).

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (29 May 1987) **PROPRIETOR(S):** GORDON CYRIL BRIDGE and BERNICE MARY ANN BRIDGE both of Kingfishers Covert, Hollybush Ride, Wokingham, Berks., RG40 3QP.

2. (19 January 2000) **RESTRICTION:** No disposition by a sole proprietor of the land (not being a trust corporation) under which capital money arises is to be registered except under an order of the registrar or of the Court.

3. (18 January 1990) **RESTRICTION:** Except under an order of the registrar no disposition by the proprietor(s) of the land is to be registered without the consent of the proprietor(s) of the Charge dated 7 November 1989 in favour of Dresdner Bank Aktiengesellschaft referred to in the Charges Register.

Continued overleaf

Title Number : BK253228

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

1. A Conveyance of the land in this title and other land dated 13 April 1922 made between (1) John Walter (Vendor) and (2) Henry William Brake (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

2. A Conveyance of the land in this title and other land dated 22 April 1987 made between (1) Henry William Brake (Vendor) and (2) Walter George Bates (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

3. The land is subject to the following right excepted and reserved by a Transfer of the land in this title dated 31 March 1987 made between (1) John Morgan and Angela Hudson Morgan (Transferors) and (2) Gordon Cyril Bridge and Bernice Mary Ann Bridge (Transferees):-

   "EXCEPT AND RESERVING exclusivly unto the Transferors for a period of three years from the date hereof the right upon giving seven days notice in writing of the access on foot by any route selected by the Transferees or their successors in title over the land shown on the plan and edged red for the purpose of entering the adjoining neighbouring property edged yellow on the plan to be exercised on not more than four days in each year This right is not transferrable and expires three years from the date hereof."

   NOTE:-The land edged red referred to above is the land in this title and the land edged yellow referred to above adjoins its eastern boundary.

4. (18 January 1990) **REGISTERED CHARGE** dated 7 November 1989 to secure the moneys including the further advances therein mentioned.

5. (18 January 1990) **PROPRIETOR(S)**: DRESDNER BANK HOUSE 125 Wood Street, London, EC2V 7AQ.

****

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 13 April 1922 referred to in the Charges Register:-

   The Purchaser for himself his heirs executors administrators and assigns hereby covenants with the Vendor his heirs executors administrators and assigns to the intent and so as to bind not only himself personally but also (so far as practicable) all future owners and tenants of the lands and premises hereby assured or any part thereof and to bind such lands and premises into whosoever hands the same may come but not so as to render the purchaser personally liable in damages for breach thereof after he shall have parted with all interest in the premises hereby assured or any part thereof that he the Purchaser and the Persons deriving title under him will henceforth and at all times hereafter observe and perform the stipulations and conditions contained in Second Schedule hereto

   THE SECOND SCHEDULE ABOVE REFERRED TO

   1. No building shall be erected on the said land hatched green and brown on the said plans marked A and B to cost less than £700 but this shall not be constued to preclude the Purchaser from enlarging any existing buildings irrespective of value nor to preclude the erection of private

Continued on next page

Title Number : BK253228

Schedule of Restrictive Covenants continued

boat houses or Summer houses in connection with any private dwellinghouses no such building erected on the said land hatched green and brown on the said plan shall be used otherwise than as a private residence together with usual offices and out buildings.

2. No building manure pit or cesspool except a Lodge nor exceeding 15 feet in height from ground level to ridge of roof shall be erected on the said land within 50 feet of the highway.

3. No part of the said land comprised in the said plans marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood.

4. No temporary dwelling building or erection of any kind except sheds to be used during the working hours by workmen employed in building or completing houses upon any of the said land shall be erected on any of said land and no booths caravans shows swings or roundabouts shall be placed or used thereon

5. No part of the land shall be used as an advertising station (except for the purpose of advertising any part or parts of property hereby agreed to be sold) or for entertaining beanfeasters or pleasure parties

6. No manufacturing shall be carried on on any of the said land or buildings erected thereon and no permanent operative machinery shall be fixed or placed thereon except the existing Saw Mills and Laundry and no bricks or tiles shall be made nor any clay or lime be burnt on any of the said land but this clause shall not be so construed as to preclude the Purchaser his heirs executors administrators or assigns from erecting and using machinery for private uses such as the generating of electric light gas pumping of water and anything in connection with farming work such as Chaff Cutting Roof crushing Cake breaking and private works of similar character.

NOTE 1:-The land hatched green and brown referred to in paragraph 1 above does not affect the land in this title.

NOTE 2:-The land in this title forms part of the land on the plan marked A referred to above.

2. The following are details of the covenants contained in the Conveyance dated 22 April 1937 referred to in the Charges Register:-

"The Purchaser hereby further covenants with the Vendor that he will not excavate or dig any sand gravel or brick earth from the said piece of land except in the course of laying the foundations of the houses or out-buildings to be erected thereon or for use in erecting such buildings AND ALSO will not erect any building nearer the road adjoining the said piece of land than fifty feet or of less value than three hundred pounds unless erected 250 feet from the roadway reckoning net cost of labour and materials And Also will not carry on or permit to be carried on upon the said piece of land any noxious noisome or offensive trade business occupation or manufacture AND ALSO will keep in repair half the road and

Continued overleaf

Title Number : BK253228

Schedule of Restrictive Covenants continued

footpath adjoining the said piece of land until the Parachial or other Public Authorities shall take upon themselves the repairs of the same AND ALSO will not allow any traction engines to be used upon any roads abutting upon or in any way forming an approach to the said piece of land."

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register.

OFFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting on the register on **8 September 2000.** This date **must be quoted as the 'search from date' in any official search** application based on this copy.
Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.
Issued on 11 September 2000 by HM Land Registry.
This title is administered by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK298341

Edition Date : 18 November 1991

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

COUNTY	DISTRICT
BERKSHIRE	WOKINGHAM

1. (18 November 1991) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being land lying to the east of Hollybush Ride.

2. (18 November 1991) The land has the benefit of the following rights granted by an Assent of the land in this title dated 16 March 1988 in favour of Audrey June Anderson and Monica Joyce White:-

"TOGETHER WITH the benefit of the right of way on foot only over a passageway four feet in width immediately adjoining the southern boundary of the land fronting Hollybush Ride at Wokingham aforesaid shown edged in green on the plan hereto annexed."

NOTE:-The land edged green referred to above lies to the west of the land in this title.

3. The land is affected by the local government changes on 1 April 1998.

Continued overleaf

Title Number : BK298341

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (18 November 1991) **PROPRIETOR(S)**: MONICA JOYCE WHITE of Floracot, Dukes Ride, Crowthorne, Berks.

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

1. (18 November 1991) A Conveyance of the land in this title and other land dated 13 April 1922 made between (1) John Walter (Vendor) and (2) Henry William Brake (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

2. (18 November 1991) By a Conveyance of the land in this title dated 17 March 1943 made between (1) Archibald Sutcliffe Knight (Vendor) and (2) Walter William Webb (Purchaser) the land was conveyed subject as follows:-

   "Subject to the covenants and conditions contained or referred to in a Conveyance dated the Tenth day of December One thousand nine hundred and twenty seven and made between Henry William Brake of the one part and Florence Muriel Pearce of the other part so far as the same are still subsisting and capable of affecting the property hereby conveyed."

   NOTE:-No further particulars of the Conveyance dated 10 December 1927 referred to above were supplied on first registration.

3. (18 November 1991) The land is subject to the following rights granted by a Transfer of land lying to the east of the land in this title dated 9 July 1985 made between (1) Helena Edith Webb (Grantor) and (2) Monica Joyce White and Audrey June Anderson (Grantees):-

   "TOGETHER WITH the benefit of a right of way on foot only over the strip of land being 4 feet in width adjacent to the southern boundary of The Glen, Hollybush Ride, Wokingham in Berkshire as shown for identification purposes only coloured brown on the said plan."

   NOTE:-The land coloured brown referred to above is shown tinted blue on the filed plan so far as it affects the land in this title.

****

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 13 April 1922 referred to in the Charges Register:-

   AND the Purchaser for himself his heirs executors administrators and assigns thereby covenanted with the Vendor his heirs executors administrators and assigns to the intent and so as to bind not only himself personally but also (so far as practicable) all future owners and tenants of the lands and premises thereby assured or any part thereof and

Continued on next page

Title Number : BK298341

Schedule of Restrictive Covenants continued

to bind such lands and premises into whosoever hands the same might come but not so as to render the Purchaser personally liable in damages for breach thereof he should have parted with all interest in the premises thereby assured or any part thereof that he the Purchaser and the persons deriving title under him would thenceforth and at all times thereafter observe and perform the stipulations and conditions contained in the 2nd Schedule thereto.

THE SECOND SCHEDULE above referred to

1. No building should be erected on the said land hatched green and brown on the said plans marked A and B to cost less than £700 but this should not be construed to preclude the Purchaser from enlarging any existing buildings irrespective of value nor to preclude the erection of private boat houses or summer houses in connection with any private dwellinghouses no such building erected on the said land hatched green and brown on the said plan should be used otherwise than as a private residence together with the usual offices and outbuildings.

2. No building manure pit or cesspool except a lodge not exceeding 15 feet in height from ground level to ridge of roof should be erected on the said land within 50 feet of the highway.

3. No part of the said land comprised in the said plans marked A B and C nor any buildings to be erected thereon should be used for any purpose which might be or grow into a nuisance or annoyance to the neighbourhood.

4. No temporary dwelling building or erection of any kind except sheds to be used during the working hours by workmen employed in building or completing houses upon any of the said land should be erected on the said land and no booths caravan shows swings or roundabouts should be placed or used thereon.

5. No part of the land should be used as an advertising station (except for the purpose of advertising any part or parts of property thereby agreed to be sold) or for entertaining beanfeasters or pleasure parties.

6. No manufacturing should be carried on on any of the said lands or buildings erected thereon and no permanent operative machinery should be fixed or placed thereon except the existing saw mills and laundry and no bricks or tiles should be made nor any clay or lime be burned on any of the said lands but this clause should not be so construed as to preclude the Purchaser his heirs executors administrators or assigns from erecting and using machinery for private uses such as the generating of electric light has pumping of water and anything in connection with farming work such as chaff cutting root crushing cake breaking and private works of a similar character.

NOTE:-The land in this title does not fall within the land hatched green and brown referred to in Clause 1 above.

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register.

OFFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting on the register on **3 September 2000.** This date **must be quoted as the 'search from date' in any official search** application based on this copy.
Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.
Issued on 11 September 2000 by HM Land Registry.
This title is administered by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK98714

Edition Date : 22 June 1993

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

COUNTY	DISTRICT
BERKSHIRE	WOKINGHAM

1. (24 December 1970) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Woodside, Hollybush Ride.

2. The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

3. The land remaining in this title has the benefit of the following rights reserved by a Transfer of the land edged and numbered BK139245 in green on the filed plan dated 4 November 1975 made between (1) George William Pollard and Patricia Mary Pollard (Transferors) and (2) Adrian Leslie Hunt and Jennifer Ann Hunt (Transferees):-

"EXCEPTING AND RESERVING unto the Transferors for the benefit of the remainder of the property comprised in Title No. BK98714.

(a) the right to use all drains gas water pipes electricity and telephone cables laid (or to be laid within a period of 80 years from the date hereof) in or under the land hereby transferred and a right of entry to the land hereby transferred upon reasonable notice (except in emergency) for the purpose of making such connections and thereafter for the purpose of inspecting repairing renewing relaying cleansing and maintaining the same and of laying additional pipes and cables the Transferors or their successors in title making good all damage occasioned thereby

(b) the right of entry onto the land hereby transferred upon reasonable notice for the purpose of painting and repairing the flank wall and roof of the garage lying immediately to the south of the land hereby transferred the Transferors making good all damage occasioned thereby."

Continued overleaf

Title Number : BK98714

A: Property Register continued

4. (22 June 1993) The land has the benefit of the rights granted by a Deed dated 27 May 1993 made between (1) Bryant Homes Southern Limited and (2) Anthony Richard Mansfield and Iris Elizabeth Mansfield.

NOTE: Copy in Certificate.

5. The land is affected by the local government changes on 1 April 1998.

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (11 February 1976) PROPRIETOR(S): ANTHONY RICHARD MANSFIELD and IRIS ELIZABETH MANSFIELD both of Woodside, Hollybush Ride, Wokingham, Berks.

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

1. A Conveyance of the land in this title and other land dated 13 April 1922 made between (1) John Walter (Vendor) and (2) Henry William Brake (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

2. A Conveyance of the land in this title dated 30 December 1940 made between (1) Henry William Brake (Vendor) and (2) Ernest George Humphries (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

****

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 13 April 1922 referred to in the Charges Register:-

"The Purchaser for himself his heirs executors Administrators and Assigns hereby covenants with the Vendor his heirs executors administrators and assigns to the intent and so as to bind not only himself personally but also (so far as practicable) all future owners and tenants of the lands and premises hereby assured or any part thereof and to bind such lands and premises into whosoever hands the same may come but not so as to render the purchaser personally liable in damages for breach thereof after he shall have parted with all interest in the premises hereby assured or any part thereof that he the Purchaser and the Persons deriving title under him will henceforth and at all times hereafter

Continued on next page

Title Number : BK98714

Schedule of Restrictive Covenants continued

observe and perform the stipulations and conditions contained in second Schedule hereto.

THE SECOND SCHEDULE ABOVE REFERRED TO

1. No building shall be erected on the said land hatched green and brown on the said plans marked A and B to cost less than £700 but this shall not be construed to preclude the Purchaser from enlarging any existing buildings irrespective of Value nor to preclude the erection of private boat houses or Summer houses in connection with any private dwelling houses no such building erected on the said land hatched green and brown on the said plan shall be used otherwise than as a private residence together with usual offices and out buildings.

2. No building manure pit or cesspool except a Lodge not exceeding 15 feet in height from ground level to ridge of roof shall be erected on the said land within 50 feet of the highway.

3. No part of the said land comprised in the said plans marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood.

4. No temporary dwelling building or erection of any kind except sheds to be used during the working hours by workmen employed in building or completing houses upon any of the said land shall be erected on any of said land and no booths caravans shows swings or roundabouts shall be placed or used thereon.

5. No part of the land shall be used as an advertising station (except for the purpose of advertising any part or parts of property hereby agreed to be sold) or for entertaining beanfeasters or pleasure parties.

6. No manufacturing shall be carried on on any of the said lands or buildings erected thereon and no permanent operative machinery shall be fixed or placed thereon except the existing Saw Mills and Laundry and no bricks or tiles shall be made nor any clay or lime be burned on any of the said lands but this clause shall not be so construed as to preclude the Purchaser his heirs executors administrators or assigns from erecting and using machinery for private uses such as the generating of electric light gas pumping of water and anything in connection with farming work such as Chaff Cutting Root crushing Cake breaking and private works of similar character."

NOTE:-No part of the land hatched green and brown falls within this title and the land in this title falls on plan A.

2. The following are details of the covenants contained in the Conveyance dated 30 December 1940 referred to in the Charges Register:-

"The Purchaser hereby further covenants with the Vendor that he will not excavate or dig any sand gravel or brick earth from the said piece of land except in the course of laying the foundations of the houses or outbuildings to be erected thereon or for use in erecting such buildings AND ALSO will not erect any building nearer the road adjoining the said piece of land than fifty feet or of less value than three hundred pounds unless erected at least 250 feet from Holly Bush Ride reckoning net cost of labour and material AND ALSO will not carry on or permit to be carried on upon the said piece of land any noxious noisome or offensive trade business occupation or manufacture AND ALSO will keep in repair half the road and footpath adjoining the said piece of land until the Parochial or other Public Auhorities shall take upon themselves the repairs of the same AND ALSO will not allow any traction engines to be used upon any

Continued overleaf

Title Number : BK98714

Schedule of Restrictive Covenants continued

roads abutting upon or in any way forming an approach to the said piece of land."

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register.

Comments on the report prepared on behalf of Brookworth Developments Ltd

We have commented on sections of the report prepared on behalf of Brookworth Developments Ltd (the "Report") where we believe it is inaccurate, incomplete or misleading. The references in the left hand margin relate to the paragraph numbers in the Report.

2.1 The Report states that the Site is approximately 0.45 Hectares whereas section 4 of the Planning Application Part 1 states it to be 0.49 Hectares.

2.3 The rear of the existing properties have already been infilled with the development of Little Fryth. The Proposal is to infill an area that has already been infilled.

2.4 The Site is off Hollybush Ride (a bye way rather than an adopted road) and is half a mile from the junction of Nine Mile Ride and the Lower Wokingham Road. This is not a "major road junction" and is served by a mini roundabout.

3.2 We maintain that the Site is more Greenfield rather than Brownfield as the definition of Brownfield is subject to many different criteria. We understand that the gardens of properties such as Timberscombe with substantial plots have been treated as Greenfield for planning purposes. We would therefore ask the council to treat the Site as Greenfield when reviewing the application.

3.3 The Site is neither previously developed nor within an urban area. Instead it is part of a wooded corridor from Simons Wood in a rural area within half a mile of substantial National Trust woodland. The proposed development would neither be an urban extension nor would it be in a good public transport corridor.

The Report states that the Proposal accords with the criteria of paragraph 31of the National Planning Policy Guidance. Paragraph 31 requirements include accessibility to jobs, shops and services and sewerage capacity. The Site is not within walking distance of jobs, shops or services and all journeys would have to be undertaken by car. There is no access to mains sewage as discussed in Appendix 6

3.4 Infilling 4 properties of such a high density does not reflect the low density rural character and landscape of Hollybush Ride and the surrounding neighbourhood. Whilst the National Policy Guidance encourage high density developments, the density needs to be appropriate to the location, which it is not.

3.6 This Proposal is for a net gain of 3 houses and represents only 0.039% of the 7,750 dwellings to be built from 1995 to 2006.

3.8 We understand that an area including the Site was included in the settlement area after the Wokingham South East Area Local Plan was adopted in April 1994. As local residents were not made aware of this, we believe that due process may not have been followed and that the Site should be excluded from the settlement area.

3.9 The density of the proposed development is substantially less than the environs particularly as a large part (approx 40%) of the Site is used as an access corridor. The average plot size (exluding access roads) of the Proposal compared to the neighbourhood of Hollybush Ride and Little Fryth is as follows:

Average Plot Size

Proposal	0.167 Acres
Little Fryth	0.25 Acres
Hollybush Ride	0.45 Acres

The garden areas of the Site are important to the character of the settlement concerned and should be protected in accordance with STV6.

3.10 The Report is misleading in that it misquotes SH1 and misses out key parts of the policy. The Report says "Policy SH1 generally ***favours*** infilling, subject to detailed environmental constraints.

SH1 actually says "Infilling, rounding off and redevelopment generally ***will be considered favourably*** subject to local environmental constraints ***and other provisions of this plan"***.

SH1 points out that in interpreting the policy the District Council will particularly wish to ensure that the following criteria are complied with:

- The protection of open and wooded areas, gaps and garden areas which are important to the character of the settlement
- No significant adverse effect on the character of the area
- The provision of adequate garden areas, space about buildings and off street parking for all new dwellings

The Proposal fails to meet the 3 criteria above.

3.12 The proposed dwellings are as close as 7metres to existing properties and would significantly affect the daylight and sunlight conditions of 2, 4, 6, 8 and 12 Little Fryth.

4.1 Please see 3.2 above.

The WDC Plan only allows the development of Brownfield Sites ***when other policies and guidelines are met***. The points raised in Appendices 4 and 5 show that the application contravenes numerous policies and guidelines.

4.2 Each application should be decided upon based on the merits of each individual case. We believe that references to other decisions are inappropriate.

4.3 The Site is part of a Wildlife Corridor (as defined by Wokingham District Council) to Simons Wood. The Wildlife Corridor is used by a huge variety of wildlife including foxes, rabbits, snakes, deer, bats and badgers. Bats and badgers are protected species.

Bullfinches and Songthrush also use the Wildlife Corridor and are 2 of 36 species on the RSPB's "Red" list of birds whose population is rapidly declining.

The majority of the Site will be felled and disjoint the woodland corridor. The Developers accepts that the environmental qualities, character and amenities of the area need to be safeguarded but fail to explain how this will be achieved.

4.4 Whilst the Developers maintain that the Proposal would retain the "green" appearance of the street scene of Hollybush Ride, they have omitted to mention the severe detrimental impact on the outlook of the neighbouring properties on Little Fryth.

4.5 It is our understanding that the Developers have agreements with the owners of Cobwebs and Kingfishers Covert that require foliage at the front/sides of both properties to be cut back and kept at a low height to ensure visibility of traffic coming out of the Site. This will substantially detract from the existing green nature of the street scene in Hollybush Ride.

4.6 Please see comments to 3.9 above. A large part (approx 40%) of the Site is used as an access corridor. If this is excluded, the density is 15 houses per hectare, which is significantly higher than the surrounding neighbourhood. The average plot size on Little Fryth is 50% larger and on Hollybush Ride 270% larger than the Proposal.

All the back gardens are very small and out of keeping with the existing neighbourhood and the style of 5/6 bed dwellings being proposed. Distances from buildings to the back fences are only:

Plot 1	8 metres
Plot 2	10 metres
Plot 3	10 metres
Plot 4	12 metres

4.7 All of the significant trees on the Site (including several that we believe should have had preservation orders) were felled early one Saturday morning by the Developers just prior to the planning application being submitted. Video and photographic evidence of this can be supplied.

The plans show a number of trees that overlook but aren't actually on the Site which gives a misleading impression of the number of trees to be retained. The plans show that over 50% of the trees on the Site will be felled. This number excludes the substantial number of recently felled trees mentioned above.

Spacing between the proposed houses is as low as 3 metres. This compares with an average gap of 13 metres between numbers 4, 6 and 8 Little Fryth.

We agree with the Developers that the area has a spacious and attractive character. However, due to the minimal gaps between new and existing dwellings, we disagree that the overall appearance of the proposed development would be sympathetic to it.

4.9 Care has been taken to minimise the impact of the development on Cobwebs, Kingfishers Covert and Woodside (whose owners are selling part of their properties to the Developers) by siting the houses as far away as possible from the existing properties and putting in place appropriate screening and landscaping.

As a result, the impact in terms of light, privacy and outlook on the adjoining houses on Little Fryth is substantial. The Developers have made no attempt to consult with the adjoining properties on Little Fryth to ensure that the impact on them was minimised.

5.1 We consider the Site to be Greenfield and not Brownfield. The WDC Plan does not ***require*** use of sites as stated in the Report; it merely ***allows*** them provided that policies and guidelines have been met. Whilst some policies and guideline have been met, many others have not.

It is subjective for the Developers to maintain that the Council should be promoting development on sites such as this. It is for the Council to decide each case based upon the merits of each individual application.

The Proposal does not respect the established character and appearance of the neighbourhood in terms of density, layout and the retention of trees.

The detailed design and siting of the houses substantially detracts from the adjoining properties on Little Fryth in terms of light, privacy and outlook.

5.2 The Proposal does comply with some of the requirements of national policy and policies of the WDC Plan. However, it breaks many others some of which are detailed in Appendix 5. Planning permission should therefore not be granted.

Planning Policies

The proposed development contravenes many policies in the Wokingham District Local Plan (the "WDC Plan") including:

WOS1(D) The Site is not within Walking Distance (as defined by Wokingham District Council) of any local amenities including shops, schools and public transport and all journeys would therefore need to be undertaken by private car.

WOS1(G) The Proposal does not make any improvements to infrastructure, services and amenities.

WOS3(A) The Proposal would be to the detriment of the visual and other amenities of the adjoining properties on Little Fryth.

WOS3(B) For the adjoining properties on Little Fryth there is no provision to either site the houses far enough away or to provide landscaping treatment to protect the local visual amenity.

WOS3(C) See comment on WOS1(D) above.

WOS3(F) The design does not respect the local context by virtue of siting, layout and massing.

WOS5(D) The WDC Plan seeks to minimise environmental impact by reusing and the refurbishment of existing buildings in preference to redevelopment. The Proposal includes the demolition of a viable existing property on Timberscombe on the frontage of Hollybush Ride and replacing it with an access road.

WNC6 The land of the proposed development is part of a Wildlife Corridor (as defined by Wokingham District Council) to Simons Wood. The Wildlife Corridor is used by a huge variety of wildlife including foxes, rabbits, snakes, deer and badgers who are a protected species. Bullfinches and Songthrush also use the corridor and are 2 of 36 species on the RSPB's Red list of birds whose population is rapidly declining. Developing the Site would cause substantial permanent damage to and therefore not protect the Wildlife Corridor.

WBE10(b) The high density and small plot sizes of the proposed dwellings means that they are not appropriate in scale, form and continuity with the local context.

WBE10(d) See comment on WNC6 above.

WBE11(a) The Site had groups of mature trees recognised as having amenity and conservation value. All of the significant trees on the Site (including several that we believe should have had preservation orders) were felled early one Saturday morning by the Developers just prior to the planning application being submitted.

We understand that in certain circumstances the Council can seek the landowner to maintain and replace important trees. We ask the Council to do so and also consider the proposed development and Site with the replacement trees included.

WH1 The Proposal would be inappropriate development of wooded and garden areas that are important to the character of the neighbourhood and have a severe adverse impact upon the Wildlife Corridor and on nature conservation. The Proposal would therefore not meet the WDC Plan's requirements for infilling.

Sewage

The existing situation with regard to mains sewage of the 4 existing properties is as follows:

- The owners of Timberscombe have mains sewage access (from Timberscombe only) through the drains of 6 Little Fryth.
- The owners of Woodside have mains sewage access (from Woodside only) through the drains of 12 Little Fryth.
- We believe that the owners of Kingfishers Covert do not have access to mains sewage.
- The owner of Cobwebs has connected to the drains of 6 Little Fryth but has no agreement to do so.
- There is no mains sewage access to the Site via Hollybush Ride.

We understand from the owners of 6 and 12 Little Fryth that:

- In no circumstance will the owners of 12 Little Fryth allow mains sewage access from any properties built on the land of Cobwebs, Timberscombe and Kingfishers Covert.
- In no circumstance will the owners of 6 Little Fryth allow mains sewage access from any properties built on the land of Cobwebs, Woodside and Kingfishers Covert.
- The owners of 6 Little Fryth intend notifying the owner of Cobwebs that they intend cutting the property off from mains drainage.

The proposed development would therefore have access to mains sewage for houses 2 and 4 but not for houses 1 and 3.

Detailed Changes

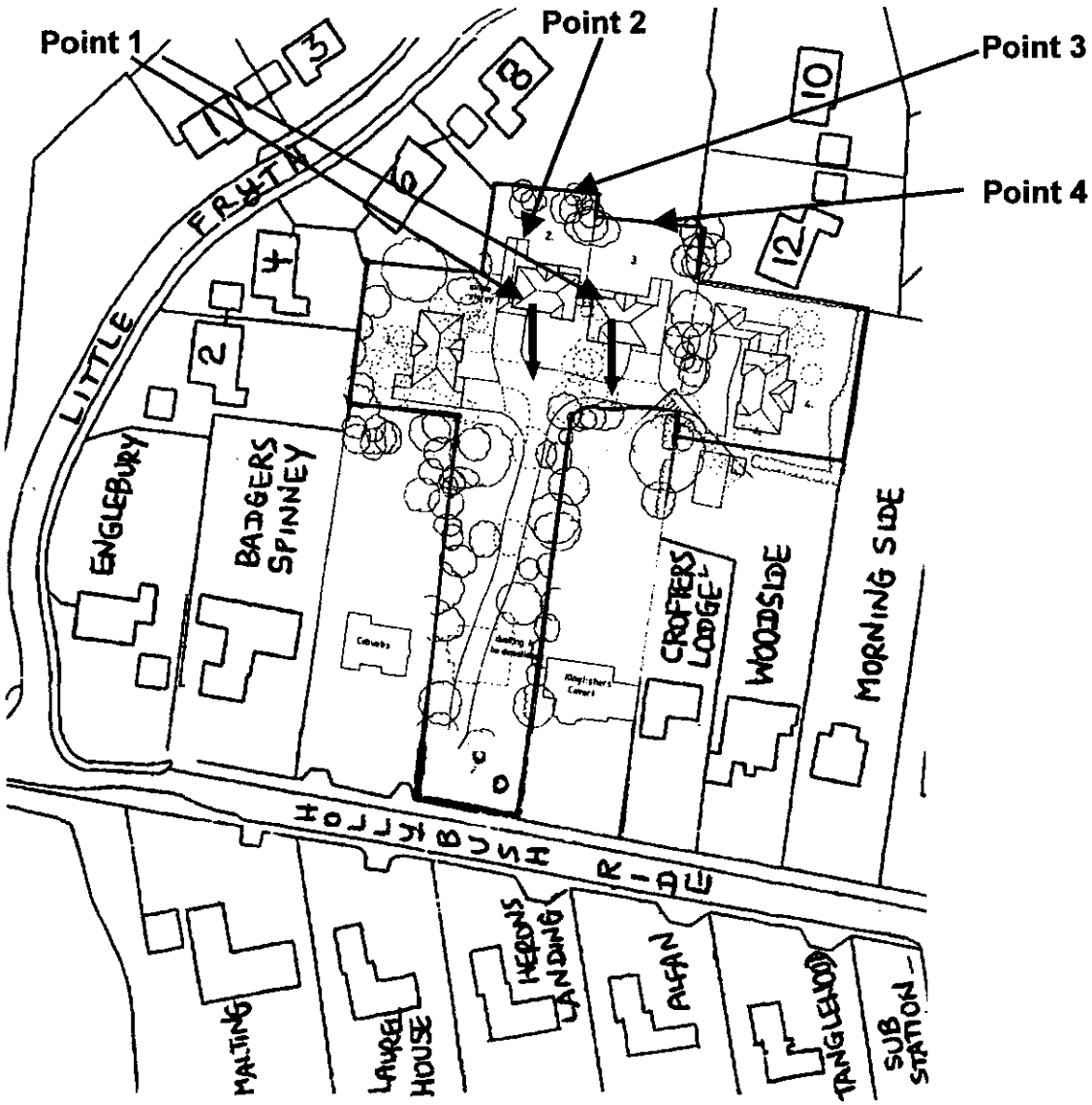
The following detailed changes are requested in the event that planning permission is granted. These requests are made due to the close proximity of houses 2 and 3 to 8 Little Fryth. As proposed, House 2 is under 20 metres from 8 Little Fryth, which is substantially less than the average back to back distance of the neighbourhood.

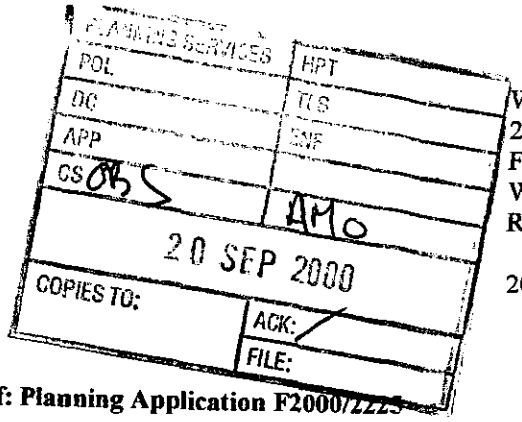
Point 1 Houses 2 and 3 are moved forward at least 5 metres in the direction of the arrows to maximise the back to back distance.

Point 2 The single storey part of House 2 should not extend beyond the back of the main part of the house to reduce the distance between House 2 and 8 Little Fryth. If this request is not granted then House 2 should be built as a mirror image to reduce the distance between House 2 and 8 Little Fryth.

Point 3 The Developers should be obliged to Plant mature screening to a height of 4 meters on the back fence of house 2 to obscure the view from 8 Little Fryth.

Point 4 There is currently a mature hedge 4 metres high at the bottom of Kingfishers Covert. This is missing on the submitted Plans. The Developers should be required to retain this hedge at its existing height to maximise the screening of House 3 from 8 Little Fryth.





W.M.Salisbury
2 Little Fryth
Finchampstead
Wokingham
RG40 3RN

20 September 2000

Dear Mrs Odell,

Ref: Planning Application F2000/2225

THIS DEVELOPMENT WOULD HAVE SERIOUS IMPLICATIONS FOR THE WHOLE OF THIS AREA IN THAT IT COULD SET A PRECEDENT FOR FUTURE DEVELOPMENT OF A SIMILAR NATURE WHICH COULD CONTINUE ALL THE WAY UP TO SIMONS WOOD AND DESTROY THE UNIQUE CHARACTER OF THE AREA.

On Saturday 5 August a huge area of established woodland, including many oak and walnut trees, was cleared, without authorisation, by the developers in anticipation of this application. Those of us who were around on that day tried to stop this indiscriminate felling of trees recognising that some of the trees could be protected by preservation orders once the planning application process was started. It is clear that the trees were felled in advance of the application to ensure that no such orders could be made. Council tree officers have since visited the site and taken note. We have video evidence of the event and photographs of the woodland prior to part of it being felled. The developers have a total disregard for the area and they convey a cynical approach to the authorities. Their integrity must be questionable.

I am writing to object to the proposed development for the following reasons.

1. The four prospective houses would occupy an area of land which realistically can only accommodate one or two. They have very small rear gardens. There is insufficient screening to ensure any privacy to adjoining properties in Little Fryth. The planting of hedges would not solve the problem or lead to better light because a shadow would exist from the sheer size of house to the rear of our garden in no 2 Little Fryth.

2. The positioning of plot 1 would be overbearing to the rear of us in that our garden slopes upwards from our house and a property of the size proposed, only eight metres from our boundary, would be huge and ensure no privacy whatsoever. There is an insufficient gap between our house and plot 1.

3. The site plan indicates the retention of trees in Cobwebs but a total disregard for the 45 trees which would have to be cleared, and the effect this would have to our rear outlook.

4. The rear garden of our property is small. But the developers cannot use the argument that the proposed development would be in keeping with the small gardens of the properties they intend to build because the size of our garden is compensated by the panoramic feeling of space given to us by the forested area of trees.

5. The proposal represents a camped development taken to the boundary of the plot which would be out of keeping with the existing pattern of development in the area. In particular it would be detrimental to the amenities of adjoining dwellings by causing them to be overlooked.

6. At present there are NO services of any kind within walking distance. There are no shops or schools nearby. The nearest secondary school is several miles away. This goes against the Council's sustainable development policy.

7. There would be an increase in motor vehicles so adding to local congestion, particularly at the dangerous junction of Hollybush Ride and Nine Mile Ride. All journeys to work, leisure activities, shopping and school would need to be made by car.

8. There is a distinct lack of public transport facilities within walking distance – local buses are few and far between.

9. The felling and clearance of a large area of established trees would destroy the prestigious, rural, forested nature of the area, disjoint the wildlife `corridor` and is against the environmental policy.

10. The area provides a habitat for a range of wildlife including badgers, foxes, rabbits, squirrels and many species of birds! Such a development would have a detrimental effect on the established wildlife and would ruin the wildlife corridor.

11. Hollybush Ride is an unadopted road and is technically described as a byeway – it is not suitable for further development. There is no Council funded maintenance for resurfacing, lighting, sewerage etc. Upgrading these services would require the consent of existing residents in Hollybush Ride and would cause them serious disruption.

THE RT. HON. ANDREW MACKAY M.P.

House of Commons,
London, SW1A 0AA
Telephone: 020 - 7219 2989
Fax: 020 - 7219 4123
Email: mackaya@parliament.uk

14th September 2000

Mr W.M.Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berks RG40 3RN

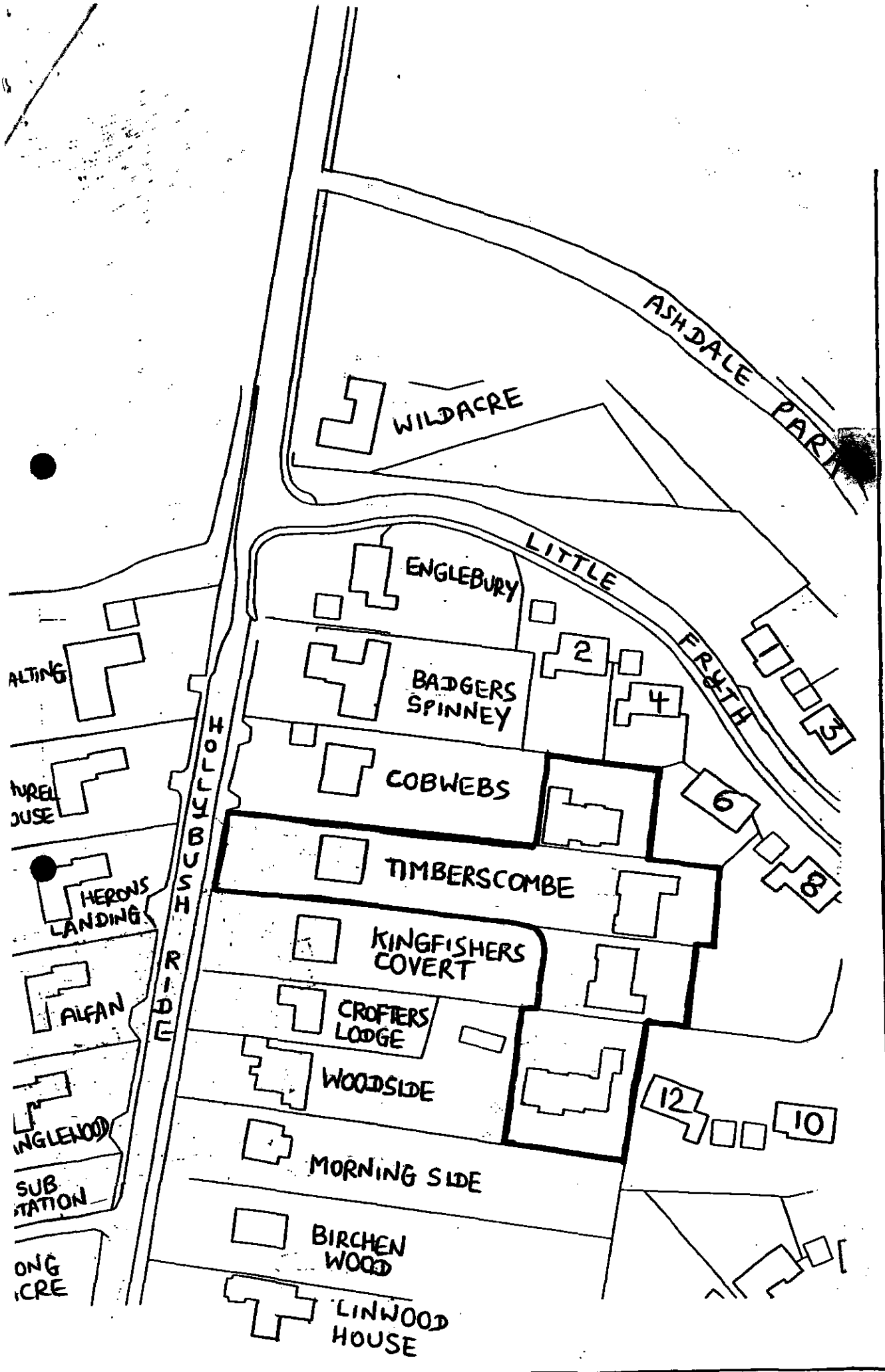
Thank you for your letter with enclosures updating me on developments. As you will already be aware I have a great deal of sympathy with the points you are making and will make sure that my concerns are conveyed to local councillors who, as the planning authority, will make a decision on this application.

Please let me know if I can be of further help and meanwhile perhaps you would let your neighbours know of the action I am taking on their behalf.

With best wishes,

Yours sincerely

Cc; Cllr.Tim Charlesworth
Cllr. Angus Ross


ASHDALE PARK
WILDACRE
LITTLE FRYTH
ENGLEBURY
BADGERS SPINNEY
COBWEBS
TIMBERSCOMBE
KINGFISHERS COVERT
CROFTERS LODGE
WOODSIDE
MORNING SIDE
BIRCHEN WOOD
LINWOOD HOUSE
HOLLYBUSH RIDE
HERONS LANDING
ALFAN
SUB STATION
1
2
3
4
6
8
10
12

4.9 Care has also been taken to site the proposed dwellings to avoid any conflict with neighbouring houses in terms of light, privacy and outlook, thereby ensuring that high levels of residential amenity are maintained for existing occupiers.

5.0 CONCLUSIONS

5.1 Having considered the national and local planning policy background, the following conclusions have emerged in relation to the proposed development:

- This is a 'brownfield' site and PPG3 advice, together with Local Plan policy, require best use of such sites to be made in order to help meet local housing needs.

- In view of the Local Plan Inspector's recent recommendations against greenfield development, the Council should be promoting development on sites such as this.

- At the same time, the proposed scheme respects the established character and appearance of this residential area in terms of density, layout, design and the retention of trees.

- Finally, the detailed design and siting of the units does not detract from the amenities of adjoining properties in terms of light, privacy or outlook.

5.2 For all these reasons the proposal complies fully with the requirements of national advice and Development Plan policy and it is concluded that planning permission should therefore be granted.

Recd 9.00AM 21-9-00

4, LittleFryth
Finchampstead
Wokingham
Berks. RG40 3RN
Tel 01344 750 366

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

20th September 2000

Dear Mrs. Odell,

Re. Planning Application no. F/2000/2225
Land rear of Timberscombe, Hollybush Ride, Finchampstead, Wokingham

I have many objections to the above Planning Application, which are detailed below. As the Application is clearly contrary to both Local and Central Government policies and guidelines, I request that it be refused.

SUMMARY OF MAJOR OBJECTIONS

- **The property at 4, Little Fryth will be entirely overlooked by the proposed dwelling on Plot 1. This is contrary to Policy SBE5 and paragraph 1.4.07 of the SE Area Local Plan 1994.**
  4, Little Fryth is only 30 feet away from its rear boundary: we have a tiny garden, unlike other houses in the area.
  This will form the joint boundary with the new, much larger, dwelling which will be only approx. 28feet the boundary and on rising ground. The new house will project about 2/3 of the way across its plot, being 44 feet wide.
  Therefore we shall suffer a total loss of privacy in our garden, sitting room, dining room, study and kitchen as we shall be overlooked by all the same rooms from the new dwelling, plus their 'family room'. This is undesirable for both parties.
  Additionally, it will block our natural light, warmth and aspect, from both our house and garden, (see below) as the new house will be directly to the south of our property.

  Any hedge or fence planted at the boundary to provide some privacy will significantly block the light, warmth and view from our house and garden. As will any shed or greenhouse, as the ground slopes upward. Once built, we shall be powerless to prevent any such planting and subsequent loss of light and warmth.
  The drawn plan is misleading as it shows retained trees apparently creating a screen between the properties. In fact the trees are mature birches about 60 feet high. It is only the narrow trunks which divide the plots, not the canopies. This provides no privacy.
  The rear garden of the new house will be even smaller than ours and with a larger dwelling on it. This is entirely out of proportion and out of keeping with the area and creates a major issue of having two adjoining very small plots.
  I request that the application is denied for all the above reasons.

- **We shall also be overshadowed. We shall lose daylight to the garden and all downstairs rooms, especially in winter, as the proposed new house is so close, so large and is on our south side, from where all our light comes.**
  This is contrary to paragraph 1.4.07 and Policy SBE5 of the Wokingham SE Area Local Plan 1994, WOS3 of the Wokingham District Local Plan Deposit Draft and environmental building policies which require best natural lighting for dwellings.
  Our 6 foot garden fence casts a shadow about 25 feet long over the entire lawn in winter, but the low sun shines directly into the house. The trees are bare and cause no dense shadows. In summer the sun is high over the canopy and shines straight into the house and garden.
  The new dwelling is a solid brick wall which will completely block the low sun from illuminating and warming the house in winter, especially since the new house will be uphill of us.
  (As the 6 foot fence casts a shadow some 4 times its length in winter, a house some 35 feet above us, and only 28 feet away, could cast a 140 foot shadow, enveloping our house entirely.)

- **Contrary to the assertion on the Planning Application, there can be no simple access to the existing sewage system from the proposed site.**
  Additionally, there is currently no legal disposal of sewage from the site of 'Cobwebs' at all. This includes the proposed dwelling on Plot 1.
  It seems that, at the moment, 'Cobwebs' is illegally discharging sewage into the pipe which runs under 6, Little Fryth without the knowledge or permission of the landowners, or of the water authority, and without payment. A notice is being issued to stop this.
  The other properties on the site are allowed access to the sewage system by covenant. These covenants do not apply to any other houses on the site. The residents of Little Fryth, under whose properties the sewers run, have no plans to increase access to their land for sewage.
  The small size of Plot 1and the proximity of the boundary to 4, Little Fryth, means that a septic tank could not be installed without environmental health considerations. Moreover, there is insufficient access to the garden for the necessary tanker without felling more trees.
  The sewage situation is at best complex and at worst a shambles.
  I request that the Application be denied on these grounds also.

- **The proposed new development has NO services whatever within walking distance. Also, public transport is minimal.**
  This is contrary to the overall Strategy Statement of the Council and is contrary to Policies WOS1, WOS3. It is also contrary to Central Government policies as stated in PPG3 paragraphs 2, 31, 46 and 47 and in PPG13 paragraphs 10 and 13.

  There are approx. 3 buses per day into Wokingham and 5 into Bracknell (from a stop not within walking distance) and the site is 4 miles from the mainline railway station. There is no realistic peak time public transport for access to work or school. The main employment in the area is in Reading and Bracknell and along the M4 corridor. There are no peak time buses and those able to afford a 5/6 bed house are likely to have jobs which require the flexibility of a car. The nearest secondary school is about 2 miles away with no public transport. The health centre is about 1 ½ miles away with 3 buses a day. The nearest shop is 1 mile away and sells only newspapers. There are no local leisure facilities, not even a playing field or park.
  Walking and cycling are impractical, unattractive and dangerous as the local speed limit into Wokingham is 60mph. On the other roads it is 50 and 40mph. In addition, these are designated as some of the busiest roads in the Wokingham area and need no more traffic.
  Transport and access to services will be an even greater issue as further 'infill' development occurs around Hollybush Ride, as it will if this Application is accepted and a precedent thus set for further development.
  This is contrary to PPG3 and local policies which require consideration to be made of the whole area.

- **The site will be virtually clear-felled except around its perimeter. Approx. 43 mature trees will be removed, 22 of these from immediately behind 4, Little Fryth.**
  There will be resultant devastating damage to wildlife, the wildlife corridor which the trees provide and to the local dwelling environment. The proposals are contrary to the overall Strategy Statement and to Policies WOS1, WOS3, WBE10, WBE11, WNC6, WH1, and paragraph 2.89 page 37. This is also contrary to Policy SH1 of the SE Area Plan and to Central Government guidelines, eg PPG3 paragraph 56.
  This total of trees felled excludes some 10 or so mature oaks and chestnuts which have already been felled on the presumption of planning permission being granted. It is effectively a woodland area.

- **The proposal represents a net gain of only 3 dwellings, ie LESS THAN ONE TWENTYFIFTH OF ONE PERCENT of the Council's housing target of 7750.**
  The Proposal also represents a zero gain of priority housing need.
  The houses are of a type not a priority for Central or Local Government, both of whom state the need for more smaller 1-3 bed houses and for single person households. Moreover, it requires the demolition of existing housing stock: 'Timberscombe' is a modern, attractive 4-5 bed house only around 10 years old. The gain of 3 houses is scant justification when **the very large site of the demolished house, approx. 40% of the entire site, will be used almost entirely as a driveway for vehicles, not for housing.**

- **The proposed new dwellings are too close to existing dwellings and to each other.**
  The design of the development is out of scale and character of the area.
  The proposed development will destroy the outlook of 4, Little Fryth and the privacy and seclusion we presently enjoy. The woodland environment which currently dominates the area provides this privacy **To destroy this visual separation is contrary to Policy C6 of the Berkshire Structure Plan.**

- **The proposal is very intrusive, but is too small to require a contribution to the Council for local infrastructure or environment.**
  It represents maximum profit for the developer and sellers of land, with zero benefit to the Council and an entirely negative impact on the existing residents and environment.
  It proposes destruction of the current environment on the site with the subsequent loss of privacy, wildlife and rural ambience for the existing residents.

- **I also challenge the fact of the area to the east of Hollybush Ride being included as a Settlement Area in the Local Plan.**
  Paragraph 1.10 of the Wokingham District Local Plan Deposit Draft states:

  '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.'

  The above statement characterises Hollybush Ride, which is a finger of development along a byway (*it is not a road*) to the National Trust property of Simon's Wood and adjacent woodland. The houses were in fact built in woodland and their gardens almost all retain this characteristic: they are not gardens which have subsequently had trees planted in them.

  I understand that the decision was simply advertised in the local paper without any notification to those affected, nor any consultation and hence with no realistic opportunity to object.
  This does not accord with PPG3 paragraph 55. Furthermore, Paragraph 48 states that 'public transport should be used positively to shape the pattern of development'.

  There is virtually no public transport bordering the entire Settlement Area.

  The Plan then asserts that:
  'These areas of development have not been included within the identified settlements.'
  However, Hollybush Ride HAS been included as an identified settlement.

  I would like to register my objection to the area to the east of Hollybush Ride, to the A321 being designated a Permitted Settlement Area as it does not accord with the stated policies of both Local and central Government.

  The current situation is clearly anomalous and I request that a review takes place asap.

DETAILED OBJECTIONS TO PLANNING APPLICATION F/2000/2225

2.2 Hollybush Ride is described as having a 'well "tree'd" character and appearance. The Application diagrams, though not the text, show that the majority, (approx. 43 plus 10 or so already felled) of the trees on the site will be felled, thus in destroying the above tree'd character and appearance. In addition, some of those trees on the diagrams show trees which belong to properties not part of the Application and which misleadingly boost the apparent number of retained trees.

2.4 Hollybush Ride is in fact a byway, not a road, and residents are responsible for its upkeep. There are no footpaths. I question whether this is satisfactory access to the A321. Furthermore, the A321 and B3430 are designated by the Council as some of the most heavily used in the area. **This apparently minor Application sets a precedent for further development around Hollybush Ride and must be assessed in a wider context.**

3 2 The Application emphasises 'brownfield site' throughout. A garden is a brownfield site only because it is not greenfield. **The Application fails to mention many of the other issues which must be considered, according to Central Government policy stated in PPG3, eg**

PPG Paragraph 48: Public transport is virtually nonexistent in the area. This is clearly a major negative in the further development of the area as ALL journeys must be done by car.
PPG Paragraph 56: Requires that consideration is taken of neighbouring buildings the wider landscape, the local ecology and the pattern of spaces. It requires new housing development to 'respect and enhance local character'.
See evidence in 3.15 below.

The Application clearly fails to fulfil all of the above requirements.

3.3 **The Application asserts that the site accords with all the criteria in PPG3 paragraph 31 referring to accessibility, infrastructure and physical constraints.**
This is not correct and is misleading.

'Accessibility':

There is zero access to jobs and services other than by car, contrary to Local and Central Government policy and contrary to the assertion in the Application that it accords with all the criteria of paragraph 31 of PPG3:

This will be an even greater issue as further 'infill' development occurs, as it inevitably will if this application is accepted.

PPG3 Paragraphs 2 and 31 Developments should enable people to reach jobs, education, health facilities, shopping, leisure and local services by public transport Local policies also want more accessibility by foot and bicycle Walking distance is defined by Local Government as 300metres or less. **There are NO facilities or services within walking distance, not even a playing field. There is scarcely any public transport.**
The nearest shopping centre is Wokingham, about 4 miles away with sparse public transport from the site.
The main employment in the area is in Reading and Bracknell and along the M4 corridor. There are no peak time buses, no local station and those able to afford a 5/6 bed house are likely to have jobs which require the flexibility of a car.
The nearest secondary school is about 2 miles away with no public transport. The health centre is about 1 ½ miles away with 3 buses a day. The nearest shop is 1 mile away and sells only newspapers.
There are no local leisure facilities, not even a playing field or park.

'Capacity of infrastructure':

The Application states that sewage will be disposed of into the existing sewage system.
This is not possible and is misleading.
There is no permission to do so. Covenants exist allowing only specific named properties to have access to the existing sewers, which run under several properties in Little Fryth. Additionally, there is no legal sewage disposal for 'Cobwebs' or for any other building on this site. The small size of Plot 1 precludes the building of a septic tank without environmental health concerns.

'Constraints':

Little Fryth suffers from surface water problems during heavy rain. The removal of the majority of trees on the site and the covering of open ground with concrete will increase the drainage and water runoff problems. It will inevitably reduce the takeup of surplus water by the trees.
This is a particular problem for Plot 1 and consequently for 2 and 4. Little Fryth.

Changing the area from woodland to concrete has serious environmental implications. Further evidence is required to demonstrate that that 'soakaways' have been seriously researched and found adequate.

'Urban Areas':

The Government states that previously used land should be 'within urban areas'. The Application site is semi-rural, not urban. It is in the parish of Finchampstead and not within the boundary of urban or even suburban Wokingham.
The gardens it is proposed to build on are in fact part of the continuous woodland and wildlife corridor running from the A321 right up to the National Trust sites of Simon's Wood and Finchampstead Ridges. **The existing houses were in fact built within this woodland: these are not suburban garden plots. It is far from being 'previously developed land in urban areas' and provides a valuable local wildlife environment. See comments in 3.15 below.**

3.6 **The Application proposes a net gain of 3 new houses. This represents a contribution of less than one twenty-fifth of one percent of the Council's total target.**
The wildlife and environmental damage and degradation of local ambience cannot be justified for so minimal a gain.

3.9 **Policy STV6 in fact specifically states that 'developments of...garden areas which significantly contribute to the character of settlements will not normally be permitted.'**
To develop the Application site will be to create a large hole in an otherwise wooded area which provides the essential character of the entire district and provides the wildlife corridor which supports over 30 species of birds, badgers, foxes, bats, stag beetles and other woodland insects.
See comments in 3.15 below.

3.10 Policy SH1 allows, rather than 'favours,' infilling, which is '...subject to environmental constraints and other provisions of this plan'.
It goes on to say that '..**the District Council will particularly wish to ensure that the following criteria...are complied with:'**

- **'The protection of open and wooded areas, gaps and garden areas which are important to the character of the settlement concerned'.**

The Application fails to satisfy this criterion.
The proposed felling of some 43 (excluding approx. 10 already felled) trees in an area of only 0.45 hectare demonstrates that this site is in fact a wooded area. Moreover, to do so would effect a significant change to the character of our settlement. These wooded garden areas merit protection.
See comments in 3.15 below.

- **No significant adverse effect on the character of the area.**

The Application fails to meet this criterion.
See comments above. The proposal to infill means that an access road will be built to the rear of existing secluded properties, currently made private by the trees. Not only will the plan mean removing trees and damaging privacy, it will also blight the character of the entire area: there are currently no roads or driveways to the rear of any property in the Settlement Area. To do so would blight bedrooms with noise and possible light pollution from streetlamps and security lights. The rear of all properties in the area is dark at present, with no vehicle movements or lights..

- **The provision of adequate garden areas, space about buildings...for all new dwellings'**

The Application fails to meet this criterion.
The garden area of Plot 1 is far smaller than the majority of the plots in Little Fryth.
The new house will be 44 feet wide. However, it is sited only some 26 feet from the rear boundary taking up some 2/3 of its plot. Small plots interspersed with larger plots may be acceptable, but 4, Little Fryth, onto which it backs, has one of the smallest plots in the whole area. Our house is only 30 feet from the boundary and will be literally loomed over by a larger house on a tiny plot which is, additionally, on rising ground. This plot and location are clearly inadequate to provide privacy for the new or existing household or for private use of the gardens themselves

3.12 **Policy SBE5 is preceded by the following comments: 'Daylight penetration into new buildings and existing buildings affected by new development, is an important amenity consideration, as is sunlight penetration of spaces outside windows. In this respect it should always be the intention to...minimise the impact of new development on old as far as is possible. The orientation of rooms, gardens and both public and private spaces is therefore critical ...They can also have some impact on energy consumption by reducing the dependence on artificial lighting and heating'.**
The Application fails to meet this policy.

All the major rooms in the new property on Plot 1 face due north. They will receive no sunlight. The proposed house on Plot 1 will cut off daylight, natural heating from the sun and even the skyline to 4, Little Fryth. This will be particularly acute in winter months.

SBE5 states that: 'the District Council will seek to ensure good daylighting conditions and adequate sunlight penetration to both new and existing development.'
I therefore request that the Council acts upon this Policy with reference to 4, Little Fryth.

3.14 **I dispute that this should in fact be a Settlement Area as it does not conform to the majority of *Local Government development policies*, eg WH1 see below, and certainly not to Central Government policies expressed in PPG3.**

3.15 **Most criteria in Policy WH1 are NOT met by this Application**:
It states that 'The Council will seek to ensure that the following criteria are complied with:'

a) 'Open and **wooded areas**, and gaps and **garden areas, that are important to the character of the settlement, are protected from inappropriate development'**

The wooded rear gardens of Hollybush ride clearly define the character of this area and are therefore protected.

b) **There is no significant adverse effect on the character of the area...'**

The site will be virtually clear felled, driveways to the rear of existing houses will be introduced and the **wildlife corridor will be destroyed.**
See evidence in e) below.

c) **'There is no significant adverse effect on any residential property...'**

There is a significant adverse effect on 4, Little Fryth by the proximity and size of the building proposed for Plot 1 in terms of loss of light, natural heating and loss of privacy by overlooking There is also a loss of privacy, amenity and environmental value owing to the removal of 22 trees from the immediate rear of 'Cobwebs'. The site of Plot 1 and beyond will be clear felled apart from the boundaries.
All are mature trees approx. 60 feet high. The remaining trees offer no privacy as it is their trunks, not their canopies, which separate the properties.

d) **'There is no significant adverse effect ...on the adjoining countryside'**

See comments in e) below detailing adverse effects.
The houses on the east side of Hollybush Ride, including those in the Application, were built in woodland which forms an unbroken cover between Finchampstead Ridges, through Simon's Wood right through to the A321. **This area can therefore be classified as countryside as it does not *differ materially in appearance or planting from the surrounding open spaces, including areas* preserved as amenities by the National Trust**.

e) 'There is no significant adverse effect on any interest of nature conservation importance.'

The wildlife corridor currently supports over 31 species of birds, protected by the Wildlife and Countryside Act1981, which states that:
'It is an offence deliberately to kill injure, take or disturb listed animal species, to destroy their resting places or breeding sites'.

ALL WILD BIRDS ARE PROTECTED UNDER THIS ACT.

PPG9 Nature Conservation states in paragraph 47 that:
'The presence of a protected species is a material consideration when a local planning authority
is considering a development proposal which, if carried out, would be likely to result in harm to the species or its habitat.
LPAs should consult with English Nature before granting planning permission.'

I REQUEST THAT SUCH CONSULTATION TAKE PLACE

31 different species of birds have been recorded in the very small garden of 4, Little Fryth over the past 3 years. This is remarkable, according to the RSPB. 2 of these are on the RSPB 'Red List', which are species 'whose population or range is rapidly declining...and those of global concern'.

A further 6 species are on the RSPB 'Amber List', which are 'those whose population is in moderate decline, rare breeders, internationally important and localised species, or those of an unfavourable conservation status in Europe.

Many of the other birds which have been recorded are those which depend on woodland for food and nesting:
Spotted woodpeckers and redpolls, both of which depend specifically on birch woodland, plus green woodpeckers, nuthatches, treecreepers, jays, tawny owls, chiffchaffs etc.

All of these feed and nest in the gardens and woodland to the east of Hollybush Ride. They cannot feed or nest in small, treeless gardens, nor can they move around readily once the present green corridor is denuded of trees, as it will be if this Application is granted.

In addition, we have bats, badgers and stag beetles, all of which are protected species, also foxes, rabbits, squirrels, butterflies and moths.

It is clearly a thriving ecosystem with sufficient insects to support a bat population and large numbers of birds, and sufficient small animals to support owls. There are even enough small birds to support a pair of sparrowhawks.

THIS EVIDENCE PROVES THAT THE SITE OF THE APPLICATION IS WOODLAND, RATHER THAN WHAT CENTRAL GOVERNMENT INTENDS TO BE EARMARKED AS A 'BROWNFIELD' SITE.

It also demonstrates the existence of a green corridor and, since these species are dependent on woodland and countryside, that to clear the site and build on it would adversely affect the environmental value of the area and its ecology and its character.
This site is clearly in an area of importance and English Nature should be consulted urgently as this Application, if granted, will lead to others similar, requiring large areas of existing mature tree cover and wildlife corridor to be destroyed. It should not be viewed in isolation.

g) '...It will be necessary to consider the cumulative effect on roads and infrastructure of proposed developments...'

To accept this Application will be to set a precedent for future development in the area and have wide ranging implications for the local environment. Bearing in mind that the access is a byway, privately maintained, with no footpaths, also considering the absence of any local jobs, public transport of leisure facilities and the remarkable and popular wildlife inhabitants, I request that the Council make serious consideration of the inevitable cumulative effects.

g)ctd. The development of the Hollybush Ride area, if allowed, will be piecemeal infill, due to the nature of the Settlement Area being in fact a series of back gardens. It is likely that commercial developers will be at pains to maximise profit by minimising the size of each site so as to avoid making any contribution to the Council or the local infrastructure, as is the case with this Application. That is good business sense. However, it means that the existing residents may find the area built up with no requirement for public open space to moderate the impact and provide for local recreation. The Council will receive no contribution toward priority housing or infrastructure.
This is not in the interests of residents, the Local Council or of Central Government.

4.1 See comments made about paragraphs 3.2 and 3.3 above. The comment in the Application seems to assert that Central Government is advocating building in back gardens. This is patently not so.

'Best use' is not in fact being made of this site, since approx. 40% of the 0.45 hectare site will be used only as a driveway. Also, the proposed building on Plot 1 takes no account of existing dwellings.

4.2 For all the reasons above, I dispute that that this is a 'suitable site' for the proposed development: no transport, no access to jobs or services, no sewage infrastructure, destruction of a wildlife corridor and of the existing environment.

4.3 I fail to find any evidence in the Application that there is any safeguarding of the qualities, character or amenities of the area.
The evidence does not support this assertion.

4.4 'Timberscombe' is a large, modern property of significant value. There is insufficient demonstration if need to demolish in this Application as the net gain is only 3 houses and not of the priority types specified by Central Government. It also demonstrates the sheer profit to be made on this speculative Application, as the developer can afford to demolish a valuable property and still make a **profit – at the expense of the local residents who lose privacy and wildlife, and of the Local Council who receive no contribution to existing sparse services and infrastructure.**

Furthermore, contrary to the assertion of retaining and enhancing the green street scene, I understand that, dependent on the acceptance of this Application, trees and shrubs in the front of 'Cobwebs', and the front of the property to be demolished, will be required to be cut back and maintained at a low height.
This is to ensure clear views for all the vehicles using the new access road.
The evidence does not support this assertion.

4.5 See 4.4 above. Also, only 4 dwellings will be served at present. The Council must consider that this Application sets a precedent for further development

4.6 **This statement is misleading and inaccurate.**

Some 40% of the site is used solely for an access road.
The actual density of the proposed development is therefore almost twice that which is stated.
Although this goes toward the Central Government requirement for denser development, it is contrary to the guideline which states that new developments should take into account existing settlement patterns.
The proposed plot sizes are NOT commensurate with plot sizes in Little Fryth, almost all of which are much larger. The exception is our plot at 4, Little Fryth, which is a house on a 30 foot long plot and which will face a much larger house, uphill. The proposed new plot is only about 28 feet long when the house upon it is 44 feet. This is entirely out of proportion.
This relative density is far in excess of the existing density and will adversely affect our house and privacy.
'Generous rear gardens' refers only to existing properties, not to the new development and not to our plot. This is an irrelevant comment.

5.2 **The evidence does not support this assertion:**

The proposal does NOT comply with PPG3, notably parts of paragraphs 2, 31, 46, 47, 48, 56and 57

The proposal does NOT comply with Development Plan Policies, eg SBE5, WOS1, WOS3, SH1, WH1, WBE10, WBE11, WCN6, C6 etc etc etc.

The specific discrepancies are discussed in detail above.

The Application makes claims and assertions which are not supported by facts nor by the evidence, particularly in relation to privacy, sewage proposals, trees and the impact on the ambience of the area, its environment and dependent wildlife.

Some of the claims made for Policy compliance with policies are, at best, unsound.

The proposal should be viewed in a wider context, as to accept it would set a precedent for further piecemeal development in the area of Hollybush Ride.
If accepted, the Council would have difficulty in rejecting similar applications in the future.
It is quite possible that the whole area to the east of Hollybush Ride could be infilled by small developments of a few houses at a time in back gardens.This could result in 40 or more large dwellings which are hugely profitable for the builders, but which are too small as separate developments to require the developers to make any contribution to the local infrastructure or environment.
Infilling will add to the pressure on Hollybush Ride as a byway and add to congestion on the adjoining roads which are designated by the Council as some of the busiest in the Wokingham area.
The area itself is much sought-after and we are very fortunate to live in what is effectively unbroken woodland all the way from the A321 to Finchampstead Ridges (see enclosed photo). Development would destroy the very environment which makes the area so popular: there is nowhere else like it in Wokingham.

There is clear evidence from RSPB research, and Council Policies in consulting with English Nature, that this site forms part of a significant wildlife refuge and should be assessed as such.
The entire Settlement Area should be reviewed as a whole.

I therefore recommend that Planning Application F/2000/2225 be rejected in its entirety.

Yours sincerely,

Marie Warsop

Rec'd 9.00AM 21-9-00

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To: Angela Odell
Planning Officer
Environmental Services Department
Planning Services
P.O.Box 157
Shute End, Wokingham
Berkshire RG40 1WR

4, Little Fryth
Wokingham
Berks
RG40 3RN

19th September 2000

Re: Planning Application Number F/2000/2225

Dear Mrs. Odell,

This letter registers my objections to this proposal, which is for the erection of 4 dwellings and demolition of an existing dwelling at land rear of Timberscombe, Hollybush Ride, Finchampstead, Wokingham.

My property, 4, Little Fryth, is immediately adjacent to the proposed development and I would therefore be severely affected. Whilst I obviously have a personal stake in the outcome, I believe that in terms of Local and National Plans, the proposal is most definitely not in the best interests of the local community or national housing plans.

The application is clearly speculative. It attempts to take advantage of current pressures to build new dwellings in the Wokingham District in order to make substantial profits for the builder with no benefit for the local community.

According to the planning application, the Berkshire Structure Plan allocates 7,750 new dwellings for Wokingham District by 2006. The proposed development, if approved, will result in a net gain of a mere 3 dwellings. This tiny contribution to the 7,750 total is the only aspect of this development that might be interpreted in some quarters as positive. The many other effects of the proposal are negative, e.g. the impact on the immediate neighbourhood, the local community generally, the local woodland wildlife etc.

I therefore strongly urge you to reject this planning application and to recommend its rejection in any appeal process that may follow.

As a postscript to this letter, I enclose a number of specific points related to the actual application, which I should like you to take into consideration.

Yours Sincerely,

W.G. Ashton

POST SCRIPT

I have read the detailed planning application, and consider that it contains a number of statements that are at best disingenuous and at worst deliberately misleading. Please consider these when determining the validity of the application, since I feel sure that the application is contrary to much of the strategy and many of the guidelines described in the Local and National Plans.

Site Description

The planning application, section 2.1, describes the site as approximately 0.45 hectares in size. I am led to understand that applications for developments of less than 0.5 hectare are not subject to the same stringent regulations as larger developments. No environmental assessment is required and the developer need not make any contribution to the local amenities, e.g. provision of public open space.

The site is part of a larger block of back gardens defined as a Settlement Area in 1997. If this type of incremental development is allowed, then it seems possible that the entire Settlement Area could be developed without the builders having to make any contribution to the local amenities or reparations for the destruction of the environment.

Reduction of Light and Privacy

The most disturbing aspect of the proposal is the proximity of the new houses to existing properties and the consequent reduction in light and privacy to these.

- Section 4.7 of the planning application states

  "Most of the significant trees in the rear part of the site, particularly around the boundaries, are to be retained, so that the overall appearance would be sympathetic to the spacious and attractive character of the area."

- Section 4.9 of the planning application states

  "Care has been taken to site the proposed dwellings to avoid any conflict with neighbouring houses in terms of light, privacy and outlook, thereby ensuring that high levels of residential amenity are maintained for existing occupiers".

- Section 5.1 of the planning application states

  "... the proposed scheme respects the established character and appearance of this residential area in terms of density, layout, design and the retention of trees."

  And

  "... the detailed design and siting of the units does not detract from the amenities of adjoining properties in terms of light, privacy or outlook."

Inspection of the proposed site clearly demonstrates the specious wording and dubious veracity of the above statements, and that the proposed development contravenes the policy SBE5 of the Wokingham South East Area Local Plan cited in section 3.12.

4, Little Fryth has a small garden relative to other properties in the area and the boundary with the proposed development is barely 10 metres from the back of the house. The ground slopes gently upwards towards the proposed development, exacerbating the problem of being overlooked and this fact is not stated anywhere in the planning application.

Interestingly, the planning application gives no external dimensions for the houses. However, assuming "typical" dimensions for a six-bedroom two-storey house in Plot 1, it is clear that, at the very least, the upper storey windows would give a view into both the upstairs and downstairs rooms at the back of 4, Little Fryth.

The Site Layout drawing, provided in the planning application, implies that existing trees would screen Plot 1 of the development from neighbouring properties, in particular, 4, Little Fryth. This is misleading. The existing trees on the boundary are mainly mature silver birches, some 15 to 20 metres tall and would provide very little privacy. Worse still, such tall trees are only suitable to be grown in copses where they can provide each other with shelter from high winds. If left as single trees, their shallow roots mean that high winds could topple them on to nearby dwellings. Thus they would probably have to be felled for reasons of safety.

There is an existing 6 feet tall wooden fence at the boundary. In winter, at midday, this fence already places much of the back garden of 4, Little Fryth in shadow. The close proximity of the dwelling proposed for Plot 1 would worsen this problem significantly.

Destruction of the Environment

The planning application makes great play of national and local guidance to maximise the use of "brownfield" sites in "urban" areas. This may be technically correct, in that domestic gardens are classified as "brownfield", but it ignores the spirit of the definition. Development of such sites is subject to many other criteria.

The site concerned is part of an area of continuous woodland stretching from Yateley to Wokingham including publicly accessible National Trust land. The emphasis here is not so much on an "urban area" with "low density housing" interspersed with trees (as stated in the planning application), as on woodland in which there are a number of houses. Such properties inevitably have large gardens, gardens that form part of the natural woodland. Thus the statements in the planning application referring to "greenfield" and "brownfield" as if they were "black and white" definitions are misleading.

Further, the proposed development involves the felling of over 40 trees. The application claims (section 4.7) that "most of the significant trees ... are to be retained". This is disputable. There is little doubt that the destruction of this many trees and the additional human activity will seriously impact local wildlife. Even in the small garden at 4, Little Fryth, we are regularly visited by some 30 or more species' of woodland bird.

In sections 3.9 and 3.10, the planning application cites the Wokingham South East Area Local Plan, policies STV6 and SH1. These policies actually act against the application, in that they state, for example, that "within identified settlements, development of areas of open land including gaps in road frontages and garden areas which significantly contribute to the character of the settlement will not normally be permitted." The "local environmental constraints" referred to in Section 3.10 include "the protection of open and wooded areas, gaps and garden areas which are important to the character of the settlement area" and "... no significant adverse effect on the character of the area".

Effect On Local Area / Access To Local Amenities

Developments in the past few years have meant that Finchampstead is already subject to undue pressure on the local amenities and infrastructure.

The "Overall Strategy" in the Wokingham District Local Plan drafted in November 1999 states

"... new development ... [should] ... makes a positive contribution to the character, environment and quality of life in the District."

And that

"What new development we need will relate well to established communities. It will provide for employment, shopping and other services in places that minimise the need for travel by private car."

The proposed development clearly contradicts this strategy. I can see no way that this development could be perceived as making a positive contribution to the character, environment and quality of life in the District. Neither will it relate well to existing communities, indeed it positively intrudes on them.

There are no local amenities within walking distance (300 metres). The nearest shop (a solitary newsagent) is over a kilometre away. There is very limited public transport – the nearest bus stop is several hundred metres away and I believe there to be no more than five buses per day to the nearest towns. The basic point is that it is not practicable to access amenities on a regular basis without the use of a motor car.

Further, Hollybush Ride is a byway. Not only does it give access to existing properties, the byway is extensively used by walkers and horse riders to gain access to the NT woodlands at Simon's Wood and Finchampstead Ridges. The wooded ambience of the byway would be prejudiced by yet further motor traffic.

Hollybush Ride joins Nine Mile Ride. Nine Mile Ride is already cited as one of the busiest roads in the Wokingham District, with continuous, often heavy traffic at most times of day. The proposed development will add further to this burden.

PLANNING SERVICES	
POL	
DC	ENF
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CS	

21 SEP 2000

COPIES TO:	ACK:
	FILE:

Tall Trees,
6 Little Fryth,
Finchampstead,
Berks. RG40 3RN

18th September 2000.

Angela Odell,
Planning Officer,
Wokingham District Council,
Environmental Services Department,
Planning Services,
P.O. Box 157
Shut End,
Wokingham,
Berkshire RG40 1WR.

Dear Mrs. Odell,

Ref: Planning Application Number F/2000/2225

I am writing to lodge an official objection against the above Planning Application. Whilst I appreciate the concerns relating to housing in this area I feel that the plans put forward by the developer offer very little advantage and merely provide substantial profits for a few to the potential misery of many others.

Having reviewed the application in detail I would like to comment using the paragraph numbers on the Planning Application.

2.2 They comment that the area is " well tree'd" but it is worth noting that in a relatively small area the developer intends to remove approximately forty three trees. This is in addition to twenty trees that were chopped down on the 5th August 2000. The proposed development has already changed the aspect considerably. The trees felled were approximately sixty foot high and offered cover to the houses in Little Fryth. These have already been destroyed!

2.3 Whilst the plots in Little Fryth are smaller than those in Holly Bush Ride the proposed plots of the development would be considerably smaller than those in Little Fryth and the submitted plan has not been prepared to scale and is misleading.

2.4 The application statement is true but is meaningless to this issue. Holly Bush Ride is a byway and the upkeep depends on the residents. There is no lighting on this road and no access to the rear. The road is already considerably congested particularly at peak times and the development will only add to this.

3.2 All gardens are considered Brownfield sites and therefore this is no different. Government interpretation was not meant to take this to the extreme and indeed this site does not meet all the existing criteria of the Government's Brownfield site policy.

3.3 The application states that the land is an "urban" area and states that the site accords with all of the criteria. This is clearly not so as it must also include access to services, lighting, schools and shops. With regard to these points the road is unlit, the nearest shop is approximately one mile. The nearest school is approximately two miles and business sites relating to employment even further! Also, no consideration seems to have been made for public transport which is extremely limited, water or sewage arrangements.

3.4 The application states that "higher density developments should be encouraged". I do not believe that the purpose behind this statement when originally made was to create a situation for building three additional houses.

3.6 I accept the statement made in the application noting that Berkshire needs to create 7,750 dwellings in the Wokingham District. This development would show a net gain of three dwellings for no benefit whatsoever and adding nothing to the area.

3.7 The application relates to the Wokingham South East Area Local Plan and I would point out that this is the old plan and the current version is not being used.

3.9 - 3.11 Firstly, the Policy relates to "affordable" housing. I have already been advised that the proposed selling prices of the four dwellings will be in the region of £700,000 which is surely at the higher end of the market and adds to my earlier point that this merely panders to the greed of a certain few individuals. Also, the criteria under policy SH1 considers the protection of wooded areas, gaps and garden areas which are important to the character of the settlement concerned. This particular development will have an adverse effect on the character of Little Fryth and offers very little space about buildings, insufficient garden areas and no off street parking. Again, I would reiterate that the plans put forward are not to scale and the garden areas have been considerably enhanced on the plans.

3.12 For my property the provision of daylight would be severely affected with a house immediately to the rear and a further house adjacent.

3.14 Whilst I accept the statement it surely means that they can develop unless they contravene the policy which they are clearly doing.

3.15 Having read Policy WH1 I accept its content but the proposed density of houses in such a small area is surely not in keeping with this.

4.1 This paragraph is clearly contentious and is at best another way of saying that you as the Planning Department cannot oppose it. I would point out that the criteria in PPG3 and the Local Plan policy have not been met and it is therefore unacceptable.

4.3 A meaningless statement. The developer should be prepared to state how they intend to safeguard the area as by their previous actions in felling trees this would clearly not seem to be the case.

4.4 Timberscombe is already a five bedroomed house with the intention of being demolished to be replaced with four new houses. This was surely not the purpose of the Government's plan. The paragraph states satisfactory access to the proposed development and also enhancing the spacious green of the street scene. Firstly, satisfactory access is on to a byway with conditions previously stated and I cannot see how the green appearance can be enhanced by the demolition of over sixty trees in a very small area. This paragraph is a total nonsense. It is also worth pointing out at this juncture that there are ten thirty foot conifers dividing my property from the rear of Cobwebs which have not been included on any of the developers plans for either felling or replanting and I have been informed by the owner of Cobwebs that the developers have advised her that they will remove these trees as soon as planning is agreed. Thus, there will be no screening whatsoever other than a four foot fence between my land and that of the new development. I cannot see how this will enhance a "green" environment. You may wish to look into this situation and enquire of the developers why they have not included these trees on their plans.

4.5 As previously stated Hollybush Ride is a byway and suffers from considerable congestion at peak periods with no rear access. Consequently, any further development will only add to this congestion and increase the density of traffic.

4.6 The paragraph states the proposed dwellings are comensurate with those of Little Fryth which they immediately adjoin. This is absolute rubbish and I will again reiterate that the plans laid before you are not to scale and the rear gardens of the proposed properties would be extremely small relative to the size of the houses. I agree that for the properties fronting Hollybush Ride they would still retain extremely large gardens but on the basis that it is they who are profiteering I find this of little relevance.

4.7 This paragraph is a total fabrication. As previously stated there have already been at least twenty trees removed from the property and I have video and photographic evidence of this when it was conducted of the 5th August 2000 by Arbofield Tree Surgeons. The intention is for at least another forty three trees to be felled in order to construct the development together with the felling of the ten thirty foot conifers between our boundaries. The paragraph also states substantial gaps between new dwellingswould be retained but again this is misleading and the plans should be required to be drawn to scale in order to prove this. The elevation of the building to the rear of my property will be minimum of four foot from my boundary and as the land is sloping will be built at an elevation of at least six foot above my property. Consequently the two properties that will surround mine will be on a higher elevation and therefore be even more imposing than the plans suggest. Once again, the plan is misleading and incorrect.

4.9 To state that there would be no conflict with neighbouring houses in terms of light, privacy and outlook, is ridiculous. As previously stated the development will be on a elevated site with easy views into my rear garden and house. The windows from the rear of the house to the rear of my garden will clearly provide visibility into said garden. This paragraph clearly relates to the houses in Hollybush Ride rather than Little Fryth and is utter nonsense.

5.1 The Local Plan "allows" best use of sites rather than "requires" it. The purpose of the plan was for brownfield development but surely not for existing gardens to be built on. The developer states that you should be promoting development on sites such as this but surely this should be subjective rather than a condition and the developer should not be telling the department what it should and should not do. The developer states that the scheme respects the established character and appearance of the residential area in terms of density, layout, design and retention of trees. From my points previously made this is clearly not the case and the developer has already removed trees without permission from the Council, clearly flaunting any regulations that you may impose. They also state that the units do not detract from the amenities of adjoining properties in terms of light, privacy or outlook which is clearly wrong.

Overall, the statements made by the developer in the proposed planning application range from the ambiguous to misleading and at times incorrect. The planned layout has not been drawn to scale and can easily mislead a reader into believing that the properties will offer substantial grounds in keeping with the locality. This is clearly not the case and the development will be in very close proximity to existing houses and overlook an existing development.

With regard to other matters I point out that the access to services is limited, the existing density is more than satisfactory and the properties are located in a wild life corridor which will be totally destroyed by this development.

A further point I would make relates to sewage. At present my land contains a covenant to give Timberscombe right of access for mains drainage etc. but only one of the proposed properties will be built on Timberscombe land. I would state now that it is not my intention to allow access to any further properties other than those built on Timberscombe land but I believe that it is clearly the intention of the developer to attempt to do this. It may also be worth noting that I have discovered that the property known as Cobwebs also has its drainage system through my land but unfortunately for the occupier this is not contained in my deeds. Consequently, it is my intention to inform them of this and given that one of the proposed developments is on the land of Cobwebs this could have serious repercussions. I accept that this may not materially affect your decision making process but felt it worth noting as again it highlights the developer's cavalier attitude to the rights of authorities and individuals.

Once again, I must reiterate that I strongly protest against this development as I feel that it is not borne out of attempting to help with the Government Plan but rather the greed of three individuals and a property developer .

Yours sincerely,

Keith Ellwood

Christine Helen Ellwood

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS BDJ	HMO
25 SEP 2000	
COPIES TO:	ACK: /
	ISSUE:

A J and K A Campbell
7 Little Fryth
Wokingham Berks
RG40 3RN.

23/9/00

Attention of Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157 Shute End
Wokingham Berkshire
RG40 1WR.

Dear Sirs

PLANNING APPLICATION No. F/2000/2225.

We wish to lodge our objections to the following application submitted on behalf of Brookworth Developments Ltd., and refer you to the following:-

1) The lack of services in this area
2) Increase use of motor vehicles - the entry and exit into Hollybush Ride is already difficult at busy times.
3) The continued felling and clearance of trees/woodland in this area.
4) The detrimental effect on local wildlife
5) The additional loading into existing sewage and drainage system which already shows signs of being inadequate for existing homes in the area.
6) Further loading of homes into Hollybush Ride which is unadopted by the council, this byway is very narrow and un-serviced and not suitable for increased traffic flow.

7) The continued infilling of 'green' sites which is not supposed to be Council policy.

I would also question why in this area potential Developers appear to be able to clear sites prior to seeking the necessary approval from local Council.
Trees in our garden are said to be identified by local Council and I am told they cannot be removed without permission.

Why is it, that others in the immediate area, are able to clear sites without approval and I understand, without action being taken by local Council?

Yours faithfully

Albert Campbell

Karen Campbell

F/2000/2225

PLANNING SERVICES	RPT
POL	TLS
DC AD	BIF
APP	
CS	3438
12 SEP 2000	
COPIES TO:	ACK:
	FILE:

W.M. Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

8th Sept 2000

Dear MR. Mitchell,

Please find enclosed, copies of the information I circulated to the neighbourhood on 8th Sept. We have a copy of the Builders development application and will attack the misleading ambiguities of each paragraph with vigour.

We would appreciate any advice and assistance to defeat this planning application which is one of sheer greed; where price is everything and value is nothing.

Yours sincerely,

W.M. Salisbury

Cc Cllr T. Charlesworth
Rt Hon Andrew MacKay
Ms Loraine Newcombe
Mr N. Ethrington
Mr J. Mitchell
Mr P. Lewis

Cllr A. Ross
Cllr R. Cundy
Ms Cherry Cole
Mr G. Barnwell
Mr G. Cockroft
Mr R. Johnson

W.M.Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berkshire
RG40 3RN

8 September 2000

Dear Neighbour,

PLANNING APPLICATION NO. F/2000/2225

Should you wish to lodge an objection to the above development you must do so before 25 September 2000. Please write to Angela Odell, Planning Officer, Wokingham District Council, Environmental Services Department, Planning Services, P.O.Box 157, Shute End, Wokingham, Berkshire, RG40 1WR.

The above planning application has now been submitted on behalf of Brookworth Developments Ltd to develop the land currently occupied by the property "Timberscome" in Hollybush Ride and the rear gardens of "Cobwebs", "Kingfisher's Covert" and "Woodside". Accordingly I have notified all residents in Little Fryth, Hollybush Ride and Ashdale Park, as well as those listed above. The plan is to demolish "Timberscombe" to provide access to a development of four detached houses to the rear of the current property. **This development would have serious implications for the whole of this area in that it could set a precedent for further development of a similar nature which could continue all the way up to Simons Wood and destroy the unique character of the area.**

On Saturday 5 August a huge area of established woodland, including many oak and walnut trees, was cleared without authorisation by the developers in anticipation of this application. Those of us who were around on that day tried to stop this indiscriminate felling of trees recognising that some of these trees could be protected by preservation orders once the planning application process was started. It is clear that the trees were felled in advance of the application to ensure that no such orders could be made. Council tree officers have since visited the site and taken note.

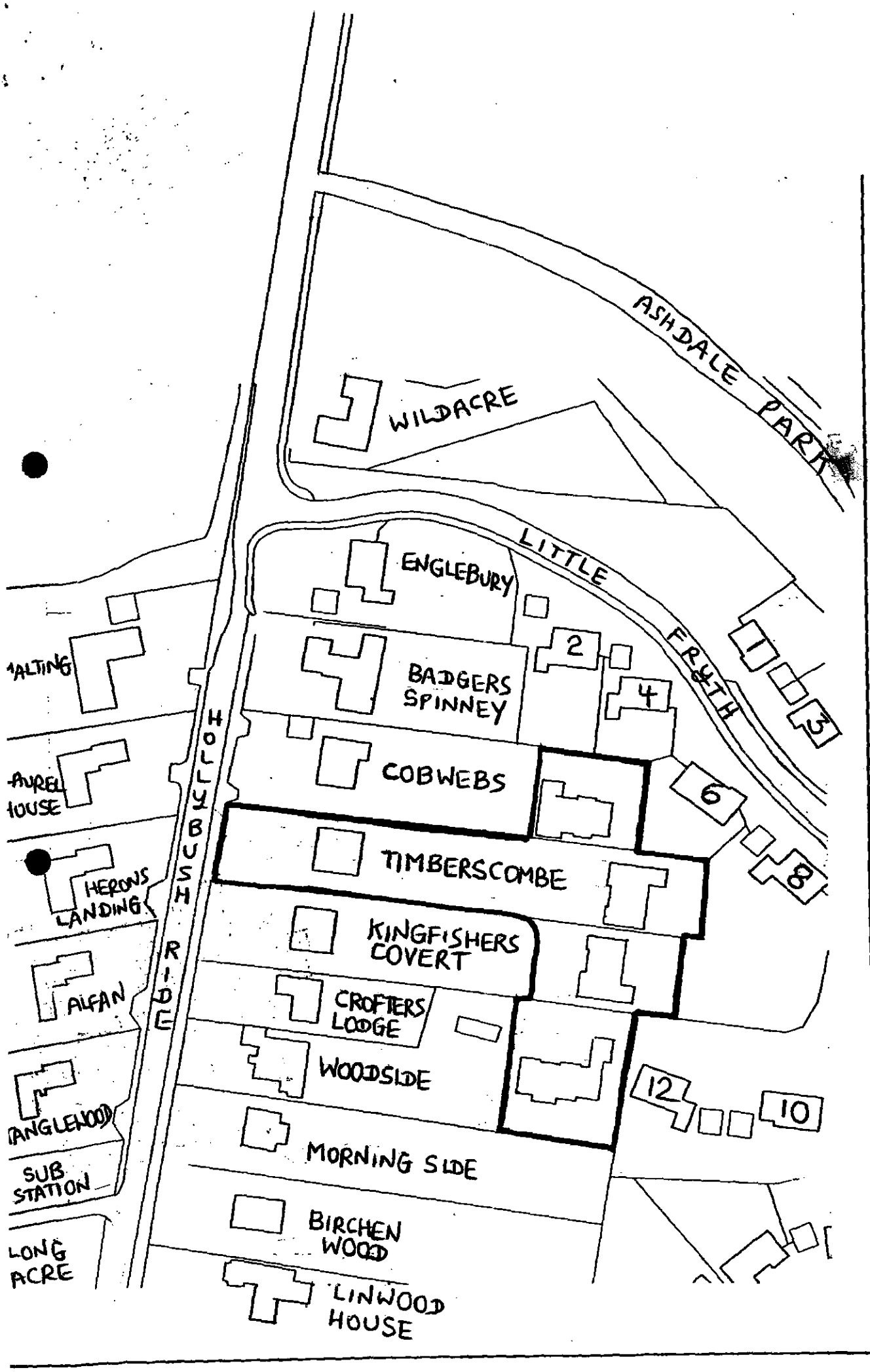
The following is a list of objections to this development. Please use any others you can think of.

- No services of any kind within walking distance– there are no shops or schools nearby – the nearest secondary school is several miles away. This goes against the Council's sustainable development policy.
- Increase in motor vehicles, so adding to local congestion, particularly at the already dangerous junction of Hollybush Ride and Nine Mile Ride. All journeys to work, leisure activities, shopping and school will need to be made by car.
- Lack of public transport facilities within walking distance – local buses are few and far between.
- The felling and clearance of a large area of established trees will destroy the prestigious, rural, forested nature of the area and is against the environmental policy.
- The area provides a habitat for a range of wildlife including badgers, foxes, rabbits, squirrels and many species of birds. Such a development would have a detrimental effect on the established wildlife.
- The additional sewerage on an already overloaded and problematic system currently serving Little Fryth and Ashdale Park. The plan is for these new properties to feed into this existing system.
- Hollybush Ride is an unadopted road and is technically described as a byway – it is not suitable for further development. There is no council funded maintenance for resurfacing, lighting , sewerage etc. Upgrading these services would require the consent of existing residents in Hollybush Ride and would cause them serious disruption.
- The Council's policy is to develop brownfield sites, not greenfield ones.
- Filling in would further erode the distinction between Crowthorne and Finchamstead ,which is contrary to the Council's policy.

There is no evidence this development would make any positive contribution to the character, environment or quality of life in the area. The building of four 5/6 bedroomed houses, in place of one existing house, would not solve the local requirement for additional housing as specified by central government. The only people to benefit from such a development are the developers themselves, who along with the original landowners, are in line for huge profits at the expense of the local environment.

Yours faithfully,

W.M.Salisbury


ASHDALE PARK
WILDACRE
LITTLE FRYTH
ENGLEBURY
BADGERS SPINNEY
2
4
1
3
COBWEBS
6
8
TIMBERSCOMBE
KINGFISHERS COVERT
CROFTERS LODGE
WOODSIDE
12
10
MORNING SIDE
BIRCHEN WOOD
LINWOOD HOUSE
HOLLYBUSH RIDE
HERONS LANDING
ALFAN
SUB STATION
LONG ACRE

THE RT. HON. ANDREW MACKAY M.P.

House of Commons,
London, SW1A 0AA
Telephone: 020 - 7219 2989
Fax: 020 - 7219 4123
Email: mackaya@parliament.u

3rd May 2000

Mr W. M. Salisbury
2 Little Fryth
Finchampstead
Wokingham
Berks RG40 3RN

Thank you for sending me a copy of your letter to Cllr. Tim Charlesworth, the contents of which I have read with concern. I know he shares my view that it is not in the local interest to have excessive 'infill' development which is changing the attractive nature of my constituency.

As your Member of Parliament I will liase closely with him and the Chairman of the Planning Committee, Cllr. Angus Ross, to whom I am pleased to see you have also copied correspondence .

Perhaps you would be good enough to let your neighbours know of my interest in this matter and please do not hesitate to contact me again if I can be of further help.

With best wishes to you all.

Yours sincerely

Tel. (0118) 974 6445

Date: 30 August 2000

Your Ref:

My Ref: Angela Odell
F/2000/2225

The Owner/Occupier
2
Little Fryth
Finchampstead
Berkshire

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

Dear Sir/Madam

Application Number: F/2000/2225

Site Address: Land Rear Of Timberscombe, Hollybush Ride, Finchampstead Wokingham.

Proposal: Proposed erection of 4 dwellings plus demolition of existing dwelling..

The Council has received an application to carry out the above development.

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

If you have any comments you would like to make before the application is determined, please reply in writing within 21 days from the date of this letter quoting Application Number **F/2000/2225** . Your comments will be considered by the planning officer before a decision is made and will be summerised in the committee report if the application is decided by committee. Where an application is to go to committee you will be told of the date and given the opportunity to speak at the meeting. Everybody who makes a comment will be told what decision is made.

Please note that all comments made will be open to public inspection.

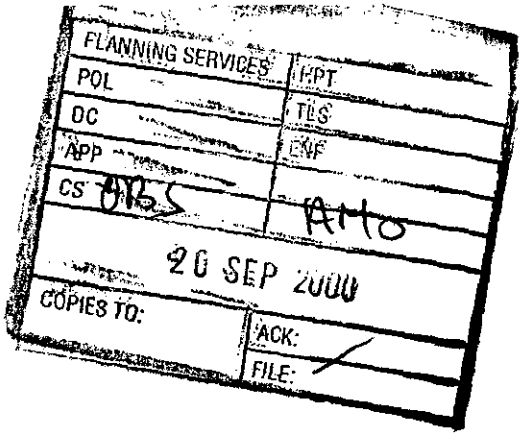
Should you have any queries regarding this application please contact the planning officer, **Angela Odell, on (0118) 974 6445.**

Yours faithfully,

objection deadline date
now 25 September.

John Mitchell

John Mitchell
Development Control Manager



2 Little Fryth
Wokingham
Berkshire
RG40 3RN

19 September 2000

Dear Ms Odell,

PLANNING APPLICATION F/2000/2225

I am writing to object to the above application in the strongest terms.

The plan submitted by the developers shows that the proposed new properties are to be sited extremely close to the existing properties in Little Fryth. The proposed dwelling to the rear of our house will overlook both our house and garden and will seriously effect our privacy.

Our house has a relatively small garden. However the size of our garden is compensated for by our outlook onto the woodland which makes up the existing gardens. Should this development be allowed to proceed then the existing woodland will be destroyed and our outlook will be a very large house bearing down on us as our garden slopes upwards away from the house. Should this be allowed to happen, the whole balance of existing dwellings and gardens will be upset and the existing properties will be seriously devalued as a result.

Despite the developer's claim that existing trees would be protected, it is inevitable that most trees would be lost due to the ratio of the proposed dwellings and their very small gardens. In fact we have already seen a large area of established woodland destroyed in anticipation of this application. Many established trees, including oak and walnut trees, have already been felled. Some of these would almost certainly attracted preservation orders once the planning application process had started. This indiscriminate felling of the trees raises serious questions about the integrity of this company.

Apart from specific concerns about how his development will affect our own property there are many other issues which should be taken into account.

There are no services of any kind within walking distance. There are no shops or schools nearby - the nearest secondary school is several miles away. This is contrary to the Council's sustainable development policy.

There will be an increase in motor vehicles in an already congested area. The junction of Hollybush Ride and Nile Mile Ride is likely to affected in particular and this is already recognised as a difficult and dangerous junction. All journeys to work, school, leisure activities and shopping will need to be made by car.

There is a serious lack of public transport facilities in the area. The nearest station is Crowthorne which is over a mile away. There are very few buses and those which do run do not run regular services.

There is already a problem with sewerage from the existing properties in that the system does not appear to have sufficient capacity to cope with the demand. The connection of additional properties into the system will only exacerbate the problems currently experienced.

This area is exceptional in terms of its natural beauty and the wealth of wildlife it supports. There are badgers, rabbits, squirrels, bats, foxes and many species of birds. This development would have a serious impact on the current wildlife and would upset the delicate balance of nature. The constant erosion of the trees in an area such as this has to be stopped, not only for our benefit, but also for that of future generations.

There is no evidence that this development would contribute in any way to the character, environment or quality of life in the area. The only people to benefit are the developers and the existing landowners, all of whom seek to gain large profits from this venture at our expense and that of the local environment.

I urge you to reject this proposal on these grounds. The proposed development does not fit with the layout of existing properties and will have serious consequences for the local infrastructure and the environment in an area of exceptional natural beauty.

Yours sincerely,

Ruth Salisbury

Ruth Salisbury (Mrs)

Trevor and Dee Evans
29, Little Fryth
Wokingham
Berkshire
RG40 3RN

February 25, 2001

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

Reference: APP/X0360/A/01/1058304

Dear Miss Groves:

Subject: Local Plan Objection Timbercombe, Hollybush Ride, Finchampstead.

The above Local plan objection on Hollybush Ride has recently come to our attention and we are writing to you to express our objections to this appeal.

Our objections are as follows: -

1. The area is one of natural beauty, the felling of trees for this development will destroy this, and we understand it will contravene existing Tree Preservation Orders.

2. All journeys from this development would have to be by car crowding the local roads even more. This would also increase pollution and noise in the area.

3. The proposed area has NO local services within walking distance and is against the sustainable development policy.

4. This development would further erode the natural beauty of Finchampstead.

5. We understood that the Council's policy was to develop brownfield sites not Greenfield sites such as this one.

6. This development could damage our local environment, the view from our house and increase the noise levels in our immediate area.

7. This development would put more pressure on the local schools, which are already overcrowded.

We trust that you will consider these objections before making your final decision.

Yours Sincerely,

Trevor Evans

Home address:
18 Ashdale Road
Nottingham
NG40 3DS

PINTO POTTS
solicitors

Y/R ref Inspector: APP/X0360/A/01/105834

Dear Sir,

Re. Land at rear of Tintersombe
Hollycroft Ltd. Hitchamstead
Ref at State Ref Nottingham F/2000/2225

I write before this an objection and have title to add except to say I hope sincerely the appeal will not succeed and just because it is devoid of merit and founded exclusively on precedent but because of the large element of precedent that would be created.

We have witnessed this in nearly Ashdale Road. I shall say no more because that is at the appeal site but please, please dismiss the appeal

Yours truly

Martyn JK Lewis

Tel. (0118) 974 6448 (Direct Line)
Date: March 27, 2001
My ref: F/2000/2225
Your ref: APP/X0360/A/01/1058304

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: Brookworth Developments Ltd
SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead

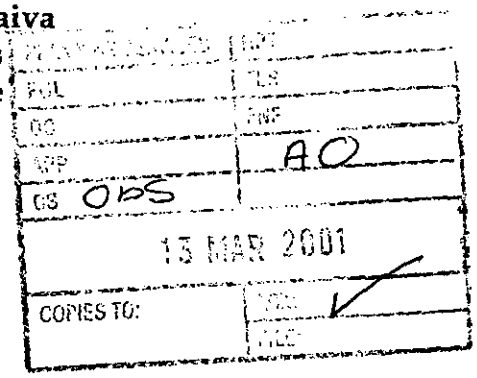
With reference to this appeal, I enclose copies of third party comments. These have been sent to us again & so you probably already have copies of them.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Dr. F. Caldeira-Saraiva
Green Shadows
Hollybush Ride
Wokingham
Berkshire
RG40 3QP



Ms Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

Monday, March 12, 2001

Dear Ms Odell

Planning Application No. F/2000/2225
Site Address: Land rear of Timberscombe, Hollybush Ride
Proposal: Erection of four dwellings and demolition of existing dwelling

I wrote previously (copy enclosed) to object to the development proposed.

I am also objecting to the appeal currently pending on the same development. The arguments advanced by the developers regarding the appeal belittle the importance of the preservation order on the trees. This is a serious representation of an amenity which has ecological value, provides sanctuary to wild life and serves as a curtain between dwellings.

I hopeyou will reject the appeal.

Yours sincerely,

Dr. F. Caldeira-Saraiva

Dr. F. Caldeira-Saraiva
Green Shadows
Hollybush Ride
Wokingham
Berkshire
RG40 3QP

Ms Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

Monday, September 11, 2000

Dear Ms Odell

Planning Application No. F/2000/2225
Site Address: Land rear of Timberscombe, Hollybush Ride
Proposal: Erection of four dwellings and demolition of existing dwelling

I am writing to object to the proposed development for the following reasons.

Even at present, the area has no local services within walking distance – no shops or schools nearby – and lacks suitable public transport facilities. Any further development will be totally against the policy of sustainable development. Any necessary journeys to work, for leisure, shopping or school will have to be done by car. The traffic will increase congestion particularly at the already dangerous junction of Hollybush Ride and Nine Mile Ride. Building will increase the traffic beyond what the roads in the area can support and lead to pollution and noise.

The site is a greenfield one, not a brownfield. Its development would be against Council policy on that count. Furthermore, development would necessarily imply the felling of trees which is also against environmental policy. The area provides a habitat for a range of wildlife including badgers, foxes, rabbits, squirrels and many species of birds. Such a development would have a detrimental effect on the established wildlife.

The felling and clearance of a large area of established trees would also destroy the prestigious, rural, forested nature of the area and set a precedent for further development of a similar nature which could continue all the way up to Simons Wood and destroy the unique character of the area. The development would also lead to 'filling-in' the area between Finchampstead and Crowthorne and upset the balance between the settlements.

Hollybush Ride is an unadopted road and is not suitable for further development. There is no council funded maintenance for resurfacing, lighting, sewerage, etc. The plan is for the new properties to feed into the existing sewerage system. This would increase the overload and create serious problems. On the other hand, upgrading these services would cause disruption and would require the consent of existing residents of Hollybush Ride.

I hope the Council will reject the planning application.

Yours sincerely,

Dr. F. Caldeira-Saraiva

COPY

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

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

26 MAR
DG

Your Ref: F/2000/225

Our Ref: APP/X0360/A/01/1058304

Date: 22 March 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY BROOKWORTH DEVELOPMENTS LTD
SITE AT LAND REAR OF, TIMBERSCOMBE, HOLLYBUSH RIDE, FINCHAMPSTEAD, WOKINGHAM

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)

4158
DG

COPIES TO:
FILE:

D.A. Stock
Englebury
Hollybush Ride
Wokingham
RG40 3QP

1st March 2001

Dear Ms. Groves,

Re Reference APP/X0360/A/01/1058304

I am writing to register our objections to the above planning application. These objections have previously been lodged under the original application number F/2000/2225.

Our objections are heightened by the fact that the developer was responsible for the felling of a considerable number of well established trees in advance of the application. This is disgraceful and shows a blatant disregard for the law, the environment, the local residents, and the council itself. I would like to ask whether the council tree officers who visited the site produced any report, and if so, whether this is available for viewing. It would also be useful to know whether the developer broke any by-laws or acts, and if so, whether the council plan to take any action.

In our opinion, the application further diminishes the ability of wildlife to co-exist naturally within an urban fabric, which I believe to be one of the aims of the Wokingham District local plan.

We also believe that the infrastructure supporting the area is already under stress, and that further development on Hollybush Ride and Ashdale Park, with its one (already dangerous) exit, will cause a worsening of an already bad situation. There are very likely to be serious accidents at this roundabout as people lose patience, and loss of life will be an increasing possibility.

The proposed development if allowed, would set a clear precedent and make it difficult to justify rejecting future applications in the area, making it likely that the rural and unique nature of the area would be lost for ever.

Yours faithfully,

D.A. Stock

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Bristol
BS2 9DJ

13 MAR 2001

Adam and Carol Johnson
5 Little Fryth
Finchampstead
Wokingham
Berkshire RG40 3RN

10th March 2001

Dear Miss Groves

Planning Inspectorate Ref: APP/X0360/A/01/1058304
Wokingham Ref: Planning Application F/2001/3399 (formerly F/2000/2225)

We are writing to you to object in the strongest possible way, to the planning application above, for four new houses to the rear of Timberscombe, off Hollybush Ride, Finchampstead. This letter follows our original one to Wokingham DC, objecting in September 2000 to the first application.

This application is profoundly flawed in a number of important respects:

1. The area affected is virgin woodland, of great character, home to wildlife and birds. It is a nesting area for two species of woodpeckers, both of which we have observed today. This habitat would be lost, permanently.

2. It is a small area and the addition of four houses in this space of land would have a highly detrimental effect on the overall character and appearance of the location. In addition, the houses would overlook existing houses in Little Fryth (on the opposite side of the road from us), and, from the plans we have seen, would substantially impact the privacy of those existing houses.

3. The development would set a precedent for further demolition of trees and in-fill of housing in a heavily wooded area, which is beautiful in appearance and important in preserving the local wildlife.

4. The area around Hollybush Ride, and more generally the whole neighbourhood of Nine Mile Ride and Lower Sandhurst Road, cannot sustain further development. It is grid locked, and the sewerage and drainage systems are at capacity. While it could no doubt be argues that four houses would make little difference, our rebuttal of that would be that firstly that when any area is at capacity even one additional house has an effect, and secondly that the precedent this application would set means that we all know that it would not stop at four.

We request and urge you to use these comments to reject this harmful application.

Yours sincerely

Adam and Carol Johnson

cc: Mrs A Odell, Senior Planning Officer, Wokingham DC

Mrs A Odell
Senior Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
P. O. Box 157
Shute End
Wokingham
Berkshire RG40 1WR

MAR 2001

Adam and Carol Johnson
5 Little Fryth
Finchampstead
Wokingham
Berkshire RG40 3RN

10th March 2001

Dear Mrs Odell

Wokingham Ref: Planning Application F/2001/3399 (formerly F/2000/2225)
Planning Inspectorate Ref: APP/X0360/A/01/1058304

We are writing to you to object in the strongest possible way, to the planning application above, for four new houses to the rear of Timberscombe, off Hollybush Ride, Finchampstead. This letter follows our original one, objecting in September 2000 to the first application.

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We request and urge you to use these comments to reject this harmful application.

Yours sincerely

Adam and Carol Johnson

cc: Miss A. Groves, The Planning Inspectorate, Bristol

RECEIVED IN PINS AT
-7 MAR 2001

Mr A & Mrs P. Hooper
"Conifers"
Hollybush Ride
Finchampstead
Berks
RG40 3QP.
2.3.01

Ref: Local Planning Application No. APP/X0360/A/01/1058304

Dear Miss A Groves,

It has come to our attention, that Brookworth Developments Ltd. has submitted an appeal to their original planning application to demolish 'Timberscombe' Hollybush Ride and with the rear gardens of 'Cobwebs', 'Kingfisher', 'Covert' and 'Woodside' build a development of four detached houses.

The council has in recent years developed a policy of not letting people build one house behind their own property because of setting a precedent of over development of sites. In this case there would be four houses behind four other properties. If this is allowed what is to stop Morning Side, Birchen Wood, Linwood House to name but a few from applying for planning permission. The council would become powerless to overrule further developments this could then affect Hollybush Ride on both sides down to Simons Wood.

The roads around this area are already congested, there are other developments going ahead at this time, which will in due course add to this congestion. I already have to leave for work at 7am to get to Slough in a reasonable time (one hour) hasn't anybody at the council noticed that nowadays even if you go to work between 5 and 6 am you are not alone on the roads anymore. Where will this end?

Schools are another consideration, as I understand it, the schools already have more than their quota of children. With the added problem of virtually no public transport and Comprehensive Schools being several miles away this again adds to the congestion problems.

Tree felling is against environmental policy, we understand that some tree's have already been felled prior to the planning application being submitted and that the developers have submitted a new report which trivializes the tree preservation order saying that many of the trees are not worth keeping, there are two very important factors concerning these trees one that they act as a natural screen separating Little Fryth from Hollybush Ride and two that they act as a very important wild life corridor.

A few properties in Hollybush Ride are already experiencing problems with the water table, we are one of them, could this add to our problem ?

Once again we feel very strongly that people's greed, needs to be stopped. Making money at the expense of the people left behind in the area to cope with overcrowded schools, congested roads, polluted atmosphere, wildlife habitat lost, is just not on.

Yours sincerely

P. Hooper

A. & P.A Hooper

ASHDALE PARK MANAGEMENT COMPANY LTD

c/o 23 Ashdale Park
Wokingham
Berks
RG40 3QS

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

8 March 2001

Dear Miss Groves,

APPEAL REF APP/X0360/A/01/1058304: HOLLYBUSH RIDE FINCHAMPSTEAD

On behalf of the Management Council of Ashdale Park Woodland, Finchampstead, I am writing to express our great concern over the proposed infill development off Hollybush Ride. The area is already under considerable environmental and social pressures from existing development, and this proposal will add to the problems, namely:

1. Depletion of Green Corridor. The site will destroy part of the continuous wildlife habitat and route which runs from the National Trust woodland at Simon's Wood, down the whole length of Hollybush Ride and linking to Ashdale Park.

It will also destroy the tree boundary between Little Fryth and the existing houses on Hollybush Ride, creating a continuous strip of development in an otherwise rural area.

2. Pressure on Infrastructure. The proposal will add to the considerable pressure on road infrastructure which already exists in the locality. Hollybush Ride itself is not suitable for an increase in traffic, and the junction of Hollybush Ride and The Nine Mile Ride/Lower Wokingham Road is already one of the busiest and most difficult to negotiate in the area at peak times.

There are no local amenities such as shops or post offices within easy walking distance, so by definition additional houses will bring additional vehicles.

3. Loss of Area Character. The appeal and distinctiveness of this area is its semi-rural nature, with extended tracts of linked woodland and water habitats. The proposal will begin to turn the area into an unwanted urban development.

If this development goes ahead it will open the way for similar requests which will absolutely transform the area into something extremely undesirable.

Yours sincerely

Tom McCarthy
Chairman

Badgers' Spinney,
Hollybush Ride,
Finchampstead,
Berkshire RG40 3QP

4th March 2001

Miss A. Groves,
The Planning Inspectorate,
Room 104,
Tollgate House,
Houlton Street,
Bristol BS2 9DJ

Dear Miss Groves,

Re Informal Hearing into Appeal against refusal of Planning Application
Reference: APP/X0360/A/01/1058304

We have received notice of the intended informal hearing into the appeal lodged by Brookworth Developments Ltd against the refusal by Wokingham District Council of planning application number F/2000/2225. This application sought permission for the erection of 4 new dwellings plus the demolition of an existing dwelling on land described as "to the rear of Timberscombe", Hollybush Ride, Finchampstead.

I am writing to you as a strongly interested local resident whose property adjoins the proposed development and who, along with other local residents, would be adversely affected were the proposals to be realized. I attach a copy of a letter to Wokingham District Council containing my objections to the original application. These objections remain valid and I would like to bring them to the attention of the Planning Inspectorate.

The land proposed for development includes the front and rear gardens of Timberscombe plus the existing house which would be demolished, and a substantial part of the rear gardens of the adjoining properties, Cobwebs, Kingfishers Covert and Woodside. All four of these properties lie on Hollybush Ride and are generally consistent in terms of plot size with the other properties on Hollybush Ride.

During 2000, Brookworth Developments apparently purchased Timberscombe from the previous owner/occupier and would appear to have negotiated for the sale of part of the rear gardens of the other three properties, subject to planning permission. Since the acquisition of Timberscombe by Brookworth, the previous owner has vacated the property which now stands empty. This is an unusual state of affairs: homes in this area, especially homes in Hollybush Ride, are highly desirable, attracting a premium price, and demand for these is high. Unless the price paid for Timberscombe was highly speculative, Brookworth should be able to obtain a healthy return on its investment without resorting to the proposed development.

Parallel to this appeal, the appellants have also lodged two additional planning applications with Wokingham DC (F/2001/3388 for the replacement of Timberscombe by a single dwelling and garage which, without seeing the detail of the application, would not necessarily be resisted by local residents, and F/2001/3399 for the building of three as opposed to four dwellings on the aggregated plot which, again without seeing the detail of the application, would most probably

be objected to by local residents for the reasons that apply in this case) and are contesting the tree preservation order (1015/2000) which was finally confirmed by Wokingham DC on 12th December 2000.

In addition to the objections voiced in my attached letter, I feel I must raise the following points regarding the subject of appeal.

This application is without intrinsic merit and cynically seeks to exploit the spirit of the Planning Policy Guidance Note 3 (7th March 2000) to erode the special character of Hollybush Ride in the interests of blatant profiteering. Part of the argument advanced by the appellants has been the Government policy of seeking to halt rural development and make use of brownfield sites for urban development. They have stated that the land proposed for development is a brownfield site and that the Council should therefore be promoting development of sites such as this. This argument is specious.

In the January 2000 edition of the Journal of Environmental Planning and Management, the National Brownfield Sites Project published the following definition of brownfield site:

"A brownfield site is any land or premises which has previously been used or developed and is not currently fully in use, although it may be partially occupied or utilised. It may also be vacant, derelict or contaminated. Therefore a brownfield site is not necessarily available for immediate use without intervention."

This definition was developed after extensive research and consultation with several government agencies and authorities. All references to brownfield sites in the DETR papers appear to be consistent with this definition and refer to a class of sites characterized by previous productive use which has now ceased, or which has led to the land becoming derelict or contaminated and does not include the ordinary back gardens attached to dwelling houses. I cannot imagine that the Government intends that the National Land Use Database should include all gardens which are an intrinsic part of people's homes.

Furthermore, the gardens of ordinary, domestic dwellings would not normally be available for redevelopment *except* through intervention and so would not *reasonably* be identified by RPBs as sites to be allocated for housing in local plans and UDPs. The only way that such sites would come under consideration by RPBs would be through opportunistic planning applications, not as a consequence of local planning authorities adopting "a systematic approach to assessing the development potential of sites, and the redevelopment potential of existing buildings, deciding which are most suitable for housing development and the sequence in which development should take place" (para. 29, PPG3). Opportunistic development is unlikely to represent part of the strategic development plan of any local planning authority as there can be no satisfactory way of ensuring that such development is co-ordinated or anything other than piecemeal.

Granting this application would result in a two-tier development along Hollybush Ride. It would create a double building line and the proposed new access road would break the integrity of Hollybush Ride, detracting from the general appearance of the area and marooning properties including Badgers Spinney from the main body of Hollybush Ride, thus affecting property value. The gardens of the proposed dwellings would be out of keeping with the existing pattern of gardens on Hollybush Ride and would be detrimental to the amenities of adjoining dwellings, including Badgers Spinney. The siting of the four proposed dwellings in relation to existing neighbouring properties including Badgers Spinney would result in a loss of privacy and amenity as they would overlook and be overlooked by those adjoining properties. Allowing this appeal would create a precedent for the further erosion of the character of Hollybush Ride and the loss of amenity to residents and to locals who use Hollybush for recreational purposes (see attached

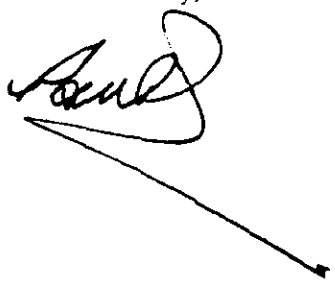
letter). The separation of Hollybush Ride from Little Fryth would be destroyed. The fierce local opposition to this proposal from all but the parties to the proposed development is because of the high value we all place on this area which was one of the primary reasons for most people to move here and pay the premium that property prices in this area attract.

The woodland character of Hollybush Ride and the surrounding area is part of its special charm. Woodland flora and fauna visit our homes and gardens, many using the canopy of trees which extends across the rear gardens of the properties on Hollybush Ride as a conduit from Simon's Wood. The aspect from our homes and gardens is of a backdrop of trees, giving the area its intrinsic beauty and providing a degree of individual privacy.

The wanton felling of trees to the rear of Timberscombe (see attached letter) which led to the tree preservation order 1015/2000 was a cynical attempt to destroy the separation between Little Fryth and Hollybush Ride, thus easing the way for the development to be squeezed through. It is through local vigilance and the strong community concern for the quality of our environment that we were able to bring concerted action to oppose this application. The decision of the local authority was greatly welcomed as reflecting the sensitivities of the greater majority of its local residents.

I hope and trust that you will bear these concerns and views in mind in reaching your decision and will reject the appeal by Brookfield Developments as being without merit, not consistent with Government policy on planning, and against the interests of the local community.

Yours sincerely,



Paul St Clair Terry

Badgers' Spinney,
Hollybush Ride,
Finchampstead,
Berkshire RG40 3QP

9th September 2000

Ms Angela Odell,
Planning Officer, Wokingham District Council,
Environmental Services Department, Planning Services,
PO Box 157,
Shute End, Wokingham,
Berkshire RG40 1WR

Dear Ms Odell,

Planning Application No: F/2000/2225

I am writing to lodge my strong objection to the proposed development in respect of which Brookworth Developments Limited has submitted the above planning application.

The proposal is to demolish the property known as Timberscombe on Hollybush Ride, annex a significant proportion of the existing rear gardens of three adjoining properties and build a spur road off Hollybush Ride leading to four new properties huddled into the aggregated space.

The feeling amongst local residents close to the proposed development is very strong. When we received information earlier this year that such a development might be under consideration, a note was circulated by the occupants of Timberscombe giving neighbours absolute assurance that no such development was being considered. Subsequently, without notice, a large area of woodland to the rear of Timberscombe was felled on Saturday, 5th August in anticipation of the planning application. This wanton and indiscriminate destruction, which included the felling of several mature oaks and walnut trees, has caused loss of amenity to the properties immediately to the rear of Timberscombe and has resolved local residents to oppose this application with absolute determination.

I have been a local ratepayer for many years and now live with my family in Badgers Spinney, Hollybush Ride. I am a senior executive of a major global financial services company and bring considerable income into the district. I have invested very significant sums of money into this property with a view to maintaining the standard and special character of Hollybush Ride. We specifically selected Hollybush Ride for those very qualities which are now under threat.

Hollybush Ride is well known throughout the surrounding district for its exclusivity, woodland character, wildlife, low-density prestigious dwellings and intrinsic charm. For most of its length, Hollybush Ride is not an adopted highway but a bridal path. Local families enjoy walking the length of this woodland road which gives access to Simons Wood. Local children often ride their ponies along this stretch which is made safe by the low traffic density. Badgers, foxes and other woodland flora and fauna are frequent sights in this area, often making their way into our local gardens. The old woodland, which extends its canopy through the rear of the larger plots of land along Hollybush Ride, provides a corridor for many woodland birds and tree-dwelling animals.

Like many who live along Hollybush Ride, we did not consider purchase of property here as an opportunity to make excessive profits by cynically exploiting the low-density nature of the area, thus changing its character forever and robbing local ratepayers of a popular recreational walk. We believed that buying a plot where the surrounding homes and gardens were well established would protect us from intrusive adjoining development. This form of opportunistic filling in which has no apparent merit and results in overburdening already stretched local services cannot be in the interests of the local community or in accordance with local policy.

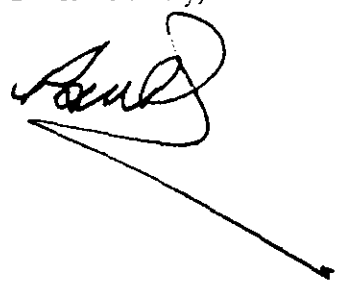
Hollybush Ride is currently separated from Little Fryth. While the residents of Little Fryth also risk loss of amenity through the proposed development, the density of housing in Little Fryth is higher than that in Hollybush Ride. Also, all the properties in this stretch of Hollybush Ride are individual whereas Little Fryth is an estate, albeit highly prestigious. This proposal would have the effect of breaking the current separation of these two areas and increasing the density level in Hollybush Ride which is entirely out of keeping with its current character. This application, if not halted, could lead to piecemeal erosion of this charming area as further developers sought to make similar applications under established precedent.

This development would affect us directly as the backdrop of woodland which gives our home its present character and economic value would be partly destroyed. To the corner of our rear garden, there would be a large, highly proximate building in an undersized plot of land which would overlook our property. Apart from the loss of amenity and enjoyment that we would suffer, the economic value of our house would be adversely affected by being marooned from the remainder of Hollybush Ride by the proposed access road and high-density housing.

There can be no merit in this application given the lack of available infrastructure which could provide such profiteering infill at least a prima facie case to answer. There are no public services, transport or shops within walking distance of the proposed development. The local sewage system is already problematical and strained to capacity. Traffic density on the Nine Mile Ride into which Hollybush Ride feeds is already excessive, resulting in serious congestion and raising pollution levels to unacceptable highs. Trees help reduce pollution, so the felling of additional woodland only serves to exacerbate the pollution problem. The four proposed homes would significantly increase the traffic flow past our house, with the consequent hazard to health and children which that imposes, as all the additional residents would require personal transport.

Four additional, high-cost homes do little to address the housing targets set for the Council and must be outweighed by the considerable distress and discomfort to which the surrounding local residents will be subjected. These are mostly families who care for their environment and have chosen their homes with care, never suspecting that the value and character of their homes could be depreciated by cynical, unwelcome and destructive development. We will oppose this development with all the legal, moral and economic weapons at our disposal. I am sure that the Council will reject this application as being against the interests of its ratepayers.

Yours sincerely,



Paul St Clair Terry

18 Little Fryth
Wokingham
RG40 3RN

Your Ref: APP/X0360/A/01/1058304

3rd March 01

Dear Miss Groves

APPEAL BY: Brookworth Developments Ltd
SITE: Land rear of Timberscombe, Hollybush Ride, Finchampstead
PROPOSAL: Proposed erection of 4 dwellings

I am writing to express my concern at the above appeal following the refusal of an application for building a further 4 houses off Hollybush Ride.

I wrote in previously to express concern at the application stage and write again now to re-iterate my concern.

If this appeal were to succeed then yet more mature trees which provide both necessary screening and home to wildlife will be lost forever. I understand that the appellants are looking to overturn the tree preservation orders on several of the trees – surely this cannot be allowed or else why bother with all the time and expense of placing trees under such preservation orders?

There has been much in the media recently about the developing of greenfield which, long term, will have devastating effect on the nature of this country. Surely local policy is to develop brownfield sites, not greenfield ones such as this?

As stated before, additional housing on this plot will mean more cars on Hollybush Ride because there are no public transport facilities for this area. The roads are very busy in the peak hours and, being limited by width restrictions, will need to be looked at very carefully if this appeal were to succeed. Some changes in the layout may well be necessary to prevent either unbearable congestion or, indeed, an accident.

I trust that the above points and those made by my neighbours will be taken on board by the Appeal Hearing when considering this appeal.

Yours sincerely

Carole Richards

Carole Richards (Mrs)

REF:APP/X0360/A/01/1058304

16 Little Fryth
Wokingham
Berkshire
RG40 3RN

01344 751357

March 7, 2001

Dear Miss Groves

We would like to state our objections to the above Planning appeal. Our primary objections stand as in the enclosed original letter to Mr J Mitchell, Wokingham district council.

For your additional consideration, the granting of this application would set precedent for considerable development of an area whose natural resources are already stretched. One of the few natural moorlands in Berkshire is within a few hundred yards of the proposed development.

The local infrastructure is showing serious symptoms of breakdown. I.e. local schools being unable to accept local children, doctor's surgeries being unable to cope with present patient workload. Additional residential development will not help.

The developers have already shown blatant disregard to planning laws and local residents. Their ability to comply with any conditions laid down to them must be seriously in doubt.

Thank you for your consideration.

Yours sincerely

Nigel & Helen Rhind

REF: Planning Application F/2000/2225

16 Little Fryth
Wokingham
Berkshire
RG40 3RN

Tel: 01344 751357

Dear Mr Mitchell

We would like to state our objection to the above planning application. Our objection is based on the following points. Infrastructure/utilities, Environment and Lack of developer integrity.

The local infrastructure is already stretched in the Hollybush Ride area.. Existing residents already have difficulties with child placement, with additional family homes it will be impossible to sustain local educational policy on class sizes. The presently unadopted road will require substantial upgrading, the council will be obliged to adopt the byway especially if a precedent is set and further development continues. The increased traffic will cause problems at the junctions of Little Fryth/Hollybush Ride and the roundabout at the Nine Mile Ride. The existing sewerage system for Little Fryth, Hollybush Ride and Ashdale Park is already stretched beyond its limits. The addition of further development will require upgraded works to the system. This will be at the cost of the council and will be required to sustain a sanitary system.

The area surrounding the proposed development is rich in natural attributes. The area contains National Trust land, open water and a variety of natural habitats. This Green Field site of the proposed development has many mature trees (although not as many as it used to). The local natural infrastructure supports many types of wildlife, a delicate balance of nature is easily disrupted. The disruption of mature trees is against existing environmental policy.

On the fifth of August this year, representatives of the developer moved in and began the wanton destruction of mature trees. This showed the developers disregard for the local area., its cynical approach to the planning authorities is disgraceful. The lack of care in following, due process makes the developers integrity doubtful. How are they expected to comply with any planning application if this is a demonstration of their integrity.

The above development goes against the rule and spirit of local and national planning policy. The only benefactors will be the developers and existing landowners. The development is to the detriment of many local residents, the area and the Wokingham district. The infrastructure and local environment will suffer as a result of this proposal. Rejection of this proposal is the only sensible outcome of this application.

We look forward to the result of the enquiry and your consideration.

Yours sincerely

Nigel & Helen Rhind

Local Plan Objection - APP/X0360/A/01/1058304

Derek Gannon
43, Ashdale Park,
Finchampstead,
Wokingham,
Berks RG40 3QS
England.
Tel: 01344 779961

Date: 6th March 2001

Dear Ms Groves,

Re: **APP/X0360/A/01/1058304**

We have great concerns about the development of additional dwellings in the land at the rear of Timberscombe, Hollybush Ride, Finchampstead and wish our objections to be registered.

Our objections are numerous and can be counted as follows:

1. There are NO local services within walking distance in the area currently and any such additional development will be against the sustainable development policy. Additional housing in the proposed site will necessitate that all journeys to work, leisure, shopping and schools etc will have to be done by car thus adding to the already heavily congested local road network.

2. There has been an obvious increase in recent years in the area of 'filling in' sites, which has had a distinct and noticeable effect in traffic flows. Personal experiences show that on Nine Mile Ride alone between Finchampstead Road and the A329 (Coral Reef) during rush hours, traveling time has increased by 20 minutes over and above the time it used to take in 1994.

3. Traffic on the Lower Wokingham Road is already very heavy. Such a development will increase the traffic and noise level beyond what is already an intolerable level. (Our property backs onto the Lower Wokingham Road and we have put in recently a new fence to cut down the noise)

4. Linked to 3 is the fact that there will be increased risk to road accidents. The road mentioned is already notorious for accidents as witnessed by recent incidents when fencing has been damaged due to reckless and high speed driving on this road.

5. There are environmental aspects, which must be taken into consideration. For example tree felling (already a sore point on Nine Mile Ride) is against environmental policy.

6. What about protection of the natural environment both flora and fauna? The area currently enjoys wildlife such as foxes and badgers (a threatened species and recently a dead badger was seen alongside Lower Wokingham Road – the second in 12 months) whose very existence will be threatened further by such a development.

7. The water table in the area is already high as witnessed by the current level of King's Mere off Hollybush Road. A large housing development such as that proposed may

have an adverse effect upon the level of the water table. Has this aspect been surveyed? Felling of trees as mentioned in point 5 above would cause the water table to rise as a single tree consumes gallons of water, which would now be left in the ground.

8. Recent experiences with the wet winter shows that the drainage and sewage systems are already overloaded and flooding happens with ease at the lightest of rainfall. During periods of reasonably heavy rain it is noticeable that downstairs toilets flow very slowly and it is only a matter of time before an overflow will occur. Lower Wokingham road now floods almost every time there is a reasonable rainfall. This never used to happen.

9. Schools in the area are already heavily over subscribed. Additional housing will make this already intolerable level worse. In addition increased traffic will increase the possibility of death or injury on the roads in the area and statistics show that these are likely to be children.

10. The council should continue its policy of developing brownfield sites and protect what little areas of natural beauty that still remains in Berkshire, which is fast becoming a sprawling conglomeration.

Yours sincerely,

D I Gannon or W Gannon

To:
Miss A Groves,
The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
Bristol, BS2 9DJ

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

26 Ashdale Park
Wokingham
Berkshire
RG40 3QS

6th March 2001

Dear Miss Groves

Planning Appeal – APP/X0360/A/01/1058304
Land Rear of Timberscombe, Hollybush Ride, Finchampstead

I would like to record my opposition to the above planning appeal lodged by the developers for the following reasons.

1.The development will require the felling of trees against a permanent tree preservation order. This would contribute towards the loss of natural habitats and wildlife, which are features of the area.

2. The in-filling development is destroying the rural nature and character of the area.

3. Local amenities such as schools and doctors are already stretched.

4. The road infrastructure is already inadequate and chronic traffic congestion is a sad fact of life. Additional vehicles would be inevitable as no services are within walking distance.

5.This development would set a precedent for further development leading up to the National Trust conservation area of Simons Wood and, if approved, the local Council would be unable to overrule further developments.

6.The policy of the Council is to develop brownfield sites rather than greenfield.

I trust these views will be taken into account when the appeal is heard.

Yours sincerely

Brian Munday

Miss A Groves,
The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
Bristol,
BS2 9DL

13 MAR 2001

3 March 2001

Ref. APP/X0360/A/01/1058304

Site : land rear of Timberscombe, Hollybush Ride, Finchampstead.

Dear Sirs,

I write to lodge my objection to the Appeal by Brookworth Developments LTD to build houses On the plot detailed above.
I have several reasons for this:

A. The area is cover ed by a tree preservation order. Granting planning permission would start a trend which would eventually destroy the whole tree preservation area, and also bring the planning process and environmental strategy into bad repute.

B. The area is a home to wildlife: several Foxes, Deer, and Woodpeckers, to name but a few.

C. Hollybush Ride has a road surface built to a low standard, and extra traffic resulting from more houses would damage it further. Additionally, builders' heavy lorries would do a lot of damage in a short period of time.

D. There are no amenities within walking distance of Hollybush Ride, causing the occupants of any new houses to use their cars. The are already suffers from Gridlock every morning as it is.

I hope that this input helps you to come to the appropriate decision regarding the Appeal.

Yours Sincerely

Clive & Fiona Hudson.

Brook House
Hollybush Ride
Finchampstead
Berkshire
RG40 3QR
01344 762482 (phone)
01344 751341 (fax)
chudson@dial.pipex.com

13 MAR 2001

19 Ashdale Park
Finchampstead
Wokingham
RG40 3QS

10.3.01

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

Ref: APP/X0360/A/01/1058304

Dear Ms Groves,

I am writing to you on behalf of myself and my wife to object to the plans to clear the Timberscombe site of buildings and trees and to erect four new dwellings. We moved to Ashdale Park two years ago attracted by the forested, rural, low density nature of this area. Hollybush Ride and adjacent woodland areas are heavily used by local people for walking and cycling. They are drawn there by the quiet beauty of the area. Further development in this area erode the very environment that people come to enjoy. It will increase pressure on the infra-structure, particularly the un-tarmaced roads and paths. These lightly used, safe paths attract families with young children because they are one of the few places around here where one can stroll without the constant need to be alert for fast moving traffic.

I am fully aware that I am only able to live in this area because planning permission was given in the past for developments such as Ashdale Park. Nevertheless, I believe that Ashdale Park and the adjacent Little Fryth developments were mistakes that have contributed to erosion of the environmental quality and uniqueness of this area. Little by little, the character of a beautiful area is being eroded. Each advance of development will encourage others to move away until the whole area is nothing more than another 'Executive Housing' development. No one will come to walk or cycle here then.

There cannot be any compelling need for this development to go ahead. The motive is presumably profit on the part of the developer and seller. This is hardly a good enough reason to damage one of the most beautiful parts of the Wokingham area. My wife and I ask you to reject this application.

Yours sincerely

Dr. J. Brannan

'Tanglewood'
Hollybush Ride
Finchampstead
Berkshire
RG40 3QR

March 8th 2001

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

Dear Miss Groves,

Re: APP/X0360/A/01/1058304

Further to our original letter regarding the Planning Application for the site of 'Timberscombe' and the land to the rear of 'Cobwebs', 'Kingfishers Covert' and 'Woodside', we write to state our continuing objection to the development of this land. These objections apply to both the original application and the new applications which have recently been made (F/2001/3399 and F/2001/3388).

Our objections are those outlined in our original letter - copy attached.

Yours sincerely

Mrs C Lovell-Read

Mr G Lovell-Read

'Tanglewood'
Hollybush Ride
Finchampstead
Berkshire
RG40 3QR

September 20th 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berks
RG40 1WR

Dear Mrs Odell,

Re: Planning Application No: F/2000/2225

We write to express our opposition to the planning application for the site of 'Timberscombe' and the land to the rear of 'Cobwebs', 'Kingfishers Covert' and 'Woodside'.
Our objections are as follows :-

1) **Character of the area** - Hollybush Ride is characterised by properties in large plots, largely screened by mature vegetation, giving an overall appearance of an unbuilt-up area. Increasing the density of development will detract from the character of the area.

2) **Private Lane** - Hollybush Ride is an unadopted road which is maintained by the residents. We are against any increase in traffic which will further increase the burden of maintenance.

3) **Traffic** - Further development along Hollybush Ride will result in an increase in traffic. The narrow nature of the lane, the unmarked junction with Little Fryth (with limited visibility) and the dangerous junction with Nine Mile Ride make any increase in traffic undesirable. The traffic is already congested at the Nine Mile Ride Junction at peak hours, where the speed of traffic approaching from the right makes the exit from Hollybush Ride hazardous.

4) **Facilities** - There are no schools, shops or other facilities within walking distance of the proposed development.

5) **Precedent** - whilst we recognise that each planning application must be considered on its own merits, approval of this application would set a precedent for similar proposals which would further detract from the character of the area.

Yours sincerely

Mrs C Lovell-Read Mr G Lovell-Read

10 Little Fryth
Hollybush Ride
Finchampstead
Berkshire
RG40 3RN
12 March 2001

Dear Sir/Madam

Ref APP/X0360/A/01/1058304

It is very disappointing that this saga is continuing.

- The area under question really is an area of great beauty, currently well preserved and has clearly benefited from well managed development over the last number of years. Having moved to the area 6 years ago, it struck us how the balance of traditional buildings, new development and natural habitat seemed to work. A key ingredient of this, is the quality of the natural habitat - the area being a
- mixture of lakes, woods and, of course, trees. The area is well known and has clearly benefited from a strict approach the habitat preservation and in particular, tree preservation.

I strongly believe that the desire to remove trees that already attract TPOs would be, in itself, wrong and would create a very unfortunate precedent. Removing these trees and the development of 3 new dwellings will change the whole character of the area, and as you can imagine how we feel, will start a process which may be difficult to stop.

The area and current balance works very effectively

- it offers a mixture of dwellings - Old and new on Hollybush Ride, an Older estate in Ashdale and a newer estate in Little Fryth
- Hollybush Ride providing a link from the very busy 9 Mile Ride up to the quiet and rural Simons Wood
- the trees acting as a natural division between the pockets of development.
- all adding up to a great location in which to live.

We urge you most strongly to deny the appeal - in doing so, maintain an excellent environment, uphold the existing decision, thereby underlining the stance on ad-hoc destruction of environment and finally, make it very clear to the property developers, that the voice of the Community is important.

Sincerely

Ian May (Mr)

Jackie May (Mrs)

Jane South
The Birches
45 Ashdale Park
Crowthorne
Berkshire
RG45 3QS
26/2/01

Dear Sir

Re: APP/X0360/A/01/1058304

With reference to the above proposal to erect 4 dwellings on land to the rear of Timberscombe as a local resident I wish to lodge my representations.

As a resident in Berkshire for over 15 years I am aware of the intense and ever increasing pressure put on our County to provide and release land for new housing development. However in our obligation to provide new houses, I feel it is important not to loose track of protecting certain aspects in our environment.

It is with the comments above that I return to the application in question. The site in question is far too small to accomodate houses of the size and style proposed, it means loosing valuable trees and screening

which now exists between Little Fryth and Hollybush Ride. The demolition of one small house provides access to the site. If we are not forward thinking enough we are going to set a precedent for development all along Hollybush Ride in peoples rear gardens. The end result will be a series of cul-de sacs which bare no resemblance to the local environment and are developed in an ad hoc way, creating almost a second phase of houses lying behind the established properties in Hollybush Ride.

I feel it is our duty if development is to take place in this area it should be controlled and designed by local planners and architects to complement and respect the local environment, rather than be controlled by developers who are driven purely by the high prices they are paying for land, and the need to get the largest properties on to the smallest site.

I look forward to your reply with regard to the above

(yours sincerely

Jane South
The Birches
45 Ashdale Park
Crowthorne
Berkshire
RG45 3QS
26/2/01

Dear Sir

Re: APP/X0360/A/01/1058304

With reference to the above proposal to erect 4 dwellings on land to the rear of Timberscombe as a local resident I wish to lodge my representations.

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I look forward to your reply with regard to the above

Yours sincerely

The Birches
21, Little Fryth
Finchampstead
Berkshire
RG40 3RN
01344 750756

RECEIVED by Plans
16 MAR 2001
10/3/01

Dear Miss A Groves,

Ref Appeal APP/X0360/A/01/1058304
Timberscombe, Holly Croft Ride -
Appeal by Brookworth Developments Ltd

I have already expressed my concern over this development and you should have a copy of my letter. I am very concerned over this appeal.

The proposed development will have a major negative effect on the area as follows:-

(1) It will lead to a significant loss of trees which form a strategic break between developments and provide a habitat for wildlife

(2) It will lead to a further overload of local roads.

P.T.O

(3) There are insufficient facilities and shops within reach without the use of cars and this is unsustainable.

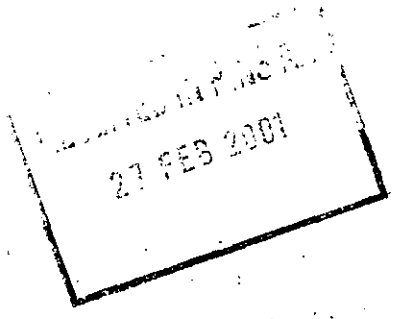
(4) If this development is allowed to proceed it will set a precedent that will allow large scale development of the area by purchasing of existing large gardens. This will lead to a complete change in character of the area.

I would be prepared to discuss my concerns if this would be useful. Please call 0118-959-3222 during daytime.

Yours Sincerely

MR A F DEARSLEY

MRS A. C. DEARSLEY



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

8 Ashdale Park
Wokingham
Berkshire
RG40 3QS

Tel: 01344 762738

roger.marshallsay@btinternet.com

Ref: APP/X0360/A/01/1058304

25 February, 2001

Dear Miss Groves

I have been notified by Wokingham District Council that Brookworth Developments Ltd. are appealing against the decision not to allow the erection of 4 dwellings on the land at the rear of Timberscombe, Hollybush Ride, Finchampstead.

We wish to record our objections to the proposed development and would like to draw the inspector's attention to the outcome of two similar appeals for the development of a 5-bedroomed detached dwelling house at the rear of Wildacre.

The first appeal was rejected in a letter dated 5 July 1988 ref. T/APP/HO330 /A/88/87344/P4 Application Number 29536 and the second dated 22 March 1990 ref. T/APP/HO330/A/89/128470 and 134999/P4 Application Numbers 33396(F) and 33399(F).

The proposed new development site, at its nearest point, is approximately 90 yards from the site referred to above. All the reasons that the original inspector gave for the rejecting the earlier appeals apply to the proposed new development. Hence, we urge the inspector, for the current appeal, to come to the same conclusion.

Will you kindly send us a copy of the decision of the Appeal when it is available.

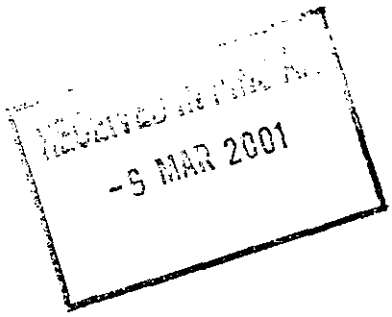
Yours sincerely

Roger Marshallsay

Eileen Ann Marshallsay

M. H. & K.S. Holland

1 Little Fryth, Finchampstead,
Berkshire, RG40 3RN
Tel 01344 750220



4 March 2001

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

Dear Miss Groves

Reference APP/X0360/A/01/1058304

I refer to the appeal against the rejection of a planning application for the erection of 4 new properties on Timberscombe, and part of the gardens of Cobwebs, Woodside and Kingfishers covert in Hollybush Ride, Finchampstead

We believe that the granting of this application would create a dangerous precedent for the further development of the area, which would destroy the character of the area, and potentially opens a corridor for further development leading up to the National Trust property, Simons Wood.

If this appeal overturns the original decision, it will become much more difficult for the Council to prevent further development within this corridor.

One of the main attractions of the area is the wide range of native hardwood trees, which grace the area and at present support a large range of wildlife, including dozens of bird species, and a wide range of mammals, including deer, badgers, foxes and squirrels.

Additional development would undoubtedly be of detriment to these populations, as it would undoubtedly result in the destruction of a substantial number of these trees.

You may be aware a number of mature trees, including Oaks and Walnuts, were felled from the gardens in question immediately prior to the submission of the original planning application. Hopefully additional vandalism of this type will be curbed now that the TPO has been granted.

Of perhaps more import however would be the impact of additional development on the infrastructure of the area.

The local schools, both primary and secondary, are currently full to capacity, and are unlikely to be able to cope with additional residents in the near future.

Hollybush Ride is an unlit and unadopted road, and in its current state is unsuitable to support further development. The access from Hollybush Ride to and from the A321 is often a lottery, and additional traffic will inevitable increase congestion during the rush hours.

The overstretched local amenities are not within walking distance and the lack of a good local public transport infrastructure will inevitably cause additional cars to use the road.

There is concern at the adequacy of the local power and sewerage infrastructure to cope with the increased loads that further development would place on it.

As the land levels rise on the south of Little Fryth, the proposed development of substantial houses will overlook the existing properties, and will have a major detrimental affect on both light, character and appearance.

In conclusion we would urge you to reject this application.

Yours sincerely

Martin Holland

Kim Holland

Steven Holland

5th March 2001

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



Re: APP/X0360/A/01/1058304

Dear Miss Groves

With respect to the development, your reference above, our strong objections are given below :-

1. The local water table and drainage is already under severe critical condition would almost certainly create problems for the residents and subsequently the Council.
2. This development would set a precedent for further developments up to Simons Wood.
3. If approved, the Council would become powerless to overrule further developments.
4. The character and appearances of the area will be impaired.
5. Blatant destruction of trees and subsequent loss of wildlife and natural habitats.
6. Local amenities are already over stretched and the area is not within walking distance of amenities, i.e. shops, schools, doctors surgery.

Yours sincerely

Peter Hopwood

Peter & Sally Hopwood
3 Little Fryth, Wokingham, Berkshire, RG40 3RN
Tel: 01344-779430 - Mobile: 07767 244790 - email: peter_t_hopwood@compuserve.com

Your ref:- APP/X0360/A/01/1058304
2nd March 2001

Mr & Mrs J. Martin,
24, Little Fryth,
Finchampstead,
Wokingham,
RG40 3RN.

RECEIVED
-6 MAR 2001

Dear Miss Groves,

My wife and I wish to register our concerns over the above planning application, and wish to object to this application being granted.

We are particularly concerned about the precedent that the council would be setting by allowing this development to proceed, in other words once granted, where would or could the development be extended to?

The protection of the character and appearance of the area would be affected, with the greatest impact being to wildlife, who would inevitably lose some of their natural habitat. My understanding is that many of the tree in the proposed area are protected, and therefore this in itself should be a strong reason to deny the application.

Any increase in the local population will also further increase the pressure on local amenities which are already stretched.

In closing, we would have not objection to a simple "replacement of properties" ie knocking down and rebuilding, but we sincerely hope that the planning inspectorate recognise that anything more than this would be unacceptable.

I trust the right decision will be made for reasons of, the existing community the local wildlife; flora & trees and not for the greed of a few developers.

We await your decision with interest.

Yours sincerely.

Jan Martin.

27 Ashdale Park
Wokingham
Berks
RG40 3QS

5/3/01

Dear Miss Groves,

Reference APP/X0360/A/01/1058304

I refer to the appeal by Brookworth Developments Ltd against Wokingham District Council's refusal to grant planning permission for the erection of four dwellings plus the demolition of an existing dwelling.

I object most strongly to the proposed development which, in my opinion, would represent a particularly bad example of 'back-filling' and would be quite out of character in area with a history of sympathetic development. Two examples of this are the retention of a wooded area within Ashdale Park and the wooded area which acts as a buffer between Ashdale Park and Little Fryth. If allowed, the proposed development would have a very detrimental effect on the character of the area and be likely to set a precedent for further unsuitable developments.

The development would also involve the felling of quite a number of trees (currently the subject of a preservation order) and this would have an adverse effect on the local wildlife.

It is also the case that local amenities are already overstretched.

Yours sincerely J B Sheridan (DR J. B. SHERIDAN)

DILIGENCE
HOLLYBUSH RIDE
FINCHAMPSTEAD
BERKSHIRE
RG40 3QP
TEL: 01344 775971

2.03.01

RECEIVED IN PINS AT
-7 MAR 2001

Dear Sirs

Ref. APP/X0360/A/01/1058304

I refer to the above application and would like to reiterate my objections to the above proposal.
My original objection still apply, and I enclose copies of my original letter to Wokingham District Council

Yours faithfully

T. PAGE

Ref:- APP/X0360/A/01/1058304
Land Rear of Timberscombe
Hollybush Ride, Finchampstead.

Crafter's Lodge
Hollybush Ride
Finchampstead
Wokingham
RG40 3QP.
BERKSHIRE.



10th March 01.

Dear Miss Graves.

I wish to object to the Proposed development on ground to the rear of Timberscombe, Hollybush Ride Finchampstead. on the grounds of an alternative planning application NBR F/2001/3385 on the same site Addressed. the proposed application is for the demolition of the existing dwelling and the erection of one new dwelling and garage.
this new planning application is more in keeping with the Rural ~~char~~ nature of Hollybush Ride, it would mean that access is automatically then blocked to the rear of Timberscombe. hence negating the Proposal for back development.

Yours Faithfully.

Adrian Hunt

MR & MRS DOBBIN
ROMANY
HOLLYBUSH RIDE
WOKINGHAM
BERKS
RG40 3QP

RECEIVED IN PINS AA
-7 MAR 2001

Ref: APP/X0360/A/01/1058304

5.12.01

Dear Miss Groves,

With reference to the above planning appeal I feel I must write in <u>support</u> of the appeal. I believe the reasons given by those who oppose the development are both spurious and hypocritical.

Once again we have a situation where houses are needed and will have to be built somewhere but the NIMBY factor comes into play yet again. The most vociferous of the development opponents were quite happy to move into houses built on land that now they would have opposed – hypocrisy to say the least!

They cite five points for refusa

a) setting a precedent for further development — there are a number of us who would wish to see further development on land which is fit for nothing else!

b) Council inability to prevent further development of the appeal is allowed — a variation of point a) above.

c) Character and appearance of the area would be destroyed. Originally this land was primarily heathland & we could see open landscape - this when we first visited the area in the 1950's. Now the area is poor quality scrub woodland with Gorse many trees growing too close together & rapidly with much bracken & bramble with rhododendron. The land cannot sensibly be used for growing useful or colourful plants. Most of the heather has disappeared. Additionally very few people can see the ~~ex~~ backlands or enjoy them.

d) The destruction of trees & loss of wildlife & natural habitats

There has been a considerable increase in the number of houses & extensions in the area since the 50's & yet we see and hear far more birds now than in the past, we have as many squirrels & foxes as before & we have had to build a fence to keep out the deer which eat so many plants! All this since the erection of the estate when the homeowners protest about development.

c) local amenities restricted etc.

It is claimed that the area is not within walking distance of amenities & yet there are shops & post boxes, bus stops & and a railway station within walking distance & when we first came here we thought nothing of walking to Crowthorne or indeed Wokingham. Some people obviously rely too much on the car. Indeed much of the north bound traffic on the A321 originates not from our area but south in Hampshire heading for the M4 etc.

I trust that you will appreciate that not everyone is against development & that there are good reasons for allowing such development as there is need for houses particularly with the continued economic growth of the Thames Valley area.

Yours faithfully,

John P. Dobson (B.Sc.)

'Ahlan House',
Hollybush Ride,
Finchampstead,
Berkshire RG40 3QR

6th March 2001. Rec'd 8/3/01

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

Your Ref: APP/X0360/A/01/1058304

Dear Miss Groves,

I am writing this letter to register my objection to the appeal by Brookworth Developments Ltd to erect 4 dwellings on the land at the rear of 'Timberscombe', Hollybush Ride, Finchampstead.

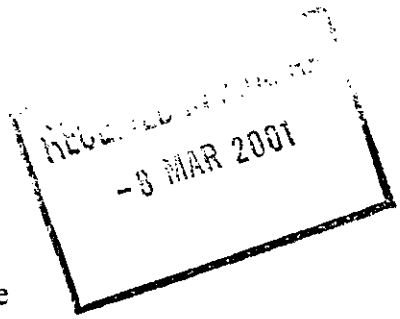
I already outlined my reasons for my objections when planning authority was first sought by this organization, therefore they are a matter of record, I would merely here reiterate that

1. This development would set a precedent for further development in Simons Wood.
2. If approved the Council would become powerless to overrule further developments.
3. The character and appearance of the area will be destroyed.
4. There would be a quite blatant destruction of trees and the resultant loss of wildlife and their natural habitats
5. Even the addition of the small number of vehicles will create further havoc on the narrow unadopted road that is Hollybush Ride
6. The suggestion of another 'in fill' development so typical these days of the area is totally unacceptable for this specific area – you really need to see for yourself the beauty of the road/area to appreciate that if additional houses were built then the ambience of the road/area will be lost.
7. Finally, I do know that up to my next door neighbour, that we are on a main sewerage system – unlike the balance of the road going up into Simons Wood – hence I do believe that such drainage will be effected by additional properties.

Yours faithfully,

P.M. Reilly.
Owner

Russett Glade
Hollybush Ride,
Finchampstead,
Wokingham,
Berks.
RG40 3QP



MISS A. GROVES
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL BS2 9DJ

7th March, 2001

Dear Miss Groves,

YOUR REF: APP/XO360/A/01/1058304

With reference to the above application in respect of three houses planned to be built at the rear of Timberscombe, Kingfishers Covert and Woodside in Hollybush Ride, we have lived in Hollybush Ride for over 17 years and have seen a great deal of change in that time. Most changes have been beneficial down the lane and improvements have definitely been made due to better properties having been built but our objection is strongly that of back building.

Should back building continue to be allowed, where will it end? If this is approved then there can not possibly be objection to further planning being made as a precedent will have been made. The appearance of the area will completely change, trees and wildlife will go and local amenities will be further stretched.

This is my second letter of objection, my previous being to the four houses originally proposed. Thank you.

Yours sincerely,

MR & MRS. BROMLEY

RECEIVED in Filton
-8 MAR 2001

GOODSON
GREYFRIARS
HOLLYBUSH RIDE
HOKINGHAM
BERKS RG40 3QP

07.03.2001

MISS A GROVES
THE PLANNING INSPECTORATE
ROOM 1004
TOLLGATE HOUSE
HOULTON STREET
BRISTOL BS2 9DJ

REF APP/X0360/A/01/1058304

DEAR MISS GROVES,

I write on behalf of myself and family to pass a negative view concerning the infill building of 4 houses in the back gardens Rear of TIMBERSCOMBE, Hollybush Ride.

Too much infill has already occured, too much now will be the final straw. My orisinal objection has already been made, a copy is supplied for your attention.

Your understanding of this matter will be most appreciated

Yours sincerely,

J Goodson.

T J. GOODSON (MR)

GREYFRIARS
HOLLYBUSH RIDE
WOKINGHAM
BERKS
RG40 3QP

12th September 2000

Wokingham District Council
Environmental Services Department
Planning Services
P O Box 157
Shute End
Wokingham
Berks RG40 1WR

For the attention of Angela Odell, Planning Officer

Dear Sir/Madam,

Application No: **F/2000/2225**
Site Address: **Land rear of Timberscombe, Hollybush Ride, Finchampstead, Wokingham**
Proposal: **Proposed erection of 4 dwellings plus demolition of existing dwelling**

I wish to place my family's objections to the proposed development as noted at the head of this letter.

The area of Hollybush Ride has already been over developed and further infilling will lead to increased urbanization and a decline in the limited rural atmosphere within an already extremely busy and over-stretched environment.

Facilities, whether shops, schools, buses, general services or roads etc., are insufficient, inadequate and grossly over-extended, thereby adding even more pressure to living in this community.

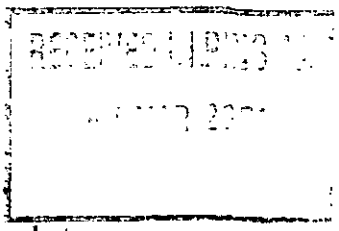
Hollybush Ride itself is, we feel, not suitable for further development The road is unadopted, with the limited maintenance currently being provided by the present residents.

In common sense terms why develop more green field sites when brown field sites are available? All in all too much green area is being destroyed with too little thought for the consequences and the families moving to and currently residing in these areas!

I do hope you give this some considered thought.

Yours faithfully

T J Goodson (Mr)



Stonechats
Hollybush Ride
Finchamstead
Berkshire
RG40 3QP

Ref Planning Applications F/2001/3399
And F/2000/2225
Your ref. APP/X0360/A/01/1058304

6th Mar 2001

Dear Miss A. Groves,

I wrote some time ago to object to my local council about Planning Application ref. F/2000/2225 on many grounds, and now understand that this application is under appeal and that the builder has made a new application, no. F/2001/3399 for a reduced number of houses at the site in Hollybush Ride.

I again would like to object strongly to this application to build three houses where there is currently only one dwelling.

1. I understood that the norm in this sensitive area was to only allow the replacement of a dwelling with just one house, for obvious reasons. If this application were allowed it would surely set a precedent for other residents along Hollybush Ride to gain permission to "in-fill", and then the area up to Simon's Wood would forever be changed from it's current rural feel.
2. The blatant destruction of the habitat and consequent effect on the wildlife would surely be intolerable. I understand that some destruction has already taken place.
3. The local infrastructure is currently under real strain. There are no local services that can be walked to, either shops, doctors, or schools, and the access to and exit from Hollybush Ride (a non-maintained road) by vehicle is becoming more dangerous and difficult all the time.

In summary, I do not believe that this planning adds anything to the area other than the listed negatives, and can only be for commercial greed, and would therefore ask that you reject this application.

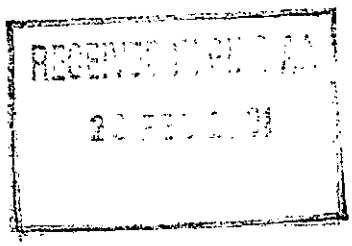
Yours sincerely

D.A. Hillman

Peter Jourdan
'Heathercot'
Hollybush Ride
Wokingham
Berkshire
RG40 3QP

Tel : 01344 772687

26th February 2001



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

Ref: APP/X0360/A/01/1058304

Dear Miss Groves

Appeal by : Brookworth Developments Ltd

Please note that I strongly support the application to build four houses at the rear of Cobwebs, Kingfisher Court and Woodside, Hollybush Ride.

With the almost total lack of brownfield sites in the Wokingham area, it is imperative that every possible infill site is used.

Mr Salisbury of 2 Little Fryth has obvious personal reasons to oppose the development, but with careful planning it is possible to still grant him a degree of privacy.

Please note that :-

1. This is not a wildlife corridor.

2. This application is in no way connected to other "boxed-in" land in the area.

Ashdale Park, Little Fryth and the nortern end of Hollybush Ride are one 'Estate ' development, the precedent being set by the building of the houses in little Fryth, and the houses on the west side of Hollybush Ride adjacent to Kingsmere.

There is no unique character about this particular part to be spoiled as the new development will be screened by existing houses.

Once again I must stress the need to consider for building purposes land which is trapped by existing properties. Bracknell District Council have already been carrying out this excercise in nearby Ninemile Ride and are therefore able to retain areas which are truly 'green sites'.

Yours sincerely

P.S.F. Jourdan

PLANNING SERVICES	HPT
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14 SEP 2000	
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	FILE

GREYFRIARS
HOLLYBUSH RIDE
WOKINGHAM
BERKS
RG40 3QP

12th September 2000

Wokingham District Council
Environmental Services Department
Planning Services
P O Box 157
Shute End
Wokingham
Berks RG40 1WR

For the attention of Angela Odell, Planning Officer

Dear Sir/Madam,

Application No: **F/2000/2225**
Site Address: **Land rear of Timberscombe, Hollybush Ride, Finchampstead, Wokingham**
Proposal: **Proposed erection of 4 dwellings plus demolition of existing dwelling**

I wish to place my family's objections to the proposed development as noted at the head of this letter.

The area of Hollybush Ride has already been over developed and further infilling will lead to increased urbanization and a decline in the limited rural atmosphere within an already extremely busy and over-stretched environment.

Facilities, whether shops, schools, buses, general services or roads etc., are insufficient, inadequate and grossly over-extended, thereby adding even more pressure to living in this community.

Hollybush Ride itself is, we feel, not suitable for further development The road is unadopted, with the limited maintenance currently being provided by the present residents.

In common sense terms why develop more green field sites when brown field sites are available? All in all too much green area is being destroyed with too little thought for the consequences and the families moving to and currently residing in these areas!

I do hope you give this some considered thought.

Yours faithfully

T J Goodson (Mr)



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Development Control Section, Environmental Services, Wokingham District Council.

15 March 2001

Scale: 1 : 2500

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13 SEP 2000	
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01344 773914

18 Ashdale Park
Wokingham
Berkshire
RG40 3QS

September 11th 2000

Dear Sir.

Planning application No.
F/2000/2225.

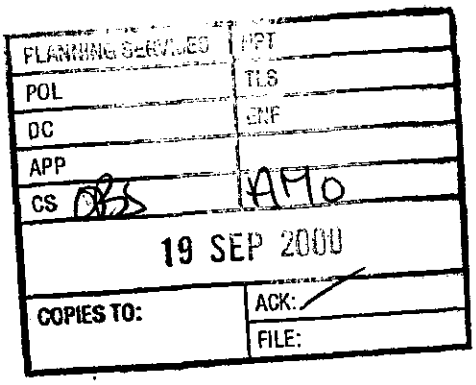
Please register my objection.

I fear murder already trying to get out on to Lower Wokingham Road at busy times. We can do without more congestion.

Perhaps this is a selfish view but important is the possible - indeed probable - precedent that would be set for the remainder of Hollycroft Ride

Yours faithfully

Martyn Jackson



Ahlan House,
Hollybush Ride,
Finchampstead,
Wokingham RG40 3QR.

14th September 2000.

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

Dear Ms. Odell,

Planning Application No. F/2000/2225

I refer to the above Planning Application and would wish to take this opportunity to lodge my objection to the granting of this application, in particular, for the following reasons,

1. This is clearly an 'infill' development, many of which blight the area, and specificaly this one, if passed, would seriously alter the very intrinsic nature of Hollybush Ride – an unadopted by-way – well recognised locally as a most attractive walk-way. Further, such erosion, would likely increase the likelihood of further pressure being brought to bear on similar possible areas of development – even stretching to Simon's Wood.

2. The amount of traffic that currently uses Hollybush Ride, surprisingly, is already excessive and any increase caused by this 'infill' will only exasperate the situation. It is now an inconvenience to walk one's dog up this lane in view of the number of vehicles utilising it, whereas up until quite recently, this was a pleasurable chore.

3. I understand that in advance of the application, the developers felled a large area of woodland and whereas there is a tree preservation order on the side of the road of my house, clearly one could not have been in force on the other side and clearly the developers will clear more land and fell more trees – a situation best not allowed to happen.

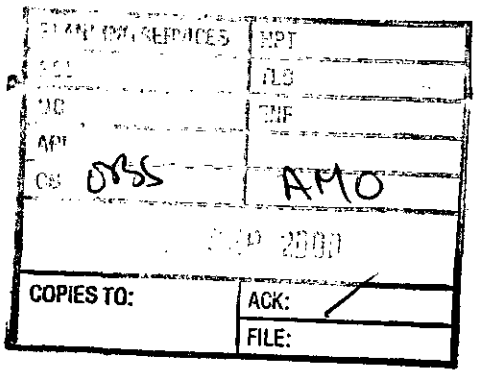
4. The site in question could hardly be described as a 'brownfield' site ,if so, all back gardens would be classed likewise hence any arguments by the developers that such a site meets local policy is ludicrous and should be treated as such.

5. The anticipated entrance onto Hollybush Ride from this proposed development will create a real hazard – there is simply not enough turning area available, plus, during any proposed building period, chaos will reign – besides creating a danger.

6. Further pressure on local services,eg, sewerage, is unnecessary and will likely create problems for the future.

Having already had the Council's views on a small wall in front of my premises, which 'would erode the very ambience of the road' – hence planted trees instead, I find it hard to believe that the Council would countenance further development of this type, hence will take note of my objection.

Yours Sincerely, Philip Reilly



Russett Glade
Hollybush Ride,
Finchampstead,
Wokingham,
Berks.
RG40 3QP

F.A.O. ANGELA ODELL
Planning Officer
Wokingham District Council
Environmental Services Dept
Planning Services
P.O. BOX 157 Shute End
WOKINGHAM RG40 1WR

8th September, 2000

Dear Ms. Odell,

We have recently been made aware of the planning application No. F/2000/2225 and would like to strongly object to this.

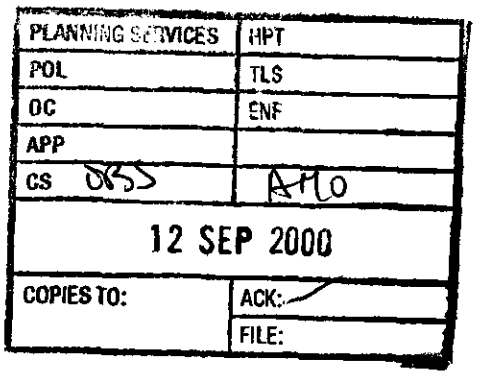
We have enjoyed living in Hollybush Ride for 17 years prior to Ashdale Park and The Fryth being built and are now very worried that the back building may carry on further up the Ride. We are not killjoys and wish anybody the best of luck if they ever have the opportunity of selling off land for building but we have genuine concerns that the area now being enjoyed for its wildlife and trees etc., will eventually be replaced by houses.

We at the present time regularly have two small deer in our garden and we can watch quietly whilst we are visited by foxes, badgers, rabbits, squirrels and a whole host of birds, we really would not know where else to find an area of this kind.

At the moment we both have difficulty in getting out of the lane onto the mini roundabout in the mornings and feel that the nature of the lane could not cope with more traffic.

Yours sincerely,

MR & MRS BROMLEY



D.A. Stock
Englebury
Hollybush Ride
Wokingham
RG40 3QP

9th September 2000

Dear Ms. Odell,

Re Planning Application F/2000/2225

I am writing to register our objections to the above planning application. It is not clear by whom the application was lodged.

Our objections are heightened by the fact that the developer was responsible for the felling of a considerable number of well established trees in advance of the application. This is disgraceful and shows a blatant disregard for the law, the local residents, and the council itself. I would like to ask whether the council tree officers who visited the site produced any report, and if so, whether this is available for viewing. It would also be useful to know whether the developer broke any by-laws or acts, and if so, whether the council plan to take any action.

In our opinion, the application further diminishes the ability of wildlife to co-exist naturally within an urban fabric, which I believe to be one of the aims of the Wokingham District local plan.

We also believe that the infrastructure supporting the area is already under stress, and that further development on Hollybush Ride and Ashdale Park, with its one (already dangerous) exit, will cause a worsening of an already bad situation. There are very likely to be serious accidents at this roundabout as people lose patience, and loss of life will be an increasing possibility.

The proposed development if allowed, would set a precedent and make it difficult to justify rejecting future applications in the area, making it likely that the rural and unique nature of the area would be lost for ever.

Yours faithfully,

D.A. Stock

Laurel House
Hollybush Ride
Finchampstead
RG40 3QR
10th Sept 00.

PLANNING SERVICES	HPT
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DC	ENF
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CS 6915	APIO
12 SEP 2000	
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Application No. F/2000/2225.

Dear Sir/Madam. I would like to object to the proposed application above on the grounds.

1 Hollybush Ride is too crowded already for an unmade road - four more family houses will only add to the potential for accidents. The nature of the exits etc from houses in this facinity is already dangerous

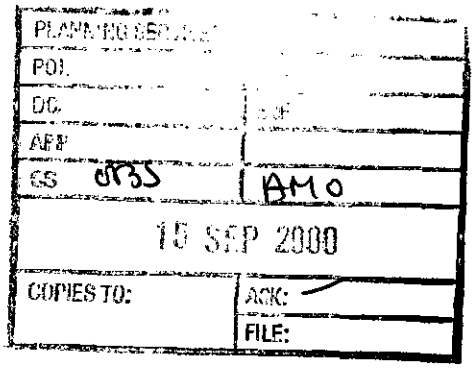
2 This current site does not have main drainage (sewers) — will they tap into the system set up for Laurel House, Herons landing Alton & Tanglewood - and would they have to seek permission from these residents to do so?

Yours Sincerely

D J Whitmarsh

Morningside,
Hollybush Ride,
Wokingham,
Berks.
RG40 3QP

12/9/2000



Dear Ms Odell,
We are writing with regard to planning application no. F/2000/2225.

As neighbours whose property lies next to the proposed development we wish to object to the development on the following grounds.

- The services in the area are already limited and even modest development would have negative consequences on traffic congestion at the end of Hollybush Ride. Journeys from the area need to be made by car.

- The felling of a large number of trees on a Saturday in early August was an underhand way to proceed. This selfish action has already damaged the environment and no doubt had a detrimental effect on the wildlife.

- If existing established hedging is removed this would have an impact on our privacy. Currently, there is a substantial hedge in place at Woodside which provides a level of seclusion.

- Sewage systems are barely able to cope at the moment. Additional homes, designed to accommodate families, would provide a further strain on the system.

- Hollybush Ride is an unadopted road. There is no council funding for maintenance of the road, costly resurfacing, lighting etc. Development could cause an additional financial burden to existing households in the long term and severe disruption in the short term.

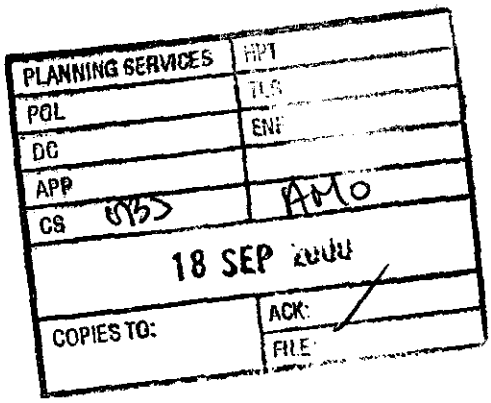
- The plans are contrary to the council's policy in a number of areas.

To conclude the only people to benefit from the development are the developers and the original landowners who are willing to sacrifice the micro environment for their financial gain. We would urge you to reject the planning application.

Yours sincerely,

Janet & David Wood

(Mr & Mrs D.A. Wood)



Mrs P. Hooper
'Conifers"
Hollybush Ride
Finchampstead
Berks
RG40 3QP.
13.9.2000

Ref: Local Planning Application No. F/2000/2225

Dear Angela Odell,

It has come to our attention, that a building firm has submitted a planning application to demolish 'Timberscombe' Hollybush Ride and with the rear gardens of 'Cobwebs', 'Kingfisher', 'Covert' and 'Woodside' build a development of four detached houses.

The council has in recent years developed a policy of not letting people build one house behind their own property because of setting a precedent of over development of greenfield sites. In this case there would be many houses behind other properties. How do developers get away with this time and again? The Council's policy is to develop brownfield sites, not greenfield ones after all.

The roads around this area are already congested, to get out of Hollybush Ride at certain times of the day you already take your life in your hands with traffic approaching the round- a- bout from Lower Wokingham Road South to North.

Schools are another consideration, as I understand it, these already have more than their quota of children. With the added problem of virtually no public transport and Comprehensive Schools being several miles away this again adds to congestion problems.

Tree felling is against the environmental policy, and we don't have to look very far, only to the development of Little Fryth and Ashdale Park to see a case where developers agree to leave a certain amount of trees, only to say oops we've taken down too many, not much you can do then for the wildlife is there. We also understand that some tree's once again have been felled prior to the planning application being submitted, how do these people continually get away with it. When are you going to crack down hard on these people?

A few houses in Hollybush Ride are already experiencing problems with the water table, we are one of them, could this add to the problem.

Finally it seems to me that people's greed, needs to be stopped. Making money at the expense of the people left in the area to cope with overcrowded schools, congested roads, polluted atmosphere, wildlife habitat lost, is just not on.

Hollybush Ride is an unadopted road, who pays for the damage done by large lorries delivering building materials. This will also cause problems early in the morning for people going to work, deliveries are usually made early to avoid traffic on the roads, but with people leaving for work earlier to avoid the same congestion they are normally on Hollybush Ride at the same time. The width of the road also adds to this problem. The construction companies should not in our opinion be allowed to use the Lay-by's on the first part of Hollybush Ride.

Yours sincerely

A. Hooper
P. Hooper

PLANNING SERVICES	HPT
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25 SEP 2000	
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'Tanglewood'
Hollybush Ride
Finchampstead
Berkshire
RG40 3QR

September 20th 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berks
RG40 1WR

Dear Mrs Odell,

Re: Planning Application No: F/2000/2225

We write to express our opposition to the planning application for the site of 'Timberscombe' and the land to the rear of 'Cobwebs', 'Kingfishers Covert' and 'Woodside'.
Our objections are as follows :-

1) **Character of the area** - Hollybush Ride is characterised by properties in large plots, largely screened by mature vegetation, giving an overall appearance of an unbuilt-up area. Increasing the density of development will detract from the character of the area.

2) **Private Lane** - Hollybush Ride is an unadopted road which is maintained by the residents. We are against any increase in traffic which will further increase the burden of maintenance.

3) **Traffic** - Further development along Hollybush Ride will result in an increase in traffic. The narrow nature of the lane, the unmarked junction with Little Fryth (with limited visibility) and the dangerous junction with Nine Mile Ride make any increase in traffic undesirable. The traffic is already congested at the Nine Mile Ride Junction at peak hours, where the speed of traffic approaching from the right makes the exit from Hollybush Ride hazardous.

4) **Facilities** - There are no schools, shops or other facilities within walking distance of the proposed development.

5) **Precedent** - whilst we recognise that each planning application must be considered on its own merits, approval of this application would set a precedent for similar proposals which would further detract from the character of the area.

Yours sincerely

Mrs C Lovell-Read Mr G Lovell-Read

Mrs A Odell
Development Control Manager
Environmental Services Departm
P.O. Box 157
Shute End
Wokingham RG40 1WR

PLANNING SERVICES	HPT
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8 Ashdale Park
Wokingham
Berkshire
RG40 3QS
Tel: 01344
762738

16 September 2000

Dear Mrs Odell

Planning Application No. F/2000/2225

We are writing to express our concern about the proposed application for planning permission for the proposed erection of 4 dwellings plus demolition of an existing dwelling in Hollybush Ride Finchampstead Wokingham.

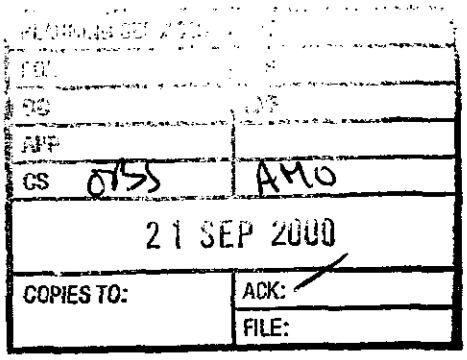
This kind of infilling using greenfield sites is contrary to the Council's and governments policy of using brownfield sites for new housing development wherever possible. It will increase traffic in Hollybush Ride and hence at the roundabout at the junction of Nine Mile Ride and the Lower Wokingham Road

The area is currently rich in wildlife there being deer, foxes, badgers and a great variety of birds. The intrusion of additional vehicles and people and the loss of habitat would be very detrimental to their existance and the increased traffic and would inevitably result in their being killed on the road.

We urge you to reject this planning application for the reasons described above.

Yours sincerely

Roger Marshallsay Ann Marshallsay



22 Little Fryth
Finchampstead
Wokingham
Berks RG40 3RN

September 16, 2000

Ms Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
PO Box 157
Shute End
Wokingham
Berks RG40 1WR

Dear Ms Odell

Planning Application No F/2000/2225

We write regarding the above planning application and wish to lodge our objections as follows:

1. The impact on existing sewerage systems.

2. Overloading in local schools which are already full.

3. Increase traffic in Hollybush Ride,

4. This is a semi-rural location and should be kept as such.

5. It is against Council policy to develop brownfield sites, there are many other sites locally which would not impact the environment to the same extent if they were to be developed.

6. It would further erode the distinction between Crowthorne and Finchampstead leading to an amalgamation of both communities.

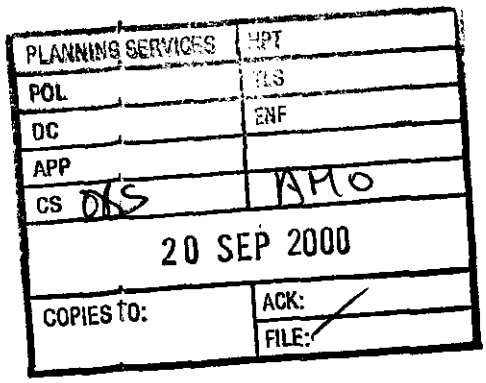
7. Given the strong objections from the majority of local residents, the Council would upset the complete local community if planning permission was granted.

Thank you for your close attention in this matter.

Yours sincerely

NICK BROWN

SALLY BROWN



18 Little Fryth
Wokingham
RG40 3RN

Your Ref: F/2000/2225

18 .9.2000

Dear Ms Odell

Application Number: F/2000/2225

I am writing to express my concern at the above application for building a further 4 houses off Hollybush Ride.

Having been overseas for 4 years, I have been staggered at how many houses are being crammed into what were previously gardens or green field sites. This planning application seeks to do yet more. If this application were to succeed then yet more mature trees, gardens and subsequent wildlife will be lost forever, in the process reducing yet further the rural "market town" character of Wokingham. Surely local policy is to develop brownfield sites, not greenfield ones such as this?

Moreover, extra housing will mean more cars on Hollybush Ride as there are no public transport facilities for this area. The roads are very busy in the peak hours and, being limited by width restrictions, will need to be looked at very carefully if this application were to succeed. Some changes in the layout may well be necessary to prevent either unbearable congestion or, indeed, an accident.

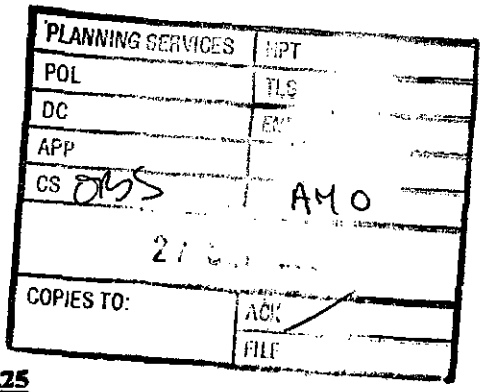
I trust that the above points and those made by my neighbours will be taken on board by the committee when considering this planning application.

Yours sincerely

Carole Richards

Carole Richards

12 Little Fryth,
Wokingham,
Berks
RG40 3RN



25th September 2000

RE Planning application number F/2000/2225

Dear Sir or Madam,

I am writing to object to the above planning application. I have reviewed carefully the proposed plans and find that it does not comply with many of the criteria laid down for this type of development.

The proposed development will take place in areas of gardens which significantly contribute to the character of the area. I note that the application says that the "development will be sympathetic in scale and character to the environs of the site". The development will actually result in the destruction of the majority of the mature trees in the area - in excess of 40. This is in conflict with local planning rules, which provide for protection "of wooded areas, gaps and garden areas which are important to the settlement concerned".
It is noted that they will "retain and enhance the spacious green appearance of the street scene" – all well and good but the scene we will see will overlook from our house will be that of a treeless desert.

The houses will be closely grouped together – the area calculation used by the developers includes the long length of drive which is misleading in that is exaggerates the area devoted to the houses themselves. The plot areas are significantly smaller than those of similar properties in the area. The building of the 4 properties in this space will result in a significant reduction in the character and desirability of the area.

Under 4.9 I am amazed that they say that they have taken care to "site the proposed dwellings to avoid any conflict with neighboring houses in terms of light, privacy and outlook, thereby ensuring that high levels of residential amenity are maintained for existing occupiers" I have not been contacted or had my opinion asked as to this development and how it will effect my environment.

This development of 4 houses will result in the demolishing of Timberscome, a net gain of 3 dwellings. No benefit will be accrued for the community in terms of roads, amenities or infrastructure. It seems to offer the residents of Wokingham District poor value for money when compared to other plans underway.

In closing I must note that the developers clearly consider that the planning process a foregone conclusion as they have proceeded to cut down some of the trees (fortunately now stopped after our intervention). I hope that the planning authorities will note this arrogant behavior and set a precedent by throwing out the application.

Yours faithfully

Chris Exelby

+44 181 344 4448

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26 SEP 2000	
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HERONS LANDING

Herons Landing
Hollybush Ride
Wokingham
Berks
21/9/00

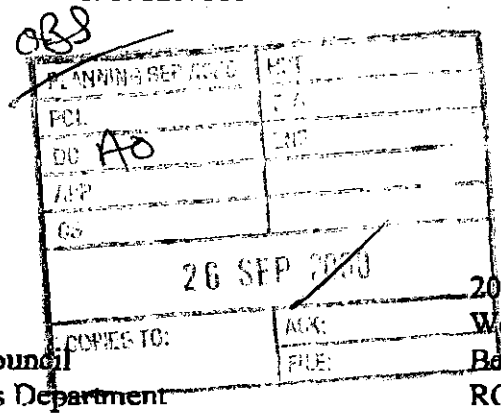
Dear Sirs

Applicatn no F/2000/2225

I am writing to object to the above planning applicatn for the following reasons:

- The proposal will result in the destructn of an area of great beauty including trees, wildlife etc
- The whole area around with Fryth at Hollybush Ride will be disturbed and badly affected by the developmt
- the developmt seems to go against the Wokingham district Local Plan by
  - (a) Removing the protectn, enhancemt & creatn of wildlife corridors
  - (b) Results in the loss of, or damage to, trees or groups of trees recognised as having amenity or

02078287580



Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Wokingham
Berkshire
RG40 1WR

20 Little Fryth
Wokingham
Berkshire
RG40 3RN

22 September 2000

Dear Ms Odell

Application F/2000/2225

We wish to object to the above development proposal. It is inconsistent with the Council's policy of developing sustainable, brownfield sites. Furthermore, it will impose a further burden on an already overloaded sewerage system, inevitably increase traffic in an area with poor public transport and adversely affect local flora and fauna.

There appears to be no benefit to the community from this development. We urge you to reject the application.

Yours sincerely

Angus & Sarah Goodenough

The Birches
21 Little Fryth
Finchampstead
Berkshire
RG40 3RN
01344 750756

(1)

September 2000

AMO
27 SEP 2000
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Dear Sir,

PLANNING APPLICATION No. F/2000/2225

I am sorry that a number of personal issues have delayed this letter of objection but I would ask that you make the relevant people aware of our very strong concerns over the above application. Our concerns are as follows:-

1. Safety of our children. Traffic is already so heavy that I am worried to cycle with my children. Holly Bush Ride is a strategic recreational link allowing families to walk and cycle away from busy roads. The ride is already very busy with cars. Any further increase is dangerous and should be accompanied by a safe designated footpath for cycling & walking.

(PTO)

2. Road Congestion. Local roads are already overcrowded and further development should only

(2)

7. Loss of boundary between settlements. This is outside the existing settlement boundary and will open the flood gates for other similar infill development. Eventually this will lead to Uckfield and Crowborne merging. If this development is allowed how will you be able to resist other similar development of large gardens in the area. This will completely change the character of the area.

Thankyou for taking note of our concerns

Yours faithfully

MR. A.F. DEARSLEY

MRS A.C. DEARSLEY

PLANNING SERVICES	
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CS OBJ	APO
21 SEP 2000	
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The Residents in the Neighbourhood of the area subject to Planning Application F/2000/2225

10 September 2000

Angela Odell
Planning Officer
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Ms Odell,

Your Ref: Planning Application No. F/2000/2225

We understand that an application has been made to demolish Timberscombe and build 4 houses on Timberscombe and on the back gardens of 3 adjoining properties.

The land and building in question are subject to the following restrictive covenant contained in a Conveyance dated 13 April 1922 between John Walter (vendor) and Henry William Brake (purchaser) and registered with HM Land Registry.

"No part of the said land comprised in the said plan marked A B and C nor any buildings to be erected thereon shall be used for any purpose which may be or grow into a nuisance or annoyance to the neighbourhood."

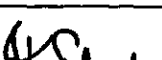
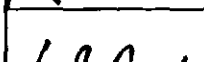
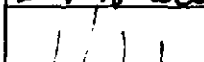
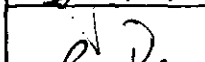
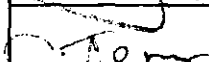
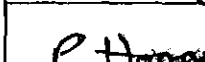
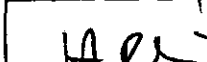
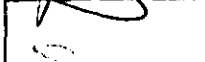
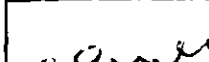
The proposed development in Planning Application F/2000/2225 would be a nuisance and annoyance to the neighbourhood and contravene the restrictive covenant. Please reject the application on these grounds.

Yours sincerely

Signature	Name	Address	Occupation
	K. ELLWOOD	6 LITTLE FRYTH FINCHAMPSTEAD	MANAGER
	C. ELLWOOD	"	TEACHER
	M WARSOP	41 LITTLE FRYTH, FINCHAMPSTEAD	MANAGER

Signature	Name	Address	Occupation
	L G. ASHTON	4, LITTLE FRYTH, WOKINGHAM. BERKS.	CONSULTANT
R.M. Salisbury	R.M. SALISBURY	2, LITTLE FRYTH, WOKINGHAM, BERKS	LIBRARIAN
W.M. Salisbury	W.M. SALISBURY	2 Little Fryth Wokingham Berkshire	Air Traffic Controller.
K.S. Holland	K.S. HOLLAND	1 Little Fryth Wokingham Berks	Teacher
M.H. Holland	M.H. HOLLAND	1, LITTLE FRYTH WOKINGHAM BERKS	CHARTERED ACCOUNTANT.
P.T. Hopwood	P.T. HOPWOOD	3. Little Fryth Wokingham, Berks	Marketing Director.
Sally Hopwood	S.A. HOPWOOD	3, Little Fryth Wokingham, Berks	Business Planner
Karen Campbell	KAREN CAMPBELL	7 LITTLE FRYTH WOKINGHAM. BERKS	PA
Suzanne Campbell	S. CAMPBELL	" " " "	ACCOUNTANT.
John Hewitt	J. HEWITT	9 Little Fryth	Surveyor
C. Page	C. PAGE	11 LITTLE FRYTH	HOUSEWIFE
N G Page	N G PAGE	11 Little Fryth Finchampstead Berks	COMPANY DIRECTOR
J May	J. MAY	10 LITTLE FRYTH HOLLYBUSH RIDE FINCHAMPSTEAD	HOUSEWIFE
I. May	I. MAY	"	MANAGING DIRECTOR.
J.B. Exelby	J. EXELBY	12 LITTLE FRYTH FINCHAMPSTEAD.	ACCOUNTANT.
K. Sharp	K. SHARP	15 LITTLE FRYTH FINCHAMPSTEAD	HOUSEWIFE.
C Richards	C RICHARDS	18 LITTLE FRYTH FINCHAMPSTEAD	COMPANY SECRETARY
A.M. Goodenough	A.M. GOODENOUGH	20 LITTLE FRYTH FINCHAMPSTEAD WOKINGHAM	CHARTERED ACCOUNTANT
S.J. Goodenough	S.J. GOODENOUGH	20 LITTLE FRYTH WOKINGHAM	HOUSE WIFE.

Signature	Name	Address	Occupation
S Brown	S. BROWN	22 Little Fryth	Housewife
N P B	N P BROWN	—— " ——	DIRECTOR
D DeBanks	D. DEBANKS	22 LITTLE FRYTH.	PARTNER
F DeBanks	F. DE BANKS	" —— "	PARTNER
A F Woodford	A.F. WOODFORD	26 "	RETIRED
A. Press	A. PRESS	31 " "	HOUSEWIFE
T. I. Press	T. I. PRESS	31 " "	INSURANCE MANAGER
B Mavin	B. MAVIN	27 " "	CEO
Helen M Hodgkinson	HELEN HODGKINSON	25 " "	HOUSEWIFE
A Hodgkinson	ALLAN HODGKINSON	25 " "	IT MANAGER.
P Gabb	PAT GABB	23 " "	Housewife
[illegible]	[illegible] RAINEY	19 LITTLE FRYTH	ACCOUNTANT.
E White	E WHITE	17 Little Fryth	Teaching Ass.
A White	A. WHITE	" " "	Director
[illegible]	D RICE-JONES	8 LITTLE FRYTH	DIRECTOR
M Rice-Jones	M. RICE-JONES	8 LITTLE FRYTH	Managing Director
Clive Hodson	CLIVE HODSON	BROOK House, Hollypark LANE	Company Director.
T. Evans	Trevor Evans	29, Little Fryth	Manager.
D Evans	DEE EVANS	—— " ——	BOOK-KEEPER

Signature	Name	Address	Occupation
	D STOCK	ENGLEBURY, HOLLYBUSH RIDE, WOKINGHAM	CO. DIRECTOR
	KIM STOCK	—"—	N.T.A
	D. WHITMARSH	LAUREL HOUSE HOLLYBUSH RIDE WOKINGHAM.	SALES MANAGER
	I. ANDERTON	MALTING HOLLYBUSH RIDE WOKINGHAM.	DIRECTOR.
	L. ANDERTON	MALTING HOLLYBUSH RIDE WOKINGHAM.	STUDENT TEACHER.
	H.W.J EARLY	HERONS LANDING, HOLLYBUSH RIDE WOKINGHAM BERKS	ACCOUNTANT.
	C. REILLY	AHLAN HOUSE HOLLYBUSH RIDE	HOUSE WIFE.
	PAUL ST CLAIR TERRY	BADGERS SPINNEY HOLLYBUSH RIDE	STRATEGIST
	CAROLINE VICTORIA TERRY	BADGERS SPINNEY HOLLYBUSH RIDE.	HOUSEWIFE.
	PAT HOOPER	COMPERS HOLLYBUSH RIDE.	HOUSEWIFE
	JOHN HOOPER	" "	FINANCE DIRECTOR
	P.F. DEARSLEY	21 LITTLE FRYTH FINCHAMPSTEAD	INVESTMENT MANAGER
	A. DEARSLEY	21 LITTLE FRYTH HOLLYBUSH RIDE	FIN. PLANNING CONS.
	H RHIND	16, LITTLE FRYTH	AIR TRAFFIC CONTROLLER
	T. GOODSON	GREYMARES. Hollybush Ride WOKINGHAM.	DIRECTOR.
	A. SMITH	14, LITTLE FRYTH, FINCHAMPSTEAD.	DIRECTOR.
	T. EVANS D EVANS	21 LITTLE FRYTH FINCHAMPSTEAD	MANAGER BECK-KEEPER
	C LOVELL-READ	Tanglewood, Hollybush Ride, Finchampstead	Housewife
	G. LOVELL-READ	" "	CONSULTANT.
	A. HUNT	CROFTERS LODGE, HOLLYBUSH RIDE FINCHAMPSTEAD	ADMINISTRATOR
	J BURGESS	DEERS LEAP, HOLLYBUSH RIDE FINCHAMPSTEAD, BERKS	SECRETARY
	C J WARNE	WYCHWOOD, HOLLYBUSH RIDE.	HUNT

Signature	Name	Address	Occupation
	C. EXELBY	12, Little Cryth, Finchampstead Wokingham. BERKS. RG40 3ZN	Managing Director Thomson multi-mechs.