S106 Agreement

APPLICATION NO:
O/2000/1211

LOCATION:
Oaklands Nursery Green Lane, Winnersh Wokingham.

APPLICANT:
Mr Dow C/O Robin Bradbeer Ltd

PROPOSAL:
Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

EARLIEST DATE FOR DECISION: **13/05/2000**

APPLICATION EXPIRY DATE: **05/06/2000**

CASE OFFICER: **Lynette Baker**

RAILEX

NOT

ISSUED

FEB. 28TH 2001

APPLICATION APPROVED SUBJ TO S.106. NEW APPLICATION (F/2001/5267) SUBMITTED & APPROVED ON SAME SITE.

OAKLANDS NURSERY (Green Lane) (next to 292 R.R.)

ADDRESS READING ROAD file under PARISH WINNERSH

PLOT No. ORD. SHEET No. SU. 7870 60

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
315/51	Mr. D. J. Dow	Greenhouse	10-7-51	App App
823/53	Mrs. E. M. Dow	Dev. House	8-12-53	App C/A
O/2000/1211	Mr. Dow *	O/L Erect 9 dwellings & demolish nursery	28. 2. 01	N.I.
F/2001/5267	Luff Homes	Erect 14 dwell with garages	29.5.03	C/A
F/2001/5590	BT Cellnet land opp	20m high dead tree mast.	3/12/02	withdrawn
F/2003/9564	Luff Homes *	Erect 14 dwell + gar.	6/7/04	W/O N/I/L.A
F/2004/1265	Airways Housing Grp *	Res Dvpt 4 dwell + 36 flats	not proceeded with	

DATE OF COMPLETION

TP/2004/2767 Persimmon Homes Use of land as site compound

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE * near 1-15 Green Lane

(NL)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Approval of Permission

Mr Dow
C/O Robin Bradbeer Ltd
20 Lansdown Parade
Cheltenham
Glos
GL50 2LH

Application Number: O/2000/1211

Parish: **WINNERSH**

Location: **Oaklands Nursery, Green Lane, Winnersh, Wokingham.**

Proposal: **Outline application for the demolition of existing *dwelling and redundant nursery buildings and* erection of 9 dwellings with improvements to Green Lane.**

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

Condition

1. a) Approval of the details of the siting, design and external appearance of the buildings, the landscaping of the site and internal planning of the dwellings (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

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

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

Condition
3. 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.

Condition
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) 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.

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

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

Condition
7. 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.

Condition
8. The details to be submitted in pursuance of condition (01) above shall show details of land reserved for the parking, garaging and turning of motor vehicles. The approved details shall be implemented prior to the occupation of any of the approved development, and thereafter be retained. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) or not; shall be carried out on the land so shown or in such a position as to preclude vehicular access to the reserved spaces.

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

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

Condition
11. No other development of the site shall take place until the access has been constructed in accordance with the approved plans.

Condition
12. Prior to the occupation of the first dwelling on the site a right turn lane shall be provided at the junction with Reading Road and Green Lane, the details for which shall be submitted to and approved in writing by the Local Planning Authority prior to the start of the development.

Condition
13. Before the development is commenced details of a traffic calming feature along Green Lane shall be submitted to and approved in writing by the Local Planning Authority. The traffic calming measure shall then be constructed as per the approved details prior to the occupation of the first dwelling on the site.

Condition
14. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy being submitted to and approved in writing by the Local Planning Authority. The scheme should comprise a contaminated land assessment and associated remedial strategy and works, together with a timetable of works, and should include the following:

(a) i) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study.

ii) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

iii) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

iv) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

b) Except as otherwise agreed in writing by the Local Planning Authority, all works comprised within the scheme which are not within buildings shall be carried out before the commencement of any development approved by this permission, and all works within buildings shall be carried out before the occupation of any part of the building to which such internal works relate.

c) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Condition
15. Development shall not begin until a scheme for protecting the proposed dwellings from the noise from road traffic adjacent to the proposed development has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed before any dwelling is occupied, unless an alternative period is agreed in writing by the Local Planning Authoritty, and be permanently retained thereafter.

Condition
16. Each dwelling shall be provided with a garden area which has a predicted noise level of less than or equal to L_{Aeq} 55dB (measured over any 1 hour period) within the first 5 metres from at least one building façade.

Condition
17. The landscaping details and particulars in accordance with condition 1 shall include:

a) A plan showing the location of and allocating a reference number to each existing tree on or near the site which has a stem diameter at a point 1.5m above ground level exceeding 75mm, showing which trees are to be retained and the crown spread of each tree.

b) Details of the species, diameter, approximate height and assessment of the general health and stability of each tree to which paragraphs a), b) and c) apply.

c) Details of any proposed pruning of any tree to be retained or of any tree on land adjacent to the site.

d) Details of any proposed alterations in existing ground levels and of the position of any proposed excavation (within the crown spread of any tree to be retained or of any tree on land adjacent to the site) or for any excavation deeper than 2.0m on sandy soil within 1.5 times the height of the trees identified in paragraph a) above.

Condition
18. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

Reason
1. a) No such details have been submitted.

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

Reason
2. To ensure that the external appearance of the building is satisfactory.

Reason
3. To safeguard the visual amenities of neighbouring properties and the locality.

Reason
4. To ensure that adequate parking space is available on the site, and reduce the likelihood of roadside parking.

Reason
5. To safeguard visual amenities.

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

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

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

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

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

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

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

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

Reason
14. To safeguard the health and amenity of the future residents of the existing and approved dwellings.

Reason
15. To safeguard the residential amenity of the future occupiers.

Reason
16. To safeguard the residential amenity of the future occupiers.

Reason
17. To safeguard the character and appearance of the surrounding area and the amenity of adjacent dwellings.

Reason
18. In the interests of visual amenity.

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

Informative
1. The applicant is advised that if during construction works it becomes apparent that the property is being used or has been used by bats then all work must cease immediately and English Nature be consulted.

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

Berkshire Structure Plan Policies H5 and H9.

Loddon Area Local Plan Policies LH1, LH8, LBE1, LBE2, LBE5, LT5 and LT6.

Deposit Draft Wokingham District Local Plan Policies WH6, WOS3, WBE1, WT6, WT7 and Housing Density Policy.

Informative
3. You are encouraged to contact the Local Planning Authority to discuss a suitable alternative to the culverting of the Drainage Ditch which runs the length of Green Lane.

John Mitchell

John Mitchell
Development Control Manager
Date: 28/02/2001

Notice checked by: _____

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

Date: 23 August 2000

To:
Highways

We have received Revised Plans for the following planning application:

Application Number: O/2000/1211

Location: Oaklands Nursery, Green Lane, Winnersh, Wokingham.

Proposal: Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Applicant: Mr Dow C/O Robin Bradbeer Ltd.

Case Officer: Lynette Baker

The new plans show the following: Re-location of plot 4 further away from site boundary and alterations to proposed access. (Revised plan No. 247/2A)

Comments are required by 01/09/2000.

Should you have any queries regarding this application please contact the case officer Lynette Baker on (0118) 974 6447.

Dwg No 247/2A

120 - R120 (means of access)

Conditions

C131 - Access
R131

C130 - Mud
R130

C129 - Construction Vehicles
R129

Before the first dwelling is occupied a right turn lane shall be provided at the junction with Reading Road and Green Lane, the details to be submitted to, and approved by, the Highway Authority prior to construction.
R130

Before the development is commenced details of a traffic calming feature along Green Lane is to be submitted to and approved by the Highway Authority. R130

PTO.

A legal agreement will be required to secure a £15,000 highway contribution to be expended on transportation measures in the vicinity, to include improvements to the cycleway network.

S. N. AYTON

4.10.00

Robin Bradbeer Limited

Planning & Development Consultancy

20 Lansdown Parade
Cheltenham
Gloucestershire
GL50 2LH

Telephone
01242 577151

Fax
01242 527151

E-Mail
planning@bradbeer.co.uk

Environmental Services Department
Engineering Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

My Ref. RWB/216
25 September 2000

For the attention of Mr Steve Auton
Senior Assistant Engineer

SUBJECT TO AGREEMENT
By Hand

Dear Mr Auton

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

I refer to your telephone call on 22 September further to your letter dated 9 August.

You invited me to confirm that the applicant would be willing to enter into a legal agreement in respect of a contribution towards the local highway infrastructure at a suggested rate of £2,000 per additional dwelling. Subject to appropriate safeguards being incorporated into a legal agreement the *applicant would in principle be prepared to agree a contribution sum of £15,000 for use in connection* with transportation measures in the immediate locality.

I am sending a copy of this letter to the new Planning Case Officer Ms Nicola Lake.

Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

c.c. Ms. Nicola Lake, Planning Services

216on.130

Registered in England Number 3372202

MICHAEL A JENNINGS ASSOCIATES

CONSULTING ENGINEERS

64 Ock Street, Abingdon, Oxon OX14 5BZ
Tel: (01235) 555173 *Fax:* (01235) 523226
V.A.T. No. 196 1989 04

Our ref: AM/ADa/00:8756/3318
Your ref: SP/2000/002029/001

Environment Agency
Swift House
Frimley Business Park
Frimley
CAMBERLEY
Surrey GU16 5SQ

20 December 2000

For the attention of Sarah Paxman

Dear Sirs

PROPOSED DEVELOPMENT AT OAKLANDS NURSERY, GREEN LANE, WINNERSH

This Practice has been asked by our Client, Robin Bradbeer Ltd, to review the proposals for the highway improvements for the above site.

Please find enclosed a plan, for your comments, showing the latest proposals. The intention is to construct a retaining wall parallel with the new road up to the point where the carriageway changes to two lanes, from this point the ditch would be culverted.

The proposal is designed to have minimum impact on the watercourse and includes minimum road widths and minor culverting works.

I request that you confirm your acceptance of the proposals. Should you require further information please do not hesitate to contact me.

Yours faithfully

COPY

ALISTAIR MCSHANE
FOR MICHAEL A JENNINGS ASSOCIATES

encs

cc R Bradbeer Esq — Robin Bradbeer Ltd
Ms L Baker — Wokingham District Council, Planning Department

DRAWING ISSUE SHEET

MICHAEL A JENNINGS ASSOCIATES

CONSULTING ENGINEERS

64 Ock Street, Abingdon, Oxon, OX14 5BZ

Tel: (01235) 555173 *Fax:* (01235) 523226

CLIENT:- **ROBIN BRADBEER LIMITED**	*PROJECT NO.:-* **3318**	*SHEET NO.:-* 1 OF 1
PROJECT NAME:- **ASHLEY COMMON ROAD SURFACE WATER BALANCING POND**	**D** 20 / **M** 12 / **Y** 00	

DRG. NO.	*DRAWING TITLE*	*REVISION*
3318/P-01	PROPOSED DEVELOPMENT ACCESS ROAD	-

DISTRIBUTION	*NO. OF COPIES*
R. Bradbeer – Robin Bradbeer Ltd	1
S. Paxman – Environment Agency	1
L. Baker – Wokingham District Council (Planning)	1
STATUS: (I-FOR INFORMATION, A-FOR APPROVAL)	A
ISSUED BY:	AM

WOKINGHAM DISTRICT COUNCIL

SUPPORT SERVICES DEPARTMENT

MEMORANDUM

FROM: Colin Lawley
Legal Services

MY REF: CJL/pf
Ext: 6524

TO: John Mitchell
Development Control Manager

YOUR REF:

DATE: 13th March 2001

CC Nicky Lake
(for information)

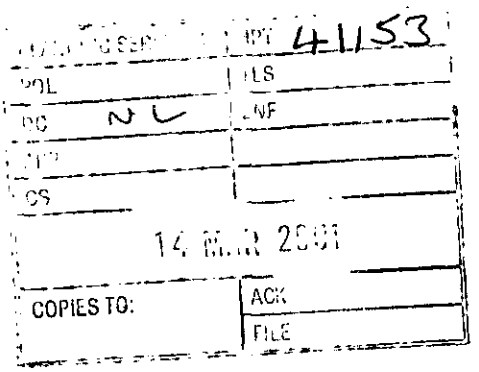
Proposed Residential Development Oaklands Nursery Reading Road Wokingham

As you know this application went to the last Development Control Committee and was approved subject to a Section 106 Agreement.

I attach a copy of the letter from the solicitors acting for Hudscott Estates (East) Limited regarding an ownership dispute.

I think we need to take this seriously. After you have an opportunity to consider can we please meet to discuss.

Colin Lawley



TOLLER
BEATTIE
SOLICITORS
Queen's House, Queen Street,
Barnstaple, Devon. EX32 8TB
DX: 34954 Barnstaple
Tel: (01271) 374132/375821
Fax: (01271) 374762/344445
Email: solicitors@tollerbeattie.co.uk

Our Ref: AGL/JEL/HU179/1
Your Ref: CG/MED/400/21/14/45

Mr C Lawley
Solicitor
Wokingham District Council
DX 33506 WOKINGHAM

By Fax 0118 9746542 & DX

12 March 2001

Dear Sir,

Re: Proposed Residential Development Oaklands Nursery Reading Road Wokingham.

We act for Hudscott Estates (East) Ltd, the owner of Home Farm an agricultural holding of some 160 acres, in connection with planning matters. We are instructed to write to you because of the potentially serious situation evolving regarding the above application.

The Nursery's access to Reading Road is over Home Farm's access. Because of the nature of the holding and the pattern of development in the locality over the years, this was the access for the eastern side of the farm. In recent times it has become the principle access for the whole holding.

The nature and importance of this access to the holding is self evident on any site inspection of the proposed development site. Residential development on this site will require works to the access.

When our client heard that development was proposed the agent Mr Broadbent was immediately contacted and told about the access. Our client therefore expected this to be the end of the matter or at least then to be approached to see if there was any possible solution. In fact our client subsequently heard from a third party that the agent had said "Yule reckons he owns the lane, but I do not believe him". Mr Yule is a director of our client company and a Chartered Surveyor.

Our client recently discovered that an application had nevertheless been made. Contact was made with your Planning Department to inform them about the problem and the fact that no notice had been served either by the applicant or for that matter your department, as this is development affecting an immediate neighbour.

Because of the officer's apparent lack of concern a letter was also sent to the department putting the authority on formal notice. On further inquiry our client was disturbed to be told by the planning officer, that in her opinion this was purely a matter between our client and the applicant. The Authority was not involved. As a result of this our client has been put to unnecessary expense in instructing us.

INVESTORS IN PEOPLE

Community Legal Service

The names of the Partners are displayed in the firm's offices.
This firm is regulated by The Law Society in the conduct of investment business.

Our client now realises that historically scant regard has been paid by applicants and for that matter some authorities as to the accuracy of certificates. However, the "reckless" certificate has always been a matter of concern (indeed an offence). Moreover, as you will know, since of the Court of Appeal decision in Main v. Swansea City Council the rule that a factual error in a certificate did not necessarily deprive an authority of jurisdiction was set aside.

For a variety of reasons our client is confident that the applicant does not even have a documentary right of way over the farm's access. In other words, such rights the Applicant has are only prescriptive and thus limited.

In the circumstances of the situation, which the Court is required to consider, it would seem that from what we know to date the Authority should not even be "entertaining" the application. The applicant's agent knew the identity of the owner, and it is in any event obvious on the ground, that the access primarily serves the farm. As you know irrespective of the Agent's opinion an applicant is required to take "reasonable steps" to identify the owners.

In Northern Ireland, where the English Planning System applies (operated at the time by the DOE) the case of Re Callan 1997 has reinforced the above authority. As the requirements of section 65 have not been complied with by sub-section 5 the Authority should not entertain or further process this application.

Our client has no wish to involve the Authority in judicial review proceedings unless necessary. However, to protect our client's position will you please:

1. Provide us with a copy of the application plan accurately coloured showing the full extent of the application site and any land otherwise claimed to be in the applicant's ownership or control.
2. A copy of the certificate that was given together with any correspondance with the applicant regarding that certificate.
3. Copies of all notices and letters sent by the Authority to affected adjoining owners and any representations received thereon.
4. A copy of the Authority's standing orders/rules/policy regarding the notification of adjoining owners.
5. Confirm that the application is now on hold or has been returned to the applicant.

We look forward to hearing from you, but at this stage have no alternative but to reserve our client's rights.

Yours faithfully

Planning & Environmental Law Department
TOLLER BEATTIE

WORK SHEET FOR : Lynette Baker

Application Number : O/2000/1211

Applicant : Mr Dow C/O Robin Bradbeer Ltd.

Location : Oaklands Nursery, Green Lane, Winnersh, Wokingham.

Proposal : Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Site Notice Displayed ? :

YES	NO	DATE
✓		21/6

Date of Neighbour Notifications : .....

Date of Site Visit : .....

Date Registered : 10/04/2000

Earliest Date for Decision : 13/05/2000

Latest Consultation Date/Site Notice Expiry Date : 13/05/2000

Application Expiry Date: 05/06/2000

Consultation Responses :

TA: requests revised plan re turning head.

Letters: 4 objecting - removal of trees (inc in light & noise from M4, inc in traffic, loss of privacy, overdevt, loss of wildlife, bats,

English Nature: watch out for the bats!

WPC: too close to M4, add traffic, access onto Rdg Rd dif

Planning Issues :

Application Number: O/2000/1211

Appraisal :

(See Committee report 28 Feb 2001)

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

Application Number O/2000/1211
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
			Conditional approval See
			attached sheets for conditions

RECORD OF SITE VISIT

SITE ADDRESS: Oaklands Nursery Green Lane Winnersh Wokingham. **APPLICATION NUMBER:** O/2000/1211	**OFFICER:** Lynette Baker **DATE OF SITE VISIT:** 21/6

1 SITE/STATUTORY NOTICE DISPLAYED ?

2. DESCRIPTION OF SURROUNDINGS Lane - rural
edge of sett't but close to M4

3. DESCRIPTION OF SITE/BUILDING 1930s hs (derelict)

4. RELATIONSHIP TO ADJOINING PROPERTIES

Settlement beyond + gd - 6' CBF - no visible

5. SITE CONSTRAINTS

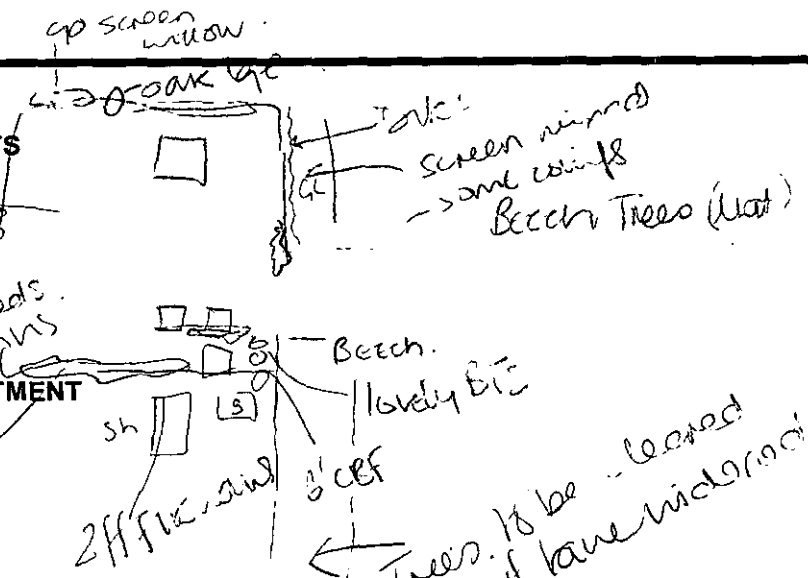
TREES tall mix matches visible turn

ACCESS/PARKING

LEVELS sidewalks 9hhs

BOUNDARY TREATMENT

OTHERS go screen alder etc



EH
Trees
M4 noise
EA

Surrounded by ditches n, + W.

1. a) Approval of the details of the siting, design and external appearance of the buildings, the landscaping of the site and internal planning of the dwellings (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

Conditions for Oaklands Nursery. 6 pages including this

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

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

3. The development shall not commence until details of all boundary treatment(s) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The approved scheme shall be maintained in perpetuity.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (or any Order revoking and re-enacting that Order with or without modification) 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.

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

6. 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

7. 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.

8. The details to be submitted in pursuance of condition (01) above shall show details of land reserved for the parking, garaging and turning of motor vehicles. The approved details shall be implemented prior to the occupation of any of the approved development, and thereafter be retained. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) or not; shall be carried out on the land so shown or in such a position as to preclude vehicular access to the reserved spaces.

9. 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.

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

11. No other development of the site shall take place until the access has been constructed in accordance with the approved plans.

12. Prior to the occupation of the first dwelling on the site a right turn lane shall be provided at the junction with Reading Road and Green Lane, the details for which shall be submitted to and approved in writing by the Local Planning Authority prior to the start of the development.

13. Before the development is commenced details of a traffic calming feature along Green Lane shall be submitted to and approved in writing by the Local Planning Authority. The traffic calming measure shall then be constructed as per the approved details prior to the occupation of the first dwelling on the site.

14. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy being submitted to and approved in writing by the Local Planning Authority. The scheme should comprise a contaminated land assessment and associated remedial strategy and works, together with a timetable of works, and should include the following:

(a) i) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study.
ii) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
iii) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.
iv) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

b) Except as otherwise agreed in writing by the Local Planning Authority, all works comprised within the scheme which are not within buildings shall be carried out before the commencement of any development approved by this permission, and all works within buildings shall be carried out before the occupation of any part of the building to which such internal works relate.

c) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

15. Development shall not begin until a scheme for the protecting the proposed dwellings from the noise from road traffic adjacent to the proposed development has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed before any dwelling is occupied, unless an alternative period is agreed in writing by the Local Planning Authority, and be permanently retained thereafter.

16. Each dwelling shall be provided with a garden area which has a predicted noise level of less than or equal to L_{Aeq} 55dB (measured over any 1 hour period) within the first 5 metres from at least one building façade.

17. The Landscaping details and particulars in accordance with condition 1 shall include:

a.) A plan showing the location of and allocating a reference number to each existing tree on or near the site which has a stem diameter at a point 1.5m above ground level exceeding 75mm, showing which trees are to be retained and the crown spread of each tree.

b.) Details of the species, diameter, approximate height and assessment of the general health and stability of each tree to which paragraphs a), b) and c) apply.

c.) Details of any proposed pruning of any tree to be retained or of any tree an land adjacent to the site.

d.) Details of any proposed alterations in existing ground levels and of the position of any proposed excavation (within the crown spread of any tree to be retained or of any tree on land adjacent to the site) or for any excavation deeper than 2.0m on sandy soil within 1.5 times the height of the trees identified in paragraph a.) above.

18. 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.

19. 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. a) No such details have been submitted.
   b) & c) In pursuance of Section 92(2) of the Town and Country Planning Act 1990.
2. To ensure that the external appearance of the building is satisfactory.
3. To safeguard the visual amenities of neighbouring properties and the locality.
4. To ensure that adequate parking space is available on the site, and reduce the likelihood of roadside parking.
5. To safeguard visual amenities.
6. To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.
7. In order to ensure a satisfactory form of development relative to surrounding buildings and landscape.
8. To ensure a satisfactory form of development and to avoid adverse impact on the public highway in the interests of highway safety
9. To prevent queuing and parking off site, in the interests of highway safety and convenience.
10. In the interests of highway safety and convenience.
11. In the interests of highway safety and convenience.
12. In the interests of highway safety and convenience.
13. In the interests of highway safety and convenience.
14. To safeguard the health and amenity of the future residents of the existing and approved dwellings.
15. To safeguard the residential amenity of the future occupiers.
16. To safeguard the residential amenity of the future occupiers.
17. To safeguard the character and appearance of the surrounding area and the amenity of adjacent dwellings.
18. In the interests of visual amenity.
19. The existing trees/hedgerows/shrubs represent an important public visual amenity in the area.

Informatives.

1. The applicant is advised that if during construction works it becomes apparent that the property is being used or has been used by bats then all work must cease immediately and English Nature be consulted.

2. You are advised, in compliance with the Town and Country Planning (General Development procedure)(England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:
   Berkshire Structure Plan: H5, H9.
   Loddon Area Local Plan: LH1, LH8, LBE1, LBE2, LBE5, TL5, LT6.
   Wokingham District Local Plan: Housing Density Policy, WH6, WOS3, WBE1, WT6, WT7.

Nicola Lake.

Tel: (0118) 974 6447

Date:

My ref: O/2000/1211

CONFIDENTIAL

Councillor R Turner
Rosedale
Beech Hill Road
Spencers Wood
Reading
RG7 1HL

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: O/2000/1211
Oaklands Nursery, Green Lane, Winnersh, Wokingham.
Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

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 **Lynette Baker** on **(0118) 974 6447**. 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 _____

Yours faithfully

Head of Planning and Transportation

LISTING FORM

Case officer: **Lynette Baker** Application Number: **O/2000/1211**
Oaklands Nursery, Green Lane, Winnersh, Wokingham.
Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor R Turner

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 6447

Date:

My ref: O/2000/1211

CONFIDENTIAL

Councillor E Siggery
Willow
375 Reading Road
Winnersh
RG41 5LT

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

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This form must be received no later than _____

Yours faithfully

Head of Planning and Transportation

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Oaklands Nursery, Green Lane, Winnersh, Wokingham.
Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor E Siggery

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 6447

Date:

My ref: O/2000/1211

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

CONFIDENTIAL

Councillor D Ball
7 Grovelands Avenue
Winnersh
RG41 5JU

Dear Councillor

Application Number: O/2000/1211
Oaklands Nursery, Green Lane, Winnersh, Wokingham.
Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

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 **Lynette Baker** on **(0118) 974 6447.** 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 _____

Yours faithfully

Head of Planning and Transportation

LISTING FORM
Case officer: **Lynette Baker** Application Number: **O/2000/1211**
Oaklands Nursery, Green Lane, Winnersh, Wokingham.
Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Transfer: Yes ☐ No ☐
Reason for Transfer:
_____
_____

Signed: _____ Date: _____

Councillor D Ball

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

Received by Wokingham District Council

Application No: O/2000/1211

Proposal:
Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Location:
Oaklands Nursery, Green Lane, Winnersh, 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 letter for delivery of plans.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Lynette Baker P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 13/05/2000. 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

Babtie Group

School Green
Shinfield
Reading
Berkshire RG2 9HL
Tel 0118 988 1555
Fax 0118 988 1666

Babtie

Our ref BPS 013518 Your ref RWB/216

22nd October 1999

Environmental Health Service,
Environmental Health Department,
Wokingham District Council,
P.O. Box 155,
Shute End,
Wokingham,
Berkshire, RG40 1WW.

10 APR 2000 1211

Dear Sir/ Madam

Re: PROPOSED RESIDENTIAL DEVELOPMENT, OAKLANDS NURSERY, WINNERSH.

Investigations were undertaken to determine the current noise climate of a site owned by Mr. D Dow and to categorise it in accordance with the Department of Transport Planning Policy Guidance Note 'Planning and Noise' (PPG 24), when assessed against traffic noise, the principal noise source.

The site, off the Reading Road within Wokingham District, is a redundant nursery with one occupied dwelling in the western corner and 3 abandoned and derelict greenhouses occupying part of the site, all of which are to be demolished as part of the development. The site is bounded to the north-west by Green Lane with the elevated M4 beyond that. To the north-east and south-east lie residential dwellings of Green Lane and Sadlers Lane and beyond the south west boundary lies open agricultural land. A 24-hour noise survey was undertaken on the site south of M4, at Oaklands Nursery that commenced at 14.00 on 7 September 1998.

Calculations have also been undertaken in accordance with Department of Transport/Welsh Office technical memorandum 'Calculation of Road Traffic Noise 1988 (CRTN)' which has been used to predict traffic noise levels (free field) in accordance with the guidance provided in PPG 24. Annex2, paragraph 7.

The traffic flow on the M4 motorway used in the calculations has been growthed from 1997 AADT (Annual Average Daily Traffic) counts by two years to represent the existing 1999 traffic flow.

SURVEY RESULTS

Measurement location: A free field location was taken 10m inside the north-west boundary and away from any reflecting surfaces. While the most dominant noise source is from traffic using the adjacent M4 this location experiences, to some extent, extraneous noise from the wind blowing through nearby trees on the boundary and associated birdsong from roosting birds.

From the graphical representation of the survey data, it can be seen that during day time hours (07.00 - 23.00hrs), that at this location, the existing 16hr noise level is 60 dB L_{Aeq}. This day time level places the site within PPG24 Noise Exposure Category B (NEC B). For night-time hours (23.00 - 07.00hrs) the site lies towards the upper limit of NEC B at 56 decibels L_{Aeq}. However, it should be noted that some extraneous noise from rustling trees, which occurred during the survey period, would have slightly raised the overall noise level.

The survey position did not experience individual noise events exceeding 82 dB L_{Amax} (slow time weighting) that would cause the sites classification to be considered as NEC D.

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Prague
Singapore

Babtie Group Ltd
Registered Office:
95 Bothwell Street
Glasgow G2 7HX
Registered in Scotland
No: 141100

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PREDICTED TRAFFIC NOISE LEVELS

Predictive noise levels have been undertaken at three representative locations, and the results categorised against PPG 24's Noise Exposure Categories (NEC) for a traffic noise source.

- The closest proposed garden is to Plot 1 at the western extreme of the development facing south; by calculation the noise level at this location is 61.6dB L_{Aeq} 16 hrs, which is in Noise Exposure Category B (NEC B).
- The next location chosen is the rear garden of Plot No. 3, here the predicted noise level at this location is 55.5dB L_{Aeq} 16 hrs. which is just inside NEC B for road traffic noise.
- The front gardens of Plot Nos. 4 to 9 have a lower traffic noise level than Plot 3 as a result of increased distance from the M4 together with screening afforded from adjacent dwellings and lie within NEC B.

The above are only locations and represent potential positions of dwellings with the greatest exposure to traffic noise from the M4. The gardens of those proposed properties and along the eastern extreme of the site would lie within NEC A.

British Standard 8233/1987 'Sound Insulation and Noise Reduction for Buildings' sets out desirable interior noise levels for habitable rooms within residential dwellings. The most stringent requirement is for bedrooms where it recommends that internal levels, during the night-time, should be between 30 and 40 decibels L_{Aeq}.

MITIGATION

It is proposed to provide all the intended properties with good quality thermal double glazing of approximately 10/12/6mm glass-air-glass configuration to all the living and bedrooms throughout the proposed development. This standard of glazing typically provides a noise attenuation performance of at least 32dB(A) with regard to traffic noise.

Considering Plot No. 1, the closest proposed dwelling, as a worst case scenario, external traffic noise should be attenuated by 32dB, so maintaining an acceptable internal noise level of approximately 37dB L_{Aeq} during the daytime hours (07.00-11.00) thus meeting the recommended internal levels as suggested in BS 8233: 1987 'Sound Insulation and Noise Reduction for Buildings.

As it is proposed to use this window specification in all appropriate rooms throughout this development as standard, adequate internal levels should be met even at the most exposed properties which have no or only partial screening from the adjacent motorway.

To achieve acceptable noise levels within the rear gardens of plots 1, 2 and 3 (NEC B) it is necessary to erect a high quality 2m high fence to these plots, indicated red on the attached drawing 247/2.

CONCLUSION

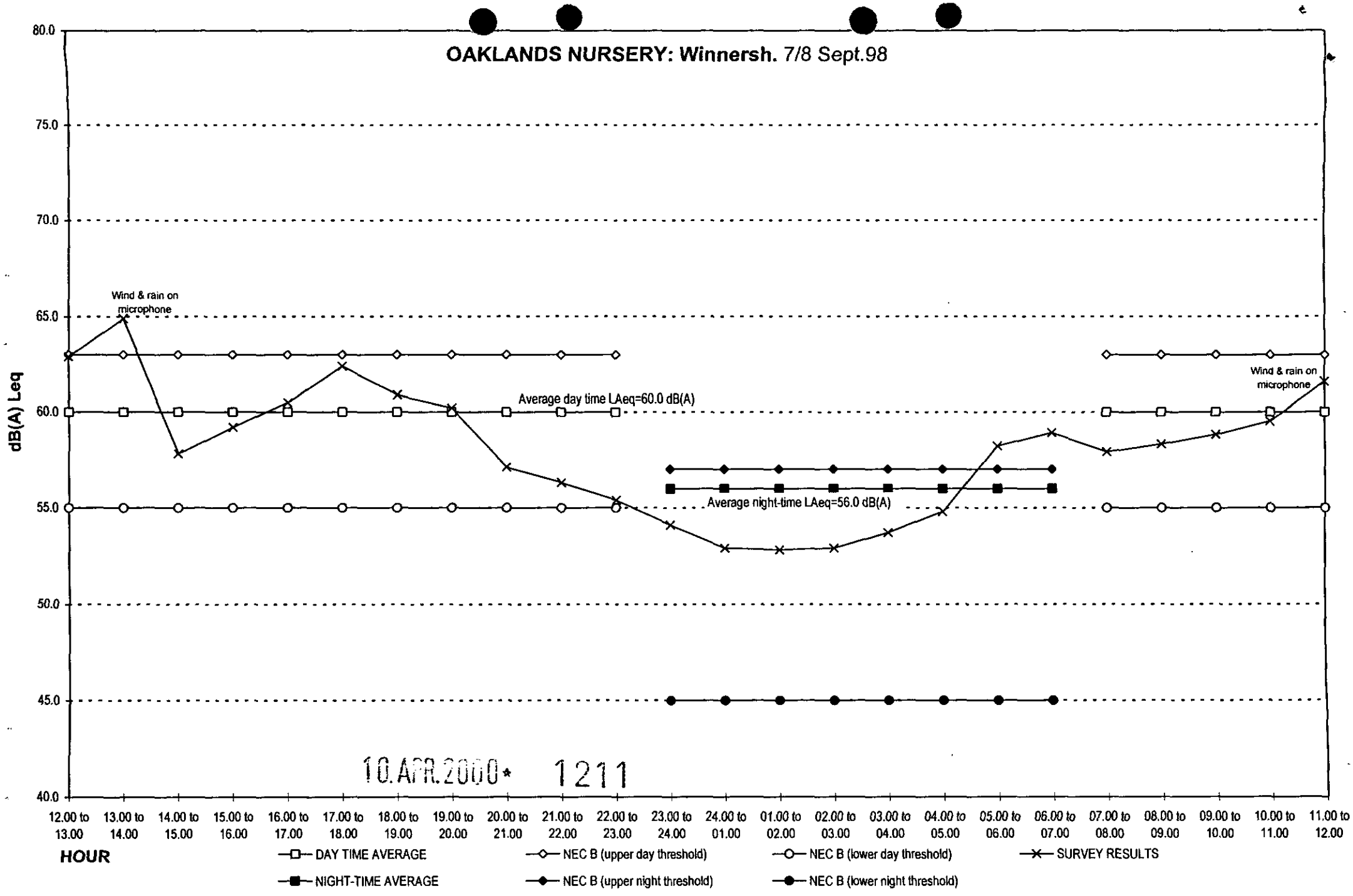
This proposed development has been assessed against PPG24, with traffic noise as the principal noise source and British Standard 8233/1987 'Sound Insulation and Noise Reduction for Buildings'.

PPG 24 recommends that, where a site falls within NEC B, it is appropriate that an adequate level of protection should be given, with the aim of providing acceptable noise levels within habitable rooms. The Noise Exposure Categories for the site would be expected to vary between NEC A and B depending on the angle of view of the M4 and the distance from the motorway. However, by careful consideration of the orientation of dwellings within the proposed development and the adoption of a high quality glazing system to all habitable rooms throughout this development, it is possible to mitigate traffic noise internally to acceptable levels as required by PPG24 and BS 8233/1987. The glazing system proposed is a 10/12/6 glass/air/glass configuration which will provide 32 decibels of noise attenuation.

To achieve acceptable garden noise levels for this development it is proposed to provide additional mitigation in the form of a high quality 2m high fence to Plots 1, 2 and 3 as indicated in red on the attached developers drawing 247/2.

Yours faithfully

TREVOR GIBBS
Principal Acoustic Technician


OAKLANDS NURSERY: Winnersh. 7/8 Sept.98
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75.0
70.0
65.0
60.0
55.0
50.0
45.0
40.0
dB(A) Leq
Wind & rain on microphone
Average day time LAeq=60.0 dB(A)
Average night-time LAeq=56.0 dB(A)
Wind & rain on microphone
10.APR.2000* 1211
12.00 to 13.00
13.00 to 14.00
14.00 to 15.00
15.00 to 16.00
16.00 to 17.00
17.00 to 18.00
18.00 to 19.00
19.00 to 20.00
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01.00 to 02.00
02.00 to 03.00
03.00 to 04.00
04.00 to 05.00
05.00 to 06.00
06.00 to 07.00
07.00 to 08.00
08.00 to 09.00
09.00 to 10.00
10.00 to 11.00
11.00 to 12.00
HOUR
DAY TIME AVERAGE
NEC B (upper day threshold)
NEC B (lower day threshold)
SURVEY RESULTS
NIGHT-TIME AVERAGE
NEC B (upper night threshold)
NEC B (lower night threshold)

Robin Bradbeer Limited

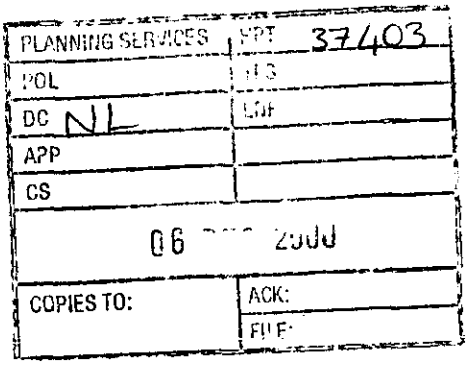
Planning & Development Consultancy

PO Box 168
Cheltenham
GL53 0XX

Telephone
01242 577151

Fax
01242 527151

E-Mail
planning@bradbeer.co.uk



Environmental Services Department
Planning Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

My Ref. RWB/216
Your Ref. NL/0/2000/1211
4 December 2000

For the attention of Ms Nicola lake
Development Control

Dear Ms Lake

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

I refer to your letter dated 1 November upon which I have conferred with appropriate ecological specialists.

I would respectfully point out that any possible presence of bat occupancy upon the site has no bearing upon your Council's decision upon the principle of redevelopment of this site. If any presence of bats were found during demolition the developer would be bound by the provisions of the Wildlife and Countryside Act 1981 and Habitat Regulations 1994. Under those provisions demolition would be required to avoid harm to any bat or bat roost during work. This would present a timing and logistical issue only.

Notwithstanding the legislative provisions your Council could consider the use of either a condition (provided there was no duplication of other controls) or, perhaps more appropriately in the circumstances, an informative. Relevant advice in this regard is given in PPG9 (paragraphs 27 and 44-48) and Circular 11/95 (paragraphs 11 and 120).

In the absence of any prima facie evidence a bat survey is not considered reasonable or necessary, particularly since the request comes 6 months after this application was registered. Furthermore, specialists advise me that a bat survey at this time of year may not in any event be able to determine categorically whether bats are present or absent since they are relatively inactive at this time.

Registered in England Number: 3372202

In the circumstances I invite you to reconsider your request for a bat survey in favour of the possible imposition of a suitable informative which flags up the possibility of bat presence by referring the developer to the appropriate legislative provisions.

You will be aware of my exchange of correspondence with the Environment Agency and you will have received a copy of the Agency letter dated 20 October. Can you please confirm whether or not the Environment Agency's objection to the proposal on the basis of culverting the ditch adjacent to Green Lane will influence your recommendation upon this application having regard the material planning considerations set out in my letter to the Agency dated 5 August and copied to you?

Yours sincerely



ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

File copy

Nicola.

Applicationo	Name & Address
O/2000/1211	P & K Lindley Mapledene 4a Sadlers Lane Winnersh RG41 5AJ
O/2000/1211	A Leversuch 10 Sadlers Lane Winnersh RG41 5AJ
O/2000/1211	Mr & Mrs T Smith 8 Sadlers Lane Winnersh RG41 5AJ
O/2000/1211	P A Payne Shardeloes Green Lane Winnersh RG41 5EH
F/2000/1211	P & L Kitley Mapledene 4a Sadlers lane Winnersh RG41 5AJ

committee letters sent
1st class 20.2.01

Tel. (0118) 974 6051

Date: 21 February 2001

Your Ref:

My Ref: **Nicola Lake - O/2000/1211**

Mr Dow
C/O Robin Bradbeer Ltd
20 Lansdown Parade
Cheltenham
Glos
GL50 2LH

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: O/2000/1211

Site Address: Oaklands Nursery, Green Lane, Winnersh, Wokingham.

Proposal: Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane..

Your application is to be determined at the Development Control Sub-Committee meeting on the 28.02.01 and will start at 7.00pm. The application has been recommended for approval and you can see a copy of the committee report at the Environmental Services Department, Council Offices, Shute End, Wokingham, or at your local library.

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

All requests to speak must be received no later than 5.00pm on the last working day prior to the meeting and must be arranged by contacting Andrew Lowther on 0118 974 6051

Yours faithfully,

John Mitchell

Development Control Manager

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON WEDNESDAY 28 FEBRUARY 2001 FROM 7.00 PM TO 11.20 PM

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

Also present under Standing Order 39:- Mr FD Browne, Mrs ANMC Drake, Mr CGH Pierce and Fiona Rolls.

PART I

246. MINUTES

The Minutes of the meeting of the Committee held on 7 February 2001 were confirmed as a correct record and signed by the Chairman.

247. ORDER OF BUSINESS

RESOLVED: That the order of business detailed on the agenda be varied to enable those items where there were members of the public or local Members present to be dealt with first.

259. APPLICATION NO: 2000/1211, OUTLINE APPLICATION FOR THE DEMOLITION OF THE EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE, OAKLANDS NURSERY GREEN LANE WINNERSH, FOR MR DOW

The Committee considered a report on this application set out on Agenda pages 2554 to 2567.

Mr Payne, a local resident, attended the meeting and spoke against the application.

The Chairman submitted the comments of Mrs P Bray, a local Member, about the application.

RESOLVED: 1) That an Agreement be entered into under Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution of £4,000 towards the improvement of a local play area and a financial contribution of £15,000 towards improving sustainable transport initiatives and local traffic management schemes, including improvement to the cycleway network;

2) That, subject to the execution and registration of the Agreement referred to in 1) above, Application No.2000.1211 be approved, subject to the conditions set out on Agenda pages 2557 to 2562, together with an additional condition requiring the making up of the highway to adoptable standards and an informative relating to the ditches.

Application No O/2000/1211 | **Received** 10.04.00 | **Winnersh.**

Applicant: Mr Dow
Location : Oaklands Nursery, Green Lane, Winnersh.
Proposal : **Outline application for the demolition of the existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.**

1. **Planning History** – The site was formally used as the Oaklands Nursery. The site currently houses a double fronted detached dwelling, which is set well back on the site. The other existing structure on the site are some glasshouse, which are in a poor state of repair. While there have been no previous application for the redevelopment of this site, a site on the opposite side of the road was granted planning permission on appeal for 4 dwellings in February 1988, and has since been renewed on three occasions.

2. **Proposal** – The proposed development is for outline permission for the demolition of the existing dwelling and glass houses and the erection of 9 new dwellings. The application is also to carry out the required works to make the access to Green Lane up to an adaptable standard. The application is for the determination of the means of access only.

3. **Consultations** -
   - ***Winnersh Parish Council:*** Object to the proposed development on three grounds. (see attached comments)
   - ***Highways:*** No objection subject to conditions and a contribution.
   - ***Environmental Health:*** No objection subject to conditions to deal with concerns over possible contamination of the land and the siting and internal layout of the proposed dwellings to provide suitable noise attenuation measures.
   - ***English Nature:*** Advise that the possible presence of bats on the site should be taken into consideration in detrimental.
   - ***Crime Prevention officer:*** Concern over boundary treatment with the open land to the south west.
   - ***Environment Agency:*** Objects to the proposed culverting of the existing drainage ditch.
   - ***Landscaping:*** Is concerned over the illustrative layouts impact upon the existing landscaping on the site and suggests that at the reserved matters stage. This would allow the retention of the best species of existing trees on the site.
   - ***Letters:*** There have been 4 letters of objection received from local residents. The objections can be summarised as follows:
     - Loss of trees from the lane and the site.
     - Increase in noise and pollution from the M4.
     - Detrimental impact upon the highway.
     - Overlooking.
     - Loss of value to adjacent property.
     - Harmful impact upon the habitat of wildlife.
     - Concern over boundary treatment.

4. **Appraisal** – Main issues:

A. Principle of Development. (Policy H5 of the Berkshire Structure Plan; Policy LH1 of the Loddon Area Local Plan; Policy WH6 and Housing Density Policy of the Wokingham District Local Plan (Deposit Draft) as modified.
B. Housing Mix and Density. (Policies H5 and H9 of the Berkshire Structure Plan; Policies LH1, LH8 and LBE5 of the Loddon Area Local Plan; Policies WH6 and the Housing Density Policy of the Wokingham District Local Plan (Deposit Draft) as modified.
C. Impact upon the residential amenity of the neighbouring dwellings. (Policies LBE1, LBE2 and LBE5 of the Loddon Area Local Plan; Policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) as modified.
D. Impact upon the character and appearance of the surrounding area. (Policies LBE1, LBE2 and LBE5 of the Loddon Area Local Plan; Policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) as modified.
E. Impact upon Highways Safety. (Policies LT5 and LT6 of the Loddon Area Local Plan; WT6 and WT7 of the Wokingham District Local Plan (Deposit Draft) as modified.
F. Concerns of Residents and Winnersh Parish Council.

A. Principle of Development.
The site is located within the identified settlement where development is usually acceptable in principle, subject to meeting the other policies within the District's development plans. The site would be designated as 'previously-used land' as it was previously residential and commercial nursery land. Therefore, the principle of development would be in accordance with the guidance as outline in PPG3 – Housing.

B. Housing Mix and Density.
The proposal is for the redevelopment of a site approximately 0.42 hectares in size, with the erection of 8 new and one replacement dwelling. This would give an approximate density of 21 dwellings per hectare. This is below the proposed target level as set down in the District's Housing Density Policy of 30 dwellings per hectare on site of over 0.3ha. However the proposed site is located on the edge of the settlement boundary. Therefore it is considered that a higher density would have an unacceptably greater impact upon the character and appearance of the surrounding. The application is for outline permission and only seeks approval of the means of access. Therefore there is no available information to determine the acceptability of the housing mix upon the site.

C. Impact upon the residential amenity of the neighbouring dwellings.
The proposed development is for outline permission however an illustrative layout has been submitted, to help demonstrate the possible layout of the development. This shows that is would be possible to locate 9 dwellings within the site while maintaining a minimum distance of 12.4m from the rear of the dwellings to the south east boundary of the site. The dwelling to the opposite side of the boundary would be set 22.4m from the rear of the proposed dwelling.

The dwelling at the entrance to the site is Shardeloes, which flank onto the north east boundary of the site. Shardeloes is set a minimum of 8.2m from the existing side boundary with the site and is set at an angle so that its rear elevation faces towards the rear of number 4a Sadlers Lane. Therefore there would be no overlooking, overshadowing or overbearing. Hence there would be no significant detrimental impact upon the residential amenity of the neighbouring dwellings.

D. Impact upon the character and appearance of the surrounding area.
As stated above the proposed site is located at the edge of the Identified settlement of Winnersh. The site is currently screened by a mixture of mature and semi-mature trees. The landscape officer is satisfied that it would be possible, subject to a full and comprehensive tree survey, to locate 9 dwellings within the site without having a detrimental impact upon the character or appearance of the surrounding landscaping area.

The proposal together with the previously approved development, to the north west of the site, have both proposed the culverting of the existing drainage ditch which runs the length of Green Lane and is approximately 76m long. While these works were granted planning permission under the original application on the opposite side of the road, the Environment Agency are objecting to the proposed culverting due to the potential adverse impact upon the ecology of the ditch and the flood defence of the area. However the Environment Agency controls the culverting of ditch under separate cover of the Land Drainage Act 1991 and the Water Resource Act 1991. Therefore irrespective of the pervious planning permission which was granted in 1988 for the culverting of the drainage ditch, the applicant must still seek written consent from the Environment Agency prior to such works.

The proposed illustrative plan does not show the provision of any on-site leisure provision. However, the applicant has agreed to contribute £4,000 towards the improvement of a local play area.

The proposed development would be at a density of approximately 21 dwellings per hectare. While this is below the suggested density within the District's Housing Density Policy and the guidance within PPG3, the approximate density of the area of Sadler's Lane, directly to the south east of the site is around 15 dwellings per hectare. It is considered that the lower density together with the existing screening that would be provided, the proposed development would have no significant detrimental impact upon the character or appearance of the surrounding area.

E. Impact upon Highways Safety.
Both the proposed and the previously approved development on the opposite side of Green Lane propose the culverting of the existing drainage ditch and the making up of the road to an adaptable standard. The proposed development would also create a right turn lane from the Reading Road (A329). It has also been agreed that a financial contribution of £15,000 towards improving sustainable transport initiatives and local traffic management schemes, including improvements to the cycleway network.

Therefore the Highway Authority is satisfied that subject to the financial contribution and the imposition of suitable conditions, the proposed

development would have no material detrimental impact upon the highway safety of the surrounding highway network.

F. Concerns of Residents and Winnersh Parish Council.
The concerns of the local residents and the parish council have been noted and some of these concerns have been addressed in the above appraisal. However the local residents have raised the issue of additional noise and disturbance from the M4 due to the loss of existing trees. An acoustic assessment of the site has been carried out, and the Environmental Health officer has recommended the imposition of a condition which will control the acceptable level of noise which can be experience within the proposed dwellings and garden area. They have also considered the potential impact of the removal of existing trees and the noise and disturbance experienced by the existing dwellings. It is considered that the loss of the trees would have no significant impact upon the actual noise levels experience by the dwellings, however it has been noted that the loss of the trees may result in an increase in the profile and awareness of the motorway. However a landscaping condition would help to replace any lost screening of the motorway and would minimise this effect.

Both the local residents and English Nature have indicated the possible location of roosting bats on the suit. The guidance from English Nature is that this should be taken into considered in the determination of the application. Therefore an informative has been attached which reminds the applicant of the requirements of the legislation which seeks the protection of endangered species.

A local resident has also raised the issue of the proposed boundary treatment. A condition is suggested, which requires the full details of the proposed boundary treatment of the site prior to the start of development.

5. **Conclusion** – The proposed development would have no significant detrimental impact upon the residential amenity or the character and appearance of the surrounding area. The highway authority are satisfied that subject to the proposed works, contribution and conditions the proposed development would have no detrimental impact upon the highway safety of the surrounding road network. Therefore the proposed development would be in accordance with the policies of the district's development plans.

6. **Recommendation** – To GRANT planning permission subject to a legal agreement for the provision of contributions as outlined in sections D and E above and the following conditions:

1. a) Approval of the details of the siting, design and external appearance of the buildings, the landscaping of the site and internal planning of the dwellings (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

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

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

3. The development shall not commence until details of all boundary treatment(s) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The approved scheme shall be maintained in perpetuity.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (or any Order revoking and re-enacting that Order with or without modification) 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.

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

6. 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

7. 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.

8. The details to be submitted in pursuance of condition (01) above shall show details of land reserved for the parking, garaging and turning of motor vehicles. The approved details shall be implemented prior to the occupation of any of the approved development, and thereafter be retained. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) or not; shall be carried out on the land so shown or in such a position as to preclude vehicular access to the reserved spaces.

9. 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.

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

11. No other development of the site shall take place until the access has been constructed in accordance with the approved plans.

12. Prior to the occupation of the first dwelling on the site a right turn lane shall be provided at the junction with Reading Road and Green Lane, the details for which shall be submitted to and approved in writing by the Local Planning Authority prior to the start of the development.

13. Before the development is commenced details of a traffic calming feature along Green Lane shall be submitted to and approved in writing by the Local Planning Authority. The traffic calming measure shall then be constructed as per the approved details prior to the occupation of the first dwelling on the site.

14. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy being submitted to and approved in writing by the Local Planning Authority. The scheme should comprise a contaminated land assessment and associated remedial strategy and works, together with a timetable of works, and should include the following:

(a) i) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study.
ii) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
iii) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.
iv) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

b) Except as otherwise agreed in writing by the Local Planning Authority, all works comprised within the scheme which are not within buildings shall be carried out before the commencement of any development approved by this permission, and all works within buildings shall be carried out before the occupation of any part of the building to which such internal works relate.

c) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

15. Development shall not begin until a scheme for the protecting the proposed dwellings from the noise from road traffic adjacent to the proposed development has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed before any dwelling is occupied, unless an alternative period is agreed in writing by the Local Planning Authority, and be permanently retained thereafter.

16. Each dwelling shall be provided with a garden area which has a predicted noise level of less than or equal to L_{Aeq} 55dB (measured over any 1 hour period) within the first 5 metres from at least one building façade.

17. The Landscaping details and particulars in accordance with condition 1 shall include:

a.) A plan showing the location of and allocating a reference number to each existing tree on or near the site which has a stem diameter at a point 1.5m above ground level exceeding 75mm, showing which trees are to be retained and the crown spread of each tree.

b.) Details of the species, diameter, approximate height and assessment of the general health and stability of each tree to which paragraphs a), b) and c) apply.

c.) Details of any proposed pruning of any tree to be retained or of any tree an land adjacent to the site.

d.) Details of any proposed alterations in existing ground levels and of the position of any proposed excavation (within the crown spread of any tree to be retained or of any tree on land adjacent to the site) or for any excavation deeper than 2.0m on sandy soil within 1.5 times the height of the trees identified in paragraph a.) above.

18. 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.

19. 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. a) No such details have been submitted.
   b) & c) In pursuance of Section 92(2) of the Town and Country Planning Act 1990.
2. To ensure that the external appearance of the building is satisfactory.
3. To safeguard the visual amenities of neighbouring properties and the locality.
4. To ensure that adequate parking space is available on the site, and reduce the likelihood of roadside parking.
5. To safeguard visual amenities.
6. To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.
7. In order to ensure a satisfactory form of development relative to surrounding buildings and landscape.
8. To ensure a satisfactory form of development and to avoid adverse impact on the public highway in the interests of highway safety
9. To prevent queuing and parking off site, in the interests of highway safety and convenience.
10. In the interests of highway safety and convenience.
11. In the interests of highway safety and convenience.
12. In the interests of highway safety and convenience.
13. In the interests of highway safety and convenience.
14. To safeguard the health and amenity of the future residents of the existing and approved dwellings.
15. To safeguard the residential amenity of the future occupiers.
16. To safeguard the residential amenity of the future occupiers.
17. To safeguard the character and appearance of the surrounding area and the amenity of adjacent dwellings.
18. In the interests of visual amenity.
19. The existing trees/hedgerows/shrubs represent an important public visual amenity in the area.

Informatives.

1. The applicant is advised that if during construction works it becomes apparent that the property is being used or has been used by bats then all work must cease immediately and English Nature be consulted.

2. You are advised, in compliance with the Town and Country Planning (General Development procedure)(England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:
   Berkshire Structure Plan: H5, H9.
   Loddon Area Local Plan: LH1, LH8, LBE1, LBE2, LBE5, TL5, LT6.
   Wokingham District Local Plan: Housing Density Policy, WH6, WOS3, WBE1, WT6, WT7.

Nicola Lake.

FROM: Lynette Baker

DATE: 19 April 2000

PLANNING SECTION	NPS 2979
POL	TLS
DC	ENF
APP	
CS	
10 MAY 2000	
COPIES TO	ACK:
	FILE:

WINNERSH PARISH CONSULTATION SHEET

Application Number: O/2000/1211

Proposal: Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Site Address: Oaklands Nursery, Green Lane, Winnersh, Wokingham.

Applicant: Mr Dow C/O Robin Bradbeer Ltd.

Your observations are required in respect of this application **by 13/05/2000** .

The Committee **OBJECTED** to this application on the following grounds:

1 The resulting dwellings would be too close to the motorway

2 Extra traffic would be generated

3 Ingress and egress at the Green Lane/Reading Road junction would be very difficult

SIGNED: _____ DATE: 09.05.00

Clerk To Winnersh Parish/Town Council.

PLANNING SERVICES	HPT 23680
POL	TLS
DC	ENF
APP	
CS	
30 AUG 2000	
COPIES TO:	ACK:
	FILE:

25 AUG 2000

Date: 23 August 2000

To:
Winnersh Parish Council
Mrs J Harlin

We have received Revised Plans for the following planning application:

Application Number: O/2000/1211

Location: Oaklands Nursery, Green Lane, Winnersh, Wokingham.

Proposal: Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Applicant: Mr Dow C/O Robin Bradbeer Ltd.

Case Officer: Lynette Baker

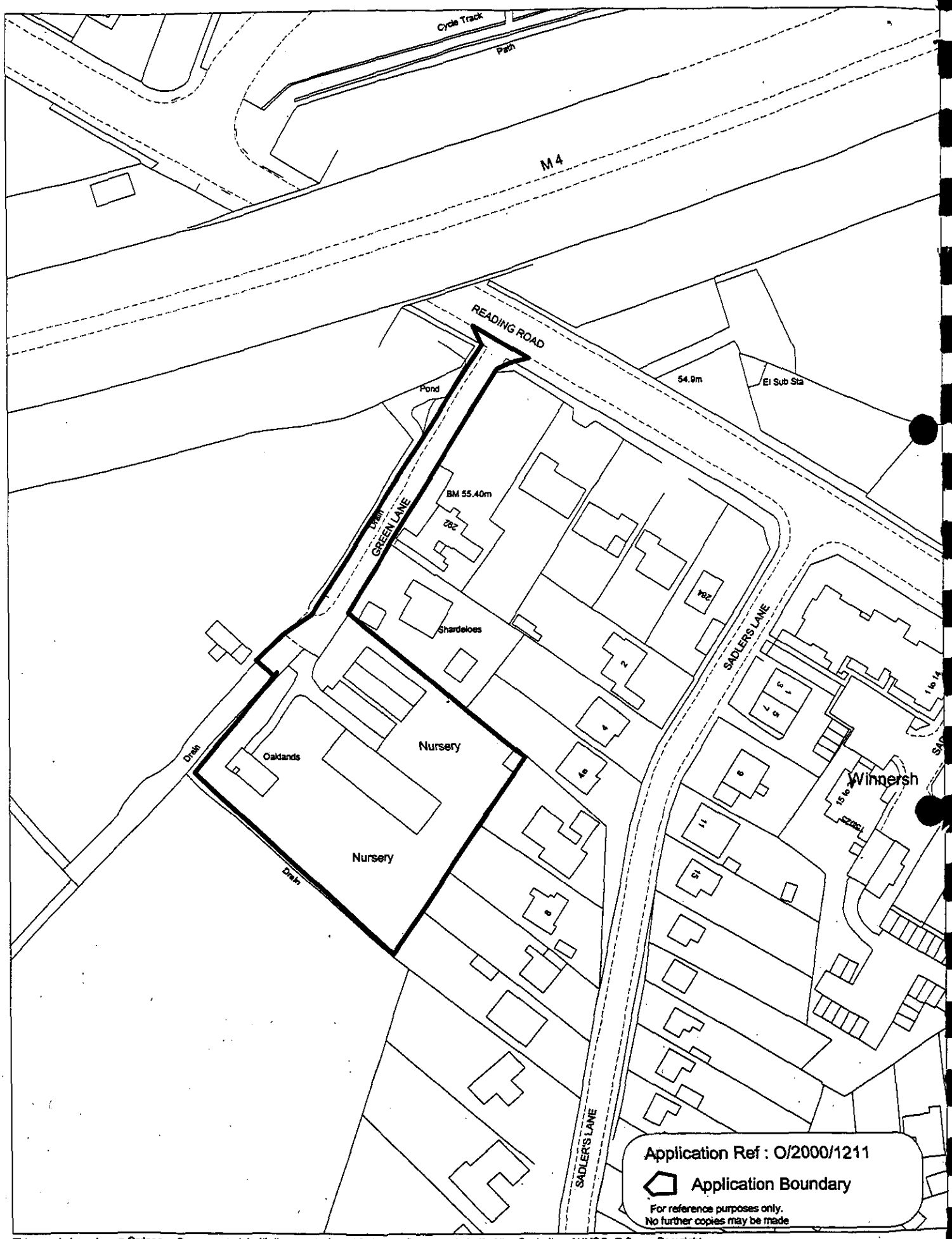
The new plans show the following: Re-location of plot 4 further away from site boundary and alterations to proposed access. (Revised plan No. 247/2A)

Comments are required by [redacted].

Should you have any queries regarding this application please contact the case officer Lynette Baker on (0118) 974 6447.

The Committee wished to repeat the previous **OBJECTIONS:**

1. The resulting dwellings would be too close to the motorway
2. Extra traffic would be generated
3. Ingress and egress at the Green Lane/Reading Road junction would be very difficult



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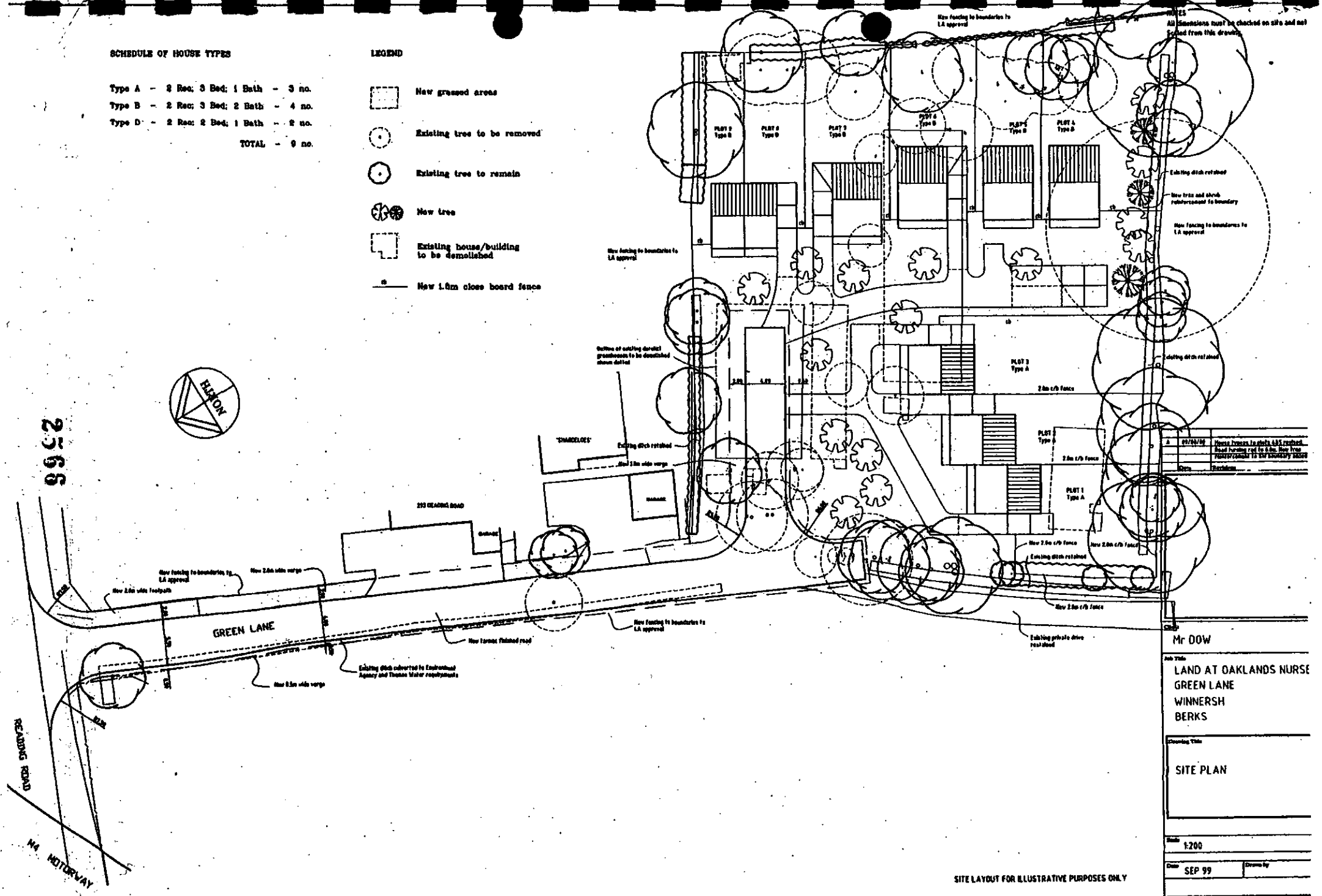
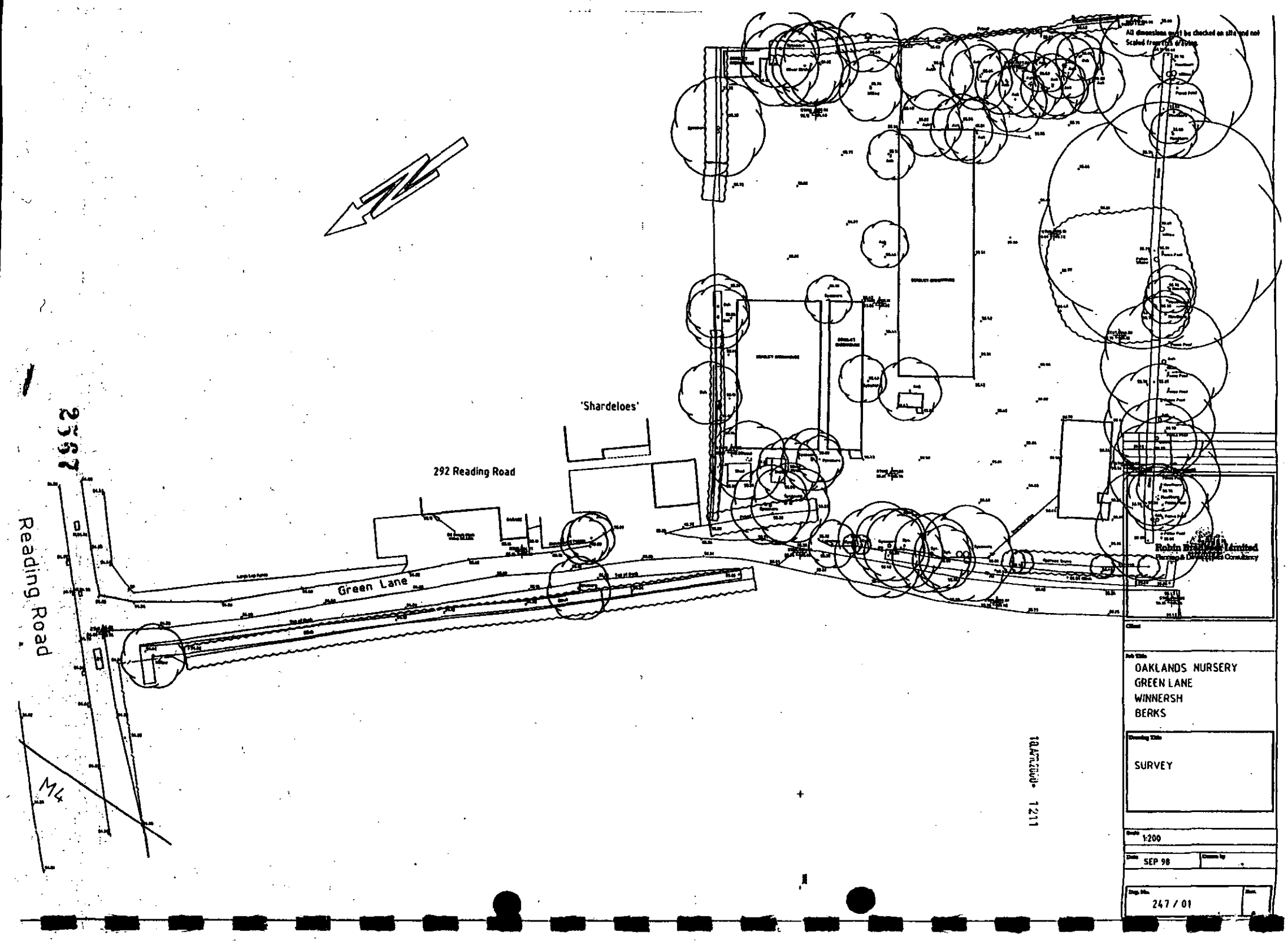
Development Control Section, Environmental Services, Wokingham District Council.

28 February 2001

2565

Scale: 1 : 1250


SCHEDULE OF HOUSE TYPES
Type A - 2 Rec; 3 Bed; 1 Bath - 3 no.
Type B - 2 Rec; 3 Bed; 2 Bath - 4 no.
Type D - 2 Rec; 2 Bed; 1 Bath - 2 no.
TOTAL - 9 no.
LEGEND
New grassed areas
Existing tree to be removed
Existing tree to remain
New tree
Existing house/building to be demolished
New 1.8m close board fence
HILTON
GREEN LANE
READING ROAD
M4 MOTORWAY
PLOT 1 Type A
PLOT 2 Type A
PLOT 3 Type A
PLOT 4 Type A
PLOT 5 Type B
PLOT 6 Type B
PLOT 7 Type B
PLOT 8 Type B
PLOT 9 Type B
Existing ditch retained
New fencing to boundaries to LA approval
New 2.0m c/b fence
Existing private drive restained
New farmer finished road
Existing ditch culverted to Environment Agency and Thames Water requirements
New 2.0m wide footpath
New 2.0m wide verge
Mr DOW
LAND AT OAKLANDS NURSE
GREEN LANE
WINNERSH
BERKS
SITE PLAN
1:200
SEP 99
247/2
A
SITE LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY


All dimensions must be checked on site and not Scaled from this drawing
'Shardeloes'
292 Reading Road
Green Lane
Reading Road
2557
M4
OAKLANDS NURSERY
GREEN LANE
WINNERSH
BERKS
SURVEY
1:200
SEP 98
247 / 01
1211

WOKINGHAM DISTRICT COUNCIL

ENVIRONMENTAL SERVICES DEPARTMENT

M E M O R A N D U M

From: Nicola Lake
Senior Planning Officer.

To: Colin Lawley
Principle Solicitor.

My Ref: O/2000/1211

Ext: 6481

Your Ref:

Date: 1 March 2001.

REQUEST FOR A SECTION 106 AGREEMENT ON OAKLANDS NURSERY, GREEN LANE, WINENRSH. APPLICATION NUMBER 0/2000/1211.

This application was approved at the Development control Committee of the 28 Feb 2001, subject to conditions and the signing of a Section 106 Agreement. The Section 106 Agreement is required to secure:

- The making up of Green Lane to Adoptable standard and the creation of a right turn lane, prior to the occupation of the 1st dwelling.
- The payment of £15,000 towards improving sustainable transport initiatives and local traffic management schemes.
- The payment of £4,000 towards the refurbishment of a local play area.

I have enclosed:

- A copy of the draft decision notice.
- A copy of the application form.
- S66 certificate.
- Site Plan.

Nicola Lake.

John Mitchell.

4247

File

WOKINGHAM DISTRICT COUNCIL

SUPPORT SERVICES DEPARTMENT

O/2000/1211
O/2001/4705

MEMORANDUM

FROM: Colin Lawley
Legal Services

MY REF: CJL/pf
Ext: 6524

TO: John Mitchell
Development Control Manager

YOUR REF:

DATE: 13th March 2001

CC Nicky Lake

Proposed Residential Development Oaklands Nursery Reading Road Wokingham 1211

As you know this application went to the last Development Control Committee and was approved subject to a Section 106 Agreement.

I attach a copy of the letter from the solicitors acting for Hudscott Estates (East) Limited regarding an ownership dispute.

I think we need to take this seriously. After you have an opportunity to consider can we please meet to discuss.

Colin Lawley

J. Mitchell

REPLY BY
28 MAR 2001

PO
DC
CS 41151
14 MAR 2001
COPIES TO:
FILE:

TOLLER
BEATTIE
SOLICITORS

Queen's House, Queen Street,
Barnstaple, Devon. EX32 8TB
DX: 34954 Barnstaple
Tel: (01271) 374132/375821
Fax: (01271) 374762/344445
Email: solicitors@tollerbeattie.co.uk

Our Ref: AGL/JEL/HU179/1
Your Ref: CG/MED/400/21/14/45

Mr C Lawley
Solicitor
Wokingham District Council
DX 33506 WOKINGHAM

By Fax 0118 9746542 & DX

12 March 2001

Dear Sir,

Re: Proposed Residential Development Oaklands Nursery Reading Road Wokingham.

We act for Hudscott Estates (East) Ltd, the owner of Home Farm an agricultural holding of some 160 acres, in connection with planning matters. We are instructed to write to you because of the potentially serious situation evolving regarding the above application.

The Nursery's access to Reading Road is over Home Farm's access. Because of the nature of the holding and the pattern of development in the locality over the years, this was the access for the eastern side of the farm. In recent times it has become the principle access for the whole holding.

The nature and importance of this access to the holding is self evident on any site inspection of the proposed development site. Residential development on this site will require works to the access.

When our client heard that development was proposed the agent Mr Broadbent was immediately contacted and told about the access. Our client therefore expected this to be the end of the matter or at least then to be approached to see if there was any possible solution. In fact our client subsequently heard from a third party that the agent had said "Yule reckons he owns the lane, but I do not believe him". Mr Yule is a director of our client company and a Chartered Surveyor.

Our client recently discovered that an application had nevertheless been made. Contact was made with your Planning Department to inform them about the problem and the fact that no notice had been served either by the applicant or for that matter your department, as this is development affecting an immediate neighbour.

Because of the officer's apparent lack of concern a letter was also sent to the department putting the authority on formal notice. On further inquiry our client was disturbed to be told by the planning officer, that in her opinion this was purely a matter between our client and the applicant. The Authority was not involved. As a result of this our client has been put to unnecessary expense in instructing us.

INVESTORS IN PEOPLE

Community Legal Service

The names of the Partners are displayed in the firm's offices.
This firm is regulated by The Law Society in the conduct of investment business.

Our client now realises that historically scant regard has been paid by applicants and for that matter some authorities as to the accuracy of certificates. However, the "reckless" certificate has always been a matter of concern (indeed an offence). Moreover, as you will know, since of the Court of Appeal decision in Main v. Swansea City Council the rule that a factual error in a certificate did not necessarily deprive an authority of jurisdiction was set aside.

For a variety of reasons our client is confident that the applicant does not even have a documentary right of way over the farm's access. In other words, such rights the Applicant has are only prescriptive and thus limited.

In the circumstances of the situation, which the Court is required to consider, it would seem that from what we know to date the Authority should not even be "entertaining" the application. The applicant's agent knew the identity of the owner, and it is in any event obvious on the ground, that the access primarily serves the farm. As you know irrespective of the Agent's opinion an applicant is required to take "reasonable steps" to identify the owners.

In Northern Ireland, where the English Planning System applies (operated at the time by the DOE) the case of Re Callan 1997 has reinforced the above authority. As the requirements of section 65 have not been complied with by sub-section 5 the Authority should not entertain or further process this application.

Our client has no wish to involve the Authority in judicial review proceedings unless necessary. However, to protect our client's position will you please:

1. Provide us with a copy of the application plan accurately coloured showing the full extent of the application site and any land otherwise claimed to be in the applicant's ownership or control.
2. A copy of the certificate that was given together with any correspondance with the applicant regarding that certificate.
3. Copies of all notices and letters sent by the Authority to affected adjoining owners and any representations received thereon.
4. A copy of the Authority's standing orders/rules/policy regarding the notification of adjoining owners.
5. Confirm that the application is now on hold or has been returned to the applicant.

We look forward to hearing from you, but at this stage have no alternative but to reserve our client's rights.

Yours faithfully

Planning & Environmental Law Department
TOLLER BEATTIE

Planning Application O/2000/1211

I am not opposed to the principle of housing development on this site. This is an outline application only; however, I would like to make the following points about it, which I would like carried forward to any full application, should this application be given conditional approval :

- given the recent problems with flooding and standing water across Winnersh, I would ask that careful consultation takes place with the Environment Agency about the drainage on the site as a whole, and with particular reference to the ditch
- there is an existing entrance to the site, located immediately on the Wokingham side of the motorway bridge on Reading Road; this entrance receives no significant traffic at the moment; *its location may cause problems once it comes into regular use*
- houses should be built as far away from the properties in Sadlers Lane as possible so as not to intrude on them
- an observation: planning conditions 8 and 9 relate to the provision of contractors' parking. Loose wording in similar clauses in a recently approved application in Winnersh has led to a situation in which the developer is contracted to provide parking within the site for construction traffic, but not obliged to park all vehicles there rather than in the private road outside.
- a plaintive plea: local members should be invited to have input into the discussions about developer contributions **before** negotiations begin. This local member has not been consulted in any way so far, even though an explicit figure of £4,000 for play areas is mentioned in the report.

Planning Application F/2001/3119

I would like to support the recommendation for refusal of this application, on the grounds that it is out of keeping with the surrounding conservation area.

HUDSCOTT ESTATES (EAST) LIMITED
DORNFORD HOUSE
HEALE LANE
CURRY RIVEL
SOMERSET
TA10 0PQ

TEL/FAX: 01458 259191

PLANNING SERVICES | HPT 39851
POL | TLS
DC NL | ENF
APP |
CS |
13 FEB 2001
COPIES TO: | ACK:
FILE:

Ms.Nicola Lake,
Senior Planner,Planning Dept,
Wokingham District Council,
WOKINGHAM,Berks. RG40 1WR.

9TH February, 2001.

Dear Ms. Lake,

PLANNING APPLICATION AT OAKLANDS, GREEN LANE, READING ROAD, WINNERSH, WOKINGHAM.

I refer to our recent telephone conversation when you confirmed that a Planning Application had been submitted in connection with this site, for 9 dwellings with access over Green Lane.

As mentioned to you this came as a surprise because we had received no Notice of such an application. The position is that Green Lane forms part of Home Farm and whilst the main title of Home Farm is registered Green Lane for historical reasons is not.

I appreciate that you will no doubt now inform the applicants of this situation. I feel also that I should draw it to your attention that some 2 years ago when in discussion with the person who is now apparently the agent for this application, Mr. Bradbeer, I informed him that Green Lane was part of the title of Home Farm which is in my Company's ownership.
Obviously at this stage my Company is not in a position to make representations on the matter and I was interested to note that you will be requesting in any event, planning obligations if it transpires that the applicant eventually follows the correct procedures.

As we both know, under Section 106 an applicant has to have a sufficient interest in the land and as I suspect such planning obligations may involve Green Lane and works thereto, you will need of course to revert to us and we will have to decide whether or not it is appropriate for the Company to join in.

Yours sincerely,

I. R. Yule

IAN R. YULE. F.R.I.C.S.

FAX COVER SHEET

TO: Mr. R Bradbear.

FROM: Miss. N. Hales.

DESTINATION FAX No: 01242 527 151.

DATE: 14th Feb 2001.

TIME: 8.15.

SUBJECT: Oaklands Nursery, Green Lane.

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

Please find attached a copy of a letter which we have recently received regarding Green Lane and to remind you that should the ownership of the lane be as within the letter, this owner would also have to sign the S106 agreement.

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

Hard copy also posted 14th Feb.

FROM: Lynette Baker

DATE: 19 April 2000

29199

POL	
DC	
APP	
CS	

19 MAY 2000

ACK:

FILE:

WINNERSH PARISH CONSULTATION SHEET

Application Number: O/2000/1211

Proposal: Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Site Address: Oaklands Nursery, Green Lane, Winnersh, Wokingham.

Applicant: Mr Dow C/O Robin Bradbeer Ltd.

Your observations are required in respect of this application **by 13/05/2000** .

The Committee **OBJECTED** to this application on the following grounds:

1 The resulting dwellings would be too close to the motorway

2 Extra traffic would be generated

3 Ingress and egress at the Green Lane/Reading Road junction would be very difficult

SIGNED: _____ DATE: 09.05.00

Clerk To Winnersh Parish/Town Council.

PLANNING SERVICES | RPT 33680
POL | ILS
DC | CIF
APP |
CS |
30 AUG 2000
COPIES TO: | ACK:
FILE:
5 AUG 2000

Date: 23 August 2000

To:
Winnersh Parish Council
Mrs J Harlin

We have received Revised Plans for the following planning application:

Application Number: O/2000/1211

Location: Oaklands Nursery, Green Lane, Winnersh, Wokingham.

Proposal: Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Applicant: Mr Dow C/O Robin Bradbeer Ltd.

Case Officer: Lynette Baker

The new plans show the following: Re-location of plot 4 further away from site boundary and alterations to proposed access. (Revised plan No. 247/2A)

Comments are required by 01/09/2000.

Should you have any queries regarding this application please contact the case officer Lynette Baker on (0118) 974 6447.

The Committee wished to repeat the previous **OBJECTIONS:**

1 The resulting dwellings would be too close to the motorway
2 Extra traffic would be generated
3 Ingress and egress at the Green Lane/Reading Road junction would be very difficult

Tel: (0118) 974 6481 (Direct Line)
E-mail: Nicola.Lake@wokingham.gov.uk
Date: 1 Nov 2000
My ref: NL/O/2000/1211
Your ref:

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

Mr R Bradbeer
20 Lansdown Parade
Cheltenham
Glos.
GL50 2LH

Dear Mr Bradbeer,

PROPOSED OUTLINE APPLICATION FOR THE DEMOLITION OF THE EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE. APPLICATION NUMBER O/2000/1211.

I write regarding our recent telephone conversation about the possible presence of bats on the above development site.

I have discussed this matter with the District's Ecology officer, who has informed me that it is the responsibility of the developer to carry out a bat survey, using an approved member of the IEEM (Institute of Ecologists and Environmental Managers). The Survey should establish whether there are bats present on the site or within the buildings.

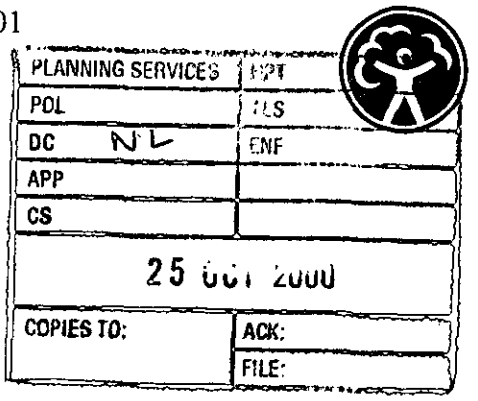
I hope this information is of assistance to you. Should you wish to discuss this matter further please do not hesitate to contact me on the above direct line.

Yours sincerely,

NICOLA LAKE.
Senior Planning Officer.

Our ref: SP\2000\002192\001
Your ref: RWB/216

Date: 20th October 2000



ENVIRONMENT AGENCY

Robin Bradbeer Ltd
20 Lansdowne Parade
Cheltenham
Gloucester
GL50 2LH

Dear Sir/Madam

Re: Demolition of existing, and erection of 9 x dwellings and improvements to Green Lane - Oaklands Nursery, Green Lane, Wokingham

I refer to your letter dated 5 August 2000, in response to the Environment Agency's comments to Wokingham District Council concerning the above outline application (WDC ref O/2000/1211). Please quote reference **SU77SE/4/26** in any correspondence.

With regard to the points made in your letter, I would comment as follows:

1. The existence or otherwise of outline planning permission for the land to the west of Green Lane has no bearing on the Environment Agency's response concerning the culverting of the ditch in relation to the application site. I can also find no record of the Environment Agency having been consulted on that application.
2. The length of ditch to be culverted would appear, from the illustrative layout, to be approximately 76 metres, which the Agency considers to be highly substantial, and not a 'relatively short distance'. It has not been shown that this culverting is in any way unavoidable, or that any alternatives have been seriously considered. The Environment Agency policy regarding culverts is clear:

'The agency is in general opposed to the culverting of watercourses because of the adverse ecological, flood defence and other effects that are likely to arise.

The Agency will therefore only approve an application to culvert a watercourse if there is no reasonably practicable alternative or if the detrimental effects of culverting would be so minor that they would not justify a more costly alternative. In all cases where it is appropriate to do so adequate mitigation must be provided for damage caused.'

3. The issue of the site being a preferred 'brownfield' site for housing under PPG3 is not a consideration to the Environment Agency. With regard to possible diversion of the ditch, why is this not an option? No evidence has yet been provided that any attempt has been made to discuss the possible diversion of the ditch with the adjoining land owner, nor has any other reason been provided as to why ditch diversion can not be considered.
4. The Environment Agency requires details of the environmental enhancements to be undertaken to partially mitigate the detrimental effects of culverting. An ecological survey of the ditch to be culverted should be first undertaken to identify any protected or

Cont/d..

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

otherwise flora, fauna and habitats at the site. A site meeting may be beneficial to discuss possible mitigation measures.

5. The Environment Agency's letter of 2 August 2000 made it clear that we were aware that the site layout provided was for illustrative purposes only, which is the reason why we did not object to the application on grounds of proximity of the development to the watercourses. The issue was raised in the Environment Agency's response to the outline application in order for the applicant and planning authority to be aware that it would be a consideration in any subsequent reserved matters application.

I would also reiterate the informative of my previous letter, that culverting of a watercourse requires the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991/ Water Resources Act 1991, irrespective of any planning permission granted. The Environment Agency seeks to avoid culverting, and its consent for such works will normally be withheld.

The Environment Agency's objection to the current proposal, as per our letter of 2 August 2000, therefore stands. If you have any further queries regarding this matter please contact me on 01276 45 4323.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc: Wokingham District Council, Planning Services, PO Box 157, Shute End, Wokingham, Berks RG40 1WR

PLANNING SERVICES | HPT 35697
POL | TLS
DC NL | ENF
AP | ENVIRONMENT
CA | AGENCY
24 OCT 2000
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FILE:

Fax

To Nicola Lake
From Sarah Parmenter
Company Wokingham D.C.
Date 23/10/00
Fax 0118 974 6484
Pages 1 of 3
re: O/2000/1211

Nicola,

Please see attached letter being sent to developers today re culverting at Oaklands Nursery, Green Lane Winnersh. Note that EA's objection still stands.

Regards.

S. Parmenter.

If this fax is incomplete or illegible, please contact 01276 45

Environment Agency
Frimley Office, Swift House, Frimley Business Park, Camberley, Surrey, GU16 5SQ
Tel: 01276 454300 Fax: 01276 454301

Our ref: SP\2000\002192\001
Your ref: RWB/216

Date: 20th October 2000

ENVIRONMENT AGENCY

Robin Bradbeer Ltd
20 Lansdowne Parade
Cheltenham
Gloucester
GL50 2LH

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Re: Demolition of existing, and erection of 9 x dwellings and improvements to Green Lane - Oaklands Nursery, Green Lane, Wokingham

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Cont/d..

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

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The Environment Agency's objection to the current proposal, as per our letter of 2 August 2000, therefore stands. If you have any further queries regarding this matter please contact me on 01276 45 4323.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc: Wokingham District Council, Planning Services, PO Box 157, Shute End, Wokingham, Berks RG40 1WR

Robin Bradbeer Limited
Planning & Development Consultancy

20 Lansdown Parade
Cheltenham
Gloucestershire
GL50 2LH

Telephone
01242 577151

Fax
01242 527151

E-Mail
planning@bradbeer.co.uk

Environmental Services Department
Engineering Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

FILE REF P14.	REFER TO PARTIE	Y/N
CUSTOMER FIRST REF 21874		H.E.S.
		T.L.W.S.
DATE REC'D 15 AUG 2000		T.L.H.O.
		T.L.H.D.
ACK		T.L.Q.M.
ANS'D NR		T.L.A.S.
		T.L.T.S.
FILED		E.P.O.

SBA. file

My Ref. RWB/216
12 August 2000

For the attention of Mr Steve Auton
Senior Assistant Engineer

Dear Mr Auton

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

Thank you for your letter dated 9 August the contents of which are noted.

I have now written to Mrs Baker to confirm that the applicant would not raise objections to conditions to include the following:

1. Before the proposed dwellings are first occupied the road markings in the central section of Reading Road shall be amended to form a right turn lane for access to the site in accordance with details to be submitted to and approved by the LPA.

2. Before the development is commenced details of a traffic calming feature along Green Lane to be in the form of a narrowing or chicane shall be submitted to and approved by the LPA.

Yours sincerely

O.K

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

c.c. Mrs Lynette Baker, Planning Services

216on.128

Tel: 0118 974 6322 (Direct Line) Fax. 0118 974 6313

Date: 9 August, 2000

Your Ref:

My Ref: SNA/KMJ/P14/21726

Robin Bradbeer Limited
20 Lansdown Parade
CHELTENHAM
Gloucester GU50 2LH

Environmental Services Department
Engineering Services
P.O. Box 153
Shute End, Wokingham
Berkshire RG40 1WL
Main Switchboard (0118) 974 6000
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Sirs

OAKLANDS NURSERY, GREEN LANE, WINNERSH

I refer to your letter dated 5 August regarding the proposed development at the above location.

From a highway point of view your paragraph 1, 2 and 3 are acceptable.

Paragraph 4:- referring to the traffic calming feature is to be in the form of a narrowing or chicane, the design and details of which can be agreed at a later date. The feature will be an "at grade" type not a road hump or raised table.

There is a requirement for a contribution towards the highway infrastructure as contained in previous correspondence and this will need to be secured by a suitable legal agreement.

If I can be of any further assistance please do not hesitate to contact me.

Yours faithfully

STEVE N. AUTON
SENIOR ASSISTANT ENGINEER

c.c. Mrs L Baker, Planning

Robin Bradbeer
Planning & Development Consultancy

20 Lansdown Parade, Cheltenham, Glos. GL50 2LH Tel: 01242 577151 Fax: 01242 527151

Environmental Services Department
Engineering Services
Wokingham District Council
Shute End
Wokingham Berkshire RG40 1WR

Ref. No. RWB/216
23 September 1998

For the attention of Mr Steve Auton

Dear Mr Auton

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : RESIDENTIAL REDEVELOPMENT
PRE-SUBMISSION ENQUIRY

Thank you for meeting with the owner Mr Dow and myself on site yesterday to deal with this enquiry.

I set out the following record of our discussion which I shall be pleased if you would either confirm or correct as necessary.

Two access options are available dependant upon the level of development sought.

A. PRIVATE DRIVE

A private drive access would be appropriate so long as Green Lane did not serve more than 5 dwellings in total. The lane presently serves 3 dwellings of which one is Mr Dow's property.

Some improvements may be necessary to provide a standard private drive specification (for example minimum 4.0m wide surface)

Provision would need to be made for refuse vehicle turning since the distance between the site and the adopted highway exceeds 25m.

B. ADOPTABLE ROAD

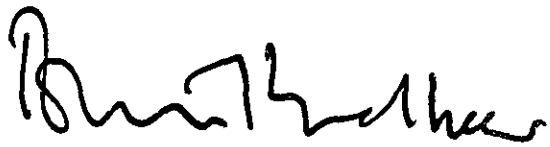
The following specifications would apply:

- kerb radii onto Reading Road 7.5m

- metalled carriageway 5.5m wide over first 20m then reducing to 4.8m
- 0.5m wide maintenance strip along west side
- 2.0m wide footpath on east side over first 20m. thereafter becoming 2.0m service strip (you agreed to confirm this)
- provision of street lighting within footpath/service strip
- turning head sufficient for refuse vehicle.

Finally, you flagged up the current requirements in relation to new housing development in the Winnersh area for a financial contribution by way of a legal agreement towards transport infrastructure improvements. On the basis of my recent work in the area I understand that the contribution level is in the region of £2,500 and applies on a net additional dwelling basis.

Yours sincerely



ROBIN BRADBEER

Enc.

Oaklands Nursery
Green Lane

27.9.2000.
Spoke to Mr Bradbeer explained that landscaping is now happy, as it highway. Said I would chase the EA for their response.
Originally said it was delegated but phoned and left message to correct that it needed to go to committee because of the contributions and 106 agreement.

27.9.2000
Spoke to EA Sarah Pearson is on 3 weeks leave - then said he would track it down and call me back.

TO: DEVELOPMENT CONTROL FROM: Environmental Design

DATE: 20/09/00

Location: Oaklands Nursery, Green Lane, Winnersh.

Proposal: Outline application for the demolition of existing building and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Application Number: O/2000/1211

In response to your consultation dated 23rd August 2000 for the above application, the arboricultural comments are as follows:

I am happy with the alterations to plot 4.

Providing the improvements to Green Lane have no greater impact on trees than those improvements approved in the past I have no objection to planning permission being granted. The attached conditions should be imposed.

Neil Etherington
Senior Arboriculturist

WHAT PLANNING CONDITIONS RELATE TO TREES, FORESTRY AND LANDSCAPING

Condition 01	Attached to Outline Planning Consent

The plans and particulars in accordance with condition < > shall include:

(a) a plan showing the location of and allocating a reference number to each existing tree on or near the site which has a stem diameter at a point 1.5m above ground level exceeding 75mm, showing which trees are to be retained and the crown spread of each tree.

(b) details of the species, diameter, approximate height and assessment of the general health and stability of each tree to which paragraphs (a), (b) and (c) apply.

(c) details of any proposed pruning of any tree to be retained or of any tree on land adjacent to the site.

(d) details of any proposed alterations in existing ground levels and of the position of any proposed excavation (within the crown spread of any tree to be retained or of any tree on land adjacent to the site) or for any excavation deeper than 2.0m on sandy soils within 1.5 times the height of the trees identified in paragraph (a) above.

REASON

To enable the Local Planning Authority to consider the details of the proposed development in relation to the existing trees.

Condition 02	Attached to Outline Planning Consent

No development of the site shall take place without the prior written approval of the LPA of the reserved matters, that is, details of:

The landscaping of the site (including any proposed changes to existing ground levels, means of enclosure and boundary treatments, hard surfaced areas and materials, planting plans, specifications and schedules, existing plants to be retained and showing how account has been taken of any underground services.

REASON

(a) No details have been submitted on the matters referred to in the condition.

(b) To ensure that the development is carried out in a satisfactory manner.

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1792

LEB

I have today displayed the site notice(s) in a prominent position on the land/ buildings to which the application number .0/2000/1211. relates.

Address of site OAKLANDS NURSERY

GREEN LANE WINNERSH.

Signed [signature]

Date 30 April 2000

Postage
will be paid
by licensee

Do not affix Postage Stamps if posted in
Gt. Britian, Channel Islands, N Ireland
or the Isle of Man

Business reply service
License no. RG147

Planning Services
Environmental Services Department
Wokingham District Council
Council Offices
Shute End
Wokingham
Berkshire RG40 1BR

1

(RING ONE)

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

App No. 0/2000/1211 (Planaps) / (Ludhouse) Date Rec. 10/8/00

Location: OAKLANDS NURSERY, GREEN LANE, WINNERSH.

Parish WINNERSH.

Applicant: MR DOW C/O ROBIN BRADBEER LTD.

Description of attached plans MOVE OF PLOT 4 AWAY FROM BOUNDARY + ACCESS ALTERATIONS.

Drawing No's: 247/2A

CONSULTEES

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

x3 [illegible]

Please tick which of the following you wish consulted.

OTHERS: _____

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

7 copies Req (6 Provided, amber 3 Req)

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

NEIGHBOURS: SHARDELOES - GREEN LANE, 292/READING RD, 4A, 6, 8, 10, 12 + 14 SADLERS LANE

10 DAYS.

Date for Responses 1/9/2000

FURTHER ACTION

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

Redate Application Y / N From _____

New Site Notice Y / N

New Description _____

CASE OFFICER LB

Consultations Sent by Admin. on 23/8/00

Yellow - Part One Copy
Green - Officer's Copy

Robin Bradbeer
Planning & Development Consultancy

20 Lansdown Parade, Cheltenham, Glos. GL50 2LH Tel: 01242 577151 Fax: 01242 527151

Environmental Services Department
Engineering Services
Wokingham District Council
Shute End
Wokingham Berkshire RG40 1WR

Ref. No. RWB/216
23 September 1998

FILE REF	P14	REFER TO BABTIE	Y/N
CUSTOMER FIRST REF	8007		H.E.S. / T.L.W.S.
DATE REC'D	28 SEP 1998		T.L.H.O. / T.L.H.D. / SNA
ACK			T.L.G.M.
ANS'D	21/10		T.L.A.S.
FILED	28/10		T.L.T.S. / E.P.O.

For the attention of Mr Steve Auton

Dear Mr Auton

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : RESIDENTIAL REDEVELOPMENT
PRE-SUBMISSION ENQUIRY

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Yours sincerely

ROBIN BRADBEER

Enc.

Robin Bradbeer Limited

Planning & Development Consultancy

20 Lansdown Parade
Cheltenham
Gloucestershire
GL50 2LH

Telephone
01242 577151

Fax
01242 527151

E-Mail
planning@bradbeer.co.uk

Environmental Services Department
Planning Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

PLANNING SERVICES	HPT 32975
POL	FLS
DC LFB	ENF
APP	
CS	
14 AUG 2000	
COPIES TO:	
	FILE:

My Ref. RWB/216
Your Ref. leb/Winnershpre-app
12 August 2000

For the attention of Mrs Lynette Baker
Development Control

Dear Mrs Baker

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

I attach a copy of my recent further correspondence with the Highway Authority which refers to two proposed conditions which deal with the outstanding highway matters.

Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

216an.129

Registered in England Number: 3372202

Robin Bradbeer Limited

Planning & Development Consultancy

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Environmental Services Department
Engineering Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

My Ref. RWB/216
12 August 2000

For the attention of Mr Steve Auton
Senior Assistant Engineer

Dear Mr Auton

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

Thank you for your letter dated 9 August the contents of which are noted.

I have now written to Mrs Baker to confirm that the applicant would not raise objections to conditions to include the following:

1. Before the proposed dwellings are first occupied the road markings in the central section of Reading Road shall be amended to form a right turn lane for access to the site in accordance with details to be submitted to and approved by the LPA.

2. Before the development is commenced details of a traffic calming feature along Green Lane to be in the form of a narrowing or chicane shall be submitted to and approved by the LPA.

Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

c.c. *Mrs Lynette Baker, Planning Services*

216on.128

Registered in England Number: 3372202

Rec'd 9.30 AM 10-8-00

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Environmental Services Department
Planning Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

My Ref. RWB/216
Your Ref. O/2000/1211
10 August 2000

For the attention of Mrs Lynette Baker
Development Control

Dear Mrs Baker

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

Further to my letter dated 5 August I attach six copies of drawing no. 247/2A showing access details revised in accordance with Steve Auton's requirements and the illustrate layout changed to reflect Neil Etherington's suggestions concerning the relationship of Plot 4 to the site boundary. For the avoidance of doubt these plans supersede drawing no. 247/2.

Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

c.c. Mr Neil Etherington, Senior Arboriculturist

P.S. NOTE TO MR-THORP.
I understand that Mrs Baker is away until 31/8 and then with the Authority for only a few days.
Will you please advise me who is dealing with this matter now and ensure please that any further consultations deemed necessary on this plan are put in hand without delay. Thank you Robin Bradbeer.

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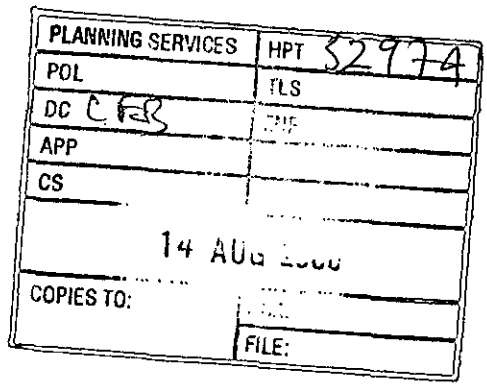

My Ref. RWB/216
Your Ref. 0/2000/1211
11 August 2000

For the attention of Mrs Lynette Baker
Development Control

Dear Mrs Baker

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

I refer to your letter dated 7 August which appears to have been written prior to your receipt of my letters dated 5 and 10 August.

Will you please contact me upon your return from leave to discuss any outstanding matters. If a meeting is required I shall be in the Council Offices on Thursday 31 August and available at 12.00 midday.

I look forward to hearing from you.

Yours sincerely

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

21Bon.127.

Registered in England Number: 3372202

Mapledene
4A Sadlers Lane
Winnersh, Berks
RG41 5AJ

Phone 01189-789233
Fax 01189-789233

CS 035 LEB
31 AUG 2000
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FILE:

29 August 2000

Planning Department
Wokingham District Council
Shute End
Wokingham
Berkshire

PLANNING APPLICATION: 0/2000/1211
OAKLANDS NURSERY, GREEN LANE, WINNERSH

Dear Sirs

With reference to the revised/additional plans for this application - we would like to resubmit our original letter of objection and also object to the fact that we were given less than 7 days in which to respond.

We write in reference to the proposed development of 9 new houses on land adjoining our property. We wish to register our most strong objection to this, due to the following.

1. At present, our rear garden is not overlooked at all. This was a prime reason for us purchasing this property. We note that one of the proposed houses is located adjacent to the end of our garden and would directly overlook our property. The proposed line of houses will also overlook our rear bedrooms and garden.

2. There are a large number of mature trees on the proposed development site. A number of these trees are proposed to be felled. We find it disgusting that 100 year old trees can be felled simply to allow somebody to profit from a development.

There are also a large number of younger trees that are also earmarked for destruction. There is currently a substantial number of varied bird life living on this site. This includes Green Woodpeckers, Greater Spotted Woodpeckers, Tree Creepers and Nuthatches - all of which require a quantity of mature trees in order to survive.

Additionally, there is a large population of Bullfinches, Goldfinches, Song Thrush and Blackcaps living on the site. These, too, will disappear. As members of the RSPB we deplore the destruction of ever-decreasing habitat in this way.

3. The proposed felling of trees includes a number of trees for absolutely no apparent reason. For example, there is a mature Silver Birch adjacent to our garden, and at the bottom of the garden of the proposed semi-detached property. This tree, along with others close by, is well away from the proposed building work. This tree is very popular with the birds and would also act as a screen from the proposed buildings.

4. There is a population of bats around the property. We are not sure where they are nesting, but they could well be either in the trees, or in the derelict greenhouses on the proposed building land. We believe, by law, this must be resolved before any demolition work can commence.

5. At present, there is a small fence along the boundary of our property and the site. This is completely obscured by rough hedging. We note it is proposed to replace this fence with new. We fail to see how this would be possible without material damage and destruction to the hedging. We object most strongly to this.

6. We recently had a planning application refused for a new garage at the front of our property, as it was considered to be "detrimental to the visual amenity of the area". If permission is granted for this development, please explain how the erection of 9 houses, on land abundant with wildlife and which would be replacing trees, is not considered detrimental.

7. Access for vehicles from Green Lane onto the Reading Road will still be problematical and the addition of further traffic in this area will only serve to make matters worse during peak times.

8. Kindly clarify if erection of sound barriers along the motorway boundary is proposed as part of this scheme. If so, to what standards would you require this work to be met?

Yours faithfully

PETER J KITLEY
LINDA F KITLEY

Outstanding issues 31/8.

- Need EA's reaction TO R Broadbeer's letter of 5/8/00 — they may lift their objection. *
- Awaiting Neil's written OK on trees (have spoken to him & he's happy with revised indicative layout & 247/2A
- Awaiting HA's written OK. (see Steve Aston)

* phoned Sarah Paxman 31/8 — she hasn't looked at it yet.

Issues. Oaklands.

HA: revised plans re turning head.
S278 re RTL
Applicant wkg on this now.
S106 → make up road to adoptable standards.

Letters: 4 obj

English Nature - poss. bats.

TPO'd trees on s'n bndy.

O/L - m of access only.

Noise survey produced. - check f/E
↳ double glazing and selective use of high quality cbf 2m.

Rec'n - have asked for £4000 towards upgrading Laburnum Rd play area. rather than 0.09ha on site

EH - - Layout + design or acoustic ventilation system
- Plots 1, 2 + 3 will need acoustic barrier along western boundary / designing layout to protect garden areas.
Contamination - investigation required

Private road - rights of access.

PL
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Tel: 0118 974 6322 (Direct Line) Fax. 0118 974 6313

Date: 9 August, 2000

Your Ref:

My Ref: SNA/KMJ/P14/21726

Robin Bradbeer Limited
20 Lansdown Parade
CHELTENHAM
Gloucester GU50 2LH

Environmental Services Department
Engineering Services
P.O. Box 153
Shute End, Wokingham
Berkshire RG40 1WL
Main Switchboard (0118) 974 6000
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Sirs

OAKLANDS NURSERY, GREEN LANE, WINNERSH

I refer to your letter dated 5 August regarding the proposed development at the above location.

From a highway point of view your paragraph 1, 2 and 3 are acceptable.

Paragraph 4:- referring to the traffic calming feature is to be in the form of a narrowing or chicane, the design and details of which can be agreed at a later date. The feature will be an "at grade" type not a road hump or raised table.

There is a requirement for a contribution towards the highway infrastructure as contained in previous correspondence and this will need to be secured by a suitable legal agreement.

If I can be of any further assistance please do not hesitate to contact me.

Yours faithfully

STEVE N. AUTON
SENIOR ASSISTANT ENGINEER

c.c. Mrs L Baker, Planning

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Planning & Development Consultancy

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Environmental Services Department
Engineering Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

My Ref. RWB/216
5 August 2000

For the attention of Mr Steve Auton
Senior Assistant Engineer

Dear Mr Auton

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

I refer to our recent discussions upon of the comments set out in your memorandum to the Planning Officer dated 26 June 2000. I deal with each of your numbered points in turn.

1 & 2 You require sufficient turning space to accommodate a refuse vehicle (9m long with double rear axle). You prefer that the kerb radii at the access point should be reduced from 7.5m to 6.0m) The attached drawing no. 247/SK6 shows the kerb radii reduced to 6.0m and superimposes the turning movements for the refuse vehicle you specify. This shows that turning movements can be accommodated without lengthening the south western branch of the turning head. Although there is sufficient room on site to provide a larger turning head (either by repositioning the site access 2.0m to the north east and/or by extension of the south western branch of the turning head, both options may have an undesirable impact upon adjacent trees.

On the basis of this additional information I trust you will be able to agree that the arrangement shown on drawing no. 247/SK6 is acceptable.

3 Your requirement for right turn facilities at the junction with the A329 will I understand involve new road markings. As in similar cases this requirement could adequately be dealt with by a "grampian" condition instead of a legal agreement since the works would lie within the highway and are being sought by the highway authority. The following condition has been agreed before (97/66778/F) and I would be grateful of you could confirm that it would also be acceptable in this case:

Registered in England Number 3372202

Before the proposed dwellings are first occupied the road markings in the central section of Reading Road shall be amended to form a right turn lane for access to the site in accordance with details to be submitted to and approved by the LPA.

4 Traffic calming along the access road. Since means of access is not a reserved matter please specify what traffic calming you require. Subject to agreement of your reasonable requirements these could be covered by a suitable condition.

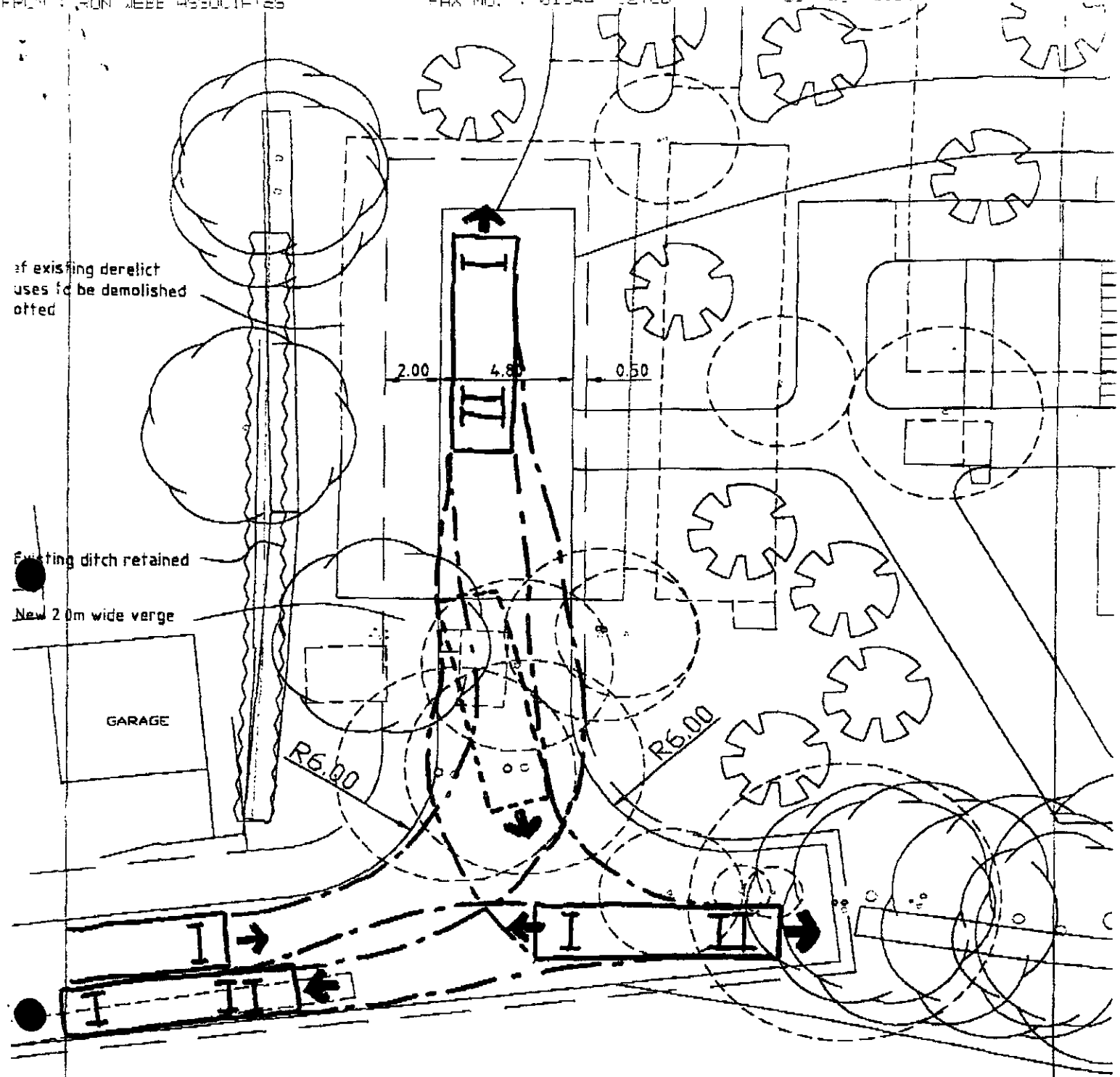
I am sending a copy of this letter to Mrs Baker the Planning Case Officer. Your prompt response to these points would be appreciated.

Yours sincerely

ROBIN BRADBEER

Enc.

c.c. Mrs Lynette Baker, Planning Case Officer



Detail Title: Oaklands Nursery Green Lne , Winnersh REFUSE TURNING DETAILS	**Scale:** 1:200 **Date:** Jun 00 **Drg.No:** 247/sk6 **Rev:**	

Robin Bradbeer Limited

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Environment Agency
Swift House
Frimley Business Park
Frimley
Camberley Surrey GU16 7SQ

Our ref.. RWB/216
Your ref. SP/2000/002029/001
5 August 2000

For the attention of Ms Sarah Paxman
Development Planning Officer

Dear Ms Paxman

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

Thank you for sending me a copy of your letter dated 2 August sent to Wokingham District Council

I would ask you to reconsider your objection in this particular case upon the following facts.

1. Culverting of the ditch along Green Lane is already committed by extant planning permission for housing development upon land to the west side of the lane (97/65613/0 granted 16 July 1998 - decision notice attached).

2. In this case culverting is in practice unavoidable over a relatively short distance in order to facilitate upgrading of Green Lane to the standard required by the Highway Authority.

3. This redevelopment proposal for housing comprises a "brownfield" site within the defined urban area at Winnersh and accordingly is a sequentially preferred site for housing under PPG3. Diversion of the watercourse is not an option since adjoining land is not within control.

4. Mitigating environmental enhancement can be provided in this case to those watercourses which lie adjacent to the SW and W boundaries of the site .

Registered in England Number: 3372202

5. The site layout shown on drawing no. 247/2 is clearly marked for "illustrative purposes only". Your preference for a 4m wide buffer zone free of development between watercourses and new development can therefore be accommodated at reserved matters stage.

If you wish to discuss any of the above points please contact me directly.

Yours sincerely

ROBIN BRADBEER

Enc.

c.c. Mrs L Baker, Planning Services, Wokingham District Council

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

NOTIFICATION OF CONSENT FOR OUTLINE PLANNING PERMISSION

The Regional Controller
C/O Martin and Pole Nicholas
Salisbury House Milton Road
Wokingham
Berkshire
RG40 1DB

Application No : 97/65613/O

Parish : WINNERSH PARISH

Proposal : OUTLINE APPLICATION FOR ERECTION OF 4 DETACHED DWELLINGS (RENEWAL OF APPROVAL 42547)

Location : Land between 292 & 324 Reading Road Winnersh

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

CONDITION(S) :

01
Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development, the subject of this permission, shall commence and this condition shall apply notwithstanding any indications as to these matters which have been given in the current application.

02
Application for approval of the reserved matters referred to above shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

03
The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the sooner.

04
No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials.

05
Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation and maintenance programme.

11
In the interests of highway safety.

C.E. Rimmer

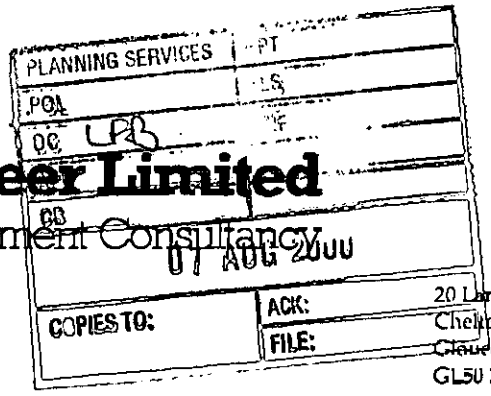
Date 16 July 1998

Development Control Manager

If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations. The applicant should contact the Building Control Section of the District Council's Environmental Services for further information.

Note Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the country side and townscapes tidy.

01242 527151



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FACSIMILE TRANSMISSION

DESTINATION FAX NUMBER..... 0118 974 6484.....

FOR THE ATTENTION OF..... MRS L. BAKER.....

NUMBER OF PAGES SENT INCLUDING THIS ONE..... 8.....

DATE..... 6/8/00.....

MESSAGE

RE: 'OAKLANDS NURSERY'
WINNERSH
07/2000/1211

I shall call you to discuss.

Kevin.

IF YOU DO NOT RECEIVE A CLEAR TRANSMISSION, OR ANY OF THE SHEETS ARE MISSING, PLEASE RING US ON THE ABOVE NUMBER

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If you have received it in error please notify us immediately so that we can arrange for its return. Thank you.

Registered in England Number 3572202

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Environmental Services Department
Planning Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

My Ref. RWB/216
Your Ref. leb/Winnershpre-app
5 August 2000

For the attention of Mrs Lynette Baker
Development Control

Dear Mrs Baker

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

I refer to our recent discussion concerning your progress with this application. As you know I have seen most of the consultation responses you have received on the application. I offer the following comments upon those responses:

1. **HIGHWAYS**
I attach a copy of my recent letter to Steve Auton which is self explanatory

2. **ENVIRONMENTAL HEALTH**
The suggested conditions relating to noise and contaminated land are noted and follow pre-application dialogue.

3. **EDUCATION & CULTURAL SERVICES**
A financial contribution of £4,000 to improve a nearby play area was raised at pre-application stage. As stated in my covering letter dated 6 April a contribution at that level is in principle acceptable to the applicant as a reasonable contribution to be made through a Section 106 Agreement.

4. **TREES**
I spoke to Mr Etherington on 4 August and expressed my concern that his request for a "fully detailed tree survey" is not warranted in my opinion having regard to the undisputed low quality of the majority of the trees on the site. Furthermore, coming 3 months after the application was registered this request is quite unreasonable.

Registered in England Number: 3372202

Following discussion it seems that the main point Mr Etherington seeks to safeguard is the opportunity at reserved matters stage to provide a substantial planted hedgerow interspersed with trees along the SW boundary of the site. He singled out Plot 4 in particular as being too close to that boundary to allow sufficient planting. As you know siting is a reserved matter in this application. I believe that Mr Etherington's concern relates to reserved matters issues rather than this outline application. However, in order to assist in progressing this application the illustrative layout is being revised to show the achievability of an increased separation distance between the flank wall of the dwelling on Plot 4 and the SW boundary of the site (Mr Etherington suggested a separating distance of 6m-8m). Revised plans will be submitted under separate cover within the next few days. A development of 9 dwellings is considered entirely feasible consistent with retention of useful existing boundary trees. The constraint presented by those trees has been taken into account in the illustrative layout and achieves a net density of 25 dph (net area of housing site = 0.36 ha after deduction of the site access = 0.06ha). Any further reduction in density would in my opinion represent a prolific use of land contrary to PPG3 without sound justification.

5. **ENVIRONMENT AGENCY**

I have received a copy of the letter sent to you from the Environment Agency dated 2 August 2000, 4 months after the application was registered. My response is set out in my letter to the Agency a copy of which is attached. You will note the material planning considerations to which I refer.

I shall be pleased to discuss any of these matter further as may be required. In view of the period of time you have been considering this application are you now able to confirm please the Committee timetabling for this application?

Yours sincerely

ROBIN BRADBEER Enc.

c.c. Mr Neil Etherington, Senior Arboriculturist

0118 9757090
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BC | ENF
APP |
CS |
03 AUG 2000
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FILE:

ENVIRONMENT AGENCY

Our ref: SP\2000\002029\001
Your ref: O/2000/1211

Date: 2nd August 2000

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

niceday fax notes
To: Lynette Baker
Company: Wokingham D.C. Fax No: 0118 974 6484
From: Sarah Plummer
Company: EA Tel No: 01276 45 4323
No. of pages: 2 Date: 3/8/00
No.122498

For the attention of: Lynette Baker

Dear Sir/Madam

OUTLINE APPLICATION - DEMOLITION OF EXISTING AND ERECTION OF 9 X DWELLINGS WITH IMPROVEMENTS TO GREEN LANE OAKLANDS NURSERY, GREEN LANE, WINNERSH

Thank you for your letter dated 3 July 2000 which was received on 5 July 2000. I apologise for the delay in replying, and trust that the Environment Agency's comments, as set out below, will still be taken into consideration. You are asked to quote the following reference in any correspondence: **SU77SE/4/26.** The Environment Agency has the following comments:

The Environment Agency **OBJECTS** to the proposed development for the following reasons:

REASON: The proposals include culverting of a watercourse: this will adversely affect the character and capacity of the watercourse, result in the unacceptable loss of water-based habitat, and will make maintenance difficult.

While the Environment Agency does not object to the principle of the proposed residential development, we do object to the details of the proposed improvements to Green Lane, resulting in the culverting of a large section of the adjacent watercourse. The Agency is in general opposed to the culverting of watercourses because of the adverse ecological, flood defence and other effects that are likely to arise. **You should also note that that under the Water Resources Act 1991/ Land Drainage Act 1991, the prior written consent of the Environment Agency is required for culverting of main rivers and ordinary watercourses, irrespective of any planning permission granted. It is likely that such consent will be withheld in this case.**

Conservation: Contact Liz Baldwin on 01276 45 4430

The site may provide the opportunity to divert the stream to accommodate a road, however prior to any diversion it will be necessary to undertake an ecological survey of the existing ditch to allow the nature conservation impacts of the scheme to be adequately assessed. The survey should identify any rare, declining, protected or otherwise important flora, fauna or

Cont/d..

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

habitats within the site; assess the importance of that interest at a local level; identify the impacts of the scheme on that interest; propose mitigation for any adverse ecological impacts; propose enhancement measures to help improve the value of the site for wildlife. The Agency would wish to be consulted on the results of the survey.

The illustrative site layout also shows development in close proximity to ditches on site. The Environment Agency ordinarily requires that a 4 metre wide buffer zone be left between non-main river watercourses and any new development. We would therefore object to the current siting of the dwellings as indicated in the illustrative site layout, if this scheme was to be considered in a future application.

Buffer zones to watercourses are required for the following purposes:
(i) to allow the watercourse to undergo natural processes of erosion and deposition, and associated changes in alignment and bank profile, without the need for artificial bank protection works and the associated destruction of natural bank habitat;
(ii) to provide for the terrestrial life stages of aquatic insects, for nesting of water-related bird species, and for bank dwelling small mammals;
(iii) to provide a "wildlife corridor" bringing more general benefits by linking a number of habitats and affording species a wider and therefore more robust and sustainable range of linked habitats;
(iv) to allow for the maintenance of a zone of natural character with vegetation that gives rise to a range of conditions of light and shade in the watercourse itself. This mix of conditions encourages proliferation of a wide range of aquatic species, including fish;
(v) to allow, where appropriate, for the regrading of banks to a lower and safer profile, in areas where there is public access;
(vi) to prevent overshadowing of watercourses by buildings; and
(vii) to reduce the risk of accidental pollution from run-off.

Domestic gardens should not be incorporated into the buffer zone to the watercourse, in order to avoid problems such as fragmentation of the buffer by fencing; the placing of garden rubbish near the bank; the introduction of non-native species into the buffer; and pressure for inappropriate bank retention works. The buffer zones should be undisturbed and maintained for wildlife. They should not include any built development including hardstanding or formal/ornamental garden.

If you are minded to grant permission for the proposals despite the above, it is essential that you contact me before a determination is made, in order that the Agency can forward conditions to be imposed on any planning permission granted.

A copy of this letter has been sent to the agent.

If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc: Robin Bradbeer Ltd. 20 Lansdown Parade, Cheltenham GL50 2LH

01242 527151

TO: **DEVELOPMENT CONTROL**
Lynette Baker

FROM: Environmental Design

DATE: 17/07/00

Location: Oaklands Nursery, Green Lane, Winnersh

Proposal: Outline application for erection of 9 dwellings

Application Number: O/2000/1211

In response to your consultation dated 19 June 2000 for the above application, the arboricultural comments are as follows:

The trees along the Southwest boundary of the site are included in Tree preservation Order no. 225/1983. The Willows appear to be in very poor condition and will almost certainly need to be removed if the site is developed as proposed. This will increase the impact of the development when viewed from the countryside and therefore sufficient space needs to be allowed for new planting. This may necessitate deleting plot 4.

There are several tall spindly Ash on the East Side of the site which may be unsuitable for retaining in garden areas.

It is essential that a fully detailed tree survey be provided (BS5837/1991) to establish the condition and value of all of the trees on the site. The site layout can then be designed to allow the retention of the best trees and planting of new ones. This should be done before approving any proposed development on this site.

Neil Etherington
Senior Arboriculturist

45 Bluebell Meadow,
Winnersh,
Wokingham,
Berks.
RG41 5UW

Tel: 0118 989 4139

13th July, 2000

Copied to: Winnersh Parish Council

Dear Lynette,

Re: Various Winnersh Planning Applications

Sorry to lump all these comments in together, but I am off on holiday next week, so I am taking this opportunity to try to make sure I flag up everything before I go. Some of the comments may be on applications other officers are dealing with, in which case please pass them on.

O/2000/1211 9 houses at Oaklands Nursery, Green Lane LEB

I have been in and looked at this application. The proposal is for a development of significant size in an awkward location. I am writing to you now to let you know that should this delegated application be recommended for approval I would like it to be listed for consideration by the Development Control committee.

F/2000/1798 One detached dwelling and garage at the rear of 552 and 554 Reading Road

This area of the Reading Road has already seen a number of backfill and infill properties, so yet another one may be the one too many with regard to traffic and access to the Reading Road. I do not have time before I go away on holiday to follow this application up immediately, but I will be looking at it when I get back in August.

F/2000/1743 Internally Illuminated Sign at Threshers

I personally do not have any problem with this application. The most likely people to be affected are those who live opposite rather than next door at 441. I am not sure I will have time to contact them before I go on holiday – I will look at the file when I come back to see what objections have come in, if any. I believe the shop next door was refused permission for such a sign a few months ago, and it may be that you feel the same reasons apply this time. Could you let me know if that is likely to be the case? I am around until Friday 21st July.

F/2000/1770 Garage at 7 Grovelands Avenue (amendment to 97/64851/F)

Although I have no direct interest in this application, I would like it recorded that I do not think it appropriate for me to comment on it now that I am a District Councillor, given that 7 Grovelands Avenue is the home of David Ball, whom I know personally and who is also a former Conservative councillor for this ward.

Yours sincerely,

P. Bray.

Prue Bray
Councillor for Winnersh

TO: **DEVELOPMENT CONTROL**
Lynette Baker

FROM: Environmental Design

DATE: 13 July 2000

Location:	Oaklands Nursery, Green Lane, Winnersh
Proposal:	Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane
Application Number:	O/2000/1211

In response to your consultation dated 3 July 2000 for the above application, the landscape comments are as follows:

The site is located on the edge of the settlement area and adjacent to a Green Gap designation with a number of TPO trees located along the south-western boundary of the site. Both the site and Green Lane are well vegetated with trees creating a sense of enclosure and a landscape character which is essentially semi-rural.

The housing layout as shown on the site plan, 247/2 does not reflect the surrounding landscape character. This can be achieved by minimising the loss of trees along the boundaries of the site and along Green Lane itself, reducing the number, and altering the orientation of properties on the site (there is a poor relationship between several of the houses and the trees) and reducing the amount of access road/driveway within the site. Neil is to look at the site with regard to the large TPO willow shown to be removed.

The landscape scheme should build upon the existing vegetation and strengthen the structure planting to retain the sense of enclosure and the semi-rural nature of the site which is not what is shown on the drawing.

Catherine Brimble

Catherine Brimble
Landscape Architect

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

DELEGATED PART 1

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

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

PART 1 REGISTER

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

FOR OFFICE USE ONLY

10.APR.2000 1211

1.	APPLICANT'S NAME	MR D J DOW
	ADDRESS	OAKLANDS NURSERY GREEN LANE WINNERSH
	POST CODE	RG41 5E4 PHONE
2. If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	Robin Bradbeer Limited Planning & Development Consultancy
	ADDRESS	20 LANSDOWN PARADE CHELTENHAM GLOS.
	POST CODE	GL50 2LH PHONE 01242 577151
3. On the plans show the SITE outlined in RED. Show also OTHER land in the applicant's ownership or control in BLUE.	SITE LOCATION	OAKLANDS NURSERY GREEN LANE (OFF READING ROAD) WINNERSH
4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.		DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE
5. Give the area in hectares or part of a hectare	AREA OF SITE	0.42
6. State the applicant's interest in the land e.g. owner, prospective purchaser, lessee	OWNERSHIP	OWNER
List all the plans and drawings submitted with the application	PLANS/DRAWINGS	247/01 247/2

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?
Tick the box(es)

CHANGE OF USE	☐	REDEVELOPMENT	☑
ERECTION OF NEW BUILDING	☑	ALTERATION or EXTENSION	☐

9. WHAT TYPE OF APPLICATION IS THIS ?
Tick one box only

OUTLINE PERMISSION	☑	See question 10
FULL PERMISSION	☐	
APPROVAL OF DETAILS/RESERVED MATTERS	☐	State relevant outline permission number Also complete Question 10
TEMPORARY PERMISSION	☐	State period required
RELAXATION OF CONDITIONS	☐	State relevant application number Conditions to be relaxed

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

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

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDING(S) e.g. residential, industrial, etc. If the site is vacant say so, and also state its previous use and when that ceased.	RESIDENTIAL/NURSERY
12. DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS?	YES/NO — If yes, show existing route(s) and any proposed alternatives on the plans
13. ARE THERE ANY TREES ON THE SITE? IF YES, ARE ANY TO BE FELLED?	YES/NO — If yes, please show their positions, spread and species on the plans and which, if any, are to be felled.
14. STATE EXTERNAL MATERIALS TO BE USED.	RESERVED MATTER
15. HOW WILL THE SITE BE ENCLOSED? Say whether walls, fences or hedges, and give height, colour and materials. If the site is divided into plots, say how each is to be enclosed.	RESERVED MATTER
16. HOW WILL SURFACE WATER BE DISPOSED OF?	SOAKAWAYS
17. HOW WILL FOUL SEWAGE BE DISPOSED OF?	To existing system YES/NO If no, please give details
18. WHAT ARE THE ACCESS ARRANGEMENTS? AS EXISTING AS PROPOSED Give details of pedestrian and vehicular access	REFER TO PLANS
19. HAS PROVISION BEEN MADE FOR THE DISABLED? See notes for applicants	N/A

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

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED	TO BE RETAINED	TO BE LOST
HOUSE	9 / •	• / •	1 / •
BUNGALOW	/ •	• / •	/ •
FLAT/MAISONETTE	/ •	• / •	/ •
OTHER	/ •	• / •	/ •

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

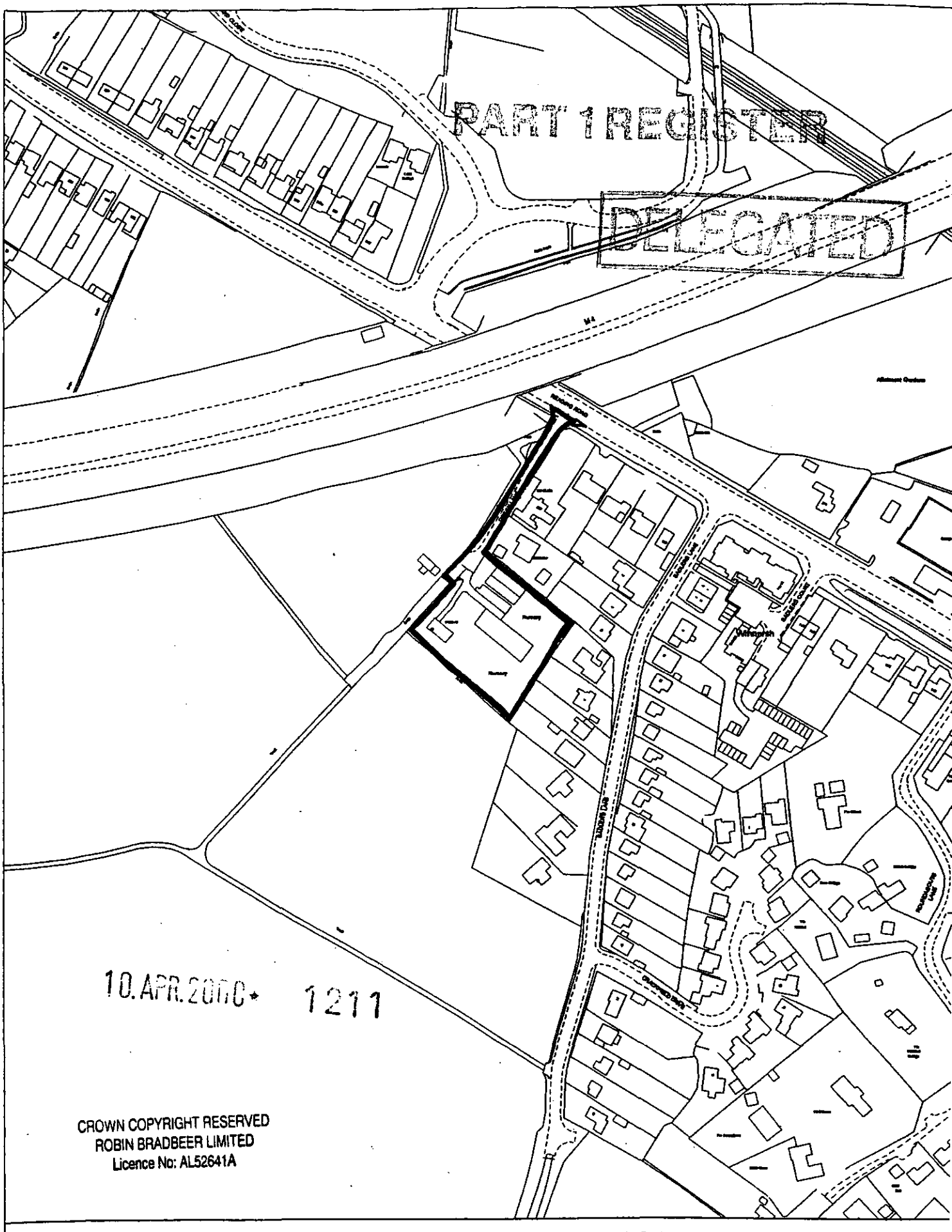
22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS: THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS? YES/NO — If YES, please ask for and complete Part 3 of the form

23. STATE THE FEE ENCLOSED WITH THIS APPLICATION The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.	£950.00

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

SIGNED [signature] ON BEHALF OF MR D J DOW DATE 6 APRIL 2000

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



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Site Plan, Scale: 1 to 2500

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Martin & Pole Nicholas
inc. Watts & Son Est. 1846

11 July 2000
JW/lea/L1299
Your ref: 0/2000/1211

Partners
I Millar Campbell FRICS
D C Auger FRICS
C W Reynolds FRICS
D D Chopping FRICS

R N Price BSc. FRICS

Associates
R C Griffiths ARICS
(Management Surveyor)
G J R Lewis
(Chattels Auctioneer)

Consultants
P A H Lawrence FRICS
W J Dulborough FRICS. IRRV
P C Neale FRICS
L J Ruse FRICS

Ms L Baker
Environmental Services Department
Wokingham District Council
Shute End
WOKINGHAM

Dear Lynette

OAKLANDS NURSERY, GREEN LANE, WINNERSH

Thank you for meeting with me today to discuss our clients concerns about the planning application on this site, which lies adjacent to our clients' land. As I explained I have been asked to submit this "holding" objection to the proposal until the following matters have been sorted out.

Noise

You clarified that the applicant has submitted a noise report and that the proposal site lies within land affected by a Category B designation, which is the same as our client's land. You anticipated that conditions similar to those imposed on our client's outline decision notice will be used if planning permission is granted. You confirmed that the noise report, and its appraisal by environmental heath officers, is based on the current context i.e. with our client's land undeveloped. I would like to make the point that this may need to be reviewed in the light of the proposal approved on our client's site.

Green Lane

We compared plans to verify if part of the application site overlay our client's land. This was not clear so I would like to simply flag up that this will need to be resolved should permission be granted and development goes ahead.

Green Lane itself is unregistered and you were going to check how this current application sought to deal with this. We discussed looking at the much earlier consent for Sharleloes, which also uses Green Lane for access, to see how they resolved this matter at that time. I would be interested if you come up with anything. You confirmed that apart from improvements to Green Lane no other highways or transport concerns had been raised with the current application.

Continued/..

7 Broad Street, Wokingham, Berkshire RG40 1AY Tel: Wokingham (0118) 978 0777
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Fax: Wokingham (0118) 977 1991 e.mail: w@martinpole.co.uk

Reading Office (0118) 959 1231 *Fax: (0118) 958 5061*
Earley Office (0118) 926 4422 *Fax: (0118) 926 3334*
Crowthorne Office (01344) 780111 *Fax: (01344) 780191*
The Auction House (0118) 979 0460 *Fax: (0118) 977 6166*

Site Boundary

I explained our client's concern about how the current application's boundary is depicted. It shows a fenced boundary right along the southern boundary of our client's site, the implication of this being that Green Lane and its verge is within their control and falls within the current application development site. I refer you to the previous section of this letter and the ambiguity surrounding the ownership of Green Lane.

I understand that the current outline application does not include landscaping or boundary treatment to be approved at this stage. However, it needs to be pointed out that if the boundary treatment is approved as shown this would prevent access into our client's site to serve the 4 houses as already approved in outline.

Finally we discussed the common interests and implications of developing our client's site and the Orchard site. Although contact has been made there seems little interest in combining efforts at this stage.

Thank you for your consideration of the points raised in this letter and I would appreciate further clarification on them in writing in the near future. This will enable me to advise our client on whether to withdraw this objection or to lodge a more formal objection to the proposal.

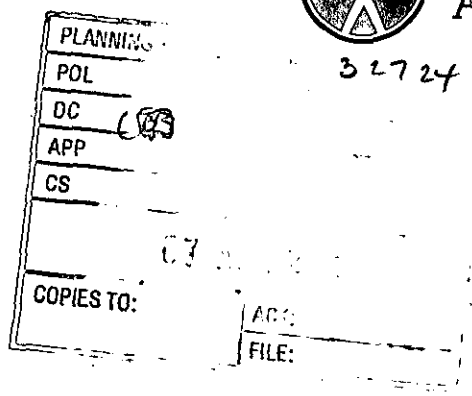
Yours sincerely

Julie Williams BSc(Hons) DipTP MRTPI
for Martin & Pole, Nicholas
Planning Department

Our ref: SP\2000\002029\001
Your ref: O/2000/1211

Date: 2nd August 2000

ENVIRONMENT AGENCY



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

For the attention of: Lynette Baker

Dear Sir/Madam

OUTLINE APPLICATION - DEMOLITION OF EXISTING AND ERECTION OF 9 X DWELLINGS WITH IMPROVEMENTS TO GREEN LANE OAKLANDS NURSERY, GREEN LANE, WINNERSH

Thank you for your letter dated 3 July 2000 which was received on 5 July 2000. I apologise for the delay in replying, and trust that the Environment Agency's comments, as set out below, will still be taken into consideration. You are asked to quote the following reference in any correspondence: **SU77SE/4/26**. The Environment Agency has the following comments:

The Environment Agency **OBJECTS** to the proposed development for the following reasons:

REASON: The proposals include culverting of a watercourse: this will adversely affect the character and capacity of the watercourse, result in the unacceptable loss of water-based habitat, and will make maintenance difficult.

While the Environment Agency does not object to the principle of the proposed residential development, we do object to the details of the proposed improvements to Green Lane, resulting in the culverting of a large section of the adjacent watercourse. The Agency is in general opposed to the culverting of watercourses because of the adverse ecological, flood defence and other effects that are likely to arise. **You should also note that that under the Water Resources Act 1991/ Land Drainage Act 1991, the prior written consent of the Environment Agency is required for culverting of main rivers and ordinary watercourses, irrespective of any planning permission granted. It is likely that such consent will be withheld in this case.**

Conservation: Contact Liz Baldwin on 01276 45 4430

The site may provide the opportunity to divert the stream to accommodate a road, however prior to any diversion it will be necessary to undertake an ecological survey of the existing ditch to allow the nature conservation impacts of the scheme to be adequately assessed. The survey should identify any rare, declining, protected or otherwise important flora, fauna or

Cont/d..

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

habitats within the site; assess the importance of that interest at a local level; identify the impacts of the scheme on that interest; propose mitigation for any adverse ecological impacts; propose enhancement measures to help improve the value of the site for wildlife. The Agency would wish to be consulted on the results of the survey.

The illustrative site layout also shows development in close proximity to ditches on site. The Environment Agency ordinarily requires that a 4 metre wide buffer zone be left between non-main river watercourses and any new development. We would therefore object to the current siting of the dwellings as indicated in the illustrative site layout, if this scheme was to be considered in a future application.

Buffer zones to watercourses are required for the following purposes:
(i) to allow the watercourse to undergo natural processes of erosion and deposition, and associated changes in alignment and bank profile, without the need for artificial bank protection works and the associated destruction of natural bank habitat;
(ii) to provide for the terrestrial life stages of aquatic insects, for nesting of water-related bird species, and for bank dwelling small mammals;
(iii) to provide a "wildlife corridor" bringing more general benefits by linking a number of habitats and affording species a wider and therefore more robust and sustainable range of linked habitats;
(iv) to allow for the maintenance of a zone of natural character with vegetation that gives rise to a range of conditions of light and shade in the watercourse itself. This mix of conditions encourages proliferation of a wide range of aquatic species, including fish;
(v) to allow, where appropriate, for the regrading of banks to a lower and safer profile, in areas where there is public access;
(vi) to prevent overshadowing of watercourses by buildings; and
(vii) to reduce the risk of accidental pollution from run-off.

Domestic gardens should not be incorporated into the buffer zone to the watercourse, in order to avoid problems such as fragmentation of the buffer by fencing; the placing of garden rubbish near the bank; the introduction of non-native species into the buffer; and pressure for inappropriate bank retention works. The buffer zones should be undisturbed and maintained for wildlife. They should not include any built development including hardstanding or formal/ornamental garden.

If you are minded to grant permission for the proposals despite the above, it is essential that you contact me before a determination is made, in order that the Agency can forward conditions to be imposed on any planning permission granted.

A copy of this letter has been sent to the agent.

If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc: Robin Bradbeer Ltd. 20 Lansdown Parade, Cheltenham GL50 2LH

Tel. 0118 974 6447 (Direct Line)
E-mail: Lynette.Baker@wokingham.gov.uk
Date. 07.08.00
My ref. Leb/O/2000/1211
Your ref.

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

Robin Bradbeer,
20, Landsdown Parade,
Cheltenham,
Glocs GL50 2LH

Dear Mr. Bradbeer,

OAKLANDS NURSERY, WINNERSH: O/2000/ 1211

Following our discussion about the trees on the above site, I have had a word with Neil Etherington, the Tree Officer, who is not happy about recommending the proposal for approval given the absence of a tree survey, and given that the application does not include siting. Under the circumstances therefore, I must ask you to provide a full tree survey, to include the condition of the trees, before I can make a decision on the application.

I am also enclosing a copy of the Environment Agency's response for your information.

Yours sincerely,

LB

LYNETTE BAKER
Senior Planning Officer

THAMES VALLEY POLICE

PLANNING SERVICES | HPT 31963
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P.C. Dave STUBBS
Crime Prevention Design Adviser (Berks)

Thatcham Police Station
20, Chapel Street
Thatcham, BERKS.
RG18 4QL
Tel. 01635 295156
Fax. 01635 295126

Date 14th July 2000

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

Mrs. L. Baker
Planning Department
Wokingham District Council
PO Box 157
Shute End
Wokingham
BERKS.
RG40 1WR

Your Ref. 1211

Dear Mrs. Baker.

Oaklands Nursery - Winnersh.

Thank you for the details of the application in respect of the above site.

The layout creates good natural surveillance over the access road and frontages, but I would be concerned that where boundaries of the new properties abut open land, they have substantial boundary fences, preferably to 2 meters height.

The same would apply where the boundaries of existing premises are opened up and made slightly more vulnerable.

In the light of the duty on local authorities to do all that they reasonably can to prevent crime & disorder under Section 17 of the Crime & Disorder Act 1998, the potential crime risks facing this proposal include domestic burglary and car crime.

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

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

Yours sincerely.

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

Mr. & Mrs. T. Smith
8, Sadlers Lane
Winnersh
Wokingham
Berkshire
RG41 5AJ

Tel: 0118-9781282

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4th May 2000

Ms Lynette Baker
The Planning Officer
Environmental Services Department
P.O. Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Ms Baker,

Application Number: O/2000/1211

Site Address: Oaklands Nursery, Green Lane, Winnersh, Wokingham

We wish to register an objection to the above planning application for erection of 9 dwellings as follows:

We feel that the position of certain plots facing directly onto our properties in Sadlers Lane will take away a great deal of privacy we have at present and create a devaluation in our properties.

Less dwellings would be more appropriate on this area of land with larger houses and gardens with less intrusion (windows facing alternative angles) than proposed.

Yours sincerely,

Diane Smith

cc. Mr. D. Dow
Oaklands Nursery

ENGLISH NATURE

29106

LEB

Thames and Chilterns Team

Foxhold House, Crookham Common,
Thatcham, Berks. RG19 8EL
Telephone (01635) 268881 Fax (01635) 268940

Planning Department
Wokingham District Council
Council Offices
PO Box 150
Shute End
WOKINGHAM
RG11 1WQ

Our ref: C7.17.05/Berks

Date: 5 May 2000

DearSir/Madam

PLANNING APPLICATION 0/2000/1211 - OAKLANDS NURSERY, GREEN LANE, WINNERSH

English Nature has been informed that derelict outbuildings at the above application site may be being utilised by bats as roosts. As all bats are protected species their possible presence should be taken into consideration in determining the application.

Yours sincerely

Graham Steven

GRAHAM STEVEN
Conservation Officer

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Mapledene
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Winnersh, Berks
RG41 5AJ

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Fax 01189-789233

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04 May 2000

Planning Department
Wokingham District Council
Shute End
Wokingham
Berkshire

PLANNING APPLICATION: 0/2000/1211
OAKLANDS NURSERY, GREEN LANE, WINNERSH

Dear Sirs

We write in reference to the proposed development of 9 new houses on land adjoining our property. We wish to register our most strong objection to this, due to the following.

1. At present, our rear garden is not overlooked at all. This was a prime reason for us purchasing this property. We note that one of the proposed houses is located adjacent to the end of our garden and would directly overlook our property. The proposed line of houses will also overlook our rear bedrooms and garden.

2. There are a large number of mature trees on the proposed development site. A number of these trees are proposed to be felled. We find it disgusting that 100 year old trees can be felled simply to allow somebody to profit from a development.

There are also a large number of younger trees that are also earmarked for destruction. There is currently a substantial number of varied bird life living on this site. This includes Green Woodpeckers, Greater Spotted Woodpeckers, Tree Creepers and Nuthatches - all of which require a quantity of mature trees in order to survive.

Additionally, there is a large population of Bullfinches, Goldfinches, Song Thrush and Blackcaps living on the site. These, too, will disappear. As members of the RSPB we deplore the destruction of ever-decreasing habitat in this way.

3. The proposed felling of trees includes a number of trees for absolutely no apparent reason. For example, there is a mature Silver Birch adjacent to our garden, and at the bottom of the garden of the proposed semi-detached property. This tree, along with others close by, is well away from the proposed building work. This tree is very popular with the birds and would also act as a screen from the proposed buildings.

4. There is a population of bats around the property. We are not sure where they are nesting, but they could well be either in the trees, or in the derelict greenhouses on the proposed building land. We believe, by law, this must be resolved before any demolition work can commence.

5. At present, there is a small fence along the boundary of our property and the site. This is completely obscured by rough hedging. We note it is proposed to replace this fence with new. We fail to see how this would be possible without material damage and destruction to the hedging. We object most strongly to this.

6. We recently had a planning application refused for a new garage at the front of our property, as it was considered to be "detrimental to the visual amenity of the area". If permission is granted for this development, please explain how the erection of 9 houses, on land abundant with wildlife and which would be replacing trees, is not considered detrimental.

7. Kindly clarify if erection of sound barriers along the motorway boundary is proposed as part of this scheme. If so, to what standards would you require this work to be met?

Yours faithfully,

PETER J KITLEY
LINDA F KITLEY

Mrs A. Leversuch
10, Sadlers Lane
Winnersh
Wokingham
Berkshire
RG41 5AJ

Tel: 0118-9793236

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4th May 2000

Ms Lynette Baker
The Planning Officer
Environmental Services Department
P.O. Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Ms Baker,

Application Number: O/2000/1211

Site Address: Oaklands Nursery, Green Lane, Winnersh, Wokingham

I wish to register an objection to the above planning application for erection of 9 dwellings as follows:

I feel that the position of certain plots facing directly onto our properties in Sadlers Lane will take away a great deal of privacy we have at present and create a devaluation in our properties.

Less dwellings would be more appropriate on this area of land with larger houses and gardens with less intrusion (windows facing alternative angles) than proposed.

Yours sincerely,

Audrey Leversuch.

Audrey Leversuch

N.B. As I am a pensioner I have asked my neighbour to type this letter on my behalf.

cc. Mr. D. Dow
Oaklands Nursery

WOKINGHAM DISTRICT COUNCIL

31525

MEMORANDUM

From: Joanne Ellis, Environmental Health

To: Lynette Baker, Planning

My Ref: JPE/oaklands5

~~Your Ref~~: O/2000/1211

Date: 05 July 2000

PRE-APPLICATION SCHEME FOR 9 RESIDENTIAL UNITS
OAKLANDS NURSERY GREEN LANE WINNERSH

These proposals have been evaluated and I have the following comments:

NOISE

The proposed site is very close to the M4 flyover and I have concerns that the houses will experience excessive levels of noise from the road traffic. An acoustic assessment of the site has been carried out and classified the site as PPG24 Noise Exposure Category B (60dB(A) during the day and 56dB(A) at night).

The layout of the site should be designed so that the habitable rooms will achieve maximum noise levels of $L_{Aeq,T}$ = 30 - 40dB in bedrooms and $L_{Aeq,T}$ = 40 - 45dB in living areas, with the windows open. If this is not achievable then an acoustic ventilation system will need to be installed to achieve rapid ventilation in all affected rooms.

A garden area of 55dB(A) or below should also be provided this is not likely to be achieved in plots 1, 2 and 3 unless an acoustic barrier is erected along the western boundary of the site. Due to the raised level of the motorway this barrier may need to be of a considerable height to achieve the required noise attenuation level. Alternatively this could be achieved by re-designing the layout so that the garden areas are protected by the structure of the buildings acting as a barrier.

CONTAMINATED LAND

This site may be contaminated from its previous use as a nursery therefore an investigation needs to be carried out by the developer to establish the extent of any contamination and what remedial measures are required to deal with the hazards. It is advisable for an initial investigation to be carried out prior to planning consent as any remedial measures may have financial implications on the feasibility of the project for the developers.

I recommend that the following conditions be imposed should the application be granted planning consent:

1. Development shall not begin until a scheme for protecting the proposed dwellings from noise from road traffic adjacent to the proposed development has been submitted and approved by the Local Planning Authority. Any works which form part of the scheme

approved by the Authority shall be completed before any permitted dwelling is occupied unless an alternative period is agreed in writing by the Authority.

2. Each dwelling shall be provided with a garden area which has a predicted noise level of less than or equal to L_{Aeq} 55dB (measured over any 1 hour period) within the first 5 metres from at least one building facade.

3. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy being submitted to and approved in writing by the Local Planning Authority. The scheme should comprise a contaminated land assessment and associated remedial strategy and works, together with a timetable of works, and should include the following:
   (a) i). The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study.
   ii) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
   iii). A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.
   iv). Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

   (b) Except as otherwise agreed in wring by the Local Planning Authority, all works comprised within the scheme which are not within buildings shall be carried out before the commencement of any development approved by this permission, and all works within buildings shall be carried out before the occupation of any part of the building to which such internal works relate.

   (c) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

4. 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.

Please forward these comments to the applicants for their information and should you or the applicant have any queries regarding these points please do not hesitate to contact me to discuss them.

Joanne Ellis

HIGHWAYS CONSULTATION SHEET

From: Lynette Baker

Date: 19 April 2000

Application Number: O/2000/1211

Proposal: Outline application for the demolition of existing dwelling and redundant nursery buildings and erection of 9 dwellings with improvements to Green Lane.

Site Address:
Oaklands Nursery, Green Lane, Winnersh, Wokingham.

Applicant:
Mr Dow C/O Robin Bradbeer Ltd.

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).

Drwg No 247/2

Comments

1. The turning head needs enlarging.
2. The radii on the turning head to be reduced to 6m
3. The junction with A329 to be provided with right turn facilities, to be covered by Sec 278 Legal Agreement.
4. Traffic calming, to be determined at a later date, is required along the access road.
5. The access is to be built to adoptable standards and

Signed: _____ **Print name:** S.N. Aston

26.6.00

Recd 2.00pm 16.5.00

To. Ms Lynette Baker
The Planning Officer
Environment Services Department
PO Box 157
Shute End
Wokingham

Berks RG40 1WR

From Mr. Philip Payne
Shardeloes
Green Lane
Winnersh
Berks RG41 5EH

16th May 2000

Reference application No. 0/2000/1211 – Oaklands Nursery Green Lane Winnersh

Dear Ms Baker,

I would like to register the following objections to the proposed outline consent application to build nine new residential dwelling on the Oaklands Nursery plot which I trust will be taken into consideration when the decision is made on this particular application.

1. The plan as submitted is inaccurate in so far as it does not record the actual number or position of existing trees currently growing along Green Lane. If the Lane was to be upgraded as detailed in the plan incorporating the verge and footpath then many more trees would have to come down. As the Lane narrows to its minimum width in front of my property shardeloes , this is where the maximum number of trees would have to be felled. Please see enclosed a copy of the proposed plan which I have updated with the position of the major trees (those which in height are taller than my house) plus the width of the lane from my boundary to the trees in meters.

2. Removal of any trees would increase considerably sound and light (M4 overhead lights) pollution to my property as well as making the motorway visible (which it currently is not). The proposed plan does not incorporate a new motorway sound barrier, therefore I firmly believe that removal of any trees in Green Lane would increase pollution and have an adverse effect on the value of my property.

3. The increase in traffic down Green Lane would be unacceptable in terms of noise and access to the Reading Road, nine new houses realistically means about eighteen extra cars. The extra congestion this would cause on the lane joining the Reading Road at peak times at a very busing point would in my mind be an accident waiting to happen. Especially as where the lane joins the Reading Road the current footpath is also the cyclists track, there are always a lot of school children riding here in the morning as just under the M4 bridge is the point where they cross the road.

Updated site plan enclosed.

Yours faithfully

P.A.Payne

* Pre apps attached

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date:	
Officer: LEB	Application No. O/2000/1211

Map No. 60 Site 9:45

Easting: ..... Flood Pln .....

Northing: ..... Mineral .....

Level: ☐ **Sub Committee** ☑ **Delegated** ☐ **Sec. State**

☐ **Incorrect Fee** ☐ **Invalid** ☐ **PD**

Description:

(O) PROPO OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

Location: OAKLANDS NURSERY GREEN LANE

Parish: WINNERSH Ward: WINNERSH

19.4.2000

Applicant: MR DOW

Fee Received 950-00 Required ..... Additional ..... Refund .....

(8)

Enforcement Section to be notified ☐ tick if required

Additional information required for validation

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

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 19.4.2000 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

Building Control	NF: .....
Landscape	NK: .....
Trees	NK: .....
Conservation Officer	NK: .....
Environmental Health	NA: .....
Housing	NA: .....
Leisure & Cultural services	PA: .....
Public Rights of Way	PA: .....
Property	NG: .....
District Secretary (only if called in by SOS)	MA: .....
Policy & Plans	QA: .....
Strategic Planning (JSPU)	HA: .....
Minerals (BABTIE)	GA: .....
Archaeological Site (BABTIE)	: .....
Education	AP: .....
Social Services	BT: .....
Highways	XA: ..... ✓

EXTERNAL CONSULTATIONS

Adjacent D P A	: .....
Adjacent Parish	: .....
Southern Electricity Board	BN: .....
British Gas	BM: .....
PSA Oil Pipeline	BD: .....
Transco	: .....
Environment Agency	BP: .....
Rail Track	BI: .....
Police Arch. Liaison Officer	PC: .....

HERITAGE BODIES

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

OTHERS:

Pre-apps attached 148, 197, 281
338 + 361

NEIGHBOURS: S/N + Shardelees - Green Lane ✓
292 Reading Rd
4a, 6, 8, 10, 12 + 14 Sadlers Lane

Tel: 0118 974 6322 (Direct Line) Fax. 0118 974 6313

Date: 16 August, 1999

Your Ref:

My Ref: SNA/KG/P14 [13967]

Environmental Services Department
Engineering Services
P.O. Box 153
Shute End, Wokingham
Berkshire RG40 1WL
Main Switchboard (0118) 974 6000
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Robin Bradbeer
20 Lansdown Parade
Cheltenham
Glos, GL50 2LH

Dear Sir

OAKLANDS NURSERY, GREEN LANE WINNERSH

I refer to your letter dated 26 July containing traffic information regarding development at the above location.

As you rightly say the information relates to some twenty years ago and, no doubt, use would have substantially increased.

In the light of this information and the proposals for improvement to Green Lane and its junction with the A329, I have no objection to your proposals, in highway terms.

If I can be of further assistance please contact me on the above direct dial telephone number.

Yours faithfully

S Auton
Senior Assistant Engineer

10.APR.2000* 1211

Tel. (0118) 974 6255 (Direct Line)
Fax. (0118) 974 6259
Email. LDJ10@wokingham.gov.uk
Date. July 7, 1999
My ref. LJ
Your ref. RWB/216

Education & Cultural Services Department
Leisure and Cultural Services
P.O. Box 156
Shute End, Wokingham
Berkshire RG40 1WN
Tel: (0118) 974 6107
Fax: (0118) 974 6259
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Robin Bradbeer
Planning and Development Consultancy
20 Lansdown Parade
Cheltenham
Glos
GL50 2LH

Dear Mr Bradbeer

PRE- APPLICATION ENQUIRY – OAKLANDS NURSERY GREEN LANE, WOKINGHAM

Firstly, I must apologise for not responding to your enquiry sooner.

Having looked at your proposals I can confirm that for a development of 9 houses our standards would indeed require 0.09ha of on site amenity open space. However, financial contributions towards the future provision of new or the enhancement of existing off site facilities may be considered where sites cannot physically or appropriately accommodate on site open space.

For this particular development we would accept a financial contribution to enhance a near by off site facility in lieu of on site open space. The financial contribution would be used to enhance Laburnham Road Play Area, which is located close to your proposed development. Wokingham District Council would be looking for a contribution of £4,000.00, which would be used to extend the play area and install additional play equipment, costing have been based on similar projects that have recently been undertaken. Such a contribution is fairly and reasonably related in scale and kind to the proposed development.

I hope the above answers your queries sufficiently if you require any further information please do not hesitate to contact me.

Yours sincerely

Lisa Jarvis
Project Officer

10 APR 2000

1211

c.c. Lynette Baker – Senior Planning Officer

Tel. 0118 9746766

Fax. 0118 9746401

Date. 15 September 1999

My ref. jpe/oaklands4

Your ref. RWB/216

Environmental Health Service
Environmental Services Department
P.O. Box 155
Shute End, Wokingham
Berkshire RG40 1WW
Tel: (0118) 974 6000
Fax: (0118) 977 6401
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Mr R Bradbeer
20 Lansdown Parade,
Cheltenham,
Glos.
GL50 2LH

10.APR.2000* 1211

Dear Mr Bradbeer

PRE-APPLICATION ENQUIRY
OAKLANDS NURSERY, GREEN LANE, WINNERSH

In reference to your letter dated 31 August 1999 I hope the following explanations answer your queries:-

1. Planning Policy Guidance 23 makes contaminated land a material consideration under planning legislation and recommends that the Local Planning Authority requires detailed investigations in order to determine planning applications where there is a suspicion that land may be contaminated. This is particularly important when the proposed development is for a sensitive use which could result in an unacceptable risk to health. Hence, it is essential for an assessment to be carried out and I will be recommending that a condition is imposed requiring such an investigation to be carried out.

2. The former use of the site does provide a potential for the site to be contaminated. The risk of significant contamination may be low but the fact that the proposals are for a residential use with private gardens means the impact of any contamination could be great. Therefore it is important that an assessment of the site is carried out by a competent person.

Yours sincerely

JOANNE ELLIS
SENIOR ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL PROTECTION & HOUSING

(1) SITE-BETWEEN 292 & 324 (FORMERLY BEARWOOD RECTORY) Now demolished.

ADDRESS READING ROAD PARISH WINNERSH

PLOT No. ORD. SHEET No. SU.7870(6

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
589/54	Mr. P. T. Canning	Outline Residential Development	16.9.54	N/A. Refu
O/219/59	Rev. J.B. Moore	"	12.11.59	N/A. Refu
O/220/59	"	"	22.12.59	N/A. Refu
O/64/64	"	"	4.5.64	N/A. Refus
O/122/69	Mr. S.J. Phillips	"	30.10.69	N/A. Refus
O/123/69	"	"	30.10.69	N/A. Refu
24596	DEPT. OF TRANSPORT 0/L.	DEM. OF EXISTING COTT. (GREEN LANE) ERECT 2 NEW DWELLINGS	4.12.85	RE
27861	"	" " 4 "	5.8.87	RE
37168	" 0/L.	RENEWAL "	6.3.91	CA
42547	DEPT. OF TRANSPORT 0/L.	" "	10.5.94	CA

DATE OF COMPLETION

MINISTRY DECISION Appeal dismissed (O/64/64 3/11/64) O/122/69 - APPEAL ALLOWED SITE B - 15.9.85

SPECIAL ORDERS 24596 - APPEAL ALLOWED - 23.9.86 27861 - APPEAL ALLOWED - 2.3.8

DRAINAGE

1933

(2) SITE BETWEEN 292 & 324 (FORMERLY BEARWOOD RECTORY)

ADDRESS READING ROAD **PARISH** WINNERSH

PLOT No. **ORD. SHEET No.** SU. 7870/6

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decisi
94/65613/0	Regional Controller - Martin & Pob	Nichols Erect 4 Det. Dwellings - Renewal of App 42547	16.7.98	C

MINISTRY DECISION

SPECIAL ORDERS

10.APR.2000 1211

(1) SITE-BETWEEN 292 & 324 (FORMERLY BEARWOOD RECTORY) Now demolished.

ADDRESS READING ROAD PARISH WINNERSH

PLOT No. ORD. SHEET No. SU.7870(6

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
589/54	Mr. P. T. Canning	Outline - Residential Development	16.9.54	N/A. Ref
O/219/59	Rev. J.B. Moore	"	12.11.59	N/A. Ref
O/220/59	"	"	22.12.59	N/A. Ref
O/64/64	"	"	4.5.64	N/A. Ref
O/122/69	Mr. S. J. Phillips	"	30.10.69	N/A. Ref
O/123/69	"	"	30.10.69	N/A. Ref
24596	DEPT. OF TRANSPORT 0/L.	DEM. OF EXISTING COTT. (GREEN LANE) ERECT 2 NEW DWELLINGS	4.12.85	R
2			5.8.87	R
27861	"	" " 4 "		R
37168	" 0/L.	RENEWAL "	6.3.91	C
42547	DEPT. OF TRANSPORT 0/L.	" "	10.5.94	C

DATE OF COMPLETION

MINISTRY DECISION Appeal dismissed (O/64/64 3/11/64) O/122/69 - APPEAL GRANTED - SITE B - 15.9.8

SPECIAL ORDERS 24596 - APPEAL ALLOWED - 23.9.86 27861 - APPEAL ALLOWED - 2.3

DRAINAGE

1933

(2) SITE BETWEEN 292 & 324 (FORMERLY BEARWOOD RECTORY)

ADDRESS READING ROAD PARISH WINNERSH

PLOT No. ORD. SHEET No. SU.7870/6

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decis
94/63613/0	Regional Controller - Martin & Pole	Withdrawn Erect 4 Det. Dwellings - Renewal of App 42547	16.7.98	C

MINISTRY DECISION

SPECIAL ORDERS

Robin Bradbeer Limited
Planning & Development Consultancy

20 Lansdown Parade
Cheltenham
Gloucestershire
GL50 2LH

Telephone
01242 577151

Fax
01242 527151

E-Mail
planning@bradbeer.co.uk

Environmental Services Department
Planning Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

My Ref. RWB/216
Your Ref. leb/Winnershpre-app
6 April 2000

10.APR.2000* 1211

For the attention of Mrs Lynette Baker
Development Control

Dear Mrs Baker

SITE : OAKLANDS NURSERY GREEN LANE WINNERSH
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE

I attach a completed planning application for the above development which comprises the following documentation:

- The completed Ownership Certificate and Agricultural Holdings Certificate.
- Six copies of the completed Part 1 application form.
- Six copies of the following plans:
  - site plan 1:2500
  - 247/01 survey plan 1:200
  - 247/2 site plan 1:200
- A cheque in the sum of £950.00 in payment of the statutory application fee.
- Two copies of the Noise Survey dated 22 October 1999 undertaken by Babtie Group.
- Copies of the following letters relating to pre-application enquires:
  - Highways 16/08/99.
  - Education and Cultural Services 07/07/99.

- EHO 15/09/99.

This outline application reserves all matters other than means of access. The details of the access and the content of the illustrative layout proposals have, as you will recall, been the subject of extensive dialogue involving various departments within the Authority. The attached copy correspondence refers.

In terms of the development plan this redevelopment proposal to provide a net gain of 8 dwellings upon this previously developed site located wholly within the *identified settlement* boundary accords with the following policies and also with the national guidance set out in PPG3:

BSP	:	H5, H6
LALP	:	LTV1, LH1, LH3
DDWDLP	:	WOS2, WH1

The proposed improvements to Green Lane conform with the specification agreed with Mr Auton. Mr Auton's preference for Green Lane to ultimately be adopted by the Authority has been considered by my client's solicitor who has in turn liaised with Mr Lawley in Legal Services. It is proposed that a Section 106 Agreement shall require the developer to make up the road to an adoptable standard following which the Authority will adopt the road under the Highways Act.

The illustrative site layout plan shows a mixed unit development consistent with your requirements. The layout has been designed after taking account of specialist acoustic advice. Because of the proximity of the M4 motorway we have commissioned Babtie Group to carry out a noise survey and report a copy of which is attached. The survey shows that the site falls within NEC B and NEC A. The report concludes that acceptable internal noise levels can be achieved by adoption of a high quality glazing system to all habitable rooms. Acceptable garden noise levels can be achieved upon the nosiest part of the site by selective installation of high quality 2.0m high boundary fencing.

A number of the boundary trees can be retained where they are neither dead, dying or dangerous. Most trees within the site are self sown and generally of low amenity value. Many have suffered squirrel and rabbit damage when tender and are multi-stemmed and diseased. The proposal will provide opportunity for an appropriate comprehensive scheme of landscaping for the site.

Pre-application enquires flagged up the request by Ms Jarvis for a financial contribution of £4,000 towards upgrading of the Laburnum Road Play Area as part of a Section 106 Agreement. Such a contribution level would in principle be acceptable to the applicant.

You will note that at pre-application stage Ms Ellis raised the issue of ensuring that the site does not suffer contamination. Accordingly she has stated that she would recommend a condition requiring an environmental assessment.

If you wish to discuss any aspects of this application in further detail please do not hesitate to contact me directly.

Yours sincerely

ROBIN BRADBEER

Enc.

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

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

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

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

FOR OFFICE USE ONLY

10 APR 2000 1211

1.	APPLICANT'S NAME	MR D J DOW
	ADDRESS	OAKLANDS NURSERY GREEN LANE WINNERSH
	POST CODE	RG41 5E4 PHONE
2. If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	Robin Bradbeer Limited Planning & Development Consultancy
	ADDRESS	20 LANSDOWN PARADE CHELTENHAM GLOS.
	POST CODE	GL50 2LH PHONE 01242 577151
3. On the plans show the SITE outlined in RED Show also OTHER land in the applicant's ownership or control in BLUE.	SITE LOCATION	OAKLANDS NURSERY GREEN LANE (OFF READING ROAD) WINNERSH
4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.		DEMOLITION OF EXISTING DWELLING AND REDUNDANT NURSERY BUILDINGS AND ERECTION OF 9 DWELLINGS WITH IMPROVEMENTS TO GREEN LANE
5. Give the area in hectares or part of a hectare	AREA OF SITE	0.42
6. State the applicant's interest in the land e.g. owner, prospective purchaser, lessee	OWNERSHIP	OWNER
List all the plans and drawings submitted with the application	PLANS/DRAWINGS	247/01 247/2

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?

Tick the boxes(x)

CHANGE OF USE	☐	REDEVELOPMENT	☑
ERECTION OF NEW BUILDING	☑	ALTERATION or EXTENSION	☐

9. WHAT TYPE OF APPLICATION IS THIS ?
Tick one box only

OUTLINE PERMISSION	☑	See question 10	
FULL PERMISSION	☐		
APPROVAL OF DETAILS/RESERVED MATTERS	☐	State relevant outline permission number Also complete Question 10	
TEMPORARY PERMISSION	☐	State period required	
RELAXATION OF CONDITIONS	☐	State relevant application number Conditions to be relaxed	

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

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

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

RESIDENTIAL/NURSERY

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

YES/NO

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

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

YES/NO

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

14. STATE EXTERNAL MATERIALS TO BE USED.

RESERVED MATTER

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

RESERVED MATTER

16. HOW WILL SURFACE WATER BE DISPOSED OF?

SOAKAWAYS

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system YES/NO

If no, please give details

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

REFER TO PLANS

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

N/A

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

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED		TO BE RETAINED		TO BE LOST	
HOUSE	9	*		*	1	*
BUNGALOW		*		*		
FLAT/MAISONETTE		*		*		*
OTHER		*		*		*

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

YES/NO

* STATE No. OF HABITABLE ROOMS

If YES, complete Part 2 of the form

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

YES/NO

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

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

£950.00

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

SIGNED [signature] ON BEHALF OF MR D J DOW DATE 6 APRIL 2000

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

1789/a

SECTION 66 CERTIFICATE

Application No. 10.APR.2000* 1211

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

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) LAND REGISTRY ENQUIRIES BY THE APPLICANT'S SOLICITORS

(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) WOKINGHAM TIMES

on (d) 6 APRIL 2000

ALL APPLICANTS MUST COMPLETE THIS SECTION

Agricultural Holdings Certificate

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

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.

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:

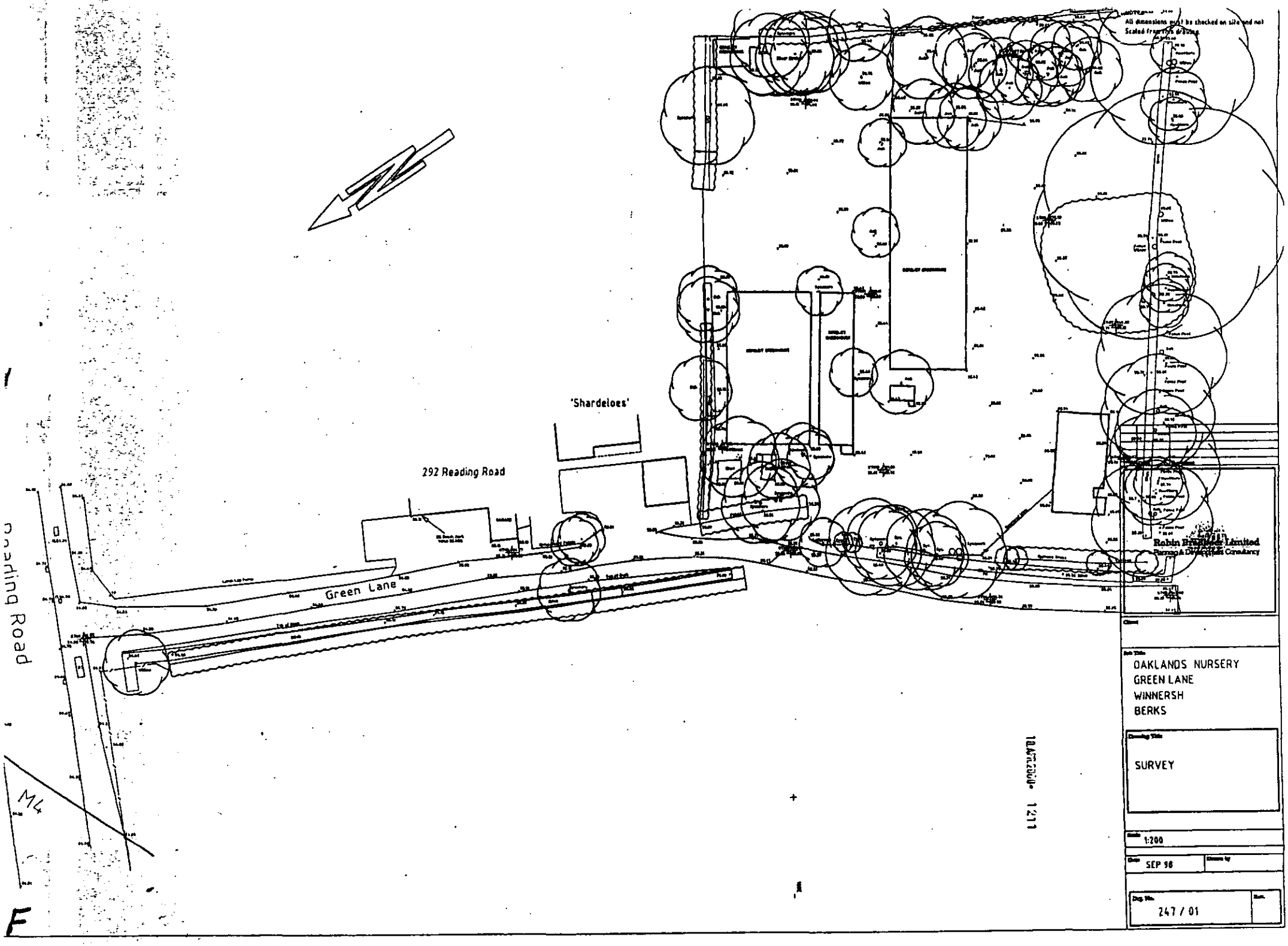
Tenant's name	Address at which notice was served	Date on which notice was served

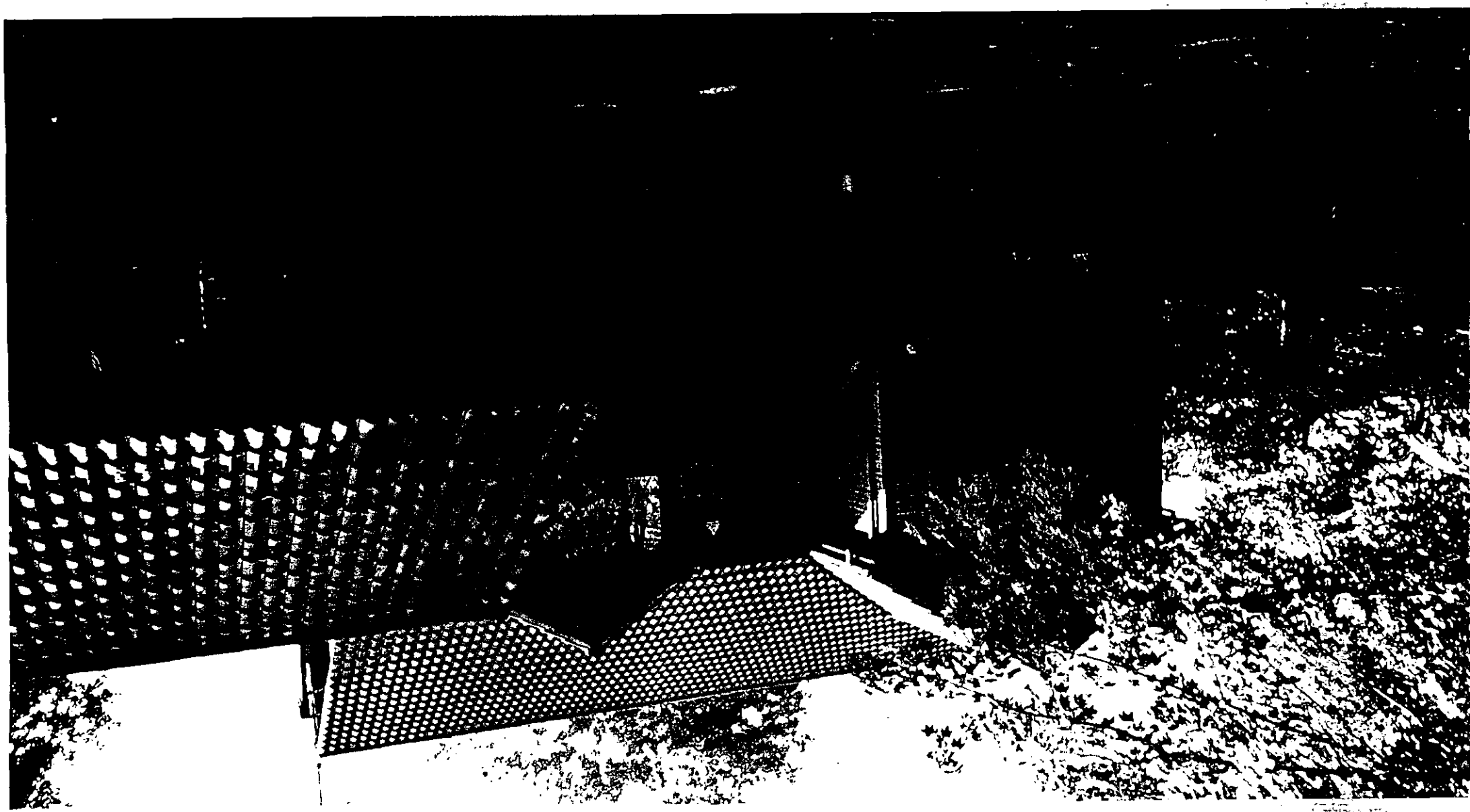
Signed

On behalf of MR D J DOW

Date 6 APRIL 2000

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

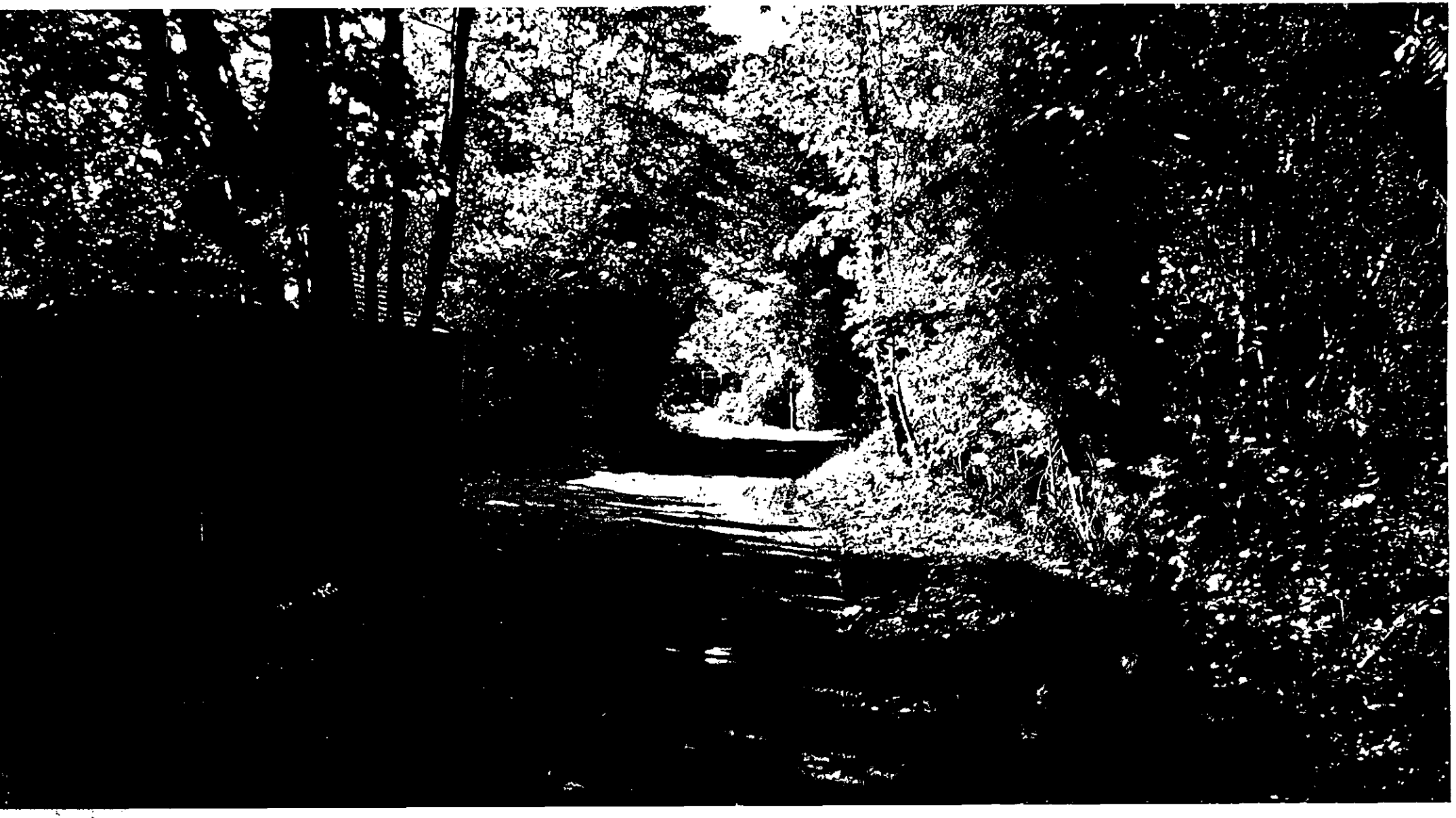

All dimensions must be checked on site and not Scaled from this drawing
'Shardeloes'
292 Reading Road
Green Lane
Reading Road
M4
Robin Bridges Limited
Planning & Development Consultancy
OAKLANDS NURSERY
GREEN LANE
WINNERSH
BERKS
SURVEY
1:200
SEP 98
247 / 01

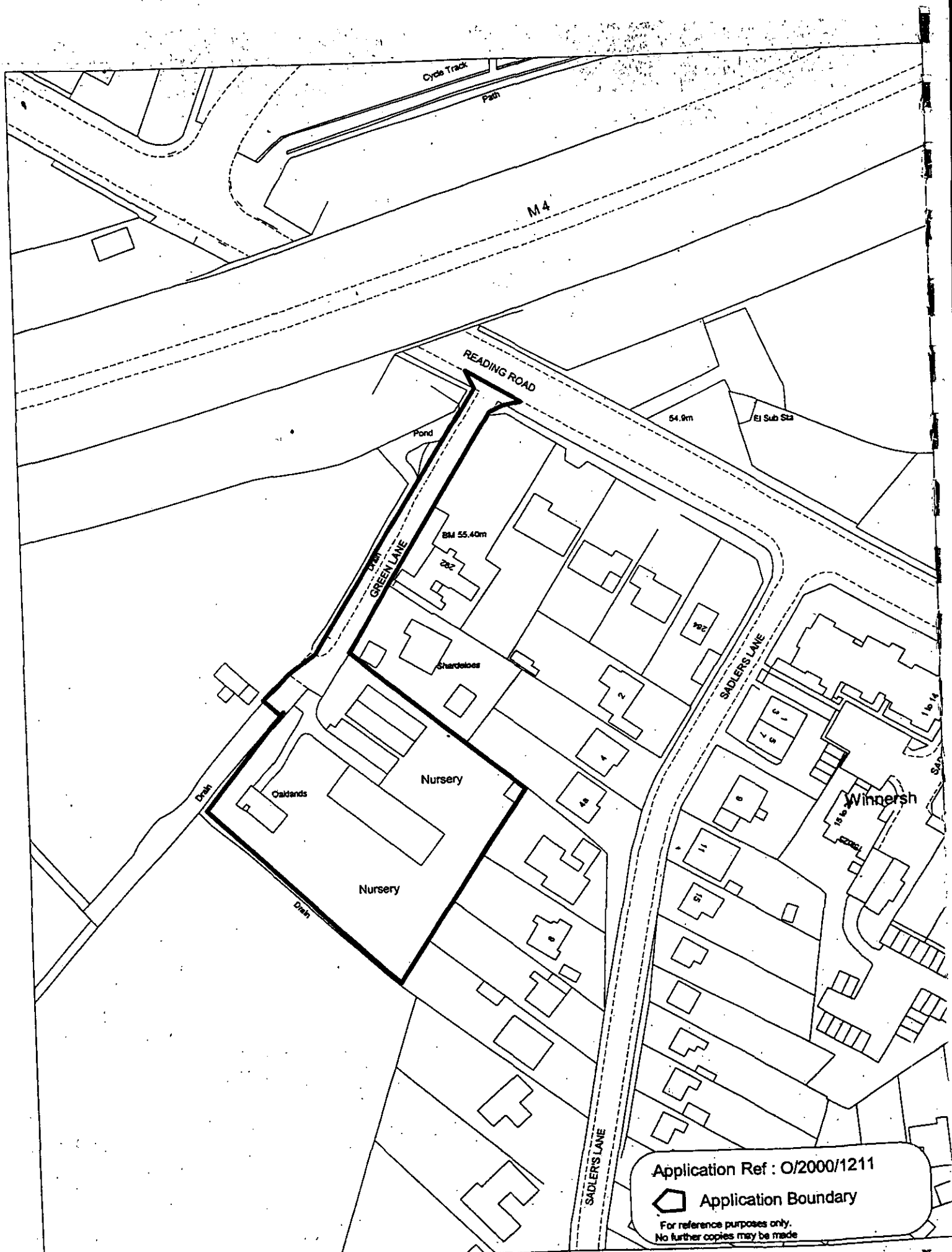












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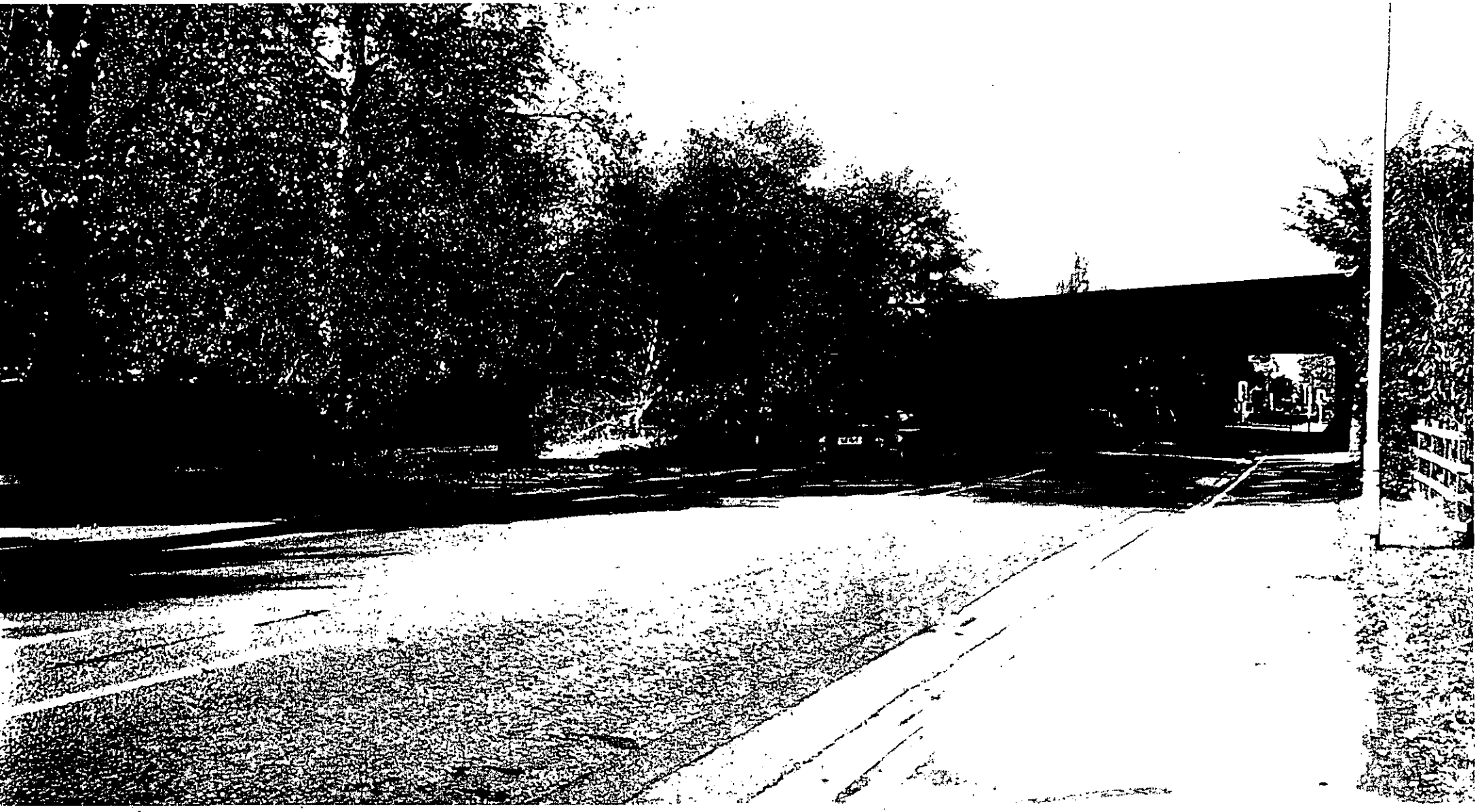
Development Control Section, Environmental Services, Wokingham District Council.

08 February 2001

2565

Scale: 1 : 1250







SCHEDULE OF HOUSE TYPES

Type A - 2 Rec; 3 Bed; 1 Bath - 3 no.
Type B - 2 Rec; 3 Bed; 2 Bath - 4 no.
Type D - 2 Rec; 2 Bed; 1 Bath - 2 no.
TOTAL - 9 no.

LEGEND

New grassed areas

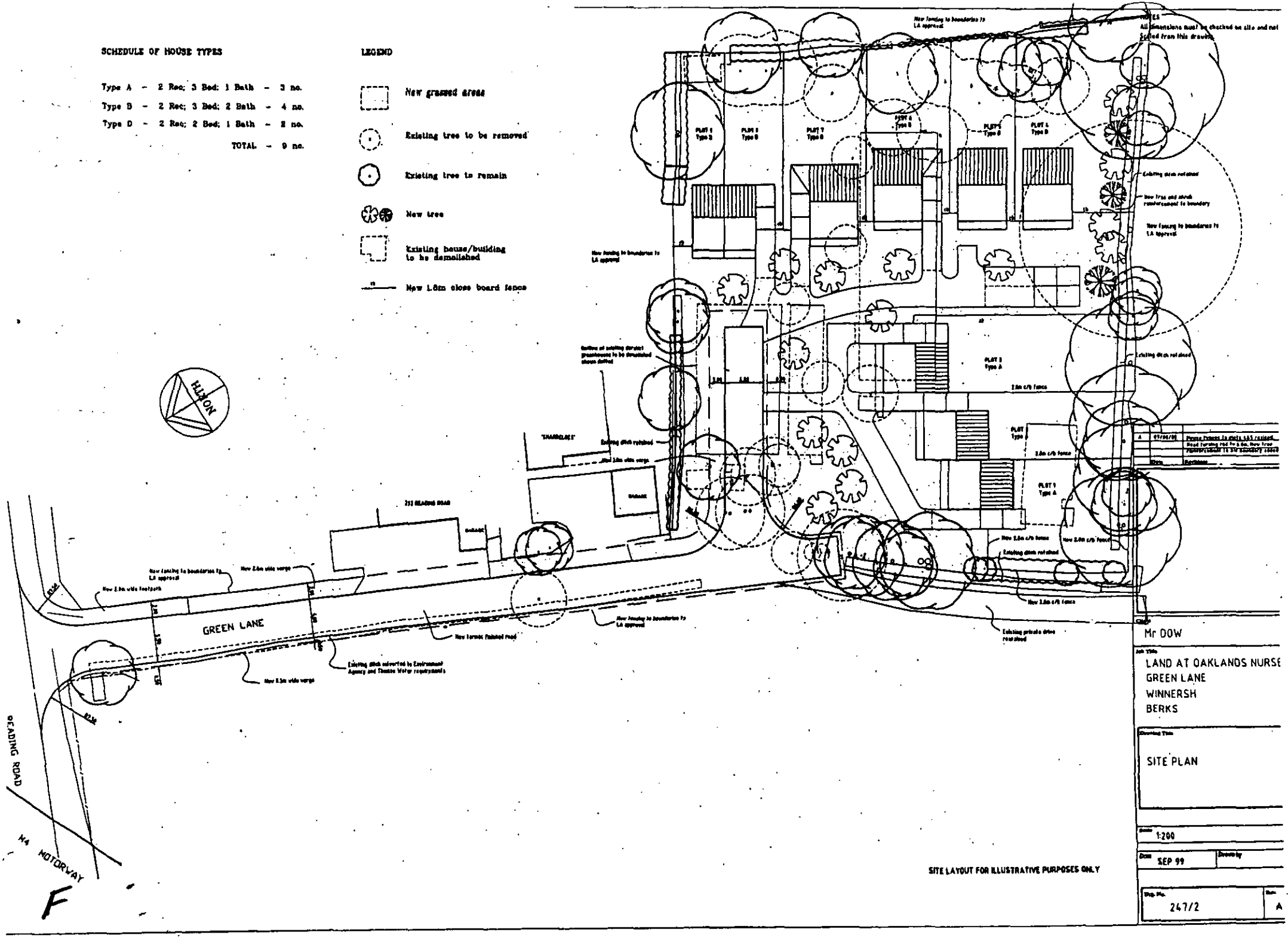
Existing tree to be removed

Existing tree to remain

New tree

Existing house/building to be demolished

New 1.8m close board fence



SITE LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY

Mr DOW

LAND AT OAKLANDS NURSE
GREEN LANE
WINNERSH
BERKS

SITE PLAN

1:200

SEP 99

247/2

A

SCHEDULE OF HOUSE TYPES

Type A – 2 Rec; 3 Bed; 1 Bath – 3 no.
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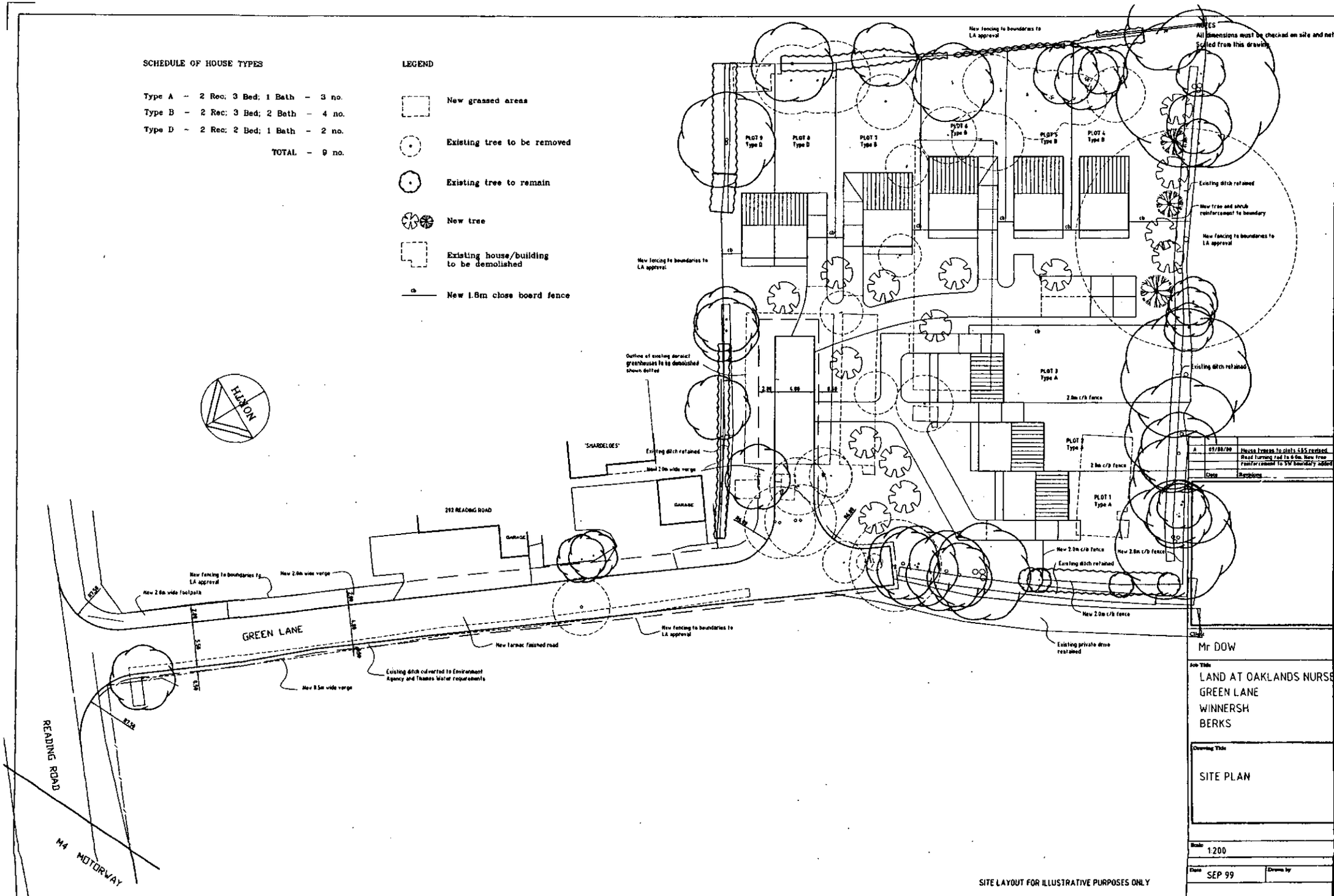


NOTES
All dimensions must be checked on site and not scaled from this drawing

A	09/08/00	House types to plots 4&5 revised. Road turning red to 6.0m. New tree reinforcement to SW boundary added
	Date	Revisions

Client
Mr DOW

Job Title
LAND AT OAKLANDS NURSE
GREEN LANE
WINNERSH
BERKS

Drawing Title
SITE PLAN

Scale
1:200

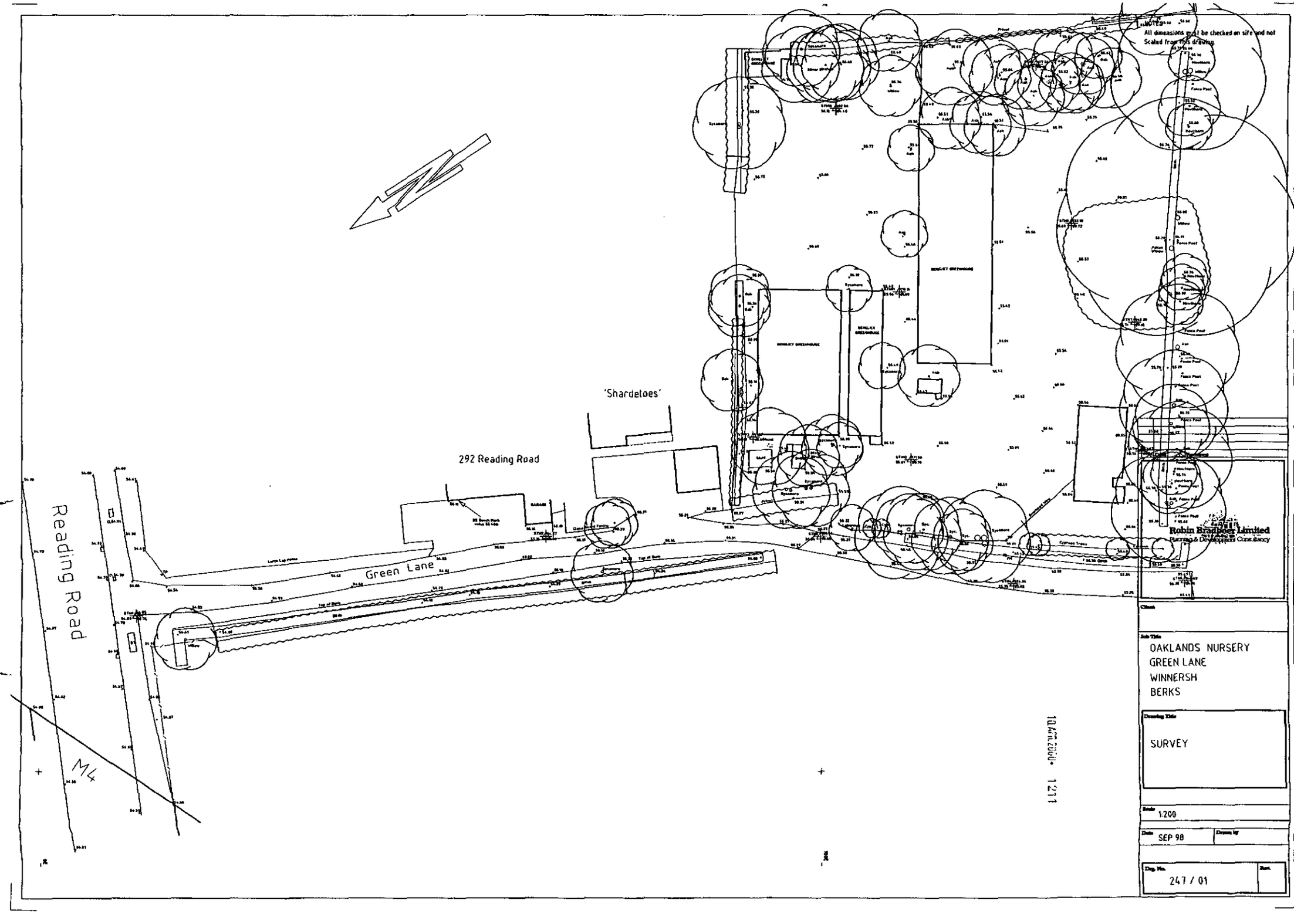
Date
SEP 99

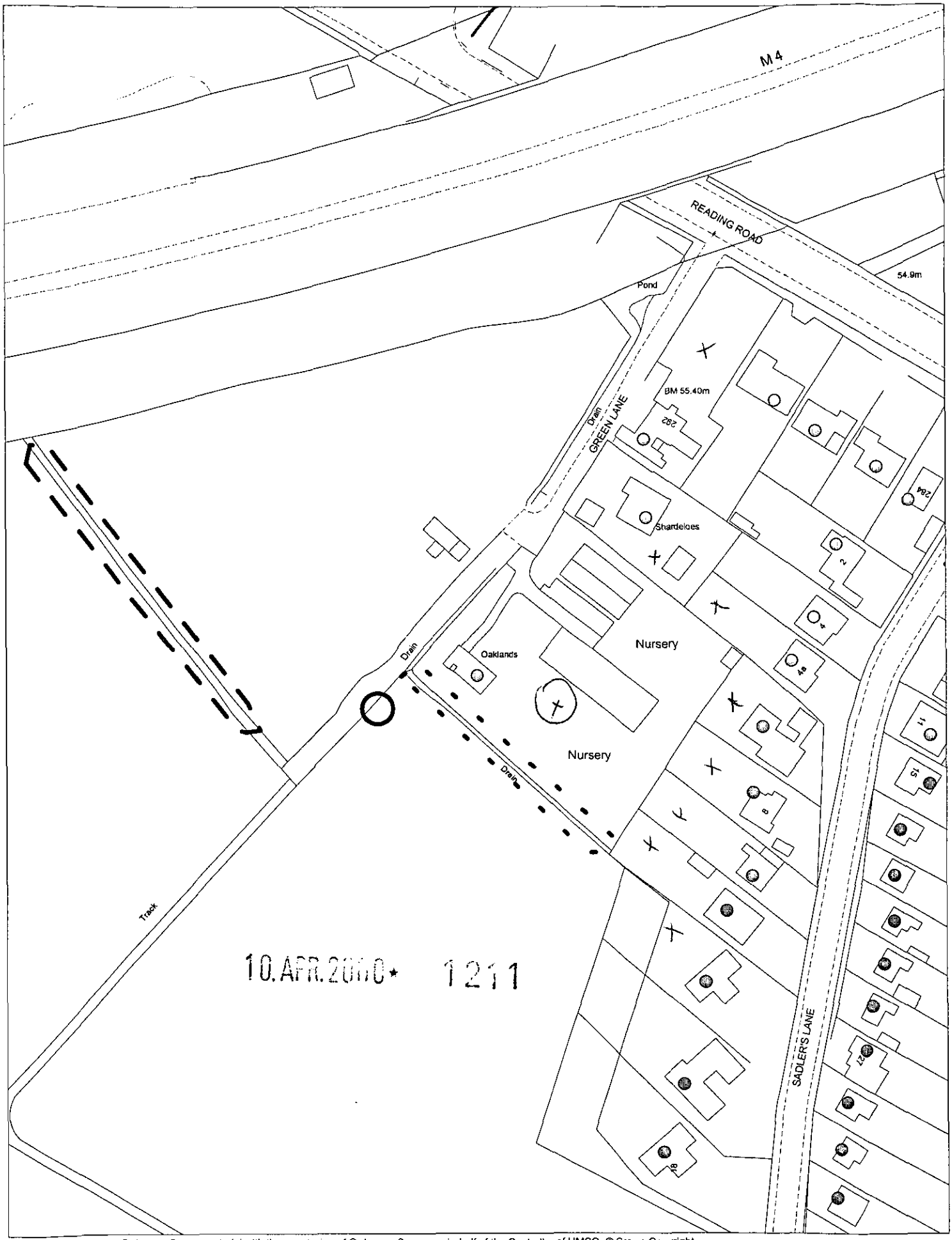
Drawn by

Drg. No.
247/2

Rev.
A

SITE LAYOUT FOR ILLUSTRATIVE PURPOSES ONLY


NOTES
All dimensions must be checked on site and not Scaled from this drawing
'Shardeloes'
292 Reading Road
Green Lane
Reading Road
M4
Robin Bradbeer Limited
Planning & Development Consultancy
Client
Job Title
OAKLANDS NURSERY
GREEN LANE
WINNERSH
BERKS
Drawing Title
SURVEY
Scale
1:200
Date
SEP 98
Drawn by
Dwg. No.
247 / 01
Rev.



10.APR.2000* 1211

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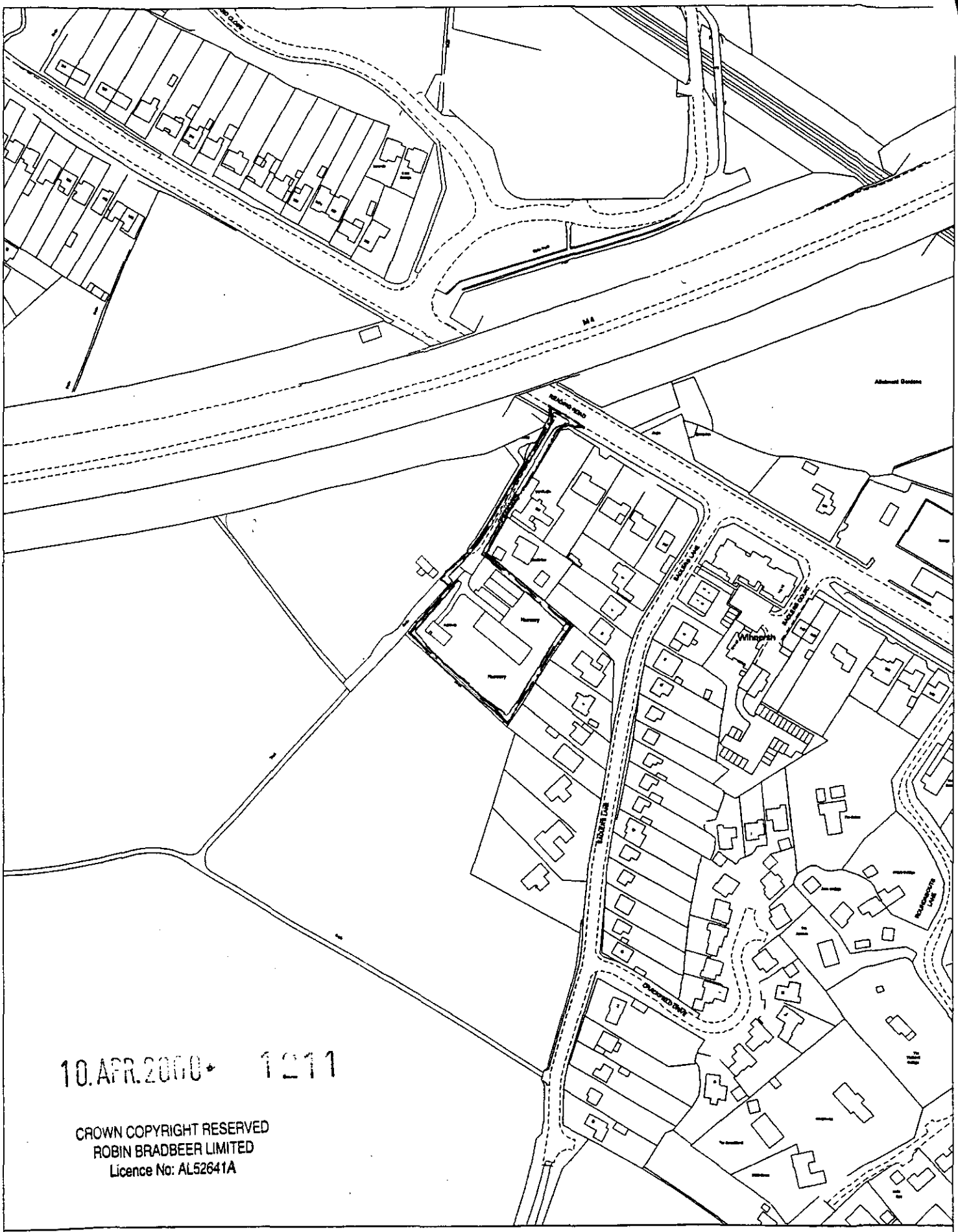
Development Control Support Section, Environmental Services, Wokingham District Council.

18 April 2000

Scale: 1 : 1250

N
W E
S



10.APR.2000 1211

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Site Plan, Scale: 1 to 2500

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Date: 14 January 1999