APPLICATION NO:
F/2000/1338

LOCATION:
22 - 24 Sandhurst Road, Wokingham.

APPLICANT:
Cala Homes (S) Ltd Burgan House

PROPOSAL:
Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)

EARLIEST DATE FOR DECISION: **08/06/2000**

APPLICATION EXPIRY DATE: **14/06/2000**

CASE OFFICER: **Mrs B Polnik**

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Cala Homes (S) Ltd
Burgan House
The Causeway
Staines
Middlesex
TW18 3PR

Application Number: F/2000/1338

Parish: **WOKINGHAM**

Location: **22 - 24, Sandhurst Road, Wokingham.**

Proposal: **Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)**

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

Reason

1. The proposal would result in an unsatisfactory piecemeal development of the site, as it does not address the use of and access to that part of the garden centre outside the application site. The use and appropriate access to the remaining part of the garden centre should be determined at the same time as any development relating to the front part of the site in the interests of residential amenity of future occupiers of the dwelling and good planning. As such the proposal would be contrary to Policies SBE1/2 of the South East Area Local Plan and WBE1 of the Wokingham District Local Plan.

Informative

The applicant is invited to discuss possible ways of overcoming the reason for refusal with the Local Planning Authority.

John Mitchell
Development Control Manager
Date: 26/07/2000

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

(971)

Tel. 0118 974 6444 (Direct Line)
E-mail: Mike.Thorp@wokingham.gov.uk
Date. 8 May, 2000
My ref. DE/MLT/BP/Wokingham Pre-app
Your ref. JA/Ir/4737

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

John Allan
Land Director
CALA Homes (South) Ltd
Burgan House
The Causeway
STAINES
Middlesex
TW18 3PR

Dear Mr Allan

PROPOSED RESIDENTIAL DEVELOPMENT AT WOKINGHAM GARDEN CENTRE

I refer to your letter of 25 March 2000, concerning our meeting on 17th March.

I would request the following changes to the minutes (paragraph numbers are those in the draft minutes).

2.01 ADD AT END …"as it is considered essential that the site has an identified future beneficial use."

2.04 DELETE "only"
INSERT "wish to"

3.01 DELETE ALL AFTER "….more dense scheme"
INSERT "This could include flats and/or town houses towards the front; single storey bungalows could be considered on the land within the settlement boundary behind the existing building line; the land outside the settlement boundary could be amenity open space".

5.01 DELETE ALL AFTER "MT pointed out that" INSERT "the revised PPG3 has just been issued which requires residential development to be of higher densities". *(Note; it is not a draft that has been issued but the finalised revised PPG3).*

5.04 ADD AT END "though he was unable to give a definitive response at this stage".

6.01 DELETE "notified intention of failing to consider" and REPLACE BY "unwillingness to consider development of" ADD AT END "The reason is that it would leave the land to the rear land locked with no identified access or beneficial use"

6.03 ADD AT END "unless it is shown as being attached to an adjoining dwelling i.e. how can it be a private garden use if it is independent of any adjoining house?"

7.01 CHANGE "should" to "could"

7.02 INSERT "draft" before "revised layout"
INSERT "for discussion" before "although JA"

7.05 DELETE ALL AND REPLACE BY "MT advised it would not be the intention to prohibit any development if the settlement boundary as defined by the Local Plan should be extended to include this land at a future date, though it may seek to do so in the interim. However, if a high density of development should be approved at the front, it may be necessary for the near land to be retained permanently as amenity open space."

8.03 DELETE "absolutely"

8.04 INSERT "about" in front of "18 months".
INSERT "Inspector's report on " in front of "Local Plan"
ADD AT END "is published".

In response to the third paragraph of your letter, I can not agree with your interpretation of our position. We are not refusing to determine any application relating to the front parcel of land if it does not include the rear parcel. However, we are stating that we are likely to recommend any such application for refusal, as it would represent piecemeal development and leave the land to the rear isolated, with no identified means of access or beneficial use. If we should refuse such an application you would have the right to appeal to the Planning Inspectorate. The appeal Inspector would then, inter alia, decide whether or not such piecemeal development is acceptable.

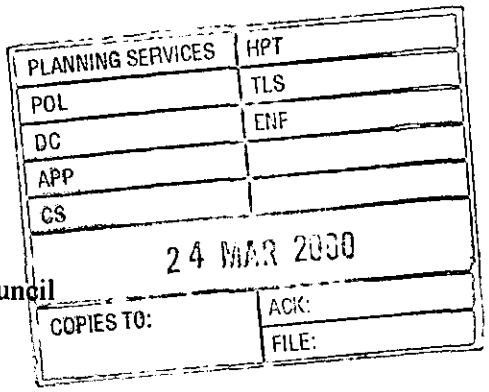
As this is a planning issues (piecemeal development leaving a part of an existing planning unit land-locked and without beneficial use) and not a legal one, I am not prepared to arrange a meeting between lawyers. Your appropriate course of action, if you feel strongly on the matters, is to make a planning application with supporting arguments and appeal any decision you may disagree with.

Yours sincerely

MLT

M L Thorp
Principal Development Control Officer

CALA
125 YEARS
1875-2000



CALA
HOMES

CALA Homes (South) Ltd
Burgan House The Causeway
Staines Middlesex TW18 3PR
Telephone 01784 460033
Facsimile 01784 450508
www.cala.co.uk

JA/lr/4737

25th March 2000

Mr M Thorpe
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Mr Thorpe

WOKINGHAM GARDEN CENTRE

Many thanks for taking the time and trouble to meet with us on Friday 17th March regarding the above.

As you are aware I took a Minute of our meeting and I would ask you to find enclosed a typed version of my Minute. Perhaps you would be good enough to confirm that this represents a true and accurate reflection of the various points discussed at our meeting and I would confirm that we are currently re-addressing our development proposals.

I must, however, confess to a continuing degree of uncertainty regarding the Council's ability to fail to consider an application for the front parcel of land in isolation from the rear part when CALA, as applicant, would not have any control over the rear land. I would very much welcome the opportunity to fully air the legalities of this stance with both the Council's solicitor and our own legal representative present and perhaps you would be good enough to advise me of a suitable date when we may meet to discuss the particular aspect.

Once many thanks for meeting with us last week and please do not hesitate to contact me should you wish to discuss any of the foregoing in detail.

Yours sincerely

John Allan ARICS
LAND DIRECTOR

c.c. Mrs C Headland

Encs

MINUTES OF WOKING DISTRICT COUNCIL AT WOKINGHAM DISTRICT COUNCIL OFFICES ON 17TH MARCH 2000

Attendees: Mr M Thorpe – Wokingham District Council
Mrs Basheer Polnik – Wokingham District Council
Mrs C Headland
Mr J Headland
Mr C Law – CALA
Mr D Heron (part) CALA
Mr J Allan - CALA

Wokingham Garden Centre; Potential Development	**Action by**	**Signed off**
1.00 Introduction		
1.00 BP opened meeting by stating that the main concern of the Council is the use of the land to the rear of the Garden Centre and that which is currently designated as outwith the settlement boundary.		
1.02 CL questioned extent of planners concern re: land to the rear.		
1.03 BP confirmed that Council view is that development to the front will potentially land lock the rear land and that this is unacceptable.		
1.04 JA advised that vendor is not prepared to include the rear land within site contracted to CALA. However the vendor would be prepared to agree to restrictive covenants on the land use of the rear land.		
2.00 Restrictive Covenants		
2.01 MT advised that the Council would not accept the enforcement of restrictive covenants as an acceptable means of sterilising the land use or ensuring that no commercial activity is operated from the rear land, as it is considered essential that the land to the rear has an identified future beneficial use.		
2.02 JA advised that CALA are about to acquire the site on an unconditional basis based upon the front section being developed and that we are not in a position to do anything regarding land to the rear.		
2.03 JA also questioned the Council's authority and validity to seek to bring adjacent land into consideration should a planning application for the front land be submitted.		
2.04 MT advised that the council believe they are within their legal rights to ~~only~~ consider the site as a whole.		

I wish to

		Action by	Signed off
3.00	**Development Principles**		
3.01	MT advised that government is currently directing towards higher density development and suggested that we consider preparing a more dense scheme, ~~possibly incorporating flats on the front with some town houses to the rear and including the rear land currently outwith the settlement area as amenity space.~~	This could include flats and/or town houses towards the front single storey bungalows could be considered on land within the settlement boundary behind the existing building line; the land outside the settlement boundary could be amenity open space.	
3.02	CL questioned whether or not an application may be regarded as premature bearing in mind the local plan review process and the proposed incorporation of land currently outwith the settlement boundary.		
3.03	MT confirmed that an acceptable land use for the land to the rear is amenity open land and under such circumstances the application would not be regarded as premature by a local authority.		
3.04	JA queried how the front land development proposal which would not be regarded as premature would not be judged by the council in isolation from the land to the rear.		
3.05	MT reiterated that the council believe they are entitled to consider the site as a whole and should we proceed with an application only for the front part of the site it would in all probability result in an officers recommendation for refusal.		
4.00	**Use of land to rear**		
4.01	CL queried whether the land could be included as private open space.		
4.02	MT stated that the District Council would look to ensure the open space use of the land in perpetuity by means of a Section 106 Areement.		
5.00	**Current planning guidance**		
5.01	MT pointed out that the ~~draft~~ revised PPG 3 has just been issued ~~on 7th March 2000~~ which requires residential developments to be at higher densities ~~has clearly stated higher density development is to be favoured on brown field sites~~.		
5.02	JA asked of affordable housing threshold		
5.03	MT/BP confirmed that the threshold is 25 units or sites in excess of one hectare		
5.04	MT did advise that a contribution towards local service/infrastructure would be expected and that this is likely to be a five figure sum (i.e. 10K to 99K), though he was unable to give a definitive response at this stage		

unwillingness to consider development of

		Action by	Signed off
6.00	**Legal position**		
6.01	MT absolutely refutes that the council are acting "ultra vires" by their ~~notified intention of failing to consider~~ the front part of the site in isolation from the rear even if the red line application area only comprises the front part of the site. The reason is that it would leave the land to the rear land locked with no identified access or beneficial use.		
6.02	MT advised that a new planning application would be needed to secure change of use of the rear land to private garden use.		
6/03	MT also advised that this may be refused, unless it is shown as being attached to an adjoining dwelling. i.e. how can it be a private garden use if it is independent of any adjoining house		
7.00	**Proposed way forward**		
7.01	MT suggested that rear land ~~should~~ could be included as gardens for plots 3 and 4.		
7.02	MT suggested that CALA should prepare a draft revised layout on a higher density basis although JA pointed out that we be the guinea pigs for the District Council's interpretation of Draft PPG 3.		
7.03	CALA to submit layout incorporating rear land as part of garden land with plots 3 and 4.	**CALA**	
7.04	JA pointed out that we are at risk in that the planning application will need to now include the full site and the planners may condition any consent to the extent that the rear garden land is forever sterilised.		
7.05	MT advised ~~this~~ it would not be ~~there intention.~~ the intention to prohibit any development if the settlement boundary as defined by the local plan should be extended to include the land at a future date*. However if a high density development should be approved at the front it may be necessary for the rear land to be retained permanently as amenity open space.		
8.00	**Building Line**		
8.01	MT sketched on the plan a rough indication of the building line.		
8.02	JA questioned frequency of committee over-turning officers recommendations and MT/BP confirmed that they are unable to give precise figures and would not wish to mislead us in this direction.		
8.03	JA queried whether District council would give same advice to any party enquiring of development of the garden centre and MT confirmed that this is ~~absolutely~~ the case and that the advice given to CALA is entirely consistent with that given to other developers.		
8.04	MT confirmed that the council advice is only relevant for about 18 months until the Local Plan Inquiry Inspector's report is published.		
8.05	DH questioned how quickly Council could revert to CALA following receipt of new sketch diagrams and MT confirmed that it would take at least two weeks to consider the proposals and revert to CALA.		
8.06	MT advised that revised sketches should be sent to Tom Callaghan in the highways department.		

John Allan
17.3.00

for discussion

though it may seek to do so in the interim

873

Tel: (0118) 974 6450 (Direct Line)
E-Mail: blp10@wokingham.gov.uk
Date: 17 March 2000
My ref: BP/Wokingham Preappln

CALA Homes (South) Ltd
Burgan House
The Causeway
Staines
Middx
TW18 3PR

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

Dear Mr Lipinski

RE: PROPOSED RESIDENTIAL DEVELOPMENT AT WOKINGHAM GARDEN CENTRE, SANDHURST RD, WOKINGHAM

I refer to your letter received on 3rd March 2000 regarding possible residential development on part of the above-mentioned site.

Your letter does not fully address the concerns of the Local Planning Authority. If a planning application should be submitted for the redevelopment of only part of the garden centre site it would leave the issue as to what the remainder of the land would and could be put to in the future unresolved. Furthermore in this particular case the part of the garden centre excluded from the application would be "land locked" by other uses ie. residential to the front and a golf course to the rear. Therefore it is considered essential that the future use of the garden centre is considered within a single planning application rather than only in part.

I hope this clarifies the situation.

Yours sincerely

B. POLNIK (Mrs)
Senior Planning Officer

26608

POL
DC BP
APP
CS
03 MAR 2000
COPIES TO: ACK:
FILE:

CALA
HOMES

CALA Homes (South) Ltd
Burgan House The Causeway
Staines Middlesex TW18 3PR
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Facsimile 01784 450508
www.cala.co.uk

KL/lr/79

2nd March 2000

Mrs B Polnik
Wokingham District Council
Environment Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berks RG40 1WR

Dear Mrs Polnik

RE: WOKINGHAM GARDEN CENTRE.

I refer to our telephone discussions in the week beginning 21st February concerning the above site.

You will recall that our discussions principally centred around the use of the land beyond the settlement boundary but which at present also forms part of the curtilage of the existing garden centre.

You reiterated your concerns about what will happen to this piece of land. If I have understood you correctly you are concerned about this land being developed especially for residential purposes either, as a direct extension of the possible development of the site within the settlement boundary or, that the land outside the settlement boundary could be used for commercial type purposes associated with the existing Garden Centre use which would be used as leverage for alternative residential development at a later date.

I advised you that CALA would only be able to obtain an interest in the land within the settlement boundary and that the area outside the settlement would not be in the ownership of CALA. I also advised you that it would not be in CALA's interest to have uses or development in the area of land outside the settlement boundary which could be harmful to the amenities of any residential property which could be built on the site within the settlement boundary, should planning permission be granted for a residential development. To this end CALA were prepared to impose restrictive covenants as part of the land transfer preventing commercial or open storage use of the land outside the settlement boundary. This could be done because access to that area of land would then be through CALA owned land.

Knowing that covenants are not a planning matter I suggested that CALA could submit a unilateral undertaking stating that restrictive covenants in terms of commercial and open storage use of the land beyond the settlement boundary would be imposed. The unilateral undertaking was suggested as a means of showing CALA's good will on this matter.

cont/2..

I was therefore disappointed when advised that a unilateral undertaking would not be sufficient to overcome the councils concerns, but I understand that due to the short period of time between putting the suggestion to you and me phoning for a response you had not had time to receive comments from your legal department. Nevertheless I was disappointed with the response I could have understood the rejection of the unilateral undertaking on the grounds that a unilateral undertaking was not the appropriate means by which to ensure the covenant were imposed and that a simple letter of intent would have been acceptable to the Council.

However, my main concern is the insistence that any planning application for development with the settlement boundary must include within the planning application site area, the land beyond the settlement boundary, and the strong inferrance that if this does not occur then the planning application would be refused, even if all other matters were acceptable.

I can understand the Councils wish for a comprehensive development of the whole Garden Centre site but I object strongly to the view that an application can be refused because land outside the control of the applicant and is not required to accommodate the development for example sight lines or highway improvement, can be refused.

I am of the opinion that any planning application must be determined on the basis of plans submitted and in this particular case on the basis of the redlined application site.

I have sought a legal view on this matter and I am awaiting a response in writing but I have been advised verbally that my view is correct and that should a planning application be refused on the grounds as set out above the Council would be acting beyond its powers.

Every planning application must be judged on its merits and in accordance with the Development Plan. Therefore if the Council is concerned about what will happen to the land outside the settlement boundary, that should be dealt with if or when a planning application is submitted on that site and the issue of what will happen to that piece of land in the future should not prejudice the decision making for any planning application submitted on the land within the settlement boundary.

I would therefore appreciate it if you could reconsider your stance and advise me in writing that any decision made on a planning application for development on that part of the garden centre site within the settlement boundary will not be prejudiced because CALA does not own that part of the garden centre site beyond the settlement boundary.

CALA are keen to submit a planning application within the next few weeks and I would wish to ensure that this matter is resolved before the applicaton is submitted. I would be grateful I for could respond in writing within 14 days of the date of this letter.

Yours sincerely

pp

K Lipinski
STRATEGIC LAND MANAGER



CALA

HOMES

Christopher Law
BA(Hons) DipArch RIBA
Chief Architect

CALA Homes (South) Ltd
Burgan House The Causeway
Staines Middlesex TW18 3PR
Telephone 01784 460033
Facsimile 01784 450508
E-mail claw@cala.co.uk



CALA

HOMES

John Allan ARICS
Land Director

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826

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FACSIMILE TRANSMISSION

DATE: 25.2.00

FAX TO: BASIA POLNIK

FAX NO: 0118 974 6484

FAX FROM: KRZYS LIPINSKI

NO OF PAGES: 2.
(including this page)

MESSAGE:

Proposed revised layout for Wokingham Garden Centre site.

- Reduction to 5 units. 4+5 bed units.
Units 4+5 are bungalows as requested.

Can you get back to me with your thoughts on this layout, to also as well as the other matters discussed. I can confirm that owners of site is prepared to accept restrictive covenants re use of land at rear, we will push for removal of Green Houses. With respect to a unilateral undertaking will we need to have the current land owners signature on the doc?

IF YOU DO NOT RECEIVE LEGIBLE COPIES OF ALL PAGES- PLEASE TELEPHONE THE ABOVE NUMBER

Discussed layout with Krzys Lipinski Fri: 25/2.
Plot 3 should be set further back
Plot 4 footprint of bungalow large
Plot 5 bungalow too close to settlement boundary
Any appln needs to address land to rear (to be included in red line)
Concern over access to commercial use through residential cul-de-sac.
Current layout unacceptable due to above.

CALA HOMES (SOUTH) LTD REGISTERED OFFICE: BURGAN HOUSE THE CAUSEWAY STAINES MIDDLESEX TW18 3PR A SUBSIDIARY OF CALA plc

Wolverhampton Garden Centre



782

PLANNING SERVICES Ref: 25569
POL
DC BP
APP
CS
07 FEB 2000
COPIES TO: ACK:
FILE:

CALA
HOMES
CALA Homes (South) Ltd
Bargate House The Causeway
Staines Middlesex TW18 3PR
Telephone 01784 460033
Facsimile 01784 450508
www.cala.co.uk

FACSIMILE TRANSMISSION

DATE: 4.2.2000

FAX TO: BASIA POLNIK - PLANNING,

FAX NO: 0118 974 6484

FAX FROM: CHRISTOPHER LAW

NO. OF PAGES: (2)
(including this page)

MESSAGE: REF. WOKINGHAM GARDEN CENTRE.

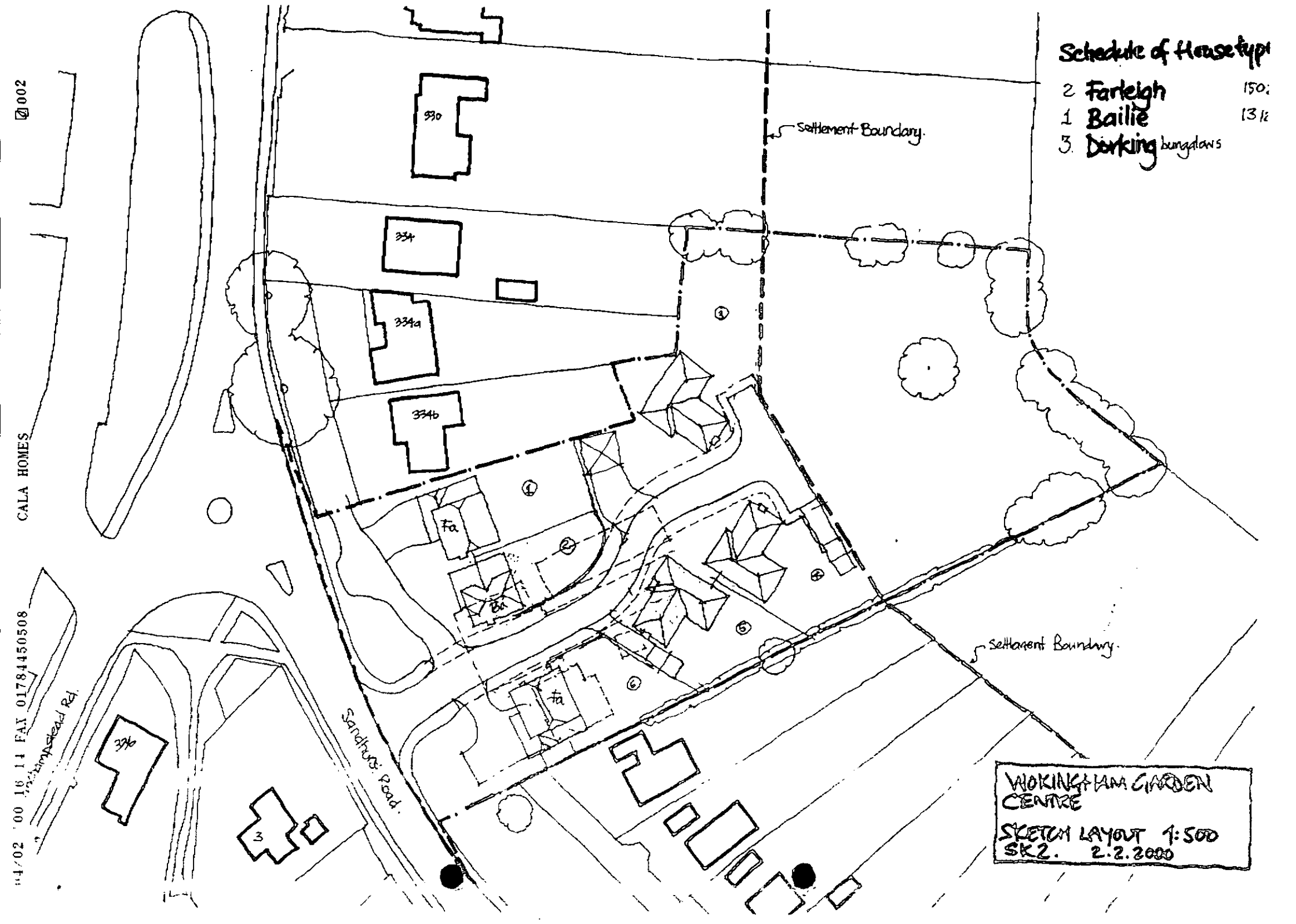
Encloset fax reduction of proposet site layout - Plots 3,4,5 are all bungalows as requested.
Please could we discuss on Monday.

Thanks.

Chris. Law.

**IF YOU DO NOT RECEIVE LEGIBLE COPIES OF ALL PAGES-
PLEASE TELEPHONE THE ABOVE NUMBER**

Discussed by phone 9/2. with C. Law - layout as illustrated considered cramped part. plots 4+5. Plot 6 too far forward. In conclusion overdevelopment of site. B Polnik 9.2.00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CALA HOMES
14/02 '00 10:14 FAX 01784450508
Schedule of Housetyp
2 Farleigh 150
1 Bailie 13½
3 Dorking bungalows
330
334
334a
334b
336
Settlement Boundary.
Settlement Boundary.
Sandhurst Road.
Fa
Ba
WOKINGHAM GARDEN CENTRE
SKETCH LAYOUT 1:500
SK2. 2.2.2000

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PLANNING

Beech Lawn, 82 Wargrave Road, Twyford, Berkshire RG10 9PJ, United Kingdom
Telephone/Facsimile +44 (0)118 932 0104
E-Mail Clovahil@aol.com

February 4, 2000

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

Dear Sir or Madam:

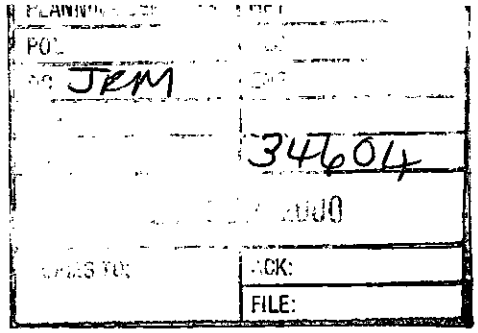
FIRWOOD, 84 WARGRAVE ROAD, TWYFORD, BERKS, RG10 9PJ

I am writing in connection with the application for a new side-garage extension to the above property.

We are the next-door neighbours whose driveway and garden would directly side on to the back of the proposed extension. We would like to note that we do not have any objection to the plans as shown to us on this date.

Yours truly,

Hugh & Christine Gordon



DAVIES ARNOLD COOPER
SOLICITORS

REPLY REQUIRED
9/10

John Mitchell Esq.,
Development Control Manager
Wokingham District Council
DX 33506 – Wokingham

VIA FACSIMILE 0118-974-6484

Our Ref: 386.jm2209.let
Your Ref: JM/TAB
Direct Fax: 020-7293-4373
DDI: 020 7293 4386
e-mail: crees@dac.co.uk

22 September 2000

Dear Mr Mitchell

22-24 SANDHURST ROAD, WOKINGHAM
APPLICATION BY CALA HOMES (SOUTH) LIMITED
DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 5 DWELLINGS

I was grateful for the opportunity to meet yourself and the Chief Executive's representative on 7th September.

I understand that you have asked for written confirmation on two points and can confirm the following:-

1 **Rights of Access** – you have asked for confirmation regarding the contractual position in so far as it relates to the land at the rear of my clients application site.

You will recall that we provided copies of our clients contract to your Legal Advisor at the meeting and I enclose the relevant extracts from the Contract between Stagcross Limited and Cala Homes (South) Limited for ease of reference.

You will see that Clause 11 and Schedule 1 ensure that the land to the rear is not in any way landlocked.

2. **Permitted Use of land to the rear -** as you know, we provided your colleague with a Planning Assessment of the land at the rear. Whilst you must, of course, take your own legal advice we consider that the following represents the position:-

- if, as we believe, the Garden Centre use has been abandoned then the land to the rear starts with a nil use. It follows that unless the owner is to use the land for agricultural purposes

Cont.../...

A list of partners is available for inspection at the London office. Davies Arnold Cooper is regulated by the Law Society in the conduct of investment business

London
Manchester
Newcastle
Madrid

Associate Office
Brussels

6-8 Bouverie Street
London EC4Y 8DD

Telephone +44 (0)20 7936 2222
Facsimile +44 (0)20 7936 2020
LDE 172
email daclon@dac.co.uk
www.dac.co.uk

then any resumption of commercial use or development on the back land will require planning permission.

- the only buildings on the land to the rear are three dilapidated glasshouses and a wooden garden shed.

- it follows that the existing buildings on the site are no use to "man nor beast" and any new additional or replacement buildings would require planning permission. There are no permitted development rights which go with a Garden Centre. As you are well aware the land to the rear of the Application Site falls squarely within the countryside designation shown in your Adopted and Emerging Development Plans and would therefore be the subject of restrictive planning policies which would ensure that the Council maintains an appropriate degree of control over the development and use of the land to the rear.

We trust that this is helpful and that our clients revised duplicate application can now proceed to a decision as a matter or priority.

I trust that this letter provides you with the information you now require and would be grateful if you could kindly confirm that anticipated timescales for determination of the revised Application.

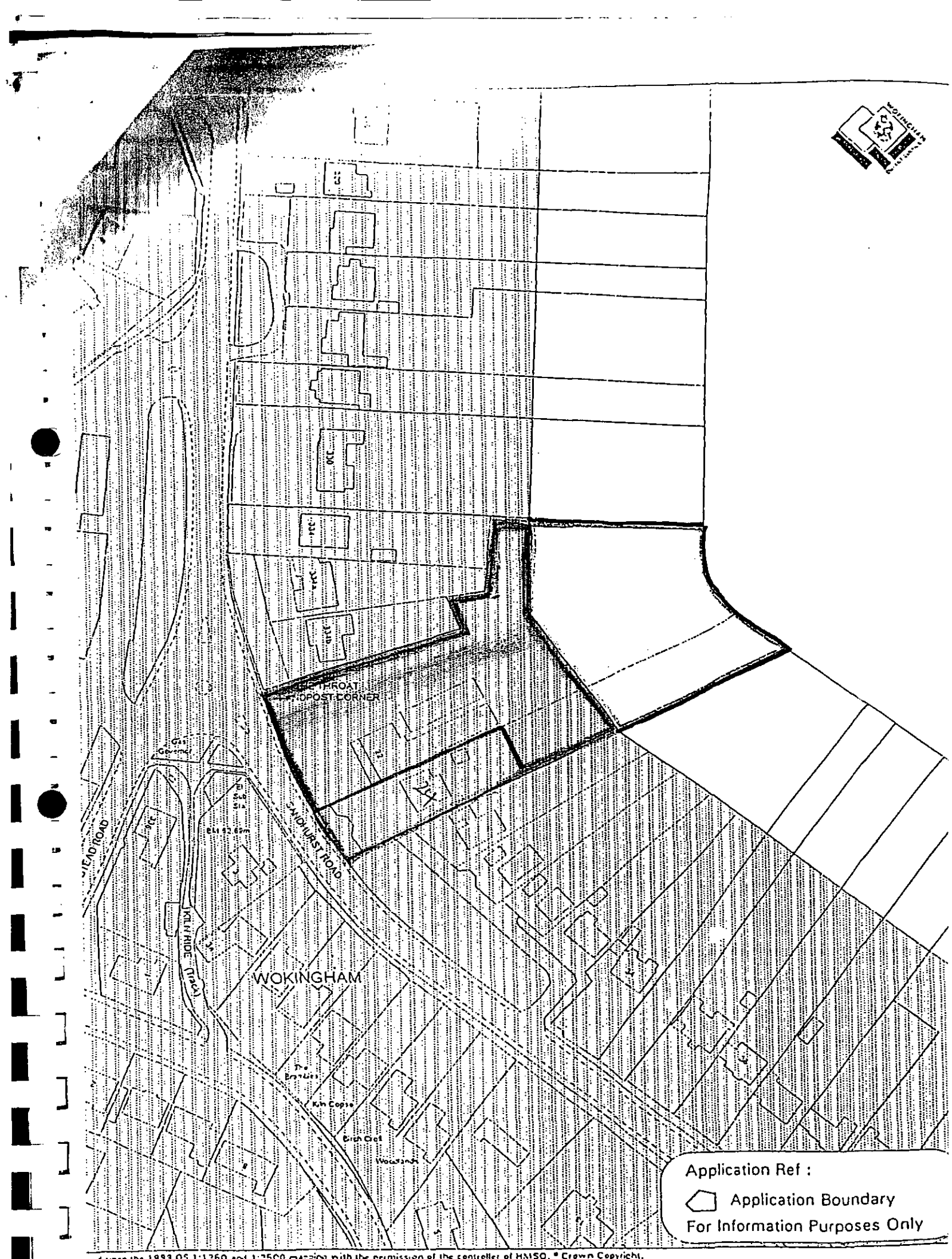
Thanking you in anticipation.

Yours sincerely,

C. A. Rees

C.A. REES

c.c. John Allan – Cala Homes (South) Ltd
Colin Lawley – Wokingham DC



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evelopment Control Section, Environmental Services, Wokingham District Council.
Scale: 1 : 1250

June 1999

AN AGREEMENT made on 2000

BETWEEN

(1) "the Seller": STAGCROSS LIMITED (Company Registration No 1546026) of 22 Sandhurst Road Wokingham Berkshire and

(2) "the Buyer": CALA HOMES (SOUTH) LIMITED of Burgan House The Causeway Staines Middlesex TW18 3DR

WHEREBY IT IS AGREED as follows

1. DEFINITIONS

In this Agreement the following expressions shall have or include the following meanings unless the context otherwise requires

"Accommodation	Gross internal floor space in buildings (excluding garages) designed for residential use in accordance with the Code of Measuring Practice published by RICS and ISVA
"the Additional Sum"	TWO HUNDRED AND SIXTY THOUSAND POUNDS (£260,000.00)
"Breach"	breach non-performance and non-observance
"the Completion Date"	2000
"the Deposit"	TWENTY THOUSAND POUNDS (£20,000.00)
"the Excluded Chattels"	the Seller's greenhouse immediately at the rear of the building at 22 Sandhurst Road
"the House Price Index"	the Halifax Plc All Houses (All Buyers) House Price Index or (if the same shall cease to be published) such equivalent index as the Seller shall reasonably specify
"Incumbrances "	the covenants and other matters referred to in: (a) Entry No 2 of the Property Register of the said title BK305335 and Entries Nos 1-6 (inclusive) of the Charges Register of the said title, and (b) Entries 1-3 (inclusive) of the Charges Register of the said title BK320166
"the Land"	The land comprising the Property and the land shown for the purposes of identification only coloured yellow on the attached plan
"the Overage"	The sum or sums due to the Seller pursuant to Clause 13.6 hereof

"the Property"	ALL THAT freehold land being part of the land registered at H M Land Registry and registered with absolute title under title Nos BK305335 and BK320166 together with the buildings thereon (other than the Excluded Chattels) known as 22 (and land at the rear of 24) Sandhurst Road Wokingham Berkshire as the same is for the purposes of identification only shown edged red on the attached plan PROVIDED ALWAYS that the Property excludes the Ransom Strips and excludes the Retained Land
"the Purchase Price"	TWO HUNDRED THOUSAND POUNDS (£200,000)
"the Ransom Strips"	the half metre wide strips of land on the edges of but within the land comprised in titles BK305335 and BK320166 as are shown for the purposes of identification only coloured blue on the attached plan
"the Retained Land"	ALL THAT the freehold land being the remaining parts of the land comprised in the said titles BK305335 and BK320166 for the purposes of identification only shown edged green on the attached plan: PROVIDED ALWAYS that the Retained Land excludes the Ransom Strips and excludes the Property
"the Seller's Solicitors"	Clifton Ingram of 22-24 Broad Street Wokingham Berkshire RG40 1BA (Ref: D.G. Eyriey)
"Services"	Gas, water, electric (including telephone and (where available) television) soil and surface water drains, pipes, wires, cables and ancillary apparatus

2. INTERPRETATION

In this Agreement unless the context otherwise requires

2.1 Obligations to be undertaken and agreements and conditions to be entered into by the Buyer in any document to be entered into pursuant to this Agreement shall be expressed to bind the Buyer's successors in title to the Property liquidators and receivers (save in respect of Clause 13.5 which will not bind or apply to purchasers of dwelling units erected by the Buyer)

2.2 References to the Seller shall include the Seller's assigns and successors in title

2.3 The Interpretation Act 1978 shall apply to this Agreement as it applies to an Act of Parliament but in case of any conflict the terms of this Agreement shall prevail

2.4 References to a clause or schedule are references to a clause of or

searches enquiries and inspections which the Buyer has made or which a prudent buyer would make

10. COMPLETION

10.1 On the Completion Date the Buyer shall pay the balance of the Purchase Price together with any other sums then payable under this Agreement at the offices of the Seller's Solicitors or where they may direct and thereupon completion of the sale and purchase shall take place

10.2 Neither party shall be obliged to complete the sale and purchase of the Property (or any part thereof) unless, at the same time, the Buyer completes the purchase of the adjoining land at 24 Sandhurst Road that the Buyer is contractually obliged to complete in accordance with a Contract of even date made between Carole Ann Headland, Jonathan Peter Headland and Glenys Merle Headland (1) and the Buyer (2)

11. RETAINED LAND MATTERS

11.1 There shall be reserved (and/or granted to the Seller by the Buyer on Completion) out of the Land for the benefit of the Retained Land and each and every part thereof the rights set out in Part 1 of the First Schedule hereto

11.2 The Transfer of the Property to the Buyer shall contain the declaration set out in Part 2 of the First Schedule hereto

11.3 In the Transfer to the Buyer the Buyer shall covenant with the Seller with the intent of binding the Land and each and every part thereof into whosesoever hands the same may come for the benefit of the Retained Property in the terms set out in Part 1 of the Second Schedule hereto

11.4 In the Transfer to the Buyer the Seller shall covenant with the Buyer so as to bind the Retained Land into whomsoever hands the same may come (but so that the Seller shall be under no further obligation once it has parted with its interest in the Retained Land) and so as to benefit the Land on the terms set out in Part 2 of the Second Schedule

11.5 The Buyer shall when required to do so by notice given by the Seller within five years of the sale of the last dwelling on the Buyer's proposed development on the Property transfer title to the land on which an estate roadway/driveway and any service strips and footpaths (and ancillary sight lines) may by then have been constructed laid out or available on the Land and such strip of land as shall reasonably be allocated by the Buyer between the estate roadway/driveway and the Retained Land ("the Road Strip") of maximum width of 9.5 metres so as to accommodate a public highway to the Seller for the sum of £1 with full title guarantee and free from any other incumbrances than are referred to in the definition of "Incumbrances" and

THE FIRST SCHEDULE

(Part I)

(Rights to be excepted and reserved out of the Property and granted to the Seller in common with the Buyer over the Land for the benefit of the Retained Land)

1. Right of access with or without vehicles at all times and for all purposes over the land shown coloured brown on the attached plan or over such part of the Land as the Buyer shall from time to time reasonably specify in writing giving vehicular and pedestrian access to and egress from the Retained Land from and to Sandhurst Road SUBJECT TO the right of the Buyer to vary such rights of access by notice in writing served on the Seller within five years of the date hereof to a roadway/driveway (and any footpaths) to be constructed by the Buyer leading from Sandhurst Road to or towards the Retained Land laid elsewhere on the Land in accordance with paragraph 2 of the Second Schedule hereto) and over the Road Strip (to be of the same width as the roadway/driveway and footpaths) and the Retained Land whereupon following such variation such rights shall exist only over such new roadway/driveway and any footpaths and the Road Strip To The Intent That (for the avoidance of doubt but not so as to create any additional rights) the Retained Land shall have full rights of way over the Land with associated rights for footpaths and service strips adjacent to any estate road/driveway of a minimum width of 9.5 metres from Sandhurst Road to the Retained Land

2. Such visibility splays and sight lines as may be required in connection with any development on the Retained Land and adjoining backland accessed through the Land over the Land at its junction with Sandhurst Road in connection with access to development and use thereof and as may be acquired by the Buyer or its successors in title over adjacent land within twenty one years of the date hereof

3. The right of the Seller within twenty one years of the date hereof to lay new Services through the roadway/driveway footpath service strips and the Road Strip and to connect the same into any Services now laid or laid within such time by the Buyer or its successors in title and the right thereafter to use maintain and renew the same for the benefit of the Retained Land (and of any other backland) SUBJECT NEVERTHELESS to the Buyer having the right (exercised reasonably) to direct where any such Services should be laid and having the right (without materially affecting the capacity or continuity of use of the same) to vary the route of the same within the Land

4. Right of access onto such part of the Land as may be reasonably necessary for the purpose at any time after the date two years from the date hereof (if the Seller has obtained planning permission for the residential development of the Retained Land or

any part of it with or without other land) or otherwise at any time after the date four years from the date hereof to construct an estate roadway and footpaths leading from Sandhurst Road to the Retained Land (and to lay out and maintain any necessary sight lines) within 21 years of the date hereof to adoption standards should the Buyer fail so to do.

5. The right to remove or vary the alignment of such parts of the fence (or such other structure as may be required by the local authority) that will have been constructed by the Buyer between the Retained Land and the Road Strip as may reasonably be needed in connection with the development of the Retained Land

(Part II)

The Buyer shall not acquire or be entitled to any easement or right of light or air which would prejudice restrict or interfere with the free use or enjoyment of the Retained Land for building or other purposes.

THE SECOND SCHEDULE

Part 1

(covenants to be given by the Buyer for the protection of the Retained Land)

1. Not to use the Land otherwise than for the construction and residential use of houses or bungalows and ancillary structures

2. Not to permit occupation of any of the dwellings proposed to be erected on the Land until such time as

(a) the Buyer has constructed an estate road/driveway (with all necessary sight lines) to at least base course on the Land in a position to be agreed with the local authority (and leaving the Road Strip). The Buyer shall (if necessary) at the same time reposition the fencing and gateway adjoining the Retained Land that it will have constructed in accordance with its obligations under this Schedule, and

(b) the Buyer has laid in Services within the estate road/driveway up to the Road Strip of adequate capacity to serve at least four dwellings that may be constructed on the Retained Land in positions reasonably accessible to development on the Retained Land and of sufficient depth to enable dwellings on the Retained Land to be served thereby

(c) the Buyer has paid to the Seller the Additional Sum (as defined in an Agreement ("the Sale Agreement") dated 2000 between the parties hereto) together

DAVIES ARNOLD COOPER

SOLICITORS

For the attention of Ms Asmat Beebee
The Planning Inspectorate
Tollgate House
Houlton Street
Bristol BS2 9DJ

VIA FAX 0117-987-6443

Our Ref: 386.37265.3.aep
Your Ref: APP/X0360/a/00/1047586
Direct Fax: 020-7293-4373
DDI: 020 7293 4386
e-mail: crees@dac.co.uk

2 October 2000

DRAFT

Dear Madam

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LIMITED
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM.

We refer to a recent telephone conversation with our Mr C A Rees in which we explained that our client has been involved in intensive negotiations with the Local Authority. It now appears that a negotiated settlement is possible.

Whilst we would be amenable to a short postponement, we are unwilling to accept an approach where matters were matters are left wholly in abeyance.

We are hopeful that the need for an Inquiry will be wholly academic but are now entirely dependent on the speed with which the Authority is able to proceed to a decision. They are now in possession of everything they need to determine the compromise application.

We look forward to hearing from you that the Inspectorate can agree to a short postponement to, say December of this year.

Thanking you in anticipation.

Yours faithfully

DAVIES ARNOLD COOPER

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TO JOHN MITCHELL DEV. CONTROL
FOR INFO

Direct Line: 0118 974 6524

Date: 14 September 2000

Your ref:

Our ref: CJL/JEF/002CL

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WOKINGHAM DISTRICT COUNCIL

Mr C A Rees
Davies Arnold Cooper Solicitors
6-8 Bouverie Street
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Legal Services
Support Services Department
P O Box 151
Civic Offices
Shute End
Wokingham Berkshire
RG40 1WH
Tel:(0118) 9746000
Fax: (0118) 9746542
DX: 33506 Wokingham

Dear Mr Rees

RE: 22-24 SANDHURST ROAD, WOKINGHAM. CALA HOMES (SOUTH) LIMITED

I refer to our meeting on 7 September 2000 and our negotiations relating to this site and the Planning Application which is currently at Appeal.

I confirm that the Council fully supports an Adjournment of the Public Enquiry set for 14 November 2000 on the basis that following our negotiations it is likely that the Appeal will become unnecessary.

I should be grateful if you could let me have a copy of your letter to the Planning Inspectorate.

Yours sincerely

Colin Lawley
Principal Solicitor

cc: John Mitchell, Head of Development Control

TO JOHN MITCHELL DEV. CONTROL
for info

Direct Line: 0118 974 6524

Date: 14 September 2000

Your ref:

Our ref: CJL/JEF/002CL

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DX: 33506 Wokingham

Mr C A Rees
Davies Arnold Cooper Solicitors
6-8 Bouverie Street
LONDON
EC4Y 8DD

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Yours sincerely

Colin Lawley
Principal Solicitor

cc: John Mitchell, Head of Development Control

→ John Mitchell.

DAVIES
ARNOLD
COOPER
SOLICITORS

Mrs Jane Earl
The Chief Executive
Wokingham Borough Council
Shute End
P O Box 150
Wokingham
RG40 1WQ

Another friendly note! Have emailed saying letters crossed in post.

Our Ref	386.wbc208.let
Your Ref	
Direct Fax	020-7293-4373
DDI	020 7293 4386
e-mail	crees@dac.co.uk

11 August 2000

MOST URGENT

Dear Madam

22-24 SANDHURST ROAD, WOKINGHAM - APPLICATION BY CALA HOMES (SOUTH) LIMITED - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF FIVE DWELLINGS

We refer to our letter of 2nd August to which we do not appear to have received the courtesy of an a reply.

In view the timescales referred to in that letter could we please hear from you with a substantive response and possible dates for a meeting as a matter of extreme urgency.

Yours faithfully

Davies Arnold Cooper.

DAVIES ARNOLD COOPER

c.c. Chief Planning Officer – Wokingham Borough Council.
Mr D Heron – Cala Homes (South) Limited

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Davies Arnold Cooper 11/08/00 09:07 PAGE 2/2 RightFAX

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DAVIES ARNOLD COOPER

SOLICITORS

PLEASE DELIVER THE FOLLOWING MESSAGE TO

NAME See List Below

COMPANY See List Below

FAX NO See List Below

FROM Chris Rees

TOTAL NUMBER OF PAGES INCLUDING THIS SHEET 2

MATTER NO 37265.3 **DATE** 11 August 2000

PLEASE CALL IMMEDIATELY ON 020-7936-2222
IF THIS MESSAGE IS INCOMPLETE OR ILLEGIBLE

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Name	Company	Fax Number
Mrs Jane Earl (Chief Executive)	Wokingham Borough Council	0118-979-0877
Chief Planning Officer	Wokingham Borough Council	0118-974-6484
Mr D Heron	Cala Homes (South) Limited	01784-450508

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11 August 2000

Our Ref 386.wbc208.let
Your Ref
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DDI 020 7293 4386
e-mail crees@dac.co.uk

MOST URGENT

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Yours faithfully

Davies Arnold Cooper

DAVIES ARNOLD COOPER

c.c. Chief Planning Officer – Wokingham Borough Council.
Mr D Heron – Cala Homes (South) Limited

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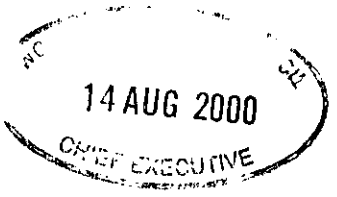

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11 August 2000

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Mr D Heron – Cala Homes (South) Limited

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11 August 2000

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Davies Arnold Cooper

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c.c. Chief Planning Officer – Wokingham Borough Council.
Mr D Heron – Cala Homes (South) Limited

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Mike Thorp
From: John R Mitchell
Sent: 08 August 2000 10:46
To: Anna Cronin; Mike Thorp
Subject: LETTER FROM DAVIES ARNOLD COOPER RE PLANNING REFUSAL AT 22-24 SANDHURST ROAD, WOKINGHAM

NOTE FOR CHIEF EXECUTIVE

LETTER FROM DAVIES ARNOLD COOPER RE PLANNING REFUSAL AT 22-24 SANDHURST ROAD, WOKINGHAM

The site is a former garden centre on the Sandhurst Road - to the rear is a golf course. Duplicate planning applications were submitted on 19th May for the redevelopment of part of the site for 5 houses. The red line of the application lies along the settlement boundary defined in the local plan. The future of the remainder of the garden centre was not addressed in the application and is effectively landlocked by it, although access could easily be obtained from the proposed development if required.

The net effect of the proposal would be to leave a residual area of land outside the application site and outside the settlement boundary with an existing use as a garden centre. The consequence of that remaining are twofold: (a) the possible resumption of the use with access through the application site, leading to adverse consequences of the amenity of the new residents or (b) the serving of a purchase notice on the Council by creating a landlocked residual area with an established use. This was fully explained to the applicants at pre-application meetings, when the imperative of including the whole site in the red line was stressed.

The application was refused on 26th July for the following reason:

"The proposal would result in an unsatisfactory piecemeal development of the site, as it does not address the use of and access to that part of the garden centre outside the application site. The use and appropriate access to the remaining part of the garden centre should be determined at the same time as any development relating to the front part of the site in the interests of residential amenity of future occupiers of the dwelling and good planning. As such the proposal would be contrary to Policies SBE1/2 of the South East Area Local Plan and WBE1 of the Wokingham District Local Plan."

An informative was attached to the decision inviting the applicants to come and talk to us.

An appeal has been lodged.

We have made it clear that we are still willing to talk to the applicants. I regard the letter from Davies Arnold Cooper as most unfortunate in tone and if anything rather threatening. I see no need for the CE to become involved - this is a straightforward planning matter. All proper procedures have been followed and there is no

maladministration. I think we would win an appeal - the Council cannot grant planning permission that would render it liable to purchase part of the site for example.

Famous last words.

Best wishes
John

Helen
Please ask John Mitchell/Anna for a briefing on this
& advice on whether we should meet them.

DAVIES
ARNOLD
COOPER
SOLICITORS



Mrs Jane Earl
The Chief Executive
Wokingham Borough Council
Shute End
P O Box 150
Wokingham
RG40 1WQ

3 AUG 2000

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Your Ref:
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e-mail: crees@dac.co.uk

2 August 2000

MOST URGENT

Dear Madam

22-24 SANDHURST ROAD, WOKINGHAM - APPLICATION BY CALA HOMES (SOUTH) LIMITED - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF FIVE DWELLINGS

Appeal with Costs

Our clients, Cala Homes, have now appealed your planning colleagues' delegated refusal of the above application. We have advised them to insist upon a full Inquiry and to claim a full award of costs against your Authority. We have also advised that a complaint to the Ombudsman should be filed.

Negotiated Solutions and avoiding wasted costs

The purpose of this letter is, not to complain, but rather to seek your intervention and avoid the time, cost and expenditure of an unnecessary Appeal.

Background Information

To provide a brief explanation of the background as you may not have been involved to date:

- our client has acquired the majority of the former Wokingham Garden Centre.
- the majority of the Garden Centre site falls within the settlement boundary.

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- as such, it benefits from a presumption in favour of residential development (UDP policy WH1).

- the remainder of the site ("the Residual Area") is designated as "countryside" in the draft UDP and is the subject of restrictive Policies. These prevent redevelopment or intensification of existing development (Policy WCC1), which set a presumption against conversion, reuse or redevelopment for residential purposes (Policy WCC5) but which favour retention of existing employment uses and reuse of existing buildings for commercial purposes in such areas outside the settlement boundary (Policy WRE2 and WRE4).

- the Residual Area contains two large green houses and one or two "potting sheds".

- our client has no contractual interest in the Residual Area.

- the two greenhouses and potting sheds will be left in situ – as such they could continue to be used for nursery / garden centre use, they could be used in conjunction with the new residential development by someone with a keen interest in gardening or, lastly they could be converted / adapted for low key employment purposes in accordance with Policy WRE4 – in short all options remain available.

- your Planning Colleagues have refused planning permission on the basis that "the use and appropriate access to the remaining part of the Garden Centre should be determined at the same time as any development relating to the front". They then quote Policy WBE1 of the draft UDP in support of this refusal.

We would make the following key points:-

1 The Cala proposals are **not** contrary to Policy WBE1 – the development incorporates "good contemporary design" and respects its local context.

2 The Cala application falls within the settlement boundary and benefits from a Development Plan presumption in favour of development, particularly on "brown field" sites.

3 Your Planning Colleagues refusal flies in the face of the Development Plan presumption.

4 Our client has offered to either provide access to the Residual Area of the site or to seal it off with a fence or gate as appropriate (we have therefore left a complete choice with your Planning Colleagues – there is therefore no merit in the access issue raised by your Planners). The Cala development does not close off any options for the Residual Area. It is not however dependent upon this land for its amenity, its garden land, its services or its access.

5 As for residential amenity – the five new houses meet **all** environmental performance standards, they have good sized gardens and are physically and visually separated from the land at the rear by two metre high close boarded garden fences.

6 There is no amenity issue whatever. There has been a garden centre in this location for almost half a century. As such it has peacefully co-existed with neighbouring residential development

for many years and without problems. Were such a use to be resumed on the Residual Area our clients proposal allows for a perfectly good access and we have no reason to believe that there would be any problem whatever.

7 Any limited redevelopment of the Residual Area would need to have regard to questions of residential amenity and could be controlled by condition. Were your Council to require an access to be provided to the boundary of the Residual Area our client would have no difficulty in providing it and would accept a condition to that effect. A gate rather than a fence could be provided in order to ensure that the area was not "sealed off".

8 What is, however, in our opinion, wholly wrong is for your Council to dictate what land should or should not be included in an application where the design, layout and special standards of that development are more than adequate and in line with all published Council and government guidelines.

9 In a nutshell, your planning colleagues' delegated decision is not sustainable and is, in fact, ultra vires.

10 As you will be keenly aware, your Council is heavily dependent upon small windfall sites within the settlement boundary in order to meet structure plan requirements. The need to release sites such as my clients' is even more critical now that the Local Planning Inspector has rejected **all three** of the new settlement proposals at Grazely, Shinfield and Spencers Wood. There is perhaps, a gentle irony, in the fact that your planning colleagues should be so confident of the ability of small windfall sites to deliver hundreds of new dwellings whilst at the same time refusing applications such as my clients' on what we regard as spurious grounds.

11 In short, there is no access problem vis a vis the Residual Area; nor is there any amenity problem in respect of the Residual Area. This is not a question of a sewage treatment works, heavy industrial development or bad neighbour development being retained on the Residual Area; the established uses are low key, wholly appropriate to a residential area or an area of designated countryside and are plainly innocuous.

Cala Homes has therefore sought our advice with a view to securing planning permission in line with their application. We should explain that Cala Homes has strict contractual obligations to pursue an appeal if a negotiated solution proves impossible. The contract we have with the landowner simply does **not** allow them to pursue an application which includes the Residual Area. The Residual Area remains in the ownership of the previous occupier and is not at out clients' disposal. We can, however, deal with the question of access to it in virtually any way which is required of us by your planning colleagues. We can also introduce additional planting and screening and landscaping on our clients' boundary with the Residual Area should this be a requirement of your planning colleagues.

We are therefore seeking your assistance in the hope that common sense will prevail in finding a path through this area which in our view should not be "beyond the wit" of our clients and your planners.

Whilst this letter is not the time or the place to dwell on the past, your Officer's decision to refuse planning permission was all the more surprising given the outstanding questions posed both in meetings and in correspondence and the continuing dialogue between our clients representatives and your Officers which had been taking place and indeed was still going on right up to the day before the decision notice was "dropped" on them. What we would therefore like to suggest is a meeting

involving yourself and the Chief Planning Officer with a view to finding an early and amicable solution. If necessary a site inspection could be arranged for you at short notice.

As you know, Local Authorities do have a duty to negotiate with Applicants to try to resolve any outstanding matters and to narrow any differences between the Applicant and the determining authority. In this case your Planning Officers have plainly failed to heed Government advice. Not only has there been a failure to properly discharge your duties under the Town and Country Planning Act but there is also a duty to ensure public finances are properly managed and not wasted on frivolous and unnecessary appeals. This is a matter which my clients takes extremely seriously, especially so if it transpires that the application is refused in the absence of "valid planning reasons which can be substantiated" (PPG1 para.60)

We were therefore surprised and disappointed at the apparent failure of your colleagues to respond to our various questions and suggested solutions to the problem which they had raised at a previous meeting. The recent refusal notice (copy attached) came completely out of the blue and gave us the impression that certain members of your planning department were not talking to each other or that there were political forces at work behind the scenes. A copy of our latest request for clarification (which as never answered) is also attached for completeness.

Our clients' application is a classic example of a development wholly contained within the settlement boundaries as defined by your own authority and is also a "brown field" situation. As such, it could not be more in line with current government thinking and development plan policy.

In townscape, environmental and traffic terms the proposed development would, if granted, represent a significant improvement on the status quo.

The development proposal causes no prejudice whatever in relation to access to another parcel of land (ie the Residual Area") which lies outside the settlement boundary but adjoins our clients' application site. We have also offered to either retain the facility to access the land outside the settlement boundary, in the alternative to fence it off. Your colleagues have wholly neglected to respond to either suggestion which makes the stated ground of refusal all the more remarkable.

In the interests of securing a negotiated solution and avoiding an appeal out clients have submitted fresh application which we would very much appreciate the opportunity of discussing. Your Council's letter of 15th May 2000 clearly stated that if our clients had any queries concerning their application they should contact the case officer, Mrs Polnik. Whilst Mrs Polnik's approach and attitude until last week's unexpected events had been courteous and accommodating we cannot help feeling that the lines of communication have somehow become confused and are rather worried that our clients most recent request for clarification may not in fact have been received.

We hope that you may feel able to grant us an audience and would be most grateful for an early reply with say three dates for a meeting with a view to arriving at a sensible conclusion in respect of an application which is consistent with the development plan and on all fours with latest government guidance regarding brown field developments.

We would be grateful for a response and a suggested meeting date to occur within the next ten days.

Thanking you in anticipation.

Yours faithfully

Davies Arnold Cooper

DAVIES ARNOLD COOPER

c.c. Chief Planning Officer – Wokingham District Council.

PLANNING PERMISSION

N
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WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1990

To: WOKINGHAM GARDEN CENTRE
C/O ANDESIGN
9 PERKINS WAY
WOKINGHAM
BERKSHIRE RG11 2TN

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1BN

Application No.36408 (F)

Proposal:
CONSTRUCTION OF NEW GREENHOUSE FOR USE OF GARDEN CENTRE
REAR OF 24 SANDHURST ROAD WOKINGHAM

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.(5)

01 REASON This condition is deemed to be attached by virtue of Section 91 of the Town and Country Planning Act, 1990.(3R)

02 All materials to be used in the elevations of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the District Planning Authority.(14)

02 REASON To ensure that the development will be of satisfactory appearance.(9R)

03 The green house shall not exceed 72sqm in area or 3.6m in height and shall be sited as indicated on drawing AH/S/311. The use of the greenhouse shall be restricted to the overwintering or propagation of plants and shrubs and shall not be used as a retail sales area.

03 REASON To help ensure a building of satisfactory appearance and to protect the residential amenity of neighbouring properties from an over intensive use of the land.

04 No loudspeaker, amplifier, relay or other audio equipment shall be installed or used outside the building nor installed or used inside the building in such a manner as to cause detriment to the amenity of the

continued/-

Application 36408 continued

15 OCT 1990

area by reason of noise.(44)

04 REASON In the interests of amenity.(90R)

Date.....

.....
District Planning Officer

N.B. A statement of the applicant's rights is attached

This permission or approval is for the purposes of the Town and Country Planning Act 1990 only. Approval may also be required under the Building Regulations.

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

INFORMATIVE: If this planning permission relates to the erection or extension of a building, then the following section applies:-

BERKSHIRE ACT 1986- SECTION 32: ACCESS FOR FIRE BRIGADE

(1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:-

(a)that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b)that the building or, as the case may be, the extension of the building will not render insdequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1971, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act of 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

PLANNING PERMISSION

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WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1990

To: WOKINGHAM GARDEN CENTRE
C/O ANDESIGHN
9 PERKINS WAY
WOKINGHAM
BERKSHIRE RG11 2TN

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS. RG11 1BN

Application No.36407 (F)

Proposal:
CHANGE OF USE OF PART OF THE GARDEN FROM RESIDENTIAL TO GARDEN CENTRE (RETROSPECTIVE APPLICATION)
REAR OF 24 SANDHURST ROAD WOKINGHAM

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

01 The development hereby permitted shall be laid out and fully completed in accordance with the submitted drawing AH/S/311 and use of each area of the land shall be restricted to those uses shown on that submitted drawing i.e. as plant and shrub display area, greenhouse for over-wintering and propagation of plants only and open storage area in association with the existing retail garden centre.

01 REASON In the interests of residential amenity.

02 Except for the irrigation system no machinery shall be operated on the premises before 7am on weekdays and 8am on Saturdays nor after 6pm on weekdays and 1pm on Saturdays nor at any time on Sundays or Bank Holidays. (70R)

02 REASON To protect the occupants of nearby residential properties from noise disturbance. (47R)

03 Use of the irrigation system shall be limited to the hours of 7am to 6pm daily.

03 REASON To protect the occupants of nearby residential properties from [illegible] (47R)

04 [illegible] to the plant and shrub display area in association with the [illegible] garden centre shall be restricted to the hours of 9am to

continued/-

5.30pm Monday to Saturday and 10am to 4pm on Sundays.

04 REASON In the interests of residential amenity.

05 The retail garden centre and the amenity open space associated with the garden centre shall be landscaped and planted in accordance with a fully detailed scheme to be submitted to the District Planning Authority prior to 31 December 1990. This scheme shall include replacement tree planting.

05 REASON To ensure a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development and soften the impact on the area.

06 All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out by 31 March 1991 in accordance with the recommendations set out in BS4428 1989 "General Landscaping Operations" and BS3936 pt 1 1980 "Nursery Stock". Any trees or plants which within a period of 5 years following 31 March 1991 die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.

06 REASON In the interests of amenity and to help achieve a satisfactory standard of landscaping and planting.(194R)

07 No loudspeaker, amplifier, relay or other audio equipment shall be installed or used on the land nor installed or used inside any building erected on the land in such a manner as to cause detriment to the amenity of the area by reason of noise.

07 REASON In the interests of amenity.(90R)

08 No materials, goods or items of any sort shall be stacked or deposited in the open on the site to a height exceeding 2 metres above ground level.(273)

08 REASON In the interests of visual amenity.(13R)

09 The use of the land including the building shall be limited so that the processes carried on or the machinery installed are such that no detriment will be caused to the amenities of the area by reason of noise, vibration, fumes, smoke, smell, soot, ash, dust or grit.(261)

09 REASON To help safeguard the amenities of the area.(261R)

10 No external lighting of any type shall be provided without the prior written permission of the District Planning Authority.(310)

10 REASON In the interests of amenity.(90R)

INFORMATIVE:-

Whilst it would appear from the application that the proposed

continued/-

Application 36407 continued

development is to be entirely within the curtilage of the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over adjoining property. The applicant should also note that this permission does not give any right of access onto adjoining property for construction or maintenance purposes.(622)

Date..... 15 OCT 1990

..... District Planning Officer

N.B. A statement of the applicant's rights is attached

This permission or approval is for the purposes of the Town and Country Planning Act 1990 only. Approval may also be required under the Building Regulations.

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

INFORMATIVE: If this planning permission relates to the erection or extension of a building, then the following section applies:-

BERKSHIRE ACT 1986 SECTION 32: ACCESS FOR FIRE BRIGADE

(1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:-

(a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

continued/-

NOTICE OF REFUSAL

GF/F.W.

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT, 1972
TOWN AND COUNTRY PLANNING ACT, 1971

Wokingham District Council,
Council Offices,
Shute End,
Wokingham, Berks. RG11 1 BN

To: Mr. C. Hussey,
c/o Messrs. Jo[illegible]son Izod Associates,
35, Broad Street,
WOKINGHAM
Berks.

Application No. 10800

Proposal: Change of use of the ground floor from commercial to office use and first floor from residential use to office use at 22 Sandhurst Road, Wokingham.

The Wokingham District Council in pursuance of their powers under the above Acts hereby REFUSE to permit the above development to be carried out in accordance with the application and accompanying plans submitted by you to the Council on the 27th day of April 19 79 for the following reasons:

In the opinion of the District Planning Authority the conversion of the premises to offices constitutes the introduction of a use both inappropriate to the area and contrary to the provisions of the Wokingham Town Map which shows the area zoned for residential purposes. Furthermore it would detract from the amenities of nearby residential properties and create an unfortunate precedent for further similar applications which the District Planning Authority might find difficult to resist.

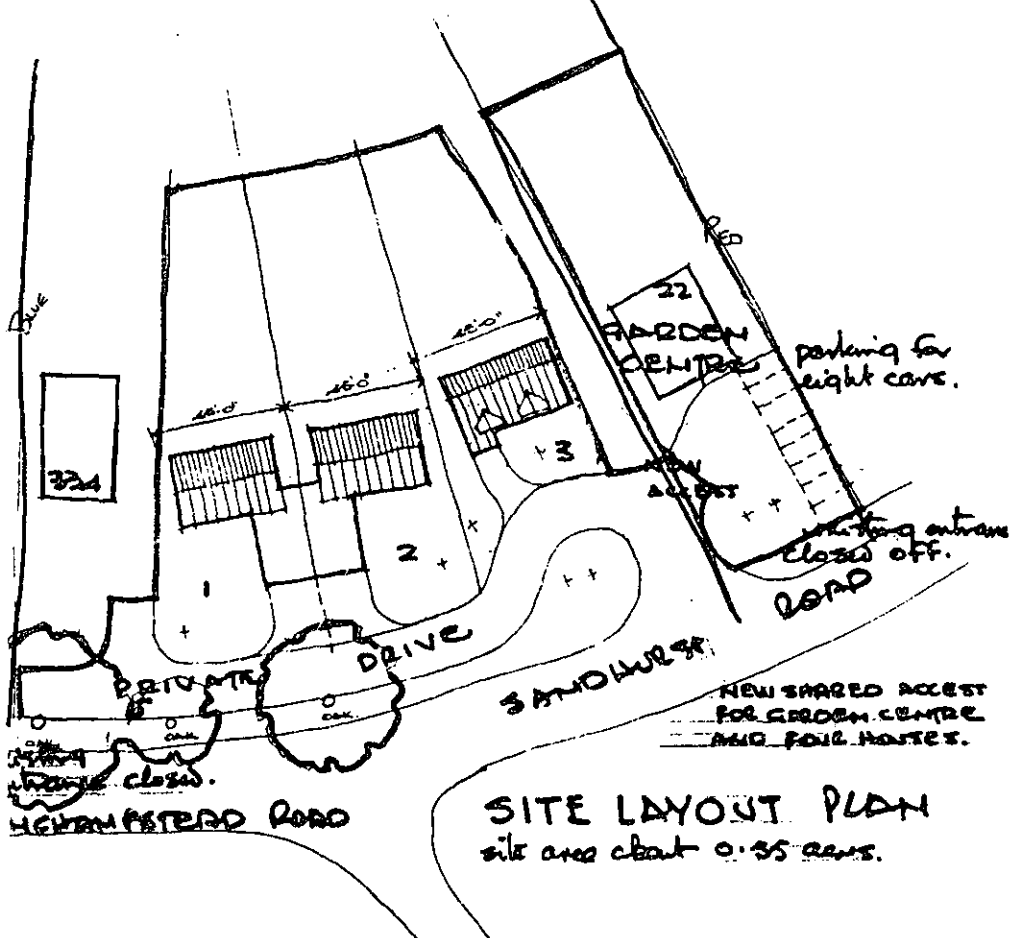
Dated: 10 SEP 1979

District Secretary

N.B. A statement of the applicant's rights is set out overleaf

10800
27 APR 1979

enlarged from o.s. sheet - plan forming part of application for outline planning consent for 3 new houses



SITE LAYOUT PLAN
site area about 0.35 acres.

C. [illegible] PROPOSED THREE HOUSES

Client

Project THE THROPE, WOKINGHAM.

Johnson Izod Associates Architects and Landscape Consultants
35 Broad Street Wokingham Berkshire RG 11 1AU Wokingham (0734) 782353

Description	Scale	Project No	Drawing No
SKETCH OF SITE LAYOUT	1/500	1215	9.
	Date APR 79		
	Drawn		
	Checked		

40 50FT 1/2" 0 1 2 3 4 5FT 1:200 0 1 2 3 4 5 10 15M 1:2500 0 20

60FT 1/4" 0 1 2 3 4 5 10FT 1:100 0 1 2 3 4 5 6 7 8M 1:1250 0 10

90FT 1/8" 0 5 10 15 20 25FT 1:50 0 1 2 3 4M 1:500 0 5

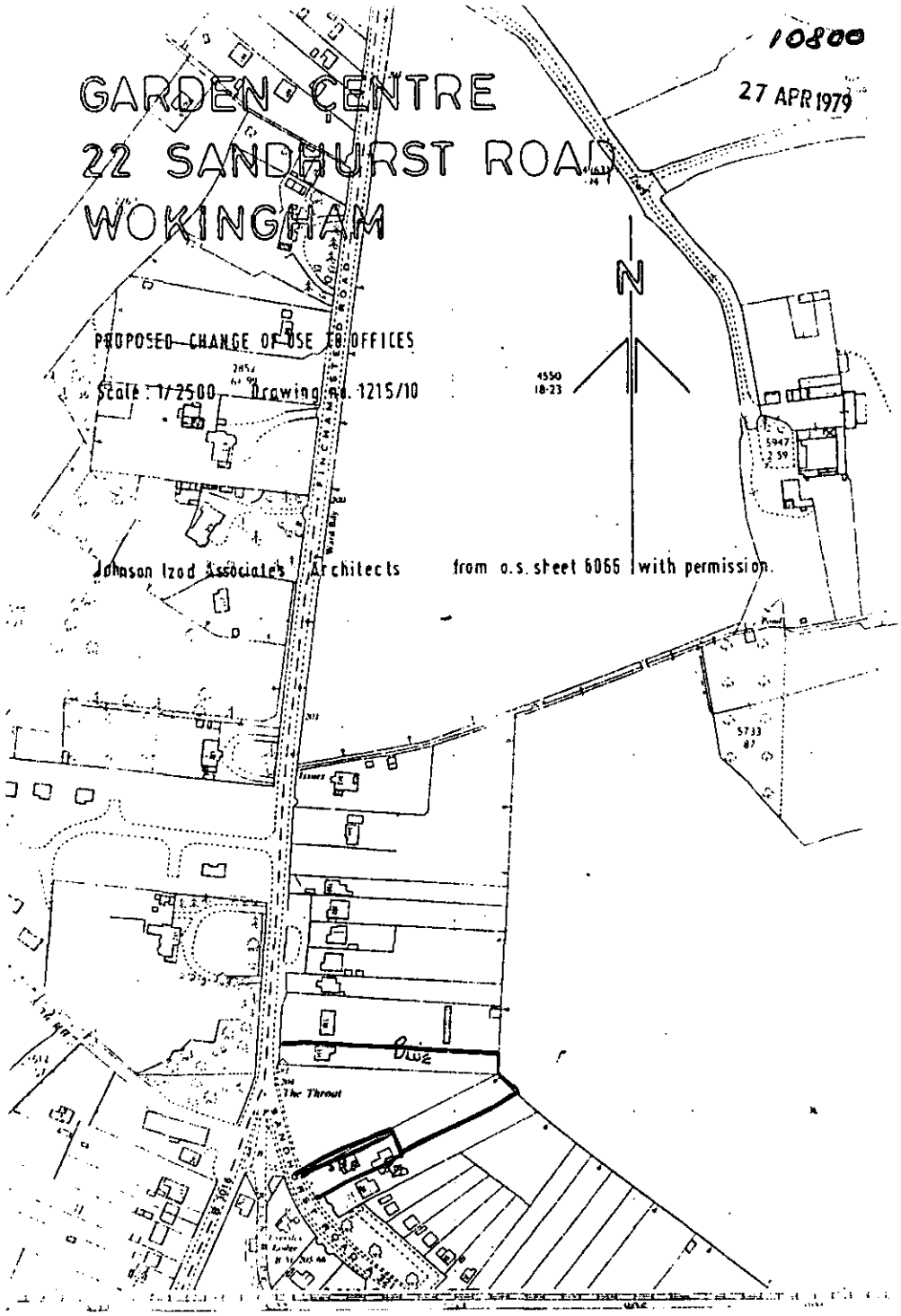
10800

27 APR 1979

GARDEN CENTRE
22 SANDHURST ROAD
WOKINGHAM

PROPOSED CHANGE OF USE TO OFFICES

Scale 1/2500 Drawing No. 1215/10



40 50FT	1/2"	0 1 2 3 4 5FT	1:200	0 1 2 3 4 5 10 15M	1:2500	0 20
60FT	1/4"	0 1 2 3 4 5 10FT	1:100	0 1 2 3 4 5 6 7 8M	1:1250	0 10
90FT	1/8"	0 5 10 15 20 25FT	1:50	0 1 2 3 4M	1:500	0

NOTICE OF REFUSAL

RG/JTP

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT, 1972
TOWN AND COUNTRY PLANNING ACT, 1971

Wokingham District Council,
Council Offices,
Shute End,
Wokingham, Berks. RG11 1 BN

To: Mr. C. Hussey
c/o Johnson Idod Associates
35 Broad Street,
WOKINGHAM, Berkshire.

Application No. 10018

Proposal: Resiting of garden centre and siting of three new houses (Outline) on land between 354 Finchampstead Road and 22 Sandhurst Road, Wokingham.

The Wokingham District Council in pursuance of their powers under the above Acts hereby REFUSE to permit the above development to be carried out in accordance with the application and accompanying plans submitted by you to the Council on the 17th day of January 19 79 for the following reasons:

1. The proposal would generate increased traffic movements into and out of the Principal Road, A321 Finchampstead Road/Sandhurst Road which would cause interference with the free flow and safety of traffic.

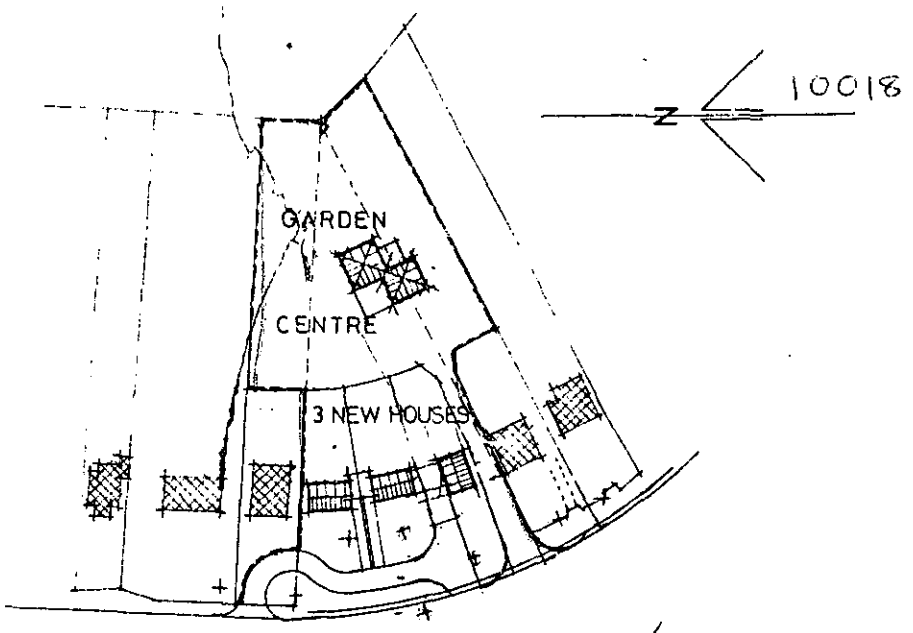
2. The access to the proposed Garden Centre is unsuitable, due to its sub-standard width and entrance kerb radii to support the traffic generated by this proposal.

3. The application proposes an inappropriate use of backland which will be likely to have an adverse affect on the character of the area and which will in particular be detrimental to the amenities of nearby residential properties.

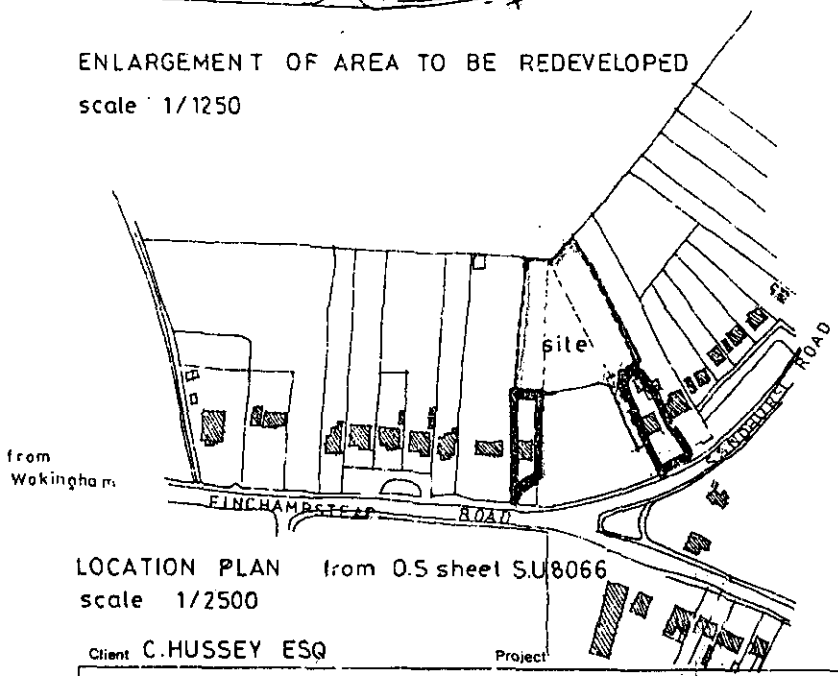
District Secretary

Dated: 22 MAY 1979

N.B. A statement of the applicant's rights is set out overleaf



ENLARGEMENT OF AREA TO BE REDEVELOPED
scale 1/1250



LOCATION PLAN from O.S sheet S.U.8066
scale 1/2500

Client C.HUSSEY ESQ Project

Johnson Izod Associates Architects and Landscape Consultants
35 Broad Street Wokingham Berkshire RG 11 1AU Wokingham (0734) 782353

Description PROPOSALS FOR RE-SITING THE EXISTING GARDEN CENTRE AND SITTING THREE NEW HOUSES

Scale	as shown	Project No	Drawing No
Date	dec '78		
Drawn	pj	1215	5
Checked	pj		

40 50FT 1/2" 0 2 3 4 5FT 1:200 0 1 2 3 4 5 10 15M 1:2500 0 2

60FT 1/4" 0 1 2 3 4 5 10FT 1:100 0 1 2 3 4 5 6 7 8M 1:1250 0 1

90FT 1/8" 0 5 10 15 20 25FT 1:50 0 1 2 3 4M 1:500 0

Application nos: 36407 (F)
36408 (F)

Received
15.8.1990

WOKINGHAM
NON-FUNDAMENTAL
SOUTH TEAM

Applicant: WOKINGHAM GARDEN CENTRE
Location: REAR OF 24 SANDHURST ROAD, WOKINGHAM
Proposals: CHANGE OF USE OF PART OF GARDEN FROM RESIDENTIAL TO GARDEN CENTRE, (RETROSPECTIVE APPLICATION 36407)
CONSTRUCTION OF A GREENHOUSE FOR USE OF GARDEN CENTRE (36408)

Introduction and Planning History - The 0.11 ha. application site forms part of a larger landholding, 22 Sandhurst Road which has been used as a garden centre since the 1960's. Prior to that the building at no. 22 was a general store with residential accommodation. This residential use is maintained. The application site was used until recently in conjunction with a bungalow (no. 24) fronting Sandhurst Road as garden and had become unkempt. A 2.7 metre high dense conifer screen hedge runs along the southern (side) boundary of the site for a distance of approximately 50 metres within the curtilage of the neighbouring residential property at no. 26. The remainder of the side boundary is formed of 1.8 metre high close boarded fencing which continues to the rear field boundary. A 1.8 metre panel fence separates the application site from the bungalow at no. 24 which retains a garden curtilage of 162 sq.m. This bungalow is in the ownership of the applicant.

Prior to these applications being received enforcement action was agreed by this Committee on 4 July 1990. No notice has been issued pending a decision on application 36407. In general, the vicinity of the application site is residential in character.

The Proposals - Application 36407 involves the change of use of former garden curtilage to a commercial use and is in retrospect. The forward half of the plot nearest to the residential properties is laid out as a plant display area reached through an existing area in similar use. The new plant display area is at a minimum of 16 metres from the nearest residential property (no. 26). The land to the rear of this is an open storage area without public access for storage of builders' landscaping materials and includes a liquid propane gas cage 90 metres from the nearest residential building.

The proposal has resulted in the plant display area being increased by approximately 50% and the provision of 10 additional parking spaces on a former plant display area. Opening hours to the garden centre are currently 9.00am to 5.30pm weekdays and Saturdays, and 10.00am to 4.00pm Sundays. No alteration is proposed. There is no delivery of building materials to customers on Sundays.

Application 36408 is dependent upon the conditional approval of the application for change of use and is for a 72 sq.m. glass dutch light greenhouse of 12 metres x 6 metres which has a maximum height of 3.6 metres at the ridge. This would be used for the over-wintering of tender plant stock and some propogation. It would be located 52 metres to the rear of the nearest dwelling. No additional staff would be employed in connection with this enterprise.

Consultations - The Highway Authority do not wish to restrict permission

The Environmental Health Officer is satisfied that the liquid propane gas cage is appropriately sited and enclosed. There are no Environmental Health objections to this application.

A letter of objection has been received from 28 Sandhurst Road which refers to noise, loss of privacy and loss of view through shrub removal, increased minor road accidents in the vicinity over a 2/3 year period, and pointing out the predominently residential character of the area.

Appraisal - As a result of the proposal adequate rear garden space will be retained by the bungalow at 24 Sandhurst Road. The present proposal has the effect of widening choice for customers of the garden centre. It may result in increased custom and hence increased intensity of use, but it is unlikely that possible disturbance would be in proportion to the additional space taken in, nor any worse than that which existed for neighbouring properties previously. The activity nearest to dwellings - plant display - is not considered to present a noise nuisance. As a result of complaints regarding the water sprinkling system and storage tank, a line system of watering is being installed and this is quieter in operation.

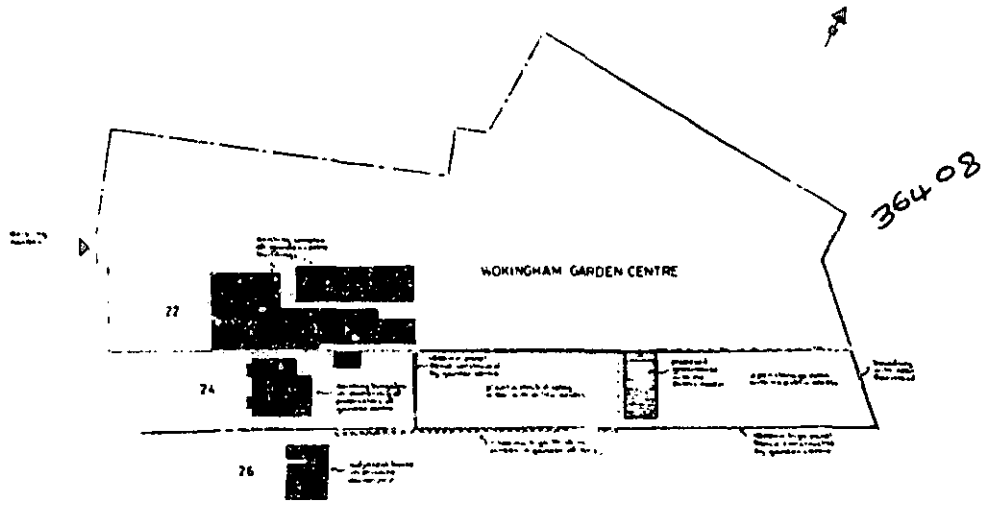
The internal arrangement of uses will serve to improve the parking situation at busy periods and prevent on-street parking which had occurred until recently. Opening hours are shorter than in many similar operations and can be conditioned to remain as at present.

A 2.6 metre high greenhouse which is proposed and to which there would be no public access is not considered to cause a noise nuisance, or to be visually unacceptable. The site is exceptionally well screened by evergreen hedging within the neighbouring residential property for a distance of 35 metres. This serves to protect the visual amenity of the occupiers of no. 26 and may assist in softening any sounds generated within the application site.

Recommendation - GRANT CONDITION APPROVAL to application 36407, (change of use), subject to amongst others conditions limiting use of the land as a retail garden centre to the current opening hours of the garden centre, development to be laid out in accordance with the plans submitted and the use of each area of the land subject of the application to be for no other purpose than that which is indicated on the submitted drawing; use of machinery to be limited to 7.00am to 6.00pm weekdays and 8.00am to 1.00pm Saturdays, except that the use of the irrigation system be restricted to 7.00am to 6.00pm daily.

GRANT CONDITIONAL APPROVAL to application 36408 subject to standard time conditions and materials to be as stated in the agent's letter, and use of the greenhouse to be limited to the over-wintering and propogation of plants and shrubs with no retail sales display.

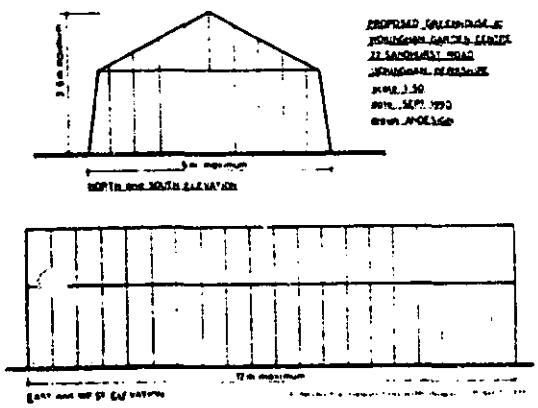
BG/EH/P
11/9/1990

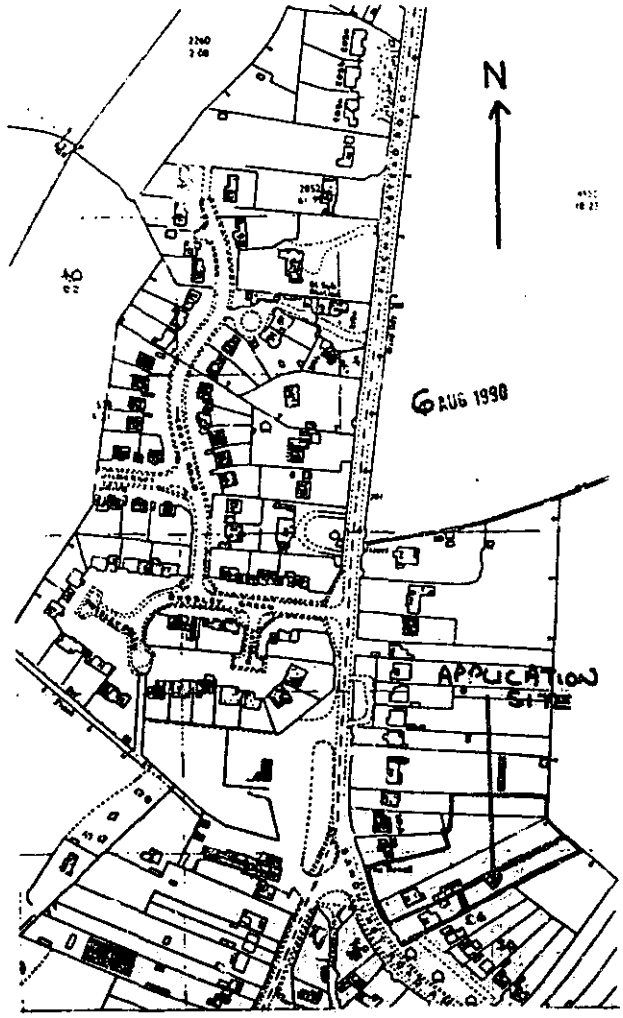


36408

WOKINGHAM GARDEN CENTRE, 22 SANDHURST ROAD, WOKINGHAM, BERKSHIRE

6 AUG 1990





36407
36408

Date: 27 July 2000

To: Highways

We have received Additional Plans for the following planning application:

Application Number: F/2000/1338 F/2000/1342

Location: 22 - 24, Sandhurst Road, Wokingham.

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)

Applicant: Cala Homes (S) Ltd Burgan House.

Case Officer: Mrs B Polnik

The new plans show the following: Turning head for refuse vehicle. Drawing no PD 01A.

For information only.

Should you have any queries regarding this application please contact the case officer Mrs B Polnik on 0118 974 6450.

THE TURNING HEAD DOES STILL NOT ACCORD WITH DESIGN GUIDE. SHOULD HAVE 6 METRE RADII AND NOT 4 METRES AS SHOWN. ALSO THE LONG END STRAIGHT OF THE TURNING HEAD SHOULD BE 8 METRES AND NOT 6 METRES AS SHOWN.

COMMENTS AS PREVIOUS.

TR 24/8/00.

Tel: (0118) 974 6450 (Direct Line)
E-Mail: Basia.Polnik@wokingham.gov.uk
Date: 25 July 2000
My ref: BP/F/2000/1338 & 1342

Mr C Law
Cala Homes
Burgan House
The Causeway
Staines
Middx TW18 3PR

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

Dear Mr Law

RE: PROPOSED RESIDENTIAL DEVELOPMENT AT 22-24 SANDHURST RD, WOKINGHAM

Further to your letter received on the 21st July 2000, with reference to the above, I have passed a copy of your plan to the Highway Authority for comment. The Highway Authority is not raising a highway objection subject to various conditions. With regard to other issues as you are aware the application has been recommended by officers for refusal on the grounds that it would result in piecemeal development, not addressing the use of and access to that part of the garden centre outside the application site. This issue was discussed during our discussions prior to the submission of the applications. A decision notice will be sent to you in due course.

I hope this clarifies the situation.

Yours sincerely

B. POLNIK (Mrs)
Senior Planning Officer

Received by Wokingham District Council

Application No: F/2000/1338

Proposal:
Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)

Location:
22 - 24, Sandhurst Road, , Wokingham.

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

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

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

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Mrs B Polnik P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 08/06/2000. 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

15 May 2000

Tel: 0118 974 6450

Date: 12.7.00

My ref: F/2000/1338

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 J Green
102 Arnett Avenue
Finchampstead
RG40 4EE

Dear Councillor

Application Number: F/2000/1338
22 - 24, Sandhurst Road, , Wokingham.
Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application).

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 **Mrs B Polnik** on **0118 974 6450**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please contact the Councillor for your area responsible for planning matters as soon as possible

Yours faithfully

John Mitchell

John Mitchell
Development Control Manager

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: Tom Callaghan, Highways

To: Basia Polnik, Senior Planning Officer

My Ref: F/2000/1338&1342

Your Ref: F/2000/1338&1342

Date: 25th July 2000

PLANNING APPLICATIONS F/2000/1338 AND 1342
PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 5 DWELLINGS.
WOKINGHAM GARDEN, 22-24 SANDHURST ROAD, BABTIE.

I have considered the additional plans submitted with the applicants letter dated 19th July 2000 (drg PD01 rev A) and can confirm that the recommended conditions as set out within my memo dated 7th July still Apply.

Many thanks

Tom Callaghan

CALA 125 YEARS 1875-2000



Reply Req

CALA HOMES

CALA Homes (South) Ltd
Burgan House The Causeway
Staines Middlesex TW18 3PR
Telephone 01784 460033
Facsimile 01784 450508
www.cala.co.uk

CL/lr/214

19th July 2000

Mrs B Polnik
Planning Department
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berks
RG40 1WR

Ref: 2000/1338 & 2000/134 – 22-24 Sandhurst Road, Wokingham

Dear Mrs Polnik

Following my discussions with your highway's officer and their engineering consultants, WSP, and after our telephone conversation of Monday 17th July I enclose the amendment to enlarge the turning-head to accommodate a refuse vehicle on the planning layout PD01A.

I would be grateful if you could confirm in writing, within 7 days of the date of this letter that all highways and development control issues are satisfactory, as you indicated by phone, and that the only outstanding issue remains the red-line area of the application.

Thank you for your attention to these matters.

Yours sincerely

Christopher Law RIBA
CHIEF ARCHITECT
For and on behalf of CALA Homes (South) Limited

cc. T. Callaghan 25/7.

REGISTERED IN ENGLAND NO. 02522271. REGISTERED OFFICE: BURGAN HOUSE THE CAUSEWAY STAINES MIDDLESEX TW18 3PR. A SUBSIDIARY OF CALA GROUP LTD.

Applicationo	Name & Address
F/2000/1338	P Bragenor 28 Sandhurst Road Wokingham RG40 3JD
F/2000/1338	B Davies 334b Finchampstead Road Wokingham RG40 3JB

App refused.
Letter sent 27/07/00

PLANNING SERVICES | RPT 30215
POL | TLS
DC | ENF
CS
05 JUN 2000
COPIES TO: | ACK:
FILE:

WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Mrs B Polnik

Application Number: F/2000/1338

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate application).

Site Address: 22 - 24 Sandhurst Road, Wokingham.

Applicant: Cala Homes (S) Ltd

Your observations are required in respect of this application by **08/06/2000**

Same comment as for the duplicate application F/2000/1342 -

no objection , subject to satisfactory highways considerations.

SIGNED: _____ DATE: 01/06//00

CLERK TO Wokingham Town Council

HIGHWAYS CONSULTATION SHEET

From: Mrs B Polnik

Date: 15 May 2000

Application Number: F/2000/1338

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)

Parish: WOKINGHAM TOWN

Site Address:
22 - 24, Sandhurst Road, , Wokingham.

Applicant:
Cala Homes (S) Ltd Burgan House.

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

✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☐ Recommend approval but with condition(s) & reason(s) **stated below**;
3) ☐ Recommend approval with **no** condition(s) or reason(s).

Comment.

The proposal is generally acceptable in highways terms subject to appropriate conditions. However the proposed turning head adjacent to plots 4&5 is sub-standard.

The applicant should either amend proposals to include a standard turning area, or else demonstrate that a refuse vehicle could successfully negotiate the area currently shown.

Signed: A. Linnell **Print name:** A. LINNELL

TO: **DEVELOPMENT CONTROL** FROM: Environmental Design

Sarah Pollock

DATE: 12th June 2000

Location: 22-24 Sandhurst Road, Wokingham.

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings. (Duplicate Application)

Application Number: F/2000/1338

In response to your consultation dated 15th May 2000 for the above application, the landscape comment is as follows:

The proposal is acceptable in general but there are a number of detail landscape comments:

1. The rhododendron boundary to the development at Plot 3 should be retained since this gives a dense screen to the site and especially as the house on Plot 3 is shown as being built forward of the front of the adjacent property no. 26 Sandhurst Road.

2. At the northern boundary at the side of Plot 1, the conifers noted on the drawings as "existing 4.5 metres high" have been cut down to half that height.

3. The rear boundary of the development is noted as the boundary between settlements and the countryside but is designed as an insensitive close-boarded timber fence. This would be improved as a dense hedge of native plant species with some native trees to provide a natural screen. The close-boarded fence could be put on the housing side of this natural boundary.

4. The location of this proposed development is a significant site in the local street scene at 'The Throat'. There are several fine mature oak trees around The Throat, and two or three new oak trees should be included in the plans for this new development.

Proposals for the establishment and maintenance of the new and existing planting should be shown on the drawing.

Patricia Green

Patricia Green
Landscape Consultant

FINCHAMPSTEAD PARISH COUNCIL

PARISH OFFICE, MEMORIAL HALL, THE VILLAGE,
FINCHAMPSTEAD, BERKS RG40 4JU
THE CLERK: MRS CHERRY COLE
TELEPHONE: 0118 - 9328256 or 0118 - 9793684 (If urgent)
FAX NO. 0118 - 9730515

PLANNING SERVICES	HPT 30292
POL	TLS
DC BP	ENF
APP	
CS	
07 JUN 2000	
COPIES TO:	ACK:
	FILE:

5 June 2000

FAX TO !

Mrs B Polnik, Case Officer
Development Control
Environmental Services Dept
Wokingham District Council
P O Box 153
Shute End
WOKINGHAM
Berks
RG40 1WL

Dear Mrs Polnik,

ADJOINING PARISH CONSULTATION - APP.NO.F/2000/1338 22 - 24 SANDHURST ROAD, WOKINGHAM. PROPOSED DEMOLTION OF EXISTING BUILDINGS AND ERECTION OF 5 DWELLINGS

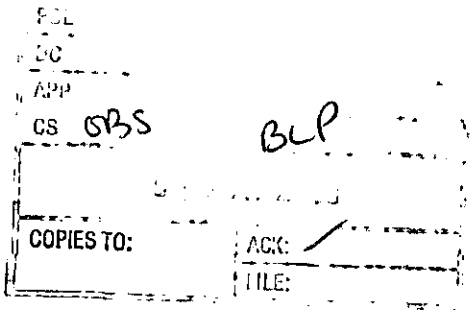
The Parish Council is grateful to be given the opportunity to comment on the above application which is proposed on a site adjoining this Parish, and would comment as follows:

The Parish Council would prefer to see small, more affordable homes built on this site and would also point out that this site is classifeid as a "brown field" site in accordance with the South East Area Local Plan.

Yours sincerely

C. S. Cole

Mrs Cherry Cole
The Clerk



334B Finchampstead Road,
Wokingham,
Berkshire,
RG40 3JB.

Mr. John Mitchell,
Development Control Manager,
Wokingham District Council,
Environmental Services Department,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham.
RG40 1WR.

31st May, 2000

Dear Mr. Mitchell,

Re. **Planning Applications F/2000/1338 and F/2000/1342 to redevelop Wokingham Garden Centre**

I am the owner-occupier of the property immediately on the Wokingham side of this proposed development. The impact on the environment surrounding my home should this application be approved is immense and totally to its detriment. I object to these plans most strongly. I have detailed below my objections.

Plot 1

- The construction of this property will have an adverse effect on the light levels to the rear of my property, particularly affecting my lounge and kitchen on the ground floor and three bedrooms on the first floor. The patio outside my lounge and kitchen will be shaded from around 11 a.m.
- Any development to create windows on the Flank Elevation in Bedroom 2 will have line of sight into my main bedroom and lounge.
- The roof window of the Attic Room has line of sight into my main bedroom and lounge.
- The partly timbered front elevation is in stark contrast to the existing properties in this area.

Plot 4

- I find the development of Plot 4, behind the current line of building on both Finchampstead Road and Sandhurst Road, totally unacceptable. If the council approve this development, then they are opening the door to future development beyond the settlement boundary.
- The En-suite for Bedroom 1 and the Gallery roof light have line of sight into the windows on the rear elevation of my property.

Plot 5

- I find the development of Plot 5, behind the current line of building on both Finchampstead Road and Sandhurst Road, totally unacceptable. If the council approve this development, then they are opening the door to future development beyond the settlement boundary.
- The situation of Plot 5, immediately to the rear of my property, will detrimentally affect the rural view that I currently enjoy from the rear of my property.
- The side windows in Bedroom 1 have direct line of sight into my property, namely into three bedrooms on the first floor and the lounge and kitchen on the ground floor. The Breakfast Area window is similarly situated.

- Any future development in the roof space adjacent to the En-suite of Bedroom 1, or to the En-suite itself, resulting in further windows on the Flank Elevation, would similarly have line of sight into my property.

Access

The plans submitted to your office do not indicate that the property known as 334 Finchampstead Road will have right of access from the proposed new access on Sandhurst Road.

The width of the access road for Plots 4 and 5 would seem to be excessive for just two dwellings and the provision of a turning area totally unnecessary. The proposed access would seem in keeping with a much larger development of housing behind the current building line and beyond the settlement boundary. If this were the long-term plan, then the access on to Sandhurst Road at this point would be extremely dangerous

Prior to the construction of the roundabout at the junction of Finchampsted Road and Sandhurst Road, there were many accidents involving vehicles entering and exiting Wokingham Garden Centre. The positioning of the roundabout has improved the situation, although it is still a hazardous manouvere to enter or exit from the access point to Sandhurst Road.

The line of sight along both Sandhurst Road and Finchampstead Road at this exit point is severely limited. Traffic travels at high speed along these roads, ignoring the 40 m.p.h. speed limit and, especially in the case of traffic leaving Wokingham along Finchampstead Road, there is very little reduction in speed through the roundabout. As the current residents will confirm, the morning and evening rush hours are the most dangerous periods. Most access for the Garden Centre was outside of these danger periods. With any increased volume of traffic entering Sandhurst Road during the rush hours there will unquestionably be an increase in accidents at this point. The development of so many properties on the site as well as the future possibility of providing access to a development beyond the settlement boundary will create a traffic load which is not suited to the exit point on Sandhurst Road.

In summary

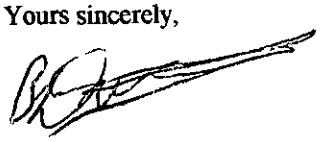
In principle, I do not object to the redevelopment of Wokingham Garden Centre into housing. However I believe that any development should be in keeping with the existing properties along this stretch of road. In particular any development should be along the current building line.

I strongly object to the development of housing behind the current building line and up to the settlement boundary. The impact of the currently proposed Plots 4 and 5 would have an enormously detrimental effect on the rural view and aspect of my home.

The developers appear to have no regard for the impact of this development on the existing properties. If development behind the existing building line is to be allowed, then surely Plot 5 could be positioned further southeast, behind Plots 1 and 2.

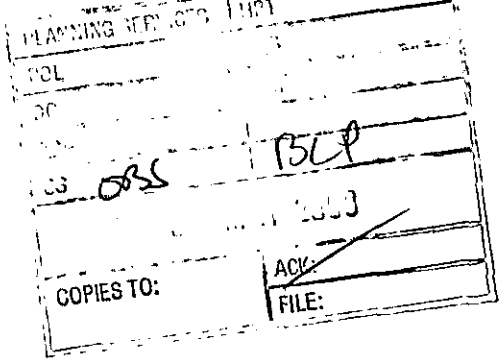
Should you wish to discuss this matter further with me, please feel free to contact me on my mobile telephone 0468 834 885 at any time.

Yours sincerely,



Byron Davies

Tel / Fax
0118 978 8252



28 Sandhurst Road
Wokingham
Berks
RG40 3JD

24 May 2000

Your Ref.
Mrs B Polnik
F/2000/1338 and 1342

Mr J Mitchell
Development Control Manager
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

F/2000/1338

Dear Mr Mitchell

22-24 Sandhurst Road, Wokingham

Thank you for your letter regarding the development of the garden centre site.

My wife and I viewed the plans at your office, and our comments are very much in keeping with those we made about previous applications.

We fully appreciate that some development will inevitably take place on the site, but feel very strongly that it should be restricted to be in keeping with the existing character of the neighbourhood. As you know, all the houses along this stretch of Finchampstead and Sandhurst Roads are built to approximately the same building line, and have large gardens extending to the golf course. The Cala Homes proposal represents a fundamental departure from the current layout by including houses (Plots 4&5) which are considerably set back, thereby being clearly and intrusively visible to existing residents, and destroying the privacy which we now enjoy. Approval of this application will also create a precedent which will encourage those who wish to develop the land between the settlement boundary and the golf course.

With reference to road traffic, the A321 southbound past the Gowrings roundabout is particularly dangerous because – despite a 40mph limit – drivers leaving Wokingham can see well in advance if the junction is clear to the right, and accelerate around the partially blind bend in anticipation of the derestricted road ahead. This has contributed to several accidents and countless near misses, and any further access onto this corner must be kept to the absolute minimum.

A development of 3 detached houses with no access road to the land behind, and built along the same line as Plots 1,2 &3, would be quite acceptable.

One of the reasons we have lived at this address for 27 years is the enormous value of being close to an attractive market town, and at the same time, backing onto open countryside with no other buildings in sight. There are many other families along here who feel the same way, and I urge the committee to resist opportunist infill developments such as this, which will seriously affect the quality of life for the local community.

Yours Sincerely



Paul Brazenor

WOKINGHAM D.C. DEVELOPMENT CONTROL

(*) 3 NEW PRE-APPS (*) ATTACHED

~~91~~, 99

Start date: 19 APR 2000	
Officer: BP	Application No. F 2000/1338

Map No. 91 Site 0.39

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

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

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State

☐ Incorrect Fee ☐ Invalid ☐ PD

Description:
(F) PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 5 DWELLINGS (DUPLICATE APPLICATION)

Location: 22-24 SANDHURST ROAD

Parish: ~~WOKINGHAM~~ Ward: Wescott 15.5.2000

Applicant: CALA HOMES (S) LTD

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

Enforcement Section (5) 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	PLOT 3 PLOT 5 } handed plans	requested to follow 9/5	
6	Floor plans		received 10/3	
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 : 15:5:2000 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)	: Finchampstead.
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:

.....

.....

3 new pre-apps attached.

.....

NEIGHBOURS:

S.N.T. 330, 332, 334, 334a, 334b, 336 Finchampstead Rd

22, 28, 3, 24, 26 Sandhurst Road.

9 Merryweather Close ✓

3, 3a Kiln Ride

Gowrings of Wokingham, 2145 Finchampstead Rd

Roseberry, Kiln Ride

(1) ADDRESS 22 Sandhurst Road (WOKINGHAM GARDEN CENTRE) PARISH Wokingham E

PLOT No. Shop (Childs - Cadby - Wokingham Garden Centre) ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
WOK. BORO TP537 - 3472	Mr L. Cadby	Office and bedroom over	9.4.53	App App
TP560 - 3502	Mr L Cadby	do (Roof revised)	11.6.53	App App
TP572 - 3512	Mr L Cadby	Garage + ext of store	9.7.53	App App
TP785	Hill + Sherwin Ltd	Fence advertisement (10 x 36")	7.9.54	- C/A
B/R/116/68	Mr S.G. Le Gray	2 storey extension at rear and alterations including use	~~26~~ 14.10.68 ~~7.9~~	App C/A
R/48/69-7570X	Mr Le Gray	Shop awning on front	5.6.69	App App
R/23/71-8231X	Mr Le Gray	Car port on E side	26.2.71	App C/A
09113	MR C HUSSEY	HARDSTANDING; STORAGE, DISPLAY; NEW VEH. ACCESS	28-9-78	N/A Ref
10018	"	RESITE BDN. CENTRE	15.3.79	N/A Ref
10800	"	GR. FLOOR TO OFFICE; 1st FLOOR TO OFFICE	5.7.79	N/A Ref

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS TPO 157

DRAINAGE

091074

(2) WOKINGHAM GARDEN CENTRE

ADDRESS 22 SANDHURST ROAD PARISH WOKINGHAM

PLOT No. ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
BR 23113	Wok. Garden Centre	Covered display area	23.7.84	APP N/A
21998	"	"	23.8.84	N/A C/A
BR24213	"	OPEN SIDED COVERED AREA	15.6.85	APP N/A
23151	"	"	24.6.85	N/A C/A
26072 ?	"		8.9.86	C/A
BRA 1067 }	"	EXHIBITING GREENHOUSE	8.7.86	APP
36407	" RETRO. APPL.	PART GARDEN NO. 24 AS GARDEN CENTRE	26-9-90	C/A
36408	"	GREENHOUSE	26.9.90	C/A
99/70675/F				

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

NORTH SIDE OF SANDHURST ROAD/HANDPOST CORNER

E

PLAN NUMBERS		DATE REC.	BRIEF DESCRIPTIONS AND REMARKS	DECISIONS		DATE STARTED	DATE COMP.
PLANNING	BUILDING			PLANNING	BUILDING		
T.P.111	2873	28.6.49	Dwellinghouse for occupation by the owner	13.10.49C			
~~36407~~ 36408	36407		RETROSPECTIVE APPL. PART GARDEN TO GARDEN CENTRE (WOK. GARDEN CENTRE)	26.9.60 GA			
	36408		GREENHOUSE "	26.9.60 GA			

(1) ADDRESS 22 Sandhurst Road (WOKINGHAM GARDEN CENTRE) PARISH Wokingham E

PLOT No. Shop (Childs - Cadby - Wokingham garden centre) ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
TP537 - 3472 WOK. BORO	Mr L. Cadby	Office and bedroom over	9.4.53	App App
TP560 - 3502	Mr L Cadby	do (Road revised)	11.6.53	App App
TP572 - 3512	Mr L Cadby	Garage + ext of store	9.7.53	App App
TP785	Hill + Sherman Ltd	Fence advertisement (10x36")	7 9.54	- C/A
B/R/116/68	Mr S.G Le Grany	2 storey extension at rear and alterations including use	14.10 68	App C/A
R/48/69-7570X	Mr Le Grany	Shop awning on front	5.6.69	App App
R/23/71-8231X	Mr Le Grany	Lear port on Front	26 2.71	App C/A
09113	MR C HUSSEY	MAKOSTANDING; STORAGE, OFFICE; NEW VEH. ACCESS	28-9-78	N/A REF
10018	"	REVISE GDN CENTRE	15 3 79	N/A REF
10800	"	UR FLOOR & CHILL 1ST FLOOR TO SHOP	5 7 79	N/A REF

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS TPO 157

DRAINAGE

091074

19. APR. 2000* 1338

(2) WOKINGHAM GARDEN CENTRE

ADDRESS 22 SANDHURST ROAD PARISH WOKINGHAM

PLOT No. ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
BR 23113	Wok. Garden Centre	Covered display area	23.7.84	APP N/A
21998	"	"	23.8.84	N/A C/A
BR24213	"	OPEN SIDED COVERED AREA	15.4.85	APP N/A
23151	"	"	24.6.85	N/A C/A
26072 ?	"		8.9.86	C/A
BRA 1067 ?	"	ALTERATIONS GREENHOUSE	8.7.86	APP
36407	" RETRO. APPL.	PART GARDEN NO.24 AS GARDEN CENTRE	26-9-90	C/A
36408	"	GREENHOUSE	26-9-90	C/A
99/70675/F				

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

NORTH SIDE OF ~~T~~ SANDHURST ROAD/HANDPOST CORNER E

PLAN NUMBERS		DATE REC.	BRIEF DESCRIPTIONS AND REMARKS	DECISIONS		DATE STARTED	DATE COMP.
PLANNING	BUILDING			PLANNING	BUILDING		
T.P.111	2873	28.6.49	Dwellinghouse for occupation by the owner	13.10.49C			
~~36407~~ 36408	36407		RETROSPECTIVE APPL. PART GARAGE TO GARAGE/ CENTRE (WOK-GARAGE CENTRE)	26.9.90	GA		
	36408		GREENHOUSE "	26.9.90	GA		



Tel: 0118 974 6450

Date: 12.7.00

My ref: F/2000/1342

CONFIDENTIAL

Councillor R Wyatt
33 Sturges Road
Wokingham
RG40 2HG

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

Dear Councillor

Application Number: F/2000/1342
22 - 24, Sandhurst Road, , Wokingham.
Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)

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 **Mrs B Polnik** on **0118 974 6450**. 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 21.7.00

Yours faithfully

John Mitchell

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Mrs B Polnik** Application Number: **F/2000/1342**
22 - 24, Sandhurst Road, , Wokingham.
Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor R Wyatt

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 6450

Date: 12.7.00

My ref: F/2000/1342

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 J Green
102 Arnett Avenue
Finchampstead
RG40 4EE

Dear Councillor

Application Number: F/2000/1342
22 - 24, Sandhurst Road, , Wokingham.
Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application).

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 **Mrs B Polnik** on **0118 974 6450**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please contact the Councillor for your area responsible for planning matters as soon as possible

Yours faithfully

John Mitchell
Development Control Manager

WORK SHEET FOR : Mrs B Polnik

Application Number : F/2000/1338

Applicant : Cala Homes (S) Ltd Burgan House.

Location : 22 - 24, Sandhurst Road, , Wokingham.
Proposal : Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)

Site Notice Displayed ? :	YES	NO	DATE
		✓	5.6.00

Date of Neighbour Notifications : .....

Date of Site Visit : 5.6.00

Date Registered : 19/04/2000

Earliest Date for Decision : 08/06/2000

Latest Consultation Date/Site Notice Expiry Date : 08/06/2000

Application Expiry Date: 14/06/2000

Consultation Responses :

Refer to attached

Planning Issues :

WORK SHEET FOR : Mrs B Polnik

Application Number : F/2000/1342

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Date of Site Visit : 5.6.00

Date Registered : 19/04/2000

Earliest Date for Decision : 05/06/2000

Latest Consultation Date/Site Notice Expiry Date : 05/06/2000

Application Expiry Date: 14/06/2000

Consultation Responses :

- Highway Authority : no objection subject to no material increase in traffic using the site and conditions.
- Landscape Architect: proposal acceptable in general subject to landscaping scheme, retention of rhododendron boundary on plot 3, dense hedge to rear and tree planting.
- Town Council : no objection subject to satisfactory highway considerations
- Letters of representation : 2 letters of objection. These can be summarised as follows:

Planning Issues :

- loss of light
- increased overlooking / loss of privacy
- proposal would set a precedent
- concern over highway safety
- increased traffic during rush hours
- detrimental to character of area (beyond building line)

- Finchampstead Parish Council: prefer to see more affordable homes

LOCATION :

Site itself is located within the settlement boundary of Wokingham (STV1 of SEALP and WOS2 of WDLP) Land immediately to rear is located in rural area (C2 of BSP, SV2 of SEALP and WCC1 of WDLP). Golf course beyond which is located in gap (SC1 of SEALP, WCC2 of WDLP and C6 of BSP.

RELEVANT PLANNING HISTORY:

Site has been used as a garden centre for a number of years (in excess of 15 y/s.) includes detached bungalow to south. Garden centre has now closed down. Rear parcel of land which was part of garden centre to be retained by owner is excluded from application site. This area is outside the settlement boundary and was the subject to an objection to SEALP. Inspector concluded that this land should remain o/s settlement boundary and should not be included in separation of settlements/gap. Objection also received to WDLP contested that this land should be included within settlement boundary.

99/70675/F Appln. for redevelopment of garden centre with 6 dwelling.
Currently in abeyance.

PROPOSAL: (Duplicate appln. received F/2000/1338)

Demolition of existing bungalow and buildings and erection of 5 dwellings. Rear part excluded from appln.

PLOT 1	5 bed. house + attic room	8.85m high (adj. 8.6m high 33
2	4 bed house	8.5m high
3	4 bed house + attic room	8.95m high (adj 26 79 Hi
4	4 bed chalet style	6m high
5	-11-	

Proposed access would serve the 5 dwellings in addition to the 3 existing dwellings to the north (334, 334A + 334B)

APPRAISAL:

General Principle of Development:
STV1 of SEALP; WOS2 of WDLP; PPG1& 3
Site located within settlement boundary where there is a general presumption in favour of development (STV1 of SEALP and WOS2 of WDLP) subject to no adverse impact on character or amenities of area/neighbours.

Remaining Garden Centre Site:
STV1 of SEALP; WBE1 of WDLP; PPG3
Rear part of site, currently outside application site, would remain in commercial use as a garden centre. It is anticipated that the existing greenhouses would be retained. The future use of the site has not been addressed by the application and the proposal would result in the land being land locked with no identified access or beneficial use. A business use could be undesirable in close proximity to residential properties. As such the proposal would result in an unsatisfactory piecemeal development of the site detrimental to residential amenity of future occupiers and good planning and contrary to policies STV1 of SEALP and WBE1 of WDLP.

Impact on character of area/streetscene:
SBE1/2 of SEALP; WBE1 of WDLP
Area generally characterised by detached dwellings with long rear gardens. On the eastern side of Finchampstead Rd/Sandhurst Rd the settlement boundary runs through the rear parts of these gardens. The whole of the application site falls within the settlement boundary. The remaining garden centre land at the rear falls outside the settlement boundary in a rural area, with land beyond being located in the gap. The rear boundary is therefore sensitive as it forms the settlement boundary and proposed 1.8m fence along the majority of this boundary would form a hard edge.

Proposal is such that the higher dwellings (varying between 8.5m-8.95m in height) would be would be to the front and chalet style dwellings (6m in height) to the rear forming a transitional area. The buildings at the rear are the same height as those indicated on planning application 99/70675/F.

In terms of visual impact and character of area 2 storey element considered to be acceptable along the front. Plot 3 would be approx. 1m higher than adjoining house at 26 Sandhurst Rd.

Impact on amenities of neighbouring occupiers:
SBE1/2 of SEALP; WBE1 of WDLP
Plot 1 would be located in a similar position to the existing bungalow although the replacement dwelling would be a 2 storey house. In terms of its impact on 334B Finchampstead Rd whilst the dwelling on Plot 1 would result in some loss of light to windows in the front, rear and side (no windows in flank wall) the loss of light would not be sufficient to warrant refusal on these grounds. First floor windows also exist in the rear elevation of Plot 5 which would cause overlooking although these could be conditioned to be unopenable and obscure glazed as these are secondary windows to bedroom 1. The same applies to Plot 4 in terms of its relationship with 26 Sandhurst Rd. Condition would be also be required to restrict windows in side elevations.

Highway issues: PPG13
No objection in principle subject to no material increase in traffic compared to previous garden centre use. Access road would serve 5 proposed dwellings and existing dwellings at 334,334A and 334B Finchampstead Rd. Adequate on-site parking. Conditions recommended.

RECOMMENDATION: REFUSE

Application Number F/2000/1338
~~Conditions~~/Reasons for Refusal

No	Std Con	Std Reas	~~Non Std Conditions~~ / Reasons for Refusal

F/2000/1342.
F/2000/1338

REASONS FOR REFUSAL:

1. The proposal would result in an unsatisfactory piecemeal development of the site, as it does not address the use of and access to that part of the garden centre outside the application site. The use and appropriate access to the remaining part of the garden centre should be determined at the same time as any development relating to the front part of the site in the interests of residential amenity of future occupiers of the dwelling and good planning. As such the proposal would contrary to policies SBE1/2 of the South East Area Local Plan and WBE1 of the Wokingham District Local Plan.

Informative:

The applicant is invited to discuss possible ways of overcoming the reason for refusal with the Local Planning Authoirity.

RECORD OF SITE VISIT

SITE ADDRESS: 22 - 24 Sandhurst Road Wokingham.

APPLICATION NUMBER: F/2000/1342

OFFICER: Mrs B Polnik

DATE OF SITE VISIT: 5.6.00

1 SITE/STATUTORY NOTICE DISPLAYED ? ✓ facing Sandhurst Rd *

2. DESCRIPTION OF SURROUNDINGS

Predominantly residential - detached dwellings. Ribbon development along Finchampstead Rd / Sandhurst Rd. Front within settlement boundary rear either rural or gap.

3. DESCRIPTION OF SITE/BUILDING

Garden centre with detached bungalows. Nbrs closed down.

4. RELATIONSHIP TO ADJOINING PROPERTIES

refer to site plan

5. SITE CONSTRAINTS

TREES	mainly along boundaries
ACCESS/PARKING	refer to plan
LEVELS	condition required
BOUNDARY TREATMENT	No. 334B 1.8m CB fence with shrubs planted within applcn. site.
OTHERS	No. 26 Sandhurst Rd.

* Site Notice for duplicate applcn. not up (F/2000/1342) although neighbours notified by letter.

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- loss of light
- increased overlooking / loss of privacy
- proposal would set a precedent
- concern over highway safety
- increased traffic during rush hours
- detrimental to character of area (beyond building line)

- Finchampstead Parish Council : prefer to see more affordable homes and site classified as 'brownfield'.

LOCATION :

Site itself is located within the settlement boundary of Wokingham (ST11 of SEALP and WOS2 of WOLP) Land immediately to rear is located in rural area (C2 of BSP, SV2 of SEALP and WCC1 of WOLP). Golf course beyond which is located in gap (SC1 of SEALP, WCC2 of WOLP and C6 of BSP.

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OTHERS	planted within appln. site. No. 26 Sandhurst Rd.

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RLP

Royal Mail

We were unable to deliver this item because

- [ ] addressee has gone away
- [ ] no reason
- [x] address incomplete
- [ ] address inaccessible
- [ ] addressee unknown
- [ ] refused
- [ ] not called for

no such address in T62

date 23/9 initials

badge number

P3960/97/302543

Tel. 0118 974 6450

Date: 15 May 2000

Your Ref:

My Ref: Mrs B Polnik
F/2000/1338

The Owner/Occupier
3
Sandhurst Road
Wokingham
Berkshire

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

Dear Sir/Madam

Application Number: F/2000/1338

Site Address: 22 - 24, Sandhurst Road, Wokingham.

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application).

The Council has received an application to carry out the above development.

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

If you have any comments you would like to make before the application is determined, please reply in writing within 21 days from the date of this letter quoting Application Number **F/2000/1338** . Your comments will be considered by the planning officer before a decision is made and will be summerised in the committee report if the application is decided by committee. Where an application is to go to committee you will be told of the date and given the opportunity to speak at the meeting. Everybody who makes a comment will be told what decision is made.

Please note that all comments made will be open to public inspection.

Should you have any queries regarding this application please contact the planning officer, **Mrs B Polnik**, on **0118 974 6450**.

Yours faithfully,

John Mitchell

John Mitchell
Development Control Manager

01189-746450

CL/lr/214

19th July 2000

Mrs B Polnik
Planning Department
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berks
RG40 1WR

Ref: 2000/1338 & 2000/134 – 22-24 Sandhurst Road, Wokingham

Dear Mrs Polnik

Following my discussions with your highway's officer and their engineering consultants, WSP, and after our telephone conversation of Monday 17th July I enclose the amendment to enlarge the turning-head to accommodate a refuse vehicle on the planning layout PD01A.

I would be grateful if you could confirm in writing, within 7 days of the date of this letter that all highways and development control issues are satisfactory, as you indicated by phone, and that the only outstanding issue remains the red-line area of the application.

Thank you for your attention to these matters.

Yours sincerely

Christopher Law RIBA
CHIEF ARCHITECT
For and on behalf of CALA Homes (South) Limited



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Development Control Section, Environmental Services, Wokingham District Council.

4 May 2000

Scale: 1 : 1250

N W E S

1769A

PLANNING APPLICATION PART I

Please answer all questions in CAPITAL letters. If any question is not applicable, put N/A in the space.
Please submit 6 copies of the completed form and your plans to:- Planning Dept., Wokingham District Council, PO Box No. 157, Shute End, Wokingham, Berkshire, RG40 1WR.
If you are a new applicant, notes to help you fill in the form are attached.
If you still have any questions about the form, please call Ian Jordan on 01734 778763.

WOKINGHAM DISTRICT COUNCIL

For office use only
Application No.

1.	YOUR NAME	CALA HOMES (SOUTH) LTD
19.APR.2000* 1338	ADDRESS	BURGHAM HOUSE
		THE CAUSEWAY, STAINES
	POST CODE	TW18 3PR Tel. No. 01784 460033
2. If you have an agent and want all correspondence to be sent to them.	AGENT'S NAME	
	ADDRESS	
	POST CODE	Tel. No.
3. On the plans outline the whole site in RED. Any OTHER land in your ownership or control outline in BLUE.	SITE LOCATION	22-24 SANDHURST ROAD WOKINGHAM
4. Give the area of the application site in hectares, if appropriate, or part of a hectare	SITE AREA	0.4047 ha.
5. Give brief details of the proposal.	ABOUT THE APPLICATION	DEMOLITION OF EXISTING BUILDINGS NOS 22 & 24 & ERECTION OF 5 No HOUSES
6. What is your interest in the application site, e.g. owner, prospective purchaser, a tenant with a lease.	OWNERSHIP	OWNER.

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

PLANS/DRAWINGS

1:~~25000~~ 1250 Location Plan	✓	1:100 Floor Plan	✓
1:~~500~~ 250 Block Plan	✓	Other	
1:100 Elevations	✓		

8. Does the application involve any of the following

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

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

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

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

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

EXTERNAL APPEARANCE		SITING	
MEANS OF ACCESS		DESIGN	
		LANDSCAPING	

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

GARDEN CENTRE & RESIDENTIAL BUNGALOW.

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

YES / ~~NO~~

13. PLEASE LIST THE EXTERNAL MATERIALS TO BE USED.

TO BE AGREED

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

~~YES~~ / NO

SOAKAWAY

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

YES / ~~NO~~

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

YES / ~~NO~~

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

YES / ~~NO~~

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

~~YES~~ / NO

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

YES / ~~NO~~

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

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

('DESIGNED TO PART M)

YES / ~~NO~~

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

~~YES~~ / NO

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

~~YES~~ / NO

23. THE FEE ENCLOSED IS £ 950

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

SIGNED [signature] ON BEHALF OF CALA HOMES (SOUTH) LTD DATE 17-4-2000

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

(1) ADDRESS 22, Sandhurst Road (WOKINGHAM GARDEN CENTRE) PARISH Wokingham E

PLOT No. Shop (Childs - Cadby - Wokingham Garden Centre) ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision	
TP537-3472 WOK. BORO	Mr L. Cadby	Office and bedroom over	9.4.53	App	App
TP560-3502	Mr L Cadby	do (Roof revised)	11.6.53	App	App
TP572-3512	Mr L Cadby	Garage + ext of store	9.7.53	App	App
TP785	Hill + Sherwin Ltd	Fence advertisement (10x3'6")	7.9.54	-	C/A
B/R/116/68	Mr S.G. Le Gray	2 storey extension at rear and alterations including use	~~26~~ M.10 68 ~~7.9~~	App	C/A
R/48/69-7570X	Mr Le Gray	Shop awning on front	5.6.69	App	App
R/23/71-8231X	Mr Le Gray	Car port on E side	26.2.71	App	C/A
09113	MR C HUSSEY	HARDSTANDING; STORAGE, OVERLAY; NEW VEH. ACCESS	28-9-78	N/A	Ref
10018	"	RESITE BDN CENTRE	15.3.79	N/A	Ref
10800	"	GR. FLOOR TO OFFICE. 1st FLOOR TO OFFICE	5.7.79	N/A	Ref

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS TPO 157

DRAINAGE

091074

19. APR. 2000 1338

(2) WOKINGHAM GARDEN CENTRE

ADDRESS 22 SANDHURST ROAD PARISH WOKINGHAM

PLOT No. ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision	
BR 23113	Wok. Garden Centre	Covered display area	23.7.84	APP	N/A
21998	"	"	23.8.84	N/A	C/A
BR24213	"	OPEN SIDED COVERED AREA	15.6.85	APP	N/A
23151	"	"	24.6.85	N/A	CA
26072 ?	"		8.9.86		CA
BRA 1067	"	EXHIBITING GREENHOUSE	8.7.86	APP	
36407	" RETRO. APPL.	PART GARDEN NO. 24 AS GARDEN CENTRE	26-9-90		CA
36408	"	GREENHOUSE	26-9-90		CA
99/70675/F					

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

NORTH SIDE OF 24 SANDHURST ROAD/HANDPOST CORNER

E

PLAN NUMBERS		DATE REC.	BRIEF DESCRIPTIONS AND REMARKS	DECISIONS		DATE STARTED	DATE COMP.
PLANNING	BUILDING			PLANNING	BUILDING		
T.P.111	2873	28.6.49	Dwellinghouse for occupation by the owner	13.10.49C			
~~36407~~ 36408	36407		RETROSPECTIVE APPL. PART GARAGE TO GARDEN CENTRE (WOK. GARDEN CENTRE)	26.9.90	GA		
	36408		GREENHOUSE "	26.9.90	GA		

Date: 27 July 2000

To: Case Officer

We have received Additional Plans for the following planning application:

Application Number: F/2000/1338

Location: 22 - 24, Sandhurst Road, Wokingham.

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)

Applicant: Cala Homes (S) Ltd Burgan House.

Case Officer: Mrs B Polnik

The new plans show the following: Turning head for refuse vehicle. Drawing no PD 01A.

For information only.

Should you have any queries regarding this application please contact the case officer Mrs B Polnik on 0118 974 6450.

REFUSED

Date: 27 July 2000

To: Case Officer

We have received Additional Plans for the following planning application:

Application Number: F/2000/1342

Location: 22 - 24, Sandhurst Road, Wokingham.

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)

Applicant: Cala Homes (S) Ltd Burgan House.

Case Officer: Mrs B Polnik

The new plans show the following: Turning head for refuse vehicle. Drawing no PD 01A.

For information only.

Should you have any queries regarding this application please contact the case officer Mrs B Polnik on 0118 974 6450.

(RING ONE)

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

App No. F/2000/1338 (Planaps) / F/2000/1342 (Ludhouse) Date Rec. 21.7.00

Location: 22-24 SANDHURST RD.

Parish WOKINGHAM

Applicant:

Description of attached plans Additional plan showing turning head for refuse vehicle

Drawing No's: PO 01A

CONSULTEES

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

Please tick which of the following you wish consulted.

OTHERS:

Drawing No's

1. NK (Landscape & Trees) ☐
2. NK (Env. Design) ☐
3. XA (Highways) already received ☐
4. NF (Building Control) ☐
5. BC/DC Liaison ☐

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

NEIGHBOURS:

Date for Responses /

FURTHER ACTION

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

Redate Application Y / (N) From

New Site Notice Y / (N)

New Description

CASE OFFICER BP

Consultations Sent by Admin. on 27.07.05.

Yellow - Part One Copy
Green - Officer's Copy

CALA
125 YEARS
1875-2000



Reply Req

CALA
HOMES

CALA Homes (South) Ltd
Burgan House The Causeway
Staines Middlesex TW18 3PR
Telephone 01784 460033
Facsimile 01784 450508
www.cala.co.uk

CL/lr/214

19th July 2000

Mrs B Polnik
Planning Department
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berks
RG40 1WR

1338 1

1342

Ref: 2000/1338 & 2000/134 – 22-24 Sandhurst Road, Wokingham

Dear Mrs Polnik

Following my discussions with your highway's officer and their engineering consultants, WSP, and after our telephone conversation of Monday 17th July I enclose the amendment to enlarge the turning-head to accommodate a refuse vehicle on the planning layout PD01A.

I would be grateful if you could confirm in writing, within 7 days of the date of this letter that all highways and development control issues are satisfactory, as you indicated by phone, and that the only outstanding issue remains the red-line area of the application.

Thank you for your attention to these matters.

Yours sincerely

Christopher Law RIBA
CHIEF ARCHITECT
For and on behalf of CALA Homes (South) Limited

cc. T. Callaghan 25/7.

SOUTHPORT
LONDON OFF
X SYSTEMS LTD

APPLICATION NO.1338

Name of appellant:
Cala Homes (South) Ltd

Site address:
22/24 Sandhurst Rd

Proposal:Proposed demolition of existing buildings & erection of 5 dwellings

Case Officer:MT



PUBLIC INQUIRY.

~~INFORMAL HEARING~~ APPEAL

CASE OFFICER: MT

APPLICATION NUMBER: 1338

APPELLANT: Cala Homes (South) Ltd

SITE: 22/24 Sandhurst Rd, Wokingham

APPEAL REF: APP/X0360/A/00/1047586

START DATE: 31/07/00

DATE OF HEARING 14/11/00

Progress Record	Date Actioned	Initials	Time Hours : Mins.
Appeal Logged:	07/08/00		
Entered on Access:	15/08/00	DG	
Notification Letters Due: (after hearing date received)			
Notification Letters Sent:	18/9/00	DG.	
Questionnaire Due:	**14/08/00**		
Questionnaire Sent:	16/08/00	DG	
Venue Booked:	CC.		
File received by Officer:			
Statement Due: PRE-INQUIRY.	14/9/00.		
~~Checked by Team Leader:~~ Proof of Inq. due	24/10/00.		
Statement Sent: **(Don't forget to inform Den)**	26/10/00	DG	
~~Hearing:~~ INQUIRY	14/11/00.		
Decision Letter circulated:			
Decision entered on Access.			

The Planning Inspectorate

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

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

PLANNING SERVICES
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TLS
ENF
DG
FILE

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

Your Ref: F/2000/1338

Our Ref: APP/X0360/A/00/1047586

Date: 20 February 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

I am writing to tell you that the appeal, reference number APP/X0360/A/00/1047586 has been withdrawn and the file is closed.

The arrangements have been cancelled.

Yours faithfully

AMG

Miss A Groves

208B

Tel: (0118) 974 6448 (Direct Line)
Date. February 22, 2001
My ref: F/2000/1338
Your ref:

P Brazenor
28 Sandhurst Road
Wokingham
RG40 3JD

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

TOWN AND COUNTRY PLANNING ACT 1990
NOTICE OF WITHDRAWAL OF APPEAL

APPEAL BY:	**Cala Homes (South) Ltd**
SITE:	**22-24 Sandhurst Rd, Wokingham**
APPLICATION No:	**F/2000/1338**
PROPOSAL:	**Proposed demolition of existing building & erection of 5 dwellings**

This is to inform you that this appeal has been withdrawn & we have been advised by the Planning Inspectorate that no further action will be taken

Yours faithfully

enise Gumbrell
Appeals Assistant

The Planning Inspectorate

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

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/1338

Our Ref: APP/X0360/A/00/1047586

Date: 1 November 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

Thank you for your letter asking for this appeal to be held in abeyance. I agree to stop all action for 3 months from the date of this letter. At the end of this period, I will review the progress made.

A copy of your letter and this reply have been sent to the appellant.

The inquiry has been cancelled.

Yours faithfully

Miss A Bibi

208CL

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

PROOF OF EVIDENCE

BY

MICHAEL L THORP, BA, MSc, MRTPI, MCIT

in respect of an appeal by

CALA HOMES (SOUTH) LTD

against the refusal of planning permission for the proposed demolition of existing buildings and erection of 5 dwellings.

at

22-24, SANDHURST ROAD, WOKINGHAM, BERKSHIRE

LOCAL PLANNING AUTHORITY REFERENCE: DC/MLT/F/2000/1338

PLANNING INSPECTORATE REFERENCE: *APP/X0360/A/00/1047586*

1.00 INTRODUCTION

1.01 I am Michael Leslie Thorp. I hold a Bachelor of Arts Honours Degree in Town and Country Planning and a Master of Science Degree in Transport Engineering and Planning. I am a Member of the Royal Town Planning Institute and of the Institute of Logistics and Transport. I have been employed as Principal Development Control Officer by Wokingham District Council since April 1998. Previously, I have been employed on development control matters by Local Planning Authorities for over 18 years.

2.00 BACKGROUND TO THE APPEAL

2.01 This 0.4 hectare site lies to the east of Sandhurst Road (the A321). The appeal site is the front part of the former Wokingham Garden Centre site which is currently vacant, being that portion which is within the settlement boundary as defined by the Development Plan.

2.02 The land to the north and south along the Sandhurst Road frontage comprises residential properties. To the rear lies the remainder of the former Wokingham Garden Centre site, comprising 0.176 hectares in area, being that portion which is outside the settlement boundary. To the rear of this land is a golf course.

2.03 The rear portion of the former Wokingham Garden Centre site has no vehicular or other access, other than through the appeal site.

Relevant Planning History

2.04 No.22 Sandhurst Road has been used as a garden centre since the 1960's and prior to that as a general store with residential accommodation above. The Council believes that during its use as a garden centre, a significant proportion of the plants on sale were not produced on the land but bought in, giving rise to a continuing Class A1 retail use. No.24 Sandhurst Road, which also forms part of the appeal site, is a residential dwelling for which planning permission was granted in 1949. The planning history relating to the use of the site as a garden centre can be summarised as follows:

LPA Reference	Description	Decision	Date
10018	Erection of 3 houses along the frontage and resiting garden centre to the rear. (Refused on highway grounds and inappropriate backland development detrimental to residential amenity)	Refused	22.5.79
10800	Change of use of 22 Sandhurst Rd from commercial and residential to office use. (Refused on grounds of impact on residential amenity)	Refused	10.9.79
21998	Single storey rear extension to premises to provide covered display area.	Conditional Approval	23.8.84
23151	Open sided covered area	Conditional Approval	24.4.85
26072	Erection of greenhouse for use as a display area	Conditional Approval	8.9.86
36407	Retrospective application for change of use of rear part of garden at 24 Sandhurst Road to garden centre.	Conditional Approval	26.9.90
36408	Erection of new greenhouse	Conditional Approval	26.9.90
99/ 70675/F	Erection of 5 dwellings	Not yet determined	
F/2000/ 1338	**Appeal proposal:** Demolition of existing buildings and erection of 5 dwellings on front part of site.	Refused	26.7.00
F/2000/ 1342	Duplicate of F/2000/1338	Refused	26.7.00
F/2000/ 2229	Duplicate application to appeal application (F/2000/1342) for 5 dwellings	Not yet determined	

2.05 As stated above, on 26 July 2000, planning permission was refused by officers for the appeal application under the Local Planning Authority's delegated powers agreement. A copy of the case officer's report is contained in Appendix 7. The reason for refusal was:

" The proposal would result in an unsatisfactory piecemeal development of the site, as it does not address the use of and access to that part of the garden centre outside the application site. The use and appropriate access to the remaining part of the garden centre should be determined at the same time as any development relating to the front part of the site in the interests of residential amenity of future occupiers of the dwellings and good planning. As such the proposal would be contrary to Policies SBE1 & 2 of the South East Area Local Plan and WBE1 of the Wokingham District Local Plan.

N.B. The above corrects the decision letter which referred to dwelling (singular), and should have referred to dwellings (plural).

The Inspector's Report on the South East Area Local Plan

2.06 The South East Area Local Plan was adopted on 15 April 1994. During the inquiry into this plan, there were objections to the exclusion of the rear part of the former garden centre site, together with the neighbouring residential back gardens, from within the settlement boundary. In the report on the inquiry, the Inspector stated:

"2.148 The Council also agrees that the proposed settlement boundary has been drawn primarily to restrict the area carrying a general presumption in favour of development under Policy STV1. Although there are no present proposals it is clear from evidence that some would be forthcoming if the boundary reverted to its original position. I appreciate the council's concern that development in depth behind the existing properties would be likely to be out of character and reduce the gradual transition from town to country which applies in the comparatively undeveloped areas at present.

2.150 I consider that the large rear gardens are a transitional area between the visually urbanised ribbon development on the road frontage and the open countryside

beyond. I also consider that development in depth would change detrimentally the character of the existing settlement even although it may not be readily visible from many public viewpoints. However, I observed in the case of the Hart Dyke Close development to the north that a clear visual impression of development in depth is provided from the A321. I consider that this could happen again in relation to the representation sites where the total width of the existing urban area is narrower and therefore more vulnerable. Therefore, I conclude that due to the exceptional circumstances of this particular location the council is justified in proposing that the settlement boundary be as shown on the Proposals Map albeit by a somewhat arbitrary line. I note also that the line has been shown in this position since 1985 on four previous SEALP documents which have been out on consultation."

(A full version of the Inspector's report concerning this site may be found in Appendix 10)

Discussions between Appellant and Local Planning Authority

2.07 Officers of the Local Planning Authority had a meeting with the appellants on 17 March 2000, prior to the submission of the appeal planning application one month later. In that meeting, officers clearly and unambiguously stated that planning permission would be unlikely to be forthcoming unless the use of the residual part of the garden centre site, together with the access thereto, was addressed as part of any planning application.

2.08 Indeed, CALA Homes produced minutes of the meeting (which the Local Planning Authority responded to and corrected) which in paragraph 3.05 states:

> ***"MT*** (i.e. myself) ***reiterated that the District Council believe they are entitled to consider the site as a whole and should we*** (i.e. CALA Homes) ***proceed with an application only for the front part of the site it would in all probability result in an officers recommendation for refusal."***

Thus, the appellants chose to acquire the land in the full knowledge that the Local Planning Authority would expect the use and access to the land at the rear to be resolved before it would be prepared to grant planning permission. Accordingly, they cannot now reasonably complain if the appeal application was refused for this very reason.

2.09 The Local Planning Authority in a letter to the appellants dated 11 October 2000 (see appendix 11) has identified the following ways in which this matter could be satisfactorily resolved:

> ***"1. an independent access be provided to the land at the rear, which does not involve the use of any new residential estate road. I cannot comment on the acceptability of such a solution unless illustrative plans are submitted, and the use of the land to the rear defined. This approach would allow for the existing application site to be retained***
> ***2. the rear land be incorporated within an application, with a proposed use that would not be prejudicial to the safety and amenity of the occupiers of the dwellings or the safety of other road users***
> ***3. The rear land is incorporated within the residential development, but as amenity open space and/or garden area, without buildings."***

2.10 By letter to the appellants dated 24 October 2000 (see Appendix 12), the Local Planning Authority identified a further acceptable solution to the use of the rear excluded land, namely:

> ***"...another alternative use would be for any s106 agreement to require the rear land to be used as commercial woodland through planting or natural regeneration. Such an agreement would need to run for as long as the site remains outside the settlement boundary as defined in the relevant adopted Development Plan. The aim behind the s106 agreement would be for this land to fit in with the countryside designation in the Development Plan whilst at the same time safeguarding the residential amenities and safety of the proposed houses and the concerns of the Highway Authority."***

2.11 Thus the Local Planning Authority is not taking a rigid stance, but does not expect any planning application to result in

- piecemeal development,
- a potentially land-locked residual site,
- the possible creation of derelict land likely to be used as justification for otherwise unacceptable future residential development

because it had not insisted on comprehensive development in the first place.

2.12 I consider that the lawful planning use is a garden centre or Class A1 (shop) use. Because of the nature of the use of this garden centre up to late last year, I consider it is possible that the land could lawfully be used for Class A1 retail use.

3.00 ISSUES RELEVANT TO REASON FOR REFUSAL OF PLANNING PERMISSION

3.01 The relevant issues to be considered are as follows:

A. The site and its surroundings

B. The appeal site in the Development Plan context

C. The reason for refusal:

The failure to address the future use of the rear portion of the former garden centre calls into question:

1. The residential amenity of the occupiers of the proposed development,
2. The physical state of the land to the rear,
3. The number and type of vehicles using the highway access and proposed residential road.

Alternatively

4. Although the Council has been informed that the owner of the residential land retains a right of access over the appeal site, no access is shown on the submitted plans, suggesting that the land to the rear will be land-locked.

4.00 THE SITE AND ITS SURROUNDINGS

4.01 The site is described in general in paragraphs 2.01 and 2.02 above.

4.02 This 0.4 ha site lies to the east of Sandhurst Road (the A321). The appeal site is the front part of the former Wokingham Garden Centre site which is currently vacant, being that portion which is within the settlement boundary as defined by the Development Plan.

4.03 The appeal site includes a bungalow, shop, greenhouses, extensive display and storage areas, and off-street car parking. The site is enclosed on both sides, and to a lesser extent to the rear, by mature hedging and trees.

4.04 The proposed vehicular access to the site would be shared with three existing dwellings (namely Nos.334, 334A & 334B Sandhurst Road).

4.05 The land to the north and south along the Sandhurst Road frontage comprises residential properties. To the rear lies the remainder of the former Wokingham Garden Centre site, being that portion which is outside the settlement boundary. To the rear of this land is a golf course.

4.06 The rear portion of the former Wokingham Garden Centre site would remain untouched as a consequence of the appeal development. It contains three greenhouses, a shed, a calor gas compound, and storage bins. There is no apparent intention to remove the existing buildings and structures on this residual rear portion of the existing site. This rear part of the former Wokingham Garden Centre site at present has no vehicular or other access, other than through the appeal site.

4.07 An aerial photograph and location plan of the appeal site is attached, in Appendices 1 & 2.

5.00 RELEVANT DEVELOPMENT PLAN POLICIES

5.01 The Development Plan which applies to the area in which the appeal site is located comprises: Berkshire Structure Plan (BSP) and the South East Area Local Plan (SEALP). The Deposit Draft Wokingham District Local Plan (WDLP) will replace the adopted South East Area Local Plan. The local plan inquiry into WDLP commenced on 6 October 1999, and the Inspectors report is not expected until Summer 2001.

5.02 There have been objections to the exclusion of the rear part of the former garden centre site, together with the neighbouring residential back gardens, from within the settlement boundary. The Local Planning Authority has presented evidence up-holding the designation of the site as countryside (see Appendix 13). A decision on this aspect of the local plan inquiry is not expected until Summer 2001. However, given the Inspector's Report into the South East Area Local Plan Inquiry (see paragraph 2.06 above and Appendix 10), the presumption must be that the rear land will continue to be excluded from the settlement boundary.

Berkshire Structure Plan

5.03 The Berkshire Structure Plan (1991-2006) was adopted on 4th November 1995 and is the statutory Structure Plan for the area. The following policy contained in BSP is relevant to the consideration of my evidence (copy in Appendix 3):

C2 Development Outside Built-Up Areas and Settlements

South East Area Local Plan

5.04 The SEALP was adopted on 15 April 1994 and is the statutory local plan for the area in which the site is situated. The Planning and Transportation Committee at their meeting on 21 November 1996 resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted local plans and to note that they will continue to carry weight as the most up to date adopted policies, except in relation to housing provision". The following policies in the SEALP (copy in Appendix 4) are relevant to my evidence:

SBE1 Design of New Development

SBE2 Inappropriate Design

STV1 'Identified Settlements'

STV2 Development in Rural Areas

Draft Wokingham District Local Plan

5.05 The Draft Wokingham District Local Plan was placed on deposit from 21 October to 2 December 1997 and has formed the basis for development control decisions since 21 October 1997. The County Council issued a statement of general conformity with the structure plan in May 1997. The public local inquiry into the plan commenced on 6 October 1998, and the Inspector's report is expected in Summer 2001. The following policies in the WDLP are relevant to my evidence (copy in Appendix 5):

WBE1 : Development in its Local Context

WCC1 Development in the Countryside (outside the Metropolitan Green Belt)

6.00 JUSTIFICATION FOR REFUSAL OF PLANNING PERMISSION

6.01 The Local Planning Authority's objection to the appeal application is that it takes part of the former Wokingham Garden Centre site for residential development, but leaves the remainder of the site isolated with no apparent means of vehicular or other access. This failure to address the future use of the rear portion of the former garden centre raises the following issues:

1. The residential amenity of the occupiers of the proposed development,
2. The physical state of the land to the rear,
3. The number and type of vehicles using the highway access and proposed residential road.

Alternatively

4. Although the Council has been informed that the owner of the residential land retains a right of access over the

appeal site, no access is shown on the submitted plans, suggesting that the land to the rear will be land-locked.

Consequences of appeal proposals assuming that the residual rear part of the Wokingham Garden Centre has an access over the appeal site.

6.02 It is understood that the owner of the rear part of the site has retained a right of access over the appeal site. Therefore, account has to be taken of the future use of the rear part of the site with an access over the appeal site. Alternatively, it is possible that the lawful garden centre use will continue on the residual land.

6.03 In our letters of 11 and 24 October 2000 (see Appendices 11 & 12), the Local Planning Authority has suggested alternative uses for the residual rear land which would be considered acceptable. The fact that this appeal is taking place is indicative that these alternatives are unacceptable to the appellant. For clarity, I shall discuss them each in turn.

6.04 *An independent access be provided to the residual land at the rear.* I fully appreciate that this option may be unattractive to the appellant, as it would result in a significant reduction in the developable site area, unless an access could be provided over other land. The absence of any response from the appellant therefore implies that either

a) it is intended to access the residual land at the rear over the appeal site, or
b) the residual land at the rear would be land-locked (see paragraph 6.13 below for consequences).

6.05 *The residual land at the rear be incorporated within the residential development but as amenity open space and/or garden area, without buildings.* From the Local Planning Authority's point of view, this is the most acceptable option, since the rear land would have a beneficial use compatible with the land's countryside designation, and the use would be similar to that of neighbouring land to either side.

6.06 *The residual land at the rear be used as commercial woodland through planting or natural regeneration. Such an agreement would need to*

run for as long as the site remains outside the settlement boundary as defined in the relevant adopted Development Plan. This option would result in the land having a beneficial use that would not generate frequent vehicular traffic nor cause a loss of amenity to neighbouring residents. It would be a use (a type of agriculture) which would not require planning permission before it could be implemented, and, by definition, is appropriate in the countryside.

6.07 *The residual land at the rear be incorporated within an application, with a proposed use that would not be prejudicial to the safety and amenity of the occupiers of the dwellings or the safety of other road users.* I accept that I cannot think of any likely such use, but neither have the appellants suggested any possible such uses. However, the Local Planning Authority is prepared to be flexible if any appropriate use should be identified.

6.08 The appellant has no control over the residual land to the rear and will therefore not be in a position to prevent any of the following possible events:

a) renewed use of the residual land as a garden centre (see paragraph 6.09 below), or
b) use of the land for Class A1 retail, or
c) nothing being done with the land in the immediate future, with the anticipation of developing it for residential development at some later date (see paragraph 6.14 below).

6.09 The continued use of the residual land to the rear as a garden centre or for Class A1 retail could result in a shared new residential access road with significant levels of heavy goods traffic using it, in addition to customers. The delivery vehicles and customers would be unlikely to drive with the same care and courtesy, as would residents of the residential development itself.

6.10 In many new housing developments on cul-de-sacs, children play safely on the street. It enables them to socialise with other children in a relatively safe environment, as the roads are designed to restrict traffic speeds, and residents are aware of the potential danger. This would not be the case where the road accesses a garden centre, as

visitors would not expect to see children playing on the street. The most likely outcome would be that the quality of the residential environment would be significantly impaired and children would have less opportunity to play safely together, whilst there would be a safety risk to those who do play. The safety risk of mixing children playing in the street and heavy goods traffic is unacceptable. It is not unreasonable for a Local Planning Authority to expect such matters to be overcome in modern residential developments.

6.11 This risk would remain unless the lawful use of the land at the rear should be one that would not generate heavy goods traffic.

6.12 The Highway Authority does not object to the proposed sub-standard access onto Sandhurst Road close to its junction with Finchampstead Road that forms part of the appeal proposals, because it would only serve 8 houses. The resulting traffic generation without the garden centre was considered to be no worse than the situation when the garden centre was previously operating. However, if the garden centre use should remain, at the same time as new housing being built, the Highway Authority would consider it unacceptable unless it could be clearly demonstrated that there would be no greater amount of traffic using the proposed sub-standard access (see memorandum from Highway Authority at Appendix 14). The appellant has supplied no such evidence.

Consequences of appeal proposals assuming that the residual rear part of the Wokingham Garden Centre does **not** have an access over the appeal site.

6.13 If the residual land to the rear has no access to it then it is very likely to become derelict. It is accepted that the Local Planning Authority has the power under s215 to require the proper maintenance of land. However, allowing development that results in land locking, with no obvious acceptable beneficial use, and likely dereliction cannot be described as sustainable development or the satisfactory planning of the area.

6.14 I have been approached by the agents for the owner of the land at the rear seeking to obtain residential development on the residual land to

the rear. No other alternative use or development has been suggested. In view of this declared aspiration on the owner's part, the Council must be prepared for further such approaches in the future. Although the development of the residual land is likely to be contrary to the countryside policies of the new development plan, its physical state will be a material consideration in the determination of any application for planning permission. Unless the Council does what it can now to reduce the chances of it becoming derelict, there could be strong pressure in the future against refusing planning permission. If the present appeal is allowed, the occupiers of the appeal development may ultimately come to the view that such development is preferable to a garden centre or derelict land at the rear. If such housing development should be allowed on the residual land, it would become increasingly untenable to resist further such development on land in neighbouring residential gardens.

7.0 COMMENTS ON THE APPELLANTS GROUNDS OF APPEAL

7.01 *A.* *The appeal represents development of a brownfield site.*

This is not disputed. The appeal site is highly suitable for housing.

7.02 *B.* *The reason for refusal relates solely to land outside the application site.*

Agreed. However, the uncertainty as surrounds the future use of the land to the rear and access arrangements are a material consideration which indicate that the appeal proposal should be determined otherwise than in accordance with the Development Plan.

7.03 *C.* *That planning permission should not be refused on grounds relating to land outside the application site.*

I disagree. The rear land goes to the heart of the Local Planning Authority's objection as explained in paragraph 6.01 above. I accept the land to the rear maybe beyond the control of the applicant, but they purchased the appeal site in the full knowledge of the Council's views – see paragraphs 2.07 and 2.08 above.

7.04 *D. The garden centre use is now ceased.*

There is no evidence that the use has been abandoned. It could resume on the rear land at any time.

8.0 CONCLUSIONS

8.01 The Local Planning Authority's objection to the appeal application is that it takes part of the former Wokingham Garden Centre site for residential development, but leaves the remainder of the site isolated with no apparent means of vehicular or other access. This failure to address the future use of the rear portion of the former garden centre calls into question:

1. The residential amenity of the occupiers of the proposed development,
2. The physical state of the land to the rear,
3. The number and type of vehicles using the highway access and proposed residential road.

Alternatively

4. Although the Council has been informed that the owner of the residential land retains a right of access over the appeal site, no access is shown on the submitted plans, suggesting that the land to the rear will be land-locked.

APPENDICES

1. AERIAL PHOTOGRAPH OF SITE AND SURROUNDING AREA

2. LOCATION PLAN OF SITE AND SURROUNDING AREA

3. EXTRACT FROM BERKSHIRE STRUCTURE PLAN

4. EXTRACTS FROM SOUTH EAST AREA LOCAL PLAN

5. EXTRACTS FROM WOKINGHAM DISTRICT LOCAL PLAN

6. APPLICATION FORM FOR PROPOSAL THE SUBJECT OF THE APPEAL, INCLUDING OWNERSHIP CERTIFICATE.

7. COPY OF CASE OFFICER'S REPORT RECOMMENDING REFUSAL OF PLANNING PERMISSION.

8. DECISION LETTER REFUSING PLANNING PERMISSION FOR APPEAL DEVELOPMENT.

9. APPELLANT'S GROUNDS OF APPEAL (SECTION (G) OF APPEAL FORM)

10. EXTRACT FROM INSPECTOR'S REPORT ON SOUTH EAST AREA LOCAL PLAN PUBLIC INQUIRY.

11. COPY OF LETTER FROM LOCAL PLANNING AUTHORITY TO APPELLANTS DATED 11 OCTOBER 2000.

12. COPY OF LETTER FROM LOCAL PLANNING AUTHORITY TO APPELLANTS DATED 24 OCTOBER 2000.

13. EVIDENCE SUBMITTED BY THE LOCAL PLANNING AUTHORITY TO LOCAL PLAN INQUIRY, JUSTIFYING REAR LAND BEING

EXCLUDED FROM SETTLEMENT BOUNDARY AND RETAINING COUNTRYSIDE DESIGNATION.

14. MEMORANDUM FROM HIGHWAY AUTHORITY REGARDING ACCESS TO THE RESIDUAL LAND AT REAR OVER THE APPEAL SITE.

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

RULE 6 STATEMENT

APPELLANT: Cala Homes (South) Ltd

APPEAL SITE: 22-24, Sandhurst Road, Wokingham, Berkshire

REASON FOR APPEAL: Refusal of planning permission for the proposed demolition of existing buildings and erection of 5 dwellings.

LOCAL PLANNING AUTHORITY REFERENCE: F/2000/1338

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS: APP/X00360/A/001047586

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1. LOCATION AND SITE DESCRIPTION

1.1 A location plan to scale 1:1250 is attached as Appendix 1.

1.2 This 0.4 ha site lies to the east of Sandhurst Road (the A321). The appeal site is the front part of the former Wokingham Garden Centre site which is currently vacant, being that portion which is within the settlement boundary as defined by the Development Plan.

1.3 The land to the north and south along the Sandhurst Road frontage comprises residential properties. To the rear lies the remainder of the former Wokingham Garden Centre site, being that portion which is outside the settlement boundary. To the rear of this land is a golf course.

1.4 The rear portion of the former Wokingham Garden Centre site has no vehicular or other access, other than through the appeal site.

2. SITE HISTORY

2.1 The site has been used as a garden centre for in excess of 15 years, though is currently vacant. There is an associated bungalow to the south, which forms part of the appeal site. The rear portion of the garden centre site, which is outside the settlement boundary, was the subject of an objection to the South East Area Local Plan (which was adopted on 15 April 1994). However the Local Plan Inspector concluded that this land should be excluded from being within the settlement boundary.

2.2 There have been numerous planning decisions relating to the garden centre site, though none are of direct relevance to this appeal.

2.3 Representations on the emerging local plan have been made with regard to this site, to the effect that planning policy constraints should be removed from the site, and that it should be included within the settlement. The Inspector's report on the Local Plan Inquiry is not expected until summer 2001.

2.4 On 26 July 2000, planning permission was refused for the appeal proposals for the following reason:

" The proposal would result in an unsatisfactory piecemeal development of the site, as it does not address the use of and access to that part of the garden centre outside the application site. The use and appropriate access to the remaining part of the garden centre should be determined at the same time as any development relating to the front part of the site in the interests of residential amenity of future occupiers of the dwellings and good planning. As such the proposal would be contrary to Policies SBE1 & 2 of the South East Area Local Plan and WBE1 of the Wokingham District Local Plan.

N.B. The above corrects the decision letter which referred to dwelling (singular), and should have referred to dwellings (plural).

3. RELEVANT PLANNING POLICY

3.1 In its evidence, the Council will refer to the following policy documents:

- ***Berkshire Structure Plan policies:***

  C2 Development Outside Built-Up Areas and Settlements

- ***South East Area Local Plan policies:***

  SBE1 Design of New Development
  SBE2 Inappropriate Design
  STV1 'Identified Settlements'
  STV2 Development in Rural Areas

- ***Wokingham District Local Plan policies:***

  WBE1 : Development in its Local Context
  WCC1 Development in the Countryside (outside the Metropolitan Green Belt)

3.2 The Local Planning Authority may refer to relevant case law. The Council reserve the right to refer to other documentation in evidence if necessary.

The District Council will also be responding to the appellant's grounds of appeal.

4. PLANNING CONSIDERATIONS

4.1 The Local Planning Authority's objection to the appeal application is that it takes part of the former Wokingham Garden Centre site for residential development, but leaves the remainder of the site isolated with no apparent means of vehicular or other access. The Council believes that the use of the rear portion of the land as a garden centre or for retail will have survived the sub-division of the whole site. Consequently the failure to address the future use of the rear portion of the former garden centre calls into question:

1. The residential amenity of the occupiers of the proposed development,
2. The physical state of the land to the rear,
3. The number and type of vehicles using the highway access and proposed residential road.

Alternatively

4. Although the Council has been informed that the owner of the residential land retains a right of access over the appeal site, no access is shown on the submitted plans, suggesting that the land to the rear will be land-locked.

4.2 Evidence will be submitted demonstrating the unacceptability of such piecemeal development, and the demonstrable harm that could result.

4.3 The Local Planning Authority will not be arguing nor providing any evidence to the effect that the detailed design of the proposed residential development is otherwise unacceptable. This is because, with the exception of the above, it is otherwise considered to be acceptable.

5. CONCLUSION

5.1 In conclusion, the Council will demonstrate that the proposed development will lead to demonstrable harm that justifies the refusal of planning permission and the dismissal of the appeal.

The Planning Inspectorate

FOR OFFICIAL USE ONLY
Date received

PLANNING APPEAL

The appeal must reach the Inspectorate within 6 months of the date of the notice of the Local Planning Authority's decision, or within 6 months of the date by which they should have decided the application.

A. INFORMATION ABOUT THE APPELLANT(S)

Full Name: CALA HOMES (SOUTH) LTD

Address: BURGHAN HOUSE, THE CAUSEWAY
STAINES, MIDDLESEX

Postcode: TW18 3PR Reference:
Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: 01784 460033 Fax No: 01784 450508

Agent's Name (if appropriate): MR D. BOND

Agent's Address: CHANCELLORS, 45 HIGH STREET, ODIHAM
HOOK, HANTS, RG29 1LF

Postcode: Reference:
Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: 01256 703090 Fax No: 01256 703142

B. DETAILS OF THE APPEAL

Name of the Local Planning Authority (LPA): WOKINGHAM DISTRICT COUNCIL

Description of the Development:
PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 5 DWELLINGS (DUPLICATE APPLICATION)

Address of the Site:
22-24 SANDHURST ROAD
WOKINGHAM

Postcode:
Failure to provide the postcode may cause delay in processing your appeal.

National Grid Reference (see key on OS map for Instructions).
Grid Letters: Grid Numbers
eg TQ:298407
SU 8066 6SW
EASTING 480 330
NORTHING 166 084

Date and LPA reference number of the application you made and which is now the subject of this appeal: LPA REF: F/2000/1338
RECEIVED AND VALIDATED 14 APRIL 2000

Date of LPA notice of decision (if any):
26/07/2000

Are there any outstanding appeals for this site eg Enforcement, Lawful Development Certificate etc? If so please give details and any Planning Inspectorate reference number here:
N/A.

C. REASON FOR THE APPEAL

THIS APPEAL IS AGAINST the decision of the LPA:- **(*Delete as appropriate)** **(✓)**

1. to *refuse/~~grant subject to conditions~~, planning permission for the development described in Section B. ☑

2. to *refuse/grant subject to conditions, approval of the matters reserved under an outline planning permission. ☐

3. to refuse to approve any matter (other than those mentioned in 2 above) required by a condition on a planning permission. ☐

Or the failure of the LPA:-

4. to give notice of its decision within the appropriate period on an application for permission or approval. ☐

D. CHOICE OF PROCEDURE

CHOOSE ONE OF THE FOLLOWING TYPES OF PROCEDURES - Appeals decided by written representations are normally decided much quicker than by the hearing/inquiry method. For further information see the booklet "Making your planning appeal" which accompanied this form.

1. WRITTEN REPRESENTATIONS ☐

If you have chosen the written representations procedure, please tick if the whole site can clearly be seen from a road or other public land. (An unaccompanied site visit will be arranged if the Inspector can adequately view the site from public land.) ☐

2. LOCAL INQUIRY Please give reasons why an inquiry is necessary ISSUES OF PRINCIPLE ☑

AND LEGALITIES NEED TO BE AIRED AND THESE WOULD BE BEST EXPLORED THROUGH CROSS EXAMINATION

3. HEARING Although you may prefer a hearing, the Inspectorate must consider your appeal suitable. ☐

E. ESSENTIAL SUPPORTING DOCUMENTS

A copy of each of the following should be enclosed with this form.

1. The application submitted to the LPA; ☑

2. The site ownership details (Article 7 certificate) submitted to the LPA at application stage; ☑

3. Plans, drawings and documents forming part of the application submitted to the LPA; ☑

4. The LPA's decision notice (if any); ☐

5. Other relevant correspondence with the LPA; please identify the correspondence by date or otherwise: Letters dated 15 May, 9 May and 19 July ☑

6. A plan showing the site in red, in relation to two named roads (preferably on an extract from the relevant 1:10,000 OS map). **(Failure to submit this can delay your appeal).** ☑

Copies of the following should also be enclosed, if appropriate:

7. If the appeal concerns reserved matters, the relevant outline application, plans submitted and the permission; ☐

8. Any plans, drawings and documents sent to LPA but which do not form part of the submitted application (eg drawings for illustrative purposes); ☐

9. Additional plans or drawings relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ..... ☐

F. APPEAL SITE OWNERSHIP DETAILS

IMPORTANT: THE ACCOMPANYING NOTES SHOULD BE READ BEFORE THE APPROPRIATE CERTIFICATE IS COMPLETED. CERTIFICATES A AND B ARE GIVEN BELOW. IF NEEDED, CERTIFICATES C AND D ARE ATTACHED TO THE GUIDANCE NOTES

SITE OWNERSHIP CERTIFICATES

PLEASE DELETE INAPPROPRIATE WORDING WHERE INDICATED (*) AND STRIKE OUT INAPPLICABLE CERTIFICATE

CERTIFICATE A

I certify that:

On the day 21 days before the date of this appeal nobody, except the appellant, was the owner (see Note (i) of the guidance notes) of any part of the land to which the appeal relates.

OR

CERTIFICATE B

I certify that:

I have/the appellant has *given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the guidance notes) of any part of the land to which the appeal relates, as listed below.

Owner's Name	Address at which notice was served	Date on which notice was served

I further certify that:

AGRICULTURAL HOLDINGS CERTIFICATE (TO BE COMPLETED IN ALL CASES WHERE A, B, C OR D OWNERSHIP CERTIFICATE HAS BEEN COMPLETED)

*• None of the land to which the appeal relates is, or is part of, an agricultural holding.

~~OR~~

*• I have/the appellant has *given the requisite notice to every person other than my/him/her*self who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as follows:

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

*** Delete as appropriate. If the appellant is the sole agricultural tenant the first alternative should be deleted and "not applicable" should be inserted below the second alternative.**

Signed ..... (on behalf of) CALA HOMES (SOUTH) LTD

Name (in capitals) W.R. LIPINSKI Date 27 JULY 2000

G. GROUNDS OF APPEAL If the written procedure is requested, the appellant's FULL STATEMENT OF CASE **MUST** be made - otherwise the appeal may be invalid. If the written procedure has not been requested, a brief outline of the appellant's case should be made here.

The appeal scheme represents the development of a brownfield site within a defined settlement area, where the principle of residential development is accepted. The proposed development does not conflict with Policies SBE1/2 of the adopted South East Area Local Plan and WBE1 of the Deposit Draft Wokingham District Local Plan cited in the reason for refusal.

The reason for refusal relates solely to land outside the application site (beyond the appellants control) and outside the defined settlement area.

The planning application should be considered on its own merits in light of relevant development plan policies. It is erroneous to refuse planning permission for an otherwise acceptable development on grounds relating to land outside the application site and beyond control of the appellants, which in any event lies outside the defined settlement area where different planning policies apply.

This not withstanding, the garden centre use is now ceased. The proposed residential development includes appropriate rear boundary treatments. The residential amenities of the proposed dwellings will not be prejudiced by the lack of use/access to the open land beyond the defined settlement area to the rear of the site.

For these reasons the appeal application should not have been refused.

PLEASE SIGN BELOW

I confirm that a copy of this appeal form and any supporting documents relating to the application not previously sent to the LPA has been sent to them. I undertake that any future documents submitted in connection with this appeal will also be copied to the local planning authority at the same time.

Signed ..... (on behalf of) CALA HOMES (SOUTH) LTD

Name (in capitals) K. R. LIPINSKI Date 27 JULY 2000

The Planning Inspectorate is registered under the Data Protection Act 1984, so that we may hold information supplied by you on our computer system for the purpose of processing this appeal.

CHECKLIST - Please check this list thoroughly to avoid delay in the processing of your appeal.

- This form signed and fully completed.
- Any relevant documents listed at Section E enclosed.
- Full grounds of appeal/outline of case set out at Section G.
- Relevant ownership certificate A, B, C or D completed and signed.
- Agricultural Holdings Certificate completed and signed.

♦ **1ST COPY: Send one copy of the appeal form** with all the supporting documents to

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

♦ **2ND COPY: Send one copy to the LPA,** at the address from which the decision on the application (or any acknowledgments, etc) was received, enclosing any supporting documents not previously submitted to them as part of the application.

♦ **3RD COPY: For you to keep**

APPEAL QUESTIONNAIRE

To be used for all appeals relating to applications made on or after 14 March 1990

APPEAL REF: APP/X0360/AA/00/1047586 GRID REF: SU 8066 SW

APPEAL BY: CALA HOMES (SOUTH) LTD

SITE: 22-24 Sandhurst Rd, WOKINGHAM

PLEASE SEND THE COMPLETED QUESTIONNAIRE (TOGETHER WITH ANY ENCLOSURES) TO THE INSPECTORATE AND TO THE APPELLANT OR AGENT WITHIN 14 DAYS OF THE DATE ON WHICH YOU RECEIVED THE APPEAL FORM.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to the Inspectorate within 28 days of the date you received the appeal form.

1. Do the Council agree to the written representations procedure?	YES / NO
OR Do the Council wish to appear before and be heard by an Inspector at: a. a local inquiry?	YES / NO
b. a hearing?	YES / NO
2. a If the written procedure is agreed, could the Inspector see the whole site clearly from a road or other public land?	YES / NO
b From your knowledge of the locality, would the Inspector need to enter the site for any reason eg to view/measure any dimensions from within it?	YES / NO
3. Does the appeal relate to an application for approval of reserved matters?	YES / NO
4. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	YES / NO / NA
5. Was it necessary for the Council to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	YES / NO
6. Is the appeal site within an approved Green Belt or AONB? Please specify which _____	YES / NO
7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)	YES / NO
8. a Are there any other appeals or matters relating to the same site or neighbourhood still before the Secretary of State? If YES, please attach details and, where necessary, give the Inspectorate's reference numbers.	YES / NO
Where the development would affect a public right of way, please provide an extract from the Definitive Map and Statement for the area, and any other details.	YES / NO
9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)	YES / NO
10. Does the appeal relate to an application for conservation area consent?	YES / NO
11. a Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building? (Delete as appropriate.)	YES / NO
b Would the proposed development affect the setting of a listed building?	YES / NO
If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)	
12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	YES / NO
13. Would the proposals affect an Ancient Monument (whether scheduled or not)?	YES / NO
14. a Is the appeal site in or adjacent to or likely to affect an SSSI? If so, please attach the comments of English Nature.	YES / NO
b Are any protected species likely to be affected by the proposals? If so, please give details.	YES / NO

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

	YES/NO	Number of Documents Enclosed
a. Is the development in Schedule 1 or column one of Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If so, please indicate which Schedule.	Sch 1 / Sch 2 col 1	N/A
b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	YES/NO	
c. Has a screening opinion been placed on Part 1 of the planning register? If yes, please attach a copy.	YES/NO	
d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;		1
e. Any representations received as a result of an Article 7 (or Regulation 6) notice;		
f. Copy of any notice published under Article 8 and/ Buildings and Conservation Areas) Act 1990 and/or Regulation 5;or Section 73 of the Planning (Listed Buildings and Conservation Areas)Act 1990 and/or Regulation 5;		
g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		
h. Details of any other applications or matters currently before the Council relating to the same site; Duplicate Application F/2000/1342		1
i. In the case of appeals against non-determination, details of considerations likely to have been relevant to the Council's decision;		
j. A list of any conditions or limitations the Council would favour if the appeal were to be allowed; TO FOLLOW WITH STATEMENT		
k. Any other relevant information or correspondence the Council consider the Inspectorate should be aware of. + See 17 ... below.		5

FOR APPEALS BEING DECIDED BY THE WRITTEN REPRESENTATIONS PROCEDURE

	YES / NO	Number of documents enclosed	N/A
16. a Please confirm that, in accordance with Regulation 5(1), you have notified details of the appeal to authorities and other persons who made representations to you about the application.	YES		
b On what date did you give those notified at 16a for the submission of their representations?			
c Copies of the following documents must, if appropriate, be enclosed with this questionnaire.			
i representations received from interested parties about the original application			
ii the planning officer's report to committee			
iii any relevant committee minute			
17. Relevant plans and policies - please enclose extracts of relevant policies and plans and explanations of these. Each extract should include the front page, showing the title of the plan and date of approval or adoption. Where plans and policies have not been approved or adopted, the stage and status of the plan should be given.		2	

18. Do the documents listed above comprise the Council's full statement of case?	YES / NO

Council's reference: F/2000/1338

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

Signature: _____ on behalf of WOKINGHAM DISTRICT Council

Date of despatch: 16/8/00

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

Tel. (0118) 974 6448 (Direct Line)
Date. August 11, 2000
My ref: F/2000/1338
Your ref:

Appeal file copy

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

F J Symes
8 Stoppers Hill
Brinkworth
Chippenham
Wilts
SN15 5AW

Dear Sir/ Madam

REF: Planning Applications F/2000/1338 & 1342

SITE: 22-24 Sandhurst Rd, Wokingham

I have been passed your letter of the 8th August.

We have been informed by The Planning Inspectorate that Cala Homes have lodged an appeal against the decision on F/2000/1338. As an interested party, you will be informed of the details in due course.

Any further enquiries specifically about the appeal should be addressed, in the first instance, to me.

The case officer for both applications is Mrs B Polnik, who should be able to assist with other information. Her direct line number is 0118 974 6450.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

8 STOPPERS HILL
BRINK WORTH
CHIPPENHAM
WILTS
SN 15 5AW
TEL 01666-510342
8TH AUG 2000

PLANNING SERVICES	HPT 32887
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PLANNING DEPT
W.D.C.

Dear Sirs,

Ref PLANNING APPLICATIONS

F/2000/1338
F/2000/1342.

with reference to the above planning applications which have been refused. as I have an interest in adjacent ground would you kindly advise me if either of the above planning applications go to appeal.

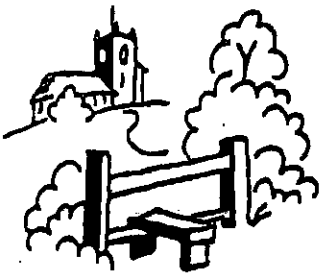
Thanking you,

yours faithfully,

J. J. Symes

F. J. SYMES

01189730515



FINCHAMPSTEAD PARISH COUNCIL

PARISH OFFICE, MEMORIAL HALL, THE VILLAGE,
FINCHAMPSTEAD, BERKS RG40 4JU
THE CLERK: MRS CHERRY COLE
TELEPHONE: 0118 - 9328256 or 0118 - 9793684 (if urgent)
FAX NO. 0118 - 9730515

PLANNING SERVICES	HPT 30292
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5 June 2000

FAX TO:

Mrs B Polnik, Case Officer
Development Control
Environmental Services Dept
Wokingham District Council
P O Box 153
Shute End
WOKINGHAM
Berks
RG40 1WL

Dear Mrs Polnik,

ADJOINING PARISH CONSULTATION - APP.NO.F/2000/1338 22 - 24 SANDHURST ROAD, WOKINGHAM. PROPOSED DEMOLTION OF EXISTING BUILDINGS AND ERECTION OF 5 DWELLINGS

The Parish Council is grateful to be given the opportunity to comment on the above application which is proposed on a site adjoining this Parish, and would comment as follows:

The Parish Council would prefer to see small, more affordable homes built on this site and would also point out that this site is classifeid as a "brown field" site in accordance with the South East Area Local Plan.

Yours sincerely

C. S. Cole

Mrs Cherry Cole
The Clerk

TO: DEVELOPMENT CONTROL FROM: Environmental Design

Basia Polnik

DATE: 12th June 2000

Location: 22-24 Sandhurst Road, Wokingham.

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings. (Duplicate Application)

Application Number: F/2000/1338

In response to your consultation dated 15th May 2000 for the above application, the landscape comment is as follows:

The proposal is acceptable in general but there are a number of detail landscape comments:

1. The rhododendron boundary to the development at Plot 3 should be retained since this gives a dense screen to the site and especially as the house on Plot 3 is shown as being built forward of the front of the adjacent property no. 26 Sandhurst Road.

2. At the northern boundary at the side of Plot 1, the conifers noted on the drawings as "existing 4.5 metres high" have been cut down to half that height.

3. The rear boundary of the development is noted as the boundary between settlements and the countryside but is designed as an insensitive close-boarded timber fence. This would be improved as a dense hedge of native plant species with some native trees to provide a natural screen. The close-boarded fence could be put on the housing side of this natural boundary.

4. The location of this proposed development is a significant site in the local street scene at 'The Throat'. There are several fine mature oak trees around The Throat, and two or three new oak trees should be included in the plans for this new development.

Proposals for the establishment and maintenance of the new and existing planting should be shown on the drawing.

Patricia Green

Patricia Green
Landscape Consultant

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WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Mrs B Polnik

Application Number: F/2000/1342

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate application).

Site Address: 22 - 24 Sandhurst Road, Wokingham.

Applicant: Cala Homes (S) Ltd

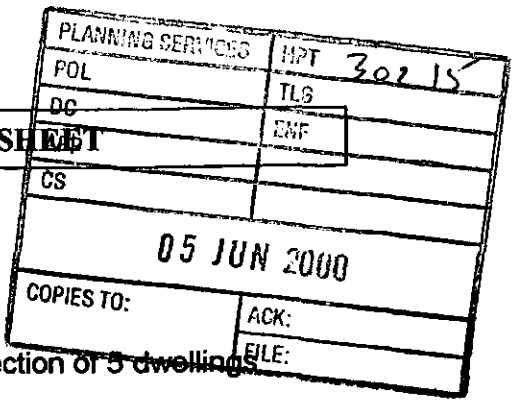
Your observations are required in respect of this application by **05/06/2000**

At their meeting on 23 May 2000, the Planning & Transportation Committee considered this application and resolved:

that there be no objection , subject to satisfactory highways considerations.

SIGNED: _____ **DATE:** 01/06//00

CLERK TO Wokingham Town Council



WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Mrs B Polnik

Application Number: F/2000/1338

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings. (Duplicate application).

Site Address: 22 - 24 Sandhurst Road, Wokingham.

Applicant: Cala Homes (S) Ltd

Your observations are required in respect of this application by **08/06/2000**

Same comment as for the duplicate application F/2000/1342 -

no objection , subject to satisfactory highways considerations.

SIGNED: _____ **DATE:** **01/06//00**

CLERK TO Wokingham Town Council

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: Tom Callaghan, Highways

To: Basia Polnik, Senior Planning Officer

My Ref: F/2000/1338&1342

Your Ref: F/2000/1338&1342

Date: 25th July 2000

PLANNING APPLICATIONS F/2000/1338 AND 1342
PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 5 DWELLINGS.
WOKINGHAM GARDEN, 22-24 SANDHURST ROAD, BABTIE.

I have considered the additional plans submitted with the applicants letter dated 19th July 2000 (drg PD01 rev A) and can confirm that the recommended conditions as set out within my memo dated 7th July still Apply.

Many thanks

Tom Callaghan

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: Tom Callaghan, Highways

My Ref: F/2000/1338&1342

To: Basia Polnik, Senior Planning Officer

Your Ref: F/2000/1338&1342

Date: 7th July 2000

PLANNING APPLICATIONS F/2000/1338 AND 1342
PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 5 DWELLINGS.
WOKINGHAM GARDEN, 22-24 SANDHURST ROAD, BABTIE.

As set out in our previous comments for the residential development of this site (PA 99/70657/F) dated 21/12/99, there is no objection in principle to the proposed residential development subject to conditions. However, it should be stressed that this recommendation is based on the fact that there will be no material increase in traffic using the site, compared with that associated with its use as a garden centre.

Recommended conditions

1. Notwithstanding the plans submitted, the access road and its junction with Sandhurst Road shall be constructed in accordance with details to be submitted to and approved by the LPA. All details shall accord with the standards contained within the Berkshire Design Guide and include visibility splays of 4.5x120 metres at the junction with Sandhurst Road on land within the control of the applicant, and junction radii of 7.5 metres.

2. SC 23 Insert parking/garaging/turning

3. SC 33 *Construction vehicles parking*

4. SC 34 Mud on Road

Many thanks

Tom Callaghan

HIGHWAYS CONSULTATION SHEET

From: Mrs B Polnik

Date: 15 May 2000

Application Number: F/2000/1338

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)

Parish: WOKINGHAM TOWN

Site Address:
22 - 24, Sandhurst Road, , Wokingham.

Applicant:
Cala Homes (S) Ltd Burgan House.

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

✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☐ Recommend approval but with condition(s) & reason(s) **stated below**;
3) ☐ Recommend approval with **no** condition(s) or reason(s).

Comment.

The proposal is generally acceptable in highways terms subject to appropriate conditions. However the proposed turning head adjacent to plots 1 & 5 is sub-standard.

The applicant should either amend proposals to include a standard turning area, or else demonstrate that a refuse vehicle could successfully negotiate the area currently shown.

Signed: A. Linnell **Print name:** A. LINNELL

HIGHWAYS CONSULTATION SHEET

From: Mrs B Polnik

Date: 12 May 2000

Application Number: F/2000/1342

Proposal: Proposed demolition of existing buildings and erection of 5 dwellings (Duplicate Application)

Parish: WOKINGHAM TOWN

Site Address:
22 - 24, Sandhurst Road, , Wokingham.

Applicant:
Cala Homes (S) Ltd Burgan House.

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

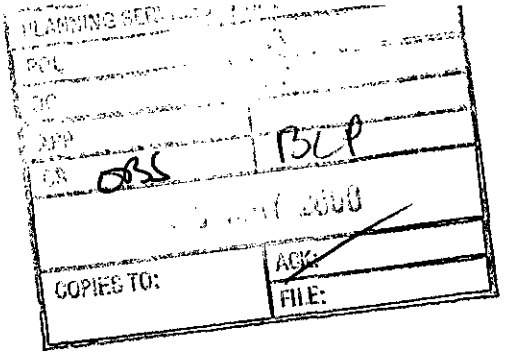
✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☐ Recommend approval but with condition(s) & reason(s) **stated below**;
3) ☐ Recommend approval with **no** condition(s) or reason(s).

Comments – as for proposal F/2000/1338

Signed: A. Linnell **Print name:** A. LINNELL

Tel / Fax
0118 978 8252



28 Sandhurst Road
Wokingham
Berks
RG40 3JD

24 May 2000

Your Ref.
Mrs B Polnik
F/2000/1338 and 1342

Mr J Mitchell
Development Control Manager
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

F/2000/1338

Dear Mr Mitchell

22-24 Sandhurst Road, Wokingham

Thank you for your letter regarding the development of the garden centre site.

My wife and I viewed the plans at your office, and our comments are very much in keeping with those we made about previous applications.

We fully appreciate that some development will inevitably take place on the site, but feel very strongly that it should be restricted to be in keeping with the existing character of the neighbourhood. As you know, all the houses along this stretch of Finchampstead and Sandhurst Roads are built to approximately the same building line, and have large gardens extending to the golf course. The Cala Homes proposal represents a fundamental departure from the current layout by including houses (Plots 4&5) which are considerably set back, thereby being clearly and intrusively visible to existing residents, and destroying the privacy which we now enjoy. Approval of this application will also create a precedent which will encourage those who wish to develop the land between the settlement boundary and the golf course.

With reference to road traffic, the A321 southbound past the Gowrings roundabout is particularly dangerous because – despite a 40mph limit – drivers leaving Wokingham can see well in advance if the junction is clear to the right, and accelerate around the partially blind bend in anticipation of the derestricted road ahead. This has contributed to several accidents and countless near misses, and any further access onto this corner must be kept to the absolute minimum.

A development of 3 detached houses with no access road to the land behind, and built along the same line as Plots 1,2 &3, would be quite acceptable.

One of the reasons we have lived at this address for 27 years is the enormous value of being close to an attractive market town, and at the same time, backing onto open countryside with no other buildings in sight. There are many other families along here who feel the same way, and I urge the committee to resist opportunist infill developments such as this, which will seriously affect the quality of life for the local community.

Yours Sincerely



Paul Brazenor

The Planning Inspectorate

PLANNING SERVICES
TLS
ENF

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

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

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

Your Ref: F/2000/1338

Our Ref: APP/X0360/A/00/1047586

Date: 20 February 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

I am writing to tell you that the appeal, reference number APP/X0360/A/00/1047586 has been withdrawn and the file is closed.

The arrangements have been cancelled.

Yours faithfully

AMG

Miss A Groves

208B

The Planning Inspectorate

3994

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Tollgate House
Houlton Street
Bristol BS2 9DJ
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0117-9878000
0117-9878443
1374-6079

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

Your Ref: F/2000/1338

Our Ref: APP/X0360/A/00/1047586

Date: 15 February 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

Regarding the above appeal, please find a copy of a letter enclosed that was sent to the appellants agent.

Yours faithfully

Miss A Groves

211B(BPR)

The Planning Inspectorate

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

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

Mr D Bond
Chancellors
45 High Street
Odiham
Hook Hants
RG29 1LF

Your Ref:

Our Ref: APP/X0360/A/00/1047586

Date: 15 February 2001

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

I refer to my letter of 01 February 2001, informing you that abeyance had ended on this appeal on 01 February 2001, to which I have received no reply.

As the abeyance period has now expired, please let me know within 7 days from the date of this letter, if negotiations have been successful and when matters may be resolved.

I must point out that we cannot hold appeals in abeyance indefinitely. If there is no evidence that negotiations will lead to withdrawal of the appeal, we will continue to proceed to a decision.

Yours faithfully

Miss A Groves

The Planning Inspectorate

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

Direct Line 0117-9876079
Switchboard 0117-9878000
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02 FEB 2001
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/1338

Our Ref: APP/X0360/A/00/1047586

Date: 1 February 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

I refer to my letter of 01 November 2000, informing you that no further action would be taken on this appeal until 01 February 2001, so that negotiations could proceed.

As the abeyance period has now expired, please let me know within 7 days from the date of this letter, if negotiations have been successful and when matters may be resolved.

I must point out that we cannot hold appeals in abeyance indefinitely. If there is no evidence that negotiations will lead to withdrawal of the appeal, we will continue to proceed to a decision.

Yours faithfully

Miss A Groves

208D

05/02/01
Spoke to Amanda Groves – my fax which crossed with this letter, will suffice. She will approach appellant.
Dan.

FAX COVER SHEET

TO: Amanda Groves.

FROM: Den Grumbrell.

DESTINATION FAX No: 0117 9878443

DATE: 01.02.01

TIME: 9.25

SUBJECT: APP/X0360/A/00/1047586

TOTAL NUMBER OF PAGES (Inc. this cover sheet): 1.

Appellant should be ready to withdraw this appeal, currently in abeyance, as application No. F/2000/2728 for the same site has been approved by the L.P.A.

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

* * * COMMUNICATION RESULT REPORT (1.FEB.2001 10:29) * * *

TTI WDC PLAN&TRANSPORT

FILE	MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
126	MEMORY TX		901179878443	OK	P. 1/1

REASON FOR ERROR
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E-2) BUSY
E-3) NO ANSWER
E-4) NO FACSIMILE CONNECTION

Tel. (0118) 974 6448 (Direct Line)
Date. September 18, 2000
My ref: F/2000/1338
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 D Bond
Chancellors
45 High St
Odiham
Hook
Hants
RG29 1LF

Dear Sir

APPEAL BY: **Cala Homes (South) Ltd**
SITE: **22-24 Sandhurst Rd, Wokingham**

With reference to this appeal, I enclose copies of the notification letter & lists of those notified.

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: September 18, 2000
My ref: F/2000/1338
Your ref: APP/X0360/A/00/1047586

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

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

Dear Miss Bibi

APPEAL BY: CalaHomes (South) Ltd
SITE: 22-24 Sandhurst Rd, Wokingham

With reference to this appeal, I enclose copies of the notification letter & lists of those notified.
I have also sent a copy to the appellant's agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Applicationo	Name & Address
F/2000/1338	P Brazenor 28 Sandhurst Road Wokingham RG40 3JD
F/2000/1338	B Davies 334b Finchampstead Road Wokingham RG40 3JB
App refused. Letter sent 27/07/00	
F/2000/1338	F J Symes 8 Stoppers Hill Brinkworth Chippenham Wilts SN15 5AW

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Cala Homes (South) Ltd
SITE: 22/24 Sandhurst Rd, Wokingham
APPLICATION NO.: 1338
PROPOSAL: Proposed demolition of existing buildings & erection of 5 dwellings

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Wescott

Mr J P Green

Mr R J W Wyatt

Clerk(s) of Parish / Town Councils of Wokingham & Finchampstead

Mr M A Taylor, Town Hall, Market Place, Wokingham. RG40 1AS

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

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

Environmental Design-Landscape
- Trees

Tel: (0118) 974 6448 (Direct Line)
Date. September 18, 2000
My ref: F/2000/1338
Your ref:

P Brazenor
28 Sandhurst Road
Wokingham
RG40 3JD

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

TOWN AND COUNTRY PLANNING ACT 1990
NOTICE OF PUBLIC INQUIRY

APPEAL BY:	**CALA HOMES (SOUTH) LTD**
SITE:	**22-24SANDHURST RD, WOKINGHAM**
APPLICATION No:	**F/2000/1338**
PROPOSAL:	**Demolition of existing buildings & erection of 5 dwellings**

I write to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will attend at the Civic offices, Shute End, Wokingham, on Tuesday 14th November 2000 at 10.00 am to hold a Local Inquiry into the above appeal.

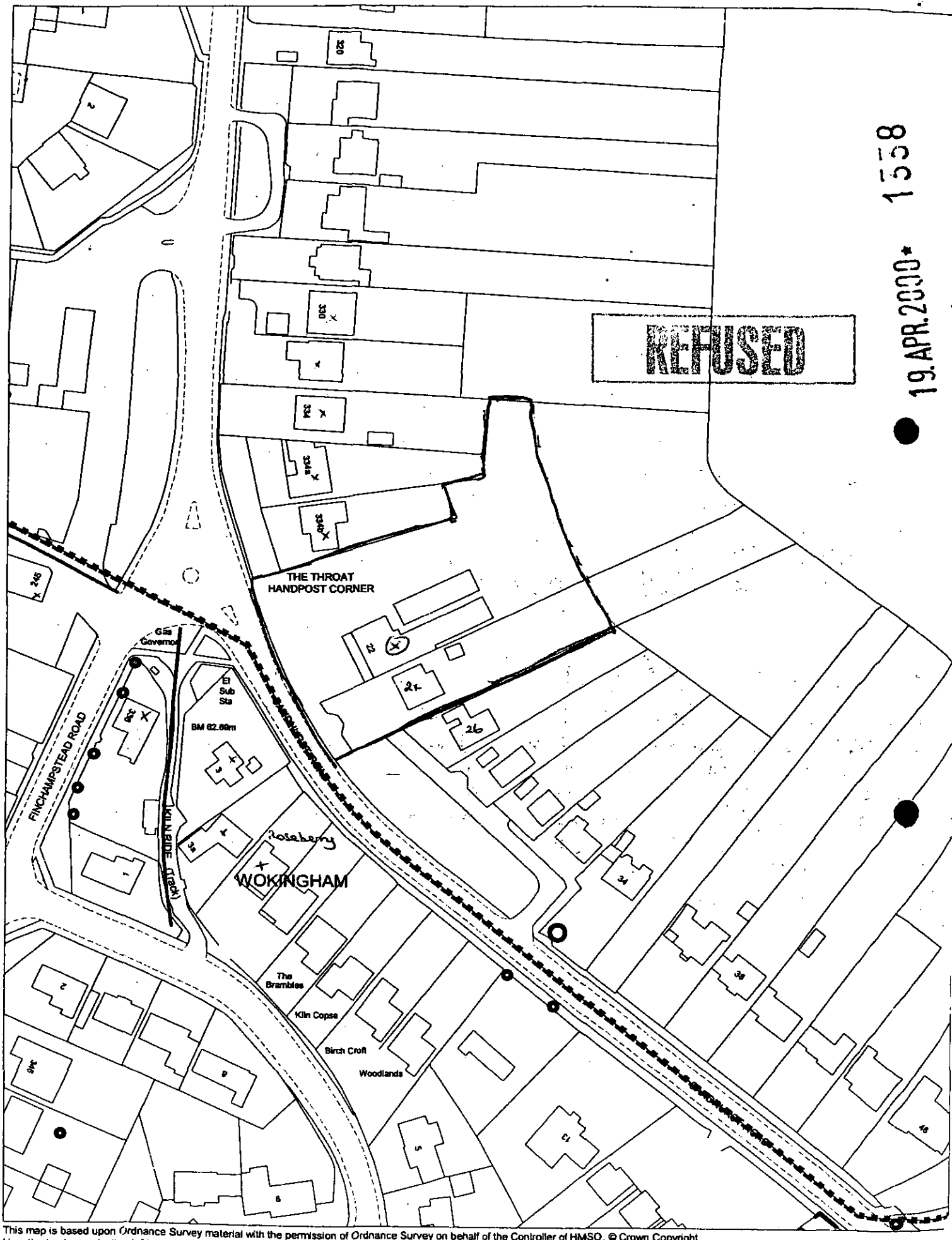
As your interests may be affected, this letter is to give you notice of the Inquiry in order that you may attend and, at the Inspector's discretion, give your views in person or through an accredited representative. If you cannot or do not wish to attend the Inquiry, you may give your views in writing. Written representations should be sent to Miss A Bibi, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ quoting reference APP/X0360/A/00/1047586, to arrive no later than **7 days** before the inquiry. Written representations may be read out at the Inquiry and will be made available to all parties concerned.

The application, decision notice and the appellant's grounds of appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 16.00 on Fridays). You should be aware that in deciding these appeals, it is open to the Secretary of State to grant planning permission.

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

Yours faithfully

Denise Gumbrell
Appeals Assistant



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Development Control Section, Environmental Services, Wokingham District Council.
4 May 2000

Scale: 1 : 1250

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S

WOKINGHAM DISTRICT COUNCIL

SUPPORT SERVICES DEPARTMENT
LEGAL SERVICES

MEMORANDUM

FROM: Mary Severin
Solicitor

MY REF: MS/CEM
EXT: 6527

YOUR REF:

TO: Mike Thorp
Prin Dev Control Officer
Planning

DATE: 6 November 2000

RE: APPEAL BY CALA HOMES LIMITED
WOKINGHAM GARDEN CENTRE, 22-24 SANDHURST ROAD

Mike,

I am writing to let you know that I spoke with Mr Bond on Tuesday 31st October. Mr Bond and representatives of Cala Homes Limited had a long meeting with the owner of the land to the rear of the development and I understand that they have agreed to purchase this site. Cala Homes will now submit a new planning application within the next few days.

I understand that you agreed to defer the appeal. I attach a copy of a letter from Mr Bond to the Planning Inspectorate for your information. I would be grateful if you could let me know as soon as their planning application comes in so that I can draft a Section 106 Agreement.

Many thanks.

Mary

Mary Severin

CHANCELLORS
Chartered Town Planning Consultants
45 High Street, Odiham, Hook, Hants. RG29 1LF
Tel: 01256 703090
Fax: 01256 703142
E-mail: chancellors.planning@dial.pipex.com

Our ref: DBC/CJB

31st October 2000

Miss. A. Bibi,
Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
BRISTOL,
BS2 9DJ

By Fax – 01179878443

Dear Madam,

RE: Town and Country Planning Act 1990
Appeal by Cala Homes (South) Ltd
Site at 22-24 Sandhurst Road, Wokingham.
Appeal Reference No: APP/X0360/A/00/1047586.

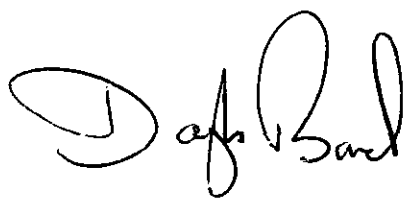
You will be aware that the above Appeal is scheduled to take place on the 14th November 2000. As evident from the Reason for Refusal an Informative was included inviting the Appellants to discuss possible ways of overcoming the Reasons for Refusal with the Local Planning Authority.

Since then there have been a number of discussions and correspondence between the Appellants and the Local Planning Authority. As a result of the dialogue a fresh Planning Application is being submitted that resolves the issues. In these circumstances, and consistent with the Local Planning Authority's letter dated the 22th September 2000 to the Department (copy attached) and in agreement with the Local Planning Authority, both parties wish the Appeal to be held in abeyance for a period of three months, or at a time convenient with the Local Planning Authority. By this time the submitted Application will hopefully be approved and the Appeal withdrawn.

J. C. Woolf MA DipTP MRTPI D. C. B. Bond BA MRTPI
M. Chrystal DipTP MRTPI
Consultant: T. W. Edwards FRICS FCIArb
Chancellors is a trading name of Chancellors Associates.
Registered Office: 3 Worcester Street, Oxford OX1 2PZ.

I confirm a copy of this letter has been sent to Wokingham District Council I would be obliged if the Department could confirm deferral of the Appeal in order to allow the negotiations with the Application to take place.

Yours faithfully,



Douglas Bond, BA(Hons), MRTPI

Enc

c.c. Mary Severin, Wokingham District Council – 0118 9746542
John Allen – Cala Homes (South) Ltd.

CHANCELLORS
Chartered Town Planning Consultants
45 High Street, Odiham, Hook, Hants. RG29 1LF
Tel: 01256 703090
Fax: 01256 703142
E-mail: chancellors.planning@dial.pipex.com

Our ref: DBC/CJB

31st October 2000

Miss. A. Bibi,
Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
BRISTOL,
BS2 9DJ

By Fax – 01179878443

Dear Madam,

RE: Town and Country Planning Act 1990
Appeal by Cala Homes (South) Ltd
Site at 22-24 Sandhurst Road, Wokingham.
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I confirm a copy of this letter has been sent to Wokingham District Council I would be obliged if the Department could confirm deferral of the Appeal in order to allow the negotiations with the Application to take place.

Yours faithfully,

Douglas Bond, BA(Hons), MRTPI

Enc

c.c. Mary Severin, Wokingham District Council – 0118 9746542
John Allen – Cala Homes (South) Ltd.

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John.

DAVIES ARNOLD COOPER

SOLICITORS

London
Manchester
Newcastle
Madrid

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Telephone +44 (020) 7936 2222
Facsimile +44 (020) 7936 2020
LDE 172
email daclon@dac.co.uk
website www.dac.co.uk

DAVIES ARNOLD COOPER
SOLICITORS

For the attention of Ms Asmat Beebee
The Planning Inspectorate
Tollgate House
Houlton Street
Bristol BS2 9DJ

VIA FAX 0117-987-6443

Our Ref: 386.37265.3.aep
Your Ref: APP/X0360/a/00/1047586
Direct Fax: 020-7293-4373
DDI: 020 7293 4386
e-mail: crees@dac.co.uk

2 October 2000

DRAFT

Dear Madam

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LIMITED
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM.

We refer to a recent telephone conversation with our Mr C A Rees in which we explained that our client has been involved in intensive negotiations with the Local Authority. It now appears that a negotiated settlement is possible.

Whilst we would be amenable to a short postponement, we are unwilling to accept an approach where matters were matters are left wholly in abeyance.

We are hopeful that the need for an Inquiry will be wholly academic but are now entirely dependent on the speed with which the Authority is able to proceed to a decision. They are now in possession of everything they need to determine the compromise application.

We look forward to hearing from you that the Inspectorate can agree to a short postponement to, say December of this year.

Thanking you in anticipation.

Yours faithfully

DAVIES ARNOLD COOPER

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A list of partners is available for inspection at the London office. Davies Arnold Cooper is regulated by the Law Society in the conduct of investment business

London
Manchester
Newcastle
Madrid

Associate Office
Brussels

6-8 Bouverie Street
London EC4Y 8DD

Telephone +44 (0)20 7936 2222
Facsimile +44 (0)20 7936 2020
LDE 172
email daclon@dac.co.uk
www.dac.co.uk

The Planning Inspectorate

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

Direct Line 0117-9876072
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6072

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

Your Ref: F/2000/1338

Our Ref: APP/X0360/A/00/1047586

Date: 30 October 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

I enclose a copy of correspondence from Mr P Brazenor.

You need not reply to the correspondence, as any comments may be made at the inquiry.

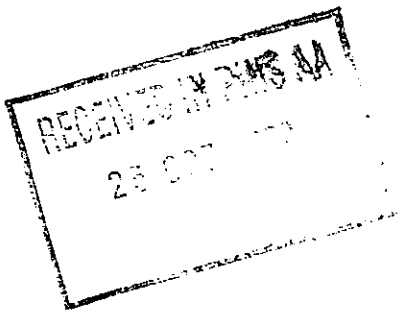
Yours faithfully

Miss A Bibi

211AL

Tel / Fax
0118 978 8252

28 Sandhurst Road
Wokingham
Berks
RG40 3JD



20 Oct 2000

Your Ref.
APP/X0360/A/00/1047586

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

Dear Miss Bibi

22-24 Sandhurst Road, Wokingham

Thank you for the opportunity to express the views of my family regarding the development of the garden centre site.

My wife and I viewed the plans at the council offices, and our comments are very much in keeping with those we made about previous applications.

We fully appreciate that some development will inevitably take place on the site, but feel very strongly that it should be restricted to be in keeping with the existing character of the neighbourhood. As you know, all the houses along this stretch of Finchampstead and Sandhurst Roads are built to approximately the same building line, and have large gardens extending to the golf course. The Cala Homes proposal represents a fundamental departure from the current layout by including houses (Plots 4&5) which are considerably set back, thereby being clearly and intrusively visible to existing residents, and destroying the privacy which we now enjoy. Approval of this application will also create a precedent which will encourage those who wish to develop the land between the settlement boundary and the golf course.

With reference to road traffic, the A321 southbound past the Gowrings roundabout is particularly dangerous because – despite a 40mph limit – drivers leaving Wokingham can see well in advance if the junction is clear to the right, and accelerate around the partially blind bend in anticipation of the derestricted road ahead. This has contributed to several accidents and countless near misses, and any further access onto this corner must be kept to the absolute minimum.

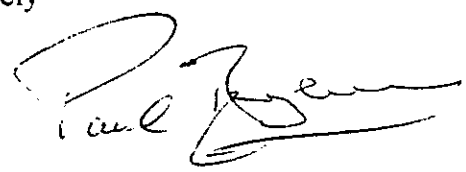
A development of 3 detached houses with no access road to the land behind, and built along the same line as Plots 1,2 &3, would be quite acceptable.

One of the reasons we have lived at this address for 27 years is the enormous value of being close to an attractive market town, and at the same time, backing onto open countryside with no other buildings in

sight. There are many other families along here who feel the same way, and I urge the Inspectorate to resist opportunist infill developments such as this, which will seriously affect the quality of life for the local community.

I would very much appreciate being advised of the outcome of this inquiry.

Yours Sincerely



Paul Brazenor

The Planning Inspectorate

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

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

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6 OCT 2000
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/1338

Our Ref: APP/X0360/A/00/1047586

Date: 13 October 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

I enclose a copy of correspondence from Finchampstead Parish Council.

You need not reply to the correspondence, as any comments may be made at the inquiry.

Yours faithfully

Miss A Bibi

211AL

FINCHAMPSTEAD PARISH COUNCIL

PARISH OFFICE, MEMORIAL HALL, THE VILLAGE,
FINCHAMPSTEAD, BERKS RG40 4JU
THE CLERK: MRS CHERRY COLE
TELEPHONE: 0118 - 9328256 or 0118 - 9793684 (if urgent)
FAX NO. 0118 - 9730515

12 October 2000

Your Ref: APP/X0360/A/00/1047586

RECEIVED IN PINS A1
13 [illegible]

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

Dear Miss Bibi,

PUBLIC INQUIRY INTO APPEAL BY CALA HOMES (SOUTH) LTD - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 5 DWELLINGS AT 22-24 SANDHURST ROAD, WOKINGHAM

With reference to the Inquiry into the above appeal due to be held on 14 November 2000, I would inform you that the Parish Council wishes the following comments to be taken into consideration:

Finchampstead Parish Council would prefer to see smaller, more affordable dwellings built on site, to accord with the need for such accomodation generally in the District. The appeal site also falls within the "brown field" category under the South East Area Local Plan.

Yours sincerely

C.S. Cole

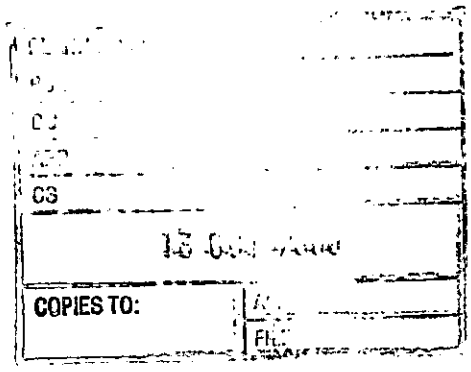
Mrs Cherry Cole
The Clerk
cc. Denise Gumbrell, Appeals Assistant, WDC

FINCHAMPSTEAD PARISH COUNCIL

PARISH OFFICE, MEMORIAL HALL, THE VILLAGE,
FINCHAMPSTEAD, BERKS RG40 4JU
THE CLERK: MRS CHERRY COLE
TELEPHONE: 0118 - 9328256 or 0118 - 9793684 (if urgent)
FAX NO. 0118 - 9730515

12 October 2000

Your Ref: APP/X0360/A/00/1047586



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

Dear Miss Bibi,

PUBLIC INQUIRY INTO APPEAL BY CALA HOMES (SOUTH) LTD - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 5 DWELLINGS AT 22-24 SANDHURST ROAD, WOKINGHAM

With reference to the Inquiry into the above appeal due to be held on 14 November 2000, I would inform you that the Parish Council wishes the following comments to be taken into consideration:

Finchampstead Parish Council would prefer to see smaller, more affordable dwellings built on site, to accord with the need for such accomodation generally in the District. The appeal site also falls within the "brown field" category under the South East Area Local Plan.

Yours sincerely

Mrs Cherry Cole
The Clerk
cc. Denise Gumbrell, Appeals Assistant, WDC

TO JOHN MITCHELL DEV. CONTROL
FOR INFO

Direct Line: 0118 974 6524

Date: 14 September 2000

Your ref:

Our ref: CJL/JEF/002CL

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15 SEP 2000	
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Legal Services
Support Services Department
P O Box 151
Civic Offices
Shute End
Wokingham Berkshire
RG40 1WH
Tel:(0118) 9746000
Fax: (0118) 9746542
DX: 33506 Wokingham

Mr C A Rees
Davies Arnold Cooper Solicitors
6-8 Bouverie Street
LONDON
EC4Y 8DD

Dear Mr Rees

RE: 22-24 SANDHURST ROAD, WOKINGHAM. CALA HOMES (SOUTH) LIMITED

I refer to our meeting on 7 September 2000 and our negotiations relating to this site and the Planning Application which is currently at Appeal.

I confirm that the Council fully supports an Adjournment of the Public Enquiry set for 14 November 2000 on the basis that following our negotiations it is likely that the Appeal will become unnecessary.

I should be grateful if you could let me have a copy of your letter to the Planning Inspectorate.

Yours sincerely

C S Lawley

Colin Lawley
Principal Solicitor

cc: John Mitchell, Head of Development Control

Public Inquiry Site Notice

2 copies erected on site 18.10.00

(on conservatory and telegraph post)

B. Pettit 18.10.00

WOKINGHAM DISTRICT COUNCIL

To _____

Date _____ Time _____

WHILE YOU WERE OUT

Name _____

Of _____

Phone No. _____ Ext. _____

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

MESSAGE _____

_____

_____

_____

_____

_____

Signed _____

Tel. (0118) 974 6448 (Direct Line)
Date. October 26, 2000
My ref: F/2000/1338
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 D Bond
Chancellors
45 High St
Odiham
Hook
Hants
RG29 1LF

Dear Sir

APPEAL BY: **Cala Homes (South) Ltd**
SITE: **22-24 Sandhurst Rd, Wokingham**

With reference to this appeal, I enclose a copy of the Council's pre-inquiry statement as faxed to you & the Inspectorate today.

I have also sent a copy to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: October 26, 2000
My ref: F/20001338
Your ref: APP/X0360/A/00/1047586

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

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

Dear Miss Bibi

APPEAL BY: Cala Homes (South Ltd)
SITE: 22-24 Sandhurst Rd, Wokingham

With reference to this appeal, I enclose a copy of the Council's pre-inquiry statement as faxed to you & the agent today.
I have also sent a copy to the agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

Room 1201
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9878319
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8319

8768

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

Your Ref: F/2000/1338

Our Ref: APP/X0360/A/00/1047586

Date: 3 October 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

NOTIFICATION OF INSPECTOR

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

Mr P Grainger BA(Hons) MRTPI.

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

Yours faithfully

Tanja Mannikko

Miss T Mannikko

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

206C

for adjournments
0117 987 6079

Tel. (0118) 974 6448 (Direct Line)
Date. August 11, 2000
My ref: F/2000/1338
Your ref:

file copy

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

F J Symes
8 Stoppers Hill
Brinkworth
Chippenham
Wilts
SN15 5AW

Dear Sir/ Madam

REF: Planning Applications F/2000/1338 & 1342

SITE: 22-24 Sandhurst Rd, Wokingham

I have been passed your letter of the 8th August.

We have been informed by The Planning Inspectorate that Cala Homes have lodged an appeal against the decision on F/2000/1338. As an interested party, you will be informed of the details in due course.

Any further enquiries specifically about the appeal should be addressed, in the first instance, to me.

The case officer for both applications is Mrs B Polnik, who should be able to assist with other information. Her direct line number is 0118 974 6450.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

8 STOPPERS HILL

BRINK WORTH

CHIPPENHAM

WILTS

SN 15 5AW

TEL 01666-510342

8TH AUG 2000

PLANNING SERVICES	HPT 32887
POL	TLS
DC	ENF
APP	
CS	BLP
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	FILE:

PLANNING DEPT

W.D.C.

Dear Sir,

Ref PLANNING APPLICATIONS

F/2000/1338

F/2000/1342

with reference to the above Planning applications which have been refused. as I have an interest in adjacent ground would you kindly advise me if either of the above Planning applications go to appeal.

Thanking you,

yours faithfully,

F. J. Symes

F. J. SYMES

The Planning Inspectorate

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

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

DC
APP
CS
ACTION TO: legal

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG40 1BN

Your Ref: F/2000/1338

Our Ref: APP/X0360/A/00/1047586

Date: 14 September 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

Here is a copy of the site notice giving the inquiry details. The inquiry is scheduled to last 1 day. Please let me know within 5 working days, if you think more time is needed.

Please inform the owners and occupiers of property near the site of the inquiry details immediately. You should also tell others you consider to be affected by or interested in the proposed development, including any persons or bodies who made representations at application stage. Your letter should cover:

- the location of the site and a description of the appeal proposals;
- the inquiry details;
- where your and the appellant's statements, proofs of evidence and summaries can be seen;
- that they may attend the inquiry, and at the inspector's discretion give their views;
- what facilities are available for disabled people eg parking spaces, access, seating arrangements and so on;
- that they may send views on the proposals in writing not later than 28 days before the start of the inquiry. Please tell them their comments will be copied to you and the appellant, and may be read out at the inquiry;
- that we will send a copy of the decision letter to those who ask for one in writing.

The press should be informed of inquiries.

We aim to issue decision letters within 7 weeks of the close of a one or two day inquiry. If there is likely to be a significant delay, we will let you know.

Yours faithfully



Miss A Bibi

311

Passed to officer to put on Site 18/9/00
Sent to be advertised in the Wokingham Times w/c 16/10/00

TOWN & COUNTRY PLANNING ACT 1990

PUBLIC INQUIRY

At Council Offices, Shute End, Wokingham

On Tuesday, 14 November 2000 at 10:00

REASON FOR INQUIRY

Appeal by Cala Homes (South) Ltd

Relating to the application to the Wokingham District Council for

Proposed demolition of existing buildings and erection of 5 dwellings

AT 22-24 Sandhurst Road, Wokingham,

An Inspector appointed by the Secretary of State for the Environment, Transport and the Regions under paragraph 1(1) of Schedule 6 to the Town and Country Planning Act 1990 will attend at the place, date and time shown above to consider the appeal.

Members of the public may attend the inquiry and, at the discretion of the Inspector, express their views. If you, or anyone you know is disabled and is concerned about facilities at the inquiry venue, you are advised to write to, or contact the council to confirm that suitable provisions are in place.

Planning Inspectorate Reference:
APP/X0360/A/00/1047586
Contact point at the Planning Inspectorate: Miss A Bibi , Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ
Tel: 0117-9876079

321

file copy

Tel: (0118) 974 6448 (Direct Line)
Fax: (0118) 974 6484
Date: August 29, 2000
My ref: F/2000/1338
Your ref: APP/X0360/A/00/1047586

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

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

Dear Miss Bibi

APPEAL BY: Cala Homes (South) Ltd

SITE: 22-24 Sandhurst Rd, Wokingham

INQUIRY DATE: TUESDAY 14TH NOVEMBER 2000

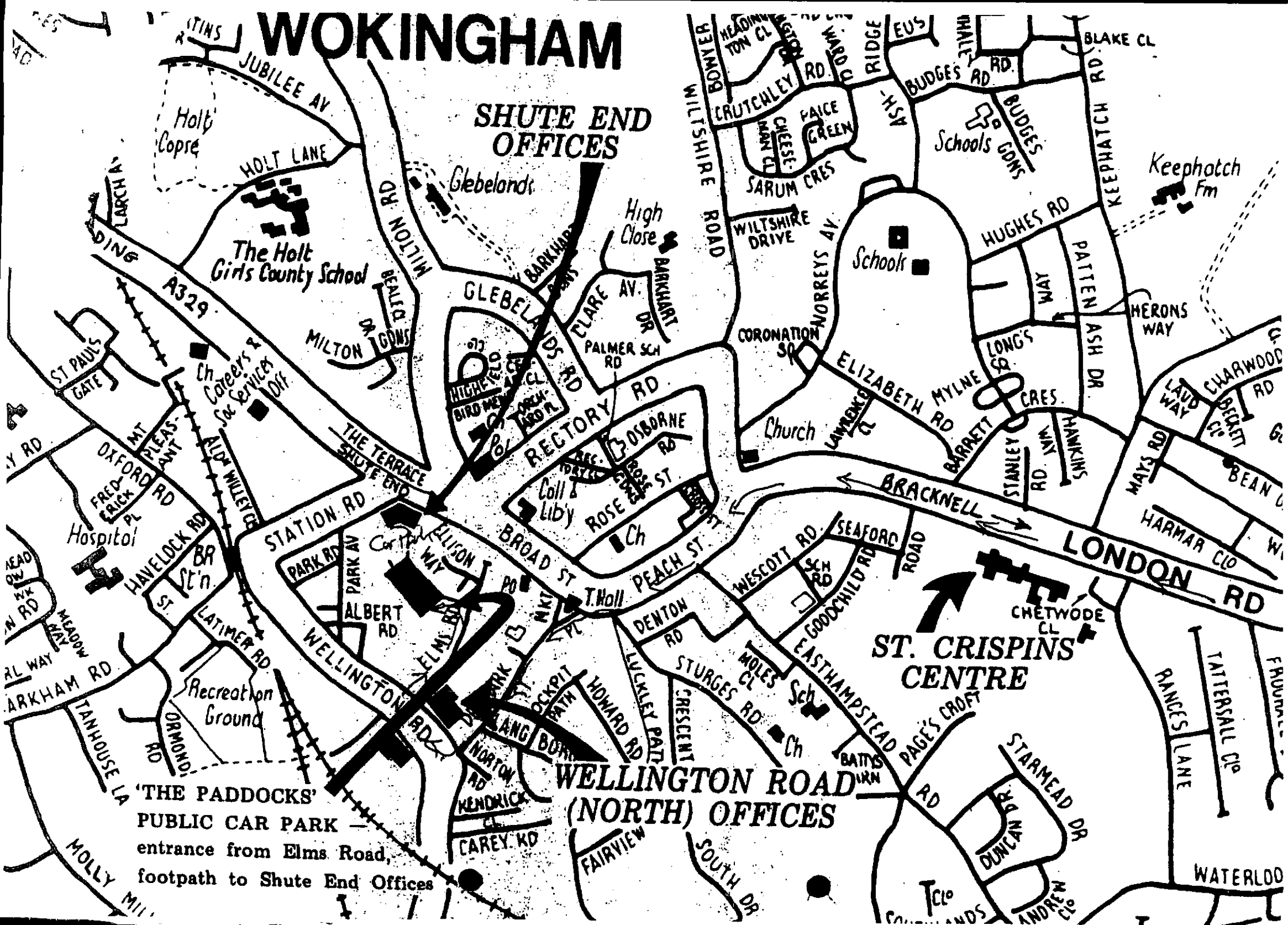
On the reverse of this letter is a map showing the Pay and Display car park, The Paddocks, recommended for the Inspector's use during the Inquiry.

Please forward this letter to the Inspector concerned.

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant


WOKINGHAM
SHUTE END OFFICES
Holt Copse
JUBILEE AV
HOLT LANE
The Holt Girls County School
Glebelands
MILTON RD
High Close
GLEBELANDS RD
CLARE AV
PALMER SCH RD
RECTORY RD
OSBORNE RD
ROSE ST
Coll Lib'y
Ch
BROAD ST
PEACH ST
T.Hall
THE TERRACE
SHUTE END
STATION RD
PARK RD
PARK AV
ALBERT RD
ELLISON WAY
ELMS RD
WELLINGTON RD
Car Park
Hospital
HAVELOCK RD
BR St'n
LATIMER RD
Recreation Ground
ORMOND RD
TANHOUSE LA
MOLLY MILL
ARKHAM RD
OXFORD RD
ALD WILLEY CL
Careers & Soc Services Off
ST PAULS GATE
A329
LARCH AV
MILTON GDNS
BEALE CL
BARKHART DR
NORTON RD
KENDRICK CL
CAREY RD
HOWARD RD
LUCKLEY PATH
CRESCENT
STURGES RD
DENTON RD
GOODCHILD RD
WESCOTT RD
SEAFORD ROAD
EASTHAMPSTEAD RD
MOLES CL
Sch
BATTYS
PAGE'S CROFT
STARMEAD DR
DUNCAN DR
ANDREW CL
FAIRVIEW
SOUTH DR
ST. CRISPINS CENTRE
CHETWODE CL
BRACKNELL
LONDON RD
HARMAR CL
MAYS RD
BEAN
LAUD WAY
CHARWOOD RD
BECKETT CL
RANCES LANE
TATTERSALL CL
WATERLOO
Church
CORONATION SQ
ELIZABETH RD
MYLNE CRES
LONG'S SQ
BARRETT WAY
STANLEY RD
HAWKINS WAY
PATTEN WAY
ASH DR
HERONS WAY
HUGHES RD
NORREYS AV
Schools
WILTSHIRE DRIVE
WILTSHIRE ROAD
SARUM CRES
CHEESEMAN CL
PAICE GREEN
CRUTCHLEY RD
BOWYER
HEADINGTON CL
WARD CL
RIDGE
EUS
BUDGES RD
BUDGES GDNS
Schools
KEEPHATCH RD
BLAKE CL
Keephatch Fm
'THE PADDOCKS' PUBLIC CAR PARK — entrance from Elms Road, footpath to Shute End Offices
WELLINGTON ROAD (NORTH) OFFICES

The Planning Inspectorate

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

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

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

Your Ref: F/2000/1338

Our Ref: APP/X0360/A/00/1047586

Date: 25 August 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

I am writing to confirm that the inquiry into this appeal will open at 10:00 on Tuesday 14/11/2000 at Council Offices, Shute End, Wokingham which should be reserved for 1 day. The sitting day is at the Inspector's discretion and may be changed once the inquiry has opened. Please arrange a car-parking space for the Inspector, and send the details to the case officer quoting our appeal reference number.

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

Please note that disabled people who may be concerned about facilities at the inquiry venue have been advised to write to or contact your Council to confirm that proper provisions are in place.

Yours faithfully

Miss H Langridge

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

206BL

for file

Tel. (0118) 974 6448 (Direct Line)
Date: August 9, 2000
My ref: F/2000/1338
Your ref: APP/X0360/A/00/1047586

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

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

RECEIVED IN PINS AA
11 AUG 2000

Dear Miss Bibi

APPEAL BY: Cala Homes (South Ltd)
SITE: 22-24 Sandhurst Rd, Wokingham

I am writing to confirm our telephone conversations yesterday when you advised that the start date of this appeal is 31st July 2000, & that as such it does not fall under the new rules.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

c.c Mr D Bond

PLANNING INSPECTORATE Fax:01179878443 15 Aug 2000 13:56 P.02
01179878443

Tel. (0118) 974 6448 (Direct Line)
Date: August 16, 2000
My ref: F/2000/1338
Your ref: APP/X0360/A/00/1047586

file copy

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

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

Dear Miss Bibi

APPEAL BY: CALA HOMES (SOUTH) LTD
SITE: 22-24 Sandhurst Rd, Wokingham

With reference to this appeal, I enclose a copy of the completed questionnaire & asssociated documents.
I have also sent copies to the appellant's agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. August 16, 2000
My ref: F/2000/1338
Your ref:

file copy

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

Mr D Bond
Chancellors
45 High Street
Odiham
Hook
Hants
RG29 1LF

Dear Sir

APPEAL BY: **CALA HOMES (SOUTH) LTD**
SITE: **22-24 Sandhurst Rd, Wokingham.**

With reference to this appeal, I enclose a copy of the completed questionnaire & associated documents.

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

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

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 0 1374-6079

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

Your Ref: F/2000/1338 (1342 Dup. app.)

Our Ref: APP/X0360/A/00/1047586

Date: 3 August 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY CALA HOMES (SOUTH) LTD
SITE AT 22-24 SANDHURST ROAD, WOKINGHAM

I have received a planning appeal form and accompanying documents for this site (received on 31 July). I am the case officer. I am checking the papers and if I need further information, or if for legal reasons the appeal is not acceptable, I will write again.

The appellant has asked for an inquiry, which we are arranging. The date of this letter is the 'relevant date' from which the timetable for the inquiry procedure starts.

The timetable for sending documents

- You should send the appellant and me:

  Within the next 14 days - your completed appeal questionnaire.

- You should send the appellant, me and any 'statutory parties':

  Within the next 6 weeks - your statement of case. The appellant is also required to serve a statement of case on you, me and statutory parties no later than 9 weeks from the date of this letter. This should enable them to take your case into account when finishing their own.

  No later than 3 weeks before the inquiry - proofs of evidence and summary where appropriate.

- The appellant has to send you, me and any 'statutory parties':

  Within the next 9 weeks - their statement of case.

  No later than 3 weeks before the inquiry - proofs of evidence and summary where appropriate.

Remember that you must send the appellant a copy of any correspondence you send to me.

You will be giving details of any 'statutory parties' at application stage at question 15b of the appeal questionnaire. If we become aware of any other 'statutory parties' at appeal stage, I will let you have their names and addresses before your statement of case is due.

I must receive your proofs of evidence and summary, where appropriate, on time whether or not you have received the appellant's. If a proof of evidence is more than 1,500 words long, it must be accompanied by a summary, which itself should not exceed 10% of the length of the proof. The summary should reflect the contents of the proof and should not introduce new evidence. Where a summary is provided, only that will be read at the inquiry. It is unfair to other parties and the inspector, if proofs/summaries are not received on time and together. There is the possibility of postponement if you do not comply.

If you hear that an appeal is to be withdrawn, I would be grateful if you would let me know.

Although the appeal is now under way, we recommend that discussions between you and the appellant should continue, in case it is possible to sort out any differences before the inquiry.

Yours faithfully

pp Miss A Bibi

301

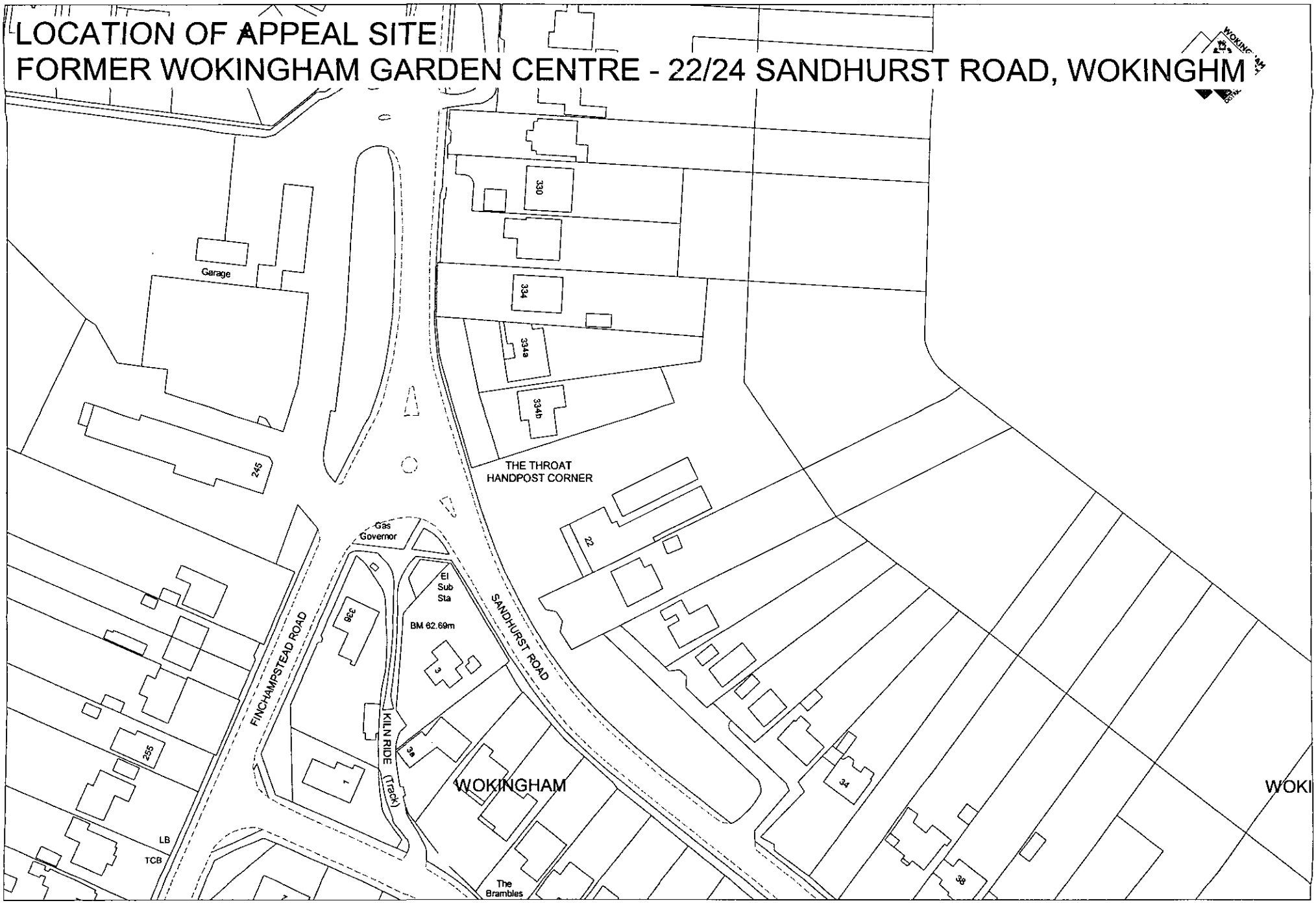
INQUIRY & HEARING DATES

We have improved the time taken to fix a date for an inquiry or hearing. Most inquiries are now arranged within 25 weeks from confirmation of procedure, and hearings are within 15 weeks. Appeals dealt with by written representations and a site visit are decided much quicker. If both parties agree to this option, please let the case officer know immediately.

SECTION 106 AGREEMENTS

If you intend to rely on an obligation made under Section 106, we must receive a completed, signed and dated copy before the date of the inquiry. We will not delay the issue of the decision letter to wait for the completion of a Section 106 obligation.

LOCATION OF APPEAL SITE
FORMER WOKINGHAM GARDEN CENTRE - 22/24 SANDHURST ROAD, WOKINGHM



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Development Control Section, Environmental Services, Wokingham District Council.

10 October 2000

Scale: 1 : 1250

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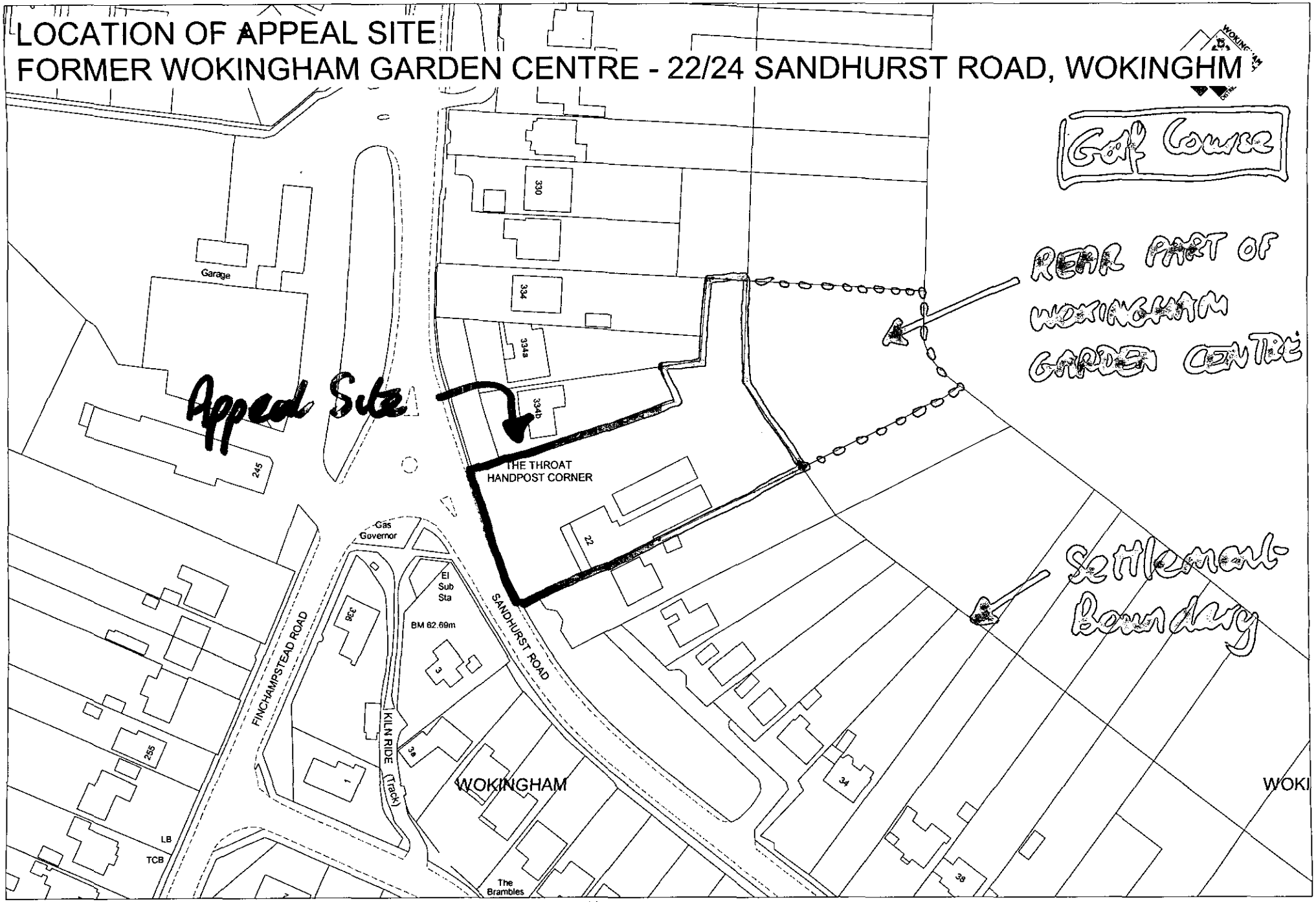
LOCATION OF APPEAL SITE
FORMER WOKINGHAM GARDEN CENTRE - 22/24 SANDHURST ROAD, WOKINGHM



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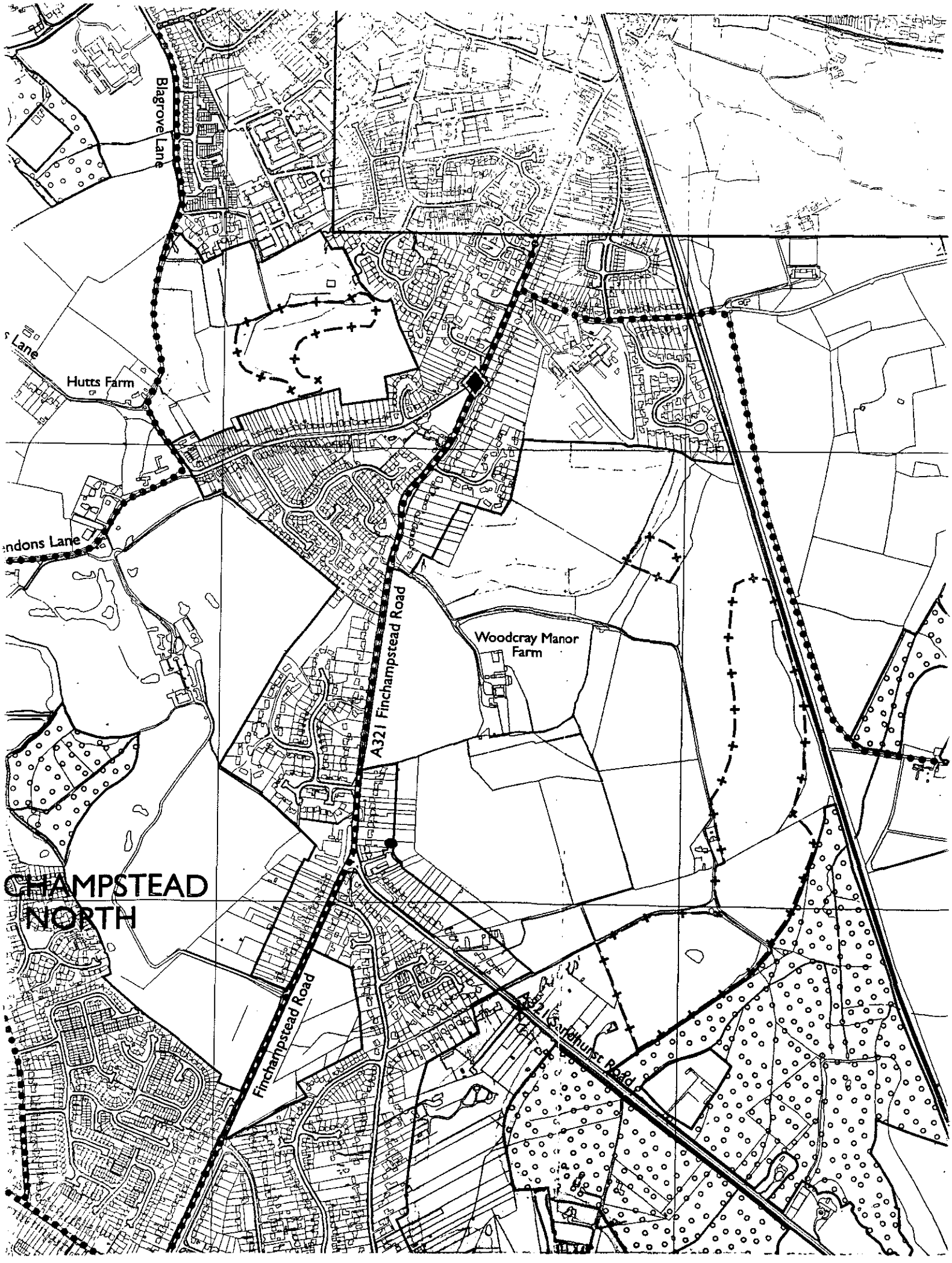
Development Control Section, Environmental Services, Wokingham District Council.

10 October 2000

Scale: 1 : 1250

N W E S


Blagrove Lane
Hutts Farm
A321 Finchampstead Road
Woodcray Manor Farm
Finchampstead Road
A321 Sandhurst Road
CHAMPSTEAD NORTH