APPLICATION NO. 8127

Name of appellant:
A Miles

Site address:
Mileswood Farm, Old Wokingham Rd, Wokingham

Proposal:Proposed erection of replacement B2 industrial building. Retrospective

Case Officer:NAB

Allowed
24/06/04

Appeal Decision

Site visit made on 11 May 2004

by Lynn Heffernan BA (Hons) MSc MRTPI

an Inspector appointed by the First Secretary of State

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

Date

24 JUN 2004

Appeal Ref: APP/X0360/A/04/1137542
Mileswood Farm, Old Wokingham Road, Wokingham, Berkshire, RG40 3BU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr A Miles against the decision of Wokingham District Council.
- The application (Ref. F/2002/8127), dated 28 November 2002, was refused by notice dated 17 July 2003.
- The development proposed is the erection of industrial building to replace pre-existing industrial building (retrospective).

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

Procedural Matters

1. The development was started before the date of the planning application but had not been completed at the time of my site visit.

Main Issue

2. I consider that the main issue in this case is the effect of the proposed development on the character and appearance of the countryside.

Planning Policy

3. The development plan for the area includes the *Berkshire Structure Plan 1991-2006 Incorporating Alterations adopted in August 1997* (SP) and the *Wokingham District Local Plan* adopted in 2004 (LP). Policies C2 (SP) and WCC1 (LP) exert strict control over development in the countryside outside development boundaries except in limited prescribed circumstances. Development which is acceptable in principle will only be permitted if appropriate in scale, form, materials, design and character to its location in the countryside. Policies C6 (SP) and WCC2 (LP) seek to maintain 'green wedges' and 'gaps' which provide visual and physical separation between settlements that are close together. Policy WRE4 (LP) permits minor extensions to buildings on sites in existing employment use outside settlements provided that they do not cause greater visual impact on the character of its countryside surroundings. Policy WOS3 (LP) also states that development should be appropriate in scale and character to the location and be designed to respect the local context. Policies BU1 (SP) sets out the circumstances in which industrial and other business uses will normally be permitted and Policy BU2 (SP) seeks, amongst other things, to enable existing businesses to expand in situ.

4. The Berkshire Unitary Authorities are reviewing the Structure Plan and have published the *Berkshire Structure Plan 2001-2016* (2002). Policy DP6 safeguards land outside

settlements for its own sake to be used only for purposes appropriate to rural areas. Policy DP7 carries forward similar policy objectives to adopted Policy C6. The emerging plan has been modified in the light of an Inspector's report following an Examination in Public. It has reached an advanced stage and carries significant weight.

5. *The South East Area Local Plan* (1994), which was the statutory local plan when this planning application was determined, has been superseded by the *Wokingham District Local Plan* (2004) and the policies referred to are no longer relevant to this appeal.

Reasons

6. The appeal site comprises a complex of buildings authorised for Class B1 and B2 industrial uses together with a compound for Class B8 use. It is situated in the countryside in a location designated as a 'gap' which separates the settlements of Wokingham and Crowthorne. The site, which is densely wooded and covered by a Tree Preservation Order, is set back from the main road. It is bounded on one side by Brooklands Farm and on the other by the Newlands Farm Industrial Estate.

7. The appellant states that the previous building, which has now been demolished, was a dutch barn style rectangular building with walls clad in shiplap timber boarding and a curved roof and gable ends covered with corrugated steel sheeting. The appellant states that the previous structure had a floorspace of approximately 145sq m including lean-to additions built after planning permission had been granted for the change of use to workshops. According to the Council's statement the previous building, as shown on the plans when permission was granted in 1998, covered 87sq m of floorspace. I have not been told the planning status of these subsequent additions.

8. The replacement building is significantly larger than the original building and has a floor area of some 217 sq m. The appellant states, and the Council does not dispute, that the replacement building is of a similar height to the original one but it occupies a larger footprint. Unlike the previous building it is a steel framed structure clad in profiled metal sheeting with 2 roller shutter doors proposed on the east and west elevations. The other buildings on the site are mainly low level wooden structures. The increase in size and change of materials from a wooden clad structure to a metal building gives a more industrial appearance. However, in my estimation, the design and materials of the building are not untypical of many modern industrial and agricultural buildings found in the countryside including some close to the appeal site. Moreover if, as the appellant states, the building is of a similar height to the previous dutch barn, it too would have been of a different scale to the other buildings on site.

9. In terms of visibility, the building is located centrally on the site in a similar position to the previous building. It is set back from Old Wokingham Road and reached along a winding road which passes through woodland. There is close boarded boundary fencing along the road frontage which screens the site and the lower portion of the building whilst the dense tree belt screens and softens the views of the upper part of the site and building. In my opinion, this dense woodland setting significantly restricts visibility of the building from Old Wokingham Road. The building is visible from Easthampstead Road across more open farmland belonging to Brookfield Farm. However, in my estimation, the building is not unduly intrusive in the landscape when viewed from this vantage point. I note that the Council's Landscape Officer also concluded that the building was not prominent from outside the site.

10. The site is located in a 'gap' which, it is stated, is intended to prevent the coalescence of Wokingham, Pinewood/Crowthorne and Finchampstead. However the appeal building is located centrally within the complex of authorised industrial buildings within a protected woodland setting. Although the development adds to the density of buildings on site it would not encroach further into open countryside. This, together with the dense tree coverage, would ensure that the development does not threaten the physical or visual separation provided by the gap.

11. The appellant has drawn my attention to nearby industrial buildings at Newlands Farm Industrial Estate and Priors Farm which are similar to the appeal proposal and larger than it. I agree that these building are more prominent in the countryside but, as I am not aware of their full planning background, I attach little weight to them. I have considered the proposal before me on its own planning merits having regard to development plan policy and any material considerations.

12. I conclude that the proposal would not affect the character and appearance of the countryside unacceptably or thereby conflict with the objectives of Structure Plan Policies C2 and C6 and Local Plan Policies WCC1, WCC2, WRE4 and WOS3.

Other Matters

13. The Council suggests that the development may lead to an intensification of industrial use on the site and that building on the hardstanding would displace the parking area previously allowed on appeal and lead to pressure for additional hardstanding adding to the urbanisation of the area. The appellant has stated that the proposal would not result in any material change to existing car parking and that no additional parking is proposed. Any future proposal for car parking would be subject to planning control. No information has been put to me to suggest that an intensification of use would cause problems in terms of highway safety or nuisance to neighbouring uses. Neither the Council's Highways Officer nor the Environmental Health Officer have objected to the principle of the proposal.

14. The trees on site are protected by a Tree Preservation Order and the Council's Landscape Officer has confirmed that no trees are affected by the proposal.

Conditions

15. The Council has suggested conditions regarding the construction and surfacing of the vehicular access and the retention of parking and turning areas within the site. I consider that these conditions are reasonable in the interests of highway safety and convenience and in order to restrain the possibility of encroachment onto them. The appellant has suggested a condition requiring a scheme for the painting of the exterior of the building to be submitted to the local planning authority for approval even though the plans indicate that the building will be painted brown. I consider that such a condition is reasonable in the interests of visual amenity.

16. The appellant has suggested that conditions controlling the hours of operation and to restrict the building from being subdivided could be imposed in view of the Council's concerns about intensification of the use. The Council has commented that these conditions do not overcome their reasons for refusing the development and do not outweigh the harm that the proposal would cause to the area. The Council has not commented on the merits of the suggested conditions in the event that the appeal is allowed. In the absence of any reasoned

justification for these particular conditions, such as evidence of potential nuisance or traffic problems, I consider that it would be unreasonable and unnecessary to impose them.

Conclusions

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

Formal Decision

18. I allow the appeal and grant planning permission for the erection of industrial building to replace pre-existing industrial building (retrospective) at Mileswood Farm, Old Wokingham Road, Wokingham, Berkshire, RG40 3BU in accordance with the terms of the application (Ref. F/2002/8127), dated 28 November 2002, and the plans submitted therewith, subject to the following conditions:

1) The building shall not be occupied until a means of vehicular access has been constructed in accordance with the approved drawing No 2765/1 and surfaced with a bonded material across the entire width of the access for a distance of 30m as measured from the carriageway edge. The land within the visibility splays shown on the approved drawing shall be cleared of any obstruction exceeding 0.6m in height and thereafter maintained at all time clear of any obstruction exceeding 0.6m in height.

2) The vehicle parking spaces and turning areas shown on the approved drawing No 2765/1 shall be permanently retained as such and used for no other purpose.

3) A scheme for painting the exterior of the building shall be submitted to the local planning authority within one month of the date of this permission. The scheme shall be shall be carried out in accordance with the approved details within three months of the date of the local planning authority's approval.

Information

19. Attention is drawn to the requirements of section 76 of the Town and Country Planning Act concerning provisions for the benefit of the disabled.

Lynn Hefferman

INSPECTOR

The Planning Inspectorate

An Executive Agency in the Office of the Deputy Prime Minister and the National Assembly for Wales

Our Complaints Procedures

Complaints

We try hard to ensure that everyone who uses the appeal system is satisfied with the service they receive from us. Planning appeals often raise strong feelings and it is inevitable that there will be at least one party who will be disappointed with the outcome of an appeal. This often leads to a complaint, either about the decision itself or the way in which the appeal was handled.

Sometimes complaints arise due to misunderstandings about how the appeal system works. When this happens, we will try to explain things as clearly as possible. Sometimes the appellant, the council or a local resident may have difficulty accepting a decision simply because they disagree with it. Although we cannot re-open an appeal to re-consider its merits or add to what the Inspector has said, we will answer any queries about the decision as fully as we can.

Sometimes a complaint is not one we can deal with (for example, complaints about how the council dealt with another similar application), in which case we will explain why, and suggest who may be able to deal with the complaint instead.

How we investigate complaints

Inspectors have no further direct involvement in the case once their decision is issued and it is the job of our Quality Assurance Unit to investigate complaints about decisions or an Inspector's conduct. We appreciate that many of our customers will not be experts on the planning system and for some, it will be their one and only experience of it. We also realise that your opinions are important and may be strongly held.

We therefore do our best to ensure that all complaints are investigated quickly, thoroughly and impartially, and that we reply in clear, straightforward language, avoiding jargon and complicated legal terms.

When investigating a complaint, we may need to ask the Inspector or other staff for comments. This helps us to gain as full a picture as possible so that we are better able to decide whether an error has been made. If this is likely to delay our full reply, we will quickly let you know.

What we will do if we have made a mistake

Although we aim to give the best service possible, we know that there will unfortunately be times when things go wrong. If a mistake has been made we will write to you explaining what has happened and offer our apologies. The Inspector concerned will be told that the complaint has been upheld.

We also look to see if lessons can be learned from the mistake, such as whether our procedures can be improved upon. Training may also be given so that similar errors can be avoided in future. However, the law does not allow us to amend or change the decision.

Who checks our work?

The Government have said that 99% of our decisions should be free from error and has set up an independent body called the Advisory Panel on Standards (APOS) to report to them on our performance. APOS regularly examines the way we deal with complaints and we must satisfy them that our complaints procedures are fair, thorough and prompt.

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Taking it further

If you are not satisfied with the way we have dealt with your complaint, you can contact the Parliamentary Commissioner for Administration (often referred to as The Ombudsman), who can investigate complaints of maladministration against Government Departments or their Executive Agencies. If you decide to go to the Ombudsman, you must do so through an MP. Again, the Ombudsman cannot change the decision.

Frequently asked questions

"Why can't the decision be reviewed if a mistake has happened?" – The law does not allow us to do this because an appeal decision is a legal document that can only be reviewed following a successful High Court challenge. The enclosed High Court leaflet explains more about this.

"If you cannot change a decision, what is the point of complaining?" – We are keen to learn from our mistakes and try to make sure they do not happen again. Complaints are therefore one way of helping us improve the appeals system.

"Why did an appeal succeed when local residents were all against it?" – Local views are important but they are likely to be more persuasive if based on planning reasons, rather than a basic like or dislike of the proposal. Inspectors have to make up their own minds whether these views justify refusing planning permission.

"How can Inspectors know about local feeling or issues if they don't live in the area?" – Using Inspectors who do not live locally ensures that they have no personal interest in any local issues or any ties with the council or its policies. However, Inspectors will be aware of local views from the representations people have submitted.

"I wrote to you with my views, why didn't the Inspector mention this?" – Inspectors must give reasons for their decision and take into account all views submitted, but it is not necessary to list every bit of evidence.

"Why did my appeal fail when similar appeals nearby succeeded?" – Although two cases may be similar, there will always be some aspect of a proposal which is unique. Each case must be decided on its own particular merits.

"I've just lost my appeal, is there anything else I can do to get my permission?" – Perhaps you could change some aspect of your proposal to increase its acceptability. For example, if the Inspector thought your extension would look out of place, could it be re-designed to be more in keeping with its surroundings? If so, you can submit a revised application to the council. Talking to their planning officer about this might help you explore your options.

"What can I do if someone is ignoring a planning condition?" – We cannot intervene as it is the council's responsibility to ensure conditions are complied with. They can investigate and have discretionary powers to take action if a condition is being ignored.

Further information

Every year, we publish a Business and Corporate Plan which sets out our plans for the following years, how much work we expect to deal with, and how we plan to meet the targets which Ministers set for us. At the end of each financial year, we publish our Annual Report and Accounts, which reports on our performance against these targets and how we have spent the funds the Government gives us for our work. You can view these and obtain further information by visiting our website (see 'Contacting us'). You can also get booklets which give details about the appeal process by phoning our enquiries number.

You can find the latest Advisory Panel on Standards report either by visiting our website or on the ODPM website - www.odpm.gov.uk/

Contacting us

Quality Assurance Unit
The Planning Inspectorate
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Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Website
www.planning-inspectorate.gov.uk

Enquiries
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E-mail: enquiries@pins.gsi.gov.uk

Complaints
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E-mail: complaints@pins.gsi.gov.uk

Cardiff Office
The Planning Inspectorate
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Phone: 0292 082 3866
E-mail: Wales@pins.gsi.gov.uk

The Parliamentary Ombudsman
Office of the Parliamentary
Commissioner for Administration
Millbank Tower, Millbank
London SW1P 4QP

Helpline: 0845 0154033
Website: www.ombudsman.org.uk
E-mail:opca-enqu@ombudsman.org.uk

The Planning Inspectorate

An Executive Agency in the Office of the Deputy Prime Minister and the National Assembly for Wales

Challenging the Decision in the High Court

Challenging the decision

Appeal decisions are legal documents and we cannot amend or change them once they have been issued. Decisions are therefore final unless successfully challenged in the High Court. If a challenge is successful, we will consider the decision afresh.

Grounds for challenging the decision

A decision cannot be challenged merely because someone disagrees with the Inspector's judgement. For a challenge to be successful, you would have to show that the Inspector misinterpreted the law or, for instance, that the inquiry, hearing, site visit or other appeal procedures were not carried out properly, leading to, say, unfair treatment. If a mistake has been made and the Court considers it might have affected the outcome of the appeal, it will return the case to us for re-consideration.

Different appeal types

High Court challenges proceed under different legislation depending on the type of appeal and the period allowed for making a challenge varies accordingly. Some important differences are explained below:

Challenges to planning appeal decisions

These are normally applications under Section 288 of the Town & Country Planning Act 1990 to quash decisions into appeals for planning permission (including enforcement appeals allowed under ground (a), deemed application decisions or lawful development certificate appeal decisions). For listed building or conservation area consent appeal decisions, challenges are made under Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990. **Challenges must be received by the Administrative Court within 42 days (6 weeks) of the date of the decision - this period cannot be extended.**

Challenges to enforcement appeal decisions

Enforcement appeal decisions under all grounds [see our booklet 'Making Your Enforcement Appeal'] can be challenged under Section 289 of the Town & Country Planning Act 1990. Listed building or conservation area enforcement appeal decisions can be challenged under Section 65 of the Planning (Listed Buildings and Conservation Areas) Act 1990. To challenge an enforcement decision under Section 289 or Section 65, you must first get the permission of the Court. However, if the Court does not consider that there is an arguable case, it can refuse permission. **Applications for permission to make a challenge must be received by the Administrative Court within 28 days of the date of the decision, unless the Court extends this period.**

Important Note - This leaflet is intended for guidance only. Because High Court challenges can involve complicated legal proceedings, you may wish to consider taking legal advice from a qualified person such as a solicitor if you intend to proceed or are unsure about any of the guidance in this leaflet. Further information is available from the Administrative Court (see overleaf).

Frequently asked questions

"Who can make a challenge?" - In planning cases, anyone aggrieved by the decision may do so. This can include third parties as well as appellants and councils. In enforcement cases, a challenge can only be made by the appellant, the council or other people with a legal interest in the land - other aggrieved people must apply promptly for judicial review by the Courts (the Administrative Court can tell you more about how to do this – see Further Information).

"How much is it likely to cost me?" - A relatively small administrative charge is made by the Court for processing your challenge (the Administrative Court should be able to give you advice on current fees – see 'Further information). The legal costs involved in preparing and presenting your case in Court can be considerable though, and if the challenge fails you will usually have to pay our costs as well as your own. However, if the challenge is successful we will normally meet your reasonable legal costs.

"How long will it take?" - This can vary considerably. Although many challenges are decided within six months, some can take longer.

"Do I need to get legal advice?" - You do not have to be legally represented in Court but it is normal to do so, as you may have to deal with complex points of law made by our own legal representative.

"Will a successful challenge reverse the decision?" - Not necessarily. The Court can only require us to reconsider the case and an Inspector may come to the same decision again, but for different or expanded reasons.

"What can I do if my challenge fails?" - The decision is final. Although it may be possible to take the case to the Court of Appeal, a compelling argument would have to be put to the Court for the judge to grant permission for you to do this.

Contacting us

High Court Section
The Planning Inspectorate
4/07 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Phone: 0117 372 8962

Website
www.planning-inspectorate.gov.uk

General Enquiries
Phone: 0117 372 6372
E-mail: enquiries@pins.gsi.gov.uk

Complaints
Phone: 0117 372 8252
E-mail: complaints@pins.gsi.gov.uk

Cardiff Office
The Planning Inspectorate
Room 1-004
Cathays Park
Cardiff CF1 3NQ
Phone: 0292 082 3866
E-mail: Wales@pins.gsi.gov.uk

The Parliamentary Ombudsman
Office of the Parliamentary
Commissioner for Administration
Millbank Tower, Millbank
London SW1P 4QP

Helpline: 0845 0154033
Website: www.ombudsman.org.uk
E-mail:opca-enqu@ombudsman.org.uk

Inspection of appeal documents

We normally keep appeal files for one year after the decision is issued, after which they are destroyed. You can inspect appeal documents at our Bristol offices, by contacting us on our General Enquiries number to make an appointment (see 'Contacting us'). We will then ensure that the file is obtained from our storage facility and is ready for you to view. Alternatively, if visiting Bristol would involve a long or difficult journey, it may be more convenient to arrange to view your local planning authority's copy of the file, which should be similar to our own.

Further information

Further advice about making a High Court challenge can be obtained from the Administrative Court at the Royal Courts of Justice, Queen's Bench Division, Strand, London WC2 2LL, telephone 0207 9476655; Website: www.courtservice.gov.uk/using_courts/guides_notices/notices/divis/

Council on tribunals

If you have any comments on appeal procedures, you can contact the Council on Tribunals, 81 Chancery Lane, London WC2A 1BQ. Telephone 020 7855 5200; website: http://www.council-on-tribunals.gov.uk/. However, it cannot become involved with the merits of individual appeals or change an appeal decision.

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The Planning Inspectorate

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Temple Quay House
2 The Square
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GTN 1371-6079

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FILE:

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

Your Ref: F/2002/8127

Our Ref: APP/X0360/A/04/1137542

Date: 24 June 2004

NAS

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR A MILES
SITE AT MILESWOOD FARM, OLD WORKINGHAM ROAD, WOKINGHAM, BERKSHIRE, RG40 3BU

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

The attached leaflet explains the right of appeal to the High Court against the decision and how the documents can be inspected.

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

Quality Assurance Unit
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

Phone No. 0117 372 8252

Fax No. 0117 372 8139

E-mail: Complaints@pins.gsi.gov.uk

Yours faithfully

Mrs Celia Bate

COVERDL1

Tel. (0118) 974 6448 (Direct Line)
Date: March 3, 2004
My ref: F/2002/8127
Your ref: APP/X0360/A/04/1137542

Mrs M Pocock
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

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

Dear Mrs Pocock

APPEAL BY: A Miles
SITE: Mileswood Farm, Old Wokingham Rd, Wokingham

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: February 5, 2004
My ref: F/2002/8127
Your ref: APP/X0360/A/04/1137542

Mrs M Pocock
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

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

Dear Mrs Pocock

APPEAL BY: Mr Miles
SITE: Mileswood Farm, Old Wokingham Lane, Wokingham

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.
I have also sent copies to the appellant's agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. February 5, 2004
My ref: F/2002/8127
Your ref: RWB/244

Environmental Services Department
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P.O. Box 157
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Robin Bradbeer Ltd
Steepways Farm
Nether Lypiatt
Stroud
Glos
GL6 7LS

Dear Sirs

APPEAL BY: Mr A Miles
SITE: Mileswood Farm, Old Wokingham Rd, Wokingham

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

3/03 Kite Wing
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2002/8127

Our Ref: APP/X0360/A/04/1137542

Date: 21 January 2004

4/2

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR A MILES
SITE AT MILESWOOD FARM, OLD WORKINGHAM ROAD, WOKINGHAM, BERKSHIRE, RG40 3BU

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

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

The appellant has requested the written procedure. Unless you tell me otherwise, I will assume that you do not want an inquiry. The date of this letter is the **starting date** for the appeal.

The following documents must be **submitted** within this timetable:

Within 2 weeks from the starting date -

You must notify any statutory parties and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them that:-

i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies within **6 weeks of the starting date.** If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned.
ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must submit a copy of a completed appeal questionnaire with copies of all necessary supporting documents, to the appellant and me. It is essential that details of all the relevant development plan policies are included with it at this early stage.

Within 6 weeks from the starting date -

You must submit 2 copies of your statement to me if the appeal questionnaire does not comprise the full details of your case. The appellant must submit 2 copies of any statement to me if it proves necessary to add to the full details of the case made in the grounds of appeal. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, *as recommended in Annex 1(i) of DETR Circular 05/2000.* I will send you and the appellant a copy of any comments submitted by interested parties.

Within 9 weeks from the starting date -

You and the appellant must submit 2 copies of any final comments on each other's statement and on any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement and no new evidence is allowed. I will forward the appellant's final comments to you at the appropriate time.

Site visit arrangements

We will arrange for our Inspector to visit the appeal site and we will send you the details. Our aim is to arrange the visit within 12 weeks of the **starting date**, but from time to time it may take us a little longer.

You **must keep to the timetable** set out above and ensure your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. Inspectors will not accept representations at the site visit, nor will they delay the issue of their decision to wait for them. As I have given details of the timetable, I will not send you reminders.

Planning obligations - Section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land', or a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation, you must submit a completed, signed and dated copy ten working days before the date of the site visit. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Yours faithfully

Mrs Margaret Pocock

102(BPR)

Robin Bradbeer Limited

Planning & Development Consultancy

Steepways Farm
Nether Lypiatt
Stroud
Gloucestershire
GL6 7LS

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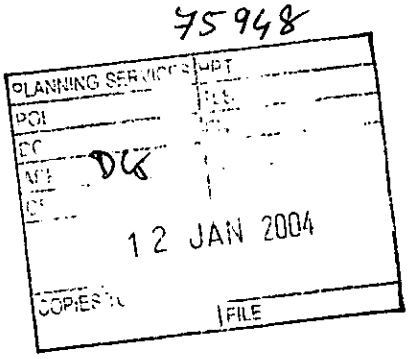
01453 889103

E-Mail
planning@bradbeer.co.uk

Planning Services
Wokingham District Council
PO. Box 157
Shute End
Wokingham
Berkshire RG40 1WR

75948



Our ref. RWB/244
Your ref. F/2002/8127
9 January 2004

Dear Sir

THE TOWN AND COUNTRY PLANNING ACT S.78
APPEAL BY MR A MILES
MILESWOOD FARM OLD WOKINGHAM ROAD WOKINGHAM BERKSHIRE

I attach a copy of the appeal that has been lodged with The Planning Inspectorate.

Yours faithfully

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

244mf.wdc1.

Robin Bradbeer Limited
Planning & Development Consultancy

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The Planning Inspectorate
Customer Support Unit, Room 3/15 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Our ref. RWB/244
9 January 2004

Dear Sirs

THE TOWN AND COUNTRY PLANNING ACT S.78
APPEAL BY MR A MILES
MILESWOOD FARM OLD WOKINGHAM ROAD WOKINGHAM BERKSHIRE

I enclose a completed appeal form with supporting documents and confirm that a further copy of the appeal form has been sent to the Council.

On behalf of the appellant it is requested that this appeal should proceed by way of written representations and an accompanied site visit for the reasons given.

I look forward to receiving confirmation of your registration of this appeal.

Yours faithfully

ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

Enc.

244mt pl

THE TOWN AND COUNTRY PLANNING ACT S.78
APPEAL BY MR A MILES
MILESWOOD FARM OLD WOKINGHAM ROAD WOKINGHAM BERKSHIRE
ESSENTIAL SUPPORTING DOCUMENTS SUBMITTED WITH THE APPEAL FORM

---

1. Planning application form dated 28/11/02.
2. Site ownership certificate dated 28/11/02.
3. LPA decision notice ref. F/2002/8127 dated 17/07/03.
4. Drawing no. 2765/1C sent to the LPA as part of the application.
5. Agent's letter to LPA dated 28/11/02.
6. Agent's letter to LPA 16/07/03.
7. Appeal decision dated 30/06/00 and drawing no. 244/99/1.

Robin Bradbeer Limited
Planning & Development Consultancy
Steepways Farm
Nether Lypiatt
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Gloucestershire GL6 7LS
Tel: 01453 889102
Fax: 01453 889103
email: planning@bradbeer.co.uk

Our Ref. : RWB/244
9 January 2004

8127 Please file

The Planning Inspectorate

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

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Switchboard 0117-3728000
Fax No 0117-3728139
GTN 1371-8108

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FILE:

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

Your Ref: F/2002/8127

Our Ref: APP/X0360/A/04/1137542

Date: 14 June 2004

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR A MILES
SITE AT MILESWOOD FARM, OLD WORKINGHAM ROAD, WOKINGHAM, BERKSHIRE, RG40 3BU

I am writing to let you know that the decision on this appeal has missed our target of 5 weeks as the Inspector has been engaged on other work which has taken longer than originally forecast.

I apologise for any inconvenience that the delay may cause, however, every effort is being made to ensure that this decision will be issued as soon as possible.

Yours faithfully

Miss Tracy Warry

SG14

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: A Miles
SITE: Mileswood Farm, Old Wokingham Rd, Wokingham
APPLICATION NO.: 8127
PROPOSAL: Proposed erection of replacement B2 industrial building. Retrospective

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Wokingham Without

Mr Ross

Mr Lewis

Mrs Helliar - Symons

Clerk(s) of Parish / Town Council of Wokingham Without

Mr Grant, The Lodge, Pinewood Leisure Centre, Old Wokingham Rd, Wokingham RG40 3AQ

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

Organisation_Name	Building_Name	address1	Postcode
	MILESWOOD FARM	MILESWOOD FARMOLD WOKINGHAM ROADWOKIN(	RG40 3BU
KAYS OF BRACKNELL	NEWLANDS FARM	NEWLANDS FARMOLD WOKINGHAM ROADWOKING	RG40 3BU
	PINECROFT	PINECROFTOLD WOKINGHAM ROADWOKINGHAM	RG40 3BT
	NEWLANDS	NEWLANDSOLD WOKINGHAM ROADWOKINGHAM	RG40 3BU
	HAYWIRE COTTAGE	HAYWIRE COTTAGEOLD WOKINGHAM ROADWOKIN	RG40 3BT

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GTN 1371-6079

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31 MAR 2004
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FILE: Your Ref:

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

Your Ref: F/2002/8127

Our Ref: APP/X0360/A/04/1137542

Date: 30 March 2004

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR A MILES
SITE AT MILESWOOD FARM, OLD WORKINGHAM ROAD, WOKINGHAM, BERKSHIRE, RG40 3BU

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

Yours faithfully

Mrs Celia Bate

217L(BPR)

Robin Bradbeer Limited

Planning & Development Consultancy

Steepways Farm
Nether Lypiatt
Stroud
Gloucestershire
GL6 7LS

Telephone
01453 889102

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The Planning Inspectorate
3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay Bristol BS1 6PN

Our ref. RWB/244
Your ref. APP/X0360/A/04/1137542
12 March 2004

For the attention of Mrs Margaret Pocock

Dear Mrs Pocock

APPEAL REF NO. APP/X0360/A/04/1137542
SITE: MILESWOOD FARM OLD WOKINGHAM ROAD WOKINGHAM BERKSHIRE

Thank you for your letter dated 8 March 2004 enclosing a copy of the LPA's statement.

In response to that statement the following final comments are made on behalf of the appellant.

1. ***LPA paragraph 1.02***
   Whereas the site is clearly visible from nearby roads, as an area of woodland, there are only limited views of the appeal building (Appellant's section 2.0 and Document 1).

2. ***LPA Section 3.00***
   The relevant policies in the emerging Replacement Berkshire Structure Plan 2001-2016 reflect the aims of relevant policies in the adopted Structure Plan.

3. The LPA's policy analysis fails to consider the following relevant policies (Appellant's section 5 and Documents 4, 5, 6)
   SP : BU1, BU2
   LP : SE5
   LP/D : WEM8

4. The Wokingham District Local Plan was adopted on 11 March 2004.

5. ***LPA Section 4.00***
   The Council's assertion that the size and materials of the appeal building would be out of keeping with the character of the area will be a matter for assessment at the site visit in the context of existing buildings in the area.

5. The Highways memo dated 24/09/02 indicates that the proposal provides adjacent car parking to the Council's satisfaction. This provision does not rely any material change to the amount of permitted car parking spaces on the site as a whole.

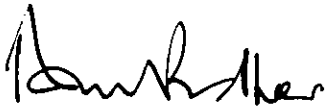
6. The Council speculates that the proposal could lead to increased pressure to create more hardstanding area. This is without any foundation in fact and no such development is proposed. Were such development to be proposed in the future it would be a matter to be determined on its own merits.

7. ***LPA Section 5.00***
The LPA appears to reluctantly acknowledge that the principle of redevelopment within this authorised employment site is acceptable. This cannot be in doubt having regard to SP Policy C2(ii).

8. ***LPA Section 7.0***
The appellant has no objection to conditions requiring the implementation of access and parking works shown on drawing no. 2765/1C.

9. Notwithstanding the LPA's concerns regarding intensification it appears not to have considered the opportunity for those concerns to be addressed by attaching conditions. The Appellant's Document 8 includes conditions that do this.

Yours sincerely



ROBIN BRADBEER BA (Hons) MRTPI Chartered Town Planner

WOKINGHAM DISTRICT COUNCIL

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Thursday, 11 March, 2004, 13:49

« Wokingham District Plan
Planning
Adopted Local Plan
- Local Plan Proposals Map
- LP Designation Search
- Deposit Local Plan
- Inspectors' Reports
- Plan Modifications
- Executive Meetings
- Plan Timetable

Publications
Related links
Status of Local Plan
Wildlife Heritage Sites
Development Plans
WDC Planning Guidance
Regional Guidance
Review of Local Plan

Wokingham District Local Plan - March 2004

The Wokingham District Local Plan was Adopted by the Council on 11th March 2 its decision on 29th January 2004.

A copy of the text of the Adopted Plan is attached at the end of this page. An inte the Local Plan Proposals Map is also available.

In addition, it is also possible to find out the Local Plan Policies that relate to a pa address using the Local Plan Designation Search. However, in using this facility, recognised that this seach will only list the Local Plan Policies that apply at the ce particular site. It may not therefore list all of them that relate to the site. It will also policies that only apply to adjacent pieces of land. You are advised to check the it of the Local Plan Proposals Map to confirm the designations that apply to a locati

A variety of documents produced by the Council during the development of the W District Local Plan are available through the links in the left hand menu.

To read the attached pdf file, you need to have Adobe Acrobat Reader. This softv free from www.adobe.com

Related Documents

Wokingham District Local Plan - March 2004
PDF - 5.2 MB

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FILE:

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

Your Ref: F/2002/8127

Our Ref: APP/X0360/A/04/1137542

Date: 8 March 2004

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR A MILES
SITE AT MILESWOOD FARM, OLD WORKINGHAM ROAD, WOKINGHAM, BERKSHIRE, RG40 3BU

I enclose a copy of the appellants statement relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. You should comment solely on the representations enclosed with this letter. -24/3

You cannot introduce new material or put forward arguments that should have been included in your earlier statement. If you do, your comments will not be accepted and will be returned to you.

Comments submitted after the 9-week deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours faithfully

C Bate

Mrs Celia Bate

211AL(BPR)

Tel: (0118) 974 6448 (Direct Line)
Email: Denise.Gumbrell@wokingham.gov.uk
Date: 05 February 2004
My ref: F/2002/8127

WOKINGHAM DISTRICT COUNCIL

THE OWNER/OCCUPIER
HAYWIRE COTTAGE
OLD WOKINGHAM ROAD
CROWTHORNE
BERKSHIRE
RG40 3BT

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 No: F/2002/8127
APPEAL BY: Mr A Miles
SITE: Mileswood Farm Old Wokingham Road Wokingham
PROPOSAL: Proposed erection of a replacement B2 industrial building. Retrospective.

I am writing to inform you, that this appeal has been lodged with The Planning Inspectorate, and will be dealt with by means of written statements by the appellant and the Council.

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

If you wish to make further representations, you should, if possible, **send three copies** to Mrs M Pocock, The Planning Inspectorate, Room 3/03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Please quote reference **APP/X0360/A/04/1137542**. Comments received after **03/03/2004** will not normally be seen by the Inspector & will be returned.

Documents relating to this appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during office hours (08:30- 17:00 Monday to Friday).

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

If you would like a copy of the Appeal decision, please request one from Mrs Pocock at the Inspectorate.

Yours faithfully

Denise Gumbrell

Appeals Assistant

HIGHWAYS CONSULTATION SHEET

From: Natalie Brown **Date:** 12 December 2002

Application Number: F/2002/8127

Proposal: Proposed erection of a replacement B2 industrial building. Retrospective.

Parish: WOKINGHAM WITHOUT PARISH

Site Address:
Mileswood Farm, Old Wokingham Road, Wokingham, .

Applicant:
Mr A Miles C/O Robin Bradbeer Ltd.

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

✓ below as applicable;

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

Site visit carried out: ☐ **No** ☑ **Yes - Date & Time:** _____

1. C122, R122.
2. C126 (INSERT: 2765/1C), R126.
3. No building shall be occupied until all shrubs, trees etc. are trimmed back to the highway edge across the entire frontage of the site.
4. C132, R132
5. C140 (INSERT: 30 metres), R140.

NO7.

Adam 24/9/02.

Wokingham Without Parish Council Consultation Sheet

Officer	Natalie Brown
No	F 2002 8127
Proposal	erection of a replacement B2 industrial building- Retrospective.
Site	Mileswood Farm, Old Wokingham Road, Wokingham.

07 JAN 2002

Committee's Comments

The development is in blatant breach of planning law,. The Council is, and would have been if consulted in advance, opposed to what is further creeping industrial development in the rural area defined as 'green wedge'. The building should be demolished.

Signed :
Clerk to Wokingham Without Parish Council

07 January 2003

See Part One Plans

To:
Landscape and Trees
Outside Settlement Boundary

17 DEC 2002

From: Natalie Brown

Date: 12 December 2002

Application Number: F/2002/8127

Proposal: Proposed erection of a replacement B2 industrial building. Retrospective..

Site Address:
Mileswood Farm, Old Wokingham Road, Wokingham, .

Applicant:
Mr A Miles C/O Robin Bradbeer Ltd.

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

The trees on this site are included in Tree Preservation Order No. 316/1986. The erection of the building did not require any tree removal.

As the building is not prominent when viewed from outside of the site I have no objection to it remaining.

Neil Ellerby

8/1/03

Natalie Brown

From: John Mullaney
Sent: 19 December 2002 17:59
To: Natalie Brown
Subject: F/2002/8127 Mileswood Farm

I have no objections to the proposed development.

John Mullaney
Senior Environmental Health Officer
Environmental Protection and Housing
Wokingham District Council
Tel. 0118 974 6766
Fax. 0118 974 6401
john.mullaney@wokingham.gov.uk
www.wokingham.gov.uk

The Planning Inspectorate

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

For official use only
Date Received

APPEAL REF: APP/X0360/A/04/1137542 GRID REF:

APPEAL BY: Mr Miles

SITE: Milestwood Farm, Old Wokingham Rd, Wokingham POSTCODE RG40 3BU.

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to us and the appellant, **within 2 weeks of the 'starting date'** given in our letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.** Please send our copy to the case officer. Their address is shown on our letter.

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

1. Do you agree to the written representations procedure? (An exchange of written statements, which will be studied by the Inspector, prior to visiting the site). — ☒ YES ☐ NO

   if NO,

   Do you wish to be heard by an Inspector at (a) a local inquiry? or — ☐ YES ☒ NO

   (b) a hearing? — ☐ YES ☒ NO

   Note: If the written procedure is agreed the Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.

2a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land? — ☐ YES ☒ NO

b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts? — ☐ YES ☒ NO

   If the answer to 2b is YES please explain:

3. Please provide the name and telephone number of the officer we can contact to make arrangements for the site visit, hearing or inquiry.

   Name: D. Gumbrell

   Telephone no.: 01189746448

4. Does the appeal relate to an application for approval of reserved matters? — ☐ YES ☒ NO

5. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application? — ☐ YES ☒ NO ☐ NA

6. Did you give publicity to the application? ☐ YES ☒ NO

- Article 8 of the GDPO 1995
- Section 67/73 of the Planning (Listed Buildings & Conservation Areas) Act 1990
- Regulation 5 of the Planning (Listed Buildings & Conservation Areas) Regulations 1990

7. Is the appeal site within an approved Green Belt or AONB? ☐ YES ☒ NO

Please specify which

8. 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

9. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State? If YES, please attach details and, where necessary, give our reference numbers. ☐ YES ☒ NO

b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details. ☐ YES ☒ NO

10. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q12.) ☐ YES ☒ NO

11. Does the appeal relate to an application for conservation area consent? ☐ YES ☐ NO

12. a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building? ☐ YES ☒ NO

Grade I / II* / II ☐☐☐

b. Would the proposed development affect the setting of a listed building? ☐ YES ☒ NO

If the answer to question 12a 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 Q14.)

Date of listing

13. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953? ☐ YES ☐ NO

14. a. Would the proposals affect an Ancient Monument (whether scheduled or not)? ☐ YES ☒ NO

b. If YES, was English Heritage consulted? Please attach a copy of any comments. ☐ YES ☐ NO

15. Is any part of the site subject to a Tree Preservation Order? If YES, please enclose a plan showing the extent of the Order and any relevant details. ☒ YES ☐ NO

16. a. Is the appeal site in or adjacent to or likely to affect an SSSI? If YES, please attach the comments of English Nature. ☐ YES ☒ NO

b. Are any protected species likely to be affected by the proposals? If YES, please give details. ☐ YES ☒ NO

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

a. Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? If YES, please indicate which Schedule.	☐ YES Sch1 ☐	☐ NO Sch2 col 1 ☐
b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?	☐ YES	☐ NO
c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.	☐ YES	☐ NO

	Number of Documents Enclosed	N/A
d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	1	
e. Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g. Any representations received as a result of a notice published under Article 8 and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h. Details of any other applications or matters you are currently considering relating to the same site;		✓
i. **For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan;***	3	
j. Any supplementary planning guidance, together with its status, that you consider necessary;		✓
k. Any other relevant information or correspondence you consider we should be aware of;		✓
l. Please provide us with a list of conditions which you consider should be imposed if planning permission is granted. **You need not submit this with the other questionnaire papers, but it should reach us within 6 weeks from the starting date. Being a questionnaire paper, the list should be submitted separately from your appeal statement.**	Enclosed	*To be sent within 6 weeks from start date*
		✓

18. a. Please include:
i) a copy of the letter in which you notified people of the appeal;
ii) a list of the people you notified; and
iii) the deadline you gave for their comments to be sent to us.

03/03/04

b. Copies of the following documents must, if appropriate, be enclosed with the questionnaire.

	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application;	3	
ii) the planning officer's report to committee;		✓
iii) any relevant committee minute.		✓

19. **For appeals dealt with by written representations only**

Do you intend to send another statement about this appeal? If NO, please enclose the following information:- ☑ YES ☐ NO

a. In non-determination cases:

i) what the decision notice would have said;

ii) how the relevant development plan policies relate to the issues of this appeal.

b. In all cases:

i) the relevant planning history;

ii) any supplementary reasons for the decision on the application;

iii) matters which you want the Inspector to note at the site visit.

20. The Mayor of London cases only

a. Was it necessary to notify the Mayor of London about the application? If YES, please attach a copy of that notification. ☐ YES ☐ NO

b. Did the Mayor of London issue a direction to refuse planning permission? If YES, please attach a copy of that direction. ☐ YES ☐ NO

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

Signature [signature] on behalf of WOKINGHAM Council

Date sent to us and the appellant 05/02/04 our ref: F/2002/8127

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

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The Planning Inspectorate

Further information about us and the planning appeal system is available on our website www.planning-inspectorate.gov.uk

FOR OFFICIAL USE ONLY (Date received)

PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language please contact our helpline on 0117 372 6372.

Please use a separate form for each appeal.

Your appeal and essential supporting documents must reach the Inspectorate within 3 months of the date shown on the Local Planning Authority's decision notice or, for 'failure' appeals, within 3 months of the date by which they should have decided the application (or within 6 months in the case of applications made before 5 September 2003).
Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING: If any of the 'Essential supporting documents' listed in Section J are not received by us within the 3 month period, the appeal will not be accepted.

Please print clearly in capitals using black ink.

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	MR A MILES		
Address	C/O AGENT	Daytime phone no.	
		Fax no	
Postcode		E-mail address	

B. AGENT DETAILS FOR THE APPEAL (if any)

Name	ROBIN BRADBEER LIMITED		
Address	STEEPWAYS FARM	Your reference	244
	NETHER LYPIATT STROUD	Daytime phone no.	01453 889102
	GLOS.	Fax no	01453 889103
Postcode	GL6 7LS	E-mail address	planning@bradbeer.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA	WOKINGHAM DISTRICT COUNCIL
LPA's application reference no.	F/2002/8127
Date of the planning application	28/11/02

Date of the LPA's decision (if issued) 17/07/03

D. APPEAL SITE ADDRESS

D

Address MILESWOOD FARM
OLD WOKINGHAM ROAD
WOKINGHAM
BERKSHIRE

Postcode RG40 3BU

Note: Failure to provide the full postcode may delay the processing of your appeal.

Is the appeal site within a Green Belt? YES ☐ NO ☒

E. DESCRIPTION OF THE DEVELOPMENT

Size of the whole appeal site (in hectares)	Area of floor space of proposed development (in square metres)
0.88	217

Has the description of the development changed from that stated on the application form? YES ☐ NO ☒

If YES, please state below the revised wording, and enclose a copy of the LPA's agreement to the change.

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:-

Please tick **one** box only ✓

1 Refuse planning permission for the development described on the application form or in Section E. ☒

2 Grant planning permission for the development subject to conditions to which you object. ☐

3 Refuse approval of the matters reserved under an outline planning permission. ☐

4 Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object. ☐

5 Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

or

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

2.(a) HEARINGS ☐

This process is likely to be suited to slightly more complicated cases which require detailed discussion about the merits of a proposal. Like the written procedure, the process starts with the submission of 'written grounds of appeal' followed by a full written statement of case and an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). The Planning Inspectorate will then arrange a hearing at which the Local Planning Authority and the appellant(s) will be represented. Members of the public, interested bodies (e.g. Parish/Town Councils) and the press may also attend. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. The Inspector will visit the site/area and issue a written decision in the same way as the written procedure.

Although you may prefer a hearing the Inspectorate must consider your appeal suitable for this procedure.

(b) INQUIRIES ☐

This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar as the parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence. Members of the public and press may also attend. In general, inquiries are suggested for appeals that:

- are complex and unduly controversial;
- have caused a lot of local interest;
- involve the need to question evidence through formal cross-examination.

H. GROUNDS OF APPEAL

H

If you have requested the written procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, you do not have to provide your full grounds of appeal. You can provide only a brief outline of your grounds, but it must be sufficiently detailed and comprehensive enough to enable the LPA to prepare their case.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

1. The appeal site is situated on the west side of Old Wokingham Road, down a winding access through a dense belt of trees. The site itself lies within an area of woodland that is protected by an Area Tree Preservation Order.

2. The appeal building is centrally located within an existing authorised employment generating site outside a settlement that is permitted for uses within Classes B1/B2 and B8.

3. The appeal proposal relates to the erection of a steel framed and clad pitched roof building having a floorspace of 217 square metres. The proposal is in replacement of a previous dutch barn style building having a floor space of 145 square metres on a similar site. The replacement building although of similar height to the previous building has an increased bulk due to the floorspace increase of 72 square metres and the ridged roof design.

4. The main issue in this appeal concerns the effect of the proposal on the character and appearance of the area.

5. This redevelopment proposal is neither of a scale nor impact that, in the context of this authorised employment site and taking into account the enclosed and protected woodland setting, would be unduly detrimental to the appearance or character of this rural area.

6. Any intensification in the use of the site arising from this proposal would neither be significant nor harmful taking into account firstly, the scope for permitted development extension to existing buildings and secondly, the extent of the authorised existing employment uses.

7. The effects of any intensification could in any event be mitigated by the owner's willingness to relinquish the adjacent authorised open storage use by means of a unilateral planning obligation and also to invite consideration of a planning condition to prevent future sub-division of the appeal building.

8. Taking into account the relatively modest scale of increase in building size represented by the proposal, the location of the building centrally within this authorised employment site, together with its protected dense woodland setting, the proposal would not threaten the physical and visual separation of the settlements of Wokingham to the north and Crowthorne to the south.

9. This proposal to redevelop an existing employment building will assist to meet the needs of local firms in an appropriate location. The proposal is therefore both acceptable in principle and appropriate in scale and impact and in accordance with relevant development plan policies with particular reference to the following:

a) Berkshire Structure Plan: Policies C2, C6, BU1, BU2
b) South East Area Local Plan : Policies STV2, SE5

10. With regard to the emerging local plan the proposal is furthermore considered to be in accordance with Wokingham District Local Plan, Deposit Draft (incorporating proposed modifications January 2003) with particular reference to Policies WOS3, WCC1, WCC2, WRE4 and WEM8. Finally, the proposal is considered to be in accordance with relevant national guidance regarding rural employment as set out in PPG7 paragraphs 3.8 - 3.11 since it represents an acceptable form of small scale development that contributes to healthy economic activity in this rural area.

11. It is material to note the findings of the Inspector who considered an appeal in 2000, under the same development plan that remains current, in respect of a proposal to expand the area of approved industrial and storage usage to accommodate additional parking spaces. In that case the appointed Inspector concluded that the proposal would not be unduly detrimental to the character and appearance of the area taking into account the restricted visibility of the site

12. For these reasons it is considered that the proposal accords with relevant planning policies and furthermore there are no material considerations indicating that the appeal should not be allowed in accordance with s.54A and s.70 of the Town and Country Planning Act 1990, subject to the imposition of conditions as considered necessary.

G. CHOICE OF PROCEDURE

G

Choose **ONE** procedure only.

You should start by reading our booklet 'Making your planning appeal' which explains the different procedures used to determine planning appeals. In short, there are 3 possible methods:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances.

Please note that when we decide how the appeal will proceed we will take into account the LPA's views.

Please tick 4

1. WRITTEN REPRESENTATIONS ☒

This is normally the simplest, quickest and most straightforward way of making an appeal. Three out of every four people making an appeal choose this method. The written procedure is particularly suited to small-scale developments (e.g. extensions to buildings, individual houses or small groups of houses, appeals against conditions and changes of use). It is also very popular with people making their own appeal without professional help. The process involves the submission of written 'grounds of appeal' followed by a written statement and any supporting documents. It also provides an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). An Inspector will study all of the documents before visiting the appeal site/area and issuing a written decision.

Note: The Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.

a). If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land?

YES ☐

NO ☒

b). Is it essential for the Inspector to enter the site to check measurements or other relevant facts?

YES ☒

NO ☐

If the answer to 1b is 'YES' please explain:

TO ASSESS THE IMPACT OF THE DEVELOPMENT ON THE CHARACTER OF THE AREA TAKING INTO ACCOUNT THE RESTRICTED PUBLIC VISIBILITY OF THE SITE.

H. GROUNDS OF APPEAL (continued)

H

I. APPEAL SITE OWNERSHIP DETAILS

I

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

If you are the <u>sole</u> owner of the <u>whole</u> appeal site, certificate A will apply: Please tick **one** box only ✓

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates: ☐

OR

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice (see the *Guidance Notes)* to every one else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below: ☒

Owner's name	Address at which the notice was served	Date the notice was served
MS R MILES	**48 KILN RIDE FINCHAMPSTEAD BERKSHIRE RG40 3PH**	9 January 2004

CERTIFICATES C & D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form. ☐

AGRICULTURAL HOLDINGS CERIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b). **If the appellant is the <u>sole</u> agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenants name'.**

✓

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding: ☒

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below: ☐

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

J. ESSENTIAL SUPPORTING DOCUMENTS

J

The documents listed in 1-6 below, must be sent with your appeal form; 7-11 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 3 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

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

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

7	**Additional plans, drawings or documents** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here:	☐
8	Any relevant **correspondence** with the LPA.	☒
9	If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:	
	(a) the relevant outline application;	☐
	(b) all plans sent at outline application stage;	☐
	(c) the original outline planning permission.	☐
10	If the appeal is against the LPA's refusal or failure to decide an application which relates to a **condition**, we must have a copy of the original permission with the condition attached.	☐
11	A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).	☐
12	If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.	☐

PLEASE TURN OVER AND SIGN THE FORM - UNSIGNED FORMS WILL BE RETURNED

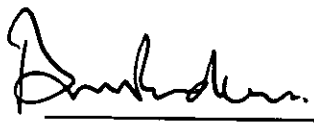
K. PLEASE SIGN BELOW

K

(Signed forms together with all supporting documents must be received by us within the 3 month time limit)

1 I confirm that I have sent a copy of this appeal form and relevant documents to the *LPA (if you do not, your appeal will not normally be accepted).*

2 I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature  (on behalf of) MR A MILES

Name (in capitals) ROBIN BRADBEER Date 9 January 2004

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website under "Privacy Statement" and in the booklet accompanying this appeal form.

NOW SEND

● 1 COPY to us at:

The Planning Inspectorate
Customer Support Unit
Room 3/15 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

● 1 COPY to the LPA

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

● 1 COPY for you to keep

When we receive your appeal form, we will:

1) Tell you if it is valid and who is dealing with it.
2) Tell you and the LPA the procedure for your appeal.
3) Tell you the timetable for sending further information or representations.

YOU MUST KEEP TO THE TIMETABLE
If information or representations are sent late we may disregard them. They will not be seen by the Inspector but will sent back to you.

4) Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

TOWN AND COUNTRY PLANNING ACT

SECTION 78 APPEAL

APPELLANT:	**Mr A Miles**
APPEAL SITE:	**Mileswood Farm, Old Wokingham Road, Wokingham**
REASON FOR APPEAL:	**Refusal of application F/2002/8127 to for the retrospective proposed erection of a replacement B2 industrial building**

LOCAL PLANNING AUTHORITY REFERENCE: F/2002/8127

DEPARTMENT OF THE ENVIRONMENT,
TRANSPORT AND THE REGIONS REFERENCE: APP/X0360/A/04/1137542

1.00 LOCATION AND SITE DESCRIPTION

1.01 The site is located within an area designated as countryside and green gap by the local plan. The site is set back from the main road (Old Wokingham Road), and is accessed from this road.

1.02 The site is afforded views from Easthampstead Road across the open countryside (across Brookfield Farm located to the north of the site), and so parts of the site are visible from this road.

1.03 The current site comprises buildings used for an industrial nature many of which comprise wooden structures. This appeal relates to the retrospective replacement of one of these buildings.

1.04 See appendix 1 for 1:1250 site plan

2.00 RELEVANT PLANNING HISTORY

2.01 In 1997, retrospective application 97/66427/F for the change of use of redundant buildings to work shops (B1 and B2 use) and fenced compound for B8 use was approved on 9 April 1998. In 2000, application 98/68435/F to increase the number of parking spaces to 50, and therefore increase the amount of hard standing was allowed on appeal, 30 June 2000.

2.02 On 16 October 2002, retrospective application (F/2002/7333) for a replacement building was refused. Application F/2002/8127 sought to overcome some of the concerns of previous refusal.

2.03 On 5 December 2002, application F/2002/8127 (the subject of this appeal) was received by the Council for the retrospective replacement of a B2 industrial building. The previous building (now replaced) covered 87m^2 floor area (building B2 on drawing 244/97/1 on application 97/66427/F),

and was a wooden clad structure. The floor area of the retrospective replacement building covers 217m^2 floor area and is of a pale grey metal clad construction. See appendix 2 for a copy of the plans relating to 97/66427/F.

2.04 Application F/2002/8127 proposed mitigating measures to try and overcome reasons for refusal on application F/2002/7333. These measures were as follows:

- Possibility of restricting the hours of operation of the building
- Repainting the building to a dark brown colour
- Suggested condition restricting sub-division of the building
- Offer to 'trade in' adjacent authorised open storage area through s.106 agreement, which could then be used for car parking

2.05 On 17 July 2003 application F/2002/8127 (the subject of this appeal) was refused for same reason as application F/2002/7333:

"The development by virtue of its size, design and materials has resulted in a visually intrusive structure which is detrimental to the rural character of the area which is also designated as green gap. Furthermore, the large building now on the site results in the potential for intensification of the use of the site which is contrary to adopted countryside policies. The development which has already taken place is therefore contrary to policies C2 and C6 of the Berkshire Structure Plan, policy STV2 of the South East Area Local Plan and to policies WOS3, WCC1, WCC2 and WRE4 of the Modified Wokingham District Local Plan."

2.06 On 10 February 2004 an Enforcement Notice was issued requiring the removal of the retrospective building (the subject of this appeal) within 3

months of the date of the notice and remove from the land all materials and rubble arising from the removal of the building. At the time of writing this statement, no appeal had been submitted against the notice.

3.00 POLICY BACKGROUND

3.01 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 Wokingham District Local Plan (WDLP) will replace the adopted South East Area Local Plan.

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

The relevant polices are:

C2 – Development Outside Built-Up Areas and Settlements
C6 – Green Wedges and Gaps

Copies of these have already been sent to the Planning Inspectorate.

3.03 The 6 Berkshire Unitary Authorities have reviewed the adopted Berkshire Structure Plan and accordingly have published a Deposit Draft Plan. This Plan will cover the period 2001 to 2016. The Draft Plan has been subject to public consultation and has been considered at an Examination in Public (held in September 2003). The Panel Report on the Examination in Public was published in December 2003. In light of the Panel Report, on the 23 February 2004, the Joint Strategic Planning Committee (for the Berkshire Authorities) resolved that modifications would be issued. These are due to be published by the 6 Berkshire Unitary Authorities on 16 March 2004. The emerging Structure Plan has gained weight now that the Panel's report has been received following the Examination in Public.

The relevant polices are:

DP6 – Land Outside Settlements

DP7 – Strategic Gaps and Wedges

Please see appendix 3 for a copy of these polices

3.04 The South East Area Local Plan 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 relevant polices are:

STV2 – Development in Rural Areas

Copies of these have already been sent to the Planning Inspectorate.

3.05 Significant material consideration must be given to the Wokingham District Local Plan.

The Executive on 29 January 2004 agreed the Council's response to representations received to the Further Modifications to the Local Plan. They resolved that no additional modifications should be made to the Plan. Furthermore, the Executive agreed that it was not necessary to undertake a modification inquiry.

The Executive requested that the Council adopt the Plan at its meeting on 29 January 2004, subject to the Secretary of State not wishing to intervene. This was agreed by the Council.

The Council's intention to adopt the Local Plan was published on 11 February 2004. Provided the Secretary of State does not intervene, the Local Plan will be adopted on 11 March 2004.

The relevant polices are:
WOS3 – Development Control Principles
WCC1 – Development in the Countryside
WCC2 – Green Wedges and Gaps
WRE4 – Development on Existing Employment Generating Sites outside Settlements

Copies of these have already been sent to the Planning Inspectorate.

4.00 THE CASE FOR THE LOCAL AUTHORITY

4.01 Policy WCC2 of the WDLP relates to green gap/separation of settlement and states that development shall not be permitted if it would affect or detract from the open and countryside appearance. This is further enforced by policy C6 of the BSP which says that development would not be permitted if it would threaten important open areas.

4.02 The last paragraph of policy C2 of the BSP says that development in the countryside should be appropriate in scale, form, impact, character and siting to its location within the countryside. Policy WCC1 of the WDLP reflects the sentiments of policy C2.

4.03 Policy WRE4 of the WDLP relates to development on existing employment sites outside of settlements, and states development would be acceptable provided that :

A) the proposal would not cause any greater visual impact on the character of the countryside, its surroundings that the existing development in terms of siting, scale, materials and site coverage,
B) would not cause detriment to the amenities of adjoining land uses
C) would not generate additional levels of traffic that would cause acceptable environmental impacts or detriment to road safety.

4.04 It is considered that the increase in size and change of materials creates a more visually intrusive structure to the detriment of the rural character of the area, especially given the visibility of the site from Easthampstead Road. Not only would this be contrary to polices WCC1 and WCC2, but also to clause A of policy WRE4. The change in materials from a low-key wooden clad structure (very much in keeping with the other buildings on site and rural nature of the area) to a larger metal clad structure is

considered to be more industrial in appearance, which accentuates its adverse visual impact.

4.05 Furthermore, it is not considered that the development accords with criterions a) and f) of policy WOS3 of the WDLP which states that development proposals should be :

a) Be appropriate in scale of activity and character to the area in which they are located and be integrated into their local context without detriment to the amenities of adjoining land uses and occupiers

f) Be of high quality of design that respects the local context by virtue of siting, layout, massing, materials, colour and texture.

4.06 It is also considered that a significantly lager building for use a motor repairs than that existing would lead to intensification of activity on the site.

4.07 Furthermore, whilst the replacement building is larger than that previously permitted, and could be considered to not cover a larger area than that already permitted (as it would include building on some of the existing hardstanding), building onto the hardstanding area would lead to displacement of the parking/hardstanding allowed on appeal (98/68435/F). This would increase the pressure for more hardstanding to be created, in order to account for that lost by the enlarged building. Also, should the use of the site be intensified, this could also lead to increased pressure to create more areas of hardstanding whilst vehicles are waiting to be repaired, and thus would contribute to the increasing urbanising appearance of the area.

4.08 It is not considered that the mitigating measures proposed to restrict the hours of operation and conditions regarding sub-division would overcome the concerns regarding impact of the building of the character of the area, nor would the re-painting of the building disguise the size of the building and proposed s.106 relating to an existing storage area. Therefore, it is considered that the proposed measures do not overcome the previous reason for refusal on application F/2002/7333 and do not outweigh the adverse harm caused to the character of the area.

5.00 COMMENTS ON THE APPELLANTS STATEMENT

5.01 The appellant in their statement refer to additional local plan polices. Polices BU1 and BU2 of the BSP, policy SE5 of the SEALP and policy WEM8 of the WDLP.

5.02 Policy WEM8 of the WDLP relates to identified local need and refurbishment of existing buildings. The policy states that proposals involving the regeneration of business, industrial, distribution and storage areas through refurbishment or subdivision of large obsolete buildings into smaller units will receive particularly favourable consideration if they comply with the requirements of Policy WOS3. However, it is not considered that this site represents refurbishment of an existing building. The building has not been refurbished – it has been removed and replaced with something completely different in terms if materials, design and size. Even if this policy were considered to be relevant, as outlined in paragraph 4.05 (above), it is not considered that the development complies with the requires of policy WOS3.

5.03 Policy SE5 of the SEALP relates to refurbishment of existing buildings, and states that *"proposals involving regeneration of business, industrial, distribution and storage areas....will normally receive particularly*

favourable consideration". Whilst the principle may be accepted by this policy, it does not outweigh concerns regarding impact to the character of the area and intensification, as outlined above.

5.04 Whilst the principle of industrial development is accepted in certain areas by polices BU1 and BU2 of the BSP, this does not override the concerns and policy objections discussed above.

5.05 Copies of polices WEM8, SE5, BU1 and BU2 are contained within appendix 4.

6.00 CONCLUSION

6.01 It is considered that the combined impact of change of materials of the building, larger replacement building and intensification of the use of the site would adversely affect the rural character of the area, which is designated as a green gap. The development would therefore be contrary to policies WOS3, WCC1, WCC2 and WRE4 of the WDLP, C2 and C6 of the BSP and STV2 of the SEALP.

6.02 It is therefore respectfully requested that the appeal be DISMISSED.

7.00 CONDITIONS IN THE EVENT PLANNING PERMISSION IS GRANTED

1. The parking and turning as shown on the approved plan shall be permanently maintained and used for no other purposes.
   Reason: To ensure a satisfactory form of development and to avoid adverse impact on the public highway in the interests of highway safety.

2. The vehicular access proposed shall be formed and provided with visibility splays shown on the approved drawing number 2765/1C. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height and maintained clear of any obstruction exceeding 0.6 metres in height at all times.
   Reason: In the interests of highway safety and convenience.

3. The access has been constructed in accordance with the approved plans.
   Reason: In the interests of highway safety and convenience.

4. The vehicular access has been surfaced with a bonded material across the entire width of the access for a distance of 30 metres measured from the carriageway edge.
   Reason: To avoid spillage of loose material onto the carriageway and in the interests of road safety.

APPENDICES

1. 1:1250 Site Plan
2. Plan relating to application 97/66427/F
3. Draft Berkshire Structure Plan Extracts
4. Copies of polices relating to WEM8, SE5, BU1 and BU2

APPENDIX 1

APPENDIX 2

APPENDIX 3

Deposit Draft March 2002

Berkshire Structure Plan 2001-2016

Prepared by the **Berkshire Unitary Authorities' Joint Strategic Planning Unit**

VISION

DEVELOPMENT

ENVIRONMENT

HOUSING

EMPLOYMENT

LEISURE

TRANSPORT

MINERALS

WASTE



4.13 Other policies in this plan assist in urban renaissance. Policy DP1 and others concentrate major development in town centres. This helps achieve a flow of investment and should promote a high level of demand for services from the working population in them. Policy H6 seeks to make better use of land for housing, and in particular to seek higher housing densities in centres. This will mean that future housing development is targeted on the centres rather than being more spread out over the countryside.

Policy DP6: Land Outside Settlements

1. Land outside settlements will be safeguarded for its own sake as a non-renewable natural resource.

2. In addition, local plans will ensure that land outside settlements is only used for purposes appropriate to rural areas, and in particular that it:

(i) makes a contribution to the economy through agriculture, forestry and other activities that can only be undertaken there, and by providing immediately accessible job opportunities for those who live there;

(ii) contributes to the identity of settlements; or

(iii) provides the population with easily accessible opportunities for informal recreation.

Reason for the Policy

4.14 The countryside merits protection for its own sake. The habitats and landscapes which it contains have taken many years to develop. They are a natural resource which is fragile and cannot be replaced if lost or damaged. The Councils also wish to see the countryside continuing to perform human-related functions of providing recreation, a sense of identity, food production and for many of those who live there, a livelihood. In relation to (ii), the urban fringe can present particular problems with pressures for development, sometimes accompanied by the degradation of the land.

How it will be carried out

4.15 Other polices in the Structure Plan develop these principles – in particular DP7 (Gaps and Wedges) DP8 (rural communities) EN1 (landscape) EN2 (agricultural land) and EN3 (biodiversity). Local plans will include detailed policies on development in the countryside following the principles in Policy DP6. Development in the countryside will be controlled using structure and local plan policies. Other measures may be needed to promote the proper management of land in areas such as the urban fringes, for example by the local authority working in partnership with agencies such as the



Countryside Agency, Thames Valley Groundwork and the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust. Some greenfield development is likely to be needed to carry out the policies in this Plan (in particular, meeting the housing allocations in policy H2). However, this will be done through local plans and will, where necessary, involve the local plan redefining the settlement boundary. Further guidance on the identification of land for housing development is given in policy H4.

Policy DP7: Strategic Gaps and Wedges

1. The Councils will preserve the setting and separate identity of settlements and protect areas of the open countryside which penetrate urban areas and provide access to the countryside for residents of urban areas. This will be achieved by the identification and maintenance of Gaps and Green Wedges.

2. The location and extent of Gaps and Green Wedges will be defined in local plans. Where they overlap administrative boundaries, local planning authorities will work together to ensure that adequate gaps are maintained through coordinated policies in their local plans.

Reason for the Policy

4.16 The distinction between Berkshire's built-up areas and the open or largely undeveloped areas around and between them is important. Due to pressure for development there is a real threat of settlements coalescing, and the subsequent loss of the separate identity of individual settlements and the coherence of the existing settlement pattern. In order to protect the existing open character of land between settlements it is important that Gaps are identified to steer development away from areas where there is a real threat of coalescence occurring. Gaps comprise open land that separates distinct settlements.

4.17 Similarly, there is a need to provide real access and recreational benefits for all, and to retain the benefits of having open countryside near to where people live. Some areas that perform this function are under threat from development and it is important to give them further protection through the identification of Green Wedges. Green Wedges are areas of open space penetrating, partly enclosed by, or separating built-up areas.

4.18 Most Gaps and Wedges lie entirely within the jurisdiction of a single planning authority, and it is appropriate that these are identified and protected in the relevant local plan. But where areas of land justify being identified as Gaps or Green Wedges and they cover more than one local authority area, it will be necessary for the authorities concerned to work together to ensure that they are maintained.

How it will be carried out

4.19 Local plans will identify, justify and delineate the exact boundaries of the Gaps or Wedges. Where necessary, local plans will also include policies to maintain the Gaps and Wedges. These policies will ensure that development will only be permitted if it does not threaten important open areas or the separation of settlements that are close together. In some cases, policies in this Plan (for example, H2) may result in development of greenfield land between settlements. In establishing the boundaries of such development, local planning authorities will ensure that adequate provision is made for the maintenance of Gaps and Wedges.

Policy DP8: Rural Communities

The Councils will seek to strengthen rural communities and the rural economy by:

(i) encouraging appropriate rural enterprise, including the diversification of farm business;

(ii) promoting a more equitable, and locally based, provision of services;

(iii) supporting development which preserves or enhances the range of rural community facilities and makes the rural community more self-sufficient;

(iv) supporting the provision of affordable housing in appropriate locations which meets the proven needs of local people and/or key workers within the rural community;

(v) ensuring that development is of a scale, form and layout which conserves or enhances the character of its surroundings, and involves a relationship between buildings and spaces which achieves a sense of place;

(vi) ensuring that buildings are accessible to all members of the community.

Reason for the Policy

4.20 The rural areas in Berkshire have undergone considerable change in recent years and there is ever-increasing pressure for growth and further change. This is clearly illustrated by the current pressures on the agricultural industry. Although farming continues to make a significant contribution to the rural economy, its continuing viability may depend on diversification into non-agricultural activities which support existing agricultural uses.

4.21 The structure of rural communities has altered, as people travel further afield to find work, and house prices have risen, making it difficult for many local people to stay in their local rural community. Local services are declining and access to them growing more difficult as village schools, post offices, shops and pubs close, thus placing more



Joint Strategic Planning Committee
23rd February 2004

Agenda Item 9(i): Appendix 3

Berkshire Structure Plan 2001 – 2016

Plan as further changed

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This version of the Structure Plan includes changes made following the Inspectors Report on the EiP.

The changes made to the Deposit Draft incorporating changes (March 2003) are indicated by underlining for inserted text and ~~strikethrough~~ for deleted text.

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which to seek an increase in the intensity of use of land to provide a variety of uses. Focusing on the centres would enable the provision of leisure opportunities, jobs and services within easy access of people's homes. Finally, centres are the symbols of their hinterlands. Improvement in the centres will have an impact on the greatest number of people.

How it will be carried out

4.~~154~~.34 The planning system will have a role to play in producing better-quality urban and suburban areas, although it is only one of many players. Councils, through their local plans or other strategies, can put together proposals for the revitalisation of particular quarters of town centres, or neighbourhoods elsewhere in towns. Transport Development Areas provide opportunities for area revitalisation around nodes of high accessibility by sustainable transport. Councils can work with developers to ensure that the principles in Policy DP5 are incorporated when planning permissions are being considered.

4.~~164~~.35 Other policies in this plan assist in urban renaissance. Policy DP1 and others concentrate major development in town centres. This helps achieve a flow of investment and should promote a high level of demand for services from the working population in them. Policy H6 seeks to make better use of land for housing, and in particular to seek higher housing densities in centres. This will mean that future housing development is targeted on the centres rather than being more spread out over the countryside.

Policy DP6: Land Outside Settlements

1. Land outside settlements will be safeguarded for its own sake as a non-renewable natural resource.

2. In addition, land outside settlements should only be used for purposes appropriate to rural areas, and in particular should :

(i) make a contribution to the economy through agriculture, forestry and other activities that can only be undertaken there, and by providing immediately accessible job opportunities for those who live there; or

~~(ii) contribute to the separate identity of settlements; or~~

~~(iii)~~(ii) provide the population with easily accessible opportunities for informal recreation.

Reason for the Policy

4.~~174~~.36 The countryside merits protection for its own sake. The habitats and landscapes which it contains have taken many years to develop. They are a natural resource which is fragile and cannot be replaced if lost or damaged. The Councils also wish to see the countryside continuing to perform human-related functions of providing recreation, a sense of identity, food production and for many of those who live there, a livelihood. In relation to (ii), the urban fringe can present particular problems with pressures for development, sometimes accompanied by the degradation of the land.

How it will be carried out

~~4.184~~.37 Other polices in the Structure Plan develop these principles – in particular DP7 (Gaps and Wedges) DP8 (rural communities) EN1 (landscape) EN2 (agricultural land) and EN3 (biodiversity). Local plans will include detailed policies on development in the countryside following the principles in Policy DP6. Development in the countryside will be controlled using structure and local plan policies. Other measures may be needed to promote the proper management of land in areas such as the urban fringes, for example by the local authority working in partnership with landowners and agencies such as the Countryside Agency, Thames Valley Groundwork, English Nature and the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust. Some greenfield development is likely to be needed to carry out the policies in this Plan (in particular, meeting the housing allocations in policy H2). However, this will be done through local plans and will, where necessary, involve the local plan redefining the settlement boundary. Further guidance on the identification of land for housing development is given in policies H3 and H4.

Policy DP7: ~~Strategic~~ Gaps and Green Wedges

1. The Councils will preserve the setting and separate identity of settlements and protect areas of the open countryside which penetrate urban areas and provide access to the countryside for residents of urban areas. This will be achieved by the identification and maintenance of Gaps and Green Wedges.

2.. Local Gaps will be identified in Local Plans where there is a need:

(i) To protect the setting and identity of settlements and avoid their coalescence; or

(ii) To retain a coherent structure of settlement pattern; or

(iii) To retain the openness of an area; or

(iv) To provide access and recreational opportunities for adjacent communities.

3. Green Wedges will be identified in Local Plans on open land which provides (or has the potential to provide) landscape corridors between the countryside and the centres of urban areas for informal recreation and for the movement of fauna.

~~2The location and extent of Gaps and Green Wedges will be defined in local plans. Where they overlap administrative boundaries, local planning authorities will work together to ensure that adequate gaps are maintained through coordinated policies in their local plans.~~

Reason for the Policy

4.38 ~~4.19~~ The distinction between Berkshire's built-up areas and the open or largely undeveloped areas around and between them is important. Due to pressure for development there is a real threat of settlements coalescing, and the subsequent loss of the separate identity of individual settlements and the coherence of the existing settlement pattern. In order to protect the existing open character of land between settlements it is important that Gaps are identified to steer development away from areas where there is a real threat of coalescence occurring. Gaps comprise open land that separates distinct settlements.

4.39 ~~4.20~~ Similarly, there is a need to provide real access and recreational benefits for all, and to retain the benefits of having open countryside near to where people live. Some areas that perform this function are under threat from development and it is important to give them further ~~protection through the identification of Green Wedges. Green Wedges are areas of open space penetrating, partly enclosed by, or separating built-up areas~~.

4.40 Green Wedges are areas of open space penetrating built-up areas. They may be important for providing green routes from town centres out into the countryside for informal recreation and wildlife movement, as well as opportunities for informal recreation close to built-up areas. For this reason they may merit protection from development. There may be potential for extending such wedges outwards from towns in cases where urban extensions are planned, so as to shape the pattern of future development

~~4.21~~4.41 Most Gaps and Wedges lie entirely within the jurisdiction of a single planning authority, and it is appropriate that these are identified and protected in the relevant local plan. But where areas of land justify being identified as Gaps or Green Wedges and they cover more than one local authority area, it will be necessary for the authorities concerned to work together to ensure that they are maintained.

How it will be carried out

~~4.22~~4.42 As part of a comprehensive review in accordance with para 4.16 of PPG7 Local Plans will identify, justify and delineate the exact boundaries of Gaps and ~~or~~ Green Wedges where these perform the function of preserving the separate identity of settlements; protecting areas of countryside which penetrate urban areas for their recreational or wildlife value; or providing access to the countryside for residents of urban areas. Where necessary, local plans will also include policies to maintain the Gaps and Wedges. These policies will ensure that development will only be permitted if it does not threaten important open areas or the separation of settlements that are close together. In some cases, policies in this Plan (for example, H2) may result in development of greenfield land between settlements. In establishing the boundaries of such development, local planning authorities will ensure that adequate provision is made for the maintenance of Gaps and Wedges. All gaps and wedges should only extend to the lifetime of the structure or local plan and the need for them should be reviewed each time the plan is reviewed.

Policy DP8: Rural Communities

The Councils will seek to strengthen rural communities and the rural economy by:

- ***(i) encouraging appropriate rural enterprise, including the diversification of farm business;***
- ***(ii) promoting a more equitable, and locally based, provision of services;***
- ***(iii) supporting development which preserves or enhances the range of rural community facilities and makes the rural community more self-sufficient;***
- ***(iv) focusing development on local service centres***

APPENDIX 4

WOKINGHAM UNITARY
Aiming for Excellence

WOKINGHAM DISTRICT LOCAL PLAN

DEPOSIT DRAFT

WITH PROPOSED FURTHER MODIFICATIONS

HIGHLIGHTED

August 2003

Small Units

7.38 The Local Business Needs Survey indicated that there was a significant unfulfilled demand for small business units in particular to provide for recently formed B1c businesses needing a 'step up' from home based work. 60% of businesses in the District employed less than 10 people and in 1993 60% of those anticipated moving within the next three years. Businesses seeking to rent from the District Council appear to favour units in the range 50 sq.m. to 150 sq.m. The County Council's survey of the commercial property market in 1995 showed that there was a shortage of small, good quality office suites and small light industrial units across the county. In view of this, favourable consideration will be given to uses meeting this need both as schemes in their own right and as an important part of major developments. In considering planning applications for all new employment development in Business Classes B1 to B8, the Council will encourage the provision of small units up to 150 sq. m. in size. Particularly favourable consideration will be given to units for B1 (c) purposes and nursery units of up to 100 sq. m. To maintain the stock of small units conditions may be required in appropriate cases to prevent amalgamation or extension of units.

Refurbishment of Existing Employment Buildings

7.39 Policy WEM8 seeks to grasp opportunities to adapt and improve the quality of the building stock. This is a sustainable form of development and potentially provides cheaper premises for small businesses.

POLICY WEM8: IDENTIFIED LOCAL NEED - REFURBISHMENT OF EXISTING EMPLOYMENT BUILDINGS

PROPOSALS INVOLVING THE REGENERATION OF BUSINESS, INDUSTRIAL, DISTRIBUTION AND STORAGE AREAS THROUGH REFURBISHMENT OR SUBDIVISION OF LARGE OBSOLETE BUILDINGS INTO SMALLER UNITS WILL RECEIVE PARTICULARLY FAVOURABLE CONSIDERATION IF THEY COMPLY WITH THE REQUIREMENTS OF POLICY WOS3.

Implementation: Through the development control process.

Monitoring: Annual employment monitoring.

Provision of Units for Car Repairs and Bad Neighbour Uses and Relocation of Such Uses

7.40 The Business Needs Forum identified a need to provide premises for car repairs and other bad neighbour uses such as scrap yards.

7.41 Ideally 'bad neighbour' operations should be located in employment areas where they will not result in unacceptable environmental nuisance (through noise, smell, and fumes), disturbance, traffic impacts or visual intrusion. However, this group of businesses sometimes inappropriately occupy farm buildings or residential properties. Positive planning for such groups could protect the character of rural and residential areas. Suitable areas for provision are listed in Policy WEM9.

LAP1.

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

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Planning Department
Shute End
Wokingham
Berkshire
RG11 1WR
Telephone: (0734) 786833
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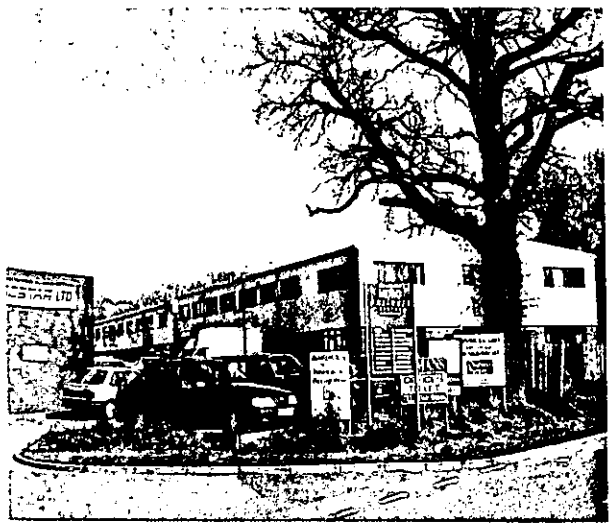

to locate on new small sites, as it is with those looking for accommodation on existing sites. It is concerned to make provision for as broad a base of employment development as possible, to provide maximum flexibility and scope for meeting local employment needs. In particular, the Council wishes to encourage the provision of new premises suitable for general industrial and other uses, specifically not in the B1 Use Class. The Council will therefore give appropriate consideration to proposals for uses in Classes B2 to B8, on small sites that may come forward for development.

SIZE OF UNITS

1.5.24 With regard to existing firms, the Council considers it necessary to ensure that alternative provision exists for those currently occupying inappropriate premises and sites. This includes firms that require alternative premises as a result of needing to expand their operations. In addition, small units or cheap refurbished premises are often required by newly-formed firms.

❖ SE4 SIZE OF UNITS IN NEW EMPLOYMENT DEVELOPMENT

IN CONSIDERING PLANNING APPLICATIONS FOR NEW EMPLOYMENT DEVELOPMENT THE DISTRICT COUNCIL WILL SEEK THE PROVISION OF A RANGE OF UNIT SIZES INCLUDING UNITS OF LESS THAN 100 SQUARE METRES.

❖ SE5 REFURBISHMENT OF EXISTING EMPLOYMENT BUILDINGS

PROPOSALS INVOLVING THE REGENERATION OF BUSINESS, INDUSTRIAL, DISTRIBUTION AND STORAGE AREAS AND THE REDEVELOPMENT/SUB-DIVISION OF LARGE OBSOLETE BUILDINGS INTO SMALL UNITS WILL NORMALLY RECEIVE PARTICULARLY FAVOURABLE CONSIDERATION.

EXISTING LOCAL CENTRES

1.5.25 It is likely that pressure for business development whilst focusing on Wokingham Town centre, will continue to be experienced throughout the Plan area in local shopping and service centres. Whilst business uses in local centres are able to add to the variety of locations, types and sizes of premises available, their presence can also adversely affect the character of the centres. Much of the pressure has been experienced for changes of use of residential and retail properties. To allow business uses in such properties would conflict with other policies in this Plan.

❖ SE6 BUSINESS USES IN EXISTING LOCAL CENTRES

DEVELOPMENT FOR BUSINESS USES (CLASS B1) IN EXISTING LOCAL SHOPPING AND SERVICE CENTRES WILL NOT NORMALLY BE ALLOWED UNLESS AT LEAST ONE OF THE FOLLOWING CRITERIA APPLIES:

A) THE SITE IS SPECIFICALLY IDENTIFIED BY THE DISTRICT COUNCIL FOR BUSINESS PURPOSES; OR

B) THE BUSINESS USE WOULD BE AT FIRST FLOOR LEVEL OR ABOVE IN PREMISES THAT ARE UNSUITABLE FOR RESIDENTIAL USE; OR

C) THE SITE IS CURRENTLY USED FOR A PERMITTED NON-RESIDENTIAL OR NON-RETAIL PURPOSE; OR

BERKSHIRE STRUCTURE PLAN 1991-2006

Adopted by Berkshire County Council 4 November 1995

December 1995
Price: £15.00

ISBN 1 85163 059 7

Bracknell Forest Borough	121,520 sq.m. plus 12.0 hectares
Newbury District	180,160 sq.m. plus 15.6 hectares
Reading Borough	237,730 sq.m. plus 6.6 hectares
Slough Borough	131,400 sq.m.
Royal Borough of Windsor & M'head	17,750 sq.m.
Wokingham District	237,570 sq.m.
Berkshire	**926,130 sq.m. plus 34.2 hectares**

In addition to the above commitments, there are a number of sites being proposed in draft local plans. Approximately 13,400 sq.m. of BIDS floorspace could be built on such sites identified at March 1994.

Further Business and Industrial Development

8.15 Although the County Council is not proposing any major new allocations for business, industrial, distribution and storage development it considers that some flexibility needs to be made for development beyond the existing provision. Policy BU1 therefore gives some scope for development additional to the provisions in paragraph 8.14 where it would not unduly add to transport problems or pressures for housing development. The flexibility afforded by Policy BU1, together with the substantial amount of floorspace already committed or currently vacant, will help the County to retain its prosperity and attractiveness for investment. It will also allow opportunities for businesses to expand, premises to be modernised or redeveloped and jobs lost in declining industries to be replaced. It will assist urban regeneration and the re-use of urban land in line with Government guidance[1] and will also allow more flexibility for the provision of local services and for helping the needs of the local labour force.

8.16 However, the County Council is concerned to ensure that a significant intensification of employment uses is avoided in many areas. Many of the existing industrial areas in Berkshire have experienced considerable change and redevelopment in recent years, often leading to additional floorspace and the replacement of traditional industrial and warehousing premises by more intensively occupied business premises. These trends have been encouraged by the flexibility offered by the 1987 Use Classes Order. The result has in many cases been a significant intensification of employment potential which has added to transport problems, additional labour supply demands and associated pressures for additional housing. It has also led to a reduction in the variety of premises available (see paragraph 8.21).

8.17 The redevelopment and intensification of large research and other institutional establishments in rural locations can also lead to significantly increased employment, drawing workers from a wider area, increasing traffic flows and the length of journeys to work, contrary to the objectives of sustainable development. The following policy therefore deals with redevelopment and changes of use as well as new sites.

---

1 *Advice in Planning Policy Guidance Note (PPG4) 'Industrial and Commercial Development and Small Firms'*

Assessment of Proposals for Further Business, Industrial, Distribution and Storage Development

Policy BU1 **In considering proposals for business, industrial, distribution and storage development other than that already committed, permission will normally be granted where the proposal would :**

(i) aid urban regeneration;

(ii) contribute (when compared with existing or committed development) towards meeting the employment needs of the local population in the County, including the rural areas;

(iii) meet the needs of existing firms in Berkshire, including small businesses; or

(iv) meet the need for a particular type of business which would serve the local economy and which cannot be accommodated in existing or committed premises;

provided that it does not give rise (either by itself or cumulatively with other such schemes) to:

- **pressures for housing development additional to the provision in this Plan; or**
- **transport problems, having regard to the capacity of the transport network, the rate at which the transport strategy is being implemented and accessibility by public transport;**

Other factors to be taken into account in considering proposals will include:

- **the amount of suitable land and premises already available, including development that is committed or agreed in principle and property that is being marketed at the time:**
- **the rate of completions and occupation of premises over the Structure Plan period, and changing densities of occupation.**

8.18 Policy BU1 allows for local considerations to be taken into account. The County Council will be providing further guidance on the interpretation of Policy BU1 and will work with the local planning authorities to produce regular statements on the current state of the economy to assist with the implementation of the policy. The weight given to each criterion in the policy will depend upon local circumstances.

8.19 The use of the term 'urban regeneration' in the context of Policy BU1 does not imply the acceptance of wholesale redevelopment of BIDS uses in urban areas, as this could lead to the unacceptable intensification of activities and a loss of variety of types of premises and uses. Rather, it is the targeted redevelopment of existing underused, vacant and derelict land and premises where this is appropriate in accordance with other policies in this Plan. Urban regeneration also includes the redevelopment of older BIDS premises which due to age and specification may not be suitable for the modern needs of business and industry.

8.20 Particular attention will be given to proposals for major additional floorspace. The distinction between major and small scale developments may vary in different parts of the County, according to local circumstances and definitions adopted in local plans, but normally a major development will be one involving a net increase in floorspace of 500 sq.m. and over.

MAINTAINING A VARIETY OF PREMISES

8.21 The County Council is seeking a broad-based local economy in which local firms have opportunities to grow and prosper, and local people have access to a wide range of job opportunities. Although rentals may have fallen over the last few years, high rental and land values limit the supply of reasonably priced premises for small or recently established firms, and can lead to an over-emphasis on floorspace for office and business uses at the expense of industry, storage and distribution (a trend reinforced by changes in planning legislation).

8.22 Local planning policies can provide valuable assistance in controlling the scale and type of development and redevelopment. Measures that help achieve a variety of sizes and types of premises, a range of uses and the retention of areas for industrial and warehousing activities, as well as controls on the height, mass and density of development, are particularly welcomed.

8.23 While planning policies are only one of the factors that can influence the range of types and sizes of premises that are provided, encouragement can be given, where appropriate, to proposals which assist the maintenance of a balanced local economy and provide for the expansion of local firms.

Provision of a Variety of Premises

Policy BU2 **Within the provisions of Policy BU1, favourable consideration will normally be given to proposals for :**

(i) existing businesses wishing to expand in situ;

(ii) the provision of a range of small units;

(iii) the provision of industrial, distribution and storage units.

8.24 This policy seeks to guide any future employment development towards meeting the needs of existing local firms and providing a wide range of job opportunities, rather than an excessive provision of business (office) development. Small industrial starter or nursery units of less than 100 sq m each will be particularly encouraged. Where proposals involve the provision of smaller units the County Council will support measures by the local planning authorities to ensure that the units are not subsequently amalgamated without their prior agreement.

8.25 In the case of development and redevelopment within existing industrial areas an over-emphasis on the provision of office premises and a reduction in the variety of uses should be avoided. A range of types and sizes of premises should be provided wherever possible. Proposals involving development for business use can also contribute to achieving a variety of activities if their design enables a range of activities to be accommodated.

OTHER USES FOR BUSINESS AND INDUSTRIAL LAND AND PREMISES

8.26 In order to achieve other desirable planning objectives such as the provision of low-cost housing, or to seek sustainable locations for development, the County Council will, where appropriate, support the re-use or redevelopment of business, industrial, distribution or storage premises or sites to other uses such as housing (including the conversion of offices to flats), recreation, or social and community facilities. Proposals should meet the requirements of other policies and objectives in this Plan and in local plans.

8.27 Regard will also need to be paid to the concern to maintain a balanced local economy with a wide range of job opportunities and a variety of premises, including small units, although in some areas changes from BIDS to other uses may help to reduce the potential mismatch between jobs and local labour supply referred to in paragraph 8.10. The County Council will oppose development which adversely affects the availability of industrial and warehousing land and premises, and the locally available range of job opportunities. The Council will resist redevelopment to other uses of sites and premises which it considers to be of more benefit to the needs of the local economy where retained in BIDS uses.

Development Proposals Involving Other Uses for Business, Industrial, Distribution and Storage Land and Premises

Policy BU3 **Proposals for the redevelopment or change of use of business, industrial, distribution or storage premises, or sites proposed for such uses, to other uses will be encouraged in appropriate circumstances as defined in local plans, providing there is no unacceptable adverse impact on the availability of industrial and warehousing land and premises and on the locally available range of job opportunities. Permissions for business, industrial, distribution or storage uses will not be automatically renewed without a review of the continued justification for the development proposed, having regard to the considerations listed in Policy BU1, and other material considerations including the suitability of the site for alternative uses.**

8.28 In all cases permitted in accordance with Policy BU3, the County Council will normally oppose any proposals to replace on other sites the resulting loss of floorspace and areas, unless they comply with the considerations listed in Policy BU1, in view of the substantial existing commitment to BIDS development and concerns about the potential imbalance between the anticipated increase in jobs and the labour supply available locally.

TOWN & COUNTRY PLANNING ACT 1990

APPELLANTS : MR A MILES
SITE MILESWOOD FARM OLD WOKINGHAM ROAD
WOKINGHAM BERKSHIRE RG40 3BU

PLANNING STATEMENT ON BEHALF OF THE APPELLANT

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Our Ref. : RWB/244
1 March 2004

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1.0 INTRODUCTION

1.1 This statement relates to an appeal by Mr A Miles under Section 78 of the Town and Country Planning Act concerning proposed development at Mileswood Farm, Old Wokingham Road, Wokingham, Berkshire, RG40 3BU.

1.2 The application dated 28 November 2002 was a full application for the erection of an industrial building to replace a pre-existing industrial building (retrospective).

1.3 The Council determined the application on the basis of the drawing no. 2765/1/C.

1.4 The application was accompanied by the agent's covering letter dated 28 November 2002 that included an analysis of the proposal in terms of planning policy and also suggested conditions.

1.5 The application was determined by the Council using delegated powers by decision notice F/2002/8127 dated 17 July 2003 that gave the following reason:

> ***The development by virtue of its size, design and materials has resulted in a visually intrusive structure which is detrimental to the rural character of the area which is also designated as green gap. Further more, the large building now on the site results in the potential for intensification of the use of the site which is contrary to adopted countryside policies. The development which has already taken place is therefore contrary to policies C2 and C6 of the Berkshire Structure Plan, policy STV2 of the South East Area Local Plan and to policies WOS3, WCC1, WCC2 and WRE4 of the Modified Wokingham District Local Plan.***

1.6 This statement will describe the site and surroundings, set out relevant planning history and explain the proposed development. The planning policy framework will be analysed and the case for the appellant as set out in the grounds of appeal will be elaborated. This statement will conclude that the proposal is entirely appropriate in design, bulk and massing and would not harm the character and appearance of this rural area and accordingly would not conflict with relevant planning policies. Therefore, it will be respectfully requested that the appeal be allowed and planning permission granted subject to conditions as may be considered necessary.

2.0 DESCRIPTION OF THE APPEAL SITE AND SURROUNDINGS

2.1 The site is located in the countryside two miles to the south east of Wokingham town centre and situated on the west side of Old Wokingham Road.

2.2 The site, called Mileswood Industrial, extends to approximately 1.8ha and is densely wooded with the exception of the complex of buildings set within the site and the access thereto from Old Wokingham Road. Woodland Tree Preservation Order (no. 316/1986) covers the entire site.

2.3 The access to the site is from Old Wokingham Road. The winding access road passes through woodland for a distance of approximately 30m before entering the complex of buildings through a gateway.

2.4 The appeal building is centrally located within the complex of buildings that comprise an authorised site for uses within Class B1 and B2 use together with a compound for Class B8 use.

2.5 There are some 50 car parking spaces distributed amongst the complex of buildings.

2.6 Due to the high degree of containment of the site by protected woodland there is no significant visual perception from beyond the site of either the presence of the buildings or the related vehicle parking.

2.7 This area of the countryside includes other permitted industrial buildings that are significantly more prominent in public views than the complex of buildings at Mileswood Industrial. Examples are Newlands Farm Industrial estate and Priors Farm.

2.8 Photographs showing the site and surroundings are provided at **Document 1**.

3.0 PLANNING HISTORY

THE SITE

3.1 The relevant planning history of the site is set out below:

REF	DEVELOPMENT	DATE	DECISION
98/66427/F	Use of buildings for B1/B2 use and use of compound for B8 use	09/04/98	A
98/68435/F	Additional vehicle parking	01/02/00	R Appeal allowed 30/06/00
F/2002/7333	Erection of new building for B1(c) and demolition of existing building (retrospective)	16/10/02	R

3.2 Planning permission 97/66427/F approved use of this complex of buildings for purposes within Classes B1 and B2 together with a compound for B8 use **Document 2**.

3.3 Planning permission 98/68435/F, allowed on appeal, related to an increase in the number of parking spaces from 17 to 50 **Document 3.**

3.4 The application the subject of this appeal is a resubmission following refusal F/2002/7333.

THE SURROUNDING AREA

3.5 There are authorised industrial uses upon other sites in the surrounding area which relate to buildings that are of similar or larger size than the appeal proposal and of similar design. The two nearest examples to the appeal site are given below:

1. *Newlands Farm Industrial Estate Old Wokingham Road*

REF	DEVELOPMENT	DATE	DECISION
99/66287/F	Use of building for B1(c)/B8 uses	1999	A

This permission relates to a floorspace of some 330m² and a lorry/car parking area of 3,800m².

2. *Priors Farm Easthampstead Road*

REF	DEVELOPMENT	DATE	DECISION
40321	Change of use of redundant farm buildings to B1c/B8 uses	1993	A

This permission relates to a floorspace of some 750m².

4.0 THE PROPOSED DEVELOPMENT

4.1 The proposed development involves replacement of the largest of the industrial buildings permitted for B1/B2 uses under 97/66427/F. This comprised a dutch barn style rectangular shaped building having a floorspace of approximately 145m² including lean-to additions that were built after the grant of planning permission for change of use. The walls were clad in shiplap timber boarding and the curved roof and gable ends were covered with corrugated steel sheeting. This earlier building has been demolished.

4.2 The proposed replacement building, which has been erected but not completed, comprises a steel framed structure clad externally with profiled metal cladding specified in a dark brown colour but presently light grey in colour. Two roller shutters doors on each of the west and east elevations are specified in dark brown metal.

The dimension of the proposal are as follows.

Width	11.75m
Length	18.5m
ht eaves	4.75m
ht to ridge	6.5m
floorspace	217 square metres

4.3 Because the replacement building would occupy a similar site as the previous building there would be no material impact on the parking layout approved under ref. 98/68435/F.

4.4 The Council received the following consultation responses on the application.

- ***Highways*** (24/09/02) - recommended approval subject to conditions.

- ***Landscape and trees*** (17/12/02) - stated "*as the building is not prominent when viewed from outside the site I have no objection to it remaining*".
- ***Wokingham Without PC*** (07/01/03) - oppose further industrial development in this rural area defined as a "green wedge".

5.0 PLANNING POLICY FRAMEWORK

5.1 Planning policy has been analysed with reference to the development plan, the emerging district local plan, and national planning guidance.

THE DEVELOPMENT PLAN

5.2 There are two components:

(i) The statutorily approved Berkshire Structure Plan (SP) adopted on 4 November 1995 (policies C2, C6, BU1, BU2).

(ii) The statutorily approved South East Area Local Plan (LP) adopted on 15 April 1994 which had an end date of March 1996 but continues in use for development control purposes (policies STV2, SE5).

THE EMERGING DISTRICT LOCAL PLAN

5.3 The emerging Wokingham District Local Plan (LP/D) was placed on deposit on 21 October 1997 and has been used for development control purposes since that time. The Inspector's reports following Local Plan Inquiries were received in 2000 and 2001. Having considered those reports the Council published a consolidated document in January 2003 that includes those changes that do not materially affect the context of the plan and do not require advertisement as Proposed Modifications. Relevant policies comprise WOS3, WCC1, WCC2, WRE4, WEM8. The Plan is due to be adopted on 11 March 2004.

Berkshire Structure Plan 1991-2000 (SP) (Document 4)

5.4 This is the most up to date statutorily approved element of the development plan. The Key Diagram shows the appeal site within an area notated as "*other countryside areas*".

5.5 *Policy C2 Development outside built-up areas and settlements*

Strictly controls such development which will be permitted only in limited circumstances:

(i) for agriculture or forestry

(ii) for re-use, adaptation or redevelopment of existing buildings

(iii) other development for which a rural location is essential.

In all cases development shall be appropriate in scale, form, impact, character and siting to its location in the countryside.

5.6 *Policy C6 Green Wedges and Gaps*

Aims to conserve and protect the setting and separate identity of settlements by requiring local plans to identify such areas where there is a risk of,

(i) coalescence

(ii) loss of access to open countryside

Development will not be permitted where it would threaten important areas which are of special significance as "green wedges" or "gaps" because they provide physical or visual separation of settlements or communities which are close together.

5.7 *Policies BU1 and BU2 Business and Industry*

Business and industry policies BU1 and BU2 set out considerations to be taken into account in dealing with development that relates to business and industry. Policy BU1 applies a favourable presumption to industrial proposals that meet the needs of small businesses and which contribute to meeting employment needs in rural areas. Policy BU2 applies a favourable approach towards industrial units to counter an excessive provision of office development in the County.

***South East Area Local Plan (LP)* (Document 5)**

5.8 *Policy STV2 Development in rural areas*

The policy specifies categories of development which may be acceptable in rural

areas, these include a (B) development for employment uses not exceeding 300 sq metres in the form of rounding-off or redevelopment and at t (H) any other purpose wholly appropriate to a rural area.

5.9 *Policy SE5 Refurbishment of existing employment buildings*

Applies *"particularly favourable consideration"* to proposals involving the regeneration of industrial premises.

***Deposit Draft Wokingham District Local Plan (LP/D)* (Document 6)**

5.10 The proposals map shows the site within an extensive *green gap/wedge* that separates the settlements at Wokingham to the North, Pinewood/Crowthorne to the south and Finchampstead North to the west. This gap measures some 2.5km N/S and some 3.5km W/E.

5.11 *Policy WOS3 Development control principles*

Sets out general development control policies to be applied to all development proposals. These include at criterion A, the requirement to be appropriate to the character of the area and at criterion B, the avoidance of a harmful impact upon important landscape features.

5.12 *Policy WCC1 Development in the countryside*

Specifies that development outside settlement boundaries will only be allowed in exceptional circumstances and will be strictly controlled. Amongst the exception categories listed are the following:

G) Other development appropriate to the countryside which cannot be accommodated within a settlement.

5.13 *Policy WCC2 Green gaps and wedges*

The policy guards against development that would threaten the essential function of

green gaps and wedges in the "physical and visual separation" of settlements that are close together.

5.14 *Policy WRE4 Development outside existing employment generating sites outside settlements*

States that redevelopment on sites in existing employment use outside settlements will be acceptable provided that the proposal would not cause any greater visual impact on the character of its countryside surroundings; would not cause detriment to the amenities of adjoining land uses and occupiers; and would not generate additional levels of traffic having unacceptable environmental or road safety impacts. Proposals should include measures to secure environmental improvements.

5.15 *Policy WEM8 Refurbishment of existing employment buildings*

Aims to grasp opportunities to adapt and improve the quality of the building stock by giving particularly favourable consideration to proposals for regeneration of industrial premises if they comply with Policy WOS3. Such development is considered sustainable and potentially provides cheaper premises for small businesses.

5.16 In considering the emerging Local Plan it is relevant to note the Local Plan Inquiry Inspector's criticism of the Council's approach to gap policy:

" ..... I believe that in many cases gaps and wedges have been too widely drawn and that this undermines their credibility by including land that is not essential in terms of separation function" (paragraph 2.90)

In his consideration the Inspector noted that, *"it is the process of coalescence that is harmful"* (paragraph 2.95), and he concurred with the Council's approach of applying a guideline distance of between 1km and 2km (0.6-1.2mls) as a starting point.

The Inspector's recommended re-wording of the policy, as accepted by the Council, is directed specifically at preventing development that would threaten the essential

function in the physical and visual separation of settlements that are close together. **Document 7**.

National Planning Guidance

5.17 PPG7 sets out relevant guidance relating to rural business at paragraphs 3.8-3.11. This states that local plans should allow where possible for reasonable future expansion on site.

5.18 PPG4 aims to foster a positive approach to proposals for development which is necessary to provide jobs, particularly in relation to providing for the needs of small firms. The guidance refers to the ability of LPA's to control unacceptable intensification of industrial uses through use of planning conditions or planning obligations (paragraph 17).

6.0 THE APPELLANTS CASE

6.1 The main issue in this appeal is considered to be the effect of the proposed development on the character and appearance of the locality.

6.2 The proposed building would be located within a complex of authorised industrial buildings in a protected woodland setting. The principle of this proposal to redevelop an existing industrial building suitable for small firms accords with development plan policies C2(ii), BU1, BU2, SE5, and with LP/D policies WRE4, WEM8.

6.3 Public views of the building would by reason of this woodland setting be limited and filtered to a significant extent by intervening trees between the site and Old Wokingham Road. When those trees are in leaf the building is likely to be substantially screened in public views. By reason of its limited physical and visual impact the proposal would not threaten the essential function of the green gap that separates Wokingham and Crowthorne. Accordingly, the proposal would not prejudice the aims of development plan policy C6 or LP/D policy WCC1.

6.4 Although larger than the pre-existing building it would replace, the proposal would be of a form, scale and appearance that is typical of many modern buildings in the countryside and would accord with development plan Policy STV2(B) and LP/D policies WOS3 and WCC1.

6.5 The proposed building would not only be smaller in scale than nearby buildings at Newlands Industrial Estate and at Priors Farm but significantly less intrusive visually due to its protected woodland setting.

6.6 This proposal to redevelop an existing employment building will assist to meet the needs of small local firms consistent with the aims of relevant national guidance and would neither harm the character and appearance of the countryside nor threaten the visual separation of the settlements of Wokingham to the north and Crowthorne to the south.

6.7 In the context of this existing employment site, and having regard to the scope for permitted development extension to buildings under the GDPO Schedule 2 Part 8, it is considered that this redevelopment proposal would not cause a harmful intensification of industrial activity.

6.8 It is material to note the findings of the Inspector who considered the appeal in 2000, under the same development plan that remains current, in respect of a proposal to expand the area of approved industrial and storage usage to accommodate additional parking spaces. In that case the appointed Inspector concluded that the proposal would not be unduly detrimental to the character and appearance of the area taking into account the restricted visibility of the site.

6.9 A schedule of conditions for consideration is provided at **Document 8**. Those conditions address issues relating to the visual appearance of the building and, notwithstanding the remarks at paragraph 6.7 above, intensification of industrial activity if this is a matter of concern to the appointed Inspector.

7.0 CONCLUSIONS

7.1 The development plan and the soon to be adopted local plan contains policies that make positive provision for the redevelopment of sites in existing employment use outside settlement in recognition of the economic and sustainability benefits.

7.2 The size of the proposal accords with the scale of redevelopment proposals permissible under development plan Policy STV2(B), and would not have a harmful impact on the character and appearance of this part of the countryside taking into account the size of the building it would replace and the restricted visibility of the proposal

7.3 The design and materials of the building are considered appropriate to the setting and typical of many modern buildings located in the countryside, including examples close to the site.

7.4 The visual and physical impact of the building would not materially affect the policy objective of preventing the coalescence of Wokingham and Crowthorne, which are at least 2.5km apart in this location.

7.5 The scale of the proposal is such that, in the context this authorised industrial site, no harmful intensification of industrial activity would arise in this part of the countryside. However, should the Inspector conclude differently conditions have been suggested that would offset such effects.

7.6 For these reasons it is considered that the proposal accords with the development plan and with other relevant planning policies. Furthermore, there are no material considerations indicating that the appeal should not be allowed in accordance with

s.54A and s.70 of the Town and Country Planning Act 1990, subject to the imposition of conditions as considered necessary.

TOWN & COUNTRY PLANNING ACT 1990

APPELLANTS : MR A MILES
SITE : MILESWOOD FARM OLD WOKINGHAM ROAD
WOKINGHAM BERKSHIRE RG40 3BU

SUPPORTING DOCUMENTS ON BEHALF OF THE APPELLANT

Robin Bradbeer Limited
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Gloucestershire GL6 7LS
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Fax: 01453 889103
email planning@bradbeer.co.uk

PINS ref. : APP/X0360/A/04/1137542
LPA ref. : E/2002/8127
Our Ref. : RWB/244
1 March 2004

SUPPORTING DOCUMENTS

1. Index Map and photographs showing the site and surroundings.

2. Planning permission ref. 97/66427/F.

3. Planning appeal decision 16/10/02 (application ref. 98/6435/F).

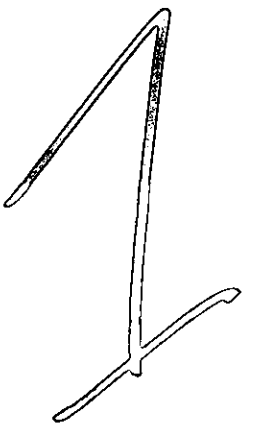
4. Berkshire Structure Plan - policy extracts.

5. South East Area Local Plan - policy extracts.

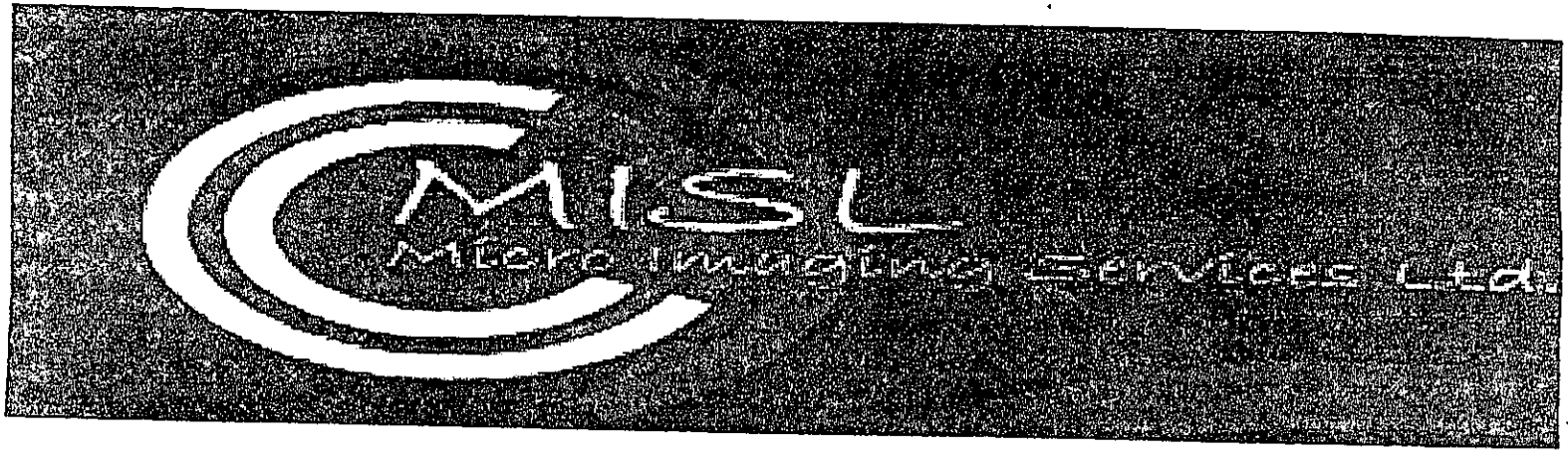
6. Deposit Draft Wokingham District Local Plan - policy extracts.

7. Wokingham District Local Plan Inspector's Report October 2001 - extracts.

8. Suggested conditions.



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



FOR THIS REASON THEY MAY
APPEAR UNREADABLE ON SCREEN



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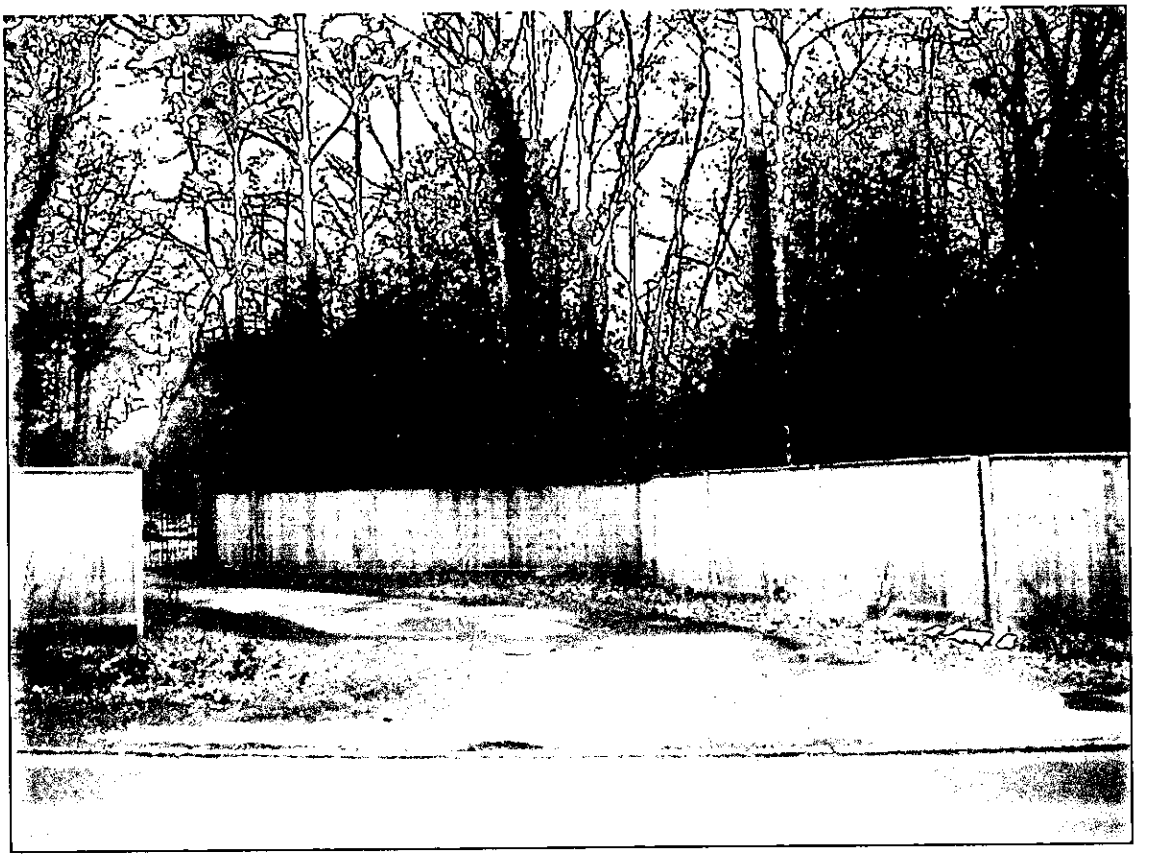

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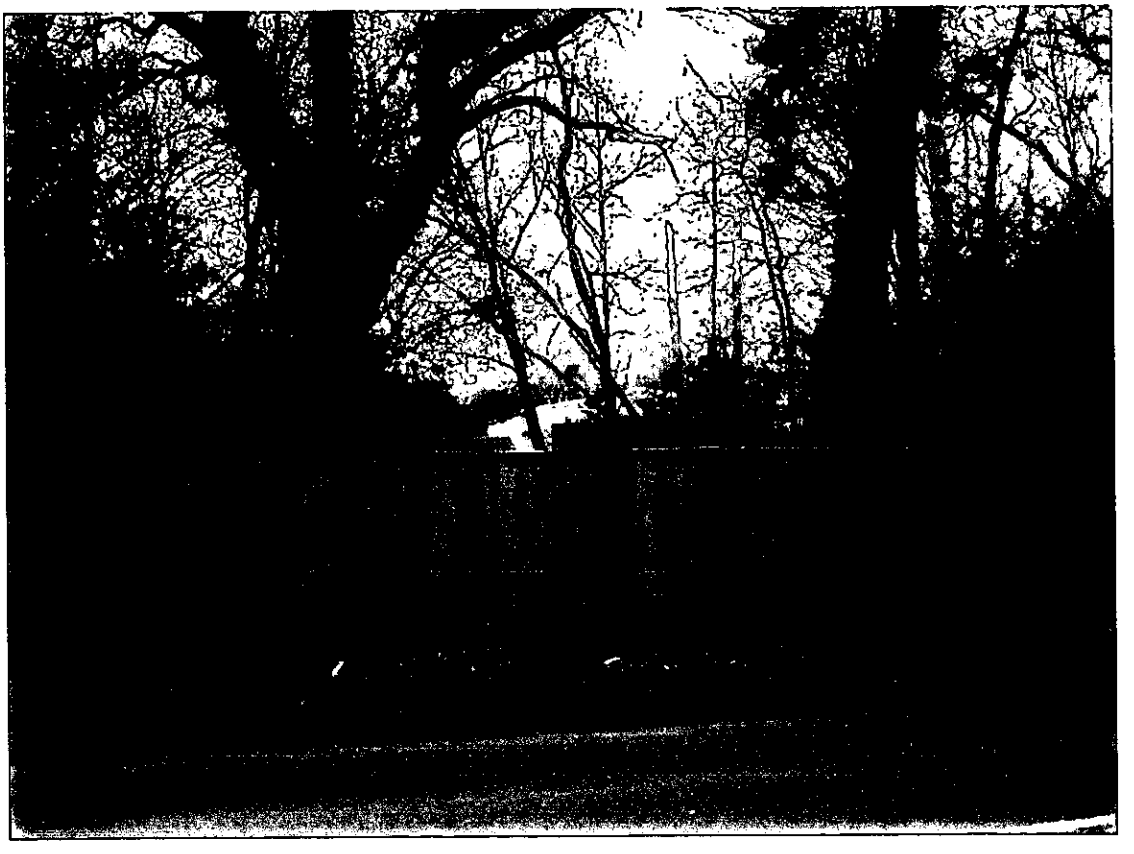

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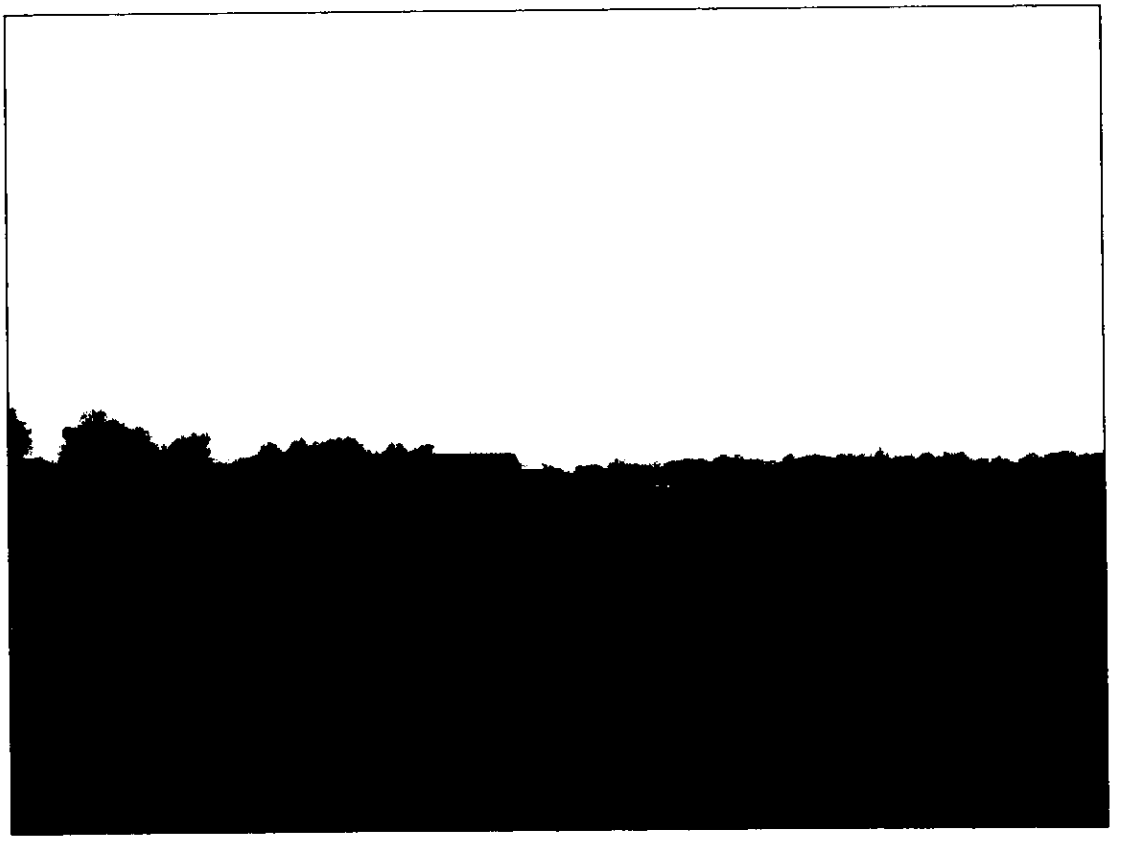

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2

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

NOTIFICATION OF CONSENT FOR PLANNING PERMISSION

Mr B Miles and Mr J Brar
C/O Robin Bradbeer Ltd
20 Lansdown Parade
Cheltenham
Glos
GL50 2LH

Application No : 97/66427/F

Parish : WOKINGHAM WITHOUT PARISH

Proposal : **PROPOSED CHANGE OF USE OF REDUNDANT BUILDINGS TO WORKSHOPS (B1/B2 USE) PLUS FENCED COMPOUND FOR B8 USE (RETROSPECTIVE APPLICATION)**

Location : Mileswood Farm Old Wokingham Road Wokingham

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

CONDITION(S) :

01
No building shall be occupied until a plan showing a radius of 7.5 metres on the south side of the access at its junction with Old Wokingham Road has been submitted to and approved in writing by the Local Planning Authority.

02
The access surface shall be properly made up with a bound material for a distance of 5m back from the carriageway edge.

03
No building shall be occupied until all shrubs, trees etc. are trimmed back to the highway edge across the entire frontage of the site.

04
No building shall be occupied until the vehicle parking areas are laid out in accordance with the Approved plan and vehicles shall not be parked on site other than in the marked out areas.

REASON(S) :

01
In the interests of highway safety.

02
In the interests of highway safety.

03
In the interests of highway safety.

04
Development without adequate provision for vehicle parking would lead to parking inconvenient to other road users and detrimental to highway safety.

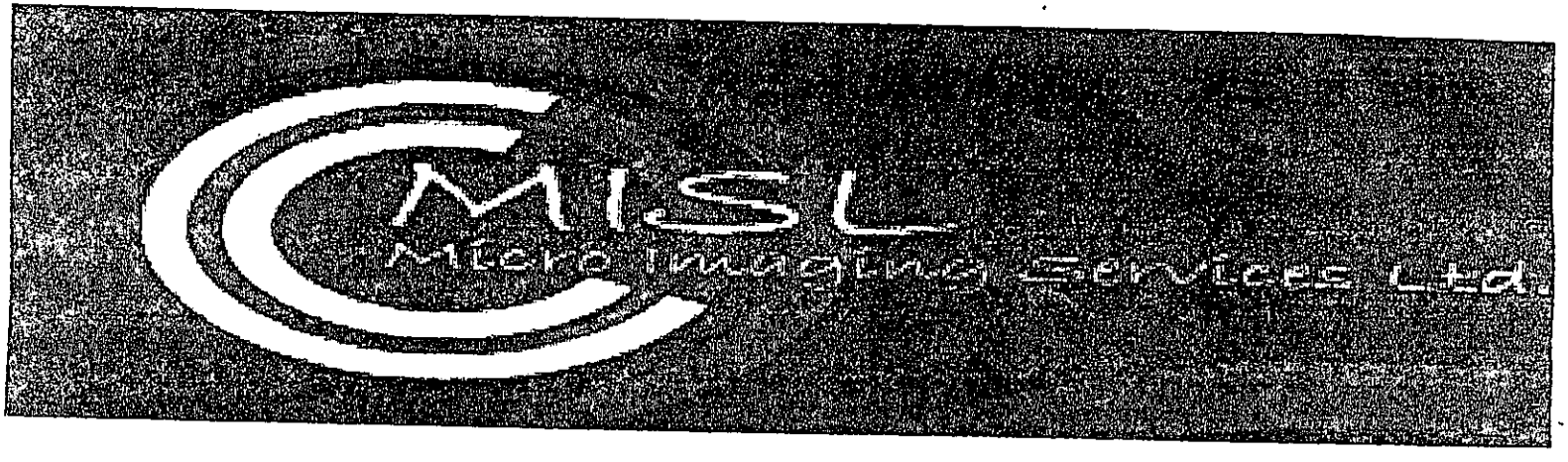
Date 09 April 1998

Development Control Manager

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

3

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



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

Appeal Decision

Site visit made on 7 June 2000

by A.G Bennett

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

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

Date
30 JUN 2000

Appeal Ref: APP/X3060/A/00/1039899
Mileswood Farm, Old Wokingham Road, Wokingham

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr B Miles and Mr J Brar against Wokingham District Council.
- The application [ref: 98/68435/F], dated 14 September 1998, was refused by notice dated 1 February 2000.
- The development proposed is additional vehicle parking.

Summary of Decision: the appeal is allowed and planning permission granted, subject to the conditions set out in the formal decision.

Main Issues

1. From my inspection of the site and the surrounding area, and from the written representations, I consider that the main issue in this matter is what effect the proposal would be likely to have on the character and appearance of the area.

Planning Policies

2. The development plan for the area includes the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan adopted in 1994. Policy C2 of the structure plan provides that development outside settlements will be strictly controlled and permitted only for specific purposes including the re-use, adaptation or redevelopment of existing buildings particularly to assist the diversification of the rural economy, provided it is appropriate in scale, form, impact, character and siting to its location in the countryside. Policy STV2 of the local plan indicates that development will not normally be allowed in rural areas. The Deposit Draft of the Wokingham District Local Plan is now at public inquiry stage and its policies attracts due weight as material considerations. Policy WCC1 says that outside settlements development will be allowed only in exceptional circumstances but in principle for the re-use and adaptation of existing buildings if acceptable in scale and character to its location.

Reasons

3. The appeal site is in a rural area and consists of a 1.8 ha area of land containing a number of former agricultural shed-type buildings scattered about the woodland site. It is set back behind a belt of trees through which there is access to the highway, and is the subject of an Area Tree Preservation Order.

4. Planning permission was granted in 1998 for the use of the various buildings amounting to 374 sq. m for Class B1 and B2 uses together with a storage compound and a number of parking spaces. The number of spaces approved is in dispute since it appears that the

plan submitted to the Planning Committee, and on which the decision to approve was taken, showed 17 spaces whereas an amended plan had already been submitted to the Council showing 26 spaces. However the proposal before me seeks to increase the total number of car spaces to 50 distributed among the complex of buildings.

5. Following submission of the application which is the subject of this appeal a Tree Survey was requested and carried out in view of the Tree Preservation Order. Its recommendations were accepted by the Council and consent was given for the removal of a number of trees. A revised plan for the 50 spaces was then submitted to reflect the location of trees to be removed and those to be retained.

6. The Council draw attention to parking standards contained in the South East Area Local Plan which, for Class B1 and B2 uses, indicate a total of 15 spaces for the 374 sq.m of buildings, and to the fact that 17 spaces meets that requirement. On the other hand the appeal explains that the site accommodates 14 tenancies of which the majority relate to motor vehicle repairs – a use which tend to be environmentally unpopular in urban locations and of which there is a dearth in the area.

7. The presence of so many businesses means quite small premises on average which the Council see as over-intensive use but it clearly does reflect a demand for units for small businesses which both local and national policies seek to provide. It seems to me that motor vehicle repair uses by their very nature are likely to require more ancillary parking than many other uses because they need space to hold cars awaiting repair or collection as well as employees' and delivery vehicles. The proposal would amount to 3.5 spaces per business on average which in these circumstances does not seem to me to be excessive in principle.

8. More parking spaces would increase the area of approved industrial and storage usage but in view of the spread of buildings over the site and the accesses to them that increase would not be unduly significant. Nor would it be evident from the road in view of the restricted visibility of the site down its winding access through the dense tree belt. Overall the proposal would not be unduly detrimental to the appearance or character of this rural area but it would in any case have a compensating benefit to be gained from the suggested fencing of the site, which could be secured by a planning condition, to prevent encroachment into the surrounding wooded area and to safeguard trees close to the boundary.

Conditions

9. I have considered the 3 conditions offered by the Council. The first can be covered by the terms of planning permission. The need for a condition for fencing is agreed as indicated above and will be given effect although in a slightly different form to secure retention rather than maintenance. The third condition is unnecessary to prevent development which would require planning permission. In addition I propose to repeat the gist of Condition 4 of the original permission to require the marking out of parking spaces and to restrict parking to those spaces, in order to protect the character of the area and to restrain the ongoing effect of development upon it.

Formal Decision

10. For the above reasons, and in exercise of the powers transferred to me, I hereby allow

this appeal and grant planning permission for additional vehicle parking at Mileswood Farm, Old Wokingham Road, Wokingham in accordance with the terms of the application (No. 98/68435/F) dated 14 September 1998 and the revised plan (No. 244/99/1) submitted therewith, subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.

(2) Within one month of the date of this permission details shall be submitted to the Local Planning Authority showing the location and type of fencing to enclose the area shown on Plan No. 244/99/1. The fencing shall be installed in accordance with the approved details within 2 months of approval and shall thereafter be retained completely.

(3) The vehicle parking spaces hereby approved shall be laid out in accordance with the approved plan within 2 months of the date of this permission and vehicles shall not be parked on the site other than in the marked out spaces.

Informatives

11. These conditions require further matters to be agreed by the Local Planning Authority. There is a right of appeal to the Secretary of State if they refuse any such application, fail to give a decision within the prescribed period, or grant a conditional approval.

12. This document only grants planning permission under Section 57 of the Town and Country Planning Act 1990. It does not give any other approval or consent that may be required.

INSPECTOR

4

BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997

February 1998
Price: £15.00

ISBN 1 85163 331 6

LIMITING THE SPREAD OF DEVELOPMENT

Controlling Development in the Countryside

5.8 The protection of the countryside is a fundamental concern and it is necessary to limit development within it to that which is both appropriate (in type and form) and sensitive to its location.

Development Outside Built-Up Areas and Settlements

Policy C2 **Development outside built-up areas and settlement boundaries defined in local plans (and not within the Metropolitan Green Belt - see Policy C4) will be strictly controlled, and permitted only :**

(i) where it is required for agriculture or forestry; or

(ii) for the re-use, adaptation or redevelopment of existing buildings, particularly to assist the diversification of the rural economy and to maintain or enhance the rural environment; or

(iii) other development for which a rural location is essential;

provided it is both appropriate in scale, form, impact, character and siting to its location in the countryside and is acceptable in terms of other policies in the Structure Plan.

5.9 Building in the open countryside away from existing settlements or from areas allocated for development in local plans will be strictly controlled in line with advice in PPG7, 'The Countryside and the Rural Economy'. Even where development may be acceptable in principle in the countryside the acceptability of a particular proposal will depend on its suitability for the proposed site; on the impact of any related activity; and on the adequacy of any measures to integrate the proposal into the surroundings. More detailed criteria relating to the control of development in the countryside will be included in local plans. With regard to redevelopment, such criteria may for example require that proposals should have no greater impact (in terms of bulk of buildings or site coverage) than the existing development and should secure environmental improvements.

5.10 Proposals for essential utilities will be considered under sub-section (iii) of Policy C2. Essential utilities include development and facilities, where these cannot be sited within settlements, for transport and related services, including park and ride and motorway service areas; for the distribution of gas, oil and electricity; for sewage disposal; for water supply and flood alleviation; and for telecommunications.

5.11 Where necessary to meet provisions made in the Structure Plan, settlement boundaries may be defined in local plans to allow for appropriate forms of development on sites on the edge of built-up areas.

5.21 In implementing the provisions of Policy C4, it should be noted that development includes the change of use of land and existing buildings and the carrying out of engineering or other operations. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purpose of including land in the Green Belt.

5.22 Within the Green Belt, the erection of new dwellings is normally restricted to infilling in Recognised Settlements (those villages and other locations within the Green Belt where, because of the local concentration of development, it is considered that the overall character of the Green Belt would not be harmed by permitting such development). The boundaries of these settlements are currently defined in the Green Belt Local Plan, which also indicates that "infilling" in the Green Belt should normally be limited to single plots. As local plans are prepared for areas in the Green Belt, their policies will supersede those in the Green Belt Local Plan. Until that time, policies in the Green Belt Local Plan will apply.

5.23 Planning Policy Guidance Note 2 'Green Belts' does not refer to park and ride sites as being appropriate development in the Green Belt. However, if such schemes are to be provided in the eastern part of the County in accordance with the integrated transport strategy, it is most likely that sites will have to be found in the Green Belt. Proposals for sites in the Green Belt would have to be treated as exceptional cases and as departures from the development plan which would have to be referred to the Secretary of State.

5.24 By maintaining the separation of settlements, the Green Belt plays an important role in protecting the rural character of much of the eastern part of Berkshire. However, in some areas, pressures for change and fragmentation of ownership are leading to degradation of the landscape. To help combat such changes (and thereby improve the effectiveness of Green Belt policy), the County Council will work in partnership with other agencies to develop appropriate landscape conservation and enhancement measures.

Settlements, Buildings and the Countryside

5.25 Areas on and near the edge of settlements, where built-up areas meet the countryside, are especially vulnerable to insensitive development within settlement boundaries which:

(i) increases the visual intrusion by buildings in the surrounding countryside;

(ii) causes the loss of tree and hedgerow cover which helps to soften and screen a settlement edge;

(iii) extends beyond a feature (like a ridge or tree belt) which forms a visual barrier to the edge of a settlement;

(iv) adds to, or fills gaps in, an area of dispersed settlement or sporadic development;

(v) prejudices the continued satisfactory conduct and management of a land-use wholly appropriate to a rural area, either on land adjoining a settlement or in an area of sporadic or dispersed development.

countryside

5.26 The following policy is particularly concerned with the effect of development which is located on the edge of a settlement (but within its defined boundary) upon the adjacent countryside. Policy C2 deals with the nature of development that may be permitted in the countryside, and Policy EN1 with the effect of development on the environment within built-up areas.

Maintenance of the Rural Character of the Countryside Adjoining Built-Up Areas

Policy C5 **Development should not visually intrude into the adjoining countryside or prejudice the maintenance of the rural character of adjacent land. Proposals for development within settlements as defined in local plans, but on the edge of a built-up area should preserve and, where possible, enhance existing landscape features which help to define, soften or screen the edge of the built up area.**

5.27 Development in settlements should be well related to the landscape and to features like hedgerows, trees and floodplains. It should be integrated with them by new tree planting. Although the intention of Policy C5 is to reduce the visibility of buildings in and from the countryside, some buildings (such as some farms and churches) are part of the character of the landscape, and more detailed local planning policies may provide for views of these to be maintained.

Settlement Separation

5.28 Development can encroach into areas of open land which are of importance for a number of reasons, including their contribution to :

- the character of the area:
- separating settlements and maintaining their distinct identity;
- providing a "green lung";
- breaking up continuous areas of development;
- providing a desirable contrast between built areas and the countryside:
- keeping open "green corridors" of land within and between built up areas and providing access into the countryside.

5.29 There is therefore a need to afford these kinds of land especially rigorous protection from development which would threaten their role as important open land. This is in addition to the provisions of Policies C2 and C4. Proposals which might be acceptable in countryside away from settlements may not be acceptable in these sensitive locations.

Bracknell Forest Borough	121,520 sq.m. plus 12.0 hectares
Newbury District	180,160 sq.m. plus 15.6 hectares
Reading Borough	237,730 sq.m. plus 6.6 hectares
Slough Borough	131,400 sq.m.
Royal Borough of Windsor & M'head	17,750 sq.m.
Wokingham District	237,570 sq.m.
Berkshire	**926,130 sq.m. plus 34.2 hectares**

In addition to the above commitments, there are a number of sites being proposed in draft local plans. Approximately 13,400 sq.m. of BIDS floorspace could be built on such sites identified at March 1994.

Further Business and Industrial Development

8.15 Although the County Council is not proposing any major new allocations for business, industrial, distribution and storage development it considers that some flexibility needs to be made for development beyond the existing provision. Policy BU1 therefore gives some scope for development additional to the provisions in paragraph 8.14 where it would not unduly add to transport problems or pressures for housing development. The flexibility afforded by Policy BU1, together with the substantial amount of floorspace already committed or currently vacant, will help the County to retain its prosperity and attractiveness for investment. It will also allow opportunities for businesses to expand, premises to be modernised or redeveloped and jobs lost in declining industries to be replaced. It will assist urban regeneration and the re-use of urban land in line with Government guidance[1] and will also allow more flexibility for the provision of local services and for helping the needs of the local labour force.

8.16 However, the County Council is concerned to ensure that a significant intensification of employment uses is avoided in many areas. Many of the existing industrial areas in Berkshire have experienced considerable change and redevelopment in recent years, often leading to additional floorspace and the replacement of traditional industrial and warehousing premises by more intensively occupied business premises. These trends have been encouraged by the flexibility offered by the 1987 Use Classes Order. The result has in many cases been a significant intensification of employment potential which has added to transport problems, additional labour supply demands and associated pressures for additional housing. It has also led to a reduction in the variety of premises available (see paragraph 8.21).

8.17 The redevelopment and intensification of large research and other institutional establishments in rural locations can also lead to significantly increased employment, drawing workers from a wider area, increasing traffic flows and the length of journeys to work, contrary to the objectives of sustainable development. The following policy therefore deals with redevelopment and changes of use as well as new sites.

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1 *Advice in Planning Policy Guidance Note (PPG4) 'Industrial and Commercial Development and Small Firms'*

Assessment of Proposals for Further Business, Industrial, Distribution and Storage Development

Policy BU1 **In considering proposals for business, industrial, distribution and storage development other than that already committed, permission will normally be granted where the proposal would :**

(i) **aid urban regeneration;**

(ii) **contribute (when compared with existing or committed development) towards meeting the employment needs of the local population in the County, including the rural areas;**

(iii) **meet the needs of existing firms in Berkshire, including small businesses; or**

(iv) **meet the need for a particular type of business which would serve the local economy and which cannot be accommodated in existing or committed premises;**

provided that it does not give rise (either by itself or cumulatively with other such schemes) to:

- **pressures for housing development additional to the provision in this Plan; or**
- **transport problems, having regard to the capacity of the transport network, the rate at which the transport strategy is being implemented and accessibility by public transport;**

Other factors to be taken into account in considering proposals will include:

- **the amount of suitable land and premises already available, including development that is committed or agreed in principle and property that is being marketed at the time;**
- **the rate of completions and occupation of premises over the Structure Plan period, and changing densities of occupation.**

8.18 Policy BU1 allows for local considerations to be taken into account. The County Council will be providing further guidance on the interpretation of Policy BU1 and will work with the local planning authorities to produce regular statements on the current state of the economy to assist with the implementation of the policy. The weight given to each criterion in the policy will depend upon local circumstances.

8.19 The use of the term 'urban regeneration' in the context of Policy BU1 does not imply the acceptance of wholesale redevelopment of BIDS uses in urban areas, as this could lead to the unacceptable intensification of activities and a loss of variety of types of premises and uses. Rather, it is the targeted redevelopment of existing underused, vacant and derelict land and premises where this is appropriate in accordance with other policies in this Plan. Urban regeneration also includes the redevelopment of older BIDS premises which due to age and specification may not be suitable for the modern needs of business and industry.

8.20 Particular attention will be given to proposals for major additional floorspace. The distinction between major and small scale developments may vary in different parts of the County, according to local circumstances and definitions adopted in local plans, but normally a major development will be one involving a net increase in floorspace of 500 sq.m. and over.

MAINTAINING A VARIETY OF PREMISES

8.21 The County Council is seeking a broad-based local economy in which local firms have opportunities to grow and prosper, and local people have access to a wide range of job opportunities. Although rentals may have fallen over the last few years, high rental and land values limit the supply of reasonably priced premises for small or recently established firms, and can lead to an over-emphasis on floorspace for office and business uses at the expense of industry, storage and distribution (a trend reinforced by changes in planning legislation).

8.22 Local planning policies can provide valuable assistance in controlling the scale and type of development and redevelopment. Measures that help achieve a variety of sizes and types of premises, a range of uses and the retention of areas for industrial and warehousing activities, as well as controls on the height, mass and density of development, are particularly welcomed.

8.23 While planning policies are only one of the factors that can influence the range of types and sizes of premises that are provided, encouragement can be given, where appropriate, to proposals which assist the maintenance of a balanced local economy and provide for the expansion of local firms.

Provision of a Variety of Premises

Policy BU2 **Within the provisions of Policy BU1, favourable consideration will normally be given to proposals for :**

(i) existing businesses wishing to expand in situ;

(ii) the provision of a range of small units;

(iii) the provision of industrial, distribution and storage units.

8.24 This policy seeks to guide any future employment development towards meeting the needs of existing local firms and providing a wide range of job opportunities, rather than an excessive provision of business (office) development. Small industrial starter or nursery units of less than 100 sq m each will be particularly encouraged. Where proposals involve the provision of smaller units the County Council will support measures by the local planning authorities to ensure that the units are not subsequently amalgamated without their prior agreement.

8.25 In the case of development and redevelopment within existing industrial areas an over-emphasis on the provision of office premises and a reduction in the variety of uses should be avoided. A range of types and sizes of premises should be provided wherever possible. Proposals involving development for business use can also contribute to achieving a variety of activities if their design enables a range of activities to be accommodated.

OTHER USES FOR BUSINESS AND INDUSTRIAL LAND AND PREMISES

8.26 In order to achieve other desirable planning objectives such as the provision of low-cost housing, or to seek sustainable locations for development, the County Council will, where appropriate, support the re-use or redevelopment of business, industrial, distribution or storage premises or sites to other uses such as housing (including the conversion of offices to flats), recreation, or social and community facilities. Proposals should meet the requirements of other policies and objectives in this Plan and in local plans.

8.27 Regard will also need to be paid to the concern to maintain a balanced local economy with a wide range of job opportunities and a variety of premises, including small units, although in some areas changes from BIDS to other uses may help to reduce the potential mismatch between jobs and local labour supply referred to in paragraph 8.10. The County Council will oppose development which adversely affects the availability of industrial and warehousing land and premises, and the locally available range of job opportunities. The Council will resist redevelopment to other uses of sites and premises which it considers to be of more benefit to the needs of the local economy where retained in BIDS uses.

Development Proposals Involving Other Uses for Business, Industrial, Distribution and Storage Land and Premises

Policy BU3 **Proposals for the redevelopment or change of use of business, industrial, distribution or storage premises, or sites proposed for such uses, to other uses will be encouraged in appropriate circumstances as defined in local plans, providing there is no unacceptable adverse impact on the availability of industrial and warehousing land and premises and on the locally available range of job opportunities. Permissions for business, industrial, distribution or storage uses will not be automatically renewed without a review of the continued justification for the development proposed, having regard to the considerations listed in Policy BU1, and other material considerations including the suitability of the site for alternative uses.**

8.28 In all cases permitted in accordance with Policy BU3, the County Council will normally oppose any proposals to replace on other sites the resulting loss of floorspace and areas, unless they comply with the considerations listed in Policy BU1, in view of the substantial existing commitment to BIDS development and concerns about the potential imbalance between the anticipated increase in jobs and the labour supply available locally.

Business and Industry

5

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

Published by: Wokingham District Council
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❖ STV1 'IDENTIFIED SETTLEMENTS'

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

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

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

❖ STV2 DEVELOPMENT IN RURAL AREAS

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

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

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

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

(D) MINERAL EXTRACTION.

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

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

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

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

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

G) THERE IS NO SIGNIFICANT CONFLICT WITH ANY OTHER POLICY CONTAINED IN THE REPLACEMENT STRUCTURE PLAN, OR LOCAL PLAN.

UNEMPLOYMENT IN THE PLAN AREA

1.5.16 Information on unemployment in the Plan area is provided by the Regional Manpower Intelligence Unit of the Manpower Services Commission. The information is not available on a level below Parliamentary constituency travel to work area or local government area.

1.5.17 Whereas in April 1992 in Great Britain the unemployment rate was 9.6% and in the South East Economic Planning Region it was 9.1%, in Berkshire it was 6.4%. In the Reading travel to work area, which includes the Plan area, it was 6.2%.

1.5.18 In Wokingham District the total number of unemployed in April 1992 was 3251 comprising 2460 males and 791 females. Whilst the district had less than 12.5% of Berkshire's unemployed it has something approaching 20% of the population. This suggests that the unemployment rate in the Plan area is actually well below the County rate.

RANGE OF EMPLOYMENT OPPORTUNITIES

1.5.19 Although unemployment is not seen as a major problem in Berkshire, the County and District Councils are concerned to maintain as wide a range of employment opportunities as possible The District Council is concerned that sites and premises which allow traditional industrial and warehouse uses to continue and flourish should not be lost through incursion by other uses.

1.5.20 In recent years it has been widely accepted that there has been an overall decline in the numbers and size of firms engaged in traditional types of industry. There has been a tendency for firms operating in new technology-based activities to replace more traditional forms of industry, thus creating pressure for development or redevelopment.

1.5.21 The District Council is concerned to retain a range of employment opportunities in the District and wishes to resist the erosion of traditional industry wherever possible. Areas of traditional industry are coming under pressure for redevelopment for business uses which command higher land values. The District Council has identified areas where industrial uses continue to be well-represented, and have characteristics which make them suitable for such activities. It will therefore seek to maintain and reinforce these areas for uses falling outside the B1 Use Class as defined in the Town and Country Planning (Use Classes) Order 1987, by only permitting new development which falls within Use Classes B2 and B8 within or adjoining those areas.

1.5.22 The Council will also seek to resist the loss of buildings proposed for industrial, storage and distribution uses (defined as Use Classes B2 to B8) to Business use (Use Class B1)by entering into legal agreements which place restrictions on permitted uses within their use class.

❖ SE3 GENERAL INDUSTRIAL, STORAGE AND DISTRIBUTION AREAS

WITHIN THE FOLLOWING 'GENERAL INDUSTRIAL, STORAGE AND DISTRIBUTION AREAS' IDENTIFIED ON THE PROPOSALS MAP, THERE WILL BE A PRESUMPTION IN FAVOUR OF USES IN CLASSES B2 TO B8.

A) HOGWOOD LANE

B) MOLLY MILLARS INDUSTRIAL ESTATE (PARTS)

1.5.23 The District Council is as concerned with the types of employment that are seeking



to locate on new small sites, as it is with those looking for accommodation on existing sites. It is concerned to make provision for as broad a base of employment development as possible, to provide maximum flexibility and scope for meeting local employment needs. In particular, the Council wishes to encourage the provision of new premises suitable for general industrial and other uses, specifically not in the B1 Use Class. The Council will therefore give appropriate consideration to proposals for uses in Classes B2 to B8, on small sites that may come forward for development.

SIZE OF UNITS

1.5.24 With regard to existing firms, the Council considers it necessary to ensure that alternative provision exists for those currently occupying inappropriate premises and sites. This includes firms that require alternative premises as a result of needing to expand their operations. In addition, small units or cheap refurbished premises are often required by newly-formed firms.

❖ SE4 SIZE OF UNITS IN NEW EMPLOYMENT DEVELOPMENT

IN CONSIDERING PLANNING APPLICATIONS FOR NEW EMPLOYMENT DEVELOPMENT THE DISTRICT COUNCIL WILL SEEK THE PROVISION OF A RANGE OF UNIT SIZES INCLUDING UNITS OF LESS THAN 100 SQUARE METRES.

❖ SE5 REFURBISHMENT OF EXISTING EMPLOYMENT BUILDINGS

PROPOSALS INVOLVING THE REGENERATION OF BUSINESS, INDUSTRIAL, DISTRIBUTION AND STORAGE AREAS AND THE REDEVELOPMENT/SUB-DIVISION OF LARGE OBSOLETE BUILDINGS INTO SMALL UNITS WILL NORMALLY RECEIVE PARTICULARLY FAVOURABLE CONSIDERATION.

EXISTING LOCAL CENTRES

1.5.25 It is likely that pressure for business development whilst focusing on Wokingham Town centre, will continue to be experienced throughout the Plan area in local shopping and service centres. Whilst business uses in local centres are able to add to the variety of locations, types and sizes of premises available, their presence can also adversely affect the character of the centres. Much of the pressure has been experienced for changes of use of residential and retail properties. To allow business uses in such properties would conflict with other policies in this Plan.

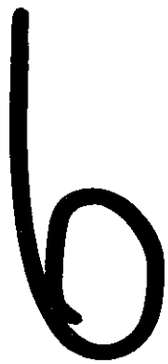
❖ SE6 BUSINESS USES IN EXISTING LOCAL CENTRES

DEVELOPMENT FOR BUSINESS USES (CLASS B1) IN EXISTING LOCAL SHOPPING AND SERVICE CENTRES WILL NOT NORMALLY BE ALLOWED UNLESS AT LEAST ONE OF THE FOLLOWING CRITERIA APPLIES:

A) THE SITE IS SPECIFICALLY IDENTIFIED BY THE DISTRICT COUNCIL FOR BUSINESS PURPOSES; OR

B) THE BUSINESS USE WOULD BE AT FIRST FLOOR LEVEL OR ABOVE IN PREMISES THAT ARE UNSUITABLE FOR RESIDENTIAL USE; OR

C) THE SITE IS CURRENTLY USED FOR A PERMITTED NON-RESIDENTIAL OR NON-RETAIL PURPOSE; OR



WOKINGHAM UNITARY
Aiming for Excellence

WOKINGHAM DISTRICT LOCAL PLAN

DEPOSIT DRAFT

WITH PROPOSED MODIFICATIONS HIGHLIGHTED

January 2003

POLICY WOS2: HOUSING DEVELOPMENT PRINCIPLES

WHEN DETERMINING NEW HOUSING DEVELOPMENT PROPOSALS A SEQUENTIAL APPROACH WILL BE APPLIED WHEREBY:

A) PREVIOUSLY DEVELOPED LAND AND BUILDINGS WITHIN THE BOUNDARIES OF CATEGORY A SETTLEMENTS WILL BE DEVELOPED FIRST;

B) SECONDLY, LAND AND BUILDINGS ON THE EDGE OF CATEGORY A SETTLEMENTS THAT ARE SERVED BY GOOD PUBLIC TRANSPORT CORRIDORS WILL BE CONSIDERED;

C) LASTLY, DEVELOPMENT PROPOSALS FOR LAND AND BUILDINGS IN CATEGORY B SETTLEMENTS WILL ONLY CONSIST OF VERY LIMITED INFILLING AND SMALL WINDFALL DEVELOPMENT.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

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

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

1.12A Landscaping schemes should be comprised predominantly, if not wholly, of locally native species.

1.12B People with disabilities are a diverse population and may include individuals with visual, hearing or cognitive impairments, ambulant disabled, the elderly, or wheelchair users. Many of these groups may be denied access to development by ill-considered design solutions.

1.12C PPG1 states that "When a new building is proposed, or when planning permission is required for the alteration or change of use of an existing building, the developer and local planning authority should consider the needs of people with disabilities at an early stage in the design process. They should be flexible and imaginative in seeking solutions, taking account of the particular circumstances of each case."

1.12D Policy WOS3 seeks to ensure appropriate facilities are provided for disabled people in all developments to ensure equal access for everybody.

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

E) PROVIDE BUILDINGS, FACILITIES AND SPACES THAT ARE SUITABLE FOR USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT (M/1/20)

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

1.13 It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to support the development. This could include infrastructure required to provide necessary statutory services. This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations* and PPG12 paragraph 6.16). An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life or new and existing residents. Supplementary planning guidance has been produced setting out the implementation of Policy WOS4 below.

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

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

Supplementary Planning Guidance

2.20 Future supplementary guidance will be produced by the Council in respect of a District-wide Landscape Assessment based on the character approach outlined in PPG 7, which in turn will be used to produce a Countryside Design Summary. Village Design Statements will be produced by Parish Councils in consultation with the District Council and, provided they are acceptable, will be adopted as supplementary planning guidance. Methodology will be in accordance with Countryside Agency guidance and the advice in PPG7.

THE COUNTRYSIDE

Development in the Countryside

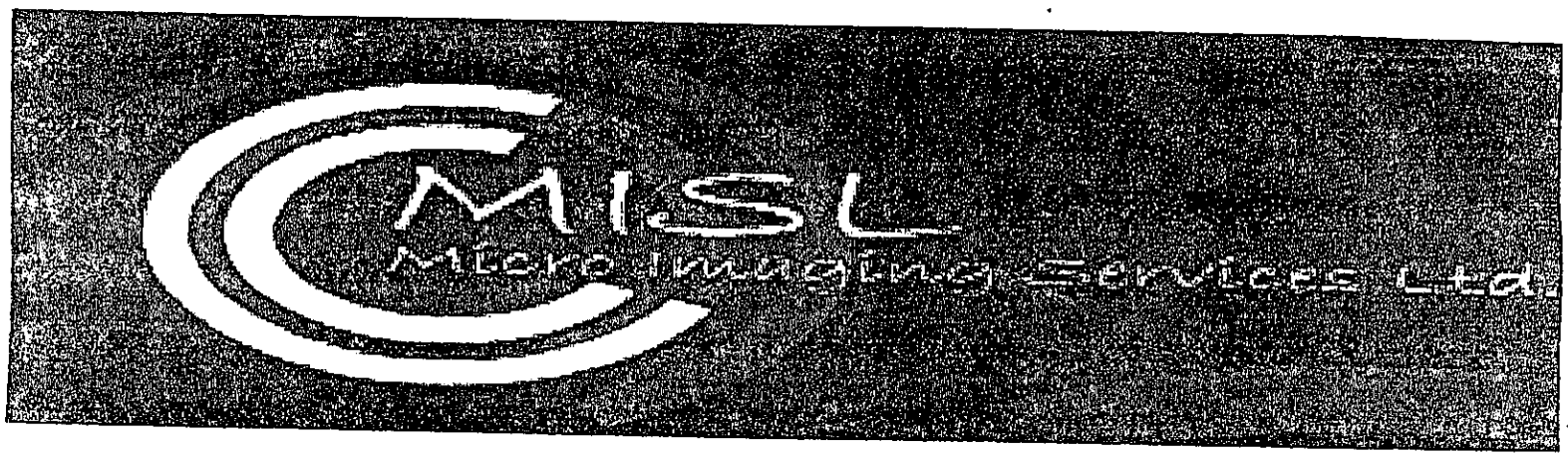
2.23 The guiding principle in the countryside is that development should both benefit economic activity and maintain or enhance the environment. It can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources. Certain categories of agricultural and telecommunications development are classed as permitted development under the Town and Country Planning (General Permitted Development) Order 1995; in some cases there is a requirement to give advance notification to the Council of the intention to exercise these rights. Development in the open countryside, away from existing settlements or areas allocated for development in this local plan will be strictly controlled. **Policy WCC1 is a general policy that establishes the basic principles of countryside development. There may be existing built sites in rural areas that offer the opportunity for redevelopment without compromising countryside objectives. These could include contaminated or derelict sites and may offer the opportunity for environmental improvement. The Council will adopt a cautious approach to such sites as they are likely to be in locations away from existing services and facilities and poorly served by transport options other than the private car. Each case will need to be judged on its merits as an exception to the Plan. Other** ~~Some~~ categories of development that may be appropriate, are set out in Policy WCC1 below. (FM/2/1)

2.23A Infill development is defined as one or two dwellings in a small gap in an otherwise built-up frontage. For the purpose of this policy small is defined as no larger than necessary to accommodate two houses having regard to the widths of the existing residential frontages in the immediate vicinity. The new dwelling(s) should have a similar road frontage and similar curtilage to adjoining dwellings. It is essential that the development does not adversely affect the character of the area and in particular not lead to any urbanisation of the area. Such development should provide adequate garden or amenity open space for the private enjoyment of residents appropriate to the character and general layout of the area. The protection of trees in accordance with policy WBE11 will be another important consideration.

POLICY WCC1: DEVELOPMENT IN THE COUNTRYSIDE

DEVELOPMENT OUTSIDE DEFINED SETTLEMENT BOUNDARIES WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN. SUCH DEVELOPMENT WILL

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



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

ONLY BE ACCEPTABLE IN PRINCIPLE WHERE THE PROPOSAL FALLS WITHIN ONE OF THE FOLLOWING CATEGORIES:

A) DEVELOPMENT REQUIRED FOR AGRICULTURE OR FORESTRY

B) OUTDOOR SPORT OR COUNTRYSIDE RECREATION

C) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE

D) RE-USE AND ADAPTATION OF EXISTING BUILDINGS

E) DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS

F) PERMANENT AND TRANSIT GYPSY SITES

G) SENSITIVE INFILLING OF ONE OR TWO DWELLINGS IN A SMALL GAP IN AN OTHERWISE BUILT UP FRONTAGE

H) OTHER DEVELOPMENT SUITABLE TO THE COUNTRYSIDE, WHICH CANNOT BE ACCOMODATED WITHIN A SETTLEMENT.

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, IT WILL ONLY BE PERMITTED IF IT IS APPROPRIATE IN SCALE, FORM, MATERIALS, DESIGN AND CHARACTER TO ITS LOCATION IN THE COUNTRYSIDE. THE ENCLOSURE OF OPEN AREAS THAT ARE IMPORTANT COMPONENTS OF COUNTRYSIDE CHARACTER WILL NOT BE PERMITTED.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Gaps and Green Wedges

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

2.25 For the avoidance of doubt, 'green wedges' are areas of open space penetrating, partly enclosed by, or separating identified settlements. Existing permitted uses will continue in these areas, but intensification of these uses will not be allowed where the existing open and undeveloped character of the land is adversely affected. 'Gaps' comprise open land which provides physical or visual separation between distinct identified settlements.

2.26 Areas previously identified in adopted Local Plans have mostly been retained and included in the gaps and green wedges policy, except where specific proposals require a change. However, a thorough review of all land included in these

Monitoring: Annual employment monitoring.

7.61 Where there is concern that fragmentation of a holding will result from the change of use, a planning obligation under Section 106 of the Town and Country Planning Act 1990 will be considered to prevent separation of the building proposed for non agricultural use from the existing farm or forestry land.

7.63 The University has a number of farm units in the Plan area and these will be treated in the same way as any other agricultural holdings.

Redevelopment, Extension and Infilling at Existing Employment Sites Outside Settlement Boundaries

7.64 The principle of redevelopment, minor extension and infilling of existing sites in the countryside is allowed by Berkshire Structure Plan Policy C2 in order to assist the rural economy and enhance the rural environment. Where significant visual enhancement can be achieved the Council will seek to negotiate the removal of temporary, unsightly or poorly placed buildings, the enhancement of landscaping and the rationalisation of car parking.

7.65 In interpreting this policy, '~~an area of existing authorised development~~' **'a site in existing employment use'** would include buildings, external storage areas, hardstandings and circulation space authorised through an existing planning permission or a certificate of lawfulness and identified on the plans attached to that permission. Calculations of site coverage should not include landscaped or open areas. Where sites include existing retail activity they should be assessed against Policies WRE5 or WRE6.

7.65A Policy WRE4 does not apply to

a) designated core employment sites outside settlements e.g. Hogwood Industrial Estate, Finchampstead. Development at such sites will be considered against the provisions of Policy WEM2 or to;
b) new employment allocations under policy WEM1 that fall outside settlements e.g. Kentwood Farm, Wokingham

POLICY WRE4: DEVELOPMENT ON EXISTING EMPLOYMENT GENERATING SITES OUTSIDE SETTLEMENTS

ON SITES IN EXISTING EMPLOYMENT USE OUTSIDE SETTLEMENTS OR AREAS DESIGNATED UNDER POLICIES WRE1 AND WRE2, THE MINOR EXTENSION TO BUILDINGS **AND**~~,~~ LIMITED INFILLING BETWEEN BUILDINGS ~~AND REDEVELOPMENT~~ WILL BE ACCEPTABLE, PROVIDED THAT:

A) THE PROPOSAL WOULD NOT CAUSE ANY GREATER VISUAL IMPACT ON THE CHARACTER OF ITS COUNTRYSIDE SURROUNDINGS THAN THE EXISTING DEVELOPMENT IN TERMS OF ITS SITING, SCALE, MATERIALS OR SITE COVERAGE;

B) THE PROPOSAL WOULD NOT CAUSE DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS

C) THE PROPOSAL WOULD NOT GENERATE ADDITIONAL LEVELS OF TRAFFIC THAT WOULD CAUSE UNACCEPTABLE ENVIRONMENTAL IMPACTS OR DETRIMENT TO ROAD SAFETY.

PROPOSALS ~~FOR REDEVELOPMENT~~ WILL BE EXPECTED TO INCLUDE MEASURES TO SECURE ENVIRONMENTAL IMPROVEMENTS, FOR EXAMPLE THROUGH LANDSCAPING

Implementation: Through the development control process and consultation with the Council's Environmental Health Officer, planning enforcement and negotiation with owners/developers.

Monitoring: Annual employment monitoring.

7.66 Policy WGB7, in Chapter 3, guides development at major developed sites within the Green Belt.

RURAL RETAILING

Farm Shops, Horticultural and Nursery Holdings

7.67 An element of rural diversification is the sale of produce from farm holdings. Farm shops continue to be popular and there are several such facilities in the District. These shops can provide a valuable contribution to the rural economy because they provide a widening of the range of employment opportunities and additional income to farms. Some enterprises that sell small amounts of seasonal unprocessed food generated from the farm holding will be ancillary to the main farming activity and can be carried out under permitted development rights. For the avoidance of doubt, farmers who are considering such diversification should contact the development control section of the planning department prior to start up. In the past, where planning permission has been required policies have sought to limit the products sold to those produced on the holding. This criterion is not easily enforceable and does not allow continuity of employment or income. It has been relaxed to allow the sale of a proportion of imported produce. This is in accordance with the provisions of PPGs 6 and 7 and would enable a service to be provided throughout the year.

7.68 Horticultural nurseries, while principally devoted to the raising and wholesale distribution of plants, trees and shrubs, often include a limited provision for ancillary retail plant sales. Over the years many such establishments have changed and now have the commercial retail character of a garden centre selling a wide variety of goods. To prevent inappropriate urbanisation of the countryside related to this process, for example, by the erection of retail sales buildings, the long distance importation of the majority of the plant material and manufactured goods and the extensive outside storage and display of materials for sale, it is considered appropriate to make special reference to the inclusion of horticultural nurseries within the provisions of Policy WRE5.

7.69 For the purposes of this policy, small scale retail sales outlets would have less than 500 sq.m. metres of retail floorspace; this accords with the definition of small scale in Berkshire Structure Plan Policy S5.

7.70 The policy applies to holdings in countryside across the District, including those within the Metropolitan Green Belt.

businesses needing a 'step up' from home based work. 60% of businesses in the District employed less than 10 people and in 1993 60% of those anticipated moving within the next three years. Businesses seeking to rent from the District Council appear to favour units in the range 50 sq.m. to 150 sq.m. The County Council's survey of the commercial property market in 1995 showed that there was a shortage of small, good quality office suites and small light industrial units across the county. In view of this, favourable consideration will be given to uses meeting this need both as schemes in their own right and as an important part of major developments. **In considering planning applications for all new employment development in Business Classes B1 to B8, the Council will encourage the provision of small units up to 150 sq. m. in size. Particularly favourable consideration will be given to units for B1 (c) purposes and nursery units of up to 100 sq. m.** To maintain the stock of small units conditions may be required in appropriate cases to prevent amalgamation or extension of units. (M/7/36)

~~**POLICY WEM7: IDENTIFIED LOCAL NEED - SMALL BUSINESS UNITS, B1(C) USE**~~

~~IN CONSIDERING PLANNING APPLICATIONS FOR ALL NEW EMPLOYMENT DEVELOPMENT THE COUNCIL WILL ENCOURAGE THE PROVISION OF SMALL UNITS OF UP TO 150 SQ.M. IN SIZE. PARTICULARLY FAVOURABLE CONSIDERATION WILL BE GIVEN TO UNITS FOR B1(C) PURPOSES AND NURSERY UNITS OF UP TO 100 SQ.M.~~ (M/7/37)

~~Implementation: Promote provision of such units through the economic development strategy, partnership schemes with developers, planning obligations, development briefs and through the development control process including use of planning conditions.~~

~~Monitoring: Annual employment monitoring.~~

Refurbishment of Existing Employment Buildings

7.39 Policy WEM8 seeks to grasp opportunities to adapt and improve the quality of the building stock. This is a sustainable form of development and potentially provides cheaper premises for small businesses.

POLICY WEM8: IDENTIFIED LOCAL NEED - REFURBISHMENT OF EXISTING EMPLOYMENT BUILDINGS

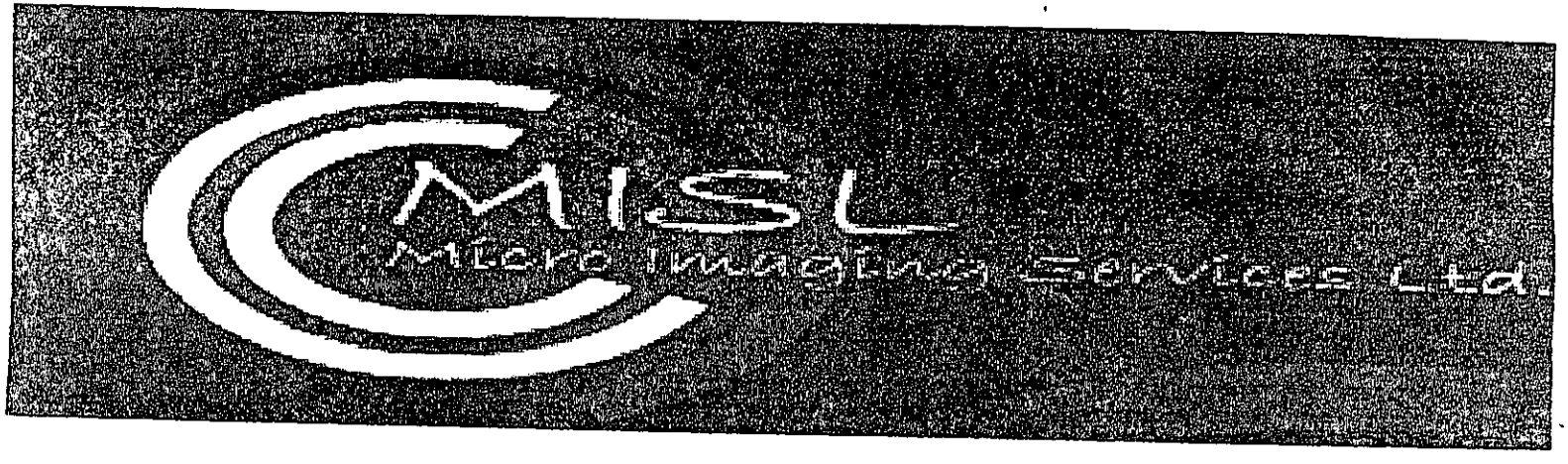
PROPOSALS INVOLVING THE REGENERATION OF BUSINESS, INDUSTRIAL, DISTRIBUTION AND STORAGE AREAS THROUGH REFURBISHMENT OR SUBDIVISION OF LARGE OBSOLETE BUILDINGS INTO SMALLER UNITS WILL RECEIVE PARTICULARLY FAVOURABLE CONSIDERATION IF THEY COMPLY WITH THE REQUIREMENTS OF POLICY WOS3.

Implementation: Through the development control process.

Monitoring: Annual employment monitoring.

7

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



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

RECOMMENDATION

2.76 That PA 2/10 is not carried forward and that the last sentence of paragraph 2.29 is deleted.

2.77 That paragraph 2.29 includes reference to a new gap designation between Wargrave and Twyford.

POLICY WCC2

PREAMBLE TO POLICY WCC2

2.78 I have dealt with this policy in two parts. Firstly I have considered all of those objections that related to the principle of the policy or its wording and made appropriate recommendations. I have then moved on to site-specific objections, which required the removal of the gap or wedge designation from a particular piece of land. This section comprises four parts each of which has been dealt with as a discrete topic:

i) addition of a gap or green wedge designation;
ii) removal of a gap or green wedge designation;
iii) removal of a gap or green wedge designation in association with a settlement boundary change;
iv) D & S Nurseries site, Winnersh.

2.79 Where the change of designation was also associated with a particular development proposal, the objection has been dealt with under the associated policy. Most were concerned with housing and these can be found in the Omissions section of Policy WH2. There was also one linked to a proposal for affordable housing (objection 2187) and one for economic development (objection 1676). These are considered under Policies WH9 and WEM1 respectively.

2.80 Objection 2314 was associated with a proposal for recreational use under Policy WR13. However, this land is in the same vicinity as housing sites being promoted by the same objector. In the circumstances I have dealt with the gap issue in conjunction with objections 2308 and 2311 in the Omissions section of Policy WH2.

2.81 Finally, it should be noted that the site referred to in objection 1661 is not covered by a gap allocation and so I have not considered it further.

REPRESENTATIONS

8	Mrs K Cowan (O)	336	Mr & Mrs D Chesterman (O)
285	Captain M Dowding (O)	343	Mr G Cowan (O)
313	Arborfield & Newland Par Council (O)	706	RCB Sports and Social Club (O)
314	Arborfield & Newland Par Council (O)	907	Bovis Homes Ltd (O)
333	Mr & Mrs D Chesterman (O)	922	Councillor R Samuel (O)

1014 Dr D Lucas (S)
1023 Ms R Garwood (S)
1037 English Nature (S)
1155 Mrs D Thomas (S)
1271 Mrs J Pottinger (S)
1281 Mrs B Woods (S)
1348 Mr C Marchant (S)
1379 Mr & Mrs Mitchell (S)
1392 CPRE (Wok District) (CRAG) (S)
1396 Mr & Mrs S Vanderpump (S)
1484 St Nicholas Hurst Parish Council (S)
1498 Beech Hill Parish Council (S)
1554 V Petch & R Voysey (S)
1555 Mrs G Fricker (S)
1593 Mr S Erler (S)
1612 Mr J Bateman (S)
1614 Mr J MacNab (S)
1615 Mr E Bamber (S)
1793 Mr P Higham (S)
1799 Ms C Hunter (S)
1961 Mr A Thomas (S)
1965 Mrs E Barraclough
2258 Mr T Courtney (S)
2395 Wokingham Friends of the Earth (S)
2642 Mr D Goodlad (S)
6008 Mr T Edmonds (S)
6009 Mrs M Edmonds (S)

OBJECTION ISSUES

2.82 A number of objectors thought that gap designations were unnecessary and did not take account of local conditions. The wording was considered to be unclear and ambiguous. The designations add a further confusing tier of constraint similar to that provided by green belt policy: adequate control could be exercised through Policy WCC1. Conversely, an objector suggested that the policy should be strengthened in order to protect gaps between settlements and to preserve the countryside.

2.83 It was suggested that the word "normally" should be inserted in the first and third paragraphs in order to envisage the possibility of exceptions. It was also pointed out that the policy is entitled "green gaps and wedges" and that this is a very different proposition to Structure Plan Policy C6, which is concerned with "green wedges and gaps". It was considered that the policy should refer to physical or visual separation, as both were not needed to comply with Policy C6.

2.84 Many objections contained the suggestion that the policy should only apply to land that was essential to maintaining separation of settlements that were close together and risked coalescence. However, no comprehensive review had taken place to assess the function of gaps in this respect, as required by paragraph 4.16 of PPG 7. Some objections suggested that any assessment should follow Countryside Agency guidance and should be based on the contribution of the land to urban form and urban areas. The approach of the Council was considered flawed because designations had been carried forward from the adopted Local Plans without further reassessment. Consequently, gaps were far too widely drawn and would be unable to endure in the long term. As had happened in the past they would have to be breached in order to accommodate development, especially if they included sites in sustainable locations.

2.85 Several objectors believed that by placing emphasis on countryside character and appearance rather than on physical and visual separation, the policy did not accord with Policy C6 in the Structure Plan. Land within a gap need not necessarily be green, open or have a countryside appearance. The policy should

be directed towards maintaining the separate identity of settlements and not towards preventing development. Reading and Winnersh for example, maintained separate identities despite the eradication of any green space between them following the construction of the multiplex cinema. The designation of large areas as gap showed that the real purpose of the policy was to prevent development and not to separate settlements. This was evident in its application to the previously unconstrained area south of Reading and in its removal from land to the north west of Arborfield.

2.86 There was concern that the policy would not allow the development and growth of existing uses such as schools and sports clubs that were responsible for maintaining the open countryside characteristics that the policy sought to protect. If such development were not permitted these types of uses could not survive. This would be contrary to one of the key objectives of the recreation policies and additional wording was suggested accordingly.

2.87 It was said that two policies were necessary, one relating to setting and separation of settlements and the other relating to green wedges as localised undeveloped areas separating development. A number of objections suggested alternative forms of wording for all or parts of the policy, to cover the various points that had been raised.

CONCLUSIONS

2.88 There is justification for including a gap policy in the Local Plan to take account of the development pressure that has occurred in the District in recent years. That situation has resulted in an outward growth of towns and villages and the gradual erosion of the intervening countryside. Many settlements are close together, particularly on the southern side of the M4 Motorway, and in order to maintain their identity and individual sense of community, it is important to protect the vulnerable areas of intervening countryside from unwarranted development. I do not believe that this can be adequately achieved through the application of general countryside policy because gaps are a spatial concept and are not primarily concerned with landscape protection. Reference should not be made to "countryside appearance and character" in the policy.

2.89 The present Structure Plan reaffirms its support for gaps in Policy C6 and also introduces the new concept of green wedges. These are defined as areas of open space penetrating, partly enclosed by or separating built up areas or communities. Although they will not necessarily separate different settlements, they have a similar function in terms of maintaining urban form and preventing coalescence of built up areas. However, this part of the Structure Plan preceded PPG 7 and left the issue of where detailed boundaries should fall to the Local Plan.

2.90 Paragraph 4.16 of PPG 7 makes it clear that when development plans are reviewed the function and justification for existing local countryside designations should be rigorously considered. However, for the most part gap designations

have been uncritically carried forward from the Loddon Area and South East Area Local Plans and wedges have been based on little rigorous analysis. Landscape surveys have been relied upon that were carried out some years ago and were not particularly stringent or based on the countryside character approach now advocated in national guidance. Consequently, I believe that in many cases gaps and wedges have been too widely drawn and that this undermines their credibility by including land that is not essential in terms of separation function. I have commented in the preamble to this Chapter on the situation regarding a District-wide landscape character assessment, but in the meantime I can see little alternative but to leave the gap and wedge designations as shown on the Proposals Map, apart from where I have made specific recommendations to the contrary.

2.91 Land should only be designated if it is considered essential to the separation function. However, the term "essential" is relative and needs to be balanced with other competing demands for the land resource from one Plan period to the next. Wedges, in particular, often comprise land on the edge of a settlement that may also be considered as a sustainable location for an urban extension. In consequence, these local designations should have greater flexibility and not be expected to display the same degree of permanence for example, as a green belt. However, this also means that it is not sufficient to merely carry forward the gaps and wedges policy from one Plan to the next without critical re-assessment.

2.92 Once land has been designated, strict control needs to be exercised in order to satisfy the objective of urban containment. However, gap policy has different purposes and objectives to green belt policy. In certain cases this could mean that a proposal that may be appropriate in the green belt may not be acceptable in a gap. Indeed, the supporting text to Structure Plan Policy C6 specifically states that gaps apply equally inside and outside the green belt. For this reason, I consider that the title of the policy should be changed and the words in brackets omitted.

2.93 In my opinion, it is not desirable to provide for exceptions. Although sport and recreation facilities may be found in many gap locations, I do not think that they should be referred to specifically or allowance made for associated proposals that could compromise the purpose of the policy. Under S54A of the Town and Country Planning Act 1990 there is provision for other material considerations to be taken into account in any individual proposal for development. Similarly, and for the reasons that I have already given in my conclusions on Policy WCC1, I do not consider that the word "normally" should be used.

2.94 By definition, a gap comprises areas of countryside. However, this does not mean that it is necessarily green, totally open or free from development. It inevitably contains buildings and uses but I believe that there does need to be an overall sense of openness and a generally undeveloped appearance in order that the separation function can be satisfactorily performed. I think that it is these characteristics that the policy is seeking to protect by preventing increased urbanisation. I note that the Council has agreed to omit the word "green" before

gap. I support this change, which follows the wording in Policy C6 of the Structure Plan.

2.95 In order for the gap function to be truly effective I think that there needs to be both a visual and a physical dimension present. I appreciate that Policy C6 uses the word "or" whilst its precursor, Policy EN6, used the word "and". However, I do not agree with those objectors who considered that this implies a looser interpretation. If this had been intended I would have expected the words "either" to have preceded "or". It is the process of coalescence that is harmful and I do not think that narrow spaces are usually conducive to preserving settlement identity. I think that the instances where separation is only provided by a physical feature, such as a motorway or a tree belt without the distance element, are generally unsatisfactory.

2.96 That is not to say that the gap notation should necessarily be removed when two settlements are separated by a narrow space. This often occurs along a road where there is a pinch point with land extending out on either side. This may be likened to a butterfly and although the true separation is provided by the wings the narrower body has a role to play in preventing actual coalescence. There are many examples of such a situation in the District such as along the A327 between Winnersh and Wokingham, between Spencers Wood and Three Mile Cross and along Barkham Road between Barkham Hill and Wokingham.

2.97 What would constitute an adequate distance will therefore vary from case to case. I see nothing wrong with the Council's approach of applying guideline distances of between 1 and 2 kilometres as a starting point. However, I am concerned that in some instances this has been used rigidly without taking account of other factors. Apart from the situation that I have described above, local topography and vegetation may also justify a reduction or an increase in distance being applied.

2.98 One reason why physical as well as visual separation is important is because natural features such as woodlands and hedgerows cannot be guaranteed to remain in perpetuity. Unless, for example there is protection from a Tree Preservation Order, the Council has no power over the management of landscape features in private ownership. In my opinion, the second and third paragraphs detract from the clarity of the policy and should be removed. If the Council wishes to comment on the retention and enhancement of settlement boundary features, this could be done in the supporting text.

2.99 I have recommended against the use of the "setting of settlement" designation in relation to Policy WLL6. Similarly, I can see no justification for it to be subsumed into Policy WCC2, especially as the former is landscape-driven, whereas the latter is a spatial tool. I acknowledge that the word "setting" is used in Structure Plan Policy C6, but in my opinion this is a general reference to the countryside around the settlement that provides the contrast to the built up area of the settlement itself. I think that setting needs to be viewed in the context of the

purposes of Policy C6, which relates to the protection of the settlement pattern rather than inherent landscape quality.

2.100 Both gaps and wedges are primarily concerned with separation of built-up areas and I do not consider that they should be separated into two policies. I have considered the alternative forms of wording advanced by a number of objectors, either to the whole of the policy or to part of it. I have covered the various points that have been raised in the preceding paragraphs and taken account of the various suggestions in my recommendation. Whilst I agree that the policy should be directed towards the role that the land performs rather than its landscape character, I do not concur that each gap or wedge needs to be justified in the supporting text.

RECOMMENDATION

2.101 That Policy WCC2 is deleted and replaced as follows:

"Policy WCC2: Green wedges and gaps

Development will not be permitted within important open areas, defined as green wedges and gaps on the Proposals Map, that would threaten their essential function in the physical and visual separation of settlements that are close together".

SITE SPECIFIC OBJECTIONS – ADDITION OF A GAP OR GREEN WEDGE DESIGNATION

REPRESENTATIONS

5	Mrs K Cowan (O)	343	Mr G Cowan (O)
285	Captain M Dowding (O)	922	Councillor R Samuel (O)
313	Arborfield & Newland Par Council (O)	1146	W & J Clark (O)
314	Arborfield & Newland Par Council (O)	6162	Shinfield Parish Council (O)

OBJECTION ISSUES

2.102 It was considered that the areas to the west of Wargrave and between Wargrave and Twyford should be protected as gap and not setting of settlement, in order to preserve their unique character.

2.103 Other objectors thought that the previous designation in the Loddon Area Local Plan on the land north of Arborfield Cross should be reinstated in order to ensure that the periphery of the Conservation Area is protected. This would not be adequately controlled by general countryside policies because the land was not a "rural area". It was contended that wider tracts of open countryside, including Arborfield, Shinfield, Swallowfield and Sindlesham should be allocated as gap.

8

SUGGESTED CONDITIONS

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1. A scheme for painting the exterior of the cladding of the building shall be submitted to the LPA within one month and the approved scheme shall be completed within 3 months of the LPA's approval.

2. Deliveries to and collections from the building shall not be received or take place other than between the hours of 7.30 and 18.30 Mondays to Fridays and 08.00 and 13.00 on Saturdays.

3. The building shall be occupied only as a single unit and shall not be subdivided into more than one unit.

DATED 12TH DECEMBER 1986

Town and Country Planning Acts 1971 - 1974

Local Government Planning and Land Act 1980

THE WOKINGHAM DISTRICT COUNCIL

(PARISH OF WOKINGHAM WITHOUT)

TREE PRESERVATION ORDER NO. 316/1986

Relating to

Trees on land at Newlands Farm,
Old Wokingham Road, Wokingham Without

IMPORTANT THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACTS 1971-74
LOCAL GOVERNMENT PLANNING AND LAND ACT 1980

WOKINGHAM DISTRICT COUNCIL

(PARISH OF WOKINGHAM WITHOUT)

TREE PRESERVATION ORDER NO316/1986

The Wokingham District Council (in this Order called 'the Authority') in pursuance of the powers conferred in that behalf by Sections 60 and 61 of the Town and Country Planning Act 1971 (as amended by Section 10(1) of the Town and Country Amenities Act 1974 and Section 90 and Schedule 15 of the Local Government Planning and Land Act 1980) and subject to the provisions of the Forestry Act, 1967, hereby makes the following Order:-

1. In this Order -

'the Act' means the Town and Country Planning Act, 1971; 'owner' means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more; and a mortgagee in possession; and 'the Secretary of State' means the Secretary of State for the Environment.

2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the Authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop, uproot, wilfully damage or wilfully destroy or cause or permit the cutting down, topping, lopping, uprooting, wilful damage, or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands as defined in the manner indicated in the said First Schedule on the map annexed hereto which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the First Schedule.

3. An application for consent made to the Authority under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4. (1) Where an application for consent is made to the Authority under this Order, the Authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the Authority may think fit, or may refuse consent. Provided that where the application relates to any woodland specified in the First Schedule to this Order the Authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the Authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area and shall not impose conditions on such consent requiring replacement or replanting.

(2) The Authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the Authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands, and every such register shall be available for inspection by the public at all reasonable hours.

5. Where the Authority refuse consent under this Order or grant such consent subject to conditions, they may, when refusing or granting consent, certify in respect of any trees for which they are so refusing or granting consent that they are satisfied:-

(a) that refusal or condition is in the interests of good forestry;

or

(b) in the case of trees other than trees comprised in woodlands, that the trees have an outstanding or special amenity value.

6. (1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless -

(a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act;

or

(b) the Authority with the approval of the Secretary of State dispense with replanting.

The Authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall subject to the provisions of this Order and Section 175 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to -

(a) species;

(b) number of trees per acre;

(c) the erection and maintenance of fencing necessary for protection of the replanting;

(d) the preparation of ground, drainage, removal of brushwood, lop and top;

and

(e) protective measures against fire.

7. On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by

river authority, a drainage board, the Conservators of the River Thames or the Lee Conservancy Catchment Board restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of the river authority, drainage board, the Conservators of the River Thames or the Lee Conservancy Catchment Board, under those byelaws and the condition or direction shall have effect accordingly.

NOTE: If it is desired to fell any of the trees included in this Order, whether included as trees, groups of trees or woodlands, and the trees are trees for the felling of which a licence is required under the Forestry Act 1967, application should be made not to the Authority for consent under this Order but to the Conservator of Forests for a licence under that Act (Section 15(5)).

8. The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9. Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the Authority within the time and in the manner prescribed by this Order, be entitled to recover from the Authority compensation in respect of such loss or damage.

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10. In assessing compensation payable under the last preceding Article account shall be taken of:

(a) any compensation or contribution which has been paid, whether to the claimaint or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under Section 60 of the Act or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act, 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act, 1932;

and

(b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11. (1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the Authority, such service to be affected by delivering the claim at the offices of the Authority, addressed to the District Secretary thereof or by sending it by prepaid post so addressed.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the Authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the Authority, from the date of the decision of the Secretary of State on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of Section 179 of the Act.

13. (1) The provisions of Section 61 of the Act as amended by Schedule 15 Local Government Planning and Land Act 1980 shall apply to this Order and the Order shall take effect on 12th December 1986

(2) This Order shall apply to any tree specified in the First Schedule hereto which is to be planted as mentioned therein, as from the time when that tree is planted.

14. This Order may be cited as the Wokingham District Council (Parish of Wokingham Without) Tree Preservation Order No. 316/1986

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding £2000 or twice the sum which appears to the court to be the value of the tree, whichever is the greater, or on indictment to a fine. The penalty for any other contravention of this Order is a fine not exceeding £200 on summary conviction and, in the case of a continuing offence when the contravention is continued after conviction, a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree other than one to which an Order applies as part of a woodland is removed, uprooted or destroyed in contravention of an Order or is removed, uprooted or destroyed or dies at a time when its cutting down or uprooting is authorised only by Section 60(6) of the Town and Country Planning Act 1971 relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirement, to plant another tree of appropriate size and species at the same place as soon as he reasonably can. Except in emergency, not less than 5 days previous notice of the removal, etc., should be given to the authority to enable the latter to decide whether or not to dispense with the requirement.

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY

(encircled in black on the map)

No.on Map	Description	Situation

NONE

TREES SPECIFIED BY REFERENCES TO AN AREA

(within a dotted black line on the map)

No.of Map	Description	Situation

NONE

GROUPS OF TREES

(within a broken black line on the map)

No.on Map	Description	Situation

NONE

WOODLANDS

(within a continuous black line on the map)

No.on Map	Description	Situation
W.1.	Woodland area of Oak (Quercus robur) Birch (Betula pendula) Scots Pine (pinuw sylvestris) 1 Ash (Fraxinus excelsior)	On land at Newlands Farm, Old Wokingham Rd., Wokingham Without

SECOND SCHEDULE

This Order shall not apply so as to require the consent of the authority to

(1) the cutting down of any tree on land which is subject to a forestry dedication covenant where;

(a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land and fulfilled;

(b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.

(2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme or other grant scheme under Section 4 of the Forestry Act 1967, except a scheme which applies to a forestry dedication covenant;

(3) the cutting down, uprooting, topping or lopping of a tree

(a) in pursuance of the power conferred on British Telecommunications by virtue of Section 5 of the Telegraph (Construction) Act 1908 and Section 11 of the British Telecommunications Act 1981, or by or at the request of British Telecommunications where the land on which the tree is situated is operational land as defined by the Post Office Operational Land Regulation (as applied to British Telecommunications under Section 88 and paragraph 1 of Schedule 4 to the British Telecommunications Act 1981) and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing in the operation of the undertaking

(b) by or at the request of:

(i) a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping, lopping is for the purpose of securing safety in the operation of the undertaking;

(ii) an electricity board within the meaning of the Electricity Act 1947, where such tree obstructs the construction by the board of any main transmission line or other electric line within the meaning respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882 or interferes or would interfere with the maintenance of working of any such line;

(iii) a river authority established under the Water Resources Act 1963 or a drainage board constituted or treated as having been constituted under the Land Drainage Act 1980, the Conservators of the River Thames, or the Lee Conservancy Catchmment Board, where the tree interferes or would interfere with the exercise of any of the functions of such a river authority, drainage board, Conservators of the River Thames, or Lee Conservancy Catchment Board in relation to the maintenace improvement or construction of water courses or of drainage works; or

(iv) The Secretary of State for Defence, the Secretary of State for Trade, the Civil Aviation Authority or the British Airports Authority where in the opinion of such Secretary of State or Authority the tree obstructs the approach of

aircraft to, or their departure from, any aerodrome or hinders the safe and efficient use of aviation or defence technical installations;

(c) Where immediately required for the purpose of carrying out development authorised by the planning permission granted on an application made under Part III of the Act, or deemed to have been so granted for any of the purposes of that Part;

(d) which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden.

THIRD SCHEDULE

Provisions of the following parts of Part III of the Town and Country Planning Act, 1971, as adapted and modified to apply to this Order.

33. (1) Without prejudice to the following provisions as to the revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the Authority on the granting of such consent, shall (except in so far as the consent otherwise provides), enure for the benefit of the land and all persons for the time being interested therein.

35. (1) The Secretary of State may give directions to the Authority requiring applications for consent under the Order to be referred to him instead of being dealt with by the Authority.

(2) A direction under this Section may relate either to a particular application or to applications of a class specified in the direction.

(3) Any application in respect of which a direction under this Section has effect shall be referred to the Secretary of State accordingly.

(4) Where an application for consent under the Order is referred to the Secretary of State under this Section, the provisions of Articles 4 and 5 of the Order shall apply as they apply to an application which falls to be determined by the Authority.

(5) Before determining an application referred to him under this Section the Secretary of State shall, if either the applicant or the Authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(6) The decision of the Secretary of State on any application referred to him under this Section shall be final.

36. (1) Where an application is made to the Authority for consent under the Order and that consent is refused by that Authority or is granted by them subject to conditions, or where any certificate or direction is given by the Authority, the applicant, if he is aggrieved by their decision on the application, or by any such certificate, or the person directed if he is aggrieved by the direction, may by notice under this section appeal to the Secretary of State.

(2) A notice under this Section shall be served in writing within twenty-eight days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Secretary of State may allow.

(3) Where an appeal is brought under this Section from a decision, certificate or direction of the Authority, the Secretary of State, subject to the following provisions of this section, may allow or dismiss the appeal, or may reverse or vary any part of the decision of the Authority, whether the appeal relates to that part thereof or not, or may cancel any certificate or vary any direction, and may deal with the application as if it has been made by him in the first instance.

(4) Before determining an appeal under this section, the Secretary of State shall, if either the appellant or the Authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(6) The decision of the Secretary of State on any appeal under this section shall be final.

37. Where an application for consent under the Order is made to the Authority, then unless within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the Authority, the Authority either:-

(a) give notice to the applicant of their decision on the application;

or

(b) give notice to him that the application has been referred to the Secretary of State in accordance with directions given under Section 35 above;

the provisions of the last preceding section shall apply in relation to the application as if the consent to which it relates had been refused by the Authority, and as if notification of their decision had been received by the applicant at the end of the said period of two months, or at the end of the said extended period, as the case may be.

45. (1) If it appears to the Authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the Authority may by Order revoke or modify the consent to such extent as they consider expedient.

(2) (Subject to the provisions of Sections 46 and 61 of the Act) an Order under this section shall not take effect unless it is confirmed by the Secretary of State; and the Secretary of State may confirm any such Order submitted to him either without modification or subject to such modifications as he considers expedient.

(3) Where an Authority submit an Order to the Secretary of State for his confirmation under this section, the Authority shall furnish the Secretary of State with a statement of their reason for making the Order and shall serve notice together with a copy of the aforesaid statement on the owner and on the occupier of the land affected, and on any other person who in their opinion will be affected by the Order, and if within the period of twenty-eight days from the service thereof any person on whom the notice is served so requires, the Secretary of State, before confirming the Order, shall afford to that person, and to the Authority, an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(4) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed:

Provided that the revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

(5) Where a notice has been serviced in accordance with the provisions of sub-section (3) of this Section, no operations or further operations as the case may be, in pursuance of the consent granted, shall be carried out pending the decision of the Secretary of State under sub-section (2) of this section.

46. (1) The following provisions shall have effect where the local planning authority have made an Order (hereinafter called 'such Order') under Section 45 above revoking or modifying any consent granted on an application made under a tree preservation order but have not submitted such Order to the Secretary of State for confirmation by him, and owner and the occupier of the land and all persons who in the Authoritys opinion will be affected by such Order have notified the Authority in writing that they do not object to such Order.

(2) The Authority shall advertise the fact that such Order has been made and the advertisement shall specify (a) the period (not less than twenty-eight days from the date on which the advertisement first appears) within which persons affected by such Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose and (b) the period (not less than 14 days from the expiration of the period referred to in paragraph (a) above) at the expiration of which, if no notice is given to the Secretary of State, such Order may take effect by virtue of this section and without being confirmed by the Secretary of State.

(3) The Authority shall also serve notices to the same effect on the persons mentioned in sub-section (1) above.

(4) The Authority shall send a copy of any advertisement published under sub-section (2) above to the Secretary of State, not more than three days after the publication.

(5) If within the period referred to in sub-section (2)(a) above no person claiming to be affected by such Order has given notice to the Secretary of State as aforesaid and the Secretary of State has not directed that such Order be submitted to him for confirmation, such Order shall at the expiration of the period referred to in sub-section (2)(b) of this section take effect by virtue of this section and without being confirmed by the Secretary of State as required by Section 45(2) of the Town and Country Planning Act 1971.

(6) This section does not apply to such Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under Parts III, IV or V of the Town and Country Planning Act 1971.

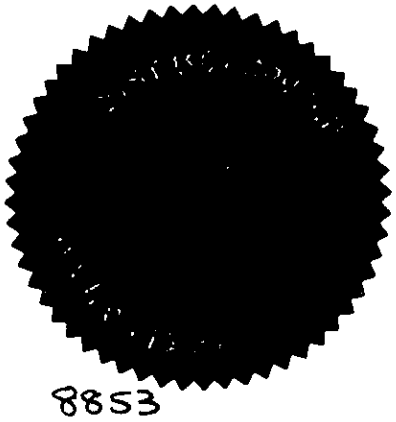
THE COMMON SEAL OF THE
WOKINGHAM DISTRICT COUNCIL
was hereunto affixed this
12th day of December in
the year Nineteen hundred
and eighty six in the
presence of:-

~~An Assistant~~ District Secretary

8741

THE WOKINGHAM DISTRICT COUNCIL in exercise of the powers conferred on them in that behalf hereby confirm the foregoing Order without modification.

IN WITNESS whereof the Common Seal of the WOKINGHAM DISTRICT COUNCIL was hereunto affixed in the presence of



District Secretary

Dated: 20th February 1987

Royal County of BERKSHIRE



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





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LIMITING THE SPREAD OF DEVELOPMENT

Controlling Development in the Countryside

5.8 The protection of the countryside is a fundamental concern and it is necessary to limit development within it to that which is both appropriate (in type and form) and sensitive to its location.

Development Outside Built-Up Areas and Settlements

Policy C2 **Development outside built-up areas and settlement boundaries defined in local plans (and not within the Metropolitan Green Belt - see Policy C4) will be strictly controlled, and permitted only :**

(i) where it is required for agriculture or forestry; or

(ii) for the re-use, adaptation or redevelopment of existing buildings, particularly to assist the diversification of the rural economy and to maintain or enhance the rural environment; or

(iii) other development for which a rural location is essential;

provided it is both appropriate in scale, form, impact, character and siting to its location in the countryside and is acceptable in terms of other policies in the Structure Plan.

5.9 Building in the open countryside away from existing settlements or from areas allocated for development in local plans will be strictly controlled in line with advice in PPG7, 'The Countryside and the Rural Economy'. Even where development may be acceptable in principle in the countryside the acceptability of a particular proposal will depend on its suitability for the proposed site; on the impact of any related activity; and on the adequacy of any measures to integrate the proposal into the surroundings. More detailed criteria relating to the control of development in the countryside will be included in local plans. With regard to redevelopment, such criteria may for example require that proposals should have no greater impact (in terms of bulk of buildings or site coverage) than the existing development and should secure environmental improvements.

5.10 Proposals for essential utilities will be considered under sub-section (iii) of Policy C2. Essential utilities include development and facilities, where these cannot be sited within settlements, for transport and related services, including park and ride and motorway service areas; for the distribution of gas, oil and electricity; for sewage disposal; for water supply and flood alleviation; and for telecommunications.

5.11 Where necessary to meet provisions made in the Structure Plan, settlement boundaries may be defined in local plans to allow for appropriate forms of development on sites on the edge of built-up areas.

Green Wedges and Gaps

Policy C6 **The setting and separate identity of settlements and communities will be conserved and protected. Development will not be permitted where it would threaten important open areas which are of special significance as "green wedges" or "gaps" because they provide physical or visual separation of settlements or communities which are close together. "Green wedges" and "gaps" will be identified in local plans where there is a risk of:**

(i) coalescence, loss of community identity or increased urbanised character;

(ii) loss of access to open countryside or extensive open space with their associated environmental benefits.

5.30 The boundaries to "green wedges" and "gaps" will be defined in local plans and will relate to those areas which it is considered are essential to the separation of settlements and communities. "Green wedges" are areas of open space penetrating, partly enclosed by, or separating built-up areas or communities and "gaps" comprise open land which provides physical or visual separation of distinct settlements or communities. Although the size and character of "green wedges" and "gaps" will vary, they have a similar function. The existing land uses within these areas may range from agricultural to informal or formal recreation uses or uses like allotments, utilities or institutions. In order to protect the existing open character of the land it is important that development is not intensified so that the distinct communities maintain their identity and sense of separation.

5.31 Examples of such areas identified in the Replacement Structure Plan for Berkshire include land between :

Newbury, Thatcham and Cold Ash

Purley and Pangbourne

Theale and Tilehurst

Reading and settlements to the south of the M4 and land separating these settlements from one another

Sonning and Earley

Wokingham, Winnersh and Sindlesham

Wokingham and Finchampstead North

Wokingham and Crowthorne

Crowthorne and Bracknell

Sandhurst and Crowthorne

Sandhurst and Yateley

Wokingham and Bracknell

Binfield and Bracknell

Bracknell and Ascot

The County Council continues to support the principle of 'gaps' and 'green wedges' in the locations listed above. In addition, other important 'green wedges' and 'gaps' may be identified in local plans, and will be accorded equal weight. The County Council considers that the Lower Kennet Valley, to the south west of Reading, north of the M4 motorway, should be treated in this way. Together with other gaps and green wedges and land subject to the provisions of Policy C2, a cordon of open land should be established in local plans to prevent the outward expansion of the built-up area of Reading.

5.32 Policy C6 applies equally inside and outside the Green Belt. The protection of 'green wedges' and 'gaps' is as important in the Green Belt as anywhere else.

PROTECTING THE LANDSCAPE

5.33 The protection and enhancement of the County's landscape requires the protection of those features which make up its character, as well as positive measures by a range of bodies so as to guide change and deal with its consequences, particularly the major changes arising from development pressures and the modification of the financial basis for farming which has led to the abandonment of many traditional forms of landscape management.

Areas of Landscape Importance

5.34 Special care is needed to protect and conserve the character and natural beauty of the landscape in the North Wessex Downs Area of Outstanding Natural Beauty (AONB), designated for its national significance, and to protect the special landscape significance of certain areas of special landscape quality which are of particular value in the County context, known as Areas of Special Landscape Importance (ASLIs). In addition to the provisions of Policies C2 and C4, regard needs to be had to the natural beauty or special character of the AONB and ASLIs in considering proposals for development in these areas.

Development Within the North Wessex Downs Area of Outstanding Natural Beauty

Policy C7 **Within the North Wessex Downs Area of Outstanding Natural Beauty development will only be permitted which will conserve or enhance the natural beauty of the area.**

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG11 1WR
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Fax: (0734) 778735

❖ STV1 'IDENTIFIED SETTLEMENTS'

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

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

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

❖ STV2 DEVELOPMENT IN RURAL AREAS

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

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

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

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

(D) MINERAL EXTRACTION,

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

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

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

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

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

WOKINGHAM UNITARY
Aiming for Excellence

WOKINGHAM DISTRICT LOCAL PLAN

DEPOSIT DRAFT

WITH PROPOSED FURTHER MODIFICATIONS

HIGHLIGHTED

August 2003

POLICY WOS2: HOUSING DEVELOPMENT PRINCIPLES

WHEN DETERMINING NEW HOUSING DEVELOPMENT PROPOSALS A SEQUENTIAL APPROACH WILL BE APPLIED WHEREBY:

A) PREVIOUSLY DEVELOPED LAND AND BUILDINGS WITHIN THE BOUNDARIES OF CATEGORY A SETTLEMENTS WILL BE DEVELOPED FIRST;

B) SECONDLY, LAND AND BUILDINGS ON THE EDGE OF CATEGORY A SETTLEMENTS THAT ARE SERVED BY GOOD PUBLIC TRANSPORT CORRIDORS WILL BE CONSIDERED;

C) LASTLY, DEVELOPMENT PROPOSALS FOR LAND AND BUILDINGS IN CATEGORY B SETTLEMENTS WILL ONLY CONSIST OF VERY LIMITED INFILLING AND SMALL WINDFALL DEVELOPMENT.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

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

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

1.12A Landscaping schemes should be comprised predominantly, if not wholly, of locally native species.

1.12B People with disabilities are a diverse population and may include individuals with visual, hearing or cognitive impairments, ambulant disabled, the elderly, or wheelchair users. Many of these groups may be denied access to development by ill-considered design solutions.

1.12C PPG1 states that "When a new building is proposed, or when planning permission is required for the alteration or change of use of an existing building, the developer and local planning authority should consider the needs of people with disabilities at an early stage in the design process. They should be flexible and imaginative in seeking solutions, taking account of the particular circumstances of each case."

1.12D Policy WOS3 seeks to ensure appropriate facilities are provided for disabled people in all developments to ensure equal access for everybody.

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

E) PROVIDE BUILDINGS, FACILITIES AND SPACES THAT ARE SUITABLE FOR USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT (M/1/20)

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

1.13 It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to support the development. This could include infrastructure required to provide necessary statutory services. This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations* and PPG12 paragraph 6.16). An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life or new and existing residents. Supplementary planning guidance has been produced setting out the implementation of Policy WOS4 below.

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

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

Supplementary Planning Guidance

2.20 Future supplementary guidance will be produced by the Council in respect of a District-wide Landscape Assessment based on the character approach outlined in PPG 7, which in turn will be used to produce a Countryside Design Summary. Village Design Statements will be produced by Parish Councils in consultation with the District Council and, provided they are acceptable, will be adopted as supplementary planning guidance. Methodology will be in accordance with Countryside Agency guidance and the advice in PPG7.

THE COUNTRYSIDE

Development in the Countryside

2.23 The guiding principle in the countryside is that development should both benefit economic activity and maintain or enhance the environment. It can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources. Certain categories of agricultural and telecommunications development are classed as permitted development under the Town and Country Planning (General Permitted Development) Order 1995; in some cases there is a requirement to give advance notification to the Council of the intention to exercise these rights. Development in the open countryside, away from existing settlements or areas allocated for development in this local plan will be strictly controlled. **Policy WCC1 is a general policy that establishes the basic principles of countryside development. There may be existing built sites in rural areas that offer the opportunity for redevelopment without compromising countryside objectives. These could include contaminated or derelict sites and may offer the opportunity for environmental improvement. The Council will adopt a cautious approach to such sites as they are likely to be in locations away from existing services and facilities and poorly served by transport options other than the private car. Each case will need to be judged on its merits as an exception to the Plan. Other** ~~Some~~ categories of development that may be appropriate, are set out in Policy WCC1 below. (FM/2/1)

2.23A Infill development is defined as one or two dwellings in a small gap in an otherwise built-up frontage. For the purpose of this policy small is defined as no larger than necessary to accommodate two houses having regard to the widths of the existing residential frontages in the immediate vicinity. The new dwelling(s) should have a similar road frontage and similar curtilage to adjoining dwellings. It is essential that the development does not adversely affect the character of the area and in particular not lead to any urbanisation of the area. Such development should provide adequate garden or amenity open space for the private enjoyment of residents appropriate to the character and general layout of the area. The protection of trees in accordance with policy WBE11 will be another important consideration.

POLICY WCC1: DEVELOPMENT IN THE COUNTRYSIDE

DEVELOPMENT OUTSIDE DEFINED SETTLEMENT BOUNDARIES WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN. SUCH DEVELOPMENT WILL

ONLY BE ACCEPTABLE IN PRINCIPLE WHERE THE PROPOSAL FALLS WITHIN ONE OF THE FOLLOWING CATEGORIES:

A) DEVELOPMENT REQUIRED FOR AGRICULTURE OR FORESTRY

B) OUTDOOR SPORT OR COUNTRYSIDE RECREATION

C) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE

D) RE-USE AND ADAPTATION OF EXISTING BUILDINGS

E) DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS

F) PERMANENT AND TRANSIT GYPSY SITES

G) SENSITIVE INFILLING OF ONE OR TWO DWELLINGS IN A SMALL GAP IN AN OTHERWISE BUILT UP FRONTAGE

H) OTHER DEVELOPMENT SUITABLE TO THE COUNTRYSIDE, WHICH CANNOT BE ACCOMODATED WITHIN A SETTLEMENT.

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, IT WILL ONLY BE PERMITTED IF IT IS APPROPRIATE IN SCALE, FORM, MATERIALS, DESIGN AND CHARACTER TO ITS LOCATION IN THE COUNTRYSIDE. THE ENCLOSURE OF OPEN AREAS THAT ARE IMPORTANT COMPONENTS OF COUNTRYSIDE CHARACTER WILL NOT BE PERMITTED.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Gaps and Green Wedges

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

2.25 For the avoidance of doubt, 'green wedges' are areas of open space penetrating, partly enclosed by, or separating identified settlements. Existing permitted uses will continue in these areas, but intensification of these uses will not be allowed where the existing open and undeveloped character of the land is adversely affected. 'Gaps' comprise open land which provides physical or visual separation between distinct identified settlements.

2.26 Areas previously identified in adopted Local Plans have mostly been retained and included in the gaps and green wedges policy, except where specific proposals require a change. However, a thorough review of all land included in these

Monitoring: Annual employment monitoring.

7.61 Where there is concern that fragmentation of a holding will result from the change of use, a planning obligation under Section 106 of the Town and Country Planning Act 1990 will be considered to prevent separation of the building proposed for non agricultural use from the existing farm or forestry land.

7.63 The University has a number of farm units in the Plan area and these will be treated in the same way as any other agricultural holdings.

Redevelopment, Extension and Infilling at Existing Employment Sites Outside Settlement Boundaries

7.64 The principle of redevelopment, minor extension and infilling of existing sites in the countryside is allowed by Berkshire Structure Plan Policy C2 in order to assist the rural economy and enhance the rural environment. Where significant visual enhancement can be achieved the Council will seek to negotiate the removal of temporary, unsightly or poorly placed buildings, the enhancement of landscaping and the rationalisation of car parking.

7.65 In interpreting this policy, '~~an area of existing authorised development~~' **'a site in existing employment use'** would include buildings, external storage areas, hardstandings and circulation space authorised through an existing planning permission or a certificate of lawfulness and identified on the plans attached to that permission. Calculations of site coverage should not include landscaped or open areas. Where sites include existing retail activity they should be assessed against Policies WRE5 or WRE6.

7.65A Policy WRE4 does not apply to

a) designated core employment sites outside settlements e.g. Hogwood Industrial Estate, Finchampstead. Development at such sites will be considered against the provisions of Policy WEM2 or to;
b) new employment allocations under policy WEM1 that fall outside settlements e.g. Kentwood Farm, Wokingham

POLICY WRE4: DEVELOPMENT ON EXISTING EMPLOYMENT GENERATING SITES OUTSIDE SETTLEMENTS

ON SITES IN EXISTING EMPLOYMENT USE OUTSIDE SETTLEMENTS OR AREAS DESIGNATED UNDER POLICIES WRE1 AND WRE2, THE MINOR EXTENSION TO BUILDINGS **AND**~~,~~ LIMITED INFILLING BETWEEN BUILDINGS ~~AND REDEVELOPMENT~~ WILL BE ACCEPTABLE, PROVIDED THAT:

A) THE PROPOSAL WOULD NOT CAUSE ANY GREATER VISUAL IMPACT ON THE CHARACTER OF ITS COUNTRYSIDE SURROUNDINGS THAN THE EXISTING DEVELOPMENT IN TERMS OF ITS SITING, SCALE, MATERIALS OR SITE COVERAGE;

B) THE PROPOSAL WOULD NOT CAUSE DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS

C) THE PROPOSAL WOULD NOT GENERATE ADDITIONAL LEVELS OF TRAFFIC THAT WOULD CAUSE UNACCEPTABLE ENVIRONMENTAL IMPACTS OR DETRIMENT TO ROAD SAFETY.

PROPOSALS ~~FOR REDEVELOPMENT~~ WILL BE EXPECTED TO INCLUDE MEASURES TO SECURE ENVIRONMENTAL IMPROVEMENTS, FOR EXAMPLE THROUGH LANDSCAPING

Implementation: Through the development control process and consultation with the Council's Environmental Health Officer, planning enforcement and negotiation with owners/developers.

Monitoring: Annual employment monitoring.

7.66 Policy WGB7, in Chapter 3, guides development at major developed sites within the Green Belt.

RURAL RETAILING

Farm Shops, Horticultural and Nursery Holdings

7.67 An element of rural diversification is the sale of produce from farm holdings. Farm shops continue to be popular and there are several such facilities in the District. These shops can provide a valuable contribution to the rural economy because they provide a widening of the range of employment opportunities and additional income to farms. Some enterprises that sell small amounts of seasonal unprocessed food generated from the farm holding will be ancillary to the main farming activity and can be carried out under permitted development rights. For the avoidance of doubt, farmers who are considering such diversification should contact the development control section of the planning department prior to start up. In the past, where planning permission has been required policies have sought to limit the products sold to those produced on the holding. This criterion is not easily enforceable and does not allow continuity of employment or income. It has been relaxed to allow the sale of a proportion of imported produce. This is in accordance with the provisions of PPGs 6 and 7 and would enable a service to be provided throughout the year.

7.68 Horticultural nurseries, while principally devoted to the raising and wholesale distribution of plants, trees and shrubs, often include a limited provision for ancillary retail plant sales. Over the years many such establishments have changed and now have the commercial retail character of a garden centre selling a wide variety of goods. To prevent inappropriate urbanisation of the countryside related to this process, for example, by the erection of retail sales buildings, the long distance importation of the majority of the plant material and manufactured goods and the extensive outside storage and display of materials for sale, it is considered appropriate to make special reference to the inclusion of horticultural nurseries within the provisions of Policy WRE5.

7.69 For the purposes of this policy, small scale retail sales outlets would have less than 500 sq.m. metres of retail floorspace; this accords with the definition of small scale in Berkshire Structure Plan Policy S5.

7.70 The policy applies to holdings in countryside across the District, including those within the Metropolitan Green Belt.

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: NAB

APPLICATION NUMBER: 8127

APPELLANT: A Miles

SITE: Mileswood Farm, Old Wokingham Rd, Wokingham

APPEAL REF: APP/X0360/A/04/1137542

START DATE: 21/01/2004 ALLOWED 24/06/04

DATE OF SITE VISIT 11/05/04

Progress Record	Date Actioned	Initials
Appeal Logged:	22/01/04	
Entered on Access:	05/02/04	DG
Notification Letters Due:	**04/02/2004**	
Notification Letters Sent:	05/02/04	DG
Questionnaire Due:	**04/02/2004**	
Questionnaire Sent:	05/02/04	DG
Statement Due:	**03/03/2004**	
Statement Sent:	03/03/04	DG.
Comments on Statement Due	24/03/04	
Comments on Statement Sent	/	
Decision letter circulated:	25/06/04	DG
Decision entered on Access:	25/06/04	DG