SOUTHPORT U.K
LONDON OFFICE
EX SYSTEMS LTD

APPLICATION NO. 8188

Name of appellant:
Mr Bradley & Mr Beswetherick

Site address:
44 Rectory Rd, Wokingham

Proposal:Outline application for the proposed erection of 8 flats with parking. Demolition of existing dwelling

Case Officer:AO

ALLOWED
07/10/04

Appeal Decision

Site visit made on 24 August 2004

by Penny Davies BSc(Hons) MA 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

07 OCT 2004

Appeal Ref: APP/X0360/A/04/1140671
44 Rectory Road, Wokingham, Berkshire RG40 1DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr A.G. Bradley & Mr M.J. Beswetherick against the decision of Wokingham District Council.
- The application (Ref. O/2002/8188), dated 11 December 2002, was refused by notice dated 3 February 2004.
- The development proposed is a redevelopment for 6 No. 2 bed flats with vehicle parking.

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

Procedural Matters

1. The application is made in outline, with external appearance, design and landscaping reserved for future consideration.

2. During the course of the planning application process, the number of flats proposed was reduced from 8 to 6 and a revised site layout plan submitted. I have taken this into account in my decision. Alternative siting and layout plans have also been submitted as part of the appeal documentation. However, my decision relates only to the plan that formed part of the Council's decision (Drawing No. 30751/05/C).

Main Issue

3. I consider the main issue to be the effect of the proposed development on the living conditions of adjoining residents.

Planning Policy

4. The development plan includes the Berkshire Structure Plan 1991-2006 (SP) and the Wokingham District Local Plan adopted in March 2004 (LP), which, since the application was refused, has replaced the South East Area Local Plan. A number of policies have been drawn to my attention of which I consider the following to be particularly relevant. SP Policy LD3 says development proposals will only be permitted where they do not give rise to an unacceptable impact on the environment, including serious harm to the amenities of neighbouring land uses. LP Policy WOS3 lists a number of development control principles. These include that development proposals should be integrated into their local context without detriment to the amenities of adjoining land uses and occupiers.

Reasons

5. The appeal relates to a substantial detached house situated in mature grounds on the north side of Rectory Road, close to Wokingham town centre. To the north-east of the appeal site is Barkhart Drive, a residential cul-de-sac. No. 12 adjoins the appeal property and a terrace of 3 houses, Nos. 14 to 16, back onto its rear garden. To the west is 42 Rectory Road, a large detached property in a generous plot.

6. The main parties are in general agreement that the principle of residential development in this location is acceptable. The site is close to local services and public transport routes and would accord with local and national planning policies that encourage the efficient use of urban land. I do not disagree. The Council's concerns lie largely with the effect of the proposed car parking provision on the amenities of 12 Barkhart Drive and the impact of the proposed building on other adjoining properties with particular regard to privacy and outlook.

7. The proposal would involve the demolition of the existing house and the construction of a new building accommodating 6 flats. It would be sited a little further back than the existing house and a further distance from the side boundary with 12 Barkhart Drive. It would have an irregular shape designed to reflect the orientation of adjoining properties so that the forward eastern part would be more or less in line with the front elevation of 12 Barkhart Drive, and the rearward western element generally following the building line of 42 Rectory Road. The proposed means of access would be via an existing access from Rectory Road with a turning and parking area to the front on the existing driveway to the appeal property.

8. The proposed car park would be sited on an existing parking and turning area. Illustrative plans show that some spaces would be positioned close to the boundary with 12 Barkhart Drive, adjacent to its rear garden. Even with the area of mature trees to the south-east, I observed significant traffic noise whilst standing close to this boundary. Notwithstanding this, I accept that there would be some disturbance for the neighbouring residents in terms of doors slamming, cars starting and other ancillary activities. However, having regard to the small number of spaces proposed, I would not regard this as excessive. There are trees and vegetation on the common boundary, which the appellants indicate could be enhanced. Given that the existing use of the area is for the parking and turning of vehicles and the ambient noise levels from Rectory Road, I do not consider that the proposal would result in any unacceptable noise and disturbance that would warrant withholding planning permission for that reason.

9. The principal rear elevation of the proposed building would face north-west at an angle to the rear elevations of 14 to 16 Barkhart Drive. Although there would be some views into these properties and their rear gardens, these would be oblique and screened in part by intervening trees and vegetation on the eastern boundary. Such views would not be unusual in residential built-up areas such as this. Moreover, the first floor would be recessed from the ground floor elevation allowing, at this upper level, for a separation of buildings not too dissimilar to the existing situation. Illustrative plans show a third floor in the roof space but this would be confined to the west wing of the building, some distance from 14 to 16 Barkhart Drive and turned away from the rear garden of No.12.

10. The Council calculates that the proposed building would be 14 metres away from the rear elevation of 14 Barkhart Drive although the submitted site plan suggests distances in excess of this. Nonetheless, from my observations, I am satisfied that owing to the distances and

angles involved, the proposal would not result in any material loss of privacy or outlook for the occupants of this property or Nos. 15 and 16 which are further away. The Council refers to 'significant' differences in ground levels between 14 Barkhart Drive and the appeal site. At my visit, I observed that whilst No.14 appeared to be lower than the appeal site, the difference could not be reasonably described as significant.

11. I have had regard to the concerns of the occupants of 12 Barkhart Drive that the proposal would have adverse effects on their privacy, light and outlook. However, the principal outlook for the proposed building would be to the north and south at an angle too acute to result in any serious loss of privacy. The building would be set back behind the rear elevation of No.12 and set in some 2.6 metres from the side boundary. The rear west wing would be set in a significant distance from the boundary with its front garden. Owing to this, I consider that the impact of the proposal on the outlook for the occupants of that property would be negligible. Because of the orientation of the building to the west of No.12, and given that there is an existing building, neither do I consider that the proposal need have any unacceptable effects on the provision of light to the neighbouring house.

12. I understand residents' concerns as to the uncertainty of the external appearance of the building, in particular its height, boundary screening and the location of windows. However, these are matters for future consideration and are not before me in this appeal.

13. I conclude that the proposed development would not result in any material harm to the living conditions of adjoining residents. Accordingly, I find no conflict with the aims of SP Policy LD3 or LP Policy WOS3.

Other Considerations

14. I have considered concerns that the proposal would be harmful for highway safety reasons. I acknowledge that Rectory Road is a busy highway and that the appeal site is close to a junction. However, there is sufficient turning space within the appeal site to enable vehicles to enter and leave in a forward gear and because of the one-way system on Rectory Road, vehicles entering or leaving the site would do so in one direction. It is illustrated that parking for up to seven vehicles would be provided within the appeal site, which although lower than the Council's standards, is in line with Government objectives to reduce parking in locations such as this, which are served by a choice of transport modes. I have not been presented with any substantive evidence to indicate that the appeal would result in unacceptable highway danger or that it should fail on these grounds.

Conditions

15. A number of conditions have been suggested to me. I consider the imposition of the model outline conditions relating to the submission of reserved matters would not necessitate the imposition of separate conditions relating to the submission of details relating to finishing materials, slab levels, height and massing of the building, the position of the first and second floor rear elevations, landscaping and boundary treatment. In the interests of highway safety, I consider that conditions requiring the submission of parking and turning details, visibility splays, and the construction of the access and turning area prior to the occupation of the development are necessary. Matters relating to cycle storage, gates and the bonding of the access can be dealt with by the condition requiring the submission of parking and turning details. I consider that conditions preventing use of the parking and turning areas for other purposes and requiring approval of details relating to on-site

provision for construction traffic are also necessary in the interests of highway safety. Where necessary in the interests of precision and enforceability and in line with the model conditions set out in Circular 11/95 'The Use of Conditions in Planning Permissions', I propose to reword the suggested conditions.

Conclusions

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

Formal Decision

17. I allow the appeal and grant planning permission for a redevelopment for 6 No. 2 bed flats with vehicle parking at 44 Rectory Road, Wokingham, Berkshire RG40 1DN in accordance with the terms of the application Ref. O/2002/8188 dated 11 December 2002 as amended, and the plan drawing no. 30751/05/C submitted therewith, subject to the following conditions:

1) Approval of the details of the design and external appearance of the building, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

2) Plans and particulars of the reserved matters referred to in condition 1 above, relating to the design and external appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

3) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

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

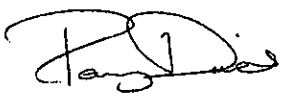
5) Details of the parking and turning of vehicles within the site, together with details of cycle storage shall be submitted in writing and approved by the local planning authority. The approved details shall be implemented prior to the occupation of the development hereby approved and thereafter retained in their approved form.

6) The parking and turning area implemented in accordance with condition 5 above shall not thereafter be used for any purpose other than the parking and turning of vehicles.

7) None of the development hereby approved shall be occupied until visibility splays of 2 metres by 2 metres have been provided at the intersection of the driveway and the adjacent footway. Dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres.

8) Prior to the commencement of work on the site, details of the provision to be made for all vehicles loading, off-loading, parking and turning within the site during the construction period, shall be submitted to and approved in writing by the local planning authority. The approved details shall be carried out as agreed.

9) The development hereby permitted shall not be occupied until the access and turning area has been constructed in accordance with the approved details.



INSPECTOR

RICS

Martin & Pole

Residential & Commercial Estate Agents Lettings Agents
tioneers Planners Management Surveyors & Valuers

chartered surveyors

The District Planning Officer
Wokingham District Council
Planning Department, P.O. Box No. 157
Council Offices
Shute End
Wokingham
Berkshire, Rg40 1WR

12th December 2002

Dear Sirs,

40 Rectory Road, Wokingham RG40 1DN
Planning Application

Please find enclosed a planning application seeking outline planning permission to redevelop this existing residential site, currently used by one house, to provide for up to 8 flats. The application seeks the approval of siting and access only at this stage.

A fee of £440, the ownership certificate and 6 sets of drawings are enclosed along with the application form. The first drawing shows the location of the site. The second is a block plan indicating the siting of the proposed block of flats, its relationship to adjacent properties and the proposed access and car parking layout. A selection of photographs of the site is also enclosed for information.

This letter provides a background to the application with my interpretation of the policy framework and how it applies to the site and this proposal.

Site Description

The house lies on the north side of Rectory Road close to its junction with Wiltshire Road. These roads form part of a gyratory system feeding traffic away from and around the town centre. Rectory Road has one way traffic east bound on two lanes. Directly south and south west of the site and within 400 metres of it are the main shopping streets and bus stops of Wokingham and a Waitrose Supermarket. The railway station lies about 800 metres to the east.

This part of Rectory Road is predominantly in residential use with mainly low-density detached houses on Rectory road itself although the surrounding area has a mix of house types and densities as one might expect of this town centre location.

7 Broad Street, Wokingham, RG40 1AY, T: 0118 979 0010, F: 0118 977 1991, w@martinpole.co.uk
198 Dukes Ride, Crowthorne, RG45 6DS, T: 01344 780111, F: 01344 780191, c@martinpole.co.uk
24 Friar Street, Reading, RG1 1DP, T: 0118 959 1231, F: 0118 958 5061, r@martinpole.co.uk
16 The Parade, Silverdale Road, Earley, RG6 7NZ, T: 0118 926 4422, F: 0118 926 3334, e@martinpole.co.uk
The Auction House, Milton Road, Wokingham, RG40 1DB, T: 0118 979 0460, F: 0118 977 6166, a@martinpole.co.uk

Partners: I Millar Campbell FRICS D C Auger FRICS D D Chopping FRICS
Associate: G J R Lewis (Chattels Auctioneer)

www.martinpole.co.uk

The existing two-storey house on the site seems to have been built in the 1950.s. Since when the house has gradually been enlarged with a double garage and new bedroom in 1963, a double carport and shed in 1970 and an addition to the utility room in 1990. The result is a wide property with a floor area of about 300 square metres.

The site has an area of approximately 0.13 hectares and tapers from a 32 metre wide frontage on to Rectory Road to 11.5 metres wide at the western end of the garden. The site is mainly level with established boundary screening. The most significant trees are on the Rectory Road frontage although none of the trees on the site are protected by a Tree Preservation Order. However, the trees on the road boundary, especially the large oaks, have an amenity value to the wider area.

To the north-east of the site is a medium density group of houses on Barkhart Drive and the nearest house to the site is no.12, which is about 6 metres away. However there are no side windows and its garden lies to the south of the house ie; towards Rectory Road. No.s 14-16 have gardens of about 10 metres depth and have rear facing bedroom windows at first floor.

To the south is no42.Rectory Road. There is a garage lying between that house and the site boundary in a gap of about 4 metres. There are no windows in the side elevation of this property. The established building line retains a gap of about 17 metres between the building faces and the roadside.

Relevant Planning Policy

The adopted Local Plan for this area is the South East Area Local Plan. However, the Wokingham District Local Plan (Deposit Draft) has been through its Local Plan Inquiry stage, the Local Plan Inspector's (LPI) report has been received and recommendations to modify the Plan agreed for a second round of public consultation. This version of the Plan is known as the Consolidated Modified Local Plan (CMLP) and as the recommended modifications are at such an advanced stage this document constitutes a material consideration when determining current planning applications.

44 Rectory Road lies within the settlement of Wokingham, designated as a Category A Settlement in the CMLP. This means that sites in these areas are considered to be the most sustainable for new development. Modified Policy WH1A: (Housing Development - Unidentified Sites) states that: **"Within the identified settlements, proposals for using land and buildings for housing will be determined in accordance with the following sustainable development criteria:**

a) development proposals will make the most effective use of land and buildings having regard to the need to maximise densities, a proper mix of housing and adequate levels of affordable housing;

b) The extent that future residents would be car dependent or have good access to alternative means of transport;

c) How successful the design and layout of the proposals would be in minimising any adverse impact on the character of adjoining buildings and/or the landscape and ecology of open areas;

d) The extent to which the proposals would make more efficient use of existing social and physical infrastructure, having regard to the cumulative impact of development.

8188

cc Planning Officer
WDC

9 Barkhart Drive

Wokingham

Berkshire RG40 1TW

15th October 2004.

Dear Ms Davies,

APPEAL REF: APP/X0360/A/04/1140671
44 RECTORY ROAD, WOKINGHAM

Thank you for the copy of the Appeal Decision regarding the above.

To say that we were extremely disappointed is an under-statement, and we would like to refer to a few points included in the Decision. We understand that each Planning Application or Appeal has to be judged legally and individually, and we shall continue to object to plans that we feel are wrong for our environment and town.

Within the last few months permission has been granted for four substantial character houses to be demolished in order that flats can be built on their sites thus increasing traffic and noise in our immediate area. We were surprised to read in the Decision that because traffic noise is already bad, the building of six more flats wouldn't "result in any unacceptable noise and disturbance that would warrant withholding planning permission". So where do we go from here?

From our experience the provision of a single parking space for each flat with only one visitor space is ludicrous as most of these flats will be owned by two car couples; even living in the town centre two cars are the norm. We will probably see more parking on Rectory Road, especially in the evenings.

We are aware of the bigger picture planned for our immediate area. An application was recently made for 16 flats to replace No.38 Rectory Road (marked X on the plan attached) – this application was the subject of vehement objections from residents of Clare Avenue, Barkhart Gardens and Barkhart Drive, one of the reasons being it's intended access into Barkhart Drive – the application was subsequently withdrawn. However we are aware that the developer concerned has purchased No.42 Rectory Road (Y) and has shown an interest in No.40 (Z), currently occupied by an elderly couple. As you can see, that provides a very large area for the provision of a large number of flats – again we say – Where do we go from here?

We are copying this letter and attachment to our local Councillors in the hope that they will continue to try and safeguard the intrinsic character of the town by denying developers the right to demolish established town houses and erect blocks of flats.

Yours sincerely

D Saunders

D Saunders (Mrs)

C G Saunders

(Attachment)

Ms Penny Davies
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Cc: Chairman Wokingham District Council
Wokingham District Council Planning Department
Councillors, Norreys Ward, Wokingham

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr Bradley & Mr Beswetherick
SITE: 44 Rectory Rd, Wokingham
APPLICATION NO.: 8188
PROPOSAL: Outline application for the proposed erection of 8 flats with parking. Demolition of existing dwelling

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Norreys

Mr Brown

Mr Lee

Mrs Robertson

Clerk(s) of Parish / Town Council of Wokingham

Mr Abnett, Town Hall, Market Place, Wokingham RG40 1AS

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

Environmental Design, WDC

Organisation_Name	Building_Name	address1	Postcode
		40RECTORY ROADWOKINGHAM	RG40 1DN
		31RECTORY ROADWOKINGHAM	RG40 1DP
		33RECTORY ROADWOKINGHAM	RG40 1DP
		35RECTORY ROADWOKINGHAM	RG40 1DP
		38RECTORY ROADWOKINGHAM	RG40 1DN
		42RECTORY ROADWOKINGHAM	RG40 1DN
		44RECTORY ROADWOKINGHAM	RG40 1DN
		9WILTSHIRE ROADWOKINGHAM	RG40 1TS
		10BARKHART DRIVEWOKINGHAM	RG40 1TW
		11BARKHART DRIVEWOKINGHAM	RG40 1TW
		12BARKHART DRIVEWOKINGHAM	RG40 1TW
		14BARKHART DRIVEWOKINGHAM	RG40 1TW
		15BARKHART DRIVEWOKINGHAM	RG40 1TW
		16BARKHART DRIVEWOKINGHAM	RG40 1TW
		17BARKHART DRIVEWOKINGHAM	RG40 1TW
		9BARKHART DRIVEWOKINGHAM	RG40 1TW

The Planning Inspectorate

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Switchboard 0117-3728000
Fax No 0117-3728139

GTN 1371-8108

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

Your Ref: 0/2002/8188

Our Ref: APP/X0360/A/04/1140671

Date: 27 September 2004

82450

PLANNING SERVICES | RPT
POL | TLS
CC | ENS
DC
28 SEP 2004

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR BRADLEY & MR BESWETHERICK
SITE AT 44 RECTORY ROAD, WOKINGHAM, RG10 1DN

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

The Planning Inspectorate

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Fax No 0117-3728804
GTN 1371-8330

PLANNING SERVICES HPT 81138
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DC 19 ENF
APP
CS
05 AUG 2004
COPIES TO: ACK:
FILE:

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

Your Ref: 0/2002/8188

Our Ref: APP/X0360/A/04/1140671

Date: 4 August 2004

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR BRADLEY & MR BESWETHERICK
SITE AT 44 RECTORY ROAD, WOKINGHAM, RG10 1DN

I am writing to inform you that the Inspector appointed by the First Secretary of State to determine the above appeal is

Ms Penelope Davies BSc(Hons) MA MRTPI

The Inspector will visit the appeal site at 13:15 on 24 August 2004. It is important that you make immediate arrangements for the Inspector to be met at the site to enable the inspection to be made. If you cannot attend, you should arrange for someone else to attend in your place. **If this is not possible, you must let me know immediately.**

The Inspector will expect to be accompanied by representatives of both parties. If one of the parties fails to arrive, the Inspector will determine the most suitable course of action, which could mean that she will conduct the visit unaccompanied. In other circumstances, the visit might have to be aborted.

At the commencement of the site inspection the Inspector will make it clear that the purpose of the visit is not to discuss the merits of the appeal or to listen to arguments from any of the parties.

The Inspector will ask the parties to draw attention to any physical features on the site and in its vicinity. In turn the Inspector may wish to confirm particular features referred to by interested parties in their written representations.

In general, decision letters are issued within 5 weeks of the date of the Inspector's site visit, although we cannot be precise about individual cases. If despatch of the letter is likely to be significantly delayed, we will let you know.

Yours faithfully

P/A Knell
Mr Philip Knell

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

209D

8188

The Planning Inspectorate

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PLANNING SERVICES
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27 APR 2004
COPIES TO
FILE:

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

Your Ref: 0/2002/8188

Our Ref: APP/X0360/A/04/1140671

Date: 26 April 2004

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR BRADLEY & MR BESWETHERICK
SITE AT 44 RECTORY ROAD, WOKINGHAM, RG10 1DN

I enclose third party correspondence relating to the above appeal.

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

15/4

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

Mrs Celia Bate

211AL(BPR)

9 Barkhart Drive

WOKINGHAM

Berkshire RG40 1TW

23 March 2004-03-23

Dear Mrs Bate,

Application No. 0/2002/8188
Appeal by Mr A Bradley and Mr M Beswetherick
Site: 44 Rectory Road, Wokingham.
Proposal: Outline Planning Application for the proposed erection of 6 flats With Parking. Demolition of existing dwelling.

We write with regard to the above application. We have continually objected to this application since January 2003 and we understand our views have been forwarded to you. In February this year we were informed by the Council that the application had been refused on the grounds that proposed car parking would cause unacceptable disturbance and loss of amenity to the adjacent residential property, and that due to the siting and design of the proposed building and higher level of the land, the proposed development would have an unacceptable impact on adjacent residential property, including overlooking, resulting in unacceptable loss of amenity. Although we are not directly adjacent to the site, we would be affected by increased noise, traffic and pollution.

The site is on a busy junction and by the Council's own survey is one of the most polluted areas in Wokingham.

The site also has a Covenant on it and if this Covenant is broken, it could lead to other applications being made.

Wokingham cannot take any more infilling in the town centre; we are over-loaded and at times totally gridlocked.

We would urge you to refuse this Appeal, and we would be grateful if you would send us a copy of your decision.

Yours sincerely,

Clive and Dorothea Saunders

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

14 Barkhart Drive
Wokingham
Berks
RG40 1TW

Telephone: 0118 9892801

10 April 2004

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

FAO Mrs. C.Bate

Your ref APP/X0360/A/04/1140671

Dear Sirs

Appeal Reference APP/X0360/A/04/1140671
Application No 0/2002/8188
Site: 44 Rectory Road, Wokingham

I believe that the Appeal under reference should not be allowed on the grounds that the Appellant has failed to adequately demonstrate what actions will be taken to deal with the Council's reasons for refusal. I would like to receive a copy of the Appeal decision in due course.

The Appellant's Grounds of Appeal (Item H) indicated that further evidence would be provided to show how the reasons for refusal could be dealt with, and the Martin and Pole document ref RR/04/155 has been submitted. However, despite a discussion of the Wokingham District Local Plan, the latter document fails to give precise details on how all the promises in Item H will be accomplished.

Furthermore, the document appears to suggest that any plans agreed at this stage can be altered at a later stage in the planning process (ref. Summary and Conclusions Item 7.1(3)). This suggestion is not acceptable since it is clear that there is already a difference of opinion between the Appellant and the Council on the interpretation of issues concerning the Council's refusal. Clarity is required now on how the Appellant must develop the site.

I have previously objected to the Planning Application and I presume that the Inspector will have access to all such correspondence. My detailed comments and concerns on the Appeal document are set out below and all references are to document RR/04/155 unless otherwise stated.

1.Topography of Site

Para 2.1 fails to point out that the general topography of the area around the site in Rectory Road is sloping downwards to the Northeast i.e. towards Barkhart Drive. Consequently, the appeal site is on a terrace several feet above the adjacent houses in Barkhart Drive, particularly Nos. 12 and 14. This fact exacerbates the effect of overlooking and visual intrusion caused by the increase in the height and massing of the new development compared to the existing house.

It was not apparent that the Planning Officer considered the adverse effect of the difference in level when assessing the original Application, but it was one of the concerns raised by the Development Committee members when reaching their conclusion to refuse the Application following their site visit. I will be very happy to give the Inspector access to my property should he wish to see for himself.

The statement in Para. 2.3 is misleading since there are no flats within the immediate vicinity of the appeal site.

2. Car Parking

I believe that the provision of 6 No. car park spaces is unrealistically low for the likely number of residents, and there is effectively no provision for visitors. Para. 5.5 is too optimistic about the opportunity to park in Rectory Road and it fails to mention that the cost of parking in Waitrose is £5 for two hours. Nevertheless, the Council appears to have accepted this limited provision.

Drawing MLP/01 in the document illustrates how 6 No. cars could be parked in front of the development. However, the document gives no indication how the boundary screening is to be strengthened, which was promised in Item H.

3. Overlooking and loss of amenity

Paras. 5.9 and 5.10 appear to be a gratuitous attempt to cast doubt on the ability of the members of the Development Control Committee to communicate with their Officers.

As a member of the public, it is not for me to judge whether this could be the only reason why Applicant's professional advisor cannot understand a statement written by the Council's professional advisor. However, the Applicant's agent, who spoke at the meeting and heard the debate, was a Martin and Pole employee. At that time she very properly declared an interest that she also worked for the Planning Department and it is to be hoped that she has been able to explain any ambiguities in the Refusal of Permission to the author of the M&P document.

Para. 5.11 has three points discussing overlooking but it makes no mention of visual intrusion. In fact, the document fails to mention the visual intrusion at all.

Para.5.11 (1) implies that the elevations and floor plans provided with the Application are not definitive and that they can be changed later. As indicated above this is not acceptable since the overlooking is a prime concern to my neighbours and myself, and the details of the position, plan and elevations of the building are fundamental to

making informed comment. It would be absurd for the Applicant to be able to change the plans and elevations at a later date without recourse to a full planning application.

Para. 5.11(2): the comment above is relevant

Para. 5.11(3) makes the statement that "those living in an urban area must reasonably expect some degree of overlooking". Overlooking, overshadowing and visual intrusion is a major concern to local residents. The lack of information provided by the Applicant suggests that he has not given the matter adequate consideration and that he has ignored the fact that the degree of overlooking resulting from the new flats is considerably greater than that resulting from the existing house. The new flats are three stories high and stand on ground at a higher level than the adjacent house sites. Furthermore, the rear of the new building is much closer to No.14 Barkhart Drive. Thus the overlooking, shadowing and visual intrusion caused is much worse than existing and the suggestion in Item H that "overlooking will be no worse than the current situation" is plainly wrong.

Para. 5.12 reiterates the Appellant's view that the present scheme is acceptable. In the third sentence the Appellant suggests that the secondary windows in the living rooms are not required but makes no offer to delete them. The overlooking from the rear windows is not mentioned at all. This supports my view that the Appellant has not given adequate consideration to overlooking, overshadowing and visual intrusion.

Para. 5.13 plan document 5. This proposal for an alternative layout is not acceptable. My main objection is that the rear building line has been moved even further down the garden making it even more visually intrusive on other properties in Barkhart Drive and causing even greater overshadowing of my house and garden than the previous proposal (see sketch no. DJI/1 enclosed). In fact the proposal is not logical even in its own terms since it merely brings the first and second floor windows closer to overlook Nos. 16 and 18.

Also the building appears to have been positioned further down the garden than necessary. The position chosen gives up a large area of the existing building footprint (which then presumably becomes front garden since it is not used for car parking). The consequence of this enlarged front garden is that the rear of the building must be moved further down the back garden, thus making it a nuisance to neighbours.

It would be much more logical to place the new proposal on the footprint of the original house since the area of the new proposal footprint (175 sq.m.approx) is less than the footprint of the original house (181sq.m. approx) and much less than the proposal for approval (290 sq. m.). These areas suggest that a building could be designed to fit generally on the existing footprint and it would not be necessary to extend so far into the existing rear garden. The new car park arrangements would be un-affected (see sketch no. DJI/1) and the line of the rear of the building could be made at a right angle to the Barkhart Drive boundary in order to reduce overlooking.

An even better solution would be to reduce the number of flats from six to four. This would give a density of 30.8 units per hectare, which is within the target range of the Policy WH7 indicated in the Wokingham District Local Plan. The benefits of this scheme would be that there would be greater certainty that the proposal could be

developed without compromising the rights of neighbouring householders, and the car parking currently planned would be appropriate to the smaller development.

D.J.Irvine Conclusions

1. The Appellant has failed to indicate what boundary screening is to be provided to overcome the Council's refusal on the grounds of car parking.
2. The Appellant has completely failed to indicate how the present scheme can be amended to overcome the Council's refusal on the grounds of overlooking, over shadowing and visual intrusion.
3. For the above reasons the Appeal should be rejected.
4. The Appellant has indicated that he is willing to make a new Planning Application for a revised layout. This would only be acceptable if it reduced the overlooking, over shadowing and visual intrusion caused by the present scheme. The plan shown on Document 5 is not acceptable in the position shown.
5. The revised scheme should occupy the footprint of the present house as far as possible and should have a rear face at a right angle to the Barkhart Drive boundary and should not encroach on the rear garden beyond the rear limits of the present house.
6. The scheme will be more in character with the existing area (and thus comply with Policy WOS3 of the WDLP) if the number of flats is reduced from six to four. Such a reduction will also comply with Policy WH7.

Yours faithfully

D.J.Irvine

Enclosure: Sketch DJI/1

12 Barkhart Drive
Wokingham
Berks RG40 1TW
16th April 2004

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

Objections to Planning Appeal Reference APP/X0360/A/04/1140671 – Planning application 0/2002/8188

Dear Mrs Bate,

I would like to raise the following objections to the request for planning permission for a proposed development at 44 Rectory Road Wokingham - application 0/2002/8188 – Which has been refused by Wokingham Council, but which is now being appealed.

In general
When we some 15 years ago initially purchased our house, which is adjacent to the proposed development, their current garage being a couple of feet from our fence boundary and some 10 feet from our house. We did so mainly based on it's location. Which is a quiet residential area on all sides with our house being totally secluded - in that no house overlooked us at all, both in windows or garden. This I have to state is still very important to us.

It is now clear from the plans that the planned elevation of the property is proposed to be two and three storeys, with Dormer style windows in the roof line. This will result in an additional set of windows another storey higher than the current ones. With the added disadvantage of the garage adjoining our property changing to a two storey structure, such that the upper storeys of the building will be much closer to our property, than the current one is now. This would have the effect that our property would be overlooked by some 6 upper story windows, where we have none now.

I was also greatly concerned by the statement in the Martin & Pole letter of 16th October from Julie Williams, that "*There is no guarantee that the development as built will follow the indicated design, however it would be reasonable to control through conditions the eventual height of the finished scheme*". So it would seem the developers are not making any guarantees to the eventual height. My fear is that if this development goes ahead then it will result is us being overlooked and in the shadow of a large block of flats.

As such we would not have bought the house if this development was in place originally. Further I believe that the placement of such a large block of flats,

will fundamentally change the nature of this mature residential area of Wokingham – which once lost cannot be recreated.

Specific Objections

1. Loss Of Privacy and Light
This development will have the effect of us being directly overlooked on both our front and rear gardens by some six upper storey windows. Something which does not happen now, and which would drastically change the nature of our house and living space. Making it much less attractive to us, as it lowers our quality of life.

The Appeal document in mitigation states "*The proposed building, particularly where closest to Barkhart Drive properties, is only marginally higher than the existing house .... And that any overlooking will be no worse than the current situation"* This statement fails to take into account the third floor set of additional windows which do not exist in the existing house, and is misleading.

It can also now be seen from the drawings that not only would we be overshadowed with a loss of privacy, but we would also suffer a loss of light as well to our property. The indicative elevation drawings show that the part of the building closest to us, which is now a single storey garage would be at least two storeys high, with no guarantee of the eventual height of the development. I make this point because Martin Pole in their submission, only offer an indicative elevation drawing, with a statement that there will be no guarantee of the eventual height of the building.

This is particularly important to us as the actual placement and height of this building is such that we would lose sunshine to both the house and front and back gardens as the sun tracks across the sky around the building.

As such we ask for this appeal to be rejected, as the CMLP directs minimising any adverse impact on adjoining buildings.

2. Disturbance
The disturbance from the car parking of this proposed development was one of the reasons why the council refused planning permission. As it was deemed after a site visit, that it would cause an unacceptable level of disturbance to us.

I should point out that our rear garden immediately adjoins this proposed parking area.

I note from the Grounds of Appeal submission by the developers that their mitigation of this was " *As it is a 5 bedroom family home with car parking on the forecourt, one might anticipate a high level of use under normal circumstances".* I feel very strongly, as did the council committee, that to swap one families use of a car park, with that of six sets of occupants. With their normal comings and goings, as well as washing and repairing of cars, in the same area – is not the same. It cannot be, by any stretch of the imagination.

In addition the developers in their submission added " *Furthermore given the proximity of the site to a junction with a busy one way system, the existing noise levels are such that any increase in activity will go largely unnoticed*". They did not however point out that between us and Rectory road we have a cushion of land almost equal in size to our own garden, full of big trees and bushes. However between the proposed new car park and our garden is only a fence.

Again we ask for this appeal to be rejected, as the CMLP directs minimising any adverse impact on adjoining buildings.

3. Road Safety

In addition to the envisioned extra cars looking for parking in Rectory Road, There is the issue of many cars turning into and out of the entrance onto a very busy and dangerous road junction. This must cause an obvious safety hazard, as in contrast to the Martin & Pole submission - visibility at this entrance as the previous occupants stated, is poor when leaving the site.

In Conclusion

I believe that Wokingham Counsellor Roberts concerns with the proposed development of:

- Highway problems
- Parking
- Overdevelopment of the site

Are still unresolved by this proposed development, and it's subsequent appeal submission.

Further that the developers submission of "*This proposed development is in accordance with advice in PPG3, which seeks more efficient use of residential land in urban areas*" is in sharp contrast to the view of the Wokingham counsellor, that this proposal would cause a overdevelopment of the site.

Therefore I ask The Planning Inspectorate, to uphold the decision of Wokingham Council to refuse this planning application.

Yours Sincerely.



James Cooper

12 Barkhart Drive
Wokingham
Berks RG40 1TW
16th April 2004

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

Objections to Planning Appeal Reference APP/X0360/A/04/1140671 – Planning application 0/2002/8188

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It can also now be seen from the drawings that not only would we be overshadowed with a loss of privacy, but we would also suffer a loss of light as well to our property. The indicative elevation drawings show that the part of the building closest to us, which is now a single storey garage would be at least two storeys high, with no guarantee of the eventual height of the development. I make this point because Martin Pole in their submission, only offer an indicative elevation drawing, with a statement that there will be no guarantee of the eventual height of the building.

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I believe that Wokingham Counsellor Roberts concerns with the proposed development of:

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Therefore I ask The Planning Inspectorate, to uphold the decision of Wokingham Council to refuse this planning application.

Yours Sincerely.

Jim cooper.

James Cooper

0/2002/8188

Mark Leedale Planning

Chartered Town Planning Consultant
52 Crondall Lane,
Farnham,
Surrey GU9 7DD
01252 711973 tel/fax
markleedale@hotmail.com

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

Our Ref: NMR/03/154
23rd March 2003

Dear Madam,

APPEAL BY MR BRADLEY & MR BESWETHERICK,
SITE AT 44 RECTORY ROAD, WOKINGHAM
APP/X0360/A/04/1130671

As per my letter of 11th march, I am pleased to enclose a copy of the Statement on behalf of the appellant's. I have hand delivered a copy to the Council.

The normal procedure for the appeal has been distorted by the departure of the Planning Assistant at Martin and pole and I apologise if this has caused any inconvenience. Hopefully we are now back on track.

Yours faithfully,

Mark Leedale.

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8188

The Planning Inspectorate

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17 MAY 2004 GTN

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

Your Ref: 0/2002/8188

Our Ref: APP/X0360/A/04/1140671

Date: 14 May 2004

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR BRADLEY & MR BESWETHERICK
SITE AT 44 RECTORY ROAD, WOKINGHAM, RG10 1DN

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

C Bate

Mrs Celia Bate

217L(BPR)

Mark Leedale Planning

Chartered Town Planning Consultant
52 Crondall Lane,
Farnham,
Surrey GU9 7DD
01252 711973 tel/fax
markleedale@hotmail.com

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

Our Ref: RR//04/345
30th April 2004

Dear Madam,

APPEAL BY MR BRADLEY & MR BESWETHERICK,
SITE AT 44 RECTORY ROAD, WOKINGHAM
APP/X0360/A/04/1130671

I am in receipt of the Council's written statement and wish to make the following comments in response.

The District Wide Local Plan has been adopted. As such policies of the South East Area Local Plan are irrelevant and should be disregarded.

3.02 The Council correctly state that "the siting of car parking is not to be determined". Drawing MLP/01 at document 4 of the appellant's written statement, shows how a landscape buffer and on-site turning can be provided. In this way the parking areas are moved away from the common boundary with no. 12 Barkhart Drive. This would ameliorate any loss of amenity to occupiers of this property.

3.03 I cannot in any way agree that the noise from Rectory Road is "a general background noise". The Inspector will be able to judge this matter during the site visit. In my judgement it is actually a heavily trafficked road from which there is considerable noise, due largely to its town centre location.

3.04 The perceived overlooking described by the Council, assumes that the various rooms in the proposed development would be put to a particular use. This is an issue for reserved matters and limited weight may be afforded to these comments. Aside from this, the separation distances described are more than adequate and equate to the Council's adopted standards. Those living in an urban area must reasonably expect some degree of overlooking and this must be set against the existing situation.

I cannot in any way accept that the change in levels between the appeal site and no. 14 Barkhart Drive is significant and would lead to an unacceptable material impact in terms of overlooking.

5.02 The materiality of the impact of development is one for the Inspectors judgement. I cannot agree in any way that the proposal is contrary to planning policies. On the contrary, and officers of the Council accept this in their report to Committee, the proposal represents the full and effective use of previously developed land in a sustainable location. This accords with the policy and principles of the District Wide Local Plan and PPG3. There are no material considerations, which justify an exception to these policies.

For these reasons and those set out previously, the appellant's request that this appeal be allowed.

I enclose a copy of this letter for the Council.

Yours faithfully,

Mark Leedale.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANTS :	MR. A BRADLEY & MR. M BESWETHERICK
APPEAL SITE :	44 RECTORY ROAD, WOKINGHAM
REASON FOR APPEAL :	REFUSAL TO GRANT OUTLINE PLANNING PERMISSION FOR THE ERECTION OF 6 FLATS WITH PARKING AND DEMOLITION OF EXISITNG DWELLING

LOCAL PLANNING AUTHORITY REFERENCE : O/2002/8188

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/04/1140671

1.00 INTRODUCTION

Main Issues

1.01 The Local Planning Authority considers the main issue in this case is the effect on the living conditions of adjacent residential properties. Firstly, the effect of the proposed parking on the occupants of No. 12 Barkhart Drive, and secondly the effect on the privacy of, and outlook from, No. 14 Barkhart Drive.

The Site and Surroundings

1.02 No. 44 Rectory Road is a detached house with attached double garage fronting onto a local distributor road in an established residential area close to Wokingham town centre. A location plan to scale 1:1250 is attached in Appendix 1. There is no relevant planning history of the site.

The Proposal

1.04 The application is in outline with means of access and siting to be determined (including the position of the rear elevation of the first and second floors). Revised illustrative floor plans and a street scene showing 6 x 2 bedroom flats have also been submitted. These show 3 flats on the ground floor, 2 on the first floor and 1 on the second floor. The illustrative street scene elevation shows the proposed building would be 8.5m. high at the western end and 7.2m. high at the eastern end. The revised layout plan shows 7 car parking spaces and bin and cycle stores. A tree survey was also submitted.

2.00 POLICIES

2.01 For the purposes of Section 54A of the 1990 Town and Country Planning Act the Development Plan which applies to the area in which the appeal site is located comprises: Berkshire Structure Plan and the Wokingham District Local Plan.

Berkshire Structure Plan 1991 - 2006

2.02 The Berkshire Structure Plan covers the period 1991-2006 and was adopted on 4 November 1995. The following policy contained in the

Berkshire Structure Plan is relevant to the consideration of the appeal (copy in Appendix 2):

LD3 Environmental Impact of Development

2.03 Policy LD3 explains that development proposals will only be permitted where they do not give rise to an unacceptable impact on the amenities of neighbouring land uses.

Berkshire Structure Plan 2001 – 2016

2.04 The Examination in Public has recently taken place in the Berkshire Structure Plan 2001 – 2016 Deposit Draft March 2002. The Panel has reported and Proposed Modifications were published in March 2004. There are no policies in this Plan that are directly relevant to this appeal.

South East Area Local Plan

2.05 The first draft version of the South Area Local Plan was certified by Berkshire County Council on 7 February 1990. The South East Area Local Plan was finally adopted on 15 April 1994. 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". This Plan has now been superseded.

The following policy in the South East Area Local Plan is relevant to the consideration of this appeal (copy in Appendix 4):

SBE2 Inappropriate Design

2.06 Policy SBE2 explains that proposals for development that would have an inappropriate relationship with adjoining sites and buildings will not normally be permitted.

Draft Wokingham District Local Plan

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

The relevant policy in this plan is:

WOS3 Development Control Principles

A copy of the above policy is contained in Appendix 5.

2.08 Policy WOS3(A) requires that all development proposals be integrated into their local context without detriment to the amenities of adjoining land uses and occupiers.

National Policy Guidance

2.09 The following Planning Policy Guidance Note is relevant to this appeal:

PPG3 Housing

3.00 THE COUNCIL'S CASE

3.01 The site is within a settlement boundary and therefore principle residential redevelopment on the site is acceptable. However, to be so, it must be satisfactory in terms of its relationship to existing development.

3.02 Whilst the siting of the proposed car parking is not to be determined, in practice the car parking would need to be in the location shown as there is no practical alternative. Five of the proposed car parking spaces would be only 0.4m. from the boundary with the rear garden of No. 12 Barkhart Drive. Due to this close distance, cars manoeuvring into and out of these spaces and the noise from occupants talking and opening and closing car doors, would cause significant and unacceptable disturbance to the adjacent residents of No. 12 in their rear garden and in the rear rooms when the windows are open. In addition, at night, car lights would also cause light disturbance as they would shine obliquely into the rear windows of no. 12.

3.03 Whilst the rear of No. 12 Barkhart Drive looks towards Rectory Road, there is a significant area of trees and vegetation between the rear boundary of No. 12 and Rectory Road which acts as an effective buffer to noise and disturbance from traffic in Rectory Road. In addition any

noise caused by traffic on Rectory Road is a general background noise at some distance away. However, the noise caused by cars manoeuvring at the appeal site and their occupants would be much closer, more intermittent and more varied, and therefore be much more likely to be intrusive and to cause disturbance. Therefore the proposed parking would cause a significant and unacceptable increase in disturbance to No. 12.

3.04 No. 14 Barkhart Drive is on significantly lower ground that No. 44 Rectory Road and has a short rear garden of only about 9m. The windows shown on the indicative floor plans of the first floor elevation would be only about 17m. from the rear elevation of no. 14 and the ground floor living room window in the proposed flat on the rear on the ground floor would be only about 16m. away. There would be overlooking into No. 14 from the proposed rear bedroom windows in the first and second floor rear elevations of the proposed flats. Due to the difference in levels, there is also likely to be overlooking from the windows in the rear elevation of the rear flat on the ground floor. The proposed development would therefore cause unacceptable overlooking of the rear windows and garden of No. 14 Barkhart Drive.

3.05 The proposed building would be only 14m. away from the rear elevation of No. 14 Barkhart Drive. Due to the significant difference in levels and the height and proximity of the proposed building, it would have an unacceptably overbearing effect on the outlook from the rear windows and rear garden of No. 14.

3.06 For these reasons the proposed development would be contrary to Berkshire Structure Plan Policy LD3 as it would give rise to an unacceptable impact on the amenities of the neighbouring residential property. For the same reasons the proposal would also be contrary to Loddon Area Local Plan Policy LBE2 because it would be inappropriate in terms of its relationship with adjoining residential property. For these reasons the proposal would also be contrary to Wokingham District Local Plan Policy WOS3(A) because it would be detrimental to the privacy and amenity of the adjoining occupiers.

4.00 CONCLUSION

4.01 The proposed development would cause unacceptable disturbance to, overlooking of, and have an unacceptably overbearing effect on, the occupants of adjacent residential properties, resulting in unacceptable loss of amenity.

5.02 In accordance with Section 54A of the 1990 Town and Country Planning Act application should be detrimental in accordance with development plan unless material considerations indicate otherwise. In this case the proposal clearly conflicts with development plan policies contained in the Berkshire Structure Plan and Wokingham District Local Plan (which are the development plans for the purpose of Section 54) for the reasons given above. The Inspector is therefore asked to dismiss this appeal.

LIST OF APPENDICES

1. Location Plan of the Appeal Site, Scale 1:2500.

2. Extracts from Berkshire Structure Plan 1991 - 2006

3. Extracts from South Area Local Plan

4. Extracts from adopted Wokingham District Local Plan

5. Conditions for Appeal if allowed.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

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APPENDIX 1

APPENDIX 2



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie

Public Services Division

4.8 The provision of suitable small recycling facilities, such as bottle and can banks, in association with development acceptable under other policies in this Plan, will contribute towards meeting a target of recycling at least 25% of the County's household waste by the year 2000 as proposed in Policy W2 (35% by 2007). The nature and type of facilities will depend on the type of development and the waste management systems being used. However, the facilities may include two separate elements :

- local recycling facilities for the public to deposit different types of recyclable material; and
- facilities for source separation and storage of different types of waste.

4.9 Policy LD2 will normally apply to the following categories of development:

(i) housing proposals for 100 or more dwellings;

(ii) new development, redevelopment or refurbishment of shopping centres or facilities where the floorspace of existing and new development amounts to 500 sq.metres or more;

(iii) business, industrial, distribution or storage development involving a net increase in floorspace of 500 sq.metres or more;

(iv) major transport, leisure, recreation, tourist or community facilities;

(v) car parks for the public including 'park and ride' schemes with over 200 spaces; and

(vi) appropriate smaller developments which frequently attract a significant number of people (e.g. community or shopping schemes).

ENVIRONMENTAL IMPACT

4.10 The County Council considers that even where proposals for development may be acceptable in principle within the provisions of other policies in the Structure Plan and in local plans, local planning authorities need to be satisfied that proposals will not have any significant adverse environmental impact.

Environmental Impact of Development

Policy LD3 **Development proposals will only be permitted where they do not give rise to an unacceptable impact on the environment, including serious harm to the character or appearance of an area, or the amenities of neighbouring land uses.**

4.11 In a highly constrained County such as Berkshire, most major development is likely to have a significant impact, either by itself or cumulatively, and environmental assessments may be required for a wider range of development than that specifically referred to in Circular 15/88 in order to determine the acceptability of proposals.

4.12 Circular 15/88, which explains the provisions of the Town and Country Planning (Assessment of Environmental Effects) Regulations advises that environmental assessments need to be carried out for development proposals which are likely to have significant environmental impacts by virtue of their nature, size and location. To enable the local planning authorities to make such assessments, relevant proposals should be accompanied by "environmental statements" on the lines set out in Schedule 3 to the Regulations. The Circular gives a broad indication of the type and scale of project which may require an environmental assessment, although it is recognised that an assessment may also be needed for smaller development proposals where they are likely to give rise to significant environmental effects.

4.13 It will be up to the local planning authorities to determine the size, location and types of development for which an environmental assessment will normally be required. The environmental statement provided by a developer with a planning application should examine the impacts of the proposed development and make clear how measures to ameliorate these impacts have been incorporated into the design of the development, so that the local planning authorities can properly undertake an environmental assessment. Judgement as to whether on balance a particular proposal is likely to have an unacceptable impact on the environment will depend upon the size, location and type of development being considered.

4.14 Many proposals which do not necessitate a full environmental statement as specified in Schedule 3 to the Regulations may, nevertheless, have a substantial environmental impact either individually or cumulatively with other schemes. In such cases, planning applications will need to be accompanied by sufficient relevant information for their impact to be assessed by the local planning authority.

4.15 The County Council, as highway authority, will ensure that the environmental impact of new transport schemes or improvements is minimised. Improvements to the highway network will need to take account of the broader environmental implications, as well as the transport benefits of any scheme.

Environmental Impact of Transport Schemes

Policy LD4 **The County Council will seek to ensure that the environmental impact of any transport scheme is kept to the practical minimum by comprehensive planning.**

4.16 Steps to be taken in seeking to minimise the potential environmental impact of transport improvements will include careful alignment, design and use of materials, together with comprehensive landscaping and forms of lighting and signage that are as unobtrusive as possible.

APPENDIX 3

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG11 1WR
Telephone: (0734) 786833
Fax: (0734) 778735

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

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

1.4.02 The District Council is particularly concerned to promote a high standard of design in new buildings, and to ensure that new buildings are responsive to their location. This means that new buildings need to be appropriate in terms of their function, siting, scale, form, massing, materials, colour and texture in their relationship with adjoining buildings and sites. Accordingly, new buildings will be expected to make an acceptable and positive contribution to the built environment. In addition, developments that incorporate public access should accommodate sculptures or other works of art to provide visual interest, where this is considered appropriate by the local planning authority. For particularly sensitive areas, design briefs will be prepared to provide a framework for design to guide prospective developers.

1.4.03 In the case of schemes involving more than one building, regard will be paid to the impact of the development over a wider area, involving an assessment of criteria additional to those referred to in paragraph 1.4.02 above. Accordingly, schemes should relate to the "grain" of the area, and take account of their effect on the skyline, pedestrian and vehicular movements in the area, vistas, safety and environmental constraints. Where large sites exist which would significantly affect the urban fabric urban design briefs/appraisals will be prepared/required to establish the wider context within which applications will be considered.

❖ *SBE1 DESIGN OF NEW DEVELOPMENT*

NEW DEVELOPMENT SHALL BE OF A HIGH STANDARD OF DESIGN APPROPRIATE TO THE CHARACTER OF THE AREA IN WHICH IT IS TO BE SITUATED. IT SHOULD:

(A) MAKE A POSITIVE CONTRIBUTION TO ITS SETTING AND THE CHARACTER OF THE AREA,

(B) CONTRIBUTE TO THE CREATION OF A SAFE AND ATTRACTIVE ENVIRONMENT IN WHICH TO LIVE AND WORK,

(C) RETAIN IMPORTANT NATURAL, MAN-MADE OR LANDSCAPE FEATURES OF THE SITE COMPATIBLE WITH GOOD DESIGN.

❖ *SBE2 INAPPROPRIATE DESIGN*

PROPOSALS FOR DEVELOPMENT THAT IS INAPPROPRIATE IN TERMS OF ITS RELATIONSHIP WITH ADJOINING SITES AND BUILDINGS, OR WHICH WOULD ADVERSELY AFFECT THE CHARACTER OF AN AREA, BY

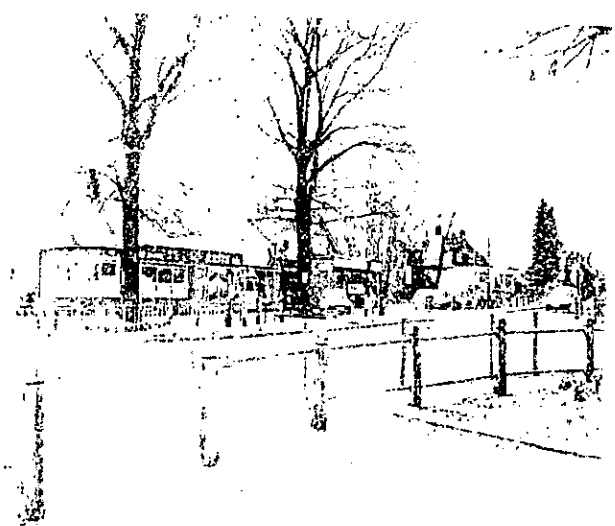
VIRTUE OF ITS SITING, SCALE, FORM, MASSING, MATERIALS. COLOUR OR TEXTURE, WILL NOT NORMALLY BE PERMITTED.

ENVIRONMENTAL IMPROVEMENT

1.4.04

1.4.05

1.4.06



SBE3 REFURBISHMENT AND REDEVELOPMENT

ENCOURAGEMENT WILL BE GIVEN TO THE REFURBISHMENT OR PARTIAL REDEVELOPMENT OF AREAS OR INDIVIDUAL SCHEMES WHERE A SIGNIFICANT ENVIRONMENTAL ENHANCEMENT WILL RESULT TO THE BENEFIT OF THE COMMUNITY.

SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

ENVIRONMENTAL ENHANCEMENT SCHEMES WILL BE ENCOURAGED WITHIN THE PLAN AREA AS OPPORTUNITIES ARISE AND WILL INCLUDE THE AREAS AS SHOWN ON THE PROPOSALS MAP AND AS SET OUT IN PART TWO OF THE PLAN.

SUNLIGHT, DAYLIGHT AND NOISE

1.4.07

SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

APPENDIX 4

A0

WOKINGHAM
DISTRICT COUNCIL

WOKINGHAM DISTRICT LOCAL PLAN

ADOPTED PLAN

11th March 2004

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.

1.13 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.

1.14 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.

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

1.16 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.

1.17 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."

1.18 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

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

1.19 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 TO HAVE REGARD TO EXISTING LEVELS OF INFRASTRUCTURE, SERVICES AND AMENITIES.

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

APPENDIX 5

CONDITIONS FOR APPEAL IF ALLOWED

1. a) Approval of the details of the design (including floorspace, height, massing, internal planning and refuse storage and disposal facilities) and external appearance of the building and the landscaping treatment of the site)(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

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

Reason: a) No such details have been submitted.
b) & c) In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

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

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

4. Prior to the commencement of development, details of the slab levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The constructed development shall not vary from the approved levels.
Reason: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape.

5. The height and massing of the building hereby approved shall not exceed that shown on the illustrative street scene elevation received on 17.10.03.
Reason: To provide a satisfactory appearance in the street scene.

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

so shown or in such a position as to preclude vehicular access to the reserved spaces.
Reason: To ensure a satisfactory form of development and to avoid adverse impact on the public highway in the interests of highway safety.

7. No restrictions shall be made at any time on the use of the car parking spaces shown on the approved plan(s) by occupiers of, or visitors to, any of the buildings hereby permitted.
Reason: To reduce the likelihood of roadside parking, and to maintain the Local Planning Authority's car parking standards in the interests of highway safety and amenity.

8. No building shall be occupied until secure, covered cycle storage has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority
Reason: In order to ensure bicycle parking facilities are provided and encourage use of sustainable modes of travel.

9. None of the flats hereby approved shall be occupied until visibility splays of 2 metres by 2 metres have been provided at the intersection of the driveway and the adjacent footway. (Dimensions to be measured along the edge of the drive and the back of the footway from their point of intersection). The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres.
Reason: In the interests of highway safety and convenience.

10. Prior to commencing work on site, provision shall be made to accommodate all site operatives' visitors and construction vehicles loading, off-loading, parking and turning within the site during the construction period, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The provision should be maintained and used at all times.
Reason: To prevent queuing and parking off site, in the interests of highway safety and convenience.

11. No building shall be occupied until the access has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and convenience.

12. None of the flats shall be occupied until space has been provided within the curtilage for vehicles to turn so that they may enter and leave the site in a forward gear and this space shall thereafter be maintained at all times for this purpose.
Reason: In the interests of highway safety and convenience.

13. Any gates provided shall be set back a distance of at least 5 metres from the highway boundary and shall not open towards the highway.
Reason: To ensure that vehicles can be driven off the highway before the gates are opened, in the interests of road safety.

14. None of the flats hereby approved shall be occupied until the vehicular access has been surfaced with a bonded material across the entire width of the access for a distance of 7 metres measured from the carriageway edge.

Reason: To avoid spillage of loose material onto the carriageway and in the interests of road safety.

15. No works shall start on site until an Arboricultural method statement has been submitted to and approved by the Local Planning Authority. This Method Statement shall cover all aspects of the development that have the potential, through careless implementation, to harm those existing trees which have been identified for retention, The statement shall include details of the sequence of operations including felling and removal, remedial tree surgery works, location and erection of protective fencing, the siting of and access to and from the site compound, the construction of the driveway and parking areas so that no damage is caused to the trees to be retained.
The Method Statement shall include the retention of a Arboricultural Consultant to monitor and periodically report to the Local Planning Authority, the status of all tree protection measures, including the correct implementation of tree-related Planning Conditions, throughout the course of the development. The development shall then be carried out strictly in accordance with the approved Arboricultural Method Statement.
Reason: To ensure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area.

16. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without the prior consent of the Local Planning Authority. Any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within five years from the completion of the development hereby approved shall be replaced with new trees, shrubs or hedge plants of a similar size and species unless the Local Planning Authority gives written consent to any variation.
Reason: To ensure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area.

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

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

19. The siting hereby approved includes position of the rear elevations of the first and

second floors of the building hereby approved as shown on site plan No. 30751/05/C.
Reason: To safeguard the residential amenities of the occupiers of neighbouring properties.

Informative

1. If bats or signs of bats are encountered at any point during the demolition of the existing buildings then all works must stop immediately and the local English Nature office informed. This is to ensure the survival of a legally protected species.

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

The Planning Inspectorate

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

For official use only
Date Received

APPEAL REF: APP/X0360/A/04/1146671 GRID REF:

APPEAL BY: Mr Bradley & Mr Beswetherick

SITE: 44 Reclamy Rd WOKINGHAM POSTCODE RG10 1DN

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? ☐ 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.: 0118 9746448

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 ☑ NO Sch1 ☐ 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;	5	
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;***	2	
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.

22/04/04

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;	22	
ii) the planning officer's report to committee; + Members update	1	
iii) any relevant committee minute.	1	

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 22/03/04 OUK Ref: 0/2003/3188

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

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Development Control Ref No:	Received	Parish	Ward	Listed by
F/2003/8188	13.12.03	Wokingham	Norreys	Cllr. Robertson

Applicant Mr. A Bradley and Mr. M Beswethick
Location 44 Rectory Road, Wokingham
Proposal Outline application for the proposed erection of 6 flats with parking. Demolition of existing dwelling.

FOR CONSIDERATION BY Development Control Committee
REPORT PREPARED BY Corporate Head of Planning

SUMMARY

The application is in outline with means of access and siting to be determined. Revised illustrative floor plans and a street scene showing 6 x 2 bedroom flats have also been submitted. These show 3 flats on the ground floor, 2 on the first floor and 1 on the second floor. The illustrative street scene elevation shows the proposed building would be 8.5m. high at the western end and 7.2m. high at the eastern end. The revised layout plan shows 7 car parking spaces and bin and cycle stores. A tree survey has also been submitted. Original plans were for 8 flats in a building illustrated to be up to 10.4m. high.

The application has been listed by Councillor Robertson due to concerns regarding highway problems, parking and overdevelopment of the site. These concerns remain despite submission of revised plans.

RECOMMENDATION

That PLANNING PERMISSION BE APPROVED subject to the following conditions:

1. a) Approval of the details of the design (including floorspace, height, massing, internal planning and refuse storage and disposal facilities) and external appearance of the building and the landscaping treatment of the site)(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

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

   Reason: a) No such details have been submitted.
   b) & c) In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

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

3. The development shall not commence until details of all boundary treatment(s) h been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The approved scheme shall be maintained in perpetuity.
Reason: To safeguard the visual amenities of neighbouring properties and the locality.

4. Prior to the commencement of development, details of the slab levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The constructed development shall not vary from the approved levels.
Reason: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape.

5. The height and massing of the building hereby approved shall not exceed that shown on the illustrative street scene elevation received on 17.10.03.
Reason: To provide a satisfactory appearance in the street scene.

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

7. No restrictions shall be made at any time on the use of the car parking spaces shown on the approved plan(s) by occupiers of, or visitors to, any of the buildings hereby permitted.
Reason: To reduce the likelihood of roadside parking, and to maintain the Local Planning Authority's car parking standards in the interests of highway safety and amenity.

8. No building shall be occupied until secure, covered cycle storage has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority
Reason: In order to ensure bicycle parking facilities are provided and encourage use of sustainable modes of travel.

9. None of the flats hereby approved shall be occupied until visibility splays of 2 metres by 2 metres have been provided at the intersection of the driveway and the adjacent footway. (Dimensions to be measured along the edge of the drive and the back of the footway from their point of intersection). The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres.
Reason: In the interests of highway safety and convenience.

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

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

11. No building shall be occupied until the access has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and convenience.

12. None of the flats shall be occupied until space has been provided within the curtilage for vehicles to turn so that they may enter and leave the site in a forward gear and this space shall thereafter be maintained at all times for this purpose.
Reason: In the interests of highway safety and convenience.

13. Any gates provided shall be set back a distance of at least 5 metres from the highway boundary and shall not open towards the highway.
Reason: To ensure that vehicles can be driven off the highway before the gates are opened, in the interests of road safety.

14. None of the flats hereby approved shall be occupied until the vehicular access has been surfaced with a bonded material across the entire width of the access for a distance of 7 metres measured from the carriageway edge.
Reason: To avoid spillage of loose material onto the carriageway and in the interests of road safety.

15. No works shall start on site until an Arboricultural method statement has been submitted to and approved by the Local Planning Authority. This Method Statement shall cover all aspects of the development that have the potential, through careless implementation, to harm those existing trees which have been identified for retention, The statement shall include details of the sequence of operations including felling and removal, remedial tree surgery works, location and erection of protective fencing, the siting of and access to and from the site compound, the construction of the driveway and parking areas so that no damage is caused to the trees to be retained.
The Method Statement shall include the retention of a Arboricultural Consultant to monitor and periodically report to the Local Planning Authority, the status of all tree protection measures, including the correct implementation of tree-related Planning Conditions, throughout the course of the development. The development shall then be carried out strictly in accordance with the approved Arboricultural Method Statement.
Reason: To ensure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area.

16. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without the prior consent of the Local Planning Authority. Any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within five years from the completion of the development hereby approved shall be replaced with new trees, shrubs or hedge plants of a similar size and species unless the Local Planning Authority gives written consent to any variation.
Reason: To ensure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area.

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

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

Informatives

1. The development accords with the policies contained within the adopted / emerging development plans and there are no material considerations which warrant a different decision being taken.

2. You are advised, in compliance with the Town and Country Planning (General Development Procedure)(England)(Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:
Berkshire Structure Plan Policies: LD3, LD5, EN1, EN3 and H5.
Loddon Area Local Plan Policies: LH1, LBE1, LBE2, LBE9, LT5, LT6, LPS2 and LPS3.
Wokingham District Local Plan (as modified) Policies: WOS2, WOS3, WBE1, WBE11, WH1A, WH3A, WH6, WH6A, WT6, WT7 and WIC16.

3. This approval pertains to plan no. 30751/05/C received by the Council on 08.12.0 and street scene elevation received on 17.10.03.

4. The Head of Engineering Services at the Council Offices, Shute End, Wokingham should be contacted for the approval of the access construction details before any work is carried out within the highway. This planning permission does NOT authorise the construction of such an access.

5. If bats or signs of bats are encountered at any point during the demolition of the existing buildings then all works must stop immediately and the local English Nature office informed. This is to ensure the survival of a legally protected species.

Held by Planning Reception	**Dept** Development Control
Telephone No 0118 974 6428/6429	**Email** development.control@wokingham.gov.uk
Date 23 December 2003	**Author** Angela Odell

NB All reports seek to identify environmental, community safety, customer care and equal opportunities implications. Consultation with residents and organisations which has or is about to take place, will also be reported.

BACKGROUND

The existing house on this 0.13 ha. site is estimated to be about 8.4m. high at its western end and 7.2m. high at its eastern end. There are large trees along the front of the site and also some conifers along the side boundaries at the rear of the house.

CONSULTATION

Wokingham Town Council - Object to original and revised plans (comments attached) Main points are concerned about increase in traffic near junction, 3 storey development is out of character and cramped development.

13 Letters of Objection received from 9 addresses - to original and additional plans.

- Proposed 3 storey building would be too high, overbearing and out of character.
- Loss of individual houses. The character of Wokingham will be lost if continue to demolish houses and erect flats.
- Overlooking of adjacent properties. Also loss of light and sunlight to adjacent properties and overshadowing.
- Noise and disturbance from proposed flats.
- Density would be 61.5 dwellings per ha. which is significantly higher than the maximum of 50.
- Parking spaces inadequate for 8 flats unless one bedroom. Also need spaces for visitors, delivery vans etc. as little parking in the vicinity. Wokingham has a high rate of car ownership.
- Detrimental to highway safety – site close to busy road junction where there have been accidents. Extra traffic generated will add to traffic congestion, pollution and noise. Cars speed above the speed limit here. Difficult for traffic from site to cross lanes.
- Must protect and retain trees and shrubs.
- Potential security problems to houses in Barkhart Drive.
- Devaluation of existing properties.

4 letters of objection to revised plans – revised plans do not overcome the above objections.

Access and Movement – No objection to revised plans subject to conditions. The scheme is for 6 x 2 bedroom flats for which the maximum car parking provision would be 9 spaces and 7 spaces are proposed. Given the site's location close to the town centre this is considered acceptable. Government advice in PPG13 encourages a reduction in car parking provision in locations that are well served by alternative modes of travel and advises that Local Planning Authorities should not normally require more car parking than the developer considers necessary. The access to the site is existing onto a one-way street. Visibility in the direction of on-coming traffic is good and on site turning is secured by condition so that vehicles can enter and leave in a forward gear. The increase in traffic generated by 6 flats compared with the existing house is likely to be less than 5 vehicles per house in peak hours, and on this basis the Access and Movement Officer considers the access arrangements are acceptable.

Environmental Health Officer - No objection and recommends standard hours of construction condition.

Tree Officer – No objection to revised plans subject to tree protection and landscaping conditions.

Council's Ecologist - Advises a bat survey should be submitted before any permission is granted.

Thames Water – No objection.

APPRAISAL

Principle of proposal

1. As the site is within an existing Category A settlement, the proposal is acceptable in principle. The density would be 46 dwellings per ha. which would comply with Policy WH3A as it would be within the required 30-50 dwellings per ha. range and is therefore considered acceptable. The proposal is for 5 x 2 bedroom and 1 x 3 bedroom flats, which would be considered favourably under Policy WH6 as most of the proposed dwellings would be in the smaller size category.

Impact on the character and appearance of the area.

2. The character of the area around the appeal site is of individual houses, but there are some quite large blocks of flats in the vicinity. The site plan shows that the proposed building would be up to a maximum of 22m. wide with gaps of 2.6m. to each of the side boundaries, resulting in gaps of 7.8m. at the west side to the two-storey front part of No. 42 and of 5.4m. to No. 12 Barkhart Gardens. The illustrative street scene elevation shows that the proposed building would be about the same height as the existing. As the site is already significantly wider than the sites adjacent and nearby on this side of Rectory Road, and there are large trees along the frontage which are shown to be retained, it is considered that the impact of the proposed building on the street scene would be acceptable.

Impact upon the residential amenity of the neighbouring dwellings.

3. *No. 42 Rectory Road:* The building would be set back from the front of No. 42 by about 1m. for the part nearest to No. 42 which also has its garage this side. The proposed building would be a minimum of 5.8m. from the side of the house at No. 42 and would also be angled away at the front and the illustrative front elevation shows it would have a sloping roof this side. It is considered that it would have an acceptable effect on the outlook from, and light to, the front of No. 42. The revised illustrative floor plans show that in the west side there would only be a side, secondary window lounge window and en-suite window on the first floor and bathroom window on the second floor. The en-suite and bathroom windows could be obscure glazed and the secondary living room could be high level. Bedroom windows are proposed in the first and second floor rear elevation. As there are also tall conifers along most of the side boundary behind Nos. 42 and 44, it is considered that this would avoid any unacceptable overlooking.

4. *No. 12 Barkhart Gardens:* This house faces north-westwards with its rear garden and elevation facing Rectory Road. Although the rear of the proposed building projects beyond the front of No. 12, it would be angled away and at a sufficient distance to avoid unacceptable loss of outlook or light. Oblique overlooking of the rear garden of No. 12 would occur from the first floor front windows of the proposed building. However, due to the distance of 2.6m. of the proposed building to the side boundary and the angle, this is considered acceptable. The revised illustrative floor plans show that in the east side there would only be a side, secondary window lounge window and en-suite window on the first floor. The en-suite window could be obscure glazed and the secondary living room could be high level. Proposed car parking spaces would be near to the boundary of the rear garden of No. 12. Whilst this could cause some disturbance, it is considered acceptable in the context of the significant volume of traffic that travels along Rectory Road and round into Wiltshire Road.

5. *Nos. 14-16 Barkhart Gardens:* There are some existing conifers about 4m. high within the boundary of No. 44 and a 1.8m high wall. The illustrative floor plans show

that the bedroom 1 window in the rear elevation of the eastern flat on the first floor would be about 17m. from the rear elevation of No. 14 Barkhart Gardens, but at an acute angle of about 35 degrees, and that the rear first and second floor windows of the flats at the western end of the proposed building would be about 21m. away and also at an angle of about 35 degrees. These windows would be further away from Nos. 15 and 16 but at a less acute angle. It is considered that these distances and angles would not result in an unacceptable degree of overlooking.
6. It is therefore considered that the proposal would have an acceptable effect on neighbouring properties.

Access and movement
7. The proposed access would be the existing access and it is considered that the additional traffic using the access would be acceptable. Seven parking spaces are proposed, which is considered sufficient for the site's location close to the town centre.

Flooding Issues.
8. The site is not located within the Environment Agency's Indicative Flood Plain Plan, which highlights areas that are liable to flooding.

Bats.

9. It is considered that the possibility of bats being present in the existing dwelling to be demolished can be dealt with by an informative.

Concerns of Residents and Wokingham Town Council.
10. These have been noted and addressed above. Regarding security problems, it is considered that the proposed development would not cause a significant increase in security risks compared with the existing situation. Potential devaluation of existing properties cannot be taken into account as it is not a material planning consideration.

CONCLUSION
It is considered that the proposal is acceptable in principle and would have an acceptable impact on the character and appearance of the area, on trees, on neighbouring properties and on access and parking.

MEMBERS' UPDATE

Development Control Committee – 7 January 2004

Site Address: Training College, Meteorogical Office, Shinfield Park, Shinfield Road, Shinfield
Application No: O/2003/5053, Pages 70-88.

Please see attached comments from Earley Town Council.

Site Address: Land Rear of 143-153 Barkham Road, Wokingham
Application No: F/2003/9321, Pages 89-107.

Consultation:

Four further letters and a petition has been received from 102 people objecting to the proposed development, as well as one further letter relating solely to highway issues. Most of the reasons for objection have already been included and addressed within the report. Additional highway safety/parking concerns have been raised and these will be addressed by the Highways Officer at the Committee meeting.

A further condition should be added to any approval given:

No building shall be occupied until secure and covered space for parking bicycles has been provided in accordance with plans to be submitted and approved in writing by the Local Authority. Reason: In order to ensure bicycle parking facilities are provided and to encourage use of sustainable modes of travel.

Site Address: 25 & 26 Bramshill Close, Arborfield
Application No: O/2003/0486, Pages 108-124.

Two further letters of objection have been received. Reasons for objection have already been addressed within the report.

Highways Issues
The scheme shows an access to three car parking spaces off Baird Road. Baird Road is currently being upgraded for adoption as a public highway and will be a distributor road servicing this area. As such, direct access onto Baird Road should be avoided. A further reason for refusal is therefore required:

The proposals seek to create a new vehicle access directly onto Baird Road which is being upgraded to form a distributor road. As such the proposals are in conflict with the Berkshire Design Guide and are therefore contrary to policy WT2 of the Further Modified Wokingham District Plan.

The recommendation has been amended to state:

Delegate the application to the Development Control Manager for REFUSAL subject to no further issues being raised within the outstanding consultation period, for the following reasons:

Site Address : Glebelands House, Glebelands Road, Wokingham

Application No: F/2003/9896 & LB/2003/9897 , Pages 125 – 145.

It is recommended that the both applications be deferred on the basis of further information having been recently received from Social Services regarding the financial implications of the scheme.

Site Address: Land at the Manor, Church Lane, Shinfield

Application No: O/2003/8535 & O/2003/8536, Pages 146-177.

Additional Condition as follows:

No building shall be occupied until the access from The Manor has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Site Address: 44 Rectory Road, Wokingham

Application No: O/2002/8188, Pages 187-199.

Corrections to report

1. Page 187 of the agenda - change 'F/2003/8188' to "O/2003/8188" at top of report.
2. Page 191 of agenda – Comments of Access and Movement Officer, should read "5 vehicles per hour" not '5 vehicles per house'.

2 additional letters of objection have been received. Points as already covered in the agenda report. Main points are inadequate parking, highway safety problems, density still too high, overlooking and noise and disturbance during construction.

Site Address: St Crispin's Sports Centre, London Road, Wokingham.

Application No: F/2001/4707, Pages 252 - 259.

The following informative should be added to the recommendation on page 252:

3. The development accords with the policies contained within the adopted/emerging development plan and there are no material considerations which warrant a different decision being taken.

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON WEDNESDAY 28 JANUARY 2004 FROM 7.00PM TO 11.00PM

Mr A Ross, (Chairman), Mrs A Drake, (Vice-Chairman), Mr M Bryant, UllaKarin Clark, Mr S Conway, Mr R Eke, Mr D Hare, Mrs J Lissaman, Mr K Malvern, Mrs M Robertson, and Rob Stanton

Also Present: David Ball, Mrs P Bray, Frank Browne and Mrs E Siggery

MEMBERS' UPDATE

There are a number of references to the Members' Update within these Minutes. The Members' Update was circulated to all present prior to the meeting. It is available to view on the Council's website, www.wokingham.gov.uk

PART I

249 MINUTES

The Minutes of the meeting of the Committee held on 7 January 2004 were confirmed as a correct record and signed by the Chairman, subject to an addition to Minute 244.

250 APOLOGIES

An Apology for absence was submitted from Carol Jewell.

251 APPLICATIONS TO BE DEFERRED, AND WITHDRAWN ITEMS

The Development Control Manager advised that the following applications had been withdrawn:

F/2003/0172 – Greenfields Farm, Edneys Hill, Wokingham
F/2003/9618 – Pikes Farm, Forest Road, Hurst

SCHEDULE OF APPLICATIONS (AGENDA ITEM 6.00)

252 APPLICATION O/2003/0586 EXTENSION TO FACTORY BUILDINGS, RESIDENTIAL DEVELOPMENT OF FOURTEEN DWELLINGS AND ANCILLARY DEVELOPMENT AT WINKWORTH MACHINERY LTD, WILLOW TREE WORKS, SWALLOWFIELD STREET, SWALLOWFIELD FOR WINKWORTH MACHINERY LTD

The Committee considered a report on this application set out on Agenda pages 133-152.

Members were advised that contributions were required of £4,600 for the improvement of local play facilities and £5,400 for local community/teenage facilities.

Mr M Bowker, representing Swallowfield Parish Council, spoke in support of the application.

Mr Done, a local resident, spoke objecting to the application.

Mr J Winkworth, the applicant, spoke in support of the application.

Notwithstanding the Development Control Manager's recommendation that planning permission be refused, the Committee took the view that a site visit was necessary to enable Members to assess the extent to which the proposals

breached the settlement boundary in contravention of Council Policy.

RESOLVED: That Application O/2003/0586 be deferred for a site visit to enable Members to assess the extent to which the proposals breached the settlement boundary in contravention of Council Policy.

253 APPLICATION O/2003/0102 ERECTION OF FIVE DETACHED DWELLINGS ON LAND REAR OF 2-6 BARBER CLOSE, HURST FOR MARTIN GRANT HOMES LTD

The Committee considered a report on this application set out on Agenda pages 207-220.

Members were advised that the contribution required in lieu of the one affordable housing unit on the site was £86,306.

Mr P Martin, representing Hurst Parish Council, spoke objecting to the application.

Mr Ive, a local resident, spoke objecting to the application.

Notwithstanding the Development Control Manager's recommendation that planning permission be approved, the Committee took the view that a site visit was necessary to enable Members to assess the means of access to the proposed development, particularly its relationship to the property at 3 Barber Close.

The view was expressed that provision should be made for an affordable housing unit to be provided on site.

RESOLVED That Application O/2003/0102 be deferred for a site visit to enable Members to assess the means of access to the proposed development, particularly its relationship to the property at 3 Barber Close.

254 APPLICATION O/2003/8188 DEMOLITION OF EXISTING DWELLING AND ERECTION OF SIX FLATS WITH PARKING AT 44 RECTORY ROAD, WOKINGHAM FOR MR BRADLEY AND MR BESWETHICK

The Committee considered a report on this application set out on Agenda pages 8-25.

The Development Control Manager drew Members' attention to corrections to the report, additional consultations received, and to an additional recommended condition (set out on Agenda page 8). Details of these amendments and additions were set out in the Members' Update.

Mr J Cooper, a local resident, spoke objecting to the application.

Mrs J Williams, agent for the applicant, spoke in support of the application. Mrs Williams advised that, in addition to representing the applicant, she was engaged by the Council as a consultant within the Development Control section. She advised that she would address the Committee only in her capacity as agent for the applicant, and assured the Committee that she had had no undue influence in the processing of the application.

Notwithstanding the Development Control Manager's recommendation that planning permission be granted, the Committee took the view that the proposed development would have an unacceptable impact upon the amenity of the occupiers of numbers 12 and 14 Barkhart Drive, in particular by virtue of the different levels identified on site. In addition, the proposed parking area was considered to have a detrimental impact on the amenity of the property at the 12 Barkhart Drive. Members resolved to

refuse planning permission for these reasons.

RESOLVED That Application O/2003/8188 be refused on the grounds that the proposed development would have an unacceptable impact upon the amenity of the occupiers of numbers 12 and 14 Barkhart Drive, by virtue of the different levels identified on site, and that the proposed parking area would have a detrimental impact on the amenity of the property at 12 Barkhart Drive (the detailed wording to be provided by the Development Control Manager).

255 APPLICATION F/2003/9641 ERECTION OF TWO DWELLINGS AT 120 LONDON ROAD, RUSCOMBE FOR MICHAEL SHANLY HOMES

The Committee considered a report on this application set out on Agenda pages 26-38.

Mr J Hardman, a local resident, spoke objecting to the application.

Mr N Davis, representing the applicant, spoke in support of the application.

Notwithstanding the Development Control Manager's recommendation that planning permission be granted, the Committee took the view that the proposed two-storey detached dwellings would have a detrimental impact on the character and appearance of the area due to their location adjacent to existing bungalows and the lack of screening. Members resolved to refuse planning permission for this reason.

RESOLVED That Application F/2003/9641 be refused on the grounds that the proposed two-storey detached dwellings would have a detrimental impact on the character and appearance of the area due to their location adjacent to existing bungalows and the lack of screening (the detailed wording to be provided by the Development Control Manager).

256 APPLICATION F/2003/0310 ERECTION OF DETACHED GARAGE (RETROSPECTIVE) AT 54 HIGH STREET, WARGRAVE FOR MR AND MRS HIGH

The Committee considered a report on this application set out on Agenda pages 39-50.

Mr G Murphy, a local resident, spoke objecting to the application.

Frank Browne addressed the Committee as a Local Ward Member objecting to the application.

RESOLVED That Application F/2003/0310 be approved subject to the Conditions set out on Agenda page 41.

257 APPLICATION F/2003/0410 REBUILDING OF PART OF DWELLING DUE TO FLOOD DAMAGE AT THAMES POINT, WILLOW LANE, WARGRAVE FOR MR AND MRS P DANIELS C/O BUTTERY AND WATSON

The Committee considered a report on this Application set out on Agenda pages 279-293.

Mr A Watson, agent for the applicant, spoke in support of the application.

Frank Browne addressed the Committee as a Local Ward Member in support of the application.

Notwithstanding the Development Control Manager's recommendation that the application be refused on the grounds that the proposals were contrary to the Council's Green Belt policies, the Committee took the view that the particular circumstances of the case justified a different decision being taken. In particular, the development would have

WOKINGHAM DISTRICT COUNCIL

ENVIRONMENTAL SERVICES DEPARTMENT
ENGINEERING SERVICES

MEMORANDUM

FROM: Adam Coggins

MY REF: AC/8188

YOUR REF:

TO: Angela Odell - Planning

DATE: 27/11/03

PLANNING APPLICATION NO. F/2002/8188
OUTLINE APPLICATION FOR THE PROPOSED ERECTION OF 8 FLATS WITH PARKING & DEMOLITION OF EXISTING DWELLING.
44 RECTORY ROAD, WOKINGHAM

Angela,

Following receipt of a revised plan the highway authority recommend approval with the following conditions:

1. C120, R120
2. C123, R123
3. No building shall be occupied until secure, covered cycle storage has been provided in accordance with details to be submitted and approved in writing by the LPA. R124.
4. Notwithstanding the plans submitted; C128 (AMEND: 2m x 2m), R128
5. C129, R129
6. C133, R133
7. C137 (INSERT: flats), R137
8. C139 (INSERT: 5m), R139
9. C140 (INSERT: 7m), R140

INFORMATIVE: N07

Regards,

Adam Coggins
Engineering Technician (Highway Development Control)

Angela Odell

From: Peter Bourne
Sent: 18 December 2003 09:20
To: Angela Odell
Subject: F/2002/8188 Committee Report for 7th January 2004

I note you have asked me to expand on the "Access & Movement" section. I would suggest the following

Although the scheme is in outline, illustrative plans suggest a development of 6 no 2-bedroom flats. The maximum parking provision permitted in accordance with the Council's adopted parking standards would be 9 car spaces. Seven have been provided. given the site's location close to the town centre this is considered acceptable. Government Advice set out in PPG3 and PPG13 encourages a reduction in car parking provision in locations that are well served by alternative modes of travel and say that Planning Authorities should not normally require more car parking than the developer considers necessary.

The access to the site is existing onto a one-way street. Visibility in the direction of on-coming traffic is good and on site turning is secured by condition so that vehicles can enter and leave in a forward gear. The increase in traffic generated by 6 flats compared with the existing dwelling house is likely to be less than 5 vehicles per hour in peak hours, and no this basis the A&MO considers the access arrangements acceptable

Date: 26 September 2003

To: Adam Coggins - Highways

We have received Revised Plans for the following planning application:

Application Number: O/2002/8188

Location: 44, Rectory Road, Wokingham.

Proposal: Outline application for the proposed erection of 6 flats with parking. Demolition of existing dwelling.

Applicant: Mr A Bradley And Mr M Beswetherick C/O Martin & Pole.

Case Officer: Angela Odell

The new plans show the following: Reduction from 8 to 6 flats and alterations to siting and design of proposed buildings. Drawings: Site layout plan and indicative floor plans.

Comments are required by 17/10/2003.

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

The layout has now changed - please provide a TRACK plot to show that a large delivery vehicle can turn within the site.

AC.

2/10/03.

PLANNING SERVICES	HPT 64950
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15 JAN 2003	
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Our Ref. **16080**
Your Ref. O/2002/8188
Date. 14 January 2003

FAO Angela Odell
Wokingham District Council
DX33506
WOKINGHAM

This matter is being dealt with by -
HPINDER

Dear Sir / Madam

TOWN AND COUNTRY PLANNING ACT 1990
Residential Development (1-20)

44 Rectory Road
Wokingham

I refer to your consultation received in this office on 23/12/2002

SEWERAGE

Thames Water Utilities Ltd., has no objection to the above planning application.

WATER

With regard to water supply, Thames Water Utilities Ltd., are unaffected by this development, and therefore have no comments to make.

Yours faithfully,

Admin
(For Technical Information Manager

HIGHWAYS CONSULTATION SHEET

From: Angela Odell **Date:** 23 December 2002

Application Number: O/2002/8188

Proposal: Outline application for the proposed erection of 8 flats with parking. Demolition of existing dwelling.

Parish: WOKINGHAM TOWN

Site Address:
44, Rectory Road, Wokingham, .

Applicant:
Mr A Bradley And Mr M Beswetherick C/O Martin & Pole.

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:** _____

Comment.

Request revised plan demonstrating turning for service/delivery vehicles, secure/covered cycle parking for 4 no. cycles.

The applicant should be made aware that contributions will be sought towards local traffic management schemes and sustainable transport initiatives.

Signed: _____ **Print name:** AE 9/1/03

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14 OCT 2003
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WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Angela Odell

Application Number: O/2003/8188

Proposal: Outline application for the proposed erection of 6 flats with parking. Demolition of existing dwelling

Site Address: 44 Rectory Road , Wokingham

Applicant: Mr A Bradley & Mr M Beswetherick C/O Martin & Pole

Your observations are required in respect of this application **by 17/10/03**

Revised Plans to reduce from 8 flats to 6 with alterations to siting and design

At its meeting on 7 October 2003, the Planning & Transportation Committee resolved to make the following observation:

Reiterate the original objection and object on the further following grounds:

- **the three storey element is out of character with the area**
- **cramped development**

SIGNED: _____ **DATE:** 13/10/03

CLERK TO Wokingham Town Council

Angela Odell

From: Andy Glencross
Sent: 03 January 2003 14:23
To: Angela Odell
Subject: PA O/2002/8188 44 Rectory Rd Wokingham

Hi Angela

All buildings have potential to act as roost sites for bats which are legally protected species. This building is to be demolished and consequently I would advise that the developer submits a survey of the buildings by a trained and licensed bat worker with their application. **This application involves the demolition of one or more buildings to allow for the redevelopment of a larger site then surveys and mitigation strategies cannot be attached as conditions of any planning permission granted.**

Cheers

Andy Glencross
Countryside Officer (Biodiversity)
Wokingham District Council Countryside Service
Dinton Pastures Country Park
Davis Street
Hurst
Berkshire RG10 0TH
Tel: 0118 9342016

To:
Neil Etherington
Senior Arboricultural Officer
Landscape and Trees

From: Angela Odell

Date: 23 December 2002 30 DEC 2002

Application Number: O/2002/8188

Proposal: Outline application for the proposed erection of 8 flats with parking. Demolition of existing dwelling..

Site Address:
44, Rectory Road, Wokingham, .

Applicant:
Mr A Bradley And Mr M Beswetherick C/O Martin & Pole.

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

Please ask the applicants to provide a full tree survey (BS 5837: 1991) and details of how the car parking spaces will be constructed to avoid damaging tree roots.

Neil Etherington

8/1/03

Angela Odell

From: John Mullaney
Sent: 14 January 2003 17:54
To: Angela Odell
Subject: 44 Rectory Road, WOKINGHAM, Berkshire O/2002/8188

I have no objections to the proposal but would recommend standard planning condition C070 regarding hours of construction is attached should planning consent be granted.

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

WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Angela Odell

Application Number: O/2002/8188

Proposal: Outline application for the proposed erection of 8 flats with parking. Demolition of existing dwelling

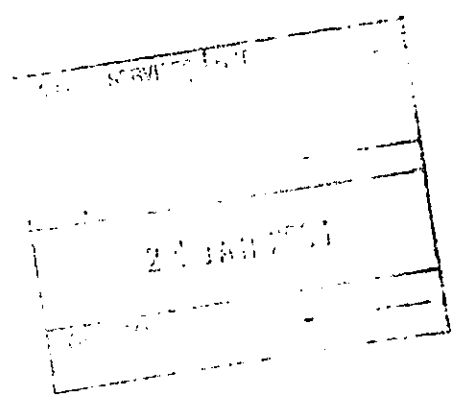
Site Address: 44 Rectory Road, Wokingham

Applicant: Mr A Bradley & Mr M Beswetherick C/O Martin & Pole

Your observations are required in respect of this application **by 16/01/03**

At its meeting on 21 January 2003, the Planning & Transportation Committee resolved to make the following observation:

Concerned about the increased use of the access which is close to the Rectory Road/ Wiltshire Road junction on one of the main routes through the town.



SIGNED: _____ **DATE:** 22/01/03

CLERK TO Wokingham Town Council

27 NOV 2003

Date: 27 November 2003

To: Neil Etherington – Landscape & Trees

We have received Revised Plans for the following planning application:

Application Number: O/2002/8188

Location: 44, Rectory Road, Wokingham.

Proposal: Outline application for the proposed erection of 6 flats with parking. Demolition of existing dwelling.

Applicant: Mr A Bradley And Mr M Beswetherick C/O Martin & Pole.

Case Officer: Angela Odell

The new plans show the following: Front elevation set back and alterations to parking layout. Drawing no: 30751/05/B.

Comments are required by 07/12/2003.

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

The revised parking layout is acceptable in relation to the frontage trees.
If planning permission is granted please impose the attached conditions.
In the near future I propose to include the important trees adjacent to the whole of Rectory Road in a Tree Preservation Order This will include these trees.

Neil Etherington
21/12/03

Arboricultural Method statement and Site Monitoring.

No works shall start on site until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. This Method Statement shall cover all aspects of the development that have the potential, through careless implementation, to harm those existing trees which have been identified for retention. The statement shall include details of the sequence of operations including felling and removal, remedial tree surgery works, location and erection of protective fencing, the siting of and access to and from the site compound, the construction of the road and driveways so that no damage is caused to the trees shown to be retained.

The Method Statement shall include the retention of an Arboricultural Consultant to monitor and periodically report onto the LPA, the status of all tree protection measures, including the correct implementation of tree-related Planning Conditions, throughout the course of the development. The development shall then be carried out strictly in accordance with the approved Arboricultural Method Statement.

Reason

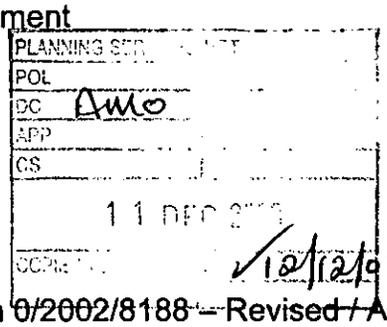
To ensure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area.

0-68

12 Barkhart Drive
Wokingham
Berks RG40 1TW

6th December 2003

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



Objections to application 0/2002/8188 – Revised / Additional Plans

Dear Angela Odell,

I would like to raise the following objections to the proposed development application at 44 Rectory Road Wokingham - application 0/2002/8188 – Revised / Amended Plans

General Points
When we initially purchased our house, which is adjacent to the proposed development, we did so mainly based on it's location. Which is a quiet residential area on all sides with our house being totally secluded - in that no house overlooked us at all, both in windows or garden. This I have to state is still very important to us.

It is now clear from the plans that the planned elevation of the property is two to three storeys and shows that the garage, which is adjacent to our property will be replaced by at least a two storey structure. With the effect that our property will now be overlooked by some 6 upper story windows, where we have none now, along with a loss of light.

I was also greatly concerned by the statement in the Martin & Pole letter of 16th October from Julie Williams, that "There is no guarantee that the development as built will follow the indicated design, however it would be reasonable to control through conditions the eventual height of the finished scheme". So it would seem they are not making any guarantees to the eventual height. My fear is that this will result is us being overlooked and in the shadow of a large block of flats, if this proposal goes ahead, in effect going back to the original design which has been rejected previously.

As such we would not have bought the house if this development was in place originally. Further I believe that the placement of such a large block of flats, will fundamentally change the nature of this mature residential area of Wokingham – which once lost cannot be recreated.

Specific Objections

1. Loss Of Privacy and Light
This development will have the effect of us being directly overlooked on both our front and rear gardens by some six upper storey windows. Something which does not happen now, and drastically changes the nature of our house and living space. Making it much less attractive to us, as it lowers our quality of life.

It can also now be seen from the drawings that not only would we be overshadowed with a loss of privacy, but we would also suffer a loss of light as well to our property. The indicative elevation drawings show that the part of the building closest to us, which is now a single storey garage would be replaced by a structure at least two storeys high, with no guarantee of the eventual height of it.

I must emphasise that the height of this structure is particularly important to us as the actual placement and height of this building is such that we would lose sunshine to both the house and front and back gardens as the sun tracks across the sky.

As such we ask for the proposal to be rejected, as the CMLP directs minimising any adverse impact on adjoining buildings.

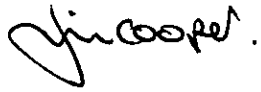
2. Road Safety
In addition to the envisioned extra cars looking for parking in Rectory Road, There is the issue of many cars turning into and out of the entrance onto a very busy and dangerous road junction. This must cause an obvious safety hazard, as in contrast to the Martin & Pole submission visibility at this entrance as the previous occupants stated, is poor when leaving the site.

3. Noise and Disturbance
As the proposal is for the existing single occupancy building to be replaced by one of six sets of occupants, with their associated cars. There must be a considerable increase in the noise and disturbance that we suffer, as our house immediately adjoins the property, by some 5 metres or less.

In Conclusion
Can I ask that the application be rejected, as the CMLP directs minimising any adverse impact on adjoining buildings

Could I ask to be kept informed of developments in this matter

Yours Sincerely.



James Cooper

068

G J JAYNE
10, BARKHART DRIVE
WOKINGHAM
BERKS RG40 1TW

18/10/03

PLANNING SERVICES
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21 OCT 2003
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Dear Sirs

Planning Application 0/2002/8188 - Revised Plans Notification for 44, Rectory Rd, Wokingham

With reference to your letter of 26/09/03, I have now seen the revised plans at your offices. The only concession to be seen based upon my original objections (letter dated 09/01/2003) is that the total number of flats proposed has been reduced from 8 to 6. The following points should be considered.

1. The proposed development now acknowledges that a 3 storey building is required yet no side elevation plans have been submitted in the plans. The letter to you from the developers states that "only the block closest to No 42 could into the roofline to restrain height to a little more than existing". There is no positive commitment to this statement. Moreover, the height of the proposed development remains undisclosed.

2. Since no side elevation plans are included, there is nothing to show to what extent the principal windows will overlook the adjacent properties. There is no commitment to retain the trees on the boundary between No 44 Rectory Road and properties in Barkhart Drive.

3. Parking space remains totally inadequate and is, in fact, worse than the original proposal in this respect. A minimum of 1.5 spaces/flat for 2 bedroomed flats is the accepted limit for such accomodation and 9 spaces rather than the 7 shown should be allocated.

4. The highway safety situation remains unchanged. Due to the close

proximity of the entrance/exit of the proposed development to the busy Rectory Road/Willoshire Road junction, there is a serious risk of increasing accidents at the junction. I again bring to your attention the fact that only one home was allowed to be built at No. 9 Willoshire Road because of the safety hazard.

One again, based upon these and my earlier comments, I urge that the planning application be rejected.

Yours faithfully,

Jayne

CG & D Saunders
9 Barkhart Drive
Wokingham
RG40 1TW

8 January 2003

Environmental Services Department
Planning Services
P O Box 157
Shute End
Wokingham
RG40 1WR

Ref: Angela Odell 0/2002/8188

Dear Sirs,

Planning Application 0/2002/8188, 44 Rectory Road, Wokingham

We refer to your letter of 23 December 2002 received on 31 December regarding the above Planning Application. Your notice specifies 44 Rectory Road whereas the Martin & Pole letter is headed 40 Rectory Road. We assume that this is a mistake by the agents and not an application for those premises as well as No.44.

According to the letter from Martin & Pole, page 2, regarding 42 Rectory Road, there are no windows on the side elevation of that property, whereas there is at least one window on view as can be seen from the photograph enclosed with the plans.

The proposal is for outline planning at present and gives no indication of the height of the new building. However, as the application is for 6/8 flats or 3 maisonettes, it seems evident that the building will extend to 3 floors. As the building line will have to be taken back a considerable way, there will be a detrimental effect to the residential amenity with a view of a high building rather than the trees currently on view. It may be that once outline planning is granted, amendments could be made, possibly extending the building and causing further detrimental effects to the surrounding area.

As far as Highway safety is concerned, the prospect of at least 8 cars entering and exiting what is already a busy and dangerous corner, is of great concern. The speed limit along Rectory Road joining Wiltshire Road is rarely observed and the proposal will greatly increase the danger of accidents at that corner.

We would remind you of a previous planning decision regarding No. 9 Wiltshire Road, which is situated on the junction. The planning department stipulated that only one residence could be erected because of the busy nature of the junction. The Council's survey on pollution stated that this junction was one of the most polluted areas. The additional cars would add considerably to the pollution, noise and disturbance to the existing residents of Barkhart Drive.

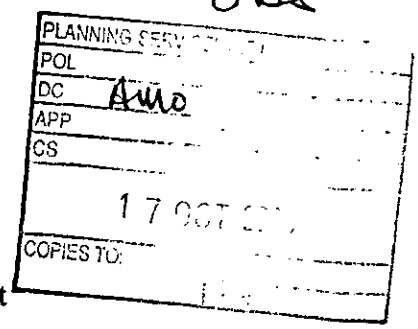
We strongly urge you to reject this application.

Yours faithfully

CG & D Saunders

Copy to Iain Brown, Councillor

Obe



D. J. IRVINE

14 Barkhart Drive
Wokingham
Berks
RG40 1TW
16 October 2003

Environmental Services Department
Planning Services
P.O. Box 157
Wokingham
Berks
RG40 1WR

Your ref. Angela Odell 0/2002/8188

Dear Sirs

PLANNING APPLICATION 0/2002/8188 FOR 44 RECTORY ROAD

I refer to your letter of 26 September 2003 and the amended Plans for the above site (enclosed with Martin and Pole letter to you dated 2 September 2003) and register my objection to the amended proposal.

I note that the proposed number of flats has been reduced to six but this change does not adequately deal with the points raised in my letter and comments of 5 January 2003 for the following reasons: -

1. I believe that the lower limit of the density range proposed by the Consolidated Modified Local Plan (CMPL) should be the target for this site in order to fit with the density of the adjacent housing. It is in order to achieve this blending that the CMPL gives a range of densities. Four flats is the maximum that should be allowed.
2. The car parking is not adequate for the proposed number of flats. Seven spaces are shown whereas the CMPL requires nine (i.e. 6x 1.5 per flat = 9). This makes no provision for visitors while the previous application suggested two extra spaces would be needed for this purpose. I suggest twelve spaces is the minimum, which are a sensible provision in Rectory Road, which has a significant traffic flow and very limited on-street parking.
3. Highway safety is a concern for the above reasons and the siting of the additional turning traffic close to a busy tee junction.
4. Loss of light to 14 Barkhart Drive remains a concern since the three-story element of the block has been moved 3.5 metres further west of the previous line thus causing even more blockage to my daylight than the scheme to which I have already objected.
5. Overshadowing/Overlooking remains a concern for both the reason given in 4 above and that the rear of the building has been rotated in a clockwise direction in plan so that the rear windows have a clearer sight line towards 14 Barkhart Drive.

6. Noise and Disturbance remains a concern since 6 dwellings proposed on this limited site previously occupied by a single dwelling will cause unacceptable additional noise and disturbance close to existing occupiers.

Please keep me informed of the next stage in this matter.

Yours faithfully

D.J.Irvine

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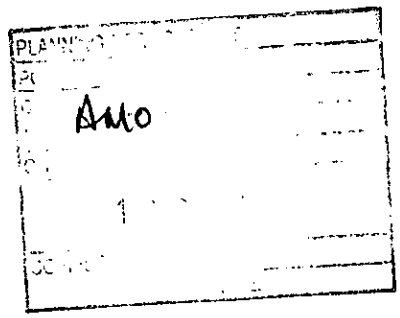

CG & D Saunders
9 Barkhart Drive
Wokingham
RG40 1TW

12 October 2003

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

Ref: Angela Odell

Dear Ms Odell,

Revised Plans Notification
Planning Application 0/2002/8188, 44 Rectory Road, Wokingham

We refer to your letter of 26 September 2003 regarding the above revision. We would reiterate our objection to the application made on 8th January of which a copy is attached. Despite the alteration there will still be a detrimental effect to the residential amenities with a high building rather than the trees currently on view. Again, once outline planning permission is granted, amendments could be made, possibly extending the building and causing further detrimental effects to the surrounding area.

Again, as far as Highway safety is concerned, the prospect of at least another 6 cars entering and exiting what is already a busy and dangerous corner, is of great concern. The speed limit along Rectory Road and Wiltshire Road is rarely observed and the proposal will greatly increase the possibility of accidents at that corner.

We again urge you to reject this application.

Yours faithfully

CG & D Saunders

CG & D Saunders

082

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10 JAN 2003	
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G. J. J. JAYNE
10 BARKHART DRIVE
WOKINGHAM
BERKS RG40 1TW

9/1/2003

Dear Sirs

Planning Application 0/2002/8188. 44 Rectory Road, Wokingham

With reference to your letter of 23/12/2002, we offer the following comments :-

1. The proposal is for 8 flats, the layout of which is undisclosed. Buildings in this part of the town a 2 storey but it appears that a 3 storey building would be necessary to accomodate this number of flats. Such a building would be out of character and would result in both overlooking and seriously restricting light to adjacent properties.

2. The density of building on the site significantly exceeds the recommended maximum of 50 dwellings per hectare for such developments

3. Parking space is inadequate for the proposed 8 flats unless they are one bedroomed flats. Otherwise, the recommended minima are 1.5 spaces/flat for 2 bedroomed units and 2 spaces/flat for 3 bedroomed units. Additional parking space should be allowed for visitors, delivery vans and occasional workmen since there is little additional parking space in the vicinity

4. Highway safety is a matter of serious concern in this proposal. The plot of land in question is adjacent to a busy road junction. Apart from extra pollution and noise that this proposal would entail, an increase in traffic in and out of the plot would result in a significant increase in safety hazard. There have already been several accidents at this junction and the council have recognised this danger by allowing only one residence to be built at No. 9 Wiltshire Road

Based upon the above comments we urge that the proposal be rejected

Yours sincerely,

G J J + A T Jayne

c.c. Iain Brown, Councillor.

PLANNING APPLICATION COMMENTS SHEET
FOR O/2002/8188. (Case Officer:Angela Odell)
PLEASE NOTE THAT **ALL** COMMENTS SUBMITTED ARE OPEN TO PUBLIC VIEW, **THIS INCLUDES THE APPLICANT.**

WOKINGHAM UNITARY
Aiming for Excellence

THINGS WE **CAN** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
DESIGN, APPEARANCE AND LAYOUT.
HIGHWAY SAFETY.
RESIDENTIAL AMENITY (loss of attractive features within the locality; e.g. parks or woodland).
LOSS OF LIGHT.
OVERSHADOWING/OVERLOOKING (loss of privacy).
NOISE, DISTURBANCE, SMELL etc ONCE THE DEVELOPMENT IS IN USE (e.g. from a proposed restaurant, takeaway, public house or industrial unit).

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14 JAN 2003
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THINGS WE **CAN'T** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
PRIVATE PROPERTY ISSUES, FOR EXAMPLE BOUNDARY AND ACCESS DISPUTES.
LOSS OF VIEW OVER OTHER LAND.
EFFECT ON PROPERTY VALUES.
POTENTIAL INCONVENIENCE, NOISE AND DISTURBANCE CAUSED BY CONSTRUCTION WORKS.
MATTERS COVERED BY OTHER LAWS (e.g. alcohol, betting, restaurant, music licensing).
MATTERS SUBJECT TO MARKET COMPETITION (we can't refuse an application on the basis that its approval would harm other commercial activity of a similar nature in the area).
THE SPECULATIVE USE OF A DEVELOPMENT AFTER IT HAS BEEN BUILT.
RADIO OR TELEVISION INTERFERENCE CAUSED BY A DEVELOPMENT.
SUBSIDENCE TO NEIGHBOURING PROPERTIES.

COMMENTS CAN ALSO BE E-MAILED TO US AT: Development.Control@wokingham.gov.uk
(Please remember to include your postal address in any comments made by E-mail)

COMMENTS ON APPLICATION: O/2002/8188

YOUR NAME: MRS JAYNE

YOUR ADDRESS: ***(Please check these details & amend if incorrect)***
10 Barkhart Drive
Wokingham
RG40 ~~1TN~~ 1TW

PLEASE RETURN YOUR COMPLETED FORM TO:

Environmental Services Department,
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR

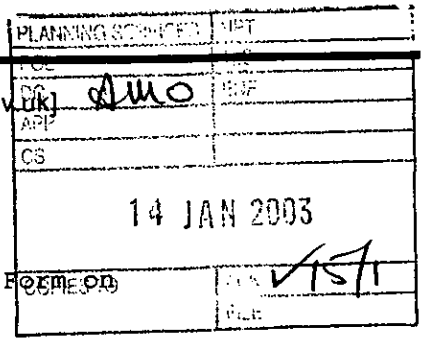
I WISH TO (tick relevant box); OBJECT TO THE APPLICATION ☑
SUPPORT THE APPLICATION ☐ COMMENT ON THE APPLICATION ☑

Comments:
ADDITIONAL TO MR. G.J.J. JAYNES LETTER DATED 9/1/20
The need for an Injuction Order to the ~~Defend~~ Developer of No 44 for the preservation of (the privacy of No:s 12, 11 and 10 Barkhart Drive) the shrubs/trees ~~are~~ present existing both in the front/top side of No. 44's garden and in the land behind Nos. 12 and 11 Barkhart Drive.

Continue over the page if more room required

OB 8

Carol Hurst



From:	Easy Site Administrator [pauline.davis@wokingham.gov.uk]
Sent:	14 January 2003 21:43
To:	development.control@wokingham.gov.uk
Subject:	Feedback Received : Standard Enquiry

PLANNING SERVICES | NPT
FOC | ISS
DC AMO | EUF
APP
CS
14 JAN 2003
COPIES TO | FILE ✓15/1

The following information was sent from the Standard Enquiry Form on 1/14/03 9:42:35 PM

What do you want to do?: Object

Planning application number: 0/2002/8188

Your comments

I believe the congestion on Rectory Rd is such that it would be foolish to add a further 8 dwellings coming directly onto the road and so close to the T junction.
One may well assume eight extra dwellings could incur 16 cars should the dwellings be purchased by couples which is more than likely as they will be too expensive for single people. Also visitors would add to the car load. Rectory Rd is gridlocked in the morning I should know I live on the road and have done for 13 years. The traffic is somewhat overwhelming at the best of times. Please do not add to it in this manner. I think the balance of houses and flats is probably ok at the moment but to shift it towards flats would possibly alter the feel of Wokingham which currently still retains much of its original charm which it is in danger of losing.

Name : Mrs Wendy Butler

Address

Eadtmead
35 Rectory Rd
Wokingham

Postcode : RG40 1DP

Telephone : 07946344615

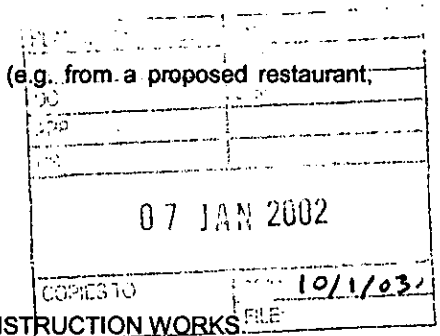
Email Address : butler4ceramix@ntlworld.com

PLANNING APPLICATION COMMENTS SHEET FOR O/2002/8188. (Case Officer:Angela Odell)

PLEASE NOTE THAT **ALL** COMMENTS SUBMITTED ARE OPEN TO PUBLIC VIEW, **THIS INCLUDES THE APPLICANT.**

WOKINGHAM UNITARY
Aiming for Excellence

THINGS WE **CAN** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
DESIGN, APPEARANCE AND LAYOUT.
HIGHWAY SAFETY.
RESIDENTIAL AMENITY (loss of attractive features within the locality; e.g. parks or woodland).
LOSS OF LIGHT.
OVERSHADOWING/OVERLOOKING (loss of privacy).
NOISE, DISTURBANCE, SMELL etc ONCE THE DEVELOPMENT IS IN USE (e.g. from a proposed restaurant; takeaway, public house or industrial unit).



THINGS WE **CAN'T** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
PRIVATE PROPERTY ISSUES, FOR EXAMPLE BOUNDARY AND ACCESS DISPUTES.
LOSS OF VIEW OVER OTHER LAND.
EFFECT ON PROPERTY VALUES.
POTENTIAL INCONVENIENCE, NOISE AND DISTURBANCE CAUSED BY CONSTRUCTION WORKS.
MATTERS COVERED BY OTHER LAWS (e.g. alcohol, betting, restaurant, music licensing).
MATTERS SUBJECT TO MARKET COMPETITION (we can't refuse an application on the basis that its approval would harm other commercial activity of a similar nature in the area).
THE SPECULATIVE USE OF A DEVELOPMENT AFTER IT HAS BEEN BUILT.
RADIO OR TELEVISION INTERFERENCE CAUSED BY A DEVELOPMENT.
SUBSIDENCE TO NEIGHBOURING PROPERTIES.

COMMENTS CAN ALSO BE E-MAILED TO US AT: Development.Control@wokingham.gov.uk
(Please remember to include your postal address in any comments made by E-mail)

COMMENTS ON APPLICATION: O/2002/8188

YOUR NAME: D.J. IRVINE

YOUR ADDRESS: ***(Please check these details & amend if incorrect)***
14 Barkhart Drive
Wokingham
RG40 1TN

PLEASE RETURN YOUR COMPLETED FORM TO:

Environmental Services Department,
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR

I WISH TO (tick relevant box); OBJECT TO THE APPLICATION ☑
SUPPORT THE APPLICATION ☐ COMMENT ON THE APPLICATION ☐

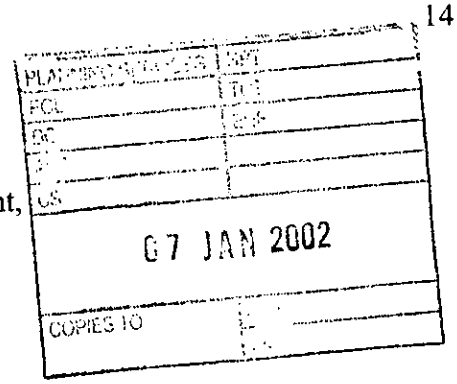
Comments: This application seeks to develop a small plot at a density of dwellings which is far in excess of limits currently under discussion in the proposed Consolidated Modified Local Plan, which itself has yet to be ratified.

If allowed this proposal would adversely affect local residents to a serious degree and would reduce the general quality of the environment in the area.

See also attached two sheets of comments

Continue over the page if more room required

14 Barkhart Drive
Wokingham
Berks.
RG40 1TW
5 January 2003



Environmental Services Department,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham,
Berks.
RG40 1WR

Your ref: Angela Odell 0/2002/8188

Dear Sirs

PLANNING APPLICATION 0/2002/8188 FOR 44 RECTORY ROAD

I enclose herewith my comments on the above application. These are given on the completed form plus two additional sheets.

I must point out that since you posted the notice of application on the 23 December 2002, delays in the mail over the Christmas period meant that it was not delivered until the eve of the New Year. As a result the 21-day period for comment has been significantly reduced which has put objectors at a disadvantage.

Please keep me informed of the next stage in this matter.

Yours faithfully

D.J Irvine

088

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07 FEB 2003	
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14 Barkhart Drive
Wokingham
Berks
RG40 1TW
7 February 2003

Environmental Services Department
Planning Services
P.O. Box 157
Wokingham
Berks
RG40 1WR

FAO Angela Odell

Dear Sirs

PLANNING APPLICATION 0/2002/8188 FOR 44 RECTORY ROAD

I refer to the Additional Plans for the above site (enclosed with Martin and Pole letter to you dated 24 January 2003).

Neither the letter nor the plans do anything to deal with the objections I raised in my letter to you of 5 January 2003. In fact they confirm my fears that it is proposed to build a three storey building in the middle of, and in close proximity, to an area of two storey dwellings. This will make it out of scale with its surroundings.

Also, it is proposed to locate the new building right on the edge of my property and immediately to the south. Since the building is proposed to be three stories this will excessively cut down my access to daylight and sunlight. This effect will be exacerbated by the fact that my property is downhill from the new building on a north facing slope. You will recognise that the shadowing effect on me is considerable.

The new plans do nothing to deal with the other objections in my earlier letter, namely :-

1. The proposed development exceeds the recommended standards for density of dwellings per hectare.
2. The proposed number of car parking spaces is insufficient. The suggestion that the developer could be allowed to buy out his obligation to provide proper and adequate parking space is not acceptable.
3. The road safety issues that will arise from the location of such a large development so close to a busy road junction
4. The location of so many dwellings in a mass immediately adjacent to my property will cause additional noise and disturbance, which is not acceptable.

Please keep me informed of the next stage in this matter.

Yours faithfully

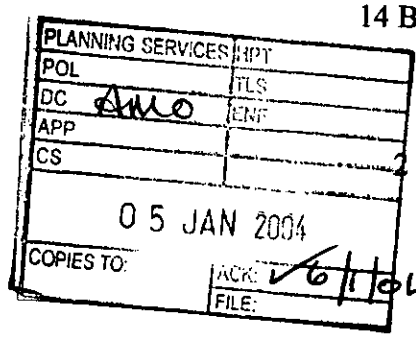
D.J.Irvine

D.J.Irvine

8188 038

14 Barkhart Drive
Wokingham
Berks
RG40 1TW

2 January 2004



Already Logged

Environmental Services Department
Planning Services
P.O. Box 157
Wokingham
Berks
RG40 1WR

Your ref. Angela Odell 0/2002/8188

Dear Sirs

PLANNING APPLICATION 0/2002/8188 FOR 44 RECTORY ROAD

I refer to your letter of the 29 December 2003 that stated the above application has been recommended to the Development Control Committee for approval.

I am very disappointed with the recommendation, which I believe has interpreted the Consolidated Modified Local Plan in favour of the developers and against the wishes and interests of local residents. My principal objections are as follows: -

1 The surroundings of the site are urban and hence the tone and scale of the redevelopment should be appropriate. Therefore the lower level limit of the CMLP density range should be used to fit with the density of the adjacent dwellings. It is not appropriate to merely measure the distance from the town centre and then allow developers to apply top of the range densities.

2 The extent of the proposed car parking is not adequate for the proposed number of flats and it does not comply with the recommendations of the CMPL. The suggestion in the report to the committee that the CMPL requirements can be ignored because the site is near the town centre does not appear to recognise the very limited on-street parking available on Rectory Road and Wiltshire Avenue.

3 It should be noted that both the above objections could be resolved by reducing the proposed number of flats to four. This would simultaneously reduce the density to a more appropriate level and also would mean that the proposed number of car spaces would be sufficient to comply with the CMLP.

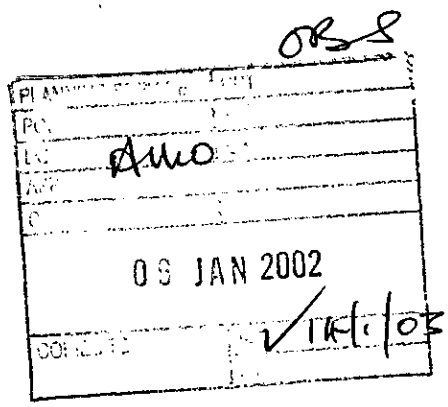
4 The present proposal overlooks the rear of my property in an intrusive manner. The rear of the three-storey block is angled towards the rear of my house and because of the difference in ground elevation both the second and third storey windows will look down into my bedroom windows.

Please bring these objections to the attention of the Development Control Committee.

Yours faithfully

D. J. Irvine

D J Irvine



CG & D Saunders
9 Barkhart Drive
Wokingham
RG40 1TW

8 January 2003

Environmental Services Department
Planning Services
P O Box 157
Shute End
Wokingham
RG40 1WR

Ref: Angela Odell 0/2002/8188

Dear Sirs,

Planning Application 0/2002/8188, 44 Rectory Road, Wokingham

We refer to your letter of 23 December 2002 received on 31 December regarding the above Planning Application. Your notice specifies 44 Rectory Road whereas the Martin & Pole letter is headed 40 Rectory Road. We assume that this is a mistake by the agents and not an application for those premises as well as No.44.

According to the letter from Martin & Pole, page 2, regarding 42 Rectory Road, there are no windows on the side elevation of that property, whereas there is at least one window on view as can be seen from the photograph enclosed with the plans.

The proposal is for outline planning at present and gives no indication of the height of the new building. However, as the application is for 6/8 flats or 3 maisonettes, it seems evident that the building will extend to 3 floors. As the building line will have to be taken back a considerable way, there will be a detrimental effect to the residential amenity with a view of a high building rather than the trees currently on view. It may be that once outline planning is granted, amendments could be made, possibly extending the building and causing further detrimental effects to the surrounding area.

As far as Highway safety is concerned, the prospect of at least 8 cars entering and exiting what is already a busy and dangerous corner, is of great concern. The speed limit along Rectory Road joining Wiltshire Road is rarely observed and the proposal will greatly increase the danger of accidents at that corner.

We would remind you of a previous planning decision regarding No. 9 Wiltshire Road, which is situated on the junction. The planning department stipulated that only one residence could be erected because of the busy nature of the junction. The Council's survey on pollution stated that this junction was one of the most polluted areas. The additional cars would add considerably to the pollution, noise and disturbance to the existing residents of Barkhart Drive.

We strongly urge you to reject this application.

Yours faithfully

D. Saunders (Mrs)
CG & D Saunders

Copy to Iain Brown, Councillor

PLANNING APPLICATION COMMENTS SHEET FOR O/2002/8188. (Case Officer:Angela Odell)

PLEASE NOTE THAT **ALL** COMMENTS SUBMITTED ARE OPEN TO PUBLIC VIEW, **THIS INCLUDES THE APPLICANT.**

WOKINGHAM UNITARY
Aiming for Excellence

THINGS WE **CAN** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION:
DESIGN, APPEARANCE AND LAYOUT.
HIGHWAY SAFETY.
RESIDENTIAL AMENITY (loss of attractive features within the locality; e.g. parks or woodland).
LOSS OF LIGHT.
OVERSHADOWING/OVERLOOKING (loss of privacy).
NOISE, DISTURBANCE, SMELL etc ONCE THE DEVELOPMENT IS IN USE (e.g. from a proposed restaurant, takeaway, public house or industrial unit).

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PRIVATE PROPERTY ISSUES, FOR EXAMPLE BOUNDARY AND ACCESS DISPUTES.
LOSS OF VIEW OVER OTHER LAND.
EFFECT ON PROPERTY VALUES.
POTENTIAL INCONVENIENCE, NOISE AND DISTURBANCE CAUSED BY CONSTRUCTION WORKS.
MATTERS COVERED BY OTHER LAWS (e.g. alcohol, betting, restaurant, music licensing).
MATTERS SUBJECT TO MARKET COMPETITION (we can't refuse an application on the basis that its approval would harm other commercial activity of a similar nature in the area).
THE SPECULATIVE USE OF A DEVELOPMENT AFTER IT HAS BEEN BUILT.
RADIO OR TELEVISION INTERFERENCE CAUSED BY A DEVELOPMENT.
SUBSIDENCE TO NEIGHBOURING PROPERTIES.

10 JAN 2003

14/1/03

COMMENTS CAN ALSO BE E-MAILED TO US AT: Development.Control@wokingham.gov.uk
(Please remember to include your postal address in any comments made by E-mail)

COMMENTS ON APPLICATION: O/2002/8188

YOUR NAME: PATRICK SMITH

YOUR ADDRESS: ***(Please check these details & amend if incorrect)***
16 Barkhart Drive
Wokingham
RG40 1TN

I WISH TO (tick relevant box); OBJECT TO THE APPLICATION ☑
SUPPORT THE APPLICATION ☐ COMMENT ON THE APPLICATION ☐

PLEASE RETURN YOUR COMPLETED FORM TO:

Environmental Services Department,
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR

Comments:
A THREE STOREY BLOCK OF FLATS IS TOTALLY OUT OF CHARACTER WITH THE SURROUNDING AREA. I DID NOT BUY MY HOUSE EXPECTING A BLOCK OF FLATS TO BE BUILT AT THE BOTTOM OF MY GARDEN. I WILL LOSE MUCH OF MY PRIVACY IN THE REAR GARDEN. PUTTING FLATS ON THIS SMALL PLOT RAISES THE PROBLEM

Continue over the page if more room required

P.T.O.

OF SECURITY IN HOUSES SITUATED IN BARKHART DRIVE. RECTORY ROAD IS ALREADY A VERY BUSY ROAD MORE LOCAL TRAFFIC IS NOT REQUIRED. IT WILL HAVE AN ADVERSE EFFECT ON PROPERTY PRICES SITUATED IN BARKHART DRIVE. WHY SHOULD THE RESIDENTS OF BARKHART DRIVE SUFFER FINANCIAL LOSS PLUS PERMANENT SPOILING OF A BEAUTIFUL AREA JUST SO SOMEBODY CAN MAKE A FAST BUCK. IM WOKINGHAM BORN AND BRED, I CAN TRACE MY FAMILEY BACK TO 1800'S WHAT IS HAPPENING TO WOKINGHAM MAKES ME SICK. THIS MANIC DESIRE TO COVER WOKINGHAM IN TARMAC ENABLING GREEDY INDIVIDUALS TO LINE THEIR OWN POCKETS AT THE EXPENSE OF OTHERS MAKES ME SICK !!! I WILL FIGHT THIS APPLICATION AS IT IS DEFENITELY NOT IN THE INTERESTS OF THE PEOPLE OF WOKINGHAM.

P A C

0838

AMO

14/2/03

15 Barkhart Drive
Wokingham
Berks
RG40 1TW
February 5, 2003

Environmental Services Department,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham,
Berks.
RG40 1WR

Your ref Angela Odell 0/2002/8188

Dear Sirs

PLANNING APPLICATION 0/2002/8188 FOR 44 RECTORY ROAD

With reference to the above revised/additional planning application, please find listed below my comments.

Loss of light: The plans show the new building considerably closer to my property than the present building. They show three floors with a much higher roofline than the existing building in order to accommodate two flats on the second floor. This will adversely affect the view and light of my property.

Privacy: My garden is totally private at present; the new plans show the rear elevation of the new building to be three stories high with a large number of windows to the rear. This will mean that the first floor and particularly the second floor flats will overlook the rear of my property, causing a significant loss of privacy to my sitting room, dining room, the two main bedrooms and garden.

Noise: Eight dwellings on a site previously occupied by a single dwelling would cause increased noise & disturbance.

Parking: There appears to be a severe lack of parking spaces within the property, where will the overflow park? As Rectory road is a very busy road I would assume more parking restrictions would need to be imposed in order to reduce traffic problems.

Devaluation: If this development is allowed to proceed it will reduce the value of my property. Will I also receive a reduction in my council tax to reflect this?

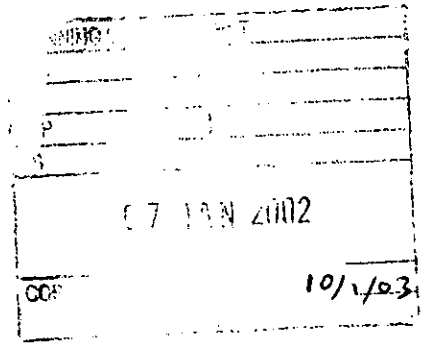
Finally once again I would like to draw to your attention the fact that the heart of Wokingham is in danger of being destroyed if we lose these large detached houses & gardens which give the town such character and maturity.

I wait to hear from you

Yours faithfully

Vera Faggetter

Mrs. V M Faggetter



15 Barkhart Drive
Wokingham
Berks.
RG40 1TW
6 January 2003

Environmental Services Department,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham,
Berks.
RG40 1WR

Your ref Angela Odell 0/2002/8188

Dear Sirs

PLANNING APPLICATION 0/2002/8188 FOR 44 RECTORY ROAD

With reference to the above planning application, please find listed below my comments.

Loss of light: My rear garden is very small which I have found acceptable because of the beautiful situation of my home so close to the town but not over looked, so to have a block of flats built within a few yards of my home would be totally unacceptable. My garden is south facing and at the moment very nice & sunny but if a block of flats were to be located behind my property I would lose the sun & light.

Privacy: My garden is totally private at the moment, if a block of 8 flats should be built I would be totally overlooked especially if they were more than two stories high as most of the blocks of flats in the vicinity are three stories high, my sitting room, dining room and two of my bedrooms would be affected.

Noise: 8 flats on this site previously occupied by a single dwelling would cause unacceptable noise & disturbance.

Highway Safety: The position of 44 Rectory Road is: -

a. On a very busy road with access to the property very dangerous as traffic moves very quickly on this road
b. There is a tee junction immediately after the entrance to the property which must cause a hazard with residents of 8 properties trying to cross lanes or even just joining the flow of traffic

Finally I would like to draw to your attention the fact that the heart of Wokingham is in danger

of being destroyed if we lose these large detached houses & gardens which give the town such character and maturity.

I look forward to hearing from you

Yours faithfully

V. M. Faggetter

Mrs. V M Faggetter

PLANNING APPLICATION COMMENTS SHEET
FOR O/2002/8188. (Case Officer:Angela Odell)
PLEASE NOTE THAT **ALL** COMMENTS SUBMITTED ARE OPEN TO PUBLIC VIEW, **THIS INCLUDES THE APPLICANT.**

WOKINGHAM UNITARY
Aiming for Excellence

THINGS WE **CAN** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
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HIGHWAY SAFETY.
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LOSS OF LIGHT.
OVERSHADOWING/OVERLOOKING (loss of privacy).
NOISE, DISTURBANCE, SMELL etc ONCE THE DEVELOPMENT IS IN USE (e.g. from a proposed restaurant, takeaway, public house or industrial unit).

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	TLS
13 JAN 2003	
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THINGS WE **CAN'T** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
PRIVATE PROPERTY ISSUES, FOR EXAMPLE BOUNDARY AND ACCESS DISPUTES.
LOSS OF VIEW OVER OTHER LAND.
EFFECT ON PROPERTY VALUES.
POTENTIAL INCONVENIENCE, NOISE AND DISTURBANCE CAUSED BY CONSTRUCTION WORKS.
MATTERS COVERED BY OTHER LAWS (e.g. alcohol, betting, restaurant, music licensing).
MATTERS SUBJECT TO MARKET COMPETITION (we can't refuse an application on the basis that its approval would harm other commercial activity of a similar nature in the area).
THE SPECULATIVE USE OF A DEVELOPMENT AFTER IT HAS BEEN BUILT.
RADIO OR TELEVISION INTERFERENCE CAUSED BY A DEVELOPMENT.
SUBSIDENCE TO NEIGHBOURING PROPERTIES.

COMMENTS CAN ALSO BE E-MAILED TO US AT: Development.Control@wokingham.gov.uk
(Please remember to include your postal address in any comments made by E-mail)

COMMENTS ON APPLICATION: O/2002/8188

YOUR NAME: Mr Nicholas & Mrs Sue Colbourn

YOUR ADDRESS: ***(Please check these details & amend if incorrect)***
33 Rectory Road
Wokingham
RG40 1DP

PLEASE RETURN YOUR COMPLETED FORM TO:

Environmental Services Department,
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR

I WISH TO (tick relevant box); OBJECT TO THE APPLICATION ☑
SUPPORT THE APPLICATION ☐ COMMENT ON THE APPLICATION ☐

Comments:

Our main concern regarding this application is the extra volume of traffic which will undoubtedly arise from the building of eight flats. A further eight - sixteen cars converging into the flow of traffic will obviously have an impact on an already busy road.
The position of the driveway in relation to

Continue over the page if more room required

our own (directly opposite) would no doubt present its own problems, but – more importantly – in relation to the divergence of traffic at the end of Rectory Road and into Wiltshire Road is of particular note. There is little room for manoeuvre there, to move from one lane to the other.

D.J.Irvine
14 Barkhart Drive
Wokingham
Berks.
RG40 1TW

JAN 2002

COMMENTS ON PLANNING APPLICATION 0/2002/8188 RE. PROPOSED DEVELOPMENT AT 44 RECTORY ROAD

General

The covering letter dated 12.12.02 from Martin and Pole to the Wokingham District Planning Officer is headed 40, Rectory Road. I assume this is a mistake and the letter should have referred to 44, Rectory Road.

Design, Planning and Appearance

No elevations or pictorial sketches have been provided.

However, the proposed development appears far too large for the size of the plot for the following reasons: -

1 The proposal is for 8 flats, which is 61.5 dwellings per hectare. This exceeds by over 20% the upper limit of 50 dwellings per hectare given in the proposed Consolidated Modified Local Plan (CMLP) as quoted in the M & P letter. Since the latter figure was given by M & P as justification for the sizing of the development I assume M & P have made a mistake and the Planning Officer will reject the application as it does not comply with the CMLP.

2 The present incorrect proposal will presumably be three stories whereas the surrounding properties are two stories. Consequently the proposed building is out of scale with its surroundings. The proposal is unacceptable for this reason. Any new building on this site should not exceed the height of the existing and the density of development should not exceed the CMPL lower limit of 30 dwellings per hectare i.e. 4 flats is the maximum.

3 The number of car parking spaces provided for the incorrect proposal is insufficient for the number of dwellings intended. Only 8 are proposed for residents, plus 2 for visitors. The CMPL apparently requires a minimum of 12 for residents (i.e. 1.5 per dwelling), plus presumably 2 minimum for visitors.

Even this number is too low for new dwellings in Wokingham. The Parker Morris Report in 1961 required 2 per dwelling, which would result in 16 spaces for residents. In fact since 1961 car use has exceeded expectations and a higher rate than 2 spaces per dwelling should now be considered

4. In view of the limited street parking space available in Rectory Road the lack of car parking provision in this scheme is a serious concern and could lead to potential safety hazards on a busy road.However, it should be noted

that the proposed number of car park spaces will be suitable if the number of flats is reduced to 4 as suggested above.

Highway Safety

In addition to the points raised above the incorrect proposal will lead to additional traffic turning onto a very busy road adjacent to an existing tee junction. This is an obvious safety hazard.

Loss of light to 14 Barkhart Drive

The incorrect proposal shows the rear face of the new building moved towards No.14 by more than 11 metres measured from the face of the existing two-storey structure. This makes it level with the boundary to No. 14.

Since the new building will also be higher than the existing buildings and will lie to the south of No.14, it will cause serious loss of sunlight to the house and garden of No. 14 as a consequence. For this reason the proposal should be rejected.

Overshadowing/Overlooking

As noted above, the new building will be higher and much closer to No. 14 than the existing. As a result it will over look the rear bedrooms, lounge and garden of No.14 to an unacceptable degree. This is not acceptable and the proposal should be rejected for this reason.

Noise and Disturbance

The 8 dwellings proposed on this limited site previously occupied by a single dwelling will cause unacceptable additional noise and disturbance close to existing occupiers.

0B8

12 Barkhart Drive
Wokingham
Berks RG40 1TW

7th February 2003

PLANNING SERVICES
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CS
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Environmental Services Department
Planning Services
PO. Box 157
Shute End
Wokingham
Berks RG40 1WR

Objections to application 0/2002/8188 – Revised / Additional Plans

Dear Angela Odell,

I would like to raise the following objections to the proposed development application at 44 Rectory Road Wokingham - application 0/2002/8188 – Revised / Additional Plans

In General
When we initially purchased our house, which is adjacent to the proposed development, we did so mainly based on it's location. Which is a quiet residential area on all sides with our house being totally secluded - in that no house overlooked us at all. This I have to state is still very important to us.

It is now clear from the plans that the planned elevation of the property is three storeys which is much higher than the current building occupying this area. This will result is us being overlooked and in the shadow of a large block of flats, if this proposal goes ahead.

As such we would not have bought the house if this development was in place originally. Further I believe that the placement of such a large block of flats, will fundamentally change the nature of this mature residential area of Wokingham – which once lost cannot be recreated.

Specific Objections

1. Loss Of Privacy and Light
This development will have the effect of us being overlooked on both our front and rear gardens. Something which does not happen now, and drastically changes the nature of our house and living space. Making it much less attractive to us as it lowers our quality of life.

It can also now be seen from the plans that not only would we be overshadowed with a loss of privacy, but we would also suffer a loss of light as well to our property. As the actual placement and height of this three storey block is such that we would lose sunshine to both the house and front and back gardens as the sun tracks across the sky.

As such we ask for the proposal to be rejected, as the CMLP directs minimising any adverse impact on adjoining buildings.

2. Design not in accordance with legislation
In the plans submitted so far, there would appear to be some discrepancy between the size of the building and the size of plot, compared to the Consolidated Modified Local Plan (CMLP). In that I believe the CMLP has an upper limit of 50 dwellings per hectare. Whereas the proposal of 8 flats in this plot has 61.5 dwellings per hectare. This is some 20% in excess of the regulation.

Hence this proposal does not meet with legislation, and as such should be rejected.

3. Car parking
The number of car parking spaces provided is stated as some 8 for the residents and 2 for visitors. This is some two thirds of the requirement in the CMLP, which would require 12 spaces for residents and 2 for visitors.

Thus as Wokingham has a higher rather than lower number of cars per household, it would be envisioned to add to the number of cars parked in Rectory road. As you know this is a very busy road and has all its car parking spaces usually fully occupied now. This must then cause a road safety problem to this area.

4. Road Safety
In addition to the envisioned extra cars looking for parking in Rectory Road, There is the issue of many cars turning into and out of the entrance onto a very busy and dangerous road junction. This must cause an obvious safety hazard, as in contrast to the Martin & Pole submission visibility at this entrance as the previous occupants stated, is poor when leaving the site.

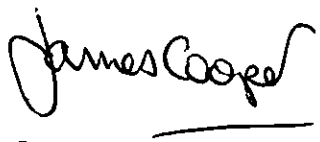
5. Noise and Disturbance
As the proposal is for the existing single occupancy building to be replaced by one of eight sets of occupants, with their associated cars. There must be a considerable increase in the noise and disturbance that we suffer, as our house immediately adjoins the property.

In Conclusion
I notice form the detail of the Martin & Pole submission that they claim that these flats will provide some affordable housing benefit to the town. However if looking at the costs of flats in past developments such as this, they can be seen to be premium priced, rather than low priced.

Further should this proposal be accepted, I would ask your advice as to how we could determine a value to the drastic loss of light and privacy to our house and garden, or is this more a civil rather than planning issue.

Could I ask to be kept informed of developments in this matter

Yours Sincerely.



James Cooper

Obs

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C G & D Saunders
9 Barkhart Drive
Wokingham
RG40 1TW

2 January 2004

Mr Trevor Watson
Development Control Manager
Wokingham District Council
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Mr Watson,

Planning Application 0/2002/8188, 44 Rectory Road, Wokingham

We refer to your letter of 29 December 2003 regarding the above planning application. We wrote letters of objection to this application on 8 January and 12 October 2003 and had hoped that the application would be refused, as has the application for flats on Glebelands Road near the traffic lights.

It seems very strange that this application should now be recommended for approval, especially with regard to it's position at the corner of Wiltshire and Rectory Roads, a junction which has been the site of numerous accidents over the 26 years that we have lived in the area. Cars for the 6 flats, inevitably at least about 10 vehicles, will be entering and leaving in a very dangerous position. At the very least, consideration should now be given to **restricting the speed of cars approaching that junction.** Has consideration been given to the amount of disruption the actual demolition and rebuilding of this site will cause to the traffic travelling through Wokingham town, down Rectory Road to Wiltshire Road which is already too heavy and on occasions much too fast?

It seems the Council give no consideration to the neighbouring properties with regard to dust, noise, and disruption whilst this work is being done.
We realise that this letter will be received very close to the meeting of the Control Committee but would ask you to put this forward as a 'members update'.

We again urge you to reject this application.

Yours faithfully

C G & D Saunders

LODDON AREA LOCAL PLAN

Adopted 5 May 1995



Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG40 1WR

B) CONTRIBUTE TO THE CREATION OF A SAFE AND ATTRACTIVE ENVIRONMENT IN WHICH TO LIVE AND WORK;

(C) RETAIN IMPORTANT NATURAL, MAN-MADE OR LANDSCAPE FEATURES OF THE SITE COMPATIBLE WITH GOOD DESIGN.

❖ LBE2 INAPPROPRIATE DESIGN

PROPOSALS FOR DEVELOPMENT THAT IS INAPPROPRIATE IN TERMS OF ITS RELATIONSHIP WITH ADJOINING SITES AND BUILDINGS, OR WHICH WOULD ADVERSELY AFFECT THE CHARACTER OF AN AREA, BY VIRTUE OF ITS ING, SCALE, FORM, MASSING, MATERIALS, COLOUR OR TEXTURE, WILL NOT NORMALLY BE PERMITTED.

ENVIRONMENTAL IMPROVEMENT

1.4.04 Within the built environment it is important not only to safeguard those buildings, undeveloped areas and special features which contribute to the character and attractive qualities of the area but also to seek opportunities to enhance the quality of the built environment.

4.05 Often the more attractive and successful an environments have evolved organically over a period of many years and incorporate a variety of architectural styles. In more recent years development in some parts of the District has taken place more comprehensively with little variety in design. In other areas particularly since the war and up to the early 1970's some development has been inserted into an existing area to the detriment of the older urban fabric.

1.4.06 In some areas, district and local shopping centres in particular, where large scale redevelopment has taken place, the opportunity may arise for comprehensive refurbishment since a large part of the urban fabric will tend to age and decay simultaneously. In other areas environmental enhancement of the urban fabric surrounding the buildings may be sufficient to rejuvenate the area as a whole.

❖ LBE3 REFURBISHMENT AND REDEVELOPMENT

ENCOURAGEMENT WILL BE GIVEN TO THE REFURBISHMENT OR PARTIAL REDEVELOPMENT OF AREAS OR INDIVIDUAL SCHEMES WHERE A SIGNIFICANT ENVIRONMENTAL ENHANCEMENT WILL RESULT TO THE BENEFIT OF THE COMMUNITY.

❖ LBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

ENVIRONMENTAL ENHANCEMENT SCHEMES WILL BE ENCOURAGED WITHIN THE PLAN AREA AS OPPORTUNITIES ARISE AND WILL INCLUDE THE AREAS AS SHOWN ON THE PROPOSALS MAP AND AS SET OUT IN PART TWO OF THE PLAN.

SUNLIGHT, DAYLIGHT AND NOISE

1.4.07 Daylight penetration into new buildings, and existing buildings affected by new development, is an important amenity consideration as is sunlight penetration of spaces outside windows. In this respect it should always be the intention to maximise penetration of new development and minimise the impact of new development on old as far as is possible. The orientation of rooms, gardens and both public and private spaces is therefore critical since together the two aspects can provide warmth, comfort and pleasant living and working conditions. They can also have some impact on energy consumption by reducing the dependence on artificial lighting and heating. Further guidance on this matter can be found in the District Council's Development Control Guidelines.

❖ LBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND REFURBISHMENT THE DISTRICT COUNCIL WILL

The Planning Inspectorate

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

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624

GTN 1371-6079

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

8-74

Your Ref: 0/2002/8188

Our Ref: APP/X0360/A/04/1140671

Date: 7 October 2004

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Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR BRADLEY & MR BESWETHERICK
SITE AT 44 RECTORY ROAD, WOKINGHAM, RG10 1DN

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

M. Strange

PP Mrs Celia Bate

COVERDL1

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, with the exception of very minor slips, we cannot amend or change them once they have been issued. Therefore a decision is final and cannot be reconsidered unless it is 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

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.

POSITIVE ABOUT DISABLED PEOPLE

INVESTOR IN PEOPLE

Tel. (0118) 974 6448 (Direct Line)
Date: April 15, 2004
My ref: O/2002/8188
Your ref: APP/X0360/A/04/1140671

Mrs C Bate
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 Bate

APPEAL BY: Mr A Bradley & Mr M Beswetterick
SITE: 44 Rectory 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: March 22, 2004
My ref: O/2003/8188
Your ref: APP/X0360/A/04/1140671

WOKINGHAM DISTRICT COUNCIL

Mrs C Bate
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 Bate

APPEAL BY: Mr Bradley & Mr Beswetherick
SITE: 44 Rectory Rd, 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. March 22, 2004
My ref: O/2003/8188
Your ref: Julie Williams

WOKINGHAM DISTRICT COUNCIL

Martin & Pole
24 Friar St
Reading
RG1 1DP

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 Sirs

APPEAL BY: Mr Bradley & Mr Beswetherick
SITE: 44 Rectory 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
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: 6188

Our Ref: APP/X0360/A/04/1140671

Date: 11 March 2004

25/3 ✓ AO

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR BRADLEY & MR BESWETHERICK
SITE AT 44 RECTORY ROAD, WOKINGHAM, RG10 1DN

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 Celia Bate

102(BPR)

The Planning Inspectorate

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

Direct Line 0117-3726079
Switchboard 0117-3728000
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref:
Our Ref: APP/X0360/A/04/1140671

Date: 24 February 2004

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR BRADLEY & MR BESWETHERICK
SITE AT 44 RECTORY ROAD, WOKINGHAM, RG10 1DN

I have again requested missing documentation from the appellant's agent ie the refusal notice.

Yours faithfully

pp Mrs Margaret Pocock

211B(BPR)

The Planning Inspectorate

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

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

Your Ref:

Our Ref: APP/X0360/A/04/1140671

Date: 12 February 2004

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR BRADLEY & MR BESWETHERICK
SITE AT 44 RECTORY ROAD, WOKINGHAM, RG10 1DN

Please find enclosed a copy of the letter sent on to the appellant's agent requesting missing documents.

Yours faithfully

Margaret Pocock

211B(BPR)

The Planning Inspectorate

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

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624

GTN 1371-6079

Martin & Pole
Fao Julie Williams
24 Friar Street
Reading
Berkshire
RG1 1DP

Your Ref:

Our Ref: APP/X0360/A/04/1140671

Date: 12 February 2004

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR BRADLEY & MR BESWETHERICK
SITE AT 44 RECTORY ROAD, WOKINGHAM, RG10 1DN

Thank you for sending us the above appeal.

I have checked the appeal documents but you have not included those on the attached checklist [201A]. Please send one copy of these to me at the above address and one copy to the local planning authority (LPA), as soon as possible. If you do not have them, you may be able to obtain copies from the LPA.

Please remember that there is a 6 month deadline for the submission of all your outstanding appeal documents. This deadline runs from the date of the LPA's refusal notice or, if your appeal is against the LPA's failure to make a decision, from the end of the 8 week period (or such longer period you have formally agreed) which the LPA had to determine the application. **If we have not received all your appeal documents by the 6 month deadline, we will not be able to proceed and your appeal** will be turned away.

If you have any queries about this letter, please phone or write to me.

Yours faithfully

Mrs Margaret Pocock

213(BPR)

The Planning Inspectorate

Remember we must receive these outstanding documents before the deadline for submitting appeals expires.

You need to send:

- A copy of the notice refusing planning permission, or allowing conditional permission, against which you are appealing. You have given reference number 0/2002/8188 dated 3 February 2004 on your appeal form.

Please give our reference number when you reply.

APP/X0360/A/04/1140671
The Planning Inspectorate
Temple Quay House
2 The square
3/03 Kite Wing
Temple Quay
Bristol
BS1 6PN

201A(BPR)

The Planning Inspectorate

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

PLA
POL
CC

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 diversity helpline on 0117 372 8939.

Please use a separate form for each appeal

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING: If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

A. APPELLANT DETAILS

The name of the person(s) making the appeal must be the same as on the planning application form.

Name: Mr Bradley & Mr Beswetherick

Address: 44 Rectory Road
Wokingham
Postcode: RG40 1DN

Daytime phone no:
Fax no:
E-mail address:

B. AGENT DETAILS (if any)

Name: Martin & Pole

Address: 24 Friar Street
Reading
Postcode: RG1 1DP

Your reference: Julie Williams
Daytime phone no: 0118 959 1231
Fax no: 0118 958 5061
E-mail address: r@martinpole.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA: Wokingham Unitary Authority

Date of the planning application: 11 December 2002

LPA's application reference no: O/2002/8188

Date of LPA's decision notice (if issued): 3 February 004

D. APPEAL SITE ADDRESS

Address 44 Rectory Road

Wokingham

RG40 1DN

Postcode

If the whole site can be seen from a road or other public land and there is no need for the Inspector to enter the site e.g. to take measurements or to enter a building, please tick the box. ☐

E. DESCRIPTION OF THE DEVELOPMENT

(This must be the same as on the application sent to the LPA, unless minor amendments were agreed with the LPA)

~~Outline application for the proposed erection of 6 flats with parking. Demolition of existing~~ dwelling.

Size of the whole appeal site (in hectares): 0.13

Area of floor space of proposed development (in square metres):

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only*

1. Refuse planning permission for the development described in Section E. ☑
2. Grant planning permission for the development subject to conditions to which you object. ☐
3. Refuse approval of details required by a previous outline planning permission. ☐
4. Grant approval of details required by a previous 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) of an application for permission or approval. ☐

G. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

Appeals dealt with by written representations are usually decided more quickly than by the hearing or inquiry methods. It is important that you read our booklet 'Making your planning appeal' about the various procedures used to determine planning appeals.

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

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

The written procedure involves an exchange of written statements followed by a site visit by the Inspector. The grounds of appeal should make up your full case.

2. HEARING ☐

A hearing is a discussion of the appeal proposals. The Inspector leads the discussion. Hearings give everyone concerned the chance to give their views in a more relaxed and informal atmosphere than at a public inquiry. Hearings have many advantages, but they are not suitable for appeals that:

- are complicated or controversial;
- have caused a lot of local interest;
- involve cross-examination (questioning) of witnesses.

Although you may prefer a hearing, the Inspectorate must consider your appeal suitable for this procedure. Hearings are open to the public.

3. INQUIRY ☐

This is the most formal of the procedures, because it usually involves larger or more complicated appeals. These are often cases where expert evidence is presented, and witnesses are cross-examined. An inquiry may last for several days, or even weeks. It is not a court of law, but the proceedings will often seem to be quite similar and the appellant and LPA usually have legal representatives. Inquiries are open to members of the public.

An inquiry is held if you or the LPA decide that you cannot rely on the written procedure and a site visit, and we have decided that a hearing is unsuitable. Sometimes we decide that an inquiry is necessary. If we do, you will be given reasons for our decision.

Please turn over

H. GROUNDS OF APPEAL

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, please provide a brief outline of your grounds.

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

Please continue on a separate sheet if necessary.

The Council's first reason for refusing planning stems from concern that the proposed car parking bays adjacent to the boundary to 12 Barkhart Drive would cause unacceptable disturbance to residents at that property. Our case will be that the residents at no.12 have benefited from no.44 Rectory Road being unoccupied by a family for some time. As it is a five bedroom family home with car parking on the forecourt one might anticipate a high level of use of this area under normal circumstances. Furthermore, given the proximity of the site to a junction with a busy one way system, as the case officer pointed out in her committee report, the existing noise levels are such that any increase in activity will go largely unnoticed. Nevertheless, it will also be our submission that amendments to the car parking layout could be provided to move the car park bays away from this boundary and to strengthen boundary screening to overcome this objection.

The second reason for refusal is based on the view that the relative height of the application site to adjacent houses and the proposed design of the building will result in an unacceptable loss of amenity for adjacent residents. Our case will be that the proposed building, particularly where closest to Barkhart Drive properties, is only marginally higher than the existing house and that the siting of the upper floors and the orientation of the building will mean that any overlooking will be no worse than the current situation.

Our evidence will show that when judged against adopted local plan and emerging local plan policies referred to in the reasons for refusal and supplementary planning guidance the proposal does comply. Furthermore it is in accordance with advice in PPG3, which seeks more efficient use of residential land in urban areas where it lies in a sustainable location.

H. GROUNDS OF APPEAL (continued)

Please turn over

I. APPEAL SITE OWNERSHIP DETAILS

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

If you are the sole owner of the whole appeal site, Certificate A will apply: *Please tick **one** box 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 to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

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

CERTIFICATES C and D ☐

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

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

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

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

OR

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

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

J. ESSENTIAL SUPPORTING DOCUMENTS

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

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

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

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

   06 Relocation of parking bays

   07 Footprint of existing house shown

8. Any relevant **correspondence** with the LPA. ☐
9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:
   (a) the relevant outline application; ☐
   (b) all plans sent at outline application stage; ☐
   (c) the original outline planning permission. ☐
10. 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

(Signed forms together with all supporting documents must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and 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 Bradley + Mr Bestwestbrook

Name (in capitals) Julie Williams Date 6 Feb 2004

The Planning Inspectorate is registered under the Data Protection Act to hold personal data supplied by you.

NOW SEND:

- **1 COPY to us at**:
  The Planning Inspectorate
  Customer Support Unit
  Temple Quay House
  2 The Square
  Temple Quay
  BRISTOL
  BS1 6PN

  We do not currently accept appeals by e-mail or fax.

- **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 us receiving further information or representations.

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

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

J Supporting Documents

Items 5 & 6 **Plans sent to LPA as part of application:**
Tree Survey at 1:250 January 2003
30751/01 location plan
30751/02 Bock & Access plan.
30571/03 Layout plan (illustrative)
30751/04 Elevations (illustrative)
30751/05 Siting & parking details
A revised siting to gain turning space
B revised siting to avoid trees
C distance to boundaries shown
Illustrative elevations, street scenes and layouts provided on request.

Item 7 **Plans not previously seen by LPA:**
Possible relocation of car parking bays
Footprint of existing dwelling shown on block plan

Tel: (0118) 974 6448 (Direct Line)
Email: Denise.Gumbrell@wokingham.gov.uk
Date: 22 March 2004
My ref: O/2002/8188

WOKINGHAM DISTRICT COUNCIL

The Owner/Occupier
9
Wiltshire Road

Wokingham
RG40 1TS

Planning Services
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Shute End, Wokingham
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Dear Sir/Madam

APPLICATION No: O/2002/8188
APPEAL BY: Mr A Bradley And Mr M Beswetherick
SITE: 44 Rectory Road Wokingham
PROPOSAL: Outline application for the proposed erection of 6 flats with parking. Demolition of existing dwelling.

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 C Bate, 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/04/1140671**. Comments received after **22/04/2004** 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 Bate at the Inspectorate.

Yours faithfully

Denise Gumbrell

Appeals Assistant

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: AO

APPLICATION NUMBER: 8188

APPELLANT: Mr Bradley & Mr Beswetherick

SITE: 44 Rectory Rd, Wokingham

APPEAL REF: APP/X0360/A/04/1140671

START DATE: 11/03/2004

DATE OF SITE VISIT 24/08/04

Allowed 08/10/04

Progress Record	Date Actioned	Initials
Appeal Logged:	12/03/04	
Entered on Access:	19/03/04	DG
Notification Letters Due:	**25/03/2004**	
Notification Letters Sent:	22/03/04	DG
Questionnaire Due:	**25/03/2004**	
Questionnaire Sent:	22/03/04	DG
Statement Due:	**22/04/2004**	
Statement Sent:	15/04/04	DG
Comments on Statement Due	13/05/04	
Comments on Statement Sent	-	
Decision letter circulated:	08/10/04	DG
Decision entered on Access:	08/10/04	DG

Mark Leedale Planning

TOWN & COUNTRY PLANNING ACT 1990 (SECTION 78) APPEAL BY MESSRS. A G BRADLEY & M J BESWETHERICK IN RESPECT OF THE REFUSAL BY WOKINGHAM DISTRICT COUNCIL OF AN APPLICATION FOR DEMOLITION OF EXISTING DWELLING AND ERECTION OF 6 FLATS

AT 44 RECTORY ROAD, WOKINGHAM, BERKSHIRE

LPA REF: O/2003/8188
MLP REF: RR/04/155
APPEAL REFERENCE: APP/X/0360/A/04/1140671

MARCH 2004

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2. Relevant adopted Local Plan policies

3. Car parking policies

4. Alternative car parking layout

5. Alternative development approach

1.0. INTRODUCTION

1.1. This appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended). It is in respect of the refusal of outline planning permission for demolition of the existing dwelling and erection of 6 flats at 44 Rectory Road, Wokingham, Berkshire. The matters to be considered at this stage are siting and access. The other plans which have been submitted and are for illustrative purposes only.

1.2. The application was initially submitted in the form which sought permission for 8 flats. This was subsequently amended in liaison with the Council's officers to its present form. This was reported to the Planning Committee on 7th January with a recommendation for the grant of permission. This is detailed within the appeal questionnaire and, for convenience, is attached as document 1 to this submission.

1.3. During the course of determination a number of consultation and notification responses were received and these are attached to the appeal questionnaire. The principal issues arising are as follows:

- The Town Council raised objections on the basis of traffic movements close to the junction and the scale of development.
- The Highways Department raised no objections.
- The Council's arborocultural officer raised no objections following the submission of a survey and amended plans in relation car parking.
- There were a number of letters of objection raising issues relating to overbearing impact, traffic movements, noise disturbance, overlooking, harm to trees and related matters

1.4. The following sections set out the appellant's case by reference to the site and surrounds; planning history; planning policy and a discussion of the main issues. On this basis the following conclusions are reached:

(1) The site lies within a sustainable town centre location where higher density development is encouraged through both national and local planning policy.

(2) There is no technical objection to the proposed development of 6 flats following demolition of the existing dwelling. This includes a thorough appraisal of highways and arborocultural matters.

(3) The weight which may be attached to the illustrative plans is not that which the Council assumes. Setting this aside, the proposed development could be designed in such a way that it would not have a harmful effect on the visual amenities of the townscape or result in demonstrable harm to residential amenity.

(4) Having regard to these matters, there are no circumstances which justify a departure from policies of the development plan and the appeal should be allowed.

2.0. DESCRIPTION OF THE APPEAL SITE AND SURROUNDS

2.1. The appeal site comprises an area of 0.13 hectares and is accessed by a private driveway directly from Rectory Road. It is of uniform configuration and of generally flat topography. There are mature trees along its frontage and a variety of mature shrubs and trees along its common boundaries.

2.2. To the east and adjoining is a detached dwelling (42 Rectory Road) and to the north-west a linked detached dwelling (no. 12 Barkhart Drive). It is particularly important in the context of this appeal, to note the position of the private amenity space of this property in so far as it relates to the appeal proposal. We return to this below.

2.3. The locality is generally charcaterised by detached dwellings fronting through roads and set in reasonably substantial plots. The exception to this patters are the dwellings on Barkhart Drive and the various redevelopment for flats which are generally in excess of two-storey height. To this extent the appeal proposal accords with the character of the locality.

2.4. Approximately 250 metres to the south-east is the Waitrose food supermarket and there are footpath links to the town centre from here. This is the principal shopping centre in the District and it has the full range of retail and other facilities associated with this function.

3.0. PLANNING HISTORY

3.1. There have been no previous applications relating to redevelopment of the site.

4.0. PLANNING POLICIES

4.1. The Council cite various policies in their refusal of permission. Since this date the emerging Local Plan has been formally adopted and the appellant's do not therefore refer to policies of the South East Area Local Plan (SBE2). The policy on which the Council now relies is WOS3.

4.2. Whilst this is plainly relevant in so far as it refers to development control principles of general application, the appellant's also note that there are other policies (attached as document 2) to which weight may properly be attached. They are:

- WOS2 – this sets out the sequential approach to housing development principles and the need to make use of previously developed land. This is also reiterated in policy WH1 and in the sub-text at paragraph 5.26 (page 73). The sub-text at the top of page 8 also identifies Wokingham as a category A settlement, that being the most sustainable.
- WBE5 refers to the requirement to protect trees in considering development proposals. The appellant's have undertaken an arboricultural survey and on this basis have satisfied the Council that trees at the frontage of the site are afforded adequate space to ensure their long term survival. Moreover the areas set aside for parking and turning so not impinge on those trees.
- Policy WH7 states that housing densities of between 30-50 dwellings per hectare will be sought and that higher densities will be allowed in sustainable locations. The proposed development is of circa 46 dwellings per hectare and therefore complies with this requirement.
- Policy WH10 and the sub-text at paragraphs 5.41-5.42 identify the Council's perceived requirement for smaller dwellings and in particular 1 and 2 bedroom units. The proposed development plainly meets this requirement.

4.3. There does not appear to be any ground between the main parties in respect of these broad principles. It is accepted that this is a sustainable town centre location and that the density, of itself, is appropriate. There are no technical objections pertaining to car parking or the impact of development on trees. To this extent there is no identified conflict with relevant policies.

4.4. The appointed Inspector will be fully appraised with national policy as set out in PPG3 and the weight which may be applied to them. For ease of reference the appellant's draw on the following in so far as they emphasise the commitment to utilising brownfield land efficiently; linking development to sustainable locations and public transport; and the revision of parking standards especially in town centres:

> *22.The Government is committed to maximising the re-use of previously-developed land and empty properties and the conversion of non-residential buildings for housing, in order both to promote regeneration and minimise the amount of greenfield land being taken for development.*
>
> *46.To promote more sustainable residential environments, both within and outside existing urban areas, local planning authorities should promote:*
>
> - *development that is linked to public transport;*
> - *mixed use development;*
> - *a greener residential environment;*
> - *greater emphasis on quality and designing places for people; and*
> - *the most efficient use of land.*
>
> *58.Local planning authorities should therefore:*
>
> - *avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare net - see definitions at Annex C);*
> - *encourage housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare net); and*
> - *seek greater intensity of development at places with good public transport accessibility such as city, town, district and local centres or around major nodes along good quality public transport corridors.*
>
> 61.Local authorities should revise their parking standards to allow for significantly lower levels of off-street parking provision, particularly for developments:
>
> - *in locations, such as town centres, where services are readily accessible by walking, cycling or public transport;*
> - *which provide housing for elderly people, students and single people where the demand for car parking is likely to be less than for family housing; and*
> - *involving the conversion of housing or non-residential buildings where off-street parking is less likely to be successfully designed into the scheme.*

> *9.The Government's household projections indicate the projected increase in the number of new households over the longer term, a large part of which will be brought about by a change in the composition of households. The majority of the projected growth will be in one-person households. Local authorities should therefore adopt policies which take full account of changes in housing needs in their areas and which will widen the range of housing opportunities to allow these to be met.*

4.5. The application and discussion of these policies is set out in the following section. Suffice to say here that in light of this matter and other material considerations such as highways and landscape, the determining issue is limited to that of impact on adjoining residents.

5.0 THE MAIN ISSUES

5.1. Having regard to planning policy and all other material planning considerations, the appellant's are of the view that the following represent the main issues in determination of this appeal.

(1) Can car parking be satisfactorily accommodated within the site in a manner, which would not result in a material loss of amenity to adjoining residents by reason of vehicular movement close to common boundaries?
(2) Can 6no. flats be accommodated without undue harm to adjoining residents by reason of overlooking and general impact?

5.2. If these matters are capable of satisfactory resolution, and this is obviously the appellant's position, then the appeal should be granted in accordance with adopted Local Plan policy and national policy as set out in PPG3.

Car parking and residential amenity

5.3. In assessing this matter, it must firstly be emphasised that the submitted plans which form the basis of determination are for illustrative purposes. As such the position of car parking is not for determination at this stage. In saying this, the appellant's acknowledge that a level of parking should be provided and the onus falls upon them, in light of the refusal, to demonstrate how this can be attained.

5.4. In making this assessment, the initial consideration is how much car parking is required. It is well settled that PPG3 and PPG13 encourage a 'maximum standards' approach to the consideration of car parking and this is reflected at Appendix A of the Local Plan. Extracts from this are attached as document 3 where at paragraphs A8 3.8 and A84.3 the principle is outlined.

5.5. There is no dispute that the appeal site is a sustainable, town centre location and is identified as a "zone 2" on the plan at document 3. There are parking restrictions along Rectory Road although on street spaces are available outside of the working day. In addition, there is a public car park (Waitrose) within 300 metres of the appeal site and these off site facilities will be readily available for visitors.

5.6. On this basis and having regard to national and local planning policy it may be acceptable to have less than one parking space per unit. However, in practise there is a relatively high level of car ownership in Wokingham District and it would be inappropriate, on the basis of our experience, to have less than 1 parking space per unit. With this in mind drawing MLP/01 at document 4 demonstrates how 6 spaces can be provided in a manner which provides space for a landscape buffer to no. 12 Barkhart Drive and on-site vehicular turning space.

5.7. This is, of course, a consideration for a reserved matters application. In any event it has been demonstrated that the issue is capable of satisfactory resolution and reason for refusal 1 is therefore overcome.

5.8. In setting out this suggestion, we are mindful of correspondence between the Council and the previous Agents, where the matter of on-site turning was perceived to be critical. Indeed we concur with this approach bearing in mind the nature of traffic on Rectory Road. The proposal demonstrates how on-site turning has been accommodated.

Overlooking and loss of amenity

5.9. The second reason for refusal is far from clear and precise as per the requirement set out at paragraph 55 of PPG1 which states:

> *Where a proposal is not acceptable, decision makers should state clearly and precisely the full reasons for refusal.*

5.10. This perhaps results from a lack of unambiguous instruction from Members of the Development Control Committee, who determined to find against the professional advice of their Officers.

5.11. In any event the issue of overlooking is one which Members plainly found objectionable and is required to be addressed. In examining this issue we first make the following points:

(1) The elevation and floor plans are for illustrative purposes only and the weight afforded to them in the making of this decision is limited.

(2) There are alternative ways of accommodating six flats, although it is accepted that siting is a consideration before the Inspector.

(3) Those living in an urban area must reasonably expect some degree of overlooking and, indeed, this circumstance exists from the existing dwelling into adjoining amenity space.

5.12. In weighing up this matter, the illustrative plans show how the proposal could be designed so that the bulk, massing and height are similar to the existing dwelling. More importantly the siting shows space to the common boundaries of 2.6 metres and the bulk of the 2 storey element to the north east is set away from the private amenity space of 12 Barkhart Drive. There is no requirement for the secondary windows to the living room as shown on the illustrative floor plans, although they are sited so that no direct overlooking into the adjoining gardens would result. To this extent the appellant's are firmly of the view that the proposal is acceptable.

5.13. Notwithstanding this, the plans at document 5 show an alternative approach to accommodating six 2 bedroom flats at the appeal site. This is an approach which could be submitted as a full application although it is accepted that it would not follow a reserved matters application pursuant to this appeal, should it be allowed. This I due to the fact that siting is a matter for consideration at this stage.

5.14. What this demonstrates is that there is no direct overlooking into adjoining gardens. In particular the living rooms are show to face to the north west and overlooking from them into the private amenity space of Barkhart Drive is avoided.

5.15. Moreover, and this may be a concern of the Council even though it is not set out in terms on the decision notice, the building is sited at a considerable distance from the common boundaries to both 12 Barkhart Drive and 42 Rectory Road. It should also be note that the height of the building accords with the existing dwelling as is shown on the street elevation and to this extent that argument pertains

5.16. Accordingly it has been demonstrated that reason for refusal 2 can be satisfactorily resolved at reserved matters stage and it is open to the appointed inspector to impose a planning condition which includes siting as a matter to be submitted and approved. In making this suggestion, we are mindful of the illustrative nature of the submitted plans and the imposition of a condition to this effect would not go to the heart of the development proposal.

6.0 SUGGESTED PLANNING CONDITIONS

6.1 The appellants suggest that the following conditions model conditions which are taken from Circular 11/95 and satisfy the tests set out therein.

2. Approval of the details of the **siting**, design and external appearance of the building[s] and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced *(paragraph 43)*.

4. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of [three] years from the date of this permission *(paragraph 55)*.

5. The development hereby permitted shall be begun either before the expiration of [five] years from the date of this permission, or before the expiration of [two] years from the date of approval of the last of the reserved matters to be approved, whichever is the later *(paragraph 55)*.

64. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

20. No flat shall be occupied until space has been laid out within the site in accordance with the approved plans for 6 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

21. No flat shall be occupied until space has been laid out within the site in accordance with the approved plans for 4 bicycles to be parked.

25. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.]

27. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority *(paragraphs 48-50)*.

7.0 SUMMARY AND CONCLUSIONS

7.1 By way of summary and conclusion the following points are submitted:

(1) The site lies within a sustainable town centre location where higher density development is encouraged through both national and local planning policy.

(2) There is no technical objection to the proposed development of 6 flats following demolition of the existing dwelling. This includes a thorough appraisal of highways and arborocultural matters.

(3) The weight which may be attached to the illustrative plans is not that which the Council assumes. Setting this aside, the proposed development could be designed in such a way that it would not have a harmful effect on the visual amenities of the townscape or result in demonstrable harm to residential amenity.

(4) Having regard to these matters, there are no circumstances which justify a departure from policies of the development plan and the appeal should be allowed.

7.2. Having regard to the foregoing it is respectfully requested that this appeal be allowed.

Development Control Ref No:	Received	Parish	Ward	Listed by
F/2003/8188	13.12.03	Wokingham	Norreys	Cllr. Robertson

Applicant Mr. A Bradley and Mr. M Beswethick
Location 44 Rectory Road, Wokingham
Proposal Outline application for the proposed erection of 6 flats with parking. Demolition of existing dwelling.

FOR CONSIDERATION BY Development Control Committee
REPORT PREPARED BY Corporate Head of Planning

SUMMARY

The application is in outline with means of access and siting to be determined. Revised illustrative floor plans and a street scene showing 6 x 2 bedroom flats have also been submitted. These show 3 flats on the ground floor, 2 on the first floor and 1 on the second floor. The illustrative street scene elevation shows the proposed building would be 8.5m. high at the western end and 7.2m. high at the eastern end. The revised layout plan shows 7 car parking spaces and bin and cycle stores. A tree survey has also been submitted. Original plans were for 8 flats in a building illustrated to be up to 10.4m. high.

The application has been listed by Councillor Robertson due to concerns regarding highway problems, parking and overdevelopment of the site. These concerns remain despite submission of revised plans.

RECOMMENDATION

That PLANNING PERMISSION BE APPROVED subject to the following conditions:

1. a) Approval of the details of the design (including floorspace, height, massing, internal planning and refuse storage and disposal facilities) and external appearance of the building and the landscaping treatment of the site)(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

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

Reason: a) No such details have been submitted.
b) & c) In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

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

3. The development shall not commence until details of all boundary treatment(s) has

been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the Local Planning Authority. The approved scheme shall be maintained in perpetuity.
Reason: To safeguard the visual amenities of neighbouring properties and the locality.

4. Prior to the commencement of development, details of the slab levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The constructed development shall not vary from the approved levels.
Reason: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape.

5. The height and massing of the building hereby approved shall not exceed that shown on the illustrative street scene elevation received on 17.10.03.
Reason: To provide a satisfactory appearance in the street scene.

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

7. No restrictions shall be made at any time on the use of the car parking spaces shown on the approved plan(s) by occupiers of, or visitors to, any of the buildings hereby permitted.
Reason: To reduce the likelihood of roadside parking, and to maintain the Local Planning Authority's car parking standards in the interests of highway safety and amenity.

8. No building shall be occupied until secure, covered cycle storage has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority
Reason: In order to ensure bicycle parking facilities are provided and encourage use of sustainable modes of travel.

9. None of the flats hereby approved shall be occupied until visibility splays of 2 metres by 2 metres have been provided at the intersection of the driveway and the adjacent footway. (Dimensions to be measured along the edge of the drive and the back of the footway from their point of intersection). The visibility splays shall thereafter be kept free of all obstructions to visibility above a height of 0.6 metres.
Reason: In the interests of highway safety and convenience.

10. Prior to commencing work on site, provision shall be made to accommodate all site operatives' visitors and construction vehicles loading, off-loading, parking and turning within the site during the construction period, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The provision should be maintained and used at all times.
Reason: To prevent queuing and parking off site, in the interests of highway safety and

convenience.

11. No building shall be occupied until the access has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and convenience.

12. None of the flats shall be occupied until space has been provided within the curtilage for vehicles to turn so that they may enter and leave the site in a forward gear and this space shall thereafter be maintained at all times for this purpose.
Reason: In the interests of highway safety and convenience.

13. Any gates provided shall be set back a distance of at least 5 metres from the highway boundary and shall not open towards the highway.
Reason: To ensure that vehicles can be driven off the highway before the gates are opened, in the interests of road safety.

14. None of the flats hereby approved shall be occupied until the vehicular access has been surfaced with a bonded material across the entire width of the access for a distance of 7 metres measured from the carriageway edge.
Reason: To avoid spillage of loose material onto the carriageway and in the interests of road safety.

15. No works shall start on site until an Arboricultural method statement has been submitted to and approved by the Local Planning Authority. This Method Statement shall cover all aspects of the development that have the potential, through careless implementation, to harm those existing trees which have been identified for retention, The statement shall include details of the sequence of operations including felling and removal, remedial tree surgery works, location and erection of protective fencing, the siting of and access to and from the site compound, the construction of the driveway and parking areas so that no damage is caused to the trees to be retained.
The Method Statement shall include the retention of a Arboricultural Consultant to monitor and periodically report to the Local Planning Authority, the status of all tree protection measures, including the correct implementation of tree-related Planning Conditions, throughout the course of the development. The development shall then be carried out strictly in accordance with the approved Arboricultural Method Statement.
Reason: To ensure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area.

16. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without the prior consent of the Local Planning Authority. Any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within five years from the completion of the development hereby approved shall be replaced with new trees, shrubs or hedge plants of a similar size and species unless the Local Planning Authority gives written consent to any variation.
Reason: To ensure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area.

17. No development shall take place until there has been submitted to and approved in

writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development; the approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of any of the building(s) hereby approved and retained.
Reason: In the interests of visual amenity.

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

Informatives

1. The development accords with the policies contained within the adopted / emerging development plans and there are no material considerations which warrant a different decision being taken.

2. You are advised, in compliance with the Town and Country Planning (General Development Procedure)(England)(Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:
Berkshire Structure Plan Policies: LD3, LD5, EN1, EN3 and H5.
Loddon Area Local Plan Policies: LH1, LBE1, LBE2, LBE9, LT5, LT6, LPS2 and LPS3.
Wokingham District Local Plan (as modified) Policies: WOS2, WOS3, WBE1, WBE11, WH1A, WH3A, WH6, WH6A, WT6, WT7 and WIC16.

3. This approval pertains to plan no. 30751/05/C received by the Council on 08.12.03 and street scene elevation received on 17.10.03.

4. The Head of Engineering Services at the Council Offices, Shute End, Wokingham should be contacted for the approval of the access construction details before any work is carried out within the highway. This planning permission does NOT authorise the construction of such an access.
5. If bats or signs of bats are encountered at any point during the demolition of the existing buildings then all works must stop immediately and the local English Nature office informed. This is to ensure the survival of a legally protected species.

Held by Planning Reception	**Dept** Development Control
Telephone No 0118 974 6428/6429	**Email** development.control@wokingham.gov.uk
Date 23 December 2003	**Author** Angela Odell

NB All reports seek to identify environmental, community safety, customer care and equal opportunities implications. Consultation with residents and organisations which has or is about to take place, will also be reported.

BACKGROUND

The existing house on this 0.13 ha. site is estimated to be about 8.4m. high at its western end and 7.2m. high at its eastern end. There are large trees along the front of the site and also some conifers along the side boundaries at the rear of the house.

CONSULTATION

Wokingham Town Council - Object to original and revised plans (comments attached) Main points are concerned about increase in traffic near junction, 3 storey development is out of character and cramped development.

13 Letters of Objection received from 9 addresses - to original and additional plans.

- Proposed 3 storey building would be too high, overbearing and out of character.
- Loss of individual houses. The character of Wokingham will be lost if continue to demolish houses and erect flats.
- Overlooking of adjacent properties. Also loss of light and sunlight to adjacent properties and overshadowing.
- Noise and disturbance from proposed flats.
- Density would be 61.5 dwellings per ha. which is significantly higher than the maximum of 50.
- Parking spaces inadequate for 8 flats unless one bedroom. Also need spaces for visitors, delivery vans etc. as little parking in the vicinity. Wokingham has a high rate of car ownership.
- Detrimental to highway safety – site close to busy road junction where there have been accidents. Extra traffic generated will add to traffic congestion, pollution and noise. Cars speed above the speed limit here. Difficult for traffic from site to cross lanes.
- Must protect and retain trees and shrubs.
- Potential security problems to houses in Barkhart Drive.
- Devaluation of existing properties.

4 letters of objection to revised plans – revised plans do not overcome the above objections.

Access and Movement – No objection to revised plans subject to conditions. The scheme is for 6 x 2 bedroom flats for which the maximum car parking provision would be 9 spaces and 7 spaces are proposed. Given the site's location close to the town centre this is considered acceptable. Government advice in PPG13 encourages a reduction in car parking provision in locations that are well served by alternative modes of travel and advises that Local Planning Authorities should not normally require more car parking than the developer considers necessary. The access to the site is existing onto a one-way street. Visibility in the direction of on-coming traffic is good and on site turning is secured by condition so that vehicles can enter and leave in a forward gear. The increase in traffic generated by 6 flats compared with the existing house is likely to be less than 5 vehicles per house in peak hours, and on this basis the Access and Movement Officer considers the access arrangements are acceptable.

Environmental Health Officer - No objection and recommends standard hours of construction condition.

Tree Officer – No objection to revised plans subject to tree protection and landscaping conditions.

Council's Ecologist - Advises a bat survey should be submitted before any permission is granted.

Thames Water – No objection.

APPRAISAL

Principle of proposal

1. As the site is within an existing Category A settlement, the proposal is acceptable in principle. The density would be 46 dwellings per ha. which would comply with Policy WH3A as it would be within the required 30-50 dwellings per ha. range and is therefore considered acceptable. The proposal is for 5 x 2 bedroom and 1 x 3 bedroom flats, which would be considered favourably under Policy WH6 as most of the proposed dwellings would be in the smaller size category.

Impact on the character and appearance of the area.

2. The character of the area around the appeal site is of individual houses, but there are some quite large blocks of flats in the vicinity. The site plan shows that the proposed building would be up to a maximum of 22m. wide with gaps of 2.6m. to each of the side boundaries, resulting in gaps of 7.8m. at the west side to the two-storey front part of No. 42 and of 5.4m. to No. 12 Barkhart Gardens. The illustrative street scene elevation shows that the proposed building would be about the same height as the existing. As the site is already significantly wider than the sites adjacent and nearby on this side of Rectory Road, and there are large trees along the frontage which are shown to be retained, it is considered that the impact of the proposed building on the street scene would be acceptable.

Impact upon the residential amenity of the neighbouring dwellings.

3. *No. 42 Rectory Road:* The building would be set back from the front of No. 42 by about 1m. for the part nearest to No. 42 which also has its garage this side. The proposed building would be a minimum of 5.8m. from the side of the house at No. 42 and would also be angled away at the front and the illustrative front elevation shows it would have a sloping roof this side. It is considered that it would have an acceptable effect on the outlook from, and light to, the front of No. 42. The revised illustrative floor plans show that in the west side there would only be a side, secondary window lounge window and en-suite window on the first floor and bathroom window on the second floor. The en-suite and bathroom windows could be obscure glazed and the secondary living room could be high level. Bedroom windows are proposed in the first and second floor rear elevation. As there are also tall conifers along most of the side boundary behind Nos. 42 and 44, it is considered that this would avoid any unacceptable overlooking.

4. *No. 12 Barkhart Gardens:* This house faces north-westwards with its rear garden and elevation facing Rectory Road. Although the rear of the proposed building projects beyond the front of No. 12, it would be angled away and at a sufficient distance to avoid unacceptable loss of outlook or light. Oblique overlooking of the rear garden of No. 12 would occur from the first floor front windows of the proposed building. However, due to the distance of 2.6m. of the proposed building to the side boundary and the angle, this is considered acceptable. The revised illustrative floor plans show that in the east side there would only be a side, secondary window lounge window and en-suite window on the first floor. The en-suite window could be obscure glazed and the secondary living room could be high level. Proposed car parking spaces would be near to the boundary of the rear garden of No. 12. Whilst this could cause some disturbance, it is considered acceptable in the context of the significant volume of traffic that travels along Rectory Road and round into Wiltshire Road.

5. *Nos. 14-16 Barkhart Gardens:* There are some existing conifers about 4m. high within the boundary of No. 44 and a 1.8m high wall. The illustrative floor plans show that the bedroom 1 window in the rear elevation of the eastern flat on the first floor would be about 17m. from the rear elevation of No. 14 Barkhart Gardens, but at an

acute angle of about 35 degrees, and that the rear first and second floor windows of the flats at the western end of the proposed building would be about 21m. away and also at an angle of about 35 degrees. These windows would be further away from Nos. 15 and 16 but at a less acute angle. It is considered that these distances and angles would not result in an unacceptable degree of overlooking.
6. It is therefore considered that the proposal would have an acceptable effect on neighbouring properties.

Access and movement
7. The proposed access would be the existing access and it is considered that the additional traffic using the access would be acceptable. Seven parking spaces are proposed, which is considered sufficient for the site's location close to the town centre.

Flooding Issues.
8. The site is not located within the Environment Agency's Indicative Flood Plain Plan, which highlights areas that are liable to flooding.

Bats.
9. It is considered that the possibility of bats being present in the existing dwelling to be demolished can be dealt with by an informative.

Concerns of Residents and Wokingham Town Council.
10. These have been noted and addressed above. Regarding security problems, it is considered that the proposed development would not cause a significant increase in security risks compared with the existing situation. Potential devaluation of existing properties cannot be taken into account as it is not a material planning consideration.

CONCLUSION
It is considered that the proposal is acceptable in principle and would have an acceptable impact on the character and appearance of the area, on trees, on neighbouring properties and on access and parking.

RESOLVED: That Application O/2003/0586 be deferred for a site visit to enable Members to assess the extent to which the proposals breached the settlement boundary in contravention of Council Policy.

253 APPLICATION O/2003/0102 ERECTION OF FIVE DETACHED DWELLINGS ON LAND REAR OF 2-6 BARBER CLOSE, HURST FOR MARTIN GRANT HOMES LTD

The Committee considered a report on this application set out on Agenda pages 207-220.

Members were advised that the contribution required in lieu of the one affordable housing unit on the site was £86,306.

Mr P Martin, representing Hurst Parish Council, spoke objecting to the application.

Mr Ive, a local resident, spoke objecting to the application.

Notwithstanding the Development Control Manager's recommendation that planning permission be approved, the Committee took the view that a site visit was necessary to enable Members to assess the means of access to the proposed development, particularly its relationship to the property at 3 Barber Close.

The view was expressed that provision should be made for an affordable housing unit to be provided on site.

RESOLVED That Application O/2003/0102 be deferred for a site visit to enable Members to assess the means of access to the proposed development, particularly its relationship to the property at 3 Barber Close.

254 APPLICATION O/2003/8188 DEMOLITION OF EXISTING DWELLING AND ERECTION OF SIX FLATS WITH PARKING AT 44 RECTORY ROAD, WOKINGHAM FOR MR BRADLEY AND MR BESWETHICK

The Committee considered a report on this application set out on Agenda pages 8-25.

The Development Control Manager drew Members' attention to corrections to the report, additional consultations received, and to an additional recommended condition (set out on Agenda page 8). Details of these amendments and additions were set out in the Members' Update.

Mr J Cooper, a local resident, spoke objecting to the application.

Mrs J Williams, agent for the applicant, spoke in support of the application. Mrs Williams advised that, in addition to representing the applicant, she was engaged by the Council as a consultant within the Development Control section. She advised that she would address the Committee only in her capacity as agent for the applicant, and assured the Committee that she had had no undue influence in the processing of the application.

Notwithstanding the Development Control Manager's recommendation that planning permission be granted, the Committee took the view that the proposed development would have an unacceptable impact upon the amenity of the occupiers of numbers 12 and 14 Barkhart Drive, in particular by virtue of the different levels identified on site. In addition, the proposed parking area was considered to have a detrimental impact on the amenity of the property at the 12 Barkhart Drive. Members resolved to refuse planning permission for these reasons.

RESOLVED That Application O/2003/8188 be refused on the grounds that the proposed development would

2

Category A – Those settlements that possess a range of services, facilities and public transport opportunities that would permit residents to occupy a reasonably self-contained community without the need to use a private motor car to reach those services in larger settlements. It will be within and on the edge of these settlements that the Council will seek new housing allocations:

Wokingham, Spencers Wood, Three Mile Cross, Twyford, Winnersh, Shinfield, Shinfield (N of M4), Green Park/Courage Brewery, Earley, Woodley and Pinewood (Crowthorne).

Category B – Those settlements which have a reasonable amount of development in a compact form and may be physically and socially cohesive, but possess a lower range of basic services. In these settlements only very limited infilling and small windfall development will be permitted:

Arborfield Cross, Barkham Hill, Charvil, Sonning, Finchampstead, Finchampstead North, Hurst, Riseley, Sindlesham, Swallowfield and Wargrave.

Outside of the identified settlements it is intended to limit development to that which is appropriate to the countryside or for which a rural location is essential.

1.10 For the avoidance of doubt, the sites listed in Policies WH3, WH4 and WH5 should be under development before any other site on the edge of a Category A settlement (and outside the settlement boundary) can be considered for release under this policy.

1.11 Within Category B settlements, development proposals should not exceed 1 hectare (gross). In assessing the suitability of schemes on sites under 1 hectare, applicants will need to demonstrate the appropriateness of the scale of development proposed compared to the extent that future dwelling occupiers would be dependent on the use of the car to reach facilities and services. Redevelopment proposals exceeding 1 hectare in Category B settlements are unlikely to be acceptable since it is probable that there will be increased use of the private car from the settlement contrary to the minimisation of the need to travel.

1.12 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements. For the sake of clarity, Arborfield Garrison does not possess the essential qualities of an identified settlement and is included in areas designated as countryside.

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.

1.13 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.

1.14 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.

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

1.16 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.

1.17 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."

1.18 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

C) INCORPORATION OF FEATURES THAT MAXIMISE THE SAFETY AND SECURITY OF PEOPLE LIVING IN OR USING THE DEVELOPMENT;
D) CREATION OF EASILY ACCESSIBLE AND ATTRACTIVE OPEN SPACES.

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

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

THE PUBLIC REALM

4.12 The provision of a policy enabling the Council to secure public art, where appropriate, through negotiated legal agreements will help to make the local environment more attractive and distinctive.

POLICY WBE2: PUBLIC ART

IN THE CONSIDERATION OF DEVELOPMENT PROPOSALS, THE COUNCIL WILL SEEK TO SECURE PUBLIC ART THROUGH NEGOTIATED LEGAL AGREEMENTS WHERE IT CONSIDERS THAT IT WOULD IMPROVE THE PHYSICAL ENVIRONMENT OF PUBLIC PLACES WITHIN THE DEVELOPMENT.

Implementation: Through contributions from the development process.

Monitoring: Projects achieved on the ground.

4.13 Ensuring good accessibility to new developments assists in the creation of a more vital environment, and assists in the promotion of safety and security through good surveillance.

POLICY WBE3: ACCESSIBILITY

DEVELOPMENT PROPOSALS WILL BE REQUIRED TO DEMONSTRATE GOOD ACCESSIBILITY WITH EASY AND SAFE INTERNAL ACCESS ALONG A NETWORK OF INTERLINKED FOOTPATHS. THE LOSS OF A PUBIC RIGHT OF WAY WILL NOT BE PERMITTED UNLESS APPROPRIATE ALTERNATIVE PROVISION CAN BE MADE.

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

4.14 Landscaping and planting can be used to enhance and integrate new development into the wider environment.

POLICY WBE4: LANDSCAPE AND PLANTING

NEW DEVELOPMENT WILL BE ENHANCED THROUGH THE USE OF APPROPRIATE LANDSCAPING. THIS WILL BE SECURED BY IMPOSING SUITABLE CONDITIONS ON THE GRANT OF PLANNING PERMISSION. LANDSCAPE SCHEMES SHOULD RESPECT LOCAL LANDSCAPE CHARACTER AND WHEREVER POSSIBLE RETAIN AND PROTECT EXISTING NATURAL FEATURES. TREES AND SHRUBS WILL BE EXPECTED TO COMPRISE LOCALLY NATIVE SPECIES WHEREVER POSSIBLE.

4.7 Comprehensive guidance on heritage issues is given in Planning Policy Guidance Note 15 (PPG15) *Planning and the Historic Environment.* Planning Policy Guidance Note 16 (PPG16) *Archaeology and Planning* gives advice on archaeology and planning.

Strategic Policy

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

Supplementary Planning Guidance

4.9 The policies in this chapter are augmented by additional guidance in the form of development briefs, conservation area studies and several new Supplementary Planning Guidance Notes. These relate to specific aspects of this chapter that the Council will prepare during the Local Plan period. Applications in Conservation Areas, Areas of Special Character and other sensitive areas will be expected to be accompanied by a Design Statement to demonstrate how the development will take account of the character of the area.

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

4.10 Policy WBE1 seeks to achieve better quality in the design of individual developments and this should reinforce local identity and result in improvement of the wider built environment. The emphasis of Policy WBE1 is on good design.

4.11 This policy should ensure that local distinctiveness is not diluted and internationalisation of style is avoided within the district. The provision of safe and secure environments which deter crime in both public and private spaces are a prime objective of the Council. This issue will be addressed through good layout and building design as well as a mixture of land uses, which together will promote good natural surveillance.

POLICY WBE1: DESIGN AND NEW DEVELOPMENT

NEW DEVELOPMENT WILL BE EXPECTED TO ACHIEVE HIGH STANDARDS OF DESIGN AND LAYOUT, WHICH MAKES EFFICIENT USE OF LAND AND BUILDINGS. A SCHEME SHOULD CREATE ITS OWN IDENTITY, WHILST TAKING ACCOUNT OF THE WIDER LOCALITY, INCLUDING THE SURROUNDING TOWNSCAPE AND LANDSCAPE. IN ADDITION, DEVELOPMENT PROPOSALS WILL BE EXPECTED TO HAVE REGARD TO THE FOLLOWING PRINCIPLES:

A) A REDUCTION IN THE LEVEL OF CAR PARKING BELOW MAXIMUM STANDARDS WHEREVER POSSIBLE IN ORDER TO PROMOTE SUSTAINABLE TRANSPORT CHOICES;

B) ENCOURAGEMENT OF MEASURES THAT PROMOTE ACCESSIBILITY TO SERVICES AND FACILITIES BY PUBLIC TRANSPORT, CYCLING AND WALKING;

Implementation: Assess the quality of landscape schemes through the development control process, including use of section E of the Planning Guidelines.

Monitoring: Check quality of landscape works and planting on the ground.

4.15 The Council considers it important to protect trees and hedges in the plan area, that make a fundamental contribution to its character and appearance. Tree preservation orders have already been applied to many individual and groups of trees and areas of woodland, and this approach will be continued as appropriate.

POLICY WBE5: TREES AND NEW DEVELOPMENT

IN CONSIDERING PROPOSALS FOR DEVELOPMENT THE EFFECT ON EXISTING TREES AND AREAS OF WOODLAND WILL BE TAKEN INTO ACCOUNT. TREES THAT ARE TO BE RETAINED WILL BE PROPERLY PROTECTED DURING THE COURSE OF CONSTRUCTION IN ACCORDANCE WITH A SCHEME TO BE FIRST APPROVED THROUGH APPROPRIATE CONDITIONS ATTACHED TO THE PLANNING PERMISSION. WHERE APPROPRIATE, TREE PRESERVATION ORDERS WILL BE APPLIED AND THE LOSS OR DAMAGE OF TREES PROTECTED BY NEW OR EXISTING ORDERS WILL BE RESISTED.

Implementation: Through the development control process, including use of section E of the Planning Guidelines.

Monitoring: Check quality of tree cover on the ground.

4.16 Many of the routes into Wokingham and other settlements are lined with trees and other vegetation that make a significant contribution to environmental character. These 'green' routes should be maintained and enhanced wherever possible. This is to be achieved by protecting the existing trees, managing the trees and other vegetation, resisting inappropriate development, and ensuring a high quality streetscape including trees, hard and soft landscaping, and well-designed signage. In addition, certain stretches of road that have the potential to be green routes, particularly sections running between existing green routes, will be enhanced. These aims will be achieved through planning conditions and/ or negotiated legal agreements.

POLICY WBE6: GREEN ROUTES

DEVELOPMENT WILL NOT BE PERMITTED THAT WOULD DETRACT FROM THE VISUAL QUALITY OF A GREEN ROUTE OR RESULT IN THE LOSS OF PROTECTED TREES. WHERE APPROPRIATE IT WILL BE EXPECTED TO CONTRIBUTE TOWARDS THE IMPROVEMENT OF GREEN ROUTE ENHANCEMENT AREAS THROUGH LANDSCAPE AND PLANTING SCHEMES.

Implementation: Through the capital programme and the development control process.

Monitoring: Through quality of the environment surveys.

development. Consequently sites within Category A settlements are more suitable for housing than those elsewhere.

5.22 Previously developed land lies within a settlement and is or was occupied by a permanent structure or hardstanding (excluding those associated with agriculture or forestry including farmhouses). It may include mineral extraction sites within the settlement where the site has not blended into the countryside. It does not include undeveloped sites such as parks which may include urban features (pavilions, etc). It may also exclude the gardens of dwellings, particularly where they are in large plots. However, the extent to which a garden will be considered to be previously developed land will depend on its specific circumstances, for example where parts of the garden have an uncultivated, natural or wooded character, they will not be regarded as previously developed areas. Although sites outside settlements may also have these characteristics, they will not be considered suitable for new housing development as they tend to be in unsustainable locations. Only previously developed land within urban areas is acceptable for housing allocations.

5.23 Good public transport corridors are locations in settlements within a 400 m walk from a stop (railway station or bus stop) on a good service. A good public transport service meets the following requirements:

a) a least one timetabled service on the route in both directions every thirty minutes during peak hours (7:00 to 9:00 and 16:00 to 19:00 Monday to Saturday); and

b) at least one timetabled service on the route in both directions every hour during off-peak hours (9:00 to 16:00 and 19:00 to 22:00 Monday to Saturday and between 7:00 and 22:00 on Sundays).

5.24 The Council will amend its approach for identifying housing allocations in any future review of this Local Plan to ensure it reflects the latest guidance (including the Structure Plan). This would include the suitability of sites identified in Policies WH4 and WH5.

POLICY WH1: HOUSING DEVELOPMENT – SITE SELECTION PROCESS

THE COUNCIL WILL IDENTIFY NEW HOUSING ALLOCATIONS BASED ON A SEQUENTIAL APPROACH STARTING WITH THE RE-USE OF PREVIOUSLY DEVELOPED LAND AND BUILDINGS WITHIN URBAN AREAS. IF INSUFFICIENT LAND IS AVAILABLE FROM THAT SOURCE, THEN SITES THAT FORM URBAN EXTENSIONS AND THEN NEW DEVELOPMENTS AROUND CENTRES WHICH ARE SERVED BY GOOD PUBLIC TRANSPORT CORRIDORS WILL BE SELECTED. ALL ALLOCATIONS WILL BE SUBJECT TO THE COUNCIL'S OBJECTIVE OF CREATING SUSTAINABLE FORMS OF DEVELOPMENT AND AN ASSESSMENT BASED ON HIGHWAY, INFRASTRUCTURE AND ENVIRONMENTAL CRITERIA.

Implementation: Through the Local Plan and development control process

Monitoring: Planning applications

5.25 Only part of the District's housing requirement is met through the allocation of specific areas of land for development. Housing will continue to be built on unidentified sites. In accordance with Berkshire Structure Plan Policies (C1 and H5), these sites will be within the boundaries of identified settlements. Any proposals for residential development will also need to accord with Policy WOS2.

5.26 There is a need to make full use of existing land within settlements, which can often be achieved through the development of backland areas. However, such locations are often highly constrained due to their close proximity to existing housing. The potential for visual and functional intrusion in these circumstances is acute and the Council will require high standards of design to overcome these problems. The Council will also seek to ensure that development proposals make the most efficient use of land by ensuring that such development does not prejudice (or landlock) the comprehensive development of adjacent sites. Piecemeal development of individual plots of garden or other land within such areas (which are suitable for more comprehensive development) will be refused unless the application demonstrates that the development of other adjacent sites would not be unreasonably prejudiced by the proposal. This will ensure that development proposals make the most efficient use of land.

POLICY WH2: HOUSING DEVELOPMENT - UNIDENTIFIED SITES

WITHIN IDENTIFIED SETTLEMENTS PROPOSALS FOR USING LAND AND BUILDINGS FOR HOUSING WILL BE DETERMINED IN ACCORDANCE WITH THE FOLLOWING SUSTAINABLE DEVELOPMENT CRITERIA:

a) DEVELOPMENT PROPOSALS WILL MAKE THE MOST EFFICIENT USE OF LAND AND BUILDINGS, HAVING REGARD TO THE NEED TO MAXIMISE DENSITIES, A PROPER MIX OF HOUSING AND ADEQUATE LEVELS OF AFFORDABLE HOUSING;

b) THE EXTENT THAT FUTURE RESIDENTS WOULD BE CAR DEPENDENT OR HAVE GOOD ACCESS TO ALTERNATIVE MEANS OF TRANSPORT

c) HOW SUCCESSFUL THE DESIGN AND LAYOUT OF THE PROPOSALS WOULD BE IN MINIMISING ANY ADVERSE IMPACT ON THE CHARACTER OF ADJOINING BUILDINGS AND/OR THE LANDSCAPE AND ECOLOGY OF OPEN AREAS

d) THE EXTENT TO WHICH PROPOSALS WOULD MAKE MORE EFFICIENT USE OF EXISTING SOCIAL AND PHYSICAL INFRASTRUCTURE, HAVING REGARD TO THE CUMULATIVE IMPACT OF DEVELOPMENT

Implementation: Planning permissions to private and public sector housebuilders, having regard to Planning Guidelines.

Monitoring: Planning applications.

5.27 The sites that have been identified in Policy WH3 have been selected on the basis of their performance against a number of sustainability, environmental and other criteria as outlined in Policy WH1. There is no priority order or ranking of sites within Policy WH3. Appendix 4 includes details of the net density anticipated for each site listed In Policy WH3. This appendix also provides details on some of the necessary and directly related services, amenities and infrastructure which should be provided in connection with the development.

POLICY WH3: HOUSING DEVELOPMENT - IDENTIFIED SITES

IN ACCORDANCE WITH THE COUNCIL'S OBJECTIVE OF PROMOTING A SUSTAINABLE PATTERN OF DEVELOPMENT THROUGHOUT THE DISTRICT,

It therefore excludes:

a) Major distributor roads;
b) Primary schools
c) Open spaces serving a wider area; and
d) Significant landscape buffer strips.

Further guidance on the calculation of net site areas and locations where higher densities may be appropriate is included in Appendix 5.

5.38 The Council's definition of good public transport corridors is included in paragraph 5.23.

POLICY WH7: HOUSING DENSITY GUIDELINES

WHEN DETERMINING PLANNING APPLICATIONS FOR NEW HOUSING SCHEMES, THE COUNCIL WILL REFUSE PLANNING PERMISSION FOR PROPOSALS THAT MAKE INEFFICIENT USE OF LAND. SCHEMES WILL BE EXPECTED TO ACHIEVE BETWEEN 30-50 DWELLINGS NET PER HECTARE AND ON THAT BASIS WILL BE SUPPORTED SUBJECT TO THE COUNCIL'S SUSTAINABILITY POLICIES. AT PLACES WHERE THERE IS GOOD PUBLIC TRANSPORT ACCESSIBILITY OR WHERE THERE ARE CENTRES ALONG GOOD QUALITY PUBLIC TRANSPORT CORRIDORS, DENSITIES IN EXCESS OF 50 DWELLINGS NET PER HECTARE WILL BE SUPPORTED.

Implementation: The development control process.

Monitoring: Planning applications and appeal decisions

5.39 The continuing increase in single person and small households has reinforced the demand for flats and smaller units of accommodation. Factors to take into account in determining whether or not a property is suitable for conversion include the size and character of the property, and the effect on residential amenity and environmental character of the proposed conversion.

POLICY WH8: CONVERSIONS/SUB-DIVISION OF HOUSING, INCLUDING BEDSITS/MULTI-OCCUPATION

THE COUNCIL WILL GIVE FAVOURABLE CONSIDERATION TO PROPOSALS FOR THE CONVERSION OR SUB-DIVISION OF DWELLINGS, AND IN SOME CASES NON-RESIDENTIAL BUILDINGS, FOR RESIDENTIAL USES PROVIDED THAT:

A) EACH UNIT IS SELF-CONTAINED WITH ADEQUATE INTERNAL LIVING SPACE AND ITS OWN PRIVATE FACILITIES INCLUDING BASIC AMENITIES

B) THE AMENITY OF NEIGHBOURING OR ADJOINING PROPERTIES IS NOT ADVERSELY AFFECTED

C) THERE IS NO ADVERSE EFFECT ON THE CHARACTER OF THE ENVIRONMENT, INCLUDING ON ANY CONSERVATION AREA OR LISTED BUILDING

D) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY INTEREST OF NATURE CONSERVATION IMPORTANCE, AND

E) APPROPRIATE CAR PARKING AND BICYCLE STORAGE ARE PROVIDED.

THE SUB-DIVISION OF SMALL DWELLINGS (LESS THAN 100 SQ.M. NET FLOORSPACE) WILL NOT BE ALLOWED. WHERE APPROPRIATE, THE REQUIREMENTS OF POLICY WH12 WILL BE APPLIED. PROPOSALS NOT MEETING THESE CRITERIA WILL BE CONSIDERED TO HAVE AN ADVERSE ENVIRONMENTAL IMPACT, AND WILL BE STRONGLY RESISTED.

Implementation: Planning permissions by private, public and voluntary sectors.

Monitoring: Planning permissions. Number of dwellings arising from conversion.

5.40 Vacant properties are a wasted resource that could provide much needed homes. In particular, there are vacant units above shops and offices that could be brought into use to make a useful addition to the quantity and range of the District's housing stock.

POLICY WH9: VACANT FLOORSPACE ABOVE SHOPS

PROPOSALS FOR SELF-CONTAINED RESIDENTIAL UNITS IN VACANT OR UNDER-USED FLOORSPACE ABOVE SHOPS AND OFFICES WILL BE ACCEPTABLE. WHERE APPROPRIATE THE REQUIREMENTS OF POLICY WH12 WILL BE APPLIED.

Implementation: Planning permissions, and encouragement to owners of property to reinstate use.

Monitoring: Planning applications, and monitoring of numbers of new flats over shops and losses of residential accommodation.

5.41 The provision of a variety of types and sizes of accommodation is desirable so that the housing needs of as many households as possible can be met. The District Local Plan seeks to secure the mix of accommodation that will provide appropriate housing in line with the identified needs. The Housing Requirements Study 2002, carried out by consultants on behalf of the Council is especially useful in identifying the types of dwelling that the area requires. The survey, based on a sample of the total population of the District, identified proporionate demand by dwelling size as being: one/two bedroomed units – 47%; three bedroomed units – 21%; four + bedroomed units – 32%. The Council will assist developers by providing them with information on the housing needs of the plan area, including those of particular groups in the community, so that they are aware of the requirements when formulating proposals. It is recognised that it may be impractical on smaller residential schemes to achieve varities of housing sizes that reflect the demand identified in the Housing Requirements Study. Nevertheless, a variety of housing should be provided on all sites as this will help meet the overall demand for all housing sizes identified in the Housing Requirements Study. In addition, the provision of smaller dwelling units on sites may help a development achieve the density requirements of Policy WH7.

5.42 The Council will also encourage a mix of dwellings as appropriate on individual sites, including for those with particular needs. This approach helps in the achievement of balanced communities, and has the added benefit of assisting in the development of greater townscape variety. (More detailed information on housing mix and densities can be found in the Council's Housing Design Guidelines).

5.43 The plan also aims to ensure that existing residential accommodation is not lost to other uses, to maintain as wide a variety of dwellings as possible.

POLICY WH10: VARIETY OF HOUSING

ON SITES WHERE RESIDENTIAL DEVELOPMENT IS CONSIDERED ACCEPTABLE BY THE COUNCIL, PROPOSALS WILL BE EXPECTED TO INCORPORATE A MIX AND BALANCE OF DENSITIES, DWELLING TYPES AND SIZES. PARTICULAR EMPHASIS WILL BE GIVEN TO THE NEED FOR ONE AND TWO BEDROOM DWELLINGS.

Implementation: Planning permissions. Supply of information to public and private sector housebuilders.

Monitoring: Planning applications and permissions.

5.44 Policy WH11 emphasises the importance of good design for new residential schemes. It should be read in conjunction with Policy WBE1, which relates to more general design issues.

5.45 PPG3 stresses the importance of using land more efficiently. This includes avoiding developments of less than 30 dwellings per hectare net. In order to achieve these aims, good design must be achieved which will enable areas to retain their character and also avoid compromising the quality of the environment. Good design will be expected to address both the layout of the scheme and the design of individual buildings. Policy WH11 will enable the Council to reject residential schemes of poor design.

5.46 The Council will produce Supplementary Planning Guidance for the design of new residential schemes, covering aspects such as:

a) How the design and layout of proposed schemes should fit within both the local and wider context of the locality;
b) How the local pattern of streets and spaces, building traditions, materials and ecology should be respected;
c) References to sources of good practice on the layout and design of new development.

POLICY WH11: DESIGN GUIDANCE – RESIDENTIAL DEVELOPMENT

WHEN DETERMINING APPLICATIONS FOR NEW HOUSING SCHEMES, THE COUNCIL WILL REFUSE PLANNING PERMISSION FOR POOR DESIGNS THAT OCCUR IN HOUSING DESIGN, LAYOUTS, SETTING AND LANDSCAPE PROPOSALS. APPLICANTS MUST DEMONSTRATE HOW A SCHEME PROVIDES A HIGH QUALITY OF DESIGN/LAYOUT, AN ADEQUATE MIX OF HOUSING TYPES AND A LANDSCAPED SETTING COMMENSURATE WITH THE LOCATION OF THE SITE.

Implementation: The development control process.

Monitoring: Planning applications

5.47 In terms of this policy, the term 'affordable housing' is taken to mean accommodation that is accessible to people whose incomes or resources are insufficient to enable

Parking for People with Disabilities

A8.3.4 Suitable parking standards should be provided for people with disabilities. The parking standards set out minimum levels of provision of dedicated spaces .

A8.3.5 The following minimum parking standards will normally have to be met for new developments.

Employment Premises	
Up to 200 parking spaces	5% of capacity (minimum of 2 spaces)
Over 200 parking spaces	2% plus 6 spaces
Retail, Leisure or Recreational Premises	
Up to 200 parking spaces	6% of capacity (minimum 3 spaces)
Over 200 parking spaces	4% plus 4 spaces

A8.3.6 The percentage above refers to the total parking provision and not an addition to it.

Car Parking Standards

Residential

A8.3.7 Parking at new housing developments will, on a District-wide basis, average 1.5 spaces per dwelling in line with the advice contained in PPG3 Housing. Planning permission will be monitored to ensure this average is being achieved and parking standards reviewed, if necessary.

A8.3.8 New housing developments in sustainable locations with access to average or better public transport services (see paragraph A8.4.3 below) will be expected to provide less than the maximum car parking, particularly in those areas where convenient, secure public off-street parking is available. Parking provision in new development where sustainable transport is unavailable can be provided to the maximum allowable standards.

General Residential	
1 bedroom unit	1 space per dwelling
2 bedroom units	1.5 spaces per dwelling
3 + bedroom units	2 spaces per dwelling

a) The provision of more than 2 parking spaces in dwellings of four bedrooms or more will be considered on its merits having regard to the overall policy framework.

b) Additional off-street parking for visitors at a rate of one parking space per 4 dwellings will be required in areas where on-street parking is undesirable and public transport provision is poor.

Further Education	
GFA up to 2500m^2	Considered on merits
GFA over 2500m^2	1 space per 2 staff member plus 1 space per 15 students

Halls of Residence
1 space per 2 staff plus 1 space per 6 students

Libraries
1 space per 30m^2

Other Facilities

Vehicle and Service Stations
0.5 spaces per employee 1.0 space per 10 cars displayed on forecourt 3.0 spaces per workshop service bay 1.0 space per 20m^2 of shop area over 20m^2

Stadia	
Less than 1500 seats	considered on merits
Over 1500 seats	1 space per 15 seats

A8.4 The Zoning System

A8.4.1 Generally, larger centres with good access by public transport provision can sustain a higher level of parking restraint than smaller centres or out of centre locations in terms of:

a) Remaining attractive to visitors for shopping or leisure uses, despite limited parking availability or relatively high parking charges
b) Remaining attractive to employers who can recruit staff without having to provide dedicated employee parking
c) Attracting new development as a result of (a) and (b) above.

A8.4.2 The Berkshire Structure Plan 1991-2006 defines a hierarchy of centres within Berkshire in which Reading is defined as the county's only regional centre. Slough and Windsor are defined as sub-regional centres. These centres have higher levels of accessibility by public transport than any centre in Wokingham District. Wokingham town, along with Newbury, Bracknell and Maidenhead are defined as major town centres. The district's other centres – Woodley, Earley and Twyford are defined as small town/district centres.

A8.4.3 Within the district, a further hierarchy can be developed based on location and public transport accessibility. The Council has identified three zones to provide a framework for the management and provision of parking. The zoning system recognises the importance of both location and public transport accessibility factors, as follows:

Location:

a) Within centres: based on the Local Plan defined town and centre boundaries (policy WSH1)
b) Adjacent to Centres: these are areas within 200-300 metres of the centre'
c) Out of Centre

Public transport accessibility

a) **high**: within 400m of a bus corridor or railway station with three or more services hourly during the day and with regular evening and weekend services
b) **average** within 400m of bus corridor or railway station providing 1 or 2 services hourly during weekdays and with evening (i.e. after 19.00) and weekend services
c) **poor**: all areas with less than average access to public transport

A8.4.4 The three zones identified are shown below:

		Location		
		Within a Centre	Adjacent to Centre (up to 300m)	Out of Centre
Public Transport	High	ZONE 1	ZONE 2	ZONE 3
	Average	ZONE 2	ZONE 2	ZONE 3
	Poor	ZONE 3	ZONE 3	ZONE 3

A8.4.5 Zones one and two are shown on the appended maps. The proposals map shows the zoning of the district. Only parts of Wokingham Town and Twyford can be considered as Zone 1. These locations together with Earley and Wooodley have areas designated Zone 2. The majority of the district is zone three.

A8.4.6 The reductions in the maximum standards applied to major non –residential development in each zone is set out in Table below:

Reductions in Maximum Parking Standards for Major Non-Residential Development

Use	Threshold from which the Zoning Reduction Applies	Percentage of Base Standard to Apply		
		Zone 1	**Zone 2**	**Zone 3**
Food Retail	1000m^2 GFA	Less than 75%	75 –100 %	100%
Non-food retail	1000m^2 GFA	Less than 75%	75- 100 %	100%

Use	Threshold from which the Zoning Reduction Applies	Percentage of Base Standard to Apply		
Cinemas and Conference Facilities	1000m^2 GFA	Less than 75%	75 –100%	100%
D2 Leisure (excluding Cinemas, Conference Facilities & Stadia	1000m^2 GFA	Less than 75%	75 –100%	100%
B class; Business, Industrial, Distribution and Storage	2500m^2 GFA	Less than 75%	75 – 100 %	100%

GFA: Gross Floor Area

A8.4.7 The reductions in parking provision will be supported by a requirement for a Travel Plan to be implemented for the development in accordance with the provisions of policy WT4

A8.4.8 As advised in PPG13, the Council will consider allowing additional parking for retail and leisure developments above the relevant maximum standards provided the Local Authority is satisfied that the parking facilities will genuinely serve town centres as a whole and that agreement to this has been secured before planning permission has been granted. However, in cases where parking is allowed above the maximum permissible level, developers may be asked to provide greater amounts of funding towards the provision of sustainable transport.

SECTION 66 CERTIFICATE

Application No. _____

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

CERTIFICATE A

I certify that:

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

(a) "Owner" means a person having a freehold interest or leasehold interest the not less

unexpired term of which is

than 7 years

OR

CERTIFICATE B

I certify that:

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

Owners (a) name	Address at which notice was served	Date on which notice was served

* See Note (a) to Certificate A

OR

CERTIFICATE C

I certify that:

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

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

Owners (a) name	Address at which notice was served	Date on which notice was served

* See Note (a) to Certificate A

(b) Insert description of steps taken

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

(b)

•Notice of the application as attached to this certificate, has been published in

the (c)

on (d)

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

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

OR

CERTIFICATE D

I certify that:

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

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

  (b)

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

on (d)

(b) Insert description of steps taken

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

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

ALL APPLICANTS MUST COMPLETE THIS SECTION

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

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable

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

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

OR

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

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

Signed Martin & Pole

On behalf of **Mr Bradley & Mr Beswetherick**

Date **10th December 2002**