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SOUTHPORT U.K. Tel.01704-28868 Fax.01704-25814
LONDON OFFICE Tel.0171-377-1777 Fax.0171-247-6181

F/2001/5570
Application Number

Single storey extension to form kitchen/garage/porch
at 97 Butts Hill Road
Woodley Berkshire

District	BNS
Allocated DCS	Martin Jackson
Date Registered	13th July 1995
Vetting Deadline	9th August 1995
5 Week Deadline	22nd August 1995
Extended Deadline	13th September 1995 minus one day
EOT Agreed	
Decision Date	24/7/95
Date Commenced	
Date Completed	

J:\ZLABELF1.DOC - V1.2 - 03/04/95

APPROVED

682

F/2001/5570

Green Acres. Dunt Lane, Hurst

Appellant's statement.

(RING ONE)

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

App. No. _____ Date Rec. _____

Location: _____

_____ Parish: _____

Applicant: _____

Description of attached plans: _____

_____

_____

_____

Drawing No's:

CONSULTEES

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

Please tick which of the following you wish consulted.

Landscape & Trees ☐
Urb. Design & Conservation ☐
Highways ☐
Dinton Pastures ☐
Environmental Health ☐

OTHER INTERNAL / EXTERNAL CONSULTEES
(EXCLUDING NEIGHBOURS)

_____

_____

_____

_____

_____

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

NEIGHBOURS: _____

_____ Date for Responses _____

FURTHER ACTION

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

Redate Application Y / N From: _____

New Site Notice Y / N

Revised Proposal Description: _____

CASE OFFICER _____ Consultations Sent by Admin. on _____

Yellow - Case Officer Copy
Green - Part One Copy

Tim North
& Associates
Limited

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TOWN PLANNING
& DEVELOPMENT
CONSULTANTS

17A Reading Road
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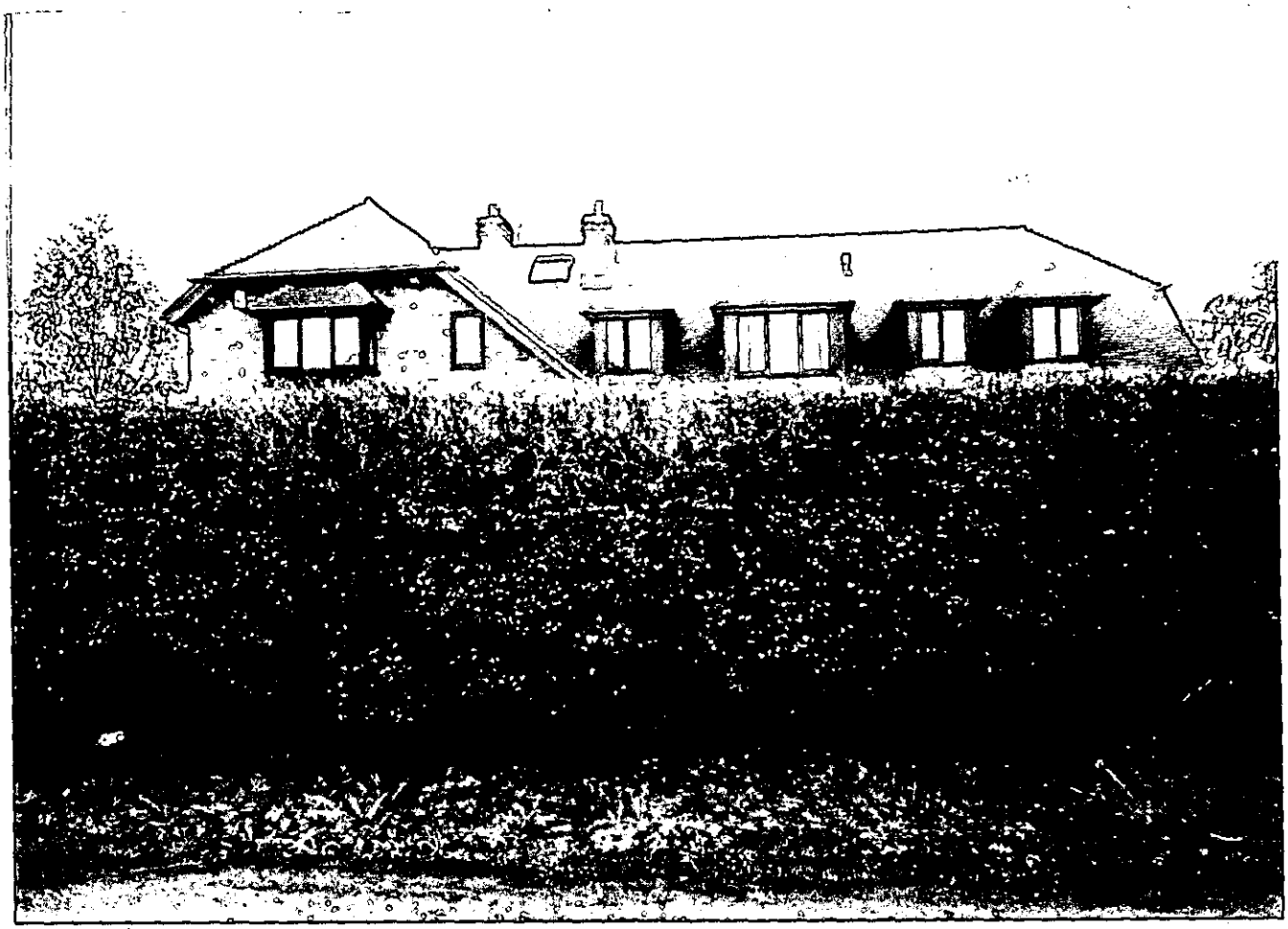
PHOTOGRAPH'S



Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



Photograph 6



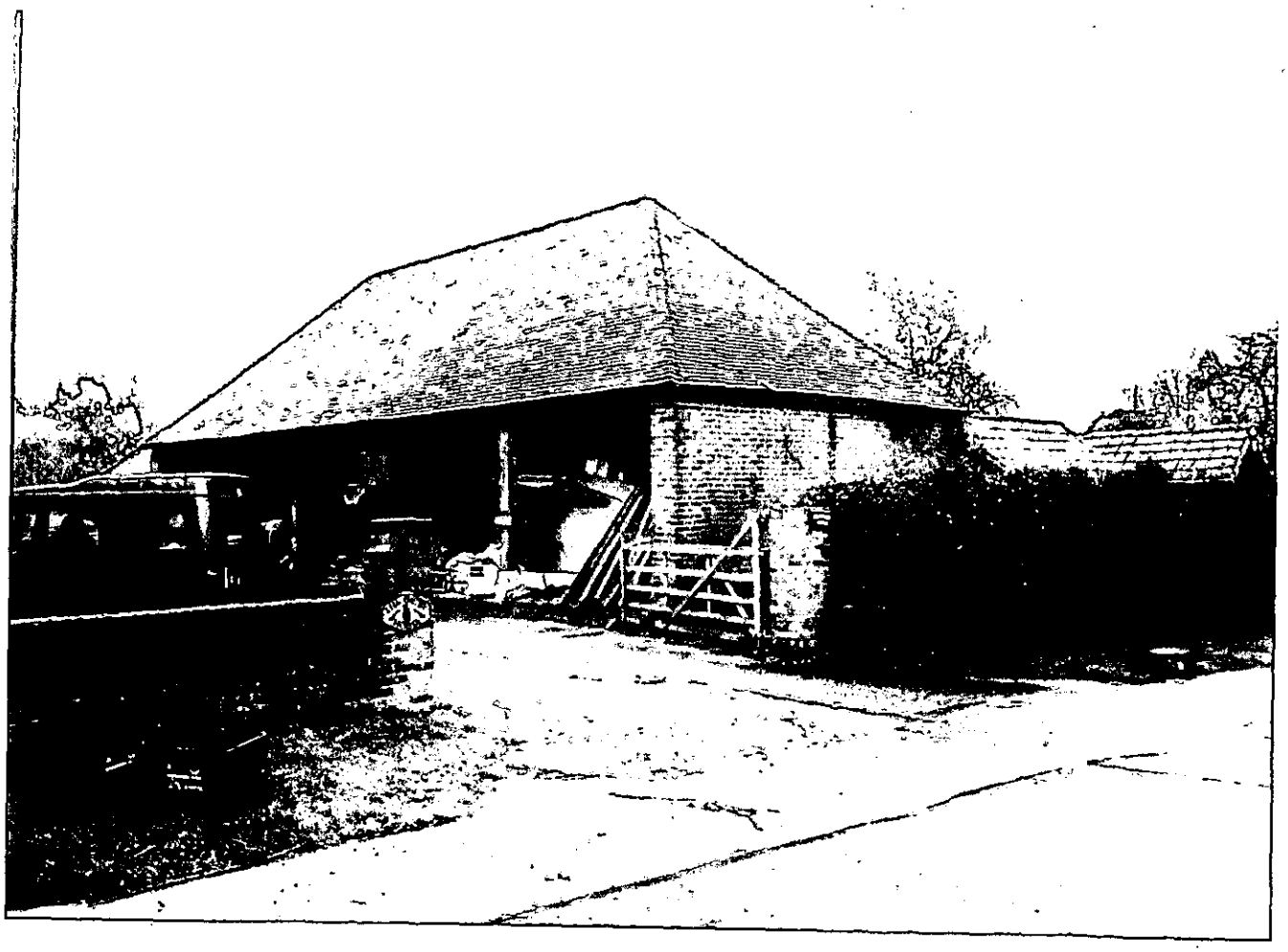
Photograph 7



Photograph 8



Photograph 7



Photograph 8



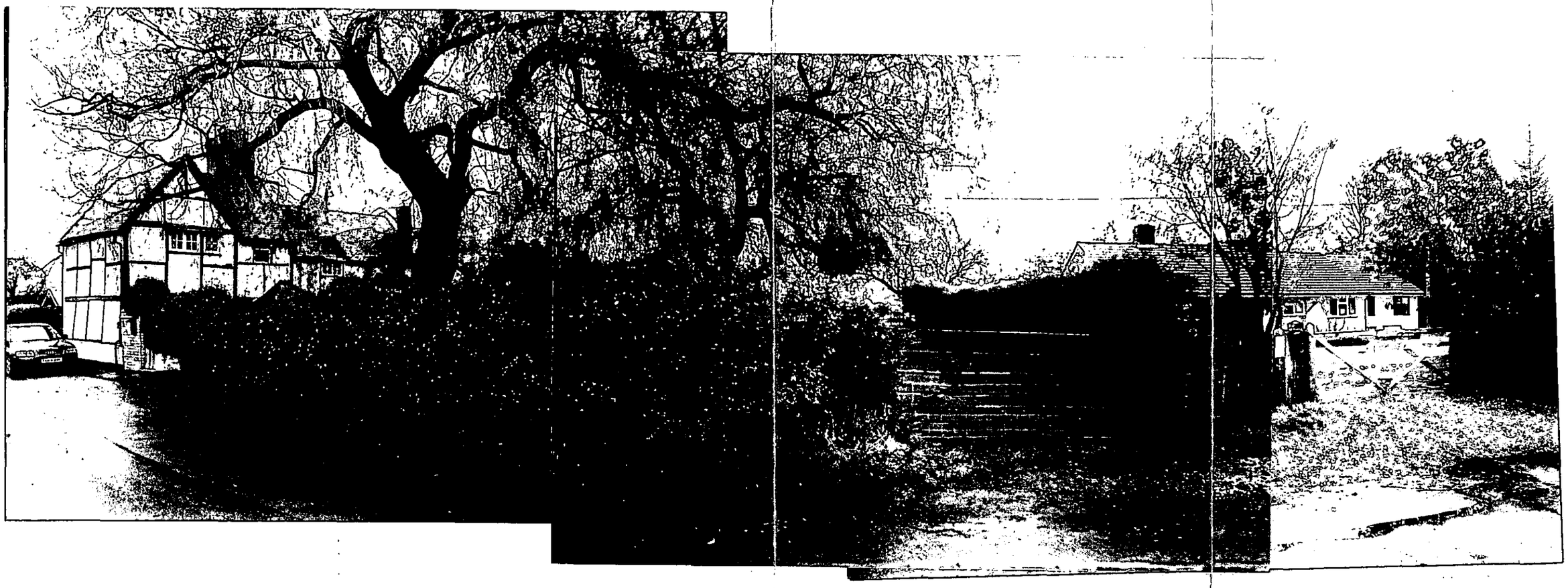
Photograph 9



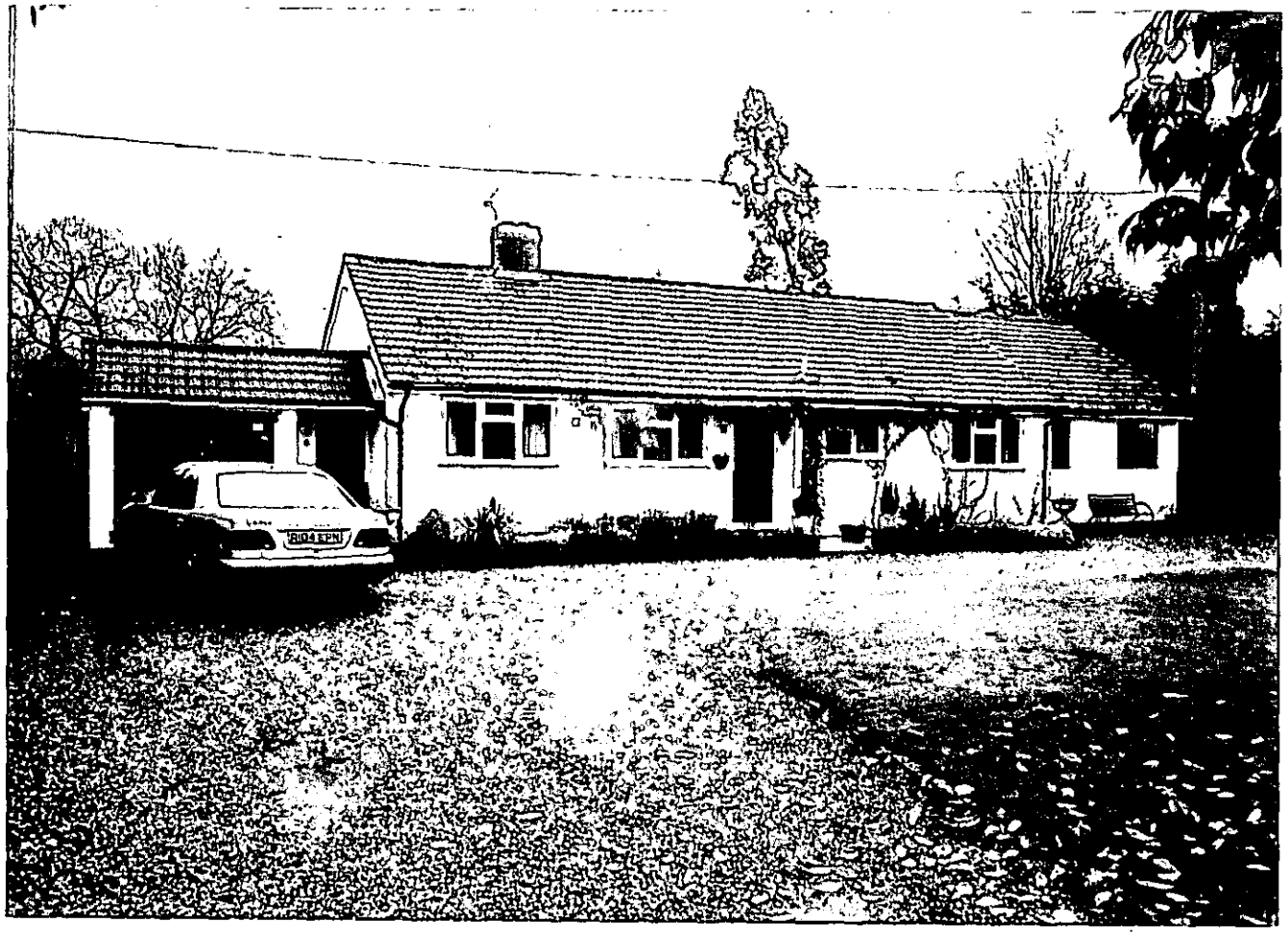
Photograph 10



Photograph 11



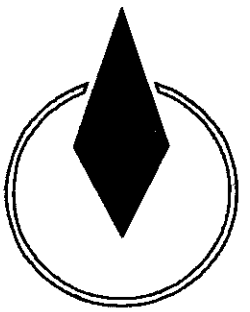
Photograph 12



Photograph 13



Photograph 14



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A **SUMMARY OF AN APPEAL** on behalf of **Messrs. Marlow Building Company Ltd** under Section 78 of the Town & Country Planning Act 1990 (As Amended) against the refusal of Wokingham District Council to grant full planning permission in respect of a proposal to demolish an existing bungalow and construct two chalet style dwellinghouses with a detached double garage on land at "Greenacres", Dunt Lane, Hurst, Berkshire RG10 0TA.

Wokingham DC Reference No: **F/2001/5570**

Office of the Deputy Prime Minister
Reference No: **APP/X0360/A/02/1091808**

October 2002

SUMMARY

The following conclusions emerge from this proof of evidence as they relate to the demolition of an existing bungalow and the construction of two chalet style dwellinghouses along with a separate double garage on land at "Greenacres", Dunt Lane, Hurst, Berkshire RG10 0TA.

1. The planning history shows that the LPA granted full planning permission for the erection of extensions to "Greenacres" on 22nd July 1992 under Application No. 39680. This development, along with the recognition by the same Council that a freestanding double garage constructed in the space between the existing bungalow as extended, and the side boundary with the adjoining property "The Pightle", would constitute "permitted development", is significant, in that the majority of the frontage width of the appeal site would have been taken up by built development, had the totality of these proposals been implemented.

2. The reasons for refusing Application No. F/2001/5570 indicate that the LPA has either failed to take into account or else paid inadequate regard to the need to differentiate between on the one hand, safeguarding the countryside for its own sake, with non-renewable and natural resources afforded proper protection; and on the other, the demolition of an existing bungalow of no particular intrinsic architectural merit, and its replacement by two chalet style dwellinghouses and a double garage, through the means of sensitive infilling.

   In this way, surrounding agricultural land will remain undisturbed should a favourable decision be reached as a consequence of these appeal decisions; only a limited number of fruit trees situated in the front garden of "Greenacres" will be lost; existing side boundary hedgerows will be retained and an opportunity afforded for additional planting to take place where appropriate. To these considerations should be added that no natural habitats, archaeological remains, or the setting of "Dunt Cottage" will be adversely affected.

3. It is the appellants opinion that the proposed development is entirely consistent with national policy, where it relates to the topic of sensitive infilling of small gaps within small groups of houses outside settlements in the countryside; the acceptability of such infilling being dependent on the character of the surroundings, and the nature of such groups in the particular area.

4. The policies contained in the "development plan" only consider residential infilling within identified settlements, with the consequence that the respective policies are deficient and inconsistent with national policy, particularly insofaras the last sentence of paragraph 3.21 of the February 1997 version of PPG7 is concerned.

The fact that neither the statutorily approved Berkshire Structure Plan 1991-2006, nor the Loddon Area Local Plan 1995 has properly taken into account the provisions of paragraph 3.21 of PPG7, or indeed the predecessor of the same policy set out in paragraph 2.18 of the January 1992 version of PPG7, has been recognised by the LPA, as a reading of "The Council's Case" concerning an appeal allowed on 17th May 2000 relating to the construction of a two-storey dwellinghouse on land at Douglas Grange, off Davis Way, Hurst confirms (see Appendix 4).

5. The amplification to Policy C2 of the Berkshire Structure Plan 1991-2006 contained in paragraph 5.9 of the Explanatory Memorandum, indicates that it is the strategic planning authority's intention that development in the open countryside be strictly controlled, albeit that it is expected to accord with current government policy set out in PPG7.

This point aside, the manner in which the provisions of Policy C2 of the approved Berkshire Structure Plan 1991-2006 should be interpreted when considering "infill development" amongst a small group of dwellings outside an identified settlement in the countryside, is most succinctly examined in an appeal decision dated 8th May 1997, involving Wokingham District Council

and the erection of a dwelling and garage in the existing garden adjoining Wood End, Warren Lane, Finchampstead, Berkshire (see Appendix 6).

6. In an identical way to Policy C2 taken from the approved Berkshire Structure Plan 1991-2006, **NO** provision is made within the specific categories of acceptable development outside settlements in the rural areas of the District covered by the adopted Loddon Area Local Plan 1995 for "infill development". With this in mind, Policy LTV2 is both inconsistent and out of date with current national policy relating to housing in the countryside, especially the provisions of paragraph 3.21 of PPG7.

7. The respective weight to be attached to Policy LTV2 taken from the adopted Loddon Area Local Plan 1995 seen in the context of PPG7 and Policy WCC1 taken from the emerging Wokingham District Local Plan, as recommended in the Local Plan Inspector's Report following the Part 2 Public Inquiry into Chapters other than Housing; is a matter which was considered by the Inspector in the appeal decision allowed on 17th May 2000, concerning land at Douglas Grange, off Davis Way, Hurst. (see Appendix 5).

8. The provisions of emerging policy WCC1 have sought to rectify this policy lacuna by specifically including sensitive infilling of one or two dwellings in a small gap in an otherwise built-up frontage outside identified settlement boundaries, where the proposal would not adversely affect the character and appearance of the area, as one of the acceptable categories of development in the countryside outside the Metropolitan Green Belt. In this way there is a clear link with national policy found in paragraph 3.21 of PPG7, with which it is commensurate.

The significance to be attached today to emerging Policy WCC1 as recommended by the Local Plan Inspector is perhaps best illustrated by an appeal decision concerning an infill site outside an identified settlement involving the construction of a dwellinghouse and garage on land at Douglas Grange, off Davis Way, Hurst, Berkshire (see Appendix 5).

9. It is evident that despite the significance attached by the LPA to sustainable development as part of the underlying strategy upon which the emerging Wokingham District Local Plan has been based, it was still considered necessary to amend the Deposit Draft version of the same emerging Local Plan, so that full account was taken of the contents of current central government policy, and in particular paragraph 3.21 of PPG7 - in effect verifying that small scale proposals of the form and nature the subject of the current appeal proceedings are unlikely to contravene the overall strategy of the same emerging Local Plan.

In pursuing this line of reasoning, account should be taken of the last sentence of paragraph 2.54 of the Inspector's Report following the Part 2 Public Inquiry, wherein it is accepted that the modified wording found in sub-paragraph G) of recommended Policy WCC1 "... **would provide some flexibility without compromising the overall strategy of the plan.**"

10. The definition of "infill development" is set out in paragraph 2.33A of the Written Statement of the emerging Wokingham District Local Plan Deposit Draft Version (As Amended) February 2000, which was not the subject of objection at the Part 2 Public Inquiry.

It can be seen that neither the contents of Policy WCC1 as recommended by the Local Plan Inspector, nor the provisions of paragraph 2.33A refer to the words a "small gap" as meaning "an undeveloped small gap". The contents of Chapter 4 has shown that the development the subject of these appeal proceedings will have a similar road frontage and similar curtilage to adjoining dwellings, confirming that what is being proposed as part of Application No. F/2001/5570 fully complies with the definition of "infill development".

11. There is an absence in the Glossary of the emerging Wokingham District Local Plan of the term "built up frontage", with the same term not present in the last sentence of paragraph 3.21 of PPG7.

In this way, "built up frontage" as used in criterion G) of Policy WCC1 can only be commensurate with the term "groups of houses" in the last sentence of paragraph 3.21 of PPG7, since to arrive at a contrary view will lead to a situation of conflict with national policy.

12. The single most important conclusion to emerge from a reading of Policy DP6 of the emerging Berkshire Structure Plan 2001-2016 is that, like its approved counterpart, Policy C2 of the approved Berkshire Structure Plan 1991-2006, it has failed to pay due and proper regard to current central government policy relating to housing in the countryside in the form of paragraph 3.21 of PPG7.

The presence of objections to emerging Policies DP6 and EN4 arising from the public consultation exercise carried out into the Pre-Deposit Version of the Berkshire Structure Plan 2001-2016 removes any justification for refusing the appeal proposals on the grounds of conflict with these two policies.

13. The various parameters outlined in Policies WOS2 and WBE1 of the emerging Wokingham District Local Plan have been examined in conjunction with the criteria set out in Policies LBE1 and LBE2 of the approved Loddon Area Local Plan 1995 in Chapter 4 of this proof of evidence.

The description of the 11 individual properties enjoying a frontage onto the eastern side of Dunt Lane, read in association with the accompanying photographs, reaffirms the conclusions drawn by the Inspector, Mr. Michael A. Hillyer BSc MSc CEng FCIWEM in paragraph 6 of his appeal decision allowing the demolition of the existing dwelling and garage and the erection of a replacement dwelling and garage on land at "The Pightle" (see Appendix 8); namely the group of houses to which the appeal site forms an integral part, comprise dwellings of varying sizes, styles and ages, with a preponderance of brick built elevations beneath tiled roofs.

The same description endorses the conclusions set out in the Case Officer's Report on Application No. 98/62707/F relating to the same development on land at "The Pightle",

14. The design, scale, form, massing and external materials associated with the proposed chalet style dwellinghouses on land at "Greenacres" clearly reflects the replacement property situated on the immediately adjoining land to the south east, allowed on appeal on 7th December 1998.

There are no significant changes in topography between the appeal site and the adjoining property "The Pightle", with the proposed chalet style dwellinghouses at Greenacres" enjoying frontage widths of 17 metres and 18.4 metres respectively with the eastern side of Dunt Lane. The immediately adjoining property to the south east has a frontage width of 16 metres with the same highway.

Similarly the proposed development on the appeal site is to be set back a distance of 22 metres from the carriageway of the adjoining highway, which is identical to that of the replacement dwellinghouse on the immediately adjoining site. A tall mature hedgerow along the common side boundary between the two properties, whose overall height is commensurate with the ridge height of "The Pightle", separates "Greenacres" from its neighbour to the south east.

To these considerations may be added the clear affinities which exist between the built footprint, overall height, and gross floor areas of the two proposed chalet style dwellinghouses situated on land at "Greenacres", and those chalet style properties located at the northern end of the same group of dwellings, namely "Winton Lodge" and "Meadow View", as well as with the immediately adjoining chalet style property to the south east, "The Pightle". This is a matter confirmed by the contents of Table 2 of this proof of evidence.

15. I have revealed that the basis of the second reason for refusing Application No. F/2001/5570 is wholly untenable, in that the proposed development

would not result in an increase in massing, or an intensification in the use of the site, or have an urbanising impact on the surrounding rural area, **beyond that which the LPA themselves, and an Inspector in a recent appeal decision have found to comprise acceptable development within the same group of dwellings.**

To this end, there are undoubted similarities between the appeal proposals and other developments of an identical form and nature granted planning permission amongst the same group of 11 houses.

The criticisms levelled at the appellant's proposals based on the "intensification in the use of the site" which would occur, and the "urbanising impact" which it is alleged would be detrimental to the rural character of the area, are applicable to **ANY** proposed "infill development" amongst **ANY** group of dwellinghouses, with the consequence that if this were to form a serious objection, the provisions of national policy set out in paragraph 3.21 of PPG7, and emerging Wokingham District Local Plan Policy WCC1, would simply not condone such forms of development as being acceptable in the countryside outside the Metropolitan Green Belt.

16. I have demonstrated that the LPA have consistently granted planning permission for replacement dwellings in the same group of properties as the appeal site, situated on the eastern side of Dunt Lane, whose underlying design, form and layout adopts the same theme as the two chalet style dwellinghouses now being promoted on behalf of The Marlow Building Company on land at "Greenacres".

Indeed, the provisions of paragraph 7 taken from the appeal decision concerning the immediately adjoining site (see Appendix 8) are in many respects equally relevant to one of the central issues surrounding the development the subject of the current appeal proceedings, albeit that the height of the two chalet style dwellinghouses on land at "Greenacres" would now be seen to match that of the replacement chalet style dwellinghouse at "The Pightle".

17. The photomontage found at page 82 perhaps best illustrates more than any other form of written description, the fact that there is **NO** justification to refuse the proposed development on the appeal site on the grounds that the proposed development would adversely affect the character and appearance of the surrounding rural area.

18. There would be no encroachment by any built development beyond the existing residential curtilage of "Greenacres" towards the adjoining listed building, whilst the side boundary hedgerow standing 2.75m high, separating the appeal site from Dunt's Cottage, would be unaffected by the appeal proposals.

The ridge height of the proposed chalet style dwellinghouse occupying Plot 1 would appear approximately 1.6 metres above the ridge height of the existing bungalow "Greenacres", but this factor would have an insignificant effect on the setting of the adjoining listed building, despite being orientated perpendicular to the adjoining highway, for the following three reasons:-

i. A distance of 13 metres will separate the south eastern elevation of Dunt's Cottage from the tall hedgerow occupying the side boundary of "Greenacres", itself 2.75 metres high. This space is **NOT** wholly taken up by the residential curtilage of the adjoining listed building, but incorporates a separate vehicular access adjoining the north western (side) boundary of the appeal site, leading to fields situated to the rear of Dunt's Cottage. **(See Photograph 11)**

ii. Dunt's Cottage occupies a prominent position amongst the group of houses situated on the eastern side of Dunt Lane, as a consequence of its south western (side) elevation positioned at the back edge of the carriageway of the same highway, along with the overall size and scale of the same listed building, which includes a steeply pitched clay tiled roof. **(See Photographs 6, 10 and 11).** In this way, it represents a focal point, seen in distant views along the adjoining highway, with the separation distances between it and adjoining

properties being such that its principal elevations are clearly visible within Dunt Lane.

The proposed chalet style dwellinghouses on the appeal site, like the existing bungalow, are set back behind the principal elevations of Dunt's Cottage. The overall size of the proposed development, and in particular its ridge height and hipped roofs, ensure that what is now proposed by The Marlow Building Company is not only appropriate in scale to the adjoining listed building, but respects the dominance afforded to its historic neighbour from within the street scene.

iii. Dunt's Cottage is the only dwellinghouse found amongst the group of properties on the eastern side of Dunt's Lane, constructed of white painted plaster panelling set within a timber frame beneath a clay tiled roof. These external facing materials assist in maintaining the prominence of the same building within Dunt Lane.

The two chalet style dwellinghouses on the appeal site are to be built of predominantly brickwork beneath a plain tiled roof and in this way will match the external elevations of the majority of other dwellings situated in the same group of houses on the eastern side of Dunt Lane.

19. There were **NO** technical objections to the proposed development which supports that part of the second reason of refusal which alleges harm being caused to the setting of Dunt's Cottage. This is a matter reinforced by a reading of the consultation responses from Mr. Harold Saunders, the Council's Urban Design and Conservation Officer; the LPA's Landscape Architect Catherine Brimble, and the Clerk to St. Nicholas Hurst Parish Council, as they relate to Application No. F/2001/5570.

20. I have referred to the "preferred approach" in terms of access arrangements to service the proposed development on land at "Greenacres", with reliance placed on making use of the existing driveway. In the event that the existing

access arrangements are not considered satisfactory from a highway safety point of view, then the solution involving a more centrally located driveway can be pursued, which it is acknowledged will entail the removal of the frontage hedgerow, albeit replaced by a new mature 2 metre high mixed evergreen hedgerow planted at the rear of the visibility splays, which will result in the effective assimilation of the proposed development within its rural surroundings.

The "preferred approach" has, however, been adopted by the LPA in the proposal to demolish an existing bungalow and erect a replacement chalet style dwellinghouse on land at "Winton Lodge", formerly known as "Elmsleigh", as the Case Officer's Report to the Council's Development Control (North) Sub-Committee meeting of 4th May 1994 reveals (see Appendix 10).

If it is accepted by the LPA that the "nature and character of the land" should take precedence over highway matters in the same group of houses on the eastern side of Dunt Lane, and given the absence of a material change in highway standards since 1994; there appears to be no planning reason why the approach taken by the LPA less than 9 years ago should not prevail today, especially given the status of Dunt Lane as a no through road, which does not perform the function of a rat run.

21. An examination of the proposed development seen from a sustainability perspective reveals that the proposed development will be constructed to modern building standards, thereby leading to a better use of the site and its environmental resources.

Energy is the most significant area where improvements can be made, and it is entirely feasible that the two proposed chalet style dwellinghouses will have the same or a reduced energy demand when compared with the existing bungalow on the same site constructed in the 1960's.

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PREFACE

My name is Tim North and I am the Managing Director of Tim North and Associates Limited, Chartered Town Planning and Development Consultants, situated at 17A Reading Road, Pangbourne, Berkshire RG8 7LR. I hold a Master of Science Degree in European Property Development and Planning from University College, London; an external Bachelor of Science Degree with Honours in Geography with ancillary Economics from the University of London, and a Postgraduate Diploma in Town Planning from Oxford Brookes University. I am a Corporate Member of the Royal Town Planning Institute, Chartered Town Planner and have wide experience spanning a period of over 25 years in both public and private sectors. I have been employed by the Planning Departments of the London Borough of Merton, Wokingham District Council in Berkshire, Wycombe District Council in Buckinghamshire. I previously held the position of Associate and Senior Town Planning Consultant with the Architectural and Planning Department of Messrs. Stimpsons Cruickshank, Rye House, 29 London Road, High Wycombe, Buckinghamshire and was more recently a Director in the company of North Crook Planning Limited, Chartered Town Planning and Development Consultants, located at The Former Brewery Tap, 3 Shirburn Street, Watlington, Oxfordshire OX9 5BU.

1.00 THE APPEAL SITE AND ITS LOCATION

1.01 The appeal site consists of a predominantly flat, rectangular shaped parcel of land of approximately 0.15 hectares (0.37 acres), comprising a single storey bungalow of no particular architectural merit constructed in the 1960's, within a group of properties situated on the eastern side of Dunt Lane, Hurst, Berkshire.

Dunt Lane is located in a low lying rural area, approximately half a mile north west of Junction 10 of the M4 Motorway where it joins the A329M, being situated mid-way between Reading and Wokingham.. The same highway is a no through road, orientated in a south easterly direction from Davis Street (B3030) being approximately one mile in length, and terminating at a point where the M4 Motorway forms an interchange with the A329M.

1.02 The group of properties in which the appeal site is found extends to some 300 metres in length and has as its focal point St Nicholas Farm within its centre. Within this linear group of dwellings are both single and two storey buildings of varying sizes, styles and ages, constructed predominantly of brick elevations beneath tiled roofs. The exception to this rule is Dunt's Cottage, a Grade II Listed Building, which is generally of two storeys in height, sited perpendicular to the adjoining highway from which it takes its name, being constructed of white painted plaster panelling within a timber frame, beneath a clay tiled roof.

In three cases within the same group of properties, former bungalows of a low cost functional design, similar to that in existence on the appeal site, have been the subject of replacement by chalet style dwellings of a size, scale, height, design and external appearance which are similar to that now proposed by the appellant on land at "Greenacres".

1.03 "Greenacres" is situated at the southern end of the first group of dwellinghouses found on the eastern side of Dunt Lane, enjoying a frontage width of 35.4 metres and set back 22 metres from the carriageway of the

2.00 PLANNING HISTORY

2.01 An account of each planning application lodged with Wokingham District Council concerning the appeal site, excluding the development the subject of the current proceedings, is provided in chronological order in Table 1 overleaf. Where certain factors arise which are considered to be significant to the circumstances surrounding the current appeal proceedings, they have been outlined in the conclusions drawn from the planning history set out in paragraph 2.05 below.

I. APPLICATION NO. F/2001/5570

2.02 On 20 December 2001 a full application (Wokingham District Council Reference No. F/2001/5570) was submitted to the LPA by Messrs. Tim North and Associates Limited, 17A Reading Road, Pangbourne, Berkshire RG8 7LR, acting on behalf of the Marlow Building Company Limited, 29 High Street, Marlow, Buckinghamshire SL7 1AU. The proposal sought the demolition of an existing bungalow and the construction of two chalet style properties, along with a separate double garage on land at "Greenacres", Dunt Lane, Hurst, Berkshire RG10 0TA.

This application was accompanied by six copies of the following drawings and related documents, prepared by Richard Clark, Chartered Architect and Messrs. Tim North and Associates Limited (see Appendix 1):-

A. Six copies of an extensive covering letter of support.

B. Six copies of Drawing No. 619/SK1 - Site Plan, Street Elevation and Photographs of immediately adjoining residential properties.

C. Six copies of Drawing No. 619/P1 - Elevations and Floor Layout Plans of the chalet style property to occupy Plot 1.

D. Six copies of Drawing No. 619/P2 - Elevations and Floor Layout Plans of the chalet style property to occupy Plot 2.

TABLE 1

Sequence of Events in the Planning History Concerning Land at Greenacres, Dunt Lane, Hurst, Berkshire RG10 0TA Excluding Application No. F/2001/5570 the Subject of the Current appeal Proceedings

Wokingham DC Ref. No.	Date of Submission to LPA	Proposed Development	Date & Nature of Decision	Other Comments Pertinent to the Development the Subject of the Current Appeal Proceedings
0/169/60	25.06.60	Erection of a dwelling OUTLINE	Refused 16.07.60	The application site involved land adjoining St. Nicholas Farm, Hurst, Berkshire and was refused by Berkshire County Council on the grounds that "The proposal would represent the undesirable intensification of a loose group of buildings lying within a wholly rural locality. It will tend to give the experience of ribbon development and would create a precedent likely to be followed by other owners."
0/46/66	28.01.66	Erection of three agricultural workers' dwellings OUTLINE	Conditional Permission 17.03.66	This application was submitted on behalf of Messrs. Shipman Farms Limited, a different applicant from that the subject of Reference No. 0/169/60. Berkshire County Council granted outline planning permission subject to three conditions:- 1) Details of the siting, design and external appearance of the buildings and the means of access thereto shall be submitted to and approved by the LPA before building operations commence. 2) The occupation of the building shall be limited to persons employed in agriculture as defined by Section 221(1) of the Town & Country Planning Act 1962 or in forestry and the dependent of such persons (excluding a widow or widower of such persons). 3) The dwellings proposed to be sited on the western side of Dunt Lane at the northern end of O.S. Parcel 606 are to be resited on O.S. Parcel 602 to the south of St. Nicholas Farm Buildings.
64/66	09.06.66	Erection of three detached bungalows and garages for farm workers FULL	Conditional Permission 28.06.66	The proposed development was subject to six conditions. 1) The front hedge shall not be removed without the prior approval by the LPA except where the construction of the accesses are necessary. A hedge shall be placed and thereafter maintained along the northern boundary of Site No. 1, together with the erection of a screen fence of a maximum height of 5'6" both to the satisfaction of the LPA. 2) The occupation shall be limited to persons employed in agriculture as defined by Section 221(1) of the Town & Country Planning Act 1962, or in forestry and the dependents of such persons)

				3) The access to Plots 1 and 2 shall be formed joint., each 8', set back 6' and splayed 6'. The access crossover shall conform to the requirement of Form G attached. 4) The access to Plot 3 shall be in accordance with the attached diagram 9' wide, 6' set back and splayed 6' and confirm to the requirements of Form G. 5) No part of the sewage disposal system including irrigation pipes shall be within 15' of the highway boundary; 6) Samples of the facing bricks and tiles shall be submitted to and approved by the LPA before the building works commence. *For ease of reference "Greenacres" comprised Plot 3 referred to in this decision notice.*
38602	20.11.91	Relaxation of Condition No. 2 attached to Application No. 64/66 (agricultural occupancy condition) SECTION 73A APPLICATION	Conditional Permission 25.03.92	This application arose because the official search completed by the Local Authority and sent back to the owner's solicitors failed to reveal the presence of an agricultural occupancy condition attached to the same property. It transpired that the previous owners Mr and Mrs G Sillence were unaware of the presence of Condition No. 2 attached to Application No. 64/66. The only condition attached to the decision notice read as follows "Nothing herein contained shall be deemed to affect or vary the conditions imposed on planning permission No. 64/66 dated 28.06.66 which conditions shall continue in full force and effect save insofaras they are expressly affected or varied by this permission:"
39680	11.06.92	Erection of a single storey extension to form bedroom and bathrooms and single storey rear extension to form a conservatory. FULL	Conditional Permission 22.07.92	A copy of the approved drawing relating to this proposed development is found at Appendix 3.
42932	26.05.94	Erection of a freestanding double garage FULL	Permitted Development 13.06.94	

E. Six copies of Location Plan TN1 Scale 1:2500.

2.03 The application was closely monitored with the Case Officer, Mr. Edward Oteng, with the result that a meeting was held at Wokingham District Council's offices on Monday 25th February 2002, at which time the writer of this proof of evidence was informed that as there were still some consultation responses outstanding, a further meeting would be arranged to discuss any changes considered appropriate, when the remainder of the responses were received. It transpired that soon after this meeting Mr. Edward Oteng left the Authority, with the consequence that Ms Emy Circuit took over the role as Case Officer. No further negotiations were carried out with the LPA's officers.

2.04 On 12th April 2002, Application No. F/2001/5570 was refused by Wokingham District Council under delegated powers in accordance with the Case Officer's Recommendation. The reasons for refusing the application are set out in the decision notice reproduced at Appendix 2, namely:-

1. The proposal is for development in the countryside, and as such, is contrary to policy C2 of the adopted Berkshire Structure Plan, policy DP6 of the emerging Berkshire Structure Plan, policy LTV2 of the Loddon Area Local Plan and policies WOS2 and WCC1 of the Wokingham District Local Plan (Deposit Draft).

2. The proposed development would result in an increase in massing, intensification in the use of the site, and an urbanising impact that would be detrimental to the rural character of the area and the setting of the neighbouring listed building. As such, it would be contrary to policies C2, EN1 and EN4 of the adopted Berkshire Structure Plan, policies DP6 and EN4 of the emerging Berkshire Structure Plan, policies LTV2, LBE1, and LBE2 of the Loddon Area Local Plan, and policies WOS3, WOS10, WCC1, WBE1 and WHE11 of the Wokingham District Local Plan (Deposit Draft).

3. The proposed development would generate additional turning movements at a point where visibility is restricted which would not be in the interests of highway safety.

4. The proposed development is located in an unsustainable location resulting in most, if not all journeys being made by private car. The development is therefore contrary to Planning Policy Guidance Note 13 Transport, and policy WOS1 of the Wokingham District Local Plan (Deposit Draft).

This application is the subject of the current appeal proceedings.

II. CONCLUSIONS DRAWN FROM THE PLANNING HISTORY

2.05 Two key factors emerge from the planning history of "Greenacres", which are of relevance to the circumstances surrounding the current appeal proceedings:-

A. A failure on the part of the LPA to reveal the existence of an agricultural occupancy condition attached to "Greenacres" in a search conducted by Messrs. Herrington and Carmichael, solicitors acting on behalf of the previous owners of the appeal site, Mr and Mrs. G. Sillence, led to the submission of a planning application to Wokingham District Council seeking the removal of Condition No. 2 attached to Application No. 64/66. The resultant application, Reference No. 38602, was granted planning permission by the Council on 25th March 1992.

It is suffice to say that a similar error was made in respect of the properties previously known as "Elmsleigh" and "Meadow View", situated in the same group of dwellinghouses as the current appeal site, on the eastern side of Dunt Lane.

"Elmsleigh" was previously an agricultural workers bungalow constructed in a similar size, style and design as "Greenacres",

enjoying a building footprint of 123 sq.m., having originally been the subject of the same application granted full planning permission by the LPA on 28 June 1966 under Reference No. 64/66.

The same bungalow was referred to as Plot 1 in the conditions forming part of the decision notice the subject of Application No. 64/66. The agricultural occupancy condition relating to this property was removed in 1993 under Application No. 40942, prior to full planning permission being granted by Wokingham District Council on 18th May 1994 under Application No. 42472 for the demolition of the existing bungalow and the erection of a chalet style dwellinghouse. The approved drawings the subject of Application No. 42472 reveal a replacement dwellinghouse enjoying an overall ridge height of 6.5 metres and a building footprint of 149 sq.m. The plot is now occupied by a five bedroomed property known as "Winton Lodge", having a gross floor area of 253 sq.m. including an integral garage.

"Meadow View" was previously an agricultural workers bungalow constructed of a similar style and design as "Greenacres", enjoying a building footprint of 98 sq.m., and was similarly the subject of the same application granted full planning permission by the LPA on 28th June 1966 under Application No. 64/66. This former bungalow is synonymous with Plot 2 in the conditions forming part of the decision notice the subject of Application 64/66. The agricultural occupancy condition attached to "Meadow View" was lifted in 1993 under the same application which led to the removal of the same agricultural occupancy condition attached to "Elmsleigh" (since renamed "Winton Lodge"), (i.e. Reference No. 40942 refers).

The bungalow which previously occupied "Meadow View" was then the subject of a programme of extensive alterations, which included extensions being added to either side of the original property, along with the reconstruction of the roof with a raised height so as to

taken up by built development, had the totality of these proposals been implemented.

Economic and Social Development" is **NOT** new policy, in that the same provisions were clearly incorporated into the earlier January 1992 version of the same Planning Policy Guidance Note, as the last sentence of paragraph 2.18 reveals, having originally been set out in paragraph 3 of the former Development Control Policy Note No. 4 – "Development In Rural Areas", which has long since been cancelled.

3.03 The policies contained in the "development plan" only consider residential infilling within identified settlements, with the consequence that the respective policies are deficient and inconsistent with national policy, particularly insofaras the last sentence of paragraph 3.21 of the February 1997 version of PPG7 is concerned.

The fact that neither the statutorily approved Berkshire Structure Plan 1991-2006, nor the Loddon Area Local Plan 1995 has properly taken into account the provisions of paragraph 3.21 of PPG7, or indeed the predecessor of the same policy set out in paragraph 2.18 of the January 1992 version of PPG7, has been recognised by the LPA, as a reading of "The Council's Case" concerning an appeal allowed on 17th May 2000 relating to the construction of a two-storey dwellinghouse on land at Douglas Grange, off Davis Way, Hurst confirms (see Appendix 4):

> **"4.03 PPG7 paragraph 3.21 also advises that sensitive infilling of small gaps within small groups of houses may also be acceptable, though much will depend on the character of the surroundings and the number of such groups in the area. In view of this, Policy WCC1 of the Wokingham District Local Plan (Deposit Draft) is proposed to be amended to include a new sub-clause WCC1(h)..."**

3.04 The emerging Wokingham District Local Plan Deposit Draft Version (As Amended) dated February 2000 has sought to rectify this policy lacuna found in the "development plan". In this respect this Chapter will chart the evolution of Policy WCC1 from the early Deposit Draft 1997 version of the

emerging District-wide Local Plan, to the amended version of the same Policy, as recommended by the Inspector in his Report on Objections following the Part 2 Public Inquiry into Chapters other than Housing of the same plan.

3.05 It is noted from the LPA's Statement of Case that emphasis is placed by the Council on the nature of changes made to emerging Policy WCC1 following receipt of the Inspector's Report on Objections raised at the Part 2 Public Inquiry into Chapters other than Housing. In paragraph 4.04 of the Authority's Statement of Case, it is said:-

> **"... The most significant change, with regard to this appeal is that deletion of category F) redevelopment proposals in the countryside is recommended. The Inspector considered that sites in rural areas that offer the opportunity for redevelopment are likely to be in inaccessible locations and that each case should be judged on its merits as an exception to the plan (para 2.57)."**

The following paragraph taken from the LPA's Statement of Case goes on to mention:-

> **"4.05 The Council will argue that the appeal proposal is not acceptable in principle, either as a redevelopment proposal in the countryside or as an infill and existing built up frontage ..."**

3.06 In this way Wokingham District Council, whilst not saying that the appeal proposals should not be considered in terms of sensitive infilling amongst a group of houses in the countryside, appear nevertheless to place reliance on the deletion of sub-paragraph F) from Policy WCC1, as recommended by the Inspector in his Report on Objections raised to the Part 2 Public Inquiry into Chapters other than Housing. In effect, the LPA rely on the removal of "F)

the Local Plan Inspector arrived at the conclusion he did in paragraph 2.57 of his Report on Objections to the Part 2 Public Inquiry. Indeed, the retention of sub-paragraph F) could well have led to the principle strategy upon which the emerging Local Plan is based being threatened, with the distinct likelihood of large sites being released for development in direct contravention of the Plan's overall strategy.

3.08 To adopt the LPA's restrictive interpretation of sub-paragraph F) of Policy WCC1 would, however, give rise to some interesting, if not unique planning policy anomalies of the kind which the writer of this proof of evidence considers were never intended.

It would result in the strange situation whereby both PPG2 and emerging local plan Policy WGB2 concerned with the topic "New Buildings in the Metropolitan Green Belt" would allow, in principle, the rebuilding or replacement of dwellings on a one for one basis outside identified settlements in the Metropolitan Green Belt; whilst identical proposals situated outside the same Green Belt in the countryside would, adopting the Council's position, be unacceptable as a matter of principle seen in terms of emerging Policy WCC1.

Similarly, the same interpretation would, by implication, prevent the best use being made of previously-developed land, a central tenet of current central government housing policy as outlined in PPG3.

More significantly, the LPA's approach to the omission of sub-paragraph F) in emerging Policy WCC1 would lead to a situation of conflict with Policy C2 of the statutorily approved Berkshire Structure Plan 1991 - 2006 directed at "Development Outside Built-Up Areas and Settlements".

In short, approved strategic planning policy allows within the countryside, the "redevelopment of existing buildings", subject to the caveat that a particular proposal is appropriate in scale, form, impact, character and siting to the respective countryside location. In adopting the LPA's interpretation

of emerging Policy WCC1 following the removal of sub-paragraph F) as recommended by the Local Plan Inspector, would not allow for the "redevelopment of existing buildings", in that this form of development is simply not provided for in the same emerging policy.

This situation could not have been intended by the Local Plan Inspector, having regard to the last sentence of paragraph 2.61 of his Report on Objections raised to the Part 2 Public Inquiry on Chapters Other than Housing, forming part of his conclusions on representations raised to emerging policy WCC1:-

> **"... I am satisfied that Policy WCC1, as amended, would provide a suitable level of control, without undue rigidity, and would accord with Policy C2 in the Structure Plan and PPG7."**

3.09 It is the appellant's view that neither the Local Plan Inspector in his deletion of sub-paragraph F) from emerging Policy WCC1, nor the LPA in their retention of the same paragraph in emerging Policy WCC1 as set out in the Wokingham District Local Plan Deposit Draft Version (As Amended) February 2000, would have proceeded in the way they did, consciously endorsing a potential conflict situation with both current national and approved strategic planning policy.

3.10 It follows having regard to those considerations outlined in paragraphs 3.01 to 3.09 above, that the most relevant local plan policy relating to the proposals now advanced by The Marlow Building Company Limited on land at "Greenacres", Dunt Lane, Hurst, is Policy WCC1 taken from the Wokingham District Local Plan Deposit Draft Version, as recommended by the Inspector in his Report on Objections following the Part 2 Public Inquiry into Chapters other than Housing.

In considering "infill development" in the context of this policy, the provisions of paragraph 2.33A of Chapter 2 entitled "Countryside

Landscaping and Nature Conservation" taken from the Wokingham District Local Plan Deposit Draft Version (As Amended) February 2000 are important, if only because they were not the subject of any objection placed before the Local Plan Inspector. The same paragraph does **NOT** state that "a small gap" should be interpreted as an "undeveloped small gap":-

> **"2.33A Infill development is defined as one or two dwellings in a small gap in an otherwise built up frontage. For the purposes of this policy which is defined as no larger than necessary to accommodate two houses having regard to the widths of the existing residential frontages in the immediate vicinity. The new dwelling(s) should have a similar road frontage and similar curtilage to adjoining dwellings. It is essential that the development does not adversely affect the character of the area, and in particular not lead to any urbanisation of the area. Such development should provide adequate garden or amenity open space for the private enjoyment of residents appropriate to the character and general layout of the area. The protection of trees in accordance with Policy WBE11 will be another important consideration."**

3.11 The provisions of emerging policy WCC1 specifically include sensitive infilling of one or two dwellings in a small gap in an otherwise built-up frontage outside identified settlement boundaries, where the development would not adversely affect the character and appearance of the area. In this way there is a clear link with national policy found in paragraph 3.21 of PPG7, with which it is commensurate.

The significance to be attached today to emerging Policy WCC1 as recommended by the Local Plan Inspector is perhaps best illustrated by an appeal decision concerning an infill site outside an identified settlement involving the construction of a dwellinghouse and garage on land at Douglas Grange, off Davis Way, Hurst, Berkshire. In his decision letter dated 17th May

2000 allowing the appeal by Messrs. Martin James Construction, the Inspector, Mr. M.A. Hillyer BSc MSc CEng MICE FCIWEM, had the following comments to make on the importance to be associated with emerging Policy WCC1 at that time (see Appendix 5):-

> **"3. The Wokingham Local Plan (Deposit Draft) (DDLP) is an emerging local plan which was first placed on deposit in 1997, and is currently the subject of public inquiry. Policy WCC1 of the DDLP has been amended twice during consideration of the plan. The extant version, arrived at after public consultation, states that development outside of defined settlement boundaries will only be acceptable in exceptional circumstances. These exceptions include redevelopment, other appropriate development which cannot be accommodated in a settlement ,and sensitive infill of one or two dwellings in a small gap in an otherwise built-up frontage. These exceptions must be appropriate to their location in terms of scale, form, materials, design and character. I shall give this DDLP policy significant weighting as identified in Planning Policy Guidance (PPG) 1 – *[General Policy and Principles]* PPG7 – *[The Countryside – Environmental Quality and Economic and Social Development]* given guidance on dwellings in rural areas."**

3.12 The fourth reason of refusal attached to the decision notice the subject of Application No. F/2001/5570 states that the proposed development is located in an unsustainable location resulting in most, if not all, journeys being made by private car.

The weight to be afforded to this reason of refusal in adjudicating upon the current appeal proposals should, in the appellant's opinion, pay regard to the undeniable fact that if Government had expressed serious reservations that a situation would emerge, which would run counter to its own policy approach

relating to "sustainable development", the provisions of paragraph 3.21 of PPG7, and in particular the last sentence thereof, would have been deleted.

At a time when the LPA have for the first time sought to ensure proper regard is paid through its policies in the emerging Wokingham District Local Plan Deposit Draft Version to the provisions of current national policy set out in paragraph 3.21 of PPG7; it is considered otiose for the same Council to then appear to disregard the contents of sub-paragraph G) of Policy WCC1 as recommended by the Local Plan Inspector, and refuse Application No. F/2001/5570 on the grounds that if the appeal were allowed, it would result in unsustainable development.

The reasoning behind the Local Plan Inspector's deliberate intention of retaining sub-paragraph G) in emerging Policy WCC1 is clear from the last sentence of paragraph 2.54 of his Report on Objections to the Part 2 Public Inquiry into Chapters Other than Housing, viz:-

> **"2.54 For the above reasons, I think category H) should be restricted to sensitive infilling only and that minor extensions to groups are not an acceptable form of countryside development in Wokingham District ... I acknowledge that not all objectors welcomed the inclusion of category H) at all, but I believe that, providing it is modified as I have suggested, it would provide some flexibility without compromising the overall strategy of the Plan."**

3.13 Sustainability considerations do not, in the writer's view, begin and end with the need to reduce reliance on the private car, but on the contrary are concerned with a host of other factors. In particular, there is the need to make optimum use of previously developed land in place of developing greenfield sites, especially where the development may take place without affecting any natural resource. Moreover, the opportunity to improve energy efficiency by employing the most up to date methods of construction in new house

building, where the existing dwelling is not considered energy efficient as a consequence of using outdated building practices at the time of its original construction, is of particular relevance when examining "sustainable" development" considerations.

In both instances these are live issues germane to the current appeal proceedings.

II. CURRENT CENTRAL GOVERNMENT POLICY

A. Housing in the Countryside

3.14 The central thrust of current central government policy relating to housing in the countryside is found in paragraph 3.18 of PPG7 "The Countryside. Environmental Quality and Economic and Social Development", with paragraph 3.21 of the same Guidance Note confirming that sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, may also be acceptable depending on the character of the surroundings and the number of such groups in the area.

> **"3.18 The Government's policies for meeting new housing needs are based on the principles of focusing new development on existing towns and villages, making the best use of existing housing, making the best use of land, which has already been developed (which may include sites in the countryside, such as former defence bases which are no longer needed), making sites more attractive places in which to live, and considering how best to accommodate the rising number of households"**

> "3.21 New house building and other new development in the open countryside away from established settlements or from areas allocated for development in development plans, should be strictly controlled. The fact that a single house on a particular site would be unobtrusive is not by itself a good argument; it could be repeated too often. Isolated new houses

in the countryside require special justification - for example, where they are essential to enable farm or forestry workers to live at or near their place of work. Advice on the special considerations which may arise in relation to agricultural and forestry dwellings is given in Annex I. An isolated new house in the countryside may also exceptionally be justified if it is clearly of the highest quality, is truly outstanding in terms of its architecture and landscape design, and would significantly enhance its immediate setting and wider surroundings. Proposals for such development would need to demonstrate that proper account had been taken of the defining characteristics of the local area, including local or regional building traditions and materials. This means that each generation would have the opportunity to add to the tradition of the country house which has done so much to enhance the English countryside. **Sensitive infilling of small gaps within small groups of houses or minor extensions to groups may also be acceptable though much would depend on the character of the surroundings and the number of such groups in the area."**

3.15 The appeal proposals should be seen as not only making the best use of a parcel of previously developed land, but doing so in a way which complies with current central government policy relating to acceptable "residential infilling" within small groups of houses outside an identified settlement. As will be revealed in the following chapter of this proof of evidence, the character and appearance of the local area has been respected by the appeal proposals without harming any countryside resource.

B. Design Considerations

3.16 The contents of paragraph A1 of Annex A of PPG1 are directed at design issues, and requests LPAs to avoid unnecessary prescription or detail when considering such matters, concentrating attention on guiding their overall scale, density, massing, height, landscape, layout, and access of new

development in relation to neighbouring buildings and the local area more generally:-

> "A1. Development plans should set out design policies against which development proposals are to be considered. policies should be based on a proper assessment of the character of the surrounding built and natural environment, and should take account of the defining characteristics of each local area, for example local or regional building traditions and materials. The fact that a design or layout is appropriate for one area does not mean it is appropriate everywhere. **Plan policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout and access of new development in relation to neighbouring buildings and the local area more generally."**

There is an assortment of different sizes, styles and designs of residential property fronting onto the eastern side of Dunt Lane, Hurst, Berkshire amongst the group of houses where the appeal site is located, with the inevitable consequence that there is no one predominant built form or pattern of development instantly recognisable within the street scene. This factor becomes evident from an examination of the accompanying photographs and street scene elevations produced by the appellants as part of the current appeal proceedings, an issue considered in greater detail in the following chapter of this proof of evidence.

3.17 The contents of paragraphs 54 and 56 of PPG3 examine the need for new housing development on previously developed land under the sub-title "Designing for Quality":-

> "54. Good design and layout of new development can help to achieve the Government's objectives of making the best use of previously-developed land and improving the quality and attractiveness of residential areas. In seeking to achieve these

objectives, local planning authorities and developers should think imaginatively, about designs and layouts which make more efficient use of land without compromising the quality of the environment."

"56. **New housing development of whatever scale should not be viewed in isolation. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality.** The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development, recognising that new building technologies are capable of delivering acceptable built forms and may be more efficient. Local planning authorities should adopt policies which:

- create places and spaces with the needs of people in mind, which are attractive, have their own distinctive identity but respect and enhance local character;

- promote designs and layouts which are safe and take account of public health, crime prevention and community safety considerations;

- focus on the quality of the places and living environments being created and give priority to the needs of pedestrians rather than the movement and parking of vehicles;

- avoid inflexible planning standards and reduce road widths, traffic speeds and promote safer environments for pedestrians; and

- promote the energy efficiency of new housing where possible."

3.18 The following chapter of this proof of evidence will assess the design and layout of the proposed development, seen in relation to neighbouring buildings and the character of the northern end of Dunt Lane generally.

It will be demonstrated that the size and siting of the two proposed dwellinghouses have been considered in relation to adjoining development, with the consequence that the appeal proposals may be successfully assimilated within the street scene; despite an absence of any reason of refusal based on design considerations."

C. The Setting of Listed Buildings

3.19 The provisions of paragraphs 2.16 and 2.17 of PPG15 "Planning and the Historic Environment" outlines those duties placed on LPAs, when processing applications for planning permission or listed building consent, which are considered to affect the setting of listed buildings:-

> "2.16 Section 16 and 66 of the Act require authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function. Also, the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest, and of the contribution they make to townscape or the countryside, if they become isolated from their surroundings, eg. by new traffic routes, car parks, or other development.

On 4th November 1995, the Berkshire Structure Plan 1991-2006 because a statutorily adopted plan replacing the former Replacement Structure Plan for Berkshire, itself approved by the Secretary of State in 1988.

A subsequent legal challenge was mounted in the High Court by the House Builders Federation being directed at the housing allocation forming part of Policy H1. This High Court challenge was dismissed on 30th April 1996 on the principal ground that rejection of the Panel's views on the same policy by the County Council was a decision open to the strategic planning authority, having been arrived at following proper consideration of the Panel's Report.

Subsequent alterations were made to the Berkshire Structure Plan 1991-2006, which in turn were adopted in August 1997, albeit that the same alteration did **NOT** amend those policies contained in the approved November 1995 version of the Explanatory Memorandum to the same Plan, which are most relevant to the current appeal proceedings.

D. Approved Strategic Countryside/Environmental Policy

3.22 As part of a central objective of protecting the countryside, Policy C2 taken from the Explanatory memorandum of the approved Berkshire Structure Plan 1991-2006 seeks to restrict development outside built-up areas and settlements:-

> **Policy C2**
>
> "Development outside built-up areas and settlement boundaries defined in local plans (and not within the Metropolitan Green Belt - see Policy C4) will be strictly controlled, and permitted only:-
>
> (i) where it is required for agriculture or forestry; or
>
> (ii) for the re-use, adaptation or redevelopment of existing buildings, particularly to assist the diversification of

the rural economy and to maintain or enhance the rural environment; or

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

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

Policy EN1 of the approved Berkshire Structure Plan 1991-2006 is concerned with the protection and enhancement of the environment of built-up areas:-

Policy EN1

"The character and quality of the environment in the towns, villages and other built-up areas will be protected and enhanced. Within these areas development must be appropriate in scale, form, impact, character and siting to its location. In particular:

(i) development should embody a high standard of design, layout and landscaping, and help maintain and, where possible, enhance the character of its surroundings.

(ii) town and village greens and all open land important to the character of settlements will be protected from development and where necessary enhanced;

(iii) the existing tree cover, important areas of vegetation and wildlife habitats will be conserved, and additions to them encouraged;

(iv) special attention will be paid to the maintenance and improvement of the character of town and village centres.

Where appropriate, to achieve optimum use of land and buildings inbuilt-up areas, the re-use of vacant buildings and redevelopment of derelict or genuinely under-used urban land will be supported."

The protection of statutorily listed buildings from demolition or unnecessary change provides the fulcrum behind approved Berkshire Structure Plan Policy EN4:-

Policy EN4

"Listed buildings and buildings in conservation areas will be protected from demolition, inappropriate alteration and other adverse change. Proposals affecting these buildings and other buildings of special architectural or historic interest should conserve their historic fabric and character, preserve or enhance their settings, provide appropriate uses and ensure adequate standards of maintenance and repair."

3.23 Four significant factors arise from an examination of Policies C2, EN1 and EN4 taken from the approved Berkshire Structure Plan 1991-2006, when examined in the context of the development now sought by the Marlow Building Company Limited on land at "Greenacres", Dunt Lane, Hurst:-

A. It is acknowledged that Policy C2 of the approved Berkshire Structure Plan 1991-2006 does not include "infill development" as being acceptable outside built up areas and settlement boundaries. It should, however, be emphasised that the amplification to the same policy contained in paragraph 5.9 of the Explanatory Memorandum indicates that it is the strategic planning authority's intention that development

in the open countryside be strictly controlled, albeit that it is expected to accord with current government policy set out in PPG7, viz:-

> **"Building in the open countryside away from existing settlements or from areas allocated for development in local plans will be strictly controlled in line with advice in PPG7."**

This point aside, the manner in which the provisions of Policy C2 of the approved Berkshire Structure Plan 1991-2006 should be interpreted when considering "infill development" amongst a small group of dwellings outside an identified settlement in the countryside, is most succinctly examined in an appeal decision dated 8th May 1997, involving Wokingham District Council and the erection of a dwelling and garage in the existing garden adjoining Wood End, Warren Lane, Finchampstead, Berkshire (see Appendix 6). In this case, the issue of residential infilling occurred outside Finchampstead village, in a location involving a dozen dwellings along Warren Lane. The Inspector, Mr. J.D. Micklethwaite BA DipTP MRTPI, in allowing this appeal, stated:-

> **"5. This conflict (*i.e. the conflict with Policy C2 of the approved Berkshire Structure Plan 1991-2006)* is the cornerstone of the Council's case, but you argue that it is important to look to the underlying aims of the policy to see if material harm would be caused. In my view, this is the correct approach, especially when applying a broad brush policy to a small scale proposal such as this."**

It is contended the same comments are equally relevant when assessing the current appeal proposals against the same strategic planning policy.

B. Notwithstanding those important preliminary considerations outlined in paragraphs 3.07 to 3.09 of this proof of evidence, in following the line of argument adopted by Wokingham District Council in paragraph 4.04 of their Statement of Case, Policy C2 taken from the approved Berkshire Structure Plan 1991-2001 clearly provides for the "redevelopment of existing buildings" as an acceptable form of development outside built up areas and settlements in the countryside.

C. It is the appellant's view that Policy EN1 is of no consequence given the locational characteristics of the appeal site, in that it is found outside a built-up area, where the provisions of Policy C2 are not relevant. For ease of reference Policy C2 is directed at "Development Outside Built Up Areas and Settlements."

How a particular proposal can be said to be at variance with Policy C2 directed at development proposals on land "outside built up areas and settlements", yet also appear contrary to "development plan" policy specifically related to the "protection and enhancement of the environment of built-up areas" is difficult to comprehend.

In this regard it is the appellant's opinion that the LPA may have confused the term "built up area" with "built up frontage", mentioned in sub-paragraph G of Policy WCC1 as recommended by the Local Plan Inspector, following publication of the Report on Objections to the Part 2 Public Inquiry into the emerging District-wide Local Plan.

D. The basis of the LPA's objection concerning Policy EN4 taken from the approved Berkshire Structure Plan 1991-2006, relates to the alleged harm which it is said would be caused to the adjoining Listed Building, Dunt's Cottage. The listing description of Dunt's Cottage as a Grade II building is outlined below:-

> "Cottage. C17 or earlier, altered, timber framed, colour washed brick and plaster infilling; old tile roof, large chimney with square shafts to left hand of centre, 2 storeys. South east front has gable to left hand with 3-light upper windows. Interior has many timbers exposed."

It is suffice at this stage to state that there were **NO** technical objections to the proposed development which supports that part of the second reason of refusal which alleges harm being caused to the setting of Dunt's Cottage. This is a matter reinforced by a reading of the consultation responses from Mr. Harold Saunders, the Council's Urban Design and Conservation Officer; the LPA's Landscape Architect Catherine Brimble, and the Clerk to St. Nicholas Hurst Parish Council, as they relate to Application No. F/2001/5570.

With these considerations in mind, it will be shown in the following chapter of this proof of evidence that there is no justification behind the allegation that the setting of the adjoining Listed Cottage would be adversely affected by the proposed development. On the contrary, it will be shown that LPA have failed to properly consider the relationship between the appeal site and Dunt's Cottage; the extent and nature of separation which will remain; the presence of a tall mature intervening hedgerow separating the two residential properties, and the form of extensions granted listed building consent in respect of the adjoining listed building.

To the extent that the LPA do not record Policy EN4 of the approved Berkshire Structure Plan 1991-2006 in the informative attached to the refusal notice concerning Application No. F/2001/5770, as being relevant to the decision taken by the Council, is perhaps an indicator of the true significance which should be attached to that part of the second reason of refusal, concerning the detriment which the Council alleges, will be caused to the neighbouring listed building.

IV. THE BERKSHIRE STRUCTURE PLAN 2001-2016

3.24 A Pre-Deposit Version of the emerging Berkshire Structure Plan 2001-2016 was published in March of this year, and was followed by a period of public consultation extending until 26th April 2002. This strategic document has been produced by the six unitary local authorities in the County through a "quango" known as The Joint Strategic Planning Unit, which has served Berkshire following the abolition of the County Council in 1998. The purpose of the Joint Strategic Planning Unit established after the demise of Berkshire County Council, is to carry out the core strategic planning policies of the former County Council on their behalf, being funded by the six unitary local authorities.

The emerging Berkshire Structure Plan 2001-2016 is at an early stage along the road to formal adoption in that the Unitary Authorities and Joint Strategic Planning Committee have, at the time of writing this proof of evidence, still not considered the representations made to the Pre-Deposit Version of the replacement structure plan. A sustainability assessment was published in August 2002 testing the policies outlined in the Pre-Deposit version of the Berkshire Structure Plan 2001-2016.

It is understood that a delay in considering the representations made to the Pre-Deposit Version has led to some slippage in the timetable leading up to adoption of the replacement structure plan, with the result that this will have a "knock-on" effect with the timing of the publication of the Revised Deposit Plan, previously anticipated to be released in February 2003. Similarly, it is unlikely that the Examination-in-Public chaired by an independent Panel appointed by The Planning Inspectorate will be convened before Autumn 2003, with consequential delays occurring in the publication of the Panel's Report, and the formulation of a series of Proposed Modifications in the light of the Panel's recommendations. The eventual adoption of the Berkshire Structure Plan 2001-2016 by the six unitary local authorities is not likely to be until early 2005.

It follows, in accordance with the provisions of paragraph 48 of PPG1, that the weight to be attached to those policies taken from the Pre-Deposit Version of the Berkshire Structure Plan 2001-2016, referred to in the decision notice forming the subject of the current appeal proceedings, is particularly limited.

E. Emerging Strategic Policy Relating to the Location of Development

3.25 Policy DP6 reaffirms the central thrust outlined in Policy C2 of the approved Berkshire Structure Plan 1991-2006, namely that outside settlements, development will be severely limited. In this respect, Policy DP6 appears to adopt a tougher stance than current approved strategic policy.

> **Policy DP6**
>
> "1. Land outside settlements will be safeguarded for its own sake as a non-renewable natural resource.
>
> 2. In addition, local plans will ensure that land outside settlements is only used for purposes appropriate to rural areas, and in particular that it:
>
> (i) makes a contribution to the economy through agriculture, forestry and other activities that can only be undertaken there, and by providing immediately accessible job opportunities for those who live there;
>
> (ii) contributes to the identity of settlements; or
>
> (iii) provides the population with easily accessible opportunities for informal recreation."

3.26 The single most important conclusion to emerge from a reading of Policy DP6 is that, like its approved counterpart, Policy C2 of the approved Berkshire Structure Plan 1991-2006, it has failed to pay due and proper

regard to current central government policy relating to housing in the countryside in the form of paragraph 3.21 of PPG7.

Indeed, an assessment of those representations received following publication of the Pre-Deposit Version of the emerging Berkshire Structure Plan 2001-2016 in March of this year (see Appendix 7), reveals that amongst those received opposing Policy DP6, is one relating to lack of any cross referencing with approved national policy contained in paragraph 3.21 of PPG7; in effect re-endorsing the views set out in this proof of evidence.

In accordance with the contents of paragraph 48 of PPG1, there can be NO justification for refusing the development the subject of Application no. F/2001/5570 on the ground that it would conflict with Policy DP6 of the emerging Berkshire Structure Plan 1991-2006.

F. Emerging Strategic Environmental Policy

3.27 I have reproduced below Policy EN4 taken from the emerging Berkshire Structure Plan 2001-2016 which is concerned with the historic environment:-

> **Policy EN4**
>
> "1. Historic features and areas of historic importance and their settings will be conserved and where appropriate enhanced. The Councils will only allow development if it has no adverse impact on features or areas of historic importance.
>
> 2. Proposals will be expected to have regard to the wider historic environment and will only be permitted when they would conserve or enhance the character or setting of Berkshire's historic landscape and built environment."

3.28 The comments raised in paragraph 3.23 **D.** of this proof of evidence concerning its concomitant, Policy EN4 set out in the approved Berkshire Structure Plan 1991-2006, are equally relevant when assessing the appeal

proposals against the above mentioned policy taken from emerging strategic planning policy.

In a similar manner to Policy DP6 outlined above, the presence of objections to this policy arising from the public consultation exercise carried out into the Pre-Deposit Version of the Berkshire Structure Plan 2001-2016 further removes any justification for refusing Application No. F/2001/5570 on the grounds of conflict with Policy EN4.

V. THE LODDON AREA LOCAL PLAN 1995

3.29 The Deposit Version of the Loddon Area Local Plan received a Certificate of General Conformity with the earlier replacement structure plan for Berkshire on 7 February 1990, and was succeeded by a period of public consultation. The representations received led to a series of proposed amendments being drafted, and these were duly published in September 1990. A Local Public Inquiry into the Loddon Area Local Plan was held between November 1990 and May 1991, with the result that the Inspector's Report into Objections raised to both the Deposit Version of the Local Plan and its proposed amendments were received in 1992.

A list of Proposed Modifications in response to the Inspector's Report were placed before the Council's Planning and Transportation Committee meeting held on 15th July 1993. Several of the responses agreed by the Planning and Transportation Committee confirmed that further Proposed Modifications were required, and these were published for consultation purposes from 1st September until 13th October 1993. The LPA considered the representations made to these Proposed Modifications and made appropriate alterations to the Local Plan.

In the light of those representations received to the original Proposed Modifications, along with the findings of a retail study specifically commissioned by the LPA, a second Public Inquiry was held in February/ March 1994 to consider the issue of a superstore at Winnersh. In the period following receipt of the Inspector's Report, the Council published a final set

of Proposed Modifications, which were made the subject of a period of public consultation extending from 9th January to 20th February 1995.

The Loddon Area Local Plan became a statutorily adopted document on 5th May 1995.

G. Adopted Local Plan Policy Relating to Housing in Rural Areas

3.30 Policy LTV2 of the adopted Loddon Area Local Plan 1995 is intended, in accordance with the reasoned justification relating to the same policy, "... **to limit development outside identified settlements to that which is appropriate to countryside or has a special reason to locate there.**" (Paragraph 1.1.06 of the Written Statement refers).

Policy LTV2

"All land outside the identified settlements, as shown on the Proposals Map is considered to be rural area within which development will not normally be allowed. In accordance with the replacement Structure Plan exceptions may be made for development in the following categories which are not specifically dealt with by other policies in this Local Plan:

(a) Development for housing purposes of sites not exceeding 0.4 hectare on the edge of settlements in the form of rounding off or redevelopment;

(b) Development for employment uses not exceeding 300 square metres of floorspace on the edge of settlements in the form of rounding off or redevelopment;

(c) Development essential to the use of land for agriculture or forestry;

(d) Mineral extraction;

(e) Plant for receiving imported aggregates, or for the processing or distribution of aggregates;

(f) The disposal of waste by controlled tipping within existing or former mineral workings or on other despoiled land;

(g) Public utilities that cannot be located elsewhere;

(h) Any other purpose wholly appropriate to a rural area.

The acceptability of all proposals will also be judged against the provisions of the other relevant policies contained in this plan. For the avoidance of doubt the areas of sporadic development identified on the Proposals Maps are included within the rural areas."

3.31 Three key factors emerge from an examination of Policy LTV2 taken from the Written Statement of the statutorily adopted Loddon Area Local Plan 1995 when assessing the proposed development on the appeal site:-

A. In an identical way to Policy C2 taken from the approved Berkshire Structure Plan 1991-2006, **NO** provision is made within the specific categories of acceptable development outside settlements in the rural areas of the District covered by this Local Plan for "infill development". With this in mind, Policy LTV2 is both inconsistent and out of date with current national policy relating to housing in the countryside, especially the provisions of paragraph 3.21 of PPG7.

B. The omission within Policy LTV2 of the Loddon Area Local Plan 1995 of any reference to "infilling" as a form of acceptable development in the countryside is surprising, seen in the light of those categories of residential and commercial development allowed under paragraphs A and B, which it is contended are likely to have a considerably

greater impact on the character and appearance of the rural area covered by the same local plan, than residential development of the form and nature now contemplated on land at "Greenacres", Dunt Lane, Hurst.

To this consideration should be added that there are no comparable types of housing or employment generating development of the kind set out in categories A and B to Policy LTV2, in either approved strategic or current national policy where they relate to development outside identified settlements in the countryside.

C. The respective weight to be attached to Policy LTV2 taken from the adopted Loddon Area Local Plan 1995 seen in the context of PPG7 and Policy WCC1 taken from the emerging Wokingham District Local Plan, as recommended in the Local Plan Inspector's Report following the Part 2 Public Inquiry into Chapters other than Housing; is a matter which was considered by the Inspector in the appeal decision allowed on 17th May 2000, concerning land at Douglas Grange, off Davis Way, Hurst. (see Appendix 5):-

> **"9. PPG7 advised that the countryside should be protected for its own sake, but also that new housing will continue to be required in rural areas and sensitive infilling of small gaps may be acceptable. Much of the site is already part of a small housing estate. The proposal would not relate to LP Policy LH1 because it would not be in an identified settlement. The new house would comply with DDLP Policy WCC1 and I consider that this outweighs any significant conflict with LP Policy LTV2 ..."**

3.32 Having regard to the High Court judgements involving Standard Securities Estates Limited v Secretary of State for the Environment and Another (1992)

evidence has revealed. The LPA has more recently granted full planning permission for the replacement of the bungalow on land at "Winton Lodge", previously known as "Elmsleigh", by a chalet style dwellinghouse. "Meadow View" has similarly been the subject of extensive alterations and extensions which have transformed the previous bungalow into a chalet style dwellinghouse.

The proposed development the subject of Application No. 42472, involving the demolition of an existing bungalow and the erection of a chalet bungalow on land since renamed "Winton Lodge" (see Appendix 10), was the subject of a report to the Council's Development Control (North) Sub-Committee meeting held on 4th May 1994, in which the Case Officer stated:-

> **"The present bungalow has no design merit and is not particularly attractive."**

3.35 The existing bungalow at "Greenacres", like the bungalows which once stood in the plots of "The Pightle", "Winton Lodge" and "Meadow View", together with the existing property known as "Woodlands", are all situated within the same group of dwellings on the eastern side of Dunt Lane. The remaining bungalows at "Greenacres" and "Woodlands" are of a typical low cost functional design representative of their era, 1960's, being of no vernacular importance or visual interest.

3.36 Chapter 4 of this proof of evidence will examine the design of the two proposed chalet style dwellinghouses on the appeal site, seen in terms of the character of the area, the relationship with adjoining sites and buildings, and the resultant impact on the street scene.

It is worthwhile, however, pointing out at this stage that in terms of the specific criteria laid down in Policies LBE1 and LBE2 of the adopted Loddon Area Local Plan, the appeal proposals:-

- will make a positive contribution to the character of the area through the demolition of a bland 1960's functional bungalow of no particular architectural merit occupying a small gap in an otherwise built up frontage in the countryside, with two appropriately designed chalet style dwellinghouses;

- will contribute to the creation of a safe and attractive environment as a result of the proposed chalet style dwellings incorporating improved access and turning facilities beyond what is presently in existence;

- will retain existing hedges along side boundaries, with complementary new hedging along the site's frontage where necessary;

- will ensure that the relationship with adjoining sites and buildings is respected, leading to improvements in the visual appearance of the appeal site from within the street scene.

3.37 I have previously referred to the appeal decision allowed on 7th December 1998 concerning the demolition of an existing dwelling and garage and the erection of a replacement dwelling and garage on the adjoining property "The Pightle" (see Appendix 8).

The contents of paragraph 8 of this appeal decision are concerned with design considerations seen in respect of the main determining issue identified by the Inspector, namely the impact of the proposed development on the character and appearance of the surrounding rural area.

The conclusions set out in paragraph 8 are considered to be equally valid when assessing the same issue as part of the current appeal proceedings involving land at "Greenacres":-

"8. I note the planning officer's recommendation to Committee was to grant planning permission. The present rural environment of the locality already incorporates an element of redeveloped properties, and the proposal would exhibit some similarity in style to these developments and would, in my view, enhance appearances in comparison to the existing bungalow. I conclude on the main issue that the proposed development would not harm the character and appearance of the surrounding rural area. It would comply with SP Policy SP2 *(should have read C2)*. It would meet the aims of LP Policies LBE1 and LC18, and it would not conflict with LP Policy LBE2. I shall allow the appeal."

VI. THE WOKINGHAM DISTRICT LOCAL PLAN

3.38 The Wokingham District Local Plan Deposit Draft Version was placed on deposit from 21st October 1997 until 2nd December 1997, and as a consequence of the 1643 objections received, a series of Pre-Inquiry amendments were made. The changes concerning Chapter 6 which concentrated on major development proposals south of the M4 Motorway were agreed for the purposes of advertisement at the meeting of the Environmental Services Committee held on 22nd June 1998, later confirmed at the meeting of the same Committee on 21st September 1998.

In the period extending from 9th November 1998 until 1st February 2000, three separate stages of amendments to the emerging Wokingham District Local Plan can be identified.

The first stage led to the publication of a document entitled "Wokingham District Local Plan Deposit Draft 1999, Proposed Amendments to the Deposit Draft 1999", reflecting those changes which had been agreed at the Environmental Services Committee meetings held on 9th November 1998, 15th February 1999 and 22nd March 1999. This first set of changes is collectively referred to in subsequent editions of the emerging Wokingham District Local Plan as "Proposed Amendments: April 1999", having been given the prefix

(PA...) in subject version of the Written Statement. These first set of changes were advertised from 23rd April 1999 until 11th June of the same year. Importantly, the date of 23rd April 1999 is also the time when the Wokingham District Local Plan was first used for development control purposes.

The second stage of changes made to the emerging Local Plan coincided with the Environmental Services Committee meeting held on 13th September 1999, at which time it was decided not to proceed with certain "proposed amendments", and to make certain additional proposed amendments to the emerging Wokingham District Local Plan. This second set of changes is collectively referred to in subsequent editions of the emerging Wokingham District Local Plan as "Additional Proposed Amendments: September 1999" and given the prefix [A/...] in subsequent versions of the Written Statement.

The final stage of changes were announced following the 1st February 2000 meeting of the Environmental Services Committee, at which time a number of amendments to the transport chapter were agreed. The purpose of these amendments was to take into account changes since the publication of the Deposit Draft version, most notable being the abolition of Berkshire County Council in April 1998; the publication of the Transport White Paper in July 1998, and the need to ensure consistency between the policies set out in the emerging Local Plan, and the policies and strategies contained in the Local Transport Plan.

The Wokingham District Local Plan Deposit Draft Version (As Amended) February 2000 referred to in this proof of evidence, is a consolidated document which contains the text of the Deposit Draft, incorporating all three stages of subsequent amendments.

3.39 A Part 2 Public Inquiry into Objections raised to policies and proposals set out in the Wokingham District Local Plan Deposit Draft Version (As Amended) February 2000, was held between 2nd February and 29th November 2000, with the Inspector's Report published on 25th October of the following year.

The LPA are due to publish a series of Proposed Modifications early next year, 2003, having regard to the recommendations made in the Inspectors Reports into both Part 1 and Part 2 Versions of the emerging Wokingham District Local Plan.

It can be seen that the same District-wide Local Plan has now reached an advanced stage along the road to formal adoption, and should be afforded the requisite weight, having regard to the contents of paragraph 48 of PPG1.

I. An Assessment of the Significance to be Attached to Policies WOS1 and WOS2 Directed at Sustainable Development and Housing Development Principles Respectively, Given the Existence of Policy WCC1 Relating Specifically to Development in the Countryside Outside the Metropolitan Green Belt.

3.40 The manner in which the LPA have chosen to refer to policies taken from the emerging Wokingham District Local Plan Deposit Draft Version (As Amended) February 2000 in the individual reasons for refusing Application No. F/2001/5570 implies on first impressions that the proposed development would have a material adverse impact on the underlying strategy of the emerging Local Plan.

It appears, however, from the contents of paragraph 4.03 of the Council's Statement of Case that Wokingham District Council accept that, notwithstanding the sequential approach relating to housing development incorporated into the emerging Local Plan in accordance with the provisions of PPG3; small scale housing proposals of the kind which now form the subject of the current appeal proceedings, are required to be considered against Policy WCC1 which is specifically concerned with "Development in the Countryside (Outside the Metropolitan Green Belt)".

In the light of these considerations, Policy WDS2 would seem largely irrelevant to these appeal proceedings.

3.41 It must equally be said, if only for reasons already outlined in paragraph 3.12 of this proof of evidence, that there can be no justification for citing Policy WOS1 in the third reason for refusing the development the subject of these appeal proceedings, given the Council acknowledge that Policy WCC1 is "applicable" in examining housing proposals outside identified settlements amongst groups of houses enjoying a built-up frontage in the countryside.

In essence, it cannot be held reasonable for an Authority to specifically incorporate the requirements of paragraph 3.21 of PPG7 into a policy relating to development in the countryside outside the Metropolitan Green Belt, allowing for sensitive infilling to take place in a small gap in an otherwise built up frontage; only to subsequently withhold planning permission on the basis that the same proposals would conflict with the overall strategy of the emerging District-wide Local Plan governing "sustainable development".

3.42 It follows that Policies WOS1 and WOS2, although relevant in qualifying the approach behind the overall strategy adopted by the Council in the preparation of the Wokingham District Local Plan, are nevertheless of only superficial importance to the development the subject of these appeal proceedings, given the existence of Policy WCC1.

I have for ease of reference, set out below Policies WOS1 and WOS2 taken from the emerging Wokingham District Local Plan as recommended by the Inspector in his Report on the Part 2 Public Inquiry into Chapters Other than Housing.

> **Policy WOS1 (As Recommended by the Inspector in his Report on Objections to the Part 2 Public Inquiry**
>
> "The Council will ensure that development is sustainable and improves the quality of life within the plan area by pursuing the following objectives:-
>
> A) (deleted)

Policy WOS2 (As Recommended by the Inspector in his Report on Objections to the Part 2 Public Inquiry)

"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 limited infilling and small windfall development".

J. Emerging Local Plan Policy Relating to Development in the Countryside Outside the Metropolitan Green Belt

3.43 I have focused attention at the beginning of this chapter on the importance which should be placed on Policy WCC1 taken from the emerging Wokingham District Local Plan in adjudicating upon these appeal proceedings, if only because it is the **ONLY** local policy, including those set out in the "development plan", which has sought to accord with national policy in the form of paragraph 3.21 of PPG7.

In this regard, mention was made in paragraph 3.11 of this proof of evidence of the significance attached to emerging Local Plan Policy WCC1 some two years ago, which is evident from a reading of paragraph 3 of an appeal decision concerning an infill site outside an identified settlement involving the construction of a dwellinghouse and garage on land at Douglas Grange, off Davis Way, Hurst, Berkshire (see Appendix 5).

3.44 It is considered necessary to follow the evolution of Policy WCC1 from the time of publication of the Wokingham District Local Plan Deposit Draft Version 1997, through to the amended version of the same policy, as recommended by the Inspector in his Report on Objections following the Part 2 Public Inquiry into Chapters Other than Housing, released in October of last year. By undertaking this exercise, the significance which should be attached to the fourth reason for refusing Application No. F/2001/5570, can be assessed.

I have provided at Appendix 11 an extract taken from the Wokingham District Local Plan Deposit Draft Version 1997 which reveals that there was no provision contained within Policy WCC1 allowing for the form of development in the countryside outside the Metropolitan Green Belt, of the type envisaged in the last sentence of paragraph 3.21 of PPG7 (see Appendix 11).

Indeed, it was not until after the Environmental Services Committee meeting held on 15th February 1999 that criterion H) was inserted into emerging Policy WCC1, which took into account the provisions of paragraph 3.21 of PPG7, with the resultant Proposed Amendment (PA 2/8) subsequently incorporated into the first set of changes later advertised on 23rd April 1999 (see Appendix 12). This date coincided with the time the Wokingham District Local Plan was first used for development control purposes.

It is also evident that, at that time, a new version of Policy WH1A was produced (Proposed Amendment PA 5/5), dealing specifically with "Housing Development - Infilling Gaps Within Groups and Minor Extensions to Groups Outside Settlements", the alterations to which were consequent upon Proposed Amendment PA 2/8 (see Appendix 12).

In July 1999, the LPA published a consolidated version of the Wokingham District Local Plan Deposit Draft Version 1997, incorporating the Proposed Amendments forming part of the first set of changes referred to in paragraph 3.38 of this proof of evidence. This document incorporated Proposed

Amendment PA 2/8 into Policy WCC1 through a new criterion H), together with a new version of Policy WH1A, itself the subject of Proposed Amendment PA 5/5 (see Appendix 13).

The second set of changes made to the emerging Wokingham District Local Plan, referred to as "Additional Proposed Amendments" occurred following the meeting of the Council's Environmental Services Committee on 13th September 1999. Policy WH1A was deleted in its entirety, with sub-paragraph H) of emerging Policy WCC1 reworded in accordance with Additional Proposed Amendment [A1]. These additional proposed amendments were incorporated into a further consolidated version of the Wokingham District Local Plan Deposit Draft 1997 published by the LPA in November 1999.

3.45 The Wokingham District Local Plan Deposit Draft Version (As Amended) February 2000 incorporates all three sets of changes made to the original Deposit Draft version of the same plan extending from 9th November 1998 until 1st February 2000. Criterion H) of Policy WCC1 shows sensitive infilling of one or two dwellings in a small gap within a built up frontage, as one of a number of categories of acceptable development in the countryside outside the Metropolitan Green Belt. (see Appendix 14).

3.46 The Inspector in his Report on Objections raised at the Part 2 Inquiry into Chapters Other than Housing has sought to renumber the various categories of acceptable development in the countryside outside the Metropolitan Green Belt, as a result of the deletion of "F) Redevelopment Proposals in the Countryside". As a consequence, what previously was Criterion H) is now Criterion G), with the phrase "... where the development would not adversely affect the character and appearance of the area" forming part of former Criterion H) having been deleted. This is a matter evident from the Local Plan Inspector's recommendation contained in paragraph 2.62 of his Report forming part of his consideration of objections to emerging Policy WCC1, reproduced below, as well as in Appendix 15 to this proof of evidence.

Policy WCC1 (As recommended by the Inspector in his Report on Objections to the Part 2 Public Inquiry)

"Development outside defined settlement boundaries will be strictly controlled through the application of the detailed policies and provisions of this Plan.

Such development will only be acceptable in principle where the proposal falls within one of the following categories:

A) *Development required for agriculture or forestry*

B) Outdoor sport or countryside recreation

C) Local community facilities which cannot be located elsewhere.

D) Re-use and adaptation of existing buildings.

E) Diversification of an established agricultural business.

F) Permanent and transit gypsy sites.

G) **Sensitive infilling of one or two dwellings in a small gap in an otherwise built-up frontage.**

H) Other development suitable to the countryside, which cannot be accommodated within a settlement.

Where development is acceptable in principle it will only be permitted if it is appropriate in scale, form, materials, design and character to its location in the countryside. The enclosure of open areas that are important components of countryside character will not be permitted."

3.47 Five important considerations emerge from an examination of the evolution of Policy WCC1, leading up to the form now recommended by the Local Plan Inspector in his Report on Objections to the Part 2 Public Inquiry into Chapters Other than Housing:-

A. The insertion of Criterion H) (since renumbered criterion G)) into emerging Policy WCC1 is a direct result of the need to take into account national policy in the form of paragraph 3.4 of PPG7, especially following the earlier deletion of proposed Policy WH1A.

In this way, Proposed Amendment (PA 2/8) itself the subject of Additional Proposed Amendment [A1] retains as part of acceptable development in the countryside outside the Metropolitan Green Belt, sensitive infilling of one or two dwellings in a gap in an otherwise built up frontage.

B. It is evident that despite the significance attached by the LPA to sustainable development as part of the underlying strategy upon which the emerging Wokingham District Local Plan has been based, it was still considered necessary to amend the Deposit Draft version of the same emerging Local Plan, so that full account was taken of the contents of current central government policy, and in particular paragraph 3.21 of PPG7 – in effect verifying that small scale proposals of the form and nature the subject of the current appeal proceedings are unlikely to contravene the overall strategy of the same emerging Local Plan.

In pursuing this line of reasoning, account should be taken of the last sentence of paragraph 2.54 of the Inspector's Report following the Part 2 Public Inquiry, wherein it is accepted that the modified wording found in sub-paragraph G) of recommended Policy WCC1 **"... would provide some flexibility without compromising the overall strategy of the plan."**

C. The definition of "infill development" is set out in paragraph 2.33A of the Written Statement of the emerging Wokingham District Local Plan Deposit Draft Version (As Amended) February 2000, which was not the subject of objection at the Part 2 Public Inquiry, having been reproduced at paragraph 3.10 of this proof of evidence.

It can be seen that neither the contents of Policy WCC1 as recommended by the Local Plan Inspector, nor the provisions of paragraph 2.33A refer to the words a "small gap" as meaning "an undeveloped small gap". The following chapter of this proof of evidence will reveal that the development the subject of these appeal proceedings will have a similar road frontage and similar curtilage to adjoining dwellings, confirming that what is being proposed as part of Application No. F/2001/5570 fully complies with the definition of "infill development".

It will be demonstrated later in this proof of evidence that the proposed development does not adversely affect the rural character of the surrounding area, neither would it have an urbanisation effect.

D. There is an absence in the Glossary of the emerging Wokingham District Local Plan of the term "built up frontage", with the same term not present in the last sentence of paragraph 3.21 of PPG7.

In this way, built up frontage" as used in criterion G) of Policy WCC1 can only be commensurate with the term "groups of houses" in the last sentence of paragraph 3.21 of PPG7, since to arrive at a contrary view will lead to a situation of conflict with national policy.

E. It is the appellant's contention that the appeal proposals comprise a form of sensitive infilling of two houses in an otherwise built up frontage, being of an appropriate scale, form, materials, design and character, given its location in the countryside.

K. Emerging Local Plan Relating to Development Control With Particular Emphasis Placed on the Design of New Development.

3.48 The provisions of Policies WOS3 and WBE1 expand upon and replace the provisions of Policies LBE1 and LBE2 set out in the Written Statement of the Loddon Area Local Plan, requesting development proposals to be of an appropriate scale to the character of the area in which they are located; ensuring no significant detrimental effect is caused by any historic, landscape or nature conservation interest; paying due regard to sustainability issues and traffic generation issues; and providing a high standard of design and layout, making efficient use of land and buildings.

Policy WOS3 (As Recommended by the Inspector in his Report on Objections to the Part 2 Public Inquiry

"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 **(PA 1/6)** 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 capable of 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."

Policy WBE1

"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;

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."

3.49 The various parameters outlined in Policies WOS2 and WBE1 will be examined in conjunction with the criteria set out in Policies LBE1 and LBE2 of the Loddon Area Local Plan 1995 in the following chapter of this proof of evidence.

I have previously drawn the Inspector's attention in paragraphs 3.34 to 3.37 inclusive of this proof of evidence, to a number of main factors which it is considered form the starting point from which a more detailed assessment of design considerations should proceed. The contents of these same paragraphs are equally pertinent when examining the appeal proposals against Policies WOS3 and WBE1 of the emerging Wokingham District Local Plan, as recommended by the Local Plan Inspector in his Report on the Part 2 Public Inquiry into Chapters other than Housing.

Meanwhile it is sufficient to say:-

- The appeal proposals are appropriate in terms of their scale to the character of the surrounding area in which they are located, being of a high standard of design and layout, whilst making efficient use of land.

- The development promoted on behalf of The Marlow Building Company Limited will have no adverse effect on any historical, landscape or nature conservation interest.

- The extent to which a small scale proposal of the kind forming part of the current appeal proceedings can be expected to lead to a reduction in the need to travel has to be tempered by the fact that the same development complies with both national and emerging local plan policy relating to development in the countryside. In many cases, the contribution made would be no different than if the appeal site were located on the peripheries of, but inside an identified settlement.

- The appeal proposals have no significant effect on road safety.

- The design of the proposed two chalet style dwellinghouses respects its local context, seen in terms of siting, layout, massing, materials, colour and texture.

L. Emerging Local Plan Policy concerning the Historic Environment and the Setting of Listed Buildings

3.50 The contents of Policies WOS10 and WHE11 concern issues relating to the historic environment and setting of listed buildings.

Policy WOS10

"The Council recognises the value of the District's historical environment and will seek to protect listed buildings and their settings, preserve and enhance the character of the conservation areas, and protect scheduled monuments, areas of archaeological importance and historic landscapes."

Policy WHE11 (As Recommended by the Inspector in his Report on Objections to the Part 2 Public Inquiry)

"Proposals for development that would harm the historic setting of a listed building will be refused permission. New development adjacent to a listed building, whether within or outside its curtilage, will be considered against the following criteria:

A) the development should be sympathetic in scale to the listed building;

B) the development should respect the roof form and height of the listed building;

C) the development should be finished in materials sympathetic to the listed building."

3.51 Chapter 4 of this proof of evidence will demonstrate that the proposed development at "Greenacres" will be sympathetic in scale to the adjoining listed building; respect the roof form and height of Dunt's Cottage, and be finished in materials sympathetic to the adjoining Grade II property.

4.00 AN ASSESSMENT OF THE PLANNING MERITS RELATING TO THE PROPOSED DEVELOPMENT

I. A DETERMINING ISSUE

4.01 An examination of the previous two chapter of this proof of evidence reveals that the determining issue in respect of the current appeal proceedings is whether, having regard to current national and emerging local policies, the demolition of the existing bungalow "Greenacres", and the erection of two new chalet style dwellinghouses and a double garage on the appeal site, would harm the character and appearance of the surrounding rural area, having an adverse impact on the setting of the adjoining listed building "Dunt's Cottage", at the same time compromising highway safety.

II. PRINCIPAL AMENITY CONSIDERATIONS

4.02 The appeal site is **NOT** situated in or adjoining a designated Conservation Area, a Site of Special Scientific Interest, a Statutory Nature Reserve, a Scheduled Ancient Monument, or an Area of Common Land. Furthermore, it is **NOT** located in an Area of Green Belt, an important Local Gap in maintaining the separation of settlements, an area significant to the setting of an identified settlement, an area at risk of flooding, a Wildlife Heritage Site or a Designated Park or Garden of Special Historic Importance.

To these considerations should be added that the appeal site is **NOT** situated in an Area of Outstanding Natural Beauty, where the objective is to conserve and enhance natural beauty, or an Area of Great Landscape Value or Local Landscape Significance, where added importance is attached to protecting the local landscape, whilst there is an absence of any specific policies set out in the "development plan", the purpose of which is to afford added weight to preserving the intrinsic quality and/or character of the surrounding rural area in which the appeal site is situated.

III. THE APPEAL SITE SEEN IN THE CONTEXT OF THE CHARACTER AND APPEARANCE OF THE SURROUNDING RURAL AREA, AND IN PARTICULAR THE GROUP OF DWELLINGS SITUATED ON THE EASTERN SIDE OF DUNT LANE

4.03 The contents of paragraph 6 of the Inspector's appeal decision concerning a proposal to demolish an existing dwelling and garage and erect a replacement dwelling and garage on the adjoining site known as "The Pightle", Dunt Lane, Hurst, allowed on 7th December 1998 (DTLR Ref No T/APP/X0360/A/98/299923/P5) (see Appendix 8) is of relevance in assessing the underlying character of the group of houses in which the appeal site is located:-

> **"6. The site is in the countryside, outside of any settlement boundaries, and is presently occupied by a plain 1960's dwelling of no architectural interest which is in the middle of one of three bungalows. It is within a row of dwellings and farm buildings on the eastern side of Dunt Lane. The row incorporates single and two storey buildings of varying sizes, styles and ages, in brick and tile finish. There are fields to the west of Dunt Lane, and to the south of the row. Buildings to the north of, and including, Dunt Cottage are generally two storeys in height and are of greater mass than the three bungalows south of this point. These bungalows are set back from the road and there is a more open, rural feel to this southerly end of the row."**

4.04 The proposed development advanced by The Marlow Building Company on the adjoining site of "Greenacres" is **NOT** at variance with those factors identified by the Inspector, Mr. Michael A. Hillyer BSc MSc CEng FCIWEM in paragraph 6 of his appeal decision, which contribute to the character of the group of dwellings situated on the eastern side of Dunt Lane, where the appeal site is located.

In this way, the two proposed chalet style properties would add to a group of dwellings incorporating some single, but predominantly two storey buildings of varying sizes, styles and ages, constructed of brick elevations beneath tiled roofs. The overall height and massing of the proposed residential units would, as a result of their design, appear subservient to the two storey steeply pitched Listed Building of Dunt's Cottage, but unlike its historic neighbour, the proposed development would be set back from the carriageway of Dunt Lane. The generous separation distances which exist between the proposed chalet style dwelling to occupy Plot 1 on the appeal site with the south eastern elevation of Dunt's Cottage, will be retained, irrespective of the presence of a tall intervening 2.75m high hedgerow extending along the entire north western (side) boundary of "Greenacres".

4.05 A reading of paragraph 4.03 of the LPA's statement submitted in respect of the appeal proceedings concerning "The Pightle" (see Appendix 16), reveals that the Case Officer accepted **"The appeal site itself forms part of the linear group of dwellings, along the eastern side of Dunt Lane"**, before going on to mention in the same paragraph: **"The southern most three properties are all bungalows of a similar design, characterised by unusually shallow pitched roofs. These three dwellings form a cohesive group, and due to their height are unobtrusive, and blend in with the overall rural character of the area. The proposals also provide a distinctive, low key end to the group of dwellings along Dunt Lane."**

It is clear from the "rebuttal statement" produced by the appellant's agent, Robin Bradbeer, Planning and Development Consultancy (see Appendix 17), that issue was taken with the Council over the description of the three dwellings forming a "cohesive group", which has a "distinctive quality"; the agent preferring to analyse the previous bungalow in the context of the character of the same group of dwellings in the following terms:-

> **"6. ...The fact is the existing dwelling is a standard modern structure which has no regard to vernacular style. The nondescript character of the present dwelling, and those**

adjoining, fails to contribute to the interest and variety in built form which is promoted by the LPA in recently published supplementary guidance, Planning Guidance B1 (my Document 19 see page 11). The northern end of this group of dwellings terminates in a larger dwelling than the appeal site (Winton Lodge). There is no land use planning reason for a different standard to apply at the southern end of the same group of dwellings."

4.06 The appellants endorse the comments made in paragraph 6 of the "rebuttal statement" prepared by the appellant's agent in respect of the appeal proceedings concerning "The Pightle".

Notwithstanding this factor, if the bungalow previously occupying "The Pightle", along with the existing bungalows occupying "Greenacres" and "Woodlands" did all form a "cohesive and distinctive group", as suggested by the LPA, the appeal proposals would re-introduce this element of cohesiveness at the southern end of the same group of houses occupying the eastern side of Dunt Lane. In this way, the appeal proposals represent a form of development which, in terms of the parameters outlined in Policy LBE2 of the adopted Loddon Area Local Plan 1995, and Policy WCC1 of the emerging Wokingham District Local Plan, namely: style, form, materials, design, character and location, have all been found to be acceptable by an Inspector on the immediately adjoining site less than 5 years ago.

What is perhaps most significant to emerge from the Inspector's decision letter of 7 December 1998 concerning land at "The Pightle", as well as the representations made at that time by the appellants and the LPA, is that no where is it stated that the built development found on the eastern side of Dunt Lane does not form a "group of houses", neither is the term "built-up frontage" questioned insofaras it relates to the same group of dwellings.

4.07 An assessment of those features contributing to the group of dwellings situated on the eastern side of Dunt Lane of which the appeal site forms an

integral part, has as its basis the interplay between buildings and their natural surroundings. It is the relationship between, on the one hand, man made features which in the current case comprise dwellinghouses, driveways and garages; and on the other, the underlying topography and landscape of the surrounding countryside, which collectively produce the "context" within which the appeal proposals are required to be determined.

The variation in the orientation and siting of individual buildings to the main highway, along with their massing and scale, coupled with the presence of intervening planting and boundary walling, reveal that the underlying character displayed by built development on the eastern side of Dunt Lane is complex, with no one discernible common building style.

What is clear is that if serious consideration is to be afforded to current national and emerging local policy and the need to maximise the use of existing land and buildings, the possibility of achieving these objectives will not be served by withholding planning permission from proposed developments, which in themselves, whether assessed in terms of their height, scale, massing, design or density are no different from that considered acceptable by The Planning Inspectorate on the immediately adjoining site "The Pightle".

In this way, the contents of Policy LBE2 taken from the adopted Loddon Area Local Plan 1995 and Policy WCC1 set out in the emerging Wokingham District Local Plan do not refer to specific indices, such as spacing between individual properties as being an important element against which "sensitive infilling" outside identified settlements in the countryside is expected to be judged. The criteria, rightly in the appellant's opinion, follows current central government policy in paragraph A1 of Annex A to PPG1, and seeks to concentrate attention on those parameters, which, when seen from a three dimensional perspective, collectively contribute to what is termed the scale of development and its likely impact on the general amenity of the area.

4.08 The group of houses of which "Greenacres" forms an integral part, is located in a predominantly low-lying area, where the boundaries of individual properties comprise established hedgerows along with brick walls. The street scene towards the northern end of Dunt Lane on its eastern side is depicted by two chalet style dwellinghouses, enjoying a staggered frontage onto the main highway.

The first property encountered is "Winton Lodge" formerly known as "Elmsleigh", where there was previously in existence a 1960's agricultural workers bungalow of a similar style and design to the existing property on the appeal site, and which, as noted in the planning history chapter of this proof of evidence, was the subject of an agricultural occupancy condition, removed in 1993 under Reference No. 40942. An application was granted full planning permission on 18th May 1994 under Reference No. 421472 for the demolition of the existing bungalow and the erection of a large chalet style dwellinghouse enjoying an overall ridge height of 6.5 metres and a building footprint of 149 sq. metres. This five bedrooomed property has an integral garage, being constructed of stock bricks beneath a plain tiled roof **(See Photographs 1 & 2).**

Immediately adjoining "Winton Lodge" to the south east lies "Meadow View", where previously an agricultural workers bungalow stood, constructed in a similar style and design as "Greenacres". The agricultural occupancy condition attached to this property was removed in 1993 under the same application (Reference No. 40942 refers), which led to the lifting of the same agricultural occupancy condition attached to "Elmsleigh", now renamed "Winton Lodge". This former bungalow was the subject of an application granted conditional permission on 31st March 1994 under Reference No. 423323 for additions comprising side and first floor extensions including a new roof, together with a detached garage positioned to the forefront of the property. The external elevations of "Meadow View" comprise mottled red brickwork, with timber cladding at upper floor levels beneath a concrete tiled roof. **(See Photograph 3).**

Proceeding in a south easterly direction, Fernlea was previously a pair of semi-detached cottages, which have since been demolished and in their place is a now a detached Neo-Georgian style two storey dwellinghouse, constructed in 1971 under Reference No. 7765/71, complete with subsequent alterations and extensions. This property has external elevations of red/ reddish brown brickwork, with white shiplap boarding at upper floor levels, beneath a concrete tiled roof. **(See Photograph 5).**

Centrally positioned within this group of residential properties and forming the focal point, is St. Nicholas Farmhouse, a Grade II Listed Building constructed in the early 19th Century, comprising elevations of red brickwork beneath a plan clay tiled roof. Adjoining this property to the south east is St. Nicholas Farm, comprising a collection of late 19th Century/early 20th Century agricultural buildings, which have been converted to provide three separate dwellinghouses, namely Lindhay Barn, The Shippon and The Dairy House, granted conditional permission pursuant to Application No. 25219 in 1986. In a similar fashion to St. Nicholas Farm, this complex of former farm buildings are single storey in height and clad in red brickwork beneath plain tiled roofs. **(See Photographs 6, 7 and 8).**

Within the curtilage of Dunt's Cottage, approximately a metre from the side boundary of St. Nicholas Farm, lies an existing garage/stable block. A new building measuring 89 sq.m and resulting in a 56% increase in the gross floor area, to provide a detached garage block and studio, has recently been granted full planning permission under Application No. F/2001/4040. The existing garage and stables consist of two separate pitched roofed structures at 90 degrees to each other, clad in dark brown stained weatherboarding beneath concrete tiled roofs. **(See Photograph 9)**

Dunt's Cottage is a two storey Grade II Listed Building, dating from the early 17th Century, with characteristic white painted plaster infill panelling set within a timber frame, beneath a clay tiled roof. The principal elevations of this property are orientated in a position perpendicular to Dunt Lane, with main habitable room windows facing north east and south west. Unlike other

properties situated along the same highway, its south eastern (side) elevation is found at the back edge of the carriageway of Dunt Lane, separated by a small grass verge. The location of this property, along with its elevational treatment and ridge height is such that it appears prominent in views along Dunt Lane **(See Photographs 10, 11 and 12)**

"Greenacres" is one of only two former agricultural workers' bungalows still in existence within this group of houses, the others having been replaced by modern chalet style properties, as evidenced at "Winton Lodge", "Meadow View" and "The Pightle". The property enjoys white painted rendered elevations beneath a concrete tiled roof, with planning permission having been granted in 1992 for single storey extensions to the side and rear of the same property. (Application No. 39680 refers). As with the residential unit previously occupying "The Pightle", the bungalow known as "Greenacres" is of no intrinsic architectural merit **(See Photograph 13).**

"The Pightle" comprises a chalet style property, having been the subject of a recent appeal allowed on 7th December 1998. This chalet style dwelling replaced a former agricultural workers bungalow and is now constructed of reddish brown brickwork, beneath a plain tiled roof. **(See Photograph 14)**

"Woodlands" represents the most southerly property in this group of houses on the eastern side of Dunt Lane, and is the only other remaining agricultural workers bungalow, although like "Greenacres", the agricultural occupancy condition was removed in 1994 under Application No. 42965. It has been the subject of single storey side, rear and front extensions granted full planning permission in 1994 pursuant to Application No. 42197, being constructed of a buff coloured brickwork beneath a plain concrete tiled roof **(See Photograph 14)**

4.09 The description of these 11 individual properties enjoying a frontage onto the eastern side of Dunt Lane, read in association with the accompanying photographs, reaffirms the conclusions drawn by the Inspector, Mr. Michael A. Hillyer .BSc MSc CEng FCIWEM in paragraph 6 of his appeal decision

allowing the demolition of the existing dwelling and garage and the erection of a replacement dwelling and garage on land at "The Pightle" (see Appendix 8); namely the group of houses to which the appeal site forms an integral part, comprise dwellings of varying sizes, styles and ages, with a preponderance of brick built elevations beneath tiled roofs.

The same description endorses the conclusions set out in the Case Officer's Report on Application No. 98/62707/F relating to the same development at "The Pightle", which led to the subsequent appeal being allowed. In this regard, the respective officer in the report to the Council's Development Control Sub-Committee meeting held on 12th August 1998 concluded (see Appendix 9):-

> **"It is considered that the revised proposal would not adversely affect the rural character/visual amenity of the area bearing in mind the replacement dwellings approved in Dunt Lane. In addition, due to the relationship of the proposal to neighbouring properties, it is considered that living conditions of both neighbours would not be adversely affected."**

4.10 The design, scale, form, massing and external materials associated with the proposed chalet style dwellinghouses on land at "Greenacres" clearly reflects the replacement property situated on the immediately adjoining land to the south east, allowed on appeal on 7th December 1998.

There are no significant changes in topography between the appeal site and the adjoining property "The Pightle", with the proposed chalet style dwellinghouses at Greenacres" enjoying frontage widths of 17 metres and 18.4 metres respectively with the eastern side of Dunt Lane. The immediately adjoining property to the south east has a frontage width of 16 metres with the same highway.

Similarly the proposed development on the appeal site is to be set back a distance of 22 metres from the carriageway of the adjoining highway, which is identical to that of the replacement dwellinghouse on the immediately adjoining site. A tall mature hedgerow along the common side boundary between the two properties, whose overall height is commensurate with the ridge height of "The Pightle", separates "Greenacres" from its neighbour to the south east.

To these considerations may be added the clear affinities which exist between the built footprint, overall height, and gross floor areas of the two proposed chalet style dwellinghouses situated on land at "Greenacres", and those chalet style properties located at the northern end of the same group of dwellings, namely "Winton Lodge" and "Meadow View", as well as with the immediately adjoining chalet style property to the south east, "The Pightle", as the contents of Table 2 below verify:-

TABLE 2

Comparison Between the Existing Footprint, Ridge Height and Gross Floor Areas of Chalet Style Dwellinghouses Situated on the Eastern Side of Dunt Lane

Name of Property	Original Footprint sq.m.	Proposed Footprint sq.m.	Ridge Height m	Gross Floor Area sq.m.
Winton Lodge	123	149	6.5	258
Meadow View	98	184	6.4	265
Plot 1 Greenacres	159*	143	6.7	230
Plot 2 Greenacres		122	6.7	213+
The Pightle	98	126	6.6	228

* The Existing agricultural worker's bungalow excluding outbuildings
\+ The proposed chalet style property excluding separate double garage

4.11 The contents of paragraphs 4.09 and 4.10 above lead to the inevitable conclusion that the basis of the second reason for refusing Application No. F/2001/5570 is wholly untenable, in that the proposed development would not result in an increase in massing, or an intensification in the use of the site, or have an urbanising impact on the surrounding rural area, **beyond that which the LPA themselves, and an Inspector in a recent appeal decision**

have found to comprise acceptable development within the same group of dwellings.

To this end, there are undoubted similarities between the appeal proposals and other developments of an identical form and nature granted planning permission amongst the same group of 11 houses.

The criticisms levelled at the appellant's proposals based on the "intensification in the use of the site" which would occur, and the "urbanising impact" which it is alleged would be detrimental to the rural character of the area, are applicable to **ANY** proposed "infill development" amongst **ANY** group of dwellinghouses, with the consequence that if this were to form a serious objection, the provisions of national policy set out in paragraph 3.21 of PPG7, and emerging Wokingham District Local Plan Policy WCC1, would simply not condone such forms of development as being acceptable in the countryside outside the Metropolitan Green Belt.

4.12 Two additional factors emerge when considering that part of the second reason for refusing Application No. F/2001/5370 concerning the increase in massing, the intensification in the use of the site, and the urbanising impact, which the Council states will be caused by the appeal proposals.

A. Paragraph 4.10 of the LPA's appeal statement relating to the demolition of the existing dwelling and garage and the erection of a replacement chalet style property on land at "The Pightle" (see Appendix 16) states:-

> **"4.10 ... It is accepted that there has been no material change in planning policy terms, the relevant policies in the Loddon Area Local Plan having been carried forward into the Wokingham District Local Plan (Deposit Draft)...."**

It must follow from this statement that the underlying basis upon which the LPA seek to refuse planning permission in respect of the current appeal proceedings, concerning the alleged increase in massing, the intensification in the use of the site, and the urbanising impact, were equally relevant, as important determining issues at the time planning permission was granted for the replacement dwelling on land at "Winton Lodge" and "The Pightle", as well as at the time those extensive alterations and extensions were granted planning permission at "Meadow View".

B. The "unacceptable increase in urbanisation" issue encompassed within the second reason of refusal concerning Application No. F/2001/5570, was also relied upon by the LPA at the time of "The Pightle" appeal proceedings, to justify refusing planning permission for the immediately adjoining replacement chalet style dwelling, as paragraphs 4.06 and 4.07 of the Council's appeal statement produced at that time confirm (see Appendix 16):-

> **"4.06 The proposed replacement dwelling would have a ridge height of 6.5 metres, some 2.4 metres higher than existing. This is due to a steeper pitch of roof which enable dormers to be inserted on both front and rear elevations. The new dwelling would also be positioned 4 metres closer to the front boundary of the appeal site, some 2 metres forward of the adjoining bungalow."**
>
> **4.07 The development, due to its increased height, mass and more prominent position is considered to represent an over dominant and incongruous form of development. In particular, the increased height would make the building highly visible notwithstanding the existing hedge to the front. This would be alien to the low key nature of the adjoining**

residential properties, to the detriment of the streetscene. The appeal proposal represents an unacceptable increase in the urbanisation of a predominantly rural area, which does not respect the local context of the vicinity."

It is contended by the appellants that there was more force behind this argument in Autumn 1998, having regard to the form and style of immediately adjoining dwellinghouses, than is the case today at "Greenacres", given the height, massing and more prominent nature of the two properties occupying the plots of "Dunt's Cottage" and "The Pightle".

To the extent that the Council's arguments were not accepted by the Inspector at the time of "The Pightle" appeal decision; so too it is contended, the same arguments should be rejected as part of the current appeal proceedings. The two proposed chalet style dwellinghouses on the appeal site are no more obtrusive within the street scene or can be said to impinge upon the rural character of the surrounding area, than "Dunt's Cottage" or "The Pightle".

<u>A. The Design, Form and Layout of the Proposed Development</u>

4.13 The appeal proposals involve the demolition of what is described as a nondescript low cost functional bungalow of no particular architectural merit, and the construction of 2 x 4-bedromed chalet style dwellinghouses and a double garage. Each new residential unit is to be constructed in red brickwork with soldier courses delineating principal openings, beneath a plain tiled roof.

A distance of 3 metres separates the proposed side elevations of the two chalet style dwellinghouses on the appeal site, which is the same distance between the replacement chalet style dwellinghouse at "The Pightle" and the side elevation of the bungalow at "Woodlands". The principle of siting a detached garage at 90 degrees to the forefront of Plot 2 has been established amongst the same group of dwellings, through the development granted

planning permission at Meadow View" under Application No. 42323 on 31st March 1994.

In the case of the proposed chalet style dwelling intended to occupy Plot 1 nearest to Dunt's Cottage, the apex of the gable as with the cheeks to the dormer window on the side elevation facing Plot 2, will be constructed in plain hanging tiles to match the roof, with the triangular surrounds to the dormer window on the front elevation built in smooth render painted a buttermilk colour. Fenestration details are to comprise multipaned windows.

The proposed new chalet style dwellinghouse occupying Plot 2 will be constructed in a similar style and design to Plot 1, but in place of tile hanging within the apex of the gable on the front elevation will be a smooth render finish. A small pitched roofed dormer will be situated on the front elevation in place of the triangular shaped dormer found on the same elevation in Plot 1. Plot 2 will have contrasting fenestration details to Plot 1, with single casement windows complete with a single transom.

The preferred means of access servicing the proposed development would entail the use of the existing driveway serving Greenacres. It should however be stated that earlier decisions taken by the LPA relating to proposed dwellinghouses amongst the same group of houses on the eastern side of Dunt Lane, have raised concerns from the Highway Authority over the positioning of an existing access, visibility splays and appropriate turning facilities. The Council have sought to adopt the approach that it is "the nature and character of the land" which is the more important issue, with access arrangements, visibility splays and turning facilities taking on secondary importance.

This view is accepted by the writer, especially given that Dunt Lane is a no through road, coming to a dead end at a point where the M4 and A329M interchange occurs, and does not act as a rat run.

However, should this preferred approach not be satisfactory, and a new more centrally located access be required, whose visibility splays would require the removal of the frontage hedgerow, then it will be necessary to plant a new mature 2-metre high mixed evergreen hedgerow at the rear of the visibility splays as part of any landscaping details.

Either way, the front boundary to the appeal site will consist of a 3-metre high mixed hedgerow as existing, or alternatively a new 2-metre high mixed evergreen hedgerow will be planted to the rear of the visibility splay, thereby ensuring that the rural character of the area is maintained. Any vehicular access to the two properties will be constructed of pea shingle or gravel material.

4.14 The significance to be attached to the presence of gables as a design feature in the front elevations of dwellinghouses fronting onto the eastern side of Dunt Lane, within the same group of properties where the appeal site is found, is clearly evident from the accompanying photographs **(see Photographs 1 to 4 inclusive and 14).**

Similarly, the presence of pitched roofed dormers in the roofspace and bay windows are both features evident amongst the same group of houses in which "Greenacres" is situated when viewed from within the street scene. **(See Photographs 1 to 4 and 14).**

The limited use of smooth, white painted render would continue the presence of a similar external facing materials associated with "Greenacres", and would merely add to the plethora of external finishes represented on properties within the same group of dwellings.

As with all other residential units situated in the same group of dwellings, the only exception being Dunt's Cottage, the predominant external facing material used in the elevations of the proposed chalet style dwellinghouses on the appeal site will be red/reddish brown brickwork, beneath a plain tiled roof.

4.15 It is submitted that the existing bungalow on the appeal site has no design merit, whilst the concept of chalet style properties has been proved acceptable to the LPA within the surrounding rural area, as part of the same group of dwellings. In this way, the form and style of the proposed residential units are both appropriate to the underlying character of the rural area, and would make a positive contribution to its setting, by reflecting local building patterns, as well as through the use of local building materials.

In addition, the proposed dwellinghouses the subject of Application No. F/2001/5570 incorporate a traditional roof pitch with hipped ends, along with traditionally designed dormers, gable fronted elevations and brick detailing. A higher standard of external finish will be employed compared to other recently constructed dwellinghouses in the locality, whilst neater, better proportioned dwellinghouses will result, with reduced bulk and massing compared to other chalet style properties situated amongst the same group of houses. This aside, there are similarities in terms of the basic design concepts relating the proposed development on land at "Greenacres", and other recently constructed residential units found in the same group of dwellings along the eastern side of Dunt Lane.

4.16 In considering the larger, less well proportioned dwellinghouse at "Winton Lodge" based on a similar design theme (**see Photographs 1 & 2**), the Case Officer's report to the Council's Development Control (North) Sub-Committee meeting held on 4th May 1994 concerning Application No. 42472 (see Appendix 10), is of particular relevance. In the "Appraisal" section, Policies LC18, LBE1 and LBE2 of the Loddon Area Local Plan are referred to, with the commentary under the title "B. Size of Replacement and Design", stating (see Appendix 10):-

> **"The present bungalow has no design merit and is not particularly attractive."**

In focusing attention on the proposed design of the replacement chalet style dwellinghouse seen against the provisions of Policies LBE1 and LBE2 of the

adopted Loddon Area Local Plan, the Case Officer's Report (see Appendix 10) went on to mention:-

> **"The proposed design is very attractive compared to the existing bungalow, and it is considered that its additional size will be well screened by the existing mature hedges on the front and side boundaries. Low eaves levels and canopy type overhangs give an attractive rural impression.**
>
> **Policies LBE1 and 2 of the Loddon Area Local Plan seek to achieve high design standards appropriate to the character of the area. The architectural styles in the locality are varied and it is considered that the proposal would add attractively to that variety and made *(sic)* a positive contribution to the setting and character of the area."**

Whilst the same report (see Appendix 10) concluded:-

> **"The proposal is not considered to be an overdevelopment of this plot. The dwelling fits well on the site and garden area provided is well in excess of the guideline standards. The size of dwellings in the area vary greatly and details of the approved scheme next door are given above ... Whilst the proposal represents a large increase in floorspace, the footprint changes very little and the majority of the additional floorspace is created within the roofspace. The proposed dwelling would be well screened from the area views surrounding it and would have little negative impact on the rural character. The size of the increase is comparable with that adjacent where no objection was made and approval has been given."**

In the light of the above comments the conclusions set out in paragraph 3.36 of this proof of evidence can now be re-endorsed.

4.17 In a similar manner, the Case Officer's delegated report (see Appendix 18) on Application No. 42323 concerning extensive alterations and extensions proposed at "Meadow View", indicated under the title "policy issues" that there were "none"; before going on to add that the proposal was satisfactory notwithstanding objections from third parties relating to loss of privacy and poor design. This application was granted conditional permission on 31st March 1994.

4.18 I have previously referred to the Case Officer's report (see Appendix 9) concerning the demolition of the existing dwelling and garage and the erection of a replacement dwelling on land at "The Pightle", Dunt Lane, Hurst, Berkshire. The impact of the proposed development on the rural character of the area was examined in the light of Policy C2 of the approved Berkshire Structure Plan 1991-2006; Policy LC18 of the adopted Loddon Area Local Plan, and Policy WCC1 of the emerging Wokingham District Local Plan. In her Report, it was said:-

> **"... Whilst the proposal would result in an increase in height and massing of the building, it is considered that the revised scheme is not dissimilar to two dwellings, "Winton Lodge" (Application No. 42472) and "Meadow View" (Application No. 42323) approved in 1994 and now built to the north west of the application site.**
>
> **In view of this, it is not considered that the rural character and visual amenity would be adversely affected."**

While in her conclusion on the replacement dwellinghouse proposed at "The Pightle", the Case Officer states in her report (see Appendix 9):-

> **"It is considered that the revised proposal would not adversely affect the rural character/visual amenity of the area, bearing in mind the replacement dwellings approved in Dunt Lane. In addition, due to the relationship of the**

proposal to neighbouring properties, it is inconceivable that living conditions of both neighbours would not be adversely affected."

4.19 The Case Officer's Report on Application No. 98/67207/F was not endorsed by the Council's Development Control Sub-Committee at their meeting held on 12th August 1998, with the consequence that the proposed development at "The Pightle" was refused for the following reason:-

> **"The proposal by virtue of its size, massing and location would have a detrimental impact on the street scene and character of the area. As such it is contrary to Policies LBE1 and LBE2 of the Loddon Area Local Plan and WOS1 and WBE1 of the Wokingham District Local Plan (Deposit Draft)."**

It is suffice to say that the resultant appeal was allowed on 7th December 1998 (D of E Ref No. T/APP/X0360/A/98/299923/P5) (see Appendix 8). Paragraph 7 of the Inspector's decision is of relevance to these appeal proceedings, being concerned with issues of design, form and layout of the proposed replacement dwelling on the immediately adjoining site:-

> **"7. The new dwelling would be of a similar width to the existing bungalow and garage on the site, and would be positioned with its front face approximately in line with neighbouring buildings. Its roof would be steeper than, and some 2.1 m higher than, the present dwelling on the site and it would have a central protruding gable and two dormers. The form and design would be similar to that of a number of the properties further north in the row. The proposed materials would be similar to those of nearby houses, and appropriateness could be assured by the imposition of a condition. The height of the dwelling would be greater than that of its immediate neighbours, but not sufficient to make it appear out of scale. The increase in height would reduce**

the openness of the area but this would have marginal impact when seen from the public highway because of the set-back from the road and the screening effect of front and side hedges. Screening would be increased in time by the growth in maturity of the additional plantings shown on the drawing which formed part of the application."

4.20 The contents of paragraphs 4.16 to 4.19 inclusive reveal that the LPA have consistently granted planning permission for replacement dwellings in the same group of properties as the appeal site, situated on the eastern side of Dunt Lane, whose underlying design, form and layout adopts the same theme as the two chalet style dwellinghouses now being promoted on behalf of The Marlow Building Company on land at "Greenacres".

Indeed, the provisions of paragraph 7 taken from the appeal decision concerning the immediately adjoining site (see Appendix 8) are in many respects equally relevant to the material considerations the subject of the current appeal proceedings, albeit that the height of the two chalet style dwellinghouses on land at "Greenacres" would now be seen to match that of the replacement chalet style dwellinghouse at "The Pightle".

Side boundary screening will remain unaffected by the proposed development on land at "Greenacres", as would the front boundary hedgerow, should the preferred solution be adopted in terms of access arrangements, viz:- utilising the existing private driveway.

The formation of a new centrally located access in the manner proposed in the appellant's highway consultants' proof of evidence, whilst leading to the removal of the existing front boundary hedge, does allow for a replacement boundary hedgerow to take place behind the visibility splay. It is not uncommon, given advances now made in landscape practice, to plant a mature mixed evergreen hedge 2 metres high in the area behind the visibility splay, which would ensure the instant successful assimilation of the appeal proposals into the surrounding rural landscape, in a manner which clearly

has not taken place at "The Pightle", as a comparison of the drawing found at Appendix 19 with **Photograph 14** reveals.

4.21 The photomontage found overleaf perhaps best illustrates more than any other form of written description, the fact that there is **NO** justification to refuse the proposed development on the appeal site on the grounds that the proposed development would adversely affect the character and appearance of the surrounding rural area.

B. The Effect of the Proposed Development on the Setting of Dunt's Cottage

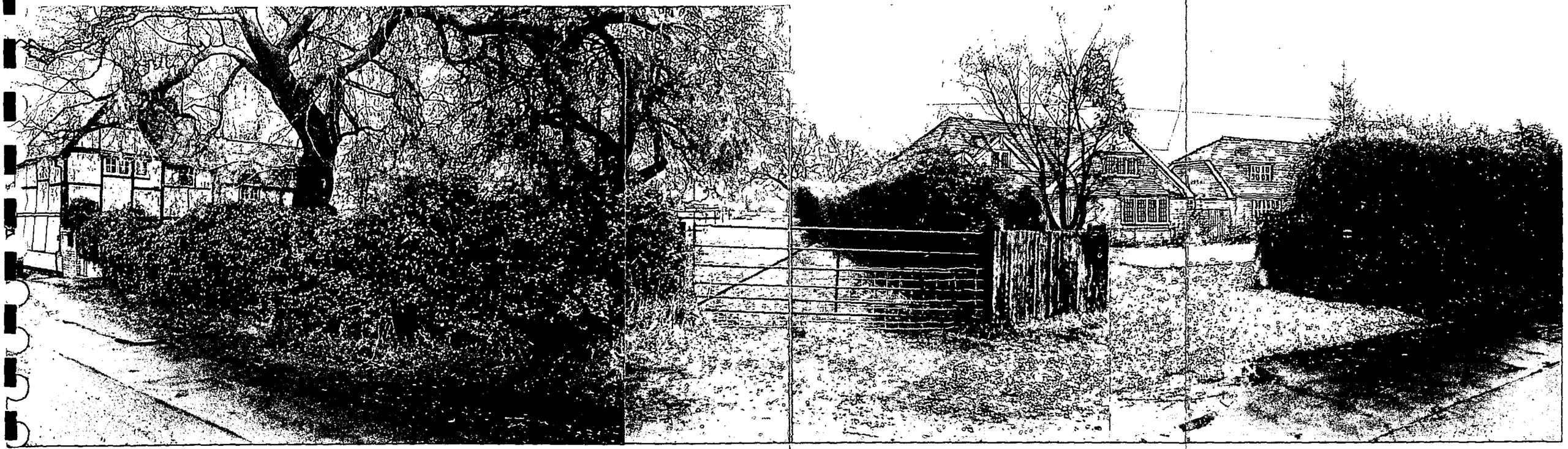
4.22 The photomontage set out at page 82 is of particular interest in demonstrating that the setting of the adjoining Listed Building to the north west known as Dunt's Cottage would remain unaffected by the appeal proposals.

There would be no encroachment by any built development beyond the existing residential curtilage of "Greenacres" towards the adjoining listed building, whilst the side boundary hedgerow standing 2.75m high, separating the appeal site from Dunt's Cottage, would be unaffected by the appeal proposals.

The ridge height of the proposed chalet style dwellinghouse occupying Plot 1 would appear approximately 1.6 metres above the ridge height of the existing bungalow "Greenacres", but this factor would have an insignificant effect on the setting of the adjoining listed building, despite being orientated perpendicular to the adjoining highway, for the following three reasons:-

A. A distance of 13 metres will separate the south eastern elevation of Dunt's Cottage from the tall hedgerow occupying the side boundary of "Greenacres", itself 2.75 metres high. This space is **NOT** wholly taken up by the residential curtilage of the adjoining listed building, but incorporates a separate vehicular access adjoining the north

montage



western (side) boundary of the appeal site, leading to fields situated to the rear of Dunt's Cottage. **(See Photograph 11)**

B. Dunt's Cottage occupies a prominent position amongst the group of houses situated on the eastern side of Dunt Lane, as a consequence of its south western (side) elevation positioned at the back edge of the carriageway of the same highway, along with the overall size and scale of the same listed building, which includes a steeply pitched clay tiled roof. **(See Photographs 6, 10 and 11).** In this way, it represents a focal point, seen in distant views along the adjoining highway, with the separation distances between it and adjoining properties being such that its principal elevations are clearly visible within Dunt Lane.

The proposed chalet style dwellinghouses on the appeal site, like the existing bungalow, are set back behind the principal elevations of Dunt's Cottage. The overall size of the proposed development, and in particular its ridge height and hipped roofs, ensure that what is now proposed by The Marlow Building Company is not only appropriate in scale to the adjoining listed building, but respects the dominance afforded to its historic neighbour from within the street scene.

C. Dunt's Cottage is the only dwellinghouse found amongst the group of properties on the eastern side of Dunt's Lane, constructed of white painted plaster panelling set within a timber frame beneath a clay tiled roof. These external facing materials assist in maintaining the prominence of the same building within Dunt Lane.

The two chalet style dwellinghouses on the appeal site are to be built of predominantly brickwork beneath a plain tiled roof and in this way will match the external elevations of the majority of other dwellings situated in the same group of houses on the eastern side of Dunt Lane.

In this way, the external finishes to the proposed dwellinghouses will be sympathetic in ensuring the setting to Dunt's Cottage remains unharmed.

4.23 The prominence of Dunt's Cottage when viewed from within the street scene, along with the quality of space around the same timber framed dwellinghouse, will remain unaffected by the appeal proposals, as the accompanying photomontage demonstrates, seen in conjunction with the contents of paragraph 4.22 above.

IV. HIGHWAY CONSIDERATIONS SEEN FROM A PLANNING PERSPECTIVE

4.24 The third reason for refusing Application No. F/2001/5570 states that the proposed development would generate additional turning movements at a point where visibility is restricted, which would not be in the interests of highway safety. This reason of refusal seen in conjunction with matters of sustainability directed at the reliance placed on the private car, are issues examined in the proof of evidence of Mr. James Bevis MEng MCIT MILT MIHT from Messrs. WSP Development Ltd, the highway consultants acting on behalf of the appellants in these appeal proceedings.

There is, however, an issue concerning the same reason of refusal which needs to be addressed from a land use planning perspective.

4.25 Reference has been made in paragraph 4.13 of this chapter to the preferred approach in terms of access arrangements to service the proposed development on land at "Greenacres", with reliance placed on making use of the existing driveway. In the event that the existing access arrangements are not considered satisfactory from a highway safety point of view, then the solution involving a more centrally located driveway can be pursued, which it is acknowledged will entail the removal of the frontage hedgerow, albeit replaced by a new mature 2 metre high mixed evergreen hedgerow planted at the rear of the visibility splays, which will result in the effective assimilation of the proposed development within its rural surroundings.

The "preferred approach" has, however, been adopted by the LPA in the proposal to demolish an existing bungalow and erect a replacement chalet style dwellinghouse on land at "Winton Lodge", formerly known as "Elmsleigh", as the Case Officer's Report to the Council's Development Control (North) Sub-Committee meeting of 4th May 1994 reveals (see Appendix 10).

Under the title "Consultations" the Highway Authority are recorded as saying **"concerned re position of access, visibility splays and turning"**, whilst on the main issue of "highway matters", the first paragraph on the second page of the report adds:-

> **"C. The Highway Authority has requested the repositioning of the access to the site to a more central position, with the setting back of the hedgerow by 2 metres. It is considered *that to do this would alter the nature and character of the* lane and reduce its rural appearance, especially in the short term. The access exists already and could be used for the existing dwelling. Turning provision within the site can be retained."**

The High Court judgements involving Standard Securities Estates Ltd v Secretary of State for the Environment and Another (1992) ECGS 129 and North Wiltshire District Council v Secretary of State for the Environment (1992) JPL 955 concerning the importance to be attached to consistency in decision making, take on significance when examining the Case Officer's comments in respect of highway matters and the proposed replacement property at "Winton Lodge", seen in the context of the third reason for refusing Application No. F/2001/5570 relating to the current appeal proposals.

If it is accepted by the LPA that the "nature and character of the land" should take precedence over highway matters in the same group of houses on the eastern side of Dunt Lane, and given the absence of a material change in

highway standards since 1994; there appears to be no planning reason why the approach taken by the LPA less than 9 years ago should not prevail today, especially given the status of Dunt Lane as a no through road, which does not perform the function of a rat run.

V. SUSTAINABILITY CONSIDERATIONS

4.26 I have previously outlined in Chapter 3 of this proof of evidence that sustainability considerations do not, in the writer's opinion, begin and end with the need to reduce reliance on the private car, but on the contrary are concerned with a host of other factors.

The most widely used and acceptable definition of the term "sustainable development" is embraced by the Governments national strategy entitled "A Better Quality of Life", along with the separate document entitled "Building a Better Quality of Life". Both documents use the Brundtland definition of sustainable development:-

> **"Development that meets the needs of the present without compromising future generations ability to meet their own needs."**

Whilst this definition is widely accepted, there is no universal guidance on how to interpret or implement it. For technical guidance there are a number of useful non statutory benchmark references in publications such as the Building Research Establishment's (BRE) EcoHomes assessment, and The Commission of the Built Environment (CABE) document entitled "By Design".

As a general principle, the denser the form of development the more compliant it is likely to be with the requirements of PPG3. In terms of design the following areas have been addressed as part of categories identified by the EcoHomes rating scheme:-

- Energy Use

- Transportation
- Materials
- Water Consumption
- Pollution
- Health and Wellbeing

4.27 Consumption of energy and its subsequent production of greenhouse gases such as CO_2 is the pre-eminent issue facing all developments. Meeting International and Government commitments on mitigating Climate Change is a primary consideration, which needs to be considered from the two areas of energy efficiency and energy supply.

In order to reduce the energy burden, any development should strive to reduce heat losses and balance infiltration and ventilation, such that energy use is minimised whilst maintaining a healthy internal environment. In this way, attention will be focused on the following considerations:-

- The requirement to aim for air tightness providing good detailing at joints.
- Installation of double glazing with LE coating.
- Insulation above the minimum requirements (Current Building Reg U values (Wm2.K) for SAP ratings over 80 are: walls 0.45, roof 0.25, windows 3.3.
- Insulation to walls facing into unheated spaces as if they are external.
- Insulation to hot water tanks and pipes.

- Reducing thermal bridging opportunities.

As part of a move to maximise the benefits of solar heating, whilst paying attention to the thermal properties of the proposed development, the following considerations are of relevance:-

- There are minimal north facing windows.

- Where possible given the geographical constraints of the appeal site, one elevation of both proposed dwellings faces within 25 degrees of due south.

- Adequate spacing is available between the two chalet style dwellinghouses so as to minimise overshadowing.

- Exposed masonry is to be used to provide thermal storage in rooms with high solar gains.

- Dark rooms have been avoided where otherwise a constant use of artificial lighting is required.

- Consideration will be given to the introduction of solar heating or PV cells.

- Consideration will be given to the introduction of energy efficient lighting.

Energy savings by controlling wind exposure through planting shelter belts typically range between 3-9%, but can reach 15% where belts are substantial. In the present case the proposed development balances orientation, housing density and height, with the result that the respective residential units can be seen to reduce the negative impacts of wind cooling. Furthermore, where appropriate, it is proposed to plant deciduous native shrubs and a mixed

evergreen hedgerows which, along with hard landscaping features, will control wind effects.

4.28 Home working facilities through the provision of studies in both chalet style dwellinghouses will enable occupiers to reduce the need to travel to work, and this requirement as part of the EcoHomes assessment, together with the provision of suitable IT connections and power sources will be incorporated into the proposed development.

4.29 The development will, in accordance with the BRE's Green Guide to House Specification, avoid all insulation materials with CFC and HCFC content. At the same time the appeal proposals will look, wherever possible, to supplies of timber approved by the Forest Stewardship Council, and reduce the use of PVC based products.

The choice of building materials will ensure that, where possible, local materials are used including those with a low embodied energy. Similarly, wherever possible materials from renewable sources will be selected, including those with a long life expectancy or which are easily recyclable.

4.30 Potable water consumption has increasingly become an issue in modern residential developments. The two new chalet style dwellinghouses will provide toilets with low volume and dual flush actions (max 6 litre flush). Similarly, baths will have a reduced capacity (max 150 litre overflow) with power showers provided which use environmental settings to reduce flow rate (max 4.5 litres per minute).

4.31 An important aspect in respect of all residential development is the need to reduce reliance on landfill as a means of waste disposal, shifting attention towards waste recycling and minimisation. To reduce waste in use, adequate space will be provided in the kitchens of the two proposed residential units to allow waste segregation, whilst space within the curtilage will be available for composting facilities associated with garden kitchen waste.

4.32 The creation of an internal environment that promotes health and wellbeing under the EcoHomes Rating Scheme are largely determined by two factors, namely good daylight penetration and good sound insulation. Daylight issues have been considered in the discussion on energy use, whilst in respect of sound insulation, the target standard to be achieved is that defined in the latest version of Building Regulations Part E which identifies methods of construction to ensure noise control within the development.

4.33 It is evident that the proposed development on the appeal site will be constructed to modern building standards, thereby leading to a better use of the site and its environmental resources.

Energy is the most significant area where improvements can be made, and it is entirely feasible that the two proposed chalet style dwellinghouses will have the same or a reduced energy demand when compared with the existing bungalow on the same site constructed in the 1960's.

5.00 CONCLUSIONS

5.01. The following conclusions emerge from this proof of evidence as they relate to the demolition of an existing bungalow and the construction of two chalet style dwellinghouses along with a separate double garage on land at "Greenacres", Dunt Lane, Hurst, Berkshire RG10 0TA.

A. The planning history shows that the LPA granted full planning permission for the erection of extensions to "Greenacres" on 22nd July 1992 under Application No. 39680. This development, along with the recognition by the same Council that a freestanding double garage constructed in the space between the existing bungalow as extended, and the side boundary with the adjoining property "The Pightle", would constitute "permitted development", is significant, in that the majority of the frontage width of the appeal site would have been taken up by built development, had the totality of these proposals been implemented.

B. The reasons for refusing Application No. F/2001/5570 indicate that the LPA has either failed to take into account or else paid inadequate regard to the need to differentiate between on the one hand, safeguarding the countryside for its own sake, with non-renewable and natural resources afforded proper protection; and on the other, the demolition of an existing bungalow of no particular intrinsic architectural merit, and its replacement by two chalet style dwellinghouses and a double garage, through the means of sensitive infilling.

In this way, surrounding agricultural land will remain undisturbed should a favourable decision be reached as a consequence of these appeal decisions; only a limited number of fruit trees situated in the front garden of "Greenacres" will be lost; existing side boundary hedgerows will be retained and an opportunity afforded for additional planting to take place where appropriate. To these

considerations should be added that no natural habitats, archaeological remains, or the setting of "Dunt Cottage" will be adversely affected.

C. It is the appellants opinion that the proposed development is entirely consistent with national policy, where it relates to the topic of sensitive infilling of small gaps within small groups of houses outside settlements in the countryside; the acceptability of such infilling being dependent on the character of the surroundings, and the nature of such groups in the particular area.

D. The policies contained in the "development plan" only consider residential infilling within identified settlements, with the consequence that the respective policies are deficient and inconsistent with national policy, particularly insofaras the last sentence of paragraph 3.21 of the February 1997 version of PPG7 is concerned.

The fact that neither the statutorily approved Berkshire Structure Plan 1991-2006, nor the Loddon Area Local Plan 1995 has properly taken into account the provisions of paragraph 3.21 of PPG7, or indeed the predecessor of the same policy set out in paragraph 2.18 of the January 1992 version of PPG7, has been recognised by the LPA, as a reading of "The Council's Case" concerning an appeal allowed on 17th May 2000 relating to the construction of a two-storey dwellinghouse on land at Douglas Grange, off Davis Way, Hurst confirms (see Appendix 4).

E. The amplification to Policy C2 of the Berkshire Structure Plan 1991-2006 contained in paragraph 5.9 of the Explanatory Memorandum, indicates that it is the strategic planning authority's intention that development in the open countryside be strictly controlled, albeit that it is expected to accord with current government policy set out in PPG7.

This point aside, the manner in which the provisions of Policy C2 of the approved Berkshire Structure Plan 1991-2006 should be interpreted when considering "infill development" amongst a small group of dwellings outside an identified settlement in the countryside, is most succinctly examined in an appeal decision dated 8th May 1997, involving Wokingham District Council and the erection of a dwelling and garage in the existing garden adjoining Wood End, Warren Lane, Finchampstead, Berkshire (see Appendix 6).

F. In an identical way to Policy C2 taken from the approved Berkshire Structure Plan 1991-2006, NO provision is made within the specific categories of acceptable development outside settlements in the rural areas of the District covered by the adopted Loddon Area Local Plan 1995 for "infill development". With this in mind, Policy LTV2 is both inconsistent and out of date with current national policy relating to housing in the countryside, especially the provisions of paragraph 3.21 of PPG7.

G. The respective weight to be attached to Policy LTV2 taken from the adopted Loddon Area Local Plan 1995 seen in the context of PPG7 and Policy WCC1 taken from the emerging Wokingham District Local Plan, as recommended in the Local Plan Inspector's Report following the Part 2 Public Inquiry into Chapters other than Housing; is a matter which was considered by the Inspector in the appeal decision allowed on 17th May 2000, concerning land at Douglas Grange, off Davis Way, Hurst. (see Appendix 5).

H. The provisions of emerging policy WCC1 have sought to rectify this policy lacuna by specifically including sensitive infilling of one or two dwellings in a small gap in an otherwise built-up frontage outside identified settlement boundaries, where the proposal would not adversely affect the character and appearance of the area, as one of the acceptable categories of development in the countryside outside the Metropolitan Green Belt. In this way there is a clear link with national

policy found in paragraph 3.21 of PPG7, with which it is commensurate.

The significance to be attached today to emerging Policy WCC1 as recommended by the Local Plan Inspector is perhaps best illustrated by an appeal decision concerning an infill site outside an identified settlement involving the construction of a dwellinghouse and garage on land at Douglas Grange, off Davis Way, Hurst, Berkshire (see Appendix 5).

I. It is evident that despite the significance attached by the LPA to sustainable development as part of the underlying strategy upon which the emerging Wokingham District Local Plan has been based, it was still considered necessary to amend the Deposit Draft version of the same emerging Local Plan, so that full account was taken of the contents of current central government policy, and in particular paragraph 3.21 of PPG7 – in effect verifying that small scale proposals of the form and nature the subject of the current appeal proceedings are unlikely to contravene the overall strategy of the same emerging Local Plan.

In pursuing this line of reasoning, account should be taken of the last sentence of paragraph 2.54 of the Inspector's Report following the Part 2 Public Inquiry, wherein it is accepted that the modified wording found in sub-paragraph G) of recommended Policy WCC1 **"... would provide some flexibility without compromising the overall strategy of the plan."**

J. The definition of "infill development" is set out in paragraph 2.33A of the Written Statement of the emerging Wokingham District Local Plan Deposit Draft Version (As Amended) February 2000, which was not the subject of objection at the Part 2 Public Inquiry.

It can be seen that neither the contents of Policy WCC1 as recommended by the Local Plan Inspector, nor the provisions of paragraph 2.33A refer to the words a "small gap" as meaning "an undeveloped small gap". The contents of Chapter 4 has shown that the development the subject of these appeal proceedings will have a similar road frontage and similar curtilage to adjoining dwellings, confirming that what is being proposed as part of Application No. F/2001/5570 fully complies with the definition of "infill development".

K. There is an absence in the Glossary of the emerging Wokingham District Local Plan of the term "built up frontage", with the same term not present in the last sentence of paragraph 3.21 of PPG7.

In this way, "built up frontage" as used in criterion G) of Policy WCC1 can only be commensurate with the term "groups of houses" in the last sentence of paragraph 3.21 of PPG7, since to arrive at a contrary view will lead to a situation of conflict with national policy.

L. The single most important conclusion to emerge from a reading of Policy DP6 of the emerging Berkshire Structure Plan 2001-2016 is that, like its approved counterpart, Policy C2 of the approved Berkshire Structure Plan 1991-2006, it has failed to pay due and proper regard to current central government policy relating to housing in the countryside in the form of paragraph 3.21 of PPG7.

The presence of objections to emerging Policies DP6 and EN4 arising from the public consultation exercise carried out into the Pre-Deposit Version of the Berkshire Structure Plan 2001-2016 removes any justification for refusing the appeal proposals on the grounds of conflict with these two policies.

M. The various parameters outlined in Policies WOS2 and WBE1 of the emerging Wokingham District Local Plan have been examined in

conjunction with the criteria set out in Policies LBE1 and LBE2 of the approved Loddon Area Local Plan 1995 in Chapter 4 of this proof of evidence.

The description of the 11 individual properties enjoying a frontage onto the eastern side of Dunt Lane, read in association with the accompanying photographs, reaffirms the conclusions drawn by the Inspector, Mr. Michael A. Hillyer BSc MSc CEng FCIWEM in paragraph 6 of his appeal decision allowing the demolition of the existing dwelling and garage and the erection of a replacement dwelling and garage on land at "The Pightle" (see Appendix 8); namely the group of houses to which the appeal site forms an integral part, comprise dwellings of varying sizes, styles and ages, with a preponderance of brick built elevations beneath tiled roofs.

The same description endorses the conclusions set out in the Case Officer's Report on Application No. 98/62707/F relating to the same development on land at "The Pightle",

N. The design, scale, form, massing and external materials associated with the proposed chalet style dwellinghouses on land at "Greenacres" clearly reflects the replacement property situated on the immediately adjoining land to the south east, allowed on appeal on 7th December 1998.

There are no significant changes in topography between the appeal site and the adjoining property "The Pightle", with the proposed chalet style dwellinghouses at Greenacres" enjoying frontage widths of 17 metres and 18.4 metres respectively with the eastern side of Dunt Lane. The immediately adjoining property to the south east has a frontage width of 16 metres with the same highway.

Similarly the proposed development on the appeal site is to be set back a distance of 22 metres from the carriageway of the adjoining

highway, which is identical to that of the replacement dwellinghouse on the immediately adjoining site. A tall mature hedgerow along the common side boundary between the two properties, whose overall height is commensurate with the ridge height of "The Pightle", separates "Greenacres" from its neighbour to the south east.

To these considerations may be added the clear affinities which exist between the built footprint, overall height, and gross floor areas of the two proposed chalet style dwellinghouses situated on land at "Greenacres", and those chalet style properties located at the northern end of the same group of dwellings, namely "Winton Lodge" and "Meadow View", as well as with the immediately adjoining chalet style property to the south east, "The Pightle". This is a matter confirmed by the contents of Table 2 of this proof of evidence.

O. I have revealed that the basis of the second reason for refusing Application No. F/2001/5570 is wholly untenable, in that the proposed development would not result in an increase in massing, or an intensification in the use of the site, or have an urbanising impact on the surrounding rural area, **beyond that which the LPA themselves, and an Inspector in a recent appeal decision have found to comprise acceptable development within the same group of dwellings.**

To this end, there are undoubted similarities between the appeal proposals and other developments of an identical form and nature granted planning permission amongst the same group of 11 houses.

The criticisms levelled at the appellant's proposals based on the "intensification in the use of the site" which would occur, and the "urbanising impact" which it is alleged would be detrimental to the rural character of the area, are applicable to **ANY** proposed "infill development" amongst **ANY** group of dwellinghouses, with the consequence that if this were to form a serious objection, the

provisions of national policy set out in paragraph 3.21 of PPG7, and emerging Wokingham District Local Plan Policy WCC1, would simply not condone such forms of development as being acceptable in the countryside outside the Metropolitan Green Belt.

P. I have demonstrated that the LPA have consistently granted planning permission for replacement dwellings in the same group of properties as the appeal site, situated on the eastern side of Dunt Lane, whose underlying design, form and layout adopts the same theme as the two chalet style dwellinghouses now being promoted on behalf of The Marlow Building Company on land at "Greenacres".

Indeed, the provisions of paragraph 7 taken from the appeal decision concerning the immediately adjoining site (see Appendix 8) are in many respects equally relevant to one of the central issues surrounding the development the subject of the current appeal proceedings, albeit that the height of the two chalet style dwellinghouses on land at "Greenacres" would now be seen to match that of the replacement chalet style dwellinghouse at "The Pightle".

Q. The photomontage found at page 82 perhaps best illustrates more than any other form of written description, the fact that there is NO justification to refuse the proposed development on the appeal site on the grounds that the proposed development would adversely affect the character and appearance of the surrounding rural area.

R. There would be no encroachment by any built development beyond the existing residential curtilage of "Greenacres" towards the adjoining listed building, whilst the side boundary hedgerow standing 2.75m high, separating the appeal site from Dunt's Cottage, would be unaffected by the appeal proposals.

The ridge height of the proposed chalet style dwellinghouse occupying Plot 1 would appear approximately 1.6 metres above the

ridge height of the existing bungalow "Greenacres", but this factor would have an insignificant effect on the setting of the adjoining listed building, despite being orientated perpendicular to the adjoining highway, for the following three reasons:-

i. A distance of 13 metres will separate the south eastern elevation of Dunt's Cottage from the tall hedgerow occupying the side boundary of "Greenacres", itself 2.75 metres high. This space is **NOT** wholly taken up by the residential curtilage of the adjoining listed building, but incorporates a separate vehicular access adjoining the north western (side) boundary of the appeal site, leading to fields situated to the rear of Dunt's Cottage. **(See Photograph 11)**

ii. Dunt's Cottage occupies a prominent position amongst the group of houses situated on the eastern side of Dunt Lane, as a consequence of its south western (side) elevation positioned at the back edge of the carriageway of the same highway, along with the overall size and scale of the same listed building, which includes a steeply pitched clay tiled roof. **(See Photographs 6, 10 and 11).** In this way, it represents a focal point, seen in distant views along the adjoining highway, with the separation distances between it and adjoining properties being such that its principal elevations are clearly visible within Dunt Lane.

The proposed chalet style dwellinghouses on the appeal site, like the existing bungalow, are set back behind the principal elevations of Dunt's Cottage. The overall size of the proposed development, and in particular its ridge height and hipped roofs, ensure that what is now proposed by The Marlow Building Company is not only appropriate in scale to the adjoining listed building, but respects the dominance afforded to its historic neighbour from within the street scene.

iii. Dunt's Cottage is the only dwellinghouse found amongst the group of properties on the eastern side of Dunt's Lane, constructed of white painted plaster panelling set within a timber frame beneath a clay tiled roof. These external facing materials assist in maintaining the prominence of the same building within Dunt Lane.

The two chalet style dwellinghouses on the appeal site are to be built of predominantly brickwork beneath a plain tiled roof and in this way will match the external elevations of the majority of other dwellings situated in the same group of houses on the eastern side of Dunt Lane.

S. There were NO technical objections to the proposed development which supports that part of the second reason of refusal which alleges harm being caused to the setting of Dunt's Cottage. This is a matter reinforced by a reading of the consultation responses from Mr. Harold Saunders, the Council's Urban Design and Conservation Officer; the LPA's Landscape Architect Catherine Brimble, and the Clerk to St. Nicholas Hurst Parish Council, as they relate to Application No. F/2001/5570.

T. I have referred to the "preferred approach" in terms of access arrangements to service the proposed development on land at "Greenacres", with reliance placed on making use of the existing driveway. In the event that the existing access arrangements are not considered satisfactory from a highway safety point of view, then the solution involving a more centrally located driveway can be pursued, which it is acknowledged will entail the removal of the frontage hedgerow, albeit replaced by a new mature 2 metre high mixed evergreen hedgerow planted at the rear of the visibility splays, which will result in the effective assimilation of the proposed development within its rural surroundings.

The "preferred approach" has, however, been adopted by the LPA in the proposal to demolish an existing bungalow and erect a replacement chalet style dwellinghouse on land at "Winton Lodge", formerly known as "Elmsleigh", as the Case Officer's Report to the Council's Development Control (North) Sub-Committee meeting of 4th May 1994 reveals (see Appendix 10).

If it is accepted by the LPA that the "nature and character of the land" should take precedence over highway matters in the same group of houses on the eastern side of Dunt Lane, and given the absence of a material change in highway standards since 1994; there appears to be no planning reason why the approach taken by the LPA less than 9 years ago should not prevail today, especially given the status of Dunt Lane as a no through road, which does not perform the function of a rat run.

U. An examination of the proposed development seen from a sustainability perspective reveals that the proposed development will be constructed to modern building standards, thereby leading to a better use of the site and its environmental resources.

Energy is the most significant area where improvements can be made, and it is entirely feasible that the two proposed chalet style dwellinghouses will have the same or a reduced energy demand when compared with the existing bungalow on the same site constructed in the 1960's.

5.02 For reasons outlined in this proof of evidence, the Inspector is requested to allow this appeal and grant full planning permission in respect of Application No. F/2001/5570 as it concerns land at "Greenacres", Dunt Lane, Hurst, Berkshire RG10 0TA.

-o0o-

RAILEX SYSTEMS LTD
SOUTHPORT U.K. Tel.01704-28886 Fax.01704-25814
LONDON OFFICE Tel.0171-377-1777 Fax.0171-247-6181

APPLICATION NO.5570

Name of appellant:
Marlow Building Company Ltd

Site address:Green Acres, Dunt Lane
Hurst
Proposal:Proposed erection of 2 dwellings with detached double garage

Case Officer:EXC

DO 683

Appeal Decision

Inquiry held on 04 December 2002
Site visit made on 04 December 2002

by Graham Dudley BA (Hons) Arch Dip Cons AA RIBA FRICS

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
31 DEC 2002

Appeal Ref: APP/X0360/A/02/1091808
Greenacres, Dunt Lane, Hurst

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by the Marlow Building Company Ltd against the decision of Wokingham District Council.
- The application (Ref. F/2001/5570), dated 20 December 2001, was refused by notice dated 12 April 2002.
- The development proposed is the demolition of the existing bungalow and the construction of two chalet style properties along with a separate double garage.

Summary of Decision: The appeal is dismissed.

Main Issues

1. I consider that the following are the main issues in this case.

   - The effect of the proposal on the character and appearance of the surrounding area and the adjacent listed building.
   - The effect of the proposal on highway safety.
   - The effect of the proposal on methods of transport.

Planning Policy

2. The development plan includes the Berkshire Structure Plan 1991-2006 (1997) and the Lodden Area Local Plan (1995). Structure Plan Policy C2 indicates that development outside built-up areas and settlement boundaries defined in local plans will be strictly controlled. Policy EN1 seeks to protect and enhance the character and quality of the environment in towns, villages and other built up areas. Within these areas development must be appropriate in scale, form, impact, character and siting to its location. Policy LD5 indicates, amongst other things, that development will not be permitted where it is likely to give rise to serious problems of access, parking, road safety or traffic congestion. Policy EN4 reflects section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires when considering applications that may affect a listed building or its setting that special regard be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy OS1 indicates that the overall strategy of the Plan is to seek sustainable development and improvement to the quality of life in Berkshire by, amongst other things, steering development to locations which minimise the need for travel and which can be served by public transport. Policy LD1(vi) indicates that account will be taken of the extent to which

development is sustainable, amongst other things, in its location and form and that it helps to conserve natural resources, including land, water and fossil fuels.

3. Local Plan Policy LTV2 notes that all land outside the identified settlements as shown on the proposals map is considered to be a rural area within which development will not normally be allowed. Policy LBE1 sets out a number of general development principles aimed at ensuring a satisfactory design and layout, taking into account the impact of development on its surroundings. Policy LBE2 indicates that development that is inappropriate in terms of its relationship with adjoining sites and buildings, or which would adversely affect the character of an area for, amongst other things, reasons of siting, scale, form and massing will not normally be allowed. Policy LT5 indicates that the local authority will urge the highway authority to take appropriate measures to promote road safety for all road users.

4. Emerging Berkshire Structure Plan 2001-2016 and the Wokingham District Local Plan Deposit Draft with Proposed Amendments Highlighted February 2000 is at an early stage; I therefore attach limited weight to it. Emerging Structure Plan Policy DP1 indicates that settlements in Berkshire will be the main locations for development. Policy DP6 indicates that land outside settlements will be safeguarded for its own sake as a non-renewable natural resource. Local Plans will ensure that land outside settlements is only used for purposes appropriate to rural areas and in particular that it makes a contribution to the economy through agriculture, forestry and other activities that can only be undertaken there. Policy EN4 has similar aims to Structure Plan Policy EN4.

5. Also relevant is the emerging Wokingham District Local Plan Deposit Draft. This has been the subject of Public Inquiries and is at an advanced stage. I therefore attach considerable weight to it. Emerging Local Plan WOS1 aims to ensure that where possible development is sustainable and improves the quality of life within the plan area. Policy WOS2, subject to other policies, allows development within boundaries of identified settlements shown on the proposals map. Outside these areas development will only be allowed in exceptional circumstances controlled by other policies in the development plan. Policy WOS3 indicates that development proposals should 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. Proposal should be designed and located to reduce the need to travel and encourage the use of walking, cycling and public transport as alternatives to the car and not have a significant effect on road safety or cause highway problems. Proposals should be of high quality design. Policies WOS10 and WHE11 in relation to listed buildings also reflect section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Policy WBE1 requires good contemporary design that reflects its local context. Regard will be had to environmental and visual impact and accessibility. Policy WCC1 indicates that development in the countryside will only be allowed in exceptional circumstances and will be strictly controlled by other policies in the Plan. Policy WT2 requires development to be provided with a satisfactory means of access including by foot and cycle. The aim of Policy WT3 is to reduce the need for private travel by car. Policy WT7 has similar aims to Local Plan Policy LT5. The aim of Policy WT9 is to reduce the use of private cars and to encourage walking by seeking to secure clear, direct, pleasant, safe and convenient routes of adequate width for pedestrians.

6. Government advice is contained in Planning Policy Guidance Note 3 - Housing (PPG 3), Planning Policy Guidance Note 7 - The Countryside-Environmental Quality and Economic

and Social Development (PPG 7), Planning Policy Guidance Note 13 – Transport (PPG 13) and Department of Transport Technical Directive 42/95 Geometric Design of Major/Minor Priority Junctions.

Reasons

Character and Appearance

7. The appeal site is within the countryside where Structure Plan Policy C2 indicates that development that will be permitted includes that related to the redevelopment of existing buildings, but proposals must be appropriate in scale, form, impact, character and siting to their location in the countryside and be acceptable in terms of other policies in the Structure Plan. PPG 7 notes that development in the countryside should be strictly controlled, but notes that sensitive infilling of small gaps within small groups of houses or minor extensions to groups may also be acceptable though much would depend on the character of the surroundings and the number of such groups in the area.

8. Local Plan Policy LTV2 does not normally allow development of the type proposed and this proposal would conflict with it. However, the latest version of Policy WCC1 in the emerging Local Plan indicates that sensitive infilling of one or two dwellings in a small gap in an otherwise built-up frontage where the development would not adversely affect the character and appearance of the area would be acceptable. Although there is a possibility of further changes, I attach considerable weight to Policy WCC1, because it generally reflects guidance in PPG 7, whereas Local Plan Policy LTV2 does not. However, the relevant wording of the emerging policy differs from that of PPG 7 and effectively prevents infilling in small groups and minor extensions to groups. PPG 7 notes that it is for local authorities through their development plans to determine more specific policies that integrate these objectives in ways which reflect the different types of countryside and the economic and social circumstances found in their areas.

9. In this part of Dunt's Lane development effectively commences with Winton Lodge and ends at Woodlands. In the middle is St Nicholas Farm, which has farm buildings adjacent fronting Dunt's Lane. Some of the farm buildings have been converted to dwellings. Beyond and opposite the buildings are fields. In my opinion, 'built-up frontage' when considered in relation to WCC1 has to be considered in relation to the location. Here buildings are of a mixed type, not consistently arranged or spaced, with some being at right angles to the road and with different frontage distances to the lane and spaces between. I consider that this is the type of row of dwellings and spacing expected in the countryside, consistent with the rural character and appearance. I therefore consider in the terms of emerging Local Plan Policy WCC1 that this is a 'built up frontage' that would in principle be appropriate for infilling.

10. Structure Plan Policy C2, emerging Local Plan Policy WCC1 and PPG 7 all require the impact of the proposal to be considered. The proposed houses would individually be of a size and scale that would not be significantly different from neighbouring dwellings, a number of which have recently been constructed as replacements for dwellings that were previously on those sites. In my view, in themselves the individual size, designs and materials proposed would be acceptable.

11. However, the proposal with the two dwellings closely spaced would result in a substantial increase in the mass and bulk of built form at the appeal site, because the roof heights

would be considerably higher than the existing bungalow and they would extend across much of the width of the site with a relatively narrow gap between the proposed dwellings and between the adjacent dwelling 'The Pightle'. These gaps would be inconsistent with the general open spacing that exists between other buildings and which I consider to be an important aspect that makes a significant contribution to the character and appearance of the countryside. I acknowledge that there are other dwellings that are closely spaced, but overall the generally spacious character remains. In my view, the erosion of space between dwellings combined with the additional height would have an urbanising effect, causing unacceptable harm to the rural character and appearance of the countryside.

12. I acknowledge that there are tall hedges to the perimeter of the site. However, this proposal would be seen above the hedge fronting the road, and the tall hedge separating the site from The Pightle would not, in my opinion, prevent the urbanising effect that would result from this proposal in combination with The Pightle and Woodlands. In any case, harm to the character of the countryside would occur whether or not the buildings would be seen. National guidance contained in PPG 3 aims to promote sustainable forms of development, in particular better use of previously developed land. However, just because a site is previously developed land does not mean that any development is appropriate. Emphasis is placed on achieving imaginative designs and layouts without compromising the quality of the environment in relation to the wider context of the area.

13. The distance of the proposed dwellings from the road would be similar to the existing bungalow and a large gap would remain between them and Dunt's Cottage, a grade II listed building. I therefore do not consider that the proposed dwellings would directly affect its setting. However, part of the special architectural and historic interest of Dunt's Cottage is, in my view, its situation within a countryside setting. The urbanising effect of the proposal described above would, in my opinion, considerably harm this rural character of the area, damaging the setting of the listed building.

14. I conclude that the proposal would unacceptably harm the character and appearance of the surrounding area and would not preserve the setting of the adjacent listed building. It would conflict with Structure Plan Policies C2, EN1 and EN4, Local Plan Policies LTV2, LBE1 and LBE2, emerging Structure Plan Policies DP1, DP6 and EN4 and emerging Local Plan Policies WCC1, WBE1 WSO10 and WHE11.

Highway safety

15. The visibility at the existing access measured 2m back from the road edge is 20m and 17m, measured in accordance with Places, Streets and Movements – A companion guide to Design Bulletin 32 Residential Roads and Footpaths (PS & M). Guidance in PS & M needs to be assessed against the circumstances of each case. The speed limit on this road is 60mph. The Council has estimated actual likely speeds to be about 50mph, while the appellant has taken measurements that indicate that the 85th percentile wet weather speed is between 30 and 40 mph. Given the nature of the road, which is relatively narrow and has a number of bends, I consider that a design speed of between 30 and 40 mph would be appropriate. Therefore the recommended visibility at 40mph would be between 90m and 120m.

16. The appellant indicates that Dunt's Lane is a 'no through road'. While the last part is stopped at its junction with a major road, the part of Dunt's Lane adjacent to the appeal site

is a through route to other lanes and more major roads beyond. Nevertheless, I accept that this is not a major route and that vehicle traffic is likely to be relatively light.

17. I note that the highway code indicates that the stopping distance at 40mph is about 36m but this would be about double in wet weather conditions and greater for large vehicles and motorcycles. The purpose of the Highway Code stopping distances is, in my view, very different from distances used in PS & M, which provide guidance on road layout. Even considering these stopping distances with the available visibility of 20m, it is unlikely that even in dry conditions there would be adequate time for a vehicle to stop should a car pull out from the entrance.

18. The appellant considers that it would be acceptable to consider visibility measured to the centre of the road, which at 2m back from the road edge would be 30m and 24m. Measuring to this position takes little account of overtaking vehicles and motor cyclists. The bends in the road might prevent overtaking but motorcyclists would still not be fully accounted for. In any case, the visibility would be substantially less than that recommended. The proposal would double the use of this access, and although this relates to about 7-8 vehicle movements I consider there would be an unacceptable increased risk to highway safety.

19. The appellant has submitted an alternative proposal for the entrance, which when measured 2m back from the road would provide visibility to a distance of about 32m and 46m measured to the road edge and 71m and 46m measured to the centre line of the road. While this provides an improvement on the existing arrangement and some benefit in terms of serving the equivalent of the existing dwelling, in my view visibility, particularly in one direction, would still be substantially less than that required and likely to lead to an unacceptable increased risk to highway safety.

20. Visibility at other entrances to properties along the lane varies, but generally would not be in accordance with the guidance in PS & M and there has been no record of accidents along this section of road. However, in my view, the fact that other entrances do not accord with current guidance is not sufficient reason to justify this proposal, where visibility would be substantially below that recommended in PS & M and therefore the risk of accidents in the future would be unacceptably increased.

21. I conclude that the proposal would have an unacceptable effect on highway safety and in this respect would conflict with the aims and objectives of Structure Plan Policy LD5, Local Plan Policy LT5, and emerging Local Plan Policies WOS3, WT2 and WT7.

Effect on methods of transport

22. The appeal site is in the countryside, but it is relatively close to Winnersh so there are various facilities including schools, stations and shops within a few kilometers. Dedicated cycle paths would be beneficial and would encourage cycle use; nevertheless, the lanes adjacent to the appeal site that connect to the outskirts of Winnersh would, in my view, because of the light traffic, be suitable for cycling. However, there are no footways or street lighting and the nearest facilities, with the exception of the nearby public house and bus route would, in my opinion, be unlikely to be accessed by foot. Whilst accepting that some cycling and use of the bus would be feasible, I consider that the occupants of the proposed dwellings, which from their size would appear to be most suitable as family homes, would be likely to rely heavily on cars for transport and therefore the development would not fully

promote the reduced use of private cars for travel or encourage walking as required by emerging Local Plan Policies WT3 and WT9.

23. However, policies and government guidance also promote making the best use of previously developed land, which includes that in the countryside. Balancing the site's proximity to Winnersh where car journeys would be relatively short and cycle and bus travel would be available, against the benefit that would be gained in making better use of land, I conclude that the proposal would not conflict with the aims and objectives of policies and guidance intended to ensure the sustainability of development. The proposal would not conflict with the aims and objectives of Structure Plan Policies OS1 and LD1 and emerging Local Plan Policy WOS1.

Conclusions

24. Notwithstanding my finding that on balance the proposal would not unacceptably conflict with issues relating to sustainability, I conclude that the harm to the character and appearance of the countryside and setting of the listed building would be unacceptable.

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

Formal Decision

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

Information

27. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.

G C Dalling

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr R Walton	Of Counsel, instructed by Mr T Kingswood, Solicitor, Wokingham District Council
He called	
Ms E Circuit BA Hons MSc MRTPI Dip Urban Design	Planning Officer, Development Control, Wokingham District Council
Mr K Rogers Ieng MCIT MILT FIHIE MIHT	Team Leader, Highway Development Control, Wokingham District Council

FOR THE APPELLANT:

Mr D Edwards	Of Counsel, instructed by T North Associates
He called	
Mr T North MSc BSc (Hons) Dip TP MRTPI	Tim North and Associates Limited, 17A Reading Road, Pangbourne, Berkshire, RG8 7LR
Mr J C Bevis MEng MCIT MILT MIHT	WSP Development Limited, Intec, 4 Wade Road, Basingstoke, Hampshire, RG24 8NE

DOCUMENTS

Document	1	List of persons present at the hearing
	2	Notification letter
	3	Council's statement
	4	Ms E Circuit's Summary Proof and Proof of evidence
	5	Mr K Roger's Proof of Evidence with appendices 1-5
	6	Appellant's statement
	7	Mr J C Bevis' Proof of Evidence with appendices A-D
	8	Mr T North's Summary Proof and Proof
	9	Mr T North's Appendices 1-19
	10	Statement of common ground
	11	List of appearances on behalf of the Council
	12	Agreed visibility at access
	13	Policies referred to in Councils transport considerations
	14	Map of area
	15	Planning history – Capital Products site
	16	Paragraph 5.03 omitted from Ms Circuit's proof
	17	Policy EN4
	18	Guidance PPG 13 related to cycling
	19	Report relating to application at Capital Products
	20	Appeal Decision T/APP/HO330/A/89/115480/P4A
	21	Extract relating to PPG 6 Planning R115 August 1996 5-114
	22	Appeal Decision APP/X0360/A/00/1040203
	23	Extracts from the Highway Code
	24	Proposed list of conditions

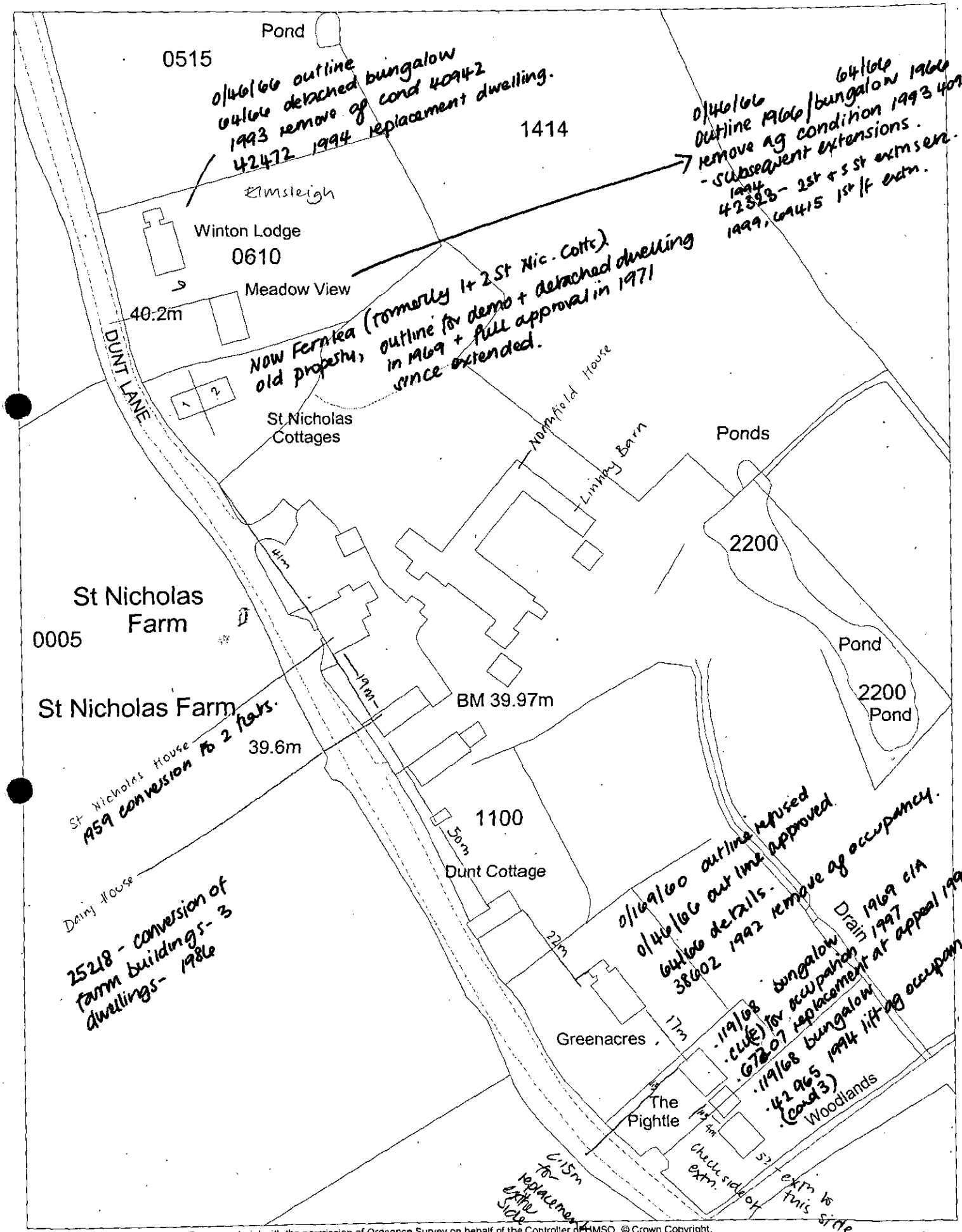
PLANS

Plan A TN1 Location plan
B SK1 Sketch scheme site layout
C P1 Plans and elevations plot 1
D P2 Plans and elevations plot 2

PHOTOGRAPHS

Photo 1 Appellant's photographs 1 - 14

APPLICATION NO	DECISION DATE	SITE	PROPOSAL
R/28/59	10.03.69	St Nicholas Farm House	Conversion to two flats
O/169/60	16.07.60	Greenacres	Outline consent refused
O/46/66	17.03.66	Greenacres, Meadow View & Winton Lodge (Elmsleigh)	Outline consent for three agricultural workers dwellings
64/66	09.06.66	Greenacres, Meadow View & Winton Lodge	Reserved matters – 3 bungalows
119/68	20.03.69	The Pightle & Woodlands	2 agricultural workers bungalows
O/103/69	16.06.69	Fernlea	Outline – demolition + erection of detached dwelling
665/71	08.07.71	Fernlea	Detached house + garage – subsequent extensions approved during 1970's and '80s
25218/9	23.04.86	St Nicholas Farm	Conversion of redundant farm buildings – 3 dwellings
38602	25.03.92	Greenacres	Vary occupancy condition
39680	22.07.92	Greenacres	2 x s/st extensions
40942	03.06.93	Winton Lodge and Meadow View	Vary occupancy condition
42197	18.02.94	Woodlands	s/st extension
42323	31.03.94	Meadow View	2x 2/st +s/st extensions
42472	18.05.94	Winton Lodge	Replacement dwelling
42965	21.07.94	Woodlands	Vary occupancy condition
44238	26.10.95	Winton Lodge	Stable/machinery store
CLU(E) 104	14.07.97	The Pightle	CLU(E) - occupation
98/67207/F	24.08.98 & 07.12.98	The Pightle	Replacement dwelling, recommendation approval, refused at DC, allowed at appeal
99/69415/F	18.05.99	Meadow View	1st/f extension



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Development Control Section, Environmental Services, Wokingham District Council.
5 September 2002

Scale: 1 : 1250

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I HEREBY CERTIFY THAT THE MICROFILM IMAGE IS A COMPLETE AND ACCURATE REPRODUCTION OF THE ORIGINAL DOCUMENT FORMING PART OF THE RECORD KEPT BY: WOKINGHAM DISTRICT COUNCIL IN THE ORDINARY COURSE OF THE BUSINESS.

TODAYS DATE: 7.12.98 NAME: PAULINE MERRETT

PLANNING PERMISSION

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1990

To: MR & MRS C STEWART
C/O BRIAN CLAYDEN & ASSOCIATES
4 GRANGE COTTAGE
BROADCOMMON ROAD
HURST BERKS RG10 ORD

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

Application No.39680 (F)

Proposal:
SINGLE STOREY SIDE EXTENSION TO FORM BEDROOM & BATHROOMS
SINGLE STOREY REAR EXTENSION TO FORM CONSERVATORY
GREEN ACRES DUNT LANE ST NICHOLAS HURST

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

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

01 REASON This condition is deemed to be attached by virtue of Section 91(1) of the Town and Country Planning Act, 1990.(3R)

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

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

continued/-

25×10 32×10

(0734) 778750

13 June 1994

SB/313/42932

Mr C Stewart
'Green Acres'
Dunt Lane
HURST
Berkshire
RG10 0TA

Dear Mr Stewart

TOWN & COUNTRY PLANNING ACT 1990
'GREEN ACRES', DUNT LANE, HURST

I refer to the recently submitted planning application for a detached garage at the above address.

Based on the details provided, the proposal does not require planning permission by virtue of the Town and Country Planning (General Development Order) 1988 (as amended). Schedule 2, Part 1, Class E.

I will arrange for the Treasury to return your fee under separate cover.

Yours sincerely

S BETHERIDGE
Senior Planner

RED

RED

RED

RED

EXISTING BUILDING

PLANNING APPLICATION

GREENACRES DUNT LANE HURST BERKSHIRE RG10 0TA

RELEVANT INFORMATION

1. THE PROPOSED STRUCTURE WILL BE BEHIND THE BUILDING LINE

2. THE FLOOR AREA WILL BE LESS THAN 30 SQUARE METRES

3. THE PITCHED ROOF WILL BE NO MORE THAN 4 METRES FROM GROUND LEVEL

4. THE PROPOSED STRUCTURE WILL BE MORE THAN 5 METRES (5.7M) FROM THE EXISTING BUILDING

5. THE PROPOSED STRUCTURE WILL BE MORE THAN 1 METRE (1.07M) FROM THE BOUNDARY OF THE ADJACENT PROPERTY

6. THE COMBINED FLOOR AREAS OF THE PROPOSED AND EXISTING BUILDINGS WILL BE LESS THAN FIFTY PER CENT OF THE LAND AREA

PUBLIC INQUIRY APPEAL

CASE OFFICER: EXC

APPLICATION NUMBER: 5570

APPELLANT: Marlow Building Company Ltd

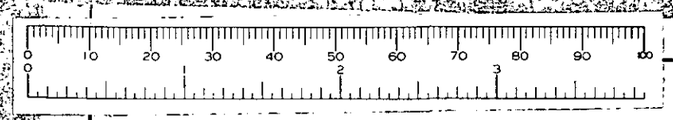
SITE: Green Acres, Dunt Lane, Hurst

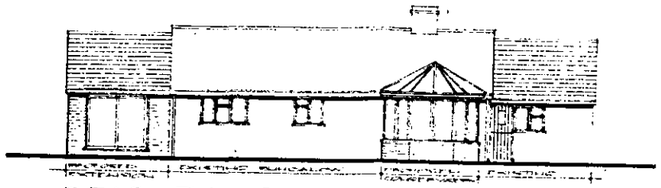
APPEAL REF: APP/X0360/A/02/1091808

START DATE: 11/06/02

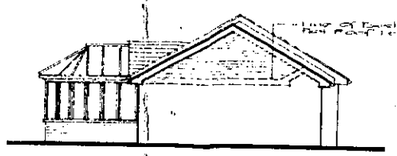
DATE OF INQUIRY: 04/12/02 CC + CR6.

Progress Record	Date Actioned	Initials
Appeal Logged:	13/06/02	
Entered on Access:	19/06/02	DG
Notification Letters Due:	**25/06/02**	
Notification Letters Sent:	20/06/02	DG P.I. date letters sent 20/08/02. DG
Questionnaire Due:	**25/06/02**	
Questionnaire Sent:	20/06/02	DG
Rule 6 Due: (Pre-Inquiry statement)	**23/07/02**	
Checked by Team Leader:	✓	
Checked by Legal:	✓	
Rule 6 Sent:	23/07/02	DG
Proofs Due:	06/11/02	
Checked by Team Leader:	✓	
Proofs Sent:	06/11/02	DG
Comments Due:	13/08/02	
Comments Sent:	✓	
Decision Letter circulated:	06/01/03	DG
Decision entered on Access:	06/01/03	DG

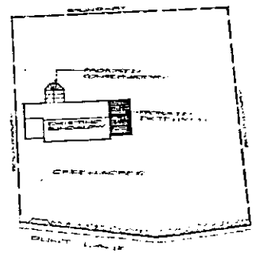




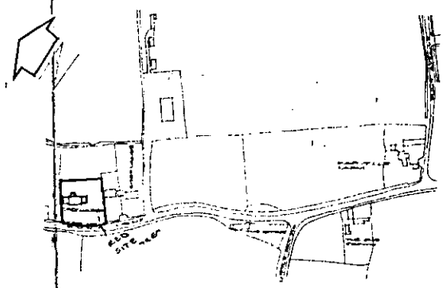
REAR ELEVATION - NORTH EAST



SIDE ELEVATION



BLOCK PLAN



LOCATION PLAN

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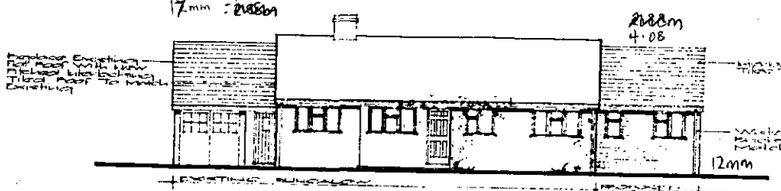
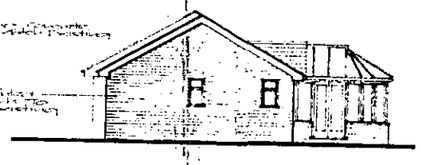
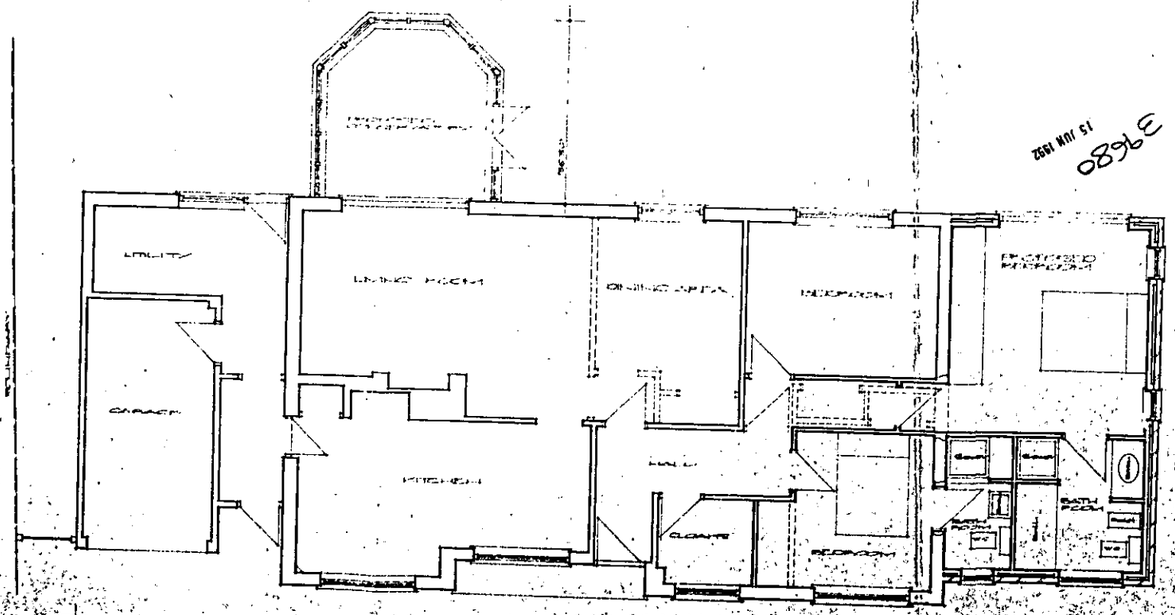


FRONT ELEVATION - SOUTH WEST



SIDE ELEVATION

52mm = 12.0m
1mm = 0.24m
ridge: 22mm = 5.33m



GROUND FLOOR PLAN

DELEGATED

CLIENT	MR & MRS C STEWART
JOB	PROPOSED EXTENSIONS TO CHELLACRE, PLOT 1, THE CRESCENT, BEARSHIPE
DRAWING	PLANS & ELEVATIONS
SCALE	1:50 & 1:100
DATE	9.12.01
DRAWN	CLAYDEN & ASSOCIATES
	THE OLD CHAPEL, 1 CHURCH STREET, BROADSTAIRS, KENT CT10 1QT
	TELEPHONE (01843) 863167

39680

ADR SYSTEMS

References in this document to provisions of the Town and Country Planning Acts, 1947 to 1959, should be read as references to the appropriate provisions in the Town and Country Planning Act, 1962.

NOTICE OF CONSENT

BERKSHIRE COUNTY COUNCIL
Town and Country Planning Act, 1947

WOKINGHAM RURAL DISTRICT COUNCIL,
COUNCIL OFFICES,
SHUTE END,
WOKINGHAM, BERKS.

To Shipman Farms Ltd.,
c/o Messrs. G. Strong & Son Ltd.,
33, Park View Drive,
TWYFORD,
READING.
Berks.

Application No. 64/66

Proposal ...Three detached bungalows and garages for farm workers at...
...Hunt Lane, Hurst, Reading, Berks.

Acting as Agent on behalf of the Berkshire County Council in pursuance of their powers under the above Act, the Wokingham Rural District Council hereby PERMIT the above development to be carried out in accordance with the application and accompanying plans submitted by you and approved by the Council on the ...3th... day of ...June... 19 66, subject to compliance with the conditions specified hereunder:-

1. The front hedge and trees shall not be removed without the prior approval of the Local Planning Authority, except where the construction of the accesses are necessary. A hedge shall be planted and thereafter maintained along the northern boundary of Site No. 1, together with the erection of a screen fence of a minimum height of 5ft 6 ins., both to be to the satisfaction of the Local Planning Authority.

2. The occupation of the dwelling shall be limited to persons employed or last employed in agriculture as defined by Section 221 (1) of the Town and Country Planning Act, 1962, or in Forestry, and the dependants of such persons, (including a widow or widower of such persons).

3. The accesses to Plots 1 and 2 shall be formed joint, each 8ft wide, set back 6ft and splayed 6ft. The access crossover shall conform to the requirements of Form C attached.

4. The access to Plot 3 shall be in accordance with the attached diagram 8ft wide, 6ft setback and splayed 6ft and conform to the requirements of Form C.

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:— No. 5 see overleaf/

1. In the interests of amenity.
2. The development is justified only on agricultural grounds.
3/4 In the interests of road safety.
5. To safeguard the surface water drainage of the area.
6. To ensure that the materials harmonise with the surroundings

Except as aforesaid any permission granted is subject to due compliance with the byelaws and general statutory provisions in force in the District.

Date 2 8 JUN 1966

Clerk to the Council.

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

Part 1. GENERAL PARTICULARS.

(In this part the word "land" includes any buildings thereon).

(1) Particulars of the applicant's interest in the land (e.g. owner, lessee, prospective purchaser, etc.)	(1) OWNER
(2) Address or location of the land to be developed, in sufficient detail to enable it to be readily identified.	(2) ST. NICHOLAS FARM. DUNT LANE HURST
(3) Give the following information:— (i) Brief description of the proposed development. (ii) The purpose for which the land and/or buildings are to be used. If they are to be used for more than one purpose, give details. (iii) Area of site and (iv) Number of buildings to be erected. *See page 3 Note (a) in relation to industrial buildings, and Note (d) in relation to the working of minerals.*	(3) (i) 3 BUNGALOW DWELLINGS (ii) HOUSEING FARM WORKERS (iii) SITE 1 & 2 150' × 230' APPROX " 3 75' × 230' " (iv) 3 BUNGULOWS WITH GARAGE ATTACHED
(4) State the purpose for which the land and/or buildings are NOW used, and if used for more than one purpose, give details.	(4) GRAZING
(5) State the purpose for which the land and/or buildings were used on the 1st July, 1948, if known, and if used for more than one purpose give details.	(5) GRAZING
(6) State number and widths of:— (i) existing entrances; (ii) existing entrances included under (i) which it is proposed to alter; (iii) proposed new entrances.	(6) (i) (ii) (iii) 3 / 8' WIDE
(7) State whether the proposed development, or any part of it, will be less than 220 feet from the middle of the nearest Trunk Road.	(7) Answer "Yes" or "No." NO
(8) State nature and colour of:— (i) roofing materials; (ii) walls.	(8) (i) DARK RED (ii) MUTI COLOURED S/FACED FLETTONS INSULATION BLOCK LOAD BEARING INSIDE

Pa
A

(9) Is the site within a permission has bee Planning Authorit reference number a

(10) If the building is partly for residenti
(i) the number
See note (b) bel
(ii) the total flo residential pa
See note (c) bel

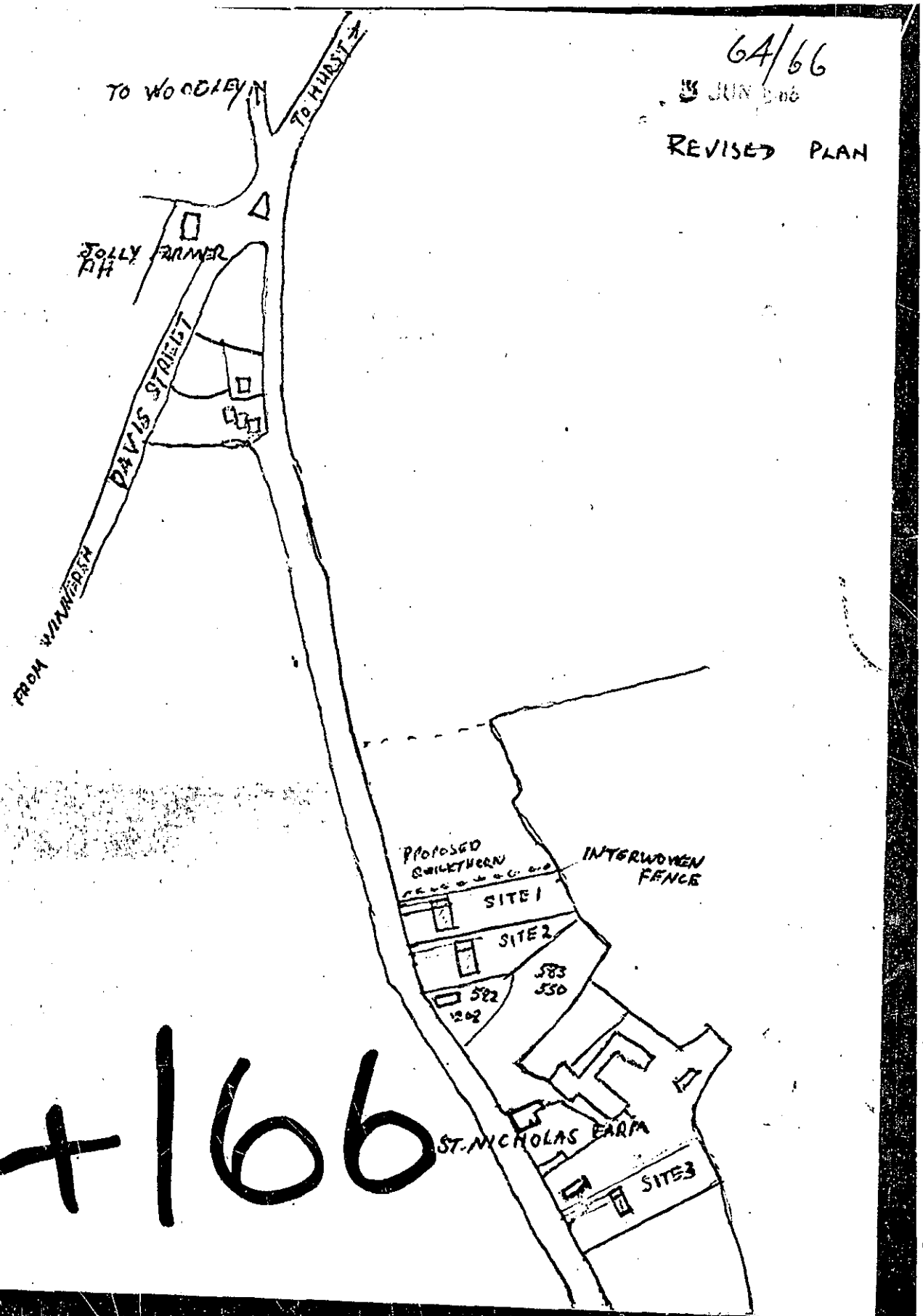
(11) If the building is partly for industri state:—
(i) the nature of or business. trial use, a b type of proce
(ii) the total floor
See note (c) bel
(iii) the intende loading and u
(iv) if for industr disposal of an effluents.

NO
(a) If with indust exceeding Trade cert proper dist
(b) A living room
(c) Th building a
(d) If minerals, a
(i) th
(ii) th
(iii) th
(iv) ho tre
(v) in
In plac application any adjoin existing an or restricti
(e) If form or n ment, sho

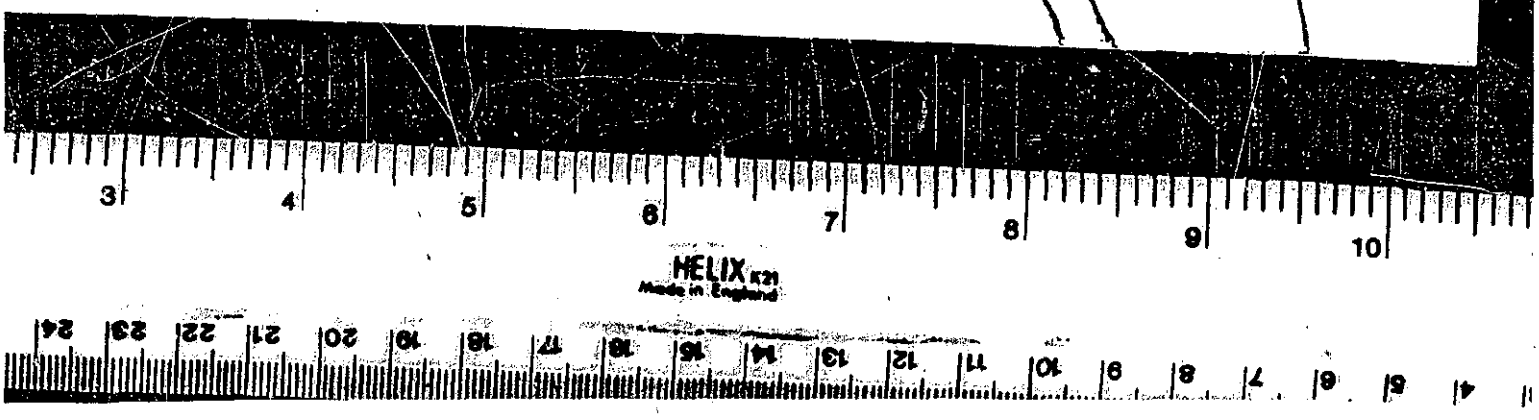
64/66

JUN [illegible]

REVISED PLAN



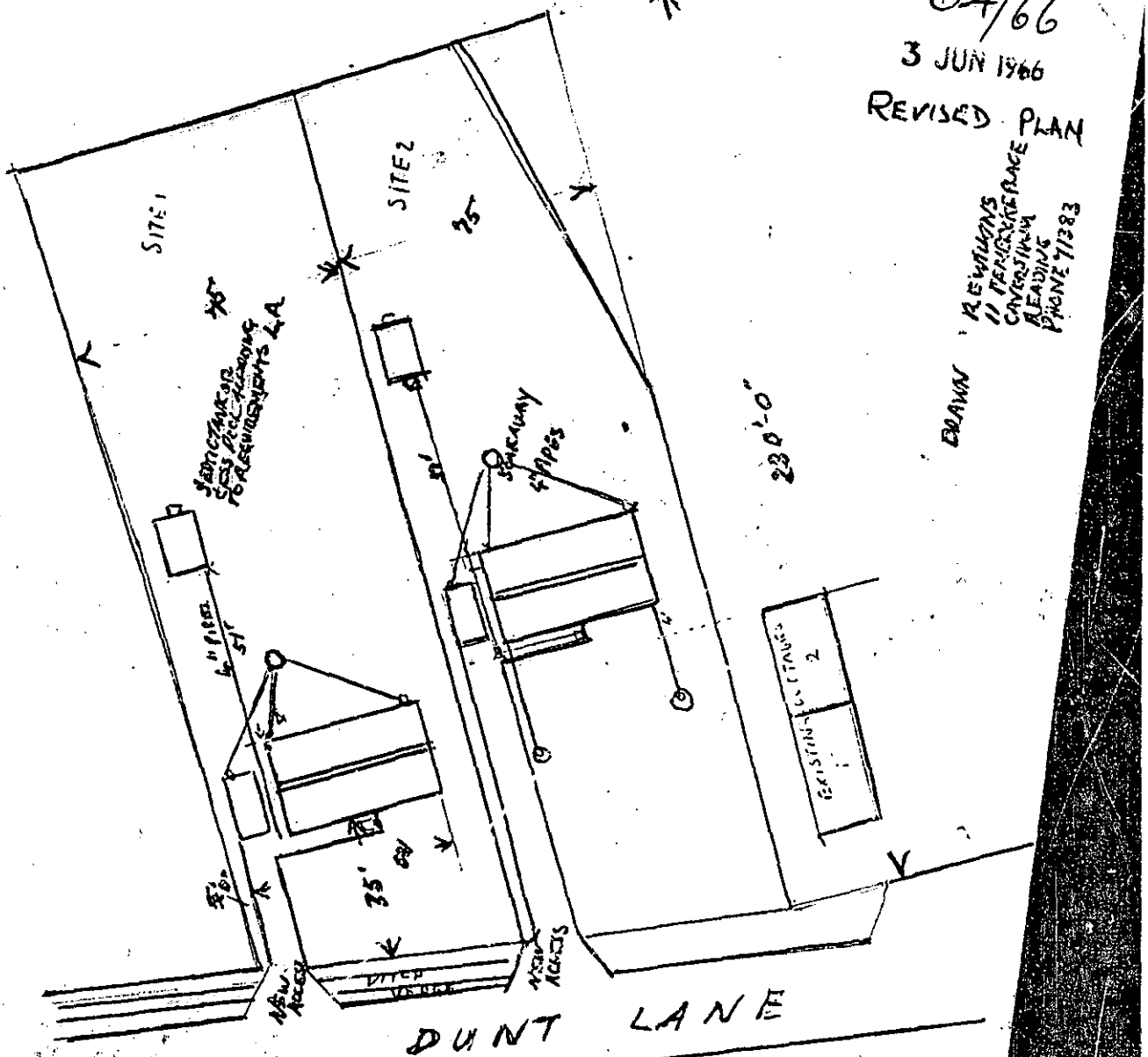
64166



64/66

3 JUN 1966

REVISED PLAN



RE'VITALISING
11 PENGWERN PLACE
CAERPHILLY
ALEABINS
PHONE 71283

64/66

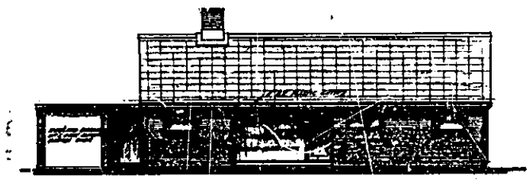
64/66



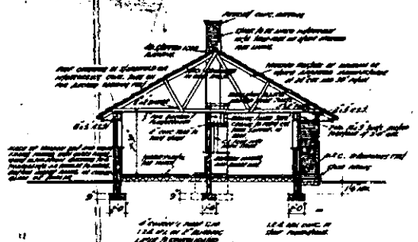
REAR ELEVATION



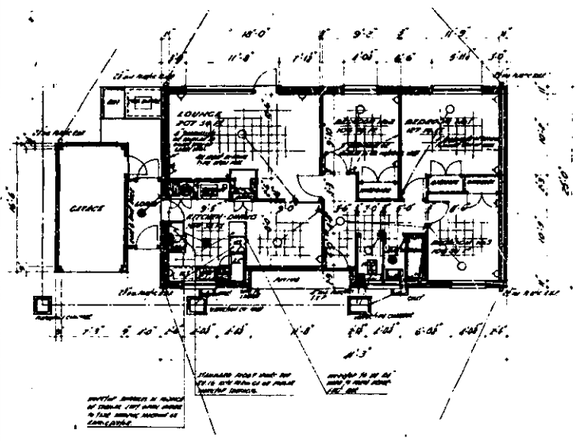
END ELEVATION



FRONT ELEVATION

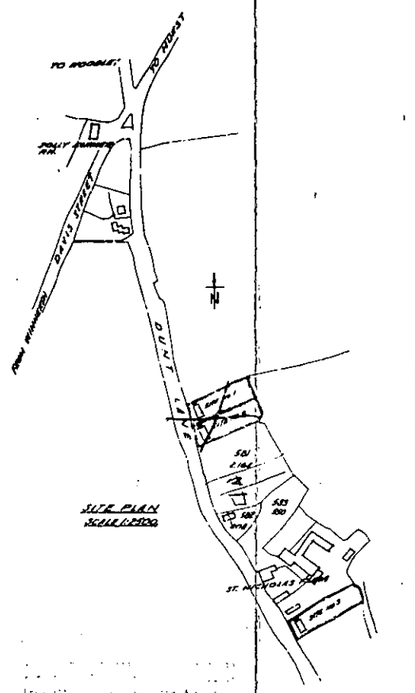


CROSS SECTION

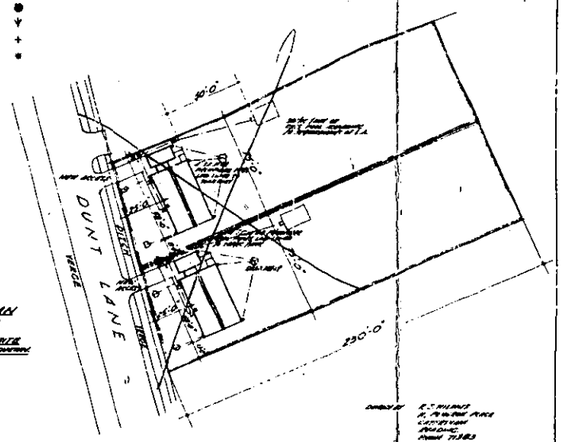


GROUND FLOOR PLAN

SCALE 8FT TO 1 INCH



SITE PLAN
SCALE 1:2500



BLOCK PLAN
SCALE 1:500

LAYOUT OF THREE SITE
IDENTICAL TO THOSE SHOWN

THREE PROPOSED FARM BUNGALOWS AND GARAGES FOR SHIPMAN FARMS LTD. DUNT LANE, HURST, WOKINGHAM R.D.C.

54/66

233

G. N. Hurst Esq.,
Estates Dept,
Ready Mixed Concrete (UK) Ltd.,
RMC House,
High Street,
Feltham,
Middlesex TW13 4HA

19th November 1987

GNH/YPU/1226/2

RVP/PMD/217/3

Mr R V Perry

Dear Sir

HOUSING - FINANCIAL PROVISIONS ACT 1958 - AGRICULTURAL DWELLINGS DUNT LANE, HURST, "MEADOWVIEW" AND "ELMSLEIGH"

I refer to your letter of 9th March 1987 and would apologise for the delay in replying.

Since receipt of your letter, the Council's Housing Committee have resolved as follows:-

That subject to the concurrence of the Council's Planning Committee and the Department of the Environment, no objection be raised to occupation of "Greenacres","Meadowview" and "Elmsleigh" Dunt Lane, Hurst by persons who are not agricultural workers within the terms of the Housing (Financial Provisions) Act 1958 as superseded by the Housing Act 1985 schedule 15 and the Housing (Consequential Provisions) 1985 or within the terms of condition 2 of planning permission 64/66 for the erection of 3 detached bungalows and garages for farm workers at Dunt Lane, Hurst.

The Department of the Environment have responded as follows to the question of the possibility of the Department of the Environment concurrence to the foregoing course of action:-

(2) 'Where grants are payable under section 46 of the Housing (Financial Provisions) Act 1935, now superceded by Part II to Schedule 15 of the Housing Act 1985, no payment is made in any year in which the dwelling is not occupied by agricultural workers. For grant purposes there is no question of consent being needed'.

(3) 'If any applicant seeks to have conditions attached to planning permission removed then such an application must be made to the local authority under the provisions of section 82 (1)(b) of the Town and Country Planning Act 1971. If the local planning authority refuses the application (or fails to determine it within 8 weeks) the applicant would be entitled to appeal to the Secretary of State'.

Continued.....

MLH.

233

G.N. Hurst, Esq.,
Estates Dept.,
Ready Mixed Concrete (UK) Ltd.,
RMC house, High Street,
Feltham, Middlesex, TW13 4HA

PLANNING DEPT.
PASSED TO JS.
COPIES TO
- 2 OCT 1986
ACKNOWLEDGED
FILE No.

29 September 1986

GNH/EM/1226/2

RVP/AL/317/3

Mr. R.V. Perry

Dear Sir;

GREENACRES, DUNT LANE, HURST -
HOUSING ACT 1985 - PLANNING CONSENT No. 64/66

I refer to previous correspondence.

In your letter of 1st September, you stated that the two properties, 'Meadowview' and 'Elmsleigh' were vacant. In case a sale of either property is intended, I should draw your attention to the fact that all three properties, 'Greenacres', 'Meadowview' and 'Elmsleigh' are the subject of the following condition under planning consent No. 64/66:-

'The occupation of the dwelling shall be limited to persons employed or last employed in agriculture as defined by Section 221(1) of the Town and Country Planning Act 1962, or in forestry, and the dependants of such persons (including a widow or widower of such persons).

Reason: The development is justified only on agricultural grounds'.

Before either property, 'Meadowview' or 'Elmsleigh' is sold, therefore, a relaxation of this condition would have to be sought from the District Council (I cannot anticipate whether a relaxation would be likely). As the condition also applies to 'Greenacres', which has been sold, a relaxation of that condition should have been sought prior to sale taking place, and I have notified the solicitor who acted for Mrs. Sillence in her purchase of that property, that such an application for relaxation of the condition is necessary, if the intention is that 'Greenacres' is to be occupied by persons who are not members of the agricultural population.

I attach for your assistance copy of the consent notice No. 64/66 together with copy supporting documents.

Yours faithfully,

J.T. Barnes

Acting District Secretary

c.c. File 400/19/8
Enforcement Officer (Planning)

OUTLINE APPLICATION

References in this document to provisions of the Town and Country Planning Act 1947 to 1959, should be read as references to the appropriate provisions in the Town and Country Planning Act, 1962.

NOTICE OF CONSENT

BERKSHIRE COUNTY COUNCIL
Town and Country Planning Act, 1947

WOKINGHAM RURAL DISTRICT COUNCIL,
COUNCIL OFFICES,
SHUTE END,
WOKINGHAM. BERKS.

To Messrs. Shipman Farms Ltd.,
c/o Messrs. G. Strong & Sons Ltd.,
"Pentewan,"
Park View Drive,
EXFORD,
READING. Berks.

Application No. O/46/66

Proposal Three agricultural workers dwellings at Dunt Lane, Hurst.

Acting as Agent on behalf of the *Berkshire County Council* in pursuance of their powers under the above Act, the *Wokingham Rural District Council* hereby PERMIT the above development to be carried out in accordance with the application and accompanying plans submitted by you and approved by the Council on the 17th day of March, 1966 subject to compliance with the conditions specified hereunder:-

1. Detailed particulars of the siting, design and external appearance of the buildings and the means of access thereto shall be submitted to and approved by the Local Planning Authority before building operations commence.

2. The occupation of the dwelling shall be limited to persons employed or last employed in agriculture as defined by Section 221 (1) of the Town and Country Planning Act, 1962, or in Forestry, and the dependants of such persons, (including a widow or widower of such persons).

3. The dwelling proposed to be sited on the west side of Dunt Lane at the northern end of O.S. Parcel No. 606 shall be resited on O.S. Parcel No. 602 to the south of the St. Nicholas Farm Buildings.

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:—

1. The application is in outline only and not accompanied by detailed plans.

2. The development is justified only on agricultural grounds.

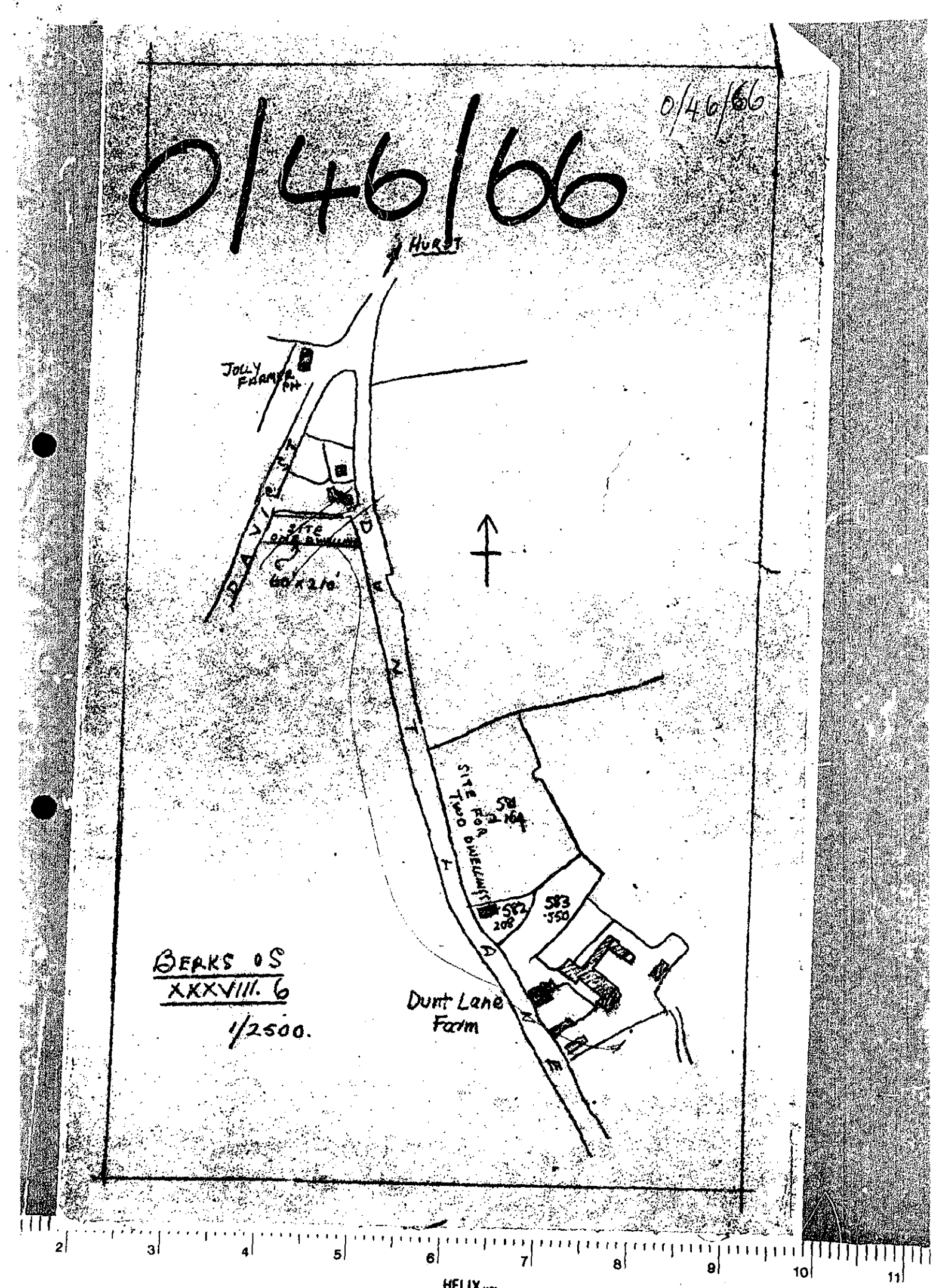
3. In the interests of amenity.

Except as aforesaid any permission granted is subject to due compliance with the byelaws and general statutory provisions in force in the District.

Date 21 MAR 1966

Clerk to the Council.

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


0/46/66
0/46/66
HURST
JOLLY FARMER PH
SITE FOR TWO DWELLINGS
60 x 210'
SITE FOR TWO DWELLINGS
SB1
SB2
208
SB3
250
BERKS 0S
XXXVIII. 6
1/2500.
Dunt Lane Farm
2
3
4
5
6
7
8
9
10
11
HELIX K21
Made in England

Part 1. GENERAL PARTICULARS.

(In this part the word "land" includes any buildings thereon).

(1) Particulars of the applicant's interest in the land (e.g. owner, lessee, prospective purchaser, etc.)	(1) OWNER
(2) Address or location of the land to be developed, in sufficient detail to enable it to be readily identified.	(2) PUNT LANE WORST (SEE ALSO PLAN)
(3) Give the following information:—	
(i) Brief description of the proposed development.	(3) (i) ERECTION OF THREE AGRICULTURAL WORKERS DWELLINGS
(ii) *The purpose for which* the land and/or buildings are to be used. If they are to be used for more than one purpose, give details.	(ii) RESIDENTIAL
(iii) Area of site and	(iii) 20' x 12' AND 25' CH ACRES
(iv) Number of buildings to be erected.	(iv) Three.
See page 3 Note (a) in relation to industrial buildings, and Note (d) in relation to the working of minerals.	
(4) State the purpose for which the land and/or buildings are NOW used, and if used for more than one purpose, give details.	(4) LAND
(5) State the *purpose for* which the land and/or buildings were used on the 1st July, 1948, if known, and if used for more than one purpose give details.	(5) AS ABOVE
(6) State number and widths of:—	(6)
(i) existing entrances;	(i) NIL
(ii) existing entrances included under (I) which it is proposed to alter;	(ii)
(iii) proposed new entrances.	(iii) 3
(7) State whether the proposed development, or any part of it, will be less than 220 feet from the middle of the nearest Trunk Road.	(7) Answer "Yes" or "No." N/O
(8) State nature and colour of:—	(8) (i) N/A AT THIS STAGE
(i) roofing materials;	
(ii) walls.	(ii)

Part II
APPLI
(If th

(9) Is the site within a layo
permission has been gr
Planning Authority, r
reference number and d

(10) If the building is to b
partly for residential pu
(i) the number of hab
See note (b) below.
(ii) the total floor a
residential part
See note (c) below.

(11) If the building is to b
partly for industrial or
state:—
(i) the nature of the
or business, inclu
trial use, a brief
type of processes
(ii) the total floor are
See note (c) below.
(iii) the intended pr
loading and unloa
(iv) if for industri
disposal of any t
effluents.

NOTE
(a) If the
with industrial
exceeding 5,00
Trade certifi
proper distribu
(b) A kite
living room a
(c) The
building at ea
(d) If the
minerals, atta
(i) the t
(ii) the e
(iii) the m
(iv) how
treatm
(v) in the
In place o
application on
any adjoining
existing and p
or restoration
(e) If the
form or note
ment, should

c/o,

[illegible] Limited,

[illegible] Farm
[illegible]
[illegible] Berkshire.

Your ref: WOK.[illegible]/Copy to Boyd.

4th March 1966

The Count, Planning Officer,
County Planning Department,
Third Floor,
49, Friar Street,
Reading.

Dear Sir,

Re: Proposed erection of three farm workers dwellings at Great Lane, Hurst, Berks.

We are in receipt of a copy of your letter dated 23rd inst, which was received by our builders, Messrs. G. Stroud & Sons Ltd., of Twyford, in connection with the above application.

In view of the fact that he did not have to hand the information you required, he has referred your enquiries to us. As we wish all the relevant facts to be placed before the Building and Planning Sub-Committee of the Wokingham Rural District Council at their next meeting, which we understand is on 11th March, we are taking the liberty of writing to you direct in order to avoid any delay.

The land at the [illegible] ownership and farmed by the Company is approximately 600 acres, (300 acres at Knowl Hill and 300 acres at Hurst), of which 300 acres are under Corn annually, the remainder are under either grass or forage crops used in feeding about 200 head of cattle, including a milking herd of 75-80 Friesian Dairy Cows. The remainder of these cattle are either sold for breeding or fattened for beef.

We employ a staff of eight (one in a clerical capacity), who are accommodated as follows:-

One occupying our cottage at Knowl Hill.

Two occupying two of our cottages at Hatch Lane Farm. These cottages are very old and will have to be demolished and replaced in the near future, as they were built round about the year 1700.

Two occupying cottages No's 1 and 2 at St. Nicholas Farm.

One Tractor Driver living away from the farm in his own cottage.

Two Cowmen occupying the Farmhouse at St. Nicholas Farm, this house being divided into two flats.

It is our intention to rehouse the latter two workers, as these flats have never proved satisfactory in practice and we have had extreme difficulty in

getting staff to take up these residences. It has now come to the stage that if we cannot get sufficient staff to operate the dairy side of our business, we shall be forced reluctantly to give up milk production. Good **cowmen** are extremely hard to get and it is only by providing adequate accountable accommodation that one can obtain the right type of staff, so necessary to run this kind of business.

The third dwelling applied for will be used to house the other Tractor driver or an extra worker, in which case we should increase our milking herd to 90 as the larger numbers enable one to operate as [illegible] economical unit.

With reference to the fourth paragraph in your letter regarding the siting of the dwelling; we have given this matter very considerable thought and find that there are no existing buildings that could in any way be converted in to dwellings. The Field O.S. No. 903 that you mention would not be in any way suitable, as not only does it contain the septic tank for St. Nicholas Farmhouse but also a separate septic system for cottages No's 1 and 2 St. Nicholas Farm.

We would like to point out in closing, that these cottages are absolutely essential for the efficient running of the farms and we will naturally give our undertaking that they will only be used for accommodating farm workers.

In the light of the above facts we would be glad if you would give this application your approval.

Yours faithfully,

P.H. Smith, Farms Manager,
for and on behalf of
Bridgman Farms Limited.

NOTICE OF REFUSAL

BERKSHIRE COUNTY COUNCIL

Town and Country Planning Act, 1947

WOKINGHAM RURAL DISTRICT COUNCIL,
COUNCIL OFFICES,
SHUTE END,
WOKINGHAM,
BERKS.

To Mr. H. C. Gardener,
c/o Messrs. Martin & Pole,
7, Broad Street,
WOKINGHAM, Berks.

Application No. O/169/60

Proposal: Outline application for permission to erect one dwelling at Dunt Lane, Hurst, Berks.

Acting as Agent on behalf of the Berkshire County Council in pursuance of their powers under the above Act, the Wokingham Rural District Council hereby REFUSE to permit the above development to be carried out in accordance with the application and accompanying plans submitted by you to the Council on the 25th day of June, 1960, for the following reasons :—

The proposal will represent the undesirable consolidation of a loose group of buildings lying within a wholly rural locality. It will tend to give the appearance of ribbon development and would create a precedent likely to be followed by other owners.

Dated 16 JUL 1960

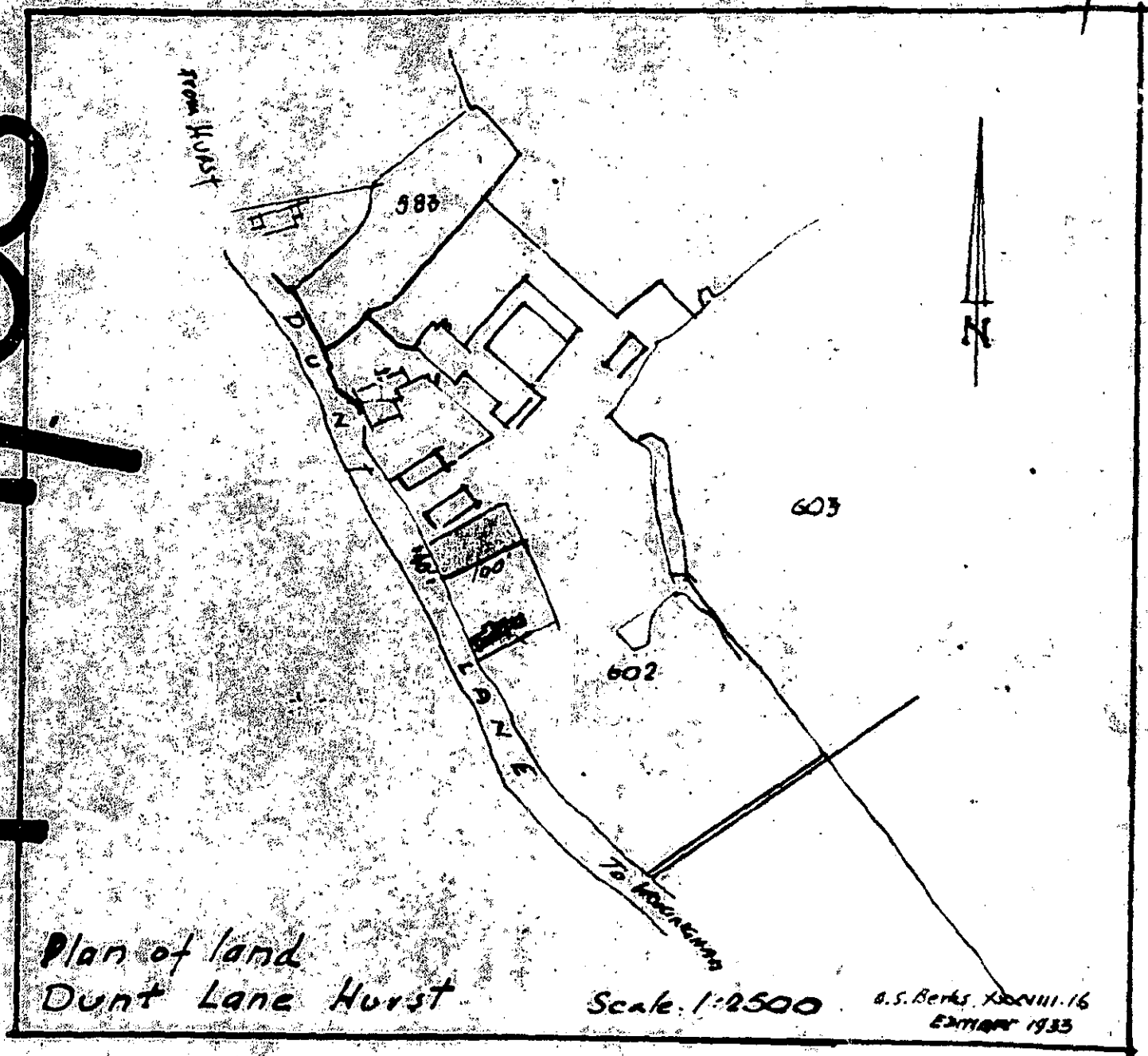
Clerk of the Council

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

PART I. GENERAL PARTICULARS.

(In this part the word "land" includes any buildings thereon).

...culars of the applicant's interest ...the land (*e.g., owner, lessee, prospective purchaser, etc.*) (ii) If the applicant is a prospective purchaser or lessee of the land, state whether the vendor or lessor has consented to the proposed development	(1) (i) Prospective Purchaser (ii)
(2) *Address or location* of the land to be developed, in sufficient detail to enable it to be *readily* identified.	(2) Dunn Lane, adjoining St. Nicholas Farm, Hurst
(3) Give the following information:— (i) Brief description of the *proposed* development. (ii) The purpose for which the *land and/or* buildings are to be used. If *they are to* be used for more than one *purpose*, give details. (iii) Area of site and (iv) Number of buildings to be erected. See page 3 (Note (a) in relation to industrial buildings, and Note (d) in relation to the working of minerals.	(3) (i) Erection of dwelling house (ii) Private (iii) 4,000 sq. ft. (iv) 1
(4) State the *purpose* for which the land and/or buildings *are NOW* used, and if used for more than one purpose, give details.	(4) Garden and grounds to St. Nicholas Farm
(5) State the purpose for which *the land* and/or buildings were used *on the 1st July, 1948*, if known, and if used *for more* than one purpose give details.	(5) As above
(6) State number and widths of:— (i) existing entrances; (ii) existing entrances included under (i) which it is proposed to alter; (iii) proposed new entrances.	(6) (i) (ii) 1 - 9 ft. (iii)
(7) State whether the proposed development, or any part of it, will be less than 220 feet from the middle of the nearest Trunk Road.	(7) Answer "Yes" or "No." No
(8) State nature and colour of:— (i) roofing materials; (ii) walls.	(8) (i) (ii) Outline Application



Plan of land
Dunt Lane Hurst

Scale: 1:2500

O.S. Berks. XXXVIII.16
Edition 1933

GREENACRES,

ADDRESS DUNT LANE PARISH HURST

PLOT No. Old Property GRID. SHEET No. SU.7971 54

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
ORIGINALLY THOUGHT TO HAVE NO HISTORY BUT APPEARED TO BE PROPERTY REFERRED TO ON COND 'A'				
BRA 5843	MR+MRS G SILLENCE	NEW ROOF ON GARAGE/ETC	16 8 88	APP
38602	"	REMOVAL COND 2 ON 64/66 (AGR OCCUPANCY)	25·3·92	C/A
39680	MR+MRS C STEWART	2x S/ST, ETC	22·7·92	C/A
AP/92/0776	"	S/ST. ETC / INT. ALTS	5·10·92	APP.
42932				
AP94/2981	"	NEW DRAINAGE	18·11·94	APP.
[illegible]/5570				

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

GREENACRES (Adjacent to Dunt Lane) E?

ADDRESS 'A' DUNT LANE PARISH HURST

PLOT No. 3 GRID. SHEET No. SU.7971(54)

BUILDER Mr. Strong

Plan No.	Applicant	Description of Development	Date of Decision	Decision
[illegible]/169/68	Mr. H.C. Gardener	Outline	16·7·68	N/H - C/H
[illegible]/A6/66	Messrs. Shipman Farms Ltd	"	17·3·66	N/H - C/H
[illegible]/66	"	Detached Bungalow	9·6·66	Rpp. C/H
VB. AFTER INVESTIGATION IT APPEARS THAT THE PROPERTY REFERRED TO AS GREENACRES WAS BUILT ON THE STRENGTH OF THESE APPLICATIONS ALTHOUGH REFER TO A DIFFERENT SITE. WAS NOW BEEN SOLD BUT HAS AN AGRICULTURAL CONDITION - RE DESIGNATIONS FILE 3/7/3 - GRANG				
BRA 5843	MR+MRS G SILLENCE	NEW ROOF ON GARAGE ETC	16 8 88	APP
38602	"	REMOVAL COND 2 ON 64/66 (AGR. OCCUPANCY COND)	25·3·92	C/A
39680	MR+MRS C STEWART	2x S/ST. ETC	22·7·92	C/A
AP/92/0776	"	S/ST. ETC / INT. ALTS.	5·10·92	APP.

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

AP94/2981	"	NEW DRAINAGE	18·11·94	APP
42932				

THE PIGHTLE

ADDRESS DUNT LANE PARISH HURST

PLOT No. GRID. SHEET No. SU.7971 (54)

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
110/68	Shipmans Farms Ltd.	Detached Bungalow	20.3.68	App. C/A.
40943	WITHDRAWN			
WP94/2981	MR. C. STEWART	NEW DRAINAGE	18.11.94	App
CLU(E)104		NON-AGR. DWELLING	14.7.97	ISSUED d/A
98/67207/F	MR. J. BELCHER	OCCUP. RESTR. DWELLING	24.8.98	Refs
FP99/8329	Belcher Farms.	G.H REPLACE → 4 bed. det. dwelling.	16/2/99	C/A
DN99/0157	J.F. Belcher.	Bungalow.	25/2/99	App.

DATE OF COMPLETION

MINISTRY DECISION 67207 - APPEAL ALLOWED - 7-12-98

SPECIAL ORDERS

DRAINAGE

ADDRESS DUNT LANE Plghtle. PARISH HURST

PLOT No. SD. SHEET No. SU.7971 (54

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
119/68	Shipmeadows Farms Ltd	Detached Bungalow	20.3.69	APP. C/A
40943	WITHDRAWN			
FP94/2981	MR. C. STEWART	NEW DRAINAGE	18.11.94	APP
CLU(E)104		NON-AGR. DWELLING	14.7.97	ISSUED &
98/67207/E	MR. J. BEACHEL	DEM. & REPLACE	24.8.98	REF
FP99/8329	Belcher Farms.	4 bed. det. dwelling.	16/2/99	C/A
DN99/0157	J.F. Belcher.	Bungalow.	25/2/1999	App

DATE OF COMPLETION

MINISTRY DECISION 67207 - APPEAL ALLOWED 7-12-98

SPECIAL ORDERS

DRAINAGE

WOODLANDS

ADDRESS DUNT LANE PARISH HURST

PLOT No. SD. SHEET No. SU. 54 7971

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
119/68	Shipmeadows Farms Ltd	Detached Bungalow	20.3.69	App. C/A
67207	Mr. J.K. Marshall	Erection of Bungalow	4.10.77	App C/A
40943	WITHDRAWN			
42197	MESSRS. R. HANDY	R/S I. EXTENSION	18.2.94	C/A
FP94/2347	"	"	11.4.94	CHAPD
42965	"	RELAX CONDN 3 ON 119/68 TO LIGHT AGR. CONSTRUCTION	21.7.94	C/A
FP94/2981	MR. C. STEWART	NEW DRAINAGE	18.11.94	APP

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

ADDRESS Woodside DUNT LANE PARISH HURST

PLOT No. 54 O.D. SHEET No. SU.7971

BUILDER H. Leach & Sons.

Plan No.	Applicant	Description of Development	Date of Decision	Decision
96/52	Mr. A. Dance	Outline	8.4.52	N/A C/A
322/52	"	Detached Bungalow	8.7.52	Approp. C/A
34614	Mr. S. Wood	Res. Dwelling	~~25.9.89~~	Ref.
35088	"	"	14.3.90	Ref. C/A
AA9716	"	"	18.12.90	Ref.
SAA9913	"	"	28.1.91	App.
38082 W/DR.				
32778 W/DR.				
AN96/0086	RICHARD KENT	DEM/OF BUNGALOW		

DATE OF COMPLETION

MINISTRY DECISION 34614 - APPEAL DISMISSED - 11.7.90

SPECIAL ORDERS 35088 LA REVOKED - 25.9.90

~~DRAINAGE~~ TPO 576/93 R/O PROPERTIES ON L. SIDE

~~FERNLEIGH~~ WINTON LODGE

ADDRESS DUNT LANE PARISH HURST

PLOT No. 45 O.D. SHEET No. SU.7972

BUILDER Mr. Fetherstonhaugh RENAMED 23.1.95

Plan No.	Applicant	Description of Development	Date of Decision	Decision
O/AC/1012	Mr. & Mrs. Fetherstonhaugh	Outline	19.8.96	N/A - C/A
0241/96	"	Detached Bungalow	9.6.96	Approp. C/A
40942	HALL AGGREGATES	REMOVAL AGR. COND. 2 ON 64/66	3.6.93	C/A
42472	MR & MRS M. HOMEWOOD	RES. DWELLING	18.5.94	C/A
FP94/3109	"	"	10.1.95	C/App
44238	"	RES. FOR STORAGE OF AGR. MACHINERY & STABLE/TACK STORE	26.10.95	C/A
~~95/60327/A~~				
FP97/6068	"	AGR. STORE	4.02.97	C/App

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

~~1 KENDON VIEW~~

ADDRESS DUNT LANE PARISH HURST

PLOT No. 2 O.S. SHEET No. 54 SU.7971

BUILDER Mr. Strong

Plan No.	Applicant	Description of Development	Date of Decision	Decision
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	"	Detached bungalow	[illegible]	[illegible]
40942	HALL AGGREGATES	RENEW PERM. COND 2 ON 64/66	2.6.43	C/A
H23233	MR. T. TINSON	2½ St. Det. / Dormer Ext. / Conservatory / Garage	31.3.94	C/A
LP94/2429A	"	"	4.5.94	C/APP
99/69415/F	Mr & Mrs T. R. Tinson.	F/S. / Front extn to form rooms over garage.	18/5/99	C/A
99/9246	"	"	4/11/99	APP

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

~~1 & 2 ST NICHOLAS COTTAGES~~
'FERNLEA'

ADDRESS DUNT LANE PARISH HURST

PLOT No. Old Property O.S. SHEET No. 48 SU.7972

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
98/55	Mr. A. G. Shipman	Bathroom & Porch	6.12.55	App. N/K
103/69	Shipmans Farms Ltd	[illegible]	16.6.69	N/H: C/A
1665/71	" "	Detach. Hse. & Garage	8.7.71	App C/A
P0/616/72	Mr. P. Mitchell	Garage (2nd)	25.5.72	App N/A
[illegible]	"	Rear extension	[illegible]	[illegible]
[illegible]	"	" " + Porch	[illegible]	[illegible]
BR5066	H. & J. H. TAYLOR	" "	6.7.76	App. C/A
050253	"	[illegible]	5.8.76	N/A C/A
29702	"	[illegible]	[illegible]	C/A
C/A H732	"	"	7.4.88	App

Flat & Garage

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

ADDRESS DUNT LANE PARISH HURST

PLOT No. Old Property LISTED O.S. SHEET No. SU. 54 7971

BUILDER Greenacres

Plan No.	Applicant	Description of Development	Date of Decision	Decision
01/69/10	Mr. H. C. Greenacres	[illegible]	16-7-69	U/A C/A
226/72	Mrs J.F Woodfield	Stable	16.3.72	App App
42877 LBC	"	CONSERVATORY	1.8.94	Rec
43540				PD
43539 LBC	"	"	21.11.94	C/A
F/2001/414	Mr & Mrs Lamb.	erection of garden block with shelter	14.9.01	C/A

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

ST. NICHOLAS FARM UNIT 2 - THE SHIPPEN? SEE UNIT 3 - DAIRY UNIT - LAUNDRY BARN?

ADDRESS DUNT LANE HURST E

PLOT No. Old Property O.S. SHEET No. SU. 48 7972

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
25218(LBC) 91	CASTLE PROPERTY LTD	CONVERSION OF FARMHOUSE FARM BARNS TO 3 DWELLINGS	23.4.86	C/A(C
26033 LBC	"	RESITE ACCESS PRIVATE REGS TO PREVIOUS APP.	6.8.86	A
27268/GBSC	JOHN SPRACKLEN INT. LTD	CONST GARAGES/ROOMS ABOVE	AMENDS 18.2.87	C/A
6/4 2234	JOHN SPRACKLEN INT LTD.	"	17.3.87	APP

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

ADDRESS Flat 1 DUNT LANE PARISH HURST

PLOT No. Old Property LISTED BUILDING O.S. SHEET No. 48 SU 7972

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
R/TCS/58	Messrs. Shipperbottom Farmhouse Ltd	Conversion of Farmhouse to 2 flats	16.3.58	Approved
TCS/[illegible]	Mr. G.T. Flint Shipperbottom	Replacement sash	25.1.77	Refused
[illegible]	"	"	17.2.77	n/a
BR 1165	"	"	31.3.77 (28 days from 6th SEPT)	CANCELLED (APP) n/a
Q6033 LBC	CASTLE PROPERTY LTD.	DRIVE/WALL/DEMOLITION/ PITCHED ROOF ON PORCH	6.5.86	C/A
28712/3	MR C.A. LOCHMAN	LBS/ALTS. & NEW BOUNDARY WALL	4.11.87	C/A
LCA 4875	"	" WC OUTLET	3.5.88	APP

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

FLAT 2 ST NICHOLAS FARMHOUSE

ADDRESS DUNT LANE PARISH HURST

PLOT No. Old Property LISTED BUILDING O.S. SHEET No. 48 SU. 7972

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
R/TCS/58	Messrs. Shipperbottom Farmhouse Ltd	Conversion of Farmhouse to 2 flats	16.3.58	Approved
FD/601/61	Mr. R.G. Chester	Garage	28.12.61	Approved
Q6033	CASTLE PROPERTY LTD.	DRIVE/WALL/DEMOLITION/ PITCHED ROOF ON PORCH	6.5.86	C/A
28712/3				
LCA 4875				

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

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

64633

PLANN
DC 09

03 JAN 2002

COPIES TO
ACK
FILE

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

Your Ref: F/2001/5570

Our Ref: APP/X0360/A/02/1091808

Date: 31 December 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MARLOW BUILDING COMPANY LTD
SITE AT GREENACRES, DUNT LANE, HURST, BERKSHIRE, RG10 0TA

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

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

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

Phone No. 0117 372 8252

Fax No. 0117 372 8139

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

Yours faithfully

Mrs Margaret Pocock

COVERDL1

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

   Reason: In pursuance of Section 91(1) 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. 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.

4. 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.

5. Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no extensions or alterations permitted by Classes A, B and C of Part 1 of the Second Schedule of the 1995 Order shall be carried out without the prior written permission of the Local Planning Authority.

   Reason: To safeguard the character of the premises and the residential and visual amenities of the occupiers of adjoining properties.

6. Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows or similar openings shall be constructed in at first-floor level or above in the south-east elevation of the house on plot 1 or at first-floor level or above in either of the side elevations of the house on plot 2 except for any which may be shown on the approved drawing(s).

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties.

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

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

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

   Reason: To safeguard visual amenities.

9. No development shall commence until the new access has been constructed in accordance with Drawing No. LA/01 and shall not be brought into use until the existing access has been permanently closed.

   REASON In the interests of highway safety.

10. Neither dwelling shall be occupied until space for vehicle parking and turning has been provided in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

    REASON To ensure that adequate vehicle circulation, turning space and parking is provided for each dwelling.

11. No development shall commence until the existing access shall be stopped up and abandoned in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

    REASON In the interests of highway safety.

GREEN ACRES, DUNT LANE, HURST

Appeal by Marlow Building Company Ltd

Appeal ref: APP/X0360/A/02/1091808

Agreed Existing Visibility Provision at Site Access

For an X-dimension of 2.0m, the following Y-dimensions can be achieved:

Left: 20m (to nearside edge); 30m (to centreline)

Right: 17m (to nearside edge); 24m (to centreline)

Schedule of Journey Distances to Local Facilities

Item	Description		Distance (km)		
			via Little Hill Road	via Dunt Lane	via A321
1	Rail Station	: Winnersh	2.2	2.5	-
		: Twyford	-	4.3	-
2	Schools	: Winnersh Primary	1.8	2.1	-
		: Forest Comprehensive	2.1	2.4	-
		: St Nicholas Primary	-	2.1	--
		: Emmbrook Comprehensive	4.5	4.8	5.1
		: Holt Comprehensive	5.0	5.3	4.6
3	Leisure	: Hurst Golf Club	-	1.1	-
		: Dinton Pastures	-	1.3	-
		: Bowling Green	-	1.5	-
		: Cricket Club	-	2.6	-
		: Showcase Cinema	4.6	4.9	-
4	Retail	: Sainsbury's, Winnersh	2.4	2.7	-
		: Hurst Village Shops	-	2.6	-

Capital Products, Dunt Lane, Hurst

History:

1967	O/148/67 + R/247/67	temporary permission for a potato store
1971	909/71	2 agricultural workers bungalows refused
1972	107/72	permanent retention of building allowed at appeal
1979	00219	extension to store approved
1980	13800	CoU to storage refused
1982	15269/16180	CoU to storage + tank allowed at appeal
1981	16541	making furniture frames (B1(c)/B2?) refused
1989	31550	extension allowed at appeal, renewed 1994 & 30/9/99
1999	O/1999/0155	5 Dwellings refused

STATEMENT OF COMMON GROUND

APPEAL REFERENCE: APP/X0360/A/02/1091808	DATE OF INQUIRY:	04/12/02

SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT:
Demolition of existing bungalow and erection of 2 chalet style dwellings with detached double garage on land at Greenacres, Dunt Lane, Hurst, Berkshire RG10OTA

APPELLANT The Marlow Building Company Ltd

LPA Wokingham District Council

This statement addresses the following areas of common ground:

1. Description of the site (including agreed dimensions)
2. Description of the area
3. Planning history of site
4. Development plan (including relevant policies) & any draft development plan (including stage reached and weight to be attached).
5. Relevance of any supplementary planning guidance published by LPA.
6. Others: *[eg where applicable, agreed traffic (and/or other) data and circumstances]*

It will be helpful also to identify matters which are the subject of specific disagreement.

Enter text of common grounds
(Please sign the boxes at the end)

See attached sheet

Please turn over

1. There is agreement between the appellants and the LPA in respect of the general description relating to the surrounding area in which the appeal site is situated.

2. There is agreement between the appellants and the LPA concerning the planning history associated with the appeal site along with the planning history relating to other properties found amongst the same group of dwellings in which the appeal site is located on the eastern side of Dunt Lane.

3. It is accepted by both the appellants and the LPA that limited weight should be afforded to the policies contained in the emerging Berkshire Structure Plan 2001 - 2016, as a consequence of the stage reached (See paragraph 3.24 on pages 34 and 35 of the appellants' planning consultant's proof of evidence.

4. It is accepted by the appellants and the LPA that the "development plan" comprises the statutorily adopted Loddon Area Local Plan 1995, along with the statutorily approved Berkshire Structure Plan 1991-2006.

5. It is accepted that the policies most relevant to the development the subject of the current appeal proceedings are Policy C2 taken from the Berkshire Structure Plan 1991-2006 forming part of the "development plan", and Policy WCC1 taken from the emerging Wokingham District Local Plan which has reached an advanced stage along the road to formal adoption.

6. It is accepted by both parties that there is no supplementary planning guidance published by the LPA which is relevant to the development the subject of the current appeal proceedings.

7. The highway consultants acting on behalf of the appellants and the LPA have been asked, so far as is possible, to agree relevant figures in their respective proofs of evidence prior to the opening of the Local Public Inquiry.

Signed on behalf of Appellant	Signed on behalf of LPA
Date 4.12.2002	Date 4/12/2002
Position CONSULTANT ACTING ON BEHALF OF APPELLANT	Position Planning Officer - Wokingham District Council

Please continue on separate sheet(s) if necessary (sign at end)

0118 984 3332

63709

17a Reading Road, Pangbourne, Berkshire RG8 7LR
Telephone: 0118 984 3333
Fax: 0118 984 3332
Email: timnorth.associates@btinternet.com

Tim North & Associates Ltd

RXC

27 NOV 2002

COPIES TO

Fax

To: Emy Circuit **From:** Tim North

Fax: 0118 974 6484 **Pages:** 3 incl.

Phone: **Date:** 27/11/02

Re: Statement of Common Ground **CC:**

☑ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

• **Comments**

Dear Emy

I enclose for your attention seven points which I understand we agree as part of the Statement of common Ground in respect of the appeal concerning the Marlow Building Company Ltd and land at Greenacres, Dunt Lane, Hurst, Berkshire RG10 0TA.

I should be grateful if you could indicate whether you are happy to agree these points following which I will sign the form and send to same to yourself for signature and then onward transmission to The Planning Inspectorate

If I am not able to take your telephone call, please leave a message on either 0118 984 3333 or alternatively, on my mobile no. 07836 678903

ok - telephone message 16:15 2 Dec 2002

0118 984 3332

STATEMENT OF COMMON GROUND

APPEAL REFERENCE: APP/X0360/A/02/1091808	DATE OF INQUIRY:	04/12/02

SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT:
Demolition of existing bungalow and erection of 2 chalet style dwellings with detached double garage on land at Greenacres, Dunt Lane, Hurst, Berkshire RG100TA

APPELLANT The Marlow Building Company Ltd

LPA Wokingham District Council

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2. Description of the area
3. Planning history of site
4. Development plan (including relevant policies) & any draft development plan (including stage reached and weight to be attached).
5. Relevance of any supplementary planning guidance published by LPA.
6. Others: *[eg where applicable, agreed traffic (and/or other) data and circumstances]*

It will be helpful also to identify matters which are the subject of specific disagreement.

Enter text of common grounds
(Please sign the boxes at the end)

See attached sheet

Please turn over

1. There is agreement between the appellants and the LPA in respect of the general description relating to the surrounding area in which the appeal site is situated.

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7. The highway consultants acting on behalf of the appellants and the LPA have been asked, so far as is possible, to agree relevant figures in their respective proofs of evidence prior to the opening of the Local Public Inquiry.

Emy Circuit

From: Emy Circuit
Sent: 13 November 2002 09:21
To: 'Timnorth.associates@btinternet.com'
Subject: Appeal - Green Acres, Dunt Lane, Hurst

Dear Mr North,

With regard to the above appeal, we have not heard anything from you yet regarding a statement of common ground, which I understand is usually initiated by the appellant. Please can you let me know when we can expect to hear from you about this?

I can be contacted by email or on (0118) 974 6479.

Yours sincerely

Emy Circuit
Senior Planning Officer, Development Control

He replied by telephone (not sure if fri. 15 or following week)
arranged to meet 2:00pm Mon 25
fax 27/Nov.
(our 28th + . . seen fri. 29.)
Replied Mon 2nd.

Emy Circuit
From: Keith Rogers
Sent: 02 December 2002 17:28
To: Mary Severin
Cc: Emy Circuit
Subject: FW: Dunt Lane PI - 4 December 2002

Please forward these to Robert.

- Visibility dimensions agreed on the basis that access is from the existing entrance to the propoerty and not the adjacent field gate entrance point.
- The distances also agreed but these relate to car distances as well as by walking & cycling modes.

Keith.

-----Original Message-----
From: Bevis, James [SMTP:James.Bevis@WSPGroup.com]
Sent: Monday, December 02, 2002 5:01 PM
To: 'Keith Rogers'
Subject: RE: Dunt Lane PI - 4 December 2002

Not sure what is going wrong. Here are fax and statement via email instead.

James

-----Original Message-----
From: Keith Rogers [mailto:keith.rogers@wokingham.gov.uk]
Sent: 02 December 2002 16:50
To: 'Bevis, James'
Subject: RE: Dunt Lane PI - 4 December 2002

James
I still haven't received this information. Are you sending to fax number 0118 974 6313 ?
Keith.

-----Original Message-----
From: Bevis, James [SMTP:James.Bevis@WSPGroup.com]
Sent: Monday, December 02, 2002 4:22 PM
To: 'Keith Rogers'
Subject: RE: Dunt Lane PI - 4 December 2002

Keith

I have just put it on the fax again.....hopefully it will work this time.
Please let me know if it doesn't.

James

-----Original Message-----
From: Keith Rogers [mailto:keith.rogers@wokingham.gov.uk <mailto:keith.rogers@wokingham.gov.uk>]
Sent: 02 December 2002 16:16

To: 'james.bevis@wspgroup.com'
Subject: Dunt Lane PI - 4 December 2002
Importance: High

James
There was an error in the fax transmission you sent earlier this afternoon.
Please try again. THanks. Keith.

DISCLAIMER
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DEVELOPMENT

Intec 4
Wade Road
Basingstoke
Hampshire
RG24 8NE

Tel: +44(0)1256 318800
Fax: +44(0)1256 318700
http://www.wspgroup.com

TO	Keith Rogers
COMPANY	WDC
FAX NO	0118 974 6313
COPIES TO	Tim North (0118 984 3332)
	Russell Edwards (01628 481841)
FROM	James Bevis
DATE	02 December 2002
REF	962
NO OF PAGES (inc cover)	2

GREEN ACRES, DUNT LANE, HURST

Keith,

Further to our telephone conversation earlier this afternoon, please find enclosed a revised statement setting out existing visibility and distances to local facilities. These reflect our discussions.

I would welcome your confirmation of agreement to these measurements. Please let me know if you have any further comments on this matter.

Regards,

James

This communication contains information which is confidential and may also be privileged. It is for the exclusive use of the addressee. If you are not the addressee please note that any unauthorised distribution, copying or use of this communication or the information in it is prohibited. If you have received this communication in error please telephone us immediately to arrange for its return.

WSP Development Ltd. Registered office: Buchanan House, 24-30 Holborn, London, EC1N 2HS. Registered number 2382309 England

GREEN ACRES, DUNT LANE, HURST
Appeal by Marlow Building Company Ltd
Appeal ref: APP/X0360/A/02/1091808

Agreed Existing Visibility Provision at Site Access

For an X-dimension of 2.0m, the following Y-dimensions can be achieved:

Left: 20m (to nearside edge); 30m (to centreline)

Right: 17m (to nearside edge); 24m (to centreline)

Schedule of Agreed Walk/Cycle Distances to Local Facilities

Item	Description		Distance (km)		
			via Little Hill Road	via Dunt Lane	via A321
1	Rail Station	: Winnersh	2.2	2.5	-
		: Twyford	-	4.3	-
2	Schools	: Winnersh Primary	1.8	2.1	-
		: Forest Comprehensive	2.1	2.4	-
		: St Nicholas Primary	-	2.1	--
		: Emmbrook Comprehensive	4.5	4.8	5.1
		: Holt Comprehensive	5.0	5.3	4.6
3	Leisure	: Hurst Golf Club	-	1.1	-
		: Dinton Pastures	-	1.3	-
		: Bowling Green	-	1.5	-
		: Cricket Club	-	2.6	-
		: Showcase Cinema	4.6	4.9	-
4	Retail	: Sainsbury's, Winnersh	2.4	2.7	-
		: Hurst Village Shops	-	2.6	-

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: F/2001/5570

Our Ref: APP/X0360/A/02/1091808

Date: 7 November 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MARLOW BUILDING COMPANY LTD
SITE AT GREENACRES, DUNT LANE, HURST, BERKSHIRE, RG10 0TA

I enclose a copy of the appellant's proof of evidence for the above appeal. – To Repro 11/11/02 for 14/11/02

Yours faithfully

Mrs M Pocock

325(BPR)

Our Ref: TFN/emn/12/01

Your Ref: APP/X0360/A/02/1091808

Date: 06 November 2002

Tim North
& Associates
Limited

CHARTERED
TOWN PLANNING
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CONSULTANTS

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Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

RECEIVED
-6 NOV 2002
PINS AA PEP

For the Attention of Mrs. Margaret Pocock

Dear Sir

Re: Town & Country Planning Act 1990 (As Amended) - Section 78 Appeal by The Marlow Building Company Ltd concerning land at "Greenacres", Dunt Lane, Hurst, Berkshire RG10 0TA

I refer to Mrs. Pockock's letter of 11th June 2002 as it concerns the above mentioned appeal, and in accordance with the timetable set out therein, I now have pleasure in enclosing two copies of the appellant's proof of evidence, appendices and photographs, together with a Summary, which have been couriered to you at today's date to ensure safe delivery.

You will have received two copies of a separate proof of evidence from Mr. James Bevis of Messrs. WSP Development Ltd concerning the same appeal proceedings which addresses highway issues and forms part of the appellant's case.

I should appreciate if you could confirm safe receipt of all these documents, a copy of which should be forwarded on to the LPA.

Yours faithfully

T.F. North

cc: Marlow Building Co. Ltd.
James Bevis, WSP Development Ltd

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

Proof of evidence of Emy Circuit

APPELLANT:	**Marlow Building Co Ltd**
APPEAL SITE:	**Greenacres, Dunt Lane, Hurst**
REASON FOR APPEAL:	**Refusal of planning permission for the erection of two detached dwellings and demolition of the existing dwelling.**

LOCAL PLANNING AUTHORITY REFERENCE : F/2001/5570

PLANNING INSPECTORATE REFERENCE : APP/X0360/A/02/1091808

1.00 INTRODUCTION

1.01 I am Emy Circuit. I hold a Bachelor of Arts Honours Degree in Geography, a Master of Science Degree in Urban Planning and a Post Graduate Diploma in Urban Design and I am a member of the Royal Town Planning Institute. I am a planning officer in the Development Control Section of Wokingham District Council. I have five years of experience as a planning officer, the last three of which have been as a Development Control Officer at Wokingham District Council.

2.00 SITE DESCRIPTION

2.01 Greenacres is a bungalow, located on a 0.18 hectare site on the north-eastern side of Dunt Lane, in the parish of Hurst. This is a rural area, designated as Countryside in both the adopted and emerging local plans.

2.02 The area is characterised by sporadic groups of dwellings fronting rural lanes and Greenacres is one of such a group, centred around St Nicholas Farm. The dwellings in this group all lie on the north-eastern side of Dunt Lane, which is a narrow road, without footpaths or street lighting. There are fields on the south-western side of the road, separated from it by a grass verge and well established hedge, and at the rear of the dwellings.

2.03 St Nicholas Farmhouse is a grade II listed building and lies close to the road, fronting Dunt Lane. Former agricultural buildings, some of which have been converted to form three new dwellings, lie to the south and east of the farmhouse. The appearance of a group of farm buildings has been retained and this development has not resulted in a significant urbanisation in the character of the area.

2.04 Beyond these, to the south-east is Dunt Cottage, a grade II listed dwelling. The cottage lies perpendicular to the road and has gardens to the front and rear.

2.05 The remainder of this cluster of dwellings comprises of six more modern properties: Fernlea (shown as 1 and 2 St Nicholas Cottages on the ordnance survey extract), Meadow View and Winton Lodge to the north-west of the farm and Greenacres, The Pightle and Woodlands to the south-east. Greenacres and Woodlands are bungalows and the remainder are two-storey. Adjacent to Woodlands is the access to Capital Products, a former agricultural building, now used for food storage and packing.

2.06 A strip of land, between Dunt Cottage and Greenacres provides access to land to the rear of these dwellings. This land is included within the 'red line' of the site boundary although it lies outside the garden of Greenacres and the area it is proposed to redevelop.

2.07 A site location plan at scale 1:1250 is contained in Appendix 1 of the rule 6 statement.

3.00 RELEVANT PLANNING HISTORY

3.01 Planning records indicate that in the mid-twentieth century, this group of buildings comprised of St Nicholas Farmhouse and the surrounding farm buildings, Dunt Cottage and a pair of semi-detached properties, 1 and 2 St Nicholas Cottages, on the site of Fernlea.

3.02 In 1959 planning permission was granted for St Nicholas Farmhouse to be converted to form two flats (R/28/59).

3.03 In 1960 outline planning permission was sought for a dwelling on the site of Greenacres (O/169/60) but permission was refused for the reason that *"The proposal will represent the undesirable consolidation of a loose group of buildings lying within a wholly rural locality. It will tend to give the appearance of ribbon development and would create a precedent likely to by followed by other owners".*

3.04 In March 1966 an outline application (O/46/66) for the erection of three agricultural workers dwellings, on the sites of Greenacres, Meadow View and Winton Lodge, was granted conditional approval and reserved matters for three bungalows was approved in June of the same year (46/66). Conditions included one restricting occupation of the dwellings to *"persons employed or last employed in agriculture.... or forestry, and the dependents of such persons...."*.

3.05 In 1969 planning permission for two additional agricultural workers dwellings, now the Pightle and Woodlands, was granted conditional approval.

3.06 In 1969 outline consent (O/103/69) for demolition of 1 & 2 St Nicholas Cottages and erection of a detached dwelling was approved, with reserved matters being granted in 1971 (665/71).

3.07 In 1986 planning permission and listed building consent were granted for conversion of redundant farm buildings to form three dwellings (25218/9), now known as Northfield House, Linhay Barn and Dairy House.

3.08 Between 1992 and 1997 all five of the dwellings originally permitted as agricultural workers dwellings were the subject of successful applications to vary the conditions restricting occupancy or for a certificate of lawful use.

3.09 Also during the 1990's, the five original bungalows have all been either extended or replaced: single-storey extensions to Greenacres were approved in 1992; a single-storey extension to Woodlands was approved in 1994; single-, two-storey and first-floor extensions to Meadow View were approved in 1994 and 1999; a replacement dwelling was approved at Winton Lodge in 1994 and a replacement dwelling at The Pightle was allowed at appeal in 1998.

3.10 In December 2001 an application for the demolition of the existing bungalow at Greenacres and the erection of two, two-storey dwellings was submitted. The application, which is the subject of this appeal, was refused on 12 April 2002. There were four reasons for refusal. The first two reasons were as follows:

1. *The proposal is for development in the Countryside and, as such, is contrary to Policy C2 of the adopted Berkshire Structure Plan, Policy DP6 of the emerging Berkshire Structure Plan, Policy LTV2 of the Loddon Area Local Plan and Policies WOS2 and WCC1 of the Wokingham District Local Plan (Deposit Draft).*

2. *The proposed development would result in an increase in massing, intensification in the use of the site and an urbanising impact that would be detrimental to the rural character of the area and the setting of the neighbouring listed building. As such it would be contrary to policies C2, EN1 and EN4 of the adopted Berkshire Structure Plan, policies DP6 and EN4 of the emerging Berkshire Structure Plan, policies LTV2, LBE1 and LBE2 of the Loddon Area Local Plan and policies WOS3, WOS10, WCC1, WBE1 and WHE11 of the Wokingham District Local Plan (Deposit Draft).*

3.11 The third and fourth reasons will be addressed in a separate report, to be submitted by the Highway Officer.

4.00 POLICY BACKGROUND

4.01 The development plan for the area comprises of the Berkshire Structure Plan 1991-2006 and the Loddon Area Local Plan. There are also an emerging structure plan and an emerging district wide local plan. The relevant policies in each plan are set out below. Copies of these have already been provided.

4.02 The Berkshire Structure Plan (1991-2006) was adopted on 4 November 1995. The relevant policies are:

C2	Development Outside Built-Up Areas and Settlements
EN1	Protection and Enhancement of the Environment of Built-Up Areas
EN4	Development Proposals Related to Buildings of Special Character and Interest

4.03 The Loddon Area Local Plan was adopted on 5 May 1995 and, on 26 November 1996, the Planning and Transportation Committee resolved that it should continue to carry weight as the most up to date adopted plan, except in relation to housing provision. The following South East Area Local Plan policies are relevant to this appeal:

LTV2	Development in Rural Areas
LBE1	Design of New Development
LBE2	Inappropriate Design

4.04 The emerging local plan is the Wokingham District Local Plan Deposit Draft. Berkshire County Council issued a statement of general conformity with the structure plan in May 1997 and the plan was placed on deposit in 21 October 1997. The first phase of the Public Local Inquiry into the emerging plan took place between October 1998 and October 1999 and the second phase commenced in February 2000 and is ongoing. The following policies are relevant to this appeal:

No ended + inspectors report a year ago.

WOS2	General Development Principles
WOS3	Development Control Principles
WOS10	The Historical Environment
~~WCC1~~	~~Development in the Countryside (Outside the Metropolitan Green Belt)~~
~~WBE1~~	~~Development in its Local Context~~

WCC1	Development in the Countryside (Outside the Metropolitan Green Belt)
WBE1	Development in its Local Context
WHE11	Retention of Setting of Listed Buildings

4.05 A draft of the Berkshire Structure Plan 2006-2011 was placed on deposit between 15 March and 26 April 2002. The plan is at an early stage in the adoption so little weight can be afforded to it. The relevant policies are:

DP6	Land Outside Settlements
EN4	Historic Environment

4.06 Copies of the Local Plan Inspectors comments regarding these policies are contained in Appendix 2 of the rule 6 statement.

5.00 THE COUNCIL'S CASE

5.01 The Council's case relates both to the principle of the appeal proposal and to its impact on the character of the area: the proposal is not acceptable in principle, either as a redevelopment proposal in the countryside or as an infill in an existing built up frontage and the increase in massing and intensification in the use of the site resulting from it would have an urbanising impact, detrimental to the rural character of the area and the setting of the neighbouring listed building, Dunt Cottage.

The principle of Development

5.02 Policy WOS2 of the emerging local plan establishes that development is acceptable in principle within the boundaries of the Identified Settlements but is only acceptable outside these settlements in exceptional circumstances: the appeal site lies in a rural area, outside the boundaries of any Identified Settlement.

5.03 The Local Plan Inspector has recommended that policy WOS2 be replaced and re-titled (paragraphs 1.38-1.43 of the Inspector's report). The modified policy would relate to "Housing Development Principles" and would employ a sequential approach. The Identified Settlements would be categorised as category A or category B settlements and the preferred location for housing development would be previously developed land in category A settlements, followed by land in accessible locations on the edge of these settlements and finally limited infilling in category B settlements. Land outside the settlements would no longer be referred to in this policy but this would not alter the principle that development outside the Identified Settlements should be strictly controlled, as policy WCC1 would still be applicable.

and would employ a sequential approach. The Identified Settlements would be categorised as category A or category B settlements and the preferred location for housing development would be previously developed land in category A settlements, followed by land in accessible locations on the edge of these settlements and finally limited infilling in category B settlements. Land outside the settlements would no longer be referred to in this policy but this would not alter the principle that development outside the Identified Settlements should be strictly controlled, as policy WCC1 would still be applicable.

5.04 In accordance with policies C2 of the adopted Berkshire Structure Plan, LTV2 of the Loddon Area Local Plan and WCC1 and WOS2 of the Wokingham District Local Plan (Deposit Draft), development in rural areas will only be permitted in exceptional circumstances. These policies identify circumstances where development may, in principle, be acceptable in the countryside. Of relevance to this appeal, Berkshire Structure Plan policy C2 (ii) and Wokingham District Local Plan (Deposit Draft) Policy WCC1 F) refer to redevelopment of existing buildings. In line with the guidance given in PPG7 criterion H) of Wokingham District Local Plan (Deposit Draft) Policy WCC1 also allows for *"sensitive infilling of one or two dwellings in a small gap in an otherwise built up frontage where the development would not adversely affect the character or appearance of the area"*. Where development is acceptable in principle it is on the proviso that the scale, form, character and siting are acceptable in the location.

5.05 Some changes to the wording of policy WCC1 have been recommended by the Local Plan Inspector. The most significant change, with regard to this appeal, is that deletion of category F) is recommended. The Inspector considered that sites that offer the opportunity for redevelopment in rural areas are likely to be in inaccessible and, by implication, unsustainable, locations. Hence, each such case should be judged on its merits as an exception to the plan (para 2.57 of the Local Plan Inspector's report). It is worth noting

that policy DP6 of the emerging structure plan does not make reference to redevelopment proposals.

5.06 The appeal proposal would require the demolition of the existing dwelling and, hence, is most accurately described as a redevelopment proposal. In accordance with Berkshire Structure Plan Policy C2 (ii) and policy WCC1 F) of the emerging local plan, redevelopment may be acceptable where the scale, form, materials, design and character are appropriate to the location in the countryside. In this case, the scale, form and character of the proposed development are not appropriate to the rural location: the reasons why this is the case are set out in the following section, dealing with the impact on the character of the area.

5.07 Furthermore, the Local Plan Inspector concluded that redevelopment proposals in the countryside should not be considered as acceptable in principle but only as exceptions to the plan. The reason for this is that many potential sites are in inaccessible locations. In the case of the appeal proposal, the fourth reason for refusal, which will be elaborated on by the Highway Officer in a separate report, relates to the *"unsustainable location"*, which would result in *"most, if not all, journeys being made by private car"*. Since the appeal site is in an inaccessible location, it would not be reasonable to consider any redevelopment that would result in an intensification in the use of the site as acceptable, as an exception to policy WCC1.

5.08 Paragraph 4.01 of the appellant's Rule 6 statement suggests that the appeal proposal is consistent with national policy as it relates to infilling of small gaps within groups of houses in the countryside. The Council disputes this point. Policy WCC1 differentiates between redevelopment proposals and infilling of small gaps within otherwise built up frontages. The appeal proposal is a redevelopment proposal: demolition of the existing dwelling would be necessary to create sufficient space to build the two detached dwellings proposed and,

hence, the proposal cannot be considered as infilling of a small gap in an otherwise built up frontage.

5.09 If it were to be accepted that a redevelopment proposal could be considered as consistent with infilling of a small gap in an otherwise built up frontage, it must be considered whether the group of buildings, within which the appeal site lies, does constitute a built up frontage. The Council's view is that a built up frontage would have a linear form, the buildings would be closely and fairly regularly spaced and most if not all of them would front the public highway. The layout of the group of buildings in question is too fragmented to be considered as a built up frontage.

5.10 The cluster of dwellings falls into three distinct sub-groups. At the centre, in the historic core, lie St Nicholas Farm House, Dunt Cottage and the former agricultural buildings, now converted to dwellings. To either side of the core are three more modern dwellings: Winton Lodge, Meadow View and Fernlea to the north-west; Greenacres, The Pightle and Woodlands to the south-east.

5.11 At the core of the group, St Nicholas Farm House fronts Dunt Lane. Northfield House and Linhay Barn are set back from the road, to the north-east of the farmhouse and the Dairy House lies 19 metres to the south-east of the farmhouse, perpendicular to the road. There is an agricultural building opposite to the Dairy House and to the passer-by it is not immediately apparent that the building has been converted to residential use. There is 50 metres between the Dairy House and Dunt Cottage, which also lies perpendicular to the highway, with its flank adjoining the verge, and has gardens to the front and rear.

5.12 To the north-west of the farmhouse, there is then a 41 metre gap between St Nicholas Farm House and the boundary with Fernlea. Winton Lodge, Meadow View and Fernlea are now all two-storey

dwellings, fronting the road. They are fairly evenly spaced across a 77 metre frontage.

5.13 To the south-east of the central group, there is 22 metres between Dunt Cottage and Greenacres. This space is occupied by the garden of Dunt Cottage and a grassy strip of land, which provides access to the land at the rear of the dwellings on either side.

5.14 There is 7.5 metres between the flank of Greenacres and the Pightle and 13.5 metres between the Pightle and Woodlands.

5.15 The non-linear layout of the dwellings at the centre of the group and the wide spacing between them prevents them forming a built up frontage. Rather the group has the appearance of a farm with three more modern dwellings to either side of it. Hence, the appeal proposal cannot be considered to comply with Wokingham District Local Plan (Deposit Draft) policy WCC1 H) or the guidance given in PPG7.

The Impact on the rural character of the area

5.16 Where development complies in principle with policies C2 of the adopted Berkshire Structure Plan, LTV2 of the Loddon Area Local Plan and WCC1 of the Wokingham District Local Plan (Deposit Draft), its scale, form, character and siting should be appropriate to the location in the countryside. Achieving good quality design that is appropriate to its context is the subject of Berkshire Structure Plan Policy EN1, LALP Policies LBE1 and LBE2 and Wokingham District Local Plan (Deposit Draft) Policies WOS3 and WBE1. New development should be of a high standard of design appropriate to its setting and the character of the area in which it is to be situated. Development that is inappropriate in terms of its relationship with adjoining sites and buildings, or which would adversely affect the character of the area, by virtue of its siting, scale, form, massing will not normally be permitted.

5.17 No changes to policy WOS3 were recommended, other than the amendments proposed by the Council. The Inspector considers that policy WBE1 should be re-titled "design and new development" and restructured to place stronger emphasis on sustainability issues and the need for good design (paragraphs 4.10-4.13 of the Inspector's report).

5.18 The existing bungalow on the appeal site is a modest building with a shallow pitched roof and low ridge. It has an overall length of 23 metres, the main building has a depth of 7.8 metres and the maximum ridge height is approximately 5.3 metres. The existing building lies 1.5 metres from the north-western boundary and 12 metres from the south-eastern boundary and about 19 metres from the front and rear boundaries. Thus, it is an unobtrusive structure and its siting maintains a spacious character.

5.19 The appeal proposal would replace the one three-bedroom bungalow with two, two-storey, four-bedroom houses.

5.20 There would be only 3.4 metres between the two proposed houses and 4.4 metres between these and the Pightle. The space between Woodlands and the Pightle is already less than that between any other two properties in this group but because there are larger spaces to either side of these two dwellings, they do not appear significantly more cramped. The appeal proposal would result in a row of four dwellings, much more closely spaced than is characteristic in this area and this would cause them to appear relatively cramped. The proposed buildings would also be taller than the existing bungalow: each would have a maximum ridge height of 6.7 metres, 1.4 metres higher than the existing building. This would cause them to be more prominent than the bungalow and, hence, the relatively cramped relationship would be more apparent. The detached double garage at the front of plot 2 would also be a prominent, feature, due to its siting and height. The dwellings would be larger than the existing property but the gardens

would be smaller and, therefore, would be likely to be more intensively used.

5.21 Thus, the increase in the number of buildings and their height and the reduction in the space around them would result in a cramped and urban character, out of keeping with the spacious rural character of the existing loose group of buildings. This would be detrimental to the rural character of the area.

The Impact on the setting of the neighbouring listed building

5.22 Dunt Cottage is a seventeenth century, Grade II Listed Building and, hence, policies relating to the setting of listed buildings are also relevant. In accordance with PPG15 adopted Berkshire Structure Plan Policy EN4, emerging Berkshire Structure Plan policy EN4 and Wokingham District Local Plan (Deposit Draft) Policy WOS10 expect proposals to preserve or enhance the setting of Listed Buildings. Policy WHE11 of the Wokingham District Local Plan (Deposit Draft) amplifies this advice: new development adjacent to a listed building, whether within or outside its curtilage should respect the historic setting and be sympathetic in scale, massing and proportions.

5.23 There were no objections to policy WOS10 and, hence, the Inspector did not comment on it. It is recommended that Policy WBE11 be deleted and replaced but the principles involved and the main considerations listed in the policy remain the same (paragraphs 4.161-4.164 of the Inspector's report).

5.24 Dunt Cottage has a rural setting and historically there would have been only sporadic development in the vicinity, associated with the agricultural use of the land. The siting of the cottage is perpendicular to the road and the appeal site lies to the front of it. Hence, any development on it is of particular significance to the setting of the

building. For the reasons set out in paragraphs 5.18-5.21 the proposal would have an urbanising impact and this would harm the rural setting of the listed building.

6.00 CONCLUSION

6.01 The appeal proposal does not represent a form of development that is acceptable in principle in a rural area. To be acceptable as a redevelopment proposal, the development should be appropriate to the rural setting, which is not the case in this instance, and the site is not located within an existing built up frontage. Furthermore, the proposed increase in the number and size of the dwellings on the site would be harmful to the rural character of the area and this would be detrimental to the setting of the neighbouring listed building. For these reasons, the Inspector is requested to dismiss this appeal.

summary

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

Summary Proof of Evidence of Emy Circuit

APPELLANT:	**Marlow Building Co Ltd**
APPEAL SITE:	**Greenacres, Dunt Lane, Hurst**
REASON FOR APPEAL:	**Refusal of planning permission for the erection of two detached dwellings and demolition of the existing dwelling.**

LOCAL PLANNING AUTHORITY REFERENCE : F/2001/5570

PLANNING INSPECTORATE REFERENCE : APP/X0360/A/02/1091808

1.00 SITE DESCRIPTION

1.01 Greenacres is a bungalow, located on a 0.18 hectare site on the north-eastern side of Dunt Lane, in the parish of Hurst. This is a rural area, designated as Countryside in both the adopted and emerging local plans.

1.02 The area is characterised by sporadic groups of dwellings fronting rural lanes and Greenacres is one of such a group, centred around St Nicholas Farm. The dwellings in this group all lie on the north-eastern side of Dunt Lane, which is a narrow road, without footpaths or street lighting. There are fields on the south-western side of the road, separated from it by a grass verge and well established hedge, and at the rear of the dwellings.

1.03 St Nicholas Farmhouse is a grade II listed building and lies close to the road, fronting Dunt Lane. Former agricultural buildings, some of which have been converted to form three new dwellings, lie to the south and east of the farmhouse. The appearance of a group of farm buildings

has been retained and this development has not resulted in a significant urbanisation in the character of the area.

1.04 Beyond these, to the south-east is Dunt Cottage, a grade II listed dwelling. The cottage lies perpendicular to the road and has gardens to the front and rear.

1.05 The remainder of this cluster of dwellings comprises of six more modern properties: Fernlea (shown as 1 and 2 St Nicholas Cottages on the ordnance survey extract), Meadow View and Winton Lodge to the north-west of the farm and Greenacres, The Pightle and Woodlands to the south-east. Greenacres and Woodlands are bungalows and the remainder are two-storey. Adjacent to Woodlands is the access to Capital Products, a former agricultural building, now used for food storage and packing.

1.06 A strip of land, between Dunt Cottage and Greenacres provides access to land to the rear of these dwellings.

2.00 RELEVANT PLANNING HISTORY

2.01 Planning records indicate that in the mid-twentieth century, this group of buildings comprised of St Nicholas Farmhouse and the surrounding farm buildings, Dunt Cottage and a pair of semi-detached properties, 1 and 2 St Nicholas Cottages, on the site of Fernlea.

2.02 Between the late 1950's and early 1970's permission was granted for conversion of St Nicholas Farmhouse to form two flats, five agricultural workers dwellings, on the sites of Meadow View, Winton Lodge, Greenacres, the Pightle and Woodlands and replacement of 1 and 2 St Nicholas Cottages with a single dwelling, Fernlea. In 1986 permission was granted for conversion of redundant farm buildings to form three dwellings now known as Northfield House, Linhay Barn and Dairy House.

2.03 During the 1990's the five original bungalows were all either extended or replaced and the conditions restricting the occupancy them were varied.

2.04 In December 2001 an application for the demolition of the existing bungalow at Greenacres and the erection of two, two-storey dwellings was submitted. The application, which is the subject of this appeal, was refused on 12 April 2002. Of the four reasons for refusal, the first two, which relate to the principle of development and impact on the character of the area and setting of the listed building, will be addressed in this statement.

3.00 POLICY BACKGROUND

3.01 The development plan for the area comprises of the Berkshire Structure Plan 1991-2006 and the Loddon Area Local Plan. There are also an emerging structure plan and an emerging district wide local plan. The relevant policies have been referred to in paragraphs 4.02 - 4.05 of my statement.

4.00 THE COUNCIL'S CASE

4.01 The Council's case relates both to the principle of the appeal proposal and to its impact on the character of the area: the proposal is not acceptable in principle, either as a redevelopment proposal in the countryside or as an infill in an existing built up frontage and the increase in massing and intensification in the use of the site resulting from it would have an urbanising impact, detrimental to the rural character of the area and the setting of the neighbouring listed building, Dunt Cottage.

The principle of Development

4.02 The appeal site lies in a rural area, outside the boundaries of any Identified Settlement. In accordance with development plan policies, development in rural areas is only acceptable, in principle, in exceptional circumstances. These include redevelopment of existing buildings and *"sensitive infilling of one or two dwellings in a small gap in an otherwise built up frontage where the development would not adversely affect the character or appearance of the area"*. In any case, where development is acceptable in principle it is on the proviso that the scale, form, character and siting are acceptable in the location. In this case, the scale, form and character of the proposed development are not appropriate to the rural location.

4.03 The Local Plan Inspector has recommended that the criterion relating to redevelopment proposals be deleted from Policy WCC1: redevelopment proposals in the countryside should not be considered as acceptable in principle but only as exceptions to the plan because sites that offer the opportunity for redevelopment in rural areas are likely to be in inaccessible and, by implication, unsustainable, locations. The Highway Officer will demonstrate that this is the case in this instance.

4.04 Demolition of the existing dwelling would be necessary to create sufficient space to build the two detached dwellings proposed and, hence, the proposal should be considered as redevelopment rather than infilling of a small gap in an otherwise built up frontage. However, if it were to be accepted that a redevelopment proposal could be considered as consistent with infilling of a small gap in an otherwise built up frontage, it must be considered whether the group of buildings, within which the appeal site lies, does constitute a built up frontage. The Council's view is that a built up frontage would have a linear form, the buildings would be closely and fairly regularly spaced and most if not all of them would front the public highway. The layout of the group of buildings in question is too fragmented to be considered as a built up frontage.

4.05 The cluster of dwellings falls into three distinct sub-groups. At the centre, in the historic core, lie St Nicholas Farm House, Dunt Cottage and the former agricultural buildings, now converted to dwellings. To either side of the core are three more modern dwellings: Winton Lodge, Meadow View and Fernlea to the north-west; Greenacres, The Pightle and Woodlands to the south-east. Paragraphs 5.11- 5.14 of my statement describe the relationship between these dwellings.

4.06 The non-linear layout of the dwellings at the centre of the group and the wide spacing between them prevents them forming a built up frontage. Rather the group has the appearance of a farm with three more modern dwellings to either side of it. Hence, the appeal proposal cannot be considered to comply with Wokingham District Local Plan (Deposit Draft) policy WCC1 H) or the guidance given in PPG7.

The Impact on the rural character of the area

4.07 Where development in a rural are is acceptable in principle, its scale, form, character and siting should be appropriate to the location in the countryside and all new development should achieve good quality

design, appropriate to its context. Development that is inappropriate in terms of its relationship with adjoining sites and buildings, or which would adversely affect the character of the area, by virtue of its siting, scale, form, massing will not normally be permitted.

4.08 The existing bungalow on the appeal site is an unobtrusive building with a shallow pitched roof and low ridge and its siting maintains a spacious character. The appeal proposal would replace the one three-bedroom bungalow with two, two-storey, four-bedroom houses.

4.09 The appeal proposal would result in a row of four dwellings, much more closely spaced than is characteristic in this area and this would cause them to appear relatively cramped. The proposed buildings would also be taller than the existing bungalow, which would cause them to be more prominent than the bungalow and, hence, the relatively cramped relationship would be more apparent. The detached double garage at the front of plot 2 would also be a prominent, feature, due to its siting and height. The dwellings would be larger than the existing property but the gardens would be smaller and, therefore, would be likely to be more intensively used.

4.10 Thus, the increase in the number of buildings and their height and the reduction in the space around them would result in a cramped and urban character, out of keeping with the spacious rural character of the existing loose group of buildings. This would be detrimental to the rural character of the area.

The Impact on the setting of the neighbouring listed building

4.11 Dunt Cottage is a Grade II Listed Building and development proposals adjacent to it, whether within or outside its curtilage should be sympathetic in scale and massing and respect its historic setting. It has a rural setting and historically there would have been only sporadic

development in the vicinity, associated with the agricultural use of the land. The siting of the cottage is perpendicular to the road and the appeal site lies to the front of it. Hence, any development on the appeal site is of particular significance to the setting of the building. For the reasons set out above, the proposal would have an urbanising impact and this would harm the rural setting of the listed building.

5.00 CONCLUSION

5.01 The appeal proposal does not represent a form of development that is acceptable in principle in a rural area. To be acceptable as a redevelopment proposal, the development should be appropriate to the rural setting, which is not the case in this instance, and the site is not located within an existing built up frontage. Furthermore, the proposed increase in the number and size of the dwellings on the site would be harmful to the rural character of the area and this would be detrimental to the setting of the neighbouring listed building. For these reasons, the Inspector is requested to dismiss this appeal.

Tel. (0118) 974 6448 (Direct Line)
Date: November 6, 2002
My ref: F/2001/5570
Your ref: APP/X0360/A/02/1091808

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

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

Dear Mrs Pocock

APPEAL BY: Marlow Building Co Ltd
SITE: Greenacres, Dunt Lane, Hurst

With reference to this appeal, I enclose 2 copies of the Local & Highway Authorities statements of case.

Also enclosed is an amendment to the Rule 6 statement appendix 3. An appendix relating to another appeal was sent previously. I have sent a copy of this to the appellant's agent. I apologise for the error.

Yours sincerely

Sent with
Compliments Slip 06/11/02
DG.

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

PROOF OF EVIDENCE

for the

LOCAL INQUIRY ON 4TH DECEMBER 2002

by

KEITH ROGERS – IEng, MCIT, MILT, FIHIE, MIHT

of

WOKINGHAM DISTRICT COUNCIL

in respect of an appeal by

MARLOW BUILDING CO LTD

against refusal of planning permission for the erection of two detached dwellings and demolition of the existing dwelling by the Local Planning Authority on

12th April 2002

relating to

LAND AT GREEN ACRES, DUNT LANE, HURST

LOCAL PLANNING AUTHORITY REFERENCE: F/2001/5570

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT & THE REGIONS REFERENCE: APP/X0360/A/02/1091808

I am a Chartered Member of the Institute of Logistics and Transport and also an Incorporated Engineer as registered with the Engineering Council.

I am currently employed by Wokingham District Council as Team Leader of Highway Development Control in the Environmental Services Department.

I am responsible for providing advice on behalf of the local highway authority with regard to planning applications submitted throughout the Wokingham Unitary area.

Prior to joining Wokingham in April 2002 and since June 1988 I was employed in various capacities by a number of local authorities in Berkshire primarily dealing with highway aspects of development control. In all I have over 25 years experience associated with the assessment of development proposals.

THE PLANNING AUTHORITY'S CASE

1.0 RELEVANT POLICY BACKGROUND

1. 01 Berkshire Structure Plan

The Berkshire Structure Plan (BSP) 1991-2006 was adopted on 4th November 1995. The following policies contained in the BSP are relevant to the consideration of this appeal:

LD5 Transport Considerations in Dealing with Development Proposals

OS1 The Overall Strategy - parts (I)(IV)
LDV1 Sustainable Development - part (VI)

1. 02 Loddon Area Local Plan

The Loddon Area Local Plan (LALP) was adopted on 5th May 1995. The following policies contained in the Local Plan are relevant to the consideration of this appeal:

LT5 Road Safety

1. 03 Wokingham District Local Plan Deposit Draft

The Wokingham District Local Plan Deposit Draft (WDLPDD) was placed on deposit on 21st October 1997. The following policies are relevant to this appeal:

WT7 Road Safety

WOS1 Sustainable Development
WT2 Access to Development
WT3 Modal Split
WT9 Pedestrian Routes and Footpaths

1. 04 Planning Policy Guidance Note 13 Transport (PPG 13)

PPG 13 Transport contains objectives that are relevant to this appeal.

2.0 SCOPE OF EVIDENCE

2. 01 The evidence provided within this statement addresses the Council's reasons for refusal of Planning Application F/2001/5570 dated 12th April 2002, which stated the following:-

3. *The proposed development would generate additional turning movements at a point where visibility is restricted which would not be in the interests of highway safety.*

4. *The proposed development is located in an unsustainable location resulting in most, if not all journeys being made by private car.*

3.0 EXISTING SITUATION

3. 01 Dunt Lane is an unclassified road with a de-restricted speed limit. It forms a junction with the B3030 Davis Street to the north and leads to a dead end to the south. The site is located approximately 590 metres from the junction with the B3030 as shown on the Site Location Plan (Appendix 1).

3. 02 Access to the appeal site is from Dunt Lane, which varies in width along its length. Immediately fronting the appeal site, Dunt Lane has an overall width of 9.0 metres comprising a 2 metre verge/ditch to the north east side with a 5.0 metre carriageway and a 2 metre verge to the south west side.

3. 03 There has been no personal injury accidents recorded in the vicinity of the site during the past three-year period.

4.0 PROPOSAL RELATING TO HIGHWAY SAFETY

4. 01 The DETR document 'Places, Streets & Movement – A companion guide to DB32 (Sept 1998)' sets out the criteria with respect to visibility splays. In view of the speed limit of Dunt Lane, the standards require minimum visibility splays of 215 metres at an appropriate 'minor road' (X) distance of 2 metres. (Appendix 2)

4. 02 On site measurements have indicated that visibility available from the access to the appeal site onto Dunt Lane, at an X-distance of 2 metres, is only 13 metres looking left (Appendix 3 - photo 1) and only 8 metres looking right (see photo no. 2).

These measurements have been carried out in accordance with the method set out within figure & table 7/1 of the Department of Transport Technical Directive 42/95 (TD42/95) which ensures that full road width visibility is maintained. (Appendix 4)

4. 03 TD42/95 acknowledges the importance of providing adequate visibility splays for minor roads (accesses) in order to allow for an emerging vehicle to see the oncoming major road traffic in sufficient time to permit them to make manoeuvres safely. Furthermore, the required X-distance of 2 metres allows drivers on the major road to be aware of traffic entering from the access in time for them to slow down and stop safely, if required.

4. 04 The highway authority acknowledges that speeds are unlikely to reach the de-restricted speed limit of 60 mph and in fact consider that speeds will not exceed 50 mph. This would require visibility splays of 2 metres by 160 metres.

4. 05 Clearly, the visibility splays available from the access onto Dunt Lane falls considerably below the required standards of 215 metres and even a reduced standard of 160 metres. Any increase in turning traffic resulting from movements generated by the new development would not be in the interests of highway safety and would increase the potential for accidents to occur. This is

therefore contrary to policy LD5 of the BSP, policy LT5 of the LALP and policy WT7 of the WDLPDD.

5.0 PROPOSAL RELATING TO SUSTAINABILITY

5. 01 The appeal site is considered to be in a rural location consisting mainly of fields and farmland. As we know the site is accessed via Dunt Lane. It is of varying width with no footways or street lighting.

5. 02 The nearest bus route to the site is approximately 600 metres away which runs along the B3030 Davis Street. The nearest shops are located 2.7km away at Winnersh crossroads and Winnersh train station is 2.4km from the site. These distances are much too large for the site to be considered as sustainable. (Appendix 5)

5. 03 The bus route consists of an hourly service by the n° 128 that links Wokingham with Twyford/Reading and runs from Monday to Saturday. There are no formal bus stops along a long section of the B3030 and people are required to 'Hail' buses to stop. The nearest formal bus stop is approximately 1.4km away from the site

5. 04 In addition to such a large distance to walk to a bus (and even further to a formal bus stop), Davis Street (like Dunt Lane) does not have any footways. Therefore, the safety of pedestrians is being compromised due to the lack of pedestrian facilities whenever someone may attempt to use the bus service.

5. 05 Schools are also an important factor in considering the sustainability of a site and the nearest primary school is Winnersh Primary School and is 2.5km away. The Forest Comprehensive School is the nearest Secondary School and is 2.4km from the site. Children attending could be encouraged to travel by alternative modes than the car, however as stated above there are no facilities available for these journeys to be made safely.

5. 06 The remote location of the site combined with the lack of sustainable facilities serving the site means It is safe to assume that most, if not all journeys to and from the site will be made by the private car. The proposals are therefore contrary to policies OS1 (i)(iv) & LDV1 (vi) of the BSP, policies WOS1, WT2, WT3 & WT9 of the WDLPDD and to the objectives of PPG13.

6.0 CONCLUSION

Taking into consideration the above points, the proposed development would result in an increase in turning movements at a substandard access and is not considered to be in a sustainable location. Furthermore, the proposal could set a precedent for further applications of a similar nature that would prove difficult to resist.

Therefore, as the development would have a detrimental impact on highway safety and does not comply with objectives set out the various policies relating to sustainability, I request that the appeal be dismissed.

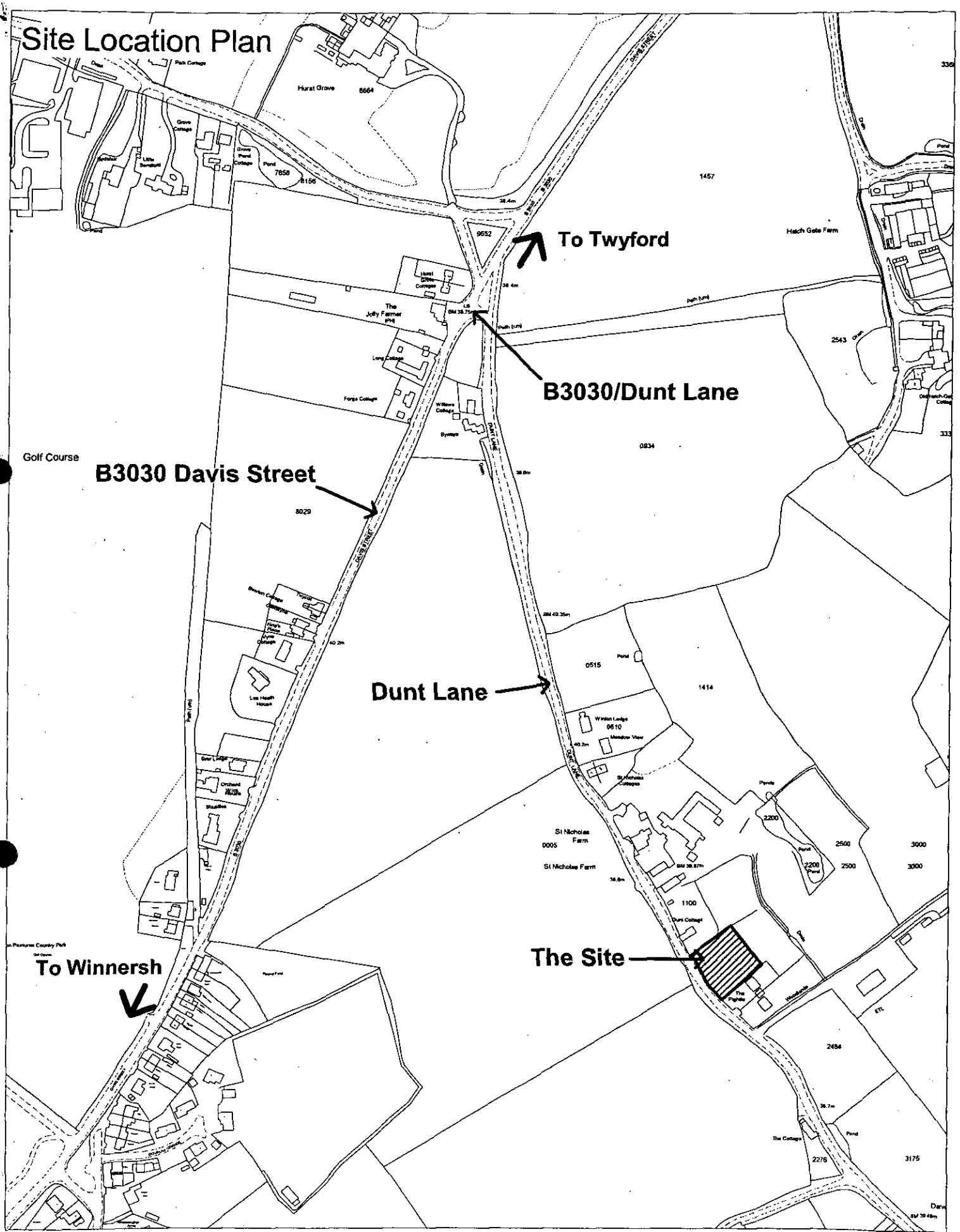
APPENDICES

1

APPENDIX 1

APPEAL SITE LOCATION PLAN

Site Location Plan



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Engineering,Wokingham District Council.

21 October 2002

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APPENDIX 2

PLACES STREETS & MOVEMENT
(A COMPANION GUIDE TO DB32)
'Sightlines At Road Junctions'

Sightlines at Road Junctions

The design of sightlines at junctions is discussed in detail in both DB32 and PPG13, annex D. This section draws together the advice in those two documents. The guidance given here needs to be assessed in the circumstances of each case. Sightlines should never be reduced to a level where danger is likely to be caused.

The diagrams and commentary given here describe the most salient points involved.

To enable drivers emerging from a minor road or access to see and be seen by drivers proceeding along the major road, unobstructed visibility is needed within the shaded area (x/y) in plan. Vertical visibility is also required as shown in the section.

Requirements for X and Y dimensions are summarised as:

X dimension (minor road distance)

9m: The normal requirement for major new junctions and for the improvement of existing junctions between access roads and district or local distributor roads - for instances where the minor road is busy (ref. PPG13 annex D para. 2).

4.5m: For less busy minor roads and busy private access points.

2.4m: The minimum necessary for junctions within development to enable a driver who has stopped at a junction to see down the major road without encroaching onto it.

2.0m: For single dwellings or small groups of up to half a dozen dwellings or thereabouts.

Only in exceptional circumstances should a distance of less than 2.0m be considered.

The advice in this section supersedes that contained in both PPG13 and DB32.

Y dimension (major road distance)

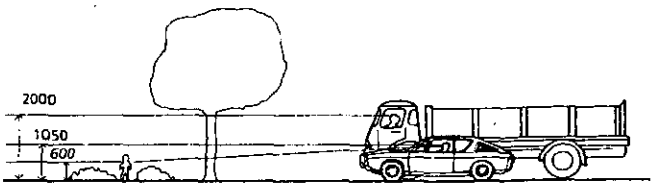
Table A

Major road speed (kph)	120	100	85	70	60	**50**	**40**	**30**
Major road distance (m)	295	215	160	120	90	**70**	**45**	**33**

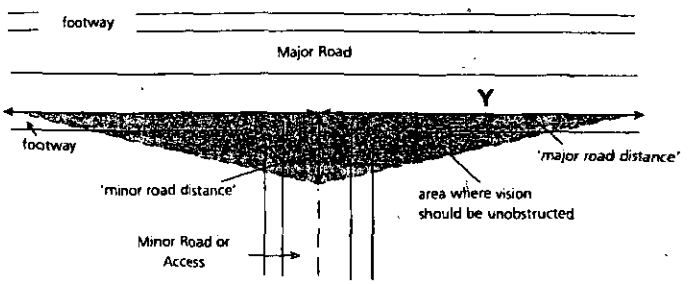
Table B

Speed Limit (mph)	70	60	50	40	**30**	**20**
Major road distance (m)	295	215	160	120	**90***	**45***

Reference: DB32 pp.50–53 and PPG13 Annex D



Clear horizontal sightlines should take account of both what the driver can see and what pedestrians (especially children) can see. Sightlines need to be determined from an eye height of 1.05m – 2m, to an object height of 0.6m – 2m.



** includes an allowance for motorists travelling at 10kph above the speed limit.*

Tables A and B are drawn from Annex D of PPG13 with the speeds for residential areas shown in bold. In addition to the dimension quoted, where it can be shown that vehicle speeds will be contained to either 30mph or 20mph the respective Y distances in table B can be amended to 60m and 33m respectively.

3

APPENDIX 3

SITE PHOTOGRAPHS

PHOTO NO. 1

Taken at an X-distance of 2 metres from the site access and looking left along Dunt Lane.

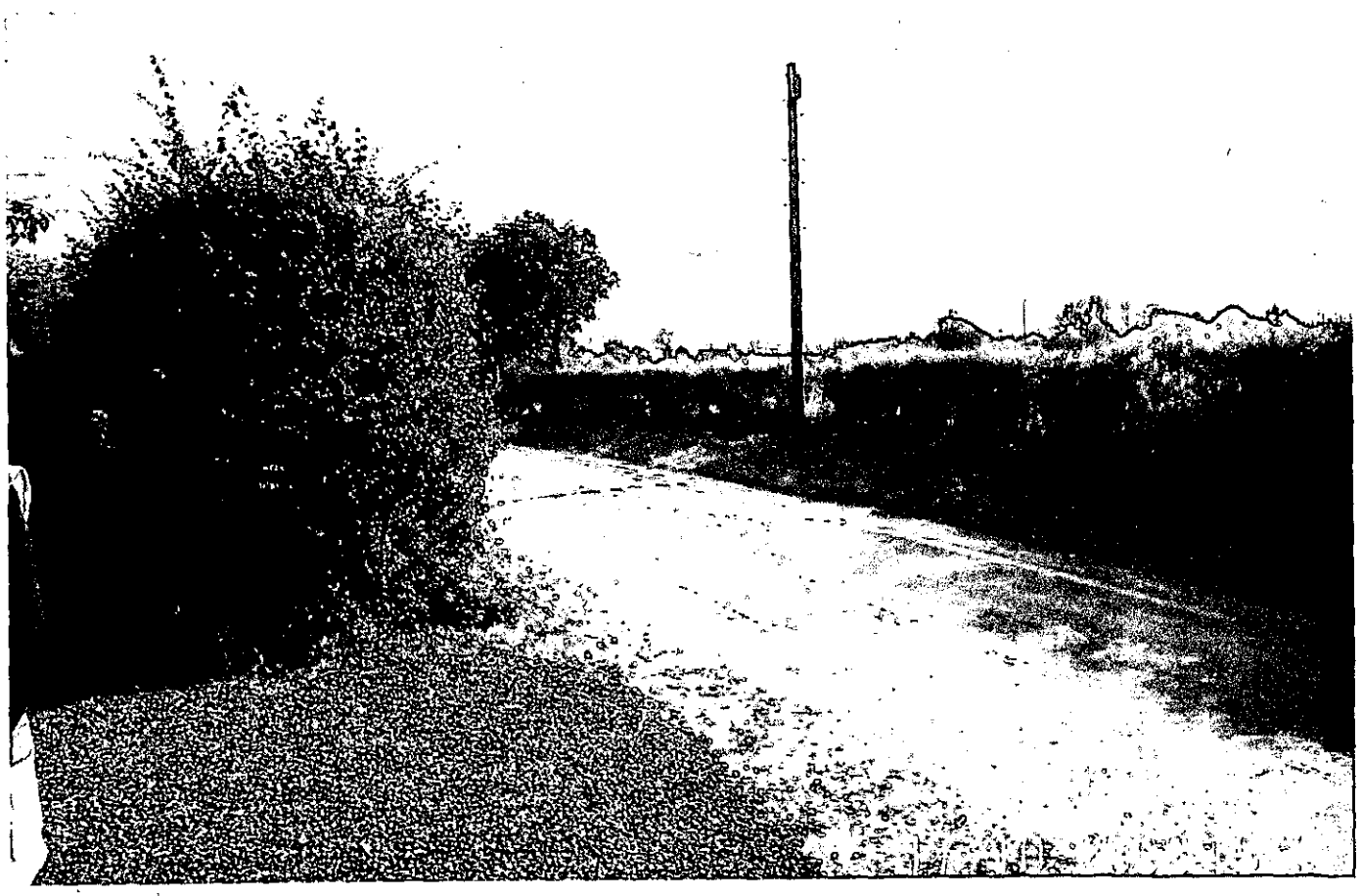


PHOTO NO. 2

Taken at an X-distance of 2 metres from the site access and looking left along Dunt Lane.



4

APPENDIX 4

DEPARTMENT OF TRANSPORT
TECHNICAL DIRECTIVE 42/95
'Geometric Design of Major/Minor Priority Junctions'

7. GEOMETRIC DESIGN FEATURES

General

7.1 This chapter outlines the geometric design features to be considered in the design of major/minor priority junctions. Many of the features are dealt with separately, and a designer should work systematically through the design procedure prior to assembling the component parts. This is an iterative process, and it may be necessary to alter part of the junction design covered previously in order to achieve a satisfactory design.

Design Speed

7.2 Geometric standards for junctions are related to the traffic speed of the major road, and for new roads this is the design speed as defined in TD 9 (DMRB 6.1.1). Reference should be made to TD 9 in order to determine the appropriate design speed.

Visibility

7.3 Minor road traffic has to join or cross the major road when there are gaps in the major road traffic streams. It is therefore essential that minor road drivers have adequate visibility in each direction to see the oncoming major road traffic in sufficient time to permit them to make their manoeuvres safely. This concept also applies to major road traffic turning right into the minor road. As well as having adverse safety implications, poor visibility reduces the capacity of turning movements. Visibility shall however, not be excessive as this can provide a distraction away from nearer opposing traffic.

7.4 Drivers approaching a major/minor priority junction from both the major road and the minor road shall have unobstructed visibility as indicated in the following sections. The envelope of visibility for driver's eye height is as set out in TD 9 (DMRB 6.1.1.2.2).

Major Road

7.5 Drivers approaching a major/minor priority junction along the major road approaches shall be able to see the minor road entry from a distance corresponding to the Desirable Minimum Stopping Sight Distance (SSD) for the design speed of the major road, as described in TD 9 (DMRB 6.1.1). This visibility allows drivers on the major road to be aware of traffic entering from the minor road in time for them to be able to slow down and stop safely if necessary.

Minor Road

7.6 The principle of providing the required visibility for drivers approaching the junction from the minor road has three distinct features.

a. Approaching drivers shall have unobstructed visibility of the junction from a distance corresponding to the Desirable Minimum Stopping Sight Distance (SSD) for the design speed of the minor road, as described in TD 9 (DMRB 6.1.1). This allows drivers time to slow down safely at the junction, or stop, if this is necessary. Where a "Give Way" sign is proposed the visibility envelope shall be widened to include the sign.

b. From a point 15m back along the centreline of the minor road measured from the continuation of the line of the nearside edge of the running carriageway of the major road (not from the continuation of the back of the major road hardstrip if this is present), an approaching driver shall be able to see clearly the junction form, and those peripheral elements of the junction layout. This provides the driver with an idea of the junction form, possible movements and conflicts, and possible required action before reaching the major road.

c. The distance back along the minor road from which the full visibility is measured is known as the 'x' distance. It is measured back along the centreline of the minor road from the continuation of the line of the nearside edge of the running carriageway of the major road. The 'x' distance shall be desirably 9m (but see para 7.8). From this point an approaching driver shall be able to see clearly points to the left and right on the nearer edge of the major road running carriageway at a distance given in Table 7/1, measured from its intersection with the centreline of the minor road. This is called the 'y' distan and is defined in Fig 7/1. Relaxations are n available for this distance.

7.7 If the line of vision lies partially within the major road carriageway, it shall be made tangential to the nearer edge of the major road running carriageway, as shown in Fig 7/2.

Design Speed of Major Road (kph)	'y' Distance (m)
50	70
60	90
70	120
85	160
100	215
120	295

Table 7/1: 'y' Visibility Distances from the Minor Road (Relaxations not available - para 7.6c)

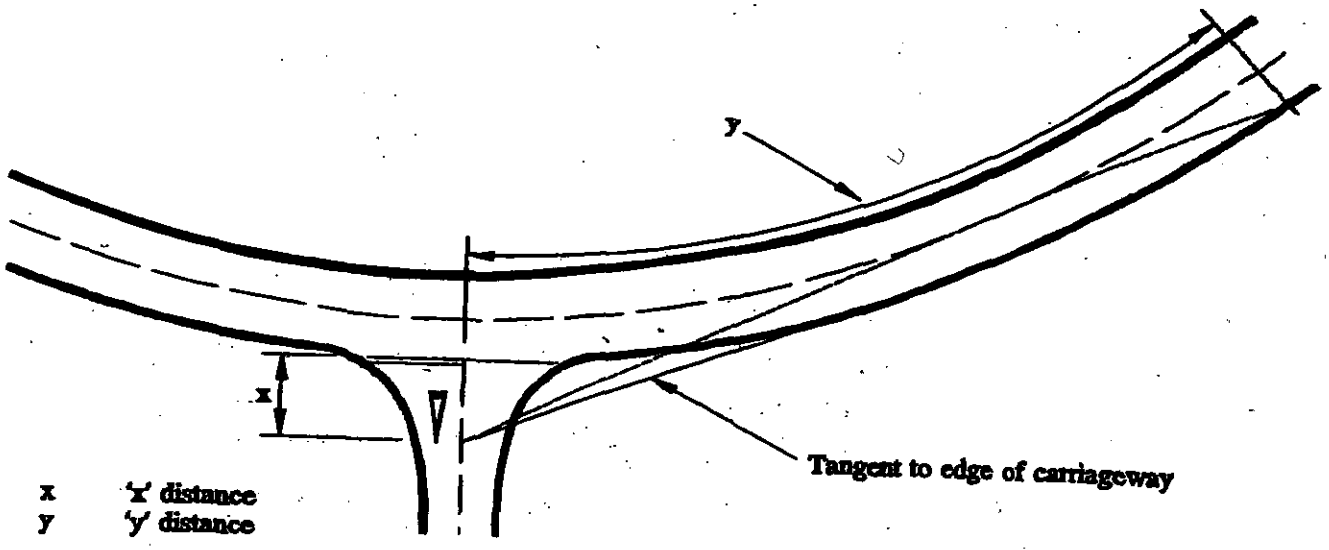
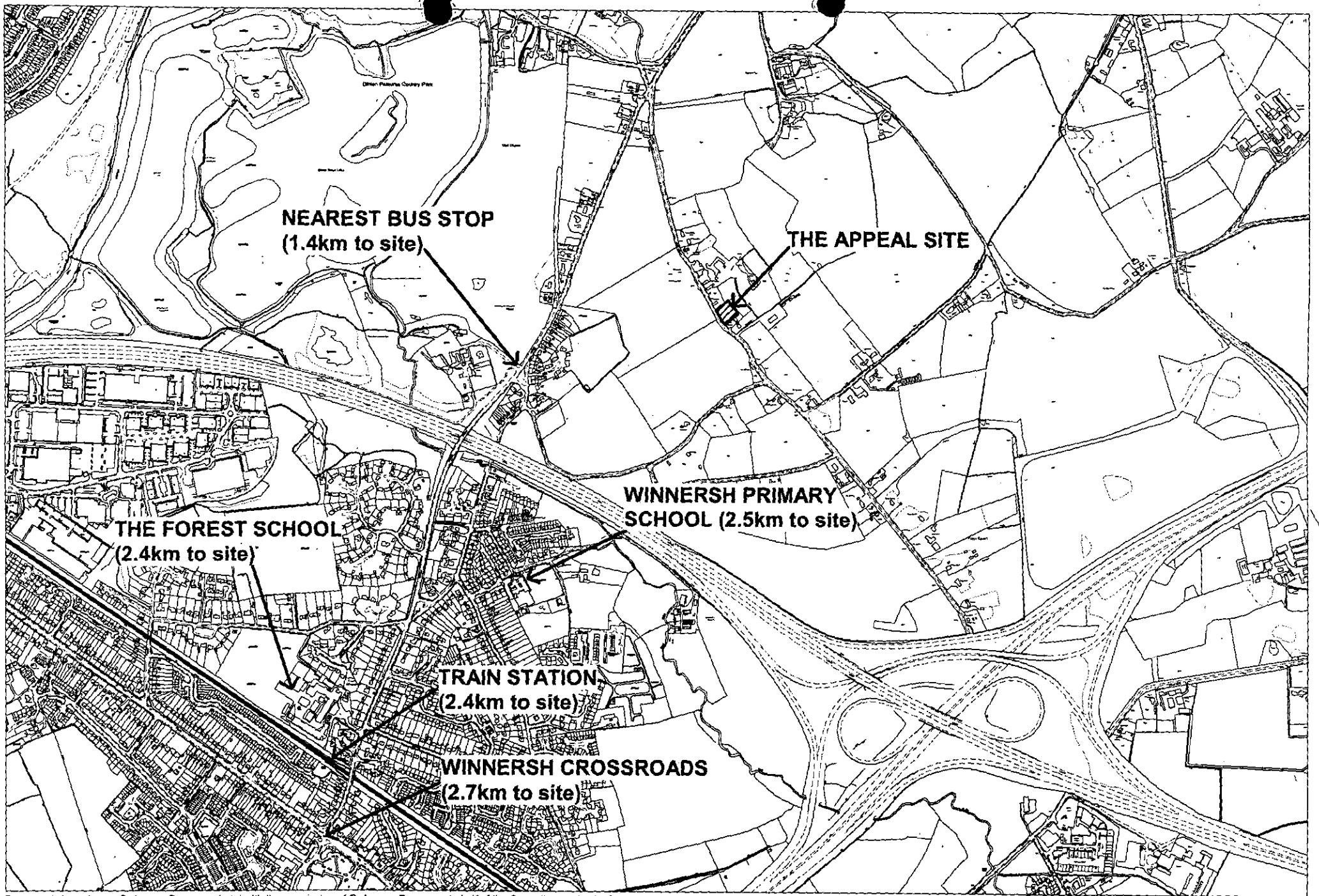


Figure 7/2: Visibility Standards with a Curved Major Road (para 7.7)

5

APPENDIX 5

PLAN SHOWING NEAREST FACILITIES



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Engineering,Wokingham District Council.

22 October 2002

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Scale: 1 : 12500

The Planning Inspectorate

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Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3728768
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8768

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PCR DC 29 PLS SW APPS CS
31 OCT 2002
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2001/5570

Our Ref: APP/X0360/A/02/1091808

Date: 29 October 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MARLOW BUILDING COMPANY LTD
SITE AT GREENACRES, DUNT LANE, HURST, BERKSHIRE, RG10 0TA

NOTIFICATION OF INSPECTOR

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

Mr Graham Dudley BA(Hons)Arch DipAA Cons RIBA FRICS.

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

Yours faithfully

Mr Neil Ackland

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

206C

Copy to Officer to put on site 21/08/02
" " General Office 21/08/02 to advertise in Wok Time & Reading Chron. W/C 09/09/02.

TOWN AND COUNTRY PLANNING ACT 1990

PUBLIC INQUIRY

At

The Council Offices, Shute End, Wokingham,

On Wednesday, 4 December 2002 at 10:00am

REASON FOR INQUIRY

Appeal by Marlow Building Company Ltd

Relating to the application to Wokingham District Council for

PROPOSED ERECTION OF 2 DWELLINGS WITH DETACHED DOUBLE GARAGE. DEMOLITION OF EXISTING DWELLING.

AT Greenacres, Dunt Lane, Hurst, Berkshire

An Inspector appointed by the First Secretary of State under paragraph 1(1) of schedule 6 to the Town and Country Planning Act 1990 will attend at the place, date and time shown above to decide the appeal.

Members of the public may attend the inquiry and, at the Inspector's discretion, express their views. If you, or anyone you know has a disability and is concerned about facilities at the inquiry venue, you should contact the council to confirm that suitable provisions are in place.

Planning Inspectorate Reference: APP/X0360/A/02/1091808
Contact point at the Planning Inspectorate: Mrs Margaret Pocock, 3/03 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Tel: 0117-3726079.

320(BPR)

The Planning Inspectorate

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Temple Quay House
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Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624

GTN 1371-6079

PLANNING SERVICES HPI 69908
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CS
16 AUG 2002
COMES TO ACK
FILE:

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

Your Ref: F/2001/5570

Our Ref: APP/X0360/A/02/1091808

Date: 15 August 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MARLOW BUILDING COMPANY LTD
SITE AT GREENACRES, DUNT LANE, HURST, BERKSHIRE, RG10 0TA

Here is a copy of the site notice giving the inquiry details. The inquiry is scheduled to last 1 day. Please let me know within 5 working days, if you think more time is needed.

Please tell the owners and occupiers of property near the site of the inquiry details immediately. You should also tell others you consider to be affected by or interested in the proposed development, including any persons or bodies who made representations at application stage. Your letter should cover:

- the location of the site and a description of the appeal proposals;
- a clear statement of the date, time and place of the inquiry and of the powers enabling the Inspector, or the Secretary of State, to determine the appeal;
- where your and the appellant's statements, proofs of evidence, summaries and statement of common ground can be seen;
- that they can go to the inquiry. If they wish to speak they must be there when it opens;
- what facilities are available for people with disabilities e.g. parking spaces, access and seating arrangements;
- that we will send a copy of the Inspector's decision to those who ask for one in writing.

The press should be informed of inquiries. We aim to issue decision letters within 7 weeks of the close of a one or two day inquiry. If there is likely to be a significant delay, we will let you know.

Yours faithfully

Mrs M Pocock
311(BPR)

Ems

Proofs have to be completed + sent by 06/11/02 - i.e 4 weeks before hearing

Den

The Planning Inspectorate

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

Direct Line 0117-3728775
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Fax No 0117-3728804
GTN 1371-8775

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19 JUL 2002
CORRESPONDENCE TO

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

Your Ref: F/2001/5570

Our Ref: APP/X0360/A/02/1091808

Date: 15 July 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MARLOW BUILDING COMPANY LTD
SITE AT GREENACRES, DUNT LANE, HURST, BERKSHIRE, RG10 0TA

I am writing to inform you of the arrangements made for the inquiry into the above appeal, in accordance with the relevant Inquiries Procedure Rules.

The inquiry will be held at 10:00 on 4 December 2002 at The Council Offices, Shute End, Wokingham. Please note that this date has been imposed upon yourself. The venue should be reserved for 1 day.

The name of the Inspector will be confirmed to you at a later date.

Formal notices will be sent in due course.

Please note that disabled people who may be concerned about facilities at the venue have been advised to write to or contact your Council to confirm that proper provisions are in place.

Yours faithfully

Miss Carolyn Welding

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

FORCEL

The Planning Inspectorate

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

Your Ref: F/2001/5570

Our Ref: APP/X0360/A/02/1091808

Date: 29 July 2002

PLANNING SERVICES
APP 5416
POL TLS
OC CNF
APP DG
CS
30 JUL 2002
COPIES TO ACK:
FILE:

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MARLOW BUILDING COMPANY LTD
SITE AT GREENACRES, DUNT LANE, HURST, BERKSHIRE, RG10 0TA

I enclose a copy of the appellant's statement relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. You should comment solely on the representations enclosed with this letter. 13/08/02

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

pp Mrs Margaret Pocock

211AL(BPR)

Tim North
& Associates
Limited

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& DEVELOPMENT
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A **STATEMENT OF CASE** on behalf of **Messrs. Marlow Building Company Ltd** under Section 78 of the Town & Country Planning Act 1990 (As Amended) against the refusal of Wokingham District Council to grant planning permission in respect of a proposal to demolish an existing bungalow and construct two chalet style dwellinghouses with detached double garage on land at "Greenacres", Dunt Lane, Hurst, Berkshire RG10 0TA

Wokingham DC Reference No: **F/2001/5570**

Department of Transport, Local Government & The Regions Reference No: **APP/X0360/A/02/1091808**

July 2002

1.00 THE APPEAL SITE AND ITS LOCATION

1.01 The appellants will undertake a comprehensive assessment of the appeal site, seen within the context of its rural surroundings, including adjoining built development extending to approximately 300m in length, situated to the north-eastern side of Dunt Lane, whose focal point is St. Nicholas Farm.

An assessment of the character of this part of Hurst will be undertaken, including the extent to which the proposed development affects countryside interests, as well as non-renewable and natural resources.

1.02 It will be revealed that the proposed development is entirely acceptable, seen in terms of its size, scale, design, density, massing, height, frontage width, plot size and overall layout when compared with neighbouring residential properties within the same group of houses; making optimum use of land without appearing detrimental to the visual amenities of the street scene.

2.00 PLANNING HISTORY

2.01 An account of each planning application lodged with the LPA relating to the current appeal site will be assessed, and a series of concluding factors arising from the planning history will be highlighted.

In particular attention will be focused on a detailed appraisal of other applications granted planning permission within the group of twelve individual properties enjoying a frontage onto the north-eastern side of Dunt Lane, in close proximity to its junction with the B3030 Davis Street.

Attention will be focused on an application seeking the demolition of an existing dwelling and garage and the erection of a replacement dwelling and garage at "The Pightle", Dunt Lane, Hurst, allowed by The Planning Inspectorate on 7th December 1998. Furthermore, mention will be made of the circumstances surrounding the grant of planning permission for two chalet

style properties known as "Winton Lodge" and "Meadow View", both of which were constructed following the grant of planning permission by Wokingham DC in 1994.

3.00 PLANNING POLICIES

3.01 The appellants will refer to the evolution and respective weight to be afforded to the documents set out below. Furthermore the appellants will rely in their proofs of evidence on previous reports presented to Wokingham District Council's Planning Committees, background papers, correspondence, photographs and policy documents, including where appropriate appeal decisions and extracts/transcripts of High Court judgements:-

A) The statutorily approved Berkshire Structure Plan 1991 - 2006.

B) The Panel's Report into the Berkshire Structure Plan 1991 - 2006 Deposit Version.

C) The Deposit Draft Berkshire Structure Plan 2001-2016.

D) The emerging Berkshire Structure Plan Minority Report.

E) Berkshire Structure Plan: Technical Working Paper 1 - November 2002.

F) Berkshire Structure Plan: Technical Working Paper 2 - November 2002.

G) Berkshire County Structure Plan - Background Papers including Housing Technical Paper

H) The Adopted Loddon Area Local Plan 1995

I) The emerging Wokingham District Local Plan Deposit Draft Version, (As Amended) February 2000.

J) The Inspectors Report on Part 2 Public Inquiry into Chapters on Housing dated October 2001 with Appendices.

K) The Proposed Modifications to the Wokingham District Local Plan *[due for release prior to Local Public Inquiry]*

L) Town & Country Planning Act 1990 (As Amended)

M) The Planning (Listed Buildings and Conservation Areas) Act 1990.

N) Current Central Government Policy and in particular RPG9, PPGs 1, 3, 7, 12, 13 and 15, together with D of E Circulars 8/93 and 11/95.

O) "By Design: Urban Design in the Planning System: Towards Better Practice" published June 2000.

P) Copies of Agenda Reports, Minutes and correspondence relating to the appeal site.

Q) Previous appeal decisions concerning plots situated in the vicinity of the appeal site.

R) DETR TD 42/95; Indication of bus services in the locality, personal injury accidents in Dunt Lane, information from TRICS Database

S) "People, Places and Movements" published by DETR.

4.00 PLANNING CONSIDERATIONS

4.01 It will be contended by the appellants that the proposed development is entirely consistent with national policy as it relates to the topic of sensitive infilling of small gaps within small groups of houses outside settlements in the countryside.

It will be shown that the sentiments set out in paragraph 3.21 of PPG7 have been incorporated into the emerging Wokingham District Local Plan Deposit Draft Version (As Amended) dated February 2000, and in particular sub-paragraph G) of amended Policy WCC1, as proposed by the Inspector in his Report on Objections following the Part 2 Public Inquiry into Chapters other than Housing forming part of the emerging Local Plan.

It will be revealed that the adopted Loddon Area Local Plan 1995 has not properly taken into account the provisions contained in paragraph 3.21 of PPG7, and in this respect has been largely superseded by policy contained in the emerging Wokingham District Local Plan, which has reached an advanced stage along the road to statutory adoption.

4.02 It will be argued that the LPA have either failed to take into account, or else paid inadequate regard to the need to differentiate between on the one hand, safeguarding the countryside for its own sake, with non-renewable and natural resources being afforded proper protection; and on the other, the redevelopment of an existing building in residential use comprising previously developed land, by a form of sensitive infilling.

In this regard, both current central government and emerging Local Plan policies allow for infilling of groups of houses in the countryside; which should be differentiated from developing greenfield sites for housing purposes. To this end, the principal objective is to "manage" the countryside which includes accommodating necessary changes in rural areas by

maintaining and where possible, enhancing the quality of the environment for local people.

The proposals submitted on behalf of the Marlow Building Company Ltd comprise an acceptable form of countryside development, which would **NOT** appear contrary to the central intentions of Policy C2 of the adopted Berkshire Structure Plan; Policy LTV2 of the Loddon Area Local Plan and Policies WOS2 and WCC1 of the emerging Wokingham District Local Plan (Deposit Draft) Version.

4.03 It will be argued that the statutorily approved Berkshire Structure Plan Policy C2 allows for the redevelopment of existing buildings in areas outside settlement boundaries, particularly to assist the economy or to maintain or enhance the rural environment, provided that they are appropriate in scale, form, impact and character.

It will be demonstrated that the appeal proposals accord with these principles, at the same time taking proper account of Policy LBE1 and LBE2 of the adopted Loddon Area Local Plan, which are concerned with design considerations appropriate to the character of an area; and the need to have regard to the relationship with adjoining sites, seen in terms of siting, scale, form, mass and materials.

4.04 It will be revealed, having regard to the High Court judgement Regina v Rochdale Metropolitan Borough Council and North West Development Agency Ex Parte Milne (2001) JPL 229 that for the purposes of Section 54A of the Town & Country Planning Act 1990 (As Amended) it is enough for a development proposal to accord with the "development plan" as a whole, and it is not necessary to accord with each and every policy therein.

In this way, it will be argued that the most relevant policy relating to the proposals now advanced by Messrs. Marlow Building Company Ltd on land at "Greenacres", Dunt Lane, Hurst, is WCC1 taken from the Wokingham

District Local Plan (Deposit Draft) Version, whose provisions are specifically related to development outside defined settlement boundaries, appearing commensurate with national strategic policy in the form of paragraph 3.21 of PPG7, and Policy C2 of the adopted Berkshire Structure Plan.

4.05 It will be shown that there is a clear conflict between the provisions of Policy DP6 of the emerging Berkshire Structure Plan 2001-2016 and paragraph 3.21 of PPG7, and Policy WCC1 as proposed by the Inspector in his Report on Objections following the Part 2 Public Inquiry into Chapters other than Housing forming part of the emerging Wokingham District Local Plan.

It will be argued on behalf of the appellants that national policy, together with the provisions of Policy WCC1, should prevail over a policy contained in an emerging Structure Plan which is still at an early stage along the road to formal adoption.

4.06 The proposed development involves the demolition of an existing bungalow of no particular architectural merit, and the erection of two new chalet style properties, along with separate double garages. The design, scale, height and massing of the proposed residential units are not dissimilar from the immediately adjoining property known as The Pightle, itself allowed on appeal on 7th December 1998 at a time when the "development plan" comprised the same documents which the Council now seek in part to rely upon to withhold planning permission in respect of Application No. F/2001/5570, i.e. the statutorily adopted Loddon Area Local Plan 1995 and the statutorily approved Berkshire Structure Plan 1991-2006.

Interestingly, the LPA were of the view that the replacement property situated at "The Pightle" "... would not adversely affect the rural character/ visual amenity of the area, bearing in mind the replacement dwellings approved in Dunt Lane".

4.07 It will be shown that the proposal does **NOT** result in either an intensification of use, or cause an urbanising effect which would harm the principal issue associated with the current proposal, namely whether or not the proposed development would adversely affect the character and appearance of the surrounding rural area.

In this regard, the character of the surrounding countryside and the conservation of its natural resources will not be adversely affected by the proposal advanced on behalf of the Marlow Building Company Limited.

As a consequence the proposed development is **NOT** contrary to Policies C2 and EN1 of the adopted Berkshire Structure Plan, Policy DP6 of the emerging Berkshire Structure Plan; Policies LTV2, LBE1 and LBE2 of the Loddon Area Local Plan and Policies WOS3, WCC1 and WBE1 of the Wokingham District Local Plan (Deposit Draft) Version.

4.08 It will be argued that the setting of a neighbouring listed building, Dunt Cottage, would **NOT** be adversely affected by the proposed development, and to this end it is noted that there are no consultation responses emanating from the LPA or the strategic planning authority which support the view that the development would appear unsympathetic in scale to the listed building, or harm its setting through its roof form, pitch and/or height. If there is any adverse impact on the neighbouring listed building, Dunt Cottage, then it originates from a uPVC conservatory attached to the rear elevation of the property.

Furthermore, it will be demonstrated that the Council have either failed to take into consideration or else paid inadequate regard to the distance between the appeal site and the adjoining property Dunt Cottage, as well as intervening landscaping. Indeed, the ribbon of development found on the north eastern side of Dunt Lane, including the appeal site, comprises a variety of residential properties of differing scales, heights and designs, lying in close proximity to Dunt Cottage.

In this regard, it will be shown that the proposed development, whether or not assisted by additional landscaping, will **NOT** appear at variance with Policy EN4 of the adopted and emerging Berkshire Structure Plan, or WOS10 and WHE11 of the emerging Wokingham District Local Plan.

4.09 It will be demonstrated that the frequency and intensity of additional turning movements into and out of the appeal site is not sufficient in itself to withhold planning permission, having regard to the nature and volume of traffic using Dunt Lane. It will be shown that there is no evidence to support the contention that the existing access would lead to problems of highway safety, and no account appears to have been taken of improvements which may be made to visibility splays.

4.10 The proposed development constitutes sensitive infilling amongst a small group of houses in the countryside. If such proposals were to constitute unsustainable development, it is inconceivable that the Inspector in his Report on Objections to Policy WCC1 of the Wokingham District Local Plan Deposit Version, would have allowed such development to take place in the countryside as part of the same policy.

In considering this issue, any increase in the small number of journeys made by private car are required to be considered alongside those important supporting objectives of creating a more sustainable pattern of development; high among whose priorities found at all levels of planning policy is the preference to be given to the development of brownfield sites before considering greenfield sites.

It will be demonstrated that the proposed development, assessed from a sustainability perspective, would not compromise the Government's objectives.

5.00 CONCLUSIONS

5.01 The Inspector will be asked to allow this appeal the subject of Application No. F/2001/5570.

-o0o-

LPA RLQ

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT: **Marlow Building Co Ltd**

APPEAL SITE: **Green Acres, Dunt Lane, Hurst**

REASON FOR APPEAL: **Refusal of planning permission for the erection of two detached dwellings and demolition of the existing dwelling.**

LOCAL PLANNING AUTHORITY REFERENCE : F/2001/5570

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/02/1091808

1.00 SITE DESCRIPTION

1.01 Green Acres is a bungalow, located on a 0.18 hectare site on the north-eastern side of Dunt Lane, in the parish of Hurst. This is a rural area, designated as Countryside in both the adopted and emerging local plans. The area is characterised by sporadic groups of dwellings fronting rural lanes and Green Acres is one of such a group, centred around St Nicholas Farm. There are fields on the south-western side of Dunt Lane, which is undeveloped in the vicinity of the appeal site, and also to the rear of the properties on the north-eastern side of the road.

1.02 To the south-east of the appeal site are two detached dwellings fronting Dunt Lane: the Pightle, a two-storey, chalet style dwelling, and Woodlands, a bungalow. Adjacent to Woodlands is the access to Capital Products, a former agricultural building, now used for food storage and packing.

1.03 To the north-west of the appeal site is Dunt Cottage, a Grade II listed building, which is perpendicular to the road. Beyond this is St Nicholas Farm, a complex of buildings of various ages, comprising of a Grade II

Listed farmhouse and various former agricultural buildings, several of which have been converted to dwellings. There are further dwellings to the north-west of St Nicholas Farm.

1.04 A site location plan at scale 1:1250 is contained in Appendix 1.

2.00 RELEVANT PLANNING HISTORY

2.01 Outline planning permission for a dwelling on the site was originally granted in 1960 (O/169/60) and again in 1966 (O/46/66). The latter was followed by an application for a detached bungalow (64/66), which was granted conditional approval in June 1966.

2.02 Condition 2 of planning permission 64/66 was an agricultural workers condition that restricted occupancy of the dwelling to a person employed or last employed in agriculture or Forestry and their dependants. In 1992 an application to vary this condition was granted conditional approval.

2.03 In 1992 two, single-storey extensions to the bungalow were permitted.

2.04 In December 2001 an application, the subject of this appeal, for the demolition of the existing bungalow and erection of two, two-storey dwellings was submitted. The application was refused on 12 April 2002. There were four reasons for refusal, as follows:

1. *The proposal is for development in the Countryside and, as such, is contrary to Policy C2 of the adopted Berkshire Structure Plan, Policy DP6 of the emerging Berkshire Structure Plan, Policy LTV2 of the Loddon Area Local Plan and Policies WOS2 and WCC1 of the Wokingham District Local Plan (Deposit Draft).*

2. *The proposed development would result in an increase in massing, intensification in the use of the site and an urbanising*

impact that would be detrimental to the rural character of the area and the setting of the neighbouring listed building. As such it would be contrary to policies C2, EN1 and EN4 of the adopted Berkshire Structure Plan, policies DP6 and EN4 of the emerging Berkshire Structure Plan, policies LTV2, LBE1, LBE2 of the Loddon Area Local Plan and policies WOS3, WOS10, WCC1, WBE1 and WHE11 off the Wokingham District Local Plan (Deposit Draft).

3. *The proposed development would generate additional turning movements at a point where visibility is restricted which would not be in the interests of highway safety.*

4. *The proposed development is located in an unsustainable location resulting in most, if not all journeys being made by car. The development is therefore contrary to Planning Policy Guidance Note 13, Transport and policy WOS1 of the Wokingham District Local Plan (Deposit Draft).*

3.00 POLICY BACKGROUND

3.01 The development plan for the area comprises of the Berkshire Structure Plan 1991-2006 and the Loddon Area Local Plan. There are also an emerging district wide local plan and a deposit draft of the Berkshire Structure Plan 2001 – 2016. The relevant policies in each plan are set out below. Copies of these have already been provided.

3.02 The Berkshire Structure Plan (1991-2006) was adopted on 4 November 1995. The relevant policies are:

C2	Development Outside Built-Up Areas and Settlements
EN1	Protection and Enhancement of the Environment of Built-Up Areas

EN4 Development Proposals Related to Buildings of Special Character and Interest

3.03 The Loddon Area Local Plan was adopted on 5 May 1995 and, on 26 November 1996, the Planning and Transportation Committee resolved that it should continue to carry weight as the most up to date adopted plan, except in relation to housing provision. The following South East Area Local Plan policies are relevant to this appeal:

LTV2 Development in Rural Areas
LBE1 Design of New Development
LBE2 Inappropriate Design

3.04 The emerging local plan is the Wokingham District Local Plan Deposit Draft. Berkshire County Council issued a statement of general conformity with the structure plan in May 1997 and the plan was placed on deposit in 21 October 1997. The first phase of the Public Local Inquiry into the emerging plan took place between October 1998 and October 1999 and the second phase commenced in February 2000 and is ongoing. The following policies are relevant to this appeal:

WOS1 Sustainable Development
WOS2 General Development Principles
WOS3 Development Control Principles
WOS10 The Historical Environment
WCC1 Development in the Countryside (Outside the Metropolitan Green Belt)
WBE1 Development in its Local Context
WHE11 Retention of Setting of Listed Buildings

3.05 Copies of the Local Plan Inspectors comments regarding these policies are contained in Appendix 3.

3.06 The emerging structure plan was placed on deposit between 15 March and 26 April 2002. The following policies are relevant to this appeal:

DP6	Land Outside Settlements
EN4	Historic Environment

4.00 THE COUNCIL'S CASE

4.01 The Council's case relates to the principle of the appeal proposal and to its impact on the character of the area, highway safety and the unsustainable location of the site.

The principle of development

4.02 In accordance with policies C2 of the adopted Berkshire Structure Plan, DP6 of the emerging Berkshire Structure Plan, LTV2 of the Loddon Area Local Plan and WCC1 and WOS2 of the Wokingham District Local Plan (Deposit Draft), development in rural areas will only be permitted in exceptional circumstances. These policies identify circumstances where development may, in principle, be acceptable in the countryside. Of relevance to this appeal BSP policy C2 (ii) and WDLPDD Policy WCC1 F) refer to redevelopment of existing buildings. In line with the guidance given in PPG7 criterion H) of WDLPDD Policy WCC1 H) also allows for *"sensitive infilling of one or two dwellings in a small gap in an otherwise built up frontage where the development would not adversely affect the character or appearance of the area"*. Where development is acceptable in principle it is on the proviso that the scale, form, character and siting are acceptable in the location.

4.03 The Local Plan Inspector has recommended that policy WOS2 be deleted and re-titled. The modified policy would relate to "Housing Development Principles" and would employ a sequential approach. The Identified Settlements would be categorised as category A or category B settlements and the preferred location for housing development would be previously developed land in category A

settlements, followed by land in accessible locations on the edge of these settlements and finally limited infilling in category B settlements. Land outside the settlements would not no longer be referred to in this policy but this would not alter the principle that development outside the Identified Settlements will be strictly controlled as policy WCC1 would still be applicable.

4.04 Some changes to the wording of policy WCC1 have been recommended. The most significant change, with regard to this appeal is that deletion of category F) redevelopment proposals in the countryside is recommended. The Inspector considered that sites in rural areas that offer the opportunity for redevelopment are likely to be in inaccessible locations and that each case should be judged on its merits as an exception to the plan (para 2.57).

4.05 The Council will argue that the appeal proposal is not acceptable in principle, either as a redevelopment proposal in the countryside or as an infill and existing built up frontage. While the proposal is for redevelopment of an existing dwelling, it would result in an intensification in the use of the site, which would not be appropriate, given the unsustainable location, and the scale, form, siting and character of the proposed dwellings would be detrimental to the rural character of the area. Hence, this would not be a case where redevelopment would be acceptable. The sporadic nature of the development in the vicinity of the appeal site is such that it would not constitute a built up frontage and, therefore, the appeal proposal would not comply with WDLPDD Policy WCC1 H).

The Impact on the rural character of the area and the setting of the neighbouring listed building

4.06 Where development complies in principle with policies C2 of the adopted Berkshire Structure Plan, LTV2 of the Loddon Area Local Plan and WCC1 of the Wokingham District Local Plan (Deposit Draft), its

scale, form, character and siting should be appropriate to the location in the countryside. Achieving good quality design that is appropriate to its context is the subject of Berkshire Structure Plan Policy EN1, LALP Policies LBE1 and LBE2 and Wokingham District Local Plan (Deposit Draft) Policies WOS3 and WBE1. New development should be of a high standard of design appropriate to its setting and the character of the area in which it is to be situated. Development that is inappropriate in terms of its relationship with adjoining sites and buildings, or which would adversely affect the character of and area, by virtue of its siting, scale, form, massing will not normally be permitted.

4.07 No changes to policy WOS3 were recommended, other than the amendments proposed by the Council. The Inspector considers that policy WBE1 should be re-titled "design and new development" and restructured to place stronger emphasis on sustainability issues and the need for good design.

4.08 Dunt Cottage is a Grade II Listed Building and, hence, policies relating to the setting of listed buildings are also relevant. In accordance with PPG15 adopted Berkshire Structure Plan Policy EN4, emerging Berkshire Structure Plan policy EN4 and Wokingham District Local Plan (Deposit Draft) Policy WOS10 expect proposals to preserve or enhance the setting of Listed Buildings. Policy WHE11 of the Wokingham District Local Plan (Deposit Draft) amplifies this advice: new development adjacent to a listed building, whether within or outside its curtilage should respect the historic setting and be sympathetic in scale, massing and proportions.

4.09 There were no objections to policy WOS10 and, hence, the Inspector did not comment on it. It is recommended that Policy WBE11 be deleted and replaced but the principles involved and the main considerations listed in the policy remain the same.

4.10 It will be argued that the intensification in the scale of building and activity on the site that would result from the appeal proposal would be detrimental to the rural character of the area and the setting of the listed building.

Highway Safety

4.11 In accordance with Berkshire Structure Plan policy LD5, Loddon Area Local Plan policy LT5 and Wokingham District Local Plan (Deposit Draft) policy WT7, the Council will take appropriate measures to promote road safety. This includes examining the road safety implications of development proposals.

4.12 The Local Plan Inspector has recommended that Policy WT7 be replaced but the need to examine the road safety implications of development proposals would remain as the focus of the revised policy.

4.13 It will be argued that the appeal proposal would generate additional turning movements, at a point where visibility is restricted, which would not be in the interests of highway safety and would, therefore, be contrary to these policies.

Unsustainable location of the site

4.14 It will be argued that the proposed development would be located in an unsustainable location, resulting in most if not all journeys being made by private car. This would be contrary to Wokingham District Local Plan (Deposit Draft) Policies WOS1, WT2, WT3 & WT9. In addition, to Berkshire Structure Plan Policies OS1(I)(IV) & LD1(VI) (plus relevant sections of Chapter 10 Transport) and the advice given in Planning Policy Guidance Note 13.

Conclusion

4.15 The Local Planning Authority will supply evidence to substantiate the reasons for refusal and the demonstrable harm that would result, from the appeal proposal, should it be allowed.

4.16 Evidence to be submitted in support of the reasons for refusal may make reference to Government Planning Policy guidance Notes and other Government circulars, publications and statements, as well as development plan policies and the Local Plan Inspector's report into the Wokingham District Local Plan.

LIST OF APPENDICES

1. Location plan at 1:1250.
2. Extracts from the Wokingham District Local Plan Inspector's Report.
3. List of documents that may be referred to in the Inquiry.

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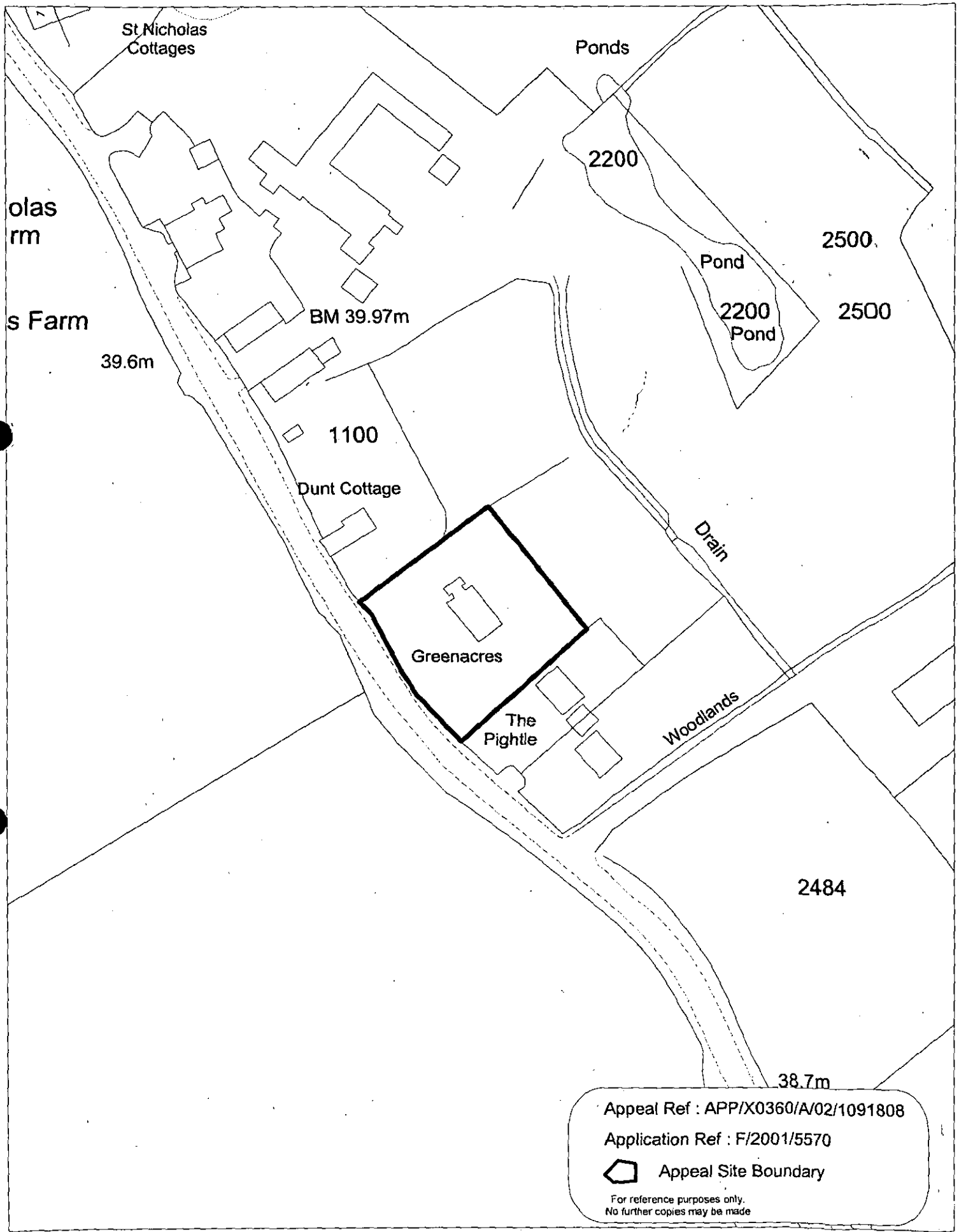
APPENDIX 1 -

Location plan at 1:1250.



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Development Control Section, Environmental Services, Wokingham District Council.

Scale: 1 : 1250

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W E
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APPENDIX 2 -

The Local Plan Inspector's recommendations in relation to relevant Wokingham District Local Plan (Deposit Draft) policies.

Inspector's comments

WOKINGHAM DISTRICT LOCAL PLAN

INSPECTOR'S REPORT

PART TWO

Mr D Hollis

October 2001

CONCLUSIONS

1.3 Given the lack of explanation for making the objection or not stating what is suggested as a remedy, I make no comment upon objections 1333, 1853 and 1854. I see no harm in making reference to Structure Plan Policy RE1 in paragraph 1.18 to show the basis for Policy WOS9, but there is no need to include it in the policy itself. In respect of the other points raised by this objector, they are generally matters that should be dealt with nationally or at strategic level. As far as sustainable development and PPG13 are concerned, I do advocate that the Council changes its methodology for housing site selection and base it on the advice in PPG3 and my recommendations in Chapter 5. The remaining matters raised by objectors have been dealt with in my conclusions and recommendations on individual policies.

RECOMMENDATION

1.4 That reference is made in paragraph 1.18 to Structure Plan Policy RE1 as the basis for Policy WOS9.

POLICY WOS1

(Proposed Amendments 1/1, 1/2, 1/3)

REPRESENTATIONS

82	Councillor R Eke (O)
283	Sonning Parish Council (O)
419	Mr & Mrs P Worrall (O)
716	M.A.F.F. (O)
1300	Beazer Strategic Land (O)
1476	St Nicholas Hurst Parish Council (O)
1587	Stratfield Saye Estates (O)
1599	Miss E Vincent (O)
2034	The House Builders Federation (O)
2058	University of Reading (O)
2330	David Wilson Homes Ltd (O)
2331	David Wilson Homes Ltd (O)
2332	David Wilson Homes Ltd (O)
6045	Swallowfield Parish Council (O)
6088	Hicks Persimmon Ltd (O)
78	Orange Personal Com Services Ltd (S)
166	Eversley Parish Council (S)
1034	English Nature (S)
1132	Joint Strategic Planning Unit (O)
1496	Beech Hill Parish Council (S)
1951	Mr C Young (S)
2265	Ruscombe Parish Council (S)
2382	Shinfield Association (S)
2435	Reading Borough Council (S)
6063	Earley Town Council (S)
6147	Shinfield Parish Council (S)
6239	University of Reading (S)

OBJECTION ISSUES

1.5 It was suggested that reference should be included in objective D) to ensure forms of transport for industry, shopping and services do not mix with integrated housing areas. Another objector asked that the words "where possible" should be deleted in the first line of the policy and the objectives re-ordered and revised. Objective G) should be first, with objectives A) and B) re-written to indicate any development must replace existing housing and business premises and not increase them; this would ensure the population does not increase and preferably

declines. Any development should make a major contribution to a more sustainable life style.

1.6 An objector stated there have been several announcements that development would not take place south of the M4; this policy is a tactical ploy of questionable context. Additional development would lead to further traffic congestion and pollution; infrastructure should be improved and more use made of brownfield land. It was asked that if the objections are successful whether they would be honoured or just put on hold until the next opportunity. The objector did not ask for a precise revision of this policy, but did refer to other policies in the Plan. Another objector suggested objective F) should be divided into F) – "to conserve natural resources" and G) – "to minimise pollution". Objective F) would then cover high quality agricultural land and accord with the approach taken in Policy OS1 of the Structure Plan.

1.7 It was said that the Council's objective of slowing down the rate of development in Wokingham District would be irrespective of the level of development required by the Structure Plan. PPG advice sets out the relationship between Structure and Local Plans and the latter should translate the broad policies of the former. Therefore the Council should remove the statement that they will "continue to slow down the rate of development within the Plan period" in order that the Local Plan conforms to Structure Plan policies. It is not a feature of sustainable development that the rate of development is reduced, merely that development is planned in the most sustainable form and location. Objective A) should be deleted.

1.8 Objective G) should contain the words "in consultation with the Parish Council", thus ensuring improvements have the support of the local community. One of the express objectives of the policy should be to encourage/sustain balanced rural communities. Such settlements should be allowed to continue to grow and evolve otherwise the population will decline and local facilities and services will continue to contract. An objector asked how the Council would implement policy if the development proposed at Grazeley does not proceed.

1.9 In the past the Council has sought improvements/contributions in respect of infrastructure, services and amenities that are not directly related to proposed development. Therefore, objective G) should be amended to make clear that such requirements are only sought where they are as a direct consequence of any development sought. Another objector suggested the policy is unnecessary and repeats other policies in the Plan; objectives E) and G) are unduly onerous. If the policy is to be retained, G) should reflect the wording of Policy WOS4 and in E) the words "or will not harm" should follow " a positive contribution to".

1.10 Objection was made to PA 1.1 as it could be interpreted by developers as a specific need for additional development if it could be shown a community was not balanced in any given respect. There is no legal definition of a "balanced rural community". The amended policy would not address the need to bring

forward for redevelopment contaminated sites beyond settlement boundaries. This could remove threats to health/safety and provide environmental enhancement. Bearing in mind Government advice, PA 1/2 would be unnecessary and should be deleted. A re-wording for the policy was suggested.

CONCLUSIONS

1.11 The Structure Plan does not use the expression 'to slow down development' and neither does the advice in national planning guidance. The District Council has a duty to ensure there is always sufficient housing and employment opportunities to serve the needs of local people. In addition, the Structure Plan requires the Council to find between 2-2,500 dwellings specifically to serve the needs of people seeking employment in the Reading locality. The use of the wording in paragraph 1.1 and objective A) of Policy WOS1 is quite contrary to that requirement. I suggest that paragraph 1.1 is deleted and replaced by the wording I have recommended for paragraph 0.9 of the Introduction Chapter. Objective A) should be deleted as it gives the wrong impression to people seeking homes and jobs in the District.

1.12 Furthermore, that requirement contradicts objective B) where the Council correctly seeks to widen the range of employment opportunities and to meet the needs of the District's economic and social needs. I suggest the deletion of the words 'within a)' and replacement of 'low-cost housing' with 'affordable housing'. In Chapter 5, I have recommended that because of the high cost of housing in the District, the Council should limit affordable housing to rented accommodation. In common with adjacent Authorities, people on low incomes are unlikely to be able to afford even the lower cost of 'low-cost' purchased housing. Until the discrepancy between the high housing costs in the area and the availability of truly low-cost accommodation is resolved, it would be better for the residents of the District to be able to rely upon rented accommodation to meet their demand for affordable housing.

1.13 Objective C) should be re-worded to reflect the approach now recommended in PPG3 to sustainable forms of development. It is necessary to emphasise the need to maximise the use of buildings and land and exploit the potential of previously developed land within identified settlements before using the sequential approach and building upon greenfield land in the countryside. Dealing with comments in respect of the Grazeley development, the Part 1 Report has recommended that it should not proceed and I am recommending in Chapter 5 an alternative strategy for housing supply allocations. I understand the comments regarding the enhancement of services/facilities in rural locations, but only very limited development is appropriate in many of the smaller settlements. If the Council were to allow large scale developments in communities that have inadequate facilities, particularly public transport services, then there would be an inevitable increase in the use of the private car to reach an adequate level of service in the larger settlements. In a District that already has experience of traffic congestion,

that strategy would be quite unfair on local people and contrary to Government advice.

1.14 The use of contaminated sites for new development that are beyond settlement boundaries should be determined upon their merits as exceptions to the Plan. Simply because a site is contaminated does not mean it should always be redeveloped, otherwise the principle of sustainable development and communities would be significantly harmed. I concur with PA 1/3 as it clarifies the Council's objectives. While I note PA 1/1, it does give the wrong impression if the Council is to adopt the strategy of identifying settlements where new housing would be allocated. Objective H) suggests that such development could take place anywhere in the District.

1.15 One objector was concerned at increasing traffic levels; the Council has agreed to assess the cumulative effects of any housing allocations and any associated traffic generation at Modification Stage of the Plan. I accept that the Council should consult with Parish Councils about improvements to services, amenities and infrastructure matters; but that commitment should be within the supporting text and not in the Policy wording. Also PA 0/4 confirms the Council's willingness to consultations in implementing policies and proposals of the Plan. I do not read objective G) as suggesting those improvements would take place regardless of circumstances. The intention is to set out a principle that is then refined in Policy WOS4. In view of my suggestions for objective C), PA 1/2 is superfluous.

1.16 I do not consider there is a need to segregate forms of transport serving different types of development. Both residents and employees should have the opportunity to use public transport. I do accept that the words "where possible" should be deleted from the first line of the policy wording as all acceptable development should be both sustainable and help in some way to improve the quality of life for local people. There is no need for objective G) to follow the precise wording of Policy WOS4 as all policies of the Plan should be read as a whole. However, I do accept that the addition of the words "or make no significant harm" should follow "a positive contribution" in objective E). This would clarify the status of new development.

RECOMMENDATION

1.17 That paragraph 1.1 is deleted and the following wording substituted:

"New development intended to meet local and strategic requirements will be expected to relate well to, and enhance, established communities. The capacity of existing towns and settlements to accommodate new development will be considered first before permitting development in the countryside. New development should provide for housing, employment, shopping and other services in locations that allow for the convenient use of public transport and minimise the need to use the private car."

1.18 That the words "where possible" are deleted from the first line of Policy WOS1 and the objectives are re-lettered in accordance with the following recommendations.

1.19 That objective A) is deleted.

1.20 That objective B) is amended by the deletion of the words 'within a)' and replacement of the words 'low-cost housing' by 'affordable housing'.

1.21 That objective C) is deleted and replaced by the following:

"maximising the use of existing land and buildings, and exploiting the potential of previously developed land within identified settlements before the countryside is built upon."

1.22 That in objective E) the words "or make no significant harm" are added after "a positive contribution".

1.23 That a new paragraph is inserted in the text elaborating upon the sustainable development principles advised in PPG3.

1.24 That the Plan is amended in accordance with PA 1/3.

1.25 That PA 1/1 is not adopted.

1.26 That PA 1/2 is not adopted.

1.27 That the text contains a commitment to deal with the cumulative effects of additional housing allocations and any associated traffic generation at the Modification Stage of the Plan.

1.28 That the text contains a commitment to consult with Parish Councils upon the question of improvements to services, facilities and infrastructure.

PARAGRAPHS 1.6-1.9

(Proposed Amendment 1/4)

REPRESENTATIONS

1477 St Nicholas Hurst Parish Church (O)
2169 Sonning Parish Council (O)
2521 Prudential Portfolio Managers Ltd (O)
2684 Hobden Estates Ltd (O)

OBJECTION ISSUES

1.29 An objector asked that the words "or has a special reason to locate here" be deleted from paragraph 1.6 as developers should not be given more latitude. Objection was made to the extent of the identified settlement for Earley/Sonning/Woodley. It is inappropriate, unacceptable and very bad planning to include Sonning with Woodley and Earley as a single identified settlement; such treatment has resulted in important features of Sonning being overlooked in the Plan. The maintenance of open space around the Conservation Area and that designation itself is not highlighted in the Plan. The highly attractive countryside along the Thames towpath and its function as an area for recreation is ignored.

1.30 One objector considered that the Reading Business Park should be identified as a settlement for the purposes of Policy WOS2; this would allow the Park to accommodate the development requirements of Wokingham. Crazies Hill should be regarded as a settlement.

CONCLUSIONS

1.31 Although the listing of Identified Settlements is a useful tool in the control of development, it is necessary for the Council to review the list following publication of PPG3. In the Housing Chapter I have mentioned a number of settlements where I have opposed the allocation of land for housing because those areas do not have a sufficient range of services or facilities. Such areas often have poor public transport services and the allocation of additional housing could lead to the greater use of private cars contrary to PPG advice. I suggest paragraphs 1.6-1.9 are replaced to list those localities where housing allocations may take place and those where only very limited infilling and small windfall sites would be permitted. PA 1/4 clarifies the Council's objectives in respect of development outside those settlements and I have taken that suggestion into my recommendation.

RECOMMENDATION

1.32 That paragraphs 1.6 – 1.9 are replaced as follows:

"The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside boundaries of identified settlements is retained. However, within Wokingham District there are a number of settlements where people are heavily reliant on car borne transport because local services and facilities are limited and the choice of alternative transport modes is poor. National planning guidance, and in particular PPG3 and PPG13, make it clear that new development should not be allocated in such locations.

Identified Settlements will therefore be divided into two categories as follows:

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, 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 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. Areas of sporadic development .....(as per paragraph 1.10).

POLICY WOS2

REPRESENTATIONS

334	D & S Nurseries Garden Centre (O)
1017	Mrs B Gibson (O)
1019	D & M Autos (O)
1033	The Hurst Village Society (O)
1342	Mr N Jackson (O)
1457	Miss D Lewis (O)
1478	St Nicholas Hurst Parish Council (O)
1495	St Nicholas Hurst Parish Council (O)
1588	Stratfield Saye Estates (O)
1592	Mr & Mrs C Adams (O)
1657	Linden Homes South East Ltd (O)
1662	Linden Homes South East Ltd (O)
1663	Linden Homes South East Ltd (O)
1667	Linden Homes South East Ltd (O)
1673	Alfred McAlpine Dvpts Ltd (O)
1685	Hicks Development Ltd (O)
1691	Bancroft Developments (O)
1693	Thatching Advisory Services (O)
1709	The Tstees of Twyford Orchards (O)
1710	The Tstees of Twyford Orchards (O)
1711	The Tstees of Twyford Orchards (O)
1719	Bewley Homes PLC (O)
1723	Bewley Homes PLC (O)
1724	Bewley Homes PLC (O)
1727	Bewley Homes PLC (O)
1732	Linden Homes South East Ltd (O)
1736	Sonning Developments (O)
1737	Sonning Developments (O)
1753	Mr L Nemeth (O)
1754	Mr L Nemeth (O)
1761	Westfield Homes Ltd (O)
1762	Westfield Homes Ltd (O)
1770	Hicks Persimmon Ltd (O)
1772	Hicks Persimmon Ltd (O)
1781	The Landowner (O)
1783	Mr E Gale (O)
1836	Mr G Hunter (O)
1848	Persimmon Homes (TV) Ltd (O)
1868	Westbury Homes (Holdings) Ltd (O)
1879	South Wokingham Consortium (O)
1883	Bryant Homes Tech Services Ltd (O)
1888	T A Fisher & Sons Ltd (O)
1891	Charles Church Developments Ltd (O)
1901	Mrs B Madge & Mr G F Bayles (O)
1905	Mrs B Madge & Mr G F Bayles (O)
1945	Mr & Mrs F Wicks (O)

"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 limited infilling and small windfall development.

1.41 That the Council extends the boundary of the Identified Settlement of Spencers Wood to include the development near to Lambs Lane and adopt PA P/1 and PA A/13. (Sindlesham (48)

1.42 That the Council carry out a thorough review of all settlement boundaries before the next review of the Plan.

1.43 That Policy WOS2 is re-titled "Housing Development Principles"

NEW PARAGRAPH 1.12A

(Proposed Amendment 1/5)

OBJECTION ISSUES

1.44 Although there were no objections recorded against this proposed amendment, objectors to other parts of this Chapter have asked for such a change.

CONCLUSIONS

1.45 I concur with the Council's proposed amendment as it would clarify its objectives.

RECOMMENDATION

1.46 That the Plan is amended in accordance with PA 1/5.

POLICY WOS3

(Proposed Amendment 1/6)

REPRESENTATIONS

168	Councillor R Eke (S)	1301	Beazer Strategic Land (O)
1035	English Nature (O)	2447	Envt Agency (Thames Region) (O)
1287	Mr J Vernon (O)	2542	S Grundon Ltd (O)

OBJECTION ISSUES

1.47 It was said that landscaping schemes should be comprised predominantly of locally native species. It was suggested the policy does not provide clear guidance and in order to cover indirect impact on adjacent developments, additional wording should be inserted at the start of criterion B). One objector asked for removal of reference to the generation of traffic as all development is likely to result in some traffic. Reference to alternative modes of transport and locations which minimise travel should also be included. An objector suggested that, as shown at Basingstoke Road, traffic is so heavy it would cause chaos and be expensive; nothing has been thought through properly.

CONCLUSIONS

1.48 PA 1/5 should satisfy objection 2447, but I agree with the Council that it is too detailed a point to be included within the policy itself. PA 1/6 would ensure there is no indirect impact on adjacent developments. Criterion D) is quite acceptable as it is qualified by the word 'significant' and criterion C) relates to the need to travel and the use of alternative modes of transport to that of the private car. I do accept that Wokingham District does have to contend with traffic congestion, but that is more reason to ensure development schemes are located in sustainable areas and a significant effort is made to encourage people to use public transport rather than exacerbate poor traffic conditions. Under the Miscellaneous section of the Introduction Chapter, an objector suggested that the Royal Town Planning Institute document "Access Policy for Local Plans" is adopted. I endorse that suggestion, but it should be in the text.

RECOMMENDATION

1.49 That the Policy WOS3 is amended in accordance with PA 1/6 and the inclusion of PA 1/5 to create paragraph 1.12A.

1.50 That reference is made in the supporting text to the document "Access Policy for Local Plans".

PARAGRAPH 1.13

REPRESENTATIONS

1479	St Nicholas Hurst Parish Council (O)	1672	Alfred McAlpine Dvpts Ltd (O)

1769 Hicks Persimmon Ltd (O)

1714 The Trustees of Twyford Orchards (O)

OBJECTION ISSUES

1.51 It was suggested that the Supplementary Planning Guidance (SPG) referred to has not been the subject of examination through the Local Plan process and thus cannot be given significant weight when determining proposals for development. The last sentence of the paragraph should be deleted. Also that scant regard is given to educational matters and the general infrastructure; specific mention should be made in the Plan.

CONCLUSIONS

1.52 I concur with the Council that Policy WOS4 makes proper reference to the provision by developers of an adequate infrastructure to meet the needs of new development proposals. Policy WIC12A specifically refers to educational requirements. It is true that if the SPG does not form part of the Plan or has not been the subject of public consultation and scrutiny, it does not carry the same weight as policies within the Plan.

RECOMMENDATION

1.53 That the last sentence of paragraph 1.13 includes an explanation of the weight to be given to Supplementary Planning Guidance when determining planning applications.

POLICY WOS4

REPRESENTATIONS

1297 Beazer Strategic Land (O)
1480 St Nicholas Hurst Parish Council (O)
1645 Linden Homes South East Ltd (O)
1649 Bancroft Developments (O)
1674 Alfred McAlpine Dvpts Ltd (O)
1680 Mr B Proctor (O)
1681 Mr B Proctor (O)
1686 Hicks Development Ltd (O)
1712 The Trustees of Twyford Orchards (O)
1738 Sonning Developments (O)
1755 Mr L Nemeth (O)
1771 Hicks Persimmon Ltd (O)
1789 Mr E Gale (O)
2036 The House Builders Federation (O)
2060 University of Reading (O)
2541 S Grundon Ltd (O)
2363 Thames Water Property (S)
2436 Reading Borough Council (S)

OBJECTION ISSUES

1.54 It was said that the policy does not give clear guidance and much of the wording should be within the supporting text. No recognition is given to the number of statutory providers of infrastructure, public and community services. Details of how the Council expects implementation of policy requirements to be carried out are not included. Such details should not be issued as SPG, but as part of the Plan and subjected to public examination. Neither does the policy wording make it

POLICY WOS9

REPRESENTATIONS

1646	Linden Homes South East Ltd (O)	2038	The House Builders Federation (O)
1650	Bancroft Developments (O)	2661	Mr J Vernon (O)
1739	Sonning Developments (O)	2062	University of Reading (S)
2023	Fairview New Homes Plc (O)	2392	Wokingham Friends of the Earth (S)

OBJECTION ISSUES

1.76 Five objectors asked that the word "require" be replaced by "encourage"; energy efficiency is controlled under other legislation. 2038 suggested criteria c) and d) be deleted as they do not relate to land use planning and can be controlled through the application of Building Regulations. 2661 said that there is no point in building houses if they are built in the same way as in the past; good quality houses last longer. Under the General section of this Chapter an objector asked for a cross reference to be made between this policy and Structure Plan Policy RE1.

CONCLUSIONS

1.77 I see no harm in putting a reference in paragraph 1.18 to indicate the basis for this policy and its relationship with Structure Plan Policy RE1. I agree with most objectors that the Council should seek to achieve these matters. Criterion d) is not a land use planning matter; but would be able to be controlled under Building Regulations. However, the matters covered in criterion c) are mentioned in PPG12 and the improvement of energy efficiency would also be covered under criterion c).

RECOMMENDATION

1.78 That criterion d) be deleted.

1.79 That reference is made in paragraph 1.18 to Structure Plan Policy RE1 being the basis for this policy.

POLICY WOS10

REPRESENTATIONS

64	Rose Street Residents Society (S)
2267	Ruscombe Parish Council (S)
2384	Shinfield Association (S)

CONCLUSIONS

1.80 As there were no recorded objections to this policy, I make no comments.

paragraphs 2.21 and 2.22 are therefore unnecessary and confusing and I would suggest removing references to "rural areas" and using the term "countryside" throughout.

2.26 I support PA 2/7, which addresses the point raised in the objection. It provides clarity by highlighting the issue of permitted development in the countryside and the associated notification system. However, I do not consider that the amendment is correctly worded. Not all agricultural or telecommunications development falls within the scope of permitted development and not all of that which does requires prior notification. I suggest that the sentence be reworded accordingly.

2.27 I do not consider that there is anything wrong with the Council including a definition of infill development and I do not believe that the one given is unduly restrictive. However, I agree with the objection that such development should not be subject to Policy WCC4 for the reasons that I have given there. Furthermore, in view of my recommendation to delete Policy WLL8, I suggest removing reference to that policy as well.

RECOMMENDATION

2.28 That paragraphs 2.21 and 2.22 are deleted.

2.29 That the second sentence in paragraph 2.23 is amended to read:

"It can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location".

2.30 That paragraph 2.23 is amended in accordance with PA 2/7, subject to the following change:

"Certain categories of agricultural and telecommunications development are classed as permitted development under the Town and Country Planning (General Permitted Development) Order 1995; in some cases there is a requirement to give advance notification to the Council of the intention to exercise these rights"

POLICY WCC1

(Proposed Amendment A1)

REPRESENTATIONS

83	Councillor R Eke (O)
335	Mr & Mrs D Chesterman (O)
356	Mr M Peirce (O)
705	RCB Sports and Social Club (O)
965	R A Waterer (O)
1298	Beazer Strategic Land (O)
1483	St Nicholas Hurst Parish Council (O)
1656	Linden Homes SE Ltd (O)
1675	Alfred McAlpine Dvpts Ltd (O)
1687	Hicks Developments Ltd (O)
1726	Bewley Homes PLC (O)
1746	Wokingham Cricket Club (O)
1773	Hicks Persimmon Ltd (O)
1774	Hicks Persimmon Ltd (O)

1837	Mr G Hunter (O)
1889	T A Fisher & Sons Ltd (O)
1895	Charles Church Dvpts Ltd (O)
1931	A J Erangey (O)
2039	The House Builders Federation (O)
2064	University of Reading (O)
2121	Trustees of Mrs A C Hutchinson Deceased (O)
2186	Holme Park Sonning Ltd (O)
2190	Mr I Johnson (O)
2192	Mr H M S Bowyer (O)
2196	Mr R Gwinn (O)
2199	Mr K J Warwick (O)
2203	Mrs G Childerhouse & Mr H M S Bowyer (O)
2206	Mr C Evans (O)
2209	Mr C Evans (O)
2214	Wokingham United Charities (O)
2220	Mr C Ayres & Others (O)
2222	Mr C Ayres & Others (O)
2326	Mary Pich and Judith Peel (O)
2345	Mr J Marino (O)
2351	Mr D Bishop (O)
2394	Wokingham Friends of the Earth (O)
2511	Babtie Joint Strategic Planning Unit (O)
2544	Martin & Pole, Nicholas for various clients(O)
2711	Linden Homes South East Ltd (O)
2712	Linden Homes South East Ltd (O)
2713	Linden Homes South East Ltd (O)
6010	Mr C Evans (O)
6050	Mr A L Borton (O)
6093	Arborfield & Newland Parish Council (O)
6101	Mr A Stewart (O)
6117	Martin & Pole, Nicholas (O)
6128	Miss C Double (O)
6161	Shinfield Parish Council (O)
6175	Bewley Homes Ltd (O)
6276	University of Reading (O)
6298	University of Reading (O)
6299	University of Reading (O)
6300	University of Reading (O)
6301	University of Reading (O)
6240	University of Reading (O)
1036	English Nature (S)
1273	Mrs & Mrs P Pottinger (S)
1497	Beech Hill Parish Council (S)
2364	Thames Water Property (S)
6224	Bovis Homes Ltd (S)

OBJECTION ISSUES

2.31 Many objections considered that the policy would be too restrictive and inflexible; categories of development should not be treated as an exhaustive list. There was particular concern about the use of the words "in exceptional circumstances" and "strictly controlled" as these were considered to incorrectly elevate the policy to green belt status. Local views should input into what constituted exceptional circumstances. It was suggested that the word "normally" should be inserted into the opening paragraphs to make them less restrictive.

2.32 Several objectors believed that the effective application of Policy WCC1 depended on whether the settlement boundaries had been properly defined in the first place. A systematic review should be undertaken and if countryside protection was to endure in the long term, the settlement boundaries would need to be less tightly drawn around the existing edge of built up areas. This would recognise that the previous Structure Plan had allowed some housing to be provided outside settlements through the process of "rounding off".

2.33 PA P/3 removed the countryside allocation from a number of sites and there was objection to the six that were in the Parish of Shinfield. A number of site-specific objections considered that countryside designations were inappropriate and suggested changes to the settlement boundaries. In other cases, proposals to remove the countryside designation related specifically to housing development under Policy WH2 or to affordable housing under Policy WH9.

2.34 It was not considered that category B) made sufficient provision for sports facilities and the infrastructure associated with them. Sport and countryside recreation should be separate and there was no allowance for indoor sports facilities where needed to complement outdoor sports use. No recognition had been given to the more than local importance of some sports organisations. Alternative wording was suggested to cover these matters. It was also thought that new sporting facilities in the countryside should be accessible to public transport to avoid unacceptable traffic generation. A number of objectors believed that ancillary buildings should be included in category B).

2.35 It was said that category C) is unnecessary as there is no support for it in Policy C2 of the Structure Plan. In any event, such development would be covered by category G). Another objection stated that category C) should include new schools that could not be located within identified settlements. It was considered that this would accord more closely with PA 11/14.

2.36 Concern was expressed that category D) should not allow commercial development other than to meet local needs. An objector wanted to ensure that inappropriate re-use and adaptation did not occur. Another objector requested that this category should allow rebuilding as this could sometimes be a more sustainable option, in accordance with Policy WOS1.

2.37 It was thought that the policy would restrict discretion and consideration of proposals for new dwellings in the countryside on their individual planning merits. It was suggested that category G) should be amended accordingly. Other objections considered that specific reference should be made to gypsy caravan sites, either in category G) or elsewhere in the policy. This would avoid discrimination of this ethnic minority group and would comply with Policy WH13. It was said that the words "which cannot be accommodated within a settlement" should be removed from category G), in order to provide flexibility and make the policy less restrictive.

2.38 A number of objections mentioned that in appropriate circumstances "rounding off" should be allowed at the edge of settlements. It was considered that the policy would be inflexible as it did not allow residential infilling or minor extensions beyond settlement boundaries. Such development could be accommodated on occasion without harming the character of the countryside as set out in paragraph 3.21 of PPG 7. Another objector believed that the policy should make provision for the development of small sites with road frontages that could be developed without prejudice to the overall objective of countryside protection.

2.39 There was concern that a rigid policy approach would inevitably compromise the level of windfalls coming forward. It was suggested that a sentence could be added to the end of the policy to the effect that sensitively located residential development would be permitted. There are areas where the scale and concentration of existing housing would allow further development without

offending the principles of either this policy or Policy WOS3. This should be catered for by an additional category and identified on the Proposals Map.

2.40 PA 2/8 added infilling and minor extensions to groups of houses as a further category. A number of objections mentioned there was nothing in paragraph 3.21 of PPG 7 to exclude development from areas such as green gaps and that this requirement should be deleted. Conversely, another objector disagreed and felt that such development should not be allowed in green gaps or wedges in order to ensure adequate countryside protection. The wording of this part of the policy was considered to be ambiguous as it would not be clear whether the reference to gaps applied to infilling or not. The proposed amendment should be dropped or clarified. Another objection acknowledged the advice in PPG 7 but considered that it should be interpreted in a more specific way to take account of the intense development pressure in Wokingham. To permit "sensitive" infilling would encourage developers to build in the countryside rather than in urban areas as advocated in PPG 3.

2.41 There was some support for PA 2/8 but objection to PA A/1, which deleted reference to minor extensions to housing groups. This was not considered to accord with PPG 7 and a reworded category H) was proposed in its place. A number of objectors thought that an additional category should be added to cover redevelopment of brownfield sites. This would reduce pressure on greenfield land and could result in environmental improvement through the reclamation of contaminated and derelict land.

2.42 It was said that Policy WCC1 does not comply with Policy C2 of the Structure Plan by making provision for necessary or desirable development outside settlement boundaries. It was suggested that an additional category should be added allowing development that afforded significant benefits to the community. This would introduce more flexibility and cover such things as affordable rural housing, local leisure facilities and small-scale employment generators.

2.43 An objector considered that the penultimate paragraph, including the proposed amendment, is unnecessary and should be deleted. Another opposed the unqualified presumption against the closing of gaps in the final paragraph. Paragraph 4.16 of PPG 7 makes it clear that such designations are of local and not national significance. The policy would be unduly restrictive and might prevent sustainable development in locations that do not contribute to the function of the gap.

CONCLUSIONS

2.44 Even though I appreciate that PPG 2 refers to "very special circumstances", I consider that the words " in exceptional circumstances" do have green belt connotations and are therefore best avoided. I do not accept the Council's argument that the individual categories should be viewed as "exceptions" and this is not what the opening paragraphs of the policy infer. To my mind they rightly

establish the types of development that the Council would, in principle, consider suitable in a countryside location. This does not mean to say that because a proposal falls within one of these categories it would necessarily be acceptable. National planning policy makes it clear that the countryside will be protected for its own sake. The words "strictly controlled" are used in Structure Plan Policy C2 and I think that they recognise that Berkshire is subject to considerable development pressure.

2.45 I have noted the comments regarding consultation with the Parish Council on what constitutes "exceptional circumstances". Notwithstanding my conclusions on the use of these words, consultation on planning proposals is a procedural matter and I do not think that it is an appropriate topic for the policy. I do not agree with the objections that suggested inserting the words "normally" into the opening sentences. It is the job of policy to address "the norm" and S54A of the Town and Country Planning Act 1990 makes it clear that other material considerations should also be taken into account when considering individual proposals for development.

2.46 I agree with objectors that the satisfactory application of Policy WCC1 depends on whether settlement boundaries have been correctly drawn. Where the interface between town and country falls may change from one Plan to the next. In Chapters 1 and 5, I have recommended that the Council should amend their reference to Identified Settlements. Accordingly, the Council should ensure there is proper justification for the various boundaries of both categories of settlement.

2.47 Many objectors suggested the removal of countryside designations along with parallel changes to settlement boundaries and gap designations or in association with a housing or affordable housing proposal. I have dealt with these under Policies WOS2, WCC2, WH2 and WH9 respectively. Conversely, PA P/3 removed the countryside allocations from a number of sites, including six in Shinfield. Of these, land at Wilsford Close, land at Hollow Lane, land at Lane End Farm and Church Farm are all allocated for housing development under Policy WH2. Reading Business Park is being developed for business purposes and the Applied Research Station will be developed. In the circumstances, I can see no purpose in maintaining a countryside designation on any of these sites.

2.48 Policy WCC1 is a general policy that establishes the basic principles of countryside development. It is not intended to provide detailed guidance, which can be found in the policies relevant to individual topics. Indeed, this is stated in the first part of the policy and for this reason I consider cross-references to specific policies are unnecessary. Similarly, I do not agree with the objections that consider individual categories, such as sport and recreation, require further detail or qualification.

2.49 I see no reason why category C) should be deleted. It highlights a particular issue that the Council considers is locally important and I find no conflict with Policy C2 of the Structure Plan. I agree with the Council that it is unnecessary to

specifically refer to any particular type of community facility, such as new schools, as the policy is only dealing with a principle.

2.50 The re-use of existing resources is a sustainable objective and is encouraged in Policy C2 of the Structure Plan and PPG 7. I therefore support the inclusion of category D) although there are different considerations for rebuilding, which I deal with later. I do not agree that further qualification is necessary to prevent inappropriate re-use. I have already commented that the policy is not intended to provide detailed guidance. Although economic activity can often be located satisfactorily in the countryside I do not think that there is any justification for requiring such benefits to be purely local. I agree with the Council that such an amendment is unnecessary and would be unduly restrictive.

2.51 An additional category should be inserted to deal with gypsy caravan sites. National policy makes it clear that the needs of gypsies should be recognised in development plans and paragraph 5.26 in the Plan suggests that there is pressure for additional permanent pitches in the District. There is a more detailed policy in the Housing Chapter.

2.52 Although I would advocate that the policy is as specific as possible about the types of development it considers to be acceptable, I can see some merit in including category G) as a general "catch all" at the end. However, I do not agree that the requirement to look to the settlements first should be removed. As I have already said, the first priority of the policy should be the protection of the countryside for its own sake.

2.53 Paragraph 3.21 of PPG 7 indicates that sensitive infilling or minor extensions to housing groups can be acceptable in the countryside, although this will depend on the character of the surroundings and the number of such groups in the area. I have observed that in Wokingham District there are many countryside locations where additional development could be accommodated in line with these general principles. However, such areas generally support few local services and have infrequent or non-existent public transport facilities. One of the main objectives of PPG 3 is to direct new housing towards sustainable locations in or adjoining urban areas. Whereas I believe that the opportunities for satisfactory infilling are generally limited and small scale, the instances where groups of houses could be extended are likely to be more widespread, especially in view of development pressures in this area. Even minor development of this type will often be on a larger scale than infilling and, more importantly, can lead to a serious cumulative impact. In view of the likelihood that such development would be reliant on the private car, I consider that it would sit uneasily with the sustainability principles advocated in national and strategic guidance. It would also be at odds with the overall strategy that I have recommended for additional housing allocations.

2.54 For the above reasons, I think that category H) should be restricted to sensitive infilling only and that minor extensions to groups are not an acceptable form of countryside development in Wokingham District. I do not believe that it is

necessary to refer to the character and appearance of the area as this is included in a general provision that applies to all categories at the end of the policy. I acknowledge that not all objectors welcomed the inclusion of category H) at all, but I believe that, providing it is modified as I have suggested, it would provide some flexibility without compromising the overall strategy of the Plan.

2.55 Several objections suggested that there should be a wider provision for residential development in appropriate circumstances. However, I find no support for this objective in PPG 7 and I think that it would severely compromise the overall strategy of countryside protection. I note that it has been suggested that suitable areas for residential development in the countryside should be identified on the Proposals Map. However, in view of the necessarily small scale and dispersed nature of this type of development, I do not consider that such a suggestion would be practicable or desirable.

2.56 I do not consider that "rounding off" should be included in category H). Policy H5 and paragraph 7.40 in the Structure Plan only envisage such development as an extension to a settlement following a boundary review through the Local Plan. Furthermore, PPG 3 specifically excludes an allowance for greenfield windfalls. Some objectors considered that category H) should apply to development in areas designated as gap and others that it should not. Gap policy is a spatial tool covered by Policy WCC2 and should not, in my opinion, be referred to in Policy WCC1, which is concerned with landscape protection. Clearly within a gap location, development under this category would need to be judged under the provisions of Policy WCC2.

2.57 There may be existing sites in rural areas that offer the opportunity for redevelopment without compromising countryside objectives. These could include contaminated or derelict sites and may offer the opportunity for environmental improvement. On the other hand, such sites are likely to be in locations away from existing services and facilities and poorly served by transport options other than the private car. Each case would need to be judged on its merits as an exception to the Plan. In the circumstances, category F) should be deleted and no provision added to refer to the redevelopment of brownfield sites.

2.58 I do not agree that an additional category is needed to cover development of significant benefit to the community. Such benefits would tend to be specific to a particular project and S54A of the Town and Country Planning Act 1990 allows such matters to be taken into account. Affordable rural housing is considered as an exception in cases of need and it would not be appropriate to include it within Policy WCC1.

2.59 It is not necessary to refer in the penultimate paragraph to other policies in the Plan. Other policies are referred to in the opening paragraph and, in any event, the Local Plan should be read as a whole, with account taken of all relevant policies and provisions. I think that it is reasonable to include a general requirement that development should respect its countryside location.

2.60 The Council has made it clear that the "gaps" referred to in the final paragraph meant open areas in a built up frontage. Gaps have a special meaning under Policy WCC2 and I do not consider that wording should be used in this context. I have already commented on the reference to "green gaps" in the penultimate paragraph and recommended that it be deleted. However, I find no objection to the need to protect open areas, subject to the qualification that they should be important to countryside character.

2.61 I have considered the policy rewordings suggested by a number of objectors. However, I do not consider that the suggested alternatives offer any advantages over the Council's version with the amendments that I have recommended. I think that it is important that a precise definition of "countryside" is given and I agree with the Council that it should relate directly to land beyond identified settlements. I do not believe that it is necessary to change the wording of individual categories beyond those that I have suggested. I agree with the Council that other categories such as public utilities, domestic extensions, minerals or waste should not be included. I am satisfied that Policy WCC1, as amended, would provide a suitable level of control, without undue rigidity, and would accord with Policy C2 in the Structure Plan and PPG 7.

RECOMMENDATION

2.62 That Policy WCC1 is amended as follows:

"Development outside defined settlement boundaries will be strictly controlled through the application of the detailed policies and provisions of this Plan.

Such development will only be acceptable in principle where the proposal falls within one of the following categories:

A) Development required for agriculture or forestry.
B) Outdoor sport or countryside recreation.
C) Local community facilities which cannot be located elsewhere.
D) Re-use and adaptation of existing buildings.
E) Diversification of an established agricultural business.
F) Permanent and transit gypsy sites.
G) Sensitive infilling of one or two dwellings in a small gap in an otherwise built-up frontage.
H) Other development suitable to the countryside, which cannot be accommodated within a settlement.

Where development is acceptable in principle it will only be permitted if it is appropriate in scale, form, materials, design and character to its location in the countryside. The enclosure of open areas that are important components of countryside character will not be permitted".

RECOMMENDATION

4.5 That no changes are made to the Plan in response to these objections.

PARAGRAPH 4.4

REPRESENTATIONS

1775 Hicks Persimmon Limited (O)

OBJECTION ISSUES

4.6 This objection was concerned that there is no policy directed towards the key objective of improvement of poor/degraded land through the control of new development and the implementation of improvement schemes. This was contrary to PPG 12. A new policy was suggested to identify such sites and, where appropriate, to allocate them for development to secure environmental improvements.

CONCLUSIONS

4.7 The objective of securing environmental improvement is established in Policy WOS5. To my mind, enhancement should be a benefit to flow from the development of poor and degraded landscapes as part of the overall package. I do not agree with the implication in the proposed new policy that such benefits should necessarily outweigh other considerations. Just because land is degraded does not necessarily mean that an alternative use would be acceptable. For example, within a countryside location redevelopment of such a site may run counter to the principles of sustainability. In such cases proposals would have to be considered on their merits, as exceptions to the Plan. I do not therefore agree that a new policy is required.

RECOMMENDATION

4.8 That no changes are made to paragraph 4.4.

POLICY WBE1

REPRESENTATIONS

2493 George Wimpey Plc (O)
2566 Martin & Pole, Nicholas (O)
1308 Ms L Erler (S)

OBJECTION ISSUES

4.9 The policy was thought to be too restrictive and the words "will require" should be replaced with "will seek". It was also considered that the policy is a corporate mission statement and has no development control function. It should be deleted or relegated to subtext.

CONCLUSIONS

4.10 Fostering good design is an important objective in national planning guidance and is strongly endorsed in PPG 1, PPG 3 and PPG 13 as well as the recently published Urban White Paper. Developing sustainable environments at higher densities and reducing the need to travel are key themes. I therefore support the policy in principle and must emphasise the message needs to be strongly conveyed that poor designs will be rejected. However, the present wording is not sufficiently specific and conveys the impression that new development should mirror its immediate surroundings. This may not be appropriate and the policy needs to be retitled and restructured to give clear guidance of what is expected in terms of design and sustainability.

4.11 I would also suggest removing reference to supplementary planning guidance from the policy itself. This can be referred to in the supporting text, but an attempt to afford it Section 54A status should be resisted.

RECOMMENDATION

4.12 That reference to supplementary planning guidance is removed from the policy and inserted into the supporting text. That this is supplemented by a reference to development briefs as I have recommended under Policy WBE19.

4.13 That Policy WBE1 is deleted and replaced as follows:

"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;

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".

POLICY WBE2

REPRESENTATIONS

2487 Slough Properties Ltd (O)
2567 Martin & Pole, Nicholas (O)

OBJECTION ISSUES

4.14 It was considered that there were some areas such as Winnersh Triangle, which although they do not have particularly pronounced or historic architectural styles, do not have poor architectural quality. In such cases further development should be compatible and not used to create artificial visual interest. It was also felt that the policy has no development control function and should either be deleted or relegated to the supporting text.

CONCLUSIONS

4.15 There are many built-up parts of the District of mediocre quality but I do not agree that such circumstances should necessarily be perpetuated in new development. Policy WBE1 calls for better quality in the design of individual developments and this should reinforce local identity and result in improvement of the wider urban area. To my mind Policy WBE2 is a reasonable objective but the point is adequately covered by my recommended rewording of Policy WBE1.

RECOMMENDATION

4.16 That Policy WBE2 is deleted.

POLICY WBE3

REPRESENTATIONS

2494 George Wimpey Plc (O)
2568 Martin & Pole, Nicholas (O)

OBJECTION ISSUES

4.17 The policy was considered to be unreasonable in that it requires details that were likely to change as a result of market demand. The only requirement should be for a master plan. The other objection felt that the policy has no development control function and should be deleted or relegated to the subtext.

CONCLUSIONS

4.158 PPG 15 makes it clear that historic buildings are a finite resource and an irreplaceable asset that should be preserved wherever possible. The particular circumstances when demolition would be justified are a matter for consideration under a Listed Building application and do not need to be included in the policy. If the Council considers it necessary, I suggest placing the detailed provisions in the supporting text.

RECOMMENDATION

4.159 That Policy WHE10 is deleted and reworded as follows:

"The demolition of any listed building will only be allowed provided that a suitable replacement scheme has been approved".

POLICY WHE11

REPRESENTATIONS

1401	English Heritage (O)	68	Rose Street Residents Society (S)
2076	University of Reading (O)	1307	Ms L Erler (S)
5	Mr C Bray (S)	2388	Shinfield Association (S)

OBJECTION ISSUES

4.160 It was considered that a more robust approach should be taken and that proposals that damaged the setting of a listed building should be refused permission. Another objector felt that although the setting of a listed building should be respected, the use of the word "must" in A) requires this to be mandatory and the word "should" would allow some discretion as shown in the other sub-paragraphs.

CONCLUSIONS

4.161 PPG 15 makes it clear that the setting of a listed building is often an essential part of a building's character and should be preserved. I therefore agree that the use of the words "refused permission" rather than "resist" would be more robust. In relation to the second objection, the Council has pointed out that parts B), C) and D) of the policy amplify A), which is already contained in the opening paragraph. I suggest that A) is superfluous and should be omitted.

4.162 The first sentence is an objective and should be incorporated in paragraph 4.47. It is not necessary to cross-refer to Policy WBE1. I have said on other occasions that the Plan needs to be read as a whole and there are likely to be a number of policies that will be applicable to a proposal affecting the setting of a listed building.

RECOMMENDATION

4.163 That the first sentence of the policy is placed in the supporting text.

4.164 That Policy WHE11 is deleted and replaced as follows:

"Proposals for development that would harm the historic setting of a listed building will be refused permission. New development adjacent to a listed building, whether within or outside its curtilage, will be considered against the following criteria:

A) the development should be sympathetic in scale to the listed building;

B) the development should respect the roof form and height of the listed building;

C) the development should be finished in materials sympathetic to the listed building".

POLICY WHE12

(Proposed Amendments 4/21 and 4/22)

REPRESENTATIONS

1402 English Heritage (O)
69 Rose Street Residents Society (S)
2389 Shinfield Association (S)

OBJECTION ISSUES

4.165 The objection suggested removing the word "immediate" in criterion b). Adverse effects could develop over the longer term from inappropriate floor loadings, for example.

CONCLUSIONS

4.166 I agree with the objection and support PA 4/21 and 4/22, which take it into account. Although it was not specifically raised, for consistency I would point out that the first sentence of the policy is an objective that does not therefore belong in the policy. I note that it has already been stated in paragraph 4.48.

RECOMMENDATION

4.167 That Policy WHE12 is amended in accordance with PA 4/21 and PA 4/22 and the omission of the first sentence and the word "however" in the second sentence.

APPENDIX 3 - List of documents that may be referred to in the Inquiry.

1. Location plan at scale 1:1250
2. Decision Notices relating to Green Acres, Dunt Lane, from 1960 to date.
3. Berkshire Structure Plan 1991 - 2006
4. Berkshire Structure Plan 2001 - 2016, Deposit Draft
5. Loddon Area Local Plan
6. Wokingham District Local Plan (Deposit Draft)
7. Wokingham District Local Plan Inspector's Report, Parts One and Two, October 2001
8. Planning Policy Guidance Note No 1, General Policy and Principles
9. Planning Policy Guidance Note No 3, Housing
10. Planning Policy Guidance Note No 7, The Countryside – Environmental Quality and Economic and Social Development, February 1997
11. Planning Policy Guidance Note No 13, Transport
12. Planning Policy Guidance Note No 15, Planning and the Historic Environment
13. DETR, Places Streets and movement
14. Department of Transport TD 42/95
15. Relevant traffic flow data
16. Relevant Accident data
17. In addition the Local Planning Authority reserves the right to refer to any other information sources that arise in the course of production of detailed proofs of evidence.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY MARLOW BUILDING COMPANY LTD

AGAINST THE DECISION OF WOKINGHAM DISTRICT COUNCIL TO REFUSE PLANNING PERMISSION FOR THE PROPOSED ERECTION OF 2 DWELLINGS WITH DETACHED DOUBLE GARAGE AT GREEN ACRES, DUNT LANE, HURST

PLANNING APPLICATION No. F/2001/5570

DETR REF: APP/X0360/A/02/1091808

STATEMENT OF CASE BY THE HIGHWAY AUTHORITY

1.0 HIGHWAY AUTHORITY CASE

1.1 The evidence provided within this statement addresses the Highway Authority's reasons for refusal of Planning Application F/2001/5570 dated 12th April 2002, which stated the following:-

1. ***The proposed development would generate additional turning movements at a point where visibility is restricted which would not be in the interests of highway safety;***

2. ***The proposed development is located in unsustainable location resulting in most, if not all journeys being made by the private car.***

For the first reason, the proposal is contrary to policy LD5 of the Berkshire Structure Plan, to policy LT5 of the Loddon Area Local Plan and to policy WT7 of the Wokingham District Local Plan (Deposit Draft)(WDLPDD).

For the second reason, the proposal is contrary to Planning Policy Guidance Note13 transport and policy WOS1 of the WDLPDD and the Local Plan Inspectors Report.

2.0 DOCUMENTS TO BE REFERRED TO AT THE INQUIRY

2.1 Berkshire Structure Plan
South East Area Local Plan
Draft Deposit Wokingham District Local Plan
Local Plan Inspectors Report
Planning Policy Guidance Note13
DETR Places Streets and Movement
Department of Transport TD 42/95
Relevant Traffic Flow Data
Relevant Accident Data

possibly
BSP – OS1 (1)
LDV (V1)
WDLP – WT2 ?
WT3
WT9

SU 77SE ST NICHOLAS HURST DUNT LANE
(north east side)

5/23 St.Nicholas Farmhouse

– II

House. Early C19, red brick with hipped old tile roof, central chimney with chimneys on each flanking ridge at rear, brick dentil course oversailing at eaves. U-shaped on plan. 2 storeys. Front has 3 bays vertical sliding sash windows with glazing bars in reveals on first floor and 2 similar on ground floor flanking 6 panelled central door with flat hood on cut brackets, moulded wood architrave and door linings, two C20 single fixed light windows on either side of door. C20 extensions at rear. Interior of no special interest.

SU 77SE ST NICHOLAS HURST DUNT LANE
(north side)

5/24 Dunt's Cottage

– II

Cottage. C17 or earlier, altered, timber framed, colour washed brick and plaster infilling; old tile roof, large chimney with square shafts to left hand of centre. 2 storeys. South east front has gable to left hand with 3-light upper casement window, right hand has central porch, semi-dormer and irregular casement windows. Interior has many timbers exposed.

SU 77SE ST NICHOLAS HURST DUNT LANE
(south side)

5/26 The Old Crown

– II

House. c.1700 altered flint with brick dressings, old tile roof, large stepped chimney at south east end. 2 storeys. North east front has 3 bays of wood casement windows, 3-light in left hand bay, remainder 2-light all segmental headed, and ledged door to left hand of centre bay under C19 pent hood on cut brackets. One storey extension to left hand colour washed brick with old tile roof and similar 2-light casement. South west front has 2 bays of casement windows irregular, and gabled porch to left hand of centre, C20 extension to rear.

Listing

WDLPDD

Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

- Proposed Amendments April 1999
- Additional Proposed Amendments September 1999
- Proposed Transport Amendments February 2000

1.0 OVERALL STRATEGY

INTRODUCTION

1.1 In developing the District Local Plan the Council agreed an Overall Strategy (set out in para. 0.9) for the plan. The Overall Strategy seeks to slow down the rate of development within the District and to promote sustainable development in order to protect and enhance the quality of the environment within the plan area and also to meet the social and economic aspirations of the District.

1.2 In considering development proposals the achievement of sustainable development is a fundamental principle. However there are other issues that form part of the overall sustainable development approach which also need to be considered when dealing with development proposals. It is the aim of this chapter to set out the fundamental policies from which the remaining policies of the plan take their lead.

1.3 The plan area is under pressure to accommodate new homes, jobs, services and improved transport facilities and in doing so maintain a prosperous economy. It is important that local commerce and industry produces a dynamic local economy that makes a positive contribution to the character, environment and quality of life of those who live and work in the District.

POLICY FRAMEWORK

Strategic Policy

1.4 This approach accords with the overall approach to development adopted by Berkshire County Council in the *Berkshire Structure Plan 1991 - 2006* which states that:

> 'Sustainable levels, forms and locations of development are ... sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within ... environmental and other limits.' (Para. 3.7 of Berkshire Structure Plan 1991 - 2006).

POLICIES

1.5 The policies set out below aim to ensure that such an approach is achieved.

POLICY WOS1: SUSTAINABLE DEVELOPMENT

THE COUNCIL WILL ENSURE, WHERE POSSIBLE, THAT DEVELOPMENT IS SUSTAINABLE AND IMPROVES THE QUALITY OF LIFE WITHIN THE PLAN AREA BY PURSUING THE FOLLOWING OBJECTIVES:

A) TO CONTINUE TO SLOW DOWN THE RATE OF DEVELOPMENT WITHIN THE PLAN AREA TO ENSURE THAT THE BEST OF THE EXISTING ENVIRONMENT

Cont.

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

B) GIVE PRIORITY WITHIN a) TO MEETING THE DISTRICT'S ECONOMIC AND SOCIAL NEEDS, INCLUDING THE PROVISION OF LOW-COST HOUSING AND A WIDER RANGE OF EMPLOYMENT OPPORTUNITIES

C) CONSERVING AND ENHANCING THE PATTERN OF TOWN AND PARISH COMMUNITIES BY RETAINING AND EMPHASISING THE BALANCE BETWEEN TOWNS AND VILLAGES, COUNTRYSIDE AND SETTLEMENTS, OPEN RIVER VALLEYS AND ENCLOSED WOODLANDS

D) TO PROVIDE FOR EMPLOYMENT, HOUSING, SHOPPING AND SERVICES IN PLACES THAT MINIMISE THE NEED FOR TRAVEL BY PRIVATE CAR

E) THAT NEW DEVELOPMENT MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER, ENVIRONMENT, LANDSCAPE, HERITAGE WITHIN THE PLAN AREA

F) ~~TO CONSERVE NATURAL RESOURCES TO MINIMISE POLLUTION~~ **(PA 1/3)**

F1) TO CONSERVE NATURAL RESOURCES **(PA 1/3)**

F2) TO MINIMISE POLLUTION ***(PA 1/3)***

G) TO SEEK IMPROVEMENTS TO INFRASTRUCTURE, SERVICES AND AMENITIES.

H) TO ENCOURAGE AND SUSTAIN BALANCED RURAL COMMUNITIES **(PA 1/1)**

I) TO DEVELOP BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES **(PA 1/2)**

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside ~~or has special reason to locate there~~ *OR FOR WHICH A RURAL LOCATION IS ESSENTIAL.* **(PA 1/4)** Although these uses are acceptable in principle, they must also be acceptable in practice.

1.7 In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.

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

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

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

(iii) be physically and socially cohesive.

1.9 For the purposes of this plan the identified settlements are:

ARBORFIELD CROSS	SHINFIELD
BARKHAM HILL	SINDLESHAM
CHARVIL	SPENCERS WOOD
EARLEY/SONNING/WOODLEY	SWALLOWFIELD
FINCHAMPSTEAD	THREE MILE CROSS
FINCHAMPSTEAD NORTH	TWYFORD
HURST	WARGRAVE
PINEWOOD	WINNERSH
RISELEY	WOKINGHAM.

1.10 *Areas of sporadic development exist within the plan area which involve very few properties and/or are* dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

SUBJECT TO THE DETAILED PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN, DEVELOPMENT WILL BE ALLOWED WITHIN THE BOUNDARIES OF THE IDENTIFIED SETTLEMENTS SHOWN ON THE PROPOSALS MAP AND LISTED IN THE TEXT.

OUTSIDE THESE SETTLEMENTS DEVELOPMENT WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN AND STRUCTURE PLAN POLICIES C2 (DEVELOPMENT OUTSIDE BUILT UP AREAS AND SETTLEMENTS) AND C4 (CONTROL OF DEVELOPMENT IN THE GREEN BELT).

Implementation: Through the development control process.

Monitoring: Planning applications determined.

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

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

1.12A LANDSCAPING SCHEMES SHOULD BE COMPRISED PREDOMINANTLY, IF NOT WHOLLY, OF LOCALLY NATIVE SPECIES. **(PA 1/5)**

POLICY 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) ~~RETAIN~~ *HAVE NO SIGNIFICANT DETRIMENTAL IMPACT UPON (***PA** *1/6)* 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 CAPABLE OF 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

1.13 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 is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations*). 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

Cont.

1.18 It is also important that new development makes the best use of energy sources by ensuring that new buildings make best use of materials and design to facilitate energy efficiency.

POLICY WOS9: ENERGY EFFICIENCY IN THE DESIGN OF NEW DEVELOPMENT

THE COUNCIL WILL REQUIRE PROVISION TO BE MADE IN PROPOSALS FOR NEW DEVELOPMENT FOR APPROPRIATE DESIGN PRINCIPLES THAT FACILITATE ENERGY EFFICIENCY. THESE INCLUDE:

a) THE APPROPRIATE SITING, FORM, ORIENTATION AND LAYOUT OF BUILDINGS IN ORDER TO MAXIMISE THE BENEFITS OF SOLAR/NATURAL HEATING, LIGHTING AND VENTILATION; AND

b) THE USE OF SOFT LANDSCAPING INCLUDING TREE PLANTING, TO INCREASE SUMMER SHADING AND REDUCE HEAT LOSS IN WINTER; AND

c) THE USE OF ENERGY EFFICIENT TECHNOLOGY FOR HEATING AND LIGHTING WHERE APPROPRIATE; AND

d) THE USE OF APPROPRIATE INSULATING MATERIALS AND TECHNIQUES TO IMPROVE ENERGY EFFICIENCY.

Implementation: Through planning guidelines and establishing best practice.

Monitoring: Assessment of work completed.

The Historic Environment

1.19 PPG 15 *Planning and the Historic Environment* sets out the importance of environmental stewardship and the need to ensure effective protection for all aspects of the historic environment. It is important that the historic environment is properly respected for the contribution that it makes to our cultural heritage and identity. It is an irreplaceable resource, which contributes to our understanding of the present and past and which is also of great importance for leisure and recreation. It is therefore important that the need to protect the historic environment is recognised.

POLICY WOS10: THE HISTORICAL ENVIRONMENT

THE COUNCIL RECOGNISES THE VALUE OF THE DISTRICT'S HISTORICAL ENVIRONMENT AND WILL SEEK TO PROTECT LISTED BUILDINGS AND THEIR SETTINGS, PRESERVE AND ENHANCE THE CHARACTER OF THE CONSERVATION AREAS, AND PROTECT SCHEDULED MONUMENTS, AREAS OF ARCHAEOLOGICAL IMPORTANCE AND HISTORIC LANDSCAPES.

Implementation: Through the development control process, including the use of the Council's planning guidelines.

Monitoring: Quality of the built environment.

POLICY FRAMEWORK

National Policy

4.5 Advice on design at the national level is limited. There is no Planning Policy Guidance Note purely on design considerations. Paras 13 - 20 and Annex A (paras A1 - A7) of PPG1 refer specifically to the issue of design. Paras 4 - 7 of Planning Policy Guidance Note 3 (PPG 3) *Housing* look at good design in the context of housing development.

4.6 Comprehensive guidance on heritage issues is given in Planning Policy Guidance Note 15 (PPG 15) *Planning and the Historic Environment*. Planning Policy Guidance Note 16 (PPG 16) *Archaeology and Planning* gives advice on archaeology and planning.

Strategic Policy

4.7 The *Berkshire Structure Plan 1991 - 2006* acknowledges that the quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. The plan recognises that these depend partly on care for the built environment, but that also of importance are the maintenance and improvement of interests that have a bearing on the County's character, the limitation and control of specific threats to pleasant living conditions, and the conservation of natural resources.

Supplementary Planning Guidance

4.8 The environmental policies in this plan are augmented by additional guidance in the form of Planning Guidelines, Development Briefs, Design Guides, and Conservation Area Studies. This additional guidance includes detailed advice that is not appropriate for inclusion in the plan. The policies of the plan take precedence over the supplementary planning guidance, and provide the main thrust for environmental policy in the plan area.

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

4.9 Proposed development should be considered in the context of the surrounding area. This will allow vernacular style and any good features to be interpreted in the new development, helping to contribute to its sense of place.

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

THE COUNCIL WILL REQUIRE GOOD CONTEMPORARY DESIGN THROUGHOUT THE PLAN AREA, WHICH RESPECTS ITS LOCAL CONTEXT. WHEN CONSIDERING ANY APPLICATION FOR DEVELOPMENT THE COUNCIL WILL HAVE REGARD TO THE FOLLOWING CONSIDERATIONS:

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

d) LANDFORM AND ANY NATURAL FEATURES, INCLUDING LANDSCAPE TREATMENT AND ENVIRONMENTAL WORKS

e) THE LOCAL TOWNSCAPE

f) THE LAYOUT, FORM, SCALE, MASSING, AND MATERIALS OF DEVELOPMENT

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

Implementation: Use of design guidance in the development control process.

Monitoring: Consider quality of development on the ground, including through design awards.

4.10 Not all of the plan area is of the same visual quality. Some parts of it could benefit from environmental improvement, and in some circumstances, this may be achievable through redevelopment opportunities.

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

IN AREAS WHERE THE EXISTING ENVIRONMENT DOES NOT EXHIBIT ESPECIALLY PRONOUNCED OR HISTORIC ARCHITECTURAL STYLES, ANY PROPOSALS FOR INFILL DEVELOPMENT SHOULD BE USED AS AN OPPORTUNITY TO CREATE ADDED VISUAL INTEREST AND RAISE THE AREA'S ARCHITECTURAL QUALITY.

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

4.11 Because of their extent, large developments are likely to have a greater impact on the environment than smaller scale ones. It is therefore particularly important to ensure a high quality of development within such proposals. Large development areas are probably best considered in terms of a series or pattern of smaller areas, each with its own layout and form of development, and hence its own distinctive character. This should lead to the avoidance of extensive areas of characterless development that bear no relationship to features on the ground.

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

ANY PROPOSALS FOR LARGE SCALE DEVELOPMENT SHOULD PROVIDE A CLEAR AND COHERENT LAYOUT THAT CREATES AREAS OF IDENTIFIABLE CHARACTER WITHIN THE DEVELOPMENT. WHERE DEVELOPMENT IS TO BE CARRIED OUT IN PHASES, THE COUNCIL WILL REQUIRE THE SUBMISSION OF A INDICATIVE LAYOUT FOR THE ENTIRE SITE PRIOR TO THE APPROVAL OF ANY

Cont.

~~4.17 The floodlighting of key buildings can greatly enhance an appropriate environment. However, lighting proposals can cause light pollution, with an adverse impact on the amenities of local residents. Therefore, the Council will give favourable consideration only to those schemes that are energy efficient, where there is no significant impact on the surrounding countryside, and where there is no material effect on the amenity of local residents.~~ **(PA 4/3)**

~~**POLICY WBE8: FLOODLIGHTING**~~

~~THE COUNCIL WILL ENCOURAGE THE FLOODLIGHTING OF KEY BUILDINGS IN THE ENVIRONMENT PROVIDED THAT THE LIGHT IS CAREFULLY CONTROLLED, SO AS NOT TO CAUSE EXCESSIVE LIGHT POLLUTION FROM LIGHT SPILL.~~

~~Implementation: Target key buildings.~~

~~Monitoring: Projects achieved on the ground.~~ **(PA 4/3)**

4.18 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. The provision of access to development is the subject of Policy WT2, and further policy guidance on provision for pedestrians is given in Policy WT8.

POLICY WBE9: ACCESSIBILITY

THE COUNCIL ENCOURAGES ALL NEW DEVELOPMENT AND BUILDING REFURBISHMENTS TO HAVE REGARD TO ISSUES OF ACCESSIBILITY AND WILL:

a) RESIST THE LOSS OF PART OF A PUBLIC RIGHT OF WAY, UNLESS THE COUNCIL IS SATISFIED THAT APPROPRIATE ALTERNATIVE PROVISION CAN BE MADE

b) REQUIRE THE PROVISION OF EASY AND DIRECT ACCESS BETWEEN AREAS BY THE PROVISION OF FOOTPATH LINKS WHERE APPROPRIATE, HAVING REGARD TO SAFETY AND SECURITY

c) SEEK TO LINK OPEN SPACES AND CREATE A SERIES OF OPEN SPACES, WHERE APPROPRIATE, HAVING REGARD TO SAFETY AND SECURITY.

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

4.19 Landscaping and planting can be used to enhance the existing built environment, and to help integrate new development into the wider environment.

POLICY WBE10: LANDSCAPE AND PLANTING

IN ORDER TO MAINTAIN AN ATTRACTIVE PUBLIC REALM ~~ALL APPLICATIONS FOR DEVELOPMENT WILL BE REQUIRED TO BE ACCOMPANIED BY A LANDSCAPE SCHEDULE.~~ *CONDITIONS REQUIRING A LANDSCAPE SCHEME AND SCHEDULE TO BE AGREED AND IMPLEMENTED MAY BE ATTACHED TO PLANNING PERMISSIONS.* **(PA 4/4)** IN CONSIDERING LANDSCAPE SCHEMES THE COUNCIL WILL HAVE REGARD TO THE FOLLOWING:

Cont.

A) PROTECTION OF NATURAL FEATURES

B) THE LAYOUT SHOULD BE APPROPRIATE IN SCALE, FORM, AND CONTINUITY WITH THE LOCAL CONTEXT

C) THE APPROPRIATE USE OF SPECIES OF, *PREDOMINANTLY NATIVE*, (PA 4/5) TREES AND SHRUBS TO CREATE CLEARLY IDENTIFIED 'THEMES'

D) THE PROTECTION, ENHANCEMENT AND CREATION OF WILDLIFE CORRIDORS IN ACCORDANCE WITH POLICY WNC6. (PA 4/6)

Implementation: Assess the quality of landscape schemes through the development control process, including use of section E of the Planning Guidelines.

Monitoring: Check quality of landscape works and planting on the ground.

4.20 The Council considers it important to protect trees and hedges in the plan area, as they make a fundamental contribution to its character and appearance, and may also have ecological value. Tree preservation orders have already been applied to many individual and groups of trees and areas of woodland, and this approach will be continued as appropriate.

POLICY WBE11: PROTECTION OF TREES AND WOODLAND

THE COUNCIL WILL PROTECT TREES AND AREAS OF WOODLAND BY:

A) RESISTING DEVELOPMENT PROPOSALS THAT WOULD CAUSE THE LOSS OF, OR DAMAGE TO, TREES OR GROUPS OF TREES RECOGNISED AS HAVING AMENITY OR CONSERVATION VALUE.

b) ~~APPLYING TREE PRESERVATION ORDERS AS APPROPRIATE, INCLUDING ON IMPORTANT AREAS OF STRUCTURAL TREE PLANTING ASSOCIATED WITH NEW DEVELOPMENT, AND ON IMPORTANT INDIVIDUAL TREES, PARTICULARLY ON SMALL SITES~~ [A6]

B) APPLYING TREE PRESERVATION ORDERS AS APPROPRIATE. [A6]

c) ~~REQUIRING TREES THAT ARE TO BE RETAINED ON DEVELOPMENT SITES ARE ADEQUATELY PROTECTED DURING ASSOCIATED WORKS~~ [A6]

C) *SEEKING MAINTENANCE OF AREAS OF STRUCTURAL TREE PLANTING AND IMPORTANT TREES.* [A6]

d) ~~REQUIRING REPLACEMENT PLANTING OF TREES AS RESULT OF ANY LOST DURING DEVELOPMENT WORKS.~~ [A6]

D) *REQUIRING TREES THAT ARE TO BE RETAINED ON DEVELOPMENT SITES ARE ADEQUATELY PROTECTED DURING ASSOCIATED WORKS. DETAILS WILL BE EXPECTED TO ACCOMPANY ANY PROPOSED DEVELOPMENT SUBMISSION THAT INVOLVES TREES AND WOODLANDS* [A6]

Implementation: Through the development control process, including use of section E of the Planning Guidelines.

Monitoring: Check quality of tree cover on the ground.

10.17 Whilst there is considerable emphasis in national and strategic guidance on the reduction in the use of cars, this must be applied in the context of already high car ownership and the limited availability of public transport services in some locations. At present in many parts of Wokingham District there is simply no practical alternative to the private car. The problems of the lack of a suitable alternative have been clearly made by many respondents to the consultation exercises. Non-car users are disadvantaged in comparison with car users.

Access to Development

10.18 It is important to ensure that all development is accessible both for all modes of transport and by all users irrespective of any handicap.

POLICY WT2: ACCESS TO DEVELOPMENT

ALL DEVELOPMENT MUST BE PROVIDED WITH A SATISFACTORY ACCESS INCLUDING FOR THOSE WHO ARE HANDICAPPED IN MOBILITY TERMS AND PROVISION FOR ACCESS BY FOOT AND BY CYCLE. IN LARGER DEVELOPMENTS THE PROVISION OF BUS ACCESS AND SUITABLY LOCATED BUS STOPS WITH SHELTERS WILL ALSO BE REQUIRED.

Implementation: Through the development control process.

Monitoring: Through the evaluation of development on site.

10.19 Accessibility to development in terms of the built environment is covered by Policy WBE9 in Chapter 4, Built Environment, Design and Heritage.

Alternatives to the Private Car

10.20 One of this plan's main targets, in accordance with government guidance, is to reduce the use of the private car and to increase the use of modes such as rail, bus, cycling and walking. ~~The approach of the Council to reducing car use is by ensuring the provision of alternatives rather than by measures of restraint. At present there are many trips made by car for which no adequate alternative exists.~~ *THE ROAD TRAFFIC REDUCTION ACT REQUIRES LOCAL HIGHWAY AUTHORITIES TO REVIEW EXISTING AND FORECAST LEVELS OF TRAFFIC ON LOCAL ROADS IN THEIR AREAS. TARGETS ARE TO BE SET THROUGH THE LOCAL TRANSPORT PLAN WITH REGARD TO REDUCING ABSOLUTE LEVELS OF TRAFFIC OR REDUCING THE RATE OF GROWTH IN TRAFFIC LEVELS.* {T/3}

10.21 Information on the use of other modes is limited. The Wokingham shoppers survey in 1992 found the use of other modes to be: on foot 21%; bus 5%; cycle 3%; and train 1%. Journey to work methods for the District as a whole are: foot 6%; bus 5%; cycle 3%; and train 5% (1991 census). These figures disguise variations across the District. The highest proportions are: foot 30% in Barkham; bus 15% in Whitegates (Earley); cycle 9% in Arborfield; and train 12% in Winnersh.

~~10.22 No targets have been set for the District as a whole. The Berkshire Transport Plan sets the following percentage modal targets for 2015 by urban area.~~

~~Mode~~	~~Reading (%)~~	~~Wokingham (%)~~
~~Walk~~	~~16~~	~~13~~
~~Cycle~~	~~9~~	~~9~~
~~Bus~~	~~28~~	4

~~Rail~~	~~8~~	~~14~~
~~Car~~	~~39~~	~~60~~
~~All~~	~~100~~	~~100~~

~~These targets reflect the existing level of usage, the availability of the modes and the nature of the two respective towns. It should be noted that the modal targets for cycling were set before the National Cycling Strategy was published and higher figures are likely to be sought in view of this.~~ {T/4}

10.23 This plan does not provide for unrestrained growth in the use of the private car and in particular new road construction to meet forecast growth in demand. It is implicit that the demand for movement by private cars at peak hours will not be met.

10.24 It will be difficult to achieve a reduction in the use of the private car in a manner that is acceptable to all. There will be some reduction in car use because of restraint measures in adjacent districts, particularly Reading. There will also be controls on access for environmental reasons, particularly as part of extending traffic-free areas for the pedestrian, ranging from full pedestrianisation to pavement widening. Measures to enhance public transport should also lead to a reduction in car movements.

10.25 There is scope for encouragement of other modes, particularly for trips to work and school. The use of alternative modes should be encouraged. In particular many trips made are short. Such trips are particularly suitable for being made on foot or by bicycle. ~~Walking could be promoted by means of a pleasant and safe pedestrian environment. The Council is to accord a high priority to the creation of safe cycling and walking routes to school.~~ *A WALKING STRATEGY IS BEING DEVELOPED WHICH INCLUDES A SAFER ROUTES TO SCHOOL PROGRAMME AND THE WOKINGHAM DISTRICT WALKS INITIATIVE.* {T/5}

POLICY WT3: MODAL SPLIT

THE NEED FOR PRIVATE CAR TRAVEL WILL BE REDUCED BY PROVIDING A VIABLE ALTERNATIVE IN ORDER TO DEVELOP MORE SUSTAINABLE TRAVEL PATTERNS, PARTICULARLY FOR JOURNEYS TO WORK *AND EDUCATION ESTALISHMENTS* **(PA 10/2)**. ~~THE PRESENT PROPORTION OF TRIPS USING MODES SUCH AS RAIL, BUS, CYCLING AND WALKING WILL BE INCREASED~~. *RIGOUROUS TARGETS WILL BE INCLUDED IN THE LOCAL TRANSPORT PLAN FOR AN INCREASE IN THE PRESENT PROPORTION OF TRIPS USING MODES SUCH AS RAIL, BUS, CYCLING AND WALKING.* **(PA 10/3)**

Implementation: By positive measures to provide and to encourage the use of modes other than the private car.

Monitoring: Through ~~Travel in Berkshire~~, *THE LOCAL TRANSPORT PLAN, THE ROAD TRAFFIC REDUCTION ACT,* {T/6} other transport statistics and surveys.

10.26 Although largely outside the direct control of this plan it is to be hoped that one of the effects of national policy will be to reduce the flows of traffic through the District

Greener Travel / Green Transport Plans

10.26a JOURNEYS TO WORK HAVE INCREASED IN TIME AND DISTANCE WITH THE GROWTH IN CAR OWNERSHIP AND EXPANSION OF THE STRATEGIC ROAD NETWORK. THE JOURNEY TO WORK IS ONE OF THE MAIN CONTRIBUTORS TO PEAK HOUR CONGESTION IN THE DISTRICT WITH 76% OF THOSE EMPLOYED WITHIN THE DISTRICT TRAVELLING TO WORK BY CAR. A RELATIVELY SLIGHT DECREASE IN THE VOLUME OF PEAK HOUR COMMUTING WOULD HAVE A SIGNIFICANT EFFECT IN REDUCING CONGESTION. THE COUNCIL IS DEVELOPING AND ENCOURAGING THE IMPLEMENTATION OF GREEN TRAVEL PLANS IN

THE COUNTRYSIDE

Development in the Countryside

2.21 It is important to note the distinction between the 'countryside' and 'rural areas'. These are quite separate in technical terms. 'Countryside' is all land beyond identified settlement boundaries. Note that the countryside within the Metropolitan Green Belt is subject to specific Green Belt policies that form part of a separate chapter in this plan. The 'rural areas' definition is set out in the Berkshire Structure Plan 1991 - 2006, para. 5.5 where it is defined as:

"...those places which lie beyond towns (and adjoining built-up areas) with populations of 10,000 or more. This definition accords with that used by the Rural Development Commission...Using this approach the following settlements fall outside the remit of Policy C1: Reading Urban Area (Woodley and Earley); Wokingham/Winnersh"

2.22 Using just the 'rural areas' definition would mean that much of the plan area is rural and includes settlements such as Finchampstead North and Twyford. Therefore the 'countryside' definition is considered more appropriate and will apply in this plan.

2.23 The guiding principle in the countryside is that development should both benefit economic activity and maintain or enhance the environment. Rural areas can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources. *CERTAIN CATEGORIES OF DEVELOPMENT, E.G. AGRICULTURE AND TELECOMMUNICATIONS, ARE CLASSED AS PERMITTED DEVELOPMENT UNDER THE GENERAL DEVELOPMENT ORDER 1995 AND PRIOR NOTIFICATION TO THE COUNCIL OF THE EXERCISE OF THESE RIGHTS IS REQUIRED.* **(PA 2/7)** Development in the open countryside, away from existing settlements or areas allocated for development in this local plan will be strictly controlled. Some categories of development that may be appropriate, are set out in Policy WCC1 below.

2.23A INFILL DEVELOPMENT IS DEFINED AS ONE OR TWO DWELLINGS IN A SMALL GAP IN AN OTHERWISE BUILT-UP FRONTAGE. FOR THE PURPOSE OF THIS POLICY SMALL IS DEFINED AS NO LARGER THAN NECESSARY TO ACCOMMODATE TWO HOUSES HAVING REGARD TO THE WIDTHS OF THE EXISTING RESIDENTIAL FRONTAGES IN THE IMMEDIATE VICINITY. THE NEW DWELLING(S) SHOULD HAVE A SIMILAR ROAD FRONTAGE AND SIMILAR CURTILAGE TO ADJOINING DWELLINGS. IT IS ESSENTIAL THAT THE DEVELOPMENT DOES NOT ADVERSELY AFFECT THE CHARACTER OF THE AREA AND IN PARTICULAR NOT LEAD TO ANY URBANISATION OF THE AREA. SUCH DEVELOPMENT SHOULD PROVIDE ADEQUATE GARDEN OR AMENITY OPEN SPACE FOR THE PRIVATE ENJOYMENT OF RESIDENTS APPROPRIATE TO THE CHARACTER AND GENERAL LAYOUT OF THE AREA. THE PROTECTION OF TREES IN ACCORDANCE WITH POLICY WBE11 WILL BE ANOTHER IMPORTANT CONSIDERATION. [A1]

2.23B THE DEVELOPMENT WILL BE SUBJECT TO THE PROVISIONS OF POLICY WCC4 ON NEW BUILDINGS OUTSIDE SETTLEMENT BOUNDARIES. WHERE APPLICABLE, PROPOSALS FOR DEVELOPMENT WILL BE CONSIDERED AGAINST POLICY WCC2 AND POLICIES WLL2 TO WLL8 OF THIS PLAN AND THE RELEVANT POLICIES OF THE STRUCTURE PLAN. [A1]

POLICY WCC1: DEVELOPMENT IN THE COUNTRYSIDE (OUTSIDE THE METROPOLITAN GREEN BELT)

DEVELOPMENT OUTSIDE SETTLEMENT BOUNDARIES DEFINED IN THIS PLAN ~~(AND NOT WITHIN THE METROPOLITAN GREEN BELT) WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES~~ AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF DETAILED POLICIES AND PROVISIONS OF THIS PLAN.

DEVELOPMENT WILL ONLY BE ACCEPTABLE IN PRINCIPLE WHERE THE PROPOSAL FALLS WITHIN AT LEAST ONE OF THE FOLLOWING CATEGORIES:

A) DEVELOPMENT FOR AGRICULTURE/FORESTRY remain

B) OUTDOOR SPORT/COUNTRYSIDE RECREATION remain

C) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE remain

D) RE-USE AND ADAPTATION OF EXISTING BUILDINGS remain

E) DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT COMPLIES WITH POLICY WRE1 remain

Cont.

WCC1

F) REDEVELOPMENT PROPOSAL IN THE COUNTRYSIDE delete + add gypsy sites

G) OTHER DEVELOPMENT APPROPRIATE TO THE COUNTRYSIDE WHICH CANNOT BE ACCOMMODATED WITHIN A SETTLEMENT

swap

~~*H)SENSITIVE INFILLING OF SMALL GAPS WITHIN SMALL GROUPS OF HOUSES AND MINOR EXTENSIONS TO GROUPS OUTSIDE DESIGNATED GREEN GAPS (POLICY WCC 2) FOR RESIDENTIAL USE WILL BE ACCEPTABLE SUBJECT TO THE PROVISIONS OF POLICY WH1A*~~ **(PA 2/8)**

H) SENSITIVE INFILLING OF ONE OR TWO DWELLINGS IN A SMALL GAP IN AN OTHERWISE BUILT-UP FRONTAGE WHERE THE DEVELOPMENT WOULD NOT ADVERSELY AFFECT THE CHARACTER AND APPEARANCE OF THE AREA. **[A1]**

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, IT WILL ONLY BE PERMITTED IF IT IS APPROPRIATE IN SCALE, FORM, MATERIALS, DESIGN, CHARACTER, TO ITS LOCATION IN THE COUNTRYSIDE AND BE CONSISTENT WITH OTHER POLICIES IN THIS PLAN (SUCH AS *THOSE RELATING TO GREEN GAPS, LANDSCAPE AND* **[A1]** NATURE CONSERVATION) AND ANY SUPPLEMENTARY PLANNING GUIDANCE.

THE CLOSING OF GAPS OR THE ENCLOSURE OF OPEN AREAS THAT ARE IMPORTANT COMPONENTS IN THE CHARACTER OF AN AREA WILL NOT BE PERMITTED.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Green Gaps and Wedges

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

2.25 For the avoidance of doubt, 'green wedges' are areas of open space penetrating, partly enclosed by, or separating identified settlements. ~~*EXISTING PERMITTED USES WILL CONTINUE IN THESE AREAS BUT INTENSIFICATION OF THESE USES WILL NOT BE ALLOWED, IN ORDER TO PRESERVE THE EXISTING OPEN CHARACTER OF THE LAND.*~~ **(PA 2/9)** *EXISTING PERMITTED USES WILL CONTINUE IN THESE AREAS, BUT INTENSIFICATION OF THESE USES WILL NOT BE ALLOWED WHERE THE EXISTING OPEN AND UNDEVELOPED CHARACTER OF THE LAND IS ADVERSELY AFFECTED.* **[A2]** 'Gaps' comprise open land which provides physical or visual separation between distinct identified settlements.

2.26 The areas included in the green wedges and gaps policy have been identified previously in the adopted local plans as areas important to the separation of settlements. These are retained except where specific proposals require a change, e.g. the new settlement identified at Grazeley, south of the M4.

2.27 The green wedges and gaps can also be important because of the character and sense of place that they can contribute to the settlements. In the adopted local plans the separation of, and setting of, settlements

POLICY WHE10: RETENTION AND RESTORATION OF LISTED BUILDINGS

THE COUNCIL WILL NOT PERMIT THE DEMOLITION OF A LISTED BUILDING *WITHOUT THE STRONGEST JUSTIFICATION.* **(PA 4/20)** THE DEMOLITION OF ANY PART OF A LISTED BUILDING WILL ONLY BE ALLOWED WHERE THE COUNCIL IS SATISFIED THAT IT WOULD ENHANCE, OR AT LEAST NOT HARM, THE SPECIAL ARCHITECTURAL OR HISTORIC INTEREST OF THE BUILDING, AND THAT A SUITABLE REPAIR/REPLACEMENT SCHEME HAS BEEN APPROVED, WHEN CONSIDERED NECESSARY.

Implementation: Through the development control process.

Monitoring: Survey of Listed Buildings.

4.47 The setting of a listed building is very important. This policy sets out the criteria necessary to consider when looking at new development in proximity to a listed building, to ensure the setting is protected.

POLICY WHE11: RETENTION OF SETTING OF LISTED BUILDINGS

THE COUNCIL WILL ENCOURAGE THE RETENTION AND RESTORATION OF THE HISTORIC SETTING OF LISTED BUILDINGS. PROPOSALS THAT DAMAGE THE SETTING OF A LISTED BUILDING WILL BE RESISTED. NEW DEVELOPMENT ADJACENT TO LISTED BUILDINGS, WHETHER WITHIN OR OUTSIDE ITS CURTILAGE, WILL BE CONSIDERED AGAINST THE FOLLOWING CRITERIA, IN ADDITION TO THE CRITERIA IN POLICY WBE1. THE DEVELOPMENT:

A) MUST RESPECT THE HISTORIC SETTING OF THE LISTED BUILDING

B) SHOULD BE SYMPATHETIC IN SCALE TO THE LISTED BUILDING, BE SUBSERVIENT TO ITS MASSING, AND RESPECT ITS PROPORTIONS AND FENESTRATION PATTERN

C) SHOULD RESPECT THE ROOF FORM/HEIGHT OF THE LISTED BUILDING

D) SHOULD BE FINISHED IN MATERIALS SYMPATHETIC TO IT.

Implementation: Through the development control process.

Monitoring: Survey of Listed Buildings.

4.48 Where possible a listed building should be retained in the use for which it was designed. This will help the building to retain its historic identity. Where it is not possible to retain it in its original use, care will be needed to ensure an appropriate alternative use that does not affect the integrity of the listed building.

POLICY WHE12: APPROPRIATE USES OF LISTED BUILDINGS

IN THE FIRST INSTANCE, THE COUNCIL WILL SEEK TO RETAIN ALL LISTED BUILDINGS IN THEIR PRESENT USE AND, WHEREVER POSSIBLE, IN THE

Cont.

LALP

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

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

plan, a village is not synonymous with an identified settlement, the latter being used to define an area where particular planning policies are appropriate. There will therefore be cases where parts of villages have been excluded from the identified settlement, for example, small groups of development on the far side of a road that marks the boundary of the main built up area of the village. In order to be consistent in the treatment of settlements of similar size, function and character, it has been necessary to draw up a definition for settlements warranting identification on the Proposals Map.

1.1.05 An 'identified' settlement or built-up area m[illegible] possess all the following characteristics:-

[illegible]zeable amount of development in a compact form. (If development is interspersed with areas of land which are characteristically rural or open, this will not come within this criterion);

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

(iii) be physically and socially cohesive.

On this basis the following policy is put forward.

❖ LTV1 'IDENTIFIED SETTLEMENTS'

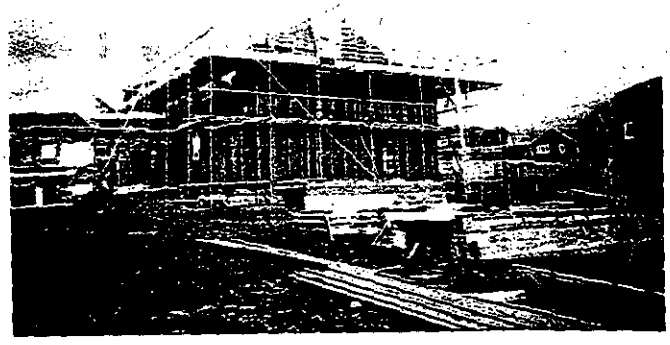
[illegible]HIN THE IDENTIFIED SETTLEMENTS AS [illegible]IED BELOW AND AS SHOWN ON THE PROPOSALS MAP, DEVELOPMENT WILL NORMALLY BE ALLOWED, SUBJECT TO THE PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN. THE 'IDENTIFIED' SETTLEMENTS ARE:-

ARBORFIELD CROSS
BARKHAM HILL
CHARVIL
EARLEY/SONNING/WOODLEY
HURST
RISELEY
SHINFIELD
SINDLESHAM
SPENCERS WOOD
SWALLOWFIELD
THREE MILE CROSS
TWYFORD
WARGRAVE
WINNERSH



LIMITING THE SPREAD OF DEVELOPMENT

1.1.06 The District Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has a special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice. This is particularly important in the case of small scale housing and employment development on the edge of settlements which is dealt with in more detail in policies LH1 and LE2.



❖ LTV2 DEVELOPMENT IN RURAL AREAS

ALL LAND OUTSIDE THE IDENTIFIED SETTLEMENTS, AS SHOWN ON THE PROPOSALS MAP IS CONSIDERED TO BE RURAL AREA WITHIN WHICH DEVELOPMENT WILL NOT NORMALLY BE ALLOWED. IN ACCORDANCE WITH THE

REPLACEMENT STRUCTURE PLAN EXCEPTIONS MAY BE MADE FOR DEVELOPMENT IN THE FOLLOWING CATEGORIES WHICH ARE NOT SPECIFICALLY DEALT WITH BY OTHER POLICIES IN THIS LOCAL PLAN:

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

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

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

(D) MINERAL EXTRACTION;

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

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

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE;

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

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

NEW SETTLEMENTS IN RURAL AREAS

1.1.07 The scale of housing and other developments envisaged in the Replacement Structure Plan for Berkshire is not such as to recognise or justify consideration of a new settlement separate from existing settlements. There are therefore no proposals of this nature in the plan. Any such development would seriously undermine the county and regional strategy and would seriously detract from the essential role of the countryside areas in providing a foil to the built-up areas and maintaining substantial tracts of countryside in an increasingly urbanised area.

❖ *LTV3 NEW SETTLEMENTS IN RURAL AREAS*

THE CREATION OF NEW SETTLEMENTS WILL NOT BE PERMITTED WITHIN THE DEFINED RURAL AREAS, AS SHOWN ON THE PROPOSALS MAP.

DEFINITION OF BOUNDARIES

1.1.08 The preparation of this Local Plan has provided an opportunity to formally recognise the boundaries of settlements that have never previously been 'identified' and to review those boundaries of settlements that have previously been recognised in earlier village or local plans. In certain cases development has occurred, or, a commitment exists beyond the existing boundary, whilst in other cases the latter does not always delineate land which is in a truly urban as opposed to rural use.

1.1.09 The perimeter of each 'identified' settlement has been surveyed and clear boundaries identified. These follow natural features, fencelines or other plot boundaries. An exception concerns properties with extensive curtilages where property boundaries are not necessarily appropriate. In such circumstances, it has been necessary to make a judgement about the point at

REDEVELOPMENT AND EXTENSIONS IN RURAL AREAS

1.3.46 Within rural areas existing buildings will be the subject of proposals for redevelopment or extension. In some cases these will be large residential properties set in extensive grounds. There will be a presumption in favour of a continuation of residential use, in accordance with policy LH3, especially where the buildings are of architectural and historical importance. In some cases larger properties may be converted into smaller self-contained units in accordance with policy LH4. This will provide for the growing number of smaller households.

1.3.47 If continued use, refurbishment or conversion to smaller units are not feasible then the Council will consider favourably redevelopment for residential purposes, unless the buildings are of architectural importance. The replacement (generally by larger buildings) of dwellings that have reached the end of their useful life can have a significant impact on the open and/or rural character of an area, by increased visual presence or increases in ancillary features (such as fences, walls, etc.). For this reason the District Council, in considering proposals for replacement dwellings, will have regard to visual impact, the need to maintain a range of house types and sizes in the rural area and the need to protect rural amenities. Any redevelopment should not normally provide for a larger number of separate units than that already existing on the site, occupy a larger area of the site, nor exceed the height of the existing buildings. The location of the new buildings should be decided having regard to the main features of the landscape and the need to minimise the impact of new development and integrate it with its surroundings. The amenity value of the site should be retained by preserving mature trees and keeping or laying out landscaped areas.

❖ LC18 REPLACEMENT DWELLINGS IN RURAL AREAS

THE REPLACEMENT OF EXISTING DWELLINGS IN RURAL AREAS MAY BE PERMITTED PROVIDED THAT:

A) THE EXISTING BUILDING IS NOT OF ARCHITECTURAL OR HISTORIC INTEREST;

B) THE SITING AND DESIGN OF THE NEW DEVELOPMENT HAS THE MINIMUM IMPACT ON THE RURAL ENVIRONMENT AS REQUIRED BY POLICY LC15;

C) THE SIZE OF THE NEW DEVELOPMENT WILL NOT SIGNIFICANTLY EXCEED THAT OF THE EXISTING PROPERTY BOTH IN HEIGHT AND FLOOR AREA AND, WHERE APPROPRIATE, IN NUMBERS OF SEPARATE UNITS.

1.3.48 Within the rural areas only minor extensions to existing dwellings will normally be permitted, consistent with Policy EN1 of the Replacement Structure Plan for Berkshire. The cumulative effect of large extensions to existing dwellings would lead to an increasingly urbanised appearance of the countryside, and reduce the range of house types available in the rural areas. Extensions to buildings in other uses will be treated on their merits, but generally the District Council will adopt a similar approach, and will be particularly concerned to see that the requirements of policy LC15 are observed.

❖ LC19 EXTENSIONS TO EXISTING DWELLINGS IN RURAL AREAS

APPROPRIATELY DESIGNED AND SITED MINOR EXTENSIONS TO EXISTING DWELLINGS IN RURAL AREAS WILL NORMALLY BE ACCEPTABLE. MAJOR EXTENSIONS OR ANY PROPOSAL WHICH HAS AN ADVERSE IMPACT ON THE RURAL ENVIRONMENT WILL GENERALLY NOT BE APPROVED. WHERE A DWELLING HAS ALREADY BEEN EXTENDED THE CUMULATIVE EFFECT OF ALL OF THE EXTENSIONS TO THE ORIGINAL BUILDING WILL BE TAKEN INTO ACCOUNT.

REQUIRED AS A RESULT OF NEW DEVELOPMENTS, SUBJECT TO THERE BEING NO SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECT. ELSEWHERE IN THE PLAN AREA THE DISTRICT COUNCIL WILL SUPPORT ROAD AND JUNCTION IMPROVEMENTS WHERE CONSIDERED NECESSARY, AND WHERE LOCALISED OR RESULTANT ADVERSE ENVIRONMENTAL EFFECTS WILL NOT OCCUR.

THE FOLLOWING MAY BE SUBJECT TO IMPROVEMENT WORKS:

A329/FOREST ROAD: Junction improvement
BETCHWORTH ROAD/WILDERNESS ROAD, EARLEY: Junction improvement
LODDON BRIDGE ROAD/CROCKHAMWELL ROAD, WOODLEY: Junction improvement
LODDON BRIDGE ROAD/HEADLEY ROAD: Modification to roundabout
A329 WOKINGHAM ROAD/WILDERNESS ROAD: Junction improvement
SONNING LANE/A4 BATH ROAD: Junction improvement
WINNERSH CROSSROADS: Improvement
ARBORFIELD CROSS: Junction improvements with A327
BUTTS HILL ROAD BRIDGE OVER RAILWAY: Provision of footbridge
B3349 BARKHAM BRIDGE: New bridge with road realignment
ELM ROAD, EARLEY: Realignment
ELM ROAD/PEPPER LANE: Roundabout improvement
A327 GREENSWARD LANE: Improved alignment.

❖ LT5 ROAD SAFETY

THE DISTRICT COUNCIL WILL URGE THE HIGHWAY AUTHORITY TO TAKE APPROPRIATE MEASURES TO PROMOTE ROAD SAFETY FOR ALL ROAD USERS INCLUDING :

A) MONITORING OF ACCIDENT STATISTICS TO IDENTIFY BLACKSPOTS;

B) GIVING HIGH PRIORITY TO HIGHWAY IMPROVEMENTS THAT WILL REDUCE ACCIDENTS;

C) ENSURING THAT ALL HIGHWAY INVESTMENT CONFORMS TO BEST PRACTICE IN RESPECT OF ROAD SAFETY;

D) EXAMINING THE ROAD SAFETY IMPLICATIONS OF ALL PROPOSALS FOR DEVELOPMENT.

CAR AND MOTORCYCLE PARKING

1.8.10 The increase in the number of cars in the area through growth and high car ownership rates has lead to an increase in demand for parking spaces in shopping centres in the area placing existing facilities under pressure. The District Council recognises the need for car parking in order to maintain the viability of some centres. However new public car parking has environmental implications and may not be acceptable in some more sensitive areas particularly if it is decked.



❖ LT6 PARKING PROVISION

THE DISTRICT COUNCIL WILL SEEK THE PROVISION OF APPROPRIATELY LOCATED PARKING FACILITIES AND CAR PARKING IN ACCORDANCE WITH THE DISTRICT COUNCIL'S ADOPTED STANDARDS, TO BE PROVIDED EITHER IN CONJUNCTION WITH NEW DEVELOPMENT OR BY OBTAINING AN APPROPRIATE LEVEL OF COMMUTED PAYMENT WHERE THERE IS AN INTENTION TO PROVIDE, OR AN IDENTIFIED NEED FOR, PUBLIC PROVISION.

Note 1: The sum required per parking space by way of a commuted payment will be regularly reviewed.

1.4 QUALITY AND 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 development, 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. For particularly sensitive areas, design briefs will be prepared to provide a framework for design to guide prospective developers. 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 the 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 proposing 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 or required to establish the wider context within which applications will be considered.

❖ *LBE1 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.

❖ 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

STREET FURNITURE

1.4.12 Many elements of the built form have an important effect upon the quality and appearance of the built environment. The design, quality and materials of items such as bus shelters, rubbish bins, and seating frequently invade the built environment to its detriment. It is essential that due consideration is given to items of street furniture to ensure that they do not adversely affect the character or appearance of the built up areas. In appropriate cases it may also be necessary to adopt a process of rationalisation of existing street furniture to reduce clutter.

● *LBE7 STREET FURNITURE*

THE DISTRICT COUNCIL WILL SEEK A HIGH STANDARD OF STREET FURNITURE COMPATIBLE WITH THE CHARACTER OF THE AREA IN WHICH IT IS TO BE SITUATED. IN CONSERVATION AREAS PARTICULAR CARE WILL BE TAKEN TO ENSURE THAT STREET FURNITURE IS APPROPRIATE IN TERMS OF MATERIALS, COLOUR, DESIGN AND LOCATION.

TREES AND LANDSCAPING

1.4.13 The built environment can be considerably enhanced by the presence of trees and shrubs. They not only 'green' an area but soften and give scale to hard urban environments. In addition they are often features of beauty in themselves and therefore have an important design role to fulfil. In new developments this role is apparent in that trees immediately give some sense of 'establishment' to what are often raw new urban forms, and this helps to integrate the new with the old. Accordingly trees can help create a sense of place. Native species of trees and shrubs are particularly valuable since they help to maintain levels of wildlife in urban areas. They should be retained and introduced in landscaping schemes where possible and appropriate.

1.4.14 Trees which make a significant contribution to the visual scene can be safeguarded by the making of Tree Preservation Orders under Section 198 of the Town and Country Planning Act 1990. Failure to comply with the orders can lead to the imposition of fines as well as requiring replanting with appropriate species. The District Council will require full tree surveys in proposals for the development of sites which currently enjoy tree or hedgerow cover.

1.4.15 Landscaping does not apply only to trees and shrubs. These are the 'soft' components of landscaping which also possesses a 'hard' element e.g. paving schemes (floorscape), boundary features etc. Hard landscaping can be equally important in helping to establish the identity of a locality. Landscaping (hard or soft) should always be considered as an integral part of a development rather than as an afterthought. Thought should be given to landscape design at the outset of the total design process. If treated as an afterthought, landscaping can seem ill-considered and ineffective. Completeness through design is considered as the most appropriate approach. The timing of the provision of landscaping in relation to development will also be an important factor in achieving the integration of new development into its surroundings.

❖ *LBE8 LANDSCAPING OF NEW DEVELOPMENT*

THE DISTRICT COUNCIL WHEN CONSIDERING PLANNING APPLICATIONS WILL SEEK TO ENSURE THE ENHANCEMENT OF THE SITE BY APPROPRIATE LANDSCAPING AND WILL HAVE FULL REGARD TO THE NEED FOR CONSERVATION OF EXISTING LANDSCAPE FEATURES ESPECIALLY TREES AND HEDGEROWS. GENERALLY, APPLICATIONS FOR LARGE SCALE DEVELOPMENT MUST BE ACCOMPANIED BY A DETAILED LANDSCAPE SURVEY, TOGETHER WITH A PROPOSED LANDSCAPING SCHEME AND MANAGEMENT PLAN.

❖ *LBE9 EXISTING TREES*

WHERE INDIVIDUAL TREES, GROUPS OF TREES OR AREAS OF WOODLAND ARE UNDER THREAT AND ARE CONSIDERED TO BE OF PARTICULAR

BSP

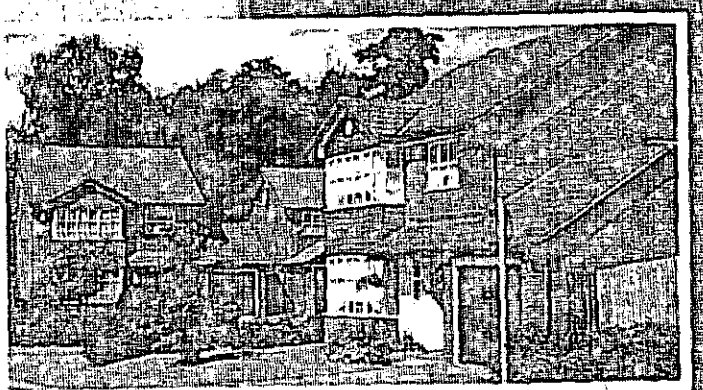
Royal County of BERKSHIRE



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





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LIMITING THE SPREAD OF DEVELOPMENT

Controlling Development in the Countryside

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

Development Outside Built-Up Areas and Settlements

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

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

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

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

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

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

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

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

6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

6.1 The quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. These depend partly on care for its environment as a whole, including the countryside (dealt with in Chapter 5) and towns, villages and built-up areas which are considered in this chapter. It also concerns : safeguarding and enhancing a number of specific environmental interests, which together contribute to the character of the County; curbing and controlling a number of specific threats to pleasant living conditions; and the conservation of natural resources.

The Environment of the Built-up Areas

6.2 The density, form and quality of buildings, landscape and other elements of the environment in towns, villages and built-up areas have an important bearing on the overall quality of life in the County, especially as the majority of the population live and work in such areas.

Protection and Enhancement of the Environment of Built-Up Areas

Policy EN1 **The character and quality of the environment in the towns, villages and other built-up areas will be protected and enhanced. Within these areas development must be appropriate in scale, form, impact, character and siting to its location. In particular :**

(i) development should embody a high standard of design, layout and landscaping, and help maintain and, where possible, enhance the character of its surroundings;

(ii) town and village greens and all open land important to the character of settlements will be protected from development and where necessary enhanced;

(iii) the existing tree cover, important areas of vegetation and wildlife habitats will be conserved, and additions to them encouraged;

(iv) special attention will be paid to the maintenance and improvement of the character of town and village centres.

Where appropriate, to achieve optimum use of land and buildings in built-up areas, the re-use of vacant buildings and redevelopment of derelict or genuinely under-used urban land will be supported.

6.3 In order to secure improvements in the environment of built-up areas, local plans will need to include guidelines on a wide range of matters raised in the policy. Particular public concerns have been raised about the quality of design in new development and about increased densities in the built-up areas. While the latter may help reduce the need for travel and minimise the loss of open countryside, it may also lead to problems of congestion, loss of tree cover and open land, and deterioration in environmental quality in established neighbourhoods.

6.4 Policy EN1 is intended positively to encourage appropriate regeneration in line with Government guidance. It is not proposed that appropriate changes of use of buildings should be restricted whether they are currently vacant or not. Derelict land which has been the subject of contamination may be appropriate for redevelopment, but only if there is no danger created for the new use of the site or through the transport and re-deposit of contaminated matter on a site elsewhere.

Environmental Nuisance

6.5 Certain kinds of development can give rise to nuisance which can affect occupiers of buildings, passers-by or those using outdoor space. There is a need to prevent new problems from arising, and to limit or reduce the nuisance from existing sources. The impact of nuisance may in some circumstances be limited by curbing development in areas affected, and this is appropriate where (as is the case for aircraft noise) little can be done to reduce the nuisance in the short term.

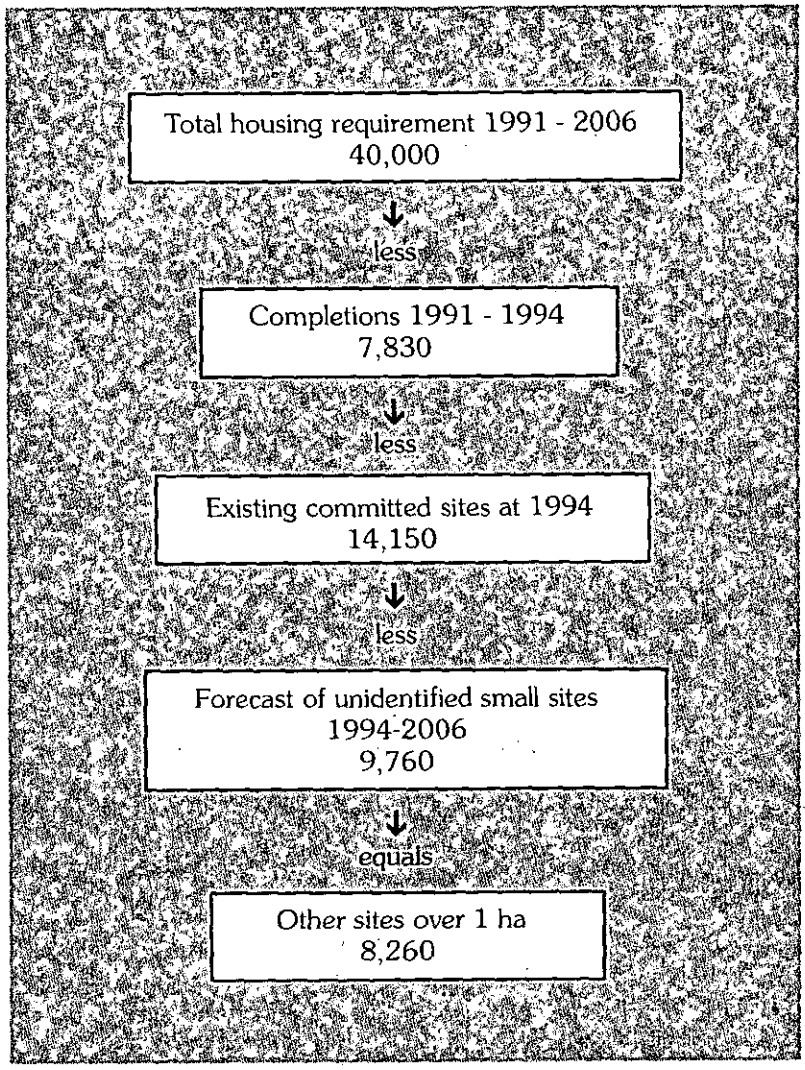
Protection from Environmental Nuisance

Policy EN2 **Development should not give rise to unacceptable levels of noise, smell, dust, fumes, light or noxious emissions affecting areas beyond the site boundary, or to unacceptable levels of air or water pollution. In addition, uses sensitive to disturbance such as new houses, schools and hospitals, should not be located in areas already subject to unacceptable levels of these environmental nuisances.**

6.6 In areas affected by high levels of noise, development should be designed to minimise the nuisance caused to future occupants. Unacceptable levels of environmental nuisance will be defined through the local plan process and by building upon studies such as the County Council's State of the Environment Report. The County Council has also recently published environmental noise planning guidelines to assist with the implementation of Policy EN2 and to help co-ordinate a standardised approach across the County.

Flooding

6.7 Most of Berkshire's rivers have an associated floodplain which is essential for both flood flow and storage. Development within the floodplain would reduce the storage capacity and impede the flow of water, thereby increasing the risk of flooding elsewhere. Therefore in areas at risk from flooding new development or the intensification of existing development will be resisted. It is also necessary to ensure that the surface water run-off from any new development does not exacerbate flooding or drainage problems elsewhere.



7.35 The figures shown for individual components of the housing provision are not rigid policy targets. They are indications of the scale considered likely with the housing requirement for the County set out in Policy H1. If subsequent investigations reveal, for instance, that more or less unidentified small sites can be expected, then the total coming forward from other sites over 1 ha will have to vary accordingly.

7.36 Planning applications for housing development, whether above or below 1 ha, should also be considered in relation to policies concerned with ensuring proposals are acceptable in terms of factors such as environmental impact, sustainability, access and low-cost housing. These are set out in the policies below and elsewhere in the Plan.

THE ACCEPTABILITY OF DEVELOPMENT PROPOSALS

7.37 In considering whether individual housing proposals (including both local plan proposals and planning applications) should be accepted, particular account should be taken of policies in Chapter 4 'Limiting the Impact of Development' and the aims of sustainability and addressing local needs referred to in the overall strategy (Policy OS1).

Housing

Assessment of Development Proposals

Policy H4 — Within the provision specified in Policy H2, local planning authorities should ensure that proposals for new residential development are in locations which are close and have good access, particularly by public transport, to existing and proposed employment sites/areas and shopping and service facilities. In addition, they should ensure that such proposals take account of the distribution of local needs and demands.

7.38 In order to comply with Policy OS1, which seeks to minimise the consumption of land, full use should be made of available land within existing urban areas. However, it is recognised that in certain areas there may be concern about over-development. Loss of open space and intensification of development can affect the quality of the urban environment, where most residents of the County live. In this respect, careful consideration should be given to the provisions of Policy EN1. Therefore such development must not harm the physical or visual character of the settlement, neighbourhood or surrounding area. In some cases it may be appropriate for local plans to set out general policies which limit the scale and form of development.

7.39 In some cases, it may not be possible to accommodate all of the provisions shown in Policies H1 and H2 within the existing urban areas. In these circumstances, further land should be released through the local plan process. In order to comply with Policy C1, this would require the delineation of new settlement boundaries which define the land to be released. In addition, much of the development within existing built-up areas will be identified through local plans.

Development Within Settlements and Redevelopment/Change of Use

Policy H5 — Part of the provision for housing development specified in Policy H1 will be achieved by :

(i) building on suitable undeveloped land within built-up areas and settlement boundaries;

(ii) redevelopment or adaptation of an existing building or set of buildings;

(iii) changes of use of suitable permanent non-residential buildings and by the sub-division of existing dwellings.

In addition, if further land releases are required to meet the provisions of Policies H1 and H2, these should normally be made through the definition of settlement boundaries as part of the local plan process.

7.40 Undeveloped land within built-up areas and settlement boundaries may be suitable for housing development if it conforms with other structure and local plan policies. In drawing up settlement boundaries in local plans, district and borough councils will need to consider whether additional land releases are required to meet the provisions of Policies H1 and H2, having had regard to the likely contribution of the sites described in Policy H5 (i)-(iii) above. Additional provision should be made through the designation of new settlement boundaries in local plans. This may be at the edge of settlements, or through the identification of completely new settlements. "Rounding-off" may continue to be appropriate, but only through such boundary changes, designated in the local plan process.

7.41 The policy has considerably less detail than Policy H3 in the Replacement Structure Plan for Berkshire. This reflects current Government guidance (para. 5.56 of PPG12 - Development Plans and Regional Planning Guidance) that detailed development control policies are more appropriate in local plans. However, until such time as local plan policies are in place, the original Structure Plan policy remains as supplementary planning guidance. In particular, "building on suitable undeveloped land within the existing built-up area of a settlement" may involve more than one individual site and the construction of a new means of access. However, the Green Belt Local Plan limits the scale of development which is appropriate within "Recognised Settlements" in the Green Belt to the definition of infilling set out in previous Structure Plans (i.e. single plots on existing road frontages). This definition should continue to apply until such time as district-wide local plans are prepared for the appropriate areas. At that time, new criteria may be prepared.

7.42 Any proposals for freestanding new settlements would require careful consideration of the efficient means of providing infrastructure and services and should be of a size adequate to support appropriate facilities. For example, in order to foster the growth of a community, ready access to a primary school would be important. Furthermore, in conformity with the objectives of this Plan relating to sustainable development, the provision of good public transport links would be important.

Other Housing Development Outside Settlements

7.43 In accordance with Policy C2, housing development will not normally be permitted in the countryside, as defined by settlement boundaries in local plans. Furthermore, there is a general presumption against development in the Metropolitan Green Belt, as set out in Policy C4. In addition, in accordance with Policy C6, development will not be permitted where it would threaten important open areas which are of special significance as 'green wedges' or 'gaps' separating settlements or communities.

Slough

7.44 In the case of Slough, its location, entirely surrounded by Green Belt, means that it will become increasingly difficult to identify sufficient land to meet local housing needs without the release of land from the Green Belt. The possible release of Green Belt land in Slough to meet the housing provision is considered in paragraphs 5.15 and 5.16 of the Countryside and Rural Development Chapter.

Housing

LOSS OF HOUSING

7.45 Development proposals which would result in the loss of housing may require local planning authorities to countenance the release of further housing land, possibly on "greenfield" sites. Therefore, the County Council is concerned that there should be no avoidable loss of housing.

Development Proposals Involving the Loss of Housing

Policy H6 **Proposals for redevelopment or change of use resulting in the loss of residential accommodation will normally receive favourable consideration only if they replace at least the number of dwelling units lost.**

7.46 There may be limits on the increase of residential units in the Green Belt. This is set out in Policy C4. In implementing Policy H6, local planning authorities will have regard to local housing needs.

WIDENING THE CHOICE OF HOUSING

Low-Cost Housing

7.47 The County Council is concerned about the increasing difficulties of securing access to low-cost housing throughout Berkshire.

7.48 The main indicators of the scale of the problem are district council housing waiting lists and the numbers of households accepted as homeless in the County. Relatively low levels of public sector housebuilding and the sale of council houses has meant that the needs of only some of the households on these lists can be met. The County Council also recognises that there is a problem of access to housing for groups such as single-worker households, young people, and many essential workers in service and other industries on below-average incomes who do not appear on, or qualify for, the above lists.

7.49 Although a full response to this problem will require appropriate initiatives in national fiscal and housing policies, the County Council considers that planning policies (at the strategic and local level) can also make a valuable contribution. This is supported by the DoE's Planning Policy Guidance Note 3, "Housing" which recognises that a community's need for affordable housing is a material planning consideration.

7.50 The following policies provide a strategic framework within which the district councils can allow genuine low-cost housing schemes for sale or rent to provide homes for those whose incomes are insufficient to enable them to acquire accommodation on the open market.

Deposit Draft March 2002

Berkshire Structure Plan

2001-2016

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

VISION

DEVELOPMENT

ENVIRONMENT

HOUSING

EMPLOYMENT

LEISURE

TRANSPORT

MINERALS

WASTE



Bracknell Forest Borough Council | Reading Borough Council | Slough Borough Council

Chapter

4Development

Context

4.01 The Structure Plan contains a variety of policies which guide the local planning authorities in the formation of local plans, local transport plans and decisions on planning applications. Some of these policies apply to particular kinds of development, but others are of general application to a range of land uses. This chapter contains policies of general application.

Policy DP1: General Location of Development

The settlements of Berkshire will be the main locations for development. Local plans will define the boundaries of settlements, including any extensions required to accommodate the other provisions of this Plan. Other policies in the Plan guide the location of major development. Major employment development will be located in accordance with Policy E1. Major shopping and leisure development will be located in accordance with Policies S1, S2 and S3. Other major development will be located in accordance with Policy DP2. Outside settlements, development will be severely limited and be in accordance with Policy DP6.

Reason for the Policy

4.02 Once the countryside has been developed it is very difficult to reclaim it. If development were spread out across the whole County it would be heavily car-dependent and costly to provide with infrastructure. It is widely accepted that the area's roads could not cope with unrestrained growth in the use of cars. One way of maximising the choices of travel available to people is to seek to locate the destinations of people's journeys at places where access by public transport or walking and cycling is easiest. Concentration of activity in urban areas helps support the continued success of towns. It also helps to try to ensure that as many different kinds of activities are located in as few different places as possible, so that one journey can serve a variety of purposes.

How it will be carried out

4.03 Through local plan preparation and development control. For the avoidance of doubt, 'major' is defined as a development involving a net increase in retail floorspace of more than 2,500 square metres, or a net increase in office floorspace of 2,500 square metres or another employment development with similar levels of employment. Local plans will consider whether different thresholds are needed for considering the suitability of



development in particular parts of their area. Developments involving other uses or mixed uses will be assessed on their individual merits against this Policy. Policy T5 provides a basis for considering the transport impacts of development. Planning authorities will also have regard to the cumulative impact of development proposals, where several come forward within a short period of time.

Policy DP2: Major Development other than Retail, Leisure and Employment

1. Major development not covered by policies E1, S1 and S2 and S3, including major education or health facilities, will be located:

(i) in or adjoining the town centres of Newbury, Reading, Wokingham, Maidenhead, Bracknell, Slough and Windsor;

(ii) if no suitable site is found, then at principal intersections of public transport routes within the above urban areas, including any proposed extensions of those areas;

(iii) if no suitable site is found, then elsewhere on public transport corridors within the above urban areas.

2. The scale of the development shall be related to the accessibility of the site by cycling, walking and public transport.

Reason for the Policy

4.04 To direct facilities used by many members of the public to locations where they will be accessible to the largest number of people, whether or not they have access to a private car.

How it will be carried out

4.05 Those seeking to carry out developments covered by this Policy will be expected to show that they have carried out a sequential test to choose the most sustainable site. They will also show how their intended catchment is able to access the chosen site by alternatives to the private car. To illustrate the relationship between scale of the development and accessibility, proposed developments drawing from a large catchment should aim to locate where access by public transport has the best possible fit to the catchment, or where there is a realistic possibility of providing it. They should show the degree of fit between their intended catchment and the supporting network of existing and proposed public transport services. 'Major' will be defined in relation to the particular use, but the Policy relates to facilities serving a wider community than would be easily able to access it on foot.



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

Policy DP6: Land Outside Settlements

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

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

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

(ii) contributes to the identity of settlements; or

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

Reason for the Policy

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

How it will be carried out

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



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

Policy DP7: Strategic Gaps and Wedges

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

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

Reason for the Policy

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

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

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



How it will be carried out

5.09 Where appropriate, through the production of Biodiversity, Habitat and Species Action Plans. 'A Framework for Biodiversity Action in Berkshire' provides the relevant Councils with an agreed foundation upon which to base their actions, as well as to translate national targets identified in the UK Biodiversity Action Plan to the local level. A series of county-wide Habitat Action Plans will also be prepared for those nationally important habitats which are locally important. At the local level, Local Biodiversity Action Plans will be produced which will be developed into effective local partnerships to take forward actions into the future.

5.10 Local plans will include policies to deal with development which would have an adverse effect on:

- an area designated (or proposed for designation) as being of international (Special Protection Areas, Special Areas of Conservation) or national (Sites of Special Scientific Interest or National Nature Reserves) importance for nature conservation;
- a designated Local Nature Reserve, Wildlife Heritage Site, Regionally Important Geological Site, Reserve of the Local Wildlife Trust, or the habitat of any specially protected or endangered species;
- the integrity or continuity of landscape features which are of importance for wild fauna and flora.

5.11 Local plans may identify any exceptional circumstances where such development may be permitted and the steps which should be taken to minimise the damage and provide appropriate compensatory measures.

5.12 The main designated sites of nature conservation importance within Berkshire will be identified within the Berkshire Landscape Character Assessment.

Policy EN4: Historic Environment

1. Historic features and areas of historic importance and their settings will be conserved and where appropriate enhanced. The Councils will only allow development if it has no adverse impact on features or areas of historic importance.

2. Proposals will be expected to have regard to the wider historic environment and will only be permitted when they would conserve or enhance the character or setting of Berkshire's historic landscape and built environment.



Reason for the Policy

5.13 Although Berkshire has experienced a large amount of economic growth and development, it still contains a wide variety of historic buildings and landmarks. It is important that these are conserved, as they provide an insight into the County's past and ensure that it retains its individual identity and sense of place. The features of historic importance covered by this Policy include ancient monuments, listed buildings, conservation areas, historic parks and gardens, archaeological remains, battlefields and the historic landscape including field patterns and hedgerows.

How it will be carried out

5.14 In line with PPG15, new development should not damage buildings or structures of historic importance or their settings, whether they are listed or not. Where features of historic parks and gardens exist in isolation from their original context, the features themselves and their settings should be preserved.

5.15 Where development is proposed in areas of archaeological potential, developers may be required to commission an independent evaluation of the site (in consultation with the local planning authority) prior to the application being determined. This will assist the authorities in deciding whether development is appropriate. Where development is permitted, the Councils will need to be satisfied that appropriate arrangements have been made for assessment, excavating and recording on the site. Where possible archaeological remains should be preserved in situ and should be protected from unnecessary disturbance by new development through sympathetic design. The Berkshire authorities maintain a Sites and Monuments Register, which will assist in the identification of the areas where archaeological investigation is most likely to be needed.

5.16 At an early stage in the local plan process local planning authorities will, where appropriate, assess the wider historic landscape within their areas. These assessments will be used to guide the local plan process and development control, by helping to steer development to areas, and managing its form, in order to ensure that it will not adversely affect the historic environment.

5.17 Exceptions to this Policy will only be allowed where it has been clearly demonstrated that the need for the proposal outweighs the need to protect the heritage and that no alternative is possible.

Policy EN5: Pollution and Noise

Development should not give rise, either by itself or cumulatively with other developments, to unacceptable levels of noise, smell, dust, light or noxious emissions affecting areas beyond the site boundary, or to unacceptable levels of

HIGHWAYS CONSULTATION SHEET

From: Edward Oteng **Date:** 08 January 2002

Application Number: F/2001/5570

Proposal: Proposed erection of 2 dwellings with detached double garage. Demolition of existing dwelling.

Parish: HURST PARISH

Site Address:
Green Acres, Dunt Lane, Hurst, Reading.

Applicant:
Marlow Building Co Ltd C/O Tim North Associates Ltd.

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

✓ below as applicable;

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

1. The proposed development would generate additional turning movements at a point where visibility is restricted which would not be in the interests of highway safety.

2. The proposed development is located in an unsustainable location resulting in most, if not all journeys being made by the private car. The development is therefore contrary to PPG 13 transport and policies WOS1 (WDLPDD).

Signed: _____ **Print name:** Adam Coggins 12/04/02.

HIGHWAYS CONSULTATION SHEET

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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).

1. The proposed development would generate additional turning movements at a point where visibility is restricted which would not be in the interests of highway safety.

2. The proposal would generate additional traffic on Dunt Lane & the surrounding road network which is substandard in respect of width and alignment and would result in an increased risk of accidents to road users.

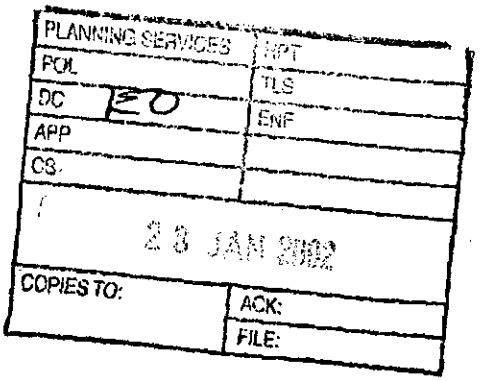
3. The proposed development is located in an unsustainable location resulting in most if not all journeys being made by private car. The development is therefore contrary to PPG 13 transport.

Signed: _____ **Print name:** ADAM COSSINS 30/01/02

ST. NICHOLAS HURST PARISH COUNCIL

Clerk: Mr. R. Wardle, D.M.A., F.C.I.S., M.I.Mgt.,
Glenrocques, 52 Altwood Road, Maidenhead, Berkshire, SL6 4PZ
Telephone/Fax: (01628) 628485

25th January, 2002



Development Control Manager,
Wokingham District Council,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham, RG40 1WR

For the attention of Edward Oteng

Dear Mr. Oteng,

Application No. F/2001/5570

I refer to the above-mentioned Application by Marlow Building Co, Ltd., in respect of Green Acres, Dunt Lane, Hurst: proposed erection of two dwellings with detached double garage; demolition of existing dwelling.

My Council do not accept the applicants' interpretation of the Inspector's Report and note that the proposed development is more than 50% over the footprint of the existing building in this rural area. My Council, therefore, object on the grounds that the proposal does not comply with WCC1 and represents an extension of development in an unsustainable location.

Yours sincerely,

Clerk

TO: **DEVELOPMENT CONTROL**
Edward Oteng

FROM: Environmental Design

DATE: 23 January 2002

Location:	Green Acres, Dunt Lane, Hurst
Proposal:	Proposed erection of 2 dwellings with detached double garage. Demolition of existing dwelling.
Application Number:	F/2001/5570

In response to your consultation dated 8 January 2002 for the above application, the landscape comments are as follows:

The site is located within the countryside. The character of the road is rural with a number of properties of varying ages built on one side. The current building within the site is a low bungalow that is visually unobtrusive within the surrounding countryside due to its lack of height, large plot in which it is built and existing boundary vegetation limiting views into the site.

Although the boundary vegetation is shown to be retained, the proposed 2 dwellings will significant increase the size of built form on the site which will be more visually dominant within the landscape.

If this proposal is considered acceptable in planning terms, the applicant will need to submit a landscape scheme showing all existing vegetation to be removed or retained and all new planting including full species name, size of plant at time of planting and planting densities.

Catherine Brimble

Catherine Brimble
Landscape Architect

See Part one Plans

To:
Harold Sanders
Urban Design And Conservation Officer

From: Edward Oteng

Date: 08 January 2002

Application Number: F/2001/5570

Proposal: Proposed erection of 2 dwellings with detached double garage. Demolition of existing dwelling..

Site Address:
Green Acres, Dunt Lane, Hurst, Reading.

Applicant:
Marlow Building Co Ltd C/O Tim North Associates Ltd.

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

THE PROPOSAL IS TO REPLACE A BUNGALOW, OF MODEST PROPORTIONS, IN THE COUNTRYSIDE, WITH TWO LARGE 4 BED. 2 BATHROOM HOUSES, FILLING THE SITE, BOUNDARY TO BOUNDARY, PLUS A DOUBLE GARAGE FRONTING THE LANE.

LOCAL PLAN POLICIES FOR DEVELOPMENT IN THE COUNTRYSIDE PRECLUDES THIS TYPE OF INFILL DUNT LANE HAS A STRONG RURAL CHARACTER; I CONSIDER THE DESIGN OF THE PROPOSED DWELLINGS IS ALSO INAPPROPRIATE AND ANOTHER REASON FOR REJECTING THIS APPLICATION. THE GARAGE LOCATION IS ALSO UNACCEPTABLE.

Harold Sanders.
21 JAN 02

Dunt Cottage
Dunt Lane
Hurst, Berks
RG10 OTA

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

F.A.O. Mr Edward Oteng

17th January 2002

Dear Mr. Oteng,

Re: Planning Application F/2001/5570

We are in receipt of your letter dated 8th January 2002 regarding the above planning application.

We have viewed the application at your offices and would like to make the following comments, which we would ask are taken into consideration.

Dunt Cottage, which we bought in November 1999, is a Grade II listed building next door to Greenacres in Dunt Lane. The paragraph describing the principle elevations of our property in the application from Tim North & Associates (copy highlighted & attached) is inaccurate. The principal elevation of our home is in fact wholly towards Greenacres. The front door, lounge, dinning room, kitchen and all 3 bedrooms look out onto Greenacres and not the "modern farm buildings" as indicated by Tim North Associates (those modern farm buildings are approximately 150 years old).

Our front garden looks out onto Greenacres. The side of our house has no windows and abuts Dunt Lane.

Table 1 on page 3 of the application, sets out the dimensions comparison between other already granted applications and the Greenacres application. Whilst foot print and floor area are relatively unimportant to us in Dunt Cottage, the Ridge Height is of course of paramount importance. At 6.7m it is following a worrying trend of each application being allowed increased height, thus effecting aspect, outlook and possibly light. We would hope that this is given very careful consideration.

Yours sincerely,

Mr & Mrs P. A. Lamb.

St Nicholas Farm. The second concentration of residential units is located on both sides of Dunt Lane, made up of post-war properties situated on large spacious plots, sporadically positioned along the same highway.

The group of houses of which Greenacres forms an integral part, is located in a low lying area, where the boundaries of individual properties comprise established hedgerows along with fencing. At its northern end the street scene comprises two chalet style properties known as Winton Lodge and Meadow View, both of which were constructed following the grant of full planning permission in 1994. Meadow View has been the subject of more recent additions comprising side and first floor extensions and a new roof, with a detached garage to the forefront of the property.

Proceeding in a south easterly direction, Fern Lea was previously a pair of semi detached cottages. As a consequence of planning permission having been granted in 1971, this pair of cottages now comprises a detached Neo Georgian style two storey dwellinghouse, complete with various subsequent alterations and extensions.

Centrally positioned in this group of residential properties is St. Nicholas Farmhouse, a Grade II Listed Building constructed in the early 19th Century, comprising elevations of red brickwork beneath a plain clay tiled roof. Adjoining this property to the south east is St. Nicholas Farm, consisting of a collection of late 19th Century/early 20th Century agricultural buildings, to the rear of which lies a collection of older farm buildings, which have been converted to provide three separate dwellinghouses, namely Lindhay Barn, The Shippon and The Dairy House, granted planning permission in 1986.

Dunt Cottage is a Grade II Listed building, dating from the early 17th Century, with characteristic white painted panelling set within a timber frame beneath a clay tiled roof. The principal elevations of this building are orientated to face towards those modern farm buildings associated with St. Nicholas Farm, with the consequence that the intervening land forms the main garden to Dunt Cottage.

Greenacres is one of only two remaining agricultural workers' bungalows found within this group of houses, the others having been redeveloped to comprise modern chalet style properties, as evidenced at Winton Lodge, Meadow View and The Pightle. The property enjoys white painted rendered elevations beneath a concrete tiled roof, with planning permission having been granted in 1992 for single storey extensions to the side elevations of the original bungalow (Application No. 39680 refers). One of these single storey additions has been constructed, with the remaining side extension, commensurate with the accommodation taken up by the integral garage, yet to be implemented. As with the residential unit previously occupying the adjoining property The Pightle, the bungalow known as Greenacres is of no intrinsic architectural merit.

The Pightle comprises a chalet style property, having been the subject of an appeal decision allowed on 7th December 1998. This chalet style dwelling replaced a former 1960's agricultural worker's bungalow.

Woodlands, which represents the most southerly property in this group of houses, is the other remaining agricultural worker's bungalow and, like Greenacres, it has been the subject of more recent single storey extensions.

It is evident from this description of the twelve individual properties enjoying a frontage onto the north eastern side of Dunt Lane, in close proximity to its junction with the B3030 Davis Street, that they comprise a group of houses of varying sizes, styles and ages, with a predominance of brick built elevations beneath tiled roofs. The design, scale, form, massing and external materials associated with the two proposed chalet style units on land at "Greenacres" reflects the replacement property situated on the adjoining site to the south east, allowed on appeal on 7th December 1998. Similarly, there are clear affinities between the footprint, overall height and floor areas of the two chalet style properties the subject of the current application, and those chalet style units granted planning permission within this same housing group, as Table 1 illustrates.

TABLE 1

Name of Property	Original Footprint sq.m.	Proposed Footprint sq.m.	Ridge Height m	Gross Floor Area sq.m.
Winton Lodge	123	149	6.5	258
Meadow View	98	184	6.4	265
Plot 1 Greenacres	159*	143	6.7	230
Plot 2 Greenacres		122	6.7	213+
The Pightle	98	126	6.6	228

* The Existing agricultural worker's bungalow excluding outbuildings
\+ The proposed chalet style property excluding separate double garage

These considerations, seen in conjunction with the retention of boundary hedgerows, and the presence of a uniform building line adopted by the two proposed properties when read with their neighbours to the south east, lead to the conclusion that any reduction in the openness of the area seen from public vantage points would be of minimal impact.

As will be familiar to your officers, current national policy relating to housing development in the countryside is set out in PPG7 "The Countryside: Environmental Quality and Economic and Social Development"; the final sentence of paragraph 3.21 stating:-

> "Sensitive infilling of small gaps within small groups of houses or minor extensions to groups may also be acceptable, although much would depend on the character of the surroundings and the number of such groups in the area."

These provisions are particularly germane given the location of the proposed development in the countryside, as shown on the Proposals Map (South East) accompanying the emerging Wokingham District Local Plan 1996-2006. It is

Tel. (0118) 974 6448 (Direct Line)
Date: August 21, 2002
My ref: F/2001/5570
Your ref: APP/X0360/A/02/1091808

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

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

Dear Mrs Pocock

APPEAL BY: Marlow Building Co. Ltd
SITE: Greenacres, Dunt Lane, Hurst

With reference to this appeal, I enclose 2 copies of the Inquiry date notification letter. This has been sent to those already listed at the questionnaire stage.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel: (0118) 974 6448 (Direct Line)
Date. August 21, 2002
My ref: F/2001/5570
Your ref:

The Owner / Occupier
WOODLANDS
DUNT LANE
HURST
READING
RG100TA

WOKINGHAM UNITARY
Aiming for Excellence

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

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
NOTICE OF PUBLIC INQUIRY

APPEAL BY: Marlow Building Co Ltd
APPLICATION No: F/2001/5570
SITE: Green Acres Dunt Lane Hurst Reading
PROPOSAL: Proposed erection of 2 dwellings with detached double garage. Demolition of existing dwelling.

I am writing to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will attend at the Civic offices, Shute End, Wokingham, on **04/12/2002** at 10.00 am to hold a Local Inquiry into the above appeal.

You may attend the inquiry and, at the Inspector's discretion, give your views but if you wish to speak you **must** be present at 10.00am on 04/12/2002.

Documents relating to the appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 08.30-16.00 on Fridays).

Anyone with a disability who wishes to attend the Inquiry, is advised to contact the Council to check that suitable facilities are available.

As previously advised, copies of the appeal decision will be available from Mrs Pocock, The Planning Inspectorate, Room 3/03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Please quote reference number **APP/X0360/A/02/1091808.**

Yours faithfully

Denise Gumbrell

Appeals Assistant

Tel. (0118) 974 6448 (Direct Line)
Date: July 23, 2002
My ref: F/2001/5570
Your ref: APP/X0360/A/02/1091808

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

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

Dear Mrs Pocock

APPEAL BY: Marlow Building Co Ltd
SITE: Greenacres, Dunt Lane, Hurst

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

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

Direct Line 0117-3728775
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8775

PLANNING SERVICES
PCL
EC
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ENF
18 JUL 2002
CORRESPOND

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

Your Ref: F/2001/5570

Our Ref: APP/X0360/A/02/1091808

Date: 15 July 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MARLOW BUILDING COMPANY LTD
SITE AT GREENACRES, DUNT LANE, HURST, BERKSHIRE, RG10 0TA

I am writing to inform you of the arrangements made for the inquiry into the above appeal, in accordance with the relevant Inquiries Procedure Rules.

The inquiry will be held at 10:00 on 4 December 2002 at The Council Offices, Shute End, Wokingham. Please note that this date has been imposed upon yourself. The venue should be reserved for 1 day.

The name of the Inspector will be confirmed to you at a later date.

Formal notices will be sent in due course.

Please note that disabled people who may be concerned about facilities at the venue have been advised to write to or contact your Council to confirm that proper provisions are in place.

Yours faithfully

pp Miss Carolyn Welding

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

FORCEL

Tel. (0118) 974 6448 (Direct Line)
Date: June 26, 2002
My ref: F/2001/5570
Your ref: APP/X0360/A/02/1091808

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

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

Dear Mrs Pocock

APPEAL BY: Marlow Building Co Ltd
SITE: Green Acres, Dunt Lane, Hurst

Further to our telephone conversation this morning, I confirm that the answer to question 11b of the questionnaire should be "yes".

I enclose the Listed Building description & a copy of Policy WOS1.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. June 26, 2002
My ref: F/2001/5570
Your ref: TFN/emn/12/01

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

Tim North & Associates Ltd
17a Reading Rd
Pangbourne
RG8 7LR

Dear Sirs

APPEAL BY: **Marlow Building Co Ltd**
SITE: **Greenacres Dunt Lane Hurst**

It has been pointed out to me that the answer to question 11b on the questionnaire should be "yes". I am therefore enclosing the Listing Description.

You may also find that the first page (7) of Policy WOS1 is missing. I am, therefore, enclosing a copy.

I apologise for the error & omissions.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

WOKINGHAM UNITARY
Aiming for Excellence

APPEAL BY: Marlow Building Company Ltd
SITE: Green Acres, Dunt Lane, Hurst
APPLICATION NO.: 5570
PROPOSAL: Proposed erection of 2 dwellings with detached double garage

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Hurst

Mrs A Drake

Clerk(s) of Parish / Town Councils of Hurst

Mr R Wardle, 52 Altwood Rd, Maidenhead SL6 4PZ

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

Conservation Officer, WDC

Environmental Design, WDC

The Owner/Occupiers of the following addresses in Dunt Lane, Hurst:

Woodlands

Dunt Cottage

The Pightle

Tel: (0118) 974 6448 (Direct Line)
Date. June 20, 2002
My ref: F/2001/5570
Your ref:

The Owner / Occupier
THE PIGHTLE
DUNT LANE
HURST
READING

RG100TA

WOKINGHAM UNITARY
Aiming for Excellence

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

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
NOTICE OF PUBLIC INQUIRY

APPEAL BY: Marlow Building Co Ltd
APPLICATION No: F/2001/5570
SITE: Green Acres Dunt Lane Hurst Reading
PROPOSAL: Proposed erection of 2 dwellings with detached double garage. Demolition of existing dwelling.

This is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold a Local Inquiry into the above appeal at the Civic offices, Shute End, Wokingham, on a date to be advised.

Any comments made at the application stage will be copied to the Inspectorate. Should you wish to make further representations, three copies, if possible, should be sent to Mrs M Pocock, The Planning Inspectorate, Room 3/03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, quoting reference **APP/X0360/A/02/1091808**, to arrive no later than **23/07/2002**. Comments received after this deadline will not normally be seen by the Inspector & they will be returned.

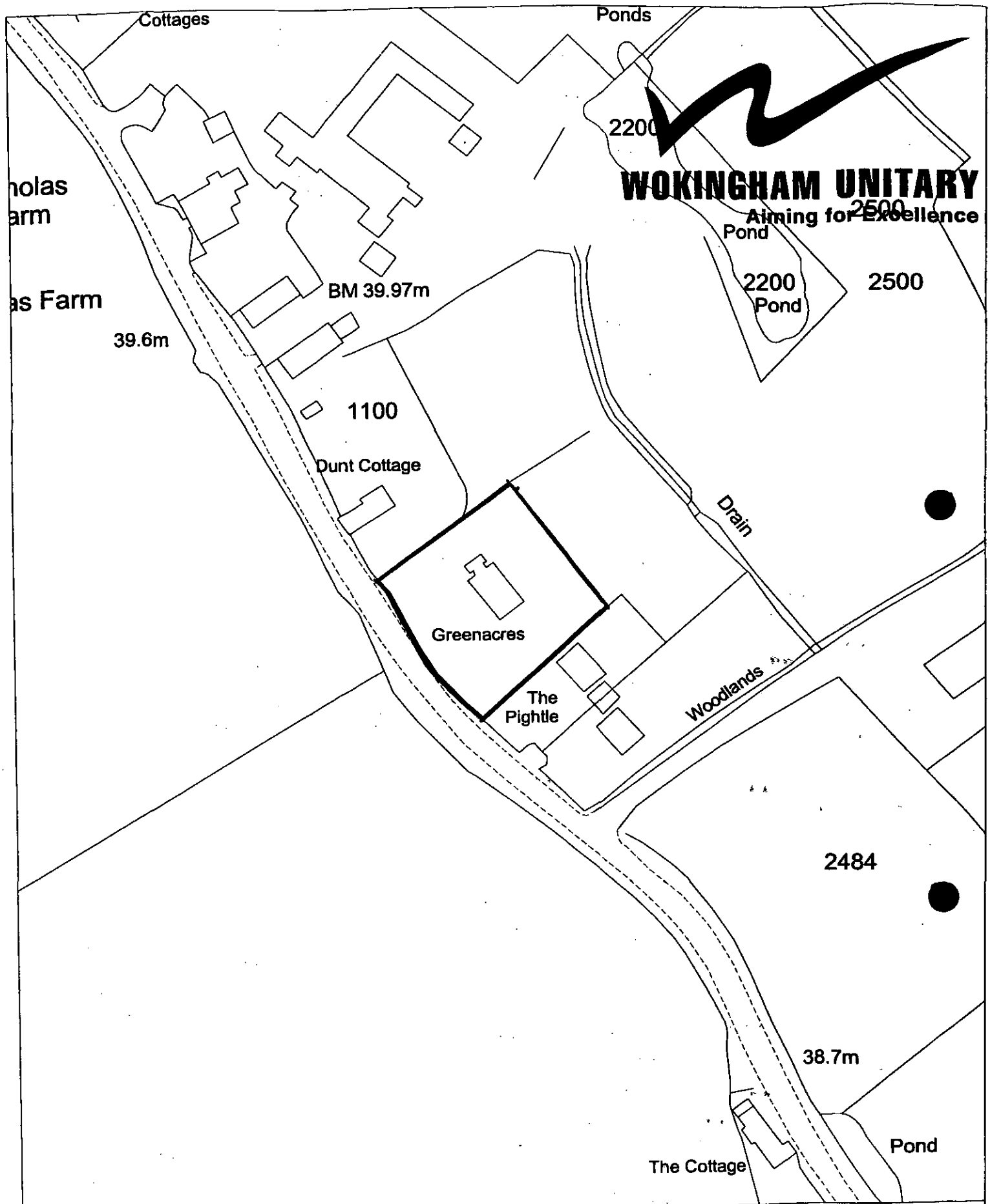
Documents relating to the appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 08.30-16.00 on Fridays).

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

If you wish to receive a copy of the Appeal Decision, you should write to Mrs Pocock & request one.

Yours faithfully

Denise Gumbrell
Appeals Assistant



Site Plan, Scale: 1 to 1250

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Date: 20 June 2002

Wokingham District Council Tel: (0118) 974 6000 www.wokingham.gov.uk

The Planning Inspectorate

For offical use only
Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP /X0360/A/02/1091808 **GRID REF:** _____

APPEAL BY: MARLOW BUILDING CO. LTD

SITE: GREEN ACRES DUNT LANE HURST

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks from 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?	~~YES~~ / NO
OR	Do you wish to be heard by an Inspector at: a. a local inquiry?	YES / ~~NO~~
	or b. a hearing?	~~YES~~ / NO
2.	If the written procedure is agreed, could the Inspector make an unaccompanied site visit? ***(It is our policy that Inspectors make an unaccompanied site visit whenever practicable e.g. the site can be seen clearly from a road or other public land. You must only indicate the need for an accompanied visit when it is necessary to enter the site e.g. to view or measure dimensions from within it.)***	YES / NO
3.	Does the appeal relate to an application for approval of reserved matters?	~~YES~~ / NO
4.	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	~~YES~~ / NO / ~~N/A~~
5.	Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	~~YES~~ / NO

6.	Is the appeal site within an approved Green Belt or AONB? Please specify which	~~YES~~ / NO
7.	Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)	~~YES~~ / NO
8. a.	Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State? If YES, please attach details and, where necessary, give our reference numbers.	~~YES~~ / NO
b.	Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.	~~YES~~ / NO
9.	Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)	~~YES~~ / NO
10.	Does the appeal relate to an application for conservation area consent?	YES / NO
11.a.	Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?	~~YES~~ / NO Grade I / II* / II
b.	Would the proposed development affect the setting of a listed building? If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)	~~YES~~ / NO YES.
12.	Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	YES / NO
13.a.	Would the proposals affect an Ancient Monument (whether scheduled or not)?	~~YES~~ / NO
b.	If YES, was English Heritage consulted? Please attach a copy of any comments.	YES / NO
14.a.	Is the appeal site in or adjacent to or likely to affect an SSSI? If YES, please attach the comments of English Nature.	~~YES~~ / NO
b.	Are any protected species likely to be affected by the proposals? If YES, please give details.	~~YES~~ / NO

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?	23/07/02	
b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application	4	
ii) *the planning officer's report to committee*		✓
iii) any relevant committee minute		✓
17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY		
Do you intend to send another statement about this appeal? *If NO, please send the following information:-*		YES / NO
a. In non-determination cases:		●
i) what the decision notice would have said;		
ii) how the relevant development plan policies relate to the issues of this appeal.		
b. In all cases:		
i) the relevant planning history;		
ii) any supplementary reasons for the decision on the application;		
iii) matters which you want our Inspector to note at the site visit.		
18. THE MAYOR OF LONDON CASES ONLY		
a. Was it necessary to notify the Mayor of London about the application? If YES, please attach a copy of that notification.		YES / NO ●
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: _____ on behalf of WOKINGHAM UNITARY ~~Council~~

Date sent to us and the appellant 20/06/02 OUR REF: F/2001/5570

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

This document is printed on a recycled (UK) paper containing 100% post-consumer waste.

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

15. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:		
a Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	YES / NO Sch1 Sch 2 col 1	
b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	YES / NO	
c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.	YES / NO	
	Number of Documents Enclosed	N/A
d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	1	
e. Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h. Details of any other applications or matters you are currently considering relating to the same site;		✓
i. **For all appeals, including those against non determination, you must provide details of all relevant development plan policies.** ***Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.***	4	
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.		✓

Tel. (0118) 974 6448 (Direct Line)
Date: June 20, 2002
My ref:
Your ref: APP/X0360/A/02/1091808

WOKINGHAM UNITARY
Aiming for Excellence

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

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

Dear Mrs Pocock

APPEAL BY: Marlow Building Co Ltd
SITE: Green Acres, Dunt Lane, Hurst

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. June 20, 2002
My ref: F/2001/5570
Your ref: TFN/emn/12/01

WOKINGHAM UNITARY
Aiming for Excellence

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

Tim North & Associates Ltd
17a Reading Rd
Pangbourne
RG8 7LR

Dear Sirs

APPEAL BY: **Marlow Building Co Ltd**
SITE: **Green Acres Dunt Lane Hurst**

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

PLANNING SERVICES HPT 0117-3726079
FOL Switchboard TLS 0117-3728000
DC Fax No ENF 0117-3728624
APP
CS DX GTN 1371-6079

57466

13 JUN 2002

COPIES TO: Legal ACK:

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

Your Ref: F/2001/2570

Our Ref: APP/X0360/A/02/1091808

Date: 11 June 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MARLOW BUILDING COMPANY LTD
SITE AT GREEN ACRES, DUNT LANE, HURST, READING

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 asked for an inquiry, which we are arranging. The date of this letter is the starting date for this appeal.

You must **submit** the following documents 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 and supporting documents, including relevant development plan policies to the appellant and me.

Within 6 weeks from the starting date -

You and the appellant must submit 2 copies of any statement to me. I will send a copy of your statement to the appellant and send you a copy of their statement. You and the appellant must send a copy of your statements to any statutory parties.

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.

No later than 4 weeks before the inquiry -

You and the appellant must submit 2 copies of your proofs of evidence (and summary, where appropriate) to me. The appellant must also submit a copy of the statement of common ground.

You **must keep to the timetable** set out above and ensure that your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. As I have given details of the timetable, I will not send you reminders.

Withdrawing the appeal

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

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

Yours faithfully

G. Nall

pp Mrs Margaret Pocock

301(BPR)

Questionnaire

The appeal questionnaire must be sent complete with copies of all necessary documents referred to in it. It is particularly essential to us that details of all relevant development plan policies are included with the questionnaire at this early stage.

Statement of case

In your statement of case you will need to give full details of the case you will put forward at the inquiry. You must include and list any documents, including maps and plans, to which you intend to refer or use in evidence. Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed.

Statement of common ground

In the statement of common ground you should list all agreed matters. You and the appellant are expected to meet in advance of the inquiry, to agree the statement of common ground. This should include basic facts such as the site description, area, planning history, relevant planning policies, and as many other matters relating to the appeal as possible. A guide to the Statement of Common Ground is in Annex 3(ii) of DETR Circular 05/2000. A model form is enclosed and is also available on our website.

Proofs of evidence

A 'proof of evidence' is a written statement that you, the appellant or witness wants the Inspector to take into account at the inquiry. If the proof is more than 1500 words long, you must also send me 2 copies of a written summary which should not be more than 10% of the length of the proof. The summary should reflect the contents of the proof and should not include new evidence. Where a summary is provided only that will be read at the inquiry. If proofs and summaries are not received together and on time, the inquiry may be postponed.

Statutory parties

'Statutory parties' are owners or tenants of the appeal site who made comments within the time limit on the application or appeal. You must give details of any statutory parties at application stage in reply to question 15e of the questionnaire. I will tell you about any statutory parties at appeal stage, before your statement of case is due.

Late Representations

Comments or representations received after any of the time limits will normally be disregarded and we will send them back. Late representations will only be considered in extraordinary circumstances.

Inquiry opening statements

Both main parties may give opening statements before presenting formal evidence. Normally the LPA will go first. They should be no longer than 5-15 minutes maximum.

Costs

Costs can be awarded in inquiry cases. If an inquiry is subsequently adjourned because of the submission of late evidence, there is the possibility of a successful claim for costs. DOE Circular 8/93 gives more advice.

Planning obligations - Section 106 agreements

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

If you intend to rely on an obligation, a final draft must be submitted:-

i. by the opening of an inquiry, which is scheduled to last more than one day

or

ii. 10 working days before the date of a one day inquiry.

Obligations should be completed by the close of an inquiry. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

STATEMENT OF COMMON GROUND

APPEAL REFERENCE:	DATE OF INQUIRY:	

SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT:

APPELLANT

LPA

This statement addresses the following areas of common ground:

1. Description of the site (including agreed dimensions)
2. Description of the area
3. Planning history of site
4. Development plan (including relevant policies) & any draft development plan (including stage reached and weight to be attached).
5. Relevance of any supplementary planning guidance published by LPA.
6. Others: *[eg where applicable, agreed traffic (and/or other) data and circumstances]*

It will be helpful also to identify matters which are the subject of specific disagreement.

Enter text of common grounds
(Please sign the boxes at the end)

Please turn over

Signed on behalf of Appellant	Signed on behalf of LPA
.....Date.....	.....Date.....
Position.....	Position.....

Please continue on separate sheet(s) if necessary (sign at end)

With Compliments

PLANNING SERVICES	INP 56985
POL	TLs
DC DA	ENF
APP	
CS	
29 MAY 2002	
COPIES TO	FILE

Tim North & Associates Limited

CHARTERED TOWN PLANNING & DEVELOPMENT CONSULTANTS

17A Reading Road
Pangbourne
Berkshire RG8 7LR

Tel: 0118 984 3333
Fax: 0118 984 3332

Email: Timnorth.associates@btinternet.com

Our Ref: TFN/emn/12/01

Your Ref:

Date: 22 May 2002

Tim North
& Associates
Limited

CHARTERED
TOWN PLANNING
& DEVELOPMENT
CONSULTANTS

17A Reading Road
Pangbourne
Berkshire RG8 7LR

Tel: 0118 984 3333
Fax: 0118 984 3332

Email: Timnorth.associates@btinternet.com

The Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Dear Sir

Re: Town & Country Planning Act 1990 (As Amended) - Section 78
Appeal by Marlow Building Company Ltd concerning land at Greenacres, Dunt Lane, Hurst, Berkshire RG10 0TA

I have pleasure in enclosing on behalf of my clients, The Marlow Building Company Ltd, completed appeal form, along with other relevant enclosures, concerning the refusal by Wokingham District Council to permit an application to demolish an existing bungalow and construct two chalet style dwellinghouses with detached double garage on the above mentioned land.

A copy of the completed appeal form has been sent direct to Wokingham District Council.

I look forward to receiving your acknowledgement in due course.

Yours faithfully

T.F. North

encl.

The Planning Inspectorate

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

For official use only
Date received

PLANNING APPEAL FORM

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

Please use a separate form for each appeal

Your appeal and essential supporting documents must reach the Inspectorate within 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: Marlow Building Company Ltd

Address: 29 High Street
Marlow, Bucks
Postcode: SL7 1AU

Daytime phone no: 01628 486455
Fax no: -
E-mail address: -

B. AGENT DETAILS FOR THE APPEAL (if any)

Name: Tim North & Associates Ltd

Address: 17A Reading Road
Pangbourne
Berkshire
Postcode: RG8 7LR

Your reference: TFN/emn/12/01
Daytime phone no: 0118 984 3333
Fax no: 0118 984 3332
E-mail address: Timnorth.associates@btinternet.com

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA: Wokingham District Council

LPA's application reference no: F/2001/5570

Date of the planning application: 20 December 2001

Date of LPA's decision notice (if issued): 12/04/02

D. APPEAL SITE ADDRESS

Address Greenacres, Dunt Lane, Hurst, Berkshire RG10 0TA

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)

Demolition of existing bungalow and construction of two chalet style dwellinghouses with detached double garage

Size of the whole appeal site (in hectares): 0.15

Area of floor space of proposed development (in square metres): 443 sq.m.

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.

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.

See attached sheets

H. Grounds of Appeal

1. It is contended that the LPA have either failed to take into account or else paid inadequate regard to the need to differentiate between on the one hand, safeguarding the countryside for its own sake, with non-renewable and natural resources afforded proper protection; and on the other, the redevelopment of an existing building in residential use comprising previously developed land, by a form of sensitive infilling.

   In this regard, both current central government and emerging Local Plan policies allow for infilling of groups of houses in the countryside; which should be differentiated from developing greenfield sites for housing purposes. To this end, the principal objective is to "manage" the countryside which includes accommodating necessary changes in rural areas by maintaining and where possible, enhancing the quality of the environment for local people.

   In this way, the proposals submitted on behalf of the Marlow Building Company Ltd comprise an acceptable form of countryside development, which would not appear contrary to the central intentions of Policy C2 of the adopted Berkshire Structure Plan; Policy LBT2 of the Loddon Area Local Plan and Policies WOS2 and WCC1 of the emerging Wokingham District Local Plan (Deposit Draft) Version.

2. The proposed development involves the demolition of an existing bungalow of no particular architectural merit, and the erection of two new chalet style properties, along with separate double garages. The design, scale, height and massing of the proposed residential units are not dissimilar from the immediately adjoining property known at The Pightle, itself allowed on appeal on 7th December 1998 at a time when the "development plan" comprised the same documents which the Council now seek to rely upon to withhold planning permission in respect of Application No. F/2001/5570.

   Interestingly, the LPA were of the view that the replacement property situated at "The Pightle" " would not adversely affect the rural character/ visual amenity of the area, bearing in mind the replacement dwellings approved in Dunt Lane".

   It will be shown that the proposal does not result in either an intensification of use; or cause an urbanising effect which would harm the principal issue associated with the current proposal, namely whether or not the proposed development would adversely affect the character and appearance of the surrounding rural area. In this regard, the character of the surrounding countryside and the conservation of its natural resources will not be affected by the proposal advanced on behalf of the Marlow Building Company Limited.

Furthermore, it will be argued that the setting of a neighbouring listed building would not be adversely affected by the proposed development, and the Council have either failed to take into consideration or else paid inadequate regard to existing landscaping in the area.

As a consequence the proposed development is not contrary to Policies C2, BN1 and EN4 of the adopted Berkshire Structure Plan Policies DP6 and EN4 of the emerging Berkshire Structure Plan; Polcieis LTV2, LBE1 and LBE2 of the Loddon Area Local Plan and Policies WOS3, WOS10, WCC1 and WBE1 and WHE11 of the Wokingham District Local Plan (Deposit Draft) Version.

3. It will be demonstrated that the frequency and intensity of additional turning movements into and out of the appeal site is not sufficient in itself to withhold planning permission, having regard to the nature and volume of traffic using Dunt Lane. It will be shown that there is no evidence to support the contention that the existing access would lead to problems of highway safety, and no account appears to have been taken of improvements which may be made to visibility splays.

4. The proposed development constitutes sensitive infilling amongst a small group of houses in the countryside. If such proposals were to constitute unsustainable development, it is inconceivable that the Inspector in his Report on Objections to Policy WCC1 of the Wokingham District Local Plan Deposit Version, would have allowed such development to take place in the countryside as part of the same policy.

In considering this issue, any increase in the small number of journeys made by private car are required to be considered alongside those important supporting objectives for creating a more sustainable pattern of development; high among whose priorities found at all levels of planning policy is the preference to be given to the development of brownfield sites before considering greenfield sites.

It will be demonstrated that the proposed development, assessed from a sustainability perspective, would not compromise the Government's objectives.

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
Mrs. Beryl J. Stewart	Greenacres, Dunt Lane	22nd May 2002
	Hurst, Berkshire	

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:	☐
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 Tim North & Associates Ltd (on behalf of) Marlow Building Company Ltd

Name (in capitals) TIM NORTH Date 22nd May 2002

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration (Reg No: E311018) under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our Website under "Privacy Statement" and in the booklet accompanying this appeal form.

NOW SEND:

- **1 COPY to us at**:
  The Planning Inspectorate
  Customer Support Unit
  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 sending further information or representations.

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

Published by the Planning Inspectorate April 2002

Printed in the UK April 2002 on paper comprising 25% post consumer waste and 100% ECF recycled paper.

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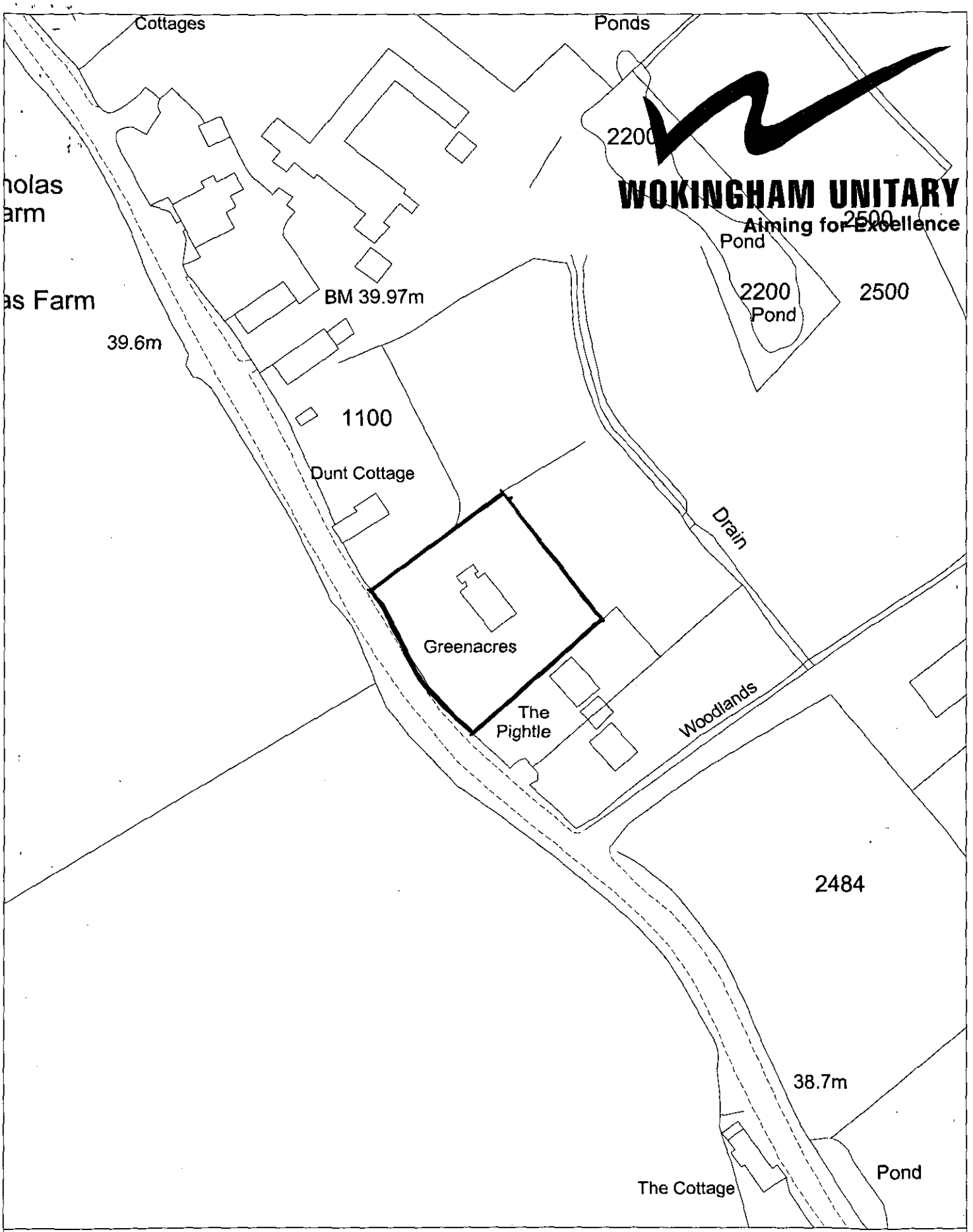

Site Plan, Scale: 1 to 1250

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Date: 20 June 2002

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