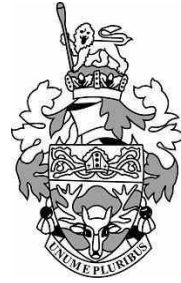


Tel: 07909521296  
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Date: 12<sup>th</sup> December 2023  
My Ref: RFS/2023/088361



**WOKINGHAM  
BOROUGH COUNCIL**

James McConnell  
McConnell Planning  
20 Niagara Avenue  
London  
W5 4UD

|                                              |
|----------------------------------------------|
| Development Management & Regulatory Services |
| P.O. Box 157                                 |
| Shute End, Wokingham                         |
| Berkshire RG40 1WR                           |
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Dear Mr McConnell,

**Town and Country Planning Act 1990 (as amended)  
Town and Country Planning (Control of Advertisements) Regulations 2007**

**Site:** Woodland area on north side of Highlands Avenue, Wokingham, RG41 4SP

**Subject:**

1. Sign displayed on brick wall
2. Laying of footpath and installation of 8 lighting columns
3. Clearance of woodland and use of land

I refer to our telephone conversation on 11<sup>th</sup> September 2023 and your letter dated 19<sup>th</sup> September 2023 in response to my letter dated 22<sup>nd</sup> August 2023, regarding the above. Please accept my apologies for the delay in responding.

Thank you for responding to each of the point that I have raised. My response is as follows:

**Sign displayed on brick wall**

You are correct that there was a sign displayed on the fence on the north side of Highlands Avenue, close to its junction with Bearwood Road, that was there for some years. It is shown on Google street view images, and you have shown in your letter.

The new sign is in a different position to the previous. The new sign is entirely different and attached to a recently constructed wall, which it forms part of.

The Town and Country Planning Act 1990 (as amended), defines an advertisement as follows:

“any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or designed or adapted for use, and anything else principally used, or designed or adapted principally for use, for the display of advertisements”.

The new advertisement is attached to the recently constructed brick wall. The wall is required to display the advertisement and therefore is a part of the advertisement. It is therefore a new advertisement that requires advertisement consent. It does not meet the requirements to have deemed consent under The Town and Country Planning (Control of Advertisements) Regulations 2007.

To remedy this breach you must, within 28 days from the date of this letter, remove the advertisement or you can submit an application for advertisement consent.

### **Laying of footpath and installation of 8 lighting columns**

Thank you for explaining the reasons why the footpath was laid and the installation of the lighting columns within the wood land. However, the works are within a protected woodland that Mr and Mrs Pike are fully aware of the Tree Preservation Orders No 20/1973 and No 199/1981.

These works constitute development as section 55 of The Town & Country Planning Act 1990 defines development as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

In my previous letter I said that there were seven lighting columns, however, further visiting the site found there were eight columns. The installation of these columns and the laying of the footpath from one end of the wood land to the other, does constitute development under the above act.. The land does not have the benefit of permitted development rights for this type of development and therefore planning permission is required.

However, such works are not appropriate within a protected woodland and countryside location.

To remedy this breach of planning control you must remove the footpath and lighting columns, and return the land to its former condition, within 28 days from the date of this letter.

### **Clearance of woodland and use of land**

The woodland is protected by Tree Preservation Orders No 20/1973 and No 199/1981. Works to trees and around them, within the woodland, would require permission.

However, you say that this area of woodland was subject to fly tipping and has been removed. You have removed ground vegetation. This would be permitted as would be management of the wood land.

I am satisfied that no trees have been removed and fly tipping and ground vegetation have been removed. Furthermore, the use of the land has not changed and remains as woodland and part of the overall protected woodland around A1 scrap yard.

Regarding the rockery, this would not be a problem, as you say that this was formed many years ago. However, the protected wood land should be allowed to generate naturally and should be no further clearance or works in this area.

Please do not hesitate to contact me should you wish to discuss these matters.

Yours sincerely,

*Mark O'Leary*

Mark O'Leary

Planning Enforcement Specialist