WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Approval of Permission

Mr A Kobetic
C/O The Edwards Irish Partnership
36 Langborough Road
Wokingham
Berkshire

Application Number: F/2000/0556

Parish: **FINCHAMPSTEAD**

Location: **337, Nine Mile Ride, Finchampstead, Wokingham.**

Proposal: **Proposed two storey and single storey extensions to dwelling.**

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

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

Condition
2. All new external work shall be carried out in materials that resemble in size, colour and texture, those of the existing building.

Condition
3. The area shown on the permitted drawings for vehicle parking, garaging and turning shall be kept available for such use and no development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access to this parking space.

Condition
4. No development shall take place until a detailed tree survey to BS5837, showing trees to be retained and removed and protective fence details is submitted to and apporved in writing by the Local Planning Authority.

Condition
5. This permission relates to the application as amended by and shall be carried out in accordance with revised plan, drawing No.03A submitted to the Local Planning Authority on 20/04/00.

Reason
1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

Reason
2. To ensure a satisfactory external appearance.

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

Reason
4. In the interests of the future health and amenity value of the trees.

Reason
5. For the avoidance of doubt.

Informative
The applicant is reminded to be aware of the presence of bats if undertaking alterations in roof areas, as part of the proposed refurnishment works. All species of bat are protected under the 1981 Wildlife & Countryside Act. If bats are found during works, then these should be immediately postponed whilst advice is sought from English Nature.

John Mitchell
Development Control Manager
Date: 02/06/2000

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

C/69/70

Register endorsed

DEPARTMENT OF THE ENVIRONMENT

[illegible]

Whitehall London SW1

Telephone 01-[illegible] 8240 ext 107

Please reply to The Secretary

Your reference [illegible]

Our reference T/APP/2511/A/51244

Date 6 JUL 1971

[illegible]

[illegible] Road

[illegible]

[illegible]

Sir

[illegible] 1962-1968

1. I refer to your appeal under section 23 of the Town and Country Planning Act 1962 [illegible] Wokingham Rural District Council, acting on behalf of the [illegible] Council, to refuse planning permission for the re-siting of a house previously approved on land adjoining No 333 Nine Mile Ride, Wokingham, to land at the rear of [illegible] Nine Mile Ride. The determination of this appeal falls to me by virtue of Part III of the Town and Country Planning Act 1968 and the Regulations made thereunder. I have considered all the written representations made by you and by the Council and also those made by other interested persons. I inspected the site on 22 April 1971.

2. This woodland site is bounded by a similar woodland area and a bungalow to the north, a further woodland and cleared garden area to the north east, the back gardens of Nos 327-333 Nine Mile Ride to the south and a drive and further woodland area to the west. Access to the site is obtained from a centrally sited, 36 ft wide strip of land with splayed boundaries to Nine Mile Ride.

3. The main arguments put forward in support of your case are that:-

i. the proposed house is better sited than the one approved on the access strip because development of the road frontage would isolate and sterilise the backland, make the road more 'urban' in character and result in a narrow frontaged house out of keeping with its neighbours. The proposed house is further away from existing houses, would utilise the backland area until some further development of the woodland might be agreed and, with your proposals for screen planting, would result in an improvement to the area and a more neighbourly development;

ii. the house is on land allocated for residential purposes and outside the proposed Green Belt and approved 'white land' areas;

iii. the Council have been inconsistent in their policy of confining development to the road frontages and have said that consideration would be given, on a future review of the Town Map, to development of land between the fingers of land now allocated for development;

iv. purchasers of the adjoining road frontage properties and the Council have always been aware of the access provision;

v. because of the intervening houses, the wooded character of the backland is already lost to the general public.

The main arguments put forward by the Council are that:-

i. the proposal involves building on a backland site in an area where the Council has consistently resisted any further extension of existing residential areas. The major part of the site is in a proposed Green Belt and although the house itself is in an area allocated for residential purposes in the Town Map, it was not intended that this allocation should cover the wooded area;

ii. the development would be unneighbourly in that it would adversely affect the outlook, privacy and quietness of adjoining houses;

iii. long drives between dwellings are inconvenient for the provision of services and if this pattern is repeated, it could lead to a multiplicity of access points on to Nine Mile Drive;

iv. the development would be detrimental to the wooded character of the backland area.

. The Council have sent a circular letter concerning this appeal to 60 local residents. 13 have replied objecting to the proposal and 2 have replied raising no objection. The residents generally reiterate and support the views of the Council and, in addition, are particularly concerned with the possibility of this proposal leading to a larger development, the possible devaluation of adjoining property values, the loss of trees and rural outlook and the creation of a further traffic hazard.

. From my inspection of the site and its surroundings and the representations made, I am of the opinion that the determining issues are whether the proposed house would have any serious effect on neighbouring houses and whether it would detract from the character of the area.

. A house built on the 36 ft wide access strip would have a narrower frontage, a greater depth and be sited closer to side boundaries than its neighbours on the 60 ft wide plots. It would take light from the side window of No 333, overlap the backs of adjoining houses, interrupt the generous spacing of houses and inevitably be of a different scale and character. The back gardens of the existing houses are about 30 ft deep and as the proposed house would be sited 50 ft further to the north, it would be reasonably remote. Some trees would have to be felled but [illegible] are prepared to undertake screen planting for the house and the drive way. The amount of traffic along the drive to one house would be limited and if a continuous 13 ft wide belt of screen planting is provided on both sides of the drive, the result would be a no less neighbourly development.

. The Council's statement concerning their intentions in drawing up their Town Map is noted, but a substantial part of this site can readily be identified as [illegible] within a residential area approved in the Development Plan. If this area is [illegible] ft deep, as shown on the Council's 1/2,500 appeal plan, some 50% of the whole site area is in a residential zone. Although the access is of an inconvenient length, it is of adequate width and vehicles entering the site can emerge in a forward direction. The issue of whether the remaining backland area should be developed is not before me but I consider that neither the Council's intention of containing development in the area nor the possible future development of the whole backland area would be prejudiced by permitting the proposed house. I have carefully considered the representations made by local residents but am of the opinion that they are not strong enough to warrant a refusal of planning permission for the substitution of one house by another. I have considered all other matters raised in the submission and they are not sufficient to outweigh the considerations which have led me to my decision.

9. For the above reasons, and in exercise of the powers transferred to me, I hereby allow your appeal and grant planning permission for the siting of a dwelling house previously approved on land adjoining No. 33[illegible] Nine Mile Side to land at the rear of Nos. [illegible]-353 Nine Mile Side, [illegible], Berkshire, in accordance with the terms of the application No. [illegible] dated 10 March 1970 and the plans submitted therewith, subject to the following conditions:

1. a. Approval of the details of the siting, design and external appearance of the buildings (hereinafter "the reserved matters") shall be obtained from the local planning authority;

   b. Application for approval of the reserved matters shall be made to the local planning authority not later than 30 June 1974.

2. The development hereby permitted shall be begun on or before whichever is the later of the following dates:

   a. 30 June 1976; or

   b. the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter approved.

3. The plans submitted in accordance with condition 1(a) above, shall indicate the position and species of all trees on the land within fifty feet of the proposed house and driveway.

4. Within 12 months from the date when the development hereby permitted is commenced, screen planting shall be undertaken along the sides of the driveway and the southern boundary of the plot (next to Nos. 3[illegible]7-353 Nine Mile Side) in accordance with a scheme agreed with the local planning authority, or in default of agreement as shall be determined by the Secretary of State.

10. Attention is drawn to the fact that a person aggrieved by a decision of the local planning authority on the reserved matters referred to in this permission has a statutory right of appeal to the Secretary of State.

11. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 13 of the Town and Country Planning Act 1962.

I am Sir
Your obedient Servant

J. S. Cheer.

J S CHEER, A M T P I (T P Dip), D M A
Inspector

NOTICE OF CONSENT.

BERKSHIRE COUNTY COUNCIL

Town and Country Planning Act, 1962-68

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

To Mr. L.C. Webb,
c/o Messrs. L.C. Webb & Son (Builders) Ltd.,
347, Finchampstead Road,
WOKINGHAM, Berks.

Application No. 1289/71

Proposal Details of house allowed on appeal rear of 327-353 Nine Mile Ride, Wokingham Without, Berks.

The Rural District Council of Wokingham, acting as Agents for the Berkshire County Council under the above Act, hereby PERMIT the above development to be carried out in accordance with the accompanying plans submitted by you and approved by the Council on the 25th day of November, 19 71, subject to compliance with the conditions specified hereunder:—

1. The development shall be commenced not later than 30th June, 1976.

2. Within 12 months from the date when the development hereby permitted is commenced, screen planting shall be undertaken along the sides of the driveway and the southern boundary of the plot (next to Nos. 327-353 Nine Mile Ride) in accordance with a scheme agreed with the Local Planning Authority, or in default of agreement as shall be determined by the Secretary of State.

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

1. This condition is deemed to be attached by virtue of section 65 (2) of the Town and Country Planning Act, 1968.

2. To accord with the terms of the outline permission granted on appeal.

Date

TO ELEANOR SMITH
DEVELOPMENT CONTROL

AGREED AS AMENDED

C.S.

16/12/03

Patrick Mackrory
Architectural, Planning and Surveying services
17 Bissley Drive
Maidenhead
Berkshire
SL6 3UX
Telephone: Fax 01628 824581
Cellular 07899 768750
patrick@mackrory.fsworld.co.uk

0462 290103

22nd. October 2003

Trevor Watson, Esq.,
Planning Services,
Wokingham District Council,
PO Box 157,
Shute End,
Wokingham,
Berks.,
RG40 1WR.

Dear Mr. Watson,

RE: PROPOSED DETACHED GARAGE AT 337 NINE MILE RIDE, FINCHAMPSTED, WOKINGHAM, FOR MR. AND MRS. A. KOBETIC.

I enclose an application for a certificate of Lawfulness for the above proposal comprising one completed application form, four copies of my drawing no. 23/24/01 and my cheque for £55.00 being the appropriate fee.

The proposal consists of a garage and workshop which falls within the category of "Permitted Development" for the following reasons:-

The building will be located a minimum of five metres from the existing dwelling, the ridge height will be five metres maximum, it will not front onto a public highway, it does not take up more than 50% of the site area after the area of the dwelling has been deducted, the building is sited within the residential curtilage and there are no conditions attached to earlier planning consents which remove permitted development rights.

On the basis of the above, I look forward to receiving the certificate of lawful development as soon as possible.

Yours sincerely,

P. Mackrory.