SYSTEMS LTD
SOUTHPORT U.K Tel.0704-26866 Fax.0704-25814
LONDON OFFICE Tel.071-377-1777 Fax.071-247-6181

APPLICATION NO:
F/2000/1725

LOCATION:
30 - 32 Nash Grove Lane, Finchampstead Wokingham.

APPLICANT:
C/O W M Graham Associates

PROPOSAL:
Proposed erection of detached dwelling.

EARLIEST DATE FOR DECISION: **15/07/2000**

APPLICATION WILL HAVE EXPIRED ON:
04/08/2000

CASE OFFICER: **Angela Odell**

W.M. GRAHAM ASSOCIATES **CHARTERED ARCHITECTS**

W.M. GRAHAM B.A., B. Arch., R.I.B.A.

1 Rectory Road,
Wokingham,
Berkshire, RG40 1DJ
Tel: (0118) 9770464
Fax: (0118) 9770482

PLANNING SERVICES HPT 33322
POL AO TLS
ENF
CS
21 AUG 2000
COPIES TO: ACK:
FILE:

Ref: 2295/wmg/cm

18 August 2000

Wokingham District Council
Planning Department
PO Box 157
Civic Offices
Shute End
Wokingham RG40 1WR

FAO Miss A Odell

Dear Miss Odell

30-32 Nashgrove Lane Finchampstead

With reference to the above and Town Planning application No. F/2000/1725 on behalf of our client we ask that this current application be withdrawn.

Yours sincerely

W M Graham

Tel: (0118) 974 6445

Date:

My ref: F/2000/1725

CONFIDENTIAL

Councillor R Cundy
Bumbles
Longwater Lane
Finchampstead
RG40 4NX

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 Councillor

Application Number: F/2000/1725
30 - 32, Nash Grove Lane, Finchampstead, Wokingham.
Proposed erection of detached dwelling.

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☐ REFUSAL: ☑ under delegated powers.

If you have any questions please do not hesitate to contact **Angela Odell** on **(0118) 974 6445**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please fill in the form below.
This form must be received no later than _____

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM
Case officer: **Angela Odell** Application Number: **F/2000/1725**
30 - 32, Nash Grove Lane, Finchampstead, Wokingham.
Proposed erection of detached dwelling.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor R Cundy

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

Tel: (0118) 974 6445

Date:

My ref: F/2000/1725

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

CONFIDENTIAL

Councillor T Charlesworth
3 Rowan Drive
Crowthorne
RG45 6RY

Dear Councillor

Application Number: F/2000/1725
30 - 32, Nash Grove Lane, Finchampstead, Wokingham.
Proposed erection of detached dwelling.

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☐ REFUSAL: ☑ under delegated powers.

If you have any questions please do not hesitate to contact **Angela Odell** on **(0118) 974 6445**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please fill in the form below.
This form must be received no later than _____

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM
Case officer: **Angela Odell** Application Number: **F/2000/1725**
30 - 32, Nash Grove Lane, Finchampstead, Wokingham.
Proposed erection of detached dwelling.

Transfer: Yes ☐ No ☐
Reason for Transfer:
_____
_____

Signed: _____ Date: _____

Councillor T Charlesworth

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

WORK SHEET FOR : Angela Odell

Application Number : F/2000/1725

Applicant : C/O W M Graham Associates.

Location : 30 - 32, Nash Grove Lane, Finchampstead, Wokingham.

Proposal : Proposed erection of detached dwelling.

Site Notice Displayed ? :	YES	NO	DATE
	✓		5.7.00

on McCarthy Way

Date of Neighbour Notifications : .....

Date of Site Visit : 5.7.00.

Date Registered : 09/06/2000

Earliest Date for Decision : 15/07/2000

Latest Consultation Date/Site Notice Expiry Date : 15/07/2000

This application will have expired on: 04/08/2000. You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses : Finch p.c. object - ovedent, dangerous access, precedent, lead to obstruction of highway, not significantly different to previous application & dismissed appeal.

- Petition & objection: 11 signatures (also petition & objection to previous applications with 339 & 425 signatures respectively)
- 18 letters of objection: Previously dismissed appeal for a dwelling on site, unacceptable effect on Nos 78 & 80 - loss of privacy, visual impact, loss of sunlight & daylight, effectively a 4 bedroom dwelling proposed, size & location of dwelling same as previously - only small alteration, likely damage to trees - would reduce their screening effect, Refer to details of appeal decision letter, where inspector stated unacceptable effect on neighbours. precedent, dangerous access
- HM officer: No obj. subj to condition.
- Env Hlth: Recs. hrs of working condition.

Application Number: F/2000/1725

Appraisal :

Prenais refusal No. 99/69357/F for 2 storey house with pitched roof garage on side near rear boundaries of Nos 78 & 80 McCarthy Way. Then outline refusal No. 99/70104/O with no indicative plan. Appeal dismissed. In his para. 12, the inspector ~~consider~~ stated that he thought a 2-storey house would be overbearing & cause some loss of light/sunlight. A single storey building would be lower but likely to occupy a larger footprint & have a more built-up appearance with substantial areas of roof. Dismissed on harm to amenities of local resident.

Current Proposal IS for a chalet style house with front gable & double integral garage. 8.1m high to top of barn-hipped ridged roof. Semi-side gable facing Nos 78 & 80 would be 13.6m away ~~from~~. Consider would still have an unacceptably overbearing effect on No. 78 and on the gardens & gr floor rear elevations of 78 & 80, which have small enclosed rear gardens.

Overlooking: As now proposed ensuite & velux dressing room first floor windows in nearest part of rear elevation, consider now no unacceptable overlooking. Sunlight/daylighting: proposal does not infringe BRE standard (2m up from gr. & neigh property & then < up 25°).

Trees Although no objection to any loss of trees down side, such loss would result in a worse effect for Nos 78 & 80 as would loose any softening effect on their outlook of the side elevation of the proposed dwelling.

Street scene As chalet style dwelling which will be set further from road edge than the side of Nos 30 NGL & 80 McCarthy Way, consider no objection on this ground.

Recomendation : Approval: ☐ **Refusal:** ☑

(tick appropriate box)

Application Number F/2000/1725
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
1			Due to its siting and massing, the proposed dwelling would have an unacceptably overbearing effect causing unacceptable loss of outlook from adjacent residential property, and resulting in unacceptable loss of amenity. The proposal is therefore contrary to SEALP policy SBE2 and to WDLP Policy WBE1.

RECORD OF SITE VISIT

SITE ADDRESS: 30 - 32 Nash Grove Lane Finchampstead Wokingham.

APPLICATION NUMBER: F/2000/1725

OFFICER: Angela Odell

DATE OF SITE VISIT: 5.7.00

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes 5.7.00 on fence on McCarthy Way.

2. DESCRIPTION OF SURROUNDINGS Established residential area

3. DESCRIPTION OF SITE/BUILDING fenced off plot - was part of rear gardens of Nos. 30-32 which are bungalows

4. RELATIONSHIP TO ADJOINING PROPERTIES Nos. 76, 78 & 80 McCarthy Way back onto the site with rear elevations facing this way (but No. 80 has no 1st floor rear windows this way) Nos. 82 etc. look across obliquely onto site.

5. SITE CONSTRAINTS

TREES On E & S sides.

ACCESS/PARKING none existing

LEVELS flat.

BOUNDARY TREATMENT 1.8m fencing

OTHERS

I went into No. 78 McCarthy Way and viewed the site from the rear upstairs window on 23.6.00 @pm.

Telephone Number: (0118) 9746428

Date: 25 August, 2000

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) 977 8909
DX: 33506 – Wokingham

APPLICATION NUMBER: F/2000/1725

Mr & Mrs E Parr
30 Mornington Avenue
Finchampstead
Rg40 4VE

Dear Sir/Madam

Application No: F/2000/1725

Location: 30-32 Nash Grove Lane, Finchampstead, Wokingham.

Proposal: Proposed erection of detached dwelling.

You wrote giving your observations on this proposal, and these have been taken into account in coming to a decision.

The application has now been withdrawn.

Yours faithfully,

John Mitchell

Development Control Manager

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 7 August, 2000
My ref. AO/F/2000/1725
Your ref. PAS/AW/DEAN

Herrington & Carmichael
8 Shute End
Wokingham
RG40 1BL

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) 977 8909
DX: 33506 – Wokingham

Dear Sirs

PLANNING APPLICATION F/2000/1725
PROPOSED ERECTION OF ONE DWELLING ON LAND TO REAR OF 30-32 NASHGROVE LAND, FINCHAMPSTEAD

Thank you for your letter of 26 July. I assure you that the application will be assessed and determined on the basis of planning considerations only.

I trust this provides you with a satisfactory assurance.

Yours sincerely

MRS A ODELL
Senior Planner

PLANNING SERVICES	HPT 32395
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TC	ENF
APP	
CS	
23 JUL 2000	
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	FILE:

Our Reference: PAS/AW/DEAN

Your Reference:

FAO Ms Angela O'Dell
Planning Officer
Wokingham District Council
DX 33506 Wokingham

HERRINGTON & CARMICHAEL
solicitors

8 Shute End, Wokingham, Berkshire, RG40 1BL
Telephone: (0118) 9780017 DX 33504 Wokingham
Fax: (0118) 9774698
Web Address:
www.herrington-carmichael.com
E-mail Address:
info@herrington-carmichael.com
Also at
Camberley and Aldershot

26th July 2000

Dear Sirs

Re: Mr David Dean - Planning Application F2000 1725 - 30 - 32 Nashgrove Lane Finchampstead

We act for Mr Dean in connection with his above planning application.

It has come to our notice that our client's neighbours may be seeking to prejudice our client's above planning application by unfair interference in spreading malicious gossip concerning the application.

Our client has no objection to legitimate concerns over his planning application but feels that it would be unfair and unreasonable for others to incite persons to object who would otherwise not be concerned.

Yours faithfully

HERRINGTON & CARMICHAEL

Partners: J. A. Job, LL.B. Miss F. J. Tierney, B.A. B. J. Crick, LL.B. A. Holden, B.A.
Solicitors: R. Isbell
Legal Executives: P. Smith, *F.Inst. Lex.* A. Massey, *F.Inst. Lex*
Practice Manager: M. Peaty, F.C.A.

INVESTOR IN PEOPLE

This firm is regulated by the Law Society in the conduct of investment business

TO: **DEVELOPMENT CONTROL**
Angela Odell

FROM: Environmental Design

DATE: 26/07/00

Location: 30 – 32 Nash Grove Lane, Finchampstead

Proposal: Proposed erection of detached dwelling

Application Number: F/2000/1725

In response to your consultation dated 21 June 2000 for the above application, the arboricultural comments are as follows:

I have no objections to the proposals.

The application will result in the loss of 1 Apple tree of little significance. There is a group of 4 Birch next to the proposed dwelling that may be adversely effected by the proposals. They are of little significance in the surrounding landscape and could be replaced if necessary. All other trees should be able to be retained satisfactorily.

If planning permission were granted I would recommend attaching a condition requiring that if any trees are removed within a period of 5 years they be replaced to the satisfaction of the Local Planning Authority.

Neil Etherington
Senior Arboriculturist

To:
Neil Etherington
Senior Arboricultural Officer

DELEGATED

From: Angela Odell

Date: 21 June 2000

26 JUN 2000

Application Number: F/2000/1725

Proposal: Proposed erection of detached dwelling..

Site Address:
30 - 32, Nash Grove Lane, Finchampstead, Wokingham.

Applicant:
C/O W M Graham Associates.

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

See prev. comments.

Applicationo	Name & Address
F/2000/1725	Mr G H Armitage & Petition 80 McCarthy Way Wokingham RG40 4UA
F/2000/1725	C Evans 35 Nashgrove Lane Finchampstead RG40 4HE
F/2000/1725	Mr & Mrs N Perry 90 McCarthy Way Finchampstead RG40 4UB
F/2000/1725	C Guscott 89 McCarthy Way Finchampstead RG40 4UA
F/2000/1725	Ms S Lynn 89 McCarthy Way Wokingham RG40 4UA
F/2000/1725	A Buckland 11 Jerrymoor Hill Wokingham RG40 4UG
F/2000/1725	S Morrison 82 McCarthy Way Wokingham Rg40 4UB
F/2000/1725	Mr & Mrs Raines 78 McCarthy Way Wokingham RG40 4UA
F/2000/1725	Mr D Blyther 36 Nash Grove Lane Wokingham RG40 4HD
F/2000/1725	Mrs C Roberts 10 Challoner Close Wokingham Rg40 4UJ
F/2000/1725	J Bailey 56 McCarthy Way Finchampstead RG40 4UB

F/2000/1725	Mr 7 Mrs M Dyster 93 McCarthy Way Finchampstead RG40 4UB
F/2000/1725	Mr M Hood 40 McCarthy Way Wokingham RG40 4UA
F/2000/1725	Mr & Mrs E Parr 30 Mornington Avenue Finchampstead Rg40 4VE
F/2000/1725	Mr J Jacobs 27 Radical Ride Wokingham RG40 4UH
F/2000/1725	Mrs K Jones 5 Wild Briar Finchampstead RG40 4UL
F/2000/1725	D & A Sands 91 McCarthy Way Finchampstead RG40 4UB

Application withdrawn, letter sent 25/08/00

Received by Wokingham District Council

Application No: F/2000/1725

Proposal:
Proposed erection of detached dwelling.

Location:
30 - 32, Nash Grove Lane, Finchampstead, Wokingham.

The application is available for inspection at Wokingham District Council's offices during the following times:

PLANNING DEPARTMENT, SHUTE END, WOKINGHAM TEL (0118) 974 6428
8.30 - 5.00 Monday - Thursday & 8.30 - 4.00 Friday

WOODLEY LIBRARY HEADLEY ROAD WOODLEY (9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday. closed all day Wednesday). If you intend to view this application at Woodley Library (see details above) please allow 4 days from the date of this notice for delivery of plans.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Angela Odell P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to *arrive on or before* 15/07/2000. Written comments submitted will become available for public inspection.

In view of the very large number of planning applications and letters of comment received, it will not normally be possible for an individual reply to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

Head Planning and Transportation

21 June 2000

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: John Mullaney
Environmental Health

My Ref: JRM

To: ~~Emy Circuit~~ Angela Odell
Planning Department

Date: 26/06/00

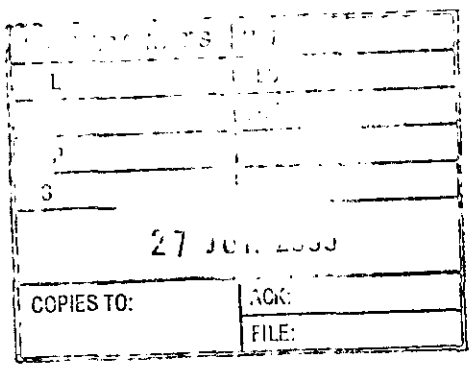
30-32 NASHGROVE LANE, FINCHAMPSTEAD

Having considered the above planning application, I would recommend the following conditions be attached should planning consent be granted.

Construction operations for which noise is audible at the site boundary shall only be carried out between 7.30 hours and 1800 hours Monday to Friday, 8.00 hours and 1300 hours on Saturdays and at no time on Sundays, Bank or Public Holidays without prior agreement in writing from the Local Planning Authority.

J Mullaney

John Mullaney
Environmental Health Officer



HIGHWAYS CONSULTATION SHEET

DELEGATED

From: Angela Odell **Date:** 21 June 2000

Application Number: F/2000/1725

Proposal: Proposed erection of detached dwelling.

Parish: FINCHAMPSTEAD PARISH

Site Address:
30 - 32, Nash Grove Lane, Finchampstead, Wokingham.

Applicant:
C/O W M Graham Associates.

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).*

SC: 23 (garaging & Parking)
SR: 06.
IN08 :- Crossing to be extended to accomodate drive
SC: 32.
SR: 13.

Signed: _____ **Print name:** Stephanie Knowles.

03/07/00.

FROM: Angela Odell

DATE: 21 June 2000

DELEGATED

PLANNING SERVICES	HPT 3825
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17 JUL 2000	
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FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: F/2000/1725

Proposal: Proposed erection of detached dwelling..

Site Address: 30 - 32, Nash Grove Lane, Finchampstead, Wokingham.

Applicant: C/O W M Graham Associates.

Your observations are required in respect of this application **by 15/07/2000** .

Strong objection on the grounds that the proposal would be over-development of the site and a dangerous access would be created onto a heavily used estate road which would lead to obstruction of the highway. It would also create a precedent for other proposals to infill in this area and the Parish Council supports local residents in their objections to the application which would have a detrimental effect to all neighbouring properties. Since this application is not significantly different to the previous application on appeal (No.99/70114/O), it should therefore be considered as contrary to adopted Local Plan Policy SBE2 and to Policy WBE1 of the emerging District Local Plan, as cited in the decision.

SIGNED: C.S. Clerk

DATE: 14-7-00

Clerk To Finchampstead Parish/Town Council.

To Wokingham District Council
Planning Services
Your Ref: Angela Odell.
F/2000/1725.

PLANNING SERVICES | RPT
POL | S
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APP | AMO
CS 0155
57.
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FILE:

3rd July 2000.

Dear Sirs,

Re: Application N°: F/2000/1725.

We, the undersigned wish to comment on this application. There have been two previous applications for a detached dwelling on the site in question, N°s 99/69357/F and 99/70104/O, both were refused. In response to each of these previous applications we organised petitions objecting to the proposed developments, 339 and 425 signatures respectively were obtained.

We are absolutely confident that if we were to organise a petition objecting to this latest application we would obtain a least 425 signatures.

However, we do not believe that it is necessary to conduct yet another petition, because this new application is in reality no different to the previous ones. Therefore we ask you to take this into account in arriving at your decision to grant or refuse the application.

Yours faithfully.

G.H. ARMITAGE.	80, Mc Carthy Way.
R.B. ARMITAGE	" " "
P.M. BLACKSHAW	7, RADICAL RIDE.
S.L. MORISON	82 McCarthy Way.
R.J. ARNOLD	76, McCarthy Way.
G STEVENS	11 WILD BRIAR
M. STEVENS	11, WILD BRIAR.
M. SCOTT	97, McCarthy Way
N.M. SCOTT	97, McCarthy Way.
S. RAINES	78, McCARTHY WAY
R. RAINES	78, McCARTHY WAY

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MR G.H. + MRS R.B. ARMITAGE.
80 McCarthy Way.
Finchampstead.
Wokingham.
RG40 4UA.

Wokingham District Council.
Planning Services.
Your Ref: ANGELA ODELL
F/2000/1725.

30TH June 2000.

Dear Sirs,

Re: Application N°: F/2000/1725.
Site Address: 30-32 Nash Grove Lane, Wokingham.
Proposal: Proposed erection of detached dwelling.

Our comments on this new application are as follows.

I We were surprised, to say the least, to receive on the 26TH June 2000 notification of the above application, especially and particularly as the applicant (MR D Dean) had an outline application for a detached dwelling, on exactly the same site, dismissed on Appeal on the 1ST February 2000, wether it was for a one or two storey dwelling.

II Once again this proposed development is inappropriate in terms of its relationship with adjoining sites and buildings. In particular its effect on the living conditions of adjoining occupiers, especially N°s 80 and 78, McCarthy Way, with particular reference to privacy, visual impact, sunlight and daylight.

III This full application claims to be for a three bedroom detached two storey dwelling with integral double garage.
The design shows, on the first floor, three bedrooms and a "Changing Room". The latter has a floor area of 11.60 sqM whereas bedroom N°3 has a floor area of 10.32 sqM.
We suggest that the use of the description "Changing Room" is misleading, "FOURTH BEDROOM" would be more appropriate.

Continued on page 2.

IV The size and location of the site are exactly the same as in the previous outline application (N°99/70104/O) which was dismissed on appeal.
The drawings show only minute differences regarding ground floor area and ridge height (circa 7 sq M and 0.30 M) when compared with those of the previous full application (N°99/69357/F) which was refused and not appealed.
In view of these facts we can see no reason whatsoever why this new application should be granted planning permission.

V From the application drawings it now seems that the site has acquired mature trees, which were declared to be non existant on the previous applications.
It is claimed that some of these trees would be retained, presumably in an attempt to overcome objections to loss of privacy, trees do not bear leaves for twelve months of the year and do not exclude daylight and sunlight in the way that solid buildings do.
Some of the trees to be retained are, in our opinion, in a dangerous state, our request to the owner of 30 Nash Grove have to cut down a diseased tree (in the extreme S.E. corner of the site) met with no response, despite the obvious damage it would cause to our property if it should fall.
Construction work close to the eastern site boundary would be likely to damage all the 'retained' trees and reduce the effectiveness of any screening. Furthermore, the close proximity of trees within the eastern boundary of the site and the foundations of the proposed new development must surely present a serious problem for the future, leading to the removal of these retained or any replacement trees.

Continued on page 3

VI We would respectfully draw your attention to paragraphs 12 and 13 on pages 2 and 3 of the Planning Inspectorates dismissal of the appeal against Wokingham District Councils decision to refuse Outline Application N°: 99/70104/0, a full copy of the reasons for dismissal is attached for your attention, appropriate sections are highlighted.
These highlighted sections confirm our main objections to ANY development on the site in question. ie, Visual impact, overbearing, overshadowing, loss of afternoon sunlight, restriction of natural light, loss of amenities, unacceptable harm to the character of the area, loss of our privacy caused by a development that would be only 11.50 metres from our windows.
We are also given to understand that this proposed development would be contrary to the Local Plan Policy SBE2.

We respectfully suggest that the application should be refused.

G.H. Armitage

R.B. Armitage.

MR. G.H. ARMITAGE

MRS. R.B. ARMITAGE

1004 1426

The Planning Inspectorate

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117 - 987 8927
Switchboard 0117 - 987 8000
Fax No 0117 - 987 8139
GTN 1374 - 8927
E-mail ENQUIRIES.PINS@GTNET.GOV.UK

Tony Thorpe Associates
The Studio
1 Durrant Way
Tilehurst
Reading
Berks
RG31 6TR

Your Ref:
AJT/MT/630

Our Ref:
T/APP/X0360/A/99/1031876/P8

Date:
11 FEB 2000

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR DAVID DEAN
APPLICATION NUMBER 99/70104/0

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine your client's appeal against the decision of the Wokingham District Council to refuse outline planning permission for the erection of a detached dwelling and garage at the rear of 30/32 Nash Grove Lane, Finchampstead. I have considered all the written representations together with all other material submitted to me. I inspected the site on 19 January 2000.

2. The application was in outline with all matters reserved. Although the application form referred to a 'detached house', I am treating the application as being for a 'dwelling' with no specific suggestion as to whether it would be of single or two-storey construction.

3. The development plan for the area comprises the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan that was adopted in 1994. The Wokingham District Local Plan Deposit Draft has been subject to Public Inquiry and is a material consideration. Adopted Local Plan Policy SBE2 says that development that is inappropriate in terms of its relationship with adjoining sites and buildings will not normally be permitted. Deposit Draft Local Plan Policy WBE1 states that the Council will require good contemporary design which respects its local context. Among the factors to be considered will be the visual impact and the privacy and amenity of the existing environment.

4. From my inspection of the site and its surroundings and from the representations received, I consider that the principal issue is the effect of the proposal on the living conditions of adjoining occupiers with particular reference to privacy, visual impact, sunlight and daylight,

5. The appeal site was formerly part of the rear gardens of Nos. 30 and 32 Nash Grove Lane. It is has been fenced off and is surrounded on all four sides by timber fencing. It has a frontage to McCarthy Way and is bounded on the east by the rear gardens of Nos.76, 78 and 80 McCarthy Way. There are trees and shrubs within the site and around the boundaries.

Highlighted areas refer to my comment (G.H. Armitage) on new full application N° F/2000/1725 6 June 2000.

6. Government Policy as set out in PPG3 and PPG13 encourages the full and effective use of land within existing urban areas in order to reduce demand for development in the countryside, and also to reduce dependence on the private car. The appeal site is within a built-up area and the general principle of infill development would normally be acceptable. However, any benefits must be weighed against any harm which might be caused to nearby residents and to the character and appearance of the area.

7. Although access is a reserved matter, it is apparent that an entrance would have to be formed from McCarthy Way. This road is the main way in to the estate and I have noted the concerns of residents about possible danger from a new access and from parking outside the site. However, the Highway Authority did not object to the proposal, subject to the imposition of conditions relating to garaging, parking and sight lines. I give greater weight to the professional advice of the Highway Authority and consider that the creation of a new access would not have any serious impact on road safety or the amenities of nearby residents.

8. A dwelling on the appeal site would be visible from other houses to the north and south. Some of these are set at an angle and would have views of any development. Nevertheless, I consider that they are far enough away to avoid any significant loss of privacy or visual harm.

9. In my opinion, the most significant impact of any new dwelling would be on the two houses to the east – Nos.78 and 80 McCarthy Way. These houses have fairly short rear gardens which are about 10 metres deep. No.78 has rear windows on the ground and first floors, whilst No.80 has west facing windows on the ground floor only. The windows look out onto the site and there would be views of any development.

10. A detailed application for planning permission (99/69357/F) for a two-storey detached house was refused by the Council in 1999. This would have been a large 4-bedroom dwelling with a ridge height of about 8.5 metres. The single storey side garage would have been about 1 metre from the east boundary, and the main two-storey section would have been about 3.5 metres from the boundary. The building would have been clearly visible from the rear windows and gardens of Nos. 78 and 80, and the Council considered that it would have an unacceptably overbearing effect on No.78 and to a lesser extent on No.80.

11. I visited No.78 and saw the appeal site from the garden and from inside the house. Although I did not visit No.80, I was able to appreciate the potential impact of a new building from the photographs submitted and from views from adjoining land. I see no reason to differ from the Council's opinion that the proposed two-storey dwelling would have had a serious and unacceptable visual impact on the residents of Nos. 78 and 80 McCarthy Way.

12. The appeal site is about 16 metres wide and 27 metres deep, and the small size severely restricts any alternative positions for a dwelling. This is an outline application and no sketch plans have been put forward to show where a dwelling could be satisfactorily sited. Whilst the principle of residential development is acceptable, I must consider whether it is actually possible to build on the site without harming the amenities of nearby residents. I have little doubt that a dwelling would have to be sited behind Nos. 78 and 80. Although the building could be moved slightly further away from the east boundary, I do not think that this would overcome the strong objections to a two-storey house which would still be overbearing. Furthermore, it would cause overshadowing with loss of afternoon sunlight, and some

restriction of natural light. A single storey bungalow would be lower and less dominating, but would probably occupy a larger footprint in order to provide an acceptable level of accommodation. It would have a more built-up appearance with substantial areas of roof which would detract from the appearance of the locality. Trees along the east boundary would provide partial screening, but construction work close to the boundary would be likely to damage these and reduce the effectiveness of any screening.

13. I conclude that there is no firm and clear cut evidence that a single or two-storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and to the character of the area. In the absence of such evidence, I consider that the proposal would be contrary to adopted Local Plan Policy SBE2 and to Policy WBE1 of the emerging District Local Plan. In my judgement, the benefit of making full and effective use of land in built-up areas is outweighed by the harm to the amenities of local residents.

14. Reference is made to the development at Nos.1 and 3 Elgarth Drive. There are some similarities to the appeal scheme but No.3 only affects the corner plot – 48A McCarthy Way. This house has an outlook over the side road and is also at a slightly higher level. Whilst the dwelling at No.3 Elgarth Drive has some impact on the adjoining property, I consider that it is significantly less than the potential impact of the appeal proposal on neighbouring properties. I do not consider that the Elgarth Drive development is a material consideration of sufficient weight to justify allowing this appeal.

15. I have also taken into account all the other matters referred to in the representations but consider that none of these are of sufficient weight to alter my decision.

16. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

JOHN S DEAKIN FRICS
Inspector

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS OBS	AMO
19 JUL 2000	
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	FILE:

C. Roberts
10, Challenor Close
Wokingham
Berks RG40 4UJ

Re: Application NOF 2000/1725

Dear Mrs Odell,

I was very surprised when I saw the dwelling aplication on the fence for a house, exit Mc. Carthy Way. My view has not changed from the last application, which has been refused 3 times, twice through

appeal. That road cannot cope with any more traffic, and parked cars, through builders and residence, which will happen if a house is being build on that side of the road, what is stopping the opposite side to do the same.

Yours sincerely
C. Roberts (Mrs)

Recd AH 30.6.00

805

~~Tel: 01189777~~

W.D.C.
Planning Services
F.F.A.O. Angela Odell.

AO
CC
COPIES TO:
ACK:
FILE:

80, Mc Carthy Way
Wokingham.
RG40 4UA.
29TH June 2000.

Dear Sirs,

Re: Application N°: F/2000/1725.

I write to confirm today's telephone conversation with Helen, during which I reported that the Orange Notice in connection with this application was placed on view today. However it is displayed on a pole outside the front of N°30, Nash Grove Lane, i.e. ON Nash Grove Lane. The site in question is 80 yards away on Mc Carthy Way.
The notice is not visible to people who are most likely to be affected by this development, i.e. the people who live in 460 houses on Fernlea Estate. These people signed two petitions against previous applications for a dwelling on this site, each time the Orange Notice was on display on the fence bordering the site on McCarthy Way.
I suggest that this current notice has been positioned to make it difficult if not impossible for the former petition signatories to see.
Could you please look into this matter with some urgency with a view to arranging for the notice to be displayed on Mc Carthy Way, could you also please consider extending the closing date for comments arising from the notice.

Yours faithfully

Mr G. H. ARMITAGE.

Ref
Application no. F/2000/1725

89 McCarthy Way
Wokingham
RG40 4HA
5 July 2000

DC	
APP	
CS 0155	AMD Betas
10 JUL 2000	
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	FILE:

Dear Sir/Madam,

I am writing to express my concern for the planning permission requested for 30-32 Nash Grove Lane. A very similar application has already been refused for this site! As a nearby resident I must object to this application for the following reasons:

1) Increased site traffic will be a hazard during building work.
2) Increased parking for residents of proposed property will inevitably mean the use of McCarthy way for on road parking at times. This will be a hazard for drivers entering and exiting the estate and a danger for children crossing the road at this point, which is a

school bus pick up point

I hope my concerns will be taken seriously.

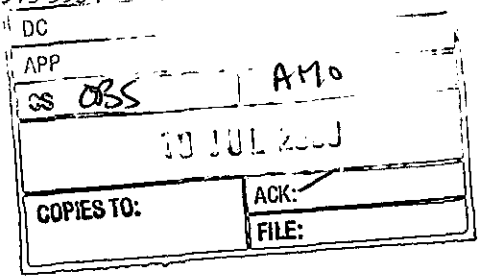
Thank you.

Yours Faithfully.

S Lynn

(Ms S. LYNN)

Allan & Val Buckland
11 Jerrymoor Hill Wokingham Berkshire RG40 4UG
Tele:- 0118 973 3934



Wokingham District Council
Planning Dept.
Shute End
Wokingham
RG40 1WH

7th July 2000

Dear Sir/Madam

Re: Planning Application –F/2000/1725

I would like to protest against above mentioned planning application for a new property at the rear of 30 and 32 Nash Grove Lane Wokingham for the reasons listed below.

The proposed property would result in a driveway exiting on McCarthy Way which is the main access route into the Fernlea Estate which has 450 houses.

Last year an appeal (Ref. No. APP / X0360 / A / 99 / 1031876) was rejected following the failure of two applications in April and August of last year.

Why is the Council allowing money to be wasted on a further application that should not be allowed to be submitted for all the same reasons that the last applications were rejected;-

There are many significant reasons why my self , my wife and over 400 other residents on our Estate are against the above mentioned application:-

1. The proposed house would be built in a road which is the Main Access Route into and out off the Estate which has 450 houses. (that's a lot of cars going along this short road of approximately 50 meters)
   BT has a phone connection point for the Estate in this small road. When one off their service vehicles is attending the connection point the traffic congestion is awful. There are also School Buses which now pick up and drop off children within 5 meters off the junction with Nash Grove Lane.
   Any additional residents cars parked in this road would cause a serious safety hazzard.

2. The area is already overdeveloped. All the roads in the locality are badly congested at all peak times.

3. The removal of many trees would be a significant loss.

4. The proposed house would overlook at 4, possibly 6 other houses.

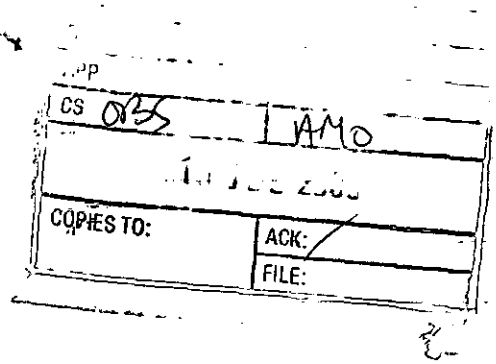
5. It could set a precedent for other similar developments in an area already overcrowded.

6. Consideration should be given to recreation facilities on any free space in this locality , especially for children, as the original builders of the Estate fell short of their commitment.

I hope you take the above into consideration and thank you in anticipation of your deliberations.

Your sincerely

A F W B



MR C Gascoll.
89, McCarthy way
Finchampstead
Wokingham
RG40 4UA.

7th July 2000.

FAO Angela Odell. WDC Planning Services,
Ref. Application no F/2000/1725.
Proposal to erect a detached
dwelling at 30-32. Nash Grove lane
Finchampstead Wokingham.

Dear Sirs

I was somewhat surprised to have noticed another planning application for a dwelling of what appears to be very similar to that recently dismissed on appeal in February this year. The new application suggests that any investigation & final decision made, has been totally disregarded & could be construed as a waste of taxpayers money.

I would like to add my weight to the allready growing number of people who are objecting this 'new' application on the grounds of it not being a new application at all but an old one being dressed up. Also apart from the environmental effect this dwelling will have on the residents of nos 80-78 McCarthy way, I feel that the additional vehicular impact on

This somewhat narrow access rd into the estate will render it unsafe both for pedestrians & other road users alike. parking can be a problem along this section of road, any additional cars parked as an overspill from proposed dwelling would make matters considerably worse.

May I ask that this application be refused before any more time, effort & expense is incurred in fighting it.

Yours Sincerely

C GUSCOTT

PLANNING SERVICES
POL | TLS
DC | ENF
APP
CS 0135 | APP0
10 JUL 2000
COPIES TO: | ACK:
FILE:

82 McCarthy Way
Wokingham
Berks RG40 4UB

5th July 2000

Mr John Mitchell
Development Control Manager
Wokingham District Council
Environmental Services Dept
Planning Services
PO Box 157
Shute End
Wokingham
Berks RG40 1WR

Dear Mr Mitchell

Re: Application Number F/2000/1725

I was very surprised to receive your letter of 21st June with notification of another building application to build a house on land behind 30-32 Nash Grove Lane. Two applications to build on this land have already been refused - one for a 4 bedroom house (No 99/70104/0) and one for outline planning (No 99/69357/F) which was rejected outright on Appeal. I would also emphasise that the outline planning was dismissed whether it be a one or two storey dwelling. I had been led to believe that once an application had gone to appeal and been rejected no further application would be accepted?

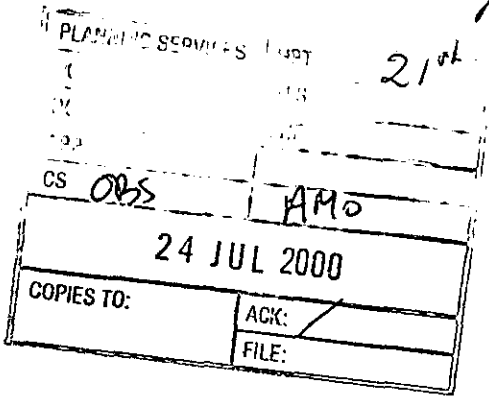
The current application states that it is for a 3 bedroom house, however the plans look almost identical to the previous application which was rejected. (The so-called 'box room' on the current plan is the same size as the fourth bedroom on the rejected plan.) Therefore I would like to reiterate the objections in my earlier letters relating to the previous applications:

- Building on this land would create a significant overdevelopment of the area and would encroach on the light and amenities of nearby houses.

- The location of the proposed dwelling is on the main access road to the Fernlea estate and vehicular access to the dwelling, would cause a major traffic hazard, especially as there would not seem to be sufficient area for a turning space on the plot. One can easily visualise a car coming round the corner into the access road colliding with a vehicle exiting from the proposed house! As stated, this is the main access road to the estate and there would be major disruption to traffic flow during construction.

56 McCarthy Way,
Finchampstead,
Wokingham.
RG40 4UA.

21st July 2000



Wokingham District Council,
Planning Services.
Dw Ref: Angela Odell
F/2000/1725

Dear Sir/Madam,

Re: Application No: F/2000/1725
Site Address: 30-32 Nash Grove Lane, Wokingham
Proposal: Proposed erection of a detached dwelling

The Planning Inspectorate inspected the above site in its consideration of an 'outline application' on 19th Jan. 2000 In referring to this application it concluded that "a dwelling could be erected on the site (in question) without causing unacceptable harm to the amenities of nearby residents and to the character of the area."

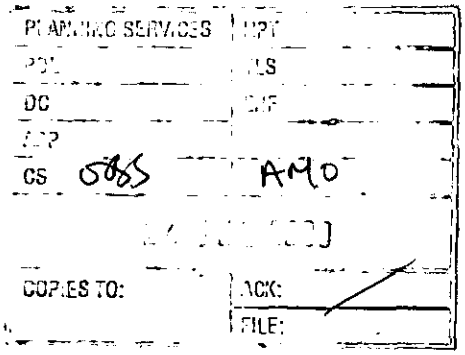
The erection of a dwelling within the proposed area would spoil a very pleasant outlook for many people. The homes of most of the residents of McCarthy Way are terraced and have small gardens - especially 78 McCarthy Way.

A second point of concern is that a similar development, at Elgarth Drive, has caused much inconvenience to local residents. The congestion caused by parked vehicles has great potential to cause accidents. I believe that access, from and to, the proposed dwelling would cause a nuisance.

I hope that, having rejected an 'outline application' for a dwelling on this site, the council will reject this second (almost identical) application made on 26th June 2000.

Yours,

J. Bailey



MR & MRS DYSIER
93 MCCARTHY WAY
FINCHAMPSTEAD
WOKINGHAM
RG40 4US

Dear Sirs

19-7-00

Re: F/2000/1725 30-32 Nash Grove Lane

We cannot believe that these people are able to apply for planning permission so soon after the last appeal was turned down.

In essence there doesn't seem to be a great change in the property they are trying to build.

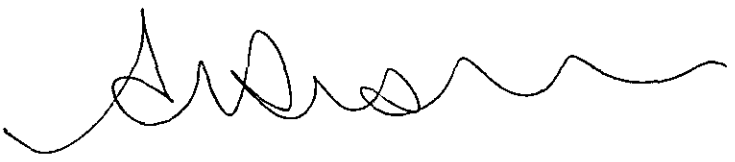
Our main objection to this is that to have a driveway on that road would have safety implications - used by many children.

It would also set a precedent for a similar patch of land on the opposite side of the road.

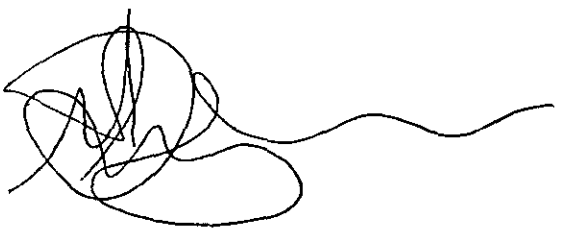
The owners are obviously only in this for profit and have no concern about the estate and the havoc the building of

-this property would inflict on the inhabitants of McCarthy Way.

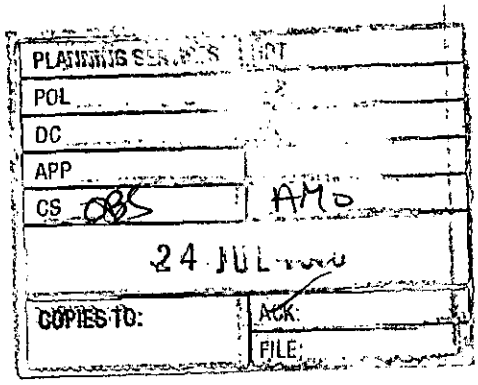
Please reject this application - again!



MRS AD MYSTER



MR MJ MYSTER



91 McCarthy Way
Finchampstead
Wokingham
Berks
RG40 4UB

20/7/2000

Dear Sir/Madam,

Re: Planning Application Reference Number F/2000/1725

With regard to the above planning application for a 3 bed dwelling house to be build off McCarthy Way in Finchampstead I would like to register my objection.

This house is to be built in the main access road into the already well-developed Fernlea estate in Finchampstead. This will cause serious obstructions during the building period and also after the completion from parked cars in the access road. The many households on the estate rely on this access road and any obstructions on it either from building works or parked cars causes disruption to the residents on the estate. These types of obstruction are a road safety hazard to all the residents and would certainly hinder the access of emergency services to the houses on the estate.

The alternative access road to the estate has been developed with housing already and can be difficult to navigate due to the parked cars that are always present. We would not want the only clear access road to the estate to be obstructed in a similar manner.

At the location this house is being built it is in very close proximity to a number of other houses and will therefore impact the quality of life of the nearby householders.

The Fernlea estate is already a fully developed area and should not be developed any further. In addition there are some residents whose properties are directly adjoining the proposed development site which in addition to severely impact their quality of life will also adversely affect their property value.

A previous planning application for this site has already been rejected by the council and therefore I would expect that you reject this planning application for the same site.

Your Sincerely

David and Alison Sands

F/2000/1725

38 Mornington Avenue
Finchampstead
Wokingham.
Berkshire
RG40 4UE.

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP 000	AMO
CS	

21 JUL 2000

COPIES TO:

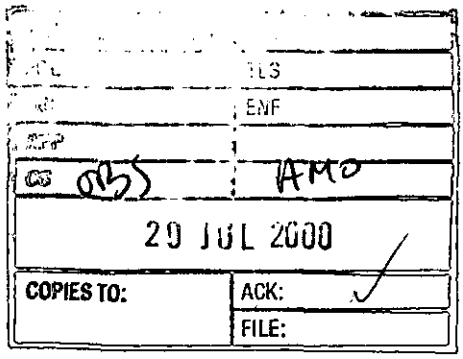
17th July 2000.

Dear Sir.

I am writing to you again in Protest for the dwelling that has been requesting Planning Permission at the rear of No 30-32 Nash Grove Lane.

The volume of cars and obviously Parked cars narrow's the road greatly. The residents in McCarthy way will have a lot of their privacy taken. Also we do not want accidents to happen.

Yours sincerely
MR & MRS. E. PARR.



27 RADICAL RIDE
WOKINGHAM
BERKSHIRE RG40 4UH
Telephone 0118 9734243

17 July 2000

Mr T. Mitchell,
Environment Services Dept,
Planning Services,
PO Box 157,
WOKINGHAM RG40 1WR.

Dear Sir,

Re Application Number : F/2000/1725

I am writing to you with reference to the above planning application, which I understand follows a previous refusal, on 1 February 2000, to a similar application (99/70104/0).

I fail to see in what material way the current application differs from the earlier one. I therefore wish to oppose the application, firstly on its immediate impact on surrounding properties and secondly on its potential effect on the wider community.

I am sure that you will receive more than adequate objections from the neighbours; I will therefore be brief and suggest that the proposed building will be quite out of place and will have a deleterious effect on the levels of privacy and natural light available to adjacent properties. There would also be inevitable loss of existing trees and shrubs which

are important local amenities.

My major concern is that the exit from the proposed house will be onto the feeder road leading to McCarthy Way. This is the main exit from the estate and, in my opinion, a driveway leading onto it would pose a serious safety hazard. There would inevitably be vehicles parked on the road and pavement, which will obstruct the free flow of traffic. I shudder to think what would happen if an emergency vehicle required to get through. Mothers with prams walking to and from the local schools would be forced into the road. These problems occur all over the estate, but would be of a much more serious nature on the feeder road.

I hope you will take the above into account in your decision.

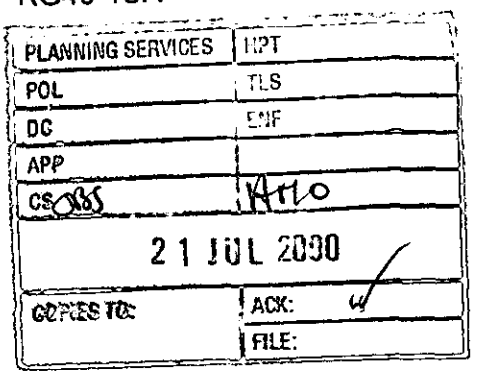
Yours faithfully,

J.M. Jacobs

J. M. JACOBS

Mrs A Odell
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

40 McCarthy Way
Wokingham
Berkshire
RG40 4UA



20 July 2000

Ref: F/2000/1725

Planning Application - house on McCarthy Way

Dear madam,

To my surprise I find I have to write once again to register my objection to a planning application as per the above reference. Last year I signed two petitions objecting to any development on the site in question, then wrote to the Planning Inspectorate at Bristol to make my objections plain. I assumed the matter was closed but I see that a further application has been made. My earlier arguments against this development remain valid and I now reiterate them.

The site is in an area which is already well developed and further building is quite inappropriate. Having visited an adjacent property and seen the plans, in my view nearby properties would be overlooked to an unacceptable degree, subjecting existing residents to gross intrusion. Some fine, mature trees would also be lost.

A major concern is the safety of the residents of the approximately 450 houses on this development. There are only two access roads in from Nashgrove Lane and one of these, Elgarth Drive, is already difficult to drive through due to residents' parking. Obscured sight lines make crossing the road on foot risky at times. To build a property opening onto the other access road is likely to severely inconvenience road users (most Fernlea residents use this road for access), and would imperil pedestrians, as any vehicles parked there would create a dangerous obstruction.

Crucially, there is also the matter of access for the emergency services. Already, a fire appliance or ambulance would often be unable to pass along Elgarth Drive thanks to thoughtless parking, and the risk of creating a similar barrier following the development of a property on the only other access road is very high. Any factor which will delay the arrival of emergency services, whose depots are some distance away, could be very serious for the 1000+ residents of this development.

I urge you to reject this application.

Yours faithfully,

Malcolm Hood

PLANNING SERVICES | HPT
POL | TLS
DC | E.F
APP |
CS 0155 | AMO
21 JUL 2000
COPIES TO: | ACK: ✓
FILE:

5, Wild Briar
Finchampstead
Wokingham
Berks RG40 4UL

18th July 2000

Ref F/200/1725

Dear Sirs,

I was absolutely appalled to find out that yet again 30 – 32 Nashgrove Lane have appealed again. I thought once an appeal had been rejected this would be the last of this.

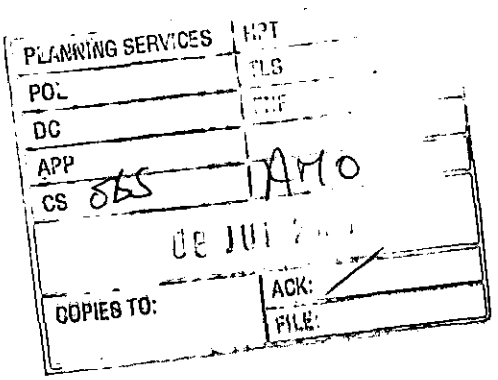
Firstly I strongly object to the proposed building, not only will it look like an eyesore when approaching onto the estate, it will also cause chaos with traffic on McCarthy Way. This is the main access onto the Estate and feel that with more cars parked along this stretch it will lead to many accidents.

This will be my third letter objecting to above dwelling and I would urge you to think very hard.

Yours sincerley

KJones

Karen Jones (MRS)



35 Nashgrove Lane
Finchampstead
Wokingham
RG40 4HE

30/06/2000

Dear Sirs

Planning Application F/2000/1725.

With reference to the above planning application, I wish to point out to you that this is application for a 3 bedroom house with a first storey changing room that is larger than the third bedroom, to my mind this makes this a four bedroomed house by another name.

We have had planning applications before for a four bed roomed house on this plot of land which has been rejected by the council and also on appeal. I am horrified that we seemed to have started the whole procedure again.

I object to this application on the following grounds:

1. Access from this site into McCarthy Way will be dangerous for motor vehicles, as McCarthy Way is the main access to over 400 houses.
2. Loss of light to 78 & 80 McCarthy Way.
3. Loss of trees on the proposed plot.
4. Any development on this site such as the proposed application will always be overshadowing and overbearing to the adjacent properties.

I would respectfully suggest that this application should be refused.

Regards
Clive Evans

PLANNING SERVICES
POL
DC
APP
CS 0025 AMO
17 JUL 2000
COPIES TO: ACK:
FILE:

Ref F/2000/1725

36 Nash Grove Lane,
Wokinghan,
Berks.
RG40 4HD

10th July 2000

Environmental Services Dept.,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham.

Dear Sir/Madam,

I am writing to object to the planning application for a house to be built at the rear of 30 and 32 Nash Grove Lane.

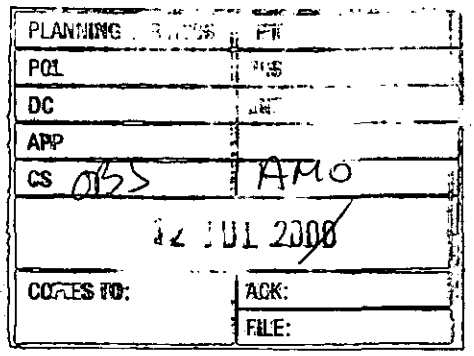
My wife and I have lived at 36 Nash Grove Lane for 26 years and moved there because of the privacy that was possible living in a row of houses with large gardens containing mature trees. If a large house is built at the end of number 32 then it will overlook our garden and the back rooms of our house.

The houses from 30 to 38 Nash Grove Lane all have large gardens with the ends of the gardens being allowed to grow naturally becoming a shelter for wildlife. Mr Dean has recently moved in and determines that the end of the gardens is unused land so it can be built on. Until February this year there were four large fir trees on the land where the house is to be built that have now been cut down to 6 feet high. If Mr Dean doesn't get planning permission then maybe he will sell the house to someone who can appreciate the garden and allow it to be natural break between Nash Grove Lane and the estate behind.

Yours sincerely

Mr D. Blythen

90 McCarthy Way,
Finchampstead,
Berkshire,
RG40 4UB



5th July, 2000

Dear Mr. Mitchell,

Application Number F/2000/1725 - 30-32 Nashgrove Lane

Thank you for your letter dated 21st June, 2000, regarding yet another planning application on the above site.

We strongly object to this application, as all the others that have been submitted on the same site.

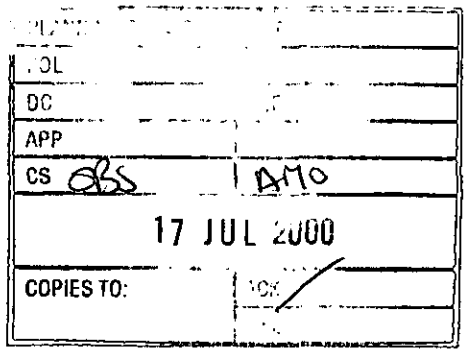
As stated in my previous letters, this site would be opening out on to the main feeder road into the estate, which is always extremely busy with cars coming and going. Occasionally a car may be parked on this road which always causes traffic problems and confusion, let alone having a driveway permanantly on this road.

I hope that once again the council agrees with us and decides that this is an unsuitable site.

Yours sincerely,

Mr. and Mrs. N.C. Perry

Rec'd 8.40 AM 17.7.00



78 McCarthy Way,
Wokingham
RG40 4UA

Planning Services, PO Box 157,
Wokingham Council
Shute End
Wokingham
RG40 1WR

July 11, 2000

Your ref. F/2000/1725
My ref. sr/04

Objection to Planning Application at 30-32 Nash Grove Lane

ref: F/2000/1725

Dear Mrs A. Odell,

We are writing to you to object most strongly to another attempt to site an "in-fill" development at the rear of our property. The Planning Application referred to above, follows a series of previous attempts to develop this plot, all of which have been rejected.

The sequence of events to date is as follows:

Nov. 1998: 5 Scots Pine trees felled on proposed site

March 1999: Full application submitted for 4-bed house with garage (99/69357/F).

5th May 1999: Full application REFUSED by Wokingham District Council.

July 1999: Outline planning application submitted for 4-bed detached dwelling with garage (99/70104/O).

Aug/Sept 1999: Outline application REFUSED by Wokingham District Council.

Nov. 1999: Appeal by applicant to Planning Inspectorate against WDC's decision on Outline Planning application.

19th January 2000: Site visit by Planning Inspectorate.

1st Feb 2000. APPEAL DISMISSED by Planning Inspectorate. T/APP/X0360/A/99/1031876/P8

June 2000: Current, full application for 3-bed house with garage (F/2000/1725).

In our opinion, the most recent application for a 3-bed house with garage does not differ significantly from the previous full and outline applications:

- The proposed plot size and location of 0.4 hectares is the same as the original full application (99/69357/F) and the outline application (99/70104/O). There have been no material changes to the site since the original application.

- The siting of the property on the plot is within 1m north-south and east-west of the original full application (99/69357/F) siting.

- The plan elevation of the proposed property (approx. 148m^2) is within 7m^2 or 5% of the original full application (99/69357/F).

- Height of building. Original full application (99/69357/F) 8.5m, New application (F/2000/1725) 8.0m.

- The previous full (99/69357/F) and outline (99/70104/O) applications were both for a 4-bed detached house with double garage. Although the new application claims to be for a 3-bed house, I contend that the plans really disguise a 4th bedroom. There is a "changing room", of 11.6m^2 area and with roof window, which is of larger area than the 3rd bedroom. The upstairs floor plan is such that this room could become a 4th bedroom itself (or the en-suite could become the 4th bedroom and the "changing room" the en-suite).

We therefore object to the most recent application on the same grounds as before. Please refer to our letters of objection to the outline and full applications, sr/02 of 4th August 1999 and sr/01 of 18th April 1999 respectively. Our objections are:

overshadowing,

overlooking,

destruction of trees,

loss of amenity,

access to the estate,

overcrowding

and precedent.

Many of our concerns were upheld in the judgement of Wokingham District Council and the Planning Inspector:

WDC's made the following judgement on the full planning application (99/69357/F):

> "Due to its siting and massing the proposed dwelling will have an unacceptably overbearing effect and cause unacceptable overlooking of adjacent residential property, resulting in unacceptable loss of amenity."

This view was supported by the Planning Inspector:

> "... I see no reason to differ from the Council's opinion that the proposed two-storey dwelling would have had a serious and unacceptable visual impact on the residents of Nos. 78 and 80 McCarthy Way."

> "Furthermore, it would cause overshadowing with loss of afternoon sunlight, and some restriction of natural light."

We were surprised that Mr. Dean was able to make a further planning application following the judgement of the Planning Inspector who not only rejected the outline application but treated the application as:

> "...being for a dwelling with no specific suggestion as to whether it would be for a single or two-storey construction".
>
> "I conclude that there is no firm or clear cut evidence that a single or two-storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and to the character of the area."

In view of:

> the similarities of the proposed development to the previous full and outline applications;
>
> our consistent objection to the previous full and outline applications;
>
> and those objections having been upheld by both Wokingham District Council and the appeals officer;

we continue to believe that there can be no sound reason to grant this proposal.

If you require any clarification on the points raised in this letter or wish to visit my property please do not hesitate to contact me either at home 0118 9734319 (home) or 01628-434824 (work).

I enclose a copy of the Planning Inspector's report.

Yours sincerely,

Stephen Raines

Stephen Raines

Rosalind M Raines

Rosalind Raines

8RR. 1004/1426

The Planning Inspectorate

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117 - 987 8927
Switchboard 0117 - 987 8000
Fax No 0117 - 987 8139
GTN 1374 - 8927
E-mail ENQUIRIES.PINS@GTNET.GOV.UK

Tony Thorpe Associates
The Studio
1 Durrant Way
Tilehurst
Reading
Berks
RG31 6TR

Your Ref:
AJT/MT/630
Our Ref:
T/APP/X0360/A/99/1031876/P8
Date:
7 FEB 2000

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR DAVID DEAN
APPLICATION NUMBER 99/70104/0

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine your client's appeal against the decision of the Wokingham District Council to refuse outline planning permission for the erection of a detached dwelling and garage at the rear of 30/32 Nash Grove Lane, Finchampstead. I have considered all the written representations together with all other material submitted to me. I inspected the site on 19 January 2000.

2. The application was in outline with all matters reserved. Although the application form referred to a 'detached house', I am treating the application as being for a 'dwelling' with no specific suggestion as to whether it would be of single or two-storey construction.

3. The development plan for the area comprises the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan that was adopted in 1994. The Wokingham District Local Plan Deposit Draft has been subject to Public Inquiry and is a material consideration. Adopted Local Plan Policy SBE2 says that development that is inappropriate in terms of its relationship with adjoining sites and buildings will not normally be permitted. Deposit Draft Local Plan Policy WBE1 states that the Council will require good contemporary design which respects its local context. Among the factors to be considered will be the visual impact and the privacy and amenity of the existing environment.

4. From my inspection of the site and its surroundings and from the representations received, I consider that the principal issue is the effect of the proposal on the living conditions of adjoining occupiers with particular reference to privacy, visual impact, sunlight and daylight,

5. The appeal site was formerly part of the rear gardens of Nos. 30 and 32 Nash Grove Lane. It is has been fenced off and is surrounded on all four sides by timber fencing. It has a frontage to McCarthy Way and is bounded on the east by the rear gardens of Nos.76, 78 and 80 McCarthy Way. There are trees and shrubs within the site and around the boundaries.

6. Government Policy as set out in PPG3 and PPG13 encourages the full and effective use of land within existing urban areas in order to reduce demand for development in the countryside, and also to reduce dependence on the private car. The appeal site is within a built-up area and the general principle of infill development would normally be acceptable. However, any benefits must be weighed against any harm which might be caused to nearby residents and to the character and appearance of the area.

7. Although access is a reserved matter, it is apparent that an entrance would have to be formed from McCarthy Way. This road is the main way in to the estate and I have noted the concerns of residents about possible danger from a new access and from parking outside the site. However, the Highway Authority did not object to the proposal, subject to the imposition of conditions relating to garaging, parking and sight lines. I give greater weight to the professional advice of the Highway Authority and consider that the creation of a new access would not have any serious impact on road safety or the amenities of nearby residents.

8. A dwelling on the appeal site would be visible from other houses to the north and south. Some of these are set at an angle and would have views of any development. Nevertheless, I consider that they are far enough away to avoid any significant loss of privacy or visual harm.

9. In my opinion, the most significant impact of any new dwelling would be on the two houses to the east – Nos.78 and 80 McCarthy Way. These houses have fairly short rear gardens which are about 10 metres deep. No.78 has rear windows on the ground and first floors, whilst No.80 has west facing windows on the ground floor only. The windows look out onto the site and there would be views of any development.

10. A detailed application for planning permission (99/69357/F) for a two-storey detached house was refused by the Council in 1999. This would have been a large 4-bedroom dwelling with a ridge height of about 8.5 metres. The single storey side garage would have been about 1 metre from the east boundary, and the main two-storey section would have been about 3.5 metres from the boundary. The building would have been clearly visible from the rear windows and gardens of Nos. 78 and 80, and the Council considered that it would have an unacceptably overbearing effect on No.78 and to a lesser extent on No.80.

11. I visited No.78 and saw the appeal site from the garden and from inside the house. Although I did not visit No.80, I was able to appreciate the potential impact of a new building from the photographs submitted and from views from adjoining land. I see no reason to differ from the Council's opinion that the proposed two-storey dwelling would have had a serious and unacceptable visual impact on the residents of Nos. 78 and 80 McCarthy Way.

12. The appeal site is about 16 metres wide and 27 metres deep, and the small size severely restricts any alternative positions for a dwelling. This is an outline application and no sketch plans have been put forward to show where a dwelling could be satisfactorily sited. Whilst the principle of residential development is acceptable, I must consider whether it is actually possible to build on the site without harming the amenities of nearby residents. I have little doubt that a dwelling would have to be sited behind Nos. 78 and 80. Although the building could be moved slightly further away from the east boundary, I do not think that this would overcome the strong objections to a two-storey house which would still be overbearing. Furthermore, it would cause overshadowing with loss of afternoon sunlight, and some

restriction of natural light. A single storey bungalow would be lower and less dominating, but would probably occupy a larger footprint in order to provide an acceptable level of accommodation. It would have a more built-up appearance with substantial areas of roof which would detract from the appearance of the locality. Trees along the east boundary would provide partial screening, but construction work close to the boundary would be likely to damage these and reduce the effectiveness of any screening.

13. I conclude that there is no firm and clear cut evidence that a single or two-storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and to the character of the area. In the absence of such evidence, I consider that the proposal would be contrary to adopted Local Plan Policy SBE2 and to Policy WBE1 of the emerging District Local Plan. In my judgement, the benefit of making full and effective use of land in built-up areas is outweighed by the harm to the amenities of local residents.

14. Reference is made to the development at Nos.1 and 3 Elgarth Drive. There are some similarities to the appeal scheme but No.3 only affects the corner plot – 48A McCarthy Way. This house has an outlook over the side road and is also at a slightly higher level. Whilst the dwelling at No.3 Elgarth Drive has some impact on the adjoining property, I consider that it is significantly less than the potential impact of the appeal proposal on neighbouring properties. I do not consider that the Elgarth Drive development is a material consideration of sufficient weight to justify allowing this appeal.

15. I have also taken into account all the other matters referred to in the representations but consider that none of these are of sufficient weight to alter my decision.

16. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

JOHN S DEAKIN FRICS
Inspector

* PRE-APP ATTACHED.

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date:	19 JUN 2000
Officer: AO	Application No. F/2000/1725

Map No. 98 Site ...0.03.
Easting: ..... Flood Pln .....
Northing: ..... Mineral .....

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State
☐ Incorrect Fee ☐ Invalid ☐ PD

Description:
(F) PROPOSED ERECTION OF DETACHED DWELLING

Location: ~~LAND ADJ~~ 30-32 NASHGROVE LANE

Parish: FINCHAMPSTEAD Ward: Finch North.
21.6.2000.

Applicant: TITE OWNER (C/O AGENT)

Fee Received ~~190~~ 190-00 Required 190-00 Additional ..... Refund .....
To follow 9/6.
(15) Received 12/6

Enforcement Section to be notified ☐ tick if required

Additional information required for validation

		Reason	Requested	Received
1	1:2500 OS location plan showing property edged in blue/red			
2	1:500 block plan showing existing & proposed dev. + adj. Properties			
3	Forms unsigned			
4	Correct S 66 certificate			
5	Elevation plans			
6	Floor plans			
7	Metric scale disclaimer			
8	Encroachment letter			
9	Miscellaneous			

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 21.6.2000 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

Building Control	.....
Landscape	✓
Trees	.....
Conservation Officer	.....
Environmental Health	✓
Housing	.....
Leisure & Cultural services	.....
Public Rights of Way	.....
Property	.....
District Secretary (only if called in by SOS)	.....
Policy & Plans	.....
Strategic Planning (JSPU)	.....
Minerals (BABTIE)	.....
Archaeological Site (BABTIE)	: .....
Education	.....
Social Services	.....
Highways	✓ .....

EXTERNAL CONSULTATIONS

Adjacent D P A	: .....
Adjacent Parish	: .....
Southern Electricity Board	.....
British Gas	.....
PSA Oil Pipeline	.....
Transco	.....
Environment Agency	: .....
	.....
Rail Track	.....
Police Arch. Liaison Officer	.....

HERITAGE BODIES

The Georgian Group	.....
Ancient Monuments Society	.....
Council for British Arch.	.....
RCHME	.....
Telecommunications (NRPB)	: .....
Sport England	: .....

OTHERS:

* PRE-APP ATTACHED

NEIGHBOURS:

S/N + 74, 76, 78, 80, 82, 84, 86, 90 + 96 McCARTHY WAY.

26, 30, 32, 34 + 36 NASHGROVE LANE

24 TICKENOR DRIVE

5 MORNINGTON AVE

11 + 5 WILD BRIAR

47 JERRYMOOR HILL.

1933

ADDRESS REAR OF 30/32 NASHGROVE LANE. PARISH FINCHAMPSTEAD.

99/69357/F Mr. L. Dean - Erect Det Dwelling + Int. Dble Garage 5.5.99 REF

PLOT No. ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
99/70104/O	Tony Thorpe Assoc.	O/L Prop. Erection of Det Dwelling + Garage	14.9.99	REF
FP99/8595	Mr. L. Dean	Det 4-Bed dwelling	12.4.99	APP

MINISTRY DECISION 70104 - APPEAL DISMISSED - 1.2.00

SPECIAL ORDERS

08 JUN 2000*

1725

Recd 10.30AM 9.6.00

09. JUN. 2000 1725

W.M. GRAHAM ASSOCIATES

CHARTERED ARCHITECTS

W.M. GRAHAM B.A., B. Arch., R.I.B.A.

1 Rectory Road,
Wokingham,
Berkshire, RG40 1DJ
Tel: (0118) 9770464
Fax: (0118) 9770482

Ref: 2295/wmg/cm

8 June 2000

Wokingham District Council
Planning Department
PO Box No 157
Civic Offices
Shute End
Wokingham RG40 1WR

For the attention of Mr J Mitchell
Development Control Manager

Dear Mr Mitchell

LAND ADJOINING 30-32 NASHGROVE LANE WOKINGHAM

Please find enclosed a completed Town Planning application for the above land comprising the following:-

a) Planning Application Part 1 including Certificate A
b) Fee note for £190
c) OS extracts
d) Dwgs. Nos. 2295 - 01, 02 & 03

With reference to your meeting with our client on 6 June 2000 regarding the above please note that the previous application which was refused was No. 99/69357/FUL.

We trust that you find all in order but should you require any further details please do not hesitate to contact us.

Yours sincerely

W M Graham

Enc

cc The client

1789/a

SECTION 66 CERTIFICATE

05 JUN. 2005

WOKINGHAM DISTRICT COUNCIL

Application No.

Please fill in both Certificate A, B, C or D and the Agricultural Holdings Certificate. Delete sections not relevant.

CERTIFICATE A

I certify that:

at the beginning of the period of 21 days ending with the date of the accompanying application, nobody, except the applicant, was the owner of (a) of any part of the land to which the application relates.

(a) "Owner" means a person having a freehold interest or leasehold interest the unexpired term of which is not less than 7 years.

OR

CERTIFICATE B

I certify that:

I have/The applicant has* given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owner's(a) name	Address at which notice was served	Date on which notice was served

+ See Note (a) to Certificate A

OR

CERTIFICATE C

I certify that

- I/The applicant* cannot issued a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66(1) of the Act in respect of the accompanying application.

- I have/The applicant has* given the required notice to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the application were owners (a) of any part of the land to which the application relates.

Owner's(a) name	Address at which notice was served	Date on which notice was served

(b) Insert description of steps taken.

- I have/The applicant has* taken all reasonable steps open to me/him/her* to find out the names and addresses of the other owners (a) of the land, or of a part of it, but have/has* been unable to do so. These steps were as follows:

(b) . . . . . .

. . . . . .

(c) Name of local newspaper circulating in the area where the land is situated.

(d) Date of publication (which must be not earlier than the beginning of the period of 21 days ending with the date of the application).

- Notice of the application as attached to this Certificate, has been published in

the (c) . . . . . .

on (d) . . . . . .

1789/b

CERTIFICATE D

I certify that

● I/The applicant cannot issue a certificate in accordance with paragraph (a) of Section 66 of the Act in respect of the accompanying application.

OR

● I/The applicant have/has taken all reasonable steps open to me/him/her to find out the names and addresses of everyone else who, at the beginning of the period of 21 days beginning with the date of application was the owner (a) of any part of the land to which the application relates, but have/has been unable to do so. These steps were as follows:

(b) . . . . . .

. . . . . .

(b) Insert description of steps taken

(c) Insert name of local newspaper circulating in the area where the land is situated.

(d) Insert date of publication (which must not be earlier than the beginning of the period of 21 days ending with the date of the application).

● Notice of the application as attached to this Certificate, has been published in the (c) . . . . . .

on (d) . . . . . .

ALL APPLICANTS MUST COMPLETE THIS SECTION

Agricultural Holdings Certificate

If any of the site is part of an area of land which is let or there is an agreement to let the land for agricultural purposes to a tenant, it may be an agricultural holding. Further advice may be obtained from the Department.

One or other section must be crossed through as not applicable.

If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

● None of the land to which the application relates is, or is part of, an agricultural holding.

OR

● I have/The applicant has given the required notice to every person other than my/him/herself who, at the beginning of the period of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates, as follows:

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

Signed . . . . . W M Graham Assoc.

On behalf of . . . THE CLIENT C/O THE ARCHITECT

Date . . . . . 8th June 2000

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
Certificate under Section 66

1509/ab

PLANNING APPLICATION PART 1

08 JUN 2000* 172

WOKINGHAM DISTRICT COUNCIL

Please answer all questions in CAPITAL letters. If any question is not applicable, put N/A in the space.

Please submit 6 copies of the completed form and your plans to:- Planning Dept., Wokingham District Council, PO Box No. 157, Shute End, Wokingham, Berkshire, RG40 1WR.

If you are a new applicant, notes to help you fill in the form are attached. If you still have any questions about the form, please call Ian Jordan on 0118 974 6428

For office use only
Application No.

1.	YOUR NAME	OWNER
	ADDRESS	C/O THE ARCHITECT
	POST CODE	Tel No.
2. If you have an agent and want all correspondence to be sent to them	AGENT'S NAME	W M GRAHAM ASSOCIATES
	ADDRESS	1 RECTORY ROAD WOKINGHAM
	POST CODE	RG40 1DJ Tel No. 0118 977 0464
3. On the plans outline the whole site in RED. Any OTHER land in your Ownership or control outline in BLUE.	SITE LOCATION	LAND ADJOINING 30-32 NASHGROVE LANE WOKINGHAM
4. Give the area of the application site in hectares, if appropriate, or part of a hectare.	SITE AREA	0.4ha
5. Give brief details of the proposal	ABOUT THE APPLICATION	ERECTION THREE BEDROOM TWO STOREY THREE BEDROOM DWELLING WITH INTEGRAL DOUBLE GARAGE
6. What is your interest in the application site, e.g. owner, prospective purchaser, a tenant with a lease.	OWNERSHIP	OWNER

7. We need plans to be able to assess the application. Please list the plans and drawings you have submitted.

PLANS/DRAWINGS

1:25000 Location Plan	✓	1:100 Floor Plan	✓
1:500 Block Plan	✓	Other	
1:100 Elevations	✓		

8. Does the application involve any of the following

Please tick relevant boxes. If you tick OTHER, please explain on this form.

CHANGE OF USE		ALTERATION or EXTENSION	
CONSTRUCTION OF NEW BUILDING	✓	DEMOLITION	
OTHER			

9. What type of Planning application are you applying for ?

RESERVED MATTERS		Go to Question 10.
OUTLINE PERMISSION		State relevant outline permission No. Go to Question 10.
FULL PERMISSION	✓	Go to Question 11.
TEMPORARY PERMISSION		State period required. Go to Question 11.
RENEWAL OF TEMPORARY PERMISSION		State previous permission No. Go to Question 11.
VARIATION/RELAXATION OF CONDITIONS		State relevant application No.
		Details of conditions to be relaxed. Go to Question 11.

10. IF THIS IS AN OUTLINE APPLICATION OR FOR THE APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of your application.

EXTERNAL APPEARANCE		SITING	
MEANS OF ACCESS		DESIGN	
		LANDSCAPING	

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDINGS ON THE APPLICATION SITE, e.g. residential, industrial, etc. If the site is vacant say so, and if possible give last known use.

GARDEN

12. ARE THERE ANY TREES ON THE SITE ?
IF YES, please show their position, spread, and species of the trees on the plans. Indicate any which are to be felled.

YES / NO

PLEASE SEE DRAWINGS

13. PLEASE LIST THE EXTERNAL MATERIALS TO BE USED.

RED BRICK AND RED-BROWN TILES

14. WILL SURFACE WATER BE DRAINED INTO THE EXISTING DRAINAGE SYSTEM ?
If NO, please give details of any new system to be constructed.

YES / NO

15. WILL FOUL SEWAGE BE DISPOSED OF INTO THE EXISTING SEWAGE SYSTEM ?
If NO, please give details of any new system to be constructed.

YES / NO

16. WILL PEDESTRIANS / VEHICLES ACCESS THE SITE ?
Please show details of the existing access and any proposed changes on the plans.

YES / NO

NEW ACCESS PLEASE SEE DWGS.

17. WILL THE CAR PARKING PROVISION AT THIS SITE BE CHANGED ?
If YES, please show details of any changes on the plans.

YES / NO

18. DOES A PUBLIC RIGHT OF WAY TOUCH OR CROSS THE SITE ?
If YES, please show the route and any proposed alternative on the plans.

YES / NO

19. DOES THE PROPOSAL INVOLVE NEW RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS ? If YES, please complete the following table.

YES / NO

	No. of Bedrooms	Dwellings
Proposed new development	1	
	2	
	3	ONE
	4	
	5 or more	
	TOTAL	ONE
Nos. of residential units lost through demolition or conversion		
NET CHANGE		ONE

20. HAS PROVISION BEEN MADE FOR THE DISABLED ?
If YES, please show on the submitted plans what is to be provided.

YES / NO

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL DEVELOPMENT ?
If YES, *please complete PART 2 of the form.*

YES / NO

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS: THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS (INCLUDING SCRAP YARDS) ?
If YES, complete PART 3 of the form and submit whole application to Wokingham District Council.

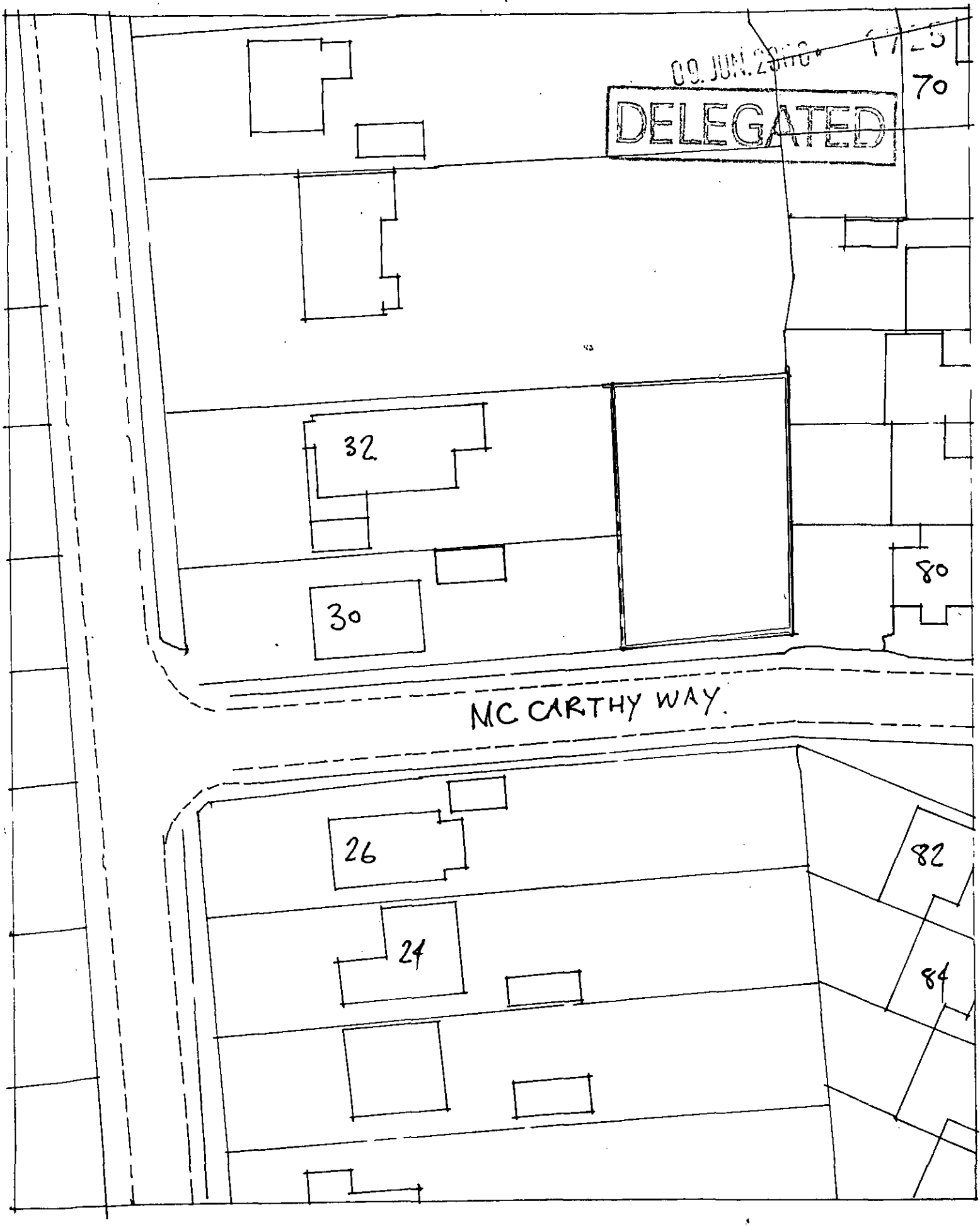
YES / NO

23. THE FEE ENCLOSED IS £ 190

The current scale of fees is attached. If you believe a reduced fee or no fee is payable please say why below.

SIGNED W M Graham Associates ON BEHALF OF THE CLIENT c/o The Architect DATE 8th June 2000

Before submitting this application check that you have answered all the relevant questions and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee.

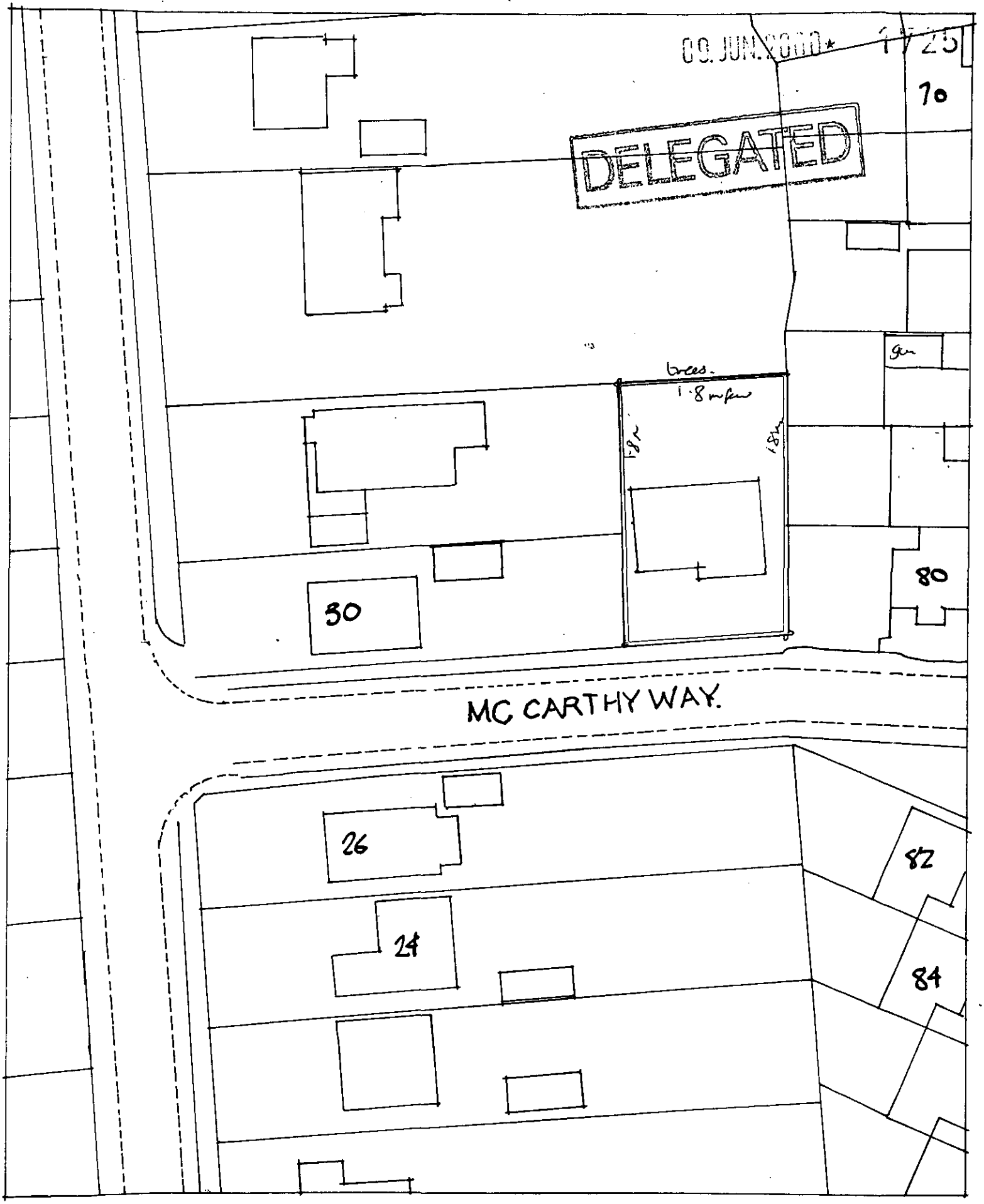


EXISTING SITE SCALE 1:500



Site Plan, Scale: 1 to 2500

SITE AT 30-32 NASH GROVE LANE
PROPOSED DWELLING



PROPOSED SITE SCALE 1:500



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Development Control Section, Environmental Services, Wokingham District Council.

14 June 2000

Scale: 1 : 1250

N
W E
S