APPLICATION NO:
F/2002/7922

LOCATION:
6 Blackwater Close, Spencers Wood Reading.

APPLICANT:
Mr J Devine

PROPOSAL:
Proposed erection of 1.8m high wooden fence with access gates and 1m high picket fence. Retrospective.

EARLIEST DATE FOR DECISION. **13/12/2002**

APPLICATION WILL HAVE EXPIRED ON: 01/01/2003

CASE OFFICER: **Dawn Hancocks**

Appeal Decision

Site visit made on 8 July 2003

by David Grace BSc DipTP MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date 12 AUG 2003

Appeal Ref: APP/X0360/A/03/1115380
6 Blackwater Close, Spencers Wood, Shinfield, RG7 1DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by John Devine against the decision of Wokingham District Council.
- The application (Ref.F/2002/7922), dated 1 November 2002, was refused by notice dated 3 January 2003.
- The development proposed is the erection of a 1.8m high wooden fence with access gates and the erection of a 1m high picket fence.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. At the time of my site visit I could see that a wooden fence and gates, some 1.8m high, had been erected to the side of the appeal property and a picket fence approximately 1m high had been erected around the perimeter of the front garden.

2. The planning application form refers to the erection of a 1.8m high picket fence. In view of the height of the fences that have been erected and as the decision notice refers to a 1m high picket fence, I have determined the appeal on the basis of the proposed development being the erection of a 1.8m high wooden fence with access gates and the erection of a 1m high picket fence.

Planning Policy

3. The development plan includes the Berkshire Structure Plan of 1995 and the Loddon Area Local Plan of 1995 (LLP). A number of development plan and emerging plan policies have been drawn to my attention. In my view the following policies are relevant to this appeal. LLP Policy LBE1 requires development to make a positive contribution to its setting and the character of the area. LLP Policy LBE2 states that development which would adversely affect the character of an area in terms of factors including form and materials will not normally be permitted.

4. I have been referred to the emerging Wokingham District Local Plan (WLP). It has been the subject of public inquiry and the Inspector's report has been published and the proposed modifications were placed on deposit early in 2003. In my view it is a material consideration of substantial weight. WLP Policy WBE1, amongst other things, requires new development to achieve high standards of design and layout and take account of the wider locality and surrounding townscape. WLP Policy WOS3 includes requirements for proposals to be appropriate to the character of the area in which they are located and requires a high standard of design that respects the local context by virtue of factors including siting and materials.

5. My attention has also been drawn to Planning Guideline B2 "Guidelines for extending your home". This was adopted by the Council as supplementary planning guidance (SPG) in 2002 in accordance with paragraph 3.16 of Planning Policy Guidance Note 12: Development Plans, and is a material consideration of substantial weight. It states that in open plan estates front garden walls and fences are not permitted because they would ruin the integrity of the original design.

Main Issue

6. I consider the main issue in this appeal to be the effect of the proposal on the character and appearance of the area.

Reasons

7. The appeal property is located within a residential estate. The estate is relatively dense with a maturing landscape but remains largely open plan in character and the front gardens are mainly unfenced. To the east of the appeal property there is a turning head on the highway and an area of open space that includes a play area. The appeal property is one of a pair of semi-detached dwellings. Another pair of dwellings, Nos. 7 and 8, is set back from, and at an angle to, the appeal property. The two pairs are grouped around an area consisting of shared driveways and turning areas and individual front gardens that with the exception of the appeal property are unfenced. This area has an open character but is enclosed by a mature hedge and trees which gives it a distinct identity. There are views into it from the turning head of Blackwater Close and the adjacent area of open space.

8. The 1.8m fence encloses space to the side of the appeal property and part of the driveway that is shared with No. 7. It abuts a wooden shed to enclose the rear garden. When viewed from the front of Nos. 7 and 8 and from the shared access areas the fence is seen mainly against the backdrop of the side of the appeal property. As a result, in my view, from that angle it does not appear unacceptably intrusive or unsightly and does not detract from the open character of the space in front of the dwellings. However, because the gate section of the fence is flush with the front of the dwelling it projects into views from the turning head of Blackwater Close and the adjacent area of open space towards Nos. 7 and 8 and the space in front of the properties. From this viewpoint the fence appears unacceptably prominent and intrusive and detracts from the open quality of the street scene.

9. Whilst the picket fence around the front garden allows some visibility through, it is nonetheless substantial and is out of keeping with, and intrudes into, the open character of the space in front of the group of dwellings of which the appeal property forms a part. It is also out of accord with the mainly unfenced character of the front gardens of the wider estate.

10. I conclude that the fences have an unacceptable effect on the character and appearance of the area and conflict with the aims of LLP Policies LBE1 and LBE2 and the emerging WLP Policies WBE1 and WOS3. The picket fence is also in conflict with the aims of the SPG.

Other Matters

11. I have noted the benefit of the fences to the appeal property in terms of security, but consider it does not outweigh their adverse visual impact.

12. I have considered the concerns raised about the effect of the fence on the driveway to No. 7. In my view the driveway remaining outside of the fence is not unacceptably narrow and the fence does not preclude its use. I have also considered the concerns raised about the effect of the fence on visibility for the manoeuvring of vehicles to and from the driveway and in the shared access area. In my view its effect is not such as to cause a hazard.

13. I have noted representations made in terms of lease arrangements and property values but they are civil matters and have no bearing on the planning merits of the proposal.

Conclusions

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

Formal Decision

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

Information

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

INSPECTOR

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr J Devine
6 Blackwater Close
Spencers Wood
Shinfield
Berks
RG4 1DT

Application Number: F/2002/7922

Parish: **SHINFIELD**

Location: **6, Blackwater Close, Spencers Wood, Reading.**

Proposal: **Proposed erection of 1.8m high wooden fence with access gates and 1m high picket fence. Retrospective.**

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Refuse Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council, the reason for which is specified hereunder.

Reason

1. The development forms an incongruous feature, out of character with the surrounding street scene and detrimental to the visual amenity of the area. The fence is therefore contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and to policies WOS3 and WBE1 of the Wokingham District Local Plan (as proposed to be modified).

Informative

1. You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:

Berkshire Structure Plan Polic EN1.

Loddon Area Local Plan Policies LBE1, LBE2 and LTV1.

Deposit Draft Wokingham District Local Plan Policies WBE1, WOS3 and WOS2.

T. G Watson

Trevor Watson
Development Control Manager
Date: 03/01/2003

Notice checked by: C Hurst

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.

Memo

To: Mary Severin, Legal

From: Dawn Hancocks, Development Control
Date: 25/3/03

Site Address: 6 Blackwater Close, Spencers Wood

Application Number: F/2002/7922

Proposal: Proposed erection of 1.8m high wooden fence with access gates and 1m high picket fence. Retrospective.

Mary

The above application was refused as "the development forms an incongruous feature, out of character with the surrounding street scene and detrimental to the visual amenity of the area."

There is a condition on the original consent stating that "notwithstanding the provisions of the Town and Country Planning General Development Order 1977 (or any order revoking and re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a highway or shared driveway".

The 1m picket fence is clearly refuseable, as it is an open plan estate.

Could you please help me on what constitutes a shared drive? The 1.8m fence has been erected no further forward than the dwelling and along the edge of the drive. The drive of the neighbouring property is adjacent and there was no physical boundary between the two. Before the fence was erected the drive had the appearance of a shared drive. The Deeds for the site show that there is a shared drive area to the front of the dwelling, of which the fence is not built upon and is no closer to than the dwellinghouse is to this area. If the drive is not a shared drive then it is my understanding that the condition does not apply for the 1.8m fence.

If you need any further information then please let me know.

Enclosed: i) 3 sheets of photos
ii) Refused plan showing location of the fences and the shared drive according to the Deeds

WOKINGHAM DISTRICT COUNCIL

SUPPORT SERVICES DEPARTMENT

MEMORANDUM

FROM: Colin Lawley, Legal Services

MY REF: CJL/SR
Ext: 6524

TO: Dawn Hancocks
Development Control

YOUR REF:

DATE: 14 April 2003

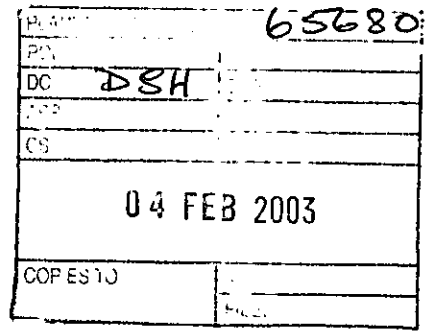
6 BLACKWATER CLOSE, SPENCERS WOOD - F/2002/7922

I refer to your memorandum dated 25th March. It is difficult to find what is a shared drive in the context of a condition. I consider that the relevant matters are whether both properties have a right of access over the area of land and how it is practically used. From the plan and the present use, it would seem that the area which has a fence in the middle is not a shared drive and therefore, the condition does not apply for the 1.8m fence.

Please let me know if you wish to discuss further.

CJL

Colin Lawley



6 Blackwater Close
Spencers Wood
Shinfield
Reading RG7 1DT

Wokingham Unitary
District Council

Date: 02-02-2003

For the attention of: Dawn Hancocks (Planning Dept).

Ref: Proposed erection of 1.8m high wooden fence with access gates and a 1m high wooden picket fence (Retrospective).

Dear Madam

With reference to our meeting in the district office at Shute End on Wednesday 29th January 2003. I wish to confirm the following:

1. The discussion regarding the 1.8m high fence.
2. The discussion regarding the 1.0m high fence.
3. A summary of the evidence to support the planning application for both fences.

1. 1.8m High Fence:

You will look at the precedent already set by the owners of No. 5 and no.1 Blackwater Close and other properties within the estate who have constructed fences in a similar position within their properties in the same position as my fence is on my property.

I will as advised Stain my fence a darker colour to **"Bring it more in Keeping with the surrounding Fences".**

Also the reason I have constructed this fence is for **"Health and Safety Reasons".** All in accordance with the advice given out by the Government, Wokingham Unitary and the Police to secure all property boundaries so as to reduce the effects of intrusion by **"Vandals, Thieves, Vagabonds and people of that Ilk".**

2. 1.0m High Fence:

You will look at the precedent already set by numerous other property owners within the whole area of the Estate.

3. Summary:

I have supplied you with photographic evidence to support my application. I now believe that there has been clearly a change in **" The Character and Culture of the Street Scene"** of the estate by the various property owners.

The concept of **"Open Plan"** development now does not exist except where the adjoining property owners apparently agree mutually to maintain it.

I now contend (with respect to the photographic evidence supplied), that there has been a gradual change within the estate to secure the boundaries of properties with various constructions that range from hedges, small brick walls, wooden fences and 1.0m high brick wall.

The construction of boundary fences is therefore **"Evolutionary".** I now submit that my fences are part of that evolutionary construction and as such do not in any way detract from the **"The Character and Culture of the Street Scene".** The fences are in fact just another facet of this scene and are, in fact, in keeping with the **"Generic Wishes"** of many property owners within the estate.

I wish also to state that my 1.8m high fence does not affect the:

- Turning access to No.7.
- Parking on the driveway of No. 7. (Considering, that they have never had any permission at any time from myself, or previous owners to open their car doors over, or access their property from any part of the property of No.6).
- The Safety of either the owner or others at No.7 or No.8.

Also that the driveway as is the case with every driveway on the estate is not shared ownership and each property owner has sole ownership and responsibility for its upkeep and safety.

Finally I must once again draw your attention to the fact that No. 5 has fenced off their front garden, also No. 8 has placed Steel Poles across the entrance to their driveway (I have no objection to either of these constructions).

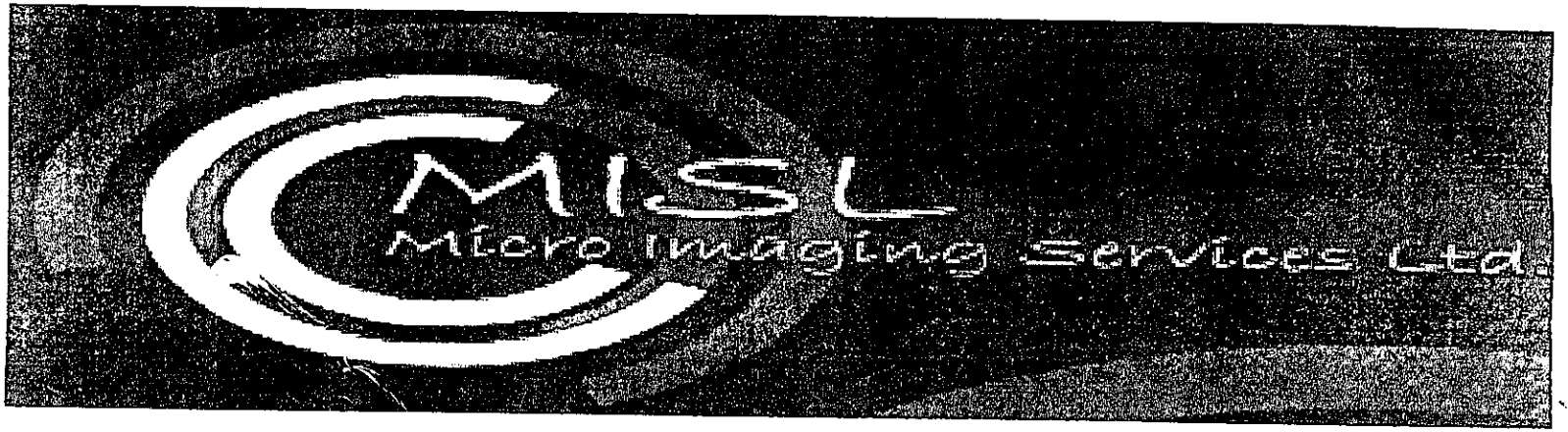
I now look forward to hopefully gaining Planning Permission for my fence construction.

Yours Faithfully

John Devine

Owner No. 6 Blackwater Close.

THE FOLLOWING SCANNED IMAGES ARE DOCUMENTS OF BAD QUALITY OR ARE PHOTOCOPIES.



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

planting season.(209)

18 REASON In the interests of visual amenity.(13R)

19 The playspace shown on the submitted layout shall be provided, laid out, landscaped and planted concurrently with the development of the site to the satisfaction of the District Planning Authority. The playspace shall not thereafter be used for any purpose other than as a play area. (213)

19 REASON In the interests of amenity.(90R)

20 The amenity open space shown on the submitted layout shall be provided, landscaped and planted concurrently with the development of the site to the satisfaction of the District Planning Authority. This area of the site shall not thereafter be used for any purpose other than as amenity open space. (214)

20 REASON In the interests of amenity.(90R)

21 Children's play equipment to the District Council's standards shall be provided and installed on the play area referred to above, the details of which shall first be submitted to and approved by the District Planning Authority. The equipment shall be installed concurrently with the development of the site to the satisfaction of the District Planning Authority. (217)

21 REASON To ensure the satisfactory provision of equipped play areas in accordance with the Authority's policies and guildlines for development. (217R)

22 The last five dwellings to be completed in the total development hereby permitted, shall not be occupied until the approved landscaping and planting scheme has been substantially completed to the satisfaction of the District Planning Authority.(219)

22 REASON To ensure that the landscaping and planting is provided, and in the interests of amenity.(219R)

23 Notwithstanding the provisions of the Town and Country Planning General Development Order 1977 (or any order revoking and re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a highway or shared driveway.(230)

23 REASON In the interests of visual amenity.(13R)

24 Full details of all the fencing, screen walls or any means of enclosure to be erected or planted on the site shall be submitted to and approved in writing by the District Planning Authority prior to the erection or planting thereof and this condition shall apply notwithstanding any indications as to these matters given in the application. (235)

24 REASON In the interests of visual amenity.(13R)

25 All the proposed screen walls, fences and other means of enclosure

continued/-

From: Peter Anders.

FAO Peter Anderson

~~To:~~ PROPERTY

To

~~From:~~ Dawn Hancocks

WOKINGHAM DISTRICT COUNCIL
RECEIVED
12 DEC 2002
PROPERTY SERVICES



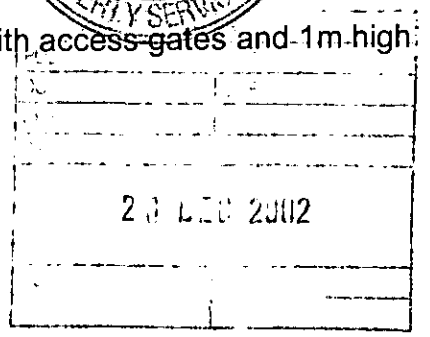
Date: 11 December 2002

Application Number: F/2002/7922

Proposal: Proposed erection of 1.8m high wooden fence with access gates and 1m high picket fence. Retrospective..

Site Address:
6, Blackwater Close, Spencers Wood, Reading.

20 DEC 2002



Applicant:
Mr J Devine .

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

Dawn,

We have examined the plan's kindly forwarded to us and in comparing them to plans held within the department concur the boundary drawn on the plan's accurately represents the boundary. We therefore have no objection's to the submitted plan's.

Peter Anderson

WORK SHEET FOR : Dawn Hancocks

Application Number : F/2002/7922

Applicant : Mr J Devine .

Location : 6, Blackwater Close, Spencers Wood, Reading.
Proposal : Proposed erection of 1.8m high wooden fence with access gates and 1m high picket fence. Retrospective.

Site Notice Displayed ? :	YES	NO	DATE
	✓		25.11.02

Date of Neighbour Notifications : .....

Date of Site Visit : 10.12.02

Date Registered : 06/11/2002

Earliest Date for Decision : 13/12/2002

Latest Consultation Date/Site Notice Expiry Date : 13/12/2002

This application will have expired on: 01/01/2003. 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 :

Neighbours (2) - object - detract from open plan, access to driveway

Planning Issues :

I/d settlement
Impact upon neighbours
" " streetscene

Application Number: F/2002/7922

Appraisal:

Development
The proposed is for the retrospective erection of a 1.8m fence with access gates and a 1m high picket fence to the front. The site is a semi-detached dwelling located within the identified settlement of Shinfield. The 1m picket fence encloses the front garden. The 1.8m fence and access gates separates the double width driveway between the site and No.7.

1) Impact upon the neighbours
There would be no adverse impact in terms of overlooking, overshadowing and overbearing with regards to the 1m high picket fence. The 1.8m fence and access gates splits the double width driveway between the site and No.7 in to two halves. Two neighbours have objected in terms of restricted access by cars and pedestrians by No.7 on to and off the driveway however the parking area for No.7 still remains. The access by No.7 on to the drive has been reduced, as previously it would have been possible to use the full width of the drive to drive over to gain access. There would be no adverse impacts in terms of overlooking, overshadowing and overbearing.

2) Impact upon the character of the street scene
The 1m picket fence to the front detracts from the open plan estate and therefore is adverse upon the character of the street scene. The 1.8m fence is visible from the highway but is not built forward of the front elevation of the house. The 1.8m fence would be more in keeping if it was painted/stained a darker colour.

~~**Approval:**~~ **Refusal:** ✓

Application Number F/2002/7922
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
			Reason: 1) The development forms an incongruous feature, out of character with the surrounding street scene and detrimental to the visual amenity of the area. The fence is therefore contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and to policies WOS3 and WBE1 of the Wokingham District Local Plan.

If any of the consultee's have requested a copy of the decision notice please list them below;

Informative for approvals

N16

LODDON AREA LOCAL PLAN POLICIES: LBE1 LBE2 LTV1

SOUTH-EAST AREA LOCAL PLAN POLICIES:

WOKINGHAM DISTRICT LOCAL PLAN POLICIES: WBE1 WOS3 WOS2

GREEN BELT LOCAL PLAN POLICIES:

BERKSHIRE STRUCTURE PLAN POLICIES: EN1

MINERALS LOCAL PLAN POLICIES:

RECOMMENDATION AND CONDITIONS/REASONS AGREED: p. J.S. Andrews
(Development Control Manager)

Date: 03/02/03

RECORD OF SITE VISIT

SITE ADDRESS: 6 Blackwater Close
Spencers Wood Reading.

APPLICATION NUMBER: F/2002/7922

OFFICER: Dawn Hancocks

DATE OF SITE VISIT: 10/12

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes, fence gate

2. DESCRIPTION OF SURROUNDINGS
semi detached + terraced houses
open plan

3. DESCRIPTION OF SITE/BUILDING
semi detached end of road cul-de-sac
large shed on driveway 1.8m fence gate c/s from road + 1/2 1/4 fence

4. RELATIONSHIP TO ADJOINING PROPERTIES
5 - 1.8m fence same design on boundary to road

5. SITE CONSTRAINTS

TREES

ACCESS/PARKING at least 1 on drive infront of shed/garage.
gate takes away space for 2 cars? - measure on plans.

LEVELS level

BOUNDARY TREATMENT on shared drive with No 7

OTHERS - see photos - ~~turn~~ only room for driver to get c/s out on drive & drive on forward.

PLANNING APPLICATION COMMENTS SHEET
FOR F/2002/7922. (Case Officer:Dawn Hancocks)

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

WOKINGHAM UNITARY
Aiming for Excellence

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

POL	TLS
DC	ENF
APP	
CS	

02 DEC 2002

ACK. 5/12/02

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

COMMENTS CAN ALSO BE E-MAILED TO US AT: Development.Control@wokingham.gov.uk

COMMENTS ON APPLICATION: F/2002/7922

YOUR NAME: Mr. N. McGOVERN

YOUR ADDRESS: (if these details are incorrect please amend)
7 BLACKWATER CLOSE
SPENCERS WOOD
READING
RG7 1DT

PLEASE RETURN YOUR COMPLETED FORM TO:

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

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

Comments:

ALL OUR COMMENTS WERE SENT TO YOU BY LETTER, PHOTOGRAPHS, AND ON THE PHONE. WE CAN ONLY SAY THE SITUATION IS GETTING WORSE BECAUSE OF THE BAD WEATHER, AND OUR ANNOYANCE IS GROWING FAST. EVERY TIME WE TRY TO GET OUT OR IN OUR CARS AND TO DO A SIMPLE THING LIKE GET TO OUR FRONT DOOR WE ARE IN MUD.

Continue over the page if more room required

PLANNING APPLICATION COMMENTS SHEET FOR F/2002/7922. (Case Officer:Dawn Hancocks)

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

WOKINGHAM UNITARY
Aiming for Excellence

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

PLANNING SERVICES	HPT
POL	GS
DC	MF
APP	
CS	
26 NOV 2002	
COPIES TO	26/11

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

COMMENTS CAN ALSO BE E-MAILED TO US AT: Development.Control@wokingham.gov.uk

COMMENTS ON APPLICATION: F/2002/7922

YOUR NAME: MR I C GIBBINS

YOUR ADDRESS: (if these details are incorrect please amend)
8 BLACKWATER CLOSE
SPENCERS WOOD
READING
RG7 1DT

PLEASE RETURN YOUR COMPLETED FORM TO:

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

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

Comments: PLEASE REFER TO MY PREVIOUS LETTERS REGARDING THIS APPLICATION
Thankyou I.C.Gibbins

Continue over the page if more room required

Application Number : F/2002/7922	Map No : 86
Case Officer : DSH.	Site Area : 0.02
Valid Date : 6/11/02	Received Date: 01/11/2002

Level : Delegated Application

Description : Proposed erection of 1.8m high wooden fence with access gates and 1m high picket fence. Retrospective.

Location : 6, Blackwater Close, Spencers Wood, Reading.

Parish : SH Ward : SHI

Applicant : Mr J Devine .

Fee Required: £110 Fee Received: £110 (5)

Additional: ..... or Refund: .....

Enforcement Section to be notified ☑ (tick if required)

Additional information required for validation;

REASON	NOTES	DATE REQ	DATE RECD
LOCATION PLANS			
BLOCK PLANS			
FORMS UNSIGNED			
S.66 MISSING/INCORRECT/ UNSIGNED			
ELEVATION PLANS	None	photos provided.	✓ 6/11
FLOOR PLANS			✓
NO SCALE OR SCALE IS IMPERIAL			
ENCROACHMENT LETTER REQUIRED			
OTHER			

Is the site in a Conservation Area: ☐ Yes ☐ No I f "Yes" which one _____

Is the site a Listed Building: ☐ Yes ☐ No

Is a Statutory Advertisement required: ☐ Yes ☐ No

INTERNAL CONSULTATIONS

Building Control

Heritage (Harold Sanders)

Landscape

Trees

Environmental Health

Housing

Leisure & Cultural Services

Public Rights of Way Officer

Property

Policy & Plans

Joint Strategic Planning Unit

Archaeological Officer (BABTIE)

Education

Social Services

Highways

EXTERNAL CONSULTATIONS

Adjacent DPA : _____

Adjacent Parish : _____

SEB

British Gas

Oil pipeline

Transco

Environment Agency

Railtrack

Police Arch Officer

HERITAGE BODIES

Victorian Society
The Georgian Group
Ancient Monuments Society
Council for British Arch
RCHME
NRPB (Telecommunications)
Sport England
Society for Proct' of Ancient Bldgs
English Heritage

OTHERS

.....

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.....

NEIGHBOURS

.....

S|N+ see map

.....

No pre-apps.

**********FILE COPY**********

Tel: (0118) 974 6480

Date: 19 November 2002

My ref: F/2002/7922

WOKINGHAM UNITARY
Aiming for Excellence

Councillor M Bryant
Rosebry
19 Salmond Road
Shinfield
RG2 8QN

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/2002/7922
6, Blackwater Close, Spencers Wood, Reading.
Proposed erection of 1.8m high wooden fence with access gates and 1m high picket fence. Retrospective.

I write to let you know that the above mentioned application has been received.

At this stage a recommendation has not yet been made. This form should only be returned if it is likely that you might wish for the application to be listed for consideration by the Development Control Committee. This form must be received no later than 28 days from the date of this letter.

If you have concerns about the proposals it may be possible for these to be addressed during the consideration of the application. In these circumstances it would be helpful if you could discuss these with the case officer **Dawn Hancocks** on **(0118) 974 6480** in the first instance.

Yours sincerely
Trevor Watson
Development Control Manager

LISTING FORM
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I wish this application to be listed should the officers recommendation be for: GRANT/REFUSAL and my reasons are:

_____

_____

Should the officers recommendation be in accordance with my views I am happy for the application to be determined under delegated powers. YES/NO

Signed: _____ Date: _____

Councillor M Bryant
**********FILE COPY**********

**********FILE COPY**********

Tel: (0118) 974 6480

Date: 19 November 2002

My ref: F/2002/7922

WOKINGHAM UNITARY
Aiming for Excellence

Councillor B Patman
Meadow View
Basingstoke Road
Spencers Wood
Reading
RG7 1AL

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
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Fax: (0118) 974 6484
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Councillor B Patman
**********FILE COPY**********

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Tel: (0118) 974 6480

Date: 19 November 2002

My ref: F/2002/7922

WOKINGHAM UNITARY
Aiming for Excellence

Councillor A Pollock
8 Halfacre Close
Spencers Wood
Reading
RG7 1DZ

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
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Councillor A Pollock
**********FILE COPY**********

Received by Wokingham District Council

Application No: F/2002/7922

Proposal:
Proposed erection of 1.8m high wooden fence with access gates and 1m high picket fence. Retrospective.

Location:
6, Blackwater Close, Spencers Wood, Reading.

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 and 1.00pm - 4.00pm Sunday. Library closed all day Wednesday. If you intend to view this application at Woodley Library please allow 4 days from the date of this letter for delivery of plans and remember to quote application number F/2002/7922 to enable the library staff to locate the correct information.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Dawn Hancocks P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 13/12/2002. 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 be possible for an individual reply to be issued to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

Trevor Watson
Development Control Manager

19 November 2002

Organisation_Name	Building_Name	address1	Postcode
	.	4BLACKWATER CLOSEREADING	RG7 1DT
	.	5BLACKWATER CLOSEREADING	RG7 1DT
	.	6BLACKWATER CLOSEREADING	RG7 1DT
	·	7BLACKWATER CLOSEREADING	RG7 1DT
	`	8BLACKWATER CLOSEREADING	RG7 1DT

Neighbour list F/2002/7922

To Wokingham District Council 06.NOV.2002 7922 11 NOV 2002

Planning Dept 7922

Ref: Richard Lettin 01-11-2002

Dear Sir

Ref: 6 Blackwater Close - Spencers Wood.

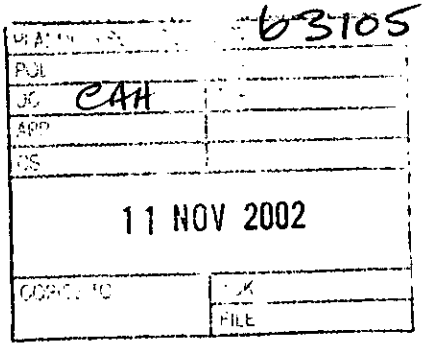
With reference to your letter of the 7th Oct 2002 May I first appologise for my confusion regarding the requirements relating to planning permission.

I now submit an application for the Erection of a New fence 1.8m high (wooden) along my driveway & also a small 1.0m high wooden picket fence around my front garden with access gates in both fences.

I now confirm after consultation with my Solicitors Head Partnership Reading that the large 1.8m high fence does not front either a shared Driveway or highway property, nor does it project beyond the building line.

Yours Faithfully

[signature]



08.NOV.2002 7922

01189887517

7 Blackwater close
Spencers wood
Reading
RG7 1DT
10-11-02

7922
DH

CASE No. 20027922

Dear Sir / Madam

After my conversation with the duty-planning officer on Friday, we were advised to put into writing the problems we are having concerning our drive. After falling on Friday, due to the conditions of our drive and garden we are making an appointment to see a solicitor, as luckily, I sustained no injury on this occasion, just covered in mud, wet and shook up. However it would definitely be a case for your legal department had it of been my daughter, who fell, who has just gone through seven years of surgery to correct a knee injury or my sister who has Down's syndrome.

We are also seeing a solicitor as we cannot believe that Mr. Devine can get away with what he has done, with no permission and going against the rules and regulations in the contracts which were written by you, the council, especially as these are shared equity homes with you as landlords. We had to sign contracts of great length in front of a solicitor saying we would adhere to the rules and regulations or loose our tenancy agreement with you. We have always done things by the letter, but it seems that we didn't need to, because Mr. Devine seems to be able to do as he pleases.

We have been talking with Richard Lettings in planning who gave Mr. Devine 28 days to remove the fence, which was supposed to have been the 7th November, but now it is on hold because he built first and has asked permission after, surely this cannot be right. Richard Lettings has photos' and copies of the paperwork, also the contract that clearly states that this is not allowed and will happily talk this through with you.

We have enclosed a picture of this property and drive as we bought it, open-plan with a lovely open driveway and parking area. Now we cannot use our parking space because we cannot open our car doors or use or side entrance because of an over large "garden shed" that is now on Mr. Devine's parking space. A space that should be used for parking on, not for erecting large wooden structures.

Now we are unable to use our drive properly as a six foot, concrete posted fence goes down the middle of it, if my husband is driving or we have passengers, we have to get out of the car before we reach the drive, because it is impossible to open the car doors. When on the drive we have to step onto and walk over our garden, which when it rains, floods, this was the cause of my fall. Also trying to get off our drive is a joke, as we have to go forward and backward as the fence is at an angle to suit Mr. Devine's needs, we are sure this causes it to cross over onto our property.

Also there is a picket fence going around the front of his property, all these things go against the terms and regulations in our contracts.

We can only ask you to act upon this as quickly as possible so as to put right the mess outside of our home, and give us back our original parking space and drive way, by removal of the shed and fences.

It also states in our contracts that nothing can be erected or done to reduce the selling price of the surrounding properties, this has definitely reduced our selling price. This is a lovely open plan estate I dread to think of what it would look like if everyone followed Mr. Devine's lead and got away with it. We strongly feel this must not be allowed.

We have enclosed extra photographs so you can see our problems, which is increased even more when Mr. Devine's relatives park in front of the gates taking up even more space and again going against rules and regulations as this is a no parking keep clear area.

We would like to speak with you when you come to inspect the drive and parking area and would appreciate a call so as we can be here. We will look forward to hearing from you hopefully in the very near future.

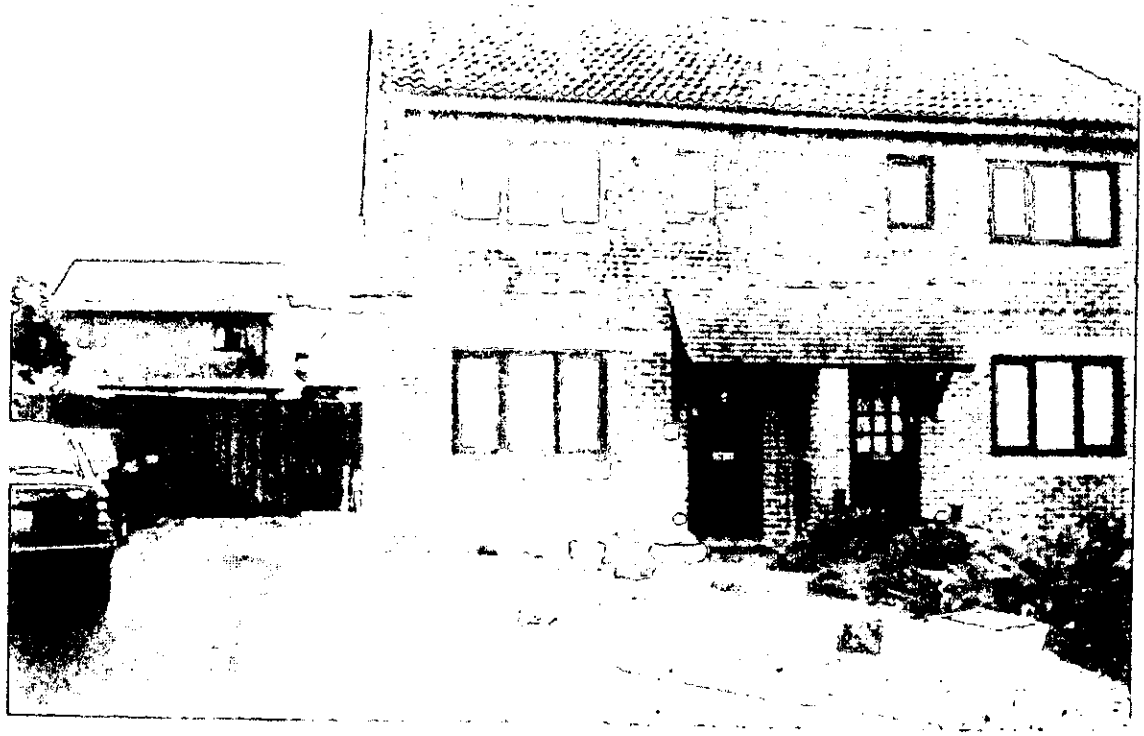
Yours faithfully

Mr and Mrs McGovern

THE FOLLOWING SCANNED IMAGES ARE DOCUMENTS OF BAD QUALITY OR ARE PHOTOCOPIES.



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN



7 BLACKWATER CLOSE, SPENCERS WOOD, READING, BERKS

11 NOV 2002

06.NOV.2002 7922 & OBE

7922
DH

Telephone 0118 988 4135

8, Blackwater Close,
Spencers Wood,
Reading,
Berks RG7 1DT.

63091
PLANNING SERVICES | HPT
POL | TLS
DC CAH | ENF
APP
CS
11 NOV 2002
COPIES TO

8th November 2002.

CASE No 20027922

Dear Sir,

I am writing to you regarding the erection of a six foot fence and garden shed at No 6 Blackwater Close. The fence has been erected down the middle of the driveway between No 6 and No 7 Blackwater Close and large gates at the end. A garden shed has been erected on the base that is for car parking or a garage only. This construction has completely changed the open plan nature of the properties, is an eyesore and will have a negative effect on property values.It has made access on and off the driveway more difficult especially for the residents at No 6 who cannot even open their car doors when parked on their own driveway.

I would like to draw your attention to the terms and conditions of the lease agreement that does not allow this type of construction when considering the planning application for the above.

Yours faithfully,

I C Gibbins

I.C. Gibbins.

Environmental Services

For office use only.
Application number:

06.NOV.2002 7922

WOKINGHAM UNITARY
Aiming for Excellence
01 NOV 2002

Householder planning application form

Please answer all questions in CAPITAL letters.
If any question does not apply to you, put N/A in the space.
Please send six copies of the filled in form and your plans to the address on the front of the folder.
We provide guidance notes to help you fill in the form. If you have any questions, please call Planning Support on 0118 974 6428 or 0118 974 6429.

1	Your name Address and postcode Phone number	JOHN DEVINE 6, BLACKWATER CLOSE SPENCERS WOOD SHINFIELD RG7 1DT 0118 988 3824
2	Agent's Name Address and postcode Phone number	N/A
3	Site We need you to send in six copies of the 1:2500 scale location plan and six copies of the 1:500 scale block plan, with the site outlined in red. You can buy these maps from the Environmental Services reception or order them by phoning 0118 974 6485.	6, BLACKWATER CLOSE
4	Give brief details of the proposal for example, two storey side extension. About the application	Erection of 1.8m high Wooden fence with access gate Erection of 1.0m high Picket fence
5	Are there any trees on the site? If Yes, please show their positions, spread and species of the trees on the plans. Say which trees you plan to cut down.	Yes ☐ No ☑
6	Please list the external materials you will use for example, red brick to match any existing bricks and dark stained timber.	Wood & Concrete Posts
7	Will the proposal change the pedestrian or vehicle access to the site? Please show details of the existing access and any proposed changes on the plans.	Yes ☐ No ☑
8	Will the car parking provision at the site be changed? If Yes, please show details of any changes on the plans.	Yes ☐ No ☑

Crystal Mark
Clarity approved by Plain English Campaign

Please turn over

9	How many bedrooms does the property have?	Existing: 3	Proposed: 5
10	Does a public right of way touch the site? If yes, please show the route and any proposed alternative on the plans.	Yes ☐	No ☑
11	Checklist. Please make sure that you enclose the following.		
	a Six copies of this form signed and dated.		
	b The fee (We have attached a current scale of fees). If you do not have to pay a fee, please say why below.		
	c Six copies of each set of plans and drawings listed below.		
	• 1:2500 scale location plan with the site outlined in red.		
	• 1:500 scale site layout plan.		
	• 1:100 or 1:200 scale floor plans and elevations.		

12 Certificate of ownership (Section 66 Town & Country Planning Act 1990)
Please delete either certificate A or certificate B. If neither apply, you must fill in a full certificate which you can get from Environmental Services.

(Owner means a person with a freehold interest, or someone who is a leasehold tenant with at least seven years left on their agreement)

Certificate A

I certify that

- At the beginning of the period of 21 days ending with the date of the application nobody, except the applicant, owned any part of the land which the application relates to.
- None of the land forms part of an agricultural holding.

Certificate B

I certify that

- I or the applicant has given the necessary notice to everyone else who (at the beginning of the period of 21 days ending with the date of the application) owned any part of the land which the application relates to as listed below.

Owner's name	Address at which the notice was served	Date on which the notice was served
Wokingham Council.	Shute End Wokingham	01/11/2002

None of the land forms part of an agricultural holding.

Your signature: [signature] on behalf of

Date 01/11/2002

Please tick this box if you or your husband, wife or partner are employed by Wokingham District Council ☐

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FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

ADDRESS 5/6 BLACKWATER CLOSE PARISH SUNNINGDALE

PLOT No. 85/86 ORD. SHEET No. SU. 7166 (86)

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
33707	LOVELL	S/det. HOUSES	31.8.89	CA
RRA 8/03	"	"	16.11.89	APP
35842	"	" (REVISION)	4.7.90	CA
99/70814/F	Mr G Collier (No5)	S/sr rear extn.	04.01.00	C/A
F/2002/7922	Mr Devine (No6)	1.8m Fence+gates (Retro)		

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS Pd Enq - No6 - Garage + Side - Mr Devine - 8/3/02 Irreg Boundary

DRAINAGE

091074